

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JUNE 23, 2009

SESSION OF 2009

193D OF THE GENERAL ASSEMBLY

No. 52

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 Rev. Pastor Ray Kipe, who is the guest of Representative Todd Rock.

PASTOR RAY KIPE, Guest Chaplain of the House of Representatives, offered the following prayer:

Thank you for the opportunity to pray with you and to pray for you.

Shall we pray:

Almighty God, our Father, creator of all things and ruler of heaven and earth, we bow humbly in Your presence today because You are God. We acknowledge Your power, Your majesty, Your dominion and holiness.

We thank You because You have given us life and breath and hope. You promise to provide everything that we need according to Your will, so we come into Your presence with grateful hearts.

Father, today is a day that You have appointed. Today is a day that You have allowed this Assembly to gather. You knew about this day before the world began, and so we are in awe of Your knowledge and wisdom.

Father, the men and women gathered here today have been given the responsibility to lead our State. They will consider difficult issues. They will discuss perplexing problems. They will make decisions that will affect many people. So, Father, we ask that as they deliberate, Your spirit will give them insight and discernment. They will need wisdom, and so we ask You to give them Your wisdom today so they can lead us wisely. They will need strength to get them through the rigors of this session. You are the God who never grows weary. Give them Your strength, we ask. They will need to persevere as the day wears on and the hours grow long. You are the God who never slumbers or sleeps. Please help them to endure to the end.

Father, we ask that You will give them patience and gentleness as they work with each other. May their words be words that build up and not tear down. May they be slow to speak and quick to listen. And, Father, when they reach the end of this day, may they be able to look back on it and know that

they have been guided by Almighty God Himself and have carried out their duties with integrity and faithfulness. And may You receive the glory. 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, June 22, 2009, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip, Representative DeWeese, who requests the following leaves of absence: Representative DERMODY from Allegheny for the day, Representative Matt SMITH from Allegheny for the day, and Representative SOLOBAY from Washington County for the day. Without objection, the leaves will be granted.

The Chair recognizes the minority whip, Representative Turzai, for leaves of absence, who indicates there are no leaves of absence.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—195

Adolph	Everett	Levdansky	Readshaw
Baker	Fabrizio	Longiitti	Reed
Barbin	Fairchild	Maher	Reese
Barrar	Farry	Mahoney	Reichley
Bear	Fleck	Major	Roae
Benninghoff	Frankel	Mandirino	Rock
Beyer	Freeman	Mann	Roebuck
Bishop	Gabig	Markosek	Rohrer
Boback	Gabler	Marshall	Ross
Boyd	Galloway	Marsico	Sabatina
Boyle	Geist	Matzie	Sainato
Bradford	George	McGeehan	Samuelson
Brennan	Gerber	McI. Smith	Santarsiero

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—8

Belfanti	Lentz	Perry	Solobay
Dermody	Miccarelli	Smith, M.	Wagner

LEAVES ADDED—2

Creighton	O'Brien, D.
-----------	-------------

LEAVES CANCELED—1

Smith, M.

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

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 1415, PN 1737 By Rep. DeLUCA

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for definitions, for acting for or aiding nonadmitted insurers, for requirements for eligible surplus lines insurers, for other nonadmitted insurers, for surplus lines licensee's duty to notify insured, for declarations, for surplus lines advisory organizations, for evidence of insurance, for licensing of surplus lines licensee, for surplus lines

licensee's acceptance of business from brokers, for records of surplus lines licensees, for monthly reports, for surplus lines tax, for tax on independently procured insurance, for suspension, revocation or nonrenewal of surplus lines licensee's license and for penalties; and providing for compliance.

INSURANCE.

HB 1476, PN 2242 (Amended) By Rep. DeLUCA

An Act directing the Health Care Cost Containment Council to conduct a study relating to the feasibility of requiring all health insurance plans offered to State government employees to be part of a single trust fund for the provision of health insurance plans to the employees and for the council to report the study to the General Assembly and to the Governor.

INSURANCE.

HB 1489, PN 2241 (Amended) By Rep. GEORGE

An Act amending Title 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, imposing a tax on the extraction of natural gas; providing for natural gas severance registration certificate, for duties of the Department of Revenue, for tax assessments and tax liens; imposing penalties; providing for service of process, for rulemaking, for cooperation with other governments and for bonds; and making an appropriation.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1676, PN 2243 (Amended) By Rep. MUNDY

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, providing for the definitions of "acquisition cost," "Federal upper payment limits" and "usual charge" or "usual and customary charge"; further providing for program generally, for generic drugs, for indication of price, for the Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier and for penalties; providing for the Medication Therapy Management Program; and further providing for terms of rebate agreement, for amount of rebate and for excessive pharmaceutical price inflation discount.

AGING AND OLDER ADULT SERVICES.

BILLS REREPORTED FROM COMMITTEE

HB 1300, PN 2073 By Rep. EACHUS

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

RULES.

HB 1523, PN 2208 By Rep. EACHUS

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in protection of property and persons, further providing for hunting or furtaking prohibited while under influence of alcohol or controlled substance and for chemical test to determine amount of alcohol.

RULES.

The SPEAKER. Those bills will go to the House supplemental calendar.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1300 and HB 1523 be removed from the supplemental calendar and recommitted to the Committee on Appropriations.

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

BILLS REMOVED FROM TABLE

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

SB 54;
SB 380; and
SB 888.

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

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be recommitted to the Committee on Appropriations:

SB 54;
SB 380; and
SB 888.

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

GUESTS INTRODUCED

The SPEAKER. The Chair has a number of introductions.

To the left of the Speaker, the Chair welcomes lay pastor Robert Tengler. He is the guest of Representative Todd Rock of Franklin County. Will the guest please rise. Welcome to the hall of the House.

In the back of the hall, the Chair welcomes Christian Regosch, a junior at the University of Pittsburgh and a summer intern for Representative Scott Petri. Will the guest please rise. Welcome to the hall of the House.

In the well of the House, the Chair welcomes Andrew Anderson, a junior at George Washington University in Washington, DC. He is studying political science. He is interning in Representative Eachus's office this summer through the James Finnegan Fellowship Foundation. He is active in Alternative Breaks at George Washington, leading a service-learning trip this past spring to work with youth in the Cherokee Nation in Oklahoma. Andrew is from Mechanicsburg, Pennsylvania, and will be studying abroad in Morocco this fall. Welcome to the hall of the House, Andrew.

To the left of the Speaker, the Chair welcomes Gary Miller, Susan Buckler-Miller, Rachel Miller, and Hannah Miller. Will the guests please rise. They are guests of Representative Merle Phillips. Welcome to the hall of the House.

In the balcony, the Chair welcomes Diane Fetscher, Louis Fetscher, Jr., Ann Fetscher, and Nicholas Fetscher. They are the guests of Representative Farry and Representative Petri. Will the guests please rise. Welcome to the hall of the House.

**PENNSYLVANIA STATE GRANGE
ADVISERS AND YOUTH AMBASSADORS
INTRODUCED**

The SPEAKER. In the back of the House, the Chair welcomes the Pennsylvania State Grange youth ambassadors and advisers: Braden Gourley, Bobby Wike, Ashley Mohn, Michael Snyder, Jennifer Nauss, Mrs. Karen Mohn, Mrs. Martha Ebersole, and Ms. Betsy Huber, who is the Pennsylvania State Grange president. They are the guests of Representatives John Maher and Michael Hanna. Will the guests please rise. Welcome to the hall of the House.

The Chair recognizes the gentleman from Allegheny County, Representative Maher, for the purpose of an announcement.

Mr. MAHER. Thank you, Mr. Speaker.

Something happens when we are elected to this chamber where suddenly we are, each and every one of us, responsible for making decisions on every subject that comes up, whether we knew anything about it or not. So we rely heavily on the wisdom of those who know something about most of the subjects of which we know not.

I am very fortunate today, as the Republican chairman of the Agriculture Committee, to have collective wisdom in the back of the House. I would like to introduce Ms. Betsy Huber, the Pennsylvania State Grange president, who used to work with our dear colleague, Art Hershey; Mrs. Martha Ebersole, the Pennsylvania Grange youth director; Mrs. Karen Mohn, the Pennsylvania Junior Grange director; and more importantly, the next generation of agriculture in Pennsylvania, Braden Gourley, who is the Pennsylvania Youth Ambassador for this year; Bobby Wike, the Pennsylvania Junior Prince; Ashley Mohn, the Pennsylvania Junior Princess, I suspect related to Karen; Michael Snyder, the Pennsylvania Youth Ambassador for the year ahead; and Jennifer Nauss, the other Pennsylvania Youth Ambassador for the year ahead.

And I have asked them— It is one thing to become known as an expert in your field, but it is a better thing when you can spread your wisdom to those of us who are here. So I am depending on them in this year ahead to let us know what matters when it comes to agriculture in Pennsylvania, our State's number one industry.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

GUESTS INTRODUCED

The SPEAKER. Also in the back of the House is Luke Schoenfelder. He attends Millersville University and is a summer intern for Representative Scott Boyd and is a guest of Representative Scott Boyd. Welcome to the hall of the House.

To the left of the Speaker, Julianne Anderson. She is shadowing Representative John Siptroth and is a guest of Representative Siptroth. Will Julianne please rise. Welcome to the hall of the House.

In the balcony, the Chair welcomes Jodi, David, and Alex Schweizer, as well as Kenny Leidal. They are the guests of Representative Barb McIlvaine Smith. Will the guests please rise. Welcome to the hall of the House.

And to the left of the Speaker, no stranger to the House of Representatives, we have former member Ron Cowell, who was a hardworking, honorable, and very articulate chairman of the House Education Committee. He was a member from 1975 through 1998. He now heads up the Education Policy Leadership Center. He is accompanied by his son, Richard, and his two children, Matthew and Sara Cowell. Will they please rise. Welcome to the hall of the House, Ron. Great seeing you. They are the guests of Representatives Paul Costa and John Pallone.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. WATERS called up **HR 363, PN 2223**, entitled:

A Resolution designating Tuesday, June 23, 2009, as "Tuskegee Airmen Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Philadelphia County, Representative Ron Waters.

The House will come to order. The members will please take their seats. The Sergeants at Arms will clear the aisles of the House. Members will please take their seats.

The Chair recognizes the gentleman from Philadelphia County, Representative Waters.

Mr. WATERS. Thank you, Mr. Speaker.

Thank you to all my colleagues for giving respect as we are presented with a resolution that we are about to vote on.

I want to thank you all for joining me here today as we pay tribute to a special group of men from Philadelphia, Pennsylvania, a group of men who fought in World War II in spite of racism that endured just because of the color of their skin.

They risked their lives and sacrificed their family and time just to fight for something important to all of us, our freedom. They faced contempt from their own countrymen, yet continued to serve their country, a country that treated them as second-class citizens.

These men are the Tuskegee Airmen. It is not often that we get a chance to meet real heroes. So please join me— Many people have heard of the Tuskegee Airmen, but what they might not know is the history of this unit and the struggles these men endured. So please pause for a minute.

The Tuskegee Airmen were the first African-American flying unit in the United States military history. They trained at the segregated Tuskegee Army Air Field in Tuskegee, Alabama, in the 1940s. It was a lawsuit against the War Department,

pressure from the African-American newspapers, and support from former First Lady Eleanor Roosevelt to gain the unit's official establishment in 1944, and as we all remember her saying, "Let'em fly, let'em fly," and they were given the chance to prove their value to our military and to our country.

When many people would have just given up, they said no. They broke the mold and refused to be average. Because of their courage, 922 Tuskegee Airmen received United States Army Air Corps commissions and pilot wings during the years of 1942 to 1946. They became members of the 99th Pursuit Squadron and later the 332d Fighter Group. Their struggle to achieve recognition as skilled military professionals led to the War Department's reevaluation of its racial policies. It also led to the eventual desegregation of the United States military in 1948.

GUESTS INTRODUCED

Mr. WATERS. It is with great honor that I present the following airmen with citations from the House of Representatives. We have Henry L. Moore; Bertram Levy, major, U.S. Air Force, retired; Pierce T. Ramsey; and Dr. Eugene J. Richardson.

On behalf of the Pennsylvania Legislative Black Caucus and members of the General Assembly, we would like to thank you again and let you know how much we value and appreciate your service to our country.

And I just want you to know that these men are aging. One of the men that was supposed to join us today passed this last Sunday. So I thought it was expedient that we get these men up here so that we can recognize them and show them how much we appreciate and value what they have done to our country and what they mean to our history.

Please join me again, and let us salute these men for all the service that they presented to our country, the United States of America.

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Belfanti	Lentz	Perry	Solobay
Dermody	Miccarelli	Smith, M.	Wagner

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

Mr. WATERS. Thank you, Mr. Speaker, and thank you to all my colleagues.

PHILADELPHIA POLICE OFFICERS PRESENTED

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Representative Williams, for the purpose of a presentation.

Mr. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker and the entire members of the Pennsylvania House of Representatives, I am honored to present to you Philadelphia's finest, who truly exemplify honor, integrity, and service.

Under the very capable leadership of Capt. Branville Bard of the 22d Police District, Officer Ryan Sullivan, Officer Michael Pazden, and police officer Ryan Clement are being honored for their supreme efforts in saving the lives of two young girls. While en route to a police call, they came upon a burning home in which two young women were trapped. Unable to enter the home because of the heavy smoke and the intense heat, Officer Pazden was able to catch one of the young girls with his hands, whom he persuaded to jump from the second-floor window. Officer Sullivan then realized that the oldest girl was

being overwhelmed by heavy smoke. A neighbor brought a ladder to the officer. He and the community people positioned some cushions from a sofa, and they laid them on the ground and convinced the young lady to jump. The officers also got assistance from some of the neighbors to bring a ladder to one of the officers, and they climbed up to the second floor and retrieved the other young lady.

What the police officers did not know was that those two children were victims of domestic abuse and crime. Their father was murdered several years ago, and this was the number two tragedy that they had happen to them and their family.

So today we are here just to recognize these police officers for the great work they have done and what they do every day by just going beyond the call of duty. They could have waited for the fire unit to come. They did not. They took action.

So please today, colleagues, join me as we recognize these police officers for doing a great job and going beyond the regular job of a police officer and just going all the way out to do their job in the city of Philadelphia. Thank you.

PENNSYLVANIA DAIRY PRINCESS PRESENTED

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

Mr. ROAE. Thank you, Mr. Speaker.

Members and guests, it is a great honor for Representative Brooks, Representative Evans, and myself to introduce Crawford County resident LeeAnn Kapanick. LeeAnn is our current Pennsylvania Dairy Princess. She is doing a fantastic job of representing the dairy industry and encouraging people to drink milk and consume dairy products.

LeeAnn lives with her family in Crawford County, and she is a senior at Saegertown High School. Let us all give LeeAnn a nice warm welcome to the House.

Ms. KAPANICK. Thank you and good morning.

Thank you for allowing me the opportunity to speak to you today as the Pennsylvania Dairy Princess on behalf of the Pennsylvania dairy farmers and their industry.

Pennsylvania dairy farmers are essential to our State's economy in providing consumers with nutritious, safe milk and dairy products. Pennsylvania dairy farmers provide more than 10.6 billion pounds of milk to the marketplace, and dairy farmers, milk processors, and food manufacturers go to great lengths to ensure that every one of those pounds is safe, wholesome, and of the highest quality.

Pennsylvania's dairy farms are the foundation of a vital economic engine for the State. Agriculture is the number one industry in Pennsylvania, and the dairy industry is the largest segment of agriculture. The dairy industry generates \$1.56 billion in on-farm revenue and \$4.5 billion in economic revenue annually. Dairy represents nearly 40 percent of all Pennsylvania agricultural receipts. The dairy industry represents more than 40,000 jobs somewhere in the food supply chain within the Keystone State, and every 9 cows support 1 job somewhere within the Commonwealth. Pennsylvania has 55 fluid milk processors and 75 dairy food manufacturers that provide an abundant supply of locally produced milk and dairy products.

As you can see, without the dairy industry, our State would not be as we know it. There would be fewer jobs, less cash flow, and a weaker economy.

Currently many of Pennsylvania's dairy farms could be in peril. About 99 percent of Pennsylvania's 8,200 dairy farms are family-owned and operated with an average of 60 to 70 mature cows. In the past 10 years, the Commonwealth has lost over 2,000 dairy farms, amounting to about 80,000 dairy cows. About 25 percent of the remaining dairy farms could be lost by the end of 2009 as milk prices are nearly 50 percent lower than 1 year ago. The milk price is expected to average \$12 to \$13 per hundred weight in 2009, which is significantly below the \$16 to \$18 estimated cost of production in the Northeast.

Agriculture and modernization initiatives are needed to revitalize the industry and our rural communities. Dairy farmers provide the foundation for many of Pennsylvania's rural communities. Providing support to help these farms modernize and grow would create new jobs and revenue for our State. Many of these farms have outdated facilities and will need to modernize to attract and sustain the next generation of dairy producers. We need to embrace this next generation and capture their attention with organizations such as the Dairy Princess Program and FFA (Future Farmers of America), which go hand in hand with Pennsylvania agriculture.

It is of my utmost hope that we can work together to help the dairy farmers of Pennsylvania, which is why I would like to ask you – no, which is why I would like to challenge you to go out and speak with a local dairy farmer in your district about what needs changed or addressed within the legislature. After all, who better to talk to than the farmers themselves?

Dairy needs legislative programs that can help to create positive feedback for their farms. The Ag Excellence line item supports programs that directly benefit farms. The Center for Dairy Excellence and other programs funded by this line item support grants, education, and other resources to help producers improve profitability. By creating more profitable dairy farm businesses, you can ensure a long-term, local supply of milk for Pennsylvania's dairy processors and economic revenue for our rural economy. By talking, listening, and finding solutions to our problems, we can help our State's dairy farmers, and together, we can assist in keeping Pennsylvania growing.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

RESOLUTION PURSUANT TO RULE 35

Mr. MENSCH called up **HR 336, PN 2236**, entitled:

A Resolution recognizing June 28, 2009, as "German-American Day" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Montgomery County, Representative Mensch.

Mr. MENSCH. Thank you, Mr. Speaker.

Most of us, when we were in grade school, heard comments about America being the melting pot. I came from a Pennsylvania Dutch community, and I was not sure that I understood exactly what "melting pot" meant. So as I grew and as I evolved in life and had the chance of working for one

of the most ethically and ethnically diverse corporations in the world, AT&T, I began to understand a whole lot better. And today in our world, we see that we are becoming much more diverse.

But I and 49 other members of this body are very proud of the fact that we have some German lineage in common, and we created something called the German Caucus earlier this year. By the way, there are three members in the Senate. And we are jointly sponsoring today in the House and in the Senate this resolution recognizing German-American Day.

Now, before we move on, I want to recognize—
Mr. Speaker?

The SPEAKER. The gentleman will yield.

The gentleman is correct. The House will come to order.

GUESTS INTRODUCED

Mr. MENSCH. I would like to recognize some of our German-American guests that are in the back of the House today, and they will be performing down in the East Wing Rotunda immediately following the break. That is not true; excuse me – after ethics training.

We have with us today Mr. Fred Hess, who has helped us put this together. Fred is involved with many German-American associations in the Philadelphia region and nationally, and he is the current executive for the German-American Steuben Parade of Philadelphia.

We also have with us Willie Aust, who is the current vice president for the German-American Committee of Philadelphia, representing all the ethnic German organizations in the Greater Delaware Valley.

And we also have Mr. Robert Eppinger, who is the accordion player, and this fine entourage will be dancing and performing for you in the atrium, as I said, after ethics training.

Now, let me just real briefly tell you a little bit more about German-Americans. German-Americans were some of the earliest settlers in America.

1608: German-Americans followed Capt. John Smith to the colony of Jamestown.

1626: The first prominent German-American, Peter Minuit, was the director of the Dutch colony of New Netherland, who purchased Manhattan Island for \$24.

Germans from Heidelberg introduced vineyards and winemaking to America. I thought that would get a cheer. Yeah; all right.

Later in 1683, 13 families were designated to follow William Penn to Philadelphia to establish the German colony that we know today as Germantown.

1688: The first protest against slavery was issued at Germantown, not in English but in German.

William Rittenhouse established the paper mill in America at Germantown.

The first book on teaching in 1714 was published not in English but in German by Christopher Dock, a German-American teacher. He also introduced the blackboard to the American classroom. Those of you from Montgomery County probably recognize the name Christopher Dock. There is still a school there, a Mennonite school, that bears his name.

In 1734, John Peter Zenger established freedom of the press by protesting British rule in his New York paper, the New York Weekly Journal.

1778: Baron von Steuben wrote the first U.S. Army training manual and helped to organize the United States Army.

1789: Frederick Muhlenberg became the first Speaker of the newly formed House of Representatives, the United States House of Representatives. Prior to that, Speaker Muhlenberg was also a Speaker of this establishment.

1837: The Pennsylvania legislature began publishing its laws and Governor's message in German.

Here is another one for cheers, guys. In 1846, Maximilian Schaefer established the first great lager beer brewery in America. All right.

In 1850, the first kindergarten in the United States was established by Mrs. Carl Schurz in Wisconsin.

1860-65: 516,000 German-Americans fought for the Union. Five hundred officers in the army were born in Germany. Of the 2,213,000 soldiers in the Union army, 23 percent were German-American.

Let me skip ahead.

Some of the greatest stars of baseball— That was an Italian clap. Some of the greatest stars of baseball history were German-Americans: Babe Ruth, Lou Gehrig, Honus Wagner, just to name a few.

1940ish: Albert Einstein, maybe the greatest mind or one of the greatest minds that ever walked the earth, and think about what he did: He expressed the most complex concept known to mankind with one constant and one variable, a thought that I have always carried with me in business and always encouraged my people to be concise.

There is one more comment, and then I will move on. Here it is.

1941 through 1945: One-third – one-third – of the 11 million soldiers in the U.S. Army in World War II were of German descent. Eisenhower was a Pennsylvania German. Other German-Americans were Gen. Carl Spaatz and Adm. Chester Nimitz, commander in chief of the U.S. Pacific fleet. Seven hundred admirals and generals during World War II were German-Americans.

So we as the German Caucus are very proud, German-American Caucus are very proud to recognize the developments and the contributions of German-Americans to our fine society.

Representative Taylor would like to add some thoughts.

The SPEAKER. The Chair recognizes the gentleman from Montgomery County, Representative Taylor.

Mr. R. TAYLOR. Very quickly, this is the first year of the German-American Caucus, and it was cofounded by Representative Mensch. What we wanted to do was celebrate and commemorate the heritage of Germans in America. We really do have a lot to be proud of, and we need to look no further than that mural behind the dancers right there. That is von Steuben training and drilling our soldiers to make them a professional army.

We have a lot to be proud of. We have served in every conflict, but we were Americans first celebrating our German heritage. We had the first Speaker of Congress. So we really do need to remember and commemorate the history of not only the famous events and the famous people but the people who were everyday German-Americans who remember their heritage.

So I am very pleased that we are taking this resolution up today to remember just that. So thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Belfanti	Lentz	Perry	Solobay
Dermody	Miccarelli	Smith, M.	Wagner

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

GUESTS INTRODUCED

The SPEAKER. To the left of the Speaker, the Chair welcomes Jeffery Knapp of Lake City, Pennsylvania. He is a member of the Keystone Boys State program, and I think we have the rest of the boys of the State program in the balcony. Welcome to the hall of the House. They are the guests of Representative John Evans.

APPROPRIATIONS COMMITTEE MEETING**DEMOCRATIC CAUCUS**

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the Appropriations Committee will meet immediately in the majority caucus room. At the conclusion of the Appropriations Committee, the Democrats will caucus.

At 1 p.m., there will be a mandatory meeting of all members of the Democratic Caucus to go over the ethics material required under rule 47 in the House rules. This is a mandatory meeting that each and every Democratic member is required to attend – at 1 p.m.

Mr. Speaker, our efficient staff has pointed out to me that I need to say we are due to return to the House at 2 p.m.

The SPEAKER. The Chair thanks the gentleman.

The Appropriations Committee will meet immediately in the majority caucus room.

REPUBLICAN CAUCUS

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

Miss MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus at 12:45, but I would then stress that a mandatory caucus will begin at 1 p.m. So I would request that all Republicans first report to caucus to go over a couple of amendments at 12:45, and then a mandatory caucus at 1.

Thank you.

The SPEAKER. The Chair thanks the gentlelady.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Just to reiterate, our rules do in fact require 2 hours of ethics training per session. Today's ethics training will fulfill 1 hour of that requirement. All members are encouraged to attend caucus.

RECESS

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

RECESS EXTENDED

The time of recess was extended until 2:15 p.m.

AFTER RECESS

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

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 366 By Representatives FAIRCHILD, BARRAR, BELFANTI, BEYER, BOBACK, BOYD, CLYMER, D. COSTA, CUTLER, DALLY, DENLINGER, DONATUCCI, EVERETT, FREEMAN, GEIST, GEORGE, HARKINS, HENNESSEY, HESS, HORNAMAN, M. KELLER, KRIEGER, MARSICO, METZGAR, MICOZZIE, MILNE, MOUL, MURT, O'NEILL, PHILLIPS, PICKETT, PRESTON, RAPP, READSHAW, ROHRER, SCAVELLO, SIPTROTH, STERN, STEVENSON, SWANGER, TALLMAN, J. TAYLOR, VEREB, VULAKOVICH, WATSON and YOUNGBLOOD

A Resolution directing the Legislative Budget and Finance Committee to undertake a study and analysis of electricity deregulation within the service territories of electric utilities where rate caps have previously expired in this Commonwealth.

Referred to Committee on CONSUMER AFFAIRS, June 23, 2009.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 16 By Representatives McCALL, BOYD, BOYLE, BRADFORD, BRENNAN, CALTAGIRONE, CARROLL, CLYMER, DALLY, DeWEESE, FABRIZIO, GERGELY, GODSHALL, GRUCELA, HARKINS, HENNESSEY, HOUGHTON, JOHNSON, W. KELLER, KILLION, KORTZ, KOTIK, LENTZ, LONGIETTI, MAHER, MAJOR, MARKOSEK, MARSICO, McGEEHAN, McILVAINE SMITH, MURPHY, D. O'BRIEN, M. O'BRIEN, PASHINSKI, READSHAW, SAINATO, SHAPIRO, SIPTROTH, SOLOBAY, STURLA, SWANGER, VEREB and VULAKOVICH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for definitions, for tax credit and for limitations.

Referred to Committee on EDUCATION, June 23, 2009.

No. 1630 By Representatives SAYLOR, S. H. SMITH, TURZAI, CIVERA, MAJOR, STERN, PHILLIPS, ROAE, PAYNE, SCHRODER, MARSHALL, BARRAR, GRELL, REICHLEY, MUSTIO, KAUFFMAN, ROCK, VEREB, BAKER, BEAR, BOYD, BROOKS, CAUSER, CLYMER, CREIGHTON, CUTLER, DALLY, DENLINGER, EVERETT, FARRY, FLECK, GABLER, GEIST, GINGRICH, GROVE, HARRIS, HELM, HICKERNELL, M. KELLER, KNOWLES, KRIEGER, MARSICO, MENSCH, METZGAR, MICOZZIE, MILLARD, MILLER, MILNE, MOUL, MURT, OBERLANDER, O'NEILL, PICKETT, READSHAW, REED, ROHRER, SCAVELLO, SONNEY, STEVENSON, SWANGER, TRUE, VULAKOVICH, WATSON and HARHART

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for requirements relating to voter identification; and further providing for manner of applying to vote.

Referred to Committee on STATE GOVERNMENT, June 23, 2009.

No. 1631 By Representatives ROAE, S. H. SMITH, TURZAI, CIVERA, MAJOR, STERN, PHILLIPS, SAYLOR, PAYNE, SCHRODER, MARSHALL, BARRAR, GRELL, REICHLEY, MUSTIO, KAUFFMAN, ROCK, VEREB, BAKER, BEAR, BOYD, BROOKS, CAUSER, CLYMER, CREIGHTON, CUTLER, DALLY, DENLINGER, EVERETT, FARRY, FLECK, GABLER, GEIST, GINGRICH, GROVE, HARRIS, HELM, HICKERNELL, M. KELLER, KNOWLES, MARSICO, MENSCH, METZGAR, MICOZZIE, MILLARD, MILLER, MILNE, MOUL, MURT, OBERLANDER, O'NEILL, PICKETT, READSHAW, REED, ROHRER, SCAVELLO, SONNEY, STEVENSON, SWANGER, TRUE, VULAKOVICH and WATSON

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, in registration system, further providing for open records and documents; and providing for voter registration drives.

Referred to Committee on STATE GOVERNMENT, June 23, 2009.

No. 1632 By Representatives S. H. SMITH, REICHLEY, BAKER, BARRAR, BEAR, BOYD, CAUSER, CIVERA, CLYMER, CREIGHTON, CUTLER, DALLY, DENLINGER, EVERETT, FARRY, FLECK, GABLER, GEIST, GINGRICH, GROVE, HARHART, HARRIS, HELM, HICKERNELL, KAUFFMAN, M. KELLER, KNOWLES, MAJOR, MARSHALL, MARSICO, MENSCH, MICOZZIE, MILLARD, MILNE, MOUL, MURT, MUSTIO, OBERLANDER, O'NEILL, PAYNE, PHILLIPS, PICKETT, REED, ROAE, ROCK, ROHRER, SAYLOR, SCAVELLO, SCHRODER, STERN, STEVENSON, SWANGER, TRUE, TURZAI, VEREB, VULAKOVICH and WATSON

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in primary and election expenses, further providing for registration, for reporting by candidate and political committee and other persons and for late contributions and independent expenditures.

Referred to Committee on STATE GOVERNMENT, June 23, 2009.

No. 1633 By Representatives PAYNE, S. H. SMITH, TURZAI, CIVERA, MAJOR, STERN, PHILLIPS, SAYLOR, ROAE, SCHRODER, MARSHALL, BARRAR, GRELL, REICHLEY, MUSTIO, KAUFFMAN, ROCK, VEREB, BAKER, BEAR, BOYD, BROOKS, CAUSER, CLYMER, CREIGHTON, CUTLER, DALLY, DENLINGER, EVERETT, FARRY, FLECK, GABLER, GEIST, GINGRICH, GROVE, HARRIS, HELM, HICKERNELL, M. KELLER, KNOWLES, MARSICO, MENSCH, METZGAR, MICOZZIE, MILLARD, MILLER, MILNE, MOUL, MURT, OBERLANDER, O'NEILL, PICKETT, READSHAW, REED, ROHRER, SCAVELLO, STEVENSON, SWANGER, TRUE, VULAKOVICH, WATSON and HARHART

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentencing and for contents of presentence report; and imposing duties on the Secretary of the Commonwealth.

Referred to Committee on STATE GOVERNMENT, June 23, 2009.

No. 1634 By Representatives SCHRODER, S. H. SMITH, TURZAI, CIVERA, MAJOR, STERN, PHILLIPS, SAYLOR, ROAE, PAYNE, MARSHALL, BARRAR, REICHLEY, MUSTIO, KAUFFMAN, ROCK, VEREB, ADOLPH, BAKER, BEAR, BOYD, BROOKS, CAUSER, CLYMER, CREIGHTON, CUTLER, DALLY, DENLINGER, EVERETT, FARRY, FLECK, GABLER, GEIST, GINGRICH, GROVE, HARRIS, HELM, HICKERNELL, M. KELLER, KNOWLES, MARSICO, MENSCH, METZGAR, MICOZZIE, MILLARD, MILLER, MILNE, MOUL, MURT, OBERLANDER, O'NEILL, PICKETT, REED, ROHRER, SCAVELLO, STEVENSON, SWANGER, TRUE, VULAKOVICH, WATSON and HARHART

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preparation for and conduct of primaries and elections, further providing for regulations in force at polling places.

Referred to Committee on STATE GOVERNMENT, June 23, 2009.

No. 1635 By Representatives MARSHALL, S. H. SMITH, TURZAI, CIVERA, MAJOR, STERN, PHILLIPS, SAYLOR, ROAE, PAYNE, SCHRODER, BARRAR, GRELL, REICHLEY, MUSTIO, KAUFFMAN, ROCK, VEREB, ADOLPH, BAKER, BEAR, BOYD, BROOKS, CAUSER, CLYMER, CREIGHTON, CUTLER, DALLY, DENLINGER, EVERETT, FARRY, FLECK, GABLER, GEIST, GINGRICH, GROVE, HARRIS, HELM, HESS, HICKERNELL, M. KELLER, KNOWLES, MARSICO, MENSCH, METZGAR, MICOZZIE, MILLARD, MILLER, MILNE, MOUL, MURT, O'NEILL, PICKETT, READSHAW, REED, ROHRER, SCAVELLO, SONNEY, STEVENSON, SWANGER, TRUE, VULAKOVICH, WATSON and HARHART

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in voting by qualified absentee electors, further providing for applications for official absentee ballots; providing for system of transmitting absentee ballots; further providing for delivering or mailing ballots, for voting by absentee electors and for canvassing of official absentee ballots; and making an appropriation.

Referred to Committee on STATE GOVERNMENT, June 23, 2009.

No. 1636 By Representatives BARRAR, S. H. SMITH, TURZAI, CIVERA, MAJOR, STERN, PHILLIPS, SAYLOR, ROAE, PAYNE, SCHRODER, MARSHALL, REICHLEY, MUSTIO, KAUFFMAN, ROCK, VEREB, BAKER, BEAR, BOYD, CAUSER, CLYMER, CREIGHTON, CUTLER, DALLY, DENLINGER, EVERETT, FARRY, FLECK, GABLER, GEIST, GINGRICH, GROVE, HARRIS, HELM, HESS, HICKERNELL, M. KELLER, KNOWLES, KRIEGER, MARSICO, MENSCH, METZGAR, MICOZZIE, MILLARD,

MILLER, MILNE, MOUL, MURT, O'NEILL, PICKETT, READSHAW, REED, ROHRER, SCAVELLO, STEVENSON, SWANGER, TRUE, VULAKOVICH, WATSON and HARHART

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, further providing for standardized forms, for applications and for preparation and distribution of applications; and providing for government service facilitation.

Referred to Committee on STATE GOVERNMENT, June 23, 2009.

No. 1759 By Representatives LENTZ, DePASQUALE, BELFANTI, CALTAGIRONE, CREIGHTON, FRANKEL, GIBBONS, HORNAMAN, JOSEPHS, McILVAINE SMITH, MURT, J. TAYLOR and YOUNGBLOOD

An Act relating to health care provider contracts with health insurers and health insurer utilization review of diagnostic studies.

Referred to Committee on INSURANCE, June 23, 2009.

No. 1760 By Representatives M. KELLER, BAKER, BARRAR, BEAR, BOYD, CREIGHTON, DENLINGER, FAIRCHILD, FLECK, GINGRICH, GROVE, HARRIS, HELM, HUTCHINSON, KAUFFMAN, MAHONEY, McILVAINE SMITH, MILLER, MOUL, MURT, PASHINSKI, PETRI, PICKETT, PYLE, RAPP, REICHLEY, ROCK, ROHRER, STEVENSON, SWANGER, TALLMAN, THOMAS, TRUE and YOUNGBLOOD

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, further providing for administration.

Referred to Committee on LABOR RELATIONS, June 23, 2009.

No. 1761 By Representatives DALLY, BEAR, BENNINGHOFF, BEYER, BOYD, BRENNAN, CONKLIN, CREIGHTON, CUTLER, ELLIS, EVERETT, FAIRCHILD, GABLER, GIBBONS, GINGRICH, GRELL, GROVE, GRUCELA, HARRIS, HENNESSEY, HORNAMAN, KAUFFMAN, MILLER, MOUL, MURT, MUSTIO, PAYNE, SCAVELLO, SIPTROTH, SWANGER, TURZAI, VULAKOVICH and WAGNER

An Act providing for a constitutional convention with limited powers, for a referendum on the question and for the selection, nomination and election of delegates; defining the powers and duties of the convention; providing for its operation; conferring powers and imposing duties on the Governor, the Secretary of the Commonwealth, officers of the General Assembly and county election boards; providing for a referendum on the convention's report; and making an appropriation.

Referred to Committee on STATE GOVERNMENT, June 23, 2009.

No. 1762 By Representatives DALLY, BENNINGHOFF, BEYER, BRENNAN, CALTAGIRONE, CLYMER, CREIGHTON, DAY, FAIRCHILD, GEIST, GINGRICH, GROVE, HARKINS, HARRIS, HENNESSEY, M. KELLER, KILLION, MARSHALL, MARSICO, METZGAR, MURT, O'NEILL, PALLONE, PETRARCA, PHILLIPS, PYLE,

QUINN, REICHLEY, SOLOBAY, SWANGER, VULAKOVICH and YOUNGBLOOD

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of Municipal Police Officers' Education and Training Commission.

Referred to Committee on JUDICIARY, June 23, 2009.

No. 1763 By Representatives DALLY, BAKER, BARRAR, BEYER, CARROLL, D. COSTA, CREIGHTON, J. EVANS, FRANKEL, FREEMAN, GEIST, GINGRICH, GRUCELA, HORNAMAN, LEVDANSKY, MANN, MILLARD, MOUL, MUSTIO, M. O'BRIEN, PALLONE, PHILLIPS, QUINN, READSHAW, REICHLEY, ROAE, ROHRER, SONNEY, TRUE, VULAKOVICH and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for background checks of school directors.

Referred to Committee on EDUCATION, June 23, 2009.

No. 1764 By Representatives PAYTON, BEYER, BRENNAN, CREIGHTON, MILNE, SIPTROTH, WANSACZ and YOUNGBLOOD

An Act amending the act of February 14, 1986 (P.L.2, No.2), known as the Acupuncture Registration Act, deleting provisions relating to medical diagnosis; and providing for patient advice and consent.

Referred to Committee on PROFESSIONAL LICENSURE, June 23, 2009.

No. 1766 By Representatives PICKETT, ADOLPH, BAKER, BEYER, BOBACK, BOYD, CREIGHTON, DALLY, EVERETT, FAIRCHILD, FLECK, GEIST, GINGRICH, GRELL, GROVE, HESS, HORNAMAN, HUTCHINSON, KAUFFMAN, M. KELLER, MAJOR, MARSHALL, MARSICO, METZGAR, MILLARD, MOUL, MURT, OBERLANDER, O'NEILL, PHILLIPS, QUINN, RAPP, READSHAW, REICHLEY, ROAE, ROCK, SAYLOR, S. H. SMITH, SONNEY, STEVENSON, SWANGER, TALLMAN, J. TAYLOR, TRUE, TURZAI, VULAKOVICH and WATSON

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for eligibility for public assistance.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 23, 2009.

BILLS REREPORTED FROM COMMITTEE

HB 97, PN 1976

By Rep. D. EVANS

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in enforcement, further providing for the offense of assaulting an officer, for jurisdiction and penalties, for revocation, suspension or denial of license, permit or registration and for determination of second or subsequent convictions; in game or wildlife protection, further providing for endangered or threatened species; in hunting and furtaking, further providing for killing game or wildlife by

mistake, for unlawful taking or possession of game or wildlife, for unlawful use of lights while hunting, for buying and selling game, for trespass on private property while hunting, for unlawful killing or taking of big game and for additional penalty for poaching; and, in hunting and furtaking licenses, further providing for unlawful acts concerning licenses.

APPROPRIATIONS.

HB 1523, PN 2208 By Rep. D. EVANS

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in protection of property and persons, further providing for hunting or furtaking prohibited while under influence of alcohol or controlled substance and for chemical test to determine amount of alcohol.

APPROPRIATIONS.

HB 1551, PN 1926 By Rep. D. EVANS

An Act amending the act of October 9, 2008 (P.L.1363, No.100), known as the Crane Operator Licensure Act, further providing for license without certification.

APPROPRIATIONS.

HB 1654, PN 2084 By Rep. D. EVANS

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, in mortgage loan industry licensure and consumer protection, further providing for scope, for definitions, for license requirements, for exceptions to license requirements, for general requirements, for powers of licensees in mortgage loan business, for mortgage lending authority and for license applications; providing for preclicensing and continuing education; further providing for license fees, for license issuance, for licensee requirements, for administration and for sanctions; and providing for procedure for determination of noncompliance with Federal law.

APPROPRIATIONS.

SB 81, PN 996 By Rep. D. EVANS

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further defining for the definition of "eligible entity" and adding definitions; further providing for general powers of the board, for wine marketing and for Sunday retail sales by Pennsylvania Liquor Stores; and, in licenses and regulations relating to liquor, alcohol and malt and brewed beverages, further providing for interlocking businesses prohibited, for number and kinds of licenses allowed same licensee and for unlawful acts relative to liquor, malt and brewed beverages and licenses issued.

APPROPRIATIONS.

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

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 507, PN 559 By Rep. FREEMAN

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for suits and property.

LOCAL GOVERNMENT.

HB 509, PN 561

By Rep. FREEMAN

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for general powers.

LOCAL GOVERNMENT.

HB 510, PN 562

By Rep. FREEMAN

An Act amending the act of May 27, 1953 (P.L.244, No.34), entitled "An act relating to and regulating the contracts of incorporated towns and providing penalties," further providing for power to convey.

LOCAL GOVERNMENT.

HB 1567, PN 2244 (Amended) By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for publication of guidelines for sentencing, resentencing and parole and commitment ranges following revocation, for adoption of guidelines for sentencing, for adoption of guidelines for resentencing and for adoption of guidelines for parole; providing for adoption of certain commitment ranges; and further providing for publication of guidelines for sentencing, resentencing and parole and commitment ranges following revocation, for sentences for second and subsequent offenses and for sentencing generally.

JUDICIARY.

HB 1648, PN 2245 (Amended) By Rep. CALTAGIRONE

An Act establishing a joint legislative, executive and judicial commission on juvenile justice.

JUDICIARY.

HB 1720, PN 2246 (Amended) By Rep. CALTAGIRONE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting organized retail theft.

JUDICIARY.

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

SB 142, PN 997

By Rep. McGEEHAN

An Act amending the act of July 2, 1993 (P.L.345, No.48), entitled "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; providing additional powers to the Commissioner of Professional and Occupational Affairs; and further providing for civil penalties and license suspension," further providing for civil penalties; providing for confidentiality of information; and making related repeals.

PROFESSIONAL LICENSURE.

SB 241, PN 246

By Rep. McGEEHAN

An Act amending the act of February 19, 1980 (P.L.15, No.9), known as the Real Estate Licensing and Registration Act, defining "qualified association"; further providing for prohibited acts and for duties of licensee generally; and providing for handling of deposits and other escrows.

PROFESSIONAL LICENSURE.

BILL REPORTED FROM COMMITTEE**HB 1670, PN 2111**

By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for form of permanent recordation and for copies of destroyed records.

JUDICIARY.

BILL REREFERRED

The SPEAKER. The Chair moves, at the request of the majority leader, that HB 1670, PN 2111, be rereferred to the Local Government Committee.

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

RESOLUTION REPORTED FROM COMMITTEE**HR 360, PN 2185**

By Rep. McGEEHAN

A Resolution urging the Bureau of Professional and Occupational Affairs to conduct an in-depth review of the Commonwealth's approved professional nursing programs to determine each program's effectiveness in producing well-prepared licensed practical nurse candidates.

PROFESSIONAL LICENSURE.

The SPEAKER. The resolution will be placed on the House calendar.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1342, PN 1794**, with information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

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

HB 1342, PN 1794

An Act amending the act of July 4, 2008 (P.L.518, No.42), known as the Cigarette Fire Safety and Firefighter Protection Act, further providing for standards for cigarette fire safety and for sale of existing inventory.

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

SENATE MESSAGE

RECESS RESOLUTION
FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate,
June 22, 2009

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Regular Session of the Senate recesses this week, it reconvene on Monday, June 29, 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 Regular Session of the House of Representatives recesses this week, it reconvene on Monday, June 29, 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.

CALENDAR CONTINUED**RESOLUTIONS PURSUANT TO RULE 35**

Mr. REED called up **HR 327, PN 1945**, entitled:

A Resolution designating August 2009 as "Native American Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Belfanti	Lentz	Perry	Solobay
Dermody	Miccarelli	Smith, M.	Wagner

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

* * *

Mr. BAKER called up **HR 340, PN 2028**, entitled:

A Resolution recognizing June 27 through 28, 2009, as "American Radio Relay League Field Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Everett	Levdansky	Readshaw
Baker	Fabrizio	Longietti	Reed
Barbin	Fairchild	Maher	Reese
Barrar	Farry	Mahoney	Reichley
Bear	Fleck	Major	Roae
Benninghoff	Frankel	Manderino	Rock
Beyer	Freeman	Mann	Roebuck
Bishop	Gabig	Markosek	Rohrer

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Belfanti	Lentz	Perry	Solobay
Dermody	Miccarelli	Smith, M.	Wagner

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

GUESTS INTRODUCED

The SPEAKER. In the balcony, the Chair welcomes James Brown, who is the brother of Representative Karen Beyer. Will James rise. Welcome to the hall of the House.

In the balcony, the Chair welcomes John Ward with his wife, Julie, daughter Suzanne, and grandchildren Kayla, Valere, Hannah, and Matt. They are the guests of Representative Mark Keller and Representative Will Gabig. Will the guests please rise. Welcome to the hall of the House.

In the well of the House, the Chair welcomes Kayce Deibler, who is a 10th grader at Middletown High School serving as a

guest page today. She is the guest of Representative John Payne. Will the guest please rise, the guest page. Welcome to the hall of the House.

Also in the well of the House, the Chair welcomes Daniel Flor, who is serving as a guest page today. And to the left of the Speaker is Daniel's parents, Douglas and Eileen Flor. Will the guests please rise. Welcome to the hall of the House. They are the guests of Representative Scott Petri.

Also in the well serving as guest pages are Ty Druce and Nicholas Joerger. They are the guests of Representative Bernie O'Neill. Will the guest pages rise. Welcome to the hall of the House.

Also in the well of the House serving as a guest page is Matt Brockman, who is here serving as a guest page. Matt will be a senior at Shalom Christian Academy when he returns to school. He is the guest of Representative Rob Kauffman. Welcome to the floor of the House.

SUPPLEMENTAL CALENDAR A

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 97**, **PN 1976**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in enforcement, further providing for the offense of assaulting an officer, for jurisdiction and penalties, for revocation, suspension or denial of license, permit or registration and for determination of second or subsequent convictions; in game or wildlife protection, further providing for endangered or threatened species; in hunting and furtaking, further providing for killing game or wildlife by mistake, for unlawful taking or possession of game or wildlife, for unlawful use of lights while hunting, for buying and selling game, for trespass on private property while hunting, for unlawful killing or taking of big game and for additional penalty for poaching; and, in hunting and furtaking licenses, further providing for unlawful acts concerning licenses.

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

The SPEAKER. It is the Chair's understanding that all of the amendments to HB 97 have been withdrawn.

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 42**, **PN 2038**, entitled:

An Act providing for the establishment of the Historic Preservation Incentive Program for historic commercial and residential sites, for grants and for tax credits.

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

* * *

The House proceeded to second consideration of **HB 1609**, **PN 2001**, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further defining "traditional neighborhood development"; further providing for grant of power to municipalities, for standards and conditions for traditional neighborhood development designations and for manuals of written and graphic design guidelines; and providing for subdivision and land development ordinance provisions applicable to traditional neighborhood development.

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

Mr. **FREEMAN** offered the following amendment **No. A01846**:

Amend Bill, page 7, line 21, by inserting a bracket before "also"
Amend Bill, page 7, line 21, by striking out the bracket before "by"
Amend Bill, page 7, line 22, by inserting after "exists,"
amend the subdivision and land development ordinance, the zoning ordinance or both to include
Amend Bill, page 7, lines 25 and 26, by striking out "The manual may be included in the subdivision and" in line 25 and all of line 26

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

AMENDMENT WITHDRAWN

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

Mr. **FREEMAN**. Thank you, Mr. Speaker.

Mr. Speaker, I would like to withdraw that amendment and offer in its place amendment A01944, if I may.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. **FREEMAN** offered the following amendment **No. A01944**:

Amend Bill, page 7, line 19, by inserting a bracket before "a"
Amend Bill, page 7, line 19, by inserting a bracket after "a"
Amend Bill, page 7, line 21, by inserting a bracket before "adopt"
Amend Bill, page 7, line 21, by striking out the bracket before "by"
Amend Bill, page 7, line 21, by inserting after "]"
provide
Amend Bill, page 7, line 25, by inserting after "in"
or amended into
Amend Bill, page 7, line 26, by striking out "in"

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

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

Mr. **FREEMAN**. Thank you, Mr. Speaker.

Mr. Speaker, this is actually a technical amendment. It just

clarifies the procedure in the language under section 708-A of the bill dealing with the ability of a municipality to offer a manual of written and graphic design to those who might wish to develop a TND (traditional neighborhood development).

I would urge the members to support the technical amendment.

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—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Belfanti	Lentz	Perry	Solobay
Dermody	Miccarelli	Smith, M.	Wagner

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.)

SUPPLEMENTAL CALENDAR A CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1654, PN 2084**, entitled:

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, in mortgage loan industry licensure and consumer protection, further providing for scope, for definitions, for license requirements, for exceptions to license requirements, for general requirements, for powers of licensees in mortgage loan business, for mortgage lending authority and for license applications; providing for preclicensing and continuing education; further providing for license fees, for license issuance, for licensee requirements, for administration and for sanctions; and providing for procedure for determination of noncompliance with Federal law.

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

Mr. **DALEY** offered the following amendment No. **A02006**:

Amend Bill, page 17, lines 25 through 30; page 18, lines 1 through 10, by striking out all of said lines on said pages and inserting

(i) The amount of the bond shall be:

(A) \$100,000 for an applicant or licensee whose mortgage originators will originate or originated less than \$30,000,000 in mortgage loans secured by Pennsylvania real property in a calendar year;

(B) \$200,000 for an applicant or licensee whose mortgage originators will originate or originated \$30,000,000 to \$99,999,999.99 in mortgage loans secured by Pennsylvania real property in a calendar year;

(C) \$300,000 for an applicant or licensee whose mortgage originators will originate or originated \$100,000,000 to \$249,999,999.99 in mortgage loans secured by Pennsylvania real property in a calendar year;
and

(D) \$500,000 for an applicant or licensee whose mortgage originators will originate or originated \$250,000,000 or more in mortgage loans secured by Pennsylvania real property in a calendar year.

Amend Bill, page 20, line 7, by striking out "\$300,000" and inserting

\$200,000

Amend Bill, page 20, line 11, by striking out "\$500,000" and inserting

\$300,000

Amend Bill, page 20, line 15, by striking out "\$1,000,000" and inserting

\$500,000

Amend Bill, page 21, line 28, by striking out "\$100,000" and inserting

\$75,000

Amend Bill, page 22, line 2, by striking out "\$200,000" and inserting

\$100,000

Amend Bill, page 22, line 6, by striking out "\$300,000" and inserting

\$150,000

Amend Bill, page 24, line 12, by striking out "\$100,000" and inserting

\$75,000

Amend Bill, page 24, line 15, by striking out "\$200,000" and inserting

\$100,000

Amend Bill, page 24, line 19, by striking out "\$300,000" and inserting

\$150,000

Amend Bill, page 28, lines 17 and 18, by striking out "An applicant who is a mortgage originator, or a" in line 17 and "director," in line 18 and inserting

A mortgage originator applicant and at least one

Amend Bill, page 28, line 19, by inserting after "originator" applicant

Amend Bill, page 30, lines 8 and 9, by striking out "An applicant who is a mortgage originator, or a" in line 8 and "director," in line 9 and inserting

A mortgage originator applicant and at least one

Amend Bill, page 30, line 10, by inserting after "originator" applicant

Amend Bill, page 36, line 3, by inserting after "amended" and the section is amended by adding a subsection

Amend Bill, page 36, line 5, by inserting a bracket before "An"

Amend Bill, page 36, line 5, by inserting after "An"

] Except as set forth in subsection (d)(1), an

Amend Bill, page 36, line 18, by inserting after "license,"

except as set forth in subsection (d)(2),

Amend Bill, page 36, by inserting between lines 27 and 28

(d) Exception to mortgage originator license fees.—
(1) An applicant shall not be required to pay the fee for a mortgage originator license as provided in subsection (a) if the applicant is also individually a mortgage lender applicant, mortgage loan correspondent applicant or mortgage broker applicant.

(2) A licensee shall not be required to pay the fee for a mortgage originator license as provided in subsection (b) if the licensee is also individually a mortgage lender licensee, mortgage loan correspondent licensee or mortgage broker licensee.

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Washington County, Representative Daley.

Mr. DALEY. Thank you, Mr. Speaker.

The purpose of this amendment is to reduce the amount of surety bonds required for mortgage licensees from the amount

now in this particular bill. The purpose of HB 1654 is to bring us into compliance with the Federal Mortgage Reform Act adopted well after our own reform legislation that we passed last year.

Under the Federal SAFE (Secure and Fair Enforcement) statute, the amount of the surety bonds was left to the States to determine. The most recent research done by the Pennsylvania Department of Banking has indicated that surety bonds have become increasingly difficult to secure during this strained economy. We fear that many lenders and brokers would not be able to secure at the levels required in HB 1654, forcing them out of business. This amendment reduces the amount of the bonds for lenders and brokers but maintains the bonding levels equivalent to the levels of many other of our neighboring States.

The amendment also clarifies that a sole proprietor, mortgage lender, or broker will not be assessed a second license fee as a mortgage originator. Such individuals are required to be licensed as a mortgage lender or broker, and the Federal law also requires them to be licensed as loan originators. It would not be fair to require that they also be required to pay a separate fee to be licensed as a mortgage loan originator.

It also clarifies that mortgage originators and at least one partner or owner of a mortgage company must complete the 20 hours of prequalifying education to pass the test for licensure. This also clarifies that a person making a mortgage loan to an employee or as an employee benefit will not be required to be licensed as a mortgage lender, but individuals making such loans must be licensed as loan originators, and I ask for the passage of this amendment, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bedford County, Representative Hess, on the question.

Mr. HESS. Thank you, Mr. Speaker.

On the amendment Representative Daley just spoke about, this is an agreed-to amendment.

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—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Belfanti	Lentz	Perry	Solobay
Dermody	Miccarelli	Smith, M.	Wagner

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 1551, PN 1926**, entitled:

An Act amending the act of October 9, 2008 (P.L.1363, No.100), known as the Crane Operator Licensure Act, further providing for license without certification.

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

* * *

The House proceeded to second consideration of **HB 1523, PN 2208**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in protection of property and persons, further providing for hunting or furtaking prohibited while under influence of alcohol or controlled substance and for chemical test to determine amount of alcohol.

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

* * *

The House proceeded to second consideration of **SB 81, PN 996**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further defining for the definition of "eligible entity" and adding definitions; further providing for general powers of the board, for wine marketing and for Sunday retail sales by Pennsylvania Liquor Stores; and, in licenses and regulations relating to liquor, alcohol and malt and brewed beverages, further providing for interlocking businesses prohibited, for number and kinds of licenses allowed same licensee and for unlawful acts relative to liquor, malt and brewed beverages and licenses issued.

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

Mr. **PETRI** offered the following amendment No. **A01844**:

Amend Bill, page 4, line 12, by inserting brackets before and after "or" and inserting immediately thereafter an underscored comma
Amend Bill, page 4, line 16, by inserting after "industry"
or a brewery which has been issued a license to manufacture malt or brewed beverages and has been in existence for at least 100 years

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

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

Mr. **PETRI**. Thank you, Mr. Speaker.

Mr. Speaker, I am pleased to offer this amendment which would add to the list of individuals who can receive special occasion permits. To that list would be added our long-established breweries, breweries which have been in existence for at least 100 years.

I would ask for the members to support this amendment.

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

The following roll call was recorded:

YEAS—166

Adolph	Everett	Levdansky	Quinn
Baker	Fabrizio	Longiatti	Readshaw
Barbin	Farry	Maher	Reed
Barrar	Fleck	Mahoney	Reese
Benninghoff	Frankel	Major	Reichley
Beyer	Freeman	Manderino	Roae

Bishop	Gabler	Mann	Roebuck
Boback	Galloway	Markosek	Ross
Boyle	George	Marshall	Sabatina
Bradford	Gerber	Marsico	Sainato
Brennan	Gergely	Matzie	Samuelson
Briggs	Gibbons	McGeehan	Santarsiero
Brown	Gillespie	McI. Smith	Santoni
Burns	Gingrich	Melio	Saylor
Buxton	Godshall	Mensch	Scavello
Caltagirone	Goodman	Metcalfe	Schroder
Carroll	Grell	Micozzie	Seip
Casorio	Grove	Millard	Shapiro
Causar	Grucela	Miller	Siptroth
Christiana	Haluska	Milne	Smith, K.
Civera	Hanna	Mirabito	Staback
Cohen	Harhai	Moul	Stern
Conklin	Harhart	Mundy	Sturla
Costa, D.	Harkins	Murphy	Taylor, J.
Costa, P.	Harper	Murt	Taylor, R.
Cruz	Harris	Mustio	Thomas
Curry	Helm	Myers	Turzai
Daley	Hennessey	O'Brien, M.	Vereb
Dally	Hornaman	O'Neill	Vitali
Day	Houghton	Oliver	Vulakovich
Deasy	Johnson	Pallone	Walko
Delozier	Josephs	Parker	Wansacz
DeLuca	Keller, M.K.	Pashinski	Waters
DePasquale	Keller, W.	Payne	Watson
DeWeese	Kessler	Payton	Wheatley
DiGirolamo	Killion	Peifer	White
Donatucci	Kirkland	Perzel	Williams
Drucker	Knowles	Petrarca	Youngblood
Eachus	Kortz	Petri	Yudichak
Ellis	Kotik	Pickett	
Evans, D.	Krieger	Preston	McCall,
Evans, J.	Kula	Quigley	Speaker

NAYS—29

Bear	Fairchild	Metzgar	Rohrer
Boyd	Gabig	O'Brien, D.	Smith, S.
Brooks	Geist	Oberlander	Sonney
Clymer	Hess	Phillips	Stevenson
Cox	Hickernell	Pyle	Swanger
Creighton	Hutchinson	Rapp	Tallman
Cutler	Kauffman	Rock	True
Denlinger			

NOT VOTING—0

EXCUSED—8

Belfanti	Lentz	Perry	Solobay
Dermody	Miccarelli	Smith, M.	Wagner

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. PETRI offered the following amendment No. A01845:

- Amend Bill, page 1, line 23, by striking out "and" where it occurs the second time and inserting a comma
- Amend Bill, page 1, line 25, by inserting after "issued" and for limited wineries
- Amend Bill, page 11, by inserting between lines 29 and 30

Section 9. Section 505.2(a) of the act is amended by adding a clause to read:

Section 505.2. Limited Wineries.—(a) In the interest of promoting tourism and recreational development in Pennsylvania, holders of a limited winery license may:

* * *

(6.4) Store alcoholic cider, wine and wine coolers produced by the limited winery at no more than two (2) board-approved locations other than the licensed premises and those premises referenced in clause (3) pertaining to the five (5) board-approved locations for the sale of wine, with no bottling or production requirement at those additional locations and under such conditions and regulations as the board may enforce. If two (2) or more businesses will operate out of the same storage facility, the limited winery must designate specific and distinct areas for its storage. The limited winery's designated storage area must be secured and no one other than the licensee and his employees may be allowed access to the storage area. No board-approved manager will be necessary for the storage facility. The limited winery must fill out an application for such an additional board-approved storage location, and such location shall count as one of the two permitted for each limited winery. The limited winery is responsible for keeping only its own complete records. A limited winery may be cited for a violation of the recordkeeping requirements of sections 512 and 513 pertaining to its own records only.

* * *

Amend Bill, page 11, line 30, by striking out "9" and inserting 10

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

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

Mr. PETRI. Mr. Speaker, this amendment allows limited Pennsylvania wineries, and there are approximately 130 in our State right now. It is probably an area that is expanding faster than any other industry in Pennsylvania. What this amendment allows is a Pennsylvania limited winery to have a storage facility where they can store their goods. They are not allowed to sell from those locations but they are allowed to store. Now, they are allowed up to two, and from one they could make some sales.

This requirement is necessary, because right now, a Pennsylvania limited winery cannot have a storage facility. What that means is they have to license it as a separate location and hire a manager to watch over goods that really are not moving. It makes no sense.

Now, Mr. Speaker, this is the same right that all of the beer distributors and IDs (independent distributors) have. So all we are doing is we are following the existing law for distribution of beer and allowing our limited wineries to do the same thing.

A very important industry we need to support, and I would ask for the members' support.

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

The following roll call was recorded:

YEAS—195

Adolph	Everett	Levdansky	Readshaw
Baker	Fabrizio	Longietti	Reed
Barbin	Fairchild	Maher	Reese
Barrar	Farry	Mahoney	Reichley

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Belfanti	Lentz	Perry	Solobay
Dermody	Miccarelli	Smith, M.	Wagner

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

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

The SPEAKER. It is the Chair's understanding that the gentleman from Adams County, Representative Moul, is withdrawing his amendment. The Chair thanks the gentleman.

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

Mr. DONATUCCI offered the following amendment No. A01937:

Amend Bill, page 5, by inserting between lines 16 and 17
Section 3.1. Section 301 of the act is amended to read:

Section 301. Board to Establish State Liquor Stores.—(a) The board shall establish, operate and maintain at such places throughout the Commonwealth as it shall deem essential and advisable, stores to be known as "Pennsylvania Liquor Stores," for the sale of liquor and alcohol in accordance with the provisions of and the regulations made under this act; except that no store not so already located shall be located within three hundred feet of any elementary or secondary school, nor within a dry municipality without there first having been a referendum approving such location, nor shall any such store have an interior connection or interior passageway with an establishment that allows its patrons to bring their own liquor or alcohol for consumption on the premises whether or not the establishment possesses a license issued by the board. When the board shall have determined upon the location of a liquor store in any municipality, it shall give notice of such location by public advertisement in two newspapers of general circulation. In cities of the first class, the location shall also be posted for a period of at least fifteen days following its determination by the board as required in section 403(g) of this act. The notice shall be posted in a conspicuous place on the outside of the premises in which the proposed store is to operate or, in the event that a new structure is to be built in a similarly visible location. If, within five days after the appearance of such advertisement, or of the last day upon which the notice was posted, fifteen or more taxpayers residing within a quarter of a mile of such location, or the City Solicitor of the city of the first class, shall file a protest with the court of common pleas of the county averring that the location is objectionable because of its proximity to a church, a school, or to private residences, the court shall forthwith hold a hearing affording an opportunity to the protestants and to the board to present evidence. The court shall render its decision immediately upon the conclusion of the testimony and from the decision there shall be no appeal. If the court shall determine that the proposed location is undesirable for the reasons set forth in the protest, the board shall abandon it and find another location. The board may establish, operate and maintain such establishments for storing and testing liquors as it shall deem expedient to carry out its powers and duties under this act.

(b) The board may lease the necessary premises for such stores or establishments, but all such leases shall be made through the Department of General Services as agent of the board. The board, through the Department of General Services, shall have authority to purchase such equipment and appointments as may be required in the operation of such stores or establishments.

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

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Philadelphia County, Representative Donatucci.

Mr. DONATUCCI. Thank you, Mr. Speaker.

This amendment would prevent the opening of a new liquor store that has an interior connection or passageway with a BYOB (bring your own bottle), whether it has a license or not, a liquor license or not.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Delaware County, Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.
I am just wondering if the maker of the amendment would stand for interrogation.

The SPEAKER. The gentleman, Representative Donatucci, indicates he will stand for interrogation. The gentleman, Mr. Vitali, is in order and may proceed.

Mr. VITALI. As I was listening to that, I was just wondering, what is the policy reason behind what you are trying to do?

Mr. DONATUCCI. I am sorry. Could you repeat your question?

Mr. VITALI. What is the policy reason behind what you are trying to do?

Mr. DONATUCCI. Well, basically the LCB (Liquor Control Board) right now is talking about opening up boutiques in small cheese shops and restaurants. So basically, they could be BYOBs; they could be a licensed establishment. The Restaurant Association has a problem with it because you could have a State store right next to another restaurant, and it is not a level playing field. Plus, the LCB will be paying rent to that restaurant for the space.

Mr. VITALI. So you are trying to prevent something that the LCB wants to do?

Mr. DONATUCCI. Yes.

Mr. VITALI. Okay. Thank you. That ends my interrogation.

Mr. DONATUCCI. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—189

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

Cutler	Hess	Oliver	Vereb
Daley	Hickernell	Pallone	Vulakovich
Dally	Hornaman	Parker	Walko
Day	Houghton	Payne	Wansacz
Deasy	Johnson	Payton	Waters
Delozier	Josephs	Peifer	Watson
DeLuca	Kauffman	Perzel	Wheatley
Denlinger	Keller, M.K.	Petrarca	White
DePasquale	Keller, W.	Petri	Williams
DeWeese	Kessler	Phillips	Youngblood
DiGirolamo	Killion	Pickett	Yudichak
Donatucci	Kirkland	Preston	
Drucker	Knowles	Pyle	McCall,
Eachus	Kortz	Quigley	Speaker
Ellis	Kotik	Quinn	

NAYS—6

Hutchinson	Pashinski	Schroder	Vitali
Murphy	Santarsiero		

NOT VOTING—0

EXCUSED—8

Belfanti	Lentz	Perry	Solobay
Dermody	Miccarelli	Smith, M.	Wagner

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

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.)

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 786, PN 2148**, entitled:

An Act establishing the State Energy Office; and imposing duties on the State Energy Office.

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?

On that question, the Chair recognizes the gentleman from Clearfield County, Representative George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, with the price of energy in constant flux—

The SPEAKER. Will the gentleman yield. Will the gentleman yield.

The House will come to order.

The gentleman, Mr. George, may proceed.

Mr. GEORGE. If I may, Mr. Speaker, I do not know how they could be so disorderly with a guy that is so orderly. If I may.

As I said, with the price of energy continually in flux, all Pennsylvanians can appreciate the growing need for increased energy conservation and awareness as well as the importance of discovering new energy sources. With continued conflict and unrest in the Middle East coupled with our nation's burgeoning dependence on oil, it is imperative to offer our Commonwealth families and businesses sound opinions and incentives for cost-effective, efficient, and safe and clean energy.

Since the oil prices spiked, since they spiked in 1999, I have been steadfast in my support for the reestablishment of a State Energy Office. There was such an office until 1995 when it was cut by that administration. This office will be housed within the Department of Environmental Protection and will actively promote energy conservation, development, and will serve as the central office for all energy-related policy.

In addition to being the central office for creating and guiding the State's renewable energy policies, this energy office would be responsible for managing the Federal energy dollars promoting regional management, Federal policies, and statewide plans to combat energy shortages and monitoring the availability and the price of petroleum products.

The establishment of a centralized office is critical to the enduring and ensuring that this Commonwealth remains at the forefront of energy conservation while maintaining its existing energy resources and discovering new ones. It is for this reason I ask all my colleagues for their support of this initiative.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, shall the bill pass finally, the Chair recognizes the gentleman from Butler County, Representative Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, this legislation talks about hiring additional staff and imposing additional duties. While we certainly all agree that we need to work toward energy independence, I do not think that we can trust a new State-developed bureaucracy to actually accomplish that goal. I think that is going to be more by empowering the individuals in our business community to develop those resources that we might have those at our disposal rather than having to depend on foreign energy. I think that, you know, moving in the direction of the severance tax on the Marcellus shale natural gas is the wrong direction to go, and you do not need a new bureaucracy to tell you that.

Mr. Speaker, we are 1 week away from the budget. We ought to be debating the budget, not finding new ways to spend the people's money. I oppose this legislation.

The SPEAKER. On the question, the Chair recognizes the gentleman from Venango County, Representative Hutchinson.

Mr. HUTCHINSON. Mr. Speaker, I want to know if the majority Appropriations chairman is on the floor. I have a question to ask about the fiscal note.

The SPEAKER. The gentleman will stand for a question. He is on his way to the floor. The House will be at ease.

The House will come to order.

The gentleman, Representative Evans, indicates he will stand for interrogation. The gentleman, Mr. Hutchinson, is in order and may proceed.

Mr. HUTCHINSON. Thank you, Mr. Speaker.

Mr. Speaker, in looking at the fiscal note prepared for this amendment, it says – and I quote – it says "no adverse...impact on Commonwealth funds."

Mr. Speaker, in this building, there are Representatives and a Governor who are saying that a huge tax increase of \$1.5 billion will not adversely impact the Commonwealth. I want to know what the definition of "no adverse...impact on Commonwealth funds" is.

Mr. D. EVANS. Mr. Speaker, since you just read the fiscal note, and I am not trying to be cavalier when I say this, it is just what it is.

One of two things happens when a fiscal note is presented, and the way that the process works is we in return talk to the department and the department gives us their assessment. So usually they make some type of determination, can they incorporate the costs in the existing budget? They tell us if they can incorporate them. So by what you see here today, Mr. Speaker, it indicates to you that basically they figure it is minimum costs whatsoever.

Mr. HUTCHINSON. Mr. Speaker, I wonder why then, why does this not say zero dollars or give a dollar figure, which I think fiscal notes should give a dollar figure. Even if it is a small dollar figure, it should have that or have a zero dollar figure. This note says no dollar figure.

Mr. D. EVANS. Mr. Speaker, it is as I just explained. It just says zero.

Mr. HUTCHINSON. The word "zero" is not there, Mr. Speaker.

Mr. D. EVANS. Unless we are looking at a different fiscal, I am looking at it; it says zero on here, sir. So what are you saying?

Mr. HUTCHINSON. Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman end his interrogation?

Mr. HUTCHINSON. Yes.

Mr. D. EVANS. Thank you.

The SPEAKER. Would he like to speak on the amendment?

Mr. HUTCHINSON. Yes, Mr. Speaker.

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

Mr. HUTCHINSON. Mr. Speaker, at this time of grave fiscal concerns for the Commonwealth, a budget that is not passed, and lots of questions about where we are going as far as implementing a new spending plan for the Commonwealth of Pennsylvania, I think it would be a mistake to add a new bureaucracy to State government that we are not really sure how much it is going to cost, and so I would be opposing this bill.

Thank you, Mr. Speaker.

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

Mr. TURZAI. Thanks very much, Mr. Speaker.

No. (9) under powers and duties of the office on page 4 of the bill reads, and I quote, "TO PROVIDE FINANCIAL ASSISTANCE INCLUDING, BUT NOT LIMITED TO, LOANS, LOAN GUARANTEES, BOND GUARANTEES, GRANTS AND REBATES FOR PROJECTS FULFILLING THE PURPOSES OF THIS ACT."

The rhetorical question that I want to put forth to my colleagues is, this particular language, is it authorizing grants, loans, financial assistance programs and moneys that are currently administered by DEP (Department of Environmental Protection), or are we in essence allowing for new programs by virtue of voting for this bill? Does this language in fact open the door for a new State authority that can be used to incur debt so that the Department of Environmental Protection can pick the winners and losers for energy development?

I think this is an ill-thought-out idea. You know, it is a nice sound bite to say that we have a State Energy Office. Some of the supporters of the bill say that the bill only reorganizes functions currently under the Department of Environmental Protection. If that is the case, then what is the purpose of the reorganization, just so that somebody can go around and say, like, I created a State Energy Office?

It is the wrong message. We all know that we need to be working on a budget right now. We know that this is, you know, really to a certain extent just sound-bite material and not really helping to solve any of the issues in front of Pennsylvania citizens.

I say that we ought to get on with the business of putting a budget bill on and make sure that we vote down bills like this that are ambiguous or maybe even explicitly providing for new financial expenditures and borrowing when we cannot really afford to do that at this time.

If I had some sense that this office was really going to promote the energy industry in this State and balancing it with true environmental concerns, if the idea is that DEP is not presently doing that or we in the State legislature are not doing that, you know, I would be open to attending some hearings to find out about that and to try to make sure that our caucus had significant input in that. But that is not the case right now.

For those reasons I would ask the members to please vote against this bill, and let us urge our colleagues on the other side of the aisle to get to the business of getting the budget done instead. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Northampton County, Representative Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I hear the comments on the other side of the aisle about not embarking on a State Energy Office at this time, and granted, I would have to say that when I compare the budgets that are before us, it would be a lot more difficult if the Senate budget actually came to pass.

If you look at your budget, what the Governor has proposed is a 7.9-percent decrease in the Department of Environmental Protection – a 7.9-percent decrease. What has the Senate done? Would you believe our State Senate is proposing to cut our commitment to environmental protection by 29.7 percent? If the Senate budget would come to pass and nearly 30 percent of the DEP budget would be slashed, yes, there would be some challenges.

I would like to make two points here. One is that we should try to focus on maintaining our commitment to environmental programs and not adopt the Senate's approach, but also look more closely at the DEP budget. Under existing budgets, there are three programs related to energy which add up to \$15 million, existing funds in the current year's budget. Next year, the Governor proposes \$15 million – level funding for those three. The fiscal note from DEP says that this can be

handled within the existing budget, and if you look closely, the Consumer Energy Program, the Home Efficiency Loan Fund, and Data Center energy conservation, there is \$15 million in the existing budget. The Governor is proposing \$15 million. The Senate is proposing to reduce those line items to zero.

But I think we should focus our efforts on trying to maintain that commitment to energy programs. I applaud the gentleman from Clearfield for trying to have a focused approach to energy in Pennsylvania. It is one of the main issues in the 21st century, and I think Pennsylvania should be a leader in this. I think we can do it with the existing budget, and that is reflected in the fiscal note.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mrs. BEYER. Thank you, Mr. Speaker.

Just may I briefly interrogate the maker of the bill?

The SPEAKER. The gentleman, Representative George, indicates he will stand for interrogation. The gentlelady is in order and may proceed.

Mrs. BEYER. Thank you, Mr. Speaker.

You know, first I would like to say that the gentleman from Clearfield County is truly a leader in this caucus related to energy issues, and I know his passion and I know his concern for the residents of the Commonwealth. Can I just ask quickly how many hearings were held on this particular piece of legislation?

Mr. GEORGE. Let me answer you in a more – the only positive way that I know, my dear colleague, and that is, when I got here 35 years ago, we had an energy office, and during the years, the first 7 or 8 years, there was an energy crunch. The energy office found out after investigating that it was phony, and that is why the prices went up.

Now, somebody is mentioning that we should— And, dear Representative, I am not trying to get out of what I really believe, but again, the fiscal note says that there will not be any moneys because they are going to run it out of the same department that is running the things right now. And as far as extra money, that that has been asked is already included in what the department does.

Now, the Governor and everyone else, including Democrats as well as Republicans, do not want to spend any more money because we do not know where we are going, but thank you for your kind words. But again, 4 weeks ago when I went home, gas was \$1.89. By the time I drove 2 1/2 hours, it was \$2.19. The following 2 days, it was \$2.25. Two weeks later, it is \$2.69.

Now, I am willing to pass a budget to keep the people in Pennsylvania, especially in my district who I continually say I am concerned about you and I want to help you and I want to do this. I am not holding up the budget, but by the same token, the actions being taken by some of our colleagues today, hopefully some will recognize that we have an opportunity without spending an additional dollar to find out in the coming months, in the coming years, with all the alternative energy money, if it is being spent right, if it is being done the right way that you and I would want, that is all I can tell you. And again, thank you for your kind words.

Mrs. BEYER. Mr. Speaker, thank you. So—

The SPEAKER. Further interrogation?

Mrs. BEYER. To continue the interrogation.

The SPEAKER. The gentlelady is in order.

Mrs. BEYER. Thank you, Mr. Speaker.

Could the gentleman from Clearfield County – and I am sorry I did not hear it; the chamber was just a little bit noisy – how many hearings were held on this bill? And I am wondering, though, does the gentleman from Clearfield County, given 35 years of passionate advocacy and interest and support of energy issues and the constituents who are paying for them in this Commonwealth, I am just wondering, did you have any hearings at all? I am not entirely familiar with your bill. This is why I am wondering this.

Mr. GEORGE. Well, again, I think there is a cliché in here, if you know the answer to a question, you should not ask it. But by the same token, the reason that we have public hearings is to get both sides of the question. Why would you have a public hearing when we know the one side of the question: The big and the powerful and the petroleum interests do not want this, and evidently we can tell by some of the verbiage over there that they do not want this energy office.

And I think it is up to you and me individually to forget the partisanship. This is not Bud George's bill; this is the people's bill. There were no hearings because no hearings are needed when you can drive down the road and in front of you gas goes up 6 cents while you are slowing down. That is my answer to you.

Mrs. BEYER. Just one more brief question. And, Mr. Speaker, I did not know how many hearings were held on the bill, so I appreciate the gentleman from Clearfield County's answer to that, which were none, no hearings were held on the bill.

But having said that, do you intend then to take moneys that are allocated to DEP, whatever they happen to be this year as we move in the budget process, and reallocate within the department money for this office, or are you suggesting that there are already duties in DEP and you are simply consolidating all of these duties under a new office which would require no new additional moneys?

Thank you, Mr. Speaker.

Mr. GEORGE. Mr. Speaker, may I?

The SPEAKER. The gentelady is under interrogation. The gentleman is in order and may proceed.

Mr. GEORGE. Let me say this, and I want to be as kind as the young lady was, but here some time ago when we heard about the H2O funding and the funding coming out of Washington that we all were so grateful for yet some condemned, there was not any extra individuals hired at the DEP. They took over that function because all of it deals with the environment or energy, and that is why the department is geared to handle this. It was insisted by the administration that, oh, moneys would be spent, and this is a good way to have it because they control energy in every fashion and they have the ability to do it.

So again, Mr. Speaker, to me, this is not political; it is being made political. If they do not want to help the people in Pennsylvania by putting somebody to work that can find the answers out for us, then so be it, but let them tell that reason when they go back home.

Thank you, Mr. Speaker.

Mrs. BEYER. Mr. Speaker, on the bill.

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

Mrs. BEYER. Thank you, Mr. Speaker.

I commend and admire and have admired the gentleman from Clearfield County's work on these issues since I arrived in

this chamber almost 4 years ago. Mr. Speaker, I can be supportive of this bill if we are not looking to a new expenditure, and I appreciate the gentleman's time and attention to my questions.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman from Washington County, Representative Daley.

Mr. DALEY. Thank you, Mr. Speaker.

I rise to historically point something out to the members that have not been here as long as some of the rest of us. As the prime sponsor of this bill indicated, in 1993 the energy department was dismantled, and that was a major mistake by the administration to do that at that time simply because they felt it was the best thing to do because we were not facing long gas lines and what we considered back in the eighties and the seventies an energy crisis. Most of that was absorbed by the Department of Environmental Protection, their responsibility and their role.

I serve and happily serve with one of the minority members on the Energy Development Authority, which represents this House on many energy issues. I have the privilege to be able to help vote on many energy development projects that are in the best interests of research and development and growing energy in Pennsylvania. I, as well as you, have put millions and millions of dollars through our budgets to get that program up and running, and for what it does, it does wonderful things. Part of its responsibility will be abrogated back to the energy department if this bill passes.

But I do not think this is political. I think what the prime sponsor of this bill wishes to do is quite simply tell the rest of the world that we do care about energy. It is not going to cost us anything according to the fiscal note.

Pennsylvania has positioned itself to be a world leader in energy. I served as the chairman of the Coal Caucus for 16 years here and watched the demise of the coal industry and the anthracite fields, as well as the fields in southwestern and south-central Pennsylvania relegate us from the second largest producer of coal to the fourth largest producer of coal in America. But not because they have discovered oil in northeastern Pennsylvania recently and it can be a wonderful energy product – that is not why this bill is being purported today – not because we stand in the Allegheny and the Laurel ridges with wind, and we are doing wind power now and doing wind research that places Pennsylvania absolutely at the apex of wind research; not because of the solar power facility in western Pennsylvania, in Westmoreland County, that is going to be building a new facility and Sony is going to employ a thousand people and we in Pennsylvania are going to have the industry that actually is going to be the largest producer of solar panels in the world; not because of the clean coal technology that we see that the coal fields in western Pennsylvania as well as in the anthracite region will begin to flourish and people will have jobs once again in the coal fields; not because of the hydropower that we have in Pennsylvania where we have 76,000 miles of streams and bridges in Pennsylvania, only second to Alaska where there is an untapped resource of power through hydropower; and not because the Marcellus shale, which is all of western Pennsylvania and central Pennsylvania and into Ohio and West Virginia that is six times the size of the largest Marcellus shale in the world, which is in Texas right now where we have trillions and trillions of cubic yards of gas

that we will be able to make Pennsylvania the energy mecca of the United States if not the world, because of all these things, Mr. Speaker, it is time we really get serious about energy in Pennsylvania. It is not something that we just pass by as going by the gas pump and worrying about gas prices going up. We have to forward think here.

It is time we get back on the page with the rest of the world. I ask that this bill be voted in a positive way. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from York County, Representative Saylor, on the question.

Mr. SAYLOR. Mr. Speaker, could I have some quiet for a moment?

The SPEAKER. The gentleman is in order.

The House will come to order. Members will please take their seats. The gentleman has a right to be heard.

Mr. SAYLOR. Mr. Speaker, the reason I wanted some quiet is because I wanted to read directly from the bill, because this is where the problem is that is not being said on the House floor today, and there is somewhere dishonesty going on, because in this bill it states the following: "The secretary" of DEP "shall designate an executive director and hire the staff of the office in accordance with procedures of the department."

Now, if there is no cost to this Commonwealth for the creation of a new agency, why are we hiring new staff? There has to be a cost. We know for a fact this new agency probably will cost the taxpayers another \$500,000 or more just to create it. Is that what we need when we already are running at a \$3.2 billion deficit, more government employees, more government expenditures, when we are trying to protect all kinds of other programs that we have here, from public libraries to whatever, and we are sitting here going and spending money willy-nilly across this Commonwealth for agencies like this. We already know, for instance, that this department at DEP already has some of these responsibilities that are in this bill.

The gentleman from the Lehigh Valley mentioned the fact that SB 850 would not allow this. There is nothing in SB 850 that would not allow the agency to continue doing its job that it has done in the past as far as energy issues are concerned, and to make the argument on this House floor that creating this department will control the price of gasoline at the pump is absurd. Anybody who knows anything about energy knows the fact that energy prices are not determined by Pennsylvanians; it is determined on a national level and international level. Let us quit putting arguments out there and propaganda that truly is a lie to the taxpayers of Pennsylvania.

I think all of us in this chamber care about energy. We care about the gas prices. We care about our energy costs, whether it is electricity or natural gas that we use to heat our homes. But this bill does not do anything about that. It simply creates more State employees, more bureaucracy. This is something we cannot afford at this time. If the department does the job it is already assigned to do in this particular field, then we will have a good department. We do not need to create more employees. We do not need to tell the people of Pennsylvania something that this bill is not going to do. It just simply is not going to be able to do the things that were promised on this House floor today, and it is a farce on the taxpayers of Pennsylvania for you to say that it will help control gas prices, because it does not have that power and it cannot have that ability.

So I ask for a "no" vote on this bill. Again, all of us in this chamber and across this Commonwealth care about energy prices and care about conserving energy, but the truth is, this bill does not do anything but create higher expenses and create more State employees.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. EACHUS. Thank you, Mr. Speaker.

I rise in support of HB 786. This is a concept that its day has come.

The gentleman from York was fairly loose with his language relating to dishonesty and lying. Let me be very clear about what this program does and what it does not do. What it does not do is create any more staff. There is already existing staff within the Department of Environmental Protection that currently does other things. The gentleman's bill changes responsibilities but does it within the program and the staff that already exists, or at least the staff that already exists. It changes the program. So to say that this is some burdensome cost is really to, you know, yell "fire." There is no fire here.

As a matter of fact, I have met with some of the largest utility users, the largest industrial companies in Pennsylvania, and they really believe that there is value in this model that the gentleman presents today to help control the costs for our largest manufacturing utility users. This is a concept that its day has come. All the hyperbole over additional spending, size of bureaucracy, truthfulness, has a lot to do with politics and I think a little less to do with substance.

So I just wanted to be very clear. The staff that currently is doing other things within DEP is going to do what the gentleman envisions within the existing staff complement. Their mission will change true enough, but it will change so that we can help control utility costs for some of our largest industrial users – our manufacturers.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MAHER. You know, just when you think you have seen everything, we have a bill here that is sort of like magic. It is going to cost no money; it is going to require no new people. It has important missions such as monitoring the price of gasoline, something I think all 60,000 of our bosses probably are already doing. But it does offer a bit of hope. I guess we are 7 years into this Governor's administration, and I guess the makers of this bill are dissatisfied with the Governor's performance, because apparently they believe the administration needs some direction. They would like to see this administration actually have a coherent energy policy. They would like this administration to do the job it is supposed to be doing.

I am for all those things, but I like the rubbernecking, because you are looking back over the wreckage of the last 7 years and saying, we just cannot go on anymore; this Governor needs some guidance. And I agree with you, this Governor needs a lot of guidance. Frankly, I think we ought to be doing something similar to each and every line item in the budget. Let us provide the Governor guidance. He needs direction. This administration is lost, in danger of running off the road, and the rubbernecking has already begun in his own caucus.

You are right, it is a shame that this Governor 7 years in needs your assistance to understand what his job is, but so long as it costs no money and entails no new people but is rather just telling the people who are already on the payroll "do your job," I am all for it.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cambria County, Representative Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise to support this bill. I ask my colleagues to consider that this is not a game. The State Energy Office existed at one time. No one asked for a public hearing when they eliminated the State Energy Office. No one asked for a public hearing when the price of gas went up from \$2 to \$3. No one asked when the price of gas went from \$3 to \$4.

This is a bill that does not take any additional money in DEP but merely says we are going to have a set of rules where we have a person that we can call to our House committees and ask them a question that is going to be in charge of giving us data as we move into a century where we are moving from oil from the Middle East to natural gas from Pennsylvania. So if we have a person we can ask that question, that is good for America, that is good for Pennsylvania, and it is good for the person that goes to the gas tank and says, last week my gallon cost was \$2.50 but this week it is \$3.

Mr. Speaker, I rise and ask all of my colleagues to support this bill which will establish a rightful place for a State Energy Office, which we used to have and we should now have if we are going to protect the pocketbook issues for Pennsylvania.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks County, Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, would the gentleman, the maker of the bill, stand for brief interrogation?

The SPEAKER. Will the gentleman, Representative George, stand for interrogation? The gentleman indicates he will stand for interrogation. The gentleman, Representative Clymer, is in order and may proceed.

Mr. CLYMER. Thank you, Mr. Speaker.

In our discussions this afternoon about the importance of energy, I did not hear the word "nuclear" energy mentioned, and here is my concern.

It has been mentioned by many responsible individuals that nuclear energy will play an important role in providing us energy independence. So my question then is, in this new agency that is going to be formed, what role will they play if one of the utilities – and we heard about controlling utility costs a few moments ago – what role will this agency play in determining whether a nuclear energy plant will be established here in Pennsylvania, another nuclear energy plant would be established here in Pennsylvania? That is my question.

Mr. GEORGE. My good friend, let me say this: The DEP, the department, is in charge of the Federal augmentation moneys. They are in charge of many other dollars that are going to be utilized very importantly and most necessitatedly on energy.

You and I both know – we have been here for more than 30 years – that there are many people when you are talking about nuclear energy that are going to spend millions and millions and millions of dollars. I hear every day where

business segments all over the western part of Pennsylvania are worried about their electrical bills. So we are sitting here, my good friend, arguing the trivia about what this is going to take and what it is going to do.

All energy is necessary. I am one of very few that understands that supply and demand is what controls price, and nuclear energy is still in the meantime unavailable, a most important faction and function of energy. But so is coal, and the reason I am bringing something to your attention, that there is not a week goes by that a coal truck operator with 18 trucks says I cannot pay \$3 or \$4 for oil anymore. That is diesel oil. These pieces of equipment burn 27 to 30 gallons of oil a day, an hour. In a 10-hour shift, that is 300 gallons. That is \$1200. You are on the right track; you know it. We have got to put energy first.

We are talking about a budget. We do not have a fixed time to do what we need to do on energy. We need to do it now and tomorrow and continually. Pretty soon, the cap is going to come off of electric energy.

Now, there are bills that have been offered, Paul, and you know it, if I may call you by your first name. And you are responsible; you and I have been here for more than 30 years. I have watched things that have worked; I have watched things that have not, but in my 35 years I have never – and I do not blame you; you are one that I do not – stood here and argued about something that is going to save their individuals, their neighbors, their constituency, the people money.

This is what it is all about, and for these people that are too intelligent to be here that know we have nothing to do with pricing, tell them there is a little item that happens on petroleum, where during the summer where it is not so much in demand, it can be bought by the hundreds of thousands of gallons at an auction very cheaply and then stored, and then in the winter when it becomes short, the price goes up. I do not think it takes an expert on this material. You and I both know whatever it is, whether it be— Am I stopping the gentleman from— I did not mean to interrupt him, Paul, the gentleman you were talking to a minute ago.

Mr. CLYMER. My colleague from Bucks County.

Mr. GEORGE. Anyway, you know the answer to the question. This has become very political, and I am saddened by it.

While he mentions the Governor, let me say this to you, and I hope that the Speaker does not prevail upon me, but I came here in 1974. In '78 we had a budget fight. We were into October. They were hanging clothes in the main lobby. People were distracted and destitute, and we had problems. And then we left the next administration in the black, and 8 years later that money was gone. And Bob Casey came in and we had to pass taxes again with a big fight, and we left \$4 or \$5 billion for the next administration, and he went out and he left us in this shape. And I am not complaining; they ran the government, the State, like they thought they should. But the end result is, there is only one person that you and I ought to consider and be concerned about: that is the people that send us here, the little guy, the middle guy, the guy that takes a beating because we sit and argue over something and it does not make sense.

Now, the truth is, if they want to help energy, in my area they talked about Marcellus shale. I am not against Marcellus shale gas. What I am against is putting the coal people out of business. Am I crazy about the coal damage it has done? No, but I am crazy and happy about the employment, the people that

can make money, the people that send me down here, the people that you and I continually tell back home, Paul, we are down here trying to do something for you.

I am sorry, Paul, but that is the only way I know. I am not as brilliant as some of these people—

The SPEAKER. Will the gentleman refrain from using the gentleman's name.

Mr. GEORGE. Oh, I apologize, Mr. Speaker. I think the world of that gentleman, and I am sorry if I did that. Would you accept my apology? What does that mean?

Mr. CLYMER. It is not a problem.

Representative George is Representative George, so it is not a problem.

Mr. GEORGE. What did he say, Mr. Speaker?

The SPEAKER. That it is not a problem. He accepted your apology.

Mr. GEORGE. It is not a problem me being Representative George? I am sorry; I do not hear good, Mr. Speaker.

The SPEAKER. Understood, but the members are reminded not to use the names of the members.

Mr. GEORGE. I am sorry. I apologize. I love the guy like he is my kid brother.

Mr. Speaker, I do not think Paul Clymer is right in everything he says, but he is continually up there fighting for his people. That is why I like him, okay?

The SPEAKER. Does the gentleman from Bucks County wish to interrogate further?

Mr. CLYMER. No. My one question of interrogation is through. I would like to speak—

The SPEAKER. Would the gentleman like to be recognized on the question before the House?

Mr. CLYMER. That is correct, Mr. Speaker.

The SPEAKER. On the question, shall the bill pass finally? The Chair recognizes the gentleman from Bucks County, Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

And I certainly appreciate the very kind and thoughtful words from my colleague from across the aisle. That was very thoughtful. However, we need to consider the total package of energy independence, and I want to get back to where I started. Nuclear energy is very important and we know that if we are going to move forward on an issue that is going to have great economic importance for the Commonwealth of Pennsylvania, my concern is that in addition to the Federal agency, the EPA (Environmental Protection Agency), putting in permits, we know that there are certain permits and regulations that the person, the utility billing the nuclear plant has to get from the State, and therein lies a very serious concern that I have. I would not want this Commonwealth to drag out, month after month, the permit process that would be used by the utilities to build an oil-saving nuclear power plant that will be a great benefit to the people of Pennsylvania and whoever else that they can sell that power to.

So, Mr. Speaker, I appreciate the opportunity to speak on this issue, and unfortunately, I cannot support my colleague on this legislation. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Butler County, Representative Metcalfe, for the second time. The gentleman waives off. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cambria County, who waives off.

LEAVE OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the minority whip, Representative Turzai, who requests the following leave for the gentleman, Mr. Dennis O'BRIEN, from Philadelphia for the day. Without objection, that leave will be granted.

CONSIDERATION OF HB 786 CONTINUED

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—111

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

NAYS—83

Adolph	Fleck	Maher	Rapp
Baker	Gabig	Major	Reed
Barrar	Gabler	Marshall	Reese
Bear	Geist	Marsico	Reichley
Benninghoff	Gillespie	Mensch	Roae
Boback	Gingrich	Metcalfe	Rock
Brooks	Godshall	Metzgar	Rohrer
Causer	Grell	Millard	Saylor
Christiana	Grove	Miller	Scavello
Civera	Harhart	Moul	Schroder
Clymer	Harris	Murt	Smith, S.
Cox	Helm	Mustio	Sonney
Creighton	Hennessey	Oberlander	Stern
Cutler	Hess	Payne	Stevenson
Day	Hickernell	Peifer	Swanger
Delozier	Hutchinson	Perzel	Tallman
Denlinger	Kauffman	Phillips	True
Ellis	Keller, M.K.	Pickett	Turzai

Evans, J.	Killion	Pyle	Vereb
Everett	Knowles	Quigley	Watson
Farry	Krieger	Quinn	

NOT VOTING—0

EXCUSED—9

Belfanti	Miccarelli	Perry	Solobay
Dermody	O'Brien, D.	Smith, M.	Wagner
Lentz			

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 984, PN 2209**, entitled:

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for split-off, separation or transfer; and providing for removal of land from preferential assessment.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage. The question is, shall the bill pass finally?

(Bill analysis was read.)

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the minority whip, Representative Turzai, who requests a leave for the gentleman from Lancaster County, Representative CREIGHTON. Without objection, the leave will be granted.

CONSIDERATION OF HB 984 CONTINUED

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS—193

Adolph	Everett	Levdansky	Reed
Baker	Fabrizio	Longietti	Reese

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Belfanti	Lentz	Perry	Solobay
Creighton	Miccarelli	Smith, M.	Wagner
Dermody	O'Brien, D.		

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 1394, PN 2211**, entitled:

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for definitions, for

responsibilities of the county assessor in general, for split-off, separation or transfer of land and for roll-back taxes and special circumstances; and providing for removal of land from preferential assessment.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Belfanti	Lentz	Perry	Solobay
Creighton	Miccarelli	Smith, M.	Wagner
Dermody	O'Brien, D.		

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 1431, PN 2183**, entitled:

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for definitions, for unlawful acts or practices and exclusions and for civil penalties; and adding provisions relating to unsafe children's products.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—193

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

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Belfanti	Lentz	Perry	Solobay
Creighton	Miccarelli	Smith, M.	Wagner
Dermody	O'Brien, D.		

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 1597, PN 1989**, entitled:

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, further providing for indebtedness and for the Second Stage Loan Program.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

(Bill analysis was read.)

The SPEAKER. The Chair recognizes the gentleman from Lycoming County, Representative Mirabito.
The House will come to order.

Mr. MIRABITO. Mr. Speaker, I rise today in support of HB 1597, also known as the Second Stage Loan Program. All of us ask what can we do to help private business create jobs? HB 1597 answers that call. The Second Stage Loan Program provides State-guaranteed loans for life science, manufacturing, and technology companies that have survived startup and are on the path to becoming larger businesses; hence, the name "Second Stage."

Some of us may ask why now and what does it cost? This bill does not spend any additional State dollars. HB 1597 enhances an existing State-guaranteed loan program, helping high-tech and manufacturing businesses grow and create jobs. How do we know it works? Because we heard it from the grass roots. Under the leadership of Chairman Daley and Chairman Hess, the House Commerce Committee has held hearings across the State to answer the question, how do we create jobs in an economic crisis? At one such hearing in Mercer County, we heard from a cross section of community bankers, small business leaders, and economic development experts. Some of what we heard was predictable, small businesses struggling because sales are down in this recession, but some of what we heard was not predictable. Small business is struggling not because they are unable to compete and small business is struggling not because they are unable to be profitable; they are struggling because their lines of credit have been depleted and they cannot get access to working capital to keep them afloat through this crisis.

HB 1597 helps them solve this problem. It will revise the parameters of the Second Stage Loan Program and make it possible for all small businesses to get the credit they need to keep moving through this crisis. In its 5 years of existence, the program as it exists now has only issued six loan guarantees, which means that we have businesses out there that need access to capital and are not getting it. Part of this is because the parameters in the program are very tight. HB 1597 will improve the loan parameters. It will keep a 2-year age minimum, but eliminate the age cap of 7 years. It will retain the 50-percent loan guarantee for the life of the term, and it will increase the per-loan cap to \$5 million.

Put simply, all of us talk about helping business create jobs. All of us talk about not spending State dollars to do it. This is an opportunity for all of us to step up to the plate, help the private sector make it through this recession, and be able to go back to our districts and tell them that we are fighting on their behalf. This bill will not open the floodgates for banks to make bad loans. This bill will not allow companies to simply get money. Banks will still be required to do the due diligence that they do, and companies will still be required to pay back the loans.

Mr. Speaker, I ask you to do two things today: Vote for the bill, but more importantly, go back to your district, ask them, ask the small businesspeople there if they need help and let them know about this program.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Belfanti	Lentz	Perry	Solobay
Creighton	Miccarelli	Smith, M.	Wagner
Dermody	O'Brien, D.		

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 1671, PN 2112**, entitled:

An Act amending the act of August 14, 1963 (P.L.839, No.407), entitled, as amended, "An act creating a county records committee; imposing powers and duties upon it; authorizing the Pennsylvania Historical and Museum Commission to assist and cooperate with it; defining county records; and authorizing the disposition of certain county records by county officers in counties of the second to eighth class," increasing the membership of the committee.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—193

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

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

NAYS-0

NOT VOTING-0

EXCUSED-10

Belfanti	Lentz	Perry	Solobay
Creighton	Miccarelli	Smith, M.	Wagner
Dermody	O'Brien, D.		

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.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Turning to leaves of absence, the Speaker recognizes the gentleman from Allegheny County, Representative Matt Smith, who is present on the floor. His name will be added to the master roll.

SB 81 RECONSIDERED

The SPEAKER. The Chair is in possession of two reconsideration motions, one to reconsider the vote to agree on second consideration of a bill, and the second reconsideration of a vote of an amendment to a bill.

The gentleman from Lackawanna County, Representative Murphy, and the gentleman from Luzerne County, Representative Carroll, move that the vote to agree to second consideration to SB 81, PN 996, which passed on the 23d day of June be reconsidered.

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

The following roll call was recorded:

YEAS-194

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

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Belfanti	Lentz	O'Brien, D.	Solobay
Creighton	Miccarelli	Perry	Wagner
Dermody			

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

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

AMENDMENT A01937 RECONSIDERED

The SPEAKER. The Speaker has a motion filed by Representative Murphy of Lackawanna County and Representative Carroll from Luzerne County to reconsider the vote on amendment A1937 to SB 81, which was passed on the 23d of June.

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

The following roll call was recorded:

YEAS-194

Adolph	Everett	Levdansky	Reed
Baker	Fabrizio	Longiatti	Reese
Barbin	Fairchild	Maher	Reichley

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

alcohol in accordance with the provisions of and the regulations made under this act; except that no store not so already located shall be located within three hundred feet of any elementary or secondary school, nor within a dry municipality without there first having been a referendum approving such location, nor shall any such store have an interior connection or interior passageway with an establishment that allows its patrons to bring their own liquor or alcohol for consumption on the premises whether or not the establishment possesses a license issued by the board. When the board shall have determined upon the location of a liquor store in any municipality, it shall give notice of such location by public advertisement in two newspapers of general circulation. In cities of the first class, the location shall also be posted for a period of at least fifteen days following its determination by the board as required in section 403(g) of this act. The notice shall be posted in a conspicuous place on the outside of the premises in which the proposed store is to operate or, in the event that a new structure is to be built in a similarly visible location. If, within five days after the appearance of such advertisement, or of the last day upon which the notice was posted, fifteen or more taxpayers residing within a quarter of a mile of such location, or the City Solicitor of the city of the first class, shall file a protest with the court of common pleas of the county averring that the location is objectionable because of its proximity to a church, a school, or to private residences, the court shall forthwith hold a hearing affording an opportunity to the protestants and to the board to present evidence. The court shall render its decision immediately upon the conclusion of the testimony and from the decision there shall be no appeal. If the court shall determine that the proposed location is undesirable for the reasons set forth in the protest, the board shall abandon it and find another location. The board may establish, operate and maintain such establishments for storing and testing liquors as it shall deem expedient to carry out its powers and duties under this act.

(b) The board may lease the necessary premises for such stores or establishments, but all such leases shall be made through the Department of General Services as agent of the board. The board, through the Department of General Services, shall have authority to purchase such equipment and appointments as may be required in the operation of such stores or establishments.

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

The following roll call was recorded:

NAYS-0

NOT VOTING-0

EXCUSED-9

Belfanti	Lentz	O'Brien, D.	Solobay
Creighton	Miccarelli	Perry	Wagner
Dermody			

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

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

The clerk read the following amendment No. **A01937**:

Amend Bill, page 5, by inserting between lines 16 and 17 Section 3.1. Section 301 of the act is amended to read:
Section 301. Board to Establish State Liquor Stores.—(a) The board shall establish, operate and maintain at such places throughout the Commonwealth as it shall deem essential and advisable, stores to be known as "Pennsylvania Liquor Stores," for the sale of liquor and

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

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

NAYS—3

Santarsiero	Schroder	Vitali
-------------	----------	--------

NOT VOTING—0

EXCUSED—9

Belfanti	Lentz	O'Brien, D.	Solobay
Creighton	Miccarelli	Perry	Wagner
Dermody			

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

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.)

RULES COMMITTEE MEETING

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

Mr. EACHUS. Thank you, Mr. Speaker.

Just an announcement for the Rules Committee. I would like to have a Rules Committee meeting tomorrow at 10:45. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman. There will be a Rules Committee meeting tomorrow at 10:45.

Are there any announcements?

ANNOUNCEMENT BY MR. MURT

The SPEAKER. The Chair recognizes the gentleman, Representative Murt, from Montgomery County. For what purpose does the gentleman rise?

Mr. MURT. Mr. Speaker, for the purpose of an announcement, Mr. Speaker. Tomorrow—

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

Mr. MURT. Mr. Speaker, tomorrow morning at 7:30 in room 39 in the East Wing, there will be a breakfast meeting of the Intellectual Disability Caucus. All the members are reminded to attend, and anyone who is interested is cordially invited to attend.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MR. MENSCH

The SPEAKER. For what purpose does the gentleman from Montgomery, Representative Mensch, rise?

Mr. MENSCH. Personal privilege.

The SPEAKER. Without objection, the gentleman is in order and may proceed.

Mr. MENSCH. First of all, on behalf of Representative Taylor and myself, we want to thank the House for unanimously approving our issue earlier today, but after the session this morning, I was asked about where is the German beer and the bratwurst? So I have a one-word answer for everyone, Oktoberfest. So please, we will be telling you more about it, but we intend, as the German Caucus, to have a little bit of fun around Oktoberfest. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

For what purpose does the gentleman from Berks County, Representative Caltagirone, rise? Does the gentleman wish to be recognized?

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, tomorrow at 10:30 a.m. in the Democratic caucus room, there will be a Democratic caucus, 10:30 a.m. tomorrow.

The SPEAKER. Are there any further announcements?

GAMING OVERSIGHT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Berks County, Representative Santoni.

Mr. SANTONI. Thank you, Mr. Speaker.

I just want to announce an informational committee meeting tomorrow morning at 9 in the majority caucus room. The Gaming Oversight Committee will be having an informational meeting on table games.

Thank you, Mr. Speaker.

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 Speaker has in its possession a motion to adjourn. That motion is made by the gentleman from Westmoreland County, Representative Reese, who moves that this House do now adjourn until Wednesday, June 24, 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 4:03 p.m., e.d.t., the House adjourned.