

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, MARCH 24, 2009

SESSION OF 2009

193D OF THE GENERAL ASSEMBLY

No. 19

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER (KEITH R. McCALL) PRESIDING

#### PRAYER

The SPEAKER. The prayer will be offered today by Pastor Don Hagen, who is the guest of Representative Denlinger.

PASTOR DON HAGEN, Guest Chaplain of the House of Representatives, offered the following prayer:

Good morning.

A few words I would like to say before the prayer. It is my deepest appreciation to Speaker Keith McCall, to Representative Gordon Denlinger, and to this House for affording me the opportunity to be in this great place. I am honored and I am humbled. I have a list of top 100 things that God has allowed me to do in my life, and this will be added to that list.

Several months ago, Representative Denlinger gave me a booklet on the Capitol Building here with all the pictures and the scriptures and I was quite impressed. I have never been here. I am a Pennsylvanian by birth and I had never been here, so I decided to come to see what was in that book. It just touched the brim of— I was quite awed and amazed at this great place. I went – you might pardon me a little bit; I get a little emotional here – I went into the Supreme Court and saw the Ten Commandments and pictures on the wall and I wept of how good God has been to us, to this State and this country.

When I left the Capitol that day, I went down the steps in the front and turned around several times just to thank God for allowing me to be here. God has blessed me greatly, and it is my privilege and honor once again to be here this morning to pray for you folks and pray for this great House and this great building.

So may we bow our heads and close our eyes, please:

Father, in the precious name of Jesus, whom You sent to this world for me, to die for me, but not for me only, for each and every individual in this room and in this entire world, I thank You, Lord, that I am in these hallowed halls today, and I pray, Lord, that Thou would guide the hearts and minds of His people, which Thy Word says You have placed here, and may You give them wisdom and understanding and compassion and love that is needed to govern the people. May Thy will be done in these people and in this place. May the pictures and the

words that are on the walls penetrate into the deepest recess of our souls and call us to remember Your goodness to us. May You have all the honor and all the glory and all the reverence in this sacred place.

Thank You, dear Lord, for allowing me to be here today in this place with these people. In Jesus' name I pray. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Monday, March 23, 2009, will be postponed until printed. The Chair hears no objection.

#### LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip, Representative DeWeese, who requests leaves for the following gentlemen: Representative THOMAS from Philadelphia for the day; Representative CRUZ from Philadelphia for the day. Without objection, those leaves will be granted.

The Chair recognizes the minority whip, Representative Turzai, who requests no leaves for the day.

#### ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Speaker grants the Judiciary Committee permission to meet until 11:20.

#### GUESTS INTRODUCED

The SPEAKER. The Chair welcomes to the hall of the House, in the balcony, Jim Gingrich and Gary Choyka. They are from the senior government class of Antietam High School in Berks County. They are the guests of Representative Dante Santoni. Will the guests please rise. Welcome to the hall of the House.

#### ANNA SZIMHART PRESENTED

The SPEAKER. The Chair recognizes the gentleman from Berks County, Representative Kessler, for the purpose of a presentation.

Mr. KESSLER. Thank you, Mr. Speaker.

Back in the 1960s, there was an award that was formed called the Outstanding Young Woman Award of Pennsylvania. The criteria was based on academic, extracurricular dedication as well as community service. It is an honor today to have with us Berks County's Outstanding Young Woman of 2009, Anna Szimhart, who then was selected as the Outstanding Young Woman of Pennsylvania for 2009. She is also the recipient of the following distinguished scholarships and awards: the full scholarship recipient of the Pennsylvania Governor's School for the Arts Graduate of 2007; she also is the Broadway Dance Center scholarship recipient and she is represented by Peter Coe, a talent agent in New York City. To demonstrate her academic and extracurricular dedication, she has performed excellently by participating and achieving the following: high honor roll, Premiere Dance Studio dance instructor, first place soloist, National Dance Competition participant, Pennsylvania Young Theater, Mike Lemon Casting's film acting class, drama club member, ski club member, among many more awards. She also has shown dedication to her community through acts of volunteerism, serving in Inner-City Education, Habitat for Humanity, Relay For Life, and Meals On Wheels.

One of the most important things all of us can do throughout our life is make a difference in other people's lives, and Anna has done that already and she will continue to do that throughout her life. Anna, I thank you for doing that and congratulations.

### GUESTS INTRODUCED

The SPEAKER. The Chair welcomes to the hall of the House, in the well of the House, Paige Wiggins of Boiling Springs School District, who is a guest page today. She is the guest of Representative Scott Perry. Will Paige please rise. Welcome to the hall of the House.

Also in the well of the House, the Chair welcomes Adam Rutter of Central York School District, who is a guest page, the guest of Representative Keith Gillespie. Will the guest please rise. Welcome to the hall of the House.

The Chair also welcomes, to the left of the Speaker, Caleb Arrison, who is a senior in criminal justice; Jessica Pulley, a senior in social studies; and Maddie Snyder, sophomore in elementary/special education from Waynesburg College. They are visiting along with their adviser, Tom Schlosser, and they are here for AICUP (Association of Independent Colleges and Universities of Pennsylvania) Student Lobby Day. They are the guests of Representative Bill DeWeese, the majority whip. Will those guests please rise. Welcome to the hall of the House.

### UNDERGRADUATE POSTER CONFERENCE PARTICIPANTS INTRODUCED

The SPEAKER. Some of Pennsylvania's best and brightest college and university students are in the Capitol today to share their research that may shape our futures. Would the students, faculty, and administrators who are participating in today's Undergraduate Research at the Capitol Conference, who are seated in the rear of the House and in the gallery of the House, please stand and be recognized. Would the guests please rise. Welcome to the hall of the House.

It should be noted that the guests are here for a conference and this poster conference features 33 outstanding and award-winning research projects conducted by student research teams from 46 colleges and universities. I would encourage everyone to meet with these students and their faculty advisers today in the East Wing Rotunda and Atrium, where they have set up posters to showcase their research.

I am impressed with the high level of scholarship and intellectual curiosity of these students as well as the high standards imposed by their faculty advisers. The schools that they represent can truly be proud of their achievements.

The poster conference was organized by cochairs Dr. David Dunbar from Cabrini College and Dr. Terry Winegar from Susquehanna University, with the assistance of faculty members from Moravian College, Penn State Hazleton, Widener University, Indiana University of Pennsylvania, Dickinson College, and Carnegie Mellon University.

Joining me today in sponsoring today's events are the Legislative Office of Research Liaison, the Pennsylvania Association of Colleges and Universities, and the Association of Independent Colleges and Universities of Pennsylvania.

I thank all of the students and faculty and administrators for coming today, and I am sure that these students are making all of their mothers and fathers very proud. Again, welcome to the hall of the House.

### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—195

Adolph	Everett	Levdansky	Reed
Baker	Fabrizio	Longiatti	Reese
Barbin	Fairchild	Maher	Reichley
Barrar	Farry	Mahoney	Roae
Bear	Fleck	Major	Rock
Benninghoff	Frankel	Manderino	Roebuck
Beyer	Freeman	Mann	Rohrer
Bishop	Gabig	Markosek	Ross
Boback	Gabler	Marshall	Sabatina
Boyd	Galloway	Marsico	Sainato
Boyle	Geist	Matzie	Samuelson
Bradford	George	McGeehan	Santarsiero
Brennan	Gerber	McI. Smith	Santoni
Briggs	Gergely	Melio	Saylor
Brooks	Gibbons	Mensch	Scavello
Brown	Gillespie	Metcalfe	Schroder
Burns	Gingrich	Metzgar	Seip
Buxton	Godshall	Micozzie	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.
Causer	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.

Curry	Hess	Oliver	Taylor, R.
Cutler	Hickernell	Pallone	True
Daley	Hornaman	Parker	Turzai
Dally	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Wagner
Delozier	Josephs	Peifer	Walko
DeLuca	Kauffman	Perzel	Wansacz
Denlinger	Keller, M.K.	Petrarca	Waters
DePasquale	Keller, W.	Petri	Watson
Dermody	Kessler	Phillips	Wheatley
DeWeese	Killion	Pickett	White
DiGirolamo	Kirkland	Preston	Williams
Donatucci	Kortz	Pyle	Youngblood
Drucker	Kotik	Quigley	Yudichak
Eachus	Krieger	Quinn	
Ellis	Kula	Rapp	McCall, Speaker
Evans, D.	Lentz	Readshaw	
Evans, J.			

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Miccarelli	Perry	Vulakovich
Cruz	Millard	Thomas	

LEAVES ADDED—4

Fleck	Kotik	Lentz	Mustio
-------	-------	-------	--------

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

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 333** By Representatives JOSEPHS, BEYER, BISHOP, BRENNAN, BROWN, CARROLL, COHEN, CONKLIN, CURRY, DePASQUALE, FRANKEL, FREEMAN, GEORGE, GIBBONS, GOODMAN, JOHNSON, KORTZ, LONGIETTI, MANDERINO, McGEEHAN, McILVAINE SMITH, MUNDY, MURT, M. O'BRIEN, OLIVER, PAYTON, PRESTON, ROEBUCK, SIPTROTH, VITALI, WALKO, WATERS and YOUNGBLOOD

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for absentee voting.

Referred to Committee on STATE GOVERNMENT, March 24, 2009.

**No. 1013** By Representatives M. KELLER, BAKER, BOBACK, BOYD, BOYLE, BRENNAN, CAUSER, CUTLER, FAIRCHILD, FLECK, GEIST, GINGRICH, GRELL, HALUSKA, HARHART, HARPER, HARRIS, HESS, HICKERNELL, KAUFFMAN, KORTZ, KOTIK, KULA, MARSICO, MENSCH, MILLARD, MILLER, MOUL, O'NEILL, PAYNE, PEIFER, PETRI, PHILLIPS, PICKETT, PYLE, REICHLEY, ROAE, ROCK, STERN, STEVENSON, SWANGER and WATSON

An Act amending the act of June 23, 1931 (P.L.932, No.317), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," further regulating contracts as to purchasing and advertising requirements.

Referred to Committee on URBAN AFFAIRS, March 24, 2009.

**No. 1016** By Representatives M. KELLER, BAKER, BOBACK, BOYD, BOYLE, BRENNAN, CAUSER, CUTLER, FAIRCHILD, FLECK, GEIST, GINGRICH, GRELL, HALUSKA, HARHART, HARPER, HARRIS, HESS, HICKERNELL, KAUFFMAN, KORTZ, KOTIK, KULA, MARSICO, MENSCH, MILLARD, MILLER, MOUL, O'NEILL, PAYNE, PEIFER, PETRI, PHILLIPS, PICKETT, PYLE, REICHLEY, ROAE, ROCK, STERN, STEVENSON, SWANGER and WATSON

An Act amending the act of May 1, 1913 (P.L.155, No.104), referred to as the Separation Act, increasing the minimum bid requirement; and providing for evasion of requirements.

Referred to Committee on LABOR RELATIONS, March 24, 2009.

**No. 1019** By Representatives FLECK, M. KELLER, BAKER, BOBACK, BOYD, BOYLE, BRENNAN, CAUSER, CUTLER, FAIRCHILD, GEIST, GINGRICH, GRELL, HALUSKA, HARHART, HARPER, HARRIS, HESS, HICKERNELL, KAUFFMAN, KORTZ, KOTIK, KULA, MARSICO, MENSCH, MILLARD, MILLER, MOUL, O'NEILL, PAYNE, PEIFER, PETRI, PHILLIPS, PICKETT, PYLE, REICHLEY, ROAE, ROCK, STERN, STEVENSON, SWANGER and WATSON

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for adjustments based on Consumer Price Index; and further providing for work to be done under contract let on bids and exception, for purchase of supplies, for contracts for construction, repair, renovation or maintenance, for project contracts and for powers and duties of institution presidents.

Referred to Committee on EDUCATION, March 24, 2009.

**No. 1021** By Representatives BAKER, BOBACK, BOYD, BOYLE, BRENNAN, CAUSER, CUTLER, FAIRCHILD, FLECK, GEIST, GINGRICH, GRELL, HALUSKA, HARHART, HARPER, HARRIS, HESS, HICKERNELL, KAUFFMAN, M. KELLER, KORTZ, KULA, MARSICO, MENSCH, MILLARD, MILLER, MOUL, O'NEILL, PAYNE, PEIFER, PETRI, PHILLIPS, PICKETT, PYLE, REICHLEY, ROAE, ROCK, STERN, STEVENSON, SWANGER and WATSON

An Act amending the act of May 28, 1937 (P.L.955, No.265), known as the Housing Authorities Law, further providing for awards of contracts, completion bond, additional bond for protection of materialmen and others.

Referred to Committee on URBAN AFFAIRS, March 24, 2009.

**No. 1023** By Representatives M. KELLER, BAKER, BOBACK, BOYD, BOYLE, BRENNAN, CAUSER, CUTLER, FAIRCHILD, FLECK, GEIST, GINGRICH, GRELL,

HALUSKA, HARHART, HARPER, HARRIS, HESS, HICKERNELL, KAUFFMAN, KORTZ, KOTIK, KULA, MARSICO, MENSCH, MILLARD, MILLER, MOUL, O'NEILL, PAYNE, PEIFER, PETRI, PHILLIPS, PICKETT, PYLE, REICHLEY, ROAE, ROCK, STERN, STEVENSON, SWANGER and WATSON

An Act amending the act of August 6, 1936 (Sp.Sess., P.L.95, No.38 1/2), entitled "An act to authorize and empower cities, boroughs, towns, and townships, separately or jointly, to provide for protection against floods by erecting and constructing certain works and improvements, located within or without their territorial limits, and within or without the county in which situate; and to expend moneys and incur indebtedness; to assess benefits against property benefited; to issue improvement bonds imposing no municipal liability; and to acquire, take, injure or destroy property for such purposes," further providing for competitive bidding of contracts.

Referred to Committee on LOCAL GOVERNMENT, March 24, 2009.

**No. 1056** By Representatives SCHRODER, CREIGHTON, HARRIS, MUSTIO, ROAE, ROCK and VULAKOVICH

An Act amending the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, further providing for members of the General Assembly; and providing for additional compensation.

Referred to Committee on RULES, March 24, 2009.

**No. 1057** By Representatives SCHRODER, CREIGHTON, HARRIS, MUSTIO, ROAE and VULAKOVICH

An Act amending the act of January 10, 1968 (1967 P.L.925, No.417), referred to as the Legislative Officers and Employees Law, providing for increases in compensation.

Referred to Committee on RULES, March 24, 2009.

**No. 1058** By Representatives SCHRODER, CREIGHTON, GRELL, HARRIS, KAUFFMAN, KORTZ, MUSTIO, ROAE, ROCK and VULAKOVICH

An Act providing for the lapsing of appropriations for the Legislative Department.

Referred to Committee on APPROPRIATIONS, March 24, 2009.

**No. 1059** By Representatives SCHRODER, CREIGHTON, HARRIS, MUSTIO, ROAE and VULAKOVICH

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties in general, prohibiting agencies from awarding legislative initiative grants.

Referred to Committee on STATE GOVERNMENT, March 24, 2009.

**No. 1061** By Representatives SCHRODER, CREIGHTON, CUTLER, HARRIS, MUSTIO, ROAE, ROCK, TALLMAN and VULAKOVICH

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for a State Legislators' Defined Contribution Program.

Referred to Committee on FINANCE, March 24, 2009.

**No. 1062** By Representatives DePASQUALE, BAKER, BARRAR, BELFANTI, BISHOP, BOBACK, BOYD, BRIGGS, BURNS, BUXTON, CALTAGIRONE, CARROLL, CLYMER, D. COSTA, DONATUCCI, EVERETT, FLECK, GEIST, GEORGE, GIBBONS, GILLESPIE, GOODMAN, GROVE, GRUCELA, HALUSKA, HARKINS, HARPER, HESS, HORNAMAN, HUTCHINSON, KAUFFMAN, KORTZ, KULA, LONGIETTI, MAHONEY, MANDERINO, MANN, MARSHALL, McCALL, McGEEHAN, MELIO, MILLER, MILNE, MOUL, MUNDY, MURPHY, MURT, MUSTIO, M. O'BRIEN, PALLONE, PASHINSKI, PAYNE, PAYTON, PETRARCA, PHILLIPS, READSHAW, REICHLEY, ROAE, SABATINA, SANTONI, SCAVELLO, SEIP, SIPTROTH, K. SMITH, M. SMITH, STABACK, STURLA, SWANGER, J. TAYLOR, R. TAYLOR, VULAKOVICH, WAGNER, WANSACZ, WHEATLEY, WHITE, YOUNGBLOOD and YUDICHAK

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for issuance of group accident and sickness insurance.

Referred to Committee on INSURANCE, March 24, 2009.

**No. 1063** By Representatives DePASQUALE, BARRAR, BEAR, BELFANTI, BOYD, BRENNAN, BURNS, BUXTON, CASORIO, CONKLIN, D. COSTA, DALEY, DALLY, DeLUCA, DENLINGER, DONATUCCI, EVERETT, FABRIZIO, FREEMAN, GEIST, GEORGE, GIBBONS, GINGRICH, GROVE, GRUCELA, HALUSKA, HARHAI, HENNESSEY, HORNAMAN, HUTCHINSON, KAUFFMAN, KILLION, KORTZ, KOTIK, KULA, LONGIETTI, MAHONEY, MANN, McGEEHAN, MELIO, MENSCH, MILNE, MOUL, M. O'BRIEN, PALLONE, PAYNE, PETRARCA, PICKETT, PRESTON, READSHAW, REICHLEY, SABATINA, SAYLOR, SCAVELLO, SIPTROTH, K. SMITH, SOLOBAY, SWANGER, J. TAYLOR, VULAKOVICH, WATSON, WHEATLEY, WHITE and YUDICHAK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for exemption of persons, entities and vehicles from fees.

Referred to Committee on TRANSPORTATION, March 24, 2009.

**No. 1064** By Representatives MANDERINO, REED, BAKER, BEAR, BELFANTI, BOBACK, BOYD, BRENNAN, BRIGGS, BUXTON, CALTAGIRONE, CARROLL, CASORIO, CAUSER, CLYMER, CREIGHTON, CUTLER, DENLINGER, DePASQUALE, DONATUCCI, J. EVANS, EVERETT, FAIRCHILD, FLECK, FRANKEL, FREEMAN, GEIST, GEORGE, GERGELY, GIBBONS, GINGRICH, GODSHALL, GOODMAN, GRELL, GROVE, GRUCELA, HANNA, HARHAI, HARHART, HARKINS, HARPER, HENNESSEY, HESS, HICKERNELL, HORNAMAN, JOSEPHS, KAUFFMAN, KILLION, KORTZ, KOTIK, KULA, LEVDANSKY, LONGIETTI, MAHER, MAJOR, MANN, MARSHALL, McGEEHAN, MELIO, MICOZZIE, MILLARD, MILLER, MILNE, MOUL, MUNDY, MURT, MUSTIO,

M. O'BRIEN, O'NEILL, PASHINSKI, PHILLIPS, PICKETT, PYLE, QUINN, RAPP, READSHAW, REICHLEY, ROAE, ROHRER, ROSS, SANTONI, SAYLOR, SCAVELLO, SEIP, SIPTROTH, K. SMITH, M. SMITH, STABACK, STERN, STEVENSON, SWANGER, TRUE, VULAKOVICH, WANSACZ, WATSON, YOUNGBLOOD, YUDICHAK, McILVAINE SMITH and MAHONEY

An Act providing for quarterly interim payments to certain providers of community mental retardation services; providing for powers and duties of the Department of Public Welfare; and making a related repeal.

Referred to Committee on HEALTH AND HUMAN SERVICES, March 24, 2009.

**No. 1065** By Representatives D. O'BRIEN, BRENNAN, CARROLL, D. COSTA, FRANKEL, GIBBONS, JOSEPHS, M. O'BRIEN, RAPP, ROAE, SCAVELLO, SIPTROTH, K. SMITH, VULAKOVICH and WHEATLEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentencing procedure for murder of the first degree.

Referred to Committee on JUDICIARY, March 24, 2009.

**No. 1066** By Representatives GOODMAN, ARGALL, BARRAR, BELFANTI, BEYER, BRENNAN, BROWN, CALTAGIRONE, CARROLL, DeLUCA, FABRIZIO, FLECK, FREEMAN, GEIST, GEORGE, GIBBONS, GROVE, GRUCELA, HUTCHINSON, KORTZ, KULA, MELIO, MURT, M. O'BRIEN, PYLE, SAYLOR, SCAVELLO, SEIP, SIPTROTH, K. SMITH, STABACK, STERN, WANSACZ and YOUNGBLOOD

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, in taxation and finance, further providing for exemptions and special provisions.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 24, 2009.

**No. 1067** By Representatives GOODMAN, ARGALL, BARRAR, BELFANTI, BEYER, BRENNAN, BROWN, CALTAGIRONE, CARROLL, DeLUCA, FABRIZIO, FLECK, FREEMAN, GEIST, GEORGE, GIBBONS, GROVE, GRUCELA, HESS, HUTCHINSON, KORTZ, KULA, MELIO, MURT, M. O'BRIEN, PYLE, SAYLOR, SCAVELLO, SEIP, SIPTROTH, K. SMITH, STABACK, STERN, WANSACZ and YOUNGBLOOD

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for persons with military service-connected disabilities to receive property tax exemptions.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 24, 2009.

**No. 1068** By Representatives SCAVELLO, SIPTROTH, PEIFER, CARROLL, ARGALL, CLYMER, CREIGHTON, DALLY, FABRIZIO, FREEMAN, GEIST, GIBBONS, GOODMAN, HENNESSEY, KORTZ, KOTIK, MAJOR, MARSHALL, METZGAR, MUNDY, MURT, O'NEILL, PETRARCA, PICKETT, REICHLEY, SANTONI, SOLOBAY,

STABACK, J. TAYLOR, VULAKOVICH, WALKO, WATSON, WHITE and YOUNGBLOOD

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, providing for dam project loans; authorizing certain indebtedness; providing for a referendum; and establishing the Dam Project Fund and the Dam Project Revolving Loan Fund.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 24, 2009.

**No. 1069** By Representatives SCAVELLO, McILVAINE SMITH, GEORGE, PEIFER, SIPTROTH, BELFANTI, BEYER, BRENNAN, BROOKS, FABRIZIO, FAIRCHILD, FRANKEL, FREEMAN, GEIST, GIBBONS, HARHART, HARRIS, HELM, HENNESSEY, HOUGHTON, M. KELLER, KORTZ, LONGIETTI, MAHONEY, MAJOR, MILLARD, MILLER, MOUL, MURT, PASHINSKI, PYLE, THOMAS, WAGNER, WANSACZ and YOUNGBLOOD

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further providing for powers and duties of counties.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 24, 2009.

**No. 1070** By Representatives WATERS, YOUNGBLOOD, PARKER, M. O'BRIEN and DENLINGER

An Act providing for child firearm safety lock mechanisms.

Referred to Committee on JUDICIARY, March 24, 2009.

**No. 1071** By Representatives WATERS, YOUNGBLOOD, DENLINGER and SIPTROTH

An Act providing for oversight and review of capital projects; establishing the Capital Projects Oversight Board and providing for its powers and duties.

Referred to Committee on STATE GOVERNMENT, March 24, 2009.

**No. 1072** By Representatives WATERS, YOUNGBLOOD, JOSEPHS, DONATUCCI and SIPTROTH

An Act providing released prisoners with access to voter registration materials; imposing duties on the Department of Corrections; and making an appropriation.

Referred to Committee on STATE GOVERNMENT, March 24, 2009.

**No. 1073** By Representatives WATERS, YOUNGBLOOD, PARKER, BRENNAN and STABACK

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, providing for an age verification system.

Referred to Committee on LIQUOR CONTROL, March 24, 2009.

**No. 1074** By Representatives WATERS, YOUNGBLOOD, DONATUCCI, JOSEPHS, HALUSKA, MELIO, MUNDY, PAYNE, SIPTROTH and VULAKOVICH

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, defining "bidis" or "beedies"; and prohibiting the sale of bidis.

Referred to Committee on HEALTH AND HUMAN SERVICES, March 24, 2009.

**No. 1075** By Representatives WATERS, YOUNGBLOOD, BELFANTI and MILLER

An Act amending Title 61 (Penal and Correctional Institutions) of the Pennsylvania Consolidated Statutes, amending the heading of Title 61; adding definitions; and providing for prerelease testing.

Referred to Committee on JUDICIARY, March 24, 2009.

**No. 1076** By Representatives WATERS, YOUNGBLOOD, KORTZ, MELIO and LONGIETTI

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 appropriations for ensuing years.

Referred to Committee on EDUCATION, March 24, 2009.

**No. 1077** By Representatives WATERS, YOUNGBLOOD, PARKER, M. O'BRIEN, BURNS, CALTAGIRONE, GEORGE, GIBBONS, KORTZ, MANDERINO, MELIO, MUNDY, READSHAW and SIPTROTH

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, providing for use of credit history of insured.

Referred to Committee on INSURANCE, March 24, 2009.

**No. 1078** By Representatives WATERS, PARKER, KORTZ, BELFANTI, BRENNAN, GEORGE, GIBBONS, LONGIETTI, MELIO, SIPTROTH, K. SMITH and VULAKOVICH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for apprenticeship training tax credit.

Referred to Committee on FINANCE, March 24, 2009.

**No. 1079** By Representatives WATERS, YOUNGBLOOD, M. O'BRIEN, KORTZ, BRENNAN, CREIGHTON, MELIO, READSHAW, SIPTROTH and STABACK

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

Referred to Committee on JUDICIARY, March 24, 2009.

**No. 1080** By Representatives WATERS, YOUNGBLOOD, M. O'BRIEN and DONATUCCI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for sentences for carrying a firearm without a license.

Referred to Committee on JUDICIARY, March 24, 2009.

**No. 1081** By Representatives WATERS, YOUNGBLOOD, M. O'BRIEN, KORTZ, BRIGGS, CREIGHTON, MELIO, PAYNE, READSHAW, SIPTROTH and VULAKOVICH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, defining "mobile phone"; providing for prohibiting the use of mobile phones in school zones; and imposing a penalty.

Referred to Committee on TRANSPORTATION, March 24, 2009.

**No. 1082** By Representatives WATERS, YOUNGBLOOD, M. O'BRIEN, BRENNAN, HALUSKA, MELIO, STABACK and STERN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentencing generally; providing for drug treatment program; and further providing for partial confinement.

Referred to Committee on JUDICIARY, March 24, 2009.

**No. 1083** By Representatives WATERS, PARKER, YOUNGBLOOD, M. O'BRIEN, DONATUCCI, CREIGHTON, GIBBONS, GROVE, MELIO, PAYNE, STABACK and VULAKOVICH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing, in high schools, for academic degrees.

Referred to Committee on EDUCATION, March 24, 2009.

**No. 1084** By Representatives WATERS, YOUNGBLOOD, PARKER, M. O'BRIEN, SIPTROTH and STABACK

An Act providing for electronic monitoring in nursing homes, personal care homes and assisted living facilities.

Referred to Committee on AGING AND OLDER ADULT SERVICES, March 24, 2009.

**No. 1085** By Representatives WATERS, YOUNGBLOOD, PARKER, BELFANTI, HALUSKA, KORTZ, MELIO, PAYNE, READSHAW, SIPTROTH and VULAKOVICH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for jury instructions.

Referred to Committee on JUDICIARY, March 24, 2009.

**No. 1086** By Representatives WATERS, YOUNGBLOOD, BELFANTI, DENLINGER and STABACK

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for immunity from liability; and providing for false reports of child abuse.

Referred to Committee on JUDICIARY, March 24, 2009.

**No. 1087** By Representatives WATERS, BELFANTI and GEORGE

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for treatment of life estates, annuities and other contracts in determining eligibility for medical assistance.

Referred to Committee on HEALTH AND HUMAN SERVICES, March 24, 2009.

**No. 1088** By Representatives WATERS, YOUNGBLOOD and DENLINGER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the required recording of interrogations.

Referred to Committee on JUDICIARY, March 24, 2009.

**No. 1089** By Representatives MATZIE, MIRABITO, DeLUCA, PICKETT, D. COSTA, BARRAR, BELFANTI, BRENNAN, BRIGGS, CALTAGIRONE, DALEY, FREEMAN, GEORGE, GIBBONS, HALUSKA, HORNAMAN, HOUGHTON, JOSEPHS, KORTZ, LONGIETTI, MAHONEY, MANN, McGEEHAN, MELIO, MILNE, MUNDY, M. O'BRIEN, PASHINSKI, QUINN, READSHAW, SIPTROTH, SOLOBAY, STURLA, SWANGER, J. TAYLOR, VULAKOVICH, WHITE, McILVAINE SMITH, PETRARCA and EVERETT

An Act providing for group health policies to continue for period of time after termination of employment or membership in health maintenance organizations.

Referred to Committee on INSURANCE, March 24, 2009.

**No. 1090** By Representatives CURRY, BURNS, CARROLL, FRANKEL, KESSLER, KORTZ, KULA, MAHONEY, MUNDY, M. O'BRIEN, PASHINSKI, PAYTON, REICHLEY, SIPTROTH, K. SMITH, VULAKOVICH, WAGNER, WILLIAMS and YUDICHAK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in intermediate units, providing for school social work services; and, in professional employees, further providing for definitions.

Referred to Committee on EDUCATION, March 24, 2009.

**No. 1091** By Representatives BRADFORD, BRIGGS, BURNS, CARROLL, D. COSTA, GROVE, HESS, KIRKLAND, KORTZ, MANN, McILVAINE SMITH, MELIO, MURPHY, PYLE, SIPTROTH and VULAKOVICH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in driving after imbibing alcohol or utilizing drugs, further prohibiting driving under the influence of alcohol or controlled substance.

Referred to Committee on TRANSPORTATION, March 24, 2009.

### SENATE BILL FOR CONCURRENCE

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

**SB 366, PN 365**

Referred to Committee on JUDICIARY, March 24, 2009.

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

**HB 262, PN 282**

By Rep. GEORGE

An Act regulating prescribed burning practices; providing for the powers and duties of the State Forester and the Department of Conservation and Natural Resources; and establishing certain immunities.

ENVIRONMENTAL RESOURCES AND ENERGY.

**HB 790, PN 881**

By Rep. GEORGE

An Act amending the act of December 3, 1959 (P.L.1688, No.621), known as the Housing Finance Agency Law, establishing an energy-efficient home assistance program.

ENVIRONMENTAL RESOURCES AND ENERGY.

### FILMING PERMISSION

The SPEAKER. The Chair wishes to advise the members that he has given permission to Matt Villano from WLVT PBS channel 39 to videotape with audio on the House floor for 10 minutes.

### GUESTS INTRODUCED

The SPEAKER. The Chair would also like to welcome to the hall of the House, in the balcony, Father Bernard O'Connor, president of DeSales University, with some of his students visiting the Capitol today. They are the guests of Representative Karen Beyer. Will the guests please rise. Welcome to the hall of the House.

### CALENDAR

#### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 476, PN 528**, entitled:

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, in registration district administration, further providing for local registrars' duties; in death and fetal death registrations, further providing for certificates to be filed and for permits concerning dead bodies and fetal remains; and, in records, further providing for reports to county registration commissions.

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.

The question is, shall the bill pass finally?

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—195

Table listing names of members who voted 'YEAS' (195 total). Includes names like Adolph, Baker, Barbin, Barrar, Bear, Benninghoff, Beyer, Bishop, Boback, Boyd, Boyle, Bradford, Brennan, Briggs, Brooks, Brown, Burns, Buxton, Caltagirone, Carroll, Casorio, Causer, Christiana, Civera, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Curry, Cutler, Daley, Dally, Day, Deasy, Delozier, DeLuca, Denlinger, DePasquale, Dermody, DeWeese, DiGirolo, Donatucci, Drucker, Eachus, Ellis, Evans, D., Evans, J., Levdansky, Longiotti, Maher, Mahoney, Major, Manderino, Mann, Markosek, Marshall, Marsico, Matzie, McGeehan, McI. Smith, Melio, Mensch, Metcalfe, Metzgar, Micozzie, Miller, Milne, Mirabito, Moul, Mundy, Murphy, Murt, Mustio, Myers, O'Brien, D., O'Brien, M., O'Neill, Oberlander, Oliver, Pallone, Parker, Pashinski, Payne, Payton, Peifer, Perzel, Petrarca, Petri, Phillips, Pickett, Preston, Pyle, Quigley, Quinn, Rapp, Readshaw, Reed, Reese, Reichley, Roae, Rock, Roebuck, Rohrer, Ross, Sabatina, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schroder, Seip, Shapiro, Siptroth, Smith, K., Smith, M., Smith, S., Solobay, Sonney, Staback, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, J., Taylor, R., True, Turzai, Vereb, Vitali, Wagner, Walko, Wansacz, Waters, Watson, Wheatley, White, Williams, Youngblood, Yudichak, McCall, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—7

Table listing names of members who were 'EXCUSED' (7 total): Belfanti, Cruz, Miccarelli, Millard, Perry, Thomas, Vulakovich.

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

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

\* \* \*

The House proceeded to third consideration of **HB 602, PN 1153**, entitled:

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, further defining "expanded function dental assistant"; further providing for the State Board of Dentistry; and providing for scope of practice of expanded function dental assistant.

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.

The question is, shall the bill pass finally?

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—194

Table listing names of members who voted 'YEAS' (194 total). Includes names like Adolph, Baker, Barbin, Barrar, Bear, Benninghoff, Beyer, Bishop, Boback, Boyd, Boyle, Bradford, Brennan, Briggs, Brooks, Brown, Burns, Buxton, Caltagirone, Carroll, Casorio, Causer, Christiana, Civera, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Curry, Cutler, Daley, Dally, Day, Deasy, Delozier, DeLuca, Denlinger, DePasquale, Dermody, DeWeese, DiGirolo, Evans, J., Evans, D., Evans, J., Lentz, Levdansky, Reese, Reichley, Roae, Rock, Roebuck, Rohrer, Ross, Sabatina, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schroder, Seip, Shapiro, Siptroth, Smith, K., Smith, M., Smith, S., Solobay, Sonney, Staback, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, J., Taylor, R., True, Turzai, Vereb, Vitali, Wagner, Walko, Wansacz, Waters, Watson, Wheatley, White, Williams, McCall, Speaker.



Donatucci	Kirkland	Pyle	Youngblood
Drucker	Kortz	Quigley	Yudichak
Eachus	Kotik	Quinn	
Ellis	Krieger	Rapp	McCall,
Evans, D.	Kula	Readshaw	Speaker

NAYS-1

O'Neill

NOT VOTING-0

EXCUSED-7

Belfanti	Miccarelli	Perry	Vulakovich
Cruz	Millard	Thomas	

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

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

**REMARKS SUBMITTED FOR THE RECORD**

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

More and more people believe oral health is being recognized as an essential factor in the development of American health policy. The new paradigm of prevention emphasizes identifying and correcting small problems rather than dealing with more serious problems which increase the cost of care dramatically. This is why HB 602 is designed to enhance the importance of the Dental Health Care Team, increase the focus on prevention, and provide more service to those in need of dental care.

The EFDA (expanded function dental assistant) will be able to perform coronal polishing, which is done to prep a tooth for repair by a dentist or to clean up after the tooth repair. EFDAs can provide fluoride treatments, including fluoride varnish, and they may take impressions of teeth for athletic appliances. In addition, the Dental Board will be expanded to include one EFDA and an additional dentist. The EFDA board representative must have successfully practiced in PA for 3 years and cannot be a practicing dental hygienist. EFDAs cannot perform dental cleanings and cannot be hired to do so. This important legislation advances the improvements needed to provide more quality care to those in need.

I would like to sincerely thank all of my colleagues on both sides of the aisle for their support. Thank you.

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

**HB 222, PN 227** By Rep. CALTAGIRONE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for restitution for identity theft; and making a related repeal.

JUDICIARY.

**HB 485, PN 537**

By Rep. CALTAGIRONE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of illegal dumping of methamphetamine waste; and imposing a penalty.

JUDICIARY.

**RESOLUTIONS PURSUANT TO RULE 35**

Mr. STURLA called up **HR 85, PN 507**, entitled:

A Resolution designating April 4, 2009, as "Thaddeus Stevens Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Everett	Levdansky	Reed
Baker	Fabrizio	Longietti	Reese
Barbin	Fairchild	Maher	Reichley
Barrar	Farry	Mahoney	Roae
Bear	Fleck	Major	Rock
Benninghoff	Frankel	Manderino	Roebuck
Beyer	Freeman	Mann	Rohrer
Bishop	Gabig	Markosek	Ross
Boback	Gabler	Marshall	Sabatina
Boyd	Galloway	Marsico	Sainato
Boyle	Geist	Matzie	Samuelson
Bradford	George	McGeehan	Santarsiero
Brennan	Gerber	McI. Smith	Santoni
Briggs	Gergely	Melio	Saylor
Brooks	Gibbons	Mensch	Scavello
Brown	Gillespie	Metcalfe	Schroder
Burns	Gingrich	Metzgar	Seip
Buxton	Godshall	Micozzie	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.
Causser	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Curry	Hess	Oliver	Taylor, R.
Cutler	Hickernell	Pallone	True
Daley	Hornaman	Parker	Turzai
Dally	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Wagner
Delozier	Josephs	Peifer	Walko
DeLuca	Kauffman	Perzel	Wansacz
Denlinger	Keller, M.K.	Petrarca	Waters
DePasquale	Keller, W.	Petri	Watson
Dermody	Kessler	Phillips	Wheatley
DeWeese	Killion	Pickett	White
DiGirolamo	Kirkland	Preston	Williams
Donatucci	Kortz	Pyle	Youngblood
Drucker	Kotik	Quigley	Yudichak
Eachus	Krieger	Quinn	
Ellis	Kula	Rapp	McCall,
Evans, D.	Lentz	Readshaw	Speaker
Evans, J.			

NAYS-0

NOT VOTING-0

EXCUSED-7

Belfanti	Miccarelli	Perry	Vulakovich
Cruz	Millard	Thomas	

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

\* \* \*

Mr. PAYNE called up **HR 86, PN 508**, entitled:

A Resolution honoring the Pennsylvania Capitol Police on the occasion of its 114th anniversary on March 26, 2009.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Everett	Levdansky	Reed
Baker	Fabrizio	Longietti	Reese
Barbin	Fairchild	Maher	Reichley
Barrar	Farry	Mahoney	Roae
Bear	Fleck	Major	Rock
Benninghoff	Frankel	Manderino	Roebuck
Beyer	Freeman	Mann	Rohrer
Bishop	Gabig	Markosek	Ross
Boback	Gabler	Marshall	Sabatina
Boyd	Galloway	Marsico	Sainato
Boyle	Geist	Matzie	Samuelson
Bradford	George	McGeehan	Santarsiero
Brennan	Gerber	McI. Smith	Santoni
Briggs	Gergely	Melio	Saylor
Brooks	Gibbons	Mensch	Scavello
Brown	Gillespie	Metcalfe	Schroder
Burns	Gingrich	Metzgar	Seip
Buxton	Godshall	Micozzie	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.
Causar	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Curry	Hess	Oliver	Taylor, R.
Cutler	Hickernell	Pallone	True
Daley	Hornaman	Parker	Turzai
Dally	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Wagner
Delozier	Josephs	Peifer	Walko
DeLuca	Kauffman	Perzel	Wansacz
Denlinger	Keller, M.K.	Petrarca	Waters
DePasquale	Keller, W.	Petri	Watson
Dermody	Kessler	Phillips	Wheatley
DeWeese	Killion	Pickett	White
DiGirolamo	Kirkland	Preston	Williams

Donatucci	Kortz	Pyle	Youngblood
Drucker	Kotik	Quigley	Yudichak
Eachus	Krieger	Quinn	
Ellis	Kula	Rapp	McCall,
Evans, D.	Lentz	Readshaw	Speaker
Evans, J.			

NAYS-0

NOT VOTING-0

EXCUSED-7

Belfanti	Miccarelli	Perry	Vulakovich
Cruz	Millard	Thomas	

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

\* \* \*

Mr. STABACK called up **HR 141, PN 999**, entitled:

A Resolution designating March 26, 2009, as "Helen Phillips CASUAL Day for Colon Cancer Awareness" in northeastern Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Everett	Levdansky	Reed
Baker	Fabrizio	Longietti	Reese
Barbin	Fairchild	Maher	Reichley
Barrar	Farry	Mahoney	Roae
Bear	Fleck	Major	Rock
Benninghoff	Frankel	Manderino	Roebuck
Beyer	Freeman	Mann	Rohrer
Bishop	Gabig	Markosek	Ross
Boback	Gabler	Marshall	Sabatina
Boyd	Galloway	Marsico	Sainato
Boyle	Geist	Matzie	Samuelson
Bradford	George	McGeehan	Santarsiero
Brennan	Gerber	McI. Smith	Santoni
Briggs	Gergely	Melio	Saylor
Brooks	Gibbons	Mensch	Scavello
Brown	Gillespie	Metcalfe	Schroder
Burns	Gingrich	Metzgar	Seip
Buxton	Godshall	Micozzie	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.
Causar	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Curry	Hess	Oliver	Taylor, R.
Cutler	Hickernell	Pallone	True
Daley	Hornaman	Parker	Turzai
Dally	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali

Deasy	Johnson	Payton	Wagner
DeLozier	Josephs	Peifer	Walko
DeLuca	Kauffman	Perzel	Wansacz
Denlinger	Keller, M.K.	Petrarca	Waters
DePasquale	Keller, W.	Petri	Watson
Dermody	Kessler	Phillips	Wheatley
DeWeese	Killion	Pickett	White
DiGirolamo	Kirkland	Preston	Williams
Donatucci	Kortz	Pyle	Youngblood
Drucker	Kotik	Quigley	Yudichak
Eachus	Krieger	Quinn	
Ellis	Kula	Rapp	McCall,
Evans, D.	Lentz	Readshaw	Speaker
Evans, J.			

NAYS-0

NOT VOTING-0

EXCUSED-7

Belfanti	Miccarelli	Perry	Vulakovich
Cruz	Millard	Thomas	

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

\* \* \*

Mr. MARKOSEK called up **HR 147, PN 1039**, entitled:

A Resolution remembering the accident that occurred on March 28, 1979, at the Three Mile Island nuclear power plant in Londonderry Township, Dauphin County.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Allegheny County, Representative Markosek.

Will the gentleman yield. The House will come to order. Members please take their seats. Members will please take their seats. The House will come to order. The conversations will please cease.

The gentleman may proceed.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to introduce HR 147, which commemorates the 30th anniversary of the accident at Three Mile Island, not too far from where we all sit here right now.

Back on March 28, 1979, a young senior engineer at the Westinghouse Energy Center in Monroeville, Pennsylvania, was interrupted in a conference meeting in a conference room by one of the technicians who came in and said, there has been an incident at Three Mile Island. That young engineer's name was Joe Markosek. Needless to say, that announcement, early on – I believe it was a Wednesday morning, March 28, 1979 – in many ways, changed my life. Not long after that, Westinghouse was called upon by the owners of Three Mile Island at the time, GPU (General Public Utilities Corporation), to send a team of technicians and others to Three Mile Island to join the recovery and response team. I am happy to say today that this resolution, besides highlighting the benefits of nuclear energy in our society today, this resolution also honors the responders, of

which there were literally thousands at the time who responded, and of course, I was one of those.

I came to Three Mile Island shortly after the accident and was here for 3 weeks, 3 straight weeks, and I had never been to Harrisburg before in my life even though I lived in Pennsylvania and was born and raised in Pennsylvania until that time. You could say that perhaps I liked it so much I decided to get into a different career later on, but anyway, here we are 30 years later.

Let me just say this about Three Mile Island: Three Mile Island was an example of a nuclear plant that worked, not one that did not work. Yes, there was an incident there. Yes, it was a very expensive and huge undertaking, repair undertaking. Yes, it was very costly in terms of the loss of electricity to this region. A lot of that had to be replaced by more expensive electric sources, such as oil-fired plants in New Jersey along the seacoast that GPU had to buy power from. So it was a very serious accident from a cost standpoint, from a repair standpoint, but not from a safety standpoint. Nobody was hurt or injured at Three Mile Island, and it remains the worst – if you want to use that term – accident in the history of nuclear energy here, domestically.

Now, some might point out, well, what about Chernobyl? Chernobyl was a totally different design, and I might add, Chernobyl had no containment building. The Russians decided to build their nuclear plants without containment buildings, which would be unheard of here and it was in fact that passive defense mechanism, the containment building, that kept what radiation did leak out of the nuclear steam supply system, the internal guts of the reactor, all of that radioactive water that fell on the floor, it was that containment building that kept all of that radiation contained and as a result, nobody was harmed or injured.

And I might point out, while there was some radiation leaked from Three Mile Island, I might point out that the amount of radiation that you would have received had you been downwind from that plant, standing there 24 hours a day, naked, with no protection at all, the amount of radiation that you would receive from that accident would be less than we all receive here sitting in this room that has granite walls on it, and granite is far more radioactive than, say, wood. So we actually get more exposure to radiation sitting here for a year in session than you would have had relative to the accident. That is okay, you are safe. Do not worry. It is very tiny.

The bottom line is, of course, that nuclear energy is here with us today. It is growing. It is a growing source of energy. In this economic time, it is an inexpensive source of energy. It is a green source of energy. We have currently 104 nuclear power plants in the United States today that produce about 20 percent of all of our electricity here in the United States. There are plans to build more, and many of the workers who build nuclear plants, many of the workers who design nuclear plants, while they are no longer all in my district anymore, western Pennsylvania has a huge economic basis for supporting nuclear energy and a lot of the jobs that are being created because of the nuclear industry and the growth of the nuclear industry in the United States today are here based in Pennsylvania.

So with that, I would ask all the members to support this, mainly to honor the responders, but also to highlight the fact that we cannot survive as a nation economically without nuclear energy as part of our energy mix.

Thank you very much, Mr. Speaker, and I ask people to support this.

The SPEAKER. On the question before the House, the Chair recognizes the gentleman from Allegheny, the minority whip, Representative Turzai.

Mr. TURZAI. Thank you, Mr. Speaker.

I would like to second Representative Markosek's resolution and just wanted to point out that I had the honor of being able to get some legislation passed in the House with Representative Markosek that helped develop, essentially, a keystone opportunity zone that dealt with Westinghouse being able to locate its headquarters in western Pennsylvania amongst other businesses across the State. That headquarters was located in my colleague Representative Metcalfe's district, and many of us in western Pennsylvania are really quite blessed with the growth of that particular company.

I wanted to also make the point that in addition to honoring the emergency responders, local officials, police, firefighters, and State employees, I did want to just also say that under Governor Thornburgh's leadership at that time, he immediately went and addressed that crisis and showed what true crisis management was. I think it is one of the great legacies of his administration that he was able to coordinate all of those officials on what was really a first-time emergency – just an outstanding individual, and he brought everybody together to deal with that firsthand.

The seven operating nuclear power plants in Pennsylvania today, they are all safe. Nuclear power represents the only large-scale, clean-energy electricity source that can be expanded widely to produce large amounts of energy along with clean coal and with natural gas, not to forget wind and solar, but we cannot forget that nuclear power, clean coal, and natural gas are all important to allowing energy independence in this State. I would like to second Representative Markosek's resolution. I was not working at that time; I had just started college, but I certainly remember the incident as well.

Thank you, very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Northampton County, Representative Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I read the resolution and I note that in the meat of the resolution at the bottom, we are honoring the emergency responders who went to Three Mile Island 30 years ago. We are speaking up for affordable, safe forms of energy, and we are supporting the development of clean and green energy. So the "Resolved" clauses at the bottom of this resolution are very worthy and worthy of our support. I have a concern about how the resolution is drafted. Earlier, the one paragraph that the gentleman from Allegheny just referred to, where it says, on page 3, line 13, it says that "...Nuclear energy is the only large-scale, clean-air electricity source that can be expanded widely...."

This House of Representatives, last session, adopted a bold energy independence strategy for Pennsylvania. It also passed the Senate, signed by the Governor of Pennsylvania. We are at the cutting edge of energy independence. We need to recognize that energy independence includes many forms: solar, wind, geothermal. The energy future of Pennsylvania is very bright and involves many different kinds of forms of energy, so I urge support for this resolution, but I just have a concern with that sentence that says, basically, that nuclear energy is the only

reliable form of energy. No, it is not. We showed that in the House of Representatives, and Pennsylvania is at the cutting edge of leading our fight for energy independence, and we should be proud of that.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Berks County, Representative Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

Just for the record, there are just a handful of members that were here at the time that that situation took place at Three Mile Island. Bill, Merle, many of you guys and gals on both sides of the aisle remember that. We were in fact in session, and the Governor specifically asked us to stay in session in both the House and Senate so as not to create a panic in this area of the State, and we did. I just want to make note of that fact that when that accident occurred, right here on the floor of this House, we were in session during that situation and we stayed in session so as not to create any kind of a panic in this area. I wanted to mark that for the official record. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—195

Adolph	Everett	Levdansky	Reed
Baker	Fabrizio	Longietti	Reese
Barbin	Fairchild	Maher	Reichley
Barrar	Farry	Mahoney	Roae
Bear	Fleck	Major	Rock
Benninghoff	Frankel	Manderino	Roebuck
Beyer	Freeman	Mann	Rohrer
Bishop	Gabig	Markosek	Ross
Boback	Gabler	Marshall	Sabatina
Boyd	Galloway	Marsico	Sainato
Boyle	Geist	Matzie	Samuelson
Bradford	George	McGeehan	Santarsiero
Brennan	Gerber	McI. Smith	Santoni
Briggs	Gergely	Melio	Saylor
Brooks	Gibbons	Mensch	Scavello
Brown	Gillespie	Metcalfe	Schroder
Burns	Gingrich	Metzgar	Seip
Buxton	Godshall	Micozzie	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.
Causer	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Curry	Hess	Oliver	Taylor, R.
Cutler	Hickernell	Pallone	True
Daley	Hornaman	Parker	Turzai
Dally	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Wagner
Delozier	Josephs	Peifer	Walko
DeLuca	Kauffman	Perzel	Wansacz
Denlinger	Keller, M.K.	Petrarca	Waters
DePasquale	Keller, W.	Petri	Watson

Dermody	Kessler	Phillips	Wheatley
DeWeese	Killion	Pickett	White
DiGirolamo	Kirkland	Preston	Williams
Donatucci	Kortz	Pyle	Youngblood
Drucker	Kotik	Quigley	Yudichak
Eachus	Krieger	Quinn	
Ellis	Kula	Rapp	McCall,
Evans, D.	Lentz	Readshaw	Speaker
Evans, J.			

NAYS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Miccarelli	Perry	Vulakovich
Cruz	Millard	Thomas	

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

\* \* \*

Mr. HALUSKA called up **HR 173, PN 1158**, entitled:

A Resolution recognizing the month of April 2009 as "Outdoor Heritage Month in the Pennsylvania Alleghenies."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Adolph	Everett	Levdansky	Reed
Baker	Fabrizio	Longiatti	Reese
Barbin	Fairchild	Maher	Reichley
Barrar	Farry	Mahoney	Roae
Bear	Fleck	Major	Rock
Benninghoff	Frankel	Manderino	Roebuck
Beyer	Freeman	Mann	Rohrer
Bishop	Gabig	Markosek	Ross
Boback	Gabler	Marshall	Sabatina
Boyd	Galloway	Marsico	Sainato
Boyle	Geist	Matzie	Samuelson
Bradford	George	McGeehan	Santarsiero
Brennan	Gerber	McI. Smith	Santoni
Briggs	Gergely	Melio	Saylor
Brooks	Gibbons	Mensch	Scavello
Brown	Gillespie	Metcalfe	Schroder
Burns	Gingrich	Metzgar	Seip
Buxton	Godshall	Micozzie	Shapiro
Caltagirone	Goodman	Miller	Siptroth
Carroll	Grell	Milne	Smith, K.
Casorio	Grove	Mirabito	Smith, M.
Causar	Grucela	Moul	Smith, S.
Christiana	Haluska	Mundy	Solobay
Civera	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Curry	Hess	Oliver	Taylor, R.
Cutler	Hickernell	Pallone	True
Daley	Hornaman	Parker	Turzai

Dally	Houghton	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Wagner
Delozier	Josephs	Peifer	Walko
DeLuca	Kauffman	Perzel	Wansacz
Denlinger	Keller, M.K.	Petrarca	Waters
DePasquale	Keller, W.	Petri	Watson
Dermody	Kessler	Phillips	Wheatley
DeWeese	Killion	Pickett	White
DiGirolamo	Kirkland	Preston	Williams
Donatucci	Kortz	Pyle	Youngblood
Drucker	Kotik	Quigley	Yudichak
Eachus	Krieger	Quinn	
Ellis	Kula	Rapp	McCall,
Evans, D.	Lentz	Readshaw	Speaker
Evans, J.			

NAYS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Miccarelli	Perry	Vulakovich
Cruz	Millard	Thomas	

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

**LEAVE OF ABSENCE**

The SPEAKER. Returning to leaves of absence, the Chair recognizes the minority whip, who requests a leave for Representative MUSTIO from Allegheny County for the week. Without objection, the leave will be granted.

**RESOLUTIONS PURSUANT TO RULE 35**

Mr. R. TAYLOR called up **HR 179, PN 1202**, entitled:

A Resolution supporting the Divided We Fail effort and urging Federal and State officials to work together across party lines.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Evans, J.	Lentz	Reed
Baker	Everett	Levdansky	Reese
Barbin	Fabrizio	Longiatti	Reichley
Barrar	Fairchild	Maher	Roae
Bear	Farry	Mahoney	Rock
Benninghoff	Fleck	Major	Roebuck
Beyer	Frankel	Manderino	Rohrer
Bishop	Freeman	Mann	Ross
Boback	Gabig	Markosek	Sabatina
Boyd	Gabler	Marshall	Sainato
Boyle	Galloway	Marsico	Samuelson
Bradford	Geist	Matzie	Santarsiero
Brennan	George	McGeehan	Santoni
Briggs	Gerber	McI. Smith	Saylor
Brooks	Gergely	Melio	Scavello
Brown	Gibbons	Mensch	Schroder
Burns	Gillespie	Metcalfe	Seip

Buxton	Gingrich	Metzgar	Shapiro
Caltagirone	Godshall	Micozzie	Siptroth
Carroll	Goodman	Miller	Smith, K.
Casorio	Grell	Milne	Smith, M.
Causer	Grove	Mirabito	Smith, S.
Christiana	Grucela	Moul	Solobay
Civera	Haluska	Mundy	Sonney
Clymer	Hanna	Murphy	Staback
Cohen	Harhai	Murt	Stern
Conklin	Harhart	Myers	Stevenson
Costa, D.	Harkins	O'Brien, D.	Sturla
Costa, P.	Harper	O'Brien, M.	Swanger
Cox	Harris	O'Neill	Tallman
Creighton	Helm	Oberlander	Taylor, J.
Curry	Hennessey	Oliver	Taylor, R.
Cutler	Hess	Pallone	True
Daley	Hickernell	Parker	Turzai
Dally	Hornaman	Pashinski	Vereb
Day	Houghton	Payne	Vitali
Deasy	Hutchinson	Payton	Wagner
DeLozier	Johnson	Peifer	Walko
DeLuca	Josephs	Perzel	Wansacz
Denlinger	Kauffman	Petrarca	Waters
DePasquale	Keller, M.K.	Petri	Watson
Dermody	Keller, W.	Phillips	Wheatley
DeWeese	Kessler	Pickett	White
DiGirolamo	Killion	Preston	Williams
Donatucci	Kirkland	Pyle	Youngblood
Drucker	Kortz	Quigley	Yudichak
Eachus	Kotik	Quinn	
Ellis	Krieger	Rapp	McCall,
Evans, D.	Kula	Readshaw	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-8

Belfanti	Miccarelli	Mustio	Thomas
Cruz	Millard	Perry	Vulakovich

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

\* \* \*

Mr. R. TAYLOR called up **HR 182, PN 1205**, entitled:

A Resolution recognizing President Franklin Delano Roosevelt for his strength, courage and determination through a time of national crisis and war in remembrance of the occasion of his death.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

Adolph	Evans, J.	Lentz	Reed
Baker	Everett	Levdansky	Reese
Barbin	Fabrizio	Longiatti	Reichley
Barrar	Fairchild	Maher	Roae
Bear	Farry	Mahoney	Rock
Benninghoff	Fleck	Major	Roebuck
Beyer	Frankel	Manderino	Rohrer
Bishop	Freeman	Mann	Ross

Boback	Gabig	Markosek	Sabatina
Boyd	Gabler	Marshall	Sainato
Boyle	Galloway	Marsico	Samuelson
Bradford	Geist	Matzie	Santarsiero
Brennan	George	McGeehan	Santoni
Briggs	Gerber	McI. Smith	Saylor
Brooks	Gergely	Melio	Scavello
Brown	Gibbons	Mensch	Schroder
Burns	Gillespie	Metcalfe	Seip
Buxton	Gingrich	Metzgar	Shapiro
Caltagirone	Godshall	Micozzie	Siptroth
Carroll	Goodman	Miller	Smith, K.
Casorio	Grell	Milne	Smith, M.
Causer	Grove	Mirabito	Smith, S.
Christiana	Grucela	Moul	Solobay
Civera	Haluska	Mundy	Sonney
Clymer	Hanna	Murphy	Staback
Cohen	Harhai	Murt	Stern
Conklin	Harhart	Myers	Stevenson
Costa, D.	Harkins	O'Brien, D.	Sturla
Costa, P.	Harper	O'Brien, M.	Swanger
Cox	Harris	O'Neill	Tallman
Creighton	Helm	Oberlander	Taylor, J.
Curry	Hennessey	Oliver	Taylor, R.
Cutler	Hess	Pallone	True
Daley	Hickernell	Parker	Turzai
Dally	Hornaman	Pashinski	Vereb
Day	Houghton	Payne	Vitali
Deasy	Hutchinson	Payton	Wagner
DeLozier	Johnson	Peifer	Walko
DeLuca	Josephs	Perzel	Wansacz
Denlinger	Kauffman	Petrarca	Waters
DePasquale	Keller, M.K.	Petri	Watson
Dermody	Keller, W.	Phillips	Wheatley
DeWeese	Kessler	Pickett	White
DiGirolamo	Killion	Preston	Williams
Donatucci	Kirkland	Pyle	Youngblood
Drucker	Kortz	Quigley	Yudichak
Eachus	Kotik	Quinn	
Ellis	Krieger	Rapp	McCall,
Evans, D.	Kula	Readshaw	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-8

Belfanti	Miccarelli	Mustio	Thomas
Cruz	Millard	Perry	Vulakovich

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

\* \* \*

Mr. MARSICO called up **HR 168, PN 1121**, entitled:

A Resolution honoring State Representative Scott Perry and State Representative Nick Miccarelli for serving and protecting the United States.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Dauphin, Representative Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

A special thanks to Chairman Caltagirone for helping to initiate this resolution and also to Chairman Melio and Chairman Fairchild for their interest in being prime sponsors of this resolution.

Today we are honoring our colleagues, State Representative Scott Perry and State Representative Nick Miccarelli, as well as all of our military personnel statewide for tirelessly serving and protecting our families, our Commonwealth, and our country.

As you are aware, Representative Perry and Representative Miccarelli were recently recalled to active duty with the Pennsylvania Army National Guard. If I can have the members' attention, Mr. Speaker.

The SPEAKER. The gentleman has a right to be heard. The House will come to order. Conversations will please—

Mr. MARSICO. Representative Scott Perry—

The SPEAKER. The gentleman will yield. The gentleman will yield. The House will come to order.

Mr. MARSICO. Representative Perry is a lieutenant—

The SPEAKER. The gentleman is in order.

Mr. MARSICO. Thank you.

Representative Perry is a lieutenant colonel and commander in the 2-104th General Support Aviation Battalion and is a helicopter pilot as well. In 1980 he enlisted in the Pennsylvania Army National Guard.

Representative Miccarelli is a United States Army veteran and a current member of the Pennsylvania Army National Guard. He is a staff sergeant and a door gunner and will be assigned to Chinook helicopters in Iraq. He has served in the United States Army and the Pennsylvania Army National Guard since 1999.

I thought it would be interesting for us to hear from them. They do communicate periodically with their staff, and just to give an update on what they are up to and what is going on, to give a little bit of comments from them, which they comment and communicate with their staff, like I said. Representative Miccarelli has set up a blog where we can all keep up with him during his deployment. In a blog from St. Patrick's Day, he writes, I have been transferred again. "...we started with B Company 2-104th General Support Aviation Battalion which is a Chinook unit...We have now been transferred to B Company, 1st Battalion, 150th Assault Helicopter Battalion. The Assault Battalion has Apaches and..." helicopters "...however since there are no doorguns on Apaches, our assignment to Blackhawks will not change. While we will still be under Pennsylvania's 28th Combat Aviation Brigade the unit we will be working with is from New Jersey...."

Representative Perry's most recent e-mail to his staff says that "the soldiers have accomplished much under trying circumstances. The soldiers are doing well and morale and motivation across the battalion is high. Our time here has been hectic almost every day with many changes and unexpected diversions to our carefully laid plans. Through all of this and the time to come, we are thankful for your prayers, encouragement, and support displayed in so many ways."

By the way, Scott and his wife, Christy, are expecting their first child in June. Congratulations to them.

Representatives Perry and Miccarelli join hundreds of other Pennsylvanians currently on active duty in Iraq. Today with your help in supporting this resolution, I would like to take the opportunity to recognize the loyalty and patriotism of the Honorable Scott Perry and the Honorable Nick Miccarelli upon their deployment overseas as members of the Pennsylvania

Army National Guard, and I ask for your support in HR 168 and thank you. Let us keep them in our thoughts and prayers. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Luzerne County, the majority leader, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I would like to recognize someone who understands deployment all too well and that is our own Representative Bryan Lentz, major, 82d Airborne Division.

The SPEAKER. The Chair recognizes the gentleman from Delaware County, Representative Lentz.

Mr. LENTZ. Thank you, Mr. Speaker.

I thank the majority leader for the opportunity to join Representative Marsico in supporting this resolution. If you walk around the Capitol Complex and you look at the statues which memorialize some of our greatest citizens, they are normally marked by "soldier" and "statesman," which has always been a high compliment in this Commonwealth. Representative Miccarelli, who I should note is from Delaware County, where I am from, and Representative Perry both have fit that bill as "soldiers and statesmen" and they deserve our honor in supporting this resolution. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Bucks County, Representative Farry.

Mr. FARRY. Thank you, Mr. Speaker.

I rise in support of this resolution as well and I ask that it be read into the record something that was important to our colleague, Representative Miccarelli, which was the recently passed resolution on the Israeli-Palestinian conflict that was sponsored by Representative Boyle. I thank the gentleman from Philadelphia for seeing that resolution through as Representative Miccarelli sponsored a similar resolution. So I just ask that the record reflect that. In my contacts with Representative Miccarelli, it was very important that that pass. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Evans, J.	Lentz	Reed
Baker	Everett	Levdansky	Reese
Barbin	Fabrizio	Longietti	Reichley
Barrar	Fairchild	Maher	Roae
Bear	Farry	Mahoney	Rock
Benninghoff	Fleck	Major	Roebuck
Beyer	Frankel	Manderino	Rohrer
Bishop	Freeman	Mann	Ross
Boback	Gabig	Markosek	Sabatina
Boyd	Gabler	Marshall	Sainato
Boyle	Galloway	Marsico	Samuelson
Bradford	Geist	Matzie	Santarsiero
Brennan	George	McGeehan	Santoni
Briggs	Gerber	McI. Smith	Saylor
Brooks	Gergely	Melio	Scavello
Brown	Gibbons	Mensch	Schroder
Burns	Gillespie	Metcalfe	Seip
Buxton	Gingrich	Metzgar	Shapiro
Caltagirone	Godshall	Micozzie	Siptroth
Carroll	Goodman	Miller	Smith, K.

Casorio	Grell	Milne	Smith, M.
Causar	Grove	Mirabito	Smith, S.
Christiana	Grucela	Moul	Solobay
Civera	Haluska	Mundy	Sonney
Clymer	Hanna	Murphy	Staback
Cohen	Harhai	Murt	Stern
Conklin	Harhart	Myers	Stevenson
Costa, D.	Harkins	O'Brien, D.	Sturla
Costa, P.	Harper	O'Brien, M.	Swanger
Cox	Harris	O'Neill	Tallman
Creighton	Helm	Oberlander	Taylor, J.
Curry	Hennessey	Oliver	Taylor, R.
Cutler	Hess	Pallone	True
Daley	Hickernell	Parker	Turzai
Dally	Hornaman	Pashinski	Vereb
Day	Houghton	Payne	Vitali
Deasy	Hutchinson	Payton	Wagner
Delozier	Johnson	Peifer	Walko
DeLuca	Josephs	Perzel	Wansacz
Denlinger	Kauffman	Petrarca	Waters
DePasquale	Keller, M.K.	Petri	Watson
Dermody	Keller, W.	Phillips	Wheatley
DeWeese	Kessler	Pickett	White
DiGiolamo	Killion	Preston	Williams
Donatucci	Kirkland	Pyle	Youngblood
Drucker	Kortz	Quigley	Yudichak
Eachus	Kotik	Quinn	
Ellis	Krieger	Rapp	McCall,
Evans, D.	Kula	Readshaw	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—8

Belfanti	Miccarelli	Mustio	Thomas
Cruz	Millard	Perry	Vulakovich

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

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

**HB 464, PN 1274** (Amended) By Rep. PRESTON

Amending the act of May 2, 1947 (P.L.143, No.62), entitled "An act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement; providing for the licensing of persons reselling such tickets for profit; providing for the suspension and revocation of such licenses; imposing duties on licensees and owners or operators of places of amusement; imposing powers and duties on the Department of Revenue, county treasurers, district attorneys, and the receiver of taxes, and city solicitors in cities of the first class; making disposition of moneys collected and providing penalties," further providing for definitions; and providing for ticket purchasing software and for penalties.

CONSUMER AFFAIRS.

**HB 591, PN 648** By Rep. PRESTON

An Act providing for restroom access for certain customers of retail establishments; and imposing a penalty.

CONSUMER AFFAIRS.

**RESOLUTION REPORTED FROM COMMITTEE**

**HR 34, PN 162**

By Rep. PRESTON

A Resolution establishing a select committee to investigate and review the policies, procedures and practices in place by the various Commonwealth agencies, authorities, boards, commissions, councils, departments and offices and the entities they license or regulate to protect the personal health, financial and other sensitive data of the citizens of this Commonwealth.

CONSUMER AFFAIRS.

The SPEAKER. The resolution will be reported to the calendar.

**APPROPRIATIONS COMMITTEE MEETING**

**DEMOCRATIC CAUCUS**

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Representative Cohen, for the purpose of an announcement.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, at 12:45 p.m. there will be a meeting of the Appropriations Committee in the majority caucus room. That will be followed by a 1 p.m. Democratic caucus, and our goal is to be back on the floor at 1:30 p.m.

The SPEAKER. The Chair thanks the gentleman.

There will be a meeting of the Appropriations Committee at 12:45 in the majority caucus room followed by a 1 p.m. Democratic caucus.

**REPUBLICAN CAUCUS**

The SPEAKER. The Chair recognizes the gentlelady from Susquehanna County, Representative Major.

Miss MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus at 1 p.m. today. We would also be prepared to come back to the floor at 1:30, so I would ask Republicans to please report to caucus at 1 p.m. Thank you.

The SPEAKER. The Chair thanks the lady.

**AGING AND OLDER ADULT SERVICES COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentlelady from Luzerne, Representative Mundy, for the purpose of an announcement.

Ms. MUNDY. Thank you, Mr. Speaker.

The Aging and Older Adult Services Committee will meet immediately in room 60, East Wing. We will be voting on two bills and will appreciate the members' attendance. House Aging and Older Adult Services Committee is meeting immediately in room 60, East Wing. Thank you.

The SPEAKER. The Chair thanks the lady.

There will be a meeting of the Aging and Older Adult Services Committee immediately in room 60, East Wing.



**LEAVE OF ABSENCE**

The SPEAKER. Turning to leaves of absence, the Chair recognizes the gentleman from Allegheny, the minority whip, Representative Turzai, who requests the following leave for Representative FLECK from Huntingdon County for the day. Without objection, the leave will be granted.

**LOCAL GOVERNMENT  
COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Northampton County, Representative Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, could you advise us as to how long you anticipate we will be in session when we return at 1:30.

The SPEAKER. We would hope to conclude session by 3, but it all depends how long the debate goes on the amendments posted to the bills on second consideration.

Mr. FREEMAN. Okay. I just wish to advise the members of the House Local Government Committee that we will be meeting today at the conclusion of session so please keep alert as to the announcement, but we will probably convene sometime then around 3 or 3:30 and I will be making an announcement from the floor.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Local Government Committee will meet at the conclusion of session.

Are there any further announcements?

**RECESS**

The SPEAKER. This House will stand in recess until 1:30 p.m., unless sooner recalled by the Speaker.

**RECESS EXTENDED**

The time of recess was extended until 1:45 p.m.; further extended until 2 p.m.; further extended until 2:15 p.m.

**AFTER RECESS**

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

**BILLS REREPORTED FROM COMMITTEE**

**HB 526, PN 577** By Rep. D. EVANS

An Act amending the act of September 2, 1961 (P.L.1232, No.540), known as the Model Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance, further providing for premiums and refunds.

APPROPRIATIONS.

**HB 727, PN 813**

By Rep. D. EVANS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for trademark counterfeiting.

APPROPRIATIONS.

**HB 838, PN 1152**

By Rep. D. EVANS

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for conditions subject to which policies are to be issued; and providing for health insurance coverage for certain children of insured parents.

APPROPRIATIONS.

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

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

**HB 371, PN 1275** (Amended)

By Rep. MUNDY

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers and duties of Department of Public Welfare, providing for onsite complaint investigations and plans of correction.

AGING AND OLDER ADULT SERVICES.

**HB 821, PN 1276** (Amended)

By Rep. MUNDY

An Act requiring certain long-term care facilities to coordinate with licensing agencies and local area agencies on aging to provide assistance to consumers in circumstances involving relocation of consumers; and providing for powers and duties of the Department of Aging.

AGING AND OLDER ADULT SERVICES.

**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,  
March 23, 2009

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, March 30, 2009, 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 House of Representatives recesses this week, it reconvene on Monday, March 30, 2009, 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.

### COMMUNICATIONS

The SPEAKER. The Speaker is in receipt of the following communications, which the clerk will read.

The following communications were read:

A communication dated March 2009, from the Joint Legislative and Water Pollution Control and Conservation Committee providing a copy of its 2008 annual report.

A communication dated March 20, 2009, from the Office of Small Business Advocate providing a copy of its annual report for the calendar year 2008.

A communication dated March 19, 2009, from the Secretaries of the Department of Public Welfare and the Department of Education providing a copy of the 2007-2008 annual report of the Office of Child Development and Early Learning.

(Copies of communications are on file with the Journal clerk.)

### LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence and recognizes the majority whip, who requests the following leaves: the gentlemen, Representative LENTZ from Delaware for the day, Representative KOTIK from Allegheny for the day. Without objection, those leaves will be granted.

### SUPPLEMENTAL CALENDAR A

#### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 526**, **PN 577**, entitled:

An Act amending the act of September 2, 1961 (P.L.1232, No.540), known as the Model Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance, further providing for premiums and refunds.

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

\* \* \*

The House proceeded to second consideration of **HB 727**, **PN 813**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for trademark counterfeiting.

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

\* \* \*

The House proceeded to second consideration of **HB 838**, **PN 1152**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for conditions subject to which policies are to be issued; and providing for health insurance coverage for certain children of insured parents.

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

Mr. **KILLION** offered the following amendment  
No. **A00439**:

Amend Bill, page 1, line 14, by inserting after "parents"  
and for LifeLine health insurance

Amend Bill, page 4, by inserting between lines 29 and 30  
Section 3. The act is amended by adding an article to read:

#### ARTICLE XIX

#### LIFELINE HEALTH INSURANCE

Section 1901. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Commissioner." The Insurance Commissioner of the Commonwealth.

"Department." The Insurance Department of the Commonwealth.

"Dependent child." A natural or adopted child of a qualified individual. The term includes a stepchild who resides in a qualified individual's household if the qualified individual has assumed the financial responsibility for the child and another parent is not legally responsible for the support and medical expenses of the child.

"Eligible dependent." A spouse of a qualified individual and any dependent children who are under 19 years of age.

"Health benefit plan." An individual or group health insurance policy, subscriber contract, certificate or plan that provides health or sickness and accident coverage which is offered by an insurer. The term does not include any of the following:

(1) An accident only policy.

(2) A limited benefit policy.

(3) A credit only policy.

(4) A long-term or disability income policy.

(5) A specified disease policy.

(6) A Medicare supplement policy.

(7) A Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) supplement policy.

(8) A fixed indemnity policy.

(9) A dental only policy.

(10) A vision only policy.

(11) A workers' compensation policy.

(12) An automobile medical payment policy under 75

Pa.C.S. (relating to vehicles).

"High deductible health plan." A health insurance policy that would qualify as a high deductible health plan under section 223(c)(2) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 223(c)(2)).

"Insurer." A company or health insurance entity licensed in this Commonwealth to issue any individual or group health insurance, sickness or accident policy, subscriber contract, certificate or plan that

provides medical or health care coverage by a health care facility or licensed health care provider that is offered or governed under any of the following:

(1) This article.

(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).

"Licensee." An individual who is licensed by the Department of State to provide professional health care services in this Commonwealth.

"LifeLine health plan." A health benefit plan that offers the following, subject to the provisions of this article:

(1) Twenty-one days of inpatient hospital surgical and medical coverage per policy year.

(2) Coverage for four office visits for primary health care services for covered services rendered by a licensee, subject to a copayment for each visit of \$10 for treatment of injury or illness.

(3) Coverage for surgery and anesthesia.

(4) Coverage for emergency accident and medical treatment.

(5) Coverage for diagnostic services up to \$1,000 for each policy year.

(6) Coverage for chemotherapy and radiation treatment.

(7) Coverage for maternity care.

(8) Coverage for newborn care for up to 31 days following birth.

"Participating insurer." An insurer that offers health benefit plans to groups or individuals and which has health benefit plans in force covering in the aggregate at least 100,000 qualified individuals in this Commonwealth.

"Standard health benefit plan." The LifeLine health plan and any high deductible health plan offered by participating insurers to individuals and employers.

Section 1902. Offering of standard health benefit plans.

(a) Offering of plans.—All participating insurers shall offer the standard benefit plans specified under this article to individuals and to employers for the benefit of individuals employed by them.

(b) Inclusion in coverage.—

(1) If coverage is provided to eligible dependents under a LifeLine health plan, the coverage shall include dependent children of the insured from the moment of birth and for adopted dependent children with prior coverage from the date of the interlocutory decree of adoption.

(2) The participating insurer may require that the insured give notice to it of any newborn child within 90 days following the birth of the child and of any adopted child within 60 days of the date the insured has filed a petition to adopt.

(c) Exclusion.—Participating insurers may exclude coverage under a LifeLine health plan for an individual who has not been covered by a health benefit plan for more than 30 days for up to one year for medical conditions for which medical advice or treatment was received by the individual during the 12 months prior to the effective date of the individual's LifeLine health plan policy.

(d) Applicability.—No law, regulation or administrative directive requiring the coverage of a health care benefit or service or requiring the reimbursement, utilization or inclusion of a specific category of license shall apply to LifeLine health plans delivered or issued for delivery in this Commonwealth under the authority granted under this article, including the provision of the benefits or requirements mandated under Article VI-A or by regulations promulgated under this article.

Section 1903. Facilitation by the department of access to standard health benefit plans and related information.

(a) Duty of department.—The department shall take all actions necessary to effectuate the provisions of this article so that participating insurers are able to make standard benefit plans available not later than 180 days following the effective date of this section.

(b) Demonstration of coverage.—

(1) Each insurer shall, not more than 90 days after the effective date of this section, demonstrate to the commissioner all of the following:

(i) If it has health benefit plans in force covering a sufficient number of individuals to qualify as a participating insurer.

(ii) If qualified as a participating insurer, that it has the capacity to issue standard health benefit plans and provide information sufficient to permit the department to discharge the responsibilities assigned to it under subsection (d).

(iii) If qualified as a participating insurer, that it has undertaken a process to make standard benefit plans available not later than 180 days following the effective date of this section.

(2) The commissioner shall notify an insurer of its qualification as a participating insurer under this subsection.

(c) Demonstration of capacity.—

(1) An insurer shall, within 30 days of first providing coverage under health benefit plans to a sufficient number of individuals to qualify as a participating insurer under this article, demonstrate to the commissioner that:

(i) It has the capacity to issue standard health benefit plans and provide information sufficient to permit the department to discharge the responsibilities assigned to it under subsection (d).

(ii) It has undertaken a process to make standard benefit plans available not later than 180 days following provision of the information to the commissioner.

(2) The commissioner shall notify an insurer of its qualification as a participating insurer under this subsection.

(d) Facilitation.—The department shall facilitate the availability of information relating to standard health benefit plans by electronic and other means, inclusive of pricing and benefit information and all other relevant information, so that prospective purchasers of the plans have the ability to compare benefits, terms, conditions and pricing among all participating insurers.

(e) Provision of information.—Participating insurers shall provide the department, at its request, with information sufficient to enable it to discharge its responsibilities under subsection (d).

Section 1904. Records and reporting.

A participating insurer shall provide an annual report to the department in a form prescribed by the department enumerating:

(1) The number of individuals covered under standard health benefit plans, including coverage provided both directly to individuals and through employers.

(2) The number of persons receiving coverage both under LifeLine health benefit plans and through high deductible health plans.

Section 1905. Petition for exception.

(a) General rule.—An insurer may, after the third anniversary of its qualification as a participating insurer, petition the commissioner to be relieved of the obligation to offer LifeLine health plans under this article.

(b) Findings by commissioner.—The commissioner may grant the petition if the commissioner finds that:

(1) The petitioner has used its commercially reasonable best efforts to market and issue the coverage.

(2) Continuation of the efforts would not provide LifeLine health plan coverage to a sufficient number of individuals to justify continued efforts to market and issue the coverage.

(c) Arrangements.—The commissioner shall, as a condition for approving a petition described under subsection (a), require that arrangements be made for the orderly disposition of outstanding coverage.

Amend Bill, page 4, line 30, by striking out "3" and inserting  
4

Amend Bill, page 5, line 4, by striking out "4" and inserting  
5

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

#### AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER. We will temporarily go over the Killion amendment.

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

Mr. **CUTLER** offered the following amendment  
No. **A00441**:

Amend Bill, page 1, line 14, by inserting after "parents"  
and for Medical Safety Automation Fund

Amend Bill, page 4, by inserting between lines 29 and 30  
Section 3. The act is amended by adding an article to read:

#### ARTICLE XIX

##### MEDICAL SAFETY AUTOMATION FUND

Section 1901. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Community-based health care provider." Any of the following nonprofit health care centers which provide primary health care services:

(1) A federally qualified health center as defined in section 1905(1)(2)(B) of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1396d(1)(2)(B)).

(2) A rural health clinic as defined in section 1861(aa)(2) of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1395x(aa)(2)), certified by Medicare.

(3) A freestanding hospital clinic serving a federally designated health care professional shortage area.

(4) A free or partial-pay health clinic which provides services by volunteer medical providers.

"Department." The Department of Health of the Commonwealth.

"Grant." A grant received under this article.

"Health care provider." A health care facility or health care practitioner as defined in the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, a group practice or a community-based health care provider.

"Health information." The medical records of a patient.

"Health information technology." The application of information processing utilizing products, devices, including hardware and software, or systems that allow for the electronic collection, storage, retrieval, exchange, sharing, management or use of health information.

"Health insurer." Any of the following providers of health care insurance coverage:

(1) An insurer licensed under this act.

(2) A health maintenance organization as defined in the act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act.

(3) A not-for-profit health plan corporation operating pursuant to 40 Pa.C.S. Chs. 61 (relating to health plan corporations) and 63 (relating to professional health services plan corporations).

"Interoperability." The ability to communicate and exchange data accurately, effectively, securely and consistently among different technology systems, software applications and networks in a way that maintains and preserves the clinical purpose of the data.

"Medical safety automation system." An automated, interoperable system that utilizes health information technology to integrate health information, clinical activities and data sharing in any of the following areas: pharmacy ordering and tracking, laboratory testing and results, physician order management, access by clinicians, access by consumers, telemedicine, data sharing among health care facilities, physicians and health insurers or other transaction monitoring or health information exchange that promotes patient safety and efficiency in the delivery of health care.

"Program." The Medical Safety Automation Program established under this article.

"Regional health information organization." A not-for-profit organization that adopts bylaws, memoranda of understanding or other charter documents that provide for the establishment of a governance structure and processes and enable participation by multiple health care providers in the development of a medical safety automation program.  
Section 1902. Medical Safety Automation Program.

(a) Establishment.—The Medical Safety Automation Program is hereby established to provide grants to health care providers or to regional health information organizations to implement medical safety automation systems.

(b) Grants.—The program shall provide grants to health care providers and regional medical safety automation organizations for the following:

(1) Purchase of health information or telecommunications technology necessary to create an interoperable and integrated medical safety automation system.

(2) Payment of costs and expenses associated with preparation of plans, specifications, studies and surveys necessary to determine the scope of a medical safety automation system and the practicality and effectiveness of its use.

(3) Training of physicians and personnel in the use of a medical safety automation system.

(c) Standards.—A health care provider or regional health information organization must comply with standards adopted by the Federal Office of the National Coordinator for Health Information Technology, including all standards relating to interoperability. A health care provider or regional health information organization that is in compliance with the standards of the Office of the National Coordinator for Health Information Technology shall be eligible to receive a grant.

(d) Formula.—The department shall develop a methodology to determine the grant amount to be awarded. For a hospital health care provider that is a hospital, the methodology shall take into account the number of medical assistance days as a percentage of total inpatient days based on the most recent available data, the financial need of the hospital based on net patient revenue and other factors as determined by the department. The department shall develop a similar methodology for other health care providers.

(e) Limitation.—The amount of a grant to any specific health care provider or regional medical safety automation organization shall not exceed \$1,000,000. No less than 60% of available funds shall be used for grants to health care providers in counties of the fourth, fifth, sixth, seventh or eighth class.

(f) Matching funds.—An applicant for a grant shall provide matching funds in the amount of 100% of the amount of the grant. If the applicant is a community-based health care provider, the applicant shall provide matching funds in the amount of 50% of the amount of the grant.

(g) Term.—A grant shall be for a term not to exceed two years.  
Section 1903. Fund.

A restricted receipt account is hereby established in the State Treasury to be known as the Medical Safety Automation Fund. The following shall be deposited into the fund:

(1) Money appropriated to the fund by the General Assembly.

(2) Earnings derived from the investment of the money in the account, after deducting investment expenses.

Section 1904. Eligibility.

In order to be eligible for a grant, a health care provider must provide medically necessary services to individuals regardless of the individual's ability to pay for the services and must be a participating provider with the Department of Public Welfare of services to individuals eligible for medical assistance.

Section 1905. Application.

(a) Submission.—In order to be eligible to receive a grant, a health care provider or regional medical safety automation organization shall submit an application in a form and manner prescribed by the department.

(b) Requirements.—An application submitted under subsection (a) shall set forth the manner in which the medical safety automation system will do the following:

(1) Protect privacy and security of health information.

(2) Maintain and provide permitted access to health information in an electronic format.

(3) Ensure compliance with standards adopted by the department and the Office of the National Coordinator for Health Information Technology.

(4) Improve health care quality, reduce health care costs resulting from inefficiency, medical errors, inappropriate care and incomplete information and advance the delivery of patient-centered medical care.

(5) Ensure interoperability with other systems and health care providers.

(6) Improve the coordination of care and information among health care providers, health insurers and other entities through an effective infrastructure for the secure and authorized exchange of health care information.

(7) Improve public health reporting and facilitate the early identification and rapid response to public health threats and emergencies, including bioterror events and infectious disease outbreaks.

(8) Facilitate health research.

(9) Promote prevention of chronic diseases.

(10) Provide for consumer access to personal medical information.

(c) Additional information.—In addition to the application the applicant shall provide:

(1) A feasibility study of the proposed medical safety automation system.

(2) A business or financial plan that describes the long-term sustainability, financial cost to the applicant and the proposed benefits of the plan.

(3) A strategic plan and schedule for the development and implementation of the medical safety automation system.

Section 1906. Reimbursement.

An applicant may qualify for a grant to reimburse up to 50% of actual expenses for interoperable and integrated medical safety automaton systems that were purchased within the past three calendar years.

Section 1907. Accountability.

(a) Information required.—Within one year of receipt of a grant, the recipient shall provide the following to the department:

(1) A report on the status of the strategic plan and the development of the medical safety automation system.

(2) An accounting of the expenditure of funds from the grant and all funds received from other sources.

(3) A report on any reductions in medical errors, increases in efficiency and advances in the delivery of patient-centered medical care.

(b) Annual report.—The department shall submit an annual report to the chairman and minority chairman of the Public Health and Welfare Committee of the Senate and the chairman and minority chairman of the Health and Human Services Committee of the House of Representatives which shall include the number and amount of grants awarded, a description of each medical safety automation system being funded, the impact on the delivery of medical care and the total amount of funds spent.

Section 1908. Limitations.

Aggregate grant amounts are limited to \$25,000,000 Statewide each fiscal year.

Section 1909. Duties of department.

The department shall:

(1) Administer the program and award grants from the fund.

(2) Facilitate the adoption and implementation of a Statewide interoperable medical safety automation system among all health care providers, health insurers and consumers.

(3) Distribute grants among all geographic areas of this Commonwealth.

(4) Adopt standards for a medical safety automation system that are consistent with those developed by the Office of the National Coordinator for Health Information Technology and approved by the Secretary of the Department of Health and Human Services.

(5) Within 90 days of the effective date of this section, develop and provide an application form consistent with the provisions of this article.

(6) Ensure that health information technology policy and programs of the department are coordinated with the Department of Public Welfare and other executive branch agencies and Federal agencies to implement a medical safety automation system for all health care-related programs administered by the Commonwealth.

(7) Share all data relating to the use of medical safety automation systems with the Department of Public Welfare, the Health Care Cost Containment Council, the Patient Safety Authority and other State agencies. The Health Care Cost Containment Council and other State agencies shall share data obtained from medical safety automation systems with the department.

(8) Give preference to applications which provide regional medical safety automation systems that link multiple health care providers and which provide direct patient access to health care information.

(9) Audit grants to ensure that funds have been used in accordance with the terms and standards adopted by the department.

(10) Provide ongoing assessment of the benefits and costs of medical safety automation systems, to include information relating to reduction in medical errors, reduction in physician visits, economic impact, efficiencies experienced and other information.

(11) Develop a public information program to inform the public about the efficiency and safety advantages to be achieved by the adoption of medical safety automation systems.

Amend Bill, page 4, line 30, by striking out "3" and inserting

4

Amend Bill, page 5, line 4, by striking out "4" and inserting

5

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question, the Chair recognizes the gentleman from Lancaster, Representative Cutler.

Mr. CUTLER. Thank you.

I would just like to offer this amendment to the bill. It is actually a rewrite of former HB 2024 from last session. It would allow us to create a fund called the Medical Safety Automation Fund that could be used for hospital technology grants to hospitals. As we have gone forward here the last legislative cycle and into this cycle, we have created a variety of programs that require hospitals to implement new computer systems, however, provided no funding source for this very capital-intensive endeavor, and this amendment seeks to help cure that.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### GERMANENESS QUESTIONED

The SPEAKER. On the question, the Chair recognizes the gentleman from Allegheny, Representative DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I am going to make a motion that this bill is not germane to the subject matter. I do so because this bill has nothing to do with what we are trying to do as far as the health-care part of this bill. Now, let me also bring to the attention of this House, there is a key provision in this bill pertaining to—As we know, with education getting higher and higher and our men and women who go overseas to protect us and leave and then come back to college, they do not have health care. The important piece of this bill is to provide that health care.

The SPEAKER. Will the gentleman yield.

Has the gentleman made a motion or is challenging the amendment on germaneness?

Mr. DeLUCA. Okay. I make a motion that it is not germane, Mr. Speaker.

The SPEAKER. The gentleman, Representative DeLuca from Allegheny, raises the point of order that the amendment No. A00441 to HB 838 is not germane.

The Speaker, under rule 27, is required to submit the question of germaneness of an amendment to the House for decision.

On the question,

Will the House sustain the germaneness of the amendment?

The SPEAKER. It would be on that point of order that the Chair recognizes the gentleman from Allegheny, Representative DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

The reason I believe this is not germane is because it has nothing to do with the content of this bill pertaining to health care and this, I believe, will stall this bill and I am asking for the members here to vote for it not to be germane.

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Point of parliamentary inquiry. How many times will I be allowed to be recognized on this motion, sir?

The SPEAKER. On points of order, the speakers may address the House one time.

Mr. CUTLER. Mr. Speaker, may I request to speak last on the motion then?

The SPEAKER. You may.

Mr. CUTLER. All right. I will defer to my other colleagues who wish to speak at this time. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Representative Turzai, the minority whip.

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

I rise to ask the members to oppose this motion. With all due respect to the gentleman from Allegheny County, I think it is quite clear that there is germaneness. Representative Cutler's bill clearly is dealing with health care and the underlying cost of health care, and also, they both deal with the insurance code. We are dealing with creating a grant fund for technological implementation under Representative Cutler's amendment, and this actually strikes me as the perfect vehicle for which to provide that amendment.

With that, I would ask the members to please vote against the motion because it is in fact a germane amendment.

The SPEAKER. On the question, the Chair recognizes the gentleman from Allegheny, Representative Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

I would just say, the underlying bill talks about insuring people and insurance coverage. This amendment, which is a piece of legislation that we have taken up before that I think many of us think is important, has nothing to do with insuring Pennsylvanians, and it should be considered separately. So I would agree with the maker of the motion that this clearly is not germane and that motion should be supported. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Mercer, Mr. Longiotti.

Mr. LONGIETTI. Thank you, Mr. Speaker.

As the prime sponsor of the bill, I would respectfully request a vote in support of the motion to find this amendment not germane. I certainly respect my colleague across the aisle, however, this bill is very narrow in its scope and it deals with extending health-care coverage to children up to age 30 and the amendment does not apply to that; it deals on a totally different subject. So I respectfully request an affirmative vote on finding that this amendment is not germane.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### POINT OF ORDER

The SPEAKER. On the question of germaneness, the Chair recognizes the gentleman from Allegheny, Mr. Maher.

Mr. MAHER. Point of order, Mr. Speaker.

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

Mr. MAHER. The question that is presented on the board is whether or not the amendment is germane. The motion by my good friend from Allegheny County, which he stated twice, was a motion that the bill was not germane. I am not sure that the motion that the gentleman actually stated can have any real standing before us, but that is not the motion that the gentleman asked for. The gentleman asked for a motion that the bill is not germane and not a motion that the amendment is not germane.

The SPEAKER. The Chair thanks the gentleman.

When the Speaker read the motion, the gentleman from Allegheny made a motion on the amendment and when the Speaker read into the record, he read into the record that the amendment number – to HB 838 – amendment No. 00441 was what was being challenged as not being germane.

Mr. MAHER. And that is my point of order, Mr. Speaker, is that the question that has been presented to the House is not the question that was raised by the gentleman.

The SPEAKER. We understood the gentleman from Allegheny to make the motion that amendment A00441 was not germane to HB 838. He correctly stated his motion to the Chair.

Mr. MAHER. Well, I thank you, Mr. Speaker.

I would like to speak on the motion, which I never heard the gentleman raise, but if you did, so be it.

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

Mr. MAHER. This House has long-established customs and practices that have been embraced and certified by our State Supreme Court to define what is in bounds for an amendment to be germane. This amendment is squarely down the middle of what the courts have established and has been the long-standing practice of this body.

Now, if the folks who are pretending that this amendment is not germane just do not like the amendment, they can certainly vote against it. But to disregard the history of this House and the court history as to what is germane, in the interest of cloaking a debate on the substance, would be to misuse the rules of this House, to prevent openness, to prevent transparency, to prevent a full discussion of a very important question. I am not encouraged when I see an attempt to misuse the rules. Now, I am certain I will hear someone else say that sometime in the past, the rules were misused before; I have no doubt of that. But if we are truly going to be a House that operates with sunlight, with openness, with integrity, then our debate on a question like this, that is germane, should be on the substance of the amendment and not some political parliamentary exercise.

However, I will observe that if the desire from the majority is to prevent honest and open discussion on this bill today and to get through second consideration by simply covering up and avoiding an honest discussion of these issues, then I would notice that there are fewer than 102 votes on the majority side of the aisle and that perhaps we will need a recorded vote on second consideration, which if I understand the Constitution correctly, would not pass.

So I really suggest that there is a crossroads here. Is there a desire for an honest discussion of these important issues about health care? If there is, I encourage the gentleman to withdraw the motion that is on the board and let us get on with it. If the desire is to hide these issues from the public discussion, well, that would be a great disappointment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader, the gentleman, Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

On the very merits of the argument on the gentleman's motion on germaneness, the intent of this legislation is to cover insurance, create insurance coverage up to age 30 for individuals within their family's health-care policy – an important step forward, all of us will agree to that. But in the gentleman's amendment, there is no mention of coverage. As a matter of fact, what the gentleman's amendment does is it creates a \$25-million new program dealing with electronic

medical record keeping, without any mention in the gentleman's amendment of coverage or extending additional coverage. That is why it is not germane. It is not germane on the facts, and that is what this motion is about. It is about rules and facts, not editorializing.

I once again support the gentleman's motion. I am asking to uphold Mr. DeLuca's motion. Thank you.

The SPEAKER. On the question—

Mr. S. SMITH. Mr. Speaker? Mr. Speaker, down here.

The SPEAKER. The Chair apologizes to the gentleman. The Chair recognizes the minority leader, Representative Smith.

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

So let me be clear about the standard by which germaneness might be determined going forward. The majority leader just said that because the amendment did not specifically reference a particular element in the underlying bill that that by itself makes this amendment nongermane, when in fact the bill deals with the insurance company law and the amendment falls well within the insurance company law, and historically, I think the vast majority of the time that we have dealt with germaneness, that has kind of been the underlying standard – that if you are within the same code, if you are within the same existing law and the bill amends it and the amendment amends into the same law or underlying code, then it is germane.

So now we are being told that from now on, germaneness will be determined on whether or not an amendment speaks specifically to certain elements mentioned in the bill. I am not sure that that is the standard by which you are going to want to operate throughout the course of the year. I think it is inconsistent with the standard that this House has traditionally used, at least the vast majority of the time, and quite frankly, Mr. Speaker, I just think that the majority needs to consider that.

Perhaps, Mr. Speaker, I could make that in terms of a question to the majority leader, brief interrogation.

The SPEAKER. Will the gentleman agree to interrogation?

The gentleman will stand for interrogation. The gentleman may proceed.

Mr. S. SMITH. I tried to characterize without getting into the specifics of the bill or the amendment what you just articulated, Mr. Speaker, and perhaps you could clarify for me without looking at this specific situation before us just what the standard of germaneness is if we are going to establish a new parameter here, a new guideline. Are we down to if it does not amend the same section of the code that the bill amends? Could you just give me a little more definition as to just what standard you are trying to apply today relative to germaneness?

Mr. EACHUS. Mr. Speaker, as a matter of parliamentary procedure, I can tell you that we have had many motions of germaneness throughout the course of sessions in the past. As it relates to this specific case, and I would like to continue to make sure that I am specific to today's action, the gentleman's amendment does not meet the standard under the ability to create germaneness in this act. As it relates to parliamentary procedure, I would refer to the Parliamentarian and the Speaker as it relates to standards of germaneness, and I am happy to do that today.

Mr. S. SMITH. Mr. Speaker, would you please clarify that? Are you saying that germaneness is determined by the Speaker?

Mr. EACHUS. No, Mr. Speaker.

As I said, relating to this specific amendment today that electronic medical records does not appear in the insurance law whatsoever, if your staff can be instructive as to where it is

does, I know that you said that it was. This is clearly not germane under the traditions of the House, and if there is a question of parliamentary procedure, perhaps the appropriate question would be directed to the Speaker.

Mr. S. SMITH. Okay, Mr. Speaker, I understand what you were saying. So you are saying that the standard for germaneness today is that even though this amendment applies directly to the insurance company code or to the statute that the bill amends, that because it creates something new within that code that that makes it not germane to the bill. Is that the standard you are applying?

Mr. EACHUS. My argument is that just because the gentleman's amendment says that it applies to the insurance code, it still has to meet the standard within the insurance code. I do not believe that it does and that is why I support the gentleman's motion on germaneness.

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

Mr. Speaker, I think we try to live with precedents and definitions, but what I am hearing here today, Mr. Speaker, is that the long-standing general direction of germaneness by the House has been that if your amendment is within that same subject area – and subject has generally been determined as being the existing law or the existing statute that is being amended – to today turn around and say that this is not germane because it creates something new within that existing law; if this were changing the entire nature of the bill, if it was changing the entire underlying code, the existing law, perhaps I would be inclined to agree with the argument made by the majority. But in fact, Mr. Speaker, this amendment speaks directly to the insurance company code, just as the bill that is before us speaks directly to the insurance company code. To make this significant change in order to, what appears to be, avoid debating the merits of this legislation, debating the merits of this amendment seems to me to be a little disingenuous.

The bottom line is, Mr. Speaker, this amendment that is before us is something that is well worthy of debate, and I would suspect it is something that there is probably a lot of support throughout this House, both Republican and Democrat. Perhaps I am wrong. Perhaps there are only Republicans who support this amendment, which if that is the case, I would not see why the majority just would not vote it down. Perhaps there is broad, bipartisan support for the amendment 441 that is before us, and if that were the case, then I see no reason for it to move forward. It is not an amendment, nor are any of the other amendments, amendments that by themselves somehow kill the bill. They enhance the bill, quite frankly, Mr. Speaker, and I would urge the members to be cautious about the standard of definition as to what germaneness is on any given day and that we might go forward and allow us to debate the merits of amendment 441 and let us see if we are going in the right direction or maybe we are not. Maybe we should rethink things.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Lancaster County, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

If I, by way of analogy, make another comparison, I think that this amendment is absolutely germane to what we are about to undertake, and I am going to use the PENNDOT code and the issues that come up in that in regards to when we discuss roads and bridges and other kinds of construction projects, even though there is no mention of any kind of environmental impact

study and things like that, that is determined to be absolutely germane to that discussion. And more on point, in regards to the insurance code, Mr. Speaker, I would like to make the following points: We cannot ignore that health-care costs are on the rise and we cannot make decisions in a vacuum. We can say that this bill is very narrowly scoped; however, there are three main points where this amendment is exactly on point with the underlying issue of insuring more Pennsylvanians.

I think we would all agree that the ultimate goal is to get more insurance for Pennsylvanians. That is the first one. The second one is to help move that goal along to the ultimate goal, we need to decrease costs and increase availability. This amendment does this just like the underlying bill does. And furthermore, Mr. Speaker, this bill deals primarily with the insurance code. There are a whole variety of insurance code issues that we will be faced with and tasked with fixing going forward, and if we ignore the way that all of these items are interrelated, I believe that we are ignoring the much larger debate. Mr. Speaker, these three points make this amendment absolutely on point with the underlying issue of insuring more Pennsylvanians.

Mr. Speaker, we cannot make decisions and simply give out coverage without understanding the costs that are associated with it. I would argue that if we are in favor of unfunded mandates to hospitals driving up health care and decreasing availability, you would be supportive of this motion, Mr. Speaker. But the fact of the matter is – and the honorable gentleman, the majority leader, alluded to the cost of the bill – this bill merely sets up the ability to set something going forward. In fact, the fiscal note that I have, prepared by the majority Appropriations chairman, clearly states that there are no amounts in the bill. So there is nothing that has been appropriated yet, Mr. Speaker. So what this does is puts the framework in place, Mr. Speaker, to have this debate of the funding at the appropriate time when it comes budget time.

Unfortunately, we do not always have the ability to argue the issues that are on point at budget time because of the very same argument of whether or not it is germane, so we must take the bills that we have before us and move the issues as we see fit and, personally, I believe that this is absolutely on point. It insures more Pennsylvanians, it keeps costs down, and it deals wholly inside the insurance code. Furthermore, the majority Appropriations chairman's note proves that there is no money attached. So I think it is a perfectly safe vote and I would argue that this is in fact germane. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question before the House as to whether or not the amendment is germane or not germane, those who believe the amendment is germane will vote "aye"; those believing the amendment is not germane to the bill will vote "nay."

On the question recurring,

Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

YEAS—92

Adolph	Everett	Maher	Quinn
Baker	Fairchild	Major	Rapp
Barrar	Farry	Marshall	Reed
Bear	Gabig	Marsico	Reese
Benninghoff	Gabler	Mensch	Reichley



Beyer	Geist	Metcalfe	Roae
Boback	Gillespie	Metzgar	Rock
Boyd	Gingrich	Micozzie	Rohrer
Brooks	Godshall	Miller	Ross
Causar	Grell	Milne	Saylor
Christiana	Grove	Moul	Scavello
Civera	Harhart	Murt	Schroder
Clymer	Harper	O'Brien, D.	Smith, S.
Cox	Harris	O'Neill	Sonney
Creighton	Helm	Oberlander	Stern
Cutler	Hennessey	Payne	Stevenson
Dally	Hess	Peifer	Swanger
Day	Hickernell	Perzel	Tallman
Delozier	Hutchinson	Petri	Taylor, J.
Denlinger	Kauffman	Phillips	True
DiGirolamo	Keller, M.K.	Pickett	Turzai
Ellis	Killion	Pyle	Vereb
Evans, J.	Krieger	Quigley	Watson

## NAYS—99

Barbin	Evans, D.	Longietti	Samuelson
Bishop	Fabrizio	Mahoney	Santarsiero
Boyle	Frankel	Manderino	Santoni
Bradford	Freeman	Mann	Seip
Brennan	Galloway	Markosek	Shapiro
Briggs	George	Matzie	Siptroth
Brown	Gerber	McGeehan	Smith, K.
Burns	Gergely	McI. Smith	Smith, M.
Buxton	Gibbons	Melio	Solobay
Caltagirone	Goodman	Mirabito	Staback
Carroll	Grucela	Mundy	Sturla
Casorio	Haluska	Murphy	Taylor, R.
Cohen	Hanna	Myers	Vitali
Conklin	Harhai	O'Brien, M.	Wagner
Costa, D.	Harkins	Oliver	Walko
Costa, P.	Hornaman	Pallone	Wansacz
Curry	Houghton	Parker	Waters
Daley	Johnson	Pashinski	Wheatley
Deasy	Josephs	Payton	White
DeLuca	Keller, W.	Petrarca	Williams
DePasquale	Kessler	Preston	Youngblood
Dermody	Kirkland	Readshaw	Yudichak
DeWeese	Kortz	Roebuck	
Donatucci	Kula	Sabatina	McCall,
Drucker	Levdansky	Sainato	Speaker
Eachus			

## NOT VOTING—0

## EXCUSED—11

Belfanti	Kotik	Millard	Thomas
Cruz	Lentz	Mustio	Vulakovich
Fleck	Miccarelli	Perry	

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was declared not germane.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **MUSTIO** offered the following amendment No. **A00440**:

Amend Bill, page 4, by inserting between lines 29 and 30 Section 3. The act is amended by adding an article to read:

## ARTICLE XIX

## ALTERNATE ADULT BASIC COVERAGE INSURANCE PROGRAM

## Section 1901. Alternate adult basic coverage insurance program.

(a) Establishment.—There is established in the department an alternate adult basic coverage insurance program. Except as otherwise specifically provided in this article, the provisions of section 1303 of the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, shall apply to the alternate adult basic coverage insurance program.

(b) Eligible adult responsibilities.—An eligible adult seeking to purchase alternate adult basic coverage insurance shall:

(1) Submit an application to the department.

(2) Pay to the department or its contractor a monthly amount for coverage as determined under subsection (c).

(3) Be responsible for any required copayments.

(4) Notify the department or its contractor of any change in the eligible adult's income.

(c) Coverage and options.—Coverage and options are as follows:

(1) Eligible adults enrolled in the alternate adult basic coverage insurance program as of the effective date of this subsection shall pay a monthly amount on a sliding scale set by the department. The scale shall apply to eligible adults whose income is between 150% and 200% of the Federal poverty level and shall not be less than \$60 per month and shall be updated once per calendar year by providing notice in the Pennsylvania Bulletin.

(2) Eligible adults on the adult basic coverage insurance program established under section 1303 of the Tobacco Settlement Act as of the effective date of this subsection shall not be subject to a lifetime maximum benefit limit.

(d) Potential waiting list.—

(1) The department shall maintain a waiting list of eligible adults who have applied for alternate adult basic coverage insurance but who are not enrolled due to insufficient appropriations. An eligible adult on the waiting list may purchase the benefit package at the monthly per member premium cost negotiated by the department.

(2) Eligible adults on the potential waiting list transitioning on the adult basic coverage insurance program established under section 1303 of the Tobacco Settlement Act shall choose among the following:

(i) Adult basic benefits with no deductible, with a lifetime maximum benefit of \$250,000.

(ii) A high-deductible health plan and health savings account as authorized under section 223(c)(2) and (d) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 223(c)(2) and (d)). Eligible adults choosing this option shall deposit into a health savings account an amount equal to one-half the premium paid by an eligible adult on the waiting list who purchases adult basic benefits at cost. The high deductible health plan in this section shall have a lifetime maximum benefit of \$1,000,000.

(iii) Alternate adult basic benefits with no deductible, with a lifetime maximum benefit of \$250,000.

(3) On a quarterly basis the department shall review eligible adults in the adult basic coverage insurance program, in the alternate adult basic coverage insurance program and on the waiting list to ascertain whether or not they meet income eligibility standards and whether or not there is an alternative private sector insurance program, such as dependent coverage, for which they could apply. Adults deemed ineligible may be subject to termination of benefits and a request for

reimbursement to the Commonwealth if the total monthly amounts stated in subsection (c)(1) exceed \$1,000. Adults affected by this paragraph shall have recourse to internal review procedures established by the department.

(4) On a monthly basis, the department shall determine the number of eligible adults who have discontinued their participation in the program and shall transfer the same number of eligible adults from the waiting list to the program for participation provided they otherwise qualify.

Amend Bill, page 4, line 30, by striking out "3" and inserting

4

Amend Bill, page 5, line 4, by striking out "4" and inserting

5

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

The SPEAKER. On the question, the Chair recognizes the gentleman from Lancaster, Representative Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

This amendment – I am actually going to take the debate on this amendment – is a part of the health-care task force package that was introduced last session, and what the context or the construct of this amendment would do – first and foremost, I want to mention that it does not do anything to HB 838. It keeps that intact, which passed out of the Insurance Committee, but it adds an additional section, and the section that it adds is a section that tries to enhance and expand the adultBasic program.

The specific enhancements that this amendment entails would create within the adultBasic program the opportunity for individuals applying for adultBasic to select some options. Specifically, it would create a new product within the adultBasic program that would allow individuals to select a high deductible, HSA (health savings account) compatible product which would encourage individuals in the adultBasic program to engage in some personal responsibility in their health care; actually, Mr. Speaker, to involve them in the decisions on standard care.

Additionally, it would create a limit within the adultBasic program of \$250,000 lifetime coverage. The essence of that, Mr. Speaker, is to get at one of the core drivers within the escalating issue of the uninsured in our State, and that would be the cost drivers. This would significantly reduce the cost of the adultBasic product.

Additionally, Mr. Speaker, what we have included in this legislation would be for individuals who are between 150 and 200 percent of the poverty level, to actually have them pay an additional premium. We feel individuals in that category might be able to afford \$60 a month for their premium for adultBasic and that would free up more dollars to expand and get at more people.

And the key to all of this, Mr. Speaker, is what we are trying to do is to get accessibility for some additional people immediately onto the adultBasic, get them off the adultBasic waiting list and into the program.

Two other features, real briefly, Mr. Speaker, of the bill that are very, very important: One is it requires the department to review the waiting list on a monthly basis and actually give immediate access to individuals so we do not build up this back of 15,000 or 16,000 people and then have one big release of new people into the program, but if somebody goes off, we can

have a new person cycling on. I believe it is absolutely essential to get immediate access to that list. So it requires the department to create a program so that people can get off that waiting list and onto the program right away.

So those are the basic tenets of this amendment, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, the minority whip, Representative Turzai.

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

I rise in support of this amendment that Representatives Mustio and Boyd are putting forth.

I just wanted to point out to the body that the Representative from Allegheny County, the esteemed gentleman, has a significant background in insurance coverage and that he is, I think, thinking outside of the box, along with the health-care task force chair from Lancaster County, to provide an alternative adultBasic coverage in addition, in addition to the basic adult coverage that is currently effective. And this, I think, is an opportunity to make sure that more folks in fact have affordable coverage while at the same time not sacrificing quality of health care and/or, I think, promoting crowd-out, which ultimately makes less people have coverage.

I would like to applaud their efforts. I think they are doing great work, and I think this is a proposal that everybody should get behind. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny County, Representative Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise to oppose this amendment, and not because I think that the intent behind it, which is something we are all concerned about, is obviously to expand access to coverage, something we are all in favor of. But quite frankly, this amendment presents a new program. As it says here, an alternative adult basic coverage program within the Department of Insurance. It is complex, and it is going to take time to iron out many of the details.

The underlying bill is wonderful in its simplicity. It provides an ability to expand coverage to adult children without any cost to the Commonwealth, without any new program, and it should be done immediately. Why is this important? This May and June, students are going to be graduating from high school and from college in the worst job market that we have faced in decades. Many of them are not going to be able to get a job of what they believe they could have been entitled to after a great education that would include good pay and benefits, and they are going to need to have insurance coverage.

The underlying bill here provides the ability, without any State appropriation, without any new program, to extend coverage on their parent's health plan to adult children to age 30. These kids, these young people, are going to need that coverage. That underlying program does not carry an appropriation, as I said, it does not carry a new program, and the insurance companies are in favor of it. We should do it now. We need to get it done, not complicate it with a new program that is going to obviously need considerable fine-tuning that has just been presented to us here without even having a hearing.

We can do something for the uninsured in this State to mitigate the growing number, to help young people who are coming out of college and high school this spring, immediately,

without any cost to the Commonwealth. This amendment complicates it. It does not serve the purpose of doing what we can do immediately, efficiently, and cost-effectively.

So I ask you to oppose the Mustio amendment and any other amendment so we can do what is simply in this bill – provide coverage to young people this spring, now, when they need it the most, in the most trying economic time we are facing. So please oppose this amendment and others as we move this legislation forward. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Mercer, Representative Longietti.

Mr. LONGIETTI. Thank you, Mr. Speaker.

I also rise in opposition to the amendment that has been offered, and I certainly also respect my colleagues that are grappling with the health-care issue, as we are, in the bill that is before us this afternoon.

I have a few concerns with the amendment. First of all, as was indicated, this would create a new program, an alternative adultBasic program that we do not know how it is going to be paid for, and I assume it is going to be paid for from the same fund, the Tobacco Settlement Fund, that supports adultBasic. So in essence, what we are going to do is bleed money away from adultBasic at a time when we have over 200,000 people on the waiting list.

And if I heard the explanation correctly, the premium costs for the alternative adultBasic would actually be higher than the premium costs for the current adultBasic. Currently if you are enrolled in adultBasic, I believe it is about \$35 a month. This would increase it to \$60 a month, and one would wonder who would make that choice? Who would decide, well, I am going to choose alternative adultBasic and pay a higher premium?

Additionally, as people move over to alternative adultBasic, if we are paying it from the same funds, all we are going to do then is increase the waiting list on adultBasic because we are going to bleed that money out of adultBasic, which is a program that I believe has worked well other than the fact that we have a waiting list, which we tried to address in the House last year with PA ABC, Access to Basic Care.

Finally, I think one problem with the bill is that it mandates a choice. If you are on the waiting list – and by the way, it contemplates that the alternative adultBasic plan will also have a waiting list; it talks about a potential waiting list there – but if you are on that waiting list, you now have to make a choice. You shall choose among the following: adultBasic benefits, the high-deductible plan with a health savings account, or alternative adultBasic benefits. So in other words, I choose, and now because I am on a waiting list, I have to pay that monthly cost premium, which for adultBasic is \$330 a month. I may not have the funds to pay for that, but we are saying that you have to choose. You have to choose those benefits. And so for the first time, right now, if I cannot afford the \$330 a month, I do not have to pay that, but now we are going to say, you must choose these benefits and therefore pay when a lot of people do not have \$330 a month for insurance.

So for all these reasons, I think we need to run this bill clean. It is an approach that covers people up to age 30 that need coverage. We need to run this bill clean and defeat this amendment, and if they want to offer it as a stand-alone bill, then it can be considered as such.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Allegheny, Mr. Maher.

Mr. MAHER. For a couple of years we have heard our Governor say that his number one priority is to expand access to health care. We hear our President say that expanding access to health care is a priority. We have a program presented that would expand access to health care, \$60 a month.

The criticism that there is no appropriation in this bill is hollow, because if there were an appropriation in this bill, the bill, the amendment would be out of order because we have to deal with appropriations in separate legislation.

The notion that this would be tapping the same funds as the tobacco funds that are otherwise being tapped for adultBasic may have some sense to it, but I guess, though, it is the same pot of money that the Governor waved his hands and conjured up some revenue stream that was not appropriated to expand adultBasic just a couple of weeks ago.

What I think the gentleman who offered this amendment is hoping to do is to find a legal way to expand adultBasic as opposed to the illegal way that the Governor has attempted to move forward. It seems to me it would be better to provide the Governor legal authority to expand coverage to Pennsylvanians if you think it is a worthwhile program. The objection that by creating an alternative, which would give the public a choice, is somehow not desirable is too big an objection for my cranium, because it seems to me whenever people have choices, they tend to make good choices. Let people make choices. They are adults. They can handle it.

And by the way, to the extent this bill is supposed to help those entering their adult lives up through age 29 have health-care coverage, they may well discover that health-care coverage under an adultBasic alternative offered here for \$60 a month is a far less expensive proposal than would be available under the mandate considered under the underlying bill.

So if you actually want to expand access to health care, if you want the Governor to be able to pursue his goals legally, and if you like constituents to have choices, and if you would like young adults to be able to have affordable health care, well, it is very straightforward. Support the amendment drafted by Representative Mustio and offered today by Representative Boyd.

The SPEAKER. On the question, the Chair recognizes, for the second time, the gentleman from Lancaster, Representative Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

Just a few brief final comments. First of all, I would suggest that this amendment really does not complicate anything. It is all on one sheet of paper. I mean, we voted on 150-page amendments in the past. I think we can handle this one.

Secondly, it was mentioned that there is an increase to individuals. The increase in the premium is only to individuals who make more money, and the idea behind that, the sliding scale, is to actually free up more dollars so we can provide access to coverage to more people, reduce the number of people on the waiting list and do that immediately.

There have been some references made that providing consumers choices is confusing. I disagree with that. I believe that this amendment does a good thing. It actually gives access to coverage for young people, individuals. It truly makes sense to go to a high deductible, HSA-component-type product. It

also, Mr. Speaker, accelerates the purging of the list, and probably the most important part of this is this waiting list for adultBasic. Even folks on both sides of the aisle and the administration have said that that is a moving target. We are really not sure what the true number is on that list. What this does is it requires the department to purge the list once a month and make absolutely certain that anybody who is ready to get coverage when somebody goes off, somebody can get back on. This actually gets more people onto adultBasic with no new tax dollars, does not affect the current program, does not affect anybody in a negative way, and I believe it really falls in line with the intent of both sides of the aisle.

So I would just ask my colleagues for an affirmative vote. If you support getting more folks access to affordable coverage and doing that today, you have an opportunity to show us. So, Mr. Speaker, on that I would ask for a positive vote. Thank you. The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—92

Adolph	Everett	Maher	Quinn
Baker	Fairchild	Major	Rapp
Barrar	Farry	Marshall	Reed
Bear	Gabig	Marsico	Reese
Benninghoff	Gabler	Mensch	Reichley
Beyer	Geist	Metcalfe	Roae
Boback	Gillespie	Metzgar	Rock
Boyd	Gingrich	Micozzie	Rohrer
Brooks	Godshall	Miller	Ross
Causar	Grell	Milne	Saylor
Christiana	Grove	Moul	Scavello
Civera	Harhart	Murt	Schroder
Clymer	Harper	O'Brien, D.	Smith, S.
Cox	Harris	O'Neill	Sonney
Creighton	Helm	Oberlander	Stern
Cutler	Hennessey	Payne	Stevenson
Dally	Hess	Peifer	Swanger
Day	Hickernell	Perzel	Tallman
Delozier	Hutchinson	Petri	Taylor, J.
Denlinger	Kauffman	Phillips	Truz
DiGirolamo	Keller, M.K.	Pickett	Turzai
Ellis	Killion	Pyle	Vereb
Evans, J.	Krieger	Quigley	Watson

NAYS—99

Barbin	Evans, D.	Longiotti	Samuelson
Bishop	Fabrizio	Mahoney	Santarsiero
Boyle	Frankel	Manderino	Santoni
Bradford	Freeman	Mann	Seip
Brennan	Galloway	Markosek	Shapiro
Briggs	George	Matzie	Siptroth
Brown	Gerber	McGeehan	Smith, K.
Burns	Gergely	McI. Smith	Smith, M.
Buxton	Gibbons	Melio	Solobay
Caltagirone	Goodman	Mirabito	Staback
Carroll	Grucela	Mundy	Sturla
Casorio	Haluska	Murphy	Taylor, R.
Cohen	Hanna	Myers	Vitali
Conklin	Harhai	O'Brien, M.	Wagner
Costa, D.	Harkins	Oliver	Walko
Costa, P.	Hornaman	Pallone	Wansacz
Curry	Houghton	Parker	Waters
Daley	Johnson	Pashinski	Wheatley
Deasy	Josephs	Payton	White

DeLuca	Keller, W.	Petrarca	Williams
DePasquale	Kessler	Preston	Youngblood
Dermody	Kirkland	Readshaw	Yudichak
DeWeese	Kortz	Roebuck	
Donatucci	Kula	Sabatina	McCall,
Drucker	Levdansky	Sainato	Speaker
Eachus			

NOT VOTING—0

EXCUSED—11

Belfanti	Kotik	Millard	Thomas
Cruz	Lentz	Mustio	Vulakovich
Fleck	Miccarelli	Perry	

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

CONSIDERATION OF  
AMENDMENT A00439 CONTINUED

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

The clerk read the following amendment No. **A00439**:

Amend Bill, page 1, line 14, by inserting after "parents"  
and for LifeLine health insurance

Amend Bill, page 4, by inserting between lines 29 and 30  
Section 3. The act is amended by adding an article to read:

ARTICLE XIX

LIFELINE HEALTH INSURANCE

Section 1901. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Commissioner." The Insurance Commissioner of the Commonwealth.

"Department." The Insurance Department of the Commonwealth.

"Dependent child." A natural or adopted child of a qualified individual. The term includes a stepchild who resides in a qualified individual's household if the qualified individual has assumed the financial responsibility for the child and another parent is not legally responsible for the support and medical expenses of the child.

"Eligible dependent." A spouse of a qualified individual and any dependent children who are under 19 years of age.

"Health benefit plan." An individual or group health insurance policy, subscriber contract, certificate or plan that provides health or sickness and accident coverage which is offered by an insurer. The term does not include any of the following:

(1) An accident only policy.

(2) A limited benefit policy.

(3) A credit only policy.

(4) A long-term or disability income policy.

(5) A specified disease policy.

(6) A Medicare supplement policy.

(7) A Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) supplement policy.

(8) A fixed indemnity policy.

(9) A dental only policy.

(10) A vision only policy.

(11) A workers' compensation policy.

(12) An automobile medical payment policy under 75 Pa.C.S. (relating to vehicles).

"High deductible health plan." A health insurance policy that would qualify as a high deductible health plan under section 223(c)(2) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 223(c)(2)).

"Insurer." A company or health insurance entity licensed in this Commonwealth to issue any individual or group health insurance, sickness or accident policy, subscriber contract, certificate or plan that provides medical or health care coverage by a health care facility or licensed health care provider that is offered or governed under any of the following:

(1) This article.

(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).

"Licensee." An individual who is licensed by the Department of State to provide professional health care services in this Commonwealth.

"LifeLine health plan." A health benefit plan that offers the following, subject to the provisions of this article:

(1) Twenty-one days of inpatient hospital surgical and medical coverage per policy year.

(2) Coverage for four office visits for primary health care services for covered services rendered by a licensee, subject to a copayment for each visit of \$10 for treatment of injury or illness.

(3) Coverage for surgery and anesthesia.

(4) Coverage for emergency accident and medical treatment.

(5) Coverage for diagnostic services up to \$1,000 for each policy year.

(6) Coverage for chemotherapy and radiation treatment.

(7) Coverage for maternity care.

(8) Coverage for newborn care for up to 31 days following birth.

"Participating insurer." An insurer that offers health benefit plans to groups or individuals and which has health benefit plans in force covering in the aggregate at least 100,000 qualified individuals in this Commonwealth.

"Standard health benefit plan." The LifeLine health plan and any high deductible health plan offered by participating insurers to individuals and employers.

Section 1902. Offering of standard health benefit plans.

(a) Offering of plans.—All participating insurers shall offer the standard benefit plans specified under this article to individuals and to employers for the benefit of individuals employed by them.

(b) Inclusion in coverage.—

(1) If coverage is provided to eligible dependents under a LifeLine health plan, the coverage shall include dependent children of the insured from the moment of birth and for adopted dependent children with prior coverage from the date of the interlocutory decree of adoption.

(2) The participating insurer may require that the insured give notice to it of any newborn child within 90 days following the birth of the child and of any adopted child within 60 days of the date the insured has filed a petition to adopt.

(c) Exclusion.—Participating insurers may exclude coverage under a LifeLine health plan for an individual who has not been covered by a health benefit plan for more than 30 days for up to one year for medical conditions for which medical advice or treatment was received by the individual during the 12 months prior to the effective date of the individual's LifeLine health plan policy.

(d) Applicability.—No law, regulation or administrative directive requiring the coverage of a health care benefit or service or requiring

the reimbursement, utilization or inclusion of a specific category of licensee shall apply to LifeLine health plans delivered or issued for delivery in this Commonwealth under the authority granted under this article, including the provision of the benefits or requirements mandated under Article VI-A or by regulations promulgated under this article.

Section 1903. Facilitation by the department of access to standard health benefit plans and related information.

(a) Duty of department.—The department shall take all actions necessary to effectuate the provisions of this article so that participating insurers are able to make standard benefit plans available not later than 180 days following the effective date of this section.

(b) Demonstration of coverage.—

(1) Each insurer shall, not more than 90 days after the effective date of this section, demonstrate to the commissioner all of the following:

(i) If it has health benefit plans in force covering a sufficient number of individuals to qualify as a participating insurer.

(ii) If qualified as a participating insurer, that it has the capacity to issue standard health benefit plans and provide information sufficient to permit the department to discharge the responsibilities assigned to it under subsection (d).

(iii) If qualified as a participating insurer, that it has undertaken a process to make standard benefit plans available not later than 180 days following the effective date of this section.

(2) The commissioner shall notify an insurer of its qualification as a participating insurer under this subsection.

(c) Demonstration of capacity.—

(1) An insurer shall, within 30 days of first providing coverage under health benefit plans to a sufficient number of individuals to qualify as a participating insurer under this article, demonstrate to the commissioner that:

(i) It has the capacity to issue standard health benefit plans and provide information sufficient to permit the department to discharge the responsibilities assigned to it under subsection (d).

(ii) It has undertaken a process to make standard benefit plans available not later than 180 days following provision of the information to the commissioner.

(2) The commissioner shall notify an insurer of its qualification as a participating insurer under this subsection.

(d) Facilitation.—The department shall facilitate the availability of information relating to standard health benefit plans by electronic and other means, inclusive of pricing and benefit information and all other relevant information, so that prospective purchasers of the plans have the ability to compare benefits, terms, conditions and pricing among all participating insurers.

(e) Provision of information.—Participating insurers shall provide the department, at its request, with information sufficient to enable it to discharge its responsibilities under subsection (d).

Section 1904. Records and reporting.

A participating insurer shall provide an annual report to the department in a form prescribed by the department enumerating:

(1) The number of individuals covered under standard health benefit plans, including coverage provided both directly to individuals and through employers.

(2) The number of persons receiving coverage both under LifeLine health benefit plans and through high deductible health plans.

Section 1905. Petition for exception.

(a) General rule.—An insurer may, after the third anniversary of its qualification as a participating insurer, petition the commissioner to be relieved of the obligation to offer LifeLine health plans under this article.

(b) Findings by commissioner.—The commissioner may grant the petition if the commissioner finds that:

(1) The petitioner has used its commercially reasonable best efforts to market and issue the coverage.

(2) Continuation of the efforts would not provide LifeLine health plan coverage to a sufficient number of individuals to justify continued efforts to market and issue the coverage.

(c) Arrangements.—The commissioner shall, as a condition for approving a petition described under subsection (a), require that arrangements be made for the orderly disposition of outstanding coverage.

Amend Bill, page 4, line 30, by striking out "3" and inserting  
4

Amend Bill, page 5, line 4, by striking out "4" and inserting  
5

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

The SPEAKER. The Chair recognizes the gentleman from Delaware, Representative Killion.

Mr. KILLION. Thank you, Mr. Speaker.

This amendment 439 is an amendment that creates a LifeLine policy. As we have heard in previous comments to discuss the other amendments in the underlying bill, one of the biggest problems we face – and we have been working with the Governor and as a legislature in helping to insure the uninsured of Pennsylvania. We think that number is somewhere between 700,000 and 1 million.

This amendment actually dovetails nicely with this bill. It provides a basic, barebones policy that provides coverage. We think the cost will average about \$120 a month. It would require all insurers that insure over 100,000 people to provide this policy, and it is a temporary policy that an individual can purchase and then make sure they have coverage for catastrophic – and there is some underlying primary coverage – but mostly it covers catastrophic health events so that they do not have to worry about losing their life savings, losing their house, losing their child's educational fund. It is a basic policy that provides that coverage, lets them sleep at night until their situation changes, and then they can go out and buy a better policy or a policy with more coverage or get coverage from a new employer.

I believe it dovetails very nicely with HB 838. When someone turns 31, if this would become law, HB 838, this will provide a policy that they can afford fairly cheaply and carry them through until they get a policy with their employer.

So I am encouraging a "yes" vote on amendment 439. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Allegheny County, Representative Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise again to oppose this amendment. This amendment requires a participating insurer to do something. Now, I have been on the Insurance Committee for a long time, and any time you require an insurance company to do something, there is a lot of opposition, there is a lot of discussion, there is a lot of debate.

The underlying bill here is agreed to by all the stakeholders, and it immediately begins to address the issue of uninsured, particularly uninsured young people, and we can do it now. This

is a piece of legislation that is added on to it that requires insurance companies to do certain things, and they are not going to be readily agreeable to a piece of legislation that includes what is, to me, a new program, a new effort that requires them to do certain things. They will immediately oppose the underlying bill. The stakeholders have bought into the underlying legislation that Representative Longietti has proposed here. We ought to get on with doing something that is not complicated, that is agreed to by stakeholders, that does not cost the Commonwealth anything, and does not have much controversy, if any, attached to it to help Pennsylvania's young people.

Defeat this amendment. Thank you.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Allegheny, Representative Maher.

Mr. MAHER. Do you not understand that hundreds of thousands of Pennsylvanians have lost their jobs? Do you not understand that hundreds of thousands of Pennsylvanians cannot afford the Cadillac health insurance that they might have otherwise wanted? Do you not understand that both our Governor and our President have asked for expansion of access to health care? Representative Killion has come forward with a very commonsense approach. Let us at least allow families to have the peace of mind that medical catastrophes will not destroy their family's condition.

Come on. Do what is right. Please vote for the Killion amendment.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Representative Longietti.

Mr. LONGIETTI. Thank you, Mr. Speaker.

I also rise and respectfully request a "no" vote on this amendment.

This amendment actually goes in reverse of what the bill tries to do. When you look at the amendment, it limits coverage under the LifeLine plan to age 19 for dependents, and the purpose of the bill is to provide coverage for up to age 30. So we actually go in reverse here with the LifeLine plan.

As was mentioned by my colleague from Allegheny County, we are also telling insurance companies that they must write this coverage if they cover at least 100,000 people in the Commonwealth, and there may be insurance companies that are not in the position to do that, yet we are going to mandate that.

What we are also doing is we are dangling in front of employers, as was described, a very barebones plan that they could switch out of the plan that provides the kind of protection that our citizens need, then switch to the barebones plan. We are not in a situation in the Commonwealth where we want to further erode coverage. We also do not want to limit coverage for things like autism that we dealt with last session, to finally cover people who have children that have autism.

And so for all these reasons, we do not want to go in reverse. We want to move forward, and in my view, this amendment would take us backwards and defeat the very purpose for which I offer the bill in the first place, which is to cover children up to age 30 on health insurance plans at the cost to their parents, at that marginal cost.

So for these reasons, I ask that we vote "no" on the amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, the minority whip, Representative Turzai.

Mr. TURZAI. Thank you, Mr. Speaker.

With your approval, I have one question on interrogation.

The SPEAKER. Whom would you like to interrogate?

Mr. TURZAI. It has been indicated that the underlying bill has support from all the interested stakeholders. I would just like to ask Representative Killion what the various stakeholders' positions are with respect to his amendment?

The SPEAKER. Will the gentleman, Mr. Killion, stand for interrogation? The gentleman indicates he will stand for interrogation. The gentleman may proceed.

Mr. TURZAI. Thank you very much.

Mr. Speaker, we understand from the maker of the bill that the stakeholders are in agreement with respect to the underlying bill. I was wondering what the various stakeholders' respective positions are with respect to your amendment? Thank you.

Mr. KILLION. Thank you, Mr. Speaker, and thank you for that question.

I, too, am a member of the Insurance Committee and did not just draft this myself. I did reach out to all the stakeholders, and they are 100 percent in favor of this. They agree that this type of policy has a place, a small place in the marketplace that it can solve some of the problems of those folks that are insured. So to relieve some concerns on the other side of the aisle, this is not complicated, from the standpoint of stakeholders, or hurting HB 838. They are on board on this amendment.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to oppose the Killion amendment because, clearly, as the gentleman, Mr. Longietti, says, in some effect, this rolls the age back to 19. We are trying to advance, generally, in HB 838 the ability for family coverage up to age 30 for students who are still in postgraduate work, law school, medical school so their family's coverage can cover it. This capitates that in some cases, and as Mr. Longietti says, rolls it back.

I oppose the Killion amendment.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Representative Killion, for the second time.

Mr. KILLION. Thank you, Mr. Speaker, and I will be brief.

In all due respect to the majority leader, this amendment actually makes the current bill better. What you need to understand is, we talk about a million uninsured in Pennsylvania. People are uninsured for a whole host of different reasons – some economic; some may have some money, but they are currently out of a job and they lost the coverage they had at their previous job. This addresses one segment of that population. It allows to provide coverage at an affordable cost that protects them if they get ill, especially on catastrophic losses. It dovetails nicely with the underlying legislation.

I have a 22-year-old daughter. If this bill passes, she could stay on my plan until she is 30. She comes off at age 31. She is a healthy female, a 31-year-old female. She can buy this policy, if this becomes law, that could carry her over until she gets a policy, a more Cadillac-type policy, when she finds employment. It dovetails nicely. It makes the underlying legislation better, and it sends us in the direction of solving the problem of uninsured in Pennsylvania. It is one more step in that direction, just like the underlying bill is.

I encourage the members to vote "yes" on the amendment and help make the underlying bill better. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—90

Adolph	Everett	Major	Rapp
Baker	Fairchild	Marshall	Reed
Barrar	Farry	Marsico	Reese
Bear	Gabig	Mensch	Reichley
Benninghoff	Gabler	Metcalfe	Roae
Beyer	Geist	Metzgar	Rock
Boback	Gillespie	Micozzie	Rohrer
Boyd	Gingrich	Miller	Ross
Brooks	Godshall	Milne	Saylor
Causer	Grell	Moul	Scavello
Christiana	Grove	Murt	Schroder
Civera	Harhart	O'Neill	Smith, S.
Clymer	Harris	Oberlander	Sonney
Cox	Helm	Payne	Stern
Creighton	Hennessey	Peifer	Stevenson
Cutler	Hess	Perzel	Swanger
Dally	Hickernell	Petri	Tallman
Day	Hutchinson	Phillips	Taylor, J.
Delozier	Kauffman	Pickett	True
Denlinger	Keller, M.K.	Pyle	Turzai
DiGirolamo	Killion	Quigley	Vereb
Ellis	Krieger	Quinn	Watson
Evans, J.	Maher		

#### NAYS—101

Barbin	Evans, D.	Longietti	Samuelson
Bishop	Fabrizio	Mahoney	Santarsiero
Boyle	Frankel	Manderino	Santoni
Bradford	Freeman	Mann	Seip
Brennan	Galloway	Markosek	Shapiro
Briggs	George	Matzie	Sipthoth
Brown	Gerber	McGeehan	Smith, K.
Burns	Gergely	McI. Smith	Smith, M.
Buxton	Gibbons	Melio	Solobay
Caltagirone	Goodman	Mirabito	Staback
Carroll	Grucela	Mundy	Sturla
Casorio	Haluska	Murphy	Taylor, R.
Cohen	Hanna	Myers	Vitali
Conklin	Harhai	O'Brien, D.	Wagner
Costa, D.	Harkins	O'Brien, M.	Walko
Costa, P.	Harper	Oliver	Wansacz
Curry	Hornaman	Pallone	Waters
Daley	Houghton	Parker	Wheatley
Deasy	Johnson	Pashinski	White
DeLuca	Josephs	Payton	Williams
DePasquale	Keller, W.	Petrarca	Youngblood
Dermody	Kessler	Preston	Yudichak
DeWeese	Kirkland	Readshaw	
Donatucci	Kortz	Roebuck	McCall,
Drucker	Kula	Sabatina	Speaker
Eachus	Levdansky	Sainato	

#### NOT VOTING—0

#### EXCUSED—11

Belfanti	Kotik	Millard	Thomas
Cruz	Lentz	Mustio	Vulakovich
Fleck	Miccarelli	Perry	

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

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

The SPEAKER. The Chair is of the understanding that Representative Killion is not offering amendment 00458. The Chair thanks the gentleman.

Also, the gentleman, Mr. Mustio, amendment 00459 is withdrawn; Representative Cutler, amendment 00460, withdrawn. The Chair thanks the gentlemen.

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

The SPEAKER. Are there any announcements?

### **LOCAL GOVERNMENT COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Northampton, Representative Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to call an immediate meeting of the House Local Government Committee in room G-50 of the Irvis Office Building; an immediate meeting of the House Local Government Committee, room G-50, Irvis Office.

The SPEAKER. There will be a Local Government Committee meeting in room G-50 of the Irvis Office Building.

### **REPUBLICAN CAUCUS**

The SPEAKER. The Chair recognizes the gentlelady from Susquehanna County, Representative Major.

Miss MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus immediately at the adjournment. I would like all Republicans to please report to caucus immediately. Thank you.

The SPEAKER. The Chair thanks the lady.

Any further announcements?

### **RESOLUTIONS PASSED OVER**

The SPEAKER. Without objection, any remaining resolutions on today's calendar will be passed over. The Chair hears no objection.

### **ADJOURNMENT**

The SPEAKER. The Chair has a motion to adjourn, offered by Representative Metzgar from Somerset County, who now moves that this House do now adjourn until Wednesday, March 25, 2009, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

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

Motion was agreed to, and at 3:23 p.m., e.d.t., the House adjourned.

### **HOUSE RECALLED**

The House was recalled at 6 p.m., e.d.t.

### **BILLS REMOVED FROM TABLE**

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

HB 56;  
HB 245;  
HB 288;  
HB 309;  
HB 312;  
HB 372; and  
HB 373.

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

### **ADJOURNMENT**

The SPEAKER. The Chair recognizes Representative Metzgar from Somerset County, who moves that this House do now adjourn until Wednesday, March 25, 2009, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 6:05 p.m., e.d.t., the House adjourned.