

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 11, 2008

SESSION OF 2008

192D OF THE GENERAL ASSEMBLY

No. 40

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

PRAYER

The SPEAKER. The prayer will be offered by Jarrod Miller, guest of Representative William DeWeese.

JARROD MILLER, Guest Chaplain of the House of Representatives, offered the following prayer:

Good morning.

I am very honored to be with all of you this morning. As Speaker O'Brien said, I am a guest chaplain for today. Mr. Speaker, members of the Pennsylvania House of Representatives, let us pray:

Most merciful and loving Heavenly Father, as we come before Thee this morning, Heavenly Father, we want to ask a special blessing upon each and every one of the members assembled here this morning. We ask Thee to put Your ever-loving arms around them, to guide and direct them, for it is through Your guidance that they will be better prepared to lead this wonderful Commonwealth of ours and its citizens in the way that they should go.

Heavenly Father, we pray that everything that is said and done here this morning will bring honor to Thy name and glory in Thy presence. And as these brave men and women are called upon to perform their work here in the House of Representatives today, may they be able to put aside any differences that they may have and find it deep within each of their hearts to do the very best for this Commonwealth and its citizenry.

Heavenly Father, we ask Thee to go with us now throughout the rest of this day and throughout our life's journey, keeping us all in the hold of your almighty hand. For all these things, we ask in Your almighty and precious name. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Tuesday, June 10, 2008, will be postponed until printed. The Chair hears no objection.

JARROD MILLER INTRODUCED

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

Mr. DeWEESE. Thank you, Mr. Speaker. Just 60 seconds.

Jarrold and his mom and dad and the fire company they represent, the Hiller Volunteer Fire Company near Brownsville in Fayette County, and the whole Fayette County Firemen's Association, which Jarrod and his mom and dad and family are very involved in, exemplify the mission that we are all about in this chamber.

And I am very proud, and I would like to also include the whole Fayette County delegation as people who have sponsored today's guest chaplain. Jarrod's aggression, enthusiasm, focus, commitment, warmth, and dynamics within the Hiller Volunteer Fire Company make it a very, very special aspect of Fayette County life. Jarrod is well known in our community, and I am very, very happy that the Speaker made him welcome today. Thank you.

The SPEAKER. We all share in the majority leader's enthusiastic congratulations of Jarrod, our special chaplain for today.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to requests for leaves of absence. The Chair recognizes the majority whip, who requests that Representative MYERS from Philadelphia County be placed on leave for the day. The Chair hears no objection. The leave will be granted.

The Chair recognizes the minority whip, who requests that Representative BASTIAN of Somerset County, Representative HENNESSEY of Chester County, and Representative WATSON of Bucks County be placed on leave for the day. The Chair hears no objection. These leaves will also be granted.

Members will report to the floor.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—199

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bear	Gerber	McGeehan	Sainato
Belfanti	Gergely	McI. Smith	Samuelson
Benninghoff	Gibbons	McIlhattan	Santoni
Bennington	Gillespie	Melio	Saylor
Beyer	Gingrich	Mensch	Scavello
Biancucci	Godshall	Metcalfe	Schroder
Bishop	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	Nailor	Staback
Casorio	Helm	Nickol	Stairs
Causer	Hershey	O'Brien, M.	Steil
Civera	Hess	O'Neill	Stern
Clymer	Hickernell	Oliver	Stevenson
Cohen	Hornaman	Pallone	Sturla
Conklin	Hutchinson	Parker	Surra
Costa	James	Pashinski	Swanger
Cox	Josephs	Payne	Tangretti
Creighton	Kauffman	Payton	Taylor, J.
Cruz	Keller, M.K.	Peifer	Taylor, R.
Curry	Keller, W.	Perry	Thomas
Cutler	Kenney	Perzel	True
Daley	Kessler	Petrarca	Turzai
Dally	Killion	Petri	Vereb
DeLuca	King	Petrone	Vitali
Denlinger	Kirkland	Phillips	Vulakovich
DePasquale	Kortz	Pickett	Wagner
Dermody	Kotik	Preston	Walko
DeWeese	Kula	Pyle	Wansacz
DiGirolamo	Leach	Quigley	Waters
Donatucci	Lentz	Quinn	Wheatley
Eachus	Levdansky	Ramaley	White
Ellis	Longietti	Rapp	Williams
Evans, D.	Mackereth	Raymond	Wojnaroski
Evans, J.	Maher	Readshaw	Yewcic
Everett	Mahoney	Reed	Youngblood
Fabrizio	Major	Reichley	Yudichak
Fairchild	Manderino	Roae	
Fleck	Mann	Rock	O'Brien, D., Speaker
Frankel	Mantz	Roebuck	
Freeman			

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Bastian	Hennessey	Myers	Watson
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LEAVES CANCELED—1

Hennessey

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

Representative Murt will approach the rostrum, please.

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

SB 483, PN 2163 (Amended)

By Rep. DALEY

An Act amending the act of January 30, 1974 (P.L.13, No.6), referred to as the Loan Interest and Protection Law, further providing for definitions, for maximum lawful interest rates, for residential mortgage interest rates, for penalties and for enforcement.

COMMERCE.

SB 484, PN 2164 (Amended)

By Rep. DALEY

An Act amending the act of May 15, 1933 (P.L.565, No.111), known as the Department of Banking Code, further providing for general scope of supervision and exercise of discretion; prohibiting disclosure of certain information; further providing for criminal history record information; and providing for conduct of administrative proceedings relating to institutions and credit unions.

COMMERCE.

SB 486, PN 1752

By Rep. DALEY

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

COMMERCE.

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

HB 2266, PN 3930 (Amended)

By Rep. FREEMAN

An Act updating and expanding the storm water planning requirements to be undertaken by counties; authorizing counties to regulate storm water within a watershed-based planning area; authorizing the formation of water resources management authorities; enabling counties, municipalities and water resources management authorities to develop integrated water resources management plans; imposing duties and conferring powers on the Department of Environmental Protection, the Environmental Quality Board, counties, municipalities and water resources management authorities; providing for financing and for waiver of use for certain grant or loan funds; and making related repeals.

LOCAL GOVERNMENT.

HB 2499, PN 3929 (Amended)

By Rep. STURLA

An Act regulating massage therapy; establishing the State Board of Massage Therapy; providing for funds, for licensure, for disciplinary action, for remedies, for penalties and for preemption; and making an appropriation.

PROFESSIONAL LICENSURE.

HB 2539, PN 3776

By Rep. GEORGE

An Act amending the act of June 5, 1947 (P.L.422, No.195), entitled, "An act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications; to construct and maintain dams, reservoirs, lakes and other works and improvements for impounding flood waters, and conserving the water supply of the Commonwealth; and for creating additional recreational

areas; to acquire by purchase, condemnation or otherwise, certain lands for such purposes; to construct and maintain flood forecasting and warning systems," further providing for the purposes of the act and for the authority of the Department of Environmental Protection; and making editorial changes.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 2546, PN 3795

By Rep. GEORGE

An Act amending the act of August 7, 1936 (1st Sp.Sess., P.L.106, No.46), referred to as the Flood Control Law, further providing for purpose of act; adding definitions; further providing for plans, for proceedings, for powers and duties of the Department of Environmental Protection, for eminent domain, for flood control works and for financing; and making editorial changes.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 2549, PN 3798

By Rep. GEORGE

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, further providing for legislative intent, for definitions and for financial assistance.

ENVIRONMENTAL RESOURCES AND ENERGY.

BILL REPORTED FROM COMMITTEE

HB 2555, PN 3804

By Rep. STURLA

An Act amending Title 5 (Athletics and Sports) of the Pennsylvania Consolidated Statutes, further providing for duties of State Athletic Commission; in regulation of boxing contests and exhibitions, further providing for age of participants and for gloves; in wrestling, further providing for definitions and for physician to be in attendance; and, in registration of athlete agents, further providing for bonding requirements.

PROFESSIONAL LICENSURE.

BILL REREFERRED

The SPEAKER. The Chair moves, at the request of the majority leader, that HB 2555, PN 3804, be rereferred to the Committee on State Government.

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

SENATE MESSAGE

REPORT OF COMMITTEE OF CONFERENCE ADOPTED BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has adopted the report of the committee of conference on the subject of the differences existing between the two Houses on **SB 246, PN 2099**.

BILLS SIGNED BY SPEAKER

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

SB 246, PN 2099

An Act regulating smoking in this Commonwealth; imposing powers and duties on the Department of Health and local boards of health; providing penalties; preempting local action; and making a related repeal.

SB 1159, PN 1548

An Act designating Long Pond Road in Tunkhannock Township, Monroe County, from the intersection with SR 115 eastward to the intersection with Stony Hollow Road, as Dr. Joseph Mattioli and Dr. Rose Mattioli Drive.

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

LUZERNE COUNTY OFFICIALS INTRODUCED

The SPEAKER. The Chair recognizes Representative Phyllis Mundy for an introduction.

Ms. MUNDY. Thank you, Mr. Speaker.

On behalf of the entire Luzerne County delegation, I would like to welcome to the House floor today our county commissioner, Maryanne Petrilla; our Luzerne County manager and chief clerk, Doug Pape; our executive director of the Luzerne County Office of Human Services, Joseph DeVizia; and the director of Luzerne County Children and Youth, Frank Castano.

They are here visiting us today and meeting with the Department of Public Welfare, and we want to give them a hearty welcome and thank-you for coming down to visit with us.

2007 CALIFORNIA UNIVERSITY OF PENNSYLVANIA FOOTBALL TEAM PRESENTED

The SPEAKER. The Chair invites Representative Pete Daley to the podium for a presentation.

Mr. DALEY. Thank you, Mr. Speaker.

Ladies and gentlemen, on behalf of the Washington and Fayette County delegations and all of us in southwestern Pennsylvania that are privileged to have children who have attended or attend California University of Pennsylvania, it is my absolute pleasure to introduce to you some of the members of the 2007 Cal U Football Team.

Ladies and gentlemen, this past year we witnessed the most prolific football season in California University's history. The Vulcans dominated the PSAC (Pennsylvania State Athletic Conference) opponents on their way to their first 11-0 undefeated regular season since 1958. The feat marked Cal's third consecutive PSAC West Championship and earned the Vulcans their first NCAA (National Collegiate Athletic Association) Division II National Playoff in the school's

156-year history. In the playoff, the Vulcans rattled Southern Connecticut State 43-7 in the first round and then pounded Shepherd University 58-38 to claim its first Northeast Regional Championship in Vulcan history.

The Vulcans entered the NCAA Division II National Semifinal game undefeated, but suffered its first loss and only loss of the season to the eventual national champions, Valdosta State. The 2007 Vulcans finished the season 13-1, won the Lambert Cup Trophy, which crowned the Vulcans "The Beast of the East" in Division II and were crowned the most improved football team in all of Division II.

The Vulcan offense really found its stride during the playoff stretch, scoring 125 points and amassing 1400 yards. The Vulcan defense finished number one in the nation in rushing defense, scoring defense, and total defense. With me at the dais, ladies and gentlemen, are Coach Luckhardt; D'monn Baker, assistant coach; player, Matt Humbert; and Cha'Mar Jones, player. Ladies and gentlemen, PSAC State Champions and the Beast of the East, California University Football Team, and I ask for your applause and appreciation for their attendance today.

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise members he has given permission to John Kisala of Fox News Channel to videotape with audio for 10 minutes.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 789 By Representatives WAGNER, BENNINGTON, BEYER, BIANCUCCI, CALTAGIRONE, DALEY, FRANKEL, GEIST, GEORGE, KULA, MUSTIO, PETRONE, READSHAW, SIPTROTH, M. SMITH, THOMAS, VULAKOVICH, WOJNAROSKI, YOUNGBLOOD and MURT

A Resolution memorializing the Congress of the United States to urge the Comptroller of the Currency for the United States Treasury to add the Pittsburgh Metropolitan Statistical Area as a new Community Reinvestment Act assessment area for Bank of America.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, June 11, 2008.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2527 By Representatives R. TAYLOR, LENTZ, BELFANTI, BRENNAN, BOBACK, CONKLIN, CURRY, DePASQUALE, FRANKEL, GEORGE, GIBBONS, GOODMAN, GRUCELA, HARHAI, HARKINS, HORNAMAN, KORTZ, KOTIK, LEACH, MAHONEY, MANN, McCALL, McILHATTAN, MELIO, MOYER, MURT, ROCK, SAYLOR, SCAVELLO, SHAPIRO, SIPTROTH, M. SMITH, SOLOBAY, SURRA, J. TAYLOR, WANSACZ, J. WHITE, YOUNGBLOOD, BEYER, HENNESSEY, HERSHEY, D. O'BRIEN, GEIST, MOUL and SWANGER

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for electronic monitoring.

Referred to Committee on JUDICIARY, June 11, 2008.

No. 2528 By Representatives R. TAYLOR, LENTZ, BELFANTI, BRENNAN, BOBACK, CONKLIN, CURRY, DePASQUALE, FRANKEL, GEORGE, GIBBONS, GOODMAN, GRUCELA, HARHAI, HARKINS, HORNAMAN, KORTZ, KOTIK, LEACH, MAHONEY, MANN, McCALL, McILHATTAN, MELIO, MOYER, MURT, ROCK, SAYLOR, SCAVELLO, SHAPIRO, SIPTROTH, M. SMITH, SOLOBAY, SURRA, J. TAYLOR, WANSACZ, J. WHITE, YOUNGBLOOD, BEYER, HENNESSEY, HERSHEY, D. O'BRIEN, GEIST and MOUL

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the offense of tampering with Internet usage monitoring software or hardware and for Internet usage monitoring.

Referred to Committee on JUDICIARY, June 11, 2008.

No. 2590 By Representatives CIVERA, VEREB, MENSCH, ADOLPH, BAKER, BELFANTI, BENNINGHOFF, BOBACK, BOYD, BRENNAN, BROOKS, CALTAGIRONE, CLYMER, CUTLER, DALLY, DeLUCA, DIGIROLAMO, GEIST, GINGRICH, GOODMAN, HARRIS, HESS, HICKERNELL, HORNAMAN, KENNEY, KILLION, KOTIK, MAHONEY, MAJOR, MARSICO, McILHATTAN, MICOZZIE, MOUL, MOYER, MURT, D. O'BRIEN, O'NEILL, PAYNE, PERZEL, PETRI, PHILLIPS, PICKETT, PYLE, QUINN, READSHAW, REICHLEY, SIPTROTH, SWANGER, J. TAYLOR, TRUE, VULAKOVICH and WATSON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, restricting Internet and World Wide Web access for certain sex offenders; and allowing law enforcement authorities and other governmental agencies to access certain records and other information related to sex-related offenses.

Referred to Committee on JUDICIARY, June 11, 2008.

No. 2612 By Representatives R. TAYLOR, LENTZ, BELFANTI, BRENNAN, BOBACK, CONKLIN, CURRY, DePASQUALE, FRANKEL, GEORGE, GIBBONS, GOODMAN, GRUCELA, HARHAI, HARKINS, HORNAMAN, KORTZ, KOTIK, LEACH, MAHONEY, MANN, McCALL, McILHATTAN, MELIO, MOYER, MURT, ROCK, SAYLOR, SCAVELLO, SHAPIRO, SIPTROTH, M. SMITH, SOLOBAY, SURRA, J. TAYLOR, WANSACZ, J. WHITE, YOUNGBLOOD, BEYER, HENNESSEY, HERSHEY, D. O'BRIEN, GEIST and MOUL

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for electronic monitoring.

Referred to Committee on JUDICIARY, June 11, 2008.

No. 2613 By Representatives R. TAYLOR, LENTZ, BELFANTI, BRENNAN, BOBACK, CONKLIN, CURRY, DePASQUALE, FRANKEL, GEORGE, GIBBONS, GOODMAN, GRUCELA, HARHAI, HARKINS, HORNAMAN, KORTZ, KOTIK, LEACH, MAHONEY,

MANN, McCALL, McILHATTAN, MELIO, MOYER, MURT, ROCK, SAYLOR, SCAVELLO, SHAPIRO, SIPTROTH, M. SMITH, SOLOBAY, SURRA, J. TAYLOR, WANSACZ, J. WHITE, YOUNGBLOOD, BEYER, HENNESSEY, HERSHEY, D. O'BRIEN, GEIST and MOUL

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the offense of tampering with Internet usage monitoring software or hardware and for Internet usage monitoring.

Referred to Committee on JUDICIARY, June 11, 2008.

No. 2614 By Representatives STURLA, BIANCUCCI, BOYD, CALTAGIRONE, FRANKEL, KOTIK, KULA, R. MILLER, READSHAW, THOMAS, HENNESSEY, BRENNAN, FREEMAN, SIPTROTH, MAHONEY, BEAR, K. SMITH and VULAKOVICH

An Act providing for a tax credit program for work provided by a vocational facility to a business under contract with the facility.

Referred to Committee on FINANCE, June 11, 2008.

No. 2622 By Representatives DENLINGER, TURZAI, MAJOR, PHILLIPS, BAKER, BEYER, BOYD, CAPPELLI, CAUSER, CLYMER, CREIGHTON, CUTLER, EVERETT, FAIRCHILD, GEIST, GINGRICH, GOODMAN, HENNESSEY, HERSHEY, HESS, HICKERNELL, HORNAMAN, KAUFFMAN, KING, KORTZ, KOTIK, McILHATTAN, MILLARD, R. MILLER, MILNE, MOUL, MOYER, MURT, PAYNE, PEIFER, PICKETT, PYLE, REED, REICHLEY, ROCK, ROHRER, ROSS, SAYLOR, SIPTROTH, SONNEY, SWANGER, J. TAYLOR and YUDICHAK

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for classes of income for purposes of the personal income tax.

Referred to Committee on FINANCE, June 11, 2008.

No. 2623 By Representatives VEREB, J. WHITE, BAKER, D. O'BRIEN, BEAR, BOYD, CARROLL, CLYMER, CREIGHTON, EVERETT, GEIST, GINGRICH, GRELL, HARPER, HICKERNELL, KORTZ, KOTIK, KULA, MAHER, MENSCH, R. MILLER, MILNE, MURT, PICKETT, PYLE, REED, REICHLEY, ROCK, SAYLOR, SOLOBAY, J. TAYLOR, TRUE, TURZAI, VULAKOVICH and WATSON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, repealing expiration provision relating to wiretapping and electronic surveillance.

Referred to Committee on JUDICIARY, June 11, 2008.

No. 2624 By Representatives HARHAI, ARGALL, BELFANTI, BENNINGTON, BIANCUCCI, FREEMAN, GEIST, GEORGE, GIBBONS, GRUCELA, HARKINS, HENNESSEY, HUTCHINSON, JAMES, JOSEPHS, KULA, MANN, MELIO, MYERS, M. O'BRIEN, SEIP, SIPTROTH, YOUNGBLOOD, BRENNAN and MURT

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Suicide Ideation and Depression Awareness Program; and making an appropriation.

Referred to Committee on JUDICIARY, June 11, 2008.

No. 2626 By Representatives PASHINSKI, MUNDY, BELFANTI, McCALL, EACHUS, SURRA, DERMODY, ADOLPH, BLACKWELL, CARROLL, CASORIO, COHEN, CONKLIN, CURRY, DeLUCA, DePASQUALE, FRANKEL, FREEMAN, GALLOWAY, GEORGE, GERBER, GERGELY, GIBBONS, GOODMAN, GRUCELA, HALUSKA, JAMES, JOSEPHS, KENNEY, LEVDANSKY, MAHONEY, MANDERINO, McGEEHAN, McILVAINE SMITH, MELIO, MURT, M. O'BRIEN, OLIVER, O'NEILL, QUINN, RAMALEY, RAYMOND, SAMUELSON, SHIMKUS, SIPTROTH, K. SMITH, SOLOBAY, STABACK, R. STEVENSON, VITALI, WAGNER, WANSACZ, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending the act of June 1, 1937 (P.L.1168, No.294), known as the Pennsylvania Labor Relations Act, further providing for definitions; and providing for disputes involving religious employers.

Referred to Committee on LABOR RELATIONS, June 11, 2008.

No. 2627 By Representatives METCALFE, MUSTIO, CREIGHTON, PERRY, READSHAW, BARRAR, BELFANTI, BOYD, CLYMER, GEORGE, GOODMAN, KAUFFMAN, O'NEILL, ROCK, ROHRER, SAYLOR, SCHRODER, SEIP, SONNEY, R. STEVENSON, SWANGER, WOJNAROSKI, KORTZ and MARSHALL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for exceptions to governmental immunity related to unauthorized aliens.

Referred to Committee on JUDICIARY, June 11, 2008.

No. 2628 By Representatives METCALFE, MUSTIO, CREIGHTON, PERRY, READSHAW, CLYMER, COX, GOODMAN, RAPP, ROCK, SAYLOR, SONNEY, SWANGER, WOJNAROSKI, KORTZ and MARSHALL

An Act providing for sanctuary municipality financial penalties.

Referred to Committee on STATE GOVERNMENT, June 11, 2008.

SENATE BILLS FOR CONCURRENCE

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

SB 1314, PN 2095

Referred to Committee on FINANCE, June 11, 2008.

SB 1315, PN 2096

Referred to Committee on EDUCATION, June 11, 2008.

SB 1316, PN 2097

Referred to Committee on FINANCE, June 11, 2008.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the names of Drew Schlosser and Alex Myers, who have recently been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Drew Schlosser and Alex Myers.

Whereas, Drew Schlosser and Alex Myers have earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of these young men. They are members of Troop 5.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the names of Drew Schlosser and Alex Myers.

The SPEAKER. The Chair announces its intention to recess regular session and go into special session at 11:34.

RECESS

The SPEAKER. Regular session of the House will now stand in recess to the call of the Chair.

AFTER RECESS

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

The SPEAKER. The House will be at ease.

The House will come to order.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes Representative Surra for an announcement.

Mr. SURRA. Thank you, Mr. Speaker.

Just as far as scheduling goes, for the information of the members, there will be a meeting of the Appropriations Committee in the majority caucus room at 12:45, and we plan on returning to the House floor at 1 o'clock.

Thank you, Mr. Speaker.

The SPEAKER. The Appropriations Committee will meet at 12:45 in the majority caucus room.

Are there any other announcements?

**HEALTH AND HUMAN SERVICES
COMMITTEE MEETING**

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

Mr. OLIVER. Mr. Speaker, at the call of the recess, there will be a meeting of the Health and Human Services Committee in G-50 of the Irvis Building.

The SPEAKER. The Chair thanks the gentleman.

There will be an immediate meeting of the Health and Human Services Committee in G-50 of the Irvis Building.

Are there any further announcements?

RECESS

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

AFTER RECESS

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

The SPEAKER. The House will be at ease.

The House will come to order.

**THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING****CALENDAR****RESOLUTIONS PURSUANT TO RULE 35**

Mr. MARSICO called up **HR 625, PN 3327**, entitled:

A Resolution recognizing the National Rifle Association of America for its diligence and services in developing the Eddie Eagle GunSafe Program and celebrating the program's 20th anniversary.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bear	Gerber	McGeehan	Sainato
Belfanti	Gergely	McI. Smith	Samuelson
Benninghoff	Gibbons	McIlhattan	Santoni
Bennington	Gillespie	Melio	Saylor
Beyer	Gingrich	Mensch	Scavello
Biancucci	Godshall	Metcalf	Schroder
Bishop	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	Nailor	Staback
Casorio	Helm	Nickol	Stairs
Causser	Hershey	O'Brien, M.	Steil
Civera	Hess	O'Neill	Stern
Clymer	Hickernell	Oliver	Stevenson
Cohen	Hornaman	Pallone	Sturla
Conklin	Hutchinson	Parker	Surra
Costa	James	Pashinski	Swanger
Cox	Josephs	Payne	Tangretti
Creighton	Kauffman	Payton	Taylor, J.
Cruz	Keller, M.K.	Peifer	Taylor, R.
Curry	Keller, W.	Perry	Thomas

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Bastian	Hennessey	Myers	Watson
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

* * *

Mr. PETRONE called up **HR 786, PN 3883**, entitled:

A Resolution congratulating the Pittsburgh Penguins for winning the 2008 National Hockey League Eastern Conference Championship.

On the question,
Will the House adopt the resolution?

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

Mr. PETRONE. Thank you, Mr. Speaker.

Mr. Speaker, the Pittsburgh Penguins have brought four decades of hockey to the Steel City, along with winning six division championships, three conference championships, and two Stanley Cup championships. And whereas, the Penguins had a record of 47-27-8 during the 2007-08 regular season and a record of 15-2 during the 2007-2008 playoffs.

They performed in the conference quarterfinals of the Stanley Cup playoffs and defeated the New York Islanders, and they were able to defeat the Philadelphia Flyers, sadly, in a five game series in which they lost only the fourth game. And whereas, the Pittsburgh Penguins are the current National League Hockey Eastern Conference Champions, and the Pens represented this Commonwealth in the Stanley Cup finals in a manner worthy of much praise, despite their loss to the Stanley Cup champions, the Detroit Red Wings.

We congratulate the Penguins and wish them well for all the future years. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Bastian	Hennessey	Myers	Watson
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2428, PN 3875**, entitled:

An Act regulating the amount of property insurance coverage required by certain lenders.

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

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bear	Gerber	McGeehan	Sainato
Belfanti	Gergely	McI. Smith	Samuelson
Benninghoff	Gibbons	McIlhatten	Santoni
Bennington	Gillespie	Melio	Saylor
Beyer	Gingrich	Mensch	Scavello
Biancucci	Godshall	Metcalfe	Schroder
Bishop	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	Nailor	Staback
Casorio	Helm	Nickol	Stairs
Causer	Hershey	O'Brien, M.	Steil
Civera	Hess	O'Neill	Stern
Clymer	Hickernell	Oliver	Stevenson
Cohen	Hornaman	Pallone	Sturla
Conklin	Hutchinson	Parker	Surra
Costa	James	Pashinski	Swanger
Cox	Josephs	Payne	Tangretti
Creighton	Kauffman	Payton	Taylor, J.
Cruz	Keller, M.K.	Peifer	Taylor, R.
Curry	Keller, W.	Perry	Thomas
Cutler	Kenney	Perzel	True
Daley	Kessler	Petrarca	Turzai
Dally	Killion	Petri	Vereb
DeLuca	King	Petrone	Vitali
Denlinger	Kirkland	Phillips	Vulakovich
DePasquale	Kortz	Pickett	Wagner
Dermody	Kotik	Preston	Walko
DeWeese	Kula	Pyle	Wansacz
DiGirolamo	Leach	Quigley	Waters
Donatucci	Lentz	Quinn	Wheatley
Eachus	Levdansky	Ramaley	White
Ellis	Longietti	Rapp	Williams
Evans, D.	Mackereth	Raymond	Wojnarowski

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

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

* * *

The House proceeded to third consideration of **HB 2302, PN 3912**, entitled:

An Act providing for assistance to agencies promoting tourism; authorizing the Department of Community and Economic Development to make grants and provide assistance to properly designated tourism promotion agencies and regional marketing partnerships; conferring powers and imposing duties on the governing bodies of certain political subdivisions; and repealing the Tourist Promotion Law.

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

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bear	Gerber	McGeehan	Sainato
Belfanti	Gergely	McI. Smith	Samuelson
Benninghoff	Gibbons	McIlhatten	Santoni
Bennington	Gillespie	Melio	Saylor
Beyer	Gingrich	Mensch	Scavello
Biancucci	Godshall	Metcalfe	Schroder
Bishop	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	Nailor	Staback
Casorio	Helm	Nickol	Stairs
Causer	Hershey	O'Brien, M.	Steil
Civera	Hess	O'Neill	Stern
Clymer	Hickernell	Oliver	Stevenson
Cohen	Hornaman	Pallone	Sturla
Conklin	Hutchinson	Parker	Surra
Costa	James	Pashinski	Swanger
Cox	Josephs	Payne	Tangretti
Creighton	Kauffman	Payton	Taylor, J.
Cruz	Keller, M.K.	Peifer	Taylor, R.
Curry	Keller, W.	Perry	Thomas
Cutler	Kenney	Perzel	True
Daley	Kessler	Petrarca	Turzai
Dally	Killion	Petri	Vereb
DeLuca	King	Petrone	Vitali
Denlinger	Kirkland	Phillips	Vulakovich
DePasquale	Kortz	Pickett	Wagner
Dermody	Kotik	Preston	Walko
DeWeese	Kula	Pyle	Wansacz
DiGirolamo	Leach	Quigley	Waters
Donatucci	Lentz	Quinn	Wheatley
Eachus	Levdansky	Ramaley	White
Ellis	Longietti	Rapp	Williams
Evans, D.	Mackereth	Raymond	Wojnaroski
Evans, J.	Maher	Readshaw	Yewcic
Everett	Mahoney	Reed	Youngblood
Fabrizio	Major	Reichley	Yudichak
Fairchild	Manderino	Roae	
Fleck	Mann	Rock	O'Brien, D.,
Frankel	Mantz	Roebuck	Speaker
Freeman			

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

* * *

The House proceeded to third consideration of **HB 2295, PN 3913**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in management of condominiums, further providing for lien for assessments.

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

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bear	Gerber	McGeehan	Sainato
Belfanti	Gergely	McI. Smith	Samuelson
Benninghoff	Gibbons	McIlhatten	Santoni
Bennington	Gillespie	Melio	Saylor
Beyer	Gingrich	Mensch	Scavello
Biancucci	Godshall	Metcalfe	Schroder
Bishop	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	Nailor	Staback
Casorio	Helm	Nickol	Stairs
Causer	Hershey	O'Brien, M.	Steil
Civera	Hess	O'Neill	Stern
Clymer	Hickernell	Oliver	Stevenson
Cohen	Hornaman	Pallone	Sturla
Conklin	Hutchinson	Parker	Surra
Costa	James	Pashinski	Swanger
Cox	Josephs	Payne	Tangretti
Creighton	Kauffman	Payton	Taylor, J.
Cruz	Keller, M.K.	Peifer	Taylor, R.
Curry	Keller, W.	Perry	Thomas
Cutler	Kenney	Perzel	True
Daley	Kessler	Petrarca	Turzai
Dally	Killion	Petri	Vereb
DeLuca	King	Petrone	Vitali
Denlinger	Kirkland	Phillips	Vulakovich
DePasquale	Kortz	Pickett	Wagner
Dermody	Kotik	Preston	Walko
DeWeese	Kula	Pyle	Wansacz
DiGirolamo	Leach	Quigley	Waters
Donatucci	Lentz	Quinn	Wheatley
Eachus	Levdansky	Ramaley	White
Ellis	Longietti	Rapp	Williams
Evans, D.	Mackereth	Raymond	Wojnaroski
Evans, J.	Maher	Readshaw	Yewcic
Everett	Mahoney	Reed	Youngblood
Fabrizio	Major	Reichley	Yudichak
Fairchild	Manderino	Roae	
Fleck	Mann	Rock	O'Brien, D.,
Frankel	Mantz	Roebuck	Speaker
Freeman			

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

REMARKS SUBMITTED FOR THE RECORD

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

Mr. PETRONE. Thank you, Mr. Speaker.

I just would like to submit remarks on HB 2295 and thank my colleagues for the unanimous vote.

Thank you. I want to submit these remarks.

The SPEAKER pro tempore. The Chair thanks the gentleman, and he may submit his remarks to the clerk.

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

HB 2295 amends the Uniform Condominium Act to restore language which provides that 6 months of unpaid assessments for common expenses, which a condominium association is entitled to when a condominium unit is sold through a judicial sale, shall be paid out of the proceeds from the judicial sale of the unit.

The language was inadvertently removed in 2004 when omnibus amendments were made to the act.

The removal of this provision for payment of unpaid assessments from the proceeds of the judicial sale of a unit has caused, and will likely cause in the future, condominium associations to lose their statutory entitlement to this important lien and significant source of revenue when a unit is sold at a judicial sale.

Revenue from assessments for common expenses provide a condominium association with the funding mechanism necessary to perform its maintenance and other services in accordance with the association's contractual and statutory obligations.

The intent of this legislation is to rectify the previous error, restore the original language to the act, and eliminate the discrepancy with the provisions of the two other statutes that govern common-interest ownership communities, the Real Estate Cooperative Act and the Uniform Planned Community Act.

Therefore, I appreciate the support of the House for this critical legislation.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2522, PN 3780**, entitled:

An Act providing for the capital budget for the fiscal year 2008-2009.

On the question,

Will the House agree to the bill on second consideration?

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh County, Representative Reichley, who makes a motion to suspend the rules for the purpose of offering amendment A07436, which the clerk will read.

The clerk read the following amendment No. **A07436**:

Amend Sec. 2, page 2, lines 24 through 29, by striking out all of said lines and inserting

Total \$780,000,000

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. Mr. Reichley, you are making a motion for suspension of the rules for consideration of your amendment?

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome Adam Fillman, who is a guest of the majority leader, Representative DeWeese, and he is a guest page. Please rise and be recognized.

CONSIDERATION OF HB 2522 CONTINUED

BILL AND MOTION PASSED OVER TEMPORARILY

The SPEAKER pro tempore. The bill and motion are over temporarily.

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

HB 2430, PN 3563

By Rep. ROEBUCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for responsibilities of department and State Board of Education.

EDUCATION.

HB 2437, PN 3569

By Rep. ROEBUCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for Pennsylvania accountability grants.

EDUCATION.

HB 2440, PN 3605

By Rep. ROEBUCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for special education payments to school districts.

EDUCATION.

HB 2442, PN 3606

By Rep. ROEBUCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for establishment of programs, for providers, for notification of program and for Educational Assistance Program.

EDUCATION.

HB 2468, PN 3933 (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, in early learning programs, further providing for the definition of "eligible provider" and for duties of approved providers.

EDUCATION.

HB 2475, PN 3666

By Rep. ROEBUCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for education empowerment districts.

EDUCATION.

HB 2479, PN 3934 (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 the definitions of "cyber charter school fund balance limit," "cyber education real cost level," "cyber special education real cost level," "employment cost index" and "Statewide average weekly wage"; and further providing for school staff, for funding for charter schools, for causes for nonrenewal or termination, for powers and duties of department, for assessment and evaluation, for cyber charter school requirements and prohibitions, for school district and intermediate unit responsibilities, for cyber charter school application, for enrollment and notification, for applicability and for State reimbursements for charter and cyber charter schools.

EDUCATION.

HB 2509, PN 3932 (Amended)

By Rep. OLIVER

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

HEALTH AND HUMAN SERVICES.

BILLS REPORTED FROM COMMITTEE**HB 305, PN 346**

By Rep. OLIVER

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, further providing for definitions, for powers and duties of Department of Health, for State health services plan, for regulations, for certificates of need and for sunset; and prohibiting certain referrals and claims of payment.

HEALTH AND HUMAN SERVICES.

HB 1824, PN 2957

By Rep. OLIVER

An Act establishing the Community-Based Health Care Provider Assistance Program in the Department of Health; setting criteria for eligibility for and authorizing payments to community-based health care providers to assist in providing medically necessary care to Pennsylvanians; providing for powers and duties of the Department of Health; authorizing transfers from the Medical Care Availability and Reduction of Error (Mcare) Fund; and establishing the Community-Based Health Care Provider Assistance Fund.

HEALTH AND HUMAN SERVICES.

BILLS REREFERRED

The SPEAKER pro tempore. The Chair moves, at the request of the majority leader, that HB 305, PN 346, and HB 1824, PN 2957, be rereferred to the Committee on Insurance.

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

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

The House will come to order.

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that SB 1147 be removed from the tabled bill calendar.

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

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that SB 1147 be recommitted to the Committee on Appropriations.

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

RESOLUTIONS

Mr. DeWEESE called up **HR 324, PN 1888**, entitled:

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

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 324 be removed from the active calendar and placed on the tabled bill calendar.

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 324 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. DeWEESE called up **HR 418, PN 2536**, entitled:

A Resolution memorializing Congress to take emergency action to protect homeowners and banks and enact a Homeowners and Banks Protection Act.

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 418 be removed from the active calendar and placed on the tabled bill calendar.

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 418 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. DeWEESE called up **HR 478, PN 3535**, entitled:

A Resolution urging the President and Congress of the United States to take action to provide for restitution and recovery for victims of Hurricanes Katrina and Rita.

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 478 be removed from the active calendar and placed on the tabled bill calendar.

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 478 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. DeWEESE called up **HR 517, PN 3536**, entitled:

A Resolution urging the Congress of the United States to amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to include obtaining a high school diploma or general equivalency diploma as an option for meeting work and education requirements for all recipients of benefits under the Temporary Assistance for Needy Families Program.

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 517 be removed from the active calendar and placed on the tabled bill calendar.

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 517 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. DeWEESE called up **HR 534, PN 2986**, entitled:

A Resolution urging the Congress of the United States to fund the creation and maintenance of a database of the mental health needs of college and university students.

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 534 be removed from the active calendar and placed on the tabled bill calendar.

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 534 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. DeWEESE called up **HR 536, PN 2987**, entitled:

A Resolution urging the President of the United States and Congress to provide the necessary funding for the Community Oriented Policing Services Program.

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 536 be removed from the active calendar and placed on the tabled bill calendar.

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 536 be removed from the tabled bill calendar and placed on the active calendar.

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

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

The House will come to order.

CONSIDERATION OF HB 2522 CONTINUED**BILL PASSED OVER**

The SPEAKER pro tempore. HB 2522 is over for the day.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2542, PN 3768**, entitled:

An Act providing for additional debt authorization for the 2007-2008 fiscal year.

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

The SPEAKER pro tempore. Are there any announcements or any other business?

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair is always pleased to see the gentleman, Mr. Hennessey, on the floor of the House, and he will be added to the master roll.

STATEMENT BY MR. D. EVANS

The SPEAKER pro tempore. The Chair at this time recognizes the gentleman, Mr. Evans, for remarks.

Mr. D. EVANS. Mr. Speaker?

The SPEAKER pro tempore. The House will come to order.

Mr. D. EVANS. Mr. Speaker?

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

Mr. D. EVANS. Thank you.

I would like to make an announcement to the members of the House relating to the budget. First, Mr. Speaker, I want to thank all of you for your patience and endurance relating to trying to manage this budget process. I have said consistently from the beginning that we would work together and try to meet the needs of the people of Pennsylvania as well as the workers of Pennsylvania.

I know that there have been times when some of you have not agreed with me, and I recognize that and I respect that. But at the end, we all have to work together to try to do what is best for the people of Pennsylvania. HB 2330, which is the budget bill, we dealt with it – HB 2380; I apologize – HB 2380, which we dealt with in the Appropriations Committee today. We offered an amendment to that particular bill with some of the priorities that I have heard from all of the members, Democrats and Republicans, and people across the Commonwealth of Pennsylvania.

That bill is now in position for this House to entertain during the week of the 23d of June. The new printer's number, as a result of the amendment, will be posted today. I want to explain to you why we chose that strategy. Ideally, we have to try to work things out with the Senate. We have had two meetings at the Governor's Mansion. We had a couple meetings in my office, and the staffs have been meeting. They met yesterday; they will meet again tomorrow.

So what we are attempting to do is to work with the Senate and the Governor's Office to try to come up with something that we all can generally agree on so that we can finish by June 30, is what we are attempting to do. If we should not be successful, then, obviously, that week of June we will vote on the budget bill – if we are not successful in working out the things we need to work with the Senate.

Your leaders, who have been involved in all the different meetings and their staffs have been involved, we all have been trying to figure out ways to meet the needs of the people of this State. So I express to you that we are really trying to work this out and meet the deadline of June 30. I am very optimistic that

we can do it. It is going to take a lot of work, and no pointing fingers at anyone, we are just going to have to really work at it.

So we are asking you – I know I am, at least, asking you – to continue to work with us. The budget bill will be in position. Based on our rules, that is the week that it will get to come up, based on rule 19(b). So I share with you that we wanted to let you know that it will be posted and ready for amendments, but obviously, I hope we can work out things with your side, with the Senate, and with the Governor's Office and come up with something.

What I think I have heard from all of you on both sides of the aisle is you would like for us to work this out. I know there are some people who may have some difference of opinion in what they would like to see, but at the end of the day, we have to work with the Senate, and we have to work with the Governor's Office in order to make this happen. You all have been through this, and you know for a fact, you can kind of go through the process we have gone through in the past and ultimately end up where we are going to have to work together anyway.

So I am stressing to all of you – and I have spoken to your chairman, and I know my staff has spoken to your staff – we are trying to work this out with input from everybody; it is not just some small group sitting in some closed room trying to work it out. A lot of people sit in that room, your staff sits in that room, and your leadership is there, so we do have these discussions. So I wanted just to announce about HB 2380, the budget bill.

Thank you, Mr. Speaker.

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

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, would the chairman just answer a few questions that I have, because I want to put this on the record? I think he has already addressed it, but I came into the room a little bit late.

Mr. Speaker, today at the committee meeting—

The SPEAKER pro tempore. Has the gentleman, Mr. Evans, agreed to interrogation? The gentleman has agreed. You may proceed.

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, you had mentioned today at the committee meeting that we amended the bill, and the bill now still lays in the committee. At the end of that process, the questions were raised as far as if the members still wish, because now it has a new printer's number, to amend that bill when it does come out and however the negotiations go, they will still be allowed, if they redraw their amendments, to amend that bill, Mr. Speaker?

Mr. D. EVANS. The answer is correct, Monday by 2 o'clock.

Mr. CIVERA. This Monday by 2 o'clock.

Mr. D. EVANS. This Monday by 2 o'clock.

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to say a few words.

The SPEAKER pro tempore. The Chair thanks the gentleman. If he has concluded his interrogation, he may proceed.

Mr. CIVERA. Mr. Speaker, Appropriations did have a meeting today, like the chairman described. It was a meeting that the Republicans were on record as voting "no" and the Democrats were voting "yes." It was not about an issue of whether to release the general appropriations bill; it was an issue of our spending, which we will get into as this progress moves on.

I am hoping, I would have liked to have seen that the budget process would have moved a little bit sooner rather than to wait on June the 23d, that this process and the amendment process could have taken place to bring the members of this General Assembly together and have a – especially to the new members – to have a real general idea of how this process works.

Let me just keep in mind that we must be cautious in how we address this bill. Our revenues are slightly down from last year – not slightly, but they dropped, like, \$140 million in May – and we need to be conscious of that. But the process has begun. I thank the chairman today for being open as far as the amendment was concerned. And for the members on the Republican side, I will circulate the amendment that was put forward to us in the Appropriations Committee to our Republican members so they have a true understanding of exactly what is going on. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Any other announcements or any other business? The Chair recognizes the majority leader, Mr. DeWeese.

Mr. DeWEESE. Just 60 seconds; I would like to condense this.

The exchange I just heard between our two friends and budgeteering luminaries tells me that this chamber has at least two options as the ensuing weeks unfold. One option would be to have somewhere between 250 and 300 amendments to debate, or the other option would be to work aggressively with our Appropriations Committees and their leaders and try to arrange a compromise proposal that could be done with a more simple exercise. So that is just something I wanted to share. Those two options are preeminent in my thinking as to what will be unveiled over the next 2 weeks.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

ANNOUNCEMENT BY MR. HANNA

The SPEAKER pro tempore. The Chair recognizes the chairman of the Agriculture and Rural Affairs Committee, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I just wanted to remind Ag members that we do have a hearing tomorrow on dog law beginning at 10 a.m. in the majority caucus room. Members are reminded we have our hearing tomorrow on dog law.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman. Any other announcements?

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.

RECESS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Brennan, from Lehigh County, who moves this House do now recess until Monday, June 16, 2008, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:16 p.m., e.d.t., the House recessed.