

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JULY 1, 2009

SESSION OF 2009

193D OF THE GENERAL ASSEMBLY

No. 57

HOUSE OF REPRESENTATIVES

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

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

PRAYER

HON. KAREN BOBACK, member of the House of Representatives, offered the following prayer:

Merciful Father, bless us as we gather here today in this magnificent House of Representatives, the People's House, on this 1st day of July 2009. Bless this great Commonwealth called Pennsylvania, where the founding principles of our country were created and where America was born on the 4th of July, 1776. Bless the United States, created out of a desire "...to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty...." Bless those who believed in this great experiment called America and those like us, who continue to believe in the common good and strive to serve those we represent. Bless this great nation and its continuous quest for freedom and democracy. Bless all who defend us at home and abroad.

And, dear Father, as we gaze at the front wall in this magnificent chamber and view the artistry of the celebration of the Declaration of Independence, we ask You to bless America as we are reminded of those glorious words: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

In asking for these blessings, and in gratitude, we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, June 30, 2009, will be postponed until printed. The Chair hears no objection.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 391 By Representatives COHEN, MELIO, DONATUCCI, FREEMAN, CALTAGIRONE, BISHOP, BELFANTI, GEORGE, KIRKLAND, SANTONI, REICHLEY, SWANGER, VULAKOVICH, MURT, CUTLER, GODSHALL, GILLESPIE, DAY, BAKER, BRADFORD, BRENNAN, BROWN, FRANKEL, HARHAI, KORTZ, KOTIK, KULA, LONGIETTI, MAHONEY, MANDERINO, PALLONE, READSHAW, SIPTROTH, WATERS, YOUNGBLOOD and YUDICHAK

A Resolution establishing and directing a select committee to examine matters relating to the shortage of health care professionals in this Commonwealth.

Referred to Committee on HEALTH AND HUMAN SERVICES, July 1, 2009.

No. 392 By Representatives HARHART, CUTLER, GINGRICH, GROVE, BELFANTI, BOBACK, BOYD, CREIGHTON, DENLINGER, EVERETT, FAIRCHILD, FLECK, GEIST, GIBBONS, GOODMAN, HARRIS, HESS, HUTCHINSON, KAUFFMAN, KORTZ, MAJOR, MARSICO, MILLARD, MURT, MUSTIO, PAYNE, PHILLIPS, PICKETT, PYLE, RAPP, READSHAW, REICHLEY, ROAE, K. SMITH, SOLOBAY, STERN, STEVENSON, VULAKOVICH and WATSON

A Resolution directing the Legislative Budget and Finance Committee to conduct a comprehensive survey of all State agencies that provide social services and the cost of those services to individuals and their families who illegally immigrated to the United States and reside in this Commonwealth.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, July 1, 2009.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1808 By Representatives BUXTON, BENNINGHOFF, BOYD, CALTAGIRONE, CARROLL, CIVERA, DALLY, EVERETT, FAIRCHILD, FLECK, FRANKEL, GINGRICH, GODSHALL, GOODMAN, GRELL, HALUSKA, HARHAI, HELM, HORNAMAN, LONGIETTI, MARKOSEK, McILVAINE SMITH, MILLARD, MOUL, MUNDY, OBERLANDER, REED, REICHLEY, SAINATO, SAYLOR, SEIP, SIPTROTH, S. H. SMITH, STERN, STEVENSON, SWANGER, TRUE, VULAKOVICH, YOUNGBLOOD and BEAR

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for revised or successor codes.

Referred to Committee on LABOR RELATIONS, July 1, 2009.

No. 1809 By Representatives BUXTON, BENNINGHOFF, BOYD, CARROLL, CIVERA, DALLY, EVERETT, FAIRCHILD, FLECK, FRANKEL, GINGRICH, GODSHALL, GOODMAN, GRELL, HALUSKA, HARHAI, HELM, HORNAMAN, LONGIETTI, MARKOSEK, McILVAINE SMITH, MILLARD, MILLER, MOUL, MUNDY, OBERLANDER, REED, REICHLEY, SAINATO, SAYLOR, SEIP, SIPTROTH, S. H. SMITH, SONNEY, STERN, STEVENSON, SWANGER, TRUE, VULAKOVICH, YOUNGBLOOD and BEAR

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for adoption by regulations, for changes in Uniform Construction Code and for exemptions.

Referred to Committee on LABOR RELATIONS, July 1, 2009.

No. 1810 By Representatives FAIRCHILD, SOLOBAY, MELIO, GILLESPIE, PHILLIPS, BELFANTI, BOBACK, BOYD, CAUSER, CLYMER, CUTLER, EVERETT, FARRY, FLECK, GOODMAN, GRELL, GROVE, HALUSKA, HARHAI, HARHART, HICKERNELL, HORNAMAN, KOTIK, KULA, MARSHALL, MARSICO, MICOZZIE, MILLARD, MILLER, MILNE, MOUL, MURT, O'NEILL, PICKETT, PYLE, RAPP, READSHAW, ROHRER, SIPTROTH, STABACK, STERN, SWANGER, TALLMAN, TRUE, VULAKOVICH, WATSON, YOUNGBLOOD, K. SMITH and BEAR

An Act amending Titles 4 (Amusements) and 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, consolidating statutory provisions relating to volunteer firefighters and grants to volunteer fire companies and volunteer services; making editorial changes; and making related repeals.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, July 1, 2009.

No. 1811 By Representatives O'NEILL, BRIGGS, BROWN, D. COSTA, FREEMAN, HARHART, HARKINS, HORNAMAN, KORTZ, McGEEHAN, McILVAINE SMITH, MILLER, MURPHY, MURT, D. O'BRIEN, PASHINSKI, QUINN, ROEBUCK, SIPTROTH, J. TAYLOR, WATSON and WHEATLEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, prohibiting persons ordered to undergo involuntary mental health treatment from owning firearms.

Referred to Committee on JUDICIARY, July 1, 2009.

No. 1812 By Representatives SAINATO, SOLOBAY, HORNAMAN, M. O'BRIEN, D. COSTA, PRESTON, WALKO, LONGIETTI, J. TAYLOR, MENSCH, McILVAINE

SMITH, FARRY, BOBACK, PASHINSKI, SIPTROTH, HARHAI, MANN, CLYMER, FAIRCHILD, HALUSKA, SCAVELLO, SANTONI, GERGELY, KORTZ, MAHONEY, GRUCELA, STERN, CALTAGIRONE, CARROLL, MOUL, FLECK, PALLONE, READSHAW, GOODMAN, BURNS, EVERETT, YOUNGBLOOD, MYERS, MILLARD, KRIEGER, CUTLER, STEVENSON, REICHLEY, GRELL, KULA, KOTIK, VULAKOVICH, GODSHALL, BAKER, O'NEILL, MILLER, HENNESSEY, DENLINGER, PHILLIPS, PETRARCA, DONATUCCI, MURT, BRADFORD, CREIGHTON, K. SMITH and MARSHALL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for grading of theft offenses and for theft of services.

Referred to Committee on CONSUMER AFFAIRS, July 1, 2009.

No. 1813 By Representatives PAYTON, BELFANTI, CASORIO, D. COSTA, DONATUCCI, McGEEHAN, MURT, M. O'BRIEN, SIPTROTH and YOUNGBLOOD

An Act amending the act of July 23, 1970 (P.L.563, No.195), known as the Public Employee Relations Act, further providing for final binding arbitration in certain cases.

Referred to Committee on LABOR RELATIONS, July 1, 2009.

No. 1814 By Representatives PAYTON, BROWN, CALTAGIRONE and JOSEPHS

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in intestate succession, further providing for forfeiture.

Referred to Committee on JUDICIARY, July 1, 2009.

No. 1815 By Representatives LEVDANSKY, SCAVELLO, R. TAYLOR, REED, YOUNGBLOOD, PEIFER, SHAPIRO, DENLINGER, BRIGGS, KORTZ, PALLONE, GERBER, VULAKOVICH, ADOLPH, BENNINGHOFF, BRADFORD, BRENNAN, BURNS, CALTAGIRONE, EVERETT, FREEMAN, GINGRICH, HARHAI, HENNESSEY, JOSEPHS, KOTIK, MAHONEY, MENSCH, MILNE, MURT, PAYTON, PETRARCA, PETRI, READSHAW, ROSS, SIPTROTH, SOLOBAY, SWANGER, WATSON, WHEATLEY and K. SMITH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for carryover, carryback, refund and assignment of credit.

Referred to Committee on FINANCE, July 1, 2009.

No. 1816 By Representative WANSACZ

An Act authorizing the Borough of Old Forge, Lackawanna County, to transfer, sell and convey certain Project 70 lands free of restrictions imposed by the Project 70 Land Acquisition and Borrowing Act.

Referred to Committee on STATE GOVERNMENT, July 1, 2009.

No. 1817 By Representatives SCHRODER, CREIGHTON, DENLINGER, GROVE, KORTZ, McILVAINE SMITH, MILNE and MURT

An Act authorizing the Commonwealth of Pennsylvania to join the Mid-Atlantic Area Natural Gas Corridor Compact; providing for the form of the compact; imposing additional powers and duties on the Governor and the Secretary of the Commonwealth; and making an appropriation.

Referred to Committee on CONSUMER AFFAIRS, July 1, 2009.

No. 1818 By Representatives GEIST, STERN and FLECK

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Altoona Regional Health System certain lands situate in the City of Altoona, Blair County.

Referred to Committee on STATE GOVERNMENT, July 1, 2009.

No. 1819 By Representatives ROSS, GEORGE, ADOLPH, BOYLE, BOYD, BRADFORD, BRENNAN, CUTLER, DALLY, DENLINGER, DePASQUALE, EVERETT, FLECK, FRANKEL, FREEMAN, GEIST, GINGRICH, GROVE, HARHAI, HARKINS, HARPER, HORNAMAN, KILLION, KORTZ, KULA, MILNE, MOUL, MURT, M. O'BRIEN, PETRARCA, PHILLIPS, QUINN, READSHAW, REICHLEY, SCAVELLO, SEIP, SIPTROTH, SOLOBAY, SONNEY, SWANGER, TALLMAN, J. TAYLOR, THOMAS, VITALI, VULAKOVICH, WATSON and YUDICHAK

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for exclusions from tax.

Referred to Committee on FINANCE, July 1, 2009.

No. 1820 By Representatives SONNEY, QUINN, BOYD, CLYMER, CREIGHTON, CUTLER, DENLINGER, J. EVANS, EVERETT, GEIST, GODSHALL, HARHART, HORNAMAN, MOUL, MURT, OBERLANDER, PYLE, RAPP, REICHLEY, ROCK and J. TAYLOR

An Act amending the act of October 17, 2008 (P.L.1645, No.132), known as the Home Improvement Consumer Protection Act, further providing for the definition of "home improvement," for procedures for registration, for voidable clauses and for prohibited acts.

Referred to Committee on CONSUMER AFFAIRS, July 1, 2009.

SENATE BILLS FOR CONCURRENCE

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

SB 88, PN 590

Referred to Committee on EDUCATION, July 1, 2009.

SB 563, PN 1198

Referred to Committee on LABOR RELATIONS, July 1, 2009.

SB 904, PN 1177

Referred to Committee on STATE GOVERNMENT, July 1, 2009.

SB 969, PN 1182

Referred to Committee on STATE GOVERNMENT, July 1, 2009.

BILL SIGNED BY SPEAKER

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

SB 446, PN 759

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, further providing for registration districts and local registrars' duties, for death and fetal death registrations and for reports.

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

LEAVES OF ABSENCE

The SPEAKER. Turning to master roll, the Chair recognizes the majority whip, Representative DeWeese, who requests the following leaves of absence: Representative DRUCKER from Chester for the day; Representative SABATINA from Philadelphia for the day. Without objection, the leaves will be granted.

The Chair recognizes the minority whip, Representative Turzai, who requests the following leave of absence: Representative ADOLPH from Delaware County for the day. Without objection, the leave will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—197

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Adolph	Lentz	Perry	Sabatina
Drucker	Miccarelli		

LEAVES ADDED—1

Taylor, R.

LEAVES CANCELED—1

Sabatina

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

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

HB 1155, PN 1369 By Rep. GEORGE

An Act providing for duties of oil and gas well operators, for notice of operations and surface use and compensation agreement, for entry without surface use and compensation agreement, for restriction

on issuance of permits for wells, for attorney fees and costs and for emergency situations.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1205, PN 1432 By Rep. GEORGE

An Act amending the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, in general requirements, further providing for protection of water supplies.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1770, PN 2282 By Rep. BELFANTI

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.

LABOR RELATIONS.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 240, PN 1071 By Rep. MELIO

An Act amending Titles 35 (Health and Safety) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, regulating emergency medical services systems; providing for licensure; conferring powers and duties on the Department of Health; further defining "emergency vehicle"; providing for penalties; providing for Emergency Medical Services Operating Fund distributions; and making a related repeal.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. JOHNSON called up **HR 369, PN 2348**, entitled:

A Resolution honoring Shelleah Jackson for her achievements as an author, speaker and honor roll student.

On the question,
Will the House adopt the resolution?

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

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

Mr. JOHNSON. Thank you, Mr. Speaker, and also thank you for the time under these extreme circumstances.

Today I would like to honor a very articulate and gifted and accomplished young lady. While most young people are surfing the Net, surfing and being on MySpace and Facebook, this is a young lady who has taken the time to use her time to read and write and to promote literacy. At this time I would like to honor Shelleah Jackson, who is a native of south Philadelphia. She is an honor roll freshman at Wissahickon High School and has already authored two books and is currently planning a book-signing tour to promote literacy. She has appeared on

several radio and television interviews in support of literacy programs and has participated in the American Reads Challenge, an aggressive campaign to help ensure that every American child can read well and independently by the third grade.

Shelleah Jackson is an extraordinary young woman, a role model not only for other teenagers but also for all of us. She is a shining example of all that a person can accomplish with hard work, motivation, and a strong desire to help others. Shelleah has been selected twice to attend the People to People program in Washington, DC, where she has participated in the Future World Leaders forum and also the Student Ambassador Law forum. She was recently a keynote speaker at the Building Future Leaders program, hosted by the Redeemer Renaissance Community Development Corporation. Recently she participated in a "Books Not Guns" Fair, which I have hosted in my district to promote literacy, and she recently received the Joseph X. Yaffe-Robert Johnson Smith Civil Rights Award for Student Service from the Montgomery County Advisory Council to the Pennsylvania Human Relations Commission. So as always, I would like to inspire our young people to be the best and all that they can be, and I thank her Representative, Representative Kate Harper, for standing up here as we acknowledge this young lady. Can we please give Shelleah and her family a round of applause for her hard work and achievements.

Mr. Speaker, in front of you, you have a copy of her bio, which has her Web site and her accomplishments. I ask for an affirmative vote on this resolution. And again, thank you, Mr. Speaker, for your time, and let us get back to business. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. Turning to leaves of absence, the majority leader requests a leave for Representative Rick TAYLOR from Montgomery County for the day. Without objection, the leave will be granted.

CONSIDERATION OF HR 369 CONTINUED

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

The following roll call was recorded:

YEAS—196

Baker	Everett	Longiotti	Reed
Barbin	Fabrizio	Maher	Reese
Barrar	Fairchild	Mahoney	Reichley
Bear	Farry	Major	Roae
Belfanti	Fleck	Manderino	Rock
Benninghoff	Frankel	Mann	Roebuck
Beyer	Freeman	Markosek	Rohrer
Bishop	Gabig	Marshall	Ross
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	Gingrich	Micozzie	Shapiro
Buxton	Godshall	Millard	Sipthroth
Caltagirone	Goodman	Miller	Smith, K.
Carroll	Grell	Milne	Smith, M.
Casorio	Grove	Mirabito	Smith, S.
Causer	Grucela	Moul	Solobay
Christiana	Haluska	Mundy	Sonney
Civera	Hanna	Murphy	Staback
Clymer	Harhai	Murt	Stern
Cohen	Harhart	Mustio	Stevenson
Conklin	Harkins	Myers	Sturla
Costa, D.	Harper	O'Brien, D.	Swanger
Costa, P.	Harris	O'Brien, M.	Tallman
Cox	Helm	O'Neill	Taylor, J.
Creighton	Hennessey	Oberlander	Thomas
Cruz	Hess	Oliver	True
Curry	Hickernell	Pallone	Turzai
Cutler	Hornaman	Parker	Vereb
Daley	Houghton	Pashinski	Vitali
Dally	Hutchinson	Payne	Vulakovich
Day	Johnson	Payton	Wagner
Deasy	Josephs	Peifer	Walko
DeLozier	Kauffman	Perzel	Wansacz
DeLuca	Keller, M.K.	Petrarca	Waters
Denlinger	Keller, W.	Petri	Watson
DePasquale	Kessler	Phillips	Wheatley
Dermody	Killion	Pickett	White
DeWeese	Kirkland	Preston	Williams
DiGirolamo	Knowles	Pyle	Youngblood
Donatucci	Kortz	Quigley	Yudichak
Eachus	Kotik	Quinn	
Ellis	Krieger	Rapp	McCall,
Evans, D.	Kula	Readshaw	Speaker
Evans, J.	Levdansky		

NAYS—0

NOT VOTING—0

EXCUSED—7

Adolph	Lentz	Perry	Taylor, R.
Drucker	Miccarelli	Sabatina	

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

GUESTS INTRODUCED

The SPEAKER. In the back of the hall of the House, the Chair welcomes Heather Salazar and William Dixon, legislative aides to Representative Thomas Murt. Will the guests please rise. Welcome to the hall of the House.

To the left of the Speaker, the Chair welcomes Mr. Steven Feldman, who is completing an internship with the House of Representatives this summer. Steven is a sophomore at Moravian College, where he is studying political science. He is the guest or the intern with Representative Joseph Markosek. Will the guest please rise. Welcome to the hall of the House.

Also to the left of the Speaker, the Chair welcomes Megan Baylor, who is a senior at Temple University with a major in

communications. She is interning this year with Representative Youngblood. Welcome to the hall of the House.

To the left of the Speaker, the Chair welcomes Joe Liss, who is an intern in Representative Curry's district office, as well as Leza Perkins, who is the L.A. (legislative aide) in his district office. Will the guests please rise. They are the guests of Representative Larry Curry. Welcome to the hall of the House.

To the left of the Speaker, the Chair welcomes David Delay of Tamaqua, PA, and Katelynn McAuliffe of Hamburg, PA. David is a recent graduate of West Chester University, and Katelynn is a student at Andrews University in Michigan. They are the guests of Representative Jerry Knowles. Welcome to the hall of the House.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 291, PN 2326**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverages alternating brewers' licenses, for distributors' and importing distributors' restrictions on sales, storage, etc., and for breweries.

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

* * *

The House proceeded to second consideration of **SB 33, PN 1230**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for powers and duties of the Secretary of the Commonwealth, for Voting Standards Development Board and for restrictions on alteration of boundaries of election districts.

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

The SPEAKER. On that question, it is the Chair's understanding that the gentleman from Northampton County, Representative Freeman, and the gentleman from York County, Representative Saylor, are withdrawing the amendments posted to this bill. The Chair thanks the gentlemen.

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

* * *

The House proceeded to second consideration of **HB 580, PN 637**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal police education and training, further defining "police department" and "police officer" for purposes of municipal police education and training.

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

The SPEAKER. The gentleman, Mr. Marsico, are you offering amendment A00375?

Mr. MARSICO. Mr. Speaker, I am going to be withdrawing the amendment—

The SPEAKER. The Chair thanks the gentleman.

Mr. MARSICO. —but will make remarks on the bill later.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. **PALLONE** offered the following amendment
No. **A02204**:

Amend Bill, page 1, line 2, by inserting after "Statutes,"
in municipal police education and training,

Amend Bill, page 1, lines 3 and 4, by striking out "officer" for purposes of municipal police" in line 3 and "education and training" in line 4 and inserting

officer"; and further providing for reimbursement of expenses and for payment of certain county costs

Amend Bill, page 2, line 19, by striking out "department" and inserting

force under section 2511(b) of the act of August 9, 1955 (P.L.323, No.130), known as The County Code

Amend Bill, page 3, line 10, by striking out "Sections 2168 and" and inserting

Section

Amend Bill, page 3, line 10, by striking out "are" and inserting is

Amend Bill, page 3, line 11, by striking out "subsections" and inserting

a subsection

Amend Bill, page 3, lines 12 through 30; page 4, lines 1 through 3, by striking out all of said lines on said pages

Amend Bill, page 4, line 19, by striking out "July 1, 2009" and inserting

in 90 days

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Westmoreland County, Representative Pallone.

Mr. PALLONE. Thank you, Mr. Speaker.

This amendment is an improvement over the original bill in chief. It primarily strikes out most of the controversial language that was put in in error. There are no grandfather provisions to the bill. It essentially defines who is in a county park police force or county park police department by County Code and the reference is in there. It also changes the effective date of the legislation, should it pass. Instead of it being effective in July, it would be effective within 90 days of passage.

This amendment is kind of a total conclusion of some legislation that was passed back in 2004 that authorized the county park police to be engaged in regular police duties with some limited jurisdictional provisions. This last component does nothing more than allow what is already authorized in law, to enable the county park police force to be able to get a MPOETC (Municipal Police Officers' Education and Training Commission) certification number to be able to properly issue

citations. It is my understanding that the F.O.P. (Fraternal Order of Police) is in concurrence. MPOETC is kind of sterile on the issue; they are not for or against. PSP (Pennsylvania State Police) is neither for or against, and the Teamsters are for this particular amendment. There does not appear to be any objection that I am aware of.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Dauphin County, Representative Marsico, on the amendment.

Mr. MARSICO. Thank you, Mr. Speaker.

This is an agreed-to amendment. For those members that were here last session, this is a completely different version, and the amendment corrects those concerns that we had last session. It also takes out the grandfathering provision of the bill and it also limits the bill to the Westmoreland County Park Police only.

So with that, I support the amendment and the bill. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

Baker	Everett	Longiotti	Reed
Barbin	Fabrizio	Maher	Reese
Barrar	Fairchild	Mahoney	Reichley
Bear	Farry	Major	Roae
Belfanti	Fleck	Manderino	Rock
Benninghoff	Frankel	Mann	Roebuck
Beyer	Freeman	Markosek	Rohrer
Bishop	Gabig	Marshall	Ross
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	Gingrich	Micozzie	Shapiro
Buxton	Godshall	Millard	Siptroth
Caltagirone	Goodman	Miller	Smith, K.
Carroll	Grell	Milne	Smith, M.
Casorio	Grove	Mirabito	Smith, S.
Causser	Grucela	Moul	Solobay
Christiana	Haluska	Mundy	Sonney
Civera	Hanna	Murphy	Staback
Clymer	Harhai	Murt	Stern
Cohen	Harhart	Mustio	Stevenson
Conklin	Harkins	Myers	Sturla
Costa, D.	Harper	O'Brien, D.	Swanger
Costa, P.	Harris	O'Brien, M.	Tallman
Cox	Helm	O'Neill	Taylor, J.
Creighton	Hennessey	Oberlander	Thomas
Cruz	Hess	Oliver	True
Curry	Hickernell	Pallone	Turzai
Cutler	Hornaman	Parker	Vereb
Daley	Houghton	Pashinski	Vitali
Dally	Hutchinson	Payne	Vulakovich
Day	Johnson	Payton	Wagner
Deasy	Josephs	Peifer	Walko
Delozier	Kauffman	Perzel	Wansacz
DeLuca	Keller, M.K.	Petrarca	Waters
Denlinger	Keller, W.	Petri	Watson
DePasquale	Kessler	Phillips	Wheatley

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Adolph	Lentz	Perry	Taylor, R.
Drucker	Miccarelli	Sabatina	

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.)

**WALKING WORKS CHALLENGE
CHAMPIONS INTRODUCED**

The SPEAKER. If I could turn the members' attention to the back of the hall of the House.

Walking is the simplest, easiest, and cheapest way to get healthy. Walkers have fewer incidences of cancer, heart disease, stroke, diabetes, and many other diseases.

Here in the House of Representatives, the Walking Works Challenge, in partnership with Capital BlueCross, has moved hundreds of lawmakers and employees in a good-natured competition since 2006, and everyone who takes part is a winner, the prize being a healthier body and, of course, a smaller pants size.

The 2009 Walking Works Challenge was won by the House Democrats, who take home the Golden Sneaker for the second year in a row. Second place went to the House Republicans, and CORE came in third place. There were individual winners from each group also.

The CORE champion was Joyce Page. Joyce, would you stand up, please. Joyce logged 1,281,948 steps on her pedometer.

The House Republican champion is one of our own, the gentleman from Allegheny County, Representative Mark Mustio. Representative Mustio logged in 1,379,580 steps. He is lucky that his turnpike E-ZPass still worked while he was on foot.

The House Democratic and overall champion was Darryl Doleman, who logged in – stand up, Darryl – who logged in an unbelievable 2,762,071 steps. We understand that Nike is taking a good, hard look at Darryl. Maybe he will get a little endorsement from Nike.

But thanks and congratulations to all of the winners, and thanks to Capital BlueCross and all of the members and staff

who made a great choice for health in the Walking Works program. Thank you to all the volunteers. Will all of the guests please rise and be acknowledged by the House. Thank you once again.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 422, PN 466**, entitled:

An Act amending the act of May 28, 1937 (P.L.955, No.265), known as the Housing Authorities Law, further providing for powers of authority.

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?

MOTION TO POSTPONE

The SPEAKER. The Chair recognizes the gentleman from Lycoming County, Representative Everett.

Mr. EVERETT. Mr. Speaker, I rise today to make a motion, in accordance with House rule 55, that this bill be postponed until the first session day after this House of Representatives has done two things. The first thing is that it has passed an emergency contingency resolution funding State government, and that would be a bill that was introduced by our colleague from the 103d District in Dauphin County, and that this House of Representatives has passed a funding bill, an appropriations bill, for the Commonwealth of Pennsylvania for the fiscal year that we are now in.

Thank you.

The SPEAKER. The gentleman from Lycoming County, Representative Everett, has made a motion to postpone HB 422 until after the first legislative day in October.

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

The SPEAKER. On that question, on the motion to postpone, which is debatable by all of the members of the General Assembly but is limited to the question of postponing and not the substance of the bill, the Chair recognizes the gentleman from Northampton County, Representative Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the motion to postpone. It is kind of curious as to why the gentleman would choose this bill to deal with budget-related issues. It has nothing to do whatsoever with the Commonwealth's finances. It has nothing to do whatsoever with our current budget problem. This legislation simply deals with the ability of housing authorities to establish police forces to deal with issues of crime within their jurisdiction.

There is no reason to postpone this bill. It has been on our calendar for several weeks now. A similar aversion of this legislation did pass last session, a vote by, I believe, 201 to 0, and it has no relevancy to the issue of a stopgap measure or of anything related at all to our budget as there is no encumbrance of cost to the Commonwealth.

I would urge the members to oppose the motion to postpone.

PARLIAMENTARY INQUIRY

The SPEAKER. On the question, the Chair recognizes the gentleman from Lycoming County, Representative Everett.

Mr. EVERETT. Thank you, Mr. Speaker.

I just have a parliamentary inquiry right now.

The SPEAKER. The gentleman may state his parliamentary inquiry.

Mr. EVERETT. The motion that I made was that this particular bill be postponed until the first session day after we have done two things, not anything about October. Would my motion be in order in that forum?

The SPEAKER. The gentleman will just restate his motion.

Mr. EVERETT. The motion is that this bill be postponed.

And to answer the question of the last speaker, I do not have anything in particular against his bill. I plan to do this with every bill that is brought to the floor of this House until we do two things, until we do two things.

The SPEAKER. The gentleman is in order to restate his motion.

Mr. EVERETT. Thank you, Mr. Speaker. I shall.

The two things that are contingent upon my postponement are that we, number one, pass emergency funding legislation for the Commonwealth of Pennsylvania to keep our operations open, and there is a bill introduced that would do that that was introduced by the gentleman from Dauphin County, the 103d District, and the other thing that we would have to do is we would have to pass a funding bill and send it to the Senate.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman has made a motion to postpone to a date certain, when funding legislation passes this General Assembly.

On the question to postpone, the Chair recognizes the majority leader, the gentleman from Luzerne County, Representative Eachus, on the question.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to oppose this motion to postpone. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Butler County, Representative Metcalfe.

Mr. METCALFE. Thank you. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the gentleman's motion to postpone until the date certain, after a budget has actually been completed by this General Assembly, and in the meantime, we have funding in place to continue to operate our core government essential services.

Mr. Speaker, today is July 1, the seventh July 1 in the last 7 years that we have been here. Our lights are on, Mr. Speaker, with no budget in place. We are still running—

The SPEAKER. The gentleman will yield.

Mr. METCALFE. —and burning the lights.

The SPEAKER. The gentleman will yield.

The question before the House is the motion to postpone this piece of legislation. The question before the House is only on the question to postpone.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I support the motion to postpone until we have a budget in place, because without a budget, we are operating government with no funding. So, Mr. Speaker, I think being July 1 it is important that we postpone, I support the motion to postpone, until a budget is in place, and at the very least, we should at least pass the second component of the gentleman's postponement motion, to fund those essential services that we need such as funding to make sure that we keep these lights burning. We are here on July 1, Mr. Speaker. It is important that we postpone every piece of legislation that is not going to give us a budget. So, Mr. Majority Appropriations Chairman, give us a budget.

The SPEAKER. The Chair recognizes the gentleman from Dauphin County, Representative Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

I want to speak on the motion to postpone as well, which I support.

Keep in mind that this is July 1. There is no budget in sight. I think it is really important to realize that from July 1 on it is my opinion, and I suggest, that we do budget bills only. When we do budget bills only, that is when we are in session. Not to be in session when we are not doing budget bills, I guess is what I am saying, and we should be on a 6-hour call. So budget bills only after July 1 is going to save the taxpayers of this Commonwealth and operating this House alone at least \$50,000 a day. That is this House alone. So I think with that in mind, keeping what is best for our taxpayers—

The SPEAKER. Will the gentleman yield.

The Chair understands the circumstances of this debate. I will refer the members to rule 55, the "Debate..." will be only, only confined "...to the question of the postponement and shall not include discussion of the main question."

The issue or the discussion before the House is only to postpone HB 422. No other matter is in order.

Mr. MARSICO. Mr. Speaker, if I can just comment on the—I thought I was commenting on postponing the Freeman bill and any other bill that comes before this House that is not a budget bill.

I am asking that we only do budget bills from now on and that we go on a 6-hour call and be ready for budget appropriations bills. So that is my point. I hope that the majority leader and the Speaker will consider the 6-hour call to do the budget bills only.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Roae, is recognized from Crawford County.

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentelady, Representative Beyer, rise?

Mrs. BEYER. Mr. Speaker, it is just a point of parliamentary inquiry.

The SPEAKER. The gentelady may state her point of parliamentary inquiry.

Mrs. BEYER. Are we not allowed to state the reasons why we are preferring to vote to postpone legislation? Are we not allowed to state the reasons why we support that? For example, Mr. Speaker—

The SPEAKER. Will the gentelady yield.

The gentelady is correct. You can use any argument, any argument to postpone the legislation, for not passing the State budget or whatever circumstance you think the bill should be postponed. However, you cannot debate the substance of a budget; you cannot debate the substance of the bill before the House. However, you can use any argument on your basis for postponing the bill, but it has to be just on the question of postponing, not on any substantive issues.

Mrs. BEYER. Mr. Speaker, thank you so much for the clarification on the rule. I just wanted to be sure. Under rule 55 of the House rules that we adopted in February 2009, it states very clearly, "Debate on the motion to postpone shall be confined to the question of the postponement and shall not include discussion of the main question," the main question being the gentleman from Northampton County's bill, but we are, as members, allowed to explain to our colleagues why we are voting with postponement if we should support it.

The SPEAKER. The gentelady is correct.

Mrs. BEYER. Thank you, Mr. Speaker.

The Chair recognizes the gentleman from Crawford County, Representative Roae, on the question to postpone.

Mr. ROAE. Thank you, Mr. Speaker.

I support the motion to postpone HB 422. I have not had any constituents contact me about this bill. I have had hundreds contact me about the budget. So I think we should postpone this so we can work on the budget and do the work of the people.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Lycoming County, Representative Everett, for the second time.

Mr. EVERETT. Thank you, Mr. Speaker.

I rise to speak in support of my motion to postpone. We have been in session here for 6 months now, and in my opinion, the budget is the most important thing we do during that first 6-month period of every session. For a number of reasons, we have failed to address the budget and we have now put our Commonwealth in the position where people are not going to be paid, where ultimately we may have to have State agencies that have to scale back or close, and I think we are abrogating the very purpose that we are here, and that is to appropriate money to run the Commonwealth of Pennsylvania.

Mr. Speaker, I spent the weekend back in my district, and my constituents are in absolute disbelief that we are not debating the budget here on the floor of the House during a time when we do not even have a budget. They expect that that is what we are going to be doing, and that is what I am trying to convince this body to do.

The residents of Lycoming County, the 62,000 or so that I represent, do not expect me to sit here while a number of power brokers in Harrisburg meet at the Governor's Mansion behind closed doors to design the budget of Pennsylvania. I have a copy of the Patriot-News that is dated June 30, and it says right on it, "The Budget Brokers"; The Budget Brokers" right on the front of it, and it lists the budget brokers who are involved in this.

The SPEAKER. The gentleman will yield.
 It is completely inappropriate, Mr. Everett; completely inappropriate. Your question before the House is whether or not to postpone HB 422.

Mr. EVERETT. I apologize, Mr. Speaker. I will confine my remarks.

My point is that all we should be doing at this point, since we now do not have a budget in the Commonwealth of Pennsylvania, is confine ourselves to budget-related bills. I am not denigrating anybody else that has a bill on the calendar. All I am saying is, what we should be doing in committees and on the floor of the House of Representatives from now until we fund the Commonwealth of Pennsylvania is deal with budget bills, and for that reason I am asking those in the chamber to support me.

Back when I came here – this is my third budget; none have been passed on time – I came here with 50 other members who came here to change the way we do business in this chamber, to change the way we do business, not to do it behind closed doors, but to do it in the open and transparency of open meetings, and for that reason I would ask all of the members here to vote with me to deal with this budget issue here in the House of Representatives until we get it done.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise the members that he has given permission to Mike Staugaitis from the Shamokin News-Item to take still photographs on the House floor, up to 10 minutes.

CONSIDERATION OF HB 422 CONTINUED

The SPEAKER. On the question, on the motion to postpone, those in favor of postponing HB 422 will vote "aye"; those opposed to postponing will vote "nay."

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

The following roll call was recorded:

YEAS-97

Baker	Fleck	Marshall	Rapp
Barrar	Gabig	Marsico	Reed
Bear	Gabler	Mensch	Reese
Benninghoff	Geist	Metcalfe	Reichley
Beyer	Gillespie	Metzgar	Roae
Boback	Gingrich	Micozzie	Rock
Boyd	Godshall	Millard	Rohrer
Brooks	Grell	Miller	Ross
Causar	Grove	Milne	Saylor
Christiana	Harhart	Moul	Scavello
Civera	Harper	Murt	Schroder
Clymer	Harris	Mustio	Smith, S.
Cox	Helm	O'Brien, D.	Sonney
Creighton	Hennessey	O'Neill	Stern
Cutler	Hess	Oberlander	Stevenson
Dally	Hickernell	Payne	Swanger
Day	Hutchinson	Peifer	Tallman
Delozier	Kauffman	Perzel	Taylor, J.
Denlinger	Keller, M.K.	Petri	Thomas

DiGirolamo	Killion	Phillips	True
Ellis	Knowles	Pickett	Turzai
Evans, J.	Krieger	Pyle	Vereb
Everett	Maher	Quigley	Vulakovich
Fairchild	Major	Quinn	Watson
Farry			

NAYS-99

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

NOT VOTING-0

EXCUSED-7

Adolph	Lentz	Perry	Taylor, R.
Drucker	Miccarelli	Sabatina	

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

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-158

Barbin	Fabrizio	Levdansky	Reed
Bear	Fairchild	Longietti	Reese
Belfanti	Farry	Maher	Reichley
Beyer	Fleck	Mahoney	Roebuck
Bishop	Frankel	Major	Ross
Boback	Freeman	Manderino	Sainato
Boyd	Galloway	Mann	Samuelson
Boyle	Geist	Markosek	Santarsiero
Bradford	George	Marsico	Santoni
Brennan	Gerber	Matzie	Scavello
Briggs	Gergely	McGeehan	Seip
Brown	Gibbons	McI. Smith	Shapiro
Burns	Gingrich	Melio	Sipthroth
Buxton	Goodman	Mensch	Smith, K.
Caltagirone	Grell	Micozzie	Smith, M.

Carroll	Grucela	Milne	Smith, S.
Casorio	Haluska	Mirabito	Solobay
Civera	Hanna	Mundy	Staback
Clymer	Harhai	Murphy	Sturla
Cohen	Harhart	Murt	Swanger
Conklin	Harkins	Mustio	Taylor, J.
Costa, D.	Harper	Myers	Thomas
Costa, P.	Harris	O'Brien, D.	True
Cruz	Helm	O'Brien, M.	Turzai
Curry	Hennessey	O'Neill	Vereb
Cutler	Hess	Oliver	Vitali
Daley	Hickernell	Pallone	Vulakovich
Dally	Hornaman	Parker	Wagner
Day	Houghton	Pashinski	Walko
Deasy	Hutchinson	Payne	Wansacz
DeLuca	Johnson	Payton	Waters
DePasquale	Josephs	Peifer	Watson
Dermody	Keller, W.	Perzel	Wheatley
DeWeese	Kessler	Petrarca	White
DiGirolamo	Killion	Petri	Williams
Donatucci	Kirkland	Phillips	Youngblood
Eachus	Knowles	Preston	Yudichak
Evans, D.	Kortz	Quigley	
Evans, J.	Kotik	Quinn	McCall,
Everett	Kula	Readshaw	Speaker

NAYS—38

Baker	Ellis	Metcalf	Roae
Barrar	Gabig	Metzgar	Rock
Benninghoff	Gabler	Millard	Rohrer
Brooks	Gillespie	Miller	Saylor
Causar	Godshall	Moul	Schroder
Christiana	Grove	Oberlander	Sonney
Cox	Kauffman	Pickett	Stern
Creighton	Keller, M.K.	Pyle	Stevenson
Delozier	Krieger	Rapp	Tallman
Denlinger	Marshall		

NOT VOTING—0**EXCUSED—7**

Adolph	Lentz	Perry	Taylor, R.
Drucker	Miccarelli	Sabatina	

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

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

GUESTS INTRODUCED

The SPEAKER. In the balcony, the Chair welcomes the family of Representative Eugene DePasquale – his wife, Tracey; his son, Ben; his daughter, Sarah; and his father, Alfred. Will the guests please rise. Welcome to the hall of the House.

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Representative Thomas, to correct the record. The gentleman is in order.

Mr. THOMAS. Mr. Speaker, so that there is no confusion in the vote on HB 422 and the motion prior to it, my button malfunctioned on the Everett motion, and I should have been recorded in the negative. Thank you.

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

RESOLUTION PURSUANT TO RULE 35

Mr. EACHUS called up **HR 365, PN 2248**, entitled:

A Resolution honoring the life of former Senator Robert J. Kusse and extending condolences to his family.

On the question,
Will the House adopt the resolution?

RESOLUTION RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 365 be removed from the active calendar and recommitted to the Committee on Rules.

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

PARLIAMENTARY INQUIRY

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

Mr. VEREB. Thank you, Mr. Speaker.

A parliamentary inquiry.

The SPEAKER. The gentleman may state his parliamentary inquiry.

Mr. VEREB. Is it appropriate for the House to pause until a technician would come in and check potential malfunctioning buttons, Mr. Speaker?

The SPEAKER. We will have the Chief Clerk investigate.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome to the hall of the House, in the balcony, Mary Buchheit and Emily Oleskey and the Adams County homeschoolers. Will the guests please rise. They are guests of Representative Dan Moul. Welcome to the hall of the House.

STATEMENT BY MAJORITY LEADER

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

Mr. EACHUS. Thank you, Mr. Speaker.

I would like to be recognized under unanimous consent for a moment, please.

The SPEAKER. The majority leader does not need unanimous consent.

Mr. EACHUS. Well, thank you. It is my first request.

I would like to make sure, even though he got a standing ovation when he rode on to the floor on Monday, I would like to recognize a friend of this House back and make sure we do it properly.

As we know, our friend, Bob Belfanti, has been a longtime member of this House, chairman of the Labor Committee, a friend among members, and a friend to all of us. His community

that he represents has been graced with his leadership for years, and for any of us who have members who have health problems, we know how challenging that can be not only on them but on their families.

I just wanted to make sure that we had a proper recognition for our friend, Bob Belfanti, chairman of the Labor Committee on his return this week.

STATEMENT BY MAJORITY WHIP

The SPEAKER. The Chair recognizes the gentleman from Greene County, Representative DeWeese.

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

Bobby Belfanti and I were poking around Shamokin a long, long time ago. We skied together, we rubber-rafted together, we paintballed together, and as former Marines, we have grown up here over three decades. And I wanted to echo the comments of our majority leader and say from a very personal basis, as a brother in many, many ways, this chamber welcomes him back more than he will ever know.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MR. BELFANTI

The SPEAKER. The Chair recognizes the gentleman from Northumberland County, Representative Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

It would be remiss of me not to thank literally hundreds of people who, over the course of the past 5 months, have wished me well, primarily my family. I will not have to go out to dinner with each of you to explain what happened to me. So I will do it here real quickly, because I am tired of being asked about it.

But I had pneumonia. I went into a coma. I was in a coma for about 7 days, and then they kept me after I got out of the coma. They resedated me for another 3 or 4 days. There is no light. Everybody is asking me, do you see a light? I did not see a light; no.

When I finally woke up or they let me wake up, all I knew was I had hoses down my throat, catheters all over my body, and I was plugged into life support, and daily my doctors told my wife to expect the worst. And I guess the most shocking thing was about the third or fourth day, one of the northeast television stations reported that I had died of pneumonia, and my wife was not at Hershey at the time, and of course she panicked. But my family was great. They continued to try to get me out of the coma by talking about our hunting camp and the shore trip and everything else.

I also would like to thank my staff both locally and down here in Harrisburg. They were tremendous in keeping me informed when I was allowed to talk to people. I will not tell you the pee story. There is a good story about learning how to pee again and how to button your shirt and pull your zipper up, which I forgot again last night at the restaurant. Somebody told me as I was leaving the dinner, you know your fly is down. Well, up until about a couple weeks ago, I could not pull it up anyway. I would have to have somebody pull it up for me. Billy DeWeese, in a manly sort of way, he would have done it.

One other thing, while I was going through my leaving the intensive care and moved down to special care, I started really thinking about this chamber. My wife brought box loads upon box loads, little boxes like letter size, but they contained

individual cards from most of you, and I really want to express my appreciation for all the cards, flowers. Chocolates I was not able to eat with the breathing tube down there. If they could have shot them in there, I would have taken them. But anyway, thank you all very much. My leadership stayed informed with my wife and me day in and day out.

I also want to particularly thank from the other side of the aisle Representative Phillips and Representative Fairchild for their many calls and just being good friends for so many years. Thank you, Russ and Merle. I appreciated it.

On my side, apart from the leaders, Representative Seip must have a bigger postage allowance than any of us, because I got letters from him every day. I was starting to think he liked me, in a manly sort of way.

All in all, I lost 50 pounds. I put five of it back on. I always wanted to know what Chris Sainato felt like when he was walking down the hallway with the suit that did not fit. I tried to pick out my wardrobe where I could pull my pants in but leave my coat just hang like this. Mark Cohen is not here so I will not mention Mark.

But once again, friends, colleagues, people that I really missed until Monday when I got back here, I quit missing most of you. But I really did miss you all, and I do appreciate and my family appreciates your outpouring of understanding when I was on the road to a 6-foot plot as opposed to getting back here. I can say that waking up and coming here rates slightly over being in a box.

But I think that is all the time I have been allowed. Ed McMahan died, and I did not have any more material from him, but once again, thank you all.

The SPEAKER. The Chair thanks the gentleman.

And again, to echo the sentiments of the leaders, welcome back, Bob. I know I echo the sentiments of the entire General Assembly when our hope and desire is that every day going forward is a better day for you. Welcome back to the hall of the House.

DEMOCRATIC CAUCUS

RULES COMMITTEE MEETING

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

Mr. EACHUS. Thank you, Mr. Speaker.

For the information of the Democratic members, there will be a 1 o'clock caucus meeting in the Democratic caucus room.

For the Rules Committee members, there will be a 10:45 meeting tomorrow in the majority caucus room; for the Rules Committee members, 10:45 tomorrow. Thank you.

The SPEAKER. There will be a Rules Committee meeting at 10:45 tomorrow in the majority caucus room.

STATE GOVERNMENT COMMITTEE MEETING

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

Ms. JOSEPHS. Thank you, Mr. Speaker.

The State Government Committee will meet for a voting meeting at 2 in G-50; 2 p.m., G-50. Thank you, Mr. Speaker.

The SPEAKER. There will be a State Government Committee meeting at 2 p.m. in room G-50.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair has in its possession a motion to adjourn made by the gentleman from Luzerne County, Representative Eachus, that this House do now adjourn until Thursday, July 2, 2009, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

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

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

Mr. MAHER. Mr. Speaker, I would oppose the motion to adjourn.

The new fiscal year has begun. The Democratic leader has no proposal even for a budget. We are all here assembled. I suggest, instead of adjourning, that one of the budget bills be pulled from the Appropriations Committee and we sit here and we go through it line by line in the light of day until we have completed the task.

Adjourning at this hour on this day is an insult to the people of Pennsylvania.

The SPEAKER. On the question, the Chair recognizes the gentleman from Butler County, Representative Metcalfe.

Mr. METCALFE. Thank you. Thank you, Mr. Speaker.

I also rise to oppose the motion to adjourn here on the 1st of July, when we have been called into session with no budget having been concluded by the deadline on June 30 once again for the seventh year, Mr. Speaker.

Mr. Speaker, we had several votes already posted on the House calendar still today for final consideration, several bills, and I know a number of us were looking forward to postponement debates on those bills in lieu of having a budget brought before us.

Mr. Speaker, I would ask that you would actually have a roll-call vote on this adjournment motion, Mr. Speaker, because many of us came here today ready to do the work of the people, to try and bring forth a budget. It is already a day late. Many are suspecting it might be 30 days or more late. I know the Governor has made comments about being willing to wait until Labor Day. Mr. Speaker, I do not think the people of Pennsylvania are willing to wait. I think many of them are very upset that we are talking about increasing their taxes, and instead of debating that here today regarding the budget, we are going to have this maneuver made by the majority leader, who does not know how to deal with the postponement motion that just came up earlier because he does not want to debate and instead is proposing to adjourn.

Mr. Speaker, I oppose this motion to adjourn. I think the people of Pennsylvania oppose this motion to adjourn, and

I want a roll-call vote so everybody knows if their member is shirking their duty, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Adams County, Representative Moul.

Mr. MOUL. Thank you, Mr. Speaker.

I have in my possession the only budget proposal that was given to us earlier this year. I recommend that we stay here. I support the motion to stay here and work on this. Let us go through it line by line. It is our job. It is what we were elected to do. I can start, if you would like, Mr. Speaker, with page 1.

Thank you.

The SPEAKER. On the question, the Chair recognizes the gentleman from Clearfield County, Representative Gabler.

Mr. GABLER. Thank you, Mr. Speaker.

I rise to oppose the motion to adjourn, and I want to add my perspective as somebody who has been here in this House chamber for 7 months. My constituents elected me to come here to get the people's business done, and here we are in the first day of the new fiscal year and we do not have a budget. My constituents will not accept as an answer from me that the leaders will not let a bill come out onto the floor of the House.

So I rise to make my objection noted that we need to be doing the people's business. We need to get the budget done so I can look my constituents in the eye and say that I did everything I could do.

Thank you, Mr. Speaker.

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

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support this motion, because it is important that we have an opportunity at 1 o'clock in the Democratic caucus to begin to review the work that has been concluded in the discussions between the four caucus leaders as it relates to the lines. The Democratic Caucus, our members, are interested in learning about each individual line, the over 800 lines in the State budget. That is exactly what we are adjourning to do, to focus on the individual components of the discussions of the four caucus discussions that have been going on.

I have heard this characterized as the brokers. Let me say something, our members – and I have no idea how the other side is proceeding – but our members want to know exactly what we discussed, and we are going to share those discussions with the Democratic members so that they understand not only line by line but the context of the deep and aggressive cuts that have been offered in the Senate version that has come over about 2 months ago. We are doing that. That takes time.

I realize that this motion to adjourn hampers the ability to have postponement motions and other discussion that the minority feels is important to put forward, but let me say we need to get to the point where members understand what the real terms of this discussion mean to the working families, senior citizens, children's health care, hospital employment, and the other things that are inside this State budget.

This is an important moment. It is a serious moment. It is not a moment where we need to have politics and hyperbole. Maybe I should make a motion to turn the cameras off and maybe we will get it done.

But my point to all of you is, let us have an honest discussion. We are doing that inside our caucus. We are having an honest discussion with members about what this State

budget, the terms of it, means so that we can try and reach a bipartisan conclusion so that we meet the obligations of the people who work and live in this Commonwealth, whose only measure is that we get this done and we get it done right.

So thank you, Mr. Speaker.

Mr. S. SMITH. Mr. Speaker?

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

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

As we went over the budget with the Governor over the last couple of days, we pretty much did it line by line, and I found it interesting, because on the spreadsheets we had the side-by-side comparisons of what is in the current budget, the '08-'09 budget. We had what would be proposed in SB 850. We had a column as to what was in the Governor's budget proposal of February, and we basically had those three columns to compare, and the one thing that was missing from that comparison is, what are the general budget ideas that come out of the House, see, because we have never had an appropriations bill on the floor of the House for this body to collectively, and disagreeably, but collectively pull a budget together that this House stands for. The Governor had proposed a budget in February. The Senate responded with a budget here a few months ago, but this House does not have a budget that we have worked through, and that is really the point.

So I guess, Mr. Speaker, I am curious as to just what budget the House Democrats— Do you have another document? Do you have something else that you are going through line by line? Because our members have taken a look at the Governor's proposal from February, our members have looked at SB 850 that was passed 2 months ago or so, and we have done that comparison, but we are not sure what budget you are talking about, because, see, the House does not have an appropriations bill on the floor. The House has never put a statement on the table from a negotiating perspective at the end of the day between the Governor's Office, what the Senate feels is the right direction to go, and what this House feels is the right direction to go. We have not said anything. We have not said anything. We do not have anything to respond to. It is important, Mr. Speaker, that we get an appropriations bill out on the floor of this House.

As far as the House Republican members go, we have looked at the budgets that have been out there – the Governor's, SB 850. We have a good understanding of what is there. We know which direction we need to go. So if there is any need for anybody in this building, in this House, to look at a budget line by line, it is looking at one right here on our calendar where we are voting it and members are free to amend it as they may see fit. That is what we need to be doing, Mr. Speaker, and certainly if the majority caucus has a budget that they are reviewing line by line, I would like our caucus to be able to review that budget line by line as well. We are open and we are ready to go to work.

The SPEAKER. On the question of adjournment, the Chair recognizes the gentleman from Centre County, Representative Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I will be brief. I rise to second that motion because I think it is important, but I rise for two reasons. I promised somebody – a constituent had called me yesterday – if I had the opportunity

that I would express her comments. She said to me, is not the number one thing that you are elected to do is to pass a budget? And I think if this woman, a housewife whose husband happens to be worried about whether he is going to get a paycheck after today, can be sitting in her living room and understand that, I believe we as elected officials should understand it as well.

If we are to continue these budget negotiations, maybe what we ought to do is do it in an open debate, televise it, and have all the discussions from the day we cannot pass one, the day we miss the deadline, be publicized and be public.

Mr. Speaker, I rise to second that motion, because I think the majority of the members here are very intelligent and have a lot to offer, and maybe a couple more minds in the engaged conversation will get this done, maybe even yet today.

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

The following roll call was recorded:

YEAS—100

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

NAYS—96

Baker	Farry	Major	Quinn
Barrar	Fleck	Marshall	Rapp
Bear	Gabig	Marsico	Reed
Benninghoff	Gabler	Mensch	Reese
Beyer	Geist	Metcalfe	Reichley
Boback	Gillespie	Metzgar	Roae
Boyd	Gingrich	Micozzie	Rock
Brooks	Godshall	Millard	Rohrer
Causer	Grell	Miller	Ross
Christiana	Grove	Milne	Saylor
Civera	Harhart	Moul	Scavello
Clymer	Harper	Murt	Schroder
Cox	Harris	Mustio	Smith, S.
Creighton	Helm	O'Brien, D.	Sonney
Cutler	Hennessey	O'Neill	Stern
Dally	Hess	Oberlander	Stevenson
Day	Hickernell	Payne	Swanger
Delozier	Hutchinson	Peifer	Tallman

Denlinger	Kauffman	Perzel	Taylor, J.
DiGirolamo	Keller, M.K.	Petri	True
Ellis	Killion	Phillips	Turzai
Evans, J.	Knowles	Pickett	Vereb
Everett	Krieger	Pyle	Vulakovich
Fairchild	Maher	Quigley	Watson

NOT VOTING—0

EXCUSED—7

Adolph	Lentz	Perry	Taylor, R.
Drucker	Miccarelli	Sabatina	

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair recognizes the majority whip, who asks that the gentleman from Philadelphia, Mr. Sabatina, be added to the master roll.

This House does now adjourn until Thursday, July 2, 2009, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

At 12:21 p.m., e.d.t., the House adjourned.`