

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 24, 2009

SESSION OF 2009

193D OF THE GENERAL ASSEMBLY

No. 53

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (KEITH R. McCALL)
PRESIDING

PRAYER

The SPEAKER. The prayer will be offered by Pastor Rob Myallis, who is a guest of the Speaker and Representative Swanger.

PASTOR ROB MYALLIS, Guest Chaplain of the House of Representatives, offered the following prayer:

It is an honor to be here today and call on God for your blessing and guidance.

So let us pray:

Gracious God, we give You thanks for this day. We thank You for this country, its laws, and its liberty. Creating laws and crafting budgets that foster freedom but also protect the vulnerable is, we confess, difficult work, yet we acknowledge that it is a holy work given and enabled by You. Help those assembled here today to do the work that You have given them, to make laws that protect freedom and also foster compassion.

In Your name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNALS APPROVED

The SPEAKER. The Journals of Wednesday, April 29 and Thursday, April 30; Monday, May 4 of 2009, are now in print. Will the House approve those Journals?

On the question,

Will the House agree to the motion?

Motion was agreed to.

JOURNAL APPROVAL POSTPONED

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 1500 By Representatives STURLA, D. EVANS, GEIST, BEAR, BISHOP, BOYLE, BRENNAN, BRIGGS, BROWN, CALTAGIRONE, CARROLL, CASORIO, COHEN, D. COSTA, P. COSTA, CURRY, DePASQUALE, DONATUCCI, FABRIZIO, FRANKEL, GALLOWAY, GERBER, GERGELY, GODSHALL, GRUCELA, JOHNSON, JOSEPHS, KIRKLAND, KORTZ, MANDERINO, MANN, MELIO, MUNDY, MURPHY, O'NEILL, OLIVER, PARKER, PASHINSKI, PAYTON, PRESTON, READSHAW, ROEBUCK, SABATINA, SANTARSIERO, SANTONI, M. SMITH, THOMAS, WALKO, WATERS, WILLIAMS, YOUNGBLOOD, M. O'BRIEN and R. TAYLOR

An Act imposing a fee on municipalities for patrol services provided by the Pennsylvania State Police; and providing for allocation of funds and for penalties.

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

No. 1765 By Representatives BELFANTI, GERGELY, GOODMAN, MENSCH, BRENNAN, SIPTROTH, HORNAMAN, CALTAGIRONE, PASHINSKI, DeLUCA, GEORGE, HALUSKA, GRUCELA, FRANKEL, MURPHY, KORTZ, FABRIZIO and CARROLL

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for investment of surplus.

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

No. 1767 By Representative SCHRODER

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act, further providing for expansion for new parcels and for payments.

Referred to Committee on COMMERCE, June 24, 2009.

No. 1768 By Representatives WANSACZ, GOODMAN, EACHUS, CONKLIN, WILLIAMS, MUNDY, SIPTROTH, CARROLL and PASHINSKI

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further defining "host municipality"; and further providing for site limitations.

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

No. 1769 By Representatives SOLOBAY, MELIO, CALTAGIRONE, D. COSTA, DEASY, GINGRICH, GRUCELA, HELM, HORNAMAN, HOUGHTON, KORTZ, KULA, MAHONEY, MURPHY, MURT, READSHAW, SIPTROTH, THOMAS and YOUNGBLOOD

An Act amending the act of February 11, 1998 (P.L.58, No.15), known as the Combustible and Flammable Liquids Act, further providing for regulations and for prohibitions.

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

No. 1770 By Representatives GERGELY, BELFANTI, DIGIROLAMO, McCALL, EACHUS, MANN, BARBIN, BRENNAN, BUXTON, CALTAGIRONE, CARROLL, CASORIO, CONKLIN, D. COSTA, DALLY, DePASQUALE, DERMODY, DeWEESE, DONATUCCI, FABRIZIO, FRANKEL, FREEMAN, GALLOWAY, GEORGE, GERBER, GIBBONS, GOODMAN, GRUCELA, HALUSKA, HARHAI, HARHART, HARKINS, HESS, HORNAMAN, JOSEPHS, W. KELLER, KORTZ, KOTIK, KULA, LENTZ, LONGIETTI, MANDERINO, McGEEHAN, MELIO, MILLER, MUNDY, MURPHY, MURT, M. O'BRIEN, OLIVER, PARKER, PASHINSKI, PAYTON, PRESTON, SANTARSIERO, SANTONI, SEIP, SHAPIRO, SIPTROTH, K. SMITH, SOLOBAY, STABACK, STURLA, R. TAYLOR, WALKO, WHITE, YOUNGBLOOD and YUDICHAK

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further defining "State 'on' indicator" and "State 'off' indicator"; and further providing for total extended benefit amount.

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

No. 1771 By Representatives BUXTON, GOODMAN, GRELL, MARSICO, PAYNE, BAKER, BARBIN, BARRAR, BELFANTI, BRENNAN, BRIGGS, BROOKS, BURNS, CALTAGIRONE, CARROLL, CONKLIN, D. COSTA, CUTLER, DALLY, DEASY, DePASQUALE, DIGIROLAMO, ELLIS, J. EVANS, EVERETT, FABRIZIO, FAIRCHILD, FARRY, FLECK, GEIST, GEORGE, GERBER, GERGELY, GIBBONS, GINGRICH, GODSHALL, GRUCELA, HARHAI, HARHART, HARKINS, HARRIS, HELM, HESS, HICKERNELL, HORNAMAN, HOUGHTON, KAUFFMAN, KORTZ, KOTIK, KULA, LONGIETTI, MAHONEY, MARKOSEK, McILVAINE SMITH, MENSCH, MILLARD, MILLER, M. O'BRIEN, O'NEILL, PALLONE, PICKETT, PYLE, RAPP, READSHAW, REED, ROAE, SAINATO, SCAVELLO, SHAPIRO, SIPTROTH, M. SMITH, SOLOBAY, SWANGER, TRUE, WALKO, WATSON, YUDICHAK, MUSTIO, STEVENSON, YOUNGBLOOD, MURT, MOUL and LEVDANSKY

A Supplement to the act of July 4, 2008 (P.L.1735, No.38A), entitled "An act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2008, to June 30, 2009, for certain institutions and organizations, and for the payment of bills incurred and remaining

unpaid at the close of the fiscal year ending June 30, 2008; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund and the Tobacco Settlement Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2008, to June 30, 2009; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2008, to June 30, 2009, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2008; to provide for the additional appropriation of Federal and State funds from the General Fund for the Executive, Legislative and Judicial Departments of the Commonwealth for the fiscal year July 1, 2007, to June 30, 2008, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2007," providing for an appropriation for the period from July 1, 2009, to July 31, 2009.

Referred to Committee on APPROPRIATIONS, June 24, 2009.

No. 1772 By Representatives MATZIE, D. COSTA, FRANKEL, JOSEPHS, KORTZ, MANN, MELIO, M. O'BRIEN, K. SMITH and WALKO

An Act amending the act of January 19, 1967 (1968 P.L.992, No.442), entitled "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for acquisition of interests in real property, for local taxing options and for exercise of eminent domain.

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

No. 1773 By Representatives MUSTIO, BARRAR, BELFANTI, CASORIO, CLYMER, CREIGHTON, CRUZ, DENLINGER, EVERETT, FLECK, GEIST, GIBBONS, HARRIS, HICKERNELL, METCALFE, MILLARD, MILLER, MOUL, O'NEILL, READSHAW, REICHLEY, SEIP, SOLOBAY, SWANGER, TRUE, TURZAI and VULAKOVICH

An Act prohibiting certain licensees from knowingly employing illegal aliens; and imposing sanctions.

Referred to Committee on PROFESSIONAL LICENSURE, June 24, 2009.

No. 1774 By Representatives BOYD, BEYER, CREIGHTON, DeLUCA, DENLINGER, FAIRCHILD, GINGRICH, GODSHALL, MICOZZIE, O'NEILL, PYLE and VULAKOVICH

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 marketing and administration of service contracts being distinct from the business of insurance.

Referred to Committee on INSURANCE, June 24, 2009.

No. 1775 By Representatives LEVDANSKY, D. EVANS, McCALL, EACHUS, McILVAINE SMITH, CARROLL,

FREEMAN, GIBBONS, GOODMAN, GRUCELA, HALUSKA, HOUGHTON, JOSEPHS, KESSLER, KORTZ, MANDERINO, McGEEHAN, MELIO, MUNDY, PASHINSKI, READSHAW, SIPTROTH, SOLOBAY, STURLA, WHITE and YOUNGBLOOD

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in corporate net income tax, for definitions, for reports and payment and for consolidated reports; and further providing, in general provisions, for underpayment of estimated tax.

Referred to Committee on FINANCE, June 24, 2009.

No. 1778 By Representatives BOYD, BEAR, BEYER, CALTAGIRONE, CREIGHTON, DeLUCA, DENLINGER, EVERETT, GEIST, GILLESPIE, GINGRICH, GROVE, HALUSKA, HELM, HICKERNELL, JOSEPHS, M. KELLER, KILLION, LONGIETTI, MANDERINO, MARSHALL, McILVAINE SMITH, MELIO, MILNE, MURT, O'NEILL, PALLONE, PYLE, RAPP, REICHLEY, ROHRER, SANTONI, SCAVELLO, SIPTROTH, SONNEY, SWANGER, TALLMAN, TRUE, WATSON and YOUNGBLOOD

An Act amending the act of October 9, 2008 (P.L.1413, No.114), known as the Long-Term Care Patient Access to Pharmaceuticals Act, further providing for legislative intent, for definitions, for third-party drugs in long-term care facilities and for civil liability and unprofessional conduct.

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

No. 1779 By Representatives WANSACZ, STABACK, MAJOR, GOODMAN, BELFANTI, BEYER, BRENNAN, CALTAGIRONE, COHEN, D. COSTA, DENLINGER, DERMODY, EVERETT, FLECK, GIBBONS, GINGRICH, GRUCELA, HALUSKA, HELM, HENNESSEY, KORTZ, KOTIK, KNOWLES, MAHONEY, MANN, MARSICO, MILLARD, MURT, MUSTIO, PALLONE, PHILLIPS, RAPP, READSHAW, REED, REICHLEY, SIPTROTH, STEVENSON and YOUNGBLOOD

An Act designating a bridge in Lackawanna County as the John E. Fitzgerald Bridge.

Referred to Committee on TRANSPORTATION, June 24, 2009.

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

LEAVES OF ABSENCE

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

The Chair recognizes the minority whip, Representative Turzai, who requests the following leaves of absence: Representative GINGRICH from Lebanon County for the day and Representative TRUE from Lancaster County for the day. Without objection, the leaves will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—195

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—8

Belfanti	Gingrich	Miccarelli	True
Dermody	Lentz	Perry	Wagner

LEAVES ADDED—1

Rohrer

LEAVES CANCELED-2

Dermody True

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

GUESTS INTRODUCED

The SPEAKER. The Chair has some guests he would like to welcome to the hall of the House. To the left of the Speaker, Emily Myallis, the pastor's wife, and their daughter, Audrey. Will the guests please rise. Welcome to the hall of the House.

Also to the left of the Speaker, the Chair welcomes Samantha Giles, who is the daughter of Sandy Giles, whom you see running around here all day. She is the guest of the Speaker. Will she please rise. Welcome to the hall of the House.

In the well of the House, the Chair welcomes the niece of Representative Garth Everett, Sarah, who is a guest page today. Will the guest page please rise. Welcome to the hall of the House.

Also serving as guest pages, in the well, are Olivia Elliftawi and Nuria Hunter, who are the guests of Representative Rick Mirabito from Lycoming County. Will the guests please rise. Welcome to the hall of the House.

In the back of the hall of the House, the Chair welcomes Bill Dixon, legislative aide to Representative Tom Murt. Will the guest please rise. Welcome to the hall of the House.

Also in the back, on the House floor, are Joseph Mahady, Ariel Finegold, and Alisha Bazaz, who are the guests of Representative Mike Gerber. Will the guests please rise. Welcome to the hall of the House.

In the gallery, the Chair welcomes Eugene "Ching" Bowman, Edward Hay, and Jacob Hay, who is an intern for Representative Metzgar. Will the guests please rise. Welcome to the hall of the House.

In the back of the House, the Chair welcomes Bradley Vasko and his parents, Joe and Gail Vasko. They are the guests of Representative Craig Dally. Will the guests please rise. Welcome to the hall of the House.

To the left of the Speaker, the Chair welcomes Chuck and Carol Klingensmith from Jamestown. They are the guests of Representative Michele Brooks. Will the guests please rise. Welcome to the hall of the House.

In the well of the House, the Chair welcomes Michael Buchheit. He is serving as a guest page today. He is the son of Edward and Diane Buchheit, seated in the back of the House. Will the guest page please rise. Parents, please rise. Welcome to the hall of the House.

To the left of the Speaker, the Chair welcomes Sean Sebastian, who is a guest of Representative Mike Turzai. Will the guest please rise. Welcome to the hall of the House.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. REICHLEY called up HR 370, PN 2252, entitled:

A Resolution honoring Dorney Park and Wildwater Kingdom amusement park and water park in South Whitehall Township, Lehigh County, on the occasion of its 125th anniversary.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Table listing names of members who voted 'YEAS' (195 total). Includes names like Adolph, Baker, Barbin, Barrar, Bear, Benninghoff, Beyer, Bishop, Boback, Boyd, Boyle, Bradford, Brennan, Briggs, Brooks, Brown, Burns, Buxton, Caltagirone, Carroll, Casorio, Causer, Christiana, Civera, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Cruz, Curry, Cutler, Daley, Dally, Day, Deasy, Delozier, DeLuca, Denlinger, DePasquale, DeWeese, DiGirolamo, Donatucci, Drucker, Eachus, Ellis, Evans, D., Evans, J., Everett, Fabrizio, Fairchild, Farry, Fleck, Frankel, Freeman, Gabig, Gabler, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillespie, Godshall, Goodman, Grell, Grove, Grucela, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Helm, Hennessey, Hess, Hickernell, Hornaman, Houghton, Hutchinson, Johnson, Josephs, Kauffman, Keller, M.K., Keller, W., Kessler, Killion, Kirkland, Knowles, Kortz, Kotik, Krieger, Kula, Levdansky, Longiotti, Maher, Mahoney, Major, Manderino, Mann, Markosek, Marshall, Marsico, Matzie, McGeehan, McI. Smith, Melio, Mensch, Metcalfe, Metzgar, Micozzie, Millard, Miller, Milne, Mirabito, Moul, Mundy, Murphy, Murt, Mustio, Myers, O'Brien, D., O'Brien, M., O'Neill, Oberlander, Oliver, Pallone, Parker, Pashinski, Payne, Payton, Peifer, Perzel, Petrarca, Petri, Phillips, Pickett, Preston, Pyle, Quigley, Quinn, Rapp, Readshaw, Reed, Reese, Reichley, Roae, Rock, Roebuck, Rohrer, Ross, Sabatina, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schroder, Seip, Shapiro, Sipthroth, Smith, K., Smith, M., Smith, S., Solobay, Sonney, Staback, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, J., Taylor, R., Thomas, Turzai, Vereb, Vitali, Vulakovich, Walko, Wansacz, Waters, Watson, Wheatley, White, Williams, Youngblood, Yudichak, McCall, Speaker.

NAYS-0

NOT VOTING-0

EXCUSED-8

Table listing names of members who were 'EXCUSED' (8 total). Includes names like Belfanti, Dermody, Gingrich, Lentz, Miccarelli, Perry, True, Wagner.

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

* * *

Mr. PAYNE called up **HR 375, PN 2271**, entitled:

A Resolution celebrating the success of the Hershey Bears 2008-2009 hockey team in winning the American Hockey League championship on Friday, June 12, 2009, and bringing the Calder Cup to Hershey for the unprecedented tenth time in American Hockey League history.

On the question,
Will the House adopt the resolution?

The SPEAKER. On the resolution, the Chair recognizes the gentleman from Dauphin County, Representative Payne.

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

The Chair recognizes the gentleman from Dauphin County, Representative Payne.

Mr. PAYNE. Thank you, Mr. Speaker.

Mr. Speaker, I am proud to be here today with the Calder Cup of the American Hockey League, won again by the Hershey Bears from Hershey, Pennsylvania. It is the equivalent in the American Hockey League of the Stanley Cup in the National Hockey League. We had a great history this past year of the Phillies winning, the Steelers winning, the Pens winning, and the Bears winning. How about a round of applause for the Pennsylvania teams.

Thank you. Hockey in Hershey has been a fixture from day one, but not one game would have been played without the vision of two remarkable men – Mr. Hershey himself and John Sollenberger. Ice hockey came to Hershey in the midst of The Depression in 1931. The first game ever played was February 18, 1931. Hershey was home and played in the '31-'32 series for their first year in the league.

The Bears joined the Amateur Hockey League and played regularly scheduled games against Baltimore, Atlantic City, and Philly. The Hershey Hockey Club was named the Hershey B'ars and team colors were maroon and silver, just like the Hershey bar. At the start of the 1936 season, the B'ars were renamed the Hershey Bears. In 1938 the Bears officially joined the American Hockey League. On December 19, skating on the ice in a brand-new Hershey Sports Arena was a first. Now they play in the Giant Center, a brand-new, state-of-the-art facility. I am pleased today to be here with the Calder Cup, and the Bears have won this cup in '46, '57, '58, '68, '73, '79, '87, '96, 2005, and yes, now – 2009. Thank you. A round of applause – thank you – for the Bears.

Their season's most valuable player, recognized by the AHL, was the leader in 60 regular season and 15 playoff season games with the most goals. Joining us today are the president and general manager, Doug Yingst, and head coach, Bob Woods, who was just promoted to the Washington Capitals. He is leaving the Bears to become an assistant coach down with the Capitals. If I could have a round of applause for the general manager and the head coach.

For those who want an opportunity to stand and have a picture with the cup, we will have it in the back in the post

office room afterwards. It is extremely heavy. It is a lot heavier than I thought when I first picked it up.

I am pleased to ask for your support and your positive vote on HR 375. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence of the gentelady from Lancaster, Representative True, on the floor of the House. Her name will be added to the master roll.

CONSIDERATION OF HR 375 CONTINUED

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

The following roll call was recorded:

YEAS—196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Belfanti	Gingrich	Miccarelli	Wagner
Dermody	Lentz	Perry	

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

STATEMENT BY SPEAKER

The SPEAKER. Also, the Chair would like to congratulate the general manager, Doug Yingst, and Bob Woods, who was recently called up, just yesterday, to the Washington Capitals. Unfortunately, there will be a lot of members in this chamber that will be rooting against the coach with all the Penguins and Flyers fans in this building, but nonetheless, our congratulations.

RESOLUTIONS PURSUANT TO RULE 35

Mr. BAKER called up HR 29, PN 91, entitled:

A Resolution recognizing August 16 through 21, 2009, as "Pay It Forward Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair will note that Representative Baker will be the member actually calling up the resolution, HR 29.

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

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Belfanti	Gingrich	Miccarelli	Wagner
Dermody	Lentz	Perry	

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

* * *

Mrs. BEYER called up HR 315, PN 2213, entitled:

A Resolution extending a warm welcome to the United States Women's Open golf tournament to be hosted by the Saucon Valley Country Club in Bethlehem on July 6 through 12, 2009.

On the question,
Will the House adopt the resolution?

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

Mrs. BEYER. Thank you, Mr. Speaker.

The SPEAKER. The House will come to order. The gentelady may proceed.

Mrs. BEYER. Thank you, Mr. Speaker.

I rise to ask you to join me in recognizing this hallmark event in women's golf - actually, it is the hallmark event of women's

golf in the world – coming to my district next month. Nestled in the heart of the Lehigh Valley, Saucon Valley Country Club will host the 2009 U.S. Women's Open Golf Tournament, in just 2 short weeks, from July 9-12. Saucon Valley, which has been labeled an "American legacy" and also named one of Golf Digest's top courses in the United States, will be hosting its sixth United States Golf Association Championship and third in the last 15 years. Saucon Valley is truly one of the treasures of the Lehigh Valley and the Commonwealth.

July marks the time when the greatest female golfers in the world converge to determine the 56th U.S. Open champion, and I, along with my colleagues Representative Jennifer Mann and Senator Lisa Boscola, have had the honor of serving as members of the U.S. Women's Open Advisory Council. But this is more than just great golf on a beautiful and pristine course; it is about the engagement with the community in the form of thousands of volunteers who will work tirelessly throughout the week, and the tremendous economic impact on the Lehigh Valley. The U.S. Women's Open has also found a novel and groundbreaking way of engaging with the community, and especially children, throughout the Lehigh Valley by creating a program called Adopt-A-Player.

May I have order, Mr. Speaker?

The SPEAKER. The House will come to order. The gentlelady has a right to be heard. The Chair would ask the members to take their conversations off the floor of the House.

Mrs. BEYER. Twenty-five professional tour players, who will be competing at the U.S. Open, volunteered to be part of an experience where they communicate by blogging with classroom children, third and fourth graders in 25 corresponding schools in the Lehigh Valley and actually throughout eastern Pennsylvania. And this is not just an exchange of e-mails; golfers and students have communicated throughout the entire school year and teachers have designed lesson plans to engage each of the classrooms of students with their adopted player and with the U.S. Open. The experience has culminated with kids getting to meet their pen pal golfer the week of the event at Saucon Valley and wearing a specifically designed and colored T-shirt. Not only do students get to meet a great athlete, they reap a tremendous educational benefit from an experience that will stick with them for the rest of their lives. You know, after all, golf is a lifetime sport.

The United States Golf Association's commitment to Pennsylvania's children and to Pennsylvania is historic. No State has hosted more USGA golf events in the country than our great Commonwealth, and frankly, I cannot think of a professional or amateur association that has a greater commitment to children.

Just as the United States Golf Association is synonymous with great golf, the women with us today, especially one in particular, are synonymous with staging great golf events. Mimi Griffin is president of MSG Promotions, a Bethlehem-based, woman-owned business, which is responsible for management and marketing of the U.S. Open and many of golf's hallmark events. Mimi joins us today on the heels of the spectacular U.S. Men's Open, which just finished at Bethpage Black. Mimi epitomizes sports. You may recognize her as having been ESPN's lead women's basketball analyst for many years. She was also the first CBS Sports female color analyst for the Men's NCAA (National Collegiate Athletic Association) Basketball Tournament.

Please join me in recognizing this great upcoming event and welcoming to the House floor the president of MSG Promotions and the executive director of the 2009 U.S. Women's Open at Saucon Valley, Mimi Griffin. Mimi is also joined by Jeanne Taylor, executive vice president of MSG.

Mr. Speaker, I urge affirmative support of HR 315.

The SPEAKER. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Gingrich	Miccarelli	Wagner
Dermody	Lentz	Perry	

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

The SPEAKER. Page 12 of today's House calendar, the Chair recognizes the gentleman from Chester County, Representative Houghton, who is offering a resolution sponsored by Representative Lentz and offering it on his behalf, who calls up HR 335, PN 2025.

* * *

Mr. HOUGHTON called up **HR 335, PN 2025**, entitled:

A Resolution designating the month of June 2009 as "Military Families Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. On the question, the Chair recognizes the gentleman from Chester County, Representative Houghton.

Mr. HOUGHTON. Thank you, Mr. Speaker.

Good morning everyone. As I am sure you know, Representative Bryan Lentz is home dealing with a serious family issue, health issue. He has asked me to speak to this resolution, and as a cosponsor, I am certainly happy and proud to do so.

It seems that we are going to be away from our families a lot in the coming weeks. When a budget agreement is finally reached, I am sure we will all race home. However, I would like to call attention to another group of individuals who know all too well what it is like to miss a spouse, child, or parent – the family members of our fellow citizens serving in the military. Members of the United States military should always have the support and deep respect of Americans. We also need to recognize the deep impact their service has on their families. These family members deal with long separations from loved ones and the constant possibility of having to pack all of their possessions to move to bases across the country or around the globe. In addition to all of that, many of them also selflessly volunteer to provide support to deployed service members and aid to fellow military families. We need to do more to help these families cope with the stress, the worries, and everything else that comes with having a family member in the military.

This Commonwealth is home to military service members and families representing every branch of the Armed Forces. There are approximately 19,000 Pennsylvania National Guard members in more than 90 communities statewide. About 6,000 of the soldiers and airmen are deployed right now around the world – that includes two of our esteemed colleagues, the Honorable Scott Perry and Nick Miccarelli, who are honorably serving their country as we speak. And as we just learned on Monday, Representative Perry's wife is without her husband as she is dealing with the birth of a new child.

Joining us in the back of the House floor today are members of Blue Star Families, a nationwide, nonpartisan organization that aims to connect military families with each other for support and camaraderie. Also joining us on the floor are Blue Star Mothers, and hopefully, one Gold Star Mother who was not here a few minutes ago; hopefully, she has had the chance to arrive there.

GUESTS INTRODUCED

The SPEAKER. Will the guests please rise.

Mr. HOUGHTON. Mrs. Mary Warner, who lost her son, LCpl. Adam C. Conboy of the United States Marine Corps, on May 12, 2006. These Blue Star organizations play an important role in supporting and building solidarity among military families who might have a loved one deployed or are being transferred to a new location. By creating awareness about programs and services available to the military community and their family members and by serving as their advocates, organizations like Blue Star Families and Blue Star Mothers make life easier for the men and women who selflessly serve and defend our country.

Pennsylvania is proud to recognize and honor the families of our service members, who through their love and support of their loved ones serving and each other, also help ensure our continued freedom, liberty, and way of life. This resolution honors and recognizes these families for the contributions, as well as those that are loved ones, who willingly sacrifice every day to defend and serve our country. So on behalf of Representative Lentz, I ask that you join me today and vote "yes" to designate the month of June 2009 as "Military Families Month" in Pennsylvania in honor of America's military families, and encourage our citizens to recognize the outstanding contributions that these families have made to aid those who defend our nation.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Gingrich	Miccarelli	Wagner
Dermody	Lentz	Perry	

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

McGOWAN INSTITUTE PRESENTED

The SPEAKER. Does the gentleman, Representative Maher— Would he like to be recognized?

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

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

I know we had a full schedule for today. I do appreciate your consideration in shoehorning in a bit of time to share some very, very good news with our colleagues.

We often have the benefit of youngsters visiting us for one reason or another. A few weeks back I met a young man, 5 years old. He visited here in the Capitol. There is no other 5-year-old on the entire planet like this young man, and it is not because of anything that he accomplished, although, I suppose that is not fair. Let me just tell you about him.

This young man was at a church – 5 years old – he caught his finger in a door. It amputated part of his ring finger. His parents did what I suppose any one of us would do to start with: After the shock, they collected the detached part of the finger, they hurried to the local hospital, and they beseeched the surgeons to reattach the finger. The surgeons said, when you are dealing with children, when you are dealing with such tiny vascular structures, that they could attempt to reattach, but chances are

the entire finger would get gangrenous and he would lose what was left. Now, until this history of the entire world, until now, if you were a parent, you had pretty much done what you could do. But because of a group of people who are visionary in Pittsburgh, these parents went on the Web and did some research, and they discovered something that every one of us should know about: the McGowan Institute for Regenerative Medicine.

They showed up without an appointment. First thing in the morning, when the doors opened, they said, here is our little boy; here is his finger. Can you help us? Now, this little boy, if you were to meet him, you cannot tell that he ever lost anything. They regrew this young man's finger, regenerated his finger as if it was some kind of magical starfish; it is not. There are no other children like this, but there will be in the future because of the McGowan Institute.

McGowan manufactures miracles at such a rate that it really can take your breath away. Cpl. Mike Jernigan, a Marine, lost his eyes due to an IED (improvised explosive device). The man lost his eyes serving our nation. For the first time in the history of the world – not speaking metaphorically, but speaking actually – a man with no eyes can now see something. He can see something because of the vision of the people at McGowan Institute who had this brainstorm that when we process a vision in our brain – you think you see with your eyes, but you do not; you really see with your brain, but that center of your brain is right next door to where you process taste. Somebody had the crazy, ridiculous idea that if you send visual information upstream through the taste buds that the brain will say, you know what? This does not exactly taste like a hamburger, this is something else, and will pass that information on to the next part of the brain. Now, he does not see the way you and I see, but he is a pioneer who can see something despite the fact that the man has no eyes. This is profound. This is game changing. The benefits to society, the benefits to the individuals, the benefits to our State from the McGowan Institute of Regenerative Medicine are impossible to measure in any terms that we are familiar with.

GUESTS INTRODUCED

Mr. MAHER. Please join me in welcoming to the hall of the House the leaders of the center, Dr. Alan Russell, Dr. John Murphy – if you would indulge me, gentlemen, would you please rise?

The Good Book tells us that none are so blind as those who will not see. The Good Book did not anticipate that when others have vision, even those who have no eyes might see something. It is the vision of McGowan that is going to change lives all across Pennsylvania. It is amazing and it is something we can all agree on, that these are good things. Seeing is believing. We always get people who are tugging on our sleeves, they need help with this, they need help with that; seeing is believing. It is amazing. Thank you for welcoming these pioneers to our chamber.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MR. FRANKEL

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

Mr. FRANKEL. Thank you, Mr. Speaker.

I want to join with my colleague from Allegheny County in welcoming the folks from McGowan who have shared with many of us some of those great things that they have been doing over the years including the two breakthroughs that my colleague identified. There have been many other things – artificial skin, an artificial heart for infants; extraordinary things. But I think the members of the General Assembly also need to know that we have been a partner with the McGowan Institute over many, many years, helping to fund their research. Each and every year the legislature has appropriated money that has been absolutely vital to the sorts of things that you heard about here on the floor today, and quite frankly, that partnership is in jeopardy right now. One of the things that I think we need to consider as we go through this process and the budget are organizations like the McGowan center, who are leading advancements in medicine and scientific research, who will, in fact, in addition, provide great economic vitality for the Commonwealth in terms of job creation as these inventions become commercially marketable. That partnership is something that we should sustain and something we should remember as we work together to craft a budget this session. Thank you.

GUESTS INTRODUCED

The SPEAKER. The Chair welcomes guest pages Claudia and Erynn Day. They are the daughters of Representative Day. They are in the well of the House. And also, to the left of the Speaker is Susan Day, the wife of Representative Day. Will the guests please rise. Welcome to the hall of the House.

In the rear of the House, the Chair welcomes Keystone Girls State's Jennifer Seiger, Dorcas Ninudude, and Elizabeth Casey. They are the guests of Representative Melio and Representative Farry. Will the guests please rise. Welcome to the hall of the House.

LEAVE OF ABSENCE

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

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

HB 1615, PN 2290 (Amended) By Rep. ROEBUCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in education improvement tax credit, further providing for the eligibility of summer pre-kindergarten programs.

EDUCATION.

BILLS ON THIRD CONSIDERATION

The House proceeded to third 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 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 Montgomery County, Representative Murt.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, I rise to urge an affirmative vote to HB 42. Mr. Speaker, Pennsylvania's historic homes and neighborhoods are an important legacy of our Commonwealth, and we certainly should be encouraging the preservation of these properties. By providing incentives to buyers and sellers of historic homes and homes in historic neighborhoods, HB 42 will help preserve Pennsylvania's heritage in residential and commercial sectors. Mr. Speaker, the Historic Preservation Incentive Program will help to revitalize communities by reducing blight, increasing property values and tax revenues, and adding new jobs to our downtown business districts. Therefore, I urge my colleagues to join me in supporting this bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. FREEMAN. Thank you, Mr. Speaker.

I want to thank the gentleman from Montgomery County for his kind remarks in support of this legislation. This legislation has a broad base of support from many groups who are active in historic preservation but also in revitalizing our older communities. It really provides a tremendous opportunity to target in on older properties, to restore them to their historic value, and to enhance the stability of many of our older communities across Pennsylvania. I urge the members to support this legislation and thank you for your consideration.

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	Longiitti	Reese
Baker	Fabrizio	Maher	Reichley
Barbin	Fairchild	Mahoney	Roac
Barrar	Farry	Major	Rock
Bear	Fleck	Manderino	Roebuck

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

NAYS-2

Creighton Metcalfe

NOT VOTING-0

EXCUSED-8

Belfanti	Gingrich	Miccarelli	Rohrer
Dermody	Lentz	Perry	Wagner

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 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 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 the question, the Chair recognizes the gentleman from Armstrong County, Representative Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

Mr. Speaker, as a member of Fish and Game Committee, I would like to positively attest that Chairman Staback has been a gentleman willing to work with all groups involved. On HB 97, on many times, he has personally reached out to me to ask me, what was my opinion on this part or that part? Many times he has been most accepting of some of the things I have asked for, but, Mr. Speaker, I fear at this point, there are glitches within HB 97 that due to timing of amendments being filed yesterday – which we will talk about later because it is somewhat questionable – due to the filing timing of amendments yesterday, we were not able to insert input into this bill that we feel would have put the final, honed edge on that blade.

Mr. Speaker, what I refer to is the penalty structure within HB 97. Mr. Speaker, nobody on this floor doubts that we are serious, as Chairman Staback is, about hammering down on poachers. Poachers give legitimate sportsmen a bad name and take from the Commonwealth that which belongs to all the people of the Commonwealth. They should be punished, and they should be chastised and sanctioned and have penalties put upon them. What I have a problem with, however, Mr. Speaker – and had my amendments been timely filed, they probably would have been addressed – again, is the penalty structure. Mr. Speaker, within HB 97, and I hate to be dramatic and use this example, we actually punish someone who shoots two deer after sundown within 10 years of each other more harshly than we punish schoolyard predators, Mr. Speaker. And in the big picture, there is something very wrong with that.

Mr. Speaker, where I come from, the economy is not what it is in the great east. We do have people who are forced, to put meat in their freezers, to go out and shoot deer. They are not game hunters. They are not people who go out and slay 300 deer just to harvest the hides. These are people who are hunting to put meat on their kids' plates. Should that man, if he shoots two deer after sundown over a period of 10 years, be branded a felon, Mr. Speaker? That is what HB 97 does. Felons, just to remind the esteemed members of this floor, are not allowed to vote. They are not allowed to own firearms, and even though HB 97 does not clearly or definitively outline a

confiscation of someone's firearms, in effect, du jour, that is what it does. Felons are not legally allowed to own firearms.

Mr. Speaker, I am sorry; I respect the chairman with the utmost of my heart, but I cannot vote for HB 97. And just this morning we learned there are a number of groups that agree with us. Of all people, the County Commissioners Association objects to HB 97, the Allegheny County Sportsmen object to HB 97, and the National Rifle Association, of which I am a proud member, most vociferously objects to HB 97. Mr. Speaker, I truly, truly appreciate the gentleman that Chairman Staback has been and his willingness to cooperate with the rest of us, but I would urge the august members of this hallowed chamber to vote against HB 97. We are so very close, and if not for a time stamp up in LRB (Legislative Reference Bureau), we would have had a chance to talk about these amendments, but as it is now, I feel we are rushing into something that will hurt our Pennsylvania sportsmen and affect us well into the future.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

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

I rise in opposition to HB 97. I want to make it clear: I am against poaching. I think that there needs to be a systematic approach to preventing poaching. It needs to be taken seriously. But I was also a former prosecutor. I prosecuted for over 4 years, and I have to tell you, in reviewing the penalties for the crimes that are supposedly at issue, they are far too significant. My understanding is that the District Attorneys Association has significant concerns with the bill as written. It establishes fines which are higher than fines established in the Crimes Code for stalking, endangering the welfare of children, child pornography, and prostitution involving minors. It establishes penalties that make it a more serious offense to assault a wildlife conservation officer than it is to assault a municipal police officer. That is not commensurate. That is not fair. It imposes penalties that are as much as 15 times higher than the fines for similar offenses in neighboring States, mandates license suspensions that are 3 to 15 times higher than neighboring States, and substantially higher prison terms than neighboring States. It creates a jail sentence for failure to pay fines and costs for Game Code violations that it is four times higher than the possible jail sentence for willful failure to pay child support or civil contempt for violation of the protection from abuse order.

Look, that is just far too stringent and is not what a fair and reasonable legal system, a prosecutorial system, entails. I want to provide one specific example: Let us take, really with respect to taking turkey out of season under the existing Game Code and how it would be under HB 97. And remember, this includes aiding and abetting; it does not mean just shooting a turkey. Today it would be a fourth-degree summary for a first offense with a \$100 to \$300 fine, and a second offense within 2 years would mean that the fine could be 1 1/2 times that fine. Here you can have a second offense within 10 years of taking a turkey out of season, a second offense within 10 years, and it is a third-degree felony with a \$10,000 to \$15,000 fine potential and a 3-year imprisonment potential and a loss of a hunting license for 15 years.

Mr. Speaker, when you are putting together a prosecutorial scenario, a prosecutorial system, the crime and the punishment have to be narrowly tailored and they have to be reflective of what you are doing in other aspects of the criminal system and what other States are doing with respect to those same items within the criminal system. This right now is far, far too stringent. It is inappropriate. I think it needs to be revisited. I think it certainly needs to be revisited in discussions with the district attorney's office and from a law enforcement perspective, and in addition, I think, from the promotion of game hunting in this State and the sportsmen's perspective. It is just wrong the way it is presently written, and I would ask for a "no" vote. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland County, Representative Krieger.

Mr. KRIEGER. Thank you, Mr. Speaker.

Like many of you, some of my fondest memories are of days in the field. I can still remember the excitement of my first day of buck season. I can still feel the cold seep down my neck as I stand there against the tree and see the sky light up in the east. I can still see my grandfather in his old Woolrich coat smoking his pipe. I can remember the hunt with my father when I got my first buck.

Like many of you, I have loved hunting all my life, and I am angry when I hear of a good buck taken out of season just for the rack, when I hear of someone shooting a deer from the road just for the thrill of it. I strongly oppose poaching, but one can strongly oppose poaching and oppose HB 97. We are called upon to establish policy for this great Commonwealth, but we must do so with justice.

Now, the previous speakers have talked about some of the penalties, which I deem to be excessive. One of the things this bill would do is make it a felony to shoot two deer out of season, for whatever reason, within a 10-year period. Now, I do not defend taking two deer out of season, but I think justice demands that the penalty fit the crime. Here is a list of the criminal offenses that are graded as misdemeanors, less than the grading that HB 97 would assign to the taking of two deer out of season in a 10-year period: endangering the welfare of a child—

The SPEAKER. Will the gentleman yield. The House will come to order. Members will please take their seats. The Chair would request that members take their conversations off the floor of the House. This is an important debate. The House will come to order.

The gentleman, Mr. Krieger, may proceed.

Mr. KRIEGER. Thank you, Mr. Speaker.

As I was saying, here is a list of some of the criminal offenses that are graded as misdemeanors, less than the grading that HB 97 would establish for taking two deer out of season in a 10-year period: endangering the welfare of a child, dealing in infant children, luring a child into a vehicle, terroristic threats, stalking, threat to use a weapon of mass destruction, indecent assault, and prostitution. Only when the prostitute was HIV (human immunodeficiency virus) positive or had AIDS (acquired immune deficiency syndrome) do we increase the grading of the offense to a felony 3 – the same grading that we would assign to taking two deer out of season. So in effect, what we are saying with HB 97 is that it is more wrong to shoot two deer out of season than it is to commit indecent assault, to buy or sell infant children, to lure a child into a vehicle, or to

threaten to use a biological, chemical, or nuclear weapon. We are also saying that it is morally equivalent to a prostitute with AIDS putting people's lives at risk. As the previous speaker mentioned, for that particular felony, there would be up to 3 years imprisonment, a minimum of a \$10,000 fine, and the possibility of 2 more years imprisonment if in fact that fine could not be paid.

Now, there are many factors when we consider bills in this chamber and we make decisions. As you make your decision on HB 97 today, I would ask you to ask yourself one question: Is it just, and is it right? Is it worse to shoot two deer out of season than it is to lure a child into a vehicle? Is it worse than prostitution? Is it worse than threatening use of a weapon of mass destruction? If you think it is, then you should vote for this bill, but if you think that there should be some justice in our system, I would urge you to oppose HB 97.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentlelady from Philadelphia, Representative Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I am going to vote for this bill, but I am up for another reason. The gentleman from Armstrong who spoke, I think, three people before me made a misstatement which I want to correct for the record. He said that felons cannot vote. That is not strictly true. When people are released from incarceration and they are felons in this State, they can vote. I did not want the record to be wrong on that. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

MOTION TO TABLE

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

Mr. BARBIN. Thank you, Mr. Speaker.

I rise with a motion to table this bill. It has become apparent from both sides that there are competing interests that have not yet fully been vetted – the question of whether we are putting more people in prison, the question of whether amendments should be reviewed. For all those reasons, Mr. Speaker, I ask that we vote on a motion to table this bill to take up those matters in committee.

The SPEAKER. The gentleman from Cambria County, Representative Barbin, has made a motion to table the legislation. The motion to table is debatable by the leaders, the maker of the motion, and the prime sponsor of the legislation.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question, on the motion to table, the Chair recognizes the minority leader, Representative Smith.

The Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Mr. Speaker, may I have a moment to speak to the maker of this motion, please?

The SPEAKER. The House will be at ease.

The House will come to order.

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

Mr. BARBIN. Your Honor— Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman. He will accept.

BILL RECOMMITTED

Mr. BARBIN. Wrong forum.

Mr. Speaker, upon further review and based upon the significant work that has been made in the committee to bring this bill out to the floor for proper consideration, I amend my motion under rule 55 and ask that this bill be recommitted to the Game and Fisheries Committee for further work at the committee level.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Representative Barbin, has made a motion to recommit the bill to the House Game and Fisheries Committee.

On the question,

Will the House agree to the motion?

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. On that question, the Chair recognizes the minority leader, Representative Smith.

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

Given the discussion that has taken place in our caucus and the debate on the floor, I certainly would be willing to support the motion to recommit this to the Game and Fisheries Committee; however, I might suggest, given where the debate really lies on this, that it might be more appropriate to recommit this bill to the Judiciary Committee, because to me, in talking with several of our members, one of the real key issues that we are unsettled on is the way this bill sets up the crime – whether it is a felony or this level of crime and how that compares to other crimes in the Crimes Code. I think that is the disparity that a lot of members have, at least one of the areas we have concerns with, and given the fact that this bill has been through the Game and Fisheries Committee, I actually think it would be more prudent to actually put this bill into the Judiciary Committee to address those issues – what the level of crime is, how that compares to other crimes that exist in the Crimes Code.

So I will certainly support the motion to recommit to Game and Fisheries, if that is the wish of the majority. I do not mean to try to override that or imply that, but I do think we ought to give some consideration to having the Judiciary Committee review this, mostly on the crimes level, not so much on the game and fish side of the issue, because that is what I think is a critical point of debate and concern about us moving forward this legislation.

So I will support this as it is presented. I would throw that out as a suggestion if the majority or the maker of the motion were willing to consider that, my suggestion. I would appreciate it and would consider it either way.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I would like to rise to support the gentleman from Cambria County's motion. I respectfully agree with the gentleman's motion. I realize the gentleman from Jefferson had a bit of a

different opinion, but I am hopeful that the body will support the motion to have further work done at the committee level. The chairman has worked very closely in a bipartisan way with members of the Game and Fisheries Committee. I know that what we will get is a conclusion of good, strong, bipartisan language that we will be able to rearticulate here on the floor in the coming days. I would like to thank the body for their consideration.

The SPEAKER. On the question to recommit HB 97 to the House Game and Fisheries Committee, those in favor of the motion to recommit will vote "aye"; those opposed, "nay."

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

The following roll call was recorded:

YEAS—194

Table listing names of members who voted 'YEAS' (194 total). Includes names like Adolph, Baker, Barbin, Barrar, Bear, Benninghoff, Beyer, Bishop, Boback, Boyd, Boyle, Bradford, Brennan, Briggs, Brooks, Brown, Burns, Buxton, Caltagirone, Carroll, Casorio, Causer, Christiana, Civera, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Cruz, Curry, Cutler, Daley, Dally, Day, Deasy, Delozier, DeLuca, Denlinger, DePasquale, DeWeese, DiGirolamo, Donatucci, Drucker, Eachus, Ellis, Evans, D., Evans, J., Everett, Fairchild, Farry, Fleck, Frankel, Freeman, Gabig, Gabler, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillespie, Godshall, Goodman, Grell, Grove, Grucela, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Helm, Hennessey, Hess, Hickernell, Hornaman, Houghton, Hutchinson, Johnson, Josephs, Kauffman, Keller, M.K., Keller, W., Kessler, Killion, Kirkland, Knowles, Kortz, Kotik, Krieger, Kula, Levdansky, Longietti, Maher, Mahoney, Major, Manderino, Mann, Markosek, Marshall, Marsico, Matzie, McGeehan, McI. Smith, Melio, Mensch, Metcalfe, Metzgar, Micozzie, Millard, Miller, Milne, Mirabito, Moul, Mundy, Murphy, Murt, Mustio, Myers, O'Brien, D., O'Brien, M., O'Neill, Oberlander, Oliver, Pallone, Parker, Pashinski, Payne, Peifer, Perzel, Petrarca, Petri, Phillips, Pickett, Preston, Pyle, Quigley, Rapp, Readshaw, Reed, Reese, Reichley, Roae, Rock, Roebuck, Ross, Sabatina, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schroder, Seip, Shapiro, Siptroth, Smith, K., Smith, M., Smith, S., Solobay, Sonney, Staback, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, J., Taylor, R., Thomas, True, Turzai, Vereb, Vitali, Vulakovich, Walko, Wansacz, Waters, Watson, Wheatley, White, Williams, Youngblood, Yudichak, McCall, Speaker.

NAYS—1

Payton

NOT VOTING—0

EXCUSED—8

Table listing names of members who were not voting or excused: Belfanti, Dermody, Gingrich, Lentz, Miccarelli, Perry, Rohrer, Wagner.

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

* * *

The House proceeded to third 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 third consideration?
Bill was agreed to.

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

The question is, shall the bill pass finally?

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—195

Table listing names of members who voted 'YEAS' (195 total). Includes names like Adolph, Baker, Barbin, Barrar, Bear, Benninghoff, Beyer, Bishop, Boback, Boyd, Boyle, Bradford, Brennan, Briggs, Brooks, Brown, Burns, Buxton, Caltagirone, Carroll, Casorio, Causer, Christiana, Civera, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Cruz, Curry, Cutler, Daley, Dally, Day, Deasy, Delozier, DeLuca, Denlinger, DePasquale, DeWeese, DiGirolamo, Donatucci, Drucker, Eachus, Ellis, Evans, D., Evans, J., Everett, Fairchild, Farry, Fleck, Frankel, Freeman, Gabig, Gabler, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillespie, Godshall, Goodman, Grell, Grove, Grucela, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Helm, Hennessey, Hess, Hickernell, Hornaman, Houghton, Hutchinson, Johnson, Josephs, Kauffman, Keller, M.K., Keller, W., Kessler, Killion, Kirkland, Knowles, Kortz, Kotik, Krieger, Kula, Levdansky, Longietti, Maher, Mahoney, Major, Manderino, Mann, Markosek, Ross, Sabatina, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schroder, Seip, Shapiro, Siptroth, Smith, K., Smith, M., Smith, S., Solobay, Sonney, Staback, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, J., Taylor, R., Thomas, True, Turzai, Vereb, Vitali, Vulakovich, Walko, Wansacz, Waters, Watson, Wheatley, White, Williams, Youngblood, Yudichak, McCall, Speaker.

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Belfanti	Gingrich	Miccarelli	Rohrer
Dermody	Lentz	Perry	Wagner

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 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 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 Allegheny County, Representative Walko.

Mr. WALKO. Thank you, Mr. Speaker.

This legislation would amend the Crane Operator Licensure Act to make the grandfather clause in the act conform to the date at which the State Board of Crane Operators can have everything in place. In other words, the purpose of it is that no

current operating crane operator will lose his ability to act prior to the State Board of Crane Operators becoming operational with regulations.

So I would appreciate an affirmative vote, and I commend the chairman of the Professional Licensure Committee, Representative McGeehan, for his prompt and thorough action to address the omission in the act.

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-195

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

NAYS-0

NOT VOTING—0

EXCUSED—8

Belfanti	Gingrich	Miccarelli	Rohrer
Dermody	Lentz	Perry	Wagner

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.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1312, PN 2237**, entitled:

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

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

Ms. **RAPP** offered the following amendment No. **A02150**:

Amend Bill, page 1, line 4, by inserting after "Act" ; and authorizing the City of Warren, Warren County, to sell and convey certain Project 70 lands free of restrictions imposed by the Project 70 Land Acquisition and Borrowing Act

Amend Bill, page 12, by inserting between lines 19 and 20 Section 2. City of Warren, Warren County.

(a) Authorization.—Pursuant to the requirements of section 20(b) of the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act, the General Assembly hereby authorizes the release of Project 70 restrictions and sale of the lands owned by the City of Warren which are more particularly described in subsection (c) for a consideration of \$81,500 which represents the fair market value of the property as determined by an appraisal.

(b) Freedom of restrictions.—The lands described in subsection (c) shall be free of restrictions on use and alienation imposed by the Project 70 Land Acquisition and Borrowing Act upon conveyance of the lands to Warren General Hospital.

(c) Lands to be released from restrictions.—The lands to be released from Project 70 restrictions are situated in the City of Warren, Warren County, and more particularly described as follows:

Parcel No. 1

All that certain piece or parcel of land, generally referred to as the "Musante Field," being that lot identified on the Warren County Assessment Map as WN-578-1184, and consisting of a rectangular-shaped level and open piece of land whose dimensions approximate 100 feet by 200 feet for a total of 20,000 square feet or 0.46 acre.

Parcel No. 2

All that certain piece or parcel of land being that lot identified on the Warren County Assessment Map as WN-578-119 and consisting of a triangular-shaped piece of land whose dimensions approximate 190 feet by 130 feet by 232 feet for a total of 12,350 square feet or 0.28 acre.

(d) Use of proceeds.—The consideration of \$81,500 from the sale of the land shall be deposited in a special account established by the City of Warren for acquisition or development of park land, to include a ballfield, parking lot and access road. Use of funds from the special

account must be approved by the Department of Conservation and Natural Resources. Any funds remaining in the special account after five years from the date of deposit by the City of Warren shall be paid to the Commonwealth for deposit into the Project 70 Land Acquisition Sinking Fund.

Amend Bill, page 12, line 20, by striking out "2" and inserting
3

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

The **SPEAKER**. Amendment A02150 is a corrective reprint and is in order.

The Chair recognizes the gentlelady from Warren County, Representative Rapp.

Ms. **RAPP**. Thank you, Mr. Speaker.

This amendment authorizes the release of Project 70 land restrictions. It is a 74-acre parcel of land owned by the city of Warren in Warren County, and it authorizes the sale of land to Warren General Hospital so that the hospital can build a parking lot for its cancer center.

This is a very important amendment, Mr. Speaker, for our cancer center in the city of Warren. Right now there is a hardship for people who are diagnosed with cancer to find adequate parking at the cancer center in Warren, and this will certainly ease some of the burdens that some of the people have who are diagnosed with cancer to find adequate parking at the cancer center.

I am sure many of you attended the rally yesterday for breast cancer awareness, and for these people who are diagnosed with cancer – breast cancer and many other forms of cancer – I would appreciate a "yes" vote so that my folks in Warren County and all of those who access the Warren General Hospital Cancer Center have better access to the cancer center for treatment.

Thank you, Mr. Speaker.

The **SPEAKER**. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Belfanti	Gingrich	Miccarelli	Rohrer
Dermody	Lentz	Perry	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.)

RESOLUTION

Mr. LEVDANSKY called up **HR 334, PN 2007**, entitled:

A Resolution directing the Legislative Budget and Finance Committee, in conjunction with the Local Government Commission and the State Tax Equalization Board, to request the assistance of the Assessors and County Commissioners Associations of Pennsylvania to conduct a study of the Commonwealth's fragmented system of property tax assessment, compare it to real property tax systems of other states, including specifically the real property tax reassessment systems of Maryland and California, and identify measures to make the Pennsylvania system more uniform, transparent, cost effective and acceptable to the taxpayer, as well as determining the impact of adopting the Maryland system.

On the question,
Will the House adopt the resolution?

Mr. **LEVDANSKY** offered the following amendment
No. **A02102**:

Amend Resolution, page 1, by inserting between lines 12 and 13
WHEREAS, Property taxes imposed in whole or in part for the purpose of funding local government and public education place a financial burden on all property-owning Pennsylvanians, especially Pennsylvania's fixed-income senior citizens; and

WHEREAS, This financial burden may be shared disproportionately between property owners of newly acquired real property and property owners of long-held real property to the extent that the property's assessed value is affected by the time of acquisition; and

Amend Resolution, page 2, lines 27 and 28, by striking out ";" in line 27 and all of line 28 and inserting

(4) The effect that property tax reassessment has had with respect to taxes paid by Pennsylvania's fixed-income senior citizens; and be it further

Amend Resolution, page 3, by inserting between lines 12 and 13

(7) are there any special considerations or exceptions in place providing relief or other accommodations for fixed-income seniors or others who may be disproportionately affected by property reassessments,

Amend Resolution, page 3, line 13, by striking out "(7)" and inserting

(8)

Amend Resolution, page 3, line 14, by striking out "(8)" and inserting

(9)

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

The **SPEAKER**. The Chair recognizes the gentleman from Allegheny County on the amendment.

Mr. **LEVDANSKY**. Thank you, Mr. Speaker.

Mr. Speaker, this amendment expands the scope of the resolution. The resolution essentially directs the Budget and Finance Committee to study the property reassessment system in Pennsylvania. Look at the various statutes that we already have in place. We have several statutes that govern the practice of reassessments, but to get a firm understanding on the reassessment system in Pennsylvania, look at the best practices of other States. This amendment simply expands the scope of the study to pay particular attention to the impact of reassessments of senior citizens living on fixed incomes, because they tend to be the people that have the most difficult challenges paying their property taxes, especially when reassessments occur and their property taxes are increased significantly.

So this just requires the study to look at other practices in other States with a particular eye towards how reassessments impact seniors living on fixed incomes.

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

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Belfanti	Gingrich	Miccarelli	Rohrer
Dermody	Lentz	Perry	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 adopt the resolution as amended?

Mr. **CUTLER** offered the following amendment
No. **A02128**:

Amend Resolution, page 1, line 12, by inserting after "system"
; and directing the Legislative Budget and Finance Committee to request the assistance of the Assessors and County Commissioners Associations of Pennsylvania to conduct an additional study regarding

the Pennsylvania Farmland and Forest Land Assessment Act of 1974 in order to determine its Statewide impact

Amend Resolution, page 2, line 13, by striking out "therefore be it" and inserting
and

WHEREAS, The Constitution of Pennsylvania and the Pennsylvania Farmland and Forest Land Assessment Act of 1974, commonly referred to as the Clean and Green Act, authorize the preferential assessment of certain land based on its use rather than its prevailing market value; and

WHEREAS, Participation in the Clean and Green program is voluntary and variable from county to county; and

WHEREAS, There is significant participation in many counties which causes a tax shift to landowners not qualified for or not enrolled in the program; therefore be it

Amend Resolution, page 3, by inserting between lines 16 and 17

RESOLVED, That the Legislative Budget and Finance Committee request the assistance of the Assessors and County Commissioners Associations of Pennsylvania to conduct an additional study regarding the Pennsylvania Farmland and Forest Land Assessment Act of 1974 in order to determine its Statewide impact; and be it further

RESOLVED, That the study shall include an analysis of the following:

(1) The number of properties enrolled in the Clean and Green program on a county-by-county basis at the end of calendar year 2008.

(2) The fiscal impact of the Clean and Green Act on all local municipalities across this Commonwealth on a yearly basis.

(3) The fiscal impact the tax shift that is provided for in the Clean and Green Act has had on local school taxes;

and be it further

Amend Resolution, page 3, by inserting between lines 20 and 21

RESOLVED, That the Legislative Budget and Finance Committee provide recommendations necessary or desirable to improve the manner in which the Clean and Green Act is administered in Pennsylvania; and be it further

Amend Resolution, page 3, line 23, by inserting after "recommendations"

regarding the property tax assessment process and the Statewide impact of the Clean and Green Act

Amend Resolution, page 3, line 23, by striking out "report" and inserting
reports

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

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

Mr. **CUTLER**. Thank you, Mr. Speaker.

Very simply, this amendment actually deals with Act 319. Many of you will remember last week we spoke about the Clean and Green program and the fiscal impact that it has on local property taxes for some school districts across the State. I am simply adding a request in that the LB&FC (Legislative Budget and Finance Committee) also look at the specific impact that Act 319 has on some local school districts. As I had shared previously, I have two in my legislative district – one that has an approximate tax shift of 27 percent; one that has a tax shift of 20 percent – and one of the difficulties that I have found in researching this topic is, what is the overall impact statewide? I figured this would be the appropriate body to conduct that research.

While the majority leader and the chairman of the Ag Committee were very helpful in scheduling a hearing on this

issue, I figured this would be the appropriate time and the appropriate place to get some supplemental information on this topic as well and would certainly appreciate the members' support in gathering this information.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Chester County, Representative Houghton.

Mr. HOUGHTON. Thank you, Mr. Speaker.

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Belfanti	Gingrich	Miccarelli	Rohrer
Dermody	Lentz	Perry	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 adopt the resolution as amended?

Mr. ELLIS offered the following amendment No. **A02099**:

Amend Resolution, page 3, line 24, by striking out "June 30, 2010" and inserting
December 31, 2009

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Butler County, Representative Ellis.

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

Obviously, the issue before us today is an extremely important one that affects everybody that owns property in Pennsylvania. It is not a Republican or a Democratic issue. The chairman of the Finance Committee has been working diligently on this for many years, and one of the things that he stresses is the importance of this issue. I agree with him, and that is why my amendment simply says that we want the study back at the end of this year as opposed to June 30 of next year, because it is of critical importance that we get this information back to us, get this study moving forward, and really move forward with the process so we can handle it in a timely fashion.

Thank you very much, Mr. Speaker.

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

Mr. LEVDANSKY. Mr. Speaker, while I appreciate the compliments that I work diligently, I need to correct the record. I have been working diligently for many years on property tax reform, and we have done it in a bipartisan fashion the last session, but I have not been working on reassessment reform. Members need to clearly understand that there is a difference between property reassessments and property tax reform. Property tax reform is about shifting the burden of funding public education or county government or local government off of property taxes and on to something else. That is what property tax reform is about.

Reassessment reform is an entirely different subject. I am not aware of any legislation outside of Representative Tim Seip and Senator Rhoades last session who introduced legislation to provide for prohibitions on spot reassessments in certain counties. Outside of that kind of piecemeal, ad hoc effort to put some restrictions on reassessments, there has been no comprehensive property reassessment reform legislation introduced in this General Assembly, and it is for a reason,

because if you think that property tax reform is complex and controversial and difficult to achieve a consensus on it, it is exponentially more difficult to build a bipartisan consensus on reassessment reform. It is extraordinarily challenging and difficult. It is why we have reassessment spread out amongst five or six different statutes in the State, because nobody really – it is perilous, both legislatively and politically, to try to make some sense of this dichotomous, piecemeal reassessment system that we have.

So under my resolution, we are directing the Budget and Finance Committee to work with the State Tax Equalization Board, with the County Commissioners Association, and with the Local Government Commission to look at our statutes governing reassessment and look at other States to determine what the best practices are and then do a comprehensive study with recommendations to the General Assembly no later than 1 year from today so that we could digest the report and study and decide how we want to proceed with the issue.

This amendment would shorten that time frame up to 6 months. The question for the members is this: Do you just want to get a study done quickly, or do you want to do it thoroughly, comprehensively, and get the study done right?

This issue has lingered for decades and decades. I think it is appropriate to give the Budget and Finance Committee – by the way, of which I am a member and an officer of that committee. And I could tell you right now that our Budget and Finance Committee already has a pretty good plateful of work assigned to us. We are studying the impact of the 18 different State tax credits. We just issued a report 2 weeks ago on the film tax credit. We are issuing another one next week on the research and development and the KOZ (keystone opportunity zone) tax credits. We are studying the probation and parole system. We have a study that is due. We are doing a study on deer management in the State, on timber management in the State, two other upcoming mandated reports. Representative Harper has a resolution that I and a lot of you support to have a study done on the Growing Greener funding. So the committee has its plate pretty much full, and I want to give the committee the appropriate amount of time to do the study and report back to us.

Now, let me say this directly: If the committee could get its work done in these other areas and if it can get a report issued before next June 30, it will do that; it will do that. But this amendment takes away the necessary discretion of our committee to do a study comprehensively and to do it right, and for those reasons, I oppose the Ellis amendment.

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

Mr. MAHER. I am happy to hear some expression of interest in property tax reform from the majority side of the aisle. I had honestly reached the conclusion that they had sort of forgotten about the subject.

As a candidate, our Governor crisscrossed this State promising a 30-percent reduction in property taxes. If there are any of our constituents who have enjoyed a 30-percent reduction in property taxes, I do not know them. They do not live in my district.

Yesterday or the day before we had a bill to direct the Governor, to direct the Governor and this administration to do their job with respect to energy. I think we ought to have that same sense of urgency and would invite my friends who believe the Governor was failing to provide a comprehensive energy

program to agree that he is failing his promise, his commitment, to reduce our property taxes by 30 percent.

My good friend and neighbor, the chairman of the Finance Committee, says there is no legislation that he believes is up to snuff, but I know he is a leader, and I invite him to present the legislation he believes would accomplish the mission.

Now, much of the property in Pennsylvania that is subject to property taxes is actually agricultural property, and if the Finance Committee cannot get about it, well, then maybe my friend, Mr. Hanna, will join me and we will embrace this as an ag issue, because some way or another we need to get about it, and maybe it is by making a new law to insist that the Governor do his job, insist that the Governor keep his promise. But for heaven's sake, to be averse to having a deadline a year out to do what should have been done last year and the year before and the year before and the year before – you have got another whole year. As a friend of mine would say, a whole 'nother year – you have got a whole 'nother year, but we want to see the homework completed. We want the term papers turned in. We want to see where you actually stand.

Support the Ellis amendment.

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

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

I rise in support of the Representative from Butler County's amendment.

To take issue with wanting to have a comprehensive report on the assessment by the end of the year, that is not asking Legislative Budget and Finance any Herculean task. If in fact this issue – and many of us do believe so – is as big as the maker of the bill says, then Legislative Budget and Finance needs to prioritize and learn it. The facts are out there with respect to what is happening in other States. It is not that difficult to learn and understand what other jurisdictions are doing and to put that forth in a report.

I would also just say that with respect to the Legislative Budget and Finance's own report, some of the issues with the assessment in our county, in Allegheny County where the maker of the bill is from, are systemic to Allegheny County. They are not merely statewide. I am happy to have a report that assesses what took place in the counties that have had the assessment difficulties and, in addition, that can look to other jurisdictions and make recommendations.

But the gentleman from Butler County is absolutely right. If the goal here is to reduce property taxes, if the goal here is to make the assessment system fair, there is no reason that the people at Legislative Budget and Finance cannot get this job done by the end of the year. Make it a priority. It is certainly a priority for Pennsylvania citizens. It has been for some time. We talk about property taxes all the time, and the assessment system is a significant part of that, and with all due respect, I would like to see this report get done so that we can, in this session, have a meaningful discussion about the topic that has been raised.

Thank you very much. I urge a "yes" vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader, Representative Eachus, on the amendment.

Mr. EACHUS. Thank you, Mr. Speaker.

I respectfully rise to oppose the gentleman's amendment.

What the gentleman from Allegheny has offered is a substantive review of the facts that are facing many of our counties across the Commonwealth. Having come from Luzerne

County myself, we have gone through this painful process of reassessment. It is difficult in all counties. I know that the gentleman from Butler is an honorable man who has the best interest of this particular amendment, but I respectfully rise to oppose it and support a clean resolution from the gentleman from Allegheny.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Butler County, Representative Ellis.

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

Mr. Speaker, initially when I introduced this amendment, I did not anticipate it being this controversial, because we heard over and over again how important this issue is.

This is an issue, what people do not understand, that is stemming from a court decision that has affected the way assessments are done in certain counties across Pennsylvania, and this is something that is potentially going to affect every property owner in Pennsylvania, every school district. And so, yes, it is important.

Now, the argument is that they do not have enough time to produce the report. And do you know what? Maybe standard practice in the past has been a year – sometimes we do it shorter; sometimes we do it longer – but what we always do is we make sure that the Legislative Budget and Finance Committee is doing things in the order of importance. Now, we have heard over and over again how important this issue is. So I think that 6 months is a reasonable amount of time.

And as my good colleague from Allegheny County, the minority whip, indicated, if we really want to get on to this issue and tackle it in this session, we cannot afford to wait until June. Now, the argument is that we might be able to have hearings or do some action in the fall, but, Mr. Speaker, I have been here – this is my third term – and traditionally, in even-numbered years for some reason we do not do a lot in the fall months, and I do not anticipate next year being any different. If we really want to take a look at this and not wait until February of 2011 before we address this, then we have to go with the amendment.

Mr. Speaker, the people that are watching at home and the people that call us every day on different issues, not just this one, what they are sick and tired of seeing out of this body is us putting things off. I am asking for 6 months sooner. I think the folks can produce the study in that time. I think we need them to, and we need to tackle this issue next spring.

Thank you very much, Mr. Speaker. I encourage a "yes" vote on my amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Representative Thomas, on the amendment.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I have enjoyed the debate on timetable, and I recognize the urgency that has been advocated by the author of the amendment. I also recognize the importance of allowing for flexibility.

I think the conversation which really caught my attention is the chairman of the Finance Committee has not said that this cannot be done within 6 months, 7 months, or maybe less than 6 months. What the chairman said was that there are some very difficult issues on the Legislative Budget and Finance plate as of today and that the members who requested a review by the committee, they have an interest in getting those issues addressed. And so if we tie ourselves to the timetable as

outlined by the maker of the amendment, then we would be saying to those people who have already submitted requests that their request has to be put to the side.

And so, Mr. Speaker, I am encouraged by the fact that the chairman of the committee desires more time so that this can be done correctly. I also hear the maker of the amendment, and I would like to ask the maker of the amendment if he would withdraw his amendment, recognizing that the chairman is not opposed to trying to get this done as expeditiously as possible. The chairman does recognize that time is of the essence, and therefore, I am confident that he is going to move aggressively in trying to deal with this, but he needs the flexibility.

And so to that end, I would like to ask the maker of the amendment if he would withdraw, recognizing that the chairman considers time to be of the essence with respect to this particular issue, and I hope that he takes heed and governs himself accordingly.

Mr. Speaker, it looks as though they might be able to work this out. I hope so, but if not, we must do what is right. Give the chairman the flexibility that he needs to get this done appropriately and as quickly as possible.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

AMENDMENT WITHDRAWN

The SPEAKER. For what purpose does the gentleman from Butler County, Representative Ellis, rise?

Mr. ELLIS. Thank you, Mr. Speaker.

I rise for the purpose of making a motion to withdraw— Well, I want to withdraw my amendment. So I make a motion to withdraw my amendment.

The SPEAKER. No need to. Just the withdrawal would suffice. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the resolution as amended?

The SPEAKER. The Chair recognizes the gentleman from Luzerne County, Representative Yudichak.

Mr. YUDICHAK. Thank you, Mr. Speaker.

I want to thank the chairman of the Finance Committee for working with me on this issue. We had introduced this bill earlier in the session to address reassessment reform in Pennsylvania.

Coming from Luzerne County, which has just performed its first reassessment in 44 years, we have gone through a lot of pain over the last several months. A lot of taxpayers, particularly senior citizens – who, by the way, have done pretty well under the property tax relief that this legislature has delivered – in my county, in Luzerne County, over 40 percent of the seniors through the tax and rebate program and the gaming property tax relief have seen their property taxes completely eliminated, but reassessment has turned that upside down, and that property tax relief could quickly evaporate if Pennsylvania continues to have what is a broken reassessment process.

There is no uniformity to the Pennsylvania reassessment process. There is no fairness, and there are no protections to Pennsylvania taxpayers. This is a good resolution to take an honest look at how we can improve the reassessment process.

I urge my colleagues to vote in the affirmative. Thank you, Mr. Speaker.

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

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, let me first commend Representative Yudichak, who had the idea that before we propose legislation that we really need a comprehensive study, and he has had particular challenges in Luzerne County. Those of us from Allegheny County know over the last half a dozen years the challenges and the perils posed by property reassessment reform.

So I appreciate Representative Ellis withdrawing the amendment. I am looking forward to working with the Budget and Finance Committee to get a good, thorough study done, to get the input from the counties, from the State Tax Equalization Board, from the Local Government Commission, and from other parties that are interested in bringing some uniformity to our property reassessment system, and more importantly, to try to put a system in place in Pennsylvania that is fair to all, to all property taxpayers, be you residential or commercial or retail or industrial. We need tax fairness, which we do not have under our present convoluted property reassessment process.

So again, I want to commend Representative Yudichak for his leadership and hard work on this issue, and I look forward to working in a bipartisan fashion with members on both sides of the aisle after the study is completed no less than 1 year from today. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the resolution, the Chair recognizes the gentleman from Schuylkill County, Representative Seip.

Mr. SEIP. Thank you, Mr. Speaker.

Mr. Speaker, the property tax system in Pennsylvania is an antique. It is well over 200 years old, and it needs fixing. The best fix would be to just scrap it – eliminate it, throw it out, and get rid of it altogether. Absent eliminating the property tax today, I support the legislation offered by my colleague from Luzerne.

In Berks and Schuylkill Counties, people have weathered, witnessed, and been beaten up by incredibly unfair practices known as spot appeals. I believe the legislation that passed this General Assembly last term was referenced by one of the prior speakers. In that practice, school districts just single out homeowners that they think they can squeeze more money out of, drag them into an assessment appeal hearing, double their taxes in some cases; in some cases, raise them more than 100 percent. That is unfair.

I support this legislation, because hopefully, it will prevent homeowners and people on farmsteads, like the individual in Berks County who witnessed an appeal by the school district that caused a tripling of their tax bill – a tripling. Their taxes went from \$9,000 one year to \$29,000 the following year. This terrible inequity has to be addressed.

And again, I do support my colleague from Luzerne County in his efforts to have this studied and remedied as soon as possible. I urge my colleagues to also support the gentleman from Luzerne.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the resolution as amended?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Belfanti	Gingrich	Miccarelli	Rohrer
Dermody	Lentz	Perry	Wagner

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

STATEMENT BY MR. THOMAS

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

Mr. THOMAS. Personal privilege, Mr. Speaker.

The SPEAKER. Without objection.

Mr. THOMAS. Mr. Speaker, I wanted to publicly extend my sincere thanks and appreciation to Representative Ellis for his willingness to help bring this together.

Mr. Speaker, the only thing I ask is, I ask Representative Ellis, is there any way possible to spread that kind of spirit amongst his other members so that we can get this budget done by June 30? Thank you.

The SPEAKER. The Chair thanks the gentleman.

GUEST INTRODUCED

The SPEAKER. To the left of the Speaker, the Chair welcomes Barbara Behrend Ernsberger. She is the former Democratic chair of the city of Pittsburgh and a lifelong resident of the city of Pittsburgh. She is the guest of Representatives Mark Cohen, Dan Frankel, Dom Costa, and the entire Allegheny County delegation. Will the guest please rise. Welcome to the hall of the House.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1175, PN 2239**, entitled:

An Act providing for identification devices and for subcutaneous implanting; and imposing civil penalties.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Belfanti	Gingrich	Miccarelli	Rohrer
Dermody	Lentz	Perry	Wagner

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.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

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

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, I rise pursuant to rule 24 to seek House approval to proceed to third consideration and final passage on HB 1609, HB 1654, and SB 81, less than 24 hours after they were last amended, as there has been sufficient time to review the language of these bills.

Again, I am seeking approval to proceed to third consideration and final passage on the following bills: HB 1609, HB 1654, and SB 81. I appreciate the body's consideration on the motion.

The SPEAKER. The gentleman has made a motion pursuant to rule 24 to ask for a vote of this House to immediately consider HB 1609, HB 1654, and SB 81. It requires a two-thirds vote of the House to enforce the rule.

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

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

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

Certainly, I have no objection to moving these bills along in this manner under the rules and would urge the members to support the motion.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-169

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

NAYS-26

Benninghoff	Delozier	Keller, M.K.	Samuelson
Brooks	Gabig	Krieger	Santarsiero
Causar	Gabler	Maher	Schroder
Christiana	Galloway	Milne	Seip
Cox	Grell	Roae	Swanger
Creighton	Hutchinson	Rock	Tallman
Cutler	Kauffman		

NOT VOTING-0

EXCUSED-8

Belfanti	Gingrich	Miccarelli	Rohrer
Dermody	Lentz	Perry	Wagner

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1609, PN 2269**, 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 third consideration?
Bill was agreed to.

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS-195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Belfanti	Gingrich	Miccarelli	Rohrer
Dermody	Lentz	Perry	Wagner

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 1654, PN 2270**, 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 prelicensing 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 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 Washington County, Representative Daley.

Mr. DALEY. Thank you, Mr. Speaker.

Briefly, the passage of the Federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008, the S.A.F.E. bill, by Congress in July of 2008 requires that Pennsylvania amend its mortgage act, which we passed in July of 2008, to comply with the S.A.F.E. or default to the U.S. Department of Housing and Urban Development.

S.A.F.E. - S-A-F-E - requires State law compliance by July 31, 2009. This bill, as we amended it yesterday, mandates the following changes to the Mortgage Licensing Act of 2008: the removal of most of the licensing exceptions for loan originators under the act. Loan originators employed by bank affiliates; Federal, State, and local government entities; religious organizations, and nonprofit entities are brought under the licensure provisions of the act if the originator takes mortgage loan applications or offers or negotiates terms of a mortgage loan for compensation or gain.

Number two, surety bonds would be required for loan originators. The size of the bond is tied to the volume of the lending or brokering. The bonds would be utilized to compensate the consumers injured by acts or omissions of mortgage loan originators.

Number three, the amount of the prelicensing education for originators is increased from 12 hours to 20 hours, and the amount of continuing education for originators is increased from 6 to 8 hours annually.

Number four, the criminal history restrictions for loan originators are strengthened. First, any person convicted of a felony within 7 years of application for license is disqualified from licensure as a loan originator.

And finally, any person convicted of a felony involving an act of fraud, dishonesty, breach of trust, or money laundering at any time is disqualified from licensure as a loan originator forever.

I ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman for those brief remarks.

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-195

Adolph	Everett	Longiotti	Reed
Baker	Fabrizio	Maher	Reese

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Belfanti	Gingrich	Miccarelli	Rohrer
Dermody	Lentz	Perry	Wagner

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

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

* * *

The House proceeded to third consideration of **SB 81, PN 1208**, 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, for unlawful acts relative to liquor, malt and brewed beverages and licenses issued and for limited wineries.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS-163

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

NAYS-31

Baker	Denlinger	Keller, M.K.	Roae
Bear	Fleck	Kirkland	Rock
Benninghoff	Gabler	Metcalfe	Stern

Boyd	Hess	Metzgar	Stevenson
Brooks	Hickernell	Oberlander	Swanger
Cox	Hornaman	Phillips	Tallman
Creighton	Hutchinson	Rapp	True
Cutler	Kauffman	Reed	

NOT VOTING—1

Clymer

EXCUSED—8

Belfanti	Gingrich	Miccarelli	Rohrer
Dermody	Lentz	Perry	Wagner

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

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

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 142 and SB 241 be removed from the tabled calendar.

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 SB 142 and SB 241 be recommitted to the Committee on Appropriations.

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

ANNOUNCEMENT BY MR. KOTIK

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

Mr. KOTIK. For the purpose of two brief announcements.

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

Mr. KOTIK. The first announcement is that the Blue Dog Caucus will meet at 4 o'clock in room 226, Irvis.

And the second announcement is to welcome our new member, Representative Evans.

The SPEAKER. Did he say the big dog or the Blue Dog?

Mr. D. EVANS. I am honored, Mr. Speaker. I am going to let you know that I have accepted this nomination welcomingly. My family – I told my mom that I just got accepted.

**HEALTH AND HUMAN SERVICES
COMMITTEE MEETING**

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

Mr. OLIVER. Mr. Speaker, at the call of the recess, the Health and Human Services Committee will be meeting in room 205.

The SPEAKER. The Chair thanks the gentleman.

The Health and Human Services Committee will meet in room 205.

**STATE GOVERNMENT
COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentlelady from Philadelphia, Representative Josephs, for the purpose of an announcement.

Ms. JOSEPHS. Thank you, Mr. Speaker.

The State Government Committee will meet immediately after we break in room 60E. We will be taking up SB 33 and its amendment, 2130.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

The State Government Committee will be meeting in room 60E.

**TOURISM AND RECREATIONAL
DEVELOPMENT COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Delaware County, Representative Kirkland, for the purpose of an announcement.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Immediately at the call of recess, the Tourism and Recreation Committee will have a brief meeting in room 302, Irvis Building; immediately at the call of recess.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Tourism and Recreational Development Committee will meet in room 302, Irvis Office Building.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence of the gentleman from Allegheny County, Representative Dermody, on the House floor. His name will be added to the master roll.

VOTE CORRECTION

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

Mr. CLYMER. Mr. Speaker, I come to correct the record.

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

Mr. CLYMER. Mr. Speaker, my button was malfunctioning, and I wanted to be recorded as a "no" vote on SB 81.

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

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I am calling a House Democratic caucus for 2:30 p.m. to go over tomorrow's voting schedule.

The SPEAKER. The Chair thanks the gentleman.

There will be no further votes.

STATEMENT BY MR. CIVERA

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

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker—

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

The House will come to order.

The gentleman, Mr. Civera, is being recognized under unanimous consent for the purpose of discussing the budget. Members who are not interested in that discussion, I would ask that they take their conversations off the floor of the House.

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman from Philadelphia, the chairman of the Appropriations Committee, I would like to raise some questions in regards to today is June 24; we have 6 days until the deadline is met. My question – and I have been asking this question for the last, I guess, month – is, are you going to notice HB 1416, which is the Governor's budget, so the process can begin? If you notice it today, the earliest that we could start amendments would be July 5. We are over July 1. So could you give us some type of an idea, because you are the gentleman that is in charge of the committee, of exactly when are we going to start this budget process?

The SPEAKER. The gentleman from Philadelphia, Representative Evans, is recognized.

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

Mr. Speaker, as I have said to you privately and publicly, I would like to have us negotiate and work a compromise out. If you have not been notified, we have a meeting today in Senator Pileggi's office at 3:30. I have spoken to Senator Pileggi this morning. I have indicated to him that we clearly have the information on the table that has been presented by the Governor. We are just waiting on a little bit more information over the next couple of days. I expressed that to the Senator and he was willing for us to have this meeting today at 3:30. I know that you and the Republican leader have been invited to that meeting at 3:30 for us to try to build this consensus that we need. You know for yourself that we have to build a consensus; we have to get the Senate involved, the Governor involved, and work out an agreement.

You know, my only issue has been that we needed not to kind of pass something that the Senate would not agree to and that the Governor would not agree to. So we are meeting today at 3:30 in Senator Pileggi's office to have this discussion to see basically where we can go.

Mr. CIVERA. Mr. Speaker?

The SPEAKER. The Chair recognizes the gentleman.

Mr. CIVERA. Mr. Speaker, under our House rules – and I understand what you just got done saying, that we are going to meet today at 3:30. Hopefully, something starts to move. I doubt it the way the inner discussions are going, but under our House rules, you need to start moving something or we cannot— Even if we agree, even if we start to agree today, tomorrow, or the next day, you need to start moving something or we are never going to get out of here. We are going to prolong this well into July, and I just do not understand. We have got good days that we are wasting, and I just do not understand why. I mean, start the process. We still negotiate, and you are in line with the rules of the House and we can get this done.

Mr. D. EVANS. Mr. Speaker, the Governor, the majority leader just reminded me, is making himself available all weekend, and he put out a schedule. I think you got a copy of it. He said that he would be available I think it is Friday, Saturday, Sunday, Monday, Tuesday, all day. So he has cleared his schedule. We are starting today in the Senate at 3:30. So you and I both know that to me, the mechanical part is the easy part. The real issue is how we deal with the substance, and I hope today at 3:30 we can begin to get serious.

So the Governor is available all day; I think it starts on either Thursday or Friday. He sent you a copy. If you do not have a copy, I will get you another copy of the letter, but he said he is available all day, all weekend for us to meet with him at any particular time. So he has cleared his schedule, and we start with our schedule and then we kind of see where we go, Mr. Speaker.

Mr. CIVERA. Mr. Speaker, I am very glad to hear that the Governor is now getting engaged in whatever proposal, and we are still not sure what proposal he is referring to, the Governor.

However, the difference between you and me is that if I was in charge, we would be voting a bill today, and that is not the case, that is not the case. I am asking you to notice that bill today regardless of what the Governor is doing, regardless of what the other caucuses are doing. This is between you and me in this chamber. Notice that bill today and let us get on with the business. If I was the majority chairman, that bill would have come out of the Appropriations Committee.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MR. MAHER

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

Mr. MAHER. Thank you, Mr. Speaker.

I would like to offer brief remarks under unanimous consent—

The SPEAKER. Without objection, the gentleman will proceed.

Mr. MAHER. —which I understand will mean that they will be brief remarks.

The SPEAKER. Without objection.

Mr. MAHER. Thank you.

Our friend and colleague from Philadelphia just said, "The mechanical part is the easy part." I want to translate that. That means the part that is supposed to be happening in the daylight, before the people of Pennsylvania, he thinks it is just a

mechanical part. He is talking about meetings that will not happen in public. He is talking about the Governor being available at the Jersey Shore all weekend. The people of Pennsylvania are not at that beach house. The people of Pennsylvania are represented here. The mechanical part should be the only part – the part before the people.

Could you please, Mr. Appropriations Chairman, come forth with your proposal? Allow the people of Pennsylvania to consider your proposal, whatever it may be, but right now the public is shut out. You are insisting on turning off the lights, locking the doors, and then the mechanical part will happen when you are done. That is just wrong. It is just wrong.

Please, step into the sunshine. It is a beautiful day in Pennsylvania. Would you please let the public in?

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 Chair has before it a motion to adjourn, filed by the gentleman from Beaver County, Representative Matzie, who moves that this House do now adjourn until Thursday, June 25, 2009, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 1:36 p.m., e.d.t., the House adjourned.