

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

SUNDAY, JUNE 29, 2008

SESSION OF 2008

192D OF THE GENERAL ASSEMBLY

No. 50

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 gentl lady, 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
Argall	Geist	Marsico	Rubley
Baker	George	McCall	Sabatina
Barrar	Gergely	McGeehan	Sainato
Bear	Gibbons	McI. Smith	Samuelson
Belfanti	Gillespie	McIlhattan	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	Nailor	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	Kauffman	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	Petrarca	Vereb
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	Levdansky	Quinn	Wheatley
Ellis	Longietti	Ramaley	White
Evans, D.	Mackereth	Rapp	Williams
Evans, J.	Maher	Raymond	Wojnaroski
Everett	Mahoney	Readshaw	Yewcic
Fabrizio	Major	Reed	Youngblood
Fairchild	Manderino	Reichley	Yudichak
Fleck	Mann	Roae	
Frankel	Mantz	Rock	O'Brien, D.,
Freeman	Markosek	Roebuck	Speaker
Gabig			

ADDITIONS—0

NOT VOTING—0

EXCUSED—8

Bastian	Cutler	Hershey	Ross
Creighton	Gerber	Micozzie	True

LEAVES ADDED—1

Mundy

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	McI. Smith	Samuelson
Belfanti	Gillespie	McIlhattan	Santoni
Benninghoff	Gingrich	Melio	Saylor
Bennington	Godshall	Mensch	Scavello
Beyer	Goodman	Metcalfe	Schroder
Biancucci	Grell	Millard	Seip
Bishop	Grucela	Miller	Shapiro
Blackwell	Haluska	Milne	Shimkus
Boback	Hanna	Moul	Sipthroth
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
Civera	Hornaman	Oliver	Stevenson
Clymer	Hutchinson	Pallone	Sturla
Cohen	James	Parker	Surra
Conklin	Josephs	Pashinski	Swanger
Costa	Kauffman	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	Petrarca	Vereb
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	Levdansky	Quinn	Wheatley
Ellis	Longietti	Ramaley	White
Evans, D.	Mackereth	Rapp	Williams
Evans, J.	Maher	Raymond	Wojnaroski

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Bastian	Cutler	Hershey	Ross
Creighton	Gerber	Micozzie	True

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 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.

(d) 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.

(e) 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 gentledady, 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

Table listing names of members who voted 'YEAS' (195 total). Includes names like Adolph, Argall, Baker, Barrar, Bear, Belfanti, Benninghoff, Bennington, Beyer, Biancucci, Bishop, Blackwell, Boback, Boyd, Brennan, Brooks, Buxton, Caltagirone, Cappelli, Carroll, Casorio, Causer, Civera, Clymer, Cohen, Conklin, Costa, Cox, Cruz, Curry, Daley, Dally, DeLuca, Denlinger, DePasquale, Dermody, DeWeese, DiGirolamo, Donatucci, Eachus, Ellis, Evans, D., Evans, J., Everett, Fabrizio, Fairchild, Fleck, Frankel, Freeman, Gabig, Galloway, Geist, George, Gergely, Gibbons, Gillespie, Gingrich, Godshall, Goodman, Grell, Grucela, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Helm, Hennessey, Hess, Hickernell, Hornaman, Hutchinson, James, Josephs, Kauffman, Keller, M.K., Keller, W., Kenney, Kessler, Killion, King, Kirkland, Kortz, Kotik, Kula, Leach, Lentz, Levdansky, Longietti, Mackereth, Maher, Mahoney, Major, Manderino, Mann, Mantz, Markosek, Marshall, Marsico, McCall, McGeehan, McI. Smith, McIlhattan, Melio, Mensch, Metcalfe, Millard, Miller, Milne, Moul, Moyer, Mundy, Murt, Mustio, Myers, Nailor, Nickol, O'Brien, M., O'Neill, Oliver, Pallone, Parker, Pashinski, Payne, Payton, Peifer, Perry, Perzel, Petrarca, Petri, Petrone, Phillips, Pickett, Preston, Pyle, Quigley, Quinn, Ramaley, Rapp, Raymond, Readshaw, Reed, Reichley, Roae, Rock, Roebuck, Rohrer, Rubley, Sabatina, Sainato, Samuelson, Santoni, Saylor, Scavello, Schroder, Seip, Shapiro, Shimkus, Siptroth, Smith, K., Smith, M., Smith, S., Solobay, Sonney, Staback, Stairs, Steil, Stern, Stevenson, Sturla, Surra, Swanger, Tangretti, Taylor, J., Taylor, R., Thomas, Turzai, Vereb, Vitali, Vulakovich, Wagner, Walko, Wansacz, Waters, Watson, Wheatley, White, Williams, Wojnaroski, Yewcic, Youngblood, Yudichak, O'Brien, D., Speaker.

NAYS-0

NOT VOTING-0

EXCUSED—8

Bastian	Cutler	Hershey	Ross
Creighton	Gerber	Micozzie	True

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

Adolph	Galloway	Marshall	Rohrer
Argall	Geist	Marsico	Rubley
Baker	George	McCall	Sabatina
Barrar	Gergely	McGeehan	Sainato
Bear	Gibbons	McI. Smith	Samuelson
Belfanti	Gillespie	McIlhattan	Santoni
Benninghoff	Gingrich	Melio	Saylor
Bennington	Godshall	Mensch	Scavello
Beyer	Goodman	Metcalfe	Schroder
Bianucci	Grell	Millard	Seip
Bishop	Grucela	Miller	Shapiro
Blackwell	Haluska	Milne	Shimkus
Boback	Hanna	Moul	Siproth
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
Civera	Hornaman	Oliver	Stevenson
Clymer	Hutchinson	Pallone	Sturla
Cohen	James	Parker	Surra
Conklin	Josephs	Pashinski	Swanger
Costa	Kauffman	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	Petrarca	Verb
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	Levdansky	Quinn	Wheatley
Ellis	Longiatti	Ramaley	White
Evans, D.	Mackereth	Rapp	Williams
Evans, J.	Maher	Raymond	Wojnaroski
Everett	Mahoney	Readshaw	Yewcic
Fabrizio	Major	Reed	Youngblood
Fairchild	Manderino	Reichley	Yudichak
Fleck	Mann	Roae	
Frankel	Mantz	Rock	O'Brien, D., Speaker
Freeman	Markosek	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 **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

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

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

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	McCall	Sabatina
Barrar	Gergely	McGeehan	Sainato
Bear	Gibbons	McI. Smith	Samuelson
Belfanti	Gillespie	McIlhattan	Santoni
Benninghoff	Gingrich	Melio	Saylor
Bennington	Godshall	Mensch	Scavello
Beyer	Goodman	Metcalfe	Schroder
Bianucci	Grell	Millard	Seip
Bishop	Grucela	Miller	Shapiro
Blackwell	Haluska	Milne	Shimkus
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
Causar	Hickernell	O'Neill	Stern
Civera	Hornaman	Oliver	Stevenson
Clymer	Hutchinson	Pallone	Sturla
Cohen	James	Parker	Surra
Conklin	Josephs	Pashinski	Swanger
Costa	Kauffman	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	Petrarca	Vereb
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	Levdansky	Quinn	Wheatley
Ellis	Longietti	Ramaley	White
Evans, D.	Mackereth	Rapp	Williams
Evans, J.	Maher	Raymond	Wojnaroski
Everett	Mahoney	Readshaw	Yewcic
Fabrizio	Major	Reed	Youngblood
Fairchild	Manderino	Reichley	Yudichak
Fleck	Mann	Roae	
Frankel	Mantz	Rock	O'Brien, D.,
Freeman	Markosek	Roebuck	Speaker
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 SPEAKER pro tempore. The House will be at ease for a moment.

The House will come to order.

GUESTS INTRODUCED

The SPEAKER pro tempore. We are pleased to welcome and is present with us, sitting to the left of the Speaker, Deanna Schroder, wife of Representative Curt Schroder; Mark Schroder, his son; and Kristen Schroder, daughter. Please rise and be recognized. Welcome.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Eachus, for an announcement.

Mr. EACHUS. Thank you, Mr. Speaker.

For the information of the members, there will be an Appropriations meeting immediately in the majority caucus room. Members should stay right where they are. We will be back here as soon as that is completed.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Appropriations Committee will meet immediately.

The House will be at ease.

The House will come to order.

BILL REREPORTED FROM COMMITTEE

HB 2648, PN 4035

By Rep. D. EVANS

An Act amending the act of July 8, 1986 (P.L.408, No.89), known as the Health Care Cost Containment Act, defining "committee"; further providing for powers and duties of the council; providing for the establishment of a Health Care Cost Containment Council Act Review Committee; and further providing for expiration.

APPROPRIATIONS.

The SPEAKER pro tempore. This bill will be placed upon the supplemental calendar.

CONSIDERATION OF HB 2642 CONTINUED

On the question recurring,

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. 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

Table listing names of members who voted 'YEAS' (195 total). Includes names like Adolph, Argall, Baker, Barrar, Bear, Belfanti, Benninghoff, Bennington, Beyer, Biancucci, Bishop, Blackwell, Boback, Boyd, Brennan, Brooks, Buxton, Caltagirone, Cappelli, Carroll, Casorio, Causer, Civera, Clymer, Cohen, Conklin, Costa, Cox, Cruz, Curry, Daley, Dally, DeLuca, Denlinger, DePasquale, Dermody, DeWeese, DiGirolamo, Donatucci, Eachus, Galloway, Geist, George, Gergely, Gibbons, Gillespie, Gingrich, Godshall, Goodman, Grell, Grucela, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Helm, Hennessey, Hess, Hickernell, Hornaman, Hutchinson, James, Josephs, Kauffman, Keller, M.K., Keller, W., Kenney, Kessler, Killion, King, Kirkland, Kortz, Kotik, Kula, Leach, Lentz, Levdansky, Marshall, Marsico, McCall, McGeehan, McI. Smith, McIlhattan, Melio, Mensch, Metcalfe, Millard, Miller, Milne, Moul, Moyer, Mundy, Murt, Mustio, Myers, Nailor, Nickol, O'Brien, M., O'Neill, Oliver, Pallone, Parker, Pashinski, Payne, Payton, Peifer, Perry, Perzel, Petrarca, Petri, Petrone, Phillips, Pickett, Preston, Pyle, Quigley, Quinn, Rohrer, Rubley, Sabatina, Sainato, Samuelson, Santoni, Saylor, Scavello, Schroder, Seip, Shapiro, Shimkus, Siptroth, Smith, K., Smith, M., Smith, S., Solobay, Sonney, Staback, Stairs, Steil, Stern, Stevenson, Sturla, Surra, Swanger, Tangretti, Taylor, J., Taylor, R., Thomas, Turzai, Vereb, Vitali, Vulakovich, Wagner, Walko, Wansacz, Waters, Watson, Wheatley.

Table listing names of members who did not vote or were excused. Includes names like Ellis, Evans, D., Evans, J., Everett, Fabrizio, Fairchild, Fleck, Frankel, Freeman, Gabig, Longiotti, Mackereth, Maher, Mahoney, Major, Manderino, Mann, Mantz, Markosek, Ramaley, Rapp, Raymond, Readshaw, Reed, Reichley, Roac, Rock, Roebuck, White, Williams, Wojnaroski, Yewcic, Youngblood, Yudichak, O'Brien, D., Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—8

Table listing names of members who were excused. Includes names like Bastian, Creighton, Cutler, Gerber, Hershey, Micozzie, Ross, 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. GODSHALL. 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 sat 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

Adolph	Galloway	Marshall	Rohrer
Argall	Geist	Marsico	Rubley
Baker	George	McCall	Sabatina
Barrar	Gergely	McGeehan	Sainato
Bear	Gibbons	McI. Smith	Samuelson
Belfanti	Gillespie	McIlhattan	Santoni
Benninghoff	Gingrich	Melio	Saylor
Bennington	Godshall	Mensch	Scavello
Beyer	Goodman	Metcalfe	Scroder
Biancucci	Grell	Millard	Seip
Bishop	Grucela	Miller	Shapiro
Blackwell	Haluska	Milne	Shimkus
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
Causser	Hickernell	O'Neill	Stern
Civera	Hornaman	Oliver	Stevenson
Clymer	Hutchinson	Pallone	Sturla
Cohen	James	Parker	Surra
Conklin	Josephs	Pashinski	Swanger
Costa	Kauffman	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	Petrarca	Vereb
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	Levdansky	Quinn	Wheatley
Ellis	Longietti	Ramaley	White
Evans, D.	Mackereth	Rapp	Williams
Evans, J.	Maher	Raymond	Wojnaroski
Everett	Mahoney	Readshaw	Yewcic
Fabrizio	Major	Reed	Youngblood
Fairchild	Manderino	Reichley	Yudichak
Fleck	Mann	Roae	
Frankel	Mantz	Rock	O'Brien, D.,
Freeman	Markosek	Roebuck	Speaker
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 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 1346, PN 1902**, entitled:

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:

YEAS—194

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Rubley
Baker	Geist	Marsico	Sabatina
Barrar	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	Millard	Shapiro
Blackwell	Grucela	Miller	Shimkus
Boback	Haluska	Milne	Siproth
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
Causar	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	Kauffman	Payton	Taylor, J.
Cruz	Keller, M.K.	Peifer	Taylor, R.
Curry	Keller, W.	Perry	Thomas
Daley	Kenney	Perzel	Turzai
Dally	Kessler	Petrarca	Vereb
DeLuca	Killion	Petri	Vitali
Denlinger	King	Petrone	Vulakovich
DePasquale	Kirkland	Phillips	Wagner
Dermody	Kortz	Pickett	Walko
DeWeese	Kotik	Preston	Wansacz
DiGirolo	Kula	Pyle	Waters
Donatucci	Leach	Quigley	Watson
Eachus	Lentz	Quinn	Wheatley
Ellis	Levdansky	Ramaley	White
Evans, D.	Longiotti	Rapp	Williams
Evans, J.	Mackereth	Raymond	Wojnaroski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Youngblood
Fairchild	Major	Reichley	Yudichak
Fleck	Manderino	Roae	
Frankel	Mann	Rock	O'Brien, D., Speaker
Freeman	Mantz	Roebuck	

NAYS—0

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 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

health care providers to assist in providing medically necessary care to Pennsylvanians; providing for powers and duties of the Department of Health; and establishing the Community-Based Health Care Provider Assistance Fund.

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

Mr. **PALLONE** offered the following amendment No. **A08164**:

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	Sabatina
Barrar	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	Millard	Shapiro
Blackwell	Grucela	Miller	Shimkus
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
Causar	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	Kauffman	Payton	Taylor, J.
Cruz	Keller, M.K.	Peifer	Taylor, R.
Curry	Keller, W.	Perry	Thomas
Daley	Kenney	Perzel	Turzai
Dally	Kessler	Petrarca	Verbe
DeLuca	Killion	Petri	Vitali
Denlinger	King	Petrone	Vulakovich

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bastian	Gerber	Micozzie	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
; and establishing the Center for Evidence-based
Crime Prevention Research and its powers and
duties.

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).

Amend Sec. 2, page 2, line 3, by striking out "2" and inserting
4

Amend Bill, page 2, lines 8 and 9, by striking out all of said lines
and inserting

Section 5. The act shall take effect as follows:

(1) The following provisions shall take effect in 60 days:

(i) The addition of the definition of "center" in
section 1 of the act.

(ii) The addition of section 7.3 of the act.

(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?

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. The Chair recognizes the
gentlelady, Mrs. Mackereth.

Mrs. MACKERETH. Thank you, Mr. Speaker.

I will be withdrawing that amendment as well.

The SPEAKER pro tempore. The Chair thanks the
gentlelady.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

SUPPLEMENTAL CALENDAR A

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2648**,
PN 4035, entitled:

An Act amending the act of July 8, 1986 (P.L.408, No.89), known
as the Health Care Cost Containment Act, defining "committee";
further providing for powers and duties of the council; providing for
the establishment of a Health Care Cost Containment Council Act
Review Committee; and further providing for expiration.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

CALENDAR CONTINUED

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in
Senate amendments to **HB 1096**, **PN 3586**, entitled:

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.

On the question,

Will the House concur in Senate amendments?

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 Chair 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	McI. Smith	Shapiro
Beyer	Gillespie	McIlhattan	Shimkus
Bianucci	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	Sonney
Buxton	Harhai	Moyer	Staback
Caltagirone	Harhart	Murt	Stairs

Cappelli	Harkins	Mustio	Steil
Carroll	Harper	Myers	Stern
Casorio	Harris	Nailor	Stevenson
Causar	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	Vereb
Daley	Kessler	Perzel	Vitali
Dally	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	Levdansky	Raymond	Wojnarowski
Ellis	Longiatti	Readshaw	Yewcic
Evans, D.	Mackereth	Reed	Youngblood
Evans, J.	Maher	Roebuck	Yudichak
Everett	Mahoney	Rohrer	
Fabrizio	Major	Rubley	O'Brien, D., Speaker
Fairchild	Manderino	Sabatina	
Fleck	Mann	Sainato	

NAYS—21

Benninghoff	Hutchinson	Peifer	Reichley
Brooks	Kauffman	Perry	Roae
Cox	Keller, M.K.	Petri	Rock
Gabig	Metcalf	Pyle	Swanger
Grell	Payne	Rapp	Vulakovich
Helm			

NOT VOTING—0

EXCUSED—9

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	Shimkus
Belfanti	Frankel	Markosek	Sipthoth
Bennington	Galloway	McCall	Smith, K.
Biancucci	Geist	McGeehan	Smith, M.
Bishop	George	McI. 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
Causar	Hess	Pashinski	Taylor, R.
Civera	Hornaman	Payton	Thomas
Clymer	James	Perzel	Vitali
Cohen	Josephs	Petrarca	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	Yewcic
DeWeese	Leach	Sainato	Youngblood
DiGirolo	Lentz	Samuelson	Yudichak
Donatucci	Levdansky	Santoni	
Eachus	Longiotti	Saylor	O'Brien, D.,
Evans, D.	Mahoney	Seip	Speaker
Fabrizio			

NAYS—74

Baker	Grell	Mensch	Raymond
Barrar	Harhart	Metcalfe	Reed
Bear	Harper	Millard	Reichley
Benninghoff	Harris	Miller	Roae
Beyer	Helm	Milne	Rock
Boback	Hennessey	Moul	Rohrer
Boyd	Hickernell	Murt	Rublely
Brooks	Hutchinson	Mustio	Scavello
Cox	Kauffman	Nailor	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	Turzai
Gabig	Marshall	Quigley	Vereb
Gillespie	Marsico	Quinn	Vulakovich

Gingrich McIlhattan Rapp Watson
 Godshall Melio

NOT VOTING—1

Hanna

EXCUSED—9

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

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

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

Belfanti	Gibbons	McI. Smith	Santoni
Benninghoff	Gillespie	McIlhattan	Saylor
Bennington	Gingrich	Melio	Scavello
Beyer	Godshall	Mensch	Schroder
Biancucci	Goodman	Metcalfe	Seip
Bishop	Grell	Millard	Shapiro
Blackwell	Grucela	Miller	Shimkus
Boback	Haluska	Milne	Siptroth
Boyd	Hanna	Moul	Smith, K.
Brennan	Harhai	Moyer	Smith, M.
Brooks	Harhart	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
Causar	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	Kauffman	Payton	Taylor, J.
Cruz	Keller, M.K.	Peifer	Taylor, R.
Curry	Keller, W.	Perry	Thomas
Daley	Kenney	Perzel	Turzai
Dally	Kessler	Petrarca	Vereb
DeLuca	Killion	Petri	Vitali
Denlinger	King	Petrone	Vulakovich
DePasquale	Kirkland	Phillips	Wagner
Dermody	Kortz	Pickett	Walko
DeWeese	Kotik	Preston	Wansacz
DiGiroloamo	Kula	Pyle	Waters
Donatucci	Leach	Quigley	Watson
Eachus	Lentz	Quinn	Wheatley
Ellis	Levdansky	Ramaley	White
Evans, D.	Longietti	Rapp	Williams
Evans, J.	Mackereth	Raymond	Wojnaroski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Youngblood
Fairchild	Major	Reichley	Yudichak
Fleck	Manderino	Roae	
Frankel	Mann	Rock	O'Brien, D.,
Freeman	Mantz	Roebuck	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Bastian	Gerber	Micozzie	Ross
Creighton	Hershey	Mundy	True
Cutler			

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

* * *

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	Rubley
Baker	Geist	Marsico	Sabatina
Barrar	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	Millard	Shapiro
Blackwell	Grucela	Miller	Shimkus
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
Causar	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	Kauffman	Payton	Taylor, J.
Cruz	Keller, M.K.	Peifer	Taylor, R.
Curry	Keller, W.	Perry	Thomas
Daley	Kenney	Perzel	Turzai
Dally	Kessler	Petrarca	Vereb
DeLuca	Killion	Petri	Vitali
Denlinger	King	Petrone	Vulakovich
DePasquale	Kirkland	Phillips	Wagner
Dermody	Kortz	Pickett	Walko
DeWeese	Kotik	Preston	Wansacz
DiGiroloamo	Kula	Pyle	Waters
Donatucci	Leach	Quigley	Watson
Eachus	Lentz	Quinn	Wheatley
Ellis	Levdansky	Ramaley	White
Evans, D.	Longietti	Rapp	Williams
Evans, J.	Mackereth	Raymond	Wojnaroski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Youngblood
Fairchild	Major	Reichley	Yudichak
Fleck	Manderino	Roae	
Frankel	Mann	Rock	O'Brien, D.,
Freeman	Mantz	Roebuck	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Bastian	Gerber	Micozzie	Ross
Creighton	Hershey	Mundy	True
Cutler			

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. Maher, 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. I would like to ask the maker of the motion a couple of questions.

The SPEAKER pro tempore. The gentleman will submit to interrogation on his motion. He has agreed, and you may proceed.

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, 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. Secondly, 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.

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 1147, PN 2159**.

BILLS SIGNED BY SPEAKER

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

SB 1147, PN 2159

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing, in child protective services, for definitions, for immunity from liability, for release of information in confidential reports, for studies of data in records, for investigating performance of county agencies, for citizen review panels, for child abuse services and for reporting; and providing for report on child abuse and criminal history information requirements.

SB 1344, PN 1900

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.

SB 1345, PN 1901

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.

SB 1347, PN 1903

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.

SB 1349, PN 1905

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.

SB 1351, PN 1906

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.

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. Argall.

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 rereferred 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.

Now may I speak on the amendment, sir?

The SPEAKER pro tempore. The Chair thanks the gentleman on his personal—

Mr. PRESTON. I would like to speak on the motion now, sir.

The SPEAKER pro tempore. The gentleman is recognized on the motion.

Mr. PRESTON. Okay. I came 200 miles, not like a lot of people, and certainly a lot of other people around here from 5 hours, 4 hours away, and if we are going to be here, it is not just about what goes on on the floor; everybody knows what goes on before that. And as you heard me say under another different instance, when we point our fingers, then you are pointing your fingers at your own leadership just as well, because they are sitting at the same table.

We need to be able to do this. We need to come back at 11 a.m. If there are things that have to be able to move, that is what this House is about. And sometimes, the people may not listen and may not listen to all of the numbers and not even understand what the dialogue is or the content of the piece of legislation that we have done. And I also take personal umbrage that we have not passed an awful lot of important legislation in the last 2 days; as one person said, just a little bit. It is not just a little bit. It has been historic, it has been major, and we passed some things that people have been trying to get passed for 15 years, and I think at 11 a.m. we will continue to do that.

Let us get this House back to order, let us get back to business, and let us just come back at 11 a.m. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and reminds the members to kindly pay one another respect, due decorum, and honor, as is deserving the hall of the House of Representatives.

On the motion, does the gentleman, Mr. Roae, seek recognition? The gentleman may proceed, on the motion.

Mr. ROAE. Thank you, Mr. Speaker.

I would like to entertain what somebody said earlier: Why cannot we just stay in session tonight and keep working on this? We have a lot of different bills to do. Tomorrow is the deadline. Why cannot the Appropriations Committee have another meeting and bring the nonpreferred bills out? We can vote on those. We can bring out all the other bills that we have to do as part of the budget process. Why go into recess tonight when the budget has to be done in about 28 hours from now?

It is ridiculous, Mr. Speaker, that we are going to adjourn for the night when we have business to do, and it is ridiculous that we do not start even earlier tomorrow morning—

The SPEAKER pro tempore. Mr. Roae, the Chair thanks you for your remarks, but the motion is whether we go in tomorrow at 11 a.m. or not.

Mr. ROAE. I do support 11 rather than later. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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 gentleman will state his parliamentary inquiry.

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

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Rubley
Baker	Geist	Marsico	Sabatina
Barrar	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	Millard	Shapiro
Blackwell	Grucela	Miller	Shimkus

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
Causser	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	Kauffman	Payton	Taylor, J.
Cruz	Keller, M.K.	Peifer	Taylor, R.
Curry	Keller, W.	Perry	Thomas
Daley	Kenney	Perzel	Turzai
Dally	Kessler	Petrarca	Vereb
DeLuca	Killion	Petri	Vitali
Denlinger	King	Petrone	Vulakovich
DePasquale	Kirkland	Phillips	Wagner
Dermody	Kortz	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.	Mackereth	Raymond	Wojnaroski
Everett	Maher	Readshaw	Yewcic
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

Bastian	Gerber	Micozzie	Ross
Creighton	Hershey	Mundy	True
Cutler			

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

PARLIAMENTARY INQUIRY

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

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

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

Mr. LEVDANSKY. Mr. Speaker, I have been around for 23 1/2 years. This is the first time that I have heard someone question the intelligence of another member. That takes us to a level of disrespect that I never thought that I would see in this body.

Earlier Representative George asked you to strike those remarks from the record. It was followed up by Representative James, who again asked you to strike it from the record. I heard you respond to Representative James by saying that you would take his suggestion under review.

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.