

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

FRIDAY, JULY 4, 2008

SESSION OF 2008

192D OF THE GENERAL ASSEMBLY

No. 55

### HOUSE OF REPRESENTATIVES

The House convened at 9 a.m., e.d.t.

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

#### PRAYER

HON. JERRY A. STERN, member of the House of Representatives, offered the following prayer:

Dear Heavenly Father, we gather today with a grateful heart, thanking You for the many blessings bestowed upon us, O Lord. Thank You for the rain You have provided us today. We are reminded by the Psalmist that it is good for us to draw near to You, O God, that we may put our trust in You, Lord God, that we may declare all Your works. On this Independence Day, let us debate, deliberate in a way that is pleasing and respectful to one another. Let us remember what our Founding Fathers stated in the Declaration; that we hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

Thank You for everything, dear Lord, this day. And bless those who are away from their families, serving our nation around the world. Protect them, keep them safe, and guide this nation, dear Lord. Give us wisdom today and patience, as You have given us this day. Let us be a blessing to one another today. Thank You for the staff, dear Lord, that have put in countless hours and much effort in getting to the point where we are today and carrying out the people's business here in Pennsylvania. We pray, Lord, we thank You for them. We also pray, dear Lord, that You will be with our family members back home on this Fourth of July. Just keep them safe, watch over them. Be with those in this chamber, dear Lord, that are bearing sad hearts and burdened hearts, that You would just be with them and watch over them and protect them today.

We thank You again for everything that You have provided us, and we just pray all these things in Your son's most precious name. Amen.

#### PLEDGE OF ALLEGIANCE

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

### JOURNAL APPROVED

The SPEAKER. The Journal of Wednesday, January 16, 2008, is now in print. Will the House approve the Journal?

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

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Thursday, July 3, 2008, will be postponed until printed. The Chair hears no objection.

### LEAVES OF ABSENCE

The SPEAKER. The Chair turns to requests for leaves of absence. The Chair recognizes the majority leader, who indicates there are no requests for today.

The Chair turns to the minority whip, who indicates that Representative SCHRODER requests a leave. The Chair hears no objection. The leave will be granted.

Members will report to the floor.

### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—202

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Schroder

LEAVES ADDED—1

Benninghoff

LEAVES CANCELED—1

Schroder

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

**CONFERENCE COMMITTEE APPOINTED**

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on SB 1389, PN 2283: Messrs. DeWEESE, D. EVANS, and CIVERA. Ordered, That the clerk inform the Senate accordingly.

**BILLS ON CONCURRENCE REPORTED FROM COMMITTEE**

**HB 883, PN 4183** By Rep. DeWEESE

An Act amending the act of September 9, 1965 (P.L.497, No.251), known as the Newborn Child Testing Act, further providing for newborn child screening and testing; and making editorial changes.

**RULES.**

**HB 1788, PN 4179** By Rep. DeWEESE

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, further providing for medical assistance payments for institutional care; providing for payments for hospital readmissions and for maximum payment to practitioners for inpatient hospitalization; further providing for pharmaceutical and therapeutics committee; providing for Drug Utilization Review Board; further providing for Medicaid managed care organization assessments; in assessments for intermediate care facilities for mentally retarded persons, further providing for time periods; providing for hospital assessments; in departmental powers and duties as to licensing, providing for personal care home information; in fraud and abuse control, further providing for third-party liability; providing for Federal law recovery of medical assistance reimbursement; and further providing for data matching.

**RULES.**

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

**CONFERENCE COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the majority chairman of Appropriations for an announcement.

Mr. D. EVANS. Thank you, Mr. Speaker.  
Mr. Speaker, at 10 a.m. in the Senate majority caucus room will be the conference committee meeting around SB 1389, in terms of the budget; at 10 o'clock.

Thank you, Mr. Speaker.  
The SPEAKER. The Chair thanks the gentleman.  
There will be a conference committee meeting at 10 o'clock in the majority caucus room.

**SUPPLEMENTAL CALENDAR A**

**BILL ON CONCURRENCE IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1788, PN 4179**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, further providing for medical assistance payments for institutional care; providing for payments for hospital readmissions and for maximum payment to practitioners for inpatient hospitalization; further providing for pharmaceutical and therapeutics committee; providing for Drug Utilization Review Board; further providing for Medicaid managed care organization assessments; in assessments for intermediate care facilities for mentally retarded persons, further providing for time periods; providing for hospital assessments; in departmental powers and duties as to licensing, providing for personal care home information; in fraud and abuse control, further providing for third-party liability; providing for Federal law recovery of medical assistance reimbursement; and further providing for data matching.

On the question,  
Will the House concur in Senate amendments?  
The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—176

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

NAYS—26

Benninghoff	Everett	Moul	Rock
Boback	Gillespie	Nickol	Rohrer
Brooks	Hutchinson	Peifer	Saylor
Cox	Kauffman	Perry	Swanger
Creighton	Mackereth	Reed	Turzai
Cutler	Metcalfe	Roae	Watson
Denlinger	Miller		

NOT VOTING—0

EXCUSED—1

Schroder

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

Ordered, That the clerk inform the Senate accordingly.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 4, PN 2235**, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for PACE and PACENET eligibility.

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

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

(Bill analysis was read.)

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

(Members proceeded to vote.)

The SPEAKER. There is nothing in order but the taking of the roll.

For the information of the members, it is, for clarification, SB 4 final passage, on the board.

The following roll call was recorded:

YEAS—202

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

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

NAYS-0

NOT VOTING-0

EXCUSED-1

Schroder

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 House proceeded to third consideration of **SB 385, PN 2248**, entitled:

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

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

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

(Bill analysis was read.)

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

Representative Melio.

Mr. MELIO. Thank you, Mr. Speaker.

I want to speak on SB 385, sponsored by Senator Corman. This bill—

The SPEAKER. The gentleman is in order.

The gentleman is in order.

Mr. MELIO. This bill is of urgent and critical importance to all our county 911 call centers. The bill executes an important mission with regard to the funding mechanism of our emergency call system. Many people no longer use their regular phones, their landlines, in favor of the VoIP

(Voice-over-Internet protocol) on their computers. This means that money that had been previously collected on landlines is no longer being collected. VoIP is certainly a convenient and cost-saving measure, however, it creates a problem in that there has been no mechanism in place for the Commonwealth to collect and disburse fees for our 911 emergency call centers over the VoIP system. SB 385 successfully and fairly addresses this issue. This bill was actually crafted by virtually all stakeholders, including those in the communication industry, emergency services, and county agents.

I very much appreciate the bipartisan effort that Chairman Fairchild has contributed to this process. I look forward to your support on this important bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Representative Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

I concur with Chairman Melio's remarks and, again, urge that we support this bill. I would also sincerely like to thank all those people who came together and reached a very good working compromise to make this bill a reality. The staff was outstanding, and the groups that worked together in support of this bill were PEMA (Pennsylvania Emergency Management Agency), NENA (National Emergency Number Association), APCO (Association of Public Communication Officials), the County Commissioners Association, the telecommunication industry, and all are supportive of this measure.

I would also like to sincerely thank Chairman Melio and the committee members. We worked hard on this bill, and I think it is a good product, and it is certainly going to serve our emergency workers a very good product, both now and for the future.

Thank you very much, Mr. Speaker, and I will be submitting brief remarks for the record.

**REMARKS SUBMITTED FOR THE RECORD**

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

Mr. Speaker, SB 385 is simply about replacement technology. It amends the 911 emergency telephone act by allowing the latest type of phone – Voice over Internet Protocol phones – like the phones many of us have here at the Capitol, to be surcharged in the same manner that traditional landline telephones and wireless telephones are charged, thereby providing access to county 911 emergency service in an equitable manner for all phone users.

This legislation is the product of a working group of stakeholders who worked closely with the committee chairmen and staff on amending the bill into a product that all groups now support. PEMA, NENA, APCO, the County Commissioners Association, and the telecommunications industry are all supportive of this legislation which they worked on with us.

This legislation simply allows the VoIP providers to collect the \$1 surcharge and remit it quarterly or monthly, directly to the counties or to the State Treasury for no longer than a quarterly disbursement to the county 911 centers by PEMA.

VoIP providers may collect up to 2 percent of the surcharge, which is identical to what is in current law for landline and wireless telephone surcharge, if they remit to the State Treasury for PEMA to disburse; the carrier can only collect up to 1 percent and PEMA is allowed to collect up to 1 percent for their disbursement costs.

The legislation also establishes a "proprietary" protection clause for telephone provider information that is shared with PEMA and the

counties. This proprietary clause is identical to what is in current law for wireless telephone information.

I want to commend Chairman Melio, the committee members, all the stakeholders, and staff for the diligent work they performed to get this bill into an agreed format. This is a good bill, and I ask the members for an affirmative vote on this important legislation for both our county 911 centers and, more importantly, the citizens of Pennsylvania.

The SPEAKER. If the gentleman will suspend until he gets his sunglasses. The Chair recognizes Representative Melio.

Mr. MELIO. Mr. Speaker, I apologize for my remarks, not wearing my jacket. I left it at the other place.

The SPEAKER. The Chair thanks the gentleman.

Mr. MELIO. Thank you, Mr. Speaker.

The SPEAKER. The Chair was waiting for the opportunity to emphasize to the members that it is appropriate to wear your jacket when debating and also during the hours that we are in session on the floor, and the Chair certainly thanks the gentleman for that emphasis on that point.

For what purpose does the gentleman, Mr. Metcalfe, rise? The gentleman is in order.

Mr. METCALFE. On the bill, Mr. Speaker.

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

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to alert those here that if they are against imposing new fees on taxpayers who are paying their VoIP Internet, I think when individuals who switched over to VoIP thought, wow, we actually reduced what we are having to pay to government because we do not have to pay a dollar surcharge any longer that we used to have to pay on our cell phone or on our landline. Now this will impose a fee on their VoIP service of a dollar. I know it does not seem like much, but every dollar counts, especially when people are paying \$4-plus per gallon of gas, Mr. Speaker. So I will be voting in the negative, because I believe that we are already collecting enough money from the taxpayers and that there should be enough money within the budgets across this State to handle the emergency needs and 911 needs that are out there and that we do not need to collect more money from consumers, from customers of VoIP, or from the taxpayers.

So I will be voting in the negative. Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

Adolph	Frankel	Mann	Rohrer
Argall	Freeman	Mantz	Ross
Baker	Gabig	Markosek	Rubley
Barrar	Galloway	Marshall	Sabatina
Bastian	Geist	Marsico	Sainato
Bear	George	McCall	Samuelson
Belfanti	Gerber	McGeehan	Santoni
Benninghoff	Gergely	McI. Smith	Saylor
Bennington	Gibbons	McIlhattan	Scavello
Beyer	Gillespie	Melio	Seip
Biancucci	Gingrich	Mensch	Shapiro
Bishop	Godshall	Micozzie	Shimkus

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

NAYS—4

Hutchinson	Metcalfe	Roae	Rock
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NOT VOTING—0

EXCUSED—1

Schroder

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.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1202, PN 4184**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**SENATE MESSAGE**HOUSE AMENDMENTS  
TO SENATE 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 the Senate amendments to **HB 1589, PN 4129**.

**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 1412, PN 2285**.

**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:

**HB 1589, PN 4129**

An Act providing for the capital budget for the fiscal year 2007-2008; itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, Motor License Fund projects, State forestry bridge projects, Pennsylvania Fish and Boat Commission projects, Manufacturing Fund projects, State ATV/Snowmobile Fund projects, State transportation enhancement funds projects and federally funded projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Pennsylvania Fish and Boat Commission and the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Pennsylvania Fish and Boat Commission or the Department of Transportation; stating the estimated useful life of the projects; providing an exemption; providing for limitation on certain capital projects, for special provisions for certain redevelopment assistance capital projects and for preemption of local ordinances for Department of Corrections projects; making appropriations; and making a repeal.

**HB 1788, PN 4179**

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, further providing for medical assistance payments for institutional care; providing for payments for hospital readmissions and for maximum payment to practitioners for inpatient hospitalization; further providing for pharmaceutical and therapeutics committee; providing for Drug Utilization Review Board; further providing for Medicaid managed care organization assessments; in assessments for intermediate care facilities for mentally retarded persons, further providing for time periods; providing for hospital assessments; in departmental powers and duties as to licensing, providing for personal care home information; in fraud and abuse control, further providing

for third-party liability; providing for Federal law recovery of medical assistance reimbursement; and further providing for data matching.

**SB 1412, PN 2285**

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act, defining "unoccupied parcel"; providing for extensions for unoccupied parcels, for additional keystone opportunity expansion zones, for substitution of parcels outside a subzone and for payments; prohibiting illegal alien labor in zones; and further providing for sales and use tax, for corporate net income tax and for local earned income net profits taxes, local sales and use tax and business privilege taxes.

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

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 180, PN 216**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for burial details for veterans.

On the question,

Will the House agree to the bill on second consideration?

Mr. **NAILOR** offered the following amendment No. **A01867**:

Amend Title, page 1, line 3, by removing the period after "veterans" and inserting  
and for termination of certain health insurance benefits; and adding a definition of "ancillary service plans."

Amend Sec. 1, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Sections 705(a) and 7309(d) and (e) of Title 51 of the Pennsylvania Consolidated Statutes are amended to read:

Amend Sec. 1, page 1, by inserting between lines 13 and 14  
§ 7309. Employment discrimination for military membership or duty.

\*\*\*

(d) Termination of certain health insurance benefits.—

(1) As used in this subsection, the term "eligible member" applies to full-time students who are eligible for health insurance coverage or ancillary service plans under their parents' health insurance policies when the students are:

(i) members of the Pennsylvania National Guard or any reserve component of the armed forces of the United States who are called or ordered to active duty, other than active duty for training, for a period of 30 or more consecutive days; or

(ii) members of the Pennsylvania National Guard ordered to active State duty, including duty under 35 Pa.C.S. Ch. 76 (relating to Emergency Management Assistance Compact), for a period of 30 or more consecutive days.

(2) As used in this subsection, the term "full-time student" shall have the same meaning set forth in Chapter 32 (relating to Educational Assistance Program).

(3) The eligibility for health insurance coverage or ancillary service plans under a parent's health insurance policy for eligible members as defined in paragraph (1) shall be extended for a period equal to the duration of the eligible member's service on active duty or active State duty or until the eligible member is no longer a full-time student. The eligibility

of an eligible member who is a full-time student for health insurance coverage or ancillary service plans under a parent's policy shall not terminate because of the age of the eligible member when the member's educational program was interrupted because of military duty.

(4) In order to qualify for this extension, the eligible member must:

(i) Submit a form approved by the Department of Military and Veterans Affairs notifying the insurer that the eligible member has been placed on active duty.

(ii) Submit a form approved by the Department of Military and Veterans Affairs notifying the insurer that the eligible member is no longer on active duty.

(iii) Submit a form approved by the Department of Military and Veterans Affairs showing that the student has reenrolled as a full-time student for the first term or semester starting 60 or more days after his or her release from active duty.

(5) The provisions of this subsection shall not apply to a health insurance policy or ancillary service plan that has been terminated.

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

"Ancillary service plans." Any individual or group health insurance plan, subscriber contract or certificate that provides exclusive coverage for dental services or vision services.

"Health insurance policy." An individual or group health, sickness or accident policy or subscriber contract or certificate issued by an entity subject to any one of the following:

(1) The act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921.

(2) The act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act.

(3) The act of May 18, 1976 (P.L.123, No.54), known as the Individual Accident and Sickness Insurance Minimum Standards Act.

(4) 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations).

Amend Sec. 2, page 1, line 14, by striking out "in 60 days." and inserting

immediately.

On the question,

Will the House agree to the amendment?

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

Mr. NAILOR. Thank you, Mr. Speaker.

Mr. Speaker, what this does is allow National Guard and Reservists that are in college, are activated, that go in uniform overseas, most of them in combat zones, come back— We prepared before where they can fall back under the basic health-care policy of their parent, if they were under that before when they were activated. This now covers dental and vision via ancillary health-care plans. When they come back, if they had dental and vision covered before, they would have it again. If they did not before, they would not gain those policies, but the fact is they would not lose health-care coverage for serving their country in uniform for a year.

I think it is noncontroversial. It was an oversight on the original legislation, and we are trying to correct it, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—202

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Schroder

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 SPEAKER. The House will be at ease.

The House will come to order.

### RESOLUTIONS

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

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

On the question,  
Will the House adopt the resolution?

### RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 324 be removed from the active calendar and placed on the tabled bill calendar.

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

### RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 324 be removed from the tabled bill calendar and placed on the active calendar.

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

\* \* \*

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

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

On the question,  
Will the House adopt the resolution?

### RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 418 be removed from the active calendar and placed on the tabled bill calendar.

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

### RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 418 be removed from the tabled bill calendar and placed on the active calendar.

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

\* \* \*

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

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

On the question,  
Will the House adopt the resolution?

### RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 478 be removed from the active calendar and placed on the tabled bill calendar.

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

### RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 478 be removed from the tabled bill calendar and placed on the active calendar.

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

\* \* \*

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

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

On the question,  
Will the House adopt the resolution?

### RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 517 be removed from the active calendar and placed on the tabled bill calendar.



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

**RESOLUTION REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 517 be removed from the tabled bill calendar and placed on the active calendar.

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

\* \* \*

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

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

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 534 be removed from the active calendar and placed on the tabled bill calendar.

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

**RESOLUTION REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 534 be removed from the tabled bill calendar and placed on the active calendar.

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

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 387 and SB 776 be removed from the tabled bill calendar.

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

**BILLS RECOMMMITTED**

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 387 and SB 776 be recommitted to the Committee on Appropriations.

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

**SUPPLEMENTAL CALENDAR B**

**RESOLUTION PURSUANT TO RULE 35**

Mr. DeWEESE called up **HR 841, PN 4198**, entitled:

A Resolution supporting the participation of the Republic of China (Taiwan) in the role of observer status in the World Health Assembly.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—202**

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Schroder

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

The SPEAKER. The House will be at ease.

The House will come to order.

**SENATE MESSAGE**

**CONFERENCE COMMITTEE APPOINTED**

The clerk of the Senate, being introduced, informed that the Senate has appointed Senators PILEGGI, ARMSTRONG, and LaVALLE, to a committee of conference on behalf of the Senate to confer with a similar committee of the House of Representatives on **SB 1389, PN 2283**, (already appointed Representatives DeWEESE, D. EVANS, and CIVERA) on the subject of the differences existing between the two Houses in relation to said bill.

**CALENDAR CONTINUED**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2289, PN 4178**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for desecration or sale of venerated objects.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—202

Adolph	Freeman	Mantz	Roebuck
Argall	Gabig	Markosek	Rohrer
Baker	Galloway	Marshall	Ross

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Schroder

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. The House will be at ease.

The House will come to order.

**CONFERENCE COMMITTEE MEETING****DEMOCRATIC CAUCUS****RULES COMMITTEE MEETING**

Mr. DeWEESE. Mr. Speaker, an announcement on schedule.  
The SPEAKER. The Chair recognizes the majority leader, Representative DeWeese.

Mr. DeWEESE. Thank you very much.

The conference committee on the budget will be meeting at 10 in the Senate majority caucus room. We will break immediately and caucus at 10:15 until 11:15, both caucuses – Republicans can make their formal announcement – have a Rules Committee to continue to process bills coming from the Senate at 11:15 and return to the floor at 11:30.

Thank you.

The SPEAKER. The Chair thanks the gentleman. There will be a conference committee meeting at 10, a Democratic caucus at 10:15, and a Rules Committee meeting at 11:15.

**REPUBLICAN CAUCUS**

The SPEAKER. Representative Major.

Miss MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus immediately. I would like all Republicans to please report to the caucus room immediately for caucus.

Thank you.

The SPEAKER. The Chair thanks the lady.

Are there any other announcements?

**RECESS**

The SPEAKER. This House will stand in recess until 11:30 a.m., unless sooner recalled by the Speaker.

**AFTER RECESS**

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

**BILLS ON CONCURRENCE  
REPORTED FROM COMMITTEE**

**HB 69, PN 4031**

By Rep. DeWEESE

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, defining "mounted specimen"; and further providing for buying and selling game and for safety zones.

RULES.

**HB 1202, PN 4184** By Rep. DeWEESE

An Act providing for the study and mandated content of biofuels.

RULES.

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

**REPORT OF COMMITTEE  
OF CONFERENCE PRESENTED**

Mr. D. EVANS presented the report of the committee of conference on **SB 1389, PN 2305**.

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

**CALENDAR CONTINUED****BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 44, PN 3953**, entitled:

An Act prohibiting the sale, installation and disposal of mercury thermostats; and prescribing penalties.

On the question,

Will the House agree to the bill on second consideration?

**BILL RECOMMENDED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 44 be removed from the active calendar and recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The SPEAKER. The House will be at ease.

The House will come to order.

**GUESTS INTRODUCED**

The SPEAKER. The Chair would like to recognize, as the guests of Representative Seip, a former constituent of Representative Goodman, Dennis Ternitza, and Faith Rake Straw. They are here from Arizona. They are in the gallery. Would you please stand and be recognized.

The House will be at ease.

The House will come to order.

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Chair recognizes Representative Schroder's presence on the floor. His name will be added to the master roll.

The House will be at ease.

The House will come to order. Members will take their seats.

**RULES SUSPENDED**

The SPEAKER. The Chair recognizes Representative Wojnaroski, who moves to suspend House rule 24 and paragraph (e) of House rule 21 for the immediate consideration of HB 69, HB 306, HB 883, HB 1067, HB 1199, HB 1202, HB 1693, HB 2167, HB 2522, HB 4, HB 6, SB 999, SB 1247, SB 1297, SB 1332, SB 1389, SB 1348, and HB 2231.

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

The SPEAKER. The Chair recognizes Representative Wojnaroski.

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

This will allow the House to immediately consider all legislation relative to the budget without having to wait the 24 hours past the time the Senate has acted or from the time the House has amended the bills that we have specified.

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

The following roll call was recorded:

**YEAS—166**

Adolph	Everett	Mann	Ross
Argall	Fabrizio	Mantz	Rubley
Baker	Fairchild	Markosek	Sabatina
Barrar	Fleck	Marshall	Sainato
Bastian	Frankel	Marsico	Santoni
Bear	Gabig	McCall	Saylor
Belfanti	Galloway	McGeehan	Scavello
Bennington	Geist	McIlhattan	Shimkus
Beyer	George	Melio	Siptroth
Biancucci	Gerber	Metcalfe	Smith, K.
Bishop	Gergely	Micozzie	Smith, S.
Blackwell	Gingrich	Millard	Solobay
Boback	Godshall	Moul	Sonney
Boyd	Goodman	Moyer	Staback
Brennan	Grucela	Mundy	Stairs
Brooks	Haluska	Mustio	Stern
Buxton	Harhai	Myers	Stevenson
Caltagirone	Harhart	Nailor	Sturla
Cappelli	Harkins	Nickol	Surra
Carroll	Harris	O'Brien, M.	Tangretti
Casorio	Helm	O'Neill	Taylor, J.
Causser	Hennessey	Oliver	Taylor, R.
Civera	Hershey	Parker	Thomas
Clymer	Hess	Pashinski	True
Cohen	Hickernell	Payne	Turzai
Conklin	James	Payton	Vitali
Costa	Josephs	Peifer	Vulakovich
Cruz	Keller, M.K.	Perzel	Wagner
Curry	Keller, W.	Petri	Walko
Daley	Kenney	Petrone	Wansacz
Dally	Killion	Phillips	Waters
DeLuca	Kirkland	Pickett	Watson
Denlinger	Kortz	Preston	Wheatley
DePasquale	Kotik	Pyle	White
Dermody	Kula	Quinn	Williams
DeWeese	Leach	Ramaley	Wojnaroski
DiGirolamo	Lentz	Rapp	Yewcic
Donatucci	Levdansky	Raymond	Youngblood
Eachus	Longietti	Readshaw	Yudichak
Ellis	Mackereth	Reed	
Evans, D.	Mahoney	Reichley	O'Brien, D.,
Evans, J.	Major	Roebuck	Speaker

**NAYS—37**

Benninghoff	Hornaman	Miller	Rohrer
Cox	Hutchinson	Milne	Samuelson
Creighton	Kauffman	Murt	Schroder
Cutler	Kessler	Pallone	Seip
Freeman	King	Perry	Shapiro
Gibbons	Maher	Petrarca	Smith, M.
Gillespie	Manderino	Quigley	Steil
Grell	Mcl. Smith	Roae	Swanger
Hanna	Mensch	Rock	Vereb
Harper			

**NOT VOTING—0**

**EXCUSED—0**

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.

The SPEAKER. The House will come to order.

**SUPPLEMENTAL CALENDAR D**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1202, PN 4184**, entitled:

An Act providing for the study and mandated content of biofuels.

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

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

The following roll call was recorded:

**YEAS—149**

Adolph	George	McGeehan	Santoni
Argall	Gerber	Mcl. Smith	Scavello
Barrar	Gergely	Melio	Schroder
Belfanti	Gibbons	Mensch	Seip
Bennington	Godshall	Micozzie	Shapiro
Beyer	Goodman	Miller	Shimkus
Biancucci	Grucela	Milne	Siptroth
Bishop	Haluska	Moyer	Smith, K.
Blackwell	Hanna	Mundy	Smith, M.
Boback	Harhai	Murt	Smith, S.
Brennan	Harkins	Mustio	Solobay
Buxton	Harper	Myers	Staback
Caltagirone	Harris	Nailor	Stairs
Cappelli	Helm	Nickol	Sturla
Carroll	Hennessey	O'Brien, M.	Surra
Casorio	Hershey	O'Neill	Tangretti
Civera	Hornaman	Oliver	Taylor, J.
Cohen	James	Pallone	Taylor, R.
Conklin	Josephs	Parker	Thomas
Costa	Keller, W.	Pashinski	Vereb
Cruz	Kenney	Payne	Vitali
Curry	Kessler	Payton	Vulakovich
Daley	Killion	Petrarca	Wagner
DeLuca	King	Petri	Walko
DePasquale	Kirkland	Petrone	Wansacz
Dermody	Kortz	Phillips	Waters

DeWeese	Kotik	Preston	Watson
DiGirolamo	Kula	Pyle	Wheatley
Donatucci	Leach	Quigley	White
Eachus	Lentz	Quinn	Williams
Ellis	Levdansky	Ramaley	Wojnaroski
Evans, D.	Longietti	Raymond	Yewcic
Evans, J.	Mahoney	Readshaw	Youngblood
Fabrizio	Manderino	Reed	Yudichak
Fairchild	Mann	Roebuck	
Frankel	Markosek	Sabatina	O'Brien, D.,
Freeman	Marshall	Sainato	Speaker
Galloway	McCall	Samuelson	

## NAYS—54

Baker	Fleck	Major	Roae
Bastian	Gabig	Mantz	Rock
Bear	Geist	Marsico	Rohrer
Benninghoff	Gillespie	McIlhattan	Ross
Boyd	Gingrich	Metcalfe	Rubley
Brooks	Grell	Millard	Saylor
Causar	Harhart	Moul	Sonney
Clymer	Hess	Peifer	Steil
Cox	Hickernell	Perry	Stern
Creighton	Hutchinson	Perzel	Stevenson
Cutler	Kauffman	Pickett	Swanger
Dally	Keller, M.K.	Rapp	True
Denlinger	Mackereth	Reichley	Turzai
Everett	Maher		

## NOT VOTING—0

## EXCUSED—0

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

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. The House will be at ease.

The House will come to order.

## VOTE CORRECTION

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

Mr. R. TAYLOR. To correct the record.

The SPEAKER. The gentleman is in order.

Mr. R. TAYLOR. I would like the record on suspension, for myself, to reflect in the negative.

The SPEAKER. The Chair thanks the gentleman.

His remarks will be spread upon the record.

## SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 377, PN 4195; HB 1199, PN 4189; and HB 2231, PN 4190**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

## SENATE MESSAGE

AMENDED SENATE BILLS RETURNED  
FOR CONCURRENCE AND  
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 1297, PN 2302, and SB 1348, PN 2298**.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

## SUPPLEMENTAL CALENDAR D CONTINUED

BILL ON CONCURRENCE  
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 69, PN 4031**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, defining "mounted specimen"; and further providing for buying and selling game and for safety zones.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

## YEAS—203

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bastian	Gerber	McGeehan	Sainato
Bear	Gergely	McI. Smith	Samuelson
Belfanti	Gibbons	McIlhattan	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Mensch	Scavello
Beyer	Godshall	Metcalfe	Schroder
Bianucci	Goodman	Micozzie	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	Mundy	Smith, S.
Buxton	Harkins	Murt	Solobay
Caltagirone	Harper	Mustio	Sonney
Cappelli	Harris	Myers	Staback
Carroll	Helm	Nailor	Stairs
Casorio	Hennessey	Nickol	Steil
Causar	Hershey	O'Brien, M.	Stern
Civera	Hess	O'Neill	Stevenson
Clymer	Hickernell	Oliver	Sturla
Cohen	Hornaman	Pallone	Surra
Conklin	Hutchinson	Parker	Swanger
Costa	James	Pashinski	Tangretti
Cox	Josephs	Payne	Taylor, J.
Creighton	Kauffman	Payton	Taylor, R.
Cruz	Keller, M.K.	Peifer	Thomas
Curry	Keller, W.	Perry	True
Cutler	Kenney	Perzel	Turzai
Daley	Kessler	Petrarca	Vereb
Dally	Killion	Petri	Vitali

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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

Ordered, That the clerk inform the Senate accordingly.

**CALENDAR CONTINUED**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 1332, PN 2300**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in general provisions, providing for form of oaths of office; and in other subjects of taxation, providing for hotel room rental.

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

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

(Bill analysis was read.)

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

(Members proceeded to vote.)

The **SPEAKER**. There is nothing in order but the taking of the roll.

The following roll call was recorded:

YEAS-132

Adolph	Frankel	Levdansky	Sainato
Argall	Freeman	Longietti	Samuelson
Barrar	Galloway	Maher	Santoni
Belfanti	George	Mahoney	Scavello
Bennington	Gerber	Manderino	Seip
Beyer	Gergely	Mann	Shimkus
Biancucci	Gibbons	Markosek	Sipiroth
Bishop	Godshall	Marshall	Smith, K.
Blackwell	Goodman	McCall	Smith, M.
Boyd	Grell	McGeehan	Smith, S.
Brennan	Grucela	Melio	Solobay
Buxton	Haluska	Micozzie	Sonney
Caltagirone	Harhai	Mundy	Staback
Cappelli	Harhart	Mustio	Sturla
Carroll	Harkins	Myers	Surra
Civera	Harper	Nailor	Tangretti
Cohen	Harris	O'Brien, M.	Taylor, J.
Conklin	Helm	Oliver	Thomas
Costa	Hennessey	Parker	Vitali
Cruz	Hershey	Pashinski	Vulakovich
Curry	Hickernell	Payne	Wagner
Daley	Hornaman	Payton	Walko
Dally	James	Perzel	Wansacz
DeLuca	Josephs	Petrarca	Waters
Denlinger	Keller, W.	Petrone	Wheatley
Dermody	Kenney	Preston	White
DeWeese	Kessler	Ramaley	Williams
DiGirolamo	Killion	Raymond	Wojnaroski
Donatucci	Kirkland	Readshaw	Youngblood
Eachus	Kortz	Reichley	Yudichak
Evans, D.	Kotik	Roebuck	
Evans, J.	Kula	Ross	O'Brien, D.,
Everett	Leach	Sabatina	Speaker
Fabrizio	Lentz		

NAYS-71

Baker	Gillespie	Milne	Rock
Bastian	Gingrich	Moul	Rohrer
Bear	Hanna	Moyer	Rubley
Benninghoff	Hess	Murt	Saylor
Boback	Hutchinson	Nickol	Schroder
Brooks	Kauffman	O'Neill	Shapiro
Casorio	Keller, M.K.	Pallone	Stairs
Causer	King	Peifer	Steil
Clymer	Mackereth	Perry	Stern
Cox	Major	Petri	Stevenson
Creighton	Mantz	Phillips	Swanger
Cutler	Marsico	Pickett	Taylor, R.
DePasquale	McI. Smith	Pyle	True
Ellis	McLhattan	Quigley	Turzai
Fairchild	Mensch	Quinn	Vereb
Fleck	Metcalfe	Rapp	Watson
Gabig	Millard	Reed	Yewcic
Geist	Miller	Roae	

NOT VOTING-0

EXCUSED-0

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

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

**RECESS**

The SPEAKER. The Chair announces its intention to recess regular session and go into special session at 12:25 p.m. Regular session of the House will now stand in recess.

**AFTER RECESS**

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

The SPEAKER. The House will be at ease.

The House will come to order.

**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:

**HB 69, PN 4031**

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, defining "mounted specimen"; and further providing for buying and selling game and for safety zones.

**HB 1202, PN 4184**

An Act providing for the study and mandated content of biofuels.

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

**SENATE MESSAGE**

**AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 4, PN 4197; HB 6, PN 4192; HB 306, PN 4181, and HB 2522, PN 4191**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**SENATE MESSAGE**

**HOUSE BILL CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 1167, PN 1431**, with information that the Senate has passed the same without amendment.

**CALENDAR CONTINUED**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 2, PN 2294**, entitled:

An Act providing for the allocation of money in the Pennsylvania Gaming Economic Development and Tourism Fund and for funding of water or sewer projects, storm water projects, flood control projects and high hazard unsafe dam projects.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

**YEAS—177**

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

**NAYS—26**

Brooks	Gillespie	Miller	Rock
Cox	Hennessey	Moul	Rohrer

Creighton	Hutchinson	Nickol	Rubley
Cutler	Kauffman	Perry	Saylor
Denlinger	Mackereth	Rapp	Schroder
Ellis	Mantz	Roae	Turzai
Gabig	Metcalfe		

NOT VOTING—0

EXCUSED—0

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

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

The SPEAKER. The House will be at ease.

The House will come to order.

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 2575, PN 3827**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for deterrent fences for deer, bear and elk and the payment of claims for damages by certain elk; imposing duties on the Department of Agriculture; and providing for the establishment of the Elk Damage Fund.

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

Mr. **M. KELLER** offered the following amendment No. **A07286**:

Amend Title, page 1, lines 1 through 5, by striking out all of said lines and inserting

Amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, defining "mounted specimen"; further providing for authority to provide deterrent fences, for purchase of materials and construction, for maintenance repair and replacement, for appointment of hearing examiner and for buying and selling game; providing for authority to provide deterrent fences for bear, for authority to provide deterrent fences for elk and for payment of elk damage; establishing the Elk Damage Fund; and imposing additional duties on the Department of Agriculture.

Amend Bill, page 1, lines 8 and 9, by striking out all of said lines and inserting

Section 1. Section 102 of Title 34 of the Pennsylvania Consolidated Statutes is amended by adding a definition to read: § 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have the meanings given to them in this section unless the context clearly indicates otherwise:

\* \* \*

"Mounted specimen." Any game or wildlife, or any portion or part thereof, prepared, preserved, arranged, set up or posed in a life-like position or some other form of display.

\* \* \*

Section 1.1. Section 541 of Title 34 is amended to read:  
Amend Bill, page 6, by inserting between lines 28 and 29  
Section 6.1. Section 2312(c)(1) of Title 34 is amended to read:  
§ 2312. Buying and selling game.

\* \* \*

(c) Exception.—

[(1) Nothing in this section shall be construed to prevent the purchase or sale of game raised under authority of a propagating permit in this Commonwealth or the capture and sale of game or wildlife after securing a permit from the director and payment of any fees established by the commission or the purchase or sale of the tanned, cured or mounted heads or skins, or parts thereof, of any game or wildlife not killed in a wild state in this Commonwealth, or the sale or purchase of any inedible part thereof, from game or wildlife lawfully killed, if such parts are disposed of by the original owner within 90 days after the close of the season in which the game or wildlife was taken. Prior to selling parts of game or wildlife under the provisions of this subsection, all edible parts shall be removed.]

(1) Nothing in this section shall be construed to prevent:

(i) The purchase or sale of game raised under the authority of a propagating permit in this Commonwealth.

(ii) The capture and sale of game or wildlife after securing a permit from the director and payment of any fees established by the commission.

(iii) The sale of the tanned, cured or mounted heads or skins, or parts thereof, of any game or wildlife not killed in a wild state in this Commonwealth.

(iv) The sale or purchase of any inedible part thereof, from game or wildlife lawfully killed, if such parts are disposed of by the original owner within 90 days after the close of the season in which the game or wildlife was taken.

(v) The sale of mounted specimens by any auctioneer licensed by the Commonwealth.

\* \* \*

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

**AMENDMENT WITHDRAWN**

The SPEAKER. The gentleman indicates he is withdrawing the amendment. The Chair thanks the gentleman.

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

Mr. **MOUL** offered the following amendment No. **A08016**:

Amend Sec. 2 (Sec. 541.2), page 2, line 20, by inserting before "In"

(a) Application.—

Amend Sec. 2 (Sec. 541.2), page 2, by inserting between lines 28 and 29

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

"Owners or lessees." The term shall have the same meaning as given to the term "person" under section 2121(c) (relating to killing game or wildlife to protect property).

Amend Sec. 5 (Sec. 548), page 5, line 6, by inserting after "payment"

to owners and lessees as defined under section 541.2(b) (relating to authority to provide deterrent fences for elk)



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

#### AMENDMENT WITHDRAWN

The SPEAKER. The gentleman indicates he is withdrawing the amendment. The Chair thanks the gentleman.

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

#### RULES COMMITTEE MEETING

The SPEAKER. The House will be at ease.

The House will come to order.

The Chair recognizes the majority leader, Representative DeWeese, for an announcement.

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

I would like you to put the chamber at ease for 11 minutes. We should return to the floor at 5 minutes until 1. In the interim, we are going to have a Rules Committee meeting in the majority caucus room, but we are going to be expediting the process with great alacrity.

The SPEAKER. There will be a Rules Committee meeting in the majority caucus room immediately.

#### RECESS

The SPEAKER. This House will stand in recess for 11 minutes.

#### AFTER RECESS

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

#### BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

**HB 4, PN 4197** By Rep. DeWEESE

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, imposing a central or regional booking fee on criminal convictions to fund the start-up, operation or maintenance of a central or regional booking center; providing for a countywide booking center plan; providing for definitions of "board" and "department"; further providing for composition of the Pennsylvania Commission on Sentencing, for powers and duties and for adoption of guidelines for sentencing; providing for adoption of guidelines for resentencing, adoption of guidelines for parole and adoption of recommitment ranges following revocation of parole by the Pennsylvania Board of Probation and Parole; further providing for publication of guidelines, for sentencing generally, for sentence of total confinement, for sentencing proceeding and place of confinement and for information required upon commitment and subsequent disposition; providing for work release or other court order and for recidivism risk reduction incentive; and making a related repeal.

RULES.

**HB 6, PN 4192**

By Rep. DeWEESE

An Act amending the act of August 6, 1941 (P.L.861, No.323), referred to as the Pennsylvania Board of Probation and Parole Law, further providing for intent, for business of the Pennsylvania Board of Probation and Parole, for powers and duties of the board, for duties of the chairman of the board, for supervision of parole and probation, for power to parole, for commission of crime during parole and for victim of the offense.

RULES.

**HB 306, PN 4181**

By Rep. DeWEESE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, repealing provisions relating to certain appeals from the Pennsylvania Labor Relations Board; and further providing for the dissemination of names for the Statewide jury list.

RULES.

**HB 1199, PN 4189**

By Rep. DeWEESE

An Act amending the act of October 10, 1975 (P.L.383, No.110), known as the Physical Therapy Practice Act, further providing for definitions, for State Board of Physical Therapy and its powers and duties, for training and license required and exceptions, for application for license, for qualifications for license and examinations, for renewal of license and for reporting of multiple licensure; providing for continuing education; further providing for practice of physical therapy, for physical therapy assistant, education and examination, scope of duties and registration and for supportive personnel; repealing provisions relating to Athletic Trainer Advisory Committee and certification of athletic trainers and certification renewal, revocation and suspension; and further providing for refusal or suspension or revocation of license, for automatic suspension, for temporary suspension, for subpoenas, reports and surrender of license, for penalties and injunctive relief and for impaired professional.

RULES.

**HB 2231, PN 4190**

By Rep. DeWEESE

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

RULES.

**HB 2522, PN 4191**

By Rep. DeWEESE

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

RULES.

**SB 1297, PN 2302**

By Rep. DeWEESE

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for State Treasury investments; providing for audit of deposited securities; further providing, in unclaimed property, for judicial action; further providing for funding of special funds; establishing the Hazardous Sites Cleanup Fund; further providing for general budget implementation; providing for 2008-2009 budget implementation and for 2008-2009 restrictions on appropriations for funds and accounts; and making a related repeal.

RULES.

SB 1348, PN 2298

By Rep. DeWEESE

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

RULES.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, the House is at ease while we are awaiting the arrival of supplemental calendars. It should not be that long and we will be about the House business.

The House will be at ease.

The House will come to order.

STATEMENT BY MR. THOMAS

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

Mr. THOMAS. During this moment of recess or at ease, on unanimous consent, I would like for us to take a moment and salute all the men and women of this great body that have served in the Armed Forces. And I would like for us to also salute all of our men and women, especially those from Pennsylvania, that are in Iraq, Afghanistan, and in other parts of the world. On this day, Independence Day, we want to extend our sincere thanks and appreciation to all of them for keeping America a great country and keeping America safe.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The House will come to order.

SUPPLEMENTAL CALENDAR E

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to HB 1199, PN 4189, entitled:

An Act amending the act of October 10, 1975 (P.L.383, No.110), known as the Physical Therapy Practice Act, further providing for definitions, for State Board of Physical Therapy and its powers and duties, for training and license required and exceptions, for application for license, for qualifications for license and examinations, for renewal of license and for reporting of multiple licensure; providing for continuing education; further providing for practice of physical therapy, for physical therapy assistant, education and examination, scope of duties and registration and for supportive personnel; repealing provisions relating to Athletic Trainer Advisory Committee and certification of athletic trainers and certification renewal, revocation and suspension; and further providing for refusal or suspension or revocation of license, for automatic suspension, for temporary suspension, for subpoenas, reports and surrender of license, for penalties and injunctive relief and for impaired professional.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—203

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

Ordered, That the clerk inform the Senate accordingly.

### REMARKS SUBMITTED FOR THE RECORD

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

Mr. STURLA. Mr. Speaker, I would like to submit some comments for the record specifying legislative intent for HB 1199.

The SPEAKER. The Chair thanks the gentleman. His remarks will be spread upon the record.

Mr. STURLA. Thank you, Mr. Speaker.

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

Mr. Speaker, I would like to submit some comments for the record specifying legislative intent for HB 1199, PN 4189. The House, the Senate, and the interested parties involved have worked together for many hours coming to an agreement on the language that was just concurred to by the House. This legislative intent will specify our intent in the language so as to assist the physical therapy board in drafting regulations or would assist the courts should a question arise later in time.

Thank you, Mr. Speaker.

\* \* \*

Statement of legislative intent on HB 1199, PN 4189, relative to sections 9(b) (III.1), (III.2), and (III.3) which provide,

(III.1). A licensee under this act practicing in this commonwealth shall maintain a level of professional liability insurance coverage in the minimum amount of \$1 million per occurrence or claims made. Failure to maintain insurance coverage as required shall subject the licensee to disciplinary proceedings. The board shall accept as satisfactory evidence of insurance coverage any of the following:

(A) Self-insurance;

(B) Personally purchased liability insurance; or

(C) Professional liability insurance coverage provided by the physical therapist's employer or similar insurance coverage acceptable to the board.

(III.2) A license applicant shall provide proof that the applicant has obtained professional liability insurance in accordance with subparagraph (III.1). It is sufficient if the applicant files with the application a copy of a letter from the applicant's professional liability insurance carrier indicating that the applicant will be covered against professional liability in the required amounts effective upon the issuance of the applicant's license to practice physical therapy in this commonwealth.

(III.3) Upon issuance of a license, a licensee has 30 days to submit to the board the certificate of insurance or a copy of the policy declaration page.

It is the legislative intent of the above provision, in furthering the purpose of HB 1199, to provide additional protection for the consumers of physical therapy services in the Commonwealth. Relative to this purpose, it is the intent of the provision set forth above that all licensed physical therapists under this act in the Commonwealth are required to carry and maintain a level of professional liability insurance and provide satisfactory evidence of insurance coverage to the board, as provided in the above provision, prior to providing physical therapy services in this Commonwealth. Evidence of such coverage can be through either the mechanisms set forth in section 9(b) (III.1), that is, individual purchased or self-insurance or through the physical therapist's employer or, at the option of the State Board of Physical Therapy, through a letter from an insurance carrier evidencing that the applicant for licensure will in fact be covered prior to the

licensee's provision of physical therapy services. It is not the intent of this provision, however, regarding obtaining a letter that such method of providing proof of coverage is mandatory or in any way is construed to limit physical therapists from applying for licensure in this Commonwealth. It is the intent of this legislation, rather, that the letter provision is an optional method which the board and licensure applicant may utilize to provide or verify evidence of coverage. It is the further intent of this provision, in requiring professional liability insurance for all licensed physical therapists practicing in the Commonwealth, to provide the board with appropriate flexibility in verifying proof of the required insurance coverage which proof must, in any event, be provided to the board within 30 days following issuance of a license to a physical therapist.

### BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2231, PN 4190**, entitled:

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

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—151

Adolph	Galloway	Markosek	Sainato
Baker	Geist	Marshall	Samuelson
Barrar	George	Marsico	Santoni
Bastian	Gerber	McCall	Scavello
Belfanti	Gergely	McGeehan	Schroder
Bennington	Gibbons	McI. Smith	Seip
Beyer	Gingrich	Melio	Shapiro
Bianucci	Godshall	Mensch	Shimkus
Bishop	Goodman	Micozzie	Siptroth
Blackwell	Grucela	Milne	Smith, K.
Brennan	Haluska	Moyer	Smith, M.
Buxton	Hanna	Mundy	Smith, S.
Caltagirone	Harhai	Murt	Solobay
Cappelli	Harhart	Mustio	Sonney
Carroll	Harkins	Myers	Staback
Casorio	Harper	Nailor	Stairs
Causar	Helm	O'Brien, M.	Sturla
Civera	Hershey	Oliver	Surra
Cohen	Hess	Pallone	Tangretti
Conklin	James	Parker	Taylor, J.
Costa	Josephs	Pashinski	Taylor, R.
Cruz	Keller, W.	Payne	Thomas
Curry	Kenney	Payton	Vereb
Daley	Kessler	Petzel	Vitali
Dally	Killion	Petrarca	Wagner
DeLuca	King	Petri	Walko
DePasquale	Kirkland	Petrone	Wansacz
Dermody	Kortz	Phillips	Waters
DeWeese	Kotik	Pickett	Watson
DiGirolo	Kula	Preston	Wheatley
Donatucci	Leach	Ramaley	White
Eachus	Lentz	Raymond	Williams
Evans, D.	Levdansky	Readshaw	Wojnaroski
Evans, J.	Longietti	Reichley	Youngblood
Everett	Maher	Roebuck	Yudichak
Fabrizio	Mahoney	Ross	

Fairchild	Major	Rubley	O'Brien, D.,
Frankel	Mann	Sabatina	Speaker
Freeman			

## NAYS—52

Argall	Gabig	McIlhattan	Reed
Bear	Gillespie	Metcalfe	Roae
Benninghoff	Grell	Millard	Rock
Boback	Harris	Miller	Rohrer
Boyd	Hennessey	Moul	Saylor
Brooks	Hickernell	Nickol	Steil
Clymer	Hornaman	O'Neill	Stern
Cox	Hutchinson	Peifer	Stevenson
Creighton	Kauffman	Perry	Swanger
Cutler	Keller, M.K.	Pyle	True
Denlinger	Mackereth	Quigley	Turzai
Ellis	Manderino	Quinn	Vulakovich
Fleck	Mantz	Rapp	Yewcic

## NOT VOTING—0

## EXCUSED—0

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

Ordered, That the clerk inform the Senate accordingly.

## SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON CONCURRENCE  
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 883, PN 4183**, entitled:

An Act amending the act of September 9, 1965 (P.L.497, No.251), known as the Newborn Child Testing Act, further providing for newborn child screening and testing; and making editorial changes.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

## YEAS—203

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bastian	Gerber	McGeehan	Sainato
Bear	Gergely	McI. Smith	Samuelson
Belfanti	Gibbons	McIlhattan	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Mensch	Scavello
Beyer	Godshall	Metcalfe	Schroder
Bianucci	Goodman	Micozzie	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	Mundy	Smith, S.

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

## NAYS—0

## NOT VOTING—0

## EXCUSED—0

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

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. The House will be at ease.

The House will come to order.

## SUPPLEMENTAL CALENDAR F

BILL ON CONCURRENCE  
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2522, PN 4191**, entitled:

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

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Representative Clymer.  
 Mr. CLYMER. Thank you, Mr. Speaker.  
 Mr. Speaker, I wonder if I may interrogate the maker of this amendment or the Appropriations chairman?  
 Perhaps there is someone that could stand instead. I just have one or two questions on HB 2522.  
 Mr. Speaker, could we have a sidebar, as I am conversing with Democrat leadership and staff on this issue?

**BILL PASSED OVER TEMPORARILY**

The SPEAKER. The bill will go over temporarily, and we will come back to the gentleman, while he conducts his sidebar conversation.

**BILLS ON CONCURRENCE  
 IN SENATE AMENDMENTS  
 TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 1297, PN 2302**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for State Treasury investments; providing for audit of deposited securities; further providing, in unclaimed property, for judicial action; further providing for funding of special funds; establishing the Hazardous Sites Cleanup Fund; further providing for general budget implementation; providing for 2008-2009 budget implementation and for 2008-2009 restrictions on appropriations for funds and accounts; and making a related repeal.

On the question,  
 Will the House concur in Senate amendments to House amendments?  
 The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

**YEAS—200**

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

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

**NAYS—3**

Hutchinson	Metcalfe	Swanger
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**NOT VOTING—0**

**EXCUSED—0**

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in.  
 Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 1348, PN 2298**, entitled:

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

On the question,  
 Will the House concur in Senate amendments to House amendments?  
 The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

**YEAS—203**

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bastian	Gerber	McGeehan	Sainato
Bear	Gergely	McI. Smith	Samuelson
Belfanti	Gibbons	McIlhattan	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Mensch	Scavello

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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

Ordered, That the clerk inform the Senate accordingly.

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 306, PN 4181**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, repealing provisions relating to certain appeals from the Pennsylvania Labor Relations Board; and further providing for the dissemination of names for the Statewide jury list.

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

The SPEAKER. Representative Belfanti.  
Mr. BELFANTI. Thank you, Mr. Speaker.  
Mr. Speaker, we have worked on this bill for some 8 years now. The amendments inserted by the Senate are agreed to by both the Department of Labor and Industry and the caucuses involved and the stakeholders as well, so I would ask that the House concur in HB 306. Thank you.

On the question recurring,  
Will the House concur in Senate amendments?  
The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS-203

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

NAYS-0

NOT VOTING—0

EXCUSED—0

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

Ordered, That the clerk inform the Senate accordingly.

### SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1693, PN 3393**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

### SENATE MESSAGE

HOUSE BILL  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 2302, PN 3912**, with information that the Senate has passed the same without amendment.

### 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:

#### HB 306, PN 4181

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, repealing provisions relating to certain appeals from the Pennsylvania Labor Relations Board; and further providing for the dissemination of names for the Statewide jury list.

#### HB 883, PN 4183

An Act amending the act of September 9, 1965 (P.L.497, No.251), known as the Newborn Child Testing Act, further providing for newborn child screening and testing; and making editorial changes.

#### HB 1167, PN 1431

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, further defining "company action level event" for purposes of risk-based capital reporting requirements.

#### HB 1199, PN 4189

An Act amending the act of October 10, 1975 (P.L.383, No.110), known as the Physical Therapy Practice Act, further providing for definitions, for State Board of Physical Therapy and its powers and duties, for training and license required and exceptions, for application for license, for qualifications for license and examinations, for renewal of license and for reporting of multiple licensure; providing for

continuing education; further providing for practice of physical therapy, for physical therapy assistant, education and examination, scope of duties and registration and for supportive personnel; repealing provisions relating to Athletic Trainer Advisory Committee and certification of athletic trainers and certification renewal, revocation and suspension; and further providing for refusal or suspension or revocation of license, for automatic suspension, for temporary suspension, for subpoenas, reports and surrender of license, for penalties and injunctive relief and for impaired professional.

#### HB 2231, PN 4190

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

#### HB 2302, PN 3912

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

#### SB 4, PN 2235

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for PACE and PACENET eligibility.

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

The SPEAKER. The House will come to order.

### CALENDAR CONTINUED

### BILL ON CONCURRENCE IN SENATE AMENDMENTS TO HOUSE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 999, PN 2276**, entitled:

An Act designating a portion of State Route 26 in Centre County as the Marine Sergeant David "DJ" Emery, Jr. Highway; designating the bridge on State Route 322 joining Clearfield and Centre Counties as the Veterans' Memorial Bridge; designating a portion of State Route 850 in Marysville Borough, Perry County, as the Army Private David E. Dietrich Memorial Highway; and designating a portion of U.S. Route 322 in Centre County as the Thomas D. Larson Memorial Highway.

On the question,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—203

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR F CONTINUED

CONSIDERATION OF HB 2522 CONTINUED

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

The SPEAKER. The Chair recognizes Representative Paul Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I want to thank the Democrat staff and the Republican staff for answering my questions. I appreciate their insight, and it was very helpful. Thank you.

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

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

The following roll call was recorded:

YEAS—169

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



## NAYS—34

Benninghoff	Grell	Metcalf	Roae
Boback	Harhart	Miller	Rock
Brooks	Hutchinson	Nickol	Rohrer
Cox	Kauffman	Peifer	Saylor
Creighton	Keller, M.K.	Perry	Stern
Ellis	Mackereth	Pyle	Stevenson
Fleck	Manderino	Quigley	Swanger
Gabig	Mantz	Rapp	Turzai
Gillespie	Mensch		

NOT VOTING—0

EXCUSED—0

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

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. The House will be at ease.

The House will come to order.

**APPROPRIATIONS COMMITTEE MEETING**

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

Mr. W. KELLER. Thank you, Mr. Speaker.

I would like to announce a meeting of the Appropriations Committee in the majority caucus room immediately at the recess. Thank you.

The SPEAKER. The Chair thanks the gentleman.

There will be an Appropriations Committee meeting immediately in the majority caucus room.

**RULES COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the majority leader, Representative DeWeese, for an announcement.

Mr. DeWEESE. Thank you, Mr. Speaker.

The Rules Committee will meet at 20 minutes in front of the hour, and we will return to the floor at 5 minutes in front of the hour.

The SPEAKER. The Appropriations Committee is meeting immediately?

Mr. DeWEESE. I am under the impression that the Rules Committee will meet as soon as the Appropriations Committee meets. These are comparatively pro forma meetings, but they will be in the cold, hard light of day. So one meeting will commence immediately; it should be over in about 7 or 8 minutes. Then the other meeting will be launched. I think we should come back to the hall of the House at 10 minutes till for a 6- or 7-minute-till recommencement.

I would ask that the Speaker indulge the membership when there are delays of a minute or 8 or 20, that we at least have, from the Chair, an explanation of the process.

Thank you very much.

The SPEAKER. For the information of the members, there will be an immediate meeting of the Appropriations Committee in the majority caucus room followed by a meeting of the

Rules Committee. It is the intention of the Chair to be back on the floor at approximately 1:55.

**RECESS**

The SPEAKER. This House will stand in recess to the call of the Chair.

**AFTER RECESS**

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

**BILL REREPORTED FROM COMMITTEE****HB 44, PN 3953**

By Rep. D. EVANS

An Act prohibiting the sale, installation and disposal of mercury thermostats; and prescribing penalties.

**APPROPRIATIONS.**

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

**BILLS ON CONCURRENCE  
REPORTED FROM COMMITTEE****HB 377, PN 4195**

By Rep. DeWEESE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, providing for alternative special tax provision for poverty study; further providing for contributions to breast and cervical cancer research; and providing for volunteer responder retention and recruitment tax credit.

**RULES.****HB 1693, PN 3393**

By Rep. DeWEESE

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further defining "practice of social work"; defining "social worker"; further providing for qualifications for license; providing for endorsement of out-of-State licenses; and further proscribing unlawful practice.

**RULES.**

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

The Chair announces its intention to recess regular session and go into special session at 1:57.

**RECESS**

The SPEAKER. The regular session of the House will now stand in recess.

**AFTER RECESS**

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

The SPEAKER. The House will be at ease.

The House will come to order.

**SUPPLEMENTAL CALENDAR G**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1693, PN 3393**, entitled:

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further defining "practice of social work"; defining "social worker"; further providing for qualifications for license; providing for endorsement of out-of-State licenses; and further proscribing unlawful practice.

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

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

The following roll call was recorded:

**YEAS—203**

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bastian	Gerber	McGeehan	Sainato
Bear	Gergely	McI. Smith	Samuelson
Belfanti	Gibbons	McIlhattan	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Mensch	Scavello
Beyer	Godshall	Metcalfe	Schroder
Biancucci	Goodman	Micozzie	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	Mundy	Smith, S.
Buxton	Harkins	Murt	Solobay
Caltagirone	Harper	Mustio	Sonney
Cappelli	Harris	Myers	Staback
Carroll	Helm	Nailor	Stairs
Casorio	Hennessey	Nickol	Steil
Causar	Hershey	O'Brien, M.	Stern
Civera	Hess	O'Neill	Stevenson
Clymer	Hickernell	Oliver	Sturla
Cohen	Hornaman	Pallone	Surra
Conklin	Hutchinson	Parker	Swanger
Costa	James	Pashinski	Tangretti
Cox	Josephs	Payne	Taylor, J.
Creighton	Kauffman	Payton	Taylor, R.
Cruz	Keller, M.K.	Peifer	Thomas
Curry	Keller, W.	Perry	True
Cutler	Kenney	Perzel	Turzai
Daley	Kessler	Petrarca	Vereb
Dally	Killion	Petri	Vitali
DeLuca	King	Petrone	Vulakovich
Denlinger	Kirkland	Phillips	Wagner

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

Ordered, That the clerk inform the Senate accordingly.

**SUPPLEMENTAL CALENDAR H**

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 44, PN 3953**, entitled:

An Act prohibiting the sale, installation and disposal of mercury thermostats; and prescribing penalties.

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

Mrs. **RUBLEY** offered the following amendment No. **A07882**:

Amend Sec. 3, page 3, by inserting after line 30 "Retailer." A business that sells thermostats of any kind directly to homeowners, other nonprofessionals or contractors through any selling or distribution mechanism, including, but not limited to, sales using the Internet or catalogs. A retailer may also be a wholesaler if the retailer meets the definition of wholesaler.

Amend Sec. 5, page 4, line 19, by inserting after "shall" knowingly

Amend Sec. 5, page 4, by inserting between lines 23 and 24 (b) Exception.—No operator of a solid waste treatment, processing or disposal facility shall be found to have knowingly disposed of a mercury thermostat if the facility has notified customers of the ban in writing and posted signs at the facility clearly noting the prohibition.

Amend Sec. 5, page 4, line 25, by striking out "(B)" and inserting (c)

Amend Sec. 6, page 8, line 29, by striking out "PUBLIC NOTICE" and inserting visible signage

Amend Sec. 6, page 8, by inserting after line 30

(4) A wholesaler, retailer or contractor that sells mercury thermostats, but chooses not to act as a collection site or participate in a manufacturer collection program as a collection

site, shall provide notice to consumers that recycling of mercury thermostats is required under Pennsylvania law and the notice shall include the specific names and locations of any collection sites within reasonably close proximity that recycle mercury thermostats.

Amend Sec. 6, page 10, line 28, by removing the period after "mercury" and inserting

, including a listing of department-approved collection sites. A list of department-approved collection sites shall also be distributed to wholesalers, retailers and contractors.

Amend Sec. 7, page 13, line 18, by striking out "\$10,000" and inserting

\$2,500

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

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

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

This amendment just makes some basic changes to the bill. It puts in the definition for "retailer." It adds "knowingly" to the provision on prohibiting disposal of these thermostats. It changes the signage for a retailer, in terms of placing, where one can go to recycle the thermostat, and it changes the fine. Originally, we had a \$2500 a day fine. It was then raised to \$10,000 a day. That seemed to be excessive, so it has been reduced back to \$2500 a day.

I would appreciate support on this amendment.

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

The following roll call was recorded:

YEAS—203

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bastian	Gerber	McGeehan	Sainato
Bear	Gergely	McI. Smith	Samuelson
Belfanti	Gibbons	McIlhattan	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Mensch	Scavello
Beyer	Godshall	Metcalfe	Schroder
Bianucci	Goodman	Micozzie	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	Mundy	Smith, S.
Buxton	Harkins	Murt	Solobay
Caltagirone	Harper	Mustio	Sonney
Cappelli	Harris	Myers	Staback
Carroll	Helm	Nailor	Stairs
Casorio	Hennessey	Nickol	Steil
Causer	Hershey	O'Brien, M.	Stern
Civera	Hess	O'Neill	Stevenson
Clymer	Hickernell	Oliver	Sturla
Cohen	Hornaman	Pallone	Surra
Conklin	Hutchinson	Parker	Swanger
Costa	James	Pashinski	Tangretti
Cox	Josephs	Payne	Taylor, J.
Creighton	Kauffman	Payton	Taylor, R.
Cruz	Keller, M.K.	Peifer	Thomas
Curry	Keller, W.	Perry	True

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

The SPEAKER. The House will be at ease.

The House will come to order.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1247, PN 1690**, entitled:

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class and Selective County Assessment Law, further providing for appeals by municipalities.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

## YEAS—196

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

## NAYS—7

King	Murt	Nailor	Vulakovich
Maher	Mustio	Turzai	

## NOT VOTING—0

## EXCUSED—0

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

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

The SPEAKER. The House will be at ease.

The House will come to order.

**BILL SIGNED BY SPEAKER**

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

**HB 2522, PN 4191**

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

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

The SPEAKER. Will Representative Baker come to the rostrum.

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

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

**SUPPLEMENTAL CALENDAR F CONTINUED****BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 4, PN 4197**, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, imposing a central or regional booking fee on criminal convictions to fund the start-up, operation or maintenance of a central or regional booking center; providing for a countywide booking center plan; providing for definitions of "board" and "department"; further providing for composition of the Pennsylvania Commission on Sentencing, for powers and duties and for adoption of guidelines for sentencing; providing for adoption of guidelines for resentencing, adoption of guidelines for parole and adoption of recommitment ranges following revocation of parole by the Pennsylvania Board of Probation and Parole; further providing for publication of guidelines, for sentencing generally, for sentence of total confinement, for sentencing proceeding and place of confinement and for information required upon commitment and subsequent disposition; providing for work release or other court order and for recidivism risk reduction incentive; and making a related repeal.

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

**RULES SUSPENDED**

The SPEAKER pro tempore. The Chair at this time recognizes the gentleman, Mr. Caltagirone, for a motion.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I would like to move to suspend the House rules.

The SPEAKER pro tempore. The gentleman, Mr. Caltagirone, makes a motion for suspension of the rules for consideration of amendment A08787.

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

The SPEAKER pro tempore. On the motion for suspension, the Chair recognizes the gentleman, Mr. Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I think the time has come that the line has been drawn in the sand. HBs 4, 5, 6, and 7 contain a series of much-needed reforms to our criminal justice system and laws. When this package of reforms left this chamber, the House, by close to a unanimous vote—

The SPEAKER pro tempore. Will the House come to order. Members, kindly take your seats. The House will please come to order.

The motion is only debatable by the floor leaders and the maker of the motion or the amendment or prime sponsor.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

As I had said, by close to a unanimous vote, those bills, that package, has left this House. It had been endorsed by the Governor, the Department of Corrections, the District Attorneys Association, the Pennsylvania Prison Society, victim advocate groups, the County Commissioners Association, and virtually every other interested party. Unfortunately, when the package reached the Senate, Senator Greenleaf removed the provisions in HB 4 relating to the State intermediate punishment, and those sections provide that an offender that had not been originally sentenced to an intermediate drug punishment program would not be otherwise eligible for such a program. The Department of Corrections made the request in sentencing court that they place the offender in such a program. This would have to be agreed to by the prosecutor, the offender, and the judge for the placement to take place.

These sections are not controversial, but they are essential to the effectiveness of the sentencing reform package. After removing the provision from this bill, Senator Greenleaf then contacted my office requesting that I gut the contents of one of his bills that was in the House Judiciary Committee, insert the language that he had just removed from HB 4, and shepherd his bill through the committee in the House, send it back to the Senate, and to say the least, I was just flabbergasted by that arrogance. We are here to do the people's business, not to inflate our own egos.

This amendment will reinsert the intermediate punishment provisions—

The SPEAKER pro tempore. Will the gentleman please suspend.

Will the gentleman please confine his remarks to the motion for suspension.

Mr. CALTAGIRONE. This provision will put back into HB 4 the provisions that had been removed over in the Senate.

I ask for your support. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The House will be at ease for a moment.

The House will come to order.

The Chair is going to recognize the gentleman, Mr. Marsico, as the minority leader, Mr. Smith, has yielded to him. It is only debatable by the maker of the motion and the leaders,

but Leader Smith has yielded to the gentleman, Mr. Marsico, and he is in order and may proceed.

Mr. MARSICO. Thank you, Mr. Speaker.

I rise to support the suspension of the rules to allow this amendment to be voted on. I ask the members to do the same.

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—198

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

NAYS—5

Conklin	Mahoney	McI. Smith	Seip
King			

NOT VOTING—0

EXCUSED-0

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?

Mr. CALTAGIRONE offered the following amendment No. A08787:

Amend Title, page 1, line 18, by inserting after "program" and for referral to State intermediate punishment program

Amend Bill, page 28, by inserting between lines 17 and 18 Section 8.2. Section 9904 of Title 42 is amended by adding a subsection to read: § 9904. Referral to State intermediate punishment program.

(d.1) Resentencing.—The department may make a written request to the sentencing court that an offender who is otherwise eligible but has not been referred for evaluation or originally sentenced to State intermediate punishment be sentenced to State intermediate punishment. The court may resentence the offender to State intermediate punishment if all of the following apply:

(1) The department has recommended placement in a drug offender treatment program.

(2) The attorney for the Commonwealth and the offender have agreed to the placement and modification of sentence.

(3) The court makes the findings set forth under subsection (d).

(4) The resentencing has occurred within 365 days of the date of the defendant's admission to the custody of the department.

(5) The court has otherwise complied with all other requirements for the imposition of sentence including victim notification under the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act.

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

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

Mr. CALTAGIRONE. Basically, Mr. Speaker, this is the exact language that was taken out of HB 4 as it was approved and sent over to the Senate. It allows for the department to make the request to the sentencing court that the offender be considered for drug treatment. I might add that the counties as well as the State corrections, the institutions, are very much in favor of this amendment.

Thank you, Mr. Speaker.

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

Mr. MARSICO. Thank you, Mr. Speaker.

I support this amendment and ask the members to do the same.

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-202

Table listing names of members who voted 'YEAS' (202 total). Includes names like Adolph, Argall, Baker, Barrar, Bastian, Bear, Belfanti, Benninghoff, Bennington, Beyer, Biancucci, Bishop, Blackwell, Boback, Boyd, Brennan, Brooks, Buxton, Caltagirone, Cappelli, Carroll, Casorio, Causer, Civera, Clymer, Cohen, Conklin, Costa, Cox, Creighton, Cruz, Curry, Cutler, 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, Gerber, Gergely, Gibbons, Gillespie, Gingrich, Godshall, Goodman, Grell, Grucela, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Helm, Hennessey, Hershey, Hess, Hickernell, Hornaman, James, Josephs, Kauffman, Keller, M.K., Keller, W., Kenney, Kessler, Killion, King, Kirkland, Kortz, Kotik, Kula, Leach, Lentz, Levdansky, Longiotti, Mackereth, Maher, Mahoney, Major, Manderino, Mann, Mantz, Markosek, Marshall, Marsico, McCall, McGeehan, McI. Smith, McIlhattan, Melio, Mensch, Metcalfe, Micozzie, 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, Ross, Rubley, Sabatina, Sainato, Samuelson, Santoni, Saylor, Scavello, Schroder, Seip, Shapiro, Shimkus, Sipthroth, Smith, K., Smith, M., Smith, S., Solobay, Sonney, Staback, Stairs, Steil, Stern, Stevenson, Sturla, Surra, Swanger, Tangretti, Taylor, J., Taylor, R., Thomas, True, Turzai, Vereb, Vitali, Vulakovich, Wagner, Walko, Wansacz, Waters, Watson, Wheatley, White, Williams, Wojnaroski, Yewwic, Youngblood, Yudichak, O'Brien, D., Speaker.

NAYS-1

Hutchinson

NOT VOTING-0

EXCUSED-0

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

On the question,  
 Will the House 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—202

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

NAYS—1

Hutchinson

NOT VOTING—0

EXCUSED—0

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.

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

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

The SPEAKER. The House will come to order.

**REMARKS SUBMITTED FOR THE RECORD**

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

Mr. JAMES. Thank you, Mr. Speaker.

I would like to submit some remarks on HB 4 for the record.

The SPEAKER. The gentleman's remarks will be spread upon the record.

Mr. JAMES. Thank you, Mr. Speaker.

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

Mr. Speaker, these proposals allow for increased safety for the community at large while, at the same time, decreasing the costs of incarceration by allowing for certain nonviolent offenders to receive a reduced sentence when they complete a prescribed program, maintain good conduct, and maintain a satisfactory work performance record.

As a former police officer, the ideas behind this legislation are very important to me. It is because of my experience in that capacity that I introduced similar legislation, HB 678, in this session, in each of the past several sessions. I am glad to have it finally come up for consideration before the full House.

By providing two sentences at the time of sentencing, one which includes the risk-reduction incentive minimum and another which does not, we utilize both the proverbial carrot and the stick. Individuals are punished for their crime, but also see a potential reward for maintaining good conduct.

According to the Department of Corrections, the average cost per year of incarceration is \$32,032 per inmate. Research demonstrates that when less-violent offenders complete appropriate programs during incarceration and follow all the rules, they are less likely to reoffend after their release. This legislation provides for the types of programs which help provide the tools to ensure that the individual will not continue the cycle of repeat offense.

Thus, this legislation provides a win-win for the citizens of our Commonwealth, and I urge a "yes" vote on this legislation.

The SPEAKER. The House will be at ease.

The House will come to order.

**SUPPLEMENTAL CALENDAR C**

**REPORT OF  
 COMMITTEE OF CONFERENCE**

Mr. DeWEESE called up for consideration the following report of the committee of conference on **SB 1389, PN 2305**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2008, to June 30, 2009, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2008; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund and the Tobacco Settlement Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2008, to June 30, 2009; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2008, to June 30, 2009, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2008; to provide for the additional appropriation of Federal and State funds from the General Fund for the Executive, Legislative and Judicial Departments of the Commonwealth for the fiscal year July 1, 2007, to June 30, 2008, and for the payment of bills incurred remaining unpaid at the close of the fiscal year ending June 30, 2007.

On the question,

Will the House adopt the report of the committee of conference?

The SPEAKER. Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

This is the budget bill, and I intend to be very brief, but I do want to make a few remarks.

The SPEAKER. If the gentleman will suspend.

The Chair will ask all members to take their seats and hold their conversations to a minimum.

Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

In the 2008-09 General Fund budget bill, the question has to be asked, is it fiscally balanced? We understand there will be no new taxes, no tax increases, and no use of the Rainy Day Fund. We have \$28.3 billion in the budget, which is an increase of \$1.1 billion or a 3.98-percent increase over last year. If you divide 12 months into the \$28.3 billion, the revenues per month that have to average out are \$2.35 billion. Now, we just received a report from our Appropriations chairman that in the last 4 months of this fiscal year, 3 of those 4 months, the revenues were down by \$100 million per month – that is \$100 million per month. Then when you look at the first 6 months of last fiscal year, that is July through December 2007, only once did the State reach that \$2.35 million level, and that was in September.

So to recap briefly, if this amount of money, \$28.3 billion, is to be achieved, that is \$2.35 million a month. In the last 4 months, 3 of those months, we were down \$1 million over the estimate, and only once in the 6 months of 2007 were revenues as high as \$2.35 million. Now, why do I say that? Because the economists that we read about are predicting the barrel of oil will reach \$165 before the end of the year. Now, we know that at \$140 a barrel of oil is stifling our economic recovery, and if it should reach \$165 for a barrel of oil, that will continue to stifle our economic recovery.

Many financial and business leaders have indicated that the submortgage housing is not over, and that could have a negative impact on our businesses revitalizing themselves and becoming more profitable. Wall Street economists are not painting a very rosy picture for economic growth over the next 6 months, and that, of course, begins with this fiscal year, July 1. With all these red flags flying, we should proceed cautiously. We should not be spending more than what we can afford. I believe that before the end of the 6 months, we will be tapping into the Rainy Day Fund. I do not know how we are going to be able to cover these expenses when we have an economy that is on the slippery slope.

Mr. Speaker, I believe that we should have been much more conservative fiscally when these numbers were put together to create a \$28.3 billion budget. For those reasons and for many others, Mr. Speaker, I will be a "no" vote. Thank you.

The SPEAKER. Representative Civera.

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, it has been a long winter, a long spring, but today I think that both the House Republicans as well as the House Democrats could take a step and bow to the people of Pennsylvania.

This budget before you is a balanced budget; a budget that has held numbers down; a budget that has kept the Rainy Day money intact, no money was taken from there; a budget that kept spending to 3.98; a budget that raised no taxes and no fees; a budget that kept the capital stock and franchise in place; a budget that improved the education funding; and a budget that all Pennsylvanians could live with.

This budget, Mr. Speaker, is a sign of the economic times that we are about to go into this year as well as next year. This budget could not have been accomplished but for our leaders in the General Assembly – Representative Smith and myself, the majority leader, and the majority chairman of the Appropriations Committee.

Should we have been done on June 30? Yes, we should have, but the final product is before you, and it is a product that does not embarrass each and every one of us. It is a product that when people put their minds down, we can go to work, roll up our sleeves, and deliver the right thing for the people of Pennsylvania.

Remember, when we started this budget, the numbers were a lot different, and the Governor, when he presented his budget, the numbers were a lot different, and we were able to get to a point where we reflected what we had to do to protect and preserve the dollars that we raised, the tax dollars, for the people of Pennsylvania. That is because we are concerned, each and every one of us in this chamber; each and every one of us takes this most important document to heart.

I would just like to say, I would like to thank everybody that was involved and we should be proud of it, and I urge my colleagues on the Republican side to vote in the affirmative.

Thank you, Mr. Speaker.

The SPEAKER. Representative Evans.

Mr. D. EVANS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to first thank my colleague, the Republican chair on the other side of the aisle, for his cooperation and his staff in terms of working together. I also would like to thank the Republican leader for his cooperation in also working together.

A budget, to put together, is never, ever easy because every program and every initiative is important, but like anything,



you have to set priorities, and the reality of it is that we do not ever have enough money for everything. So we have to make some choices, and sometimes those choices are easy and sometimes those choices are hard.

We all recognize that this is not our money, this is not our money. This money belongs to the people of the Commonwealth of Pennsylvania. We are just temporary stewards. We are temporary stewards of the people's money, and we all should take this very seriously. We all should recognize that the responsibility that we have, in my view, is probably the most important responsibility.

This is a job I have been in for an awful long time. I have been chairman for 18 years and I have been on the Appropriations Committee since 1982. And I tell people, this is probably the best job in the House because it is a job that you get a chance to talk about all of the issues affecting all of the people, no matter may you be from rural Pennsylvania, urban Pennsylvania, or suburban Pennsylvania. I always like to tell people, we may have come over here on different boats but we are in the same boat now, and we sometimes forget that part about being in the same boat. But I can say to you, for the first time in my experience, that this negotiating process forced us all into the same boat.

I tell you, the chairman over there and the leader over there will tell you, there were some tough days, there were some fun days, and we spent an awful lot of time together. As a matter of fact, we spent so much time together, I am going to see if Sam is going to have me over to his house for Thanksgiving, because we spent a lot of time together, and I am not, and I am not, I am not saying in any way that that was negative. You know, Sam and Mario had to do what they had to do; Bill, Keith, and I had to do what we had to do, and we argued not just for this caucus but for the people of the Commonwealth of Pennsylvania.

And like putting anything together, everybody is not going to get what they want. That is what I mean by you have got to make choices. I think we have made some excellent choices. First and foremost, the issue of education. We all recognize, if we are to continue to move in the 21st century, that nothing, nothing is more important than the investment in education, and I believe that that investment will pay off for the future of this State.

The second issue that I believe is very important is the issue around energy. Energy at \$141 a barrel, gas prices at \$4.17 a gallon-plus. The reality of it is and the leadership taken by Representative Keith McCall, in my view, was excellent. It was excellent because we recognized the importance of bringing things together.

The third thing I thought was extremely important out of this was the investment in our infrastructure, because to have economic growth, we must have an infrastructure – roads, bridges, water systems, and all of those types of things – that will help make this State grow, help make us expand the economic base. That is important.

The other thing I thought was important was the investment we will all make in our communities with RCAP (Redevelopment Assistance Capital Program). Now, I know there were some people who disagreed about the level of the investment, but those of us who are here – and I said to you, we are temporary stewards – have to prepare this State for the future because we have to look ahead and not look back, and looking ahead means that we have got to make investments.

We also recognize that we cannot break the bank. Yes, there was a debate between us about the use of the Rainy Day Fund. There was a debate over, is it an opportunity to use the rainy day fund? We happen to have thought that maybe we could have used a portion of that for the purpose of education. Instead, we chose to make some rearrangements in the budget, and that is a reality.

But now that that is over, we all need to make sure that this budget works, that we move forward, and we continue to try to make this State grow, because only through economic growth, only through creating economic opportunity will we ultimately transform all of our communities, because it is only going to be through economic opportunity.

You know, John F. Kennedy said, a rising tide raises all boats. Bill Clinton's version in 1992 was, it is the economy, stupid. Well, it is always the economy, and we recognize that government in itself will not magically solve all of the problems. Families are very important, church organizations are very important, fraternal organizations are very important. All of them are a part of making this a better State, but we do need government to function in a way that we provide results. We believe in government that performs, government that works, and government that is accountable.

Now, I always say to people— Some people think, well, government gets in the way. Well, who is the government but the people? It is the 12 million people who live in the Commonwealth of Pennsylvania. This is their budget. These are their tax dollars. So when we talk about investments in education, economic development, energy, all of those things go together.

So I am saying to you, I think we all are growing as individuals and the leaders themselves not just here in the House but also in the Senate. We worked together to make this a better State, and I think this is important for all of us to recognize that we all have had some sort of responsibility in this process. No, all of us were not sitting in that room, because it would be an awful large room if all of us were sitting in there, but your leadership, like the leadership on this side, was representing not just your point of view but your constituents' point of view.

So I want to personally thank all of you for your cooperation, even though some of you may have disagreed with some of us. At the end of the day, this is a budget that is for the people of the Commonwealth of Pennsylvania. It is not a perfect budget; it is not something that everybody is going to want to embrace, but it is a budget of choices that we have to make.

So I want you to be clear. I always told people when the reporters were asking the question about, well, when is this going to be done? I told them, in my 28 years I have never seen a time when there has not been a budget. It is a question of, when is the budget going to pass? There is always going to be a budget and it is always going to be passed at some point. So I say to you today that we can make a difference in this State if we work together. I would hope – and I know there will be some differences of opinion – I would hope that we all could support this conference report and move this State forward.

Thank you very much, Mr. Speaker.

The SPEAKER. Representative Turzai.

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

I rise in opposition to SB 1389.

I look at the facts that were before us over the last 5 years, and the next year we are moving forward, and I have to tell you, I think, oh, my goodness, where are we headed?

We have increased spending in 5 years' time, not taking into account budgetary gimmicks designed to hide spending, by \$7 billion. We are at a rate of close to 35 percent, while the rate of inflation was 15 1/2 percent. This year we are going to be raising it again, putting budget gimmicks aside, by a billion dollars – a billion dollars – or 4 percent over last year's budget. That is some \$8 billion in just 6 years' time.

But the part of this package that just concerns me the most is the amount of money we are borrowing. In 1 year we are going to borrow almost \$3 billion, 90 percent of it which is going to be spent in the next 3 years, on average, a billion dollars a year. So that is a billion dollars of today's tax dollars we are going to spend and a billion dollars each year for the next 3 years of borrowed money that we are going to spend. Of that \$3 billion that we borrowed, over time, the taxpayers are going to be paying it back to the tune of \$4.7 billion with their tax dollars in principal, interest, and fees. That is on top of the \$3 billion we borrowed under this administration in the first term that we are already in the process of paying back to the tune of \$4.7 billion.

And it is not as if it is straightforward in this budget; it never is under this administration. As one article noted, the budget plows all \$35 million – the law says that the State is supposed to put into the Rainy Day Fund for this year – into spending, and the rest, the \$103 million current-year surplus from '07-'08, is all being spent. The proposed budget also gathers \$200 million in unspent money from various accounts, spends it, grabs at least a hundred million more in revenues from the State liquor and recycling accounts, and spends it, and pushes off, like many of the gimmicks in the past year, pushes off \$50 million of welfare spending onto the Lottery Fund, squeezing the lottery funds which were designed for our seniors.

Keep in mind, we are also putting off in this budget \$100 million in '08-'09 welfare pharmaceutical bills that will get paid in '09-'10, and that is just the \$530 million in one-time-only budget-measure gimmicks that we know about. We will learn some more as the days go on.

Mr. Speaker, Lidia and I, we have three young boys. They are ages 9, 8, and 5. They were recently here as pages. And like many of you, I am missing family activities back home, but we are doing our jobs and we are doing our constitutional obligations. And certainly, like many of you, I would rather be watching their baseball tournament games, but the fact of the matter is, I think about them and I think about, oh, my goodness, do they have a future in Pennsylvania? Seriously.

We are the second oldest State in the nation. I think there is a reason for that. We drive young people away in droves – in droves – because in the end, we are thinking about spending and borrowing and not about middle-class families and small businesses and their hard-earned money.

When I talk to people back home, they are not looking for anything from the government. They do not want government in their lives. They want government to leave them more money to spend every day as they can best see fit. I think of my mom and dad and how they often struggled. Government did not give them dignity; they gave themselves dignity. They did not want anything from government.

You know, I am sorry; I know a lot of people want to be part of the team, and I understand that, and there has been a lot of hard work done. But in my heart of hearts and in my head,

I think this increased spending, I think this out-of-control borrowing, I think the fact that one more time we have not cut taxes for middle-class families and businesses, I think we are making a mistake, and that is where I am.

The SPEAKER. The gentleman's time has expired.

Mr. TURZAI. Mr. Speaker, may I? I just have about 30 seconds, if I could have unanimous consent to continue.

The SPEAKER. The gentleman will wind it up.

Mr. TURZAI. Thank you.

That is where I am. That is where I think most of the families back home are and most of the people in Pennsylvania. We keep hearing from all the people that want, want, want from Harrisburg, but I am convinced that the majority of Pennsylvanians do not want anything but to let their hard-earned money stay in their pockets to see as they see fit.

I would urge a "no" vote. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Representative Rohrer. The gentleman will suspend.

The Chair recognizes the majority leader, Representative DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

I am going to take my watch off. Like most of you, I have to get home. I want to go home to Emily Hamm's Fourth of July party, and when that Ford pickup goes through Fayette County and across the Monongahela River, even if it is drizzling and 10 o'clock tonight, I will still be there for the fireworks.

I am only going to talk for 2 minutes, but I cannot resist, I cannot resist the chance to respond to the former speaker from Allegheny County. He said he does not want government in his life; his constituents do not want government in their life, so he is going to vote against this budget. Government is involved in his schools; government is involved in his libraries; government is involved in his roads and his bridges and his parks; they pay for the inspection of child-care centers; they pay for the regulations and inspections of senior citizens centers; they pay for the police.

He does not want government in his life? How about the National Guard? What about the United States Marines? That is all government. We would not be in this pickle, we would not be in this pickle if the Bush administration had not been spending billions and billions and billions and billions of dollars it did not have.

As the honorable gentleman from Delaware County, my good friend, the Republican chairman, said, there are no new taxes in this proposal. There are no new fees in this proposal. The capital stock and franchise tax, the business tax, continues to decline, and this is the best budget in many, many years for basic education. So kids in central Greene and west Greene and Jefferson-Morgan and Albert Gallatin and all of our school districts will have a better shot this year than they did last year.

Mr. Speaker, as I relinquish the microphone, I might add to that gentleman or anybody else who takes the mike, tonight or this summer in general, if you are in Sacramento, California; Albany, New York; Columbus, Ohio; Springfield, Illinois; Trenton, New Jersey, you have massive budget deficits, a billion or two, or in California's situation, \$11 billion. Pennsylvania has no deficit, Pennsylvania has no tax increase, and Pennsylvania has a good budget worthy of your support.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader, Representative Smith.

Mr. S. SMITH. Thank you, Mr. Speaker.

I am glad the majority leader did not do anything to incite the crowds.

Mr. Speaker, I have a couple of comments. One, I wanted to compliment the majority Appropriations chairman, and I wanted to also tag on to something that he mentioned and maybe to just expand on that thought for just a minute.

He made reference to how this process works, and we read a lot in the papers and in the media and the blogs about the process, and while it is a cumbersome process, Mr. Speaker, this is still the best process; a representative democracy is still the very best.

When each of us is elected as a Representative, all of our constituencies cannot be in this room voting on every piece of legislation. You represent them and carry their views to this building. As we boil down the elements of a budget, each of us in leadership is responsible for carrying your views to that negotiating table. And while I read about, you know, that only the leaders are doing this, the fact is, there is not a leader at that table who does not take their respective caucus members' positions seriously, and sometimes they are in conflict and we work to balance that out, but it is preeminent in our views at the table.

I think it is important for the people of Pennsylvania to recognize that while, just like all the citizens of this great Commonwealth cannot be in this room in a pure democracy voting on every piece of legislation, likewise, all of the members cannot be in every room and negotiating every piece of legislation that goes along with something as huge and complex as the State budget. We take your views seriously and we reflect them at that level, just like you take your constituents' views seriously and bring them to the hall of this House. I think the Appropriations chairman made mention of that, and I just wanted to expand on that.

I believe this budget, Mr. Speaker, is a good budget for the people of Pennsylvania, and I am very proud to support it. Mr. Speaker, it is the first time in the years that I have negotiated a budget where we have actually started at the Governor's proposed number and kind of worked our way down. Everyone in that room, once we committed ourselves to preserving the Rainy Day Fund, and as the majority leader said a few times in those negotiations, it is the iron-fisted Republicans holding grip on that Rainy Day Fund, and he loved to taunt us with that. And if that is the case, I will take credit for being in that position, that we preserve that Rainy Day Fund for a day when tax revenues do not meet our expectations so that we can avoid a tax increase in the future. Once we achieved that point of negotiations, there was nowhere to go but to work toward legitimate cuts.

Again, Mr. Speaker, we looked for balance. In some places, we were able to cut— Quite frankly, if you look at the enumerated line items in the budget, roughly almost half of those line items received some kind of cut. I think we cut in places where fat was trimmed, but we certainly did not cut to the bone and hurt certain programs. We did that with a targeted eye, and we did it in a way that was sensitive both to the legitimate purpose of that program, but we did it in a way that was sensitive to the legitimate concerns of the taxpayers' wallet, Mr. Speaker, and it was a movement in the right direction for those who believe in controlling spending and getting that element of government under control.

And yet, Mr. Speaker, the budget is balanced in another way against those cuts. In the area of education, obviously the Governor had proposed a significant increase. I doubt there are many here that are willing to cut the education spending, no matter how they view it. So in balance with the cuts on many other programs, education was probably the great beneficiary of that, and education funding, for a variety of reasons, has been a high priority of this legislature and, admittedly, this administration, and I think this budget serves those two elements very well.

So, Mr. Speaker, I believe that it is important for us to always look at the balance that we are achieving, not only the balance between Republican and Democrat and the balance between rural and urban and the balance between the needs, the legitimate purpose for government, versus the legitimacy that taxpayers are footing the bill for these operations, looking for value in these programs and not just another government program that spends money for the sake of spending money.

I think this budget achieves that type of balance as well as a fiscal balance, pure and simple, on the books, and I urge the members to support this budget. Thank you, Mr. Speaker.

The SPEAKER. Representative Rohrer.

Mr. ROHRER. Thank you, Mr. Speaker.

Mr. Speaker, I am going to utilize my full 5 minutes. I would like to interrogate the chairman of Appropriations, but I will not, only because of time.

This has been my 16th budget. I have been through this process often, not as long as him, but I can tell you there are many similar things from year to year. We are dealing with dollars; we are dealing with cents. We are talking about projections of economic growth. We are talking about how much we have in hand and how much we think we are going to have when you get to the end. We debate line items up and down, and we can talk about them all day.

But my major concern here today is the fact that— And we have different opinions, and we can, and we have shared different opinions on different issues as we debated them this week. I will take the opinion, though, that I do not believe this budget is in balance. I do not believe that we will end up the end of next year as predicted, and for this basic reason: the projected growth rate of this budget, as confirmed by the Governor's 3 percent.

The confirmed revenue growth for the last 12 months was 1.7 percent. The budget growth – the budget growth, not the revenue growth – the budget growth is 3.9 percent, 4.1 depending upon how you look at it. You can see the problem. They do not line up. And if, and if we do last year just as this year, you will have a half-a-billion-dollar shortfall right off. And when you include \$200 million in special funds that are pulled over, one time, then it is about \$700 million. My figures are between \$600 and \$900 million, as I look at it. The chairman of the Senate Appropriations says \$1.2 billion, \$800 million to \$1.2 billion, some discounted. The Democrat staff member on Appropriations on the Senate side says about \$2 billion.

In any event, Mr. Speaker, I tell you that there is no one who logically can stand here, at this day, in this economy, with what is anticipated to be taking place as we are going forward, for anybody to stand here and make any kind of a reasonable claim that we are going to do double the growth rate the next 12 months as we have the last 12 months. That leaves anyone

who has any financial understanding at all to say, we are going to have to make up the money somehow.

Now, we have all been around long enough. Where is it going to be made up from? Probably the Rainy Day Fund. But I submit that that is improper budgeting, because the Rainy Day Fund, according to the very law, says it is not to be made up for anything that is— It is only to be used for unanticipated revenue shortfalls. I am submitting that this is an anticipated revenue shortfall.

We will be here with problems next year, and it is not just blamable on the Bush administration. The Democrat Congress has also gone along and passed budgets, federally. But in this House, but in this House, we passed this budget together, Democrat and Republican. At the end of the day, we are going to have to say and to justify why we have spent at a rate far faster than anybody's income is going up, far faster than their economic growth rate of the last 12 months experienced. You cannot, you cannot convince me, under any circumstance, that it is going to be twice the growth rate we had, not when you understand what is going on in these next months as anticipated, economically.

Mr. Speaker, I take the perspective here that I am glad this is not a budget that spends 10 percent more. I am glad it does not spend 6 percent more. I am glad it does not dip into the Rainy Day Fund today. But, Mr. Speaker, mark my word, put it down: We will be here next year having depleted the Rainy Day Fund and/or tax increases. That is not where the taxpayers of this State expect us to be, that is not where we ought to be, and the only way that we can demonstrate that we do not agree with this kind of financing is a "no" vote, which is exactly what I intend to do.

Thank you, Mr. Speaker.

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

Mr. DeWEESE. Thirty seconds, very subdued.

The Federal dollars coming into Pennsylvania now compared to 5, 10, 15 years ago are extravagantly fewer than used to come in. We do not have to go into it in a hyperbolic way that I alluded to earlier in my remarks. But nevertheless, one of the reasons that the gentleman's speculation about next year's Rainy Day Fund may or may not be accurate is because the United States of America is suffering a very, very significant economic turn-down, and Pennsylvania alone cannot adjust. It has to recognize the fact that 49 other States are involved in this predicament.

So I do want to say that Federal dollars coming into Pennsylvania have been drastically reduced. This budget, many of my Republican colleagues have decided, is an acceptable compromise, and again, I ask for an affirmative vote.

The SPEAKER. The minority leader, Representative Smith.

Mr. S. SMITH. Thank you, Mr. Speaker.

Certainly, I do not want to get into a debate about the Federal budget when we need to get this budget on the Governor's desk, but I clearly and adamantly refute what the majority leader just said. The Federal dollars that are coming into Pennsylvania have not decreased; they have shifted into what categories those moneys can be used, but in the aggregate, the numbers are very clear. We are getting more money from the Federal government today than we did last year or the year before.

So I would clearly refute that. And we can debate it another day; the facts will bear it out, but I do not think that is a reason

that one should change their position on this vote. Nevertheless, I still remain in tandem with the majority leader in support of this legislation.

The SPEAKER. Representative Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

I was reminded last night that a budget is about 102, 26, and 1. If everyone in this room were able to craft a budget, every one of those budgets would be different. But what our goal here is is to come up with a budget that we can get a majority of this body to be for, a majority of the Senate to be for, and the Governor to sign. It is not something that one of us in this room can do individually.

And when the Governor came before us and gave us a revenue estimate in February, that number did not materialize, Mr. Speaker. When he presented the February budget, what he told us about the surplus came out to not be true, Mr. Speaker. We took what we were dealt and we tried to put together the most workable budget for all of the people of Pennsylvania, Mr. Speaker.

This budget is about setting priorities. It is about taking care of the people of Pennsylvania. It is about our kids. It is about our parents. It is about the working people in all of our districts around the State of Pennsylvania, and it is about easing the struggles that each one of these people have as we can help, Mr. Speaker. We put burn centers back in the budget that the Governor had cut out. We put critical-access hospitals back in the budget that the Governor had cut out. We put neonatal care and OB-GYN (obstetrics-gynecology) back in the budget which the Governor had cut out. We put back Science in Motion, which allows our colleges and universities to take programs to our rural areas and teach our kids. Because agriculture is an important industry in this Commonwealth, we made sure that the Penn Vet school was taken care of. We tried to put as much money back into the crop insurance as we could, but going forward, it is one of the things that we really need to make sure we take a look at, Mr. Speaker.

For our side of the aisle – this was mentioned, but it is important – I was privileged to have economics and finance in college. I do not know if it did me any good, but I also know that the American economy can grow and expand over the next year. There is nobody here in this room or on Wall Street that can tell us what is going to happen over the next year. If we listen to the Fed chief, he says we will be okay by the first quarter. I do not know whether we can believe that, but I believe in America and I believe we will be better off.

But our side of the aisle preserved the Rainy Day Fund so the money would be available next year for use in our budget, Mr. Speaker. We invested \$274 million in education so that our children could get a better education, Mr. Speaker, and we saved the capital stock and franchise tax in this budget, which means 260 million dollars' worth of business cuts overall, Mr. Speaker. This is how we can make life better for the people of Pennsylvania and how we can ease the struggles that they have. It means that we can take care of our schools, our parents, our children, our businesses, and all of the people of Pennsylvania, Mr. Speaker.

This is about the people of Pennsylvania, and I urge an affirmative vote for a budget that helps the people of Pennsylvania.

**REMARKS SUBMITTED FOR THE RECORD**

The SPEAKER. Representative Payton.

Mr. PAYTON. Mr. Speaker, I will submit my remarks for the record. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. Speaker, as we sit here today, we are being presented with a budget which falls short of meeting the needs of every Pennsylvanian. In every budget negotiation there is an inevitable need for compromise, but an affirmative vote on this bill would force me to compromise the core principles which I have pledged to uphold to my constituents.

How, in good conscience, can I make an affirmative vote when this bill would call for significant reductions in essential services to our most vulnerable populations? This bill calls for an \$8 million reduction in TANF (Temporary Assistance for Needy Families Program) dollars, \$2.2 million cut in subsidized child care, and reduces support for behavioral health services by an additional \$8 million. These cuts represent a direct hit to those who need our leadership the most. This legislative body must be able to visualize the collateral damages to these reductions including the depletion of services to vulnerable communities and the loss of jobs by those who implement those critical services.

As our constituents face an overwhelming housing crisis which has crippled our State and national economies, we are standing on the sidelines. This bill provides us no new money for PHFA (Pennsylvania Housing Finance Agency) or HEMAP (Homeowners' Emergency Mortgage Assistance Program). This is the time to provide real leadership and present real options to our constituents such as a mechanism to restructure housing loans for families facing foreclosure.

While there is a tangible victory relating to education dollars, including increased support of our urban schools and a recommitment to the charter school movement, that commitment is undermined by the \$45 million cut to the Classrooms of the Future and our inability to achieve educational equity by addressing a flawed funding formula. These actions take away essential opportunities our children need to compete in a global economy and contradict the promises we have made to the families of this Commonwealth.

A vote in the affirmative for this bill would undermine the core principle we, as legislators, must uphold. I have often stated and will once again here that in the matters of principle, there can be no compromise.

The SPEAKER. Representative Metcalfe, do you wish to submit your remarks for the record? Representative Metcalfe is in order.

Mr. METCALFE. I will submit my remarks for the record verbally, Mr. Speaker.

Mr. Speaker, as we have debated the package, the deal, that was put forward here today with this being the core bill of the deal, the budget bill, Mr. Speaker, the debt increases of almost \$3 billion that are included in the deal, the debt increases of today, Mr. Speaker, are the tax increases of tomorrow.

Mr. Speaker, we heard there are no new taxes in this budget, there are no new fees in this budget, but, Mr. Speaker, I think the citizens of the Commonwealth are smarter than buying those lines to lead them to believe that the veiled spending that will take place through this budget, through this increased \$3 billion worth of debt, Mr. Speaker, the citizens of this State do and will recognize that today's debt increases will be, will be tomorrow's tax increases.

Mr. Speaker, this budget has a 4-percent spending increase, a spending increase, once again, that is above the rate of inflation. Now, we were delivered the spin that, well, it is going to be less than the rate of inflation for the next year. Mr. Speaker, we normally categorize and compare these budgets to what the inflationary rate has been for the past year, not for what it might be, like the gentleman from Philadelphia had mentioned that we do not know what that will be, so we have to look at what it has been for the past year's inflationary rate. Certainly, we know that the people are seeing an economic downturn, as the majority leader had referenced, Mr. Speaker. I think we have been hearing, I am sure, from constituents – throughout the chamber we have been hearing from constituents regarding the \$4-plus that folks are having to pay per gallon of gasoline and how that is really putting a crimp in their budgets and how they are having to tighten their budget belts at home, while this General Assembly works to relax its budget belt to the tune of over a billion dollars in new spending, Mr. Speaker. Over a billion dollars in new spending, Mr. Speaker? And we are saying this is a good budget?

Mr. Speaker, I think one of the former speakers from Philadelphia had mentioned that he had economics in college. Well, Mr. Speaker, I do not think it takes an economics major or a college-level class in economics – and I am sure citizens across the State would assure you it does not – to understand, when you are dealing with a budget, it is not possible to sustain a budget where you spend more than you bring in, and once again, we are looking at a budget that is proposing to spend 4 percent when we are expecting a 3-percent increase in revenues, Mr. Speaker.

Mr. Speaker, I know there will be some responses to some of my comments, as there have been to some of the former speakers. I know the ones who are standing and voting against the budget today are going to be outnumbered probably 4 to 1, if not more. But, Mr. Speaker, our small voices are the voices of the majority out there, the silent majority that will not be represented here today by the majority of votes that will be cast. They will have more money taken from their pockets to spend for more programs and sustaining programs that should have been reevaluated and should have had their belts tightened, Mr. Speaker.

Mr. Speaker, I think it is very irresponsible to pass a budget of this type, and I can appreciate one of the former speakers referencing the 102, the 26, and the 1 – to give you the majority in both chambers and the Governor's signature. I can appreciate that reality, Mr. Speaker, and that is certainly an objective that you have to set forth when you are going to fine-tune and bring about consensus on a budget. But, Mr. Speaker, I think our ultimate objective, as elected representatives of the people, should be to uphold and defend the Constitution as we take our oath and to make sure that we are doing that in a responsible manner, Mr. Speaker.

And I think, Mr. Speaker, what was just quoted from the Appropriations chair, the majority Appropriations chair from the Senate, yesterday in the paper that he had expected a deficit at the end of the year of \$800 million to \$1.2 billion, Mr. Speaker. Mr. Speaker, how does anybody vote for a budget when they are expecting a deficit at the end when we are supposed to have a balanced budget and a constitutional requirement for one?

Thank you for the time; thank you for the countdown. Mr. Speaker, I will be voting in the negative, because I think it is the responsible thing to do for the taxpayers.

The SPEAKER. Representative Dwight Evans.

Mr. D. EVANS. Mr. Speaker, no one has a crystal ball. Ultimately, we all recognize that we can address these issues if we work together. As I was just listening to the last gentleman's comments, it was almost describing like he thought he had a crystal ball about the future. I am very optimistic about the future. I am optimistic that with the investments we are making, we will make Pennsylvania a better place for people to live, to work, and to play, and by making Pennsylvania a better place to live, to work, and to play, we expand the economy.

I have said consistently that this is not our money, that we are temporary stewards of this money and we should be very guarded about the investments we make. The number one investment we have made is in the workforce, and that is education, because if we want a competitive State, we have to make the investment in people. We have to have the kinds of people where businesses will come here and they will grow and they will develop. But we must be accountable, and we must be driven by performance.

I believe, in working together bipartisanly, we have come up with a document that demonstrates that not everybody gets what they want. We do not receive everything we want, nor do you. But the reality of it is, my problem is with those naysayers who are not optimistic about anything, who basically will tell you that it is a bleak future. Well, I do not accept that. I accept the fact that when we work together, we can move this State forward, and when we understand that, ultimately, we must make an investment in education, because education is better than any social program, any welfare program, or anything else you have, the investment in education. And for those who talk about they want to do something about property tax reform, you must invest in education so that you fundamentally do not pass the burden onto local school districts.

So, Mr. Speaker, I say to you, look, the best aspect of this budget, in my view, is the investment in education, because there is a direct connection from education to economic growth. If we are talking about competing in the 21st century, we must have 21st century citizens who can compete in the world. We have made that kind of investment today. So for all of those who want to talk about statistically the spend, you know, it is not like we are investing in New Jersey; it is not like we are investing in West Virginia; it is not like we are investing in Ohio. We are investing in the very same people who pay the bills. We are giving it back to the citizens of the Commonwealth of Pennsylvania. So I always find it strange when people make statements about that number of the spend.

Remember the reality, the money is going back to the 501 school districts in the Commonwealth of Pennsylvania. It is going back to the people of the Commonwealth of Pennsylvania. So it is not going to anybody— It is going back to the people. The very same people who are contributing their hard-earned money, we are giving it back to them. That is exactly what we are doing when we set the priorities of this budget.

It is our responsibility, it is our responsibility to make choices. Sometimes these choices, Mr. Speaker, are very hard and very tough. These are not easy choices. But at the end, we are investing back in the people of Pennsylvania. That is what is most important. That is what we must understand. And let me

tell you something: When we pass this budget, when somebody goes and receives money to their school district, it is not that they say, well, this is Democrat or Republican, this is liberal or conservative; this is invested back in people of this State.

I would ask that you support this budget, because this is truly an education budget. Thank you, Mr. Speaker.

The SPEAKER. Representative Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

I will not be long, and I wish each and every one of you a happy Independence Day.

Mr. Speaker, I stand not to talk about where we have come from but where I think we need to go. The Speaker has constantly or on several occasions referred to me as "cautious." Well, I stand today being cautiously optimistic about what needs to happen as we go forward.

Number one, I look forward to January 21 of 2009, when there will be a new team in Washington that hopefully will be able to help us more here in Pennsylvania. As Congressman Carney and Congressman Dent have said to me, we have got to stop spending \$3,999,000 every second on the war in Iraq.

Secondly, education is important. A commitment was made by the Governor. The commitment was somewhat articulated in this budget. I hope that we honor the commitment to continue to work towards equalization of opportunity for all, all kids in Pennsylvania, whether they come from Elk County or Chester County, York County or Erie County. Equalization of opportunity is important. Child care, Pre-K Counts, Keystone STARS (Standards, Training/Professional Development, Assistance, Resources, and Support): We must continue, continue to fund those initiatives so that we can give our children the best tools necessary to enter school and compete in the 21st century.

Next, Mr. Speaker, COLAs (cost-of-living adjustment). Our public school retirees deserve a COLA. We have been giving COLAs to everybody else and their mothers. Now it is time to take care of our public school retirees. We did the right thing here, but it got messed up next door. We need to come back in the fall and straighten that out.

The Health Care Cost Containment Council; we need to straighten that out. There is money in the budget, but we need to encourage the Governor to do the right thing with respect to the Health Care Cost Containment Council. We did the right thing here, but it got messed up next door. We have got to straighten it out in the fall.

And last but not least on jobs: We have made an investment; let us continue to build the best workforce, the best workforce that we can in the Commonwealth of Pennsylvania.

Food nutrition: People out there are not eating. We made an \$18 million commitment in this budget, and I hope we continue to build on that.

Housing and redevelopment: We made a commitment; I hope we continue to build on that.

And last but not least, Mr. Speaker, I hope that each and every one of us leaves here today, leaves here today committed, committed to the position that our best days are ahead of us and not in back of us, that our best skills are waiting to be utilized than those that we have used up until now.

So to my colleagues on both sides of the aisle, give yourselves a big round of applause. Come back in the fall, and let us finish up what we started these last couple of months.

Thank you, Mr. Speaker.

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

The SPEAKER pro tempore. The Chair thanks the gentleman.

**LEAVE OF ABSENCE**

The SPEAKER pro tempore. The Chair recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. BENNINGHOFF. Without objection, the leave of absence will be granted.

**CONSIDERATION OF SB 1389 CONTINUED**

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

Mr. HUTCHINSON. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this budget, and I want to rebut a few of the things that have been said earlier.

Number one, Mr. Speaker, we do have a deficit. This budget and the deals that are all surrounding it, we have heard the leaders on both sides of the aisle talk about this is part of the deal; this is part of the deal. Mr. Speaker, those deals involve \$2.9 billion in new borrowing. That means we have a deficit of \$2.9 billion. That is money that we are spending as a State that we do not have in hand, and therefore, we are borrowing to do it.

Number two, there are other schemes within the budget, we have heard about earlier, money where we are taking spending offline and, therefore, trying to hide shortfalls in revenues.

Mr. Speaker, it has been said that those who are voting against this budget are not optimistic about the future, but quite frankly, of the four parties that were directly involved in the negotiation of this budget, two of those have already come out in the press and said that they expect a deficit anywhere from \$800 million to \$2 billion, a shortfall in revenues in the coming year. This is irresponsible, and that is two of the four parties that were in that room representing the caucuses.

Mr. Speaker, it was said that this budget is about setting priorities, and in fact, we are not setting priorities; we are putting off the hard choices. We are sloughing off to another day the hard choices that will protect the taxpayers of Pennsylvania and instead we are doing schemes, we are borrowing, and we are denying the reality that there are major shortfalls in revenues in the coming year.

Mr. Speaker, I end with a prediction, and that prediction is that these chickens will come home to roost, and Pennsylvania will be faced with large tax increases in the coming years.

Mr. Speaker, I urge a "no" vote on this budget.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The House will come to order. The Chair is recognizing the gentleman, Mr. Murt, at this time. Members, please take your seats.

Will the gentleman suspend.

**HOUSE SCHEDULE**

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

Mr. DeWEESE. Just one 30-second comment on schedule.

We have four more speakers lined up for the budget, and I am not one of them. That should make you happy. Mr. Vereb, Mr. Vereb has the back rows in a symphonic moment.

We will, in just a few moments, after the completion of this debate, repair to the majority caucus room and receive the education proposal from the Senate. We could not have received it under the most optimal circumstances until 3:45, so we are only about 3 minutes or 4 minutes behind due to their rules and the constrictions in that chamber.

So once that happens, this process, I hope, will continue to move very, very rapidly. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

**CONSIDERATION OF SB 1389 CONTINUED**

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

Mr. MURT. Mr. Speaker, I plan on voting for SB 1389 this afternoon, but before we vote, I want to make a remark about one component of the proposed budget legislation.

Mr. Speaker, one area in which I, as well as many other Representatives, have a great deal of commitment is community mental retardation services.

Mr. Speaker, I am going to ask for order in the House, please.

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

The SPEAKER. The gentleman is entitled to order. Members will take their seats. Members will take their seats.

The gentleman may continue.

Mr. MURT. Mr. Speaker, this is a line item that funds services for adult Pennsylvanians with special needs or people who are on what we call the waiting list. In the proposed budget, we are considering an increase of 5.37 percent. Mr. Speaker, this is a great start, and I sincerely thank the many people responsible for this increase and also for the many people that have spared this line item from a reduction. In all candor, however, this is not nearly enough funding to reduce the waiting list as we should. Mr. Speaker, let us not forget that the adults with special needs who are on this waiting list are our family members, our neighbors, and our constituents.

Mr. Speaker, as a legislative body, not 72 hours ago, we could not wait to extend benefits, subsidies, and other financial incentives to the gambling industry and various corporate entities, yet with this budget, we still leave some adults with special needs and their families out in the cold or waiting in line. I am going to find it hard to be able to explain to these families back home that this legislature has bent over backwards to accommodate casinos, but we continue to make adults with special needs and the families who care for them at home continue to wait in line for the services that they desperately need and deserve. Quite frankly, Mr. Speaker, I believe the funding in this line item does not go far enough.

Mr. Speaker, I take a great deal of personal inspiration from a quote by the late Vice President Hubert Humphrey, and many in this body have already heard me recite this quote, but I am going to say it again. Vice President Humphrey said, "The moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy and the handicapped." Mr. Speaker, unless we start to better fund services for adults with special needs and unless we improve our support for the families who care for these individuals, we fail that moral test.

I am going to be voting for SB 1389, Mr. Speaker, but along with the other Representatives in this chamber who share my concerns, we will continue to advocate for the funding that is needed to eliminate the waiting list that exists for services by the adult members of our families and communities who suffer from autism, Down syndrome, or another condition or disorder.

Thank you, Mr. Speaker.

The SPEAKER. Representative Bishop.

Ms. BISHOP. Thank you, Mr. Speaker.

I would like to make a few brief statements for the record in reference to SB 1389.

Mr. Speaker, the most important investment the Commonwealth of Pennsylvania can make is the investment in our children. They are the keepers of the gates that we will build. They are the ones that will travel the highways and the roads and cross over the bridges that we keep. They are indeed our future, and I feel compelled to express concerns regarding the small cost-of-living increase that is included in the county children and youth budget.

SB 1389 states that the appropriations include sufficient funds for up to a 1-percent cost-of-living adjustment and services purchased by the counties. I realize that we have limited State resources ahead of us; however, I am concerned about the cost-of-living increase included in SB 1389. That means— May I have some order, Mr. Speaker? May we have some order, please?

The SPEAKER. The lady is correct. Members will take their seats. Conferences will break up. Conferences in the well of the House will break up. The lady is entitled to be heard.

Representative Bishop.

Ms. BISHOP. Thank you, Mr. Speaker.

I repeat, I realize that we have limited State resources. However, I am greatly concerned that the cost-of-living increase included in SB 1389 could mean that many of the counties will consider reducing services, probably in the area of prevention, that are so effective in keeping children and juveniles in the counties and cannot keep pace with the cost for the services.

It is my understanding that the county children and youth programs requested a 3-percent cost-of-living increase, realizing that financial hurdles they had to go through or may be facing would not be able to maintain the services they had. And although I am supporting SB 1389, I appreciate the hard work that all of those have gone through night and day trying to reach an agreement. I will be following up, along with the Children and Youth Committee, following up with the counties and the Department of Public Welfare to do whatever work we can do with the State and with local government to avoid the unintended cuts in services to the children and to the families, and we would thank all of you for your help and a positive vote on SB 1389.

Thank you, Mr. Speaker.

## FILMING PERMISSION

The SPEAKER. The Chair wishes to advise members he has given permission to Daniel Shanken of the Associated Press to take still photographs for the next 10 minutes.

## CONSIDERATION OF SB 1389 CONTINUED

The SPEAKER. Representative Petri.

Mr. PETRI. Thank you, Mr. Speaker, and I will be extremely brief today.

I am in favor of this budget. I think this budget does a number of things that are important for our communities in Bucks County. It provides a road toward energy independence, and in Bucks County, we are becoming the mecca for those that want to have energy independence – whether it be wind, solar, biodiesel –throughout our State. We are on the forefront of any State in the country in this area of energy research and energy development.

This budget also gives us the opportunity to fix a lot of our infrastructure. In Bucks County, we have roads, bridges, and leaky pipes, just like you, and this budget gives us the opportunity to do that, to make long-term investments for our communities, and to help reduce their taxes in trying to pay for those items. It does a wonderful job in enhancing the education for our students. We were able to increase the minimum that the Governor suggested from 1 1/2 percent to 3 percent.

But the comments I really want to make on this Fourth of July deal with optimism. Many of my colleagues in this chamber are very pessimistic, and I am sorry for them that they are. I would say to them, our country has been through a lot tougher times than we are right now. And yes, we all wonder, what will the revenues be during the next year, and none of us know. But there is one option we have: If in the event revenues do not meet expectations, we do not have to go to the Rainy Day Fund; we can actually reexamine the budget as we go and make the appropriate cuts if and only if necessary.

I think this is a responsible budget, it is one that was difficult to put together, and I certainly commend the Appropriations staff and the committee for doing so. But today, on July 4, remember that our biggest problem facing us, as a State and a country, is our lack of confidence. If you look at the polls, the polls say that we are at a low level of consumer confidence. We are supposed to be elected officials. We are supposed to be the people that go out and try to carry the message of hope and prosperity. If we are not willing to do that, how do you expect our constituents to do so?

I think our biggest problem facing us is just the lack of confidence in ourselves. Why not reach out for your neighbor today, grab him by the arm – you know that your neighbor needs help; go and help them. Do the right thing and have confidence in our country, and I am confident that our economy will restore much more quickly if you have that confidence. Thank you.

The SPEAKER. Representative James.

Mr. JAMES. Thank you, Mr. Speaker.

Mr. Speaker, I am going to be real brief. I just want to commend our Appropriations chairman and the leadership team that put the budget together. I think Representative Dwight Evans is similar to, like a milkshake; he puts all the good stuff together and mixes it up and then we have a great



budget, thanks to the leadership team. So I would just like to submit some remarks, the rest of my remarks for the record.

Thank you, Mr. Speaker.

### REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, I rise to comment on what is to be my final budget as a Representative for the 186th Legislative District. In the 20 years I have been representing my neighbors in south Philadelphia, I have never seen a perfect budget. As my friend, the honorable gentleman from Philadelphia, stated, if each member was to craft a budget to reflect the needs of the district he represents, there would be 203 different budgets.

There are 67 counties in our Commonwealth. From Erie County to Adams County, priorities differ substantially, but this budget best reflects a compromise such that the necessities of government can be carried out in a fashion that is amenable to all Pennsylvanians. Are there areas of this budget which I would change? Absolutely. But I also think this is a good budget.

With education as its apex, this budget protects and assists our most valuable asset: our children. In focusing on education, we continue to give our children the tools they need to succeed in college, the workforce, or in the Armed Services. I am able to take back to my district a promise that we will plan to continue to provide superior educational programs to our youth.

As I look back upon the last 20 years I have spent here, I think of all of the good work we have tried to accomplish. I see not so much the measures which passed or failed, but rather, what stands out more than anything else are the good intentions with which my colleagues cast their votes. As Representatives, we sometimes get the reputations for partisanship and being more concerned about keeping our seats than conducting the peoples' business. I can say, with pride, that of all of the hundreds of people with whom I have served in a score of years, I always felt each and every one voted in a manner that reflected what they truly felt was the right course of action.

I urge that my colleagues continue this tradition and vote "yes" on this legislation.

The SPEAKER. Representative Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to support SB 1389. I agree with all the speakers today that say this is an educational budget. I say that from the bottom of my heart, because in this budget, you will see an increase of \$20 million for student grants to Pennsylvania students going to higher education. This past year was a tough year for our agency, and through the leadership of members of this House and members of the State Senate, we turned that agency around. I would like to recognize the members of this House that serve on that board, voluntarily serve on that board.

On the Democratic side, my good friend Jim Roebuck. Jim, stand up; stand up, Jim. Jennifer Mann, Representative Jennifer Mann. Ron Buxton, who represents this area down here, and a lot of his constituents are employed over there – really a tough job. Ron, you do a super job. Keep up the good work. Representative Dan Frankel, new member of the board, brings an awful lot to the board. And on our side of the aisle, Craig Dally, Representative Jess Stairs, and Representative Sandy Major. Thank you very much.

We are turning that agency around, and I appreciate the support that our leadership had in this agency, as well as our

Governor. Sometimes he was the hardest on us, but we got the word and we changed it around. And thank you for the increase on behalf of the students of Pennsylvania. Thank you very much.

The SPEAKER. The Chair recognizes Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

I will be brief, but I have to make a few comments. We all support the services such as an education for children; health care, especially for senior citizens; medical services; long-term nursing care; mental health; mental retardation. I could go down the list. The problem that we are looking at is we have to pay for these services. Now, I have heard loud and clear from my constituents, no new taxes, no increase in taxes. We have to make sure that this budget is fiscally solvent, and I do not believe it is balanced. That is the reason for my opposition. I think we could have done better in looking at some of those line items and eliminating those that are not necessary. Now, Mr. Speaker, people have said that we are going to recover. Maybe we will, but presently three major auto companies have closed their plants, laying off thousands of employees; a red flag. Major airline companies have canceled flights, laying off employees; a red flag. Major trucking companies curtailing their routes, laying off employees; a red flag. Starbucks Coffee Company closing 600 stores; a red flag. Mr. Speaker, the higher food prices that people have to pay, especially those on fixed incomes, thereby restricting their ability to go and provide and purchase other commodities; a red flag. Now we are learning that maybe tourism, our number two industry in Pennsylvania, may show a serious decline in this fiscal year; red flag.

Mr. Speaker, I could go on and on. I am only saying that we should be prudent, we should be careful how we put together a budget. I am not saying that the people involved did not do a good job; I think they did the best job they could, but my concern is no new taxes, no tax increases should develop from this budget, and I am not sure that is the case. That is why I am a "no" vote. Thank you.

The SPEAKER. Representative Stern.

Mr. STERN. I will be real brief, Mr. Speaker. I know everyone else has already spoken on this issue and we want to get wrapped up here today. I will be submitting my remarks for the record, but I just wanted to express concern over the Chesapeake Bay Tributary Strategy, and with all the increased spending in this budget, and as well as the borrowing that we have seen with all the proposals upon the agreed-to negotiations, it still does not address all the non-point sources out there on behalf of the ag community. I just wanted to submit my remarks for the record, Mr. Speaker, and I am going to be voting "no" on this budget. Thank you.

### REMARKS SUBMITTED FOR THE RECORD

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

Pennsylvania is facing Federal and State clean-water mandates to reduce nutrient and sediment pollution to our streams that will require both wastewater plants and our farmers to install pollution reduction measures.

Our tentative budget settlement makes State government a partner in helping to finance wastewater plant upgrades, but it does nothing to

help the largest sources of nutrient runoff and the group least able to shoulder the financial burden of these mandates – our family farmers.

Farmers face more than \$600 million in costs to install conservation practices just in the Chesapeake Bay watershed alone in Pennsylvania, according to DEP (Department of Environmental Protection). What do you have in this budget to help farmers? Nothing.

The Fair Share Clean Water Coalition, a unique combination of Chesapeake Bay Foundation, Municipal Authorities, Farm Bureau, Builders Association, county conservation districts, and 40 other groups have supported both wastewater plant funding and 50-50 cost share and technical assistance from conservation districts to help farmers meet this mandate. They all support funding for farmers not only because farmers are least able to deal with these costs, but because the future of economic development in our watersheds is threatened.

If farmers cannot install conservation practices, they cannot generate the nutrient reduction credits to sell to developers and wastewater plants to accommodate future growth. DEP has capped nutrient discharges into our rivers and streams and any future growth must be offset by these credits.

The math is simple – no support for farmers, no nutrient reduction credits, no growth, and no clean water for Pennsylvania.

The Chesapeake Bay watershed is merely the first area of the State to be affected by these requirements. Water quality plans in watersheds in every part of Pennsylvania are now being completed that will set similar or even more stringent nutrient reduction requirements.

In this budget, our priorities are clear: We would rather invest \$75 million in tax credits to moviemakers who make horror films than invest in clean water. We would rather spend \$45 million putting laptops on every high school student's desk and create a windfall for computer makers than invest in the State's number one industry – agriculture.

Budgets are about making choices and setting priorities. The farm community is heading for a train wreck and we are tearing up the tracks instead of helping to smooth the way by becoming a partner with farmers to install conservation practices.

For that reason I intend to vote "no" on this budget.

On the question recurring,

Will the House adopt the report of the committee of conference?

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

The following roll call was recorded:

YEAS-170

Adolph	Freeman	Markosek	Sabatina
Argall	Galloway	Marshall	Sainato
Baker	Geist	Marsico	Samuelson
Barrar	George	McCall	Santoni
Bastian	Gerber	McGeehan	Scavello
Bear	Gergely	McI. Smith	Seip
Belfanti	Gibbons	McIlhattan	Shapiro
Bennington	Gingrich	Melio	Shimkus
Beyer	Godshall	Micozzie	Siptroth
Bianucci	Goodman	Millard	Smith, K.
Bishop	Grell	Milne	Smith, M.
Blackwell	Grucela	Moyer	Smith, S.
Boyd	Haluska	Mundy	Solobay
Brennan	Hanna	Murt	Sonney
Buxton	Harhai	Mustio	Staback
Caltagirone	Harhart	Myers	Stairs
Cappelli	Harkins	Nailor	Steil
Carroll	Harper	O'Brien, M.	Stevenson
Casorio	Harris	O'Neill	Sturla
Causer	Helm	Oliver	Surra
Civera	Hershey	Pallone	Tangretti
Cohen	Hess	Parker	Taylor, J.
Conklin	Hickernell	Pashinski	Taylor, R.

Costa	Hornaman	Payne	Thomas
Cruz	James	Payton	True
Curry	Josephs	Perzel	Vereb
Cutler	Keller, M.K.	Petrarca	Vitali
Daley	Keller, W.	Petri	Vulakovich
Dally	Kenney	Petrone	Wagner
DeLuca	Kessler	Phillips	Walko
Denlinger	Killion	Pickett	Wansacz
DePasquale	King	Preston	Waters
Dermody	Kirkland	Pyle	Watson
DeWeese	Kortz	Quigley	Wheatley
DiGirolamo	Kotik	Quinn	White
Donatucci	Kula	Ramaley	Williams
Eachus	Leach	Raymond	Wojnaroski
Ellis	Lentz	Readshaw	Yewcic
Evans, D.	Levdansky	Reed	Youngblood
Evans, J.	Longietti	Reichley	Yudichak
Everett	Mahoney	Roebuck	
Fabrizio	Major	Ross	O'Brien, D., Speaker
Frankel	Mann	Rubley	

NAYS-32

Boback	Gillespie	Mensch	Roae
Brooks	Hennessey	Metcalfe	Rock
Clymer	Hutchinson	Miller	Rohrer
Cox	Kauffman	Moul	Saylor
Creighton	Mackereth	Nickol	Schroder
Fairchild	Maher	Peifer	Stern
Fleck	Manderino	Perry	Swanger
Gabig	Mantz	Rapp	Turzai

NOT VOTING-0

EXCUSED-1

Benninghoff

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. The House will be at ease

The House will come to order.

GUEST INTRODUCED

The SPEAKER. The Chair would like to welcome, as the guest of the majority leader and the Speaker, Nick Williams, who is the son of the Democratic Caucus chief of staff, Sandy Williams. Would you please stand and be recognized. There he is.

ANNOUNCEMENT BY MAJORITY LEADER

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

Mr. DeWEESE. Yes, sir, Mr. Speaker.

The House is almost, we are confident, ready to conclude our business. We have a few moments delay as we anticipate the arrival in our chamber of the school code legislation that the Senate has just finished. We will have to have a very brief Rules Committee gathering in the majority caucus room and

then report back to the floor to finalize what I believe will be a very, very, brief schedule at that point.

Thank you very much, Mr. Speaker.

### POINT OF ORDER

Mr. PERZEL. Mr. Speaker? Point of order, Mr. Speaker.

The SPEAKER. The House will come to order.

For what purpose does the gentleman, Representative Perzel, rise?

Mr. PERZEL. Point of order, Mr. Speaker.

Mr. Speaker, I want to notify the Chair that it is my intention to call up Discharge Resolution No. 7 on the next voting session day.

Thank you, Mr. Speaker.

The SPEAKER. The House will be at ease.

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

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

### CALENDAR CONTINUED

### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2670**, **PN 4056**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to convey a certain easement in the City of Philadelphia.

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

### ANNOUNCEMENT BY SPEAKER PRO TEMPORE

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

Under unanimous consent, we have a special, special presentation that will be melodious in nature, the Honorable Eddie Pashinski.

Mr. Pashinski.

Mr. PASHINSKI. Thank you, Mr. Speaker.

I was going to have the Honorable Sam Smith and the Honorable Bill DeWeese join me in this, but I see that some of them are not available.

In this little interim time here, I think it is fitting and proper, especially on the Fourth of July, to pay tribute to our great country and, of course, our great State. So I would like all of you to join in with me, and I may ask that one side of the hall sing one part and the other side of the hall sing the other part, and depending on how that goes, we may even do a little harmony.

(The "Battle Hymn of the Republic" was sung by Representative Pashinski and all members.)

Mr. PASHINSKI. Outstanding. God bless you all. That is the way it is done.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For what purpose does the gentleman, Mr. Costa, rise?

Mr. COSTA. Thank you, Mr. Speaker.

Since everyone here in the House proved that they have no problem singing, Brian Ellis and I would like to make sure that all of you show up at our next sanctioned, bipartisan karaoke party. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The House will be at ease.

### PARLIAMENTARY INQUIRY

Mr. DeWEESE. Mr. Speaker?

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

For what purpose does the gentleman, Mr. DeWeese, rise?

Mr. DeWEESE. Point of parliamentary inquiry.

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

Mr. DeWEESE. Is there any way we can continue to expedite this process? I am told that we are in receipt of the education bill, and we would like to repair to the Rules Committee immediately. I am waiting on that call from the Chair.

The SPEAKER pro tempore. As we speak, we are sorting the paperwork and momentarily hope to be ready.

The Chair thanks the gentleman.

The House will be at ease.

The House will come to order.

### SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1067**, **PN 4199**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

### RULES COMMITTEE MEETING

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

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

I would like to call an immediate meeting of the Rules Committee in the majority caucus room, commencing in 2 minutes. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Rules Committee will meet in the majority caucus room in 2 minutes.

**RECESS**

The SPEAKER pro tempore. The House will stand in recess until the call of the Chair.

**AFTER RECESS**

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

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

**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 2, PN 2294; SB 385, PN 2248; SB 1332, PN 2300; and SB 1341, PN 2292.**

**SENATE MESSAGE****REPORT OF COMMITTEE OF CONFERENCE  
ADOPTED BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has adopted the report of the committee of conference on the subject of the differences existing between the two Houses on **SB 1389, PN 2305.**

**SENATE MESSAGE****HOUSE BILL  
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 1116, PN 1843**, with information that the Senate has passed the same without amendment.

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

The House will come to order.

**BILL ON CONCURRENCE  
REPORTED FROM COMMITTEE****HB 1067, PN 4199**

By Rep. DeWEESE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for background checks of prospective employees and conviction of employees of certain offenses and prohibiting certain regulations for the 2008-2009 school year; in school finances, further providing for annual budget, additional or increased appropriations and transfer of funds; in pupils and attendance, providing for classroom placement of twins and higher order multiples and parental discretion; in safe schools, further providing for office for safe schools, providing for policy relating to bullying, and further providing for transfer of records; in educational support services and educational assistance programs, further providing for educational assistance program; in early learning programs, further providing for definitions; in

high schools, establishing the virtual high school study commission; in charter schools, further providing for requirements, for term and form of charter, for facilities, for enrollment, for transportation and for causes for nonrenewal or termination; in education empowerment, further providing for board of school directors, for education empowerment districts and for mandate waiver program; in community colleges, further providing for financial program and reimbursement of payments; in disruptive student programs, further providing for definitions and for applications; in system of higher education, further providing for annual report; in educational improvement tax credit, further providing for definitions, for tax credits and for limitations and providing for state-related university reporting; in school districts of the first class, further providing for board of public education and additional duties; in funding for public libraries, providing for state aid for fiscal year 2008-2009; in reimbursements by Commonwealth and between school districts, further providing for definitions and for funding for partnership schools, providing for basic education funding for student achievement and for accountability to Commonwealth taxpayers further providing for payments to intermediate units, for special education payments to school districts, for Commonwealth reimbursements for charter and cyber charter schools and for Pennsylvania accountability grants.

**RULES.**

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

**THE SPEAKER (DENNIS M. O'BRIEN)  
PRESIDING****SENATE MESSAGE****HOUSE BILL  
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 1438, PN 2482**, with information that the Senate has passed the same without amendment.

**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:

**HB 1116, PN 1843**

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for vouchers for licenses.

**HB 1438, PN 2482**

An Act amending the act of June 26, 1931 (P.L.1379, No.348), referred to as the Third Class County Assessment Board Law, further providing for appeals by corporate authorities.

**HB 2167, PN 3950**

An Act amending the act of December 21, 1998 (P.L.1307, No.174), known as the Community and Economic Improvement Act, authorizing the Philadelphia hospitality promotion tax; providing for apportionment of revenue; and making editorial changes.

**SB 2, PN 2294**

An Act providing for the allocation of money in the Pennsylvania Gaming Economic Development and Tourism Fund and for funding of water or sewer projects, storm water projects, flood control projects and high hazard unsafe dam projects.

**SB 385, PN 2248**

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

**SB 999, PN 2276**

An Act designating a portion of State Route 26 in Centre County as the Marine Sergeant David "DJ" Emery, Jr. Highway; designating the bridge on State Route 322 joining Clearfield and Centre Counties as the Veterans' Memorial Bridge; designating a portion of State Route 850 in Marysville Borough, Perry County, as the Army Private David E. Dietrich Memorial Highway; and designating a portion of U.S. Route 322 in Centre County as the Thomas D. Larson Memorial Highway.

**SB 1247, PN 1690**

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class and Selective County Assessment Law, further providing for appeals by municipalities.

**SB 1297, PN 2302**

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for State Treasury investments; providing for audit of deposited securities; further providing, in unclaimed property, for judicial action; further for funding of special funds; establishing the Hazardous Sites Cleanup Fund; further providing for general budget implementation; providing for 2008-2009 budget implementation and for 2008-2009 restrictions on appropriations for funds and accounts; and making a related repeal.

**SB 1332, PN 2300**

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in general provisions, providing for form of oaths of office; and in other subjects of taxation, providing for hotel room rental.

**SB 1341, PN 2292**

An Act authorizing the incurring of indebtedness, with the approval of the electors, of \$400,000,000 for the acquisition, repair, construction, reconstruction, rehabilitation, extension, expansion and improvement of water supply and sewage treatment systems; and providing for the powers and duties of the Pennsylvania Infrastructure Investment Authority.

**SB 1348, PN 2298**

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

**SB 1389, PN 2305**

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2008, to June 30, 2009, for certain institutions and

organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2008; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund and the Tobacco Settlement Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2008, to June 30, 2009; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2008, to June 30, 2009, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2008; to provide for the additional appropriation of Federal and State funds from the General Fund for the Executive, Legislative and Judicial Departments of the Commonwealth for the fiscal year July 1, 2007, to June 30, 2008, and for the payment of bills incurred remaining unpaid at the close of the fiscal year ending June 30, 2007.

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

The SPEAKER. The House will be at ease.

The House will come to order.

**SUPPLEMENTAL CALENDAR I****BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendment to **HB 1067, PN 4199**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for background checks of prospective employees and conviction of employees of certain offenses and prohibiting certain regulations for the 2008-2009 school year; in school finances, further providing for annual budget, additional or increased appropriations and transfer of funds; in pupils and attendance, providing for classroom placement of twins and higher order multiples and parental discretion; in safe schools, further providing for office for safe schools, providing for policy relating to bullying, and further providing for transfer of records; in educational support services and educational assistance programs, further providing for educational assistance program; in early learning programs, further providing for definitions; in high schools, establishing the virtual high school study commission; in charter schools, further providing for requirements, for term and form of charter, for facilities, for enrollment, for transportation and for causes for nonrenewal or termination; in education empowerment, further providing for board of school directors, for education empowerment districts and for mandate waiver program; in community colleges, further providing for financial program and reimbursement of payments; in disruptive student programs, further providing for definitions and for applications; in system of higher education, further providing for annual report; in educational improvement tax credit, further providing for definitions, for tax credits and for limitations and providing for state-related university reporting; in school districts of the first class, further providing for board of public education and additional duties; in funding for public libraries, providing for state aid for fiscal year 2008-2009; in reimbursements by Commonwealth and between school districts, further providing for definitions and for funding for partnership schools, providing for basic education funding for student achievement and for accountability to Commonwealth taxpayers further providing for payments to intermediate units, for

special education payments to school districts, for Commonwealth reimbursements for charter and cyber charter schools and for Pennsylvania accountability grants.

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

The SPEAKER. Representative Scavello.

Mr. SCAVELLO. Thank you, Mr. Speaker.

I rise in support on concurrence of HB 1067. HB 1067 tries to get us closer to what happened to the growing school districts in 1991 with that hold harmless clause. It starts to count students in the formula each and every year. For many years the growing school districts have been suffering. I still would like to see, in the formula in the future, debt service, special ed, and transportation. I think they need to be a part of this formula. It talks— \$274.7 million increase for basic ed, a 5.5-percent increase – one of the biggest increases that I can remember since I have been here – special ed, a 16.8-percent increase; Pre-K, \$11.4 million over last year. Unfortunately, with every good, there is some bad. Head Start was cut by half a million, by \$520 million – and we need to work on trying to get that restored – Early Intervention, \$12 million; Science in Motion, \$162,000 increase over the year before.

This piece of legislation puts more money into public education than I can remember in the 6, 7 years that I have been here. So I urge the members to support this legislation, and hopefully, next year we can make sure the debt service, special ed, and transportation are a part of the formula.

Thank you, Mr. Speaker.

The SPEAKER. Representative Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

Just a few comments on why I think we should vote for this budget. The previous speaker had given some numbers of increases, and obviously, this is one of the most generous bills in regard to new moneys for education that I can recall, and I am certainly hoping that it will serve two purposes. One, obviously, is to improve our education in the Commonwealth and continue to raise the outcomes, which we have seen the last couple of years and I feel confident it is going to continue that trend.

Also, with this liberal amount of State money, I would certainly hope that school boards across the Commonwealth would be a little more conservative in raising their property taxes. So I feel confident this is going to be a win-win, no matter how we look at it. But just a couple brief comments about what this legislation will do. It will enable us to continue with our costing-out study. Last budget, the legislature had asked to do a costing-out study to see what it takes in each individual school district for us to be proficient, in other words, for the students to be proficient in the subject areas that are important in education. So this begins the process of making that possible.

And certainly, over the years we have always heard the fast growing school districts and their lack of funding per student, and this will certainly address that need, putting the moneys where the students are. But just as important, we have a number of school districts that are not growing due to many reasons why that is not happening, but even though they are not growing their cost, they are still going up and we changed the amount of money they are going to receive. Early on it was a 1.5-percent increase and there are a number of districts that this would put

an extreme hardship on, and that 25 to 30 districts, we have increased that to 3 percent.

So I feel that we have a great education-funding system and this, to kind of say how good it is, maybe, we just saw earlier today the Senate passing this 50 to 0, and so I would hope that the vote in the House would be in that realm of positive votes.

So thank you, Mr. Speaker. And as I said, I encourage my colleagues to support this budget bill this year. Thank you.

The SPEAKER. Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

I must, regretfully, stand up and oppose the concurrence on HB 1067 for the reasons as I will share here shortly. I am a big fan of fund-driven formulas and things, and I think that that is the most fair way to pay for education in our Commonwealth. However, I have a very unique situation in my own home school district of Solanco. You see, there we educate our children at roughly \$7,000 per student. We consistently have good test scores, and yet, Mr. Speaker, under this formula that does not matter. The reason is as follows: The district size supplement, there is no penalty if larger schools fail to reach economies of size. That is unfortunate, because they have more resources available, they should be able to save more money on the overhead, and yet, rural school districts are penalized under the geographic price adjustment that is also put on at the end of the formula.

Mr. Speaker, if penalties are to be levied then they should be levied equally. Mr. Speaker, as I mentioned earlier, we educate our students at \$7,000 per student, roughly \$1300 per child under what is advocated for in this formula. You see, we have another complicating factor that is a very well-intentioned and good-meaning program in Solanco, and it is called Clean and Green. This is of particular interest given the interest in the Chesapeake Bay strategy and many of the things going forward here. And yet, Mr. Speaker, the Clean and Green freezes our taxable assessment \$482 million below what our assessed value is. Mr. Speaker, that is 28 percent of our assessed value in the school district. Subsequently, we have a huge adequacy gap because we cannot make up that funding on the remaining homeowners that are there. Because of that, we would have to increase our taxes 48 percent just to close that gap and to qualify for the funding listed in this study.

Mr. Speaker, ironically, if we raised our taxes – which we cannot – 48 percent, and I am certainly not advocating that, but if we raised them 48 percent, we would not need the State's money. However, because of the Act 1 caps that are currently in place, we will forever have this adequacy gap locked in going forward. We will be penalized each and every year that this formula is used, and this formula is fundamentally unfair for those school districts that share this problem. I realize that this is a minority of the school districts, and unfortunately, that is why it is not being addressed. Mr. Speaker, if our students here in this Commonwealth are worth \$8300 per kid, as described in this funding formula, then I say give the \$8300 per kid to each school district.

It is not fair to penalize schools who do a good job, and I will be opposing the concurrence motion on HB 1067. Thank you.

The SPEAKER. Representative Siptroth.

Mr. SIPTROTH. Thank you, Mr. Speaker.

I certainly disagree with the previous speaker because in January of this year this chamber passed HR 460 by a vote of 192 to 2. This resolution called for a committee to review the costing-out study and report out a funding formula that was

more equitable and responsible to the education needs of our school children. This bill drives the bus for this to happen in this budget cycle. It is a key first step in basic education funding for student achievement. It is the Department of Education's determining and adequacy target for each school district across the State. I would like to read from section 2502.48 of this bill: "IN FURTHERANCE OF THE GENERAL ASSEMBLY'S LONG-STANDING COMMITMENT TO PROVIDING ADEQUATE FUNDING THAT WILL ENSURE EQUITABLE STATE AND LOCAL INVESTMENTS IN PUBLIC EDUCATION AND IN ORDER TO ENABLE STUDENTS TO ATTAIN APPLICABLE FEDERAL AND STATE ACADEMIC STANDARDS, IT IS THE GOAL OF THIS COMMONWEALTH TO REVIEW AND MEET STATE FUNDING TARGETS BY FISCAL YEAR 2013-2014."

This is something that has been missing in the funding budget and this legislature had failed in the past to do, and I am proud that this is now part of a historic moment. Please support HB 1067 as amended. Thank you.

The SPEAKER. Representative Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose HB 1067; really, Mr. Speaker, there is a continued flaw that is going to be advanced once again in this year's educational legislation, and that is a flaw that is in the supposed formula of providing a hold-harmless clause, Mr. Speaker. Mr. Speaker, the school districts around this State lose student population because of the flawed formula that has been there for many years before I came to the legislature and has continued since; it has been in every year's budget.

Mr. Speaker, this continues that age-old error of giving school districts the same amount of money regardless of their losing student population. And of course, that limits the resources that are left over for the school districts that are then taking on that new student population or for those exceptional areas of the State, very limited areas of the State, that are actually growing, Mr. Speaker, and have growing student populations, which my district happens to be one of those, Mr. Speaker. Mr. Speaker, it is time that we set forward a good policy, a real formula that will drive money out so it goes out and gives the same amount of money from the State per student to be able to comply with the mandates of the State. Mr. Speaker, that is the only fair way to provide educational funding, is on a per student basis to comply with the State mandates, Mr. Speaker.

Thank you, Mr. Speaker.

The SPEAKER. Representative Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 1067. As a member of the Education Committee, certainly the efforts we have made in education and the strides we have made and the bills we have passed to make this Commonwealth a much better place to educate our students, our future generations, and as has been said previously, we should be very proud of this budget, very proud of the investment we have made in our educational system. The negotiators of the budget should be commended for what they have done and the emphasis, again, they have placed on education. You cannot make a better investment than in education, and we are certainly doing that in this budget. I would say, maybe apropos on this Fourth of July, to remember the words of Thomas Jefferson, you cannot have democracy without education.

I hope we will all concur on HB 1067 for the betterment of all of our schools and, certainly, for the betterment of our children, and it will make this a better Commonwealth, a more educated Commonwealth. And those amendments that were placed in the Senate certainly have made the funding, as was pointed out by the previous speakers, for the betterment for all of our school districts.

Thank you, Mr. Speaker.

The SPEAKER. Representative Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I stand as chairman of the House Education Committee to urge my colleagues to concur in the adoption of HB 1067. This bill is a significant step forward in providing quality education for every student in the Commonwealth of Pennsylvania. It sets us upon the course of the costing-out study; it sets a direction; it sets and defines a clear goal for this legislature as we move forward. We can do nothing less than provide that money which we need to ensure that all students exceed in this State. I am very pleased to endorse and support and urge my colleagues to support this measure as a beginning point for ensuring the future of all students in the Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. Representative Moul.

Mr. MOUL. Thank you, Mr. Speaker. I will be brief.

I appreciate the job everyone has done on this, but I think we left a lot lay on the table as to helping a lot of the people who are less fortunate in Pennsylvania. My problem with the way we do things with the educational funding, we do take a look at less affluent areas of Pennsylvania, and we fund them better than the more affluent areas of Pennsylvania. I come from right about middle class in Adams County, and I can tell you that no matter where you come from in Pennsylvania, you have people that are living paycheck-to-paycheck, week-to-week, living on fixed incomes, that have to decide whether they are going to take their medicine or whether they are going to eat or whether they are going to use their money to pay taxes. We must do a better job. For example, in Conewago Valley School District, where my children go, the State funds us \$1706 per student, per year. I could go up to Clearfield, to Harmony School District, build a mansion, pay almost no taxes on it because they get \$6,989 per student, per year.

We have to figure out a way to help the less fortunate people in Pennsylvania no matter whether you live in Duquesne or Philadelphia or Clearfield or in Adams County, where I am from. We have to inject something into the formula in the years to come to take care of those people. I am not asking to give the affluent people more money, but we must take care of those that took care of us while we were growing up. Those people that are living on fixed incomes and do not know where the next dollar is coming from, and they are getting shortchanged in some of these areas like mine. They are getting shortchanged on the amount of funding from the State while others with declining enrollments are getting the lion's share. It is wrong and we need to do something about it to help those people out.

Thank you for your time, Mr. Speaker.

The SPEAKER. The noise level is just getting a little bit too loud. The Chair asks the members to please take their seats so the gentleman can be heard.

The Chair recognizes Representative Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

For the last 10 years I have had legislation proposals that covered what is known as a successful school budget. If you

look at the costing-out study, in that study, it includes most of the provisions that I have included in my proposal, which this year it is HB 1544. Some of the provisions in that legislation talk about adequacy of funding. There are school districts in this Commonwealth that do not have the economics and social make-up to be able to have a good school system, where every child in Pennsylvania will have an opportunity to have a good education.

Many of the school districts, especially in the southeast and other areas of the State, have an abundance of mild- and severe-disability students. Those areas are not receiving adequate funding to take care or to service those children. In Upper Darby Township, for instance, there is one school district that has 55 different languages in it. What we have to continue to do is to find a formula that has adequate funding, equitable distribution, predictability for the school districts so they can plan in the future, and to make sure, again, that every child in Pennsylvania has an opportunity to get a good education.

Mr. Speaker, I support HB 1067. Thank you.

The SPEAKER. Representative George.

Mr. GEORGE. Just very quickly, Mr. Speaker, two things are on my mind, and I am talking specifically about the bill.

You know, we will never be here long enough to see that every budget has as much in it as we would like, and that is only normal, but I am ingratiated to hear the gentleman across there saying that my school, Harmony, got so much more money. And all I am saying is, when my people complain I did not get them enough, can I give them his number so he can tell them I did?

The SPEAKER. Representative Stern.

Mr. STERN. Thank you, Mr. Speaker.

I appreciate all the effort that went into negotiating this HB 1067 and the education formula. The one area of the formula that I wanted to express concern about deals with the geographic price adjustment and how it impacts Blair County schools, and I just wanted to mention I have concerns with that portion of this proposal. I am going to be voting for this proposal today so we can see how this works out in the future. I am glad it is a 1-year spending plan as far as a formula, and as we move forward we can see how that impacts education in Pennsylvania.

I will be submitting my remarks for the record, and I will be supporting HB 1067. Thank you.

The SPEAKER. The Chair thanks the gentleman. His remarks will be spread upon the record.

### REMARKS SUBMITTED FOR THE RECORD

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

I agree that schools deserve the best possible funding and a fair share of State funding; however, it seemed unreasonable and imprudent to commit the State and future governments to a significant level of funding for several years, especially given the uncertainty of our nation's economy.

We wanted the ability to review and evaluate the results of this funding approach, so I am pleased that we were able to move away from a 6-year commitment that would have put a strain on future governments.

Special education does see a slight decrease in State funding in this proposal, though I am pleased to see that there is a slight increase in Federal funds which may offset that State decrease.

I appreciate our negotiators who were able to fight for expanded opportunities and uses for funds from the accountability block grant program, which include school libraries and career awareness activities.

Inequity of the "formula": Across the Commonwealth, the range of increases this year, according to the Governor's proposal, is from 3 percent to 22.45 percent.

All of our schools deserve an increase of funding necessary to educate our children to the best of our abilities; however, this formula unfairly discriminates against those in rural areas, while rewarding those in urban and suburban regions.

One area of the formula that is of great concern to me is the geographic price adjustment, by which rural areas whose rating is less than 1.0 are docked money. Blair County is significantly affected by this adjustment.

- Altoona loses \$3.4 million.
- Bellwood-Antis loses \$553,012.
- Claysburg-Kimmel loses \$424,224.
- Hollidaysburg loses \$1.4 million.
- Spring Cove loses \$814,627.
- Tyrone loses \$804,502.
- Williamsburg Community loses \$263,726.

This seems like a sheer ploy to take money away from rural areas and deliver it to urban and suburban areas under the veil of a "higher cost of living."

What has not been taken into account is the increased expenses incurred by rural school districts, most notably transportation costs that are skyrocketing due to rising gasoline prices.

The SPEAKER. Representative Ron Miller.

Mr. MILLER. Thank you, Mr. Speaker.

You know, if I look at the figures in this education budget, and the funding formula, what is in the spreadsheet, my school districts do not make out as well as many of the school districts in the State, but I am still going to vote for this, because since I arrived here 10 years ago I have fought for an education funding formula. We need a formula that counts new students, that accounts for the students in the school district. We need a formula that takes care of many of the problems that have arisen in my district with the funding change in 1991. So therefore, I am going to be voting for this budget. I am going to vote for it because I view it as a platform for us to build upon. This is only a 1-year budget; we need a lot more work done to it. We need to look at including debt service for those school districts that have had to put a lot of building projects into place to be able to educate all the new students.

It is not perfect, but it is at least a formula for the first time in 19 years, and it is time we get this formula into place and then start working on improvements for next year.

Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:



YEAS—191

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

NAYS—11

Barrar	Cutler	Kauffman	Moul
Causar	Denlinger	Maher	Rock
Creighton	Hutchinson	Metcalfe	

NOT VOTING—0

EXCUSED—1

Benninghoff

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

Ordered, That the clerk inform the Senate accordingly.

RULES 21 AND 24 SUSPENDED

The SPEAKER. The Chair recognizes the majority leader, Representative DeWeese, who moves to suspend House rule 24 and paragraph (e) of House rule 21 for the immediate consideration of HB 377, PN 4195.

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

The SPEAKER. The Chair recognizes the majority leader on the motion.

Mr. DeWEESE. Thank you, Mr. Speaker.

This should be the last order of business. Along with my colleague from York County, Representative Keith Gillespie, jointly, we are going to ask for a suspension of the rules. Timmy Solobay, from Washington County, and a variety of other firefighters and emergency responders have been working with Senator Pileggi and our leadership team; Senator Baker, of course; my good friend, Sam Smith, from Jefferson County. We are hoping this can become a unanimous vote to suspend and a unanimous vote to enhance our volunteer firefighters' situation back home.

We need help in recruitment of volunteer firefighters and emergency responders. We need help in retaining volunteer firefighters and emergency responders. Hundreds and hundreds and hundreds and hundreds of millions of dollars of tax money would be needed if it were not for our volunteers. And this tax credit – we have money in the budget, so this is just enabling legislation – would be a very substantial and measurable move in the right direction to enhance volunteer firefighting in Pennsylvania. So on behalf of Keith Gillespie of York County, my distinguished Republican colleague on the other side of the aisle, I would ask for a suspension of the rules. This will be the final order of business tonight after we have our vote on the measure.

Thank you very much, sir.

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

The following roll call was recorded:

YEAS—199

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

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

NAYS—3

Cutler	Samuelson	Seip
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NOT VOTING—0

EXCUSED—1

Benninghoff

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.

**SUPPLEMENTAL CALENDAR G CONTINUED**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendment to **HB 377, PN 4195**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, providing for alternative special tax provision for poverty study; further providing for contributions to breast and cervical cancer research; and providing for volunteer responder retention and recruitment tax credit.

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

The SPEAKER. The House will be at ease.

The House will come to order.  
Representative Denlinger. Will Representative Denlinger please come to the rostrum.

The gentleman is withdrawing. The Chair thanks the gentleman.

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

The SPEAKER. Representative Solobay.  
Mr. SOLOBAY. Thank you, Mr. Speaker.

If I may, just to further explain what the majority leader had said on this bill, not only will it aid and insist in retention and recruitment of our volunteer firefighters, it also adds volunteer ambulance and volunteer rescue company members on the list. Also, as was said, there is no need for any type of tax increase or anything, there was already \$4.5 million put aside in this year's budget to deal with this issue. It will be a situation that all members of those fire departments will be able to participate in, based on their activity and their ability to be certified by their chief to make them considered an active member.

I would ask everyone to concur on the vote.

The SPEAKER. Representative Sturla.

Mr. STURLA. Thank you, Mr. Speaker. I will be brief.

I have, despite having a paid fire department that serves about 95 percent of my district, consistently voted for volunteer programs. I will most likely vote for this one, but I would be remiss if I did not make a few comments. This is \$4.5 million that is spread a mile wide and an inch deep. I would suggest that no one who currently does not volunteer for a local fire department will, with the prospect of \$100, volunteer now to go running into a burning building. It is real nice that there is \$4.5 million going to those volunteer departments, which already get a \$25 million loan and grant program, but my constituents pay for a fire department. They pay, about 30 percent of their local tax bill goes to support my fire department, and then they pay their State taxes to help support somebody else's fire department, and then we give them another \$4.5 million to try and help that department even more.

So I just want to explain that at some day, some time, I would hope we could find some dollars for the paid full-career fire departments in this State that taxpayers pay for every day already, and get no support from the State – zero dollars from the State – for those departments.

Thank you, Mr. Speaker.

The SPEAKER. Representative Vitali. The gentleman waives off.

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

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

The following roll call was recorded:

YEAS—202

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bastian	Gerber	McGeehan	Sainato
Bear	Gergely	McI. Smith	Samuelson
Belfanti	Gibbons	McIlhattan	Santoni
Bennington	Gillespie	Melio	Saylor
Beyer	Gingrich	Mensch	Scavello
Bianucci	Godshall	Metcalfe	Schroder

Bishop	Goodman	Micozzie	Seip
Blackwell	Grell	Millard	Shapiro
Boback	Grucela	Miller	Shirkus
Boyd	Haluska	Milne	Siptroth
Brennan	Hanna	Moul	Smith, K.
Brooks	Harhai	Moyer	Smith, M.
Buxton	Harhart	Mundy	Smith, S.
Caltagirone	Harkins	Murt	Solobay
Cappelli	Harper	Mustio	Sonney
Carroll	Harris	Myers	Staback
Casorio	Helm	Nailor	Stairs
Causser	Hennessey	Nickol	Steil
Civera	Hershey	O'Brien, M.	Stern
Clymer	Hess	O'Neill	Stevenson
Cohen	Hickernell	Oliver	Sturla
Conklin	Hornaman	Pallone	Surra
Costa	Hutchinson	Parker	Swanger
Cox	James	Pashinski	Tangretti
Creighton	Josephs	Payne	Taylor, J.
Cruz	Kauffman	Payton	Taylor, R.
Curry	Keller, M.K.	Peifer	Thomas
Cutler	Keller, W.	Perry	True
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—1

Benninghoff

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

Ordered, That the clerk inform the Senate accordingly.

### ANNOUNCEMENTS BY SPEAKER

The SPEAKER. The Chair informs the members, as the majority leader stated, there will be no more formal votes. For the information of the members, the Chair is going to remain here to do some housekeeping. Extracts from the Journal of the Senate provide for an adjournment resolution. For the information of the members, we will be returning on Monday, September 15, 2008. The Chair wishes all the members on both sides of the aisle a well-deserved break from this chamber, and I hope that you enjoy your time home in your district offices and with your families. God bless all of you.

The Chair would also, for the members, like to recognize, under the provision of unanimous consent, our Korean veteran, Representative Merle Phillips.

The Chair would also, as the gentleman is rising, like to wish Brian Rooney and his wife, Kathie, happy 21st anniversary. Brian is standing in the front. He is the supervisor of the calendar and amendment room. Happy anniversary.

Representative Merle Phillips. The Chair thanks the gentleman.

### 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:

#### HB 377, PN 4195

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, providing for alternative special tax provision for poverty study; further providing for contributions to breast and cervical cancer research; and providing for volunteer responder retention and recruitment tax credit.

**HB 1067, PN 3873** (Incorrect printer's number. Bill was resigned on July 8, 2008, with corrected printer's No. 4199.)

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

#### HB 1693, PN 3393

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further defining "practice of social work"; defining "social worker"; further providing for qualifications for license; providing for endorsement of out-of-State licenses; and further proscribing unlawful practice.

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

### SENATE MESSAGE

#### RECESS RESOLUTION FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate,  
July 4, 2008

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when Regular Session of the Senate recesses this week, it reconvene on Tuesday, September 16, 2008, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Regular Session of the House of Representatives recesses this week, it reconvene on Monday, September 15, 2008, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,  
Will the House concur in the resolution of the Senate?  
Resolution was concurred in.  
Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. The Chair announces its intention to recess regular session and go into special session at 5:18.

### RECESS

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

### AFTER RECESS

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

### ANNOUNCEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader, Representative Bill DeWeese, for an announcement.

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

Just a 30-second announcement. The members will be attending a great number of committee meetings throughout the State this summer. I am told that the Republican Policy Committee and the Democratic Policy Committee will also be moving around the State and our membership will be in their home offices week after week in July and August. We will be returning on the 15th of September, and the fall schedule will be sent to the members through e-mail and hard copy, but it will be a pretty aggressive opportunity for our committees to meet all throughout July and August and early September, and I bid them safe travels.

The SPEAKER. Good wishes to the majority leader.

Are there any further announcements in regular session?

### BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, any remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

### RECESS

The SPEAKER. The Chair recognizes Representative Shimkus of Lackawanna County, who moves this House do now recess until Monday, September 15, 2008, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

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

Motion was agreed to, and at 5:25 p.m., e.d.t., the House recessed.