

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

FRIDAY, JUNE 27, 2008

SESSION OF 2008

192D OF THE GENERAL ASSEMBLY

No. 48

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

#### PRAYER

HON. KAREN BOBACK, member of the House of Representatives, offered the following prayer:

Merciful Father, we come to You today with grateful hearts. We thank You for Your kindness toward us and ask You to focus our sight on those whose needs we represent.

Bless our ability to see. May our vision always be straightforward. May we recognize those in need and always focus our sight on those whose needs we represent.

Bless our ability to hear. May we be open to those who have nowhere to turn and lend our ears to those who seek to build consensus for the common good. May we remember that it is in listening that we will develop an understanding of the issues and concerns prevalent in our home district.

Bless our ability to feel and to touch. May we never harden our hearts, but rather, keep ourselves open and honest. Allow us to reach out and avail ourselves to those who would otherwise not know where to turn. By our ability, may we find answers and solutions to problems that would otherwise go ignored.

And along with these remarkable senses, bless our gift of voice, that through our efforts we will represent our constituents with well-trained tongues in order to promote and establish laws and resources that will serve and protect those who entrust in us the remarkable task of making this State and ultimately our world a better place to live.

In Your name we pray. 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 Thursday, June 26, 2008, will be postponed until printed. The Chair hears no objection.

### GUESTS INTRODUCED

The SPEAKER. The Chair would like to recognize, as the guest of Representative Mike Fleck, Todd Cammarata, a government teacher at Tyrone High School. I understand he is one of the finest that we have. Would you please stand and be recognized.

Representative John Siptroth would like to welcome to the hall of the House Kelly Rogers, who is a former intern of his who worked in his district office in 2006. Kelly will be a junior at Dickinson College in the fall. She is currently interning in the Department of State's Bureau of Commissions, Elections and Legislation. Her internship is part of a fellowship that she won called the Finnegan Fellowship. She is seated to the left of the Speaker. Would you please stand and be recognized. Please join the Chair in welcoming Kelly to the floor.

### VIETNAM WAR VETERANS PRESENTED

The SPEAKER. The Chair would like to recognize Representative Marsico for an introduction.

The Chair invites Representative Marsico to the podium for a presentation.

Mr. MARSICO. Thank you, Mr. Speaker, and members of the House.

I would like to invite up here Chairman Fairchild and Chairman Belfanti to help me recognize our heroes here that we have in the House of Representatives. Also, I would like to invite the veterans in the House that served during the Vietnam era to come here as well to help me present citations and certificates and an American flag to our honored guests. So those of you that are veterans of the Vietnam era, if you would come up and join me, I would appreciate it very much.

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

I would like to welcome to the floor of the House a group of Vietnam veterans and their families who are celebrating their group's 8th-year reunion with constituents of mine, Lt. Col. Tim Wright, who is standing behind me, and his wife, Tamara, who is sitting in the rear of the hall. They are the hosts of this year's reunion for these folks that are here with us from all over the country.

All of these veterans served in Vietnam in 1970 as combat infantry soldiers, and many of them, many of them have never been recognized or honored for their service to our great country. They served in Bravo Company of the Americal Division of the 196th Brigade. When they served in Vietnam, their average ages ranged between 19 and 22 years of age. In this group are several men with Silver Stars and numerous Bronze Stars for valor. A large number of them are also

recipients of the Purple Heart for wounds received while in combat. Several members of this group remained in the military after the war. One retired as a command sergeant major and two retired as lieutenant colonels.

This year approximately 19 men plus their spouses are attending the Vietnam reunion here in central Pennsylvania. They are from California, Missouri, Wisconsin, Michigan, Connecticut, New Jersey, Ohio, Indiana, North Carolina, South Carolina, Minnesota, Texas, Iowa, Tennessee, and also Oklahoma.

I would like to ask all the Vietnam era veterans present today to join me in honoring – and all of you – join me in honoring these folks that are here with us today. Please, if you could, in the rear please stand so we can recognize you and pay honor to you as well, all our Vietnam veterans.

We will be presenting them with certificates of appreciation and also an American flag that has flown over the Capitol just yesterday. I present this American flag to my constituent, Lt. Col. Tim Wright.

We certainly thank you for your service to our country and what you have done for us over the years and for your valor and your being true American heroes, and we are certainly honored to have you here.

If I can, Mr. Speaker, have Chairman Belfanti, who I know wants to say a few words. Is that okay?

The SPEAKER. Representative Belfanti.

Mr. BELFANTI. Thank you very much, Representative Marsico.

Welcome home, vets.

I was just saying to my aide on the way in to work today that this coming August it will be 40 years since I left for Vietnam. I left 40 years ago, in 1968, in August, and returned in September of 1969.

I know what many of you have gone through. I want to express my deepest and sincerest appreciation; again, a welcome home, which many of us did not get at the time we came home, unlike America's opinion of today's combat veterans who are returning from Afghanistan and Iraq and other hot spots in turmoil in the world. Thank goodness America has seen the light, and whether they agree with the war, whether they agree with the cause, whether they think we ought to be in longer, out sooner, they have one thing in common – every veteran that returns home today is appreciated. People are not holding it against the veteran for what their opinion on what the Federal government or the administration or Congress or all of the other powers in government would hold out as our rationale for being where we are and however long we are going to be there.

Once again, thank goodness America has come to its senses and is now honoring all veterans and appreciating them for their service irrespective of their political persuasion on this war, and it is 40 years too late but better late than never. And welcome home again.

The SPEAKER. Representative Fairchild.

Mr. FAIRCHILD. Thank you very much.

I was a little surprised, but I just got on the floor here because Ron had asked me yesterday if I would participate in welcoming veterans who had served in Vietnam, and I said, sure. And when I got on the floor, the first thing I did was ask Colonel Wright, I said, what unit were you in? And he said the 196th Light Infantry, B Company, Americal Division, and we

smiled at each other, and I shook hands, and I said, B Company, 198th Light Infantry, Americal Division.

So I see some smiles on the soldiers back in the back. We were brothers in arms and we served in I Corps, which was in northern Vietnam. I described the territory before, very pretty country, but I just want to say, again, those memories come flooding back, and any soldier that has served in any war can tell you the same thing happens, but I just want to say, welcome home, brothers. Thank you for your service.

Thank you.

Mr. MARSICO. Thank you, Mr. Speaker.

If I could just— I am sure, speaking on behalf of those of you that are about my age, the age of our Vietnam veterans, certainly it is special for us that here we are recognizing those that need to be recognized that have been our generation, our generation, and it certainly is great and an honor to recognize those of my generation and your generation.

So those of us that are up here are going to come back in the back and take some photos and anyone else that wants to join us at the Capitol steps. So thank you very much for your indulgence and your attention to this and your acknowledgment of our true heroes here in America.

Thank you, Mr. Speaker.

## GUEST INTRODUCED

The SPEAKER. The Chair would like to acknowledge that Col. Tim Wright's daughter, Keisha Wright, is in the back of the chamber, and she is the paralegal to our Parliamentarian. Would you please stand and be recognized.

## RULES AND APPROPRIATIONS COMMITTEE MEETINGS

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

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I have one announcement. There will be an immediate meeting of the Rules Committee in the majority caucus room, and there will be a meeting immediately after that of the Appropriations Committee. We will return to the floor at approximately 2:15.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

There will be a Rules Committee meeting in the caucus room and an Appropriations Committee meeting immediately after.

## RECESS

The SPEAKER. The House will stand in recess until 2:15 p.m., unless sooner recalled by the Speaker.

## AFTER RECESS

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

**SENATE MESSAGE****AMENDED HOUSE BILL RETURNED  
FOR CONCURRENCE AND  
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 1096, PN 3586**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**BILLS REREPORTED FROM COMMITTEE****HB 1022, PN 4029** By Rep. DeWEESE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for release of information in confidential reports and for investigation of reports of suspected child abuse by county agencies.

## RULES.

**HB 2112, PN 4064** By Rep. DeWEESE

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for mutual aid.

## RULES.

**HB 2548, PN 3797** By Rep. DeWEESE

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, further providing for powers and duties of the commission.

## RULES.

**SB 151, PN 1288** By Rep. DeWEESE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for fines, for weapons or implements for escape and for contraband; and making a conforming amendment.

## RULES.

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

**BILL ON CONCURRENCE  
REPORTED FROM COMMITTEE****HB 1096, PN 3586** By Rep. DeWEESE

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, defining "council"; establishing the Uniform Construction Code Review and Advisory Council; and further providing for revised or successor codes and for training of inspectors.

## RULES.

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

**BILLS RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 2112 and HB 2548 be removed from the active calendar and recommitted to the Committee on Appropriations.

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

**RECESS**

The SPEAKER. The House will stand in recess until 2:15 p.m., unless sooner recalled by the Speaker.

For the information of the members, the House will be in recess, unless sooner recalled by the Speaker, until 2:15 p.m.

**AFTER RECESS**

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

**LEAVES OF ABSENCE**

The SPEAKER. The Chair recognizes the majority whip, who requests that Representative GALLOWAY of Bucks County, Representative GERBER of Montgomery County, and Representative PETRONE of Allegheny County be placed on leave for today. The Chair hears no objection. The leaves will be granted.

The Chair recognizes the minority whip, who requests that Representative TRUE of Lancaster County be placed on leave for the day. The Chair hears no objection. The leave will also be granted.

The members will report to the floor.

**MASTER ROLL CALL**

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

The following roll call was recorded:

**PRESENT—198**

Adolph	Frankel	Mantz	Roebuck
Argall	Freeman	Markosek	Rohrer
Baker	Gabig	Marshall	Ross
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McI. Smith	Santoni
Benninghoff	Gillespie	McIlhattan	Saylor
Bennington	Gingrich	Melio	Scavello
Beyer	Godshall	Mensch	Schroder
Bianucci	Goodman	Metcalfe	Seip
Bishop	Grell	Micozzie	Shapiro
Blackwell	Grucela	Millard	Shimkus
Boback	Haluska	Miller	Siproth
Boyd	Hanna	Milne	Smith, K.
Brennan	Harhai	Moul	Smith, M.
Brooks	Harhart	Moyer	Smith, S.

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Galloway	Petrone	Rubley	True
Gerber			

LEAVES ADDED—1

Gabig

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

### BILLS REREPORTED FROM COMMITTEE

**HB 2642, PN 3948** By Rep. D. EVANS

An Act providing for health insurance rate increase standards.

APPROPRIATIONS.

**HB 2644, PN 3986** By Rep. D. EVANS

An Act amending the act of December 10, 1974 (P.L.852, No.287), referred to as the Underground Utility Line Protection Law, further providing for duties of facility owners.

APPROPRIATIONS.

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

### BILLS REREPORTED FROM COMMITTEE

**HB 1543, PN 3587** By Rep. D. EVANS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for expungement of criminal history record.

APPROPRIATIONS.

**HB 2112, PN 4064** By Rep. D. EVANS

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for mutual aid.

APPROPRIATIONS.

**HB 2113, PN 3453** By Rep. D. EVANS

An Act amending the act of May 11, 1972 (P.L.286, No.70), known as the Industrialized Housing Act, further providing for definitions and for promulgation of rules and regulations by the department.

APPROPRIATIONS.

**HB 2231, PN 4088 (Amended)** By Rep. D. EVANS

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, further providing for appropriation for and limitation on redevelopment assistance capital projects.

APPROPRIATIONS.

**HB 2548, PN 3797** By Rep. D. EVANS

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, further providing for powers and duties of the commission.

APPROPRIATIONS.

**SB 385, PN 2248** By Rep. D. EVANS

An Act amending the act of July 9, 1990 (P.L.340, No.78), known as the Public Safety Emergency Telephone Act, providing for interconnected Voice over Internet Protocol service; and establishing the VoIP 911 Emergency Services Fund.

APPROPRIATIONS.

**SB 838, PN 2247** By Rep. D. EVANS

An Act amending the act of May 26, 1947 (P.L.318, No.140), known as the CPA Law, further providing for definitions, for State Board of Accountancy, for general powers of the board, for examination and issuance of certificate, for education requirements, for experience requirements; providing for requirements for issuance of certificate; further providing for certificates issued by domestic reciprocity and for certificates issued by foreign reciprocity; providing for practice in this Commonwealth by individuals under substantial equivalency, for practice outside this Commonwealth under substantial equivalency; further providing for licenses to practice, for licensing of firms, for peer review, for grounds for discipline, for reinstatement, for ownership of working papers, for unlawful acts and for acts not unlawful.

APPROPRIATIONS.

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

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

**SB 1346, PN 1902**

By Rep. D. EVANS

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

APPROPRIATIONS.

**BILL REPORTED FROM COMMITTEE**

**HB 736, PN 863**

By Rep. PRESTON

An Act providing a remedy for misrepresentation as to occupation by mortgagors of residential property.

CONSUMER AFFAIRS.

**BILL REREFERRED**

The SPEAKER. The Chair moves, at the request of the majority leader, that HB 736, PN 863, be rereferred to the Committee on Commerce.

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

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

**HB 1319, PN 4087 (Amended)**

By Rep. GEORGE

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the offense of scattering rubbish, for the acknowledgment of littering provisions at time of application for learner's permit or driver's license and for the offense of depositing of waste and other material on highway, property or waters.

ENVIRONMENTAL RESOURCES AND ENERGY.

**CALENDAR**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1768, PN 4065**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further defining "occupational disease"; and providing for cancer in the occupation of firefighter.

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?

**GUESTS INTRODUCED**

The SPEAKER. The Chair recognizes Representative Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

Today we have firefighters that have joined us on the House floor as we take up this important piece of legislation. In the rear of the House are the following firefighters from the city of Harrisburg. As a matter of fact, they just got back from responding to a call not too far from here. Don Kunkle, who is the chief, if he would please stand; Lt. Doug Bair; John Preskie; Jeff Miller; Lt. Dennis DeVoe; Shakur Hakeem El; William Junkin; Lt. Brian Enterline; Mike Harris; Bruce Henry; and from the Pennsylvania State Firefighters Association, David Eckmund and David Schmidt. Could we please recognize them. Thank you.

I respectfully request that my fellow members consider this important piece of legislation before us today. These are the frontline troops that protect us every day in our lives, both in our homes and businesses and even here in the State Capitol.

Thank you, Mr. Speaker.

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—194**

Adolph	Fleck	Mann	Roebuck
Argall	Frankel	Mantz	Rohrer
Baker	Freeman	Markosek	Sabatina
Barrar	Gabig	Marshall	Sainato
Bastian	Geist	Marsico	Samuelson
Bear	George	McCall	Santoni
Belfanti	Gergely	McGeehan	Saylor
Benninghoff	Gibbons	McI. Smith	Scavello
Bennington	Gillespie	McIlhattan	Schroder
Beyer	Gingrich	Melio	Seip
Bianucci	Godshall	Mensch	Shapiro
Bishop	Goodman	Metcalfe	Shimkus
Blackwell	Grucela	Micozzie	Siptroth
Boback	Haluska	Millard	Smith, K.
Boyd	Hanna	Miller	Smith, M.
Brennan	Harhai	Milne	Smith, S.
Brooks	Harhart	Moul	Solobay
Buxton	Harkins	Moyer	Sonney
Caltagirone	Harper	Mundy	Staback
Cappelli	Harris	Murt	Stairs
Carroll	Helm	Mustio	Steil
Casorio	Hennessey	Myers	Stern
Causer	Hershey	Nailor	Stevenson

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

NAYS—4

Grell	Nickol	Perry	Ross
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NOT VOTING—0

EXCUSED—5

Galloway	Petrone	Rubley	True
Gerber			

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.

**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 2183, PN 4024**, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, defining "general complaint," "immediate jeopardy" and "priority complaint"; and providing for complaint investigations.

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 1344, PN 1900**, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2008, to June 30, 2009, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2008.

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 1345, PN 1901**, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2008, to June 30, 2009, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2008.

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 1347, PN 1903**, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2008, to June 30, 2009, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2008.

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 1348, PN 2249**, entitled:

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

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

\* \* \*

The House proceeded to second consideration of **SB 1349, PN 1905**, 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 agree to the bill on second consideration?  
Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **SB 1351, PN 1906**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

On the question,  
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 2644, PN 3986**, entitled:

An Act amending the act of December 10, 1974 (P.L.852, No.287), referred to as the Underground Utility Line Protection Law, further providing for duties of facility owners.

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 2642, PN 3948**, entitled:

An Act providing for health insurance rate increase standards.

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

Mr. **MENSCH** offered the following amendment No. **A07874**:

Amend Sec. 2, page 1, by inserting between lines 10 and 11

"Best practices." Nationally recognized standards of criteria, measures and results developed by recognized organizations such as the National Committee for Quality Assurance and the Centers for Medicare and Medicaid services, consulting firm benchmarks and medical and industry journals that promote the precisions of efficient delivery and design of health care services.

"Chronic care management." A health insurance policy providing coverage for patient support of a health care team that plays an active role in the care of a patient and assures infrastructure exists to ensure compliance with established practice guidelines.

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

"Efficiently." When the average medical loss ratio of an insurer is 85% or greater.

Amend Sec. 2, page 2, by inserting between lines 21 and 22

"Medical loss ratio." The ratio of incurred medical claim costs to earned premiums.

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

The **SPEAKER**. The Chair recognizes Representative Mensch on the amendment.

The Chair will remind members to please hold their conversations to a minimum so the gentleman can be heard.

Representative Mensch.

Mr. **MENSCH**. Thank you, Mr. Speaker.

I do believe this is an agreed-to amendment, but for clarity for the members, it does provide some additional definition for the terms in the bill, for "best practices," "chronic care management," "efficiently," and also "medical loss ratio."

It should be noted, some of this language is also reflected in **HB 2005**, which was passed back in April.

Thank you, Mr. Speaker.

The **SPEAKER**. Representative Eachus.

Mr. **EACHUS**. Thank you, Mr. Speaker.

The gentleman is right. This is an agreed-to amendment. We support it.

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

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

The following roll call was recorded:

#### YEAS—198

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

Fabrizio	Major	Reichley	
Fairchild	Manderino	Roae	O'Brien, D.,
Fleck	Mann	Rock	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Galloway	Petrone	Rubley	True
Gerber			

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. **PALLONE** offered the following amendment No. **A07951**:

Amend Sec. 3, page 3, line 24, by inserting a period after "clinic"

Amend Sec. 3, page 3, line 25, by striking out all of said line and inserting

(v) The insurer does not include advanced practice nurses licensed by the Department of State in its provider networks or reimburse those providers for charges submitted for services provided.

On the question,

Will the House agree to the amendment?

The **SPEAKER**. The Chair recognizes Representative Eachus.

Mr. **EACHUS**. Thank you, Mr. Speaker.

The committee members of Insurance have agreed that this is an agreed-to amendment. I would like consideration today to have the House support that. Thank you.

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

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Galloway	Petrone	Rubley	True
Gerber			

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

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

**GUEST INTRODUCED**

The **SPEAKER**. Please welcome Ryan Williams, who is the guest of Representative Saylor, to the hall of the House. Ryan is the husband of Beth Ann Williams, research analyst for the Local Government Committee. Would you please stand and be recognized.



CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2294, PN 4066**, entitled:

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

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Galloway	Petrone	Rubley	True
Gerber			

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

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

\* \* \*

The House proceeded to third consideration of **SB 483, PN 2163**, entitled:

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.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Galloway	Petrone	Rubley	True
Gerber			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

\* \* \*

The House proceeded to third consideration of **SB 484, PN 2251**, entitled:

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.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS-198

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Galloway	Petrone	Rubley	True
Gerber			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

\* \* \*

The House proceeded to third consideration of **SB 485, PN 2252**, entitled:

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, further providing for real estate appraiser certification required, for State Board of Certified Real Estate Appraisers, for powers and duties of board, for application and qualifications, for certification renewal and records, for disciplinary and corrective measures, for reinstatement of certificate, for surrender of suspended or revoked certificate and for penalties.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Galloway	Petrone	Rubley	True
Gerber			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

\* \* \*

The House proceeded to third consideration of **SB 486, PN 1752**, entitled:

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.

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

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

(Bill analysis was read.)

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

(Members proceeded to vote.)

## LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the minority whip, who requests that Representative GABIG be placed on leave. The Chair hears no objection. The leave will be granted.

## CONSIDERATION OF SB 486 CONTINUED

On the question recurring,  
Shall the bill pass finally?

The following roll call was recorded:

## YEAS—197

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

NAYS—0

NOT VOTING—0

## EXCUSED—6

Gabig	Gerber	Rubley	True
Galloway	Petrone		

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

## GUESTS INTRODUCED

The SPEAKER. If the Chair could have the attention of the members, today we have, as the guests of Representative Rob Kauffman, his wife, Niki, and his children, Abby, Will, and Andrew. They are seated in the gallery. Would you please join the Chair in welcoming them to the floor of the House. They are up on the left side of the gallery.

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

**HB 2638, PN 4090** (Amended)

By Rep. DALEY

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, further defining "private developer" and adding definitions relating to the Commonwealth Financing Authority; further providing, in Commonwealth Financing Authority, for indebtedness; establishing, in Commonwealth Financing Authority, the Legacy Account Program; and making a related repeal.

COMMERCE.

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 2380, PN 3931**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2008, to June 30, 2009, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2008; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund and the Tobacco Settlement Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2008, to June 30, 2009; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2008, to June 30, 2009, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2008; to provide for the additional appropriation of Federal and State funds from the General Fund for the Executive and Judicial Departments of the

Commonwealth for the fiscal year July 1, 2007, to June 30, 2008, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2007.

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

**BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 2380 be recommitted to the Committee on Appropriations.

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

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2483, PN 3674**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Tad W. Hippensteel a pedestrian and vehicular access easement over certain lands of the Commonwealth of Pennsylvania situate in Mount Joy Township, Lancaster County.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

**YEAS—197**

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Gabig	Gerber	Rubley	True
Galloway	Petrone		

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 2511, PN 3727**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Transportation, to grant and convey to Parkwood Real Estate Trust, LLC, approximately 1.645 acres including a building and all improvements thereon, situate at Parkwood Drive in the City of Allentown and Salisbury Township, Lehigh County.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Gabig	Gerber	Rubley	True
Galloway	Petrone		

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 2580, PN 3853**, entitled:

An Act requiring health insurance policies issued by professional health services plan corporations to reimburse for occupational therapy services provided by licensed occupational therapists.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—197

Adolph	Frankel	Markosek	Rohrer
Argall	Freeman	Marshall	Ross
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Benninghoff	Gingrich	Melio	Scavello
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Blackwell	Haluska	Miller	Siptroth
Boback	Hanna	Milne	Smith, K.
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Brennan	Harhart	Moyer	Smith, S.
Brooks	Harkins	Mundy	Solobay
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Caltagirone	Harris	Mustio	Staback
Cappelli	Helm	Myers	Stairs
Carroll	Hennessey	Nailor	Steil
Casorio	Hershey	Nickol	Stern
Causer	Hess	O'Brien, M.	Stevenson
Civera	Hickernell	O'Neill	Sturla
Clymer	Hornaman	Oliver	Surra
Cohen	Hutchinson	Pallone	Swanger
Conklin	James	Parker	Tangretti
Costa	Josephs	Pashinski	Taylor, J.
Cox	Kauffman	Payne	Taylor, R.
Creighton	Keller, M.K.	Payton	Thomas
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Curry	Kenney	Perry	Verb
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Denlinger	Kortz	Pickett	Wansacz
DePasquale	Kotik	Preston	Waters
Dermody	Kula	Pyle	Watson
DeWeese	Leach	Quigley	Wheatley
DiGirolamo	Lentz	Quinn	White
Donatucci	Levdansky	Ramaley	Williams
Eachus	Longietti	Rapp	Wojnaroski
Ellis	Mackereth	Raymond	Yewcic
Evans, D.	Maher	Readshaw	Youngblood

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Gabig	Gerber	Ruble	True
Galloway	Petrone		

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 2537, PN 3821**, entitled:

An Act prohibiting the Commonwealth from obtaining certification under the Federal REAL ID Act of 2005; and providing for the authority of the Governor and Attorney General to file certain legal challenges.

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 Rohrer.

The Chair again will ask all members to please take their seats. The Chair will ask the members to be respectful of the gentleman debating the bill so he can be heard.

Representative Rohrer.

Mr. ROHRER. Thank you, Mr. Speaker.

Mr. Speaker, as we all know, we had a lengthy discussion over an amendment that we had offered on this bill on Wednesday. That amendment was not added. That amendment would have prevented the collection of biometrics by the administration and then PENNDOT currently in practice. There were a lot of statements made on the floor relative to that amendment.

There was also an amendment offered by, or not offered but filed by a member on the other side of the aisle which, frankly, in my opinion, was a good amendment and one that I would have supported.

Now that we are on final passage, Mr. Speaker, I think that there are some questions that I would like to have answered relative to the nature of this bill and exactly what it would or

would not do. So to that extent, I would like to ask the maker of the bill if he could stand for a couple of questions, please.

The SPEAKER. Representative Thomas indicates he will stand for interrogation. Representative Rohrer is in order and may proceed.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. ROHRER. Thank you, Mr. Speaker.

I have one simple question, I guess, that I would like to start with that I think can be simply answered, and that would be this: In your words or your intent, what is it exactly that you are hoping, if this bill is passed, that it would accomplish? What are you intending to do, what are you intending this bill to accomplish, relative to REAL ID?

Mr. THOMAS. Thank you, Mr. Speaker.

The intent of 2537 is twofold: number one, to have the Commonwealth of Pennsylvania join a number of other States in refusing to seek certification under the REAL ID Act of 2005; secondly, to empower the Governor and/or the Attorney General to take legal action, if necessary, to prevent certification under the REAL ID Act.

Mr. ROHRER. Okay. Thank you, Mr. Speaker.

A question that I would have for you is this: In looking at what other States have passed, I do not find, I do not find the reference to the "seeking of certification." I will wait until the gentleman is listening.

Okay, Mr. Speaker? Are you ready now?

Mr. THOMAS. Mr. Speaker, would you repeat your question, please?

Mr. ROHRER. I will do that.

Mr. Speaker—

### THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

The SPEAKER pro tempore. Will the gentleman suspend.

The gentleman, Mr. Thomas, is having a very difficult time hearing the answers and the colloquy between the gentlemen, Messrs. Rohrer and Thomas. Kindly afford them the attention, please. Thank you, members.

Mr. ROHRER. Mr. Speaker, I will finish that question that I had.

You, as the bill said, would prevent or prohibit the Commonwealth from seeking certification under REAL ID. The legislation, in wanting to join the list of other States, I think that is a wonderful thing, but as I look at the language of other States, what they have passed, I do not see, I do not see the usage of the word "certification." I do see the usage of the words "shall not comply with," "shall not participate in" implementation of the REAL ID Act.

The language of other States, those States that have said they will not participate, it is "participate," "comply with," something much stronger than "certification," and therefore, the amendment that the gentleman O'Brien did not offer, his amendment would have been like Arizona, which was the most recent State – Democratic Governor – to sign this legislation. That was "shall not participate" in the implementation.

So I am asking for a clarification from your perspective, because I do not recognize that terminology.

Mr. THOMAS. Mr. Speaker, two things.

Number one, you refer to the rules of statutory construction in reference to the language, and you will find in HB 2537

we use the language "shall not." And, Mr. Speaker, we use the language "shall not" primarily because in the absence of certification, there is no participation. You cannot participate in the REAL ID program of 2005 without evidence of certification. And so to that end, 2537, I am confident, moves to the front of the line with respect to what other States have done on this particular issue.

Mr. ROHRER. Thank you, Mr. Speaker.

Mr. THOMAS. So where Arizona prohibits participation, Georgia delays compliance, Minnesota prohibits the commission of public safety from implementing, Missouri urges Congress to repeal, North Dakota urges Congress to repeal, and I can go down the list of States that have responded to this issue—

Mr. ROHRER. Thank you, Mr. Speaker. That is sufficient. I will just go to some comments on the bill here.

The SPEAKER pro tempore. The gentleman has ended his interrogation and is in order to proceed on the bill, final passage.

Mr. ROHRER. Okay.

Mr. Speaker, I appreciate the gentleman's response, but it goes to what I am attempting to say here.

Even in his comments, he used the words what I was saying, "shall not participate in," "shall not implement." Their bottom line is that this bill as written would not mean anything other than a statement such as "We don't like REAL ID." It does not in any way say anything about what is in REAL ID that we will not participate in. It does not even say we "shall not participate." It does not say we "shall not implement the provisions of." It says we "shall not seek certification." That really does not mean anything because the States do not have to seek certification. They can implement without being certified.

So on that basis, Mr. Speaker – and I am going to provide just a little bit more information – I am saying that this bill as written, and particularly because the House did not add the elements relative to biometric protection with the concept of certification, which is not even a term recognized, that the bill does nothing and would allow the current administration to continue collecting the biometrics of the citizens of this Commonwealth, this House will have left undone and left in place the ability to enact the most fundamental objectionable element of REAL ID.

Now, Mr. Speaker, I would like to make some information available for the record for which I will submit after I make a couple of comments.

During the debate and the reason that this is important is because it ties in exactly with what we believe REAL ID is or it is not. Mr. Speaker, one of the items that I am going to submit for the record is a press release from the company who is the contractor to the administration of PENNDOT and who is in the business of collecting biometrics on our citizens under authority by the contract that was entered into.

The company, Viisage, announced in this and the headlines are, "Viisage Awarded Over \$48 Million in Contracts to Help States Meet Requirements of the REAL ID Act." It says that they announced that the Departments of Transportation/Motor Vehicles in Pennsylvania and a couple of other States have awarded contracts or extensions to the company for innovative solutions, among other things, to implement "...procedures required of the federal REAL ID Act." They go on to say that the Pennsylvania Department of Transportation had awarded this company, Viisage, a contract of \$45.5 million. They go on

to say in their release that these significant wins, they say, exemplify this company's leadership in the marketplace as they provide a myriad of solutions to help, among other things, "...comply with the REAL ID Act..." They go on and say that one of the things that they are providing is, quote, "...providing biometrics such as face recognition and fingerprint technologies for uniquely tying individuals to their identity documents and for investigation...." Mr. Speaker, that goes exactly to what was said and denied on the House floor on Wednesday. I am submitting this for the record.

Mr. Speaker, secondly, I would like to submit for the record the contract under question, referred to by this company's press release that they are implementing REAL ID provisions in Pennsylvania; they are implementing facial recognition. This is the contract. The first page of it talks about the \$45 million, and then it goes into detail that outlines exactly what they are implementing right now with FaceEXPLORER, which is the collection of facial recognition.

Mr. Speaker, next, I would like to also submit this information: It was stated on the floor on Wednesday that the REAL ID Act, which is what we are attempting here to say we do not want to be a part of, in no way called out for biometrics. The answer is that that is exactly false. I said it then, and I submit for the record a page from the proposed rulemaking, which is the material that says exactly what standards that facial recognition and biometrics should comply with. Those are international standards referred to right here, and that is what is being done in compliance with their desire and wishes by Viisage's third-party contractor under the direction of the administration.

Next I would like to submit for the record information, that shows again from the Federal Register, which is stronger than the regulations, the final regulations published in 2008, that says that States, should they choose to implement biometrics, which Pennsylvania has done under this contract and they are doing today and to which they have agreed, falls under exactly what Homeland Security wants under those provisions. That is all a matter of the law; that is not regulation. It has been done.

Mr. Speaker, I would also then like to submit the body of correspondence that has gone back and forth from several members in here and administrations from January until May that seeks to find explanation for what the administration is doing and very clearly establishes for the record that this State is now implementing biometrics, the collection of facial recognition biometrics, without the authority of this legislature and without even informed consent of the individuals when they walk in. That information is here as well. It is in their words; it is not in my words.

And to that extent, Mr. Speaker, it is why I am going to vote "no" on this bill, because this bill does not in any way stop or limit the continued implementation of biometrics, which is an aspect of REAL ID, which I have just laid out, and by the passage of this legislation would do nothing to stop this administration from continuing to do what they are currently doing.

This bill has no teeth. It means nothing. It is the weakest of all of the States, and it does nothing more than appear to give the appearance of disagreeing with REAL ID while, at the heart of it, doing absolutely nothing to oppose it and in fact puts a stamp on the continuing practice of what is taking place.

On that basis, Mr. Speaker, I am asking those in this House to vote "no" on this bill. Thank you, Mr. Speaker.



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

### DOCUMENTS SUBMITTED FOR THE RECORD

Mr. ROHRER submitted documents for the Legislative Journal.

(For documents, see Appendix.)

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Steil.

Mr. STEIL. Thank you, Mr. Speaker.

The other day we argued the amendment that the gentleman from Berks County offered, and it did not quite succeed, and I thought it was very valuable; I supported it. But I think today we have to move on. Today is the opportunity for the members of this House to make a statement with regard to the whole process of REAL ID.

Yes, it is true we will not identify and we will not address some of the major issues that still affect us, such as biometrics, but if the members of this House believe that REAL ID is too costly for the State of Pennsylvania – that is, some \$140 million just to implement and \$20 or \$30 million a year to administer – then you want to vote "yes" for this bill, because it takes us out of that process.

If you believe that the mechanics of the REAL ID process are abhorrent, that they affect the privacy, or that the security concerns have not been fully described, then you want to vote "yes" on HB 2537.

Maybe you just believe that this is an issue of State sovereignty. As we said the other day, this is an issue that the State of Pennsylvania ought to have control over. It is our driver's license; it is not the driver's license of the United States of America. It is the Pennsylvania driver's license, and it ought to be up to us to determine what that license is.

Finally, maybe you just wish to make a statement about REAL ID and how you feel about the whole practice and how you feel about the Federal government telling us how we should construct our driver's licenses. If that is the case, then you want to vote "yes" for HB 2537. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Anyone else seeking recognition on final passage?

The Chair recognizes the gentleman, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker, and very briefly.

I want to let the members of this House – and I think that a lot of us are in agreement with this – I am opposed to the REAL ID Act, I am opposed to Big Brother, and I am opposed to the Federal government forcing us to implement something that they do not pay for, and for all those reasons, I am against the REAL ID Act.

Now, there has been a lot said, and some of it is true and a lot of it is half true and some of it is not true: "The Commonwealth shall not seek or otherwise apply for state certification under the REAL ID Act of 2005." Now, like all of you, I wish that President Bush and the Congress of a few years ago would not have passed this Big Brother piece of legislation, but they did, and they are trying to ram it down the throats of all these States.

Now, the fact of the matter is, and what the language of the bill states that I just read to you, "...shall not...apply for state certification..." if we do not apply for certification and do not get certified, we do not have to participate and we still get our revenue for the Patriot Act, we still get the money coming to us for Homeland Security, and the amendment that has been bantered about is so broad – and I read the language the other day, and we defeated that amendment in a bipartisan effort – it states that we cannot participate in any Federal program.

Now, you know, we cannot secede from the Union. Maybe some of you want to. I do not think that is very wise. This will get us out of participating in the REAL ID Act, and that is why I am voting in the affirmative, and I hope you would join us.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Rohrer. He yields to the gentleman, Mr. Thomas.

Mr. Rohrer, you will be recognized for the second time. Do you want to wait?

Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I ask each and every one of my colleagues to vote "yes" on HB 2537.

HB 2537 did not happen last night, did not happen last week, did not happen last month. It is the culmination of public hearings throughout the Commonwealth of Pennsylvania. It is the result of conversations with the National Conference of State Legislatures. It is the result of research, hard work, and conversations with our colleagues throughout the United States, and it represents, it represents the last mile and the most profound position of any State in the Union. And the reason it represents the most profound position and represents the last mile, because it recognizes that whether you are Pennsylvania, Georgia, Arizona, New York, New Jersey, certification is threshold. Certification is threshold. Unless you certify, then participation, methodology, science, and anything else are all academic.

And so what HB 2537 says is that we "shall not" – not "will not," "may not," "could not," "did not" – we "shall not" seek certification, and because we "shall not" seek certification, all these other questions about methodology, about face, fingerprints, hair, height, weight, they all become secondary and academic, because methodology is of little consequence if there is no certification.

I would like to thank my colleague, Representative Rohrer. He has done an excellent job at championing his position. I wish he was in Congress when they were talking about in 2005 and they were talking about this REAL ID Act, because I know he would have been a voice of reason and maybe would have prevented the Commonwealth of Pennsylvania from even dealing with this issue.

So I want to thank Representative Rohrer, and I would like to join Representative Rohrer in submitting this letter for the record. It is a letter that the Secretary of Transportation sent to Representative Rohrer in regards to some of the questions that he has raised.

And while I do not want to get into the details and I do not want to go back and forth with my colleague on the content of the Secretary's response to the questions that he has raised, only to say the letter acknowledges that all of these questions have to go back to, have to go back to 2001, prior to, 4 years prior to the REAL ID Act of 2005.

So if we want to consider all these questions around methodology, we have to go back to 2001. And I believe that he has raised some reasonable questions regarding methodology, and to that end, I have asked the stellar members of the Intergovernmental Affairs Committee who cochair the REAL ID Task Force – Representative Mark Cohen and Representative Michele Brooks – I have asked them, along with the other committee members, to bring the Department of Transportation in and let us talk about this methodology that we keep hearing about. And let me assure you that the committee is not going to rest until we get both some answers and an understanding of some of these questions that Representative Rohrer has raised regarding methodology.

But before you this afternoon is, what is Pennsylvania's affirmative response to this Federal act which represents a significant unfunded mandate on the Commonwealth of Pennsylvania if we fail to act? And to that end, I urge you, let us send Congress a real message about unfunded mandates, especially one as significant as the REAL ID Act.

Vote "yes" overwhelmingly to support HB 2537. Thank you.

### LETTER SUBMITTED FOR THE RECORD

Mr. THOMAS submitted a letter for the Legislative Journal.

(For letter, see Appendix.)

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Monroe County, Mr. Siptroth.

Mr. SIPTROTH. Thank you, Mr. Speaker.

In 2005 I introduced a resolution in this House of Representatives, soon after being elected. That resolution sparked the interest of NCSL (National Conference of State Legislatures), and I received a number of correspondences regarding that resolution.

In the 2007-08 session, a resolution was passed, HR 296, that indicated that we in the House of Representatives support an issue regarding the REAL ID Act and that we should not participate in it. I rise today to support HB 2537, and with that same vote of unity regarding HR 296, we should support HB 2537 and vote in the affirmative.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Rohrer, for the second time.

Mr. Rohrer? You may proceed when you are ready.

Mr. ROHRER. Thank you, Mr. Speaker.

Mr. Speaker, I want to acknowledge as well Chairman Thomas and acknowledge his kind comments, and I think his statements resemble very much mine from the standpoint that we – and Representative Surra as well, and Siptroth, all of them. These are all fellows that are on the bill that we had, and I do believe that without a question, as we have said very clearly, this issue of the Federal government attempting to tell us as a State or any of the States what they can or cannot do or what they must or must not implement under some kind of threat is a violation of our very 10th Amendment, or our States rights issue. That is a fundamental issue.

We all agree as well that this bill by itself is a tremendous unfunded mandate, would cost us a tremendous amount of

money, and the very citizens a tremendous amount of money when they go in to get their license renewed. That is a problem; we share that on both sides of this aisle.

As we have moved into the issue of the collection of the biometrics, we obviously have had quite some debate on that issue. I think, even though it has not been said, it is known on both sides that this is an issue. That is an issue. And as I have said before, I am not so sure that the administration went into it knowing all that they knew, but were there. I mean, it is my hope and it is my goal that we can get that fixed, and I think – the chairman is nodding – and I think you agree that we need to get that fixed. I want to do it in as speedy a way as possible.

Now, one thing that has been very clear is that the approximately 30 States that have passed some sort of resolution or legislation relative to their position on REAL ID, essentially they have all been in opposition. We are here as well. Clearly, some have been much more clear in what they have said, and that is what we just talked about, "will not comply with" or "shall not participate in."

Now, my question here today relative to the issue of "shall not seek certification" was offered in that tenor. I do not know what it means, and because I believe that without a question the various States can be implementing provisions of REAL ID without seeking certification or gaining certification but they can just be doing it – the reason for my comments at the beginning – that at the end of the day, I believe it does not actually make any change on the ground.

Now, does the bill, if we were to pass it, say that this House is not in favor of REAL ID? I think it does that. What it actually accomplishes, that I cannot say. I do not believe it will stop—I know it will not stop what is taking place. We will have to deal with that issue separate from this in order to correct that issue.

But, Mr. Speaker, I also know that when we have an issue that is so bipartisan, really, as this one and we take into account that we are dealing with a Federal government that is fairly out of control on a lot of issues, wanting to do things with the States and to the States that are beyond the pale, in many cases, that we need to stand together on that, knowing that sometimes we have to move in steps in order to get there.

So whereas I said earlier that I will not vote for this, that was a matter of principle, because I believe it will not accomplish what we need. It does not go far enough. But, Mr. Speaker, I can vote for saying that if we walk out of here today saying as a House that we now understand REAL ID a little bit better, we understand this issue a little bit better than we did, and we know that there are serious issues that remain and we commit ourselves to accomplishing that – you know, I have that assurance from the gentleman in the front – I will ask that we vote in favor of this to move this issue forward, knowing that there is going to have to be work done perhaps in the Senate, of which I have already talked with them over there, and I think that they will be willing to look at that if this bill goes from here to the House.

But I want my statements to be very clear: We have a problem that is in place; that does connect to REAL ID; that is an issue of all of us. We must have it corrected. This bill by itself will not correct it. This bill does state that we are not in favor of REAL ID certainly in this House. To that, I will agree.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Thomas, for concluding remarks.

Mr. THOMAS. Representative Rohrer, I thank you for your support, and be assured that on this issue of methodology that currently exists in Pennsylvania, the House Intergovernmental Affairs Committee will partner with you to get a handle and some understanding of that issue and will take the necessary steps to deal with it. You have my assurance on that, and I thank you for your vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

#### YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Gabig	Gerber	Rubley	True
Galloway	Petrone		

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.

#### RESOLUTION

Mr. THOMAS called up **HR 767, PN 3960**, entitled:

A Resolution urging the Congress of the United States to repeal the REAL ID Act of 2005 and to restore section 7212 of the Intelligence Reform and Terrorism Prevention Act of 2004.

On the question,  
Will the House adopt the resolution?

The SPEAKER pro tempore. On the resolution, the Chair recognizes the gentleman, Mr. Rohrer.

Mr. ROHRER. Now, Mr. Speaker, same issue.

The chairman will need to perhaps listen to my comments here.

Mr. Speaker, we just went through the discussion on the piece of legislation that talked about certification and our intent to really not wanting to pursue REAL ID in the Commonwealth. That is good. This resolution here is just that, a resolution. It is a statement. It does not have any effect in law, and whether or not those in Washington ever look at it, I do not know. So at the end of the day, what this resolution will accomplish is questionable, I would say.

However, what this resolution does, Mr. Speaker, and on this I will be voting "no," because the bill as written urges, appropriately, that the United States Congress repeal the REAL ID Act. That is what needs to happen, and if it stopped there, I would absolutely support it. The problem with it is that the bill goes further and says that we urge Congress to restore section 7212 of the Intelligence Reform and Terrorism Prevention Act of 2004. That is a bill by Senator Akaka from Hawaii.

Now, the gentleman, Mr. Thomas, can comment if he wants, and I am sure he will, but as I read through the resolution, I went and I pulled the legislation that we are specifically urging, because this resolution is in two parts: one, urging the repeal of REAL ID. That is what needs to happen. And he is correct, if I would have been in Washington, I probably would have been one of those who voted "no." But secondly, tied equally with it, this encourages us and tells Congress to pass SB 717, which is Senator Akaka's from Hawaii.

Now, I have done much talking – this is an NCSL piece of legislation, pretty much – I have talked a lot with NCSL and ALEC (American Legislative Exchange Council). They have been coming more up to speed collectively, as all of the States

have in their knowledge in the last couple of years, as more has become known.

But in further investigation with what this particular bill is, it does not do certain very, very critical things. It does not prohibit the collection and storage by the Federal government of personal biometric data. It does not deal at all with the issue we have of Social Security numbers and the privacy issue relative to that, because essentially, the passage of this resolution, if Congress would act upon it and in fact they would repeal REAL ID and they would substitute it with this bill, it would actually take and put back into law or make law a section of legislation that deals with a lot of the same things that REAL ID deals with but leaves a major number of issues of concern that have been identified in this discussion, national discussion of REAL ID, left undone.

For instance, it would not prohibit the Federal government or an agency or department from obtaining information from State databases without the express permission of the States. They could access at will. It does not require that a citizen must be notified if an agency or department of the Federal government obtained information about one of us, even in the case of like a criminal investigation. It does not require that the Federal government notify citizens when personal data has been collected from the State's database before they take and share it with third parties or internationally. The bill does not prohibit blanket sharing of data that is collected on all citizens from sharing that with private organizations. And one of the big issues is, it does not provide the necessity for individual States to approve or ratify the final rules that may affect us and our citizens.

Now, just so folks know, NCSL, I think, is in support of this, and we have worked with them. ACLU (American Civil Liberties Union) is partially in support, and part of the reason is that they believe that they are offered a seat at the table when it comes to final regs. That is not overly clear even in the language that is here. But at the end of the day, if we say that we want this language replaced, the REAL ID replaced with this language, we are still leaving undone these very, very fundamental privacy issues as it relates from the Federal government to the State, and we are telling them that that is not an issue.

I almost would like, Mr. Speaker, if it would be possible that somehow this could be strengthened before we would instruct Congress on what to do. But in the final, in the final note here, the way the resolution is written right now, it urges us and we would be putting our stamp of approval on a host of things that are insufficient and that will, in many points, exchange one bad law, REAL ID of '05, with another one that is just not quite as bad. And to that extent, for that reason – and again, because this is a resolution, I am not sure it goes anywhere at the end of the day – if it stays in the form that it is in right here, from a matter of statement and principle, I will be opposing this resolution on that basis, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Thomas, on his resolution.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I ask for an affirmative vote on HR 767. All it does is urges Congress to move expeditiously to repeal the REAL ID Act completely. That is all it does, and I ask for your affirmative vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Steil.

Mr. STEIL. Thank you, Mr. Speaker.

Just to add to Chairman Thomas's comments, what this would do is to encourage Congress, if their House bill or the equivalent of HR 717, their 717, were to pass, it returns the REAL ID process to the negotiated rulemaking process, which means that the States now will be at the bargaining table, and we can negotiate, along with all other States, with the Department of Homeland Security to try and bring in something that addresses the security concerns but does not damage or inhibit our own State sovereignty.

Please support the resolution. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Seeing no other members rising, the question recurs, shall the House adopt the resolution?

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

The following roll call was recorded:

YEAS—194

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

Fabrizio	Major	Reed	Yudichak
Fairchild	Manderino	Reichley	
Fleck	Mann	Roae	O'Brien, D.,
Frankel	Mantz	Rock	Speaker

NAYS—3

Cox	Denlinger	Rohrer
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NOT VOTING—0

EXCUSED—6

Gabig	Gerber	Rubley	True
Galloway	Petrone		

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

**RESOLUTIONS PURSUANT TO RULE 35**

Mr. BELFANTI called up **HR 825, PN 4070**, entitled:

A Resolution recognizing the Pennsylvania Chapter of the Helmets to Hardhats program and commending its service to this Commonwealth, members of the military and veterans.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Gabig	Gerber	Rubley	True
Galloway	Petrone		

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

\* \* \*

Mr. STEIL called up **HR 826, PN 4071**, entitled:

A Resolution commemorating the 325th anniversary of the founding of the Newtown Community in Bucks County by William Penn.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Gabig	Gerber	Rubley	True
Galloway	Petrone		

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

**BILLS REMOVED FROM TABLE**

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

- SB 1308;
- SB 1332;
- SB 1363;
- SB 1364;
- SB 1365;
- SB 1366;
- SB 1367;
- SB 1368; and
- SB 1369.

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

**BILLS RECOMMENDED**

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

- SB 1308;
- SB 1332;
- SB 1363;
- SB 1364;
- SB 1365;
- SB 1366;
- SB 1367;
- SB 1368; and
- SB 1369.

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

**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 2026, PN 3229**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in health and accident insurance, providing for group health policies to continue for period of time after termination of employment or membership in health maintenance organizations.

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

**BILL TABLED**

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 2026 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.

**BILL REMOVED FROM TABLE**

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 2026 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 House proceeded to second consideration of **HB 2028, PN 3230**, entitled:

An Act amending the act of July 8, 1986 (P.L.408, No.89), known as the Health Care Cost Containment Act, providing for the Health Care Cost Containment and Comparison Council; further providing for definitions; adding powers and duties of the council; further providing for data submission and collection; providing for common services data analysis; and further providing for sunset.

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

**BILL TABLED**

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 2028 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.

**BILL REMOVED FROM TABLE**

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 2028 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 House proceeded to second consideration of **HB 2034, PN 3198**, entitled:

An Act providing for long-term care patient access to pharmaceuticals; and conferring powers and duties on the State Board of Pharmacy.

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

**BILL TABLED**

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 2034 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.

**BILL REMOVED FROM TABLE**

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 2034 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 House proceeded to second consideration of **HB 2209, PN 3232**, 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 issuance of group accident and sickness insurance.

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

**BILL TABLED**

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 2209 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.

**BILL REMOVED FROM TABLE**

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 2209 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.

**BILL REMOVED FROM TABLE**

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that SB 763 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. For the information of the members, there will be no further votes for the day.

**BILL REMOVED FROM TABLE**

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that SB 1346 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.

**HOUSE RESOLUTION  
INTRODUCED AND REFERRED**

**No. 834** By Representatives SOLOBAY, FRANKEL, GEORGE, GRUCELA, HERSHEY, KOTIK, MAHONEY, McILHATTAN, RAPP, READSHAW, REICHLLEY, SCAVELLO, SURRA, THOMAS, VULAKOVICH, J. WHITE, WOJNAROSKI, YOUNGBLOOD and MOUL

A Resolution directing the Legislative Budget and Finance Committee to study the operational costs and effectiveness of the Scotland School for Veterans' Children.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 27, 2008.

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 2675** By Representatives JAMES, DePASQUALE, STABACK, SEIP, KORTZ, JOSEPHS, J. WHITE, YOUNGBLOOD, KULA, HORNAMAN, WATERS and WILLIAMS

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, prohibiting the furlough of certain employees of the Department of Revenue.

Referred to Committee on STATE GOVERNMENT, June 27, 2008.

**No. 2676** By Representatives MARSICO, HENNESSEY, GINGRICH, WATSON, VULAKOVICH, SWANGER, BIANCUCCI, CALTAGIRONE, DeLUCA, DENLINGER, ELLIS, GEORGE, GOODMAN, HESS, HORNAMAN, M. KELLER, KOTIK, LONGIETTI, MELIO, R. MILLER, MOUL, MYERS, D. O'BRIEN, PICKETT, RAPP, READSHAW, SIPTROTH, SOLOBAY, STABACK, THOMAS, J. WHITE and WOJNAROSKI

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, in licensing of health care facilities, defining dementia; and further providing for licensure.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 27, 2008.

**No. 2677** By Representatives R. TAYLOR, FRANKEL, HERSHEY, KULA, LONGIETTI, MELIO, MILNE, SAYLOR, SCHRODER, SIPTROTH, SONNEY, STABACK, WAGNER and WANSACZ

An Act amending the act of May 19, 1995 (P.L.33, No.3), known as the Economic Development Agency, Fiduciary and Lender Environmental Liability Protection Act, further providing for definitions, for limitation of economic development agency environmental liability and for defenses to liability.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 27, 2008.

**No. 2679** By Representatives R. TAYLOR, BISHOP, BEAR, BOBACK, BRENNAN, DENLINGER, FLECK, FRANKEL, FREEMAN, GILLESPIE, GOODMAN, HARKINS, HERSHEY, HORNAMAN, KORTZ, KULA, LEACH, MAHONEY, MARSICO, MELIO, MYERS, O'NEILL, READSHAW, SIPTROTH, K. SMITH, SWANGER, THOMAS, TRUE and VULAKOVICH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of theft of human body parts.

Referred to Committee on JUDICIARY, June 27, 2008.

**No. 2681** By Representatives PETRARCA, WALKO, GEORGE, MELIO, BELFANTI, BIANCUCCI, CARROLL, COHEN, DALEY, DePASQUALE, DONATUCCI, EACHUS, GRUCELA, HANNA, HARHAI, HARRIS, HENNESSEY, HORNAMAN, JOSEPHS, KOTIK, KULA, MAHONEY, MANDERINO, McGEEHAN, MOYER, MYERS, RAMALEY,

READSHAW, REICHLEY, SABATINA, SIPTROTH, K. SMITH, SOLOBAY, STURLA, WANSACZ, WATSON and YOUNGBLOOD

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for definitions; prohibiting railroads from operating railroad locomotives in reverse in certain instances; and providing for provisions of counseling services and trauma leave after railroad accidents.

Referred to Committee on CONSUMER AFFAIRS, June 27, 2008.

**No. 2682** By Representatives SOLOBAY, BRENNAN, BROOKS, CALTAGIRONE, DeLUCA, FRANKEL, GEORGE, GRUCELA, HENNESSEY, HORNAMAN, KOTIK, KULA, LONGIETTI, MAHONEY, MANDERINO, MELIO, METCALFE, R. MILLER, MUNDY, MURT, MYERS, M. O'BRIEN, PEIFER, PETRONE, PICKETT, READSHAW, RUBLEY, SAYLOR, SCAVELLO, SIPTROTH, SONNEY, SWANGER, WALKO, J. WHITE and YOUNGBLOOD

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, providing for taxable portion of purchase price.

Referred to Committee on FINANCE, June 27, 2008.

**No. 2683** By Representatives PALLONE, BIANCUCCI, BOYD, CALTAGIRONE, CASORIO, DeLUCA, DePASQUALE, FREEMAN, GEIST, GODSHALL, KOTIK, MAHONEY, MANDERINO, MARSHALL, MOYER, RUBLEY, SANTONI, STURLA, TANGRETTI, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for Commonwealth portion of fines.

Referred to Committee on JUDICIARY, June 27, 2008.

**No. 2684** By Representatives HORNAMAN, BRENNAN, CALTAGIRONE, CAUSER, CREIGHTON, FAIRCHILD, FRANKEL, GEORGE, GOODMAN, GRUCELA, HALUSKA, HENNESSEY, HERSHEY, JAMES, KENNEY, KOTIK, KULA, MAHONEY, MANN, MARKOSEK, MILLARD, MOYER, MURT, PHILLIPS, READSHAW, REED, ROCK, SAINATO, SAYLOR, SCAVELLO, K. SMITH, SONNEY, VULAKOVICH, WALKO, J. WHITE, WOJNAROSKI, BEYER, CONKLIN and FLECK

An Act designating the portion of US Route 20, known as West 26th Street, in Millcreek Township, from Peninsula Drive to Powell Avenue as the John W. Groters Memorial Highway.

Referred to Committee on TRANSPORTATION, June 27, 2008.

**No. 2685** By Representatives BELFANTI, PHILLIPS, BEAR, BOYD, SHIMKUS, SIPTROTH, SONNEY, SURRA, SWANGER, REICHLEY, MUSTIO, MELIO, LEVDANSKY, KORTZ, HARHART, GIBBONS, GEIST, CAPPELLI, HARKINS, HESS, KOTIK, KULA, R. MILLER, OLIVER, PRESTON, SAYLOR, SCHRODER, SOLOBAY, STERN, WALKO and YOUNGBLOOD



An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for the definition of "shared custody"; adding definitions; and further providing for custody of children.

Referred to Committee on JUDICIARY, June 27, 2008.

### SENATE BILLS FOR CONCURRENCE

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

#### SB 1015, PN 2244

Referred to Committee on STATE GOVERNMENT, June 27, 2008.

#### SB 1158, PN 2145

Referred to Committee on APPROPRIATIONS, June 27, 2008.

#### SB 1266, PN 1919

Referred to Committee on STATE GOVERNMENT, June 27, 2008.

#### SB 1330, PN 2227

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 27, 2008.

### VOTE CORRECTION

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

Mr. STEIL. To correct the record.

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

Mr. STEIL. On HB 1768, I was recorded in the positive. I would like to be recorded in the negative. Thank you, Mr. Speaker.

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

### HOUSE SCHEDULE

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

Mr. GODSHALL. Thank you, Mr. Speaker.

I wondered if there was any change in schedule for the weekend? Hopefully somebody can give us some indication just exactly what we are going to be doing tomorrow, Sunday, and Monday.

The SPEAKER pro tempore. It is my understanding that we are resuming session tomorrow at 11 a.m. and that there is a caucus at 10 a.m.

Mr. GODSHALL. Thank you.

The SPEAKER pro tempore. You are welcome, Mr. Godshall.

### TRANSPORTATION COMMITTEE MEETING

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, the House Transportation Committee meeting today has been postponed. A meeting on HB 2593, the turnpike lease, will be called at the call of the Chair, discretion at the call of the Chair, off the floor in room G-50 – at the discretion of the call of the Chair.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Transportation Committee will meet in G-50 at the call of the Chair.

Any other business in regular session?

Special session will reconvene at 3:51.

### 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, Mr. Brennan from Lehigh County, who moves that this House do now adjourn until Saturday, June 28, 2008, 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 3:50 p.m., e.d.t., the House adjourned.