

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, APRIL 21, 2009

SESSION OF 2009

193D OF THE GENERAL ASSEMBLY

No. 25

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 by Pastor Laurie Charles Roberts, who is the guest of Representative Ron Buxton.

REV. LAURIE CHARLES ROBERTS, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Almighty God, before You, we confess our sin. We acknowledge that we put idols of wealth and personal gain ahead of our duty to You and to our fellows.

With St. Paul, we lay before You the painful truth that we do the things that we hate and fail to do the things that we should love.

Even when acting on our own best judgment for all the right reasons, we know that our outcomes are not what we hope for. And yet, God, You call to us from Your own future to join with You in the building of Your kingdom. The work is Yours; the hands are ours.

Your servant, Martin Luther, called us to sin boldly, knowing that our human limitations and our sin cause us to see only darkly Your path, yet we boldly choose to act as You would have us. We do so trusting in Your grace and constant presence to guide and correct our dim vision.

We give You thanks for insisting on being the God with us, for never giving up on us, for never leaving our side.

Bless all those who seek the better life and world that You have promised. 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, April 20, 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, who requests leave of absence for Representative LENTZ from Delaware for the day. Without objection, the leave will be granted.

The Chair recognizes the minority whip, Representative Turzai, who has no leaves of absence for the day. The Chair thanks the gentleman.

MASTER ROLL CALL

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip, who requests a leave of absence for the gentleman, Representative GRUCELA from Northampton, for the day. Without objection, the leave will be granted.

MASTER ROLL CALL CONTINUED

The following roll call was recorded:

PRESENT—197

Adolph	Evans, J.	Maher	Reichley
Baker	Everett	Mahoney	Roae
Barbin	Fabrizio	Major	Rock
Barrar	Fairchild	Manderino	Roebuck
Bear	Farry	Mann	Rohrer
Benninghoff	Fleck	Markosek	Ross
Beyer	Frankel	Marshall	Sabatina
Bishop	Freeman	Marsico	Sainato
Boback	Gabig	Matzie	Samuelson
Boyd	Gabler	McGeehan	Santarsiero
Boyle	Galloway	McI. Smith	Santoni
Bradford	Geist	Melio	Saylor
Brennan	George	Mensch	Scavello
Briggs	Gerber	Metcalfe	Schroder
Brooks	Gergely	Metzgar	Seip
Brown	Gibbons	Micozzie	Shapiro
Burns	Gillespie	Millard	Siptroth
Buxton	Gingrich	Miller	Smith, K.
Caltagirone	Godshall	Milne	Smith, M.
Carroll	Goodman	Mirabito	Smith, S.
Casorio	Grell	Moul	Solobay
Causer	Grove	Mundy	Sonney
Christian	Haluska	Murphy	Staback

Civera	Hanna	Murt	Stern
Clymer	Harhai	Mustio	Stevenson
Cohen	Harhart	Myers	Sturla
Conklin	Harkins	O'Brien, D.	Swanger
Costa, D.	Harper	O'Brien, M.	Tallman
Costa, P.	Harris	O'Neill	Taylor, J.
Cox	Helm	Oberlander	Taylor, R.
Creighton	Hennessey	Oliver	Thomas
Cruz	Hess	Pallone	True
Curry	Hickernell	Parker	Turzai
Cutler	Hornaman	Pashinski	Vereb
Daley	Houghton	Payne	Vitali
Dally	Hutchinson	Payton	Vulakovich
Day	Johnson	Peifer	Wagner
Deasy	Josephs	Perzel	Walko
DeLozier	Kauffman	Petrarca	Wansacz
DeLuca	Keller, M.K.	Petri	Waters
Denlinger	Keller, W.	Phillips	Watson
DePasquale	Kessler	Pickett	Wheatley
Dermody	Killion	Preston	White
DeWeese	Kirkland	Pyle	Williams
DiGirolamo	Kortz	Quigley	Youngblood
Donatucci	Kotik	Quinn	Yudichak
Drucker	Krieger	Rapp	
Eachus	Kula	Readshaw	McCall,
Ellis	Levdansky	Reed	Speaker
Evans, D.	Longietti	Reese	

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Belfanti	Lentz	Miccarelli	Perry
Grucela			

LEAVES ADDED—1

Daley

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

Members will please take their seats. All members will please take their seats and all guests on the floor of the House.

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

PHOTOGRAPHS TAKEN

The SPEAKER. Members will please put their jackets on. We are about to take the picture.

Please close your laptops. Remove all papers off the tops of your desks.

The Chair is about to recognize Brian Foster, who will be giving all of you instruction. There is new technology at work today, and he will provide you with the information. I want you to follow Brian's direction.

Brian.

Mr. FOSTER. Thank you, Mr. Speaker.

Mr. Speaker, Representatives, guests, and staff, thank you.

Once again, I was trying to figure out last night how many years it has been or how many sessions, and I counted 11. So that is why I have these gray hairs and the lack of it on top, is because of doing this picture.

History is being made twice today. First off, we are taking your legislative session. I am not sure what number this is. Which one? Oh, okay; a big number. But also, too, we are using technology today that I have been watching over the past years, and it has finally gotten to a point where it is good enough to do this shot. In fact, it is probably going to give you the best photo ever.

We are using a type of technology that was developed for NASA (National Aeronautics and Space Administration), and we are doing this with a high-resolution digital camera. For those of you who want to know, it will be about a 250 megabyte file when we print it. So it is going to be a little different this year. Previously we used a camera that slowly rotated around the room. This year, we will be doing it in sections. There will be four sections, four photos.

Two photos will be taken of each section, and let me explain that. First will be out here, two photos; and then when we turn the camera, two photos; turn the camera, two photos; and then turn the camera and then two photos. We are doing two, so hopefully you guys will not blink, because we will be using flash this year, so please—

And it is important, too, we are obviously all about saving money these days, so that is what we are doing. We were able to cut costs this year, and we are using flashes, not hot lights, so it will be a little easier on your eyes. But please keep your eyes on the camera, and I will direct you with my loud voice from up there. And I apologize for that, but that is the only way I can talk to you.

So my staff, Jeff and Dave, will be running around here in a moment, as they have been, to hide trash cans and close doors. So give us a moment, and we will get this done.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Brian.

Sergeants at Arms, close the doors of the House. If there are any cans or bottles on your desktops, will you remove those as well.

(Official photographs were taken.)

The SPEAKER. Thank you, Brian.

APPROPRIATIONS COMMITTEE MEETING

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes Representative Cohen, the majority caucus chairman, for the purpose of an announcement. The Chair recognizes the gentleman.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I have three announcements.

First, there will be an Appropriations meeting at 12:30 p.m. in the majority caucus room. That meeting will be followed by a caucus for the majority at 12:45, and we are back on the floor at 2 p.m.

The SPEAKER. Appropriations will meet in the majority caucus room at 12:30.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentlelady, Representative Major, caucus chairman, Republican caucus chairman, for the purpose of an announcement.

Miss MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus at 12:45. I would like all Republicans to please report to our caucus room at 12:45.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

STATEMENT BY MR. THOMAS

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

Mr. THOMAS. Unanimous consent, Mr. Speaker.

The SPEAKER. Without objection, the gentleman is in order.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to share with this General Assembly or this House, yesterday in Philadelphia County, two teenagers were on their way from school. One of the young men always desired to become a police officer. Some thugs ran up in back of them, and once they turned around, the thug said, you are not the ones that we are looking for, but since we have guns, we are going to kill you anyway, and executed both of these young men.

Mr. Speaker, it is time that we act. The people of Pennsylvania have said that we need reasonable gun legislation in the Commonwealth of Pennsylvania. We, Mr. Speaker, we must provide our communities, especially our law enforcement communities, with some help out there.

Tracking is reasonable. Mr. Speaker, providing an exception for counties like Philadelphia is reasonable. Tightening up on straw purchases is reasonable.

Mr. Speaker, the Second Amendment was never intended to cover a class of thugs, and these thugs out on our streets, all over Pennsylvania—

The SPEAKER. The gentleman will yield.

Mr. THOMAS. —do not need to believe that they have a right to guns. They were never—

The SPEAKER. The gentleman will yield.

UNANIMOUS CONSENT WITHDRAWN

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

Mr. PYLE. Thank you, Mr. Speaker.

I would like to withdraw my unanimous consent at this time.

The SPEAKER. Will the majority leader come to the dais.

(Conference held at Speaker's podium.)

HOUSE SCHEDULE

The SPEAKER. The schedule will be as such: At 11:30 we are going to break for a Holocaust commemoration in the Governor's Office. We will return to the floor at 12:15, conclude the taking of the picture from the other side of the hall, and then at 12:30 we will break for Appropriations and a 12:45 caucus.

So I would ask the members to return to the floor of the House at 12:15. Promptly at 12:15, we will take the second half of the photos that need to be taken, and we will break for Appropriations and caucus at that point.

So, members, please report back to the floor of the House by 12:15.

RECESS

The SPEAKER. This House does now stand in recess until 12:15, unless sooner recalled by the Speaker.

AFTER RECESS

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

The SPEAKER. Members will please report to the floor of the House.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED**HB 306, PN 1544 (Amended) By Rep. CALTAGIRONE**

An Act amending the act of August 6, 1941 (P.L.861, No.323), referred to as the Pennsylvania Board of Probation and Parole Law, further providing for supervision by probation and parole officers.

JUDICIARY.**HB 589, PN 646 By Rep. CALTAGIRONE**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in computer offenses, providing for the offense of phishing and for protection from liability under certain circumstances.

JUDICIARY.**HB 843, PN 1545 (Amended) By Rep. CALTAGIRONE**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of sexual abuse of children.

JUDICIARY.

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,
April 20, 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, April 27, 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, April 27, 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.

The SPEAKER. Members, please report to the floor of the House.

The Chair is waiting for the conclusion of the Holocaust commemoration ceremony. We will put the House at ease until that ceremony concludes.

The House will come to order.

The Chair recognizes the majority leader, the gentleman, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, may I address the dais? Thank you. I will be right up.

(Conference held at Speaker's podium.)

ANNOUNCEMENT BY MAJORITY LEADER

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

Mr. EACHUS. Thank you, Mr. Speaker.

I would just like to make a scheduling change, that the Appropriations Committee will be held at 12:45 rather than 12:30.

The SPEAKER. In the majority caucus room?

Mr. EACHUS. Yes, sir, in the majority caucus room.

The SPEAKER. The Chair thanks the gentleman.

PHOTOGRAPHS TAKEN

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

Members will please take their seats, close their laptops, clear off their desks.

I am going to recognize Brian Foster from Picture Perfect Productions. He is going to remind us on the jobs that we have to do. Go ahead, Brian.

Mr. FOSTER. Thank you, Mr. Speaker.

Okay. Just like the Speaker said, please close your laptops, clear your desks. It will be the same drill as before. I am going to go ahead and get on the ladder since you guys know what is going on here, and we will be doing our last check for any trash cans that are visible, things like that.

Thank you.

(Official photographs were taken.)

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair reminds the members, Appropriations at 12:45; Democratic caucus immediately thereafter; back on the floor at 2 p.m.

REPUBLICAN CAUCUS

The SPEAKER. For a Republican caucus, the Chair recognizes the gentlelady, Miss Major.

Miss MAJOR. Thank you, Mr. Speaker.

I would like to change the time of the Republican caucus also to 1 p.m. So all Republicans report to caucus at 1 p.m. Thank you.

The SPEAKER. The Chair thanks the lady.

RECESS

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

AFTER RECESS

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

The SPEAKER. Members, please report to the floor of the House.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 991 By Representatives CHRISTIANA, CIVERA, BENNINGHOFF, BEYER, BOYD, BURNS, CAUSER, CUTLER, DALLY, DAY, DELOZIER, ELLIS, FAIRCHILD, FARRY, FLECK, GABIG, GABLER, GOODMAN, GRELL, GROVE, HARRIS, HUTCHINSON, KAUFFMAN, KRIEGER,

MAJOR, MARSHALL, MATZIE, METZGAR, MILLER, MUSTIO, OBERLANDER, O'NEILL, PEIFER, PYLE, QUIGLEY, RAPP, REED, REESE, REICHLEY, ROAE, SCAVELLO, STERN, SWANGER, TALLMAN, TURZAI, CREIGHTON, GEIST, HORNAMAN, SIPTROTH, STEVENSON and VULAKOVICH

An Act establishing a temporary oversight council to analyze and report to the General Assembly regarding the utilization of Federal Stimulus funding in Pennsylvania.

Referred to Committee on STATE GOVERNMENT, April 21, 2009.

No. 1034 By Representatives CONKLIN, MUSTIO, SIPTROTH, PAYTON, FLECK, CARROLL and MAHONEY

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for challenges.

Referred to Committee on STATE GOVERNMENT, April 21, 2009.

No. 1200 By Representatives BUXTON, BELFANTI, BRENNAN, CALTAGIRONE, CARROLL, COHEN, DePASQUALE, FABRIZIO, GEORGE, GERGELY, GIBBONS, GINGRICH, GOODMAN, GRUCELA, HALUSKA, W. KELLER, KOTIK, MANDERINO, MANN, MUNDY, M. O'BRIEN, PALLONE, READSHAW, SANTONI, SIPTROTH, STABACK, STURLA, YUDICHAK, FREEMAN and JOSEPHS

An Act requiring public employers to protect the occupational safety and health of their employees; and providing for enforcement and penalties.

Referred to Committee on LABOR RELATIONS, April 21, 2009.

No. 1297 By Representatives VULAKOVICH, TURZAI, BARRAR, BENNINGHOFF, BOYD, CLYMER, D. COSTA, CREIGHTON, CUTLER, DENLINGER, EVERETT, FLECK, GIBBONS, HENNESSEY, HICKERNELL, HORNAMAN, KAUFFMAN, KORTZ, MAJOR, MARSICO, MOUL, MURT, PYLE, QUINN, RAPP, ROAE, SIPTROTH, SONNEY, STERN, SWANGER, TRUE and VEREB

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for the Pennsylvania Gaming Control Board.

Referred to Committee on GAMING OVERSIGHT, April 21, 2009.

No. 1298 By Representatives COHEN, BELFANTI, MANN, VULAKOVICH, FREEMAN, GEORGE, JOSEPHS, MELIO, BRIGGS, DePASQUALE, FRANKEL, GIBBONS, HARKINS, HORNAMAN, KIRKLAND, MURPHY, M. O'BRIEN, READSHAW, SIPTROTH, K. SMITH, WHEATLEY and YOUNGBLOOD

An Act providing for notice to employees of electronic monitoring by employers of network and information technology resources; establishing a cause of action; and imposing civil penalties.

Referred to Committee on LABOR RELATIONS, April 21, 2009.

No. 1299 By Representatives McGEEHAN, CALTAGIRONE, CASORIO, DeLUCA, DONATUCCI, GERGELY, HARHAI, HORNAMAN, MAHONEY, McILVAINE SMITH, MELIO, MILNE, M. O'BRIEN and SIPTROTH

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, repealing provisions allowing candidates to cross file.

Referred to Committee on STATE GOVERNMENT, April 21, 2009.

No. 1300 By Representatives SOLOBAY, WHITE, BAKER, BELFANTI, BOYD, BRENNAN, CALTAGIRONE, D. COSTA, CREIGHTON, DELOZIER, DONATUCCI, FAIRCHILD, FLECK, GEORGE, GRELL, GRUCELA, HALUSKA, HARHAI, HESS, KILLION, KOTIK, KULA, MANN, MARKOSEK, MILLARD, MUSTIO, PAYNE, READSHAW, SANTONI, SCAVELLO, SWANGER, VULAKOVICH, GOODMAN, BEYER, BEAR, O'NEILL, PICKETT, FRANKEL, FREEMAN, HICKERNELL and MAHONEY

An Act designating the interchange at Exit 32-B of Interstate 70 in Washington County as the Nathan Burnfield Memorial Interchange.

Referred to Committee on TRANSPORTATION, April 21, 2009.

No. 1301 By Representatives SOLOBAY, WHITE, BAKER, BELFANTI, BOYD, BRENNAN, CALTAGIRONE, D. COSTA, CREIGHTON, DONATUCCI, FAIRCHILD, FLECK, GEORGE, GRELL, GRUCELA, HALUSKA, HARHAI, HESS, KILLION, KOTIK, KULA, MANN, MARKOSEK, MILLARD, MUSTIO, PAYNE, READSHAW, SCAVELLO, VULAKOVICH, GOODMAN, BEYER, BEAR, PICKETT, FRANKEL, JOHNSON, FREEMAN, HICKERNELL and MAHONEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for In the Line of Duty plate.

Referred to Committee on TRANSPORTATION, April 21, 2009.

No. 1302 By Representatives SOLOBAY, BELFANTI, BRENNAN, COHEN, DALEY, EVERETT, GIBBONS, GOODMAN, KOTIK, KULA, MARSHALL, MUSTIO, M. O'BRIEN, O'NEILL, PAYNE, PYLE, READSHAW, ROAE, ROCK, MILNE and MAHONEY

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for reciprocal limitations.

Referred to Committee on STATE GOVERNMENT, April 21, 2009.

No. 1303 By Representatives SOLOBAY, BARRAR, BRENNAN, BRIGGS, DePASQUALE, DONATUCCI, FRANKEL, HARKINS, KOTIK, MANN, MUNDY, JOSEPHS and FREEMAN

An Act amending the act of July 8, 2007 (P.L.90, No.28), known as the Freedom to Breastfeed Act, defining "breastfeeding"; and further providing for workplace and for breastfeeding by employees.

Referred to Committee on LABOR RELATIONS, April 21, 2009.

No. 1304 By Representatives LENTZ, BELFANTI, BEYER, BISHOP, BRADFORD, BRENNAN, BRIGGS, CALTAGIRONE, CONKLIN, D. COSTA, CREIGHTON, DALLY, DONATUCCI, GEIST, GEORGE, GIBBONS, GRUCELA, HALUSKA, HENNESSEY, HOUGHTON, JOHNSON, JOSEPHS, KORTZ, KOTIK, KULA, LONGIETTI, MAHONEY, MANN, MATZIE, McGEEHAN, McILVAINE SMITH, MELIO, MILNE, MOUL, MURT, MYERS, M. O'BRIEN, PALLONE, PARKER, PAYTON, PRESTON, READSHAW, SCAVELLO, SEIP, SIPTROTH, K. SMITH, SWANGER, WHEATLEY and YOUNGBLOOD

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 the Office for Safe Schools.

Referred to Committee on EDUCATION, April 21, 2009.

No. 1305 By Representatives BOYD, BEYER, CALTAGIRONE, CLYMER, CREIGHTON, DALLY, ELLIS, FLECK, GEIST, GIBBONS, GINGRICH, GOODMAN, HARPER, HENNESSEY, HICKERNELL, KAUFFMAN, M. KELLER, W. KELLER, KILLION, KORTZ, MELIO, MILLARD, MILLER, MOUL, O'NEILL, PICKETT, PYLE, RAPP, READSHAW, REICHLEY, SCAVELLO, SIPTROTH, K. SMITH, STERN and WATSON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for information in central repository or automated systems.

Referred to Committee on JUDICIARY, April 21, 2009.

No. 1307 By Representatives SCAVELLO, SIPTROTH, BELFANTI, D. COSTA, CREIGHTON, DeLUCA, GEIST, GEORGE, GIBBONS, GILLESPIE, GOODMAN, HESS, HORNAMAN, JOHNSON, KORTZ, MAJOR, MILLARD, MURPHY, READSHAW, K. SMITH, SOLOBAY, J. TAYLOR and WHEATLEY

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 CPR and automated external defibrillator instruction; providing for procedures regarding response to cardiac arrest, for donations for use related to CPR instruction, for donations to school entities for use in CPR instruction, for a cardiovascular screening pilot program and for availability of automated external defibrillator.

Referred to Committee on EDUCATION, April 21, 2009.

No. 1308 By Representatives SCAVELLO, CREIGHTON, CUTLER, GINGRICH, HENNESSEY, KORTZ, MOUL, SIPTROTH, WATSON and WHEATLEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for exceptions to prohibition of interception and disclosure of communications.

Referred to Committee on JUDICIARY, April 21, 2009.

No. 1312 By Representative PASHINSKI

An Act authorizing the City of Wilkes-Barre, Luzerne County, to convey a fee interest in certain Project 70 lands free of restrictions imposed under the Project 70 Land Acquisition and Borrowing Act.

Referred to Committee on STATE GOVERNMENT, April 21, 2009.

No. 1313 By Representatives METCALFE, CREIGHTON, GOODMAN, HARRIS, HUTCHINSON, MENSCH, PYLE, RAPP, ROAE, ROCK, ROHRER and SCAVELLO

An Act imposing limitations on political subdivisions relating to the increase of real property taxes.

Referred to Committee on FINANCE, April 21, 2009.

No. 1314 By Representatives METCALFE, CREIGHTON, EVERETT, GABLER, KAUFFMAN, MURT, MUSTIO, RAPP, TALLMAN 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 judicial salaries, for compensation of certain executive branch officials and for members of the General Assembly.

Referred to Committee on STATE GOVERNMENT, April 21, 2009.

No. 1315 By Representatives BOBACK, DALLY, YUDICHAK, BARRAR, BOYD, CLYMER, CREIGHTON, CUTLER, GOODMAN, HARRIS, HELM, HENNESSEY, HORNAMAN, KORTZ, MAJOR, McILVAINE SMITH, MILLER, MUSTIO, REICHLEY, ROCK, SIPTROTH, TRUE, VULAKOVICH, WATSON and BEYER

An Act amending the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, further defining "crimes related to public office or public employment"; and further providing for disqualification and forfeiture of benefits.

Referred to Committee on FINANCE, April 21, 2009.

No. 1316 By Representatives CONKLIN, HARKINS, BRENNAN, FLECK, ROEBUCK and GEIST

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for peace officers.

Referred to Committee on STATE GOVERNMENT, April 21, 2009.

No. 1317 By Representatives SANTONI, McCALL, EACHUS, DeWEESE, STURLA, J. TAYLOR, BRENNAN, CALTAGIRONE, BROWN, D. COSTA, FABRIZIO, GOODMAN, GALLOWAY, HARKINS, HARHAI, KOTIK, PAYTON, SEIP, SAINATO and D. EVANS

An Act providing for tuition relief and for a video lottery program; establishing penalties; and making appropriations.

Referred to Committee on GAMING OVERSIGHT,
April 21, 2009.

No. 1318 By Representatives MURPHY, HARHAI, YUDICHAK, McCALL, EACHUS, STABACK, PASHINSKI, BELFANTI, GERGELY, BARBIN, BEAR, BEYER, BOBACK, BOYD, BOYLE, BRADFORD, BRENNAN, BRIGGS, BROWN, BURNS, BUXTON, CARROLL, CAUSER, CLYMER, CONKLIN, D. COSTA, CUTLER, DEASY, DePASQUALE, DERMODY, DeWEESE, EVERETT, FABRIZIO, FAIRCHILD, FLECK, FRANKEL, FREEMAN, GEORGE, GINGRICH, GOODMAN, GROVE, GRUCELA, HESS, HORNAMAN, HOUGHTON, JOHNSON, KAUFFMAN, M. KELLER, KIRKLAND, KORTZ, MAJOR, MANDERINO, MANN, MARKOSEK, MELIO, MILLARD, MILLER, MIRABITO, MURT, D. O'BRIEN, M. O'BRIEN, PHILLIPS, PYLE, QUINN, REICHLEY, ROHRER, SAINATO, SAMUELSON, SCAVELLO, SCHRODER, SIPTROTH, K. SMITH, M. SMITH, SOLOBAY, SONNEY, J. TAYLOR, VITALI, VULAKOVICH, WANSACZ, WHITE, YOUNGBLOOD, DALEY, BAKER, MENSCH, CALTAGIRONE and FARRY

An Act imposing a moratorium on the closure of the Scranton State School for the Deaf; and requiring the Legislative Budget and Finance Committee to study the operations and cost of the Scranton State School for the Deaf and to report the findings to the General Assembly.

Referred to Committee on EDUCATION, April 21, 2009.

No. 1319 By Representatives BAKER, OLIVER, REICHLEY, CUTLER, ADOLPH, BARRAR, BELFANTI, BEYER, BRENNAN, BRIGGS, BUXTON, CAUSER, COHEN, D. COSTA, CREIGHTON, CRUZ, CURRY, DALEY, DALLY, DENLINGER, FABRIZIO, FARRY, FLECK, FRANKEL, FREEMAN, GEIST, GINGRICH, GODSHALL, GROVE, HARHAI, HARHART, HARPER, HARRIS, HELM, HENNESSEY, HICKERNELL, HORNAMAN, HUTCHINSON, M. KELLER, KILLION, KORTZ, KOTIK, KULA, LONGIETTI, MAJOR, MANDERINO, MARSHALL, MELIO, MENSCH, MICOZZIE, MILLER, MILNE, MOUL, MURPHY, MURT, MUSTIO, M. O'BRIEN, O'NEILL, PASHINSKI, PHILLIPS, PICKETT, QUIGLEY, QUINN, READSHAW, REED, ROAE, ROEBUCK, ROHRER, ROSS, SANTONI, SCHRODER, SEIP, SHAPIRO, SIPTROTH, K. SMITH, STABACK, STEVENSON, SWANGER, J. TAYLOR, TRUE, VEREB, VULAKOVICH, WATSON and YOUNGBLOOD

An Act providing for protection of abused, neglected, exploited or abandoned adults; establishing a uniform Statewide reporting and investigative system for suspected abuse, neglect, exploitation or abandonment of adults; providing for protective services; and prescribing penalties.

Referred to Committee on AGING AND OLDER ADULT SERVICES, April 21, 2009.

No. 1320 By Representatives SAYLOR, BELFANTI, BEYER, BOYD, BRENNAN, CLYMER, D. COSTA, EVERETT, FRANKEL, GEIST, GERGELY, GIBBONS,

GINGRICH, GODSHALL, MELIO, MUNDY, MURPHY, MURT, O'NEILL, PYLE, READSHAW, SCAVELLO, STURLA and VULAKOVICH

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, permitting the Pennsylvania State Police to charge certain municipalities for certain services.

Referred to Committee on LOCAL GOVERNMENT,
April 21, 2009.

No. 1321 By Representatives SAYLOR, MARKOSEK, GEIST, FAIRCHILD, EVERETT, HESS, HORNAMAN, HUTCHINSON, KORTZ, LENTZ, MILLER, MURT, RAPP, SIPTROTH, SOLOBAY, BELFANTI, CREIGHTON, FABRIZIO, FLECK, HARRIS, MOUL, O'NEILL, READSHAW, REICHLEY, ROAE, SCHRODER, SONNEY, VULAKOVICH and HARKINS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring compliance with Federal Selective Service requirements as part of application for learners' permits or drivers' licenses.

Referred to Committee on TRANSPORTATION, April 21, 2009.

BILLS REREPORTED FROM COMMITTEE

HB 48, PN 1395

By Rep. D. EVANS

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions and for limited number of retail licenses to be issued in each county.

APPROPRIATIONS.

HB 557, PN 1396

By Rep. D. EVANS

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for authority to issue liquor licenses, for applicants for wine auction permits, for prohibitions against the grant of licenses and for interlocking businesses prohibited.

APPROPRIATIONS.

HB 961, PN 1099

By Rep. D. EVANS

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 the sunset date for fees.

APPROPRIATIONS.

HB 1089, PN 1397

By Rep. D. EVANS

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

APPROPRIATIONS.

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

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

HB 1123, PN 1546 (Amended) By Rep. GERGELY

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

LABOR RELATIONS.

SUPPLEMENTAL CALENDAR A

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1089, PN 1397**, entitled:

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

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

Mr. **GRELL** offered the following amendment No. **A00729**:

Amend Bill, page 1, lines 1 through 3, by striking out all of said lines and inserting
Amending the act of May 17, 1921 (P.L.682, No.284), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," in health and accident insurance, providing for group health policies to continue for period of time after termination of employment or membership in health maintenance organizations.

Amend Bill, page 1, lines 6 through 15; pages 2 through 11, lines 1 through 30; page 12, lines 1 through 18, by striking out all of said lines on said pages and inserting

Section 1. The act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, is amended by adding a section to read:

Section 635.4. Mini-COBRA Small Employer Group Health Policies.—(a) A group policy in effect or delivered or issued for delivery in this Commonwealth on or after the effective date of this section by an insurer which insures employees and their eligible dependents for hospital, surgical or major medical insurance shall provide that covered employees or eligible dependents whose coverage under the group policy would otherwise terminate because of a qualifying event shall be entitled to continue their hospital, surgical or major medical coverage under that group policy subject to the following terms and conditions:

(1) Continuation shall only be available to a covered employee or eligible dependent who has been continuously insured under a group policy or for similar benefits under any group policy which it replaced, during the entire three-month period ending with such termination. If employment is reinstated during the continuation period, then coverage under the group policy must be reinstated for the covered employee and any eligible dependents who were covered under continuation.

(2) Continuation shall not be available for any person covered under the group policy who:

(i) is covered or is eligible for coverage under Medicare;
(ii) fails to verify that he is ineligible for employer-based group health insurance as an eligible dependent; or

(iii) is or could be covered by any other insured or uninsured arrangement which provides hospital, surgical or major medical coverage for individuals in a group and under which the person was not covered immediately prior to such termination, excluding the medical assistance program established under the act of June 13, 1967 (P.L.31, No.21), known as the "Public Welfare Code," the children's health care program established under Article XXIII or the adult basic coverage insurance program established under Chapter 13 of the act of June 26, 2001 (P.L.755, No.77), known as the "Tobacco Settlement Act," and any successors thereto.

(3) Continuation must include any benefits provided under the group policy.

(4) (i) The group policy shall provide notice to the policyholder of the rights provided under this section. Unless already provided in the group policy, an insurer who has issued a group policy in effect as of the effective date of this section shall provide such notice to the policyholder within 45 days of the effective date.

(ii) The employer of a covered employee under a group policy must notify the administrator or its designee, the covered employee and the insurer of a qualifying event within thirty days of the qualifying event. Notice to the covered employee shall include notice of the rights set forth in this section.

(iii) Each covered employee or eligible dependent shall notify the administrator or its designee of its election of continuation coverage under this section within thirty days of notice under subparagraph (ii). The coverage shall be effective as of the date of the qualifying event and shall be the same as the coverage in effect at the time of the qualifying event or any replacement coverage.

(iv) An administrator or its designee notified under subparagraph (iii) of an election of continuation coverage shall notify the insurer within fourteen days of the covered employee's or eligible dependent's election.

(v) Except as otherwise specified in an election, any election of continuation coverage by an eligible dependent shall be deemed to include an election of continuation coverage on behalf of any other eligible dependent who would lose coverage under the plan by reason of the qualifying event.

(5) (i) The covered employee or eligible dependent requesting the continuation of coverage must pay to the administrator or its designee, on a monthly basis, the amount of contribution required to be paid by the covered employee or eligible dependent to continue the coverage.

(ii) The premium contribution may not be more than one hundred five percent of the group rate of the insurance being continued on the due date of each payment.

(iii) Nothing in this section shall require the employer to contribute to the deductible of the employee holding a health savings account as defined in the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 223(d)) or other medical spending account as a component of the group policy after the termination date as long as scheduled payments have been made.

(6) (i) Continuation of coverage under the group policy for any covered employee or eligible dependent shall terminate upon failure to satisfy paragraph (2) or, if earlier, at the first to occur of the following:

(A) the date nine months after the date the covered employee's or eligible dependent's coverage under the group would have terminated because of a qualifying event;

(B) if the employee or member fails to make timely payment of a required premium contribution, the end of the period for which contributions were made;

(C) the date on which the group policy is terminated.

(ii) A covered employee or eligible dependent shall provide written notice to the administrator or its designee within fourteen days if, pursuant to paragraph (2), coverage should not occur.

(b) A covered employee shall be entitled to obtain a conversion policy as stated in section 621.2. The right to a converted policy pursuant to this act for a covered employee or eligible dependent entitled to continuation of coverage under this act shall commence upon termination of the continued coverage provided for under this act.

(c) Coverage as required by this section may not be conditioned upon, or discriminated on, the basis of lack of evidence of insurability.

(d) In the case of a qualifying event consisting of the involuntary termination of the covered employee's employment occurring on or after the effective date of this section and before January 1, 2010, or such other date as specified by any amendment to or successor of section 3001 of Division B, Title III of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5, 123 Stat. 115), a covered employee or eligible dependent shall be entitled to premium assistance as provided in section 3001 of Division B, Title III of the American Recovery and Reinvestment Act of 2009, pursuant to the procedures and requirements set forth therein.

(e) This section shall only apply to those persons who satisfy both of the following criteria:

(1) Persons who are not subject to the continuation and conversion provisions set forth in Title 1, Subtitle B, Part 6 of the Employee Retirement Income Security Act of 1974 (Public Law 93-406, 29 U.S.C. § 1161 et seq.) or Title XXII of the Public Health Service Act (Public Law 99-272, 42 U.S.C. § 300bb-1 et seq.).

(2) Persons, and the eligible dependents of such persons, who are employed by an employer that normally employed between two and nineteen employees on a typical business day during the preceding year.

(f) The department may promulgate regulations as necessary for the implementation and administration of this section.

(g) For purposes of this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

(1) "Administrator" means the person specifically designated by an employer by written agreement to manage the administration of a group policy issued to an employer or, if an administrator is not so designated, the employer.

(2) "Covered employee" means an individual who is or was provided coverage under a group policy by virtue of the performance of services by the individual for one or more persons maintaining the policy, including as an employee defined in section 401(c)(1) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 401(c)(1)). Such term includes employees and members as those terms are used in section 621.2.

(3) "Eligible dependent" means:

(i) With respect to a covered employee under a group health plan, any other individual who on the day before the qualifying event for that employee is a beneficiary under the plan:

(A) as the spouse of the covered employee; or

(B) as the dependent child of the employee.

(ii) In the case of a qualifying event described in paragraph (6)(ii), the term includes a covered employee.

(iii) In the case of a qualifying event described in paragraph (6)(vi), the term includes a covered employee who had retired on or before the date of substantial elimination of coverage and any other individual who, on the day before such qualifying event, is a beneficiary under the plan:

(A) as the spouse of the covered employee;

(B) as the dependent child of the employee; or

(C) as the surviving spouse of the covered employee.

The term shall also include a child who is born to or placed for adoption with a covered employee during the period of continuation coverage under this section.

(4) "Group policy" means any group health insurance policy, subscriber contract, certificate or plan which provides health or sickness and accident coverage which is offered by an insurer. The term shall not include any of the following:

(i) An accident only policy.

(ii) A credit only policy.

(iii) A long-term care or disability income policy.

(iv) A specified disease policy.

(v) A Medicare supplement policy.

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

(vii) A fixed indemnity policy.

(viii) A dental only policy.

(ix) A vision only policy.

(x) A workers' compensation policy.

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

(xii) Any other similar policies providing for limited benefits.

(5) "Insurer" means a company or health insurance entity licensed in this Commonwealth to issue any health, sickness or accident policy or subscriber contract or 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 Article XXIV or other provision of this act or any of the following:

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

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

(6) "Qualifying event" means, with respect to any covered employee, any of the following events which, but for the continuation of coverage required under this section, would result in the loss of coverage of an eligible dependent:

(i) The death of a covered employee.

(ii) The termination, other than by reason of such employee's gross misconduct, or reduction of hours of the covered employee's employment.

(iii) The divorce or legal separation of the covered employee from an eligible dependent.

(iv) The covered employee becoming entitled to benefits under Title XVIII of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1395 et seq.).

(v) A dependent child ceasing to be a dependent child under the generally applicable requirements of the plan.

(vi) A proceeding in a case under 11 U.S.C. (relating to bankruptcy), with respect to the employer from whose employment the covered employee retired at any time. In the case of an event described in this subparagraph, a loss of coverage includes a substantial elimination of coverage with respect to an eligible dependent within one year before or after the date of commencement of the proceeding.

Section 2. This act shall take effect in 30 days.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Cumberland County, Representative Grell.

Mr. GRELL. Thank you, Mr. Speaker.

This amendment essentially would take the provisions of an already approved Senate mini-COBRA (Consolidated Omnibus Budget Reconciliation Act) bill and roll it into HB 1089, thereby creating a means by which people who are separated from their employment would be able to continue in a group health policy provided that they pay the premium.

It would advance this issue considerably in that we would have, if this amendment is approved into 1089, we would have a House-approved version of mini-COBRA that is essentially identical to the Senate-approved version of mini-COBRA, and we might actually be able to get something accomplished on this important issue.

So I would urge my colleagues to support this amendment and then support the bill as amended. Thank you, Mr. Speaker.

The SPEAKER. Will the House agree to the amendment? On that question, the Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to support the gentleman's motion to accept amendment No. 729. Once again, I rise to support the amendment.

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Belfanti	Lentz	Miccarelli	Perry
Gruclera			

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

On the question,

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

Mr. MUSTIO offered the following amendment No. A00699:

Amend Bill, page 1, lines 1 through 3, by striking out all of said lines and inserting
Amending the act of May 17, 1921 (P.L.682, No.284), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," providing for group health policies to continue for period of time after termination of employment or membership in health maintenance organizations and for adult health basic insurance coverage.

Amend Bill, page 1, lines 6 through 15; pages 2 through 11, lines 1 through 30; page 12, lines 1 through 18, by striking out all of said lines on said pages and inserting

Section 1. The act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, is amended by adding articles to read:

ARTICLE IV-B

MINI-COBRA SMALL EMPLOYER GROUP HEALTH PLAN AND PREMIUM ASSISTANCE

Section 401-B. Scope of article.

This article relates to mini-COBRA small employer group health plan and premium assistance.

Section 402-B. Legislative finds and declarations.

The General Assembly finds and declares as follows:

(1) A major crisis exists in this Commonwealth because of the continuing escalation of costs for health care insurance, accompanied by an increase in unemployment. Because of these factors, an increasingly large number of Pennsylvania citizens have severely limited access to appropriate and timely health care.

(2) According to a recent survey by the Insurance Department, more than 1,000,000 Commonwealth citizens are without insurance and this figure can be expected to grow in the short term.

(3) Unemployed individuals who are involuntarily terminated from their jobs have access to COBRA, however, many find that the premium for COBRA is too expensive and are unable to afford the premium.

(4) Both the President and Congress have recognized this problem in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5, 123 Stat. 115).

(5) Division B of the American Recovery and Reinvestment Act of 2009, entitled Tax, Unemployment, Health, State Fiscal Relief, and Other Provisions provides premium assistance for COBRA benefits to assist eligible individuals who timely elect to participate in the premium assistance program.

(6) The premium assistance program provides relief in the form of paying 65% of the normal COBRA premiums available under COBRA coverage, including coverage subject to State continuation laws or mini-COBRA laws.

(7) It is therefore declared the policy of the Commonwealth to enact a mini-COBRA bill providing Commonwealth citizens the opportunity to take full advantage of the Federal premium assistance program so the cost of health insurance coverage for the unemployed can be minimized when possible, and which will survive beyond the temporary relief provided in the Federal act.

Section 403-B. 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:

"Covered employee." An individual who is or was provided coverage under a group policy by virtue of the performance of services by the individual for one or more persons maintaining the policy, including as an employee defined in section 401(c)(1) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.). The term includes employees and members as those terms are used in section 621.2.

"Election period." The period which:

- (1) begins not later than the date on which coverage terminates under the plan by reason of a qualifying event;
- (2) is of at least 60 days' duration; and
- (3) ends not earlier than 60 days after the later of:
 - (i) the date described in paragraph (1); or
 - (ii) in the case of any eligible dependent who receives notice under section 404-B(4)(iv), the date of the notice.

"Group policy." Any group health insurance policy, subscriber contract, certificate or plan which provides health or sickness and accident coverage which is offered by an insurer. The term shall not include any of the following:

- (1) An accident only policy.
- (2) A credit only policy.
- (3) A long-term or disability income policy.
- (4) A specified disease policy.
- (5) A Medicare supplement policy.
- (6) A Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) supplement policy.
- (7) A fixed indemnity policy.
- (8) A dental only policy.
- (9) A vision only policy.
- (10) A workers' compensation policy.
- (11) An automobile medical payment policy under 75 Pa.C.S. (relating to vehicles).
- (12) Any other similar policies providing for limited benefits.

"Insurer." A company or health insurance entity licensed in this Commonwealth to issue any health, sickness or accident policy or subscriber contract or 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 this article or any of the following:

- (1) The act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act.
- (2) The act of May 18, 1976 (P.L.123, No.54), known as the Individual Accident and Sickness Insurance Minimum Standards Act.
- (3) 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations).
- (4) Article XXIV.

"Qualifying event." With respect to any covered employee, any of the following events which, but for the continuation of coverage required under this article, would result in the loss of coverage of an eligible dependent:

- (1) The death of a covered employee.
- (2) The termination, other than by reason of the employee's gross misconduct, or reduction of hours of the covered employee's employment.

(3) The divorce or legal separation of the covered employee from an eligible dependent.

(4) The covered employee becoming entitled to benefits under Title XVIII of the Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et seq.).

(5) A dependent child ceasing to be a dependent child under the generally applicable requirements of the plan.

(6) A proceeding in a case under 11 U.S.C. (relating to bankruptcy), with respect to the employer from whose employment the covered employee retired at any time. In the case of an event described in this definition, a loss of coverage includes a substantial elimination of coverage with respect to an eligible dependent within one year before or after the date of commencement of the proceeding.

Section 404-B. Certain group policies.

A group policy delivered or issued for delivery in this Commonwealth after the effective date of this section by an insurer which insures employees or members and their eligible dependents for hospital, surgical or major medical insurance shall provide that covered employees or eligible dependents whose coverage under the group policy would otherwise terminate because of a qualifying event shall be entitled to continue their hospital, surgical or major medical coverage under that group policy subject to the following terms and conditions:

(1) Continuation shall only be available to a covered employee or eligible dependent who has been continuously insured under the group policy, and for similar benefits under any group policy which it replaced, during the entire three-month period ending with the termination. If employment is reinstated during the continuation period, then coverage under the group policy must be reinstated for the covered employee and any eligible dependents who were covered under continuation.

(2) Continuation shall not be available for any person covered under the group policy who:

- (i) is covered or is eligible for coverage under Medicare;
- (ii) fails to verify that he is ineligible for employer-based group health insurance as an eligible dependent; or
- (iii) is or could be covered by any other insured or uninsured arrangement which provides hospital, surgical or major medical coverage for individuals in a group and under which the person was not covered immediately prior to the termination, excluding the medical assistance program established under the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code.

(3) Continuation need not include dental, vision care or prescription drug benefits or any other benefits provided under the group policy in addition to its hospital, surgical or major medical benefits, but continuation must include any benefits mandated under this article or any other act if those benefits are provided under the group policy.

(4) (i) The group policy shall provide, at the time of commencement of coverage under the plan, written notice to each covered employee and adult eligible dependent of the employee, if any, of the rights provided under this article.

(ii) The employer of a covered employee under a plan must notify the administrator or its designee of a qualifying event within 30 days of the date of the qualifying event.

(iii) Each covered employee or eligible dependent is responsible for notifying the administrator or its designee of the occurrence of any qualifying event within 60 days after the date of the qualifying event and each eligible dependent who is determined, under Title II or XVI of the Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et seq.), to have been disabled at any time

during the first 60 days of continuation coverage under this article is responsible for notifying the plan administrator or its designee of the determination within 60 days after the date of the determination and for notifying the plan administrator or its designee within 30 days after the date of any final determination under Title II or XVI of the Social Security Act that the eligible dependent is no longer disabled.

(iv) In the case of a "qualifying event" defined in section 403-B(1), (2), (4) or (6), the administrator or its designee shall notify any eligible dependent regarding the event of the dependent's rights under this article.

(v) In the case of a "qualifying event" defined in section 403-B(3) or (5) where the covered employee notifies the administrator or its designee under subparagraph (iii), the administrator or its designee shall notify any eligible dependent regarding the event of the dependent's rights under this article.

(vi) For purposes of subparagraphs (iv) and (v), any notification shall be made within 14 days of the date on which the administrator or its designee is notified under subparagraphs (ii) or (iii), whichever is applicable, and any such notification to an eligible dependent who is the parent or guardian of one or more eligible dependents shall be treated as notification to all other eligible dependents residing with the parent or guardian at the time the notification is made.

(vii) Except as otherwise specified in an election, any election of continuation coverage by an eligible dependent shall be deemed to include an election of continuation coverage on behalf of any other eligible dependent who would lose coverage under the plan by reason of the qualifying event. If there is a choice among types of coverage under the plan, each eligible dependent is entitled to make a separate selection among the types of coverage.

(5) (i) The covered employee or eligible dependent requesting the continuation of coverage must pay to the group policyholder, on a monthly basis, the amount of contribution required to continue the coverage.

(ii) The premium contribution may not be more than 102% of the group rate of the insurance being continued on the due date of each payment; but, if any benefits are omitted as provided by paragraph (3), the premium contribution shall be reduced accordingly.

(iii) Nothing in this article shall require the employer to contribute to the deductible of the employee holding a health savings account as defined in the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 223(d)) as a component of the group policy after the termination date as long as scheduled payments have been made.

(6) Continuation of coverage under the group policy for any covered employee or eligible dependent shall terminate upon failure to satisfy paragraph (2) or, if earlier, at the first to occur of the following:

(i) the date nine months after the date the covered employee's or eligible dependent's coverage under the group would have terminated because of a qualifying event;

(ii) if the employee or member fails to make timely payment of a required premium contribution, the end of the period for which contributions were made; or

(iii) the date on which the group policy is terminated.

Section 405-B. Conversion policy.

A covered employee shall be entitled to obtain a conversion policy as stated in section 621.2. The right to a converted policy

pursuant to this article for a covered employee or eligible dependent entitled to continuation of coverage under this article shall commence upon termination of the continued coverage provided for under this article.

Section 406-B. Prohibition.

Coverage as required by this article may not be conditioned upon, or discriminated on, the basis of lack of evidence or insurability.

Section 407-B. Election period and premium assistance.

In the case of a qualifying event consisting of the involuntary termination of the covered employee's employment occurring on or after September 1, 2008, and before January 1, 2010, or other date as specified by amendment or modification of section 3001 of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5, 123 Stat. 115) or successor legislation, a covered employee or eligible dependent shall be entitled to an election period and premium assistance and other benefits as provided for by the American Recovery and Reinvestment Act of 2009, under the procedures and requirements set forth in that act.

Section 408-B. Applicability.

(a) Criteria.—This article shall only apply to those persons who satisfy both of the following criteria:

(1) Persons who are not subject to the continuation and conversion provisions set forth in Title 1, Subtitle B, Part 6 of the Employee Retirement Income Security Act of 1974 (Public Law 93-406, 88 Stat. 829) or Title XXII of the Public Health Service Act (58 Stat. 682, 42 U.S.C. § 201 et seq.).

(2) Persons, and the eligible dependents of the persons, who are employed by an employer that normally employed between two and nineteen employees on a typical business day during the preceding year.

(b) Assistance eligible individuals.—This article shall apply to assistance eligible individuals as defined in section 3001(a)(3) of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5, 123 Stat. 115).

Section 409-B. Regulations.

The Insurance Department may promulgate regulations as necessary for the implementation and administration of this article.

Section 410-B. Effect of expiration of certain premium benefits.

This article shall remain in effect after the expiration of premium assistance for COBRA benefits provided for in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5, 123 Stat. 115).

ARTICLE IV-C

ADULT HEALTH BASIC COVERAGE INSURANCE

Section 401-C. Scope.

This article relates to adult health basic coverage insurance.

Section 402-C. 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:

"Benefit package." Insurance coverage which provides the benefits set forth under section 403-C(f)(2) for eligible adults.

"Chronic disease or condition." A disease or condition that is long lasting or recurrent, or that does not resolve spontaneously and is rarely completely cured.

"Contractor." An insurer or other entity or its subsidiaries operating under 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations), or both, selected for a contract under section 403-C(h).

"Department." The Insurance Department of the Commonwealth.

"Eligible adult." A low-income adult who meets all of the following:

(1) Legally resides within the United States.

(2) Has been domiciled in this Commonwealth for at least 90 days prior to enrollment.

(3) Is not covered by a health insurance plan, a self-insurance plan or a self-funded plan.

(4) Has not been covered by a health insurance plan, a

self-insurance plan or a self-funded plan during the three months immediately preceding the determination of eligibility, except if one of the following apply:

(i) The low-income adult is eligible to receive benefits under the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law.

(ii) The low-income adult was covered under one of the plans listed under this paragraph but at the time of application for coverage is no longer employed and is ineligible to receive benefits under the Unemployment Compensation Law.

(iii) The low-income adult is the spouse of a person who meets either of the exceptions set forth under subparagraph (i) or (ii) and both the eligible adult and the spouse are low income and applying for coverage.

(iv) The low-income adult has purchased a limited benefit policy offer by an entity or its subsidiaries that operate subject to the provisions of 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations), or both.

(5) The low-income adult is ineligible for medical assistance or Medicare.

"Hospital." A hospital as defined and licensed under the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

"Insurer." An insurance company, association, reciprocal, health maintenance organization, fraternal benefit society or a risk-bearing preferred provider organization that offers health care benefits and is subject to regulation under this act or the act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act.

"Low-income adult." An individual who is at least 19 years of age but less than 65 years of age and whose household income is less than 200% of the Federal poverty level at the time of eligibility determination.

"Medical assistance." The State program of medical assistance established under the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code.

"Medicare." The Federal program established under Title XVIII of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1395 et seq.).

"Offeror." An insurer that submits a proposal in response to the Insurance Department's request for proposals issued under section 403-C(f).

"Preexisting condition." A disease or physical condition for which medical advice or treatment has been received prior to the effective date of coverage.

"Program." The adult basic coverage insurance program.

"Rolling basis." Within 30 days of a determination that an individual in the program and receiving a subsidized benefit package is no longer an eligible adult, the enrollment of an eligible adult from the waiting list in the program for a subsidized benefit package. Section 403-C. Adult basic coverage insurance program.

(a) Program establishment.—There is established in the department an adult basic coverage insurance program. Fund appropriations to the department for the program shall be used for contracts to provide basic health care insurance for eligible adults. The department shall, to the greatest extent practicable, ensure that all eligible adults in this Commonwealth have access to the program established in this section.

(b) Eligible adult responsibilities.—

(1) An eligible adult whose household income is less than 151% of the Federal poverty level and seeking to purchase adult basic coverage insurance shall do all of the following:

(i) Submit an application to the department.

(ii) Pay to the department or its contractor once enrolled an amount of \$35 per month of coverage.

Beginning January 1, 2010, the monthly payment amount shall be adjusted based on the annual change in the Consumer Price Index for the 12 preceding months for which data is available. Notification of any change in the monthly payment amount shall be provided to eligible adults participating in the program.

(iii) Be responsible for any required copayments and deductibles for health care services rendered under the benefit package under subsection (f)(2).

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

(2) An eligible adult whose household income is 151% or more of the Federal poverty level and seeking to purchase adult basic coverage insurance shall do all of the following:

(i) Submit an application to the department.

(ii) Pay to the department or its contractor once enrolled an amount of \$70 per month of coverage. Beginning January 1, 2010, the monthly payment amount shall be adjusted based on the annual change in the Consumer Price Index for the 12 preceding months for which data is available. Notification of any change in the monthly payment amount shall be provided to eligible adults participating in the program.

(iii) Be responsible for any required copayments and deductibles for health care services rendered under the benefit package under subsection (f)(2).

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

(c) Purchase of insurance.—An eligible adult's payment to the department or its contractor under subsection (b)(1)(ii) or (2)(ii) shall be used to purchase the benefit package and shall be received in a timely manner. The appropriations for the program shall be used by the department to pay the difference between the premium cost of the benefit package and the eligible adult's payment. Subsidization of the benefit package shall be contingent upon the amount of the appropriations to the program and limited to eligible adults in compliance with subsection (b). Nothing under this section shall constitute an entitlement derived from the Commonwealth or a claim on any funds of the Commonwealth.

(d) Potential waiting list.—The department shall maintain a waiting list of eligible adults who have applied for 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.

(e) Department responsibilities.—The department shall:

(1) Administer the adult basic coverage insurance program on a Statewide basis.

(2) Enter into contracts for health care insurance in accordance with 62 Pa.C.S. (relating to procurement). The department may award contracts on a multiple-award basis.

(3) Conduct monitoring, oversight and audits of executed contracts for enforcement purposes.

(4) Ensure that the eligibility of individuals who have submitted an application and who are receiving subsidization of the benefit package or are on the waiting list is redetermined on a semiannual basis. If the department determines that an individual who was receiving subsidization of the benefit package was not eligible for a subsidized benefit package, the department shall seek reimbursement for the subsidization of the benefit package and impose a penalty not to exceed \$50 per month if ineligible.

(5) In consultation with appropriate Commonwealth agencies, monitor, review and evaluate the insurer's benefit package for the adequacy, accessibility and availability of the services required under subsection (f).

(6) Offer subsidization of the benefit package to individuals on a rolling basis.

(7) By November 30, 2010, and annually thereafter, prepare and submit a report, which shall be made available for

public inspection and posted on the department's publicly accessible Internet website, to the chair and minority chair of the Banking and Insurance Committee of the Senate and to the chair and minority chair of the Insurance Committee of the House of Representatives regarding all of the following:

- (i) The number of eligible adults purchasing the adult basic coverage insurance, with a geographic distribution.
- (ii) The insurers participating in the program.
- (iii) The scope of the services being provided.
- (iv) The cost of the insurance.
- (v) The amount an eligible adult contributes toward the insurance, including any copayments, deductibles and adjustments due to the Consumer Price Index adjustment factor under subsection (b)(2).

(f) Request for proposals.—In accordance with subsection (e)(2), the department shall issue a request for proposals for the adult basic coverage insurance. The request shall require:

(1) An offeror to assure that if selected as a contractor it will do all of the following:

- (i) Ensure that eligible adults have access to primary health care physicians and nurse practitioners.
- (ii) Contract with qualified, cost-effective providers, which may include primary health care physicians, nurse practitioners, clinics and health maintenance organizations, to provide health care for eligible adults in a manner that best manages the costs of the services and utilizes other appropriate medical cost-management methods.
- (iii) Ensure that the individual applying for coverage is an eligible adult. If a review of the individual's application for coverage indicates that the individual is not eligible for adult basic coverage insurance but may be eligible for medical assistance, the application for benefits and all accompanying documentation shall be promptly transmitted to the appropriate county assistance office for a determination of eligibility for medical assistance or other Federal, State and local resources available to the individual.
- (iv) Not prohibit enrollment based upon a preexisting condition nor exclude a diagnosis or treatment for the condition based on the condition's preexistence.
- (v) Provide the benefit package to eligible adults consistent with the scope and duration requirements of the request for proposals.
- (vi) Provide an insurance identification card to each eligible adult covered under a contract executed under this section. The card shall not identify the eligible adult as low income.
- (vii) Require each primary care physician providing primary care services under this section to make necessary arrangements for admission to hospitals and for necessary specialty care.
- (viii) Not pay any claim on behalf of an eligible adult unless all other Federal, State and local resources are first utilized.

(2) A benefit package with scope, copayments, deductibles and duration determined by the department that includes:

- (i) Preventive care. The department may not enter into a contract which imposes a copayment or which requires the satisfaction of any deductible for preventative care services.
- (ii) Physician services. If physician services are rendered for the treatment of a chronic disease or condition, the department may not enter into a contract which imposes a copayment or which requires the

satisfaction of any deductible for these health care services.

(iii) Diagnosis and treatment of illness or injury, including all medically necessary covered services related to the diagnosis and treatment of sickness and injury and other conditions provided on an ambulatory basis, such as laboratory tests, x-rays, wound dressing and casting to immobilize fractures.

(iv) Inpatient hospitalization.

(v) Outpatient hospital services.

(vi) Emergency accident and emergency medical care. If emergency accident and emergency medical services are ambulatory, the department shall enter into a contract which imposes a copayment for these health care services not to exceed \$50.

(g) Proposals.—Upon publication of a request for proposals, an entity and its subsidiaries that operate subject to the provisions of 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations), or both, shall submit a proposal to the department to carry out the purposes of this section. Upon publication of a request for proposals, an insurer doing business in this Commonwealth may submit a proposal to the department to carry out the purposes of this section.

(h) Reviewing, scoring and selection of proposals.—The department shall review and score the proposals on the basis of all of the requirements for the adult basic coverage insurance program. The department may include any other criteria in the request for proposals and in the scoring and selection of the proposals that the department, in the exercise of its administrative duties under this section, deems necessary, except that the department shall do all of the following:

(1) Select, to the greatest extent practicable, offerors that contract with providers to provide health care services on a cost-effective basis. The department shall select offerors that use appropriate cost-management methods that enable the program to provide coverage to the maximum number of eligible adults and that, whenever possible, pursue and utilize available public and private funds.

(2) Select, to the greatest extent practicable, only offerors that comply with all procedures relating to coordination of benefits as required by the department and the Department of Public Welfare.

(3) Select offerors that limit administrative expenses to no more than 10% of the amount of any contract. If after the first two full years of operation any contractor presents documented evidence that administrative expenses are in excess of 10% of the amount of the contract, the department may make an additional payment, not to exceed 1% of the amount of the contract, for future administrative expenses to the contractor to the extent that the department finds the expenses reasonable and necessary.

(i) Negotiations.—The department shall not negotiate a contract for a period in excess of two years.

(j) Limitation.—The total aggregate amount of annual contracts entered into under this section may not exceed the amount of the aggregate annual appropriations to the department for the adult basic coverage insurance program.

(k) Supplemental coverage.—Notwithstanding any other law to the contrary, in the event it is more cost effective to purchase health care insurance offered an eligible adult in a former employer's employer-based program and the former employer-based program meets the minimum coverage requirements of subsection (f)(2), the department or contractor shall purchase the former employer-based coverage in place of enrollment in the program. An insurer shall honor a request for enrollment and purchase of employee group health insurance requested on behalf of an eligible adult applying for coverage under this section if that individual:

(1) is an eligible adult; and

(2) meets the uninsured period, except that any delay due to an enrollment restriction, which may not exceed 90 days,

or due to the length of the department's cost-effectiveness determination shall be counted toward calculating the uninsured period.

Section 404-C. Accountability.

Three years after the effective date of this section, the department shall conduct a performance review of the insurance contractors selected to provide services under the adult basic coverage insurance program. The performance review shall be based on the report prepared under section 403-C(e)(7) and shall include all of the following:

(1) The strategic goals and objectives for the program.

(2) A determination of whether the strategic goals and objectives were achieved by the contractors.

(3) Specific methodology for evaluating the results along with any proposed recommendations for improvement.

Section 2. Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate the addition of Article IV-C of the act.

(2) Chapter 13 of the act of June 26, 2001 (P.L.755, No. 77), known as the Tobacco Settlement Act, is repealed.

Section 3. The addition of Article IV-C of the act is a continuation of Chapter 13 of the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act. Except as otherwise provided under Article IV-C of the act, all activities initiated under Chapter 13 of the Tobacco Settlement Act shall continue and remain in full force and effect and may be completed under Article IV-C of the act. Orders, regulations, rules and decisions which were made under Chapter 13 of the Tobacco Settlement Act and which are in effect on the effective date of this section shall remain in full force and effect until revoked, vacated or modified under Article IV-C of the act. Contracts, obligations and collective bargaining agreements entered into under Chapter 13 of the Tobacco Settlement Act are not affected nor impaired by the repeal of Chapter 13 of the Tobacco Settlement Act.

Section 4. This act shall take effect as follows:

(1) The addition of Article IV-C of the act shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

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

Mr. MUSTIO. Thank you, Mr. Speaker.

I would like to make a couple of comments on the amendment.

The issue of adultBasic is very important, and I think it will be addressed at a later time. I will pull this amendment, but I would like to make a couple of comments, if I could.

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

Mr. MUSTIO. As part of researching the legislation, I pulled up the Insurance Department's Web site on adultBasic, and I found it rather interesting in these tough economic times that the waiting list has ballooned to 145,000, which is an increase of 50,000, yet enrollment has dropped 8,000.

Mr. Speaker, I had offered this amendment previously and had been approached to pull it on other legislation with the idea that this topic will be addressed at a later date, and I think that it is very important and incumbent upon us that we strongly look at a provision in the adultBasic legislation that has enrollment on a continual basis instead of once or twice a year, because what we are seeing is the possibility of having an additional 10,000 to 20,000 individuals provided health insurance

coverage, but that is not taking place because we are not having this option available on a daily basis.

AMENDMENT WITHDRAWN

Mr. MUSTIO. So, Mr. Speaker, I will pull the amendment but would appreciate consideration of my comments. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. **MATZIE** offered the following amendment No. **A00737**:

Amend Bill, page 3, line 7, by striking out "SECTION" and inserting

act

Amend Bill, page 4, line 23, by inserting after "long-term" care

Amend Bill, page 5, line 20, by striking out "Article XXIV of the" and inserting

The

Amend Bill, page 6, line 16, by inserting after "policy" in effect or

Amend Bill, page 6, line 18, by striking out "or members"

Amend Bill, page 6, line 27, by striking out "and" and inserting or

Amend Bill, page 7, lines 17 and 18, by striking out "OR" in line 17 and "OTHER GOVERNMENT HEALTH BENEFIT PROGRAM" in line 18 and inserting

the Children's Health Care Program established under Article XXIII of the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, or the Adult Basic Insurance Program established under Chapter 13 of the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, and successor acts

Amend Bill, page 7, line 24, by inserting after "policy."

Unless already provided in the group policy, an insurer who has issued a group policy in effect as of the effective date of this act shall provide notice to the policyholder within 45 days of the effective date of this act.

Amend Bill, page 8, line 4, by inserting after "event."

Notice to the covered employee shall include notice of the employee's rights under this act.

Amend Bill, page 8, line 10, by striking out "60" and inserting 30

Amend Bill, page 9, line 15, by striking out "(II)" and inserting (III)

Amend Bill, page 9, line 29, by striking out "group policyholder" and inserting

administrator or its designee

Amend Bill, page 10, line 10, by inserting after "\$ 223(d))" or other medical spending account

Amend Bill, page 11, line 9, by striking out "or" where it occurs the second time and inserting of

Amend Bill, page 11, line 14, by striking out "September 1, 2008," and inserting the effective date of this act

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Beaver County, Representative Matzie.

Mr. MATZIE. Mr. Speaker, this is just a technical amendment. I encourage support of the amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

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

Mr. BOYD. Just a parliamentary inquiry.

Does this have any effect on the Grell amendment?

The SPEAKER. We think the gentleman is correct.

AMENDMENT WITHDRAWN

The SPEAKER. Does the gentleman, Representative Matzie, want to withdraw the amendment?

Mr. MATZIE. That is correct, Mr. Speaker. The previous amendment took care of the very important technical amendments, so we will withdraw. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair thanks the gentleman, Mr. Boyd.

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

2008-2009 COAL QUEEN PRESENTED

The SPEAKER. The House will come to order for the purpose of an introduction.

It is always a great honor to recognize Pennsylvania's young people who achieve, whether that be on the playing field, in the classroom, or through the arts.

Today I would like to introduce to you a lovely young lady who represents a very important part of Pennsylvania's past and its future. Certainly myself coming from the anthracite coal fields and so many of you from the bituminous coal fields know the important role coal has played in our economy.

Today I have the great pleasure of introducing the 2008-2009 Coal Queen. To the left of the Speaker, please join me in extending a warm welcome to Miss Maura Andrews. Miss Andrews is the 2008-2009 Coal Queen.

She is here today with her parents, Greg and Cheryl Andrews; her grandparents, Ralph and Phyllis Dusman and Jim and Leora Andrews. Also accompanying her are Lisa Allison and Jean Hockenberry, representatives of the Coal Pageant, and Charles Gasti, a friend.

Miss Andrews is the guest of the majority whip, Representative Bill DeWeese.

And it has been customary since I have been in the chamber to allow the Coal Queen to address the House of Representatives, and we will welcome her to the rostrum, to the reading clerk's dais.

The Chair recognizes the 2008-2009 Coal Queen, Miss Maura Andrews.

Miss ANDREWS. Mr. Speaker and the distinguished members of the House, I stand before you today with a sense of humility and admiration. I look around this House chamber and realize the awesome task that you ladies and gentlemen face each day. Each of us in this House chamber has a history or a story that has brought us to the place where we are today. I reflect back over my life and realize that each and every aspect or event I have experienced has a meaning or a purpose.

I am currently a member of the National Honor Society, the senior standing committee, the senior high student council, the president of the Students Against Destructive Decisions, and their yearbook editor.

I really was not sure whether I should try out for Coal Queen or not. I had never competed in a pageant before, and I was afraid of failure. But three components kept running through my mind: preparation, practice, and a good guide. I decided to compete, and I sought out advice and guidance from others, and with lots of practice, I found myself well prepared for the competition.

Fulfilling my duties as Coal Queen is far more than wearing this crown or being known as a beauty queen. This role has given me a newfound confidence in myself, and I believe that dreams really can come true, not just by chance but with hard work and dedication.

My Coal Queen activities and duties have consisted of being a judge at the antique car show, pet parade and bike parade, being the honored guest at parades and banquets, reading at the local day-care centers, volunteering for the Salvation Army, and last week I went on an underground coal mine tour. I had the opportunity to operate the shear on the long wall. I mined enough coal to fill six train cars. This was an awesome experience, and now I stand before the Pennsylvania House of Representatives.

As the chapter of my Coal Queen reign comes to a close, another chapter of my life begins. I plan to attend the University of the Sciences in Philadelphia and major in pharmacy. Six years of schooling will be no easy undertaking, but I feel that my life experiences, my family support, and my faith in God have paved the way for me to be in the best position to succeed.

Thank you for the opportunity to speak before the distinguished members of the House. It will be a life experience I will cherish forever. Thank you.

The SPEAKER. The Chair thanks the gentlelady and wishes her success in all her future endeavors.

The Chair recognizes the majority whip from Greene County, Representative DeWeese.

Mr. DeWEESE. Just 60 seconds, Mr. Speaker.

Despite the wonderfully palpable femininity and obvious youth of our Coal Queen, she has something about her résumé that she did not share. She has shot more deer in Greene County than Bill Kortz. She has more elk in her background than Mike Hanna. She shot seven bucks, and she is a real well-rounded Greene County gal.

I am very proud to have her as one of my constituents. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 48, PN 1395**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions and for limited number of retail licenses to be issued in each county.

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

Mr. **PYLE** offered the following amendment No. **A00647**:

Amend Bill, page 4, line 8, by inserting after "INDUSTRY"
, a county of the sixth class

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Chair recognizes the gentleman, Representative Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

Mr. Speaker, I will be withdrawing this amendment, and I apologize for the late notice. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. **MILLARD** offered the following amendment No. **A00648**:

Amend Bill, page 1, line 22, by striking out "ENTITY"" and inserting

entity," "performing arts facility"

Amend Bill, page 1, line 24, by inserting after "amended"
December 20, 2000 (P.L.992, No.141),

Amend Bill, page 4, by inserting between lines 13 and 15

"Performing arts facilities" shall mean those halls or theaters in which live musical, concert, dance, ballet and legitimate play book-length productions are performed. Performing arts facilities shall not mean those halls or theaters in which burlesque shows or reviews are performed. If the operator of the performing arts facility is a nonprofit entity, the facility must have seating for at least five hundred (500) people; if the operator of the facility is a nonprofit entity in an incorporated town designated as such by the act of March 4, 1870 (P.L.343, No.335), entitled "An act to define the limits and to organize the town of Bloomsburg," the facility must have seating for two hundred and fifty (250) people; otherwise, the facility must have seating for at least twenty-five hundred (2,500) people.

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

AMENDMENT WITHDRAWN

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Columbia County, Representative Millard.

Mr. MILLARD. Thank you, Mr. Speaker.

As the previous speaker before me apologized, I will be withdrawing both amendments to this House bill, and I understand that duplicate amendments are going to be offered to another House bill, 557.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. **PETRI** offered the following amendment No. **A00649**:

Amend Bill, page 6, by inserting between lines 1 and 2
Section 2. Section 408.4(h) and (j) of the act, amended December 9, 2002 (P.L.1653, No.212), are amended to read:

Section 408.4. Special Occasion Permits.—

(h) The board may issue a special occasion permit to an eligible entity. The board may also issue a special occasion permit to one auxiliary of any eligible entity. Any eligible entity that wishes to acquire a special occasion permit must submit [a] an original written application to the board in such form and containing such information as the board shall from time to time prescribe. The application shall include a resolution by the eligible entity setting forth its current officers and approving the application. Upon approval of the application by the board, the special occasion permit shall be sent to the eligible entity only. The fee for special occasion permits shall be as set forth under section 614-A(24) of the act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929."

(j) The eligible entity shall give the local police department or the Pennsylvania State Police if there is no local police department written notice at least forty-eight hours prior to each use of the special occasion permit. Written notice consists of notifying the police of the date, time and place of the impending sale of alcoholic beverages. Prior to use of the special occasion permit, the eligible entity shall submit to the board written proof of notification of the police.

Amend Bill, page 6, line 2, by striking out "2" and inserting

3

Amend Bill, page 6, line 28, by striking out "3" and inserting

4

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

The SPEAKER. On the question, the Chair recognizes the gentleman from Bucks County, Representative Petri.

Mr. PETRI. Thank you, Mr. Speaker.

My amendment would provide some clarity in the process for obtaining special occasion permits so that some provisions of the law which appear to be unclear and have caused past problems would be resolved.

I would ask the members for a supportive vote.

The SPEAKER. Will the House agree to the amendment? The Chair recognizes the gentleman from Philadelphia, Representative O'Brien.

Mr. M. O'BRIEN. Thank you, Mr. Speaker.

This is an agreed-to amendment, and I would ask for a "yes" vote.

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—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Belfanti	Lentz	Miccarelli	Perry
Grucela			

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 961, PN 1099**, entitled:

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 the sunset date for fees.

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

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 320, PN 352**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, repealing provisions relating to powers of waterways patrolmen.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—197

Adolph	Evans, J.	Maher	Reichley
Baker	Everett	Mahoney	Roae
Barbin	Fabrizio	Major	Rock
Barrar	Fairchild	Manderino	Roebuck
Bear	Farry	Mann	Rohrer
Benninghoff	Fleck	Markosek	Ross
Beyer	Frankel	Marshall	Sabatina
Bishop	Freeman	Marsico	Sainato
Boback	Gabig	Matzie	Samuelson
Boyd	Gabler	McGeehan	Santarsiero
Boyle	Galloway	McI. Smith	Santoni
Bradford	Geist	Melio	Saylor
Brennan	George	Mensch	Scavello

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Belfanti	Lentz	Miccarelli	Perry
Grucela			

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 370, PN 1376**, entitled:

An Act designating the reconstructed bridge spanning Shawnee Run on State Route 462 in the Borough of Columbia, Lancaster County, as the Herbert "Cubby" Spiese Bridge.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Belfanti	Lentz	Miccarelli	Perry
Grucela			

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.

GUEST INTRODUCED

The SPEAKER. For an introduction, to the left of the Speaker, the Chair welcomes Katelynn Curtis, the 2008-2009 Miss Perry County Fair Queen. She is a student at Penn State University, and she is the guest of Representative Mark Keller. Welcome to the hall of the House.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 421, PN 465**, entitled:

An Act designating the Arch Street Bridge on State Route 2064, Lycoming County, as the Duboistown Bridge.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—197

Adolph	Evans, J.	Maher	Reichley
Baker	Everett	Mahoney	Roae
Barbin	Fabrizio	Major	Rock
Barrar	Fairchild	Manderino	Roebuck
Bear	Farry	Mann	Rohrer
Benninghoff	Fleck	Markosek	Ross
Beyer	Frankel	Marshall	Sabatina
Bishop	Freeman	Marsico	Sainato
Boback	Gabig	Matzie	Samuelson
Boyd	Gabler	McGeehan	Santarsiero
Boyle	Galloway	McI. Smith	Santoni
Bradford	Geist	Melio	Saylor
Brennan	George	Mensch	Scavello
Briggs	Gerber	Metcalfe	Schroder
Brooks	Gergely	Metzgar	Seip
Brown	Gibbons	Micozzie	Shapiro
Burns	Gillespie	Millard	Siptroth
Buxton	Gingrich	Miller	Smith, K.
Caltagirone	Godshall	Milne	Smith, M.
Carroll	Goodman	Mirabito	Smith, S.
Casorio	Grell	Moul	Solobay
Causar	Grove	Mundy	Sonney
Christian	Haluska	Murphy	Staback
Civera	Hanna	Murt	Stern
Clymer	Harhai	Mustio	Stevenson

Cohen	Harhart	Myers	Sturla
Conklin	Harkins	O'Brien, D.	Swanger
Costa, D.	Harper	O'Brien, M.	Tallman
Costa, P.	Harris	O'Neill	Taylor, J.
Cox	Helm	Oberlander	Taylor, R.
Creighton	Hennessey	Oliver	Thomas
Cruz	Hess	Pallone	True
Curry	Hickernell	Parker	Turzai
Cutler	Hornaman	Pashinski	Vereb
Daley	Houghton	Payne	Vitali
Dally	Hutchinson	Payton	Vulakovich
Day	Johnson	Peifer	Wagner
Deasy	Josephs	Perzel	Walko
DeLozier	Kauffman	Petrarca	Wansacz
DeLuca	Keller, M.K.	Petri	Waters
Denlinger	Keller, W.	Phillips	Watson
DePasquale	Kessler	Pickett	Wheatley
Dermody	Killion	Preston	White
DeWeese	Kirkland	Pyle	Williams
DiGirolamo	Kortz	Quigley	Youngblood
Donatucci	Kotik	Quinn	Yudichak
Drucker	Krieger	Rapp	
Eachus	Kula	Readshaw	McCall,
Ellis	Levdansky	Reed	Speaker
Evans, D.	Longietti	Reese	

NAYS—0

NOT VOTING—0

EXCUSED—5

Belfanti	Lentz	Miccarelli	Perry
Grucela			

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 481, PN 533**, entitled

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in authorized disposition of offenders, further providing for restitution for theft of timber; and, in particular rights and immunities, further providing for damages in actions for conversion of timber.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Belfanti	Lentz	Miccarelli	Perry
Grucela			

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 703, PN 776**, entitled:

An Act amending the act of January 24, 1966 (1965 P.L.1527, No.535), known as the Landscape Architects' Registration Law, further providing for application for license and qualifications and experience requirements of applicants and for continuing education.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—158

Adolph	Evans, J.	Maier	Reese
Baker	Everett	Mahoney	Reichley
Barbin	Fabrizio	Major	Roebuck
Bear	Fairchild	Manderino	Ross
Beyer	Farry	Mann	Sabatina
Bishop	Frankel	Markosek	Sainato
Boback	Freeman	Marshall	Samuelson
Boyd	Galloway	Matzie	Santarsiero
Boyle	Geist	McGeehan	Santoni
Bradford	George	McI. Smith	Saylor
Brennan	Gerber	Melio	Scavello
Briggs	Gergely	Metzgar	Seip
Brown	Gibbons	Micozzie	Shapiro
Burns	Goodman	Millard	Siptroth
Buxton	Haluska	Miller	Smith, K.
Caltagirone	Hanna	Milne	Smith, M.
Carroll	Harhai	Mirabito	Smith, S.
Casorio	Harhart	Mundy	Solobay
Christiana	Harkins	Murphy	Staback
Civera	Harper	Murt	Stevenson
Clymer	Harris	Mustio	Sturla
Cohen	Helm	Myers	Taylor, J.
Conklin	Hennessey	O'Brien, D.	Taylor, R.
Costa, D.	Hess	O'Brien, M.	Thomas
Costa, P.	Hickernell	O'Neill	True
Cruz	Hornaman	Oliver	Turzai
Curry	Houghton	Pallone	Vitali
Daley	Johnson	Parker	Wagner
Dally	Josephs	Pashinski	Walko
Deasy	Keller, M.K.	Payne	Wansacz
DeLozier	Keller, W.	Payton	Waters
DeLuca	Kessler	Peifer	Watson
DePasquale	Killion	Perzel	Wheatley
Dermody	Kirkland	Petrarca	White
DeWeese	Kortz	Petri	Williams
DiGirolamo	Kotik	Phillips	Youngblood
Donatucci	Krieger	Pickett	Yudichak
Drucker	Kula	Preston	
Eachus	Levdansky	Quinn	McCall,
Evans, D.	Longietti	Readshaw	Speaker

NAYS—39

Barrar	Fleck	Marsico	Rock
Benninghoff	Gabig	Mensch	Rohrer
Brooks	Gabler	Metcalfe	Schroder
Causar	Gillespie	Moul	Sonney
Cox	Gingrich	Oberlander	Stern
Creighton	Godshall	Pyle	Swanger
Cutler	Grell	Quigley	Tallman
Day	Grove	Rapp	Vereb
Denlinger	Hutchinson	Reed	Vulakovich
Ellis	Kauffman	Roae	

NOT VOTING—0

EXCUSED—5

Belfanti	Lentz	Miccarelli	Perry
Grucela			

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 988, PN 1378**, entitled:

An Act designating the bridge carrying Walnut Street over the Shenango River in the Borough of Sharpsville, Mercer County, as the Sgt. David W. Wallace III Memorial Bridge.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Belfanti	Lentz	Miccarelli	Perry
Grucela			

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 458, PN 1377**, entitled:

An Act designating the bridge carrying U.S. Route 522 over the Aughwick Creek in Shirley Township, Huntingdon County, as the Queen Aliquippa Bridge.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Belfanti	Lentz	Miccarelli	Perry
Grucla			

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.

GUESTS INTRODUCED

The SPEAKER. In the balcony, the Chair welcomes to the
 hall of the House a group from Queen of Peace in Upper
 Dublin, Montgomery County, who is the guest of
 Representative Shapiro and Representative Rick Taylor. Will
 the guests please rise. Welcome to the hall of the House.

RESOLUTIONS PURSUANT TO RULE 35

Mr. BURNS called up **HR 109, PN 742**, entitled:

A Resolution designating April 28, 2009, as "Workers' Memorial
 Day" in Pennsylvania.

On the question,
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

DiGirolamo	Kortz	Quigley	Youngblood
Donatucci	Kotik	Quinn	Yudichak
Drucker	Krieger	Rapp	
Eachus	Kula	Readshaw	McCall,
Ellis	Levdansky	Reed	Speaker
Evans, D.	Longietti	Reese	

NAYS—0

NOT VOTING—0

EXCUSED—5

Belfanti	Lentz	Miccarelli	Perry
Grucela			

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

* * *

Miss PARKER called up **HR 142, PN 1316**, entitled:

A Resolution expressing condolences upon the death of Dr. Frank "Tick" Coleman, esteemed educator, advocate and athlete.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Belfanti	Lentz	Miccarelli	Perry
Grucela			

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

* * *

Mr. SANTARSIERO called up **HR 163, PN 1117**, entitled:

A Resolution commemorating April 26, 2009, as "American Folk Artist, Edward Hicks Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Bucks County, Representative Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

I stand to honor Edward Hicks, one of America's most beloved folk artists, as part of Newtown Borough's celebration of its 325th anniversary this spring.

"The Peaceable Kingdom" paintings by Edward Hicks may be the most widely recognized examples of American folk art today.

In the foreword to Carolyn Weekley's book "The Kingdoms of Edward Hicks," Graham Hood notes that the simple and direct pictures of tranquility were actually born of deep inner turmoil during Hicks's time as a Quaker minister and a schism in the Friends Society. Hicks's art was "achieved arduously, with courage and fortitude and not just a rote formula that happened to appeal to an audience or to the market."

These paintings depicting animals and children sitting together along the banks of the Delaware River or in other natural settings have been described as striking "chords of deep yearning in many people who long for peace and harmony in their lives, for a world where cruelty and violence have been eliminated or at least forgotten, and where innumerable physical and spiritual beauties that we are afforded in this life may be contemplated and enjoyed without hindrance."

The SPEAKER. The gentleman will yield.

The House will come to order.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

Often, the paintings included an elm tree beneath which William Penn was said to have made his famous treaty with the Native American tribes.

Two hundred years ago, Edward Hicks was known by his peers as a Quaker minister who sought to bring together disparate groups within the Society of Friends.

On April 26, Newtown Borough in Bucks County will celebrate Hicks's life in recognition of his remarkable talents, his legacy of peaceful resolutions in the community, his high ethical standards, and his participation in development and growth of Newtown Borough.

Among the events for the day, author Carolyn Weekley, director of the Abby Aldrich Rockefeller American Folk Art Museum in Williamsburg, Virginia, which houses the largest collection of Edward Hicks paintings, will be in Newtown as a guest speaker. In addition, numerous renditions of "The Peaceable Kingdom" created by schoolchildren in Newtown Borough will be on display.

Today the Pennsylvania House of Representatives has the opportunity to recognize the spirit and peaceful resolution embodied in the life and paintings of Edward Hicks. I therefore encourage all of my colleagues to join me in support of this resolution commemorating April 26, 2009, as "American Folk Artist, Edward Hicks Day" in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence and recognizes the majority whip, Representative DeWeese, who requests a leave for the gentleman from Washington County, Representative DALEY, for the day. Without objection, the leave will be granted.

CONSIDERATION OF HR 163 CONTINUED

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belfanti	Grucela	Miccarelli	Perry
Daley	Lentz		

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

* * *

Miss PARKER called up **HR 215, PN 1383**, entitled:

A Resolution honoring United States Congresswoman Shirley Chisholm on the 40th anniversary of her swearing in as the first African-American woman in the United States House of Representatives.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Everett	Mahoney	Reichley
Baker	Fabrizio	Major	Roae
Barbin	Fairchild	Manderino	Rock
Barrar	Farry	Mann	Roebuck
Bear	Fleck	Markosek	Rohrer
Benninghoff	Frankel	Marshall	Ross
Beyer	Freeman	Marsico	Sabatina
Bishop	Gabig	Matzie	Sainato
Boback	Gabler	McGeehan	Samuelson
Boyd	Galloway	McI. Smith	Santarsiero

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belfanti	Grucela	Miccarelli	Perry
Daley	Lentz		

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

* * *

Mr. SCHRODER called up **HR 221, PN 1400**, entitled:

A Resolution designating the week of April 13 through 20, 2009, as "Voter Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belfanti	Grucela	Miccarelli	Perry
Daley	Lentz		

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

* * *

Mr. PASHINSKI called up **HR 223, PN 1437**, entitled:

A Resolution recognizing April 29, 2009, as "Walk at Lunch Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belfanti	Grucela	Miccarelli	Perry
Daley	Lentz		

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

* * *

Mr. CURRY called up **HR 225, PN 1463**, entitled:

A Resolution recognizing the week of April 12 through 18, 2009, as "National Library Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belfanti	Grucela	Miccarelli	Perry
Daley	Lentz		

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

* * *

Mr. CURRY called up **HR 226, PN 1464**, entitled:

A Resolution honoring the life and contributions of Dr. John Hope Franklin.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

Eachus	Kula	Readshaw	
Ellis	Levdansky	Reed	McCall,
Evans, D.	Longietti	Reese	Speaker
Evans, J.	Maier		

NAYS—0

NOT VOTING—0

EXCUSED—6

Belfanti	Grucela	Miccarelli	Perry
Daley	Lentz		

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

* * *

Mr. MARSICO called up **HR 234, PN 1499**, entitled:

A Resolution recognizing April 24, 2009, as "Arbor Day"; promoting public participation in the celebration; and further recognizing the value of trees to our environment.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belfanti	Grucela	Miccarelli	Perry
Lentz			

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

* * *

Mr. SANTARSIERO called up **HR 235, PN 1538**, entitled:

A Resolution recognizing Newtown Borough as a "Tree City" and urging all municipalities in this Commonwealth to participate in the Tree City USA and TreeVitalize programs.

On the question,
Will the House adopt the resolution?

The SPEAKER. On the question, the Chair recognizes the gentleman from Bucks County, Representative Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

I stand to honor Newtown Borough, in Bucks County, but also to urge that communities across our beautiful Commonwealth take an important step toward protecting our environment.

Under the Tree City USA program, towns and cities throughout the country work to promote the growth of trees as an important pillar in the preservation of our environment, particularly now as we face the grave threat of climate change. There are nearly 3,200 Tree Cities throughout the United States. Tomorrow, April 22, Newtown Borough will mark its 25th year as a Tree City. It is 1 of 102 such communities here in the Commonwealth of Pennsylvania.

A related program, TreeVitalize, is a public-private partnership that also helps to restore tree cover. It was established in southeastern Pennsylvania in 2004, expanded to the southwestern region of the Commonwealth in the spring of 2008, and to the Lehigh Valley, Lancaster, and Erie areas in the fall of last year. By the end of this year, TreeVitalize hopes to be operating in each of the Commonwealth's 14 metropolitan areas.

Nearly 60 percent of Pennsylvania's 28 million acres are forested. Through the planting of additional trees in our towns and cities, we will increase energy savings, clean the air, increase property values, control storm water, and further beautify Pennsylvania.

For these reasons I stand today to ask the House to recognize Newtown Borough's accomplishment as a 25-year participant in the Tree City program and to urge that communities throughout the Commonwealth follow its example.

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

NAYS—1

Metcalfe

NOT VOTING—0

EXCUSED—6

Belfanti
DaleyGrucela
Lentz

Miccarelli

Perry

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

* * *

Mr. SOLOBAY called up **HR 239, PN 1515**, entitled:

A Resolution honoring Pennsylvania CareerLink on its 10th anniversary; and designating April 13 through 17, 2009, as "Pennsylvania CareerLink Week" in this Commonwealth.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

DePasquale	Kessler	Pickett	Watson
Dermody	Killion	Preston	Wheatley
DeWeese	Kirkland	Pyle	White
DiGirolamo	Kortz	Quigley	Williams
Donatucci	Kotik	Quinn	Youngblood
Drucker	Krieger	Rapp	Yudichak
Eachus	Kula	Readshaw	
Ellis	Levdansky	Reed	McCall,
Evans, D.	Longietti	Reese	Speaker
Evans, J.	Maher		

NAYS—0

NOT VOTING—0

EXCUSED—6

Belfanti
DaleyGrucela
Lentz

Miccarelli

Perry

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

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 557, PN 1396**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for authority to issue liquor licenses, for applicants for wine auction permits, for prohibitions against the grant of licenses and for interlocking businesses prohibited.

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

Mr. **MILLARD** offered the following amendment
No. **A00651**:

Amend Bill, page 1, line 17, by inserting after "for"
definitions, for

Amend Bill, page 2, lines 1 through 4, by striking out all of said lines and inserting

Section 1. The definition of "performing arts facility" in section 102 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14), and amended December 20, 2000 (P.L.992, No.141), is amended to read:

Section 102. Definitions.—The following words or phrases, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

* * *

"Performing arts facilities" shall mean those halls or theaters in which live musical, concert, dance, ballet and legitimate play book-length productions are performed. Performing arts facilities shall not mean those halls or theaters in which burlesque shows or reviews are performed. If the operator of the performing arts facility is a nonprofit entity, the facility must have seating for at least [five hundred (500)] two hundred fifty (250) people; otherwise, the facility must have seating for at least twenty-five hundred (2,500) people.

* * *

Section 2. Section 401(a) of the act, amended July 6, 2005 (P.L.135, No.39), is amended to read:

Amend Bill, page 3, line 17, by striking out "2" and inserting

Amend Bill, page 4, line 26, by striking out "3" and inserting
4
Amend Bill, page 7, line 25, by striking out "4" and inserting
5
Amend Bill, page 9, line 16, by striking out "5" and inserting
6

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Columbia County, Representative Millard.

Mr. MILLARD. Thank you, Mr. Speaker.

Mr. Speaker, what this amendment simply does is allows a nonprofit performing arts facility with a seating capacity of 250 to obtain a liquor license which will assist them in raising funds, a permit which will assist them in raising funds for their cause. It changes nothing else with regard to the code except allows those with a seating capacity of 250 to obtain this permit.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Philadelphia County, Representative McGeehan.

Mr. McGEEHAN. Thank you, Mr. Speaker.

I would like to speak on the Millard amendment.

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

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

I want to thank Representative Millard for this amendment. It has a direct impact on my district, and particularly it affects what was formerly the Devon movie theater, which is now the Devon performing arts center. The center is constructed and rehabilitated. The lion's share of the credit goes to former Speaker Perzel for his leadership and advocacy of the project.

Mr. Speaker, the Millard amendment speaks to many of our smaller towns and villages wherein old theaters, movie theaters and other entertainment venues, with their limited seating, obviously their usefulness has long since passed as a theater or other entertainment venue. But in these particular instances like the Devon, they now have been transformed into modern entertainment complexes, and they need and enjoy the opportunity, we hope through the Millard amendment, of providing an array of entertainment and bringing new life into these former movie palaces and the like.

So I would encourage a positive vote.

The SPEAKER. On the question, the Chair recognizes the gentlelady from Northampton County, Representative Beyer.

Mrs. BEYER. Mr. Speaker, it is an agreed-to amendment. Thank you.

The SPEAKER. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—181

Adolph	Farry	Manderino	Reichley
Baker	Fleck	Mann	Roae
Barbin	Frankel	Markosek	Roebuck
Barrar	Freeman	Marshall	Ross
Benninghoff	Gabig	Marsico	Sabatina

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

NAYS—15

Bear	Creighton	Hickernell	Rohrer
Boyd	Cutler	Kauffman	Swanger
Clymer	Denlinger	O'Brien, D.	True
Cox	Gingrich	Rock	

NOT VOTING—0

EXCUSED—6

Belfanti	Grucela	Miccarelli	Perry
Daley	Lentz		

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

On the question,

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

The SPEAKER. Does the gentleman, Mr. Millard, have a further amendment? You have withdrawn the amendment? The gentleman has withdrawn amendment A00652.

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 169 be removed from the tabled calendar.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 169 be recommitted to the Committee on Appropriations.

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

The SPEAKER. Are there any announcements?

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 20, PN 1576 (Amended) By Rep. PRESTON

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for definitions; and providing for rate phase-in plans.

CONSUMER AFFAIRS.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentlelady from Susquehanna County, Representative Major, for the purpose of an announcement.

Miss MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus immediately at the call of the recess. I would like all Republicans to report to caucus – and excuse me, Mr. Speaker – at adjournment. Thank you.

The SPEAKER. The Chair thanks the lady.
Republican caucus at the adjournment.

DEMOCRATIC CAUCUS

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

Mr. EACHUS. Thank you, Mr. Speaker.

For the Democratic members, we will be caucusing immediately upon the break in the majority caucus room. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Any further announcements?

Mr. EACHUS. Mr. Speaker, just one more, if I may.

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

Mr. EACHUS. Thank you.

And tomorrow morning, we will be caucusing at 10:30 a.m. in the majority caucus room for the Democratic members – tomorrow, caucus, 10:30 a.m.

The SPEAKER. The Chair thanks the gentleman.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair has in its possession an adjournment motion by Representative Tallman from Adams County, who moves that this House do now adjourn until Wednesday, April 22, 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 3:09 p.m., e.d.t., the House adjourned.