HOUSE OF REPRESENTATIVES
The House convened at 6 p.m., e.d.t.

THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING

PRAYER

HON. LOUISE WILLIAMS BISHOP, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Let us pray:

Dear God, our Heavenly Father, we lift our eyes into the hills from whence cometh all of our help. It comes from You, and these are indeed the times when our souls are being tried. We do need Your help.

We struggle with budgetary issues and try to find solutions that are fair and just for everyone – our children, our youth, our seniors, and all who reside in our Commonwealth of Pennsylvania.

I pray, O God, that You will help us to lean not unto our own understanding but to trust in You to guide us with Your mighty hand to make decisions that impact fairly and justly on the qualities of life for everyone.

Please, God, give us the wisdom of Solomon in these days and hours ahead as we deal with critical issues, yet help us always to keep in mind, as we perform the assignment that You have given us, the people's business, the people's interest, and especially, again, our children, our youth, for they are our future.

Teach us now to do justly, to love mercy, and to walk humbly before You. We ask these blessings in Your name. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Saturday, June 28, 2008, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER pro tempore. Turning to leaves of absence, the Chair recognizes the majority whip, who requests a leave of absence for the gentleman from Montgomery County, Mr. GERBER. Without objection, the gentleman will be granted a leave.

And the Chair recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. BASTIAN, from Somerset County; the gentleman, Mr. CREIGHTON, from Lancaster County; the gentleman, Mr. CUTLER, from Lancaster County; the gentleman, Mr. HERSHEY, from Chester County; the gentleman, Mr. ROSS, from Chester County; and the gentlelady, Mrs. TRUE, from Lancaster County. Without objection, these leaves will be so granted.

The Chair recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. MICOZZIE. Without objection, the leave will be so granted.

Members will report to the floor.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT–195

Adolph  Galloway  Marshall  Rohrer   Rubley
Argall    Geist      Marsico  Sabatina  Sainato
Baker     George     McCall   Sabatina  Samuelson
Barrar    Gergely    McGehean Sainato  Santoni
Bear      Gibbons    McI. Smith Saylor  Scavello
Belfanti  Gillespie  McIlhattan Santoni  Scavello
Benninghoff  Gingrich  Mello  Saylor   Schroeder
Bennington Godshall  Mensch  Shapiro  Seip
Beyer     Goodman    Metcalfe Seip   Smith, K.
Biancucci Grell      Millard  Shapiro  Smith, K.
Bishop    Gruceila   Miller   Shapiro  Smith, K.
Blackwell Haluska    Milne   Shimkus  Smith, M.
Boback    Hanna      Moul    Siptroth  Smith, S.
Boyd      Harhai      Moyer   Smith, K.  Solobay
Brennan   Harhart    Mundy   Smith, K.  Sonney
Brooks    Harkins    Murt    Starks   Stark
Buxton    Harper     Mustio   Starks   Starba
Caltagirone Harris    Myers   Sonney  Steele
Cappelli  Helm      Nailor   Sonney   Steil
Carroll   Hennessey  Nickol  Starks   Stern
Casorio   Hess       O'Brien, M. Starks  Stetler
Causer    Hickernell O'Neill  Stetler  Stevenson
Civera    Hormahan  Oliver  Stetler  Sturfa
Clymer    Hutchinson Pallone Sturfa  Surra
Cohen     James      Parker  Surra  Surra
The SPEAKER pro tempore. A quorum being present, the House will proceed to conduct business.

GUEST INTRODUCED

The SPEAKER pro tempore. The House is pleased to welcome Colby Prough, who is serving as a guest page today. Colby is the grandson of Representative Nickol. He is 15 years of age and a student at York Suburban High School. Colby is working for the York Revolution Baseball Team this summer. Please rise and be recognized.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of HB 2112, PN 4064, entitled:

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

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

Mr. SOLOBAY offered the following amendment No. A08092:

Amend Sec. 1 (Sec. 7333), page 4, line 26, by inserting after "HEALTH"
or any successor bureau or administrative unit having similar responsibilities.

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

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

Mr. Solobay, if you could give us a brief description.

Mr. SOLOBAY. Thank you, Mr. Speaker.

Basically, this is a technical amendment. There was a correction that was needed. It is an agreed-to amendment and we would just ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS–195

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

ADDITIONS–0

NOT VOTING–0

EXCUSED–8

Bastian  Cutler  Hershey  Ross
Creighton  Gerber  Micozzie  True

LEAVES ADDED–1

Mundy


The Secretary of Health, who shall act as chairperson
One representative of the Juvenile Court Judges'
Secretary of Public Welfare or a designee.

There is hereby established within the
Secretary of Education or a designee.

Commission.

PN 3797, (Bill as amended will be reprinted.)
Bill as amended was agreed to.
On the question, Will the House agree to the bill on second consideration as amended?
Bill as amended was agreed to.

(Bill as amended will be reprinted.)

The House proceeded to second consideration of HB 2548, PN 3797, entitled:

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.

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

Mrs. GINGRICH offered the following amendment No. A08154:

Amend Title, page 1, line 6, by removing the period after "commission" and inserting 

and providing for a task force on drug-endangered children.

Amend Bill, page 2, by inserting between lines 2 and 3 Section 2. The act is amended by adding a section to read:

Section 7.3. Task force on drug-endangered children.

(a) Establishment.—There is hereby established within the Pennsylvania Commission on Crime and Delinquency a task force on drug-endangered children.

(b) Composition.—The task force shall be comprised of the following members:

(1) The Secretary of Health, who shall act as chairperson of the task force.
(2) The Commissioner of the Pennsylvania State Police or a designee.
(3) The Secretary of Public Welfare or a designee.
(4) The Secretary of Education or a designee.
(5) The Secretary of Environmental Protection or a designee.
(6) One representative of the Juvenile Court Judges' Commission.

(7) The Victim Advocate.
(8) The Executive Director of the Pennsylvania Commission on Crime and Delinquency.
(9) Nine members to be appointed by the Governor to include:

(i) A representative of local law enforcement agencies.
(ii) A district attorney.
(iii) A county commissioner.
(iv) A representative of emergency medical services.
(v) A representative of fire and emergency services.
(vi) An emergency room physician.
(vii) A representative from county children and youth services.
(viii) A representative from a county mental health program.
(ix) A representative from a county drug and alcohol program.

(c) Objectives.—The overall goal of the task force is to improve the health of children exposed to chemicals associated with methamphetamine production or other drug involvement by identifying the physical, psychological and sociological effects on children and providing appropriate intervention. The task force shall develop protocols establishing a Statewide response system and a strategic plan related to helping children who may have been endangered by circumstances involving the illegal production of methamphetamine or other drugs or by trafficking or abuse. The task force shall meet the following objectives:

(1) The establishment of medical protocols for the treatment of children who have been endangered by contamination from methamphetamine manufacturing or other exposure to drug production, trafficking or abuse.
(2) The development of coordinated procedures by agencies that quickly respond to the needs of children who have been exposed to the contaminants of illegal drug production to ensure their protection and safety.
(3) The elimination of any delays in the response that would interfere with important child welfare outcomes aimed at ensuring child protection and safety.
(4) The development of protocols for the sharing of information among the various affected response agencies.
(5) The assurance that all affected children will continue to be enrolled in school programs.
(6) Report.—The task force shall prepare a report containing the strategic plan for the Statewide response system and the strategic plan for the treatment of children who have been endangered by contamination from methamphetamine manufacturing, drug production, trafficking or abuse. This report will serve as a blueprint for the development of formalized training and education activities by the commission. This report shall be submitted to the General Assembly within one year after the effective date of this section and distributed to those State and local agencies that respond to drug-endangered children.
(c) Training.—The commission shall develop training and education programs that will be available to those agencies that respond to drug-endangered children. The training shall reflect the task force's plan to ensure that State and local agencies are able to establish the necessary protocols for a coordinated response to drug-endangered children.

(f) Expiration.—The provisions of subsections (a), (b), (c) and (d) shall expire one year after the effective date of this section. The commission shall continue to provide training and education activities and act as a clearinghouse for information in relation to its duties under this section on an ongoing basis.

Amend Sec. 2, page 2, line 3, by striking out "2" and inserting
Amend Sec. 3, page 2, lines 8 and 9, by striking out all of said lines and inserting

Section 4. This act shall take effect as follows:
(1) The addition of section 7.3 of the act shall take effect in 60 days.
(2) The remainder of this act shall take effect July 1, 2008, or immediately, whichever is later.

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

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

Mrs. GINGRICH. Thank you, Mr. Speaker.
This particular amendment creates a drug-endangered kids task force within the Pennsylvania Commission on Crime and Delinquency.

The SPEAKER pro tempore. The Chair thanks the lady.

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. This bill will be temporarily over.

* * *

The House proceeded to second consideration of HB 2625, PN 4082, entitled:

An Act establishing the County Access to Community-based Care and Extended Safety-net Services (County Access) Program in the Department of Health; setting criteria for eligibility for counties and health care providers; developing plans to assure people and families with low income access to a continuum of health care services on a county basis; and providing for powers and duties of the Department of Public Welfare, the Department of Health and the Insurance Department.

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

Mr. J. EVANS offered the following amendment No. A08094:

Amend Title, page 1, line 8, by inserting after "Welfare" , the Department of Health
Amend Title, page 1, line 8, by striking out "Department of Insurance" and inserting Insurance Department
Amend Sec. 3, page 3, line 22, by striking out "Public Welfare" and inserting Health
Amend Sec. 4, page 6, by inserting between lines 14 and 15 (9) Determine the health information technology systems currently in use, and their level of use, by health care providers.
Amend Sec. 4, page 6, line 15, by striking out "(9)" and inserting (10)

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

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

Mr. J. EVANS. Thank you very much, Mr. Speaker.
I have been working very closely across the aisle with Representative Pallone on this very important bill, and I am hopeful that we can get bipartisan support for this technical amendment to the bill. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS–195

Adolph Galloway Marshall Rohrer
Adzhil Galt Hensley Rossi
Baker George McCall Sabatina
Barra Gergely McGeehan Sainato
Bear Gibbons McI. Smith Samuelson
Belfanti Gillespie McIlhatten Santoni
Benninghoff Gingrich Melio Saylor
Bennington Godshall Mensch Scavello
Beyer Goodman Metcalfe Schroeder
Biancucci Grell Millard Seip
Bishop Grucela Miller Shapiro
Blackwell Haluska Milne Shimkus
Bobbac Hanna Moul Siptroth
Boyd Harhai Moyer Smith, K.
Brennan Harhart Mundy Smith, M.
Brooks Harkins Murt Smith, S.
Buxton Harper Mastio Solobay
Caltagirone Harris Myers Sonney
Cappelli Helm Nailor Staback
Carroll Hennessey Nickol Stairs
Casorio Hess O'Brien, M. Steel
Causser Hickernell O'Neill Stern
Civera Hornaman Oliver Stevenson
Claymer Hutchinson Palone Starbuck
Cohen James Parker Surra
Conklin Josephs Pazinski Swanger
Costa Kaufman Payne Tangretti
Cox Keller, M.K. Payton Taylor, J.
Cruz Keller, W. Peifer Taylor, R.
Curray Kenney Perry Thomas
Daley Kessler Perzel Turzai
Dally Killion Petracca Vereb
DeLuca King Prieti Vitali
Denlinger Kirkland Petrone Vulakovich
Depasquale Kortz Phillips Wagner
Dermody Kotik Pickett Walko
DeWeese Kula Preston Warnacz
DiGirolamo Leach Pyle Waters
Donatucci Lentz Quigley Watson
Eachus Levandsky Quinn Wheatley
Ellis Longietti Ramaley White
Evans, D. Mackereth Rapp Williams
Evans, J. Mahler Raymond Wojnaroski
Everett Mahoney Readshaw Yewie
Fabrizio Major Redd Youngblood
Fairchild Manderino Reischley Yudichak
Fleck Mann Roae Speaker
Gabig NAYS–0

NOT VOTING–0
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?
Bill as amended was agreed to.

(Bill as amended will be reprinted.)

The House proceeded to second consideration of HB 2629, PN 3939, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, further providing for licensure.

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

GUEST INTRODUCED

The SPEAKER pro tempore. With us today, to the left of the Speaker, the Chair welcomes Zack Bombatch, who is serving as a summer intern in the district office of Representative Dick Stevenson. He is a student at the University of Pittsburgh, and he is, of course, a guest of the honorable Representative Dick Stevenson. Please rise and be recognized.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 1490, PN 4114, entitled:

An Act relating to broadband deployment, mapping and availability.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS–195

NAYS–0

NOT VOTING–0

EXCUSED–8

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 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 third consideration?
Bill was agreed to.

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

(Bill analysis was read.)

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

On that question, the gentleman, Mr. Staback, is recognized.
Mr. STABACK. Thank you, Mr. Speaker.
Mr. Speaker, HB 2183 amends the Health Care Facilities Act by outlining requirements for complaint investigations of long-term nursing care facilities. The provisions of HB 2183 are based on existing departmental policy. Very simply, we are putting current Department of Health operating policy that deals with complaint investigations of long-term nursing care facilities into statute to ensure that these standards remain intact and to ensure that they cannot be arbitrarily altered.

Mr. Speaker, with this bill, we better safeguard the health and welfare of our growing senior population, and with that thought in mind, I would ask for an affirmative vote on the measure. Thank you.

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–195**

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<td>NAYS–0</td>
<td>NOT VOTING–0</td>
<td>EXCUSED–8</td>
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Bastian | Cutler | Hershey | Ross
Creighton | Gerber | Micozzie | True

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 2188, PN 4061**, entitled:

An Act providing for court-appointed conservators to bring residential, commercial and industrial buildings into municipal code compliance when owners fail to comply.

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

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

(Bill analysis was read.)
The SPEAKER pro tempore. The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman, Mr. Walko.

Mr. WALKO. Thank you, Mr. Speaker.

I stand to ask for a positive vote on this legislation. This would provide for the appointment of a third party, whether it is a nonprofit corporation or other, to take control of blighted and abandoned property and bring it back into productive use. It will help communities. It will provide a way to surgically strike when you have that one problem property on a street or in a block that is bringing down everyone's property value.

But, I want to say thank you, Mr. Speaker, because this is a complex piece of legislation, although its goal is simple. Without the support of Chairman Petrone, this never could have happened, and without his partner, minority chairman, John Taylor, who both did a wonderful job, and a number of staff persons – Dana Alwine, Christine Goldbeck, Jon Castelli, Heather Saxelby, and attorney Rod Corey, wherever you are; I do not see you right now – but because of the complex property rights, neighborhood rights, rights to not have nuisances next door, it took all of their minds to work on this important piece of legislation, and I ask for an affirmative vote.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia County, Representative Taylor.

Mr. J. TAYLOR. Thank you, Mr. Speaker.

As we mentioned during the debate on some amendments, this is a measure that was 14 years in the making. There is a lot of work that went into this, and we think it is going to be a real tool – not a cure-all – but a tool throughout many places in Pennsylvania.

But, at this point, I would also like to say that we are hopeful that local governments, municipalities, and even big cities actually use some of the tools they have now as well as this conservatorship bill should it come to them as law.

And to sort of sum up what goes on, at least in Philadelphia at this point in time, I would like to just quote from an article that a reporter by the name of Dave Davies wrote just a week and a half ago. Dave is not only a prominent reporter in Philadelphia but a political reporter, and you would think he would not have to live with what he wrote about on June 20, and I quote, "SOME YEARS back, I lived next...to a crackhead.

"He owned the house adjoining mine in Germantown.

"After he ripped off his wife's cash, sold his kids' toys and drove the family out, there were periods when he was gone for months. The deteriorating house was occupied by a series of squatters, some of whom brought cockroaches and pit bulls...."

"It was a nightmare that went on for years. By the time the place finally was sold, it had no working bathrooms or heater, and the roof had a hole so big that I let myself in after storms to empty buckets of rainwater.

"During this time, the "city" of Philadelphia "Revenue Department made no effort to take the property to sheriff's sale despite years of unpaid...taxes and water bills. The Department of Licenses and Inspections responded to neighbors' calls mostly by issuing polite violation notices for the owner to ignore.

"I've never written about this before because the story is so unremarkable," in Philadelphia.

"Nuisance properties are common...and at the Daily News we regularly get calls from people frustrated that their pleas to L&I never lead to any...action."

Mr. Speaker, we just think that this is another tool to prevent this type of thing from happening. It can happen to anybody in any part of this Commonwealth where a property is left vacant and blighted, and we hope that this is the answer, and we would appreciate your support.

The SPEAKER pro tempore. The Chair thanks the gentleman.

FILMING PERMISSION

The SPEAKER pro tempore. The Chair wishes to advise members that he has given permission to James Romeo of WGAL-TV to do videotape with audio for approximately 10 minutes.

CONSIDERATION OF HB 2188 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster County, Mr. Denlinger.

Mr. DENLINGER. Thank you, Mr. Speaker.

I am wondering if the maker of the bill would stand for brief interrogation?

The SPEAKER pro tempore. The maker of the bill has agreed, and you may proceed, Mr. Denlinger.

Mr. DENLINGER. Thank you, Mr. Speaker.

Mr. Speaker, I am wondering about — I intend to support this legislation and I do appreciate the goals and aims of the bill and the maker, but I am wondering – obviously the protection of the private property rights is very important to us – and I am wondering if the maker could kind of take me through the process that has to be achieved to make sure that those protections are adequate and in place. What steps need to occur, under this bill, before the appointment of the conservatorship?

Mr. WALKO. First of all, the person or the entity that would want to be the conservator would have to file a petition in court, and prior to that petition being granted or allowed to proceed or go forth, there are certain conditions that must be met; there are a number of them. First of all, to sustain an action, all of the following must apply: the building has not been legally occupied for the past 12 months; the building has not been actively marketed for sale during the 60 days before the date of the petition, 2 months, that is; the building is not subject to an existing foreclosure action by some lienholder, et cetera; the current owner fails to prevent sufficient evidence that the property was acquired within the preceding 6 months, so it was not a newly acquired property; and the court must find that at least three or more of the following indicators exist showing that the property is blighted or a public nuisance. These indicators would be that the property is a public nuisance, the building needs substantial rehabilitation and no rehabilitation has occurred during the prior 12 months, the building is unfit for human habitation or use, the condition or vacancy increases the risk of fire to the building or to adjacent properties, and a number of other conditions.
Mr. DENLINGER. Thank you, Mr. Speaker.
Then one further question, if I may. If, in fact, the owner recognizes what is occurring here and takes some steps to remediate the situation, does the conservatorship then cease to exist or where do we go from there?

Mr. WALKO. Yes; if the court finds that the conditions are present for the conservatorship, the ones that I outlined, but the owner of the building maintains that the violations, nuisance, or emergency conditions will be abated in a reasonable time, the court can permit the owner to proceed to remedy the situation.

Mr. DENLINGER. Very good. Thank you, Mr. Speaker.
With those provisions in place, I am happy to also support the bill.
Thank you, Mr. Speaker.
The SPEAKER pro tempore. The Chair thanks the gentleman.
Mr. Walko, do you wish to speak on— Thank you.

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–194

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

NAYS–1

Bishop

NOT VOTING–0

EXCUSED–8

Bastian  Cutler  Hershey  Ross
Creighton  Gerber  Micozzie  True

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 2642, PN 4089, entitled:

An Act providing for health insurance rate increase standards.

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

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. Correction. We will be going over that bill for the time being.

***

The House proceeded to third 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 third consideration?

Bill was agreed to.

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

(Bill analysis was read.)

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

(Members proceeded to vote.)
The SPEAKER pro tempore. We are momentarily experiencing technical difficulties. Please be patient. We are voting on HB 2644. Let us try it again.

The following roll call was recorded:

YEAS–195

Adolph  Galloway  Marshall  Rohrer
Argall  Geist  Marsico  Rubley
Baker  George  McCull  Sabatina
Barrar  Gergely  McGeehan  Sainato
Bear  Geismar  McIlh  Sanfus
Belfanti  Gillespie  Mdlhatten  Santoni
Benninghoff  Gingrich  Melio  Saylor
Bennington  Godsall  Mensch  Scavello
Beyer  Goodman  Metcalfe  Schroeder
Bianucci  Grell  Millard  Seip
Bishop  Grucela  Miller  Shapiro
Blackwell  Haluska  Milne  Shinkus
Boback  Hanna  Moul  Siptroth
Boyd  Harhai  Moyer  Smith, K.
Brennan  Harhart  Mundy  Smith, M.
Brooks  Harkins  Murt  Smith, S.
Buxton  Harper  Mustio  Solobay
Caltagirone  Harris  Myers  Somney
Cappelli  Heln  Naior  Staback
Carroll  Hennessey  Nickol  Stairs
Casorio  Hess  O'Brien, M.  Steil
Causer  Hickernell  O'Neill  Stern
Civera  Hornaman  Oliver  Stevenson
Clymer  Hutchinson  Pallone  Sturla
Cohen  James  Parker  Surra
Conklin  Josephs  Pashinski  Swanger
Costa  Kaufman  Payne  Tangretti
Cox  Keller, M.K.  Payton  Taylor, J.
Cruz  Keller, W.  Peifer  Taylor, R.
Curry  Kenney  Perry  Thomas
Daley  Kessler  Perzel  Turzai
Dally  Killion  Petarca  Vereb
DeLuca  King  Petri  Viti
Denlinger  Kirkland  Petrone  Walszc
DePasquale  Kortz  Phillips  Wagner
Dermody  Kotik  Pickett  Walko
DeWeese  Kula  Preston  Wansacz
DiGirolamo  Leach  Pyle  Waters
Donatucci  Lentz  Quigley  Watson
Eachus  Ledvansky  Quinn  Wheatley
Ellis  Longietti  Ramaley  White
Evans, D.  Mackereth  Rapp  Williams
Evans, J.  Mahler  Raymond  Wojnaroski
Everett  Mahoney  Readshaw  Yewic
Fabrizio  Major  Reed  Youngblood
Fairchild  Manderino  Reichley  Yudichak
Fleck  Mann  Roae  
Frankel  Mantz  Rock  O'Brien, D.,
Freeman  Markosek  Roeback  Speaker

NAYS–0
NOT VOTING–0
EXCUSED–8

Bastian  Cutler  Hershey  Ross
Creighton  Gerber  Miccozie  True

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.
On that question, the gentleman, Mr. DeLuca, is recognized.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, what this bill does is actually gives the Insurance Commissioner more authority to review some of the rate increases that come in on health care. What has happened over the past, some of these increases have not been based on the best practices or whether the facilities are doing the right things, whether they are cutting off the wrong legs, or whether they are not following, actually, safe standard procedures, which raises the cost of health care for all our consumers in Pennsylvania. So I think it is imperative that we be able to give the Insurance Commissioner this type of an authority to look at some of these things to make sure that he takes them into consideration when he grants these rate increases.

This is a good piece of legislation for the consumers out there, certainly for the insurers, and I ask for an affirmative vote on it.

Thank you, Mr. Speaker.

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–195

Adolph  Galloway  Marshall  Rohrer
Argall   Geist    Marsico  Rubley
Baker    George   McCall  Sabatina
Barrar   Gergely  McGeehan Sainato
Bear     Gibbons  Mcl. Smith Samuelson
Belfanti Gillespie Mellhatten Santoni
Benninghoff Gingerich Melio  Saylor
Bennington Godshall Mensch  Scavello
Beyer    Goodman  Metcalfe Schroeder
Biancucci Grell    Millard  Seip
Bishop   Grucela  Miller  Shapiro
Blackwell Haluska  Milne  Shinkus
Boback   Hanna     Moul  Siptroth
Boyd     Harhai   Moyer  Smith, K.
Brennan  Harhart  Mundy  Smith, M.
Brooks   Harkins  Murt  Smith, S.
Buxton   Harper   Mustio  Solobay
Caltagirone Harris  Myers  Sonney
Cappelli Helm    Nailor  Staback
Carroll  Hennessey Nickol  Stairs
Casorio  Hess     O'Brien, M.  Steil
Causer   Hickernell O'Neill  Stern
Ciber    Hornaman Oliver  Stevenson
Clymer   Hutchinson Pallone  Sturla
Cohen    James     Parker  Surra
Conklin  Josephs  Pashinski  Swanger
Costa    Kaufman  Payne  Tangretti
Cox      Keller, M.K. Payton  Taylor, J.
Cruz     Keller, W. Peifer  Taylor, R.
Curry    Kenney  Perry  Thomas
Daley    Kessler  Perzel  Tunra
Dally    Killion  Perracca  Vereb
DeLuca   King     Petri  Vitali
Denlinger Kirkland  Petrone  Vulakovich
DePasquale Kortz  Phillips  Wagner
Dermody  Kotik    Pickett  Waliko
DeWeese  Kula    Preston  Wansacz
DiGirolamo Leach  Pyle  Waters
Donatucci Lentz  Quigley  Watson
Eachus   Ledvansky Quinn  Wheatley
Ellis    Longietti Ramaley  White
Evans, D. Mackereth Rapp  Williams
Evans, J. Maher    Raymond Wojnaroski
Everett   Mahoney  Readshaw Yewcic
Fabrizio Major    Rechley Youngblood
Fairchild Manderino Reichley  Yudichak
Fleck     Mann    Roac  O'Brien, D.,
Frankel  Mantz    Rock  Speaker
Freeman  Markosch  Roebuck
Gabig    NAYS–0

NOT VOTING–0

EXCUSED–8

Bastian    Cutler  Hershey  Ross
Creighton  Gerber  Micozzie  True

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 1000, PN 2228, entitled:

An Act prohibiting the regulation of voice-over-Internet protocol and other Internet protocol-enabled products and services; and providing for preservation of consumer protection, for fees and rates and for preservation of cable franchise authority.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

(Bill analysis was read.)

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

On that question, the gentleman from Montgomery County, Mr. Godshall, is recognized.

Mr. GODSHELL. Thank you, Mr. Speaker.

This bill is an important piece of legislation. A lot of time has been spent on the bill, and going back in 2004 the Federal Communications Commission ruled that States could not regulate the type of voice-over-Internet service that can be loaded into your laptop and carried around with you to make calls. Examples include the type of voice-over-Internet service provided by Vonage.

Senator Wonderling introduced SB 1000 to make sure that all voice-over-Internet service in Pennsylvania would remain – as it is now – free of regulation. He worked hard on this bill for many months.
When SB 1000 got to the House, there were several issues that needed to be clarified, including ensuring that consumers had protections, making sure that laws regarding the payment of access charges to local telephone companies were kept intact, addressing the payment of important 911 and universal service fees, and preserving basic telephone rate caps.

I am proud to report that after working with the Office of Consumer Advocate, PUC (Public Utility Commission), Verizon, Comcast, Embarq, the Pennsylvania Telephone Association, AT&T, and the Pennsylvania Broadband Association, to name a few of the many people who worked on this issue, that SB 1000 is now ready to become law.

SB 1000 is the type of legislation that we need in the telecommunications industry. It levels the playing field to ensure that all voice-over-Internet providers can compete fairly for Pennsylvania consumers. It recognizes that competition drives investment, creates jobs, and results in lower prices for consumers, and it celebrates the new age of telephone technology that is emerging, all the while protecting Pennsylvania’s consumers and the local telephone companies that make sure that our telephone rings.

There is good reason that technology companies like AOL, Google, Microsoft, Vonage, AT&T, Comcast, Verizon, the Office of Consumer Advocate, and the local telephone companies support SB 1000, because, through consensus building, it reflects the product of a collaborative effort to move Pennsylvania telecommunications forward.

I encourage a "yes" vote on the bill on final passage. Again, I want to thank all of the stakeholders involved, my colleagues across the aisle, and Chairman Preston and his staff for their untiring work and dedication to develop sound public policy. It is a good bill. It is good for Pennsylvania. A lot of people have put a lot of effort into this bill and ask for a favorable vote.

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

Mr. PRESTON. Thank you, Mr. Speaker.

This bill has been in the Consumer Affairs Committee for quite some time after it came over from the Senate, and as the previous speaker noted, there were certain people that we felt were kind of left out. There was a big concern by the companies – whether it was Embarq dealing with communication workers, along with the ILECs (independent local exchange carriers) and the CLECs (competitive local exchange carriers) – they had to be able to sit down. So you get the big ones and the little companies together so that we can talk about reaching out so that the exchange rates are fair and more equitable and that we look at some things that will be able to improve some of the deployment out in some of the more rural areas.

I myself would like to be able to thank all of the companies in the telecommunications business, whether it is Verizon, AT&T, and dealing with Comcast, along with the communication workers, as I said before, Embarq and Sprint. It is important that we know that we sit down with the people.

I really wanted to give good comments to Chairman Godshall with his leadership in dealing with this and also the workmanship that we have had with Senator Wonderling’s staff and being able to reach an agreement that this bill will go over to the Senate and it will be approved by the Senate. It just shows you that when people can sit down, that here in Pennsylvania, we care about everyone no matter what walk of life they come from. I am encouraging the members in the House of Representatives to be able to vote for this bill so that we can send it back to the Senate so they can get it in the hands of the Governor.

Thank you very much. Let us vote "yes."

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–195

NAYS–0

NOT VOTING–0
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.

* * *

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.

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

Bill was agreed to.

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

(Bill analysis was read.)

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

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

(Members proceeded to vote.)

** LEAVE OF ABSENCE **

The SPEAKER pro tempore. The majority whip requests a leave of absence for the gentlelady, Ms. MUNDY. Without objection, the leave will be so granted.

** CONSIDERATION OF SB 1346 CONTINUED **

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

<table>
<thead>
<tr>
<th>YEAS–194</th>
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<tbody>
<tr>
<td>Adolph</td>
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<td>Argall</td>
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<td>Baker</td>
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<td>Barrar</td>
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<td>Bear</td>
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<td>Belfanti</td>
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<tr>
<td>Benninghoff</td>
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<tr>
<td>Bennington</td>
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</tbody>
</table>

Beyer  | Godshall | Mensch | Schroder |
Biancucci | Goodman | Metcalfe | Seip |
Bishop  | Grell  | Millard | Shapiro |
Blackwell | Grucela | Miller | Shinkus |
Boback  | Haluska | Milne | Siptroth |
Boyd    | Hanna  | Moul   | Smith, K. |
Brennan | Harhai | Moyer | Smith, M. |
Brooks  | Harhart | Murt | Smith, S. |
Buxton  | Harkins | Mustio | Solobay |
Caltagirone | Harper | Myers | Sonney |
Cappelli | Harris | Nailor | Staback |
Carroll | Helm  | Nickol | Stairs |
Casorio | Hennessey | O'Brien, M. | Steil |
Causer  | Hess   | O'Neil | Stern |
Civera  | Hickernell | Oliver | Stevenson |
Clymer  | Homaman | Pallone | Sturka |
Cohen   | Hutchinson | Parker | Surra |
Conklin | James  | Pashinski | Swanger |
Costa   | Josephs | Payne | Tangretti |
Cox     | Kauffman | Payton | Taylor, J. |
Cruz    | Keller, M.K. | Peifer | Taylor, R. |
Curry   | Keller, W. | Perry | Thomas |
Daley   | Kenney | Perzel | Turzai |
Daily   | Kessler | Petranca | Vereb |
DeLuca  | Killion | Petri | Vitali |
Denlinger | King | Petrone | Vukovich |
DePasquale | Kirkland | Phillips | Wagner |
Dermody | Kortz | Pickett | Walko |
DeWeese | Koltik | Preston | Wansacz |
DiGirolamo | Kula | Pyle | Waters |
Donatouci | Leach | Quigley | Watson |
Eachus  | Lentz  | Quinn | Wheatley |
Ellis   | Levdansky | Ramaley | White |
Evans, D. | Longietti | Rapp | Williams |
Evans, J. | Mackereth | Raymond | Wojnaroski |
Everett | Maher | Readshaw | Yeveci |
Fabrizio | Mahoney | Reed | Youngblood |
Fairchild | Major | Reichley | Yudichak |
Fleck   | Manderino | Roae | |
Frankel | Mann  | Rock | O'Brien, D., |
Freeman | Manz | Roebuck | Speaker |

NAYS–0

NOT VOTING–0

EXCUSED–9

<table>
<thead>
<tr>
<th>EXCUSED–9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bastian</td>
</tr>
<tr>
<td>Creighton</td>
</tr>
<tr>
<td>Mundy</td>
</tr>
</tbody>
</table>

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.

The SPEAKER pro tempore. Will the gentleman, Mr. Buxton, kindly come to the rostrum.

** BILLS ON SECOND CONSIDERATION **

The House proceeded to second consideration of HB 1824, PN 4081, entitled:

An Act establishing the Community-Based Health Care Provider Assistance Program in the Department of Health; setting criteria for eligibility for and authorizing payments to community-based
Amend Sec. 4, page 6, line 12, by striking out "SEEK" and inserting In consultation with the Department of Public Welfare, seek

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

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

Mr. PALLONE. Thank you, Mr. Speaker.

This is an agreed-to amendment. All it does is add language to include the Department of Welfare as part of the programming. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS–194

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

NAYS–0

NOT VOTING–0

EXCUSED–9

Bastian, Gerber, Miccozzie, Ross
Creighton, Hershey, Mundy, True
Cutler

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?

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

CONSIDERATION OF HB 2548 CONTINUED

The SPEAKER pro tempore. Returning to HB 2548, PN 3797. We had temporarily gone over that and we had called up Representative Gingrich's amendment.

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

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. On that question, the amendment, Representative Gingrich.

Mrs. GINGRICH. Thank you, Mr. Speaker.
I will be withdrawing that amendment. Thank you very much.

The SPEAKER pro tempore. The Chair kindly thanks the lady. The amendment is so withdrawn.

On the question recurring,
Will the House agree to the bill on second consideration?
Mrs. MACKERETH offered the following amendment No. A08155:

Amend Title, page 1, line 5, by inserting after "duties," "adding a definition;"
Amend Title, page 1, line 6, by removing the period after "commission" and inserting ;
Amend Bill, page 1, lines 9 through 12, by striking out all of said lines and inserting Section 1. Section 1 of the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, is amended by adding a definition to read:
Section 1. Definitions.
The following words and phrases when used in this act shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:
"Center." The Center for Evidence-based Crime Prevention Research established in section 7.3.

Section 2. Section 3 of the act is amended by adding a paragraph to read:
Amend Bill, page 2, by inserting between lines 2 and 3
Section 3. The act is amended by adding a section to read:
Section 7.3. Center for Evidence-based Crime Prevention Research.
(a) Legislative policy.--The General Assembly finds and declares as follows:
(1) Commonwealth law has directed the Pennsylvania Commission on Crime and Delinquency, and in particular the Juvenile Justice and Delinquency Prevention Committee and the Targeted Community Revitalization and Crime Prevention Advisory Committee, to conduct research and design and promote programs aimed at crime and violence prevention.
(2) Current funding of these efforts has been accomplished through several appropriation line items.
(3) The establishment of a center for evidence-based crime prevention research would foster an ongoing program to investigate and evaluate cost-effective crime and violence prevention by centralizing and consolidating those efforts with a dedicated staff and physical space to accomplish those ends.
(4) The existence of the center would ensure that future administrations and future General Assemblies provide due consideration to funding streams for evidence-based research regarding crime prevention and intervention strategies.
(b) Establishment.--The Center for Evidence-based Crime Prevention Research is established within the commission.
(c) Staff.--The center shall consist of a director, a researcher and such additional staff as the commission shall deem proper.
(d) Powers and duties.--The center shall have the power, and its duty shall be, to:
(1) Research and evaluate, monitor and promote programs to prevent crime and juvenile delinquency, as well as to reduce and prevent violence.
(2) Determine the cost effectiveness of programs under paragraph (1).
(3) Assist the commission with its powers and duties, including, but not limited to, its functions under section 3(1), (6), (6.1), (6.2), (6.3), (7) and (8).
(4) Assist the Juvenile Justice and Delinquency Prevention Committee with its powers and duties, including, but not limited to, its functions under section 7(1), (3), (4), (6), (8) and (9).
(5) Assist the Targeted Community Revitalization and Crime Prevention Advisory Committee with its powers and duties, including, but not limited to, its functions under section 7.2(1), (3) and (4).
RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Buxton, on the motion for suspension.

Mr. BUXTON. Mr. Speaker, I move that the rules be suspended to consider amendment 07483.

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

The SPEAKER pro tempore. On the motion for suspension of the rules for consideration of amendment A07483.

Mr. DiGirolamo, if the maker of the motion or the leader has agreed to allow you to speak on— We are being advised you are not allowed to speak on the motion for suspension.

PARLIAMENTARY INQUIRY

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

Mr. GABIG. Mr. Speaker, I would have, I guess, a point of parliamentary inquiry.

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

Mr. GABIG. Just to make sure I understand what rule it is the gentleman is asking that we suspend.

The SPEAKER pro tempore. The gentleman has asked for suspension, a motion for suspension of the rules to consider his amendment to a bill on concurrence.

Mr. GABIG. Is he asking to suspend a particular rule or just the rules in general? I guess that is what I am— I know, generally, that you cannot amend at this stage in the proceedings, but I was just wondering if there is a specific rule that prevents that and which the gentleman is asking to suspend?

The SPEAKER pro tempore. We are under the understanding that he would like to suspend rule 30.

Mr. GABIG. 30. Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The gentleman thanks the gentleman.

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

The following roll call was recorded:

YEAS–173

Adolph    Frankel    Mantz    Samuelson
Argall    Freeman    Markosek    Santoni
Baker     Galloway    Marshall    Saylor
Barrar    Geist      Marsico    Scavello
Bear      George     McCall     Schroder
Belfanti  Gergely    McGeehan   Seip
Bennington Gibbons    Mcl. Smith    Shapiro
Beyer     Gillespie  Mellhatten  Shinkus
Biancucci Gingrich    Melio      Siptroth
Bishop    Godshall   Mensch     Smith, K.
Blackwell Goodman    Millard    Smith, M.
Boback    Grucela    Miller     Smith, S.
Boyd      Haluska    Milne      Solobay
Brennan   Hanna      Moul      Stabile
Buxton    Harhai     Moyer      Stairs
Caltagirone Harhart    Murt      Steil
Cappelli  Harper     Myers      Stern
Casorio   Harris     Nailor     Stevenson
Causer    Hennessey  Nickol     Sturla
Civera    Hess       O'Brien, M. Surra
Clymer    Hickernell O'Neill    Tangretti
Cohen     Hornaman   Oliver     Taylor, J.
Conklin   James      Pallone    Taylor, R.
Costa     Josephs    Parker     Thomas
Cruz      Keller, W. Pashinski    Turzai
Curry     Kenney     Payton     Verve
Daley     Kessler    Perzel     Vitali
Daily     Killion    Petrarca    Wagner
DeLuca    King       Petrone    Walko
Denlinger Kirkland   Phillips    Wansacz
DePasquale Kortz     Pickett    Waters
Dermody   Kotik      Preston    Watson
DeWeese   Kula       Quigley    Wheatley
DiGirolamo Leach     Quinn      White
Donatucci Lentz      Ramaley    Williams
Eachus    Ledvansky  Raymond    Wojnaroski
Ellis     Longietti  Readshaw   Yeweic
Evans, D. Mackereth Reed     Youngblood
Evans, J. Maher      Rebock     Yudichak
Everett   Mahoney    Rohrer     Yudichak
Fabrizio  Major      Rubley     O'Brien, D.,
Fairchild Manderino  Sabatina    Speaker
Fleck     Mann       Sainato

NAYS–21

Benninghoff Hutcinson  Peifer    Reichley
Brooks    Kaufman    Perry      Roae
Cox       Keller, M.K. Petri     Rock
Gabig     Matalaffe  Pyle      Swanger
Grell     Payne      Rapp      Vulakovich
Helm

NOT VOTING–0

Bastian   Gerber     Micozzie   Ross
Creighton Hershey    Mundy     True
Cutler

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin County, Representative Buxton, who makes a brief comment.

Mr. BUXTON. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would put in law what is now regulation— The SPEAKER pro tempore. Will the gentleman suspend. Will the clerk kindly read.

On the question recurring,
Will the House concur in Senate amendments?
Mr. BUXTON offered the following amendment No. A07483:

Amend Title, page 1, line 5, by inserting after ""council"" "State-affiliated entity," "State-owned building" and "State-related institution".

Amend Title, page 1, line 8, by striking out "and" and inserting a comma

Amend Title, page 1, line 8, by removing the period after "inspectors" and inserting and for applicability to certain buildings.

Amend Sec. 1, page 1, line 13, by striking out "a definition" and inserting definitions.

Amend Sec. 1 (Sec. 103), page 2, by inserting between lines 4 and 5 "State-affiliated entity." A Commonwealth authority or a Commonwealth entity. The term includes the Pennsylvania Turnpike Commission, the Pennsylvania Housing Finance Agency, the Pennsylvania Municipal Retirement System, the Pennsylvania Infrastructure Investment Authority, the State Public School Building Authority, the Pennsylvania Higher Educational Facilities Authority and the State System of Higher Education.

"State-owned building." A building owned by or to be constructed for Commonwealth entities consisting of the General Assembly, the Unified Judicial System, the Pennsylvania Higher Education Assistance Agency, an executive agency, an independent agency, a State-affiliated entity or a State-related institution.

"State-related institution." The Pennsylvania State University, the University of Pittsburgh, Lincoln University or Temple University.

* * *

Amend Bill, page 10, by inserting between lines 8 and 9 Section 5. Section 902(b)(4) of the act, amended December 22, 2005 (P.L.478, No.95), is amended to read:

Section 902. Applicability to certain buildings.

* * *

(b) Uncertified buildings under department's jurisdiction.—Subject to subsection (d), all of the following apply to a building subject to the jurisdiction of the department:

* * *

(4) A building owner may file an application for a variance from this subsection concerning accessibility with the advisory board under section 106. A building owner may file an application for a variance from this subsection concerning other standards. The application must be filed with the Industrial Board if any of the following apply:

(i) The building is located in a municipality where the department has jurisdiction.

(ii) The building is a State-owned building. [As used in this subparagraph, the term "State-owned building" means a building owned or constructed for Commonwealth entities consisting of the General Assembly, the Unified Judicial System, the Pennsylvania Higher Education Assistance Agency, an executive agency, an independent agency and a State-affiliated entity or State-related institution, as defined in 62 Pa.C.S. § 103 (relating to definitions).]

* * *

Amend Sec. 5, page 10, line 9, by striking out "5" and inserting 6

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Buxton, is recognized.

Mr. BUXTON. Thank you, Mr. Speaker.

Mr. Speaker, under current Uniform Construction Code law, the Department of Labor and Industry, by regulation, has the authority to inspect all buildings that are owned by the Commonwealth of Pennsylvania, its entities, its universities, State-related universities. This amendment would put in law a currently existing regulation that the Department of Labor and Industry would be the principal inspector on all State-owned State universities and other related buildings in the Commonwealth of Pennsylvania.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS–119

Adolph  Fairchild  Manderino  Shapiro
Argall  Fleck  Mann  Shinkus
Belfanti  Frankel  Markosek  Siptroth
Bennington  Galloway  McCall  Smith, K.
Bianucci  Geist  McGeehan  Smith, M.
Bishop  George  Mcl. Smith  Smith, S.
Blackwell  Gergely  Moyer  Solobay
Brennan  Gibbons  Myers  Staback
Buxton  Goodman  O'Brien, M.  Stairs
Caltagirone  Grucela  O'Neill  Steil
Cappelli  Haluska  Oliver  Sturla
Carroll  Harhai  Pallone  Surra
Casorio  Harkins  Parker  Tangretti
Cauker  Hess  Pashinski  Taylor, R.
Civera  Hornaman  Payton  Thomas
Clymer  James  Perzel  Vitali
Cohen  Josephs  Petraca  Wagner
Conklin  Keller, W.  Petri  Walko
Costa  Kessler  Petrone  Wansacz
Cruz  Killion  Phillips  Waters
Curry  King  Preston  Wheatley
Daley  Kirkland  Ramaley  White
DeLuca  Kortz  Readshaw  Williams
DePasquale  Kotik  Roebuck  Wojnaroski
Dermody  Kula  Sabatina  Yewcia
DeWeese  Leach  Saino  Youngblood
DiGirolamo  Lentz  Samuelson  Yuichak
Donatucci  Levdsky  Santoni
Eachus  Longietti  Saylor  O'Brien, D.,
Evans, D.  Mahoney  Seip  Speaker

NAYS–74

Baker  Grell  Mensch  Raymond
Barbar  Harhart  Metcalfe  Reed
Bear  Harper  Millard  Reicheley
Benninghoff  Harris  Miller  Roa
Beyer  Helm  Milne  Rock
Boback  Hennessey  Moul  Rohrer
Boyd  Hickernell  Murt  Rubley
Brooks  Hutchinson  Mustio  Scavello
Cox  Kauffman  Nairor  Schroder
Dally  Keller, M.K.  Nickol  Sonney
Denlinger  Kenney  Payne  Stern
Ellis  Mackereth  Peifer  Stevenson
Evans, J.  Maher  Perry  Swanger
Everett  Major  Pickett  Taylor, J.
Freeman  Mantz  Pyle  Tarzai
Gabig  Marshall  Quiqley  Vereb
Gillespie  Marsico  Quinn  Vulakovich

JUNE 29
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 concur in Senate amendments as amended?
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–192

Adolph Gabig Marshall Rubley
Argall Galloway Marsico Sabatina
Baker Geist McCall Sainato
Barrar George McGeehan Samuelson
Bear Gergely McIlhattan Saylor
Belfanti Gibbons Meli Smith Scavullo
Benninghoff Gillespie Meli Schiroder
Bennington Gingrich Mensch Schroder
Beyer Godshall Metcalfe Seip
Biancucci Goodman Millard Shapiro
Bishop Grell Miller Shinkus
Blackwell Grucela Milne Siptroth
Boback Halaska Moul Smith, K.
Boyd Hanna Moyer Smith, M.
Brennan Harhai Murt Smith, S.
Brooks Harhart Mustio Somy
Buxton Harkins Myers Staback
Caltagirone Harper Naird Stiles
Cappelli Harris Nickol Stairs
Carroll Hennessy O'Brien, M. Stern
Casorio Hess O'Neil Taylor, J.
Causer Hickernell Oliver Stevenson
Civera Hornaman Pallone Sturla
Clymer Hutchinson Parker Surra
Cohen James Pawinski Swanger
Conklin Josephs Payton Tangretti
Costa Kaufman Peifer Taylor, R.
Cox Keller, M.K. Perry Taylor, T.
Cruz Keller, W. Perzel Thomas
Curry Kenney Petracca Turzai
Daley Kessler Petri Vercel
Dally Killion Petrone Vitali
DeLuca King Phillips Vukovich
Denlinger Kirkland Pickett Wagner
DePasquale Kortz Preston Walko
Dermody Kotik Pyle Wansacz
DeWeese Kula Quigley Waters
DiGirolamo Leach Quinn Watson
Donattucci Lentz Ramaley Wheatley
Eacuis Ledvansky Rapp White
Ellis Longietti Raymond Williams
Evans, D. Mackereth Readshaw Wojnaroski
Evans, J. Mahler Reed Yewic
Evettt Mahoney Reichley Youngblood
Fabrizio Major Roae Yudichak

NAYS–2

Helm Payne

NOT VOTING–0

EXCUSED–9

Bastian Gerber Micozzie Ross
Creighton Hershey Mundy True
Cutler

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments as amended were concurred in.

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

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned HB 1150, PN 4115, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RESOLUTIONS PURSUANT TO RULE 35

Mrs. BEYER called up HR 816, PN 4015, entitled:

A Resolution honoring the men and women of the Pennsylvania Army National Guard's 213th Area Support Group on a successful ten-month deployment in Iraq from July 2007 to April 2008.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. On the resolution, does the gentlelady, Ms. Josephs, wish to be recognized on the resolution?

Ms. JOSEPHS. No, not on the resolution.

The SPEAKER pro tempore. Waives off. Okay. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS–194

Adolph Gabig Markosek Rohrer
Argall Galloway Marshall Rubley
Baker Geist Marsico Sabatina
Barrar George McCall Sainato
Bear Gergely McGeehan Samuelson
Mr. HUTCHINSON called up **HR 827, PN 4072**, entitled:

A Resolution recognizing the month of August 2008 as "Oil Heritage Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS–194**

Adolph Gabig Markosek Rohrer

Argall Galloway Marshall Ruhley

Baker Geist Marsico Sabatina

Barrar George McCall Sainato

Bear Gergely McGeehan Samuelson

Belfanti Gibbons Mcl. Smith Santoni

Benninghoff Gillespie McIlhattan Saylor

Beyer Godshall Mensch Schroder

Biancucci Goodman Metcalfe Seip

Bishop Grell Millard Shapiro

Blackwell Grucela Miller Shinn

Boback Haluska Milne Siptroth

Boyd Hanna Moul Smith, K.

Brennan Harhai Moyer Smith, M.

Brooks Harhart Murt Smith, S.

Buxton Harks Mustio Solobay

Caltagirone Harper Myers Sonney

Cappelli Harris Nailer Staback

Carroll Helm Nickol Stairs

Casorio Hennessey O'Brien, M. Steil

Causer Hess O'Neill Stern

Civera Hickernell Oliver Stevenson

Clymer Hornaman Pallone Sturla

Cohen Hutchinson Parker Surra

Conklin James Pashinski Swanger

Costa Josephs Payne Tangretti

Cox Kaufman Payton Taylor, J.

Cruz Keller, M.K. Peifer Taylor, R.

Curry Keller, W. Perry Thomas

Daley Kenney Perzel Turzai

Dally Kessler Petrarca Vrebo

DeLuca Killion Petri Vitali

Denlinger Kirkland Petrone Vukovich

DesPasquale Kirkland Phillips Wagner

Dermody Kortz Pickett Walko

DeWeese Kotik Preston Wansacz

DiGirolamo Kula Pyle Watson

Donatucci Leach Quigley Watson

Eachus Lentz Quinn Wheatley

Ellis Levansky Ramaley White

Evans, D. Longietti Rapp Williams

Evans, J. Mackereth Raymond Wojnaroski

Everett Mahone Readshaw Yewci

Fabrizio Mahoney Reed Youngblood

Fairchild Major Reichley Yudichak

Fleck Manderino Roae

Frankel Mann Rock O'Brien, D.,

Freeman Mantz Roebuck Speaker

**NAYS–0**

NOT VOTING–0

EXCUSED–9

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

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

The SPEAKER pro tempore. We are now going to recess regular session.

For what purpose does the gentlelady, Ms. Josephs, rise?

Ms. JOSEPHS. To make an announcement, Mr. Speaker.

The SPEAKER pro tempore. We are going to be coming back and taking announcements, Ms. Josephs, if that is okay. Thank you.
RECESS

The SPEAKER pro tempore. The regular session is now in recess.

AFTER RECESS

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

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

The House will come to order.

MOTION TO CONVENE EARLY

The SPEAKER pro tempore. The Chair at this time recognizes the gentleman, Mr. Cohen, for an announcement — for a motion; correction.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, because we are all here tonight, I would like to move to have the House convene tomorrow at 11 a.m. instead of our usual Monday starting time of 1 p.m.

The SPEAKER pro tempore. Are you sure about that?

The gentleman, Mr. Cohen, has made a motion to convene session tomorrow at 11 a.m. instead of 1 p.m.

On the question,

Will the House agree to the motion?

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. On that motion, the gentleman, Mr. Scavello, is recognized.

Mr. SCAVELLO. Mr. Speaker, would that not have to be by unanimous consent?

The SPEAKER pro tempore. No.

Mr. SCAVELLO. It would have to be an approved motion, I would assume.

The SPEAKER pro tempore. No; according to rule 15, it is a majority.

Mr. SCAVELLO. We still would have to vote for it to get a majority, Mr. Speaker.

The SPEAKER pro tempore. Will the House come to order.

Members, please come to order.

I believe the gentleman, Mr. Scavello, was trying to say something else, and I could not hear him.

Mr. SCAVELLO. Mr. Speaker, I believe that it has to be a vote of unanimous consent, a roll-call vote, would it not, in order to change the time?

The SPEAKER pro tempore. Mr. Scavello, the Parliamentarian has shared with me rule 15 that has indicated that it is ordered by a roll-call vote of the majority of those elected to the House.

Mr. SCAVELLO. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

POINT OF ORDER

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

Mr. MAHER. A point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. MAHER. I am glad to have so many converts this evening.

Mr. Speaker, my recollection is that you recognized the gentleman, Mr. Cohen, for the purpose of making an announcement, and if he was going to be recognized for another purpose —

The SPEAKER pro tempore. Mr. Mah er, I corrected that and said it was a motion.

Mr. MAHER. Well, I would ask you to reconsider whether you recognized him for an announcement or for a motion. I think there are many here that would support your judgment that you recognized him for the purpose of making an announcement.

The SPEAKER pro tempore. Mr. Maher, that was a mistake by the Chair. He corrected himself and restated that it was a motion; he is being recognized for a motion.

Mr. MAHER. Then, Mr. Speaker, I would like to speak on the motion.

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

Mr. MAHER. If the gentleman really embraces those objectives, I would ask the gentleman to withdraw this motion and make another to recall the Senate-passed budget bill from the Appropriations Committee, and we can pass a budget tonight. That is why I made this motion.

Mr. MAHER. Thank you, Mr. Speaker.

Since we have attended session yesterday on Saturday, today on Sunday, and frankly, the list of our accomplishments for having dedicated our weekend to this process is a rather small list, I would ask the maker of the motion, does he believe that the last day of the fiscal year will have a better outcome if we start 2 hours early or will we start at 11 and then be in recess until 2, which has happened so many times in the past?

Mr. COHEN. Mr. Speaker, I understand the gentleman's frustration. I believe we have to try. The clock is ticking. We do not want employees to be laid off. We do not want any furloughs. We do not want the clock to run out. We want to try to pass a budget by June 30 at midnight. We want to get the job done. That is why I made this motion.

Mr. MAHER. Thank you, Mr. Speaker.

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

Mr. MAHER. I have concluded my interrogation, and I would like to speak on the motion.

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

Mr. MAHER. If the gentleman really embraces those objectives, I would ask the gentleman to withdraw this motion and make another to recall the Senate-passed budget bill from the Appropriations Committee, and we can pass a budget tonight. There is no need to have mystery into tomorrow; recall the legislation that is available and let us act tonight. There is no need to adjourn and come at 11 tomorrow, if you are serious about passing a budget. We can finish that tonight.
Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Marsico, from Dauphin County.

Mr. MARSICO. Mr. Speaker, I would like to interrogate the majority caucus chair.

The SPEAKER pro tempore. The gentleman has agreed, and you may proceed, Mr. Marsico.

Mr. MARSICO. Sir, you seem to be very committed to getting a budget passed by, you said, tomorrow. Could you give us an update now as far as how the negotiations are going with the budget and what your prediction is? What you are saying is that the State employees of this area and across the Commonwealth – 25,000 – do not have to be worried about getting furloughed. Is that correct?

Mr. COHEN. Mr. Speaker, the State employees will definitely not be laid off if one of two things happens: First, if we all reach agreement and pass the same bill, then no State employee will be laid off. Second, if Governor Rendell is convinced that an agreement is imminent, then no State employees will be laid off.

I believe that deadlines mean things. I understand on some Web sites there is a sentence that deadlines mean things. House Republicans are serious about getting the budget done on time. We are serious, too, about getting the budget done on time, and this is a step in the right direction.

Mr. MARSICO. Mr. Speaker, if I may continue my interrogation.

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

Mr. MARSICO. We have a crisis on our hands, and the speaker, Mr. Speaker, has mentioned that there is not going to be a problem getting a budget passed by tomorrow evening, but we do not have any guarantees. You know, the budget negotiators really did not meet this weekend at all; they took the weekend off, while the Governor was traveling to Washington and back and more worried about a Cabinet position and getting Obama elected than worrying about getting the State people here, the State workers, paid and keeping our State open. You are telling me now that there is going to be no problem getting a budget passed by tomorrow? Are you out of your mind?

Mr. COHEN. Mr. Speaker, I can give the gentleman no guarantees.

The SPEAKER pro tempore. Will the gentleman suspend.

Is the gentleman, Mr. Cohen, responding to interrogation— Mr. MARSICO. Mr. Speaker? Mr. Speaker?

The SPEAKER pro tempore. — or was that a rhetorical question?

Mr. MARSICO. It was a legitimate question, Mr. Speaker, but if we can get somebody from the Democrat Caucus, the majority, that can provide more information about the budget issue, it would certainly be appreciated.

The SPEAKER pro tempore. Will the gentleman suspend.

Members, kindly take your seats. The gentleman has asked a question of — Members, please take your seats.

MOTION PASSED OVER TEMPORARILY

The SPEAKER pro tempore. This motion will be over temporarily.
Whereupon, the Speaker, in the presence of the House, signed the same.

THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING

MOTION TO CONVENE EARLY CONTINUED

The SPEAKER pro tempore. Returning to the motion, the Chair recognizes the gentleman, Mr. Reichley.
Mr. Marsico has yielded to the gentleman, the minority whip, Mr. Argall, from Schuylkill County.
Mr. ARGALL. Thank you, Mr. Speaker.
Mr. Speaker, I well understand the frustration; this is proving to be a very difficult budget deliberation. However, the fact is, to return to the original question, should we begin at 11 o'clock tomorrow? That had been a time that had been agreed to by both sides several days ago. That will allow us more time to do our work tomorrow, and I would ask for a "yes" vote, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.
The Chair recognizes the gentleman, Mr. Surra.
Mr. SURRA. Thank you, Mr. Speaker.
Mr. Speaker, I rise to support the 11 a.m. start tomorrow, and as you all know, the reason we have a 1 p.m. starting day in our rules on Monday morning is because people are traveling from all corners of the Commonwealth, and so we allow travel time. Well, guess what. Mr. Speaker? We are here. We have a lot of work at hand. All four caucuses have been meeting all day. Meetings are going on as we speak. We are trying to get this done.

I am encouraging you to vote to start at 11 a.m., and if you cannot do that, I just want you to ask yourself and tell your constituents, why cannot we start a little bit earlier? I would start at 8 o'clock if it was up to me.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. George.
Mr. George?
Mr. GEORGE. Mr. Speaker, I do not know what I should ask for for the opportunity to say what crossed my mind a moment ago, but while you were deliberating and such, I just wanted to caution you that the statement made by the gentleman on the other side about Mr. Cohen being crazy should not be allowed in this House of Representatives. And, you know, Mr. Speaker, if I say a word like "damn," you bring a misdemeanor charge against me.

The SPEAKER pro tempore. The Chair thanks the gentleman.
Mr. GEORGE. What did you say, sir?
The SPEAKER pro tempore. I said, thank you.

The Chair recognizes the gentleman, Mr. Reichley, on the motion.
Mr. REICHLEY. Mr. Speaker, will the gentleman, Mr. Cohen, stand for brief interrogation?

The SPEAKER pro tempore. The gentleman does not agree to interrogation, Mr. Reichley.

Mr. REICHLEY. Well, how about Mr. Surra, who made the very eloquent statement about demanding that we come in for work early to show the people we are ready to do work?

The SPEAKER pro tempore. The gentleman, Mr. Surra, wants a vote immediately.

Mr. REICHLEY. Well, I guess it is just curious to me, Mr. Speaker, that the bills for the budget were referred by the majority back into the Appropriations Committee on Friday, when we were here for all of 2 hours, and then yesterday for approximately another 2 hours, and today we will have only been here for about another 2 hours. So, Mr. Speaker, it seems that if the majority really wanted to take action on the budget and show the people of Pennsylvania, they could bring that out of the committee right now. So why does not the gentleman move to bring out a budget bill?

The SPEAKER pro tempore. Mr. Reichley, may I remind you that the arguments must be on the motion.

Mr. REICHLEY. I agree with the motion to start at 11 a.m., Mr. Speaker, if not earlier.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

QUESTION OF PERSONAL PRIVILEGE

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

Mr. PRESTON. Thank you, Mr. Speaker.

First, I would like to be recognized on a very personal situation.

The SPEAKER pro tempore. Personal privilege?
Mr. PRESTON. Yes.

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

Mr. PRESTON. I am going to ask the Speaker to put some decorum back here. I could ask the gentleman about what his intelligence quotient was when he related to one of our members out of Philadelphia. I could ask him what his mental age is. I could ask him if his is higher or not, but to be able to use the issue as far as one's intelligence and being crazy, it is an embarrassment in this House, and I have very serious problems in dealing with that.

No matter what the mental age is or whatever it is, I think, on a personal note to me and the decorum of this House, as compared to watching the gentleman over there now act inappropriately, I think is about the decorum of this House and the quality of what we have to be able to deal with.

So I am addressing and asking the Chair, just very sincerely, to start looking at this, because this is something else. I mean, I could say, and I have heard other different comments about this side of the aisle. Well, you know, other people have the same title on the other side of the aisle, if they want information. We went to caucus, we went to caucus, and all I am simply saying is, you know, there is a habit of saying something. I have never seen a statue erected to the critic, but to the people they criticize, I have seen many. And I am tired of people always trying to point their fingers at people just to try to posturize themselves. This level of bombastic behavior is really getting embarrassing, and it is time to really stop it. I watch the gentlemen through the practice of their hands and their speech and their dialogue.
Mr. JAMES. Mr. Speaker, I would like to know, and I think you might have mentioned it after Representative Preston's remarks, but it is just my concern that we might be becoming a little too disrespectful to each other, and I want to know that when one member is disrespectful to another member, does the Chair call it or does some member from the floor have to say it? The SPEAKER pro tempore. The Chair thanks the gentleman for his remarks, and if his concerns are addressed to the Speaker, to the Chair, and he would like redress with regard to certain remarks, that can be addressed at that time.

Mr. JAMES. So a member would have to address it to the Chair?

The SPEAKER pro tempore. Yes; that is correct, sir.

Mr. JAMES. All right, because I just think that those remarks, talking about somebody is not more intelligent or out of their mind, should be stricken from the record, and I would hope that that would happen.

The SPEAKER pro tempore. Has the gentleman completed his parliamentary inquiry?

Mr. JAMES. Yes, if you are going to—

The SPEAKER pro tempore. On the motion?

Mr. JAMES. No, no, no, not on the motion. I just want to know if those remarks can be stricken.

The SPEAKER pro tempore. The Chair is advised that the remarks and words and remarks will be reviewed and duly considered.

Mr. JAMES. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the motion, is there anyone else wishing to speak on the motion?

The gentleman, Mr. Scavello, is recognized for the second time.

Mr. SCAVELLO. Thank you, Mr. Speaker.

I rise in support of the 11 o'clock, starting at 11 tomorrow. Hopefully we can either see a budget bill or we can see a bill that will protect the 25,000 workers across the Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the motion, anyone else seeking recognition?

Those in favor of convening at 11 a.m., on the motion, will vote "aye"; those opposed, "no."

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

The following roll call was recorded:

YEAS–194

Mr. JAMES. Thank you, Mr. Speaker.

Mr. Speaker, I rise for a point of parliamentary inquiry.

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

PARLIAMENTARY INQUIRY

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

Mr. JAMES. Thank you, Mr. Speaker.

Mr. Speaker, I rise for a point of parliamentary inquiry.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. JAMES. Thank you, Mr. Speaker.

Mr. Speaker, I rise for a point of parliamentary inquiry.

The SPEAKER pro tempore. The Chair thanks the gentleman.
I am asking you, Mr. Speaker, to right here and now order the clerk to strike those remarks from the record. Would you do that?

The SPEAKER pro tempore. Mr. Levdansky, the Chair has been advised that the record will be entirely reviewed and a decision will be made with respect to exactly what was said at that time. There was a lot of noise on the floor, and it is not certain exactly what was said, and so we want to look at the transcript and then make that decision.

Mr. LEVDANSKY. Mr. Speaker, let me help you then. The quote was, "Are you nuts?" I do not think we need— I am sorry. I stand corrected: "Are you out—"

The SPEAKER pro tempore. Will the gentleman suspend.

The Chair has already indicated that the record will be reviewed, but we are not going to do that right this minute.

SENATE BILL FOR CONCURRENCE

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

SB 1511, PN 2256

Referred to Committee on HEALTH AND HUMAN SERVICES, June 29, 2008.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of HB 1989, PN 3783, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, providing for the Pennsylvania Flood Grant and Assistance Program.

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 1989 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 1989 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.
RESOLUTIONS
Mr. DeWEESE called up HR 546, PN 3041, entitled:

A Resolution urging the Congress of the United States to exercise due diligence on behalf of the citizens of this Commonwealth and of this nation by implementing oversight, inquiry and investigation into gas and energy prices to ensure that these exceedingly high prices are both necessary and ethically ascertained.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED
The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 546 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE
The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 546 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. DeWEESE called up HR 559, PN 3109, entitled:

A Resolution urging the Pennsylvania Supreme Court to enact a rule of criminal procedure allowing written jury instructions pertaining to the elements of each crime charged and any relevant defenses to be provided to jurors for use as part of the deliberative process by the jury.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED
The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 559 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE
The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 559 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.

STATE GOVERNMENT COMMITTEE MEETING
The SPEAKER pro tempore. The Chair at this time recognizes the chairman of the State Government Committee, Ms. Josephs, for a committee announcement.

Ms. JOSEPHS. Thank you, Mr. Speaker.
The State Government Committee will meet as soon as we recess, immediately after recess, in room G-50, Irvis Office Building. Expect a short and simple meeting, if there is such a thing.

Thank you, Mr. Speaker.
The SPEAKER pro tempore. The Chair thanks the lady.
There will be a meeting of the State Government Committee in room G-50, Irvis Office Building, at the recess.

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

RECESS
The SPEAKER pro tempore. Any other announcements?
Seeing no other announcements, the House will now stand in recess awaiting the arrival of a report.
For the information of the members, there will be no further votes.

At 8:17 p.m., e.d.t., the House recessed.