

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JULY 21, 2009

SESSION OF 2009

193D OF THE GENERAL ASSEMBLY

No. 70

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (KEITH R. McCALL) PRESIDING

PRAYER

HON. GORDON DENLINGER, member of the House of Representatives, offered the following prayer:

Would you please join me in prayer.

Heavenly Father, as we come before You today, we do so in a spirit of hopefulness and in a spirit of praise. We read in Your Holy Word that Your mercies are new to us each morning, and, Father, we do need Your mercies in so many ways.

We pray today for those who are working in the Capitol, members and staff, who suffer with ailments and with physical challenges. Father, You are the great physician, and we ask that You would extend Your hand of healing to those who are in need. For those who are broken in spirit and living in despair, may they find comfort in the timeless principles found in Your Word and in the knowledge that among the many aspects of Your being, You are a God who is loving and full of compassion.

And, Father, for those of us here, all of us, who seek the betterment of this Commonwealth and the lives of our fellow citizens, teach us to walk in Your wisdom and in Your justice and give us hearts that are able to receive these gifts.

And, Father, as we go about our duties today, we do raise before You those men and women who serve in our military, and particularly those who are in harm's way. We pray that You would place a hedge of protection around each one and that You would bring them home to us safely and soon.

Father, we ask these things, relying on Your goodness and Your grace. Amen.

PLEDGE OF ALLEGIANCE

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

GUESTS INTRODUCED

The SPEAKER. To the left of the Speaker, the Chair would like to welcome Lauren Kuhne. She is interning for Representative Barbin in his district office in Johnstown. She is a student at Penn State University. Also with Lauren is her

mother, Debra Kuhne. Will the guests please rise. Welcome to the hall of the House.

Also in the well of the House, we have a special guest, Matthew Causer. He is serving as a guest page. He is the son of Representative Causer. Will the guest please rise. Welcome to the hall of the House.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 1416, PN 2487**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

DEMOCRATIC CAUCUS

RULES COMMITTEE MEETING

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

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, for the information of the members on the Democratic side, 11:30 Democratic caucus.

For the Rules Committee members, 12:20 Rules Committee meeting in the majority caucus room and back on the floor at 12:30.

Once again I will repeat: 11:30 Democratic caucus; 12:20 House Rules Committee in the majority caucus room, for the Rules Committee members; back on the floor at 12:30. Thank you, Mr. Speaker.

The SPEAKER. There will be a Rules Committee meeting at 12:20 in the majority caucus room.

LABOR RELATIONS COMMITTEE MEETING

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

Mr. EACHUS. Thank you, Mr. Speaker.

One more announcement. For the House Labor Relations Committee, there will be a 12:15 meeting today in 60 East Wing. The committee has one bill before it, SB 563. The meeting should not take long, I am told by the chairman of the Labor Relations Committee. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

There will be a Labor Relations Committee meeting at 12:15 in room 60, East Wing.

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus immediately at the call of the recess. I would ask all Republicans to please report to caucus immediately upon the call of the recess. Thank you.

The SPEAKER. The Chair thanks the gentlelady.

Are there any further announcements?

RECESS

The SPEAKER. This House stands in recess until 12:30 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 1 p.m.; further extended until 1:30 p.m.; further extended until 2 p.m.; further extended until 2:30 p.m.

AFTER RECESS

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

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

JOURNALS APPROVED

The SPEAKER. The Journals of Wednesday, June 3; Thursday, June 4; and Monday, June 8 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.

The SPEAKER. The Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Monday, July 20, 2009, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS

INTRODUCED AND REFERRED

No. 0011 By Representatives ROEBUCK, McCALL, EACHUS and STURLA

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in duties and powers of boards of school directors, establishing parent involvement programs and policies in school districts; in school finances, providing for workers' compensation, and further providing for annual budget and for limitation on certain unreserved fund balances; in grounds and buildings, further providing for referendum or public hearing required prior to construction or lease; providing for certification of teachers by the National Board for Professional Teaching Standards; in certification of teachers, further providing for certificates qualifying persons to teach and for kinds of State certificates; providing for residency certificates, and further providing for disqualifications; in pupils and attendance, providing for use of seclusion; further providing for compulsory school attendance and for exceptions to compulsory attendance; providing for interview reports for withdrawing and illegally absent students; further providing for cost of tuition and maintenance of certain exceptional children in approved institutions and in the four charter schools for education of the deaf and blind; and providing for emergency permits at approved private schools and chartered schools for the deaf and blind; in school health services, further providing for possession and use of asthma inhalers and epinephrine and auto-injectors; in high schools, further providing for academic degrees; in charter schools, further providing for funding for charter schools and for annual reports and assessments; in education empowerment act, further providing for education empowerment districts and for mandate waiver program; in educational improvement tax credit, further providing for definitions, for tax credit and for limitations; in transfers of credits between institutions of higher education, further providing for duties of public institutions of higher education, for transfer and articulation oversight committee and for participation by independent institutions of higher education or State-related institutions; in funding for public libraries, providing for state aid for 2009-2010; in reimbursement by Commonwealth and between school districts, further providing for definitions, for basic education funding for student achievement and for accountability to Commonwealth taxpayers, and for payments to intermediate units; and providing for special education funding for student achievement and instruction of eligible students in regular classrooms and for special education accountability to Commonwealth taxpayers.

Referred to Committee on EDUCATION, July 20, 2009.

No. 1880 By Representatives MIRABITO, CHRISTIANA, GERBER, EACHUS, JOSEPHS, DeWEESE, HANNA, BENNINGHOFF, BRADFORD, BRIGGS, CUTLER, DePASQUALE, DRUCKER, FAIRCHILD, FREEMAN, GIBBONS, GRELL, HORNAMAN, HOUGHTON, KORTZ, LEVDANSKY, MATZIE, McILVAINE SMITH, MELIO, MUSTIO, QUINN, ROAE, ROCK, SAINATO, SHAPIRO, SIPTROTH, M. SMITH, VULAKOVICH and WHITE

An Act establishing the Pennsylvania Government Accountability Portal; providing for portal requirements and for data requirements; conferring powers and conveying duties on the Treasury Department and other State agencies; and providing for exception to publication.

Referred to Committee on STATE GOVERNMENT, July 21, 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 84, PN 67

An Act amending the act of May 19, 1995 (P.L.33, No.3), known as the Economic Development Agency, Fiduciary and Lender

Environmental Liability Protection Act, further providing for definitions, for limitation of economic development agency environmental liability and for defenses to liability.

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

LEAVES OF ABSENCE

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

The Chair recognizes the gentleman from Allegheny County, the minority whip, Representative Turzai, who requests the following leave of absence for: Representative Dennis O'BRIEN from Philadelphia County for the day. Without objection, the leave will be granted.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Turning to leaves of absence, the Chair notes the presence of the gentleman from Philadelphia County, Representative Dennis O'Brien, on the floor of the House. His name will be added to the master roll.

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—200

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Kotik Miccarelli Perry

LEAVES ADDED—1

Benninghoff

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 1592, PN 1973 By Rep. CALTAGIRONE

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

JUDICIARY.

HB 1831, PN 2489 (Amended) By Rep. FREEMAN

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, providing for review fees.

LOCAL GOVERNMENT.

HB 1861, PN 2490 (Amended) By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for deposits into account and for distribution of funds.

JUDICIARY.

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

SB 125, PN 1333 (Amended) By Rep. CALTAGIRONE

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for prohibited acts and penalties; and providing for methamphetamine production, for the offenses of operating a methamphetamine laboratory and illegal dumping of methamphetamine waste and for environmental costs.

JUDICIARY.

SB 531, PN 1334 (Amended) By Rep. CALTAGIRONE

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

JUDICIARY.

SB 925, PN 1309 By Rep. MCGEEHAN

An Act amending the act of October 9, 2008 (P.L.1438, No.118), known as the Massage Therapy Law, further providing for qualification for licensure and for other professions.

PROFESSIONAL LICENSURE.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 1416, PN 2487 By Rep. EACHUS

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, 2009, to June 30, 2010, 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, 2009; 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, 2009, to June 30, 2010; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2009, to June 30, 2010, 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, 2009; to provide for the additional appropriation of Federal and State funds from the General Fund, from the State Lottery Fund and from the Tobacco Settlement Fund for the Executive Department of the Commonwealth for the fiscal year July 1, 2008 to June 30, 2009, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2008; and making interfund transfers for the fiscal year July 1, 2008, to June 30, 2009.

RULES.

The SPEAKER. That bill will be placed on the House supplemental calendar.

BILL REREPORTED FROM COMMITTEE

HB 1874, PN 2470

By Rep. EACHUS

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, in municipal pension plan actuarial reporting, further providing for contents of actuarial valuation report and providing for actuarial asset valuation and for revised actuarial valuation report; in financially distressed municipal pension plan determination procedure, further providing for initiation of distress determination, for pension plans to be included in determination and for determination procedure; in financially distressed municipal pension system recovery program, further providing for application, for election determination procedure, for recovery program level I, for recovery program level II, for recovery program level III, for remedies applicable to various recovery program levels for supplemental State assistance program and fund and for municipal employee retirement program; in financially distressed municipal pension system recovery program, establishing programs for municipal pension recovery and municipal employee retirement; in financially distressed municipal pension system recovery program, further providing for rules and regulations.

RULES.

The SPEAKER. The bill will be placed on the House supplemental calendar.

SENATE MESSAGE

**RECESS RESOLUTION
FOR CONCURRENCE**

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

In the Senate,
July 20, 2009

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, July 27, 2009, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, July 27, 2009, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

CALENDAR

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 536, PN 543**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Tad W. Hippensteel a pedestrian and vehicular access easement over certain lands of the Commonwealth of Pennsylvania situate in Mount Joy Township, Lancaster County.

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—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Kotik	Miccarelli	Perry
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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 without amendment.

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

MS. MARY WILSON PRESENTED

The SPEAKER. The Chair would like to introduce a special guest we have in the chamber today, Ms. Mary Wilson, who is best known as the founding member of the world's most famous female trio. They recorded 12 number-one hits from 1964 to 1969. The legendary singer's career did not stop there, and she continues to soar to untold heights. She still performs with the same passion as she did while singing with the Supremes, the original Supremes, but the world-renowned celebrity is now using her fame and flair to promote humanitarian efforts to end hunger, raise AIDS (acquired immune deficiency syndrome) awareness, and encourage world peace.

It is a great pleasure for me to introduce one of the founding members of the Supremes, Ms. Mary Wilson. Will Mary please rise.

Mary would like to serenade us with one of her famous songs.

Ms. WILSON. Oh, how wonderful. Oh, I do have to say that I think I saw a clip of you this morning. I was singing the national anthem at the convention in Philadelphia at 8 o'clock, and singing the national anthem is hard even under normal situations because you never know if you are going to say the right lyrics, and we all know it very well, but singing it at 8 a.m. before Bill Gates was quite a challenge for me. So it is nice to be here with you guys and ladies, and I did see you on the clip this morning as well. You did very well.

So anyway, most of us have grown up together, although I am not grown up yet at 65. I am still growing. And I thought that maybe since this budget is kind of holding people here, maybe I should give a little inspiration and say:

Stop! in the name of love
Before you break my heart
Think it over....

SUPPLEMENTAL CALENDAR A

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1416, PN 2487**, 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, 2009, to June 30, 2010, 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, 2009; 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, 2009, to June 30, 2010; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2009, to June 30, 2010, 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, 2009; to provide for the additional appropriation of Federal and State funds from the General Fund, from the State Lottery Fund and from the Tobacco Settlement Fund for the Executive Department of the Commonwealth for the fiscal year July 1, 2008 to June 30, 2009, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2008; and making interfund transfers for the fiscal year July 1, 2008, to June 30, 2009.

On the question,
Will the House concur in Senate amendments?

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

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

The SPEAKER. Will the gentleman yield.

Mr. TURZAI. Yes, sir.

The SPEAKER. I am just reminding the members that rule 19(b) applies to this legislation.

The clerk can reset the clock for the gentleman, Mr. Turzai.

The gentleman is in order and may proceed.

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

Well, it is July 21 and it is disappointing that a procedural maneuver that has taken place did not happen sometime in May. I think it is wrong and unfortunate that State employees have been used as a hostage once again by this administration to try to force a tax-increase vote and spending that is not within our means.

With respect to HB 1416 as amended, I would rise on behalf of myself and indicate that I think we should concur, and these are the reasons why: HB 1416 as amended has no new taxes, and middle-class families and small businesses are tightening their belts across the State and they have made it readily clear to all of us, do not take more money out of my pocket; we want to have that money in our homes to save for our kids' college, to buy a new appliance, or maybe to take a weekend vacation; you need to get your spending in order in Harrisburg. Second, it

represents reduced spending. And third, in this year of years when we are facing a \$3.2 billion deficit for '08-'09 and another \$3.2 billion or greater in '09-'10, it makes it clear that we cannot continue our ways by increasing spending, by increasing borrowing and increasing debt service, or raising taxes, as has been the legacy of the first 6 years of this Governor's administration.

It also indicates that there is no discretionary spending, and when you have deficits to the tune of over \$3 billion, you need to eliminate discretionary spending and begin to prioritize where you are putting the hard-earned tax dollars.

Would I like to be voting for the Civera amendment again? You bet. It reduced spending, made sure there were no new taxes, and it prioritized spending by focusing on hospitals, education, and law enforcement.

We all know that this is going to a conference committee. We understand that, and the message, I think, that has to be delivered to the Governor and perhaps to the majority Appropriations chair is this: The old days are over. These bodies are not going to vote for a tax increase, and I believe that is true of members on both sides of the aisle. I myself and I think most of the Republican members will not put up a tax-increase vote when people are struggling in this recessionary time.

And secondly, we must recognize that in prioritizing spending, giving a certain dollar amount that we have, the focus must be on hospitals, education, law enforcement, and not on, quote, unquote, "legislative priorities," which the majority Appropriations chairman always talks about. I have been in these meetings, and I must tell you I have not heard any language or talk about focusing on hospitals, education, and law enforcement. It is always about the legislative priorities, or the walking-around money. That is not the right approach.

As we get to a conference committee, we need to make sure there are no new taxes, we have controlled spending, that we prioritize like the Civera amendment did, and that we come to the conclusion in this year of years, we continue to reform government by reforming the budget and recognize that there is not going to be room for discretionary spending or walking-around money this time.

I am hoping that any conference committee also is going to have sunshine, lots of sunshine, open for everybody to hear what the discussion is in terms of our priority in spending, and I call upon the Governor and the majority Appropriations chairman to guarantee each of us House members that there is going to be sunshine throughout that conference committee discussion.

With that, I would say I am going to concur, and I think there are good reasons to concur, but I recognize that we have some days ahead of us in getting this done.

With all due respect, Mr. Speaker, I ask for a vote on concurrence. Thank you very, very much.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Greene County, the majority whip, Representative DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

Just a 2- or 3-minute response to my honorable colleague from Allegheny County.

We have been in many of the same meetings in Chairman Evans's office and in Senator Pileggi's office. We have also been privileged to go line by line with His Excellency in the annex to the Governor's home, and I would politely recollect to

my honorable colleague from Pittsburgh that we did talk about hospitals, that we did talk about education, that we did talk about economic development and parks and agriculture.

It was in the New York Times a couple of days ago, and the metaphor is somewhat strained here, but there was an article about Stanley McChrystal, the four-star general who is in charge of our troops in Afghanistan, and the essence of the article was that the end game in Afghanistan is dynamic and unpredictable. Well, Mr. Speaker, the process that we are involved in today is dynamic and unpredictable, but one thing is for certain, if we are to advance this dialogue, this has to go to a conference committee, and we will urge our membership to forward it to that conference committee.

But the honorable gentleman who preceded me at the microphone is, I think, in error when he says that we met again and again and again and we did not talk about matters of great substance. In fact, for the first time ever in my somewhat extended career, we went line by line by line with the Governor.

What will happen in the conference committee is, again, dynamic and unpredictable, but I think it is the mission of our General Assembly's chamber here today to send it on to a conference committee.

Thank you very much, Mr. Speaker.

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I am not going to take all of the time allotted, but I think it is important to make sure that the record is straight on two things: One, I am not prepared to retreat on the commitment that we have made to children in our public school system.

Two, I am not prepared to retreat on the commitments that we have made to families and communities over the last 6, 7 years. I recognize that the economic situation has changed, but then all that means is we have to redesign our priorities, and I have decided to choose people over politics, I have decided to choose families over special interests, and I have decided to have the patience of Job if it is necessary to get it right.

I am here 20 days after the 30th, and I do not mind staying another 180 days if it is necessary to get it right. The important thing is to get it right. The amended version of HB 1416 is not right. Vote to nonconcur.

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

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 1416 as amended by the Senate.

Mr. Speaker, I think it is very telling that today we have received e-mails from both the PSEA (Pennsylvania State Education Association), the State's largest teachers union, and the AFL-CIO asking for a nonconcurrency vote, Mr. Speaker. Mr. Speaker, these are the organizations that feed pretty mightily out of the public trough and are sad that the public trough is not being slopped as full as they are used to.

Mr. Speaker, in order to put taxpayers first to ensure that there are no tax increases this year, I believe that we have to concur with HB 1416, put it on the Governor's desk. Let us call the Governor's bluff to be the last man standing for his personal income tax increase. I know there are some Democratic leaders

that are still pushing for that personally here in the House, but I believe the Senate seems pretty strong both in their leadership in the Senate Republican side and the Senate Democratic side, that they are not going to concur with a PIT increase to sustain the level of spending that the majority Appropriations chairman here in the House keeps pushing for.

Mr. Speaker, I think it is important for taxpayers across this Commonwealth to understand that these are really shameless, despicable tactics of holding State workers hostage, of forcing them to work without pay, of holding college students hostage, attempting to put forward a no-tax-increase budget just by playing a shell game as HB 1416 did in its original form.

Mr. Speaker, there are many deficiencies with the original HB 1416 that were corrected with the Senate amendment. It certainly does not cut spending as I would cut it, because I would have cut a lot more with the revenues that we are expecting, but it went far enough to ensure that we do not have a tax increase this year, Mr. Speaker, and I believe that it is time for taxpayers to be put first in this budget process, as many of us have been calling for since the beginning of the year.

There was ample opportunity, Mr. Speaker, as there were dozens of us that joined in a letter to the majority leader and majority Appropriations chairman earlier this year and asked for the use of our committee process to focus on the budget. We did not have to be waiting until July 21 to finally get to a vote that might force a conference committee, Mr. Speaker. That could have been done in May or June even, but as always, the majority, working in concert with the Governor, attempting to hold taxpayers hostage, the State workers, college students, are once again up to the same old tactics, Mr. Speaker.

Many of my colleagues on both sides of the aisle have come in under the banner of reform, under the banner of transparency, and if this does go to a conference committee, as I understand the new transparency that is supposed to take place, I would hope that members on both sides are very diligent to make sure that their appointees are abiding by what is called for.

Mr. Speaker, I would ask for a vote to concur with HB 1416 in order that we might finally put taxpayers first.

Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—49

Baker	Everett	Major	Pickett
Bear	Gabig	Marshall	Pyle
Benninghoff	Gabler	Marsico	Rapp
Causer	Gillespie	Mensch	Reichley
Christiana	Gingrich	Metcalfe	Roae
Civera	Grell	Millard	Saylor
Clymer	Grove	Miller	Schroder
Cox	Harris	Mustio	Smith, S.
Cutler	Helm	Oberlander	Stevenson
Day	Hickernell	Payne	Swanger
Delozier	Hutchinson	Perzel	Tallman
Ellis	Keller, M.K.	Petri	Turzai
Evans, J.			

NAYS—150

Adolph	Evans, D.	Levdansky	Rohrer
Barbin	Fabrizio	Longiatti	Ross
Barrar	Fairchild	Maher	Sabatina
Belfanti	Farry	Mahoney	Sainato
Beyer	Fleck	Manderino	Samuelson
Bishop	Frankel	Mann	Santarsiero
Boback	Freeman	Markosek	Santoni
Boyd	Galloway	Matzie	Scavello
Boyle	Geist	McGeehan	Seip
Bradford	George	McI. Smith	Shapiro
Brennan	Gerber	Melio	Siptroth
Briggs	Gergely	Metzgar	Smith, K.
Brooks	Gibbons	Micozzie	Smith, M.
Brown	Godshall	Milne	Solobay
Burns	Goodman	Mirabito	Sonney
Buxton	Grucela	Moul	Staback
Caltagirone	Haluska	Mundy	Stern
Carroll	Hanna	Murphy	Sturla
Casorio	Harhai	Murt	Taylor, J.
Cohen	Harhart	Myers	Taylor, R.
Conklin	Harkins	O'Brien, D.	Thomas
Costa, D.	Harper	O'Brien, M.	True
Costa, P.	Hennessey	O'Neill	Vereb
Creighton	Hess	Oliver	Vitali
Cruz	Hornaman	Parker	Vulakovich
Curry	Houghton	Pashinski	Wagner
Daley	Johnson	Payton	Walko
Dally	Josephs	Peifer	Wansacz
Deasy	Kauffman	Petrarca	Waters
DeLuca	Keller, W.	Phillips	Watson
Denlinger	Kessler	Preston	Wheatley
DePasquale	Killion	Quigley	White
Dermody	Kirkland	Quinn	Williams
DeWeese	Knowles	Readshaw	Youngblood
DiGirolamo	Kortz	Reed	Yudichak
Donatucci	Krieger	Reese	
Drucker	Kula	Rock	McCall,
Eachus	Lentz	Roebuck	Speaker

NOT VOTING—1

Pallone

EXCUSED—3

Kotik Miccarelli Perry

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

GUESTS INTRODUCED

The SPEAKER. To the left of the Speaker, the Chair would like to welcome Patricia Baxter, legislative assistant for Representative Evans's Linesville office, and her husband, Kevin; her daughter, Michaela; and sons, Christopher and Brenden. They are guests of Representative John Evans, and I take it traveled all the way from Erie County. Will the guests please rise. Welcome to the hall of the House.

To the left of the Speaker, the Chair welcomes Kim Blank. She is here today shadowing Representative Grove and interning in his district office for the summer. She is a senior at Dickinson College. She is the guest of Representative Grove and Representative Keith Gillespie. Welcome to the hall of the House.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair would also like to welcome to the hall of the House, in the well of the House, Shannon Kirkland, the daughter of Representative Thaddeus Kirkland. She is working as a page, and today is her 23d birthday. Happy birthday, Shannon, and welcome to the hall of the House.

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1874 be removed from the supplemental calendar and recommitted to the Committee on Appropriations.

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1859, PN 2445**, 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?

The House will come to order. Members will please take their seats, members around the majority leader's desk.

On the question of final passage of HB 1859, the Chair recognizes the gentleman from Lackawanna County, Representative Staback.

Mr. STABACK. Thank you, Mr. Speaker.

Mr. Speaker, the primary purpose of HB 1859 has always been to create fines and penalties for poaching big game animals that will act not only as a punishment but also as a deterrent, a deterrent to an unethical and illegal activity.

The measure was written in response to the increasing number of poaching violations including growth in the black-market sale of game animal parts or in multiple kills of

game animals, labeled as "thrill kills" – killing, killing simply for the sake of killing. The penalties for these and other poaching offenses, now over 20 years old, are too lenient in the view of prosecutors, law enforcement officers, and organizations within the outdoor community.

HB 1859 treats poaching as it is treated in other States with strong hunting traditions like ours here in Pennsylvania, with stiff penalties, serious grading of offenses, something the Game Code seriously lacks today.

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

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

Mr. STABACK. Thank you, Mr. Speaker.

The SPEAKER. Will the gentleman yield.

The gentleman, Mr. Staback, is in order and may continue.

Mr. STABACK. Thank you.

My bill will increase fines, including terms of imprisonment, periods of license revocation, and increases offenses for the most egregious violations of the State's game laws.

Mr. Speaker, this legislation has the support of much of the hunting community. In fact, in my experience, hunters are usually the most vocal when it comes to penalizing those people who would poach Pennsylvania wildlife, especially our big game population.

The tough penalties have earned the strong support of many outdoor organizations, including the National Rifle Association, Quality Deer Management people, the Federation of Sportsmen's Clubs, the National Wild Turkey Federation, Pheasants Forever, the United Bowhunters of Pennsylvania, the PA Ruffed Grouse Society, the PA Forest Coalition, the PA Crossbow Association, the PA Deer Association, the PA Nature Conservancy, the Humane Society of the United States, and the Governor's Council for Hunting, Fishing & Conservation.

Mr. Speaker, all of these groups agree that HB 1859 takes the needed steps to toughen up our game laws, game laws that are simply not working to combat the serious wildlife crime of poaching.

With that being said, I hope that each individual considering poaching a game animal, whether for the 1st time or the 100th time, stops and reconsiders his actions due to the price that will be paid if he is caught.

Mr. Speaker, on that note, I ask for an affirmative vote on HB 1859. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. PYLE. Thank you, Mr. Speaker.

Mr. Speaker, I have been involved in this process since this bill was first breached as HB 97, and over the course of a few months – I would like to pay my respects to Chairman Staback – he has been a diplomat and a statesman, incorporating all perspectives yet still crafting a very, very strong bill that will protect our sportsmen from the onus of poaching. It will protect our livelihoods and our hobbies and our way of life in the west much more so, much better than it currently does.

Mr. Speaker, this bill is the product of many, many hours of corroboration and collaboration, and I am proud to lend my support.

As Chairman Staback identified, this has the support of a number of sporting groups, from the PA Federation of Sportsmen, the National Rifle Association, just to name a few.

Mr. Speaker, I urge a positive vote on HB 1859 and hope all of my colleagues would do the same. Thank you.

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

Mr. DALLY. Thank you, Mr. Speaker.

I also rise in support of HB 1859.

I think there is no question that we all agree with the intent of this bill, that a sufficient deterrent and adequate penalties need to be created to deal with poaching here in Pennsylvania, and I would like to thank Chairman Staback for his dedication to tackling this important issue.

This, indeed, has been a long process, and we have worked hard on both sides of the aisle to try and address the concerns and accommodate the wishes of House members, sportsmen's groups, and the sporting community in general, and we appreciate your flexibility and attention toward finding common ground on the provisions of this legislation.

The result of that hard work and compromise is that we now have before us legislation that I believe is tough but fair and is a major improvement over what the Game Code currently provides, and it sufficiently addresses the concerns expressed by various stakeholders.

This bill now addresses the grading of penalties and application of fines in a manner that is more consistent with similar provisions in the Crimes Code, obviously creates the necessary deterrent, and provides the tools necessary to help the Game Commission better deal with poaching and other game-related crimes in our Commonwealth.

For these reasons, Mr. Speaker, I fully support this bill along with our valued outdoor sporting organizations and respectfully ask that my fellow members support this measure as well.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Northumberland County, Representative Phillips.

Welcome back to the floor of the House, Merle. Good to see you.

Mr. PHILLIPS. Thank you, Mr. Speaker.

The SPEAKER. Hope you are doing well.

Mr. PHILLIPS. It is good to be back.

Thank you very much.

I rise to support HB 1859. I want to congratulate Chairman Staback for all the effort that he put in with his committee, working with a lot of different groups trying to come up with some legislation that is so sorely needed with this poaching and jacklighting that is taking place over a lot of our large game and with a lot of our game, and we finally came up with a bill, through his effort, that will correct some of the problems that we are having in this State with these illegal activities taking place.

I know that he has worked with all these groups. These groups have been mentioned and the support is there, and I do not know of any other bill that will do more to curb this activity that should not be taking place today.

And again, I ask for your support of HB 1859.

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

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

It is clear that a great deal of compromise and a lot of hard work has gone into this bill on both sides of the aisle, HB 1859, which essentially amended HB 97 to take in the concerns that

were raised here on the House floor when that bill was up for a vote.

I would certainly like to thank Chairman Staback for his patience and flexibility in addressing our concerns as well as those of all House members and our valued sporting groups across the Commonwealth and ask that my colleagues join me in supporting this important piece of legislation.

We are especially pleased that the bill as changed, in keeping with similar provisions in the Crimes Code, contains no mandatory minimum fines for misdemeanors or felonies within the Game Code and takes a more reasonable approach toward increasing the grading of penalties, while still providing a major deterrent to help reduce poaching in our State. As it should, the bill still provides for very tough penalties on the most egregious violators but is more reasonable overall.

Thank you very, very much, Mr. Speaker, and I urge a "yes" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MOUL. Thank you, Mr. Speaker.

I, too, would like to congratulate Chairman Staback for a job well done on this bill and let him know that we appreciate him as a member of the House Fish and Game Committee. We appreciate his working with us back and forth to come up with the best product that we possibly could for this.

And I just want to send a message loud and clear to those that jacklight in the middle of the night and poach our big game animals that this is no State to do it in anymore and to say thank you to Chairman Staback for a job well done.

I strongly urge your support for HB 1859. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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 the gentleman from Centre County, Representative BENNINGHOFF. Without objection, the leave will be granted.

CONSIDERATION OF HB 1859 CONTINUED

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—3

Causar	Hutchinson	Metcalfe
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NOT VOTING—0

EXCUSED—4

Benninghoff	Kotik	Miccarelli	Perry
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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 1187, PN 2374**, entitled:

An Act amending Title 5 (Athletics and Sports) of the Pennsylvania Consolidated Statutes, further providing for duties of State Athletic Commission; in regulation of boxing contests and exhibitions, further providing for age of participants, for gloves and for contracts; in wrestling, further providing for definitions and for physician to be in attendance; and, in registration of athlete agents, further providing for penalties and for bonding requirements.

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—193

Adolph	Evans, J.	Maher	Roae
Baker	Everett	Mahoney	Rock
Barbin	Fabrizio	Major	Roebuck
Barrar	Fairchild	Manderino	Rohrer
Bear	Farry	Mann	Ross
Belfanti	Fleck	Markosek	Sabatina
Beyer	Frankel	Marshall	Sainato
Bishop	Freeman	Marsico	Samuelson
Boback	Galloway	Matzie	Santarsiero
Boyd	Geist	McGeehan	Santoni
Boyle	George	McI. Smith	Saylor
Bradford	Gerber	Melio	Scavello
Brennan	Gergely	Mensch	Schroder
Briggs	Gibbons	Metcalfe	Seip
Brooks	Gillespie	Metzgar	Shapiro
Brown	Gingrich	Micozzie	Siptroth
Burns	Godshall	Millard	Smith, K.
Buxton	Goodman	Miller	Smith, M.
Caltagirone	Grell	Milne	Smith, S.
Carroll	Grove	Mirabito	Solobay
Casorio	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	Oliver	Thomas
Cruz	Hess	Pallone	True
Curry	Hickernell	Parker	Turzai
Cutler	Hornaman	Pashinski	Vereb
Daley	Houghton	Payne	Vitali
Dally	Johnson	Payton	Vulakovich
Day	Josephs	Peifer	Wagner
Deasy	Kauffman	Perzel	Walko
Delozier	Keller, M.K.	Petrarca	Wansacz
DeLuca	Keller, W.	Petri	Waters
Denlinger	Kessler	Phillips	Watson
DePasquale	Killion	Pickett	Wheatley
Dermody	Kirkland	Preston	White
DeWeese	Knowles	Pyle	Williams
DiGirolamo	Kortz	Quigley	Youngblood
Donatucci	Krieger	Quinn	Yudichak
Drucker	Kula	Readshaw	
Eachus	Lentz	Reed	McCall,
Ellis	Levdansky	Reese	Speaker
Evans, D.	Longietti	Reichley	

NAYS—6

Causer	Gabler	Oberlander	Rapp
Gabig	Hutchinson		

NOT VOTING—0

EXCUSED—4

Benninghoff Kotik Miccarelli Perry

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.

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman from Westmoreland County, Representative Pallone, to correct the record.

Mr. PALLONE. Thank you, Mr. Speaker.

On the concurrence vote for HB 1416, my button obviously malfunctioned. I was not recorded as voting at all. My vote should be recorded in the negative. Thank you, Mr. Speaker.

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

HOUSE BILL
INTRODUCED AND REFERRED

No. 1883 By Representatives VEREB, CALTAGIRONE and MARSICO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for Pennsylvania State Police Training Account.

Referred to Committee on JUDICIARY, July 21, 2009.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair would like to reiterate a message from earlier. The gentlelady was not on the floor of the House. It is Shannon Kirkland's 23d birthday today, the daughter of Representative Thaddeus Kirkland. Happy birthday, Shannon.

HOUSE SCHEDULE

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

Mr. EACHUS. Thank you, Mr. Speaker.

The SPEAKER. The gentleman will yield.

The House will come to order. There is announcement on schedule.

Mr. EACHUS. Thank you, Mr. Speaker.

After the movement of HB 1416 to conference today, all members should know that we will be on a 6-hour call of the Chair, that I am suspending the legislative calendar until we conclude our negotiations.

My hope is that we will try and reach this in days, so members should be ready to return in quick order. So do not make any substantive plans. You should be ready to return to finish this State budget and try and do what we consider to be

the responsible thing, to negotiate this, now that this has moved into conference committee.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

INTERROGATION

The SPEAKER. The Chair recognizes the gentleman from Jefferson County, the minority leader, Representative Smith.

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

Just a brief interrogation of the majority leader.

The SPEAKER. The gentleman, Representative Eachus, indicates he will stand for interrogation. The gentleman may proceed.

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

Should I presume, Mr. Speaker, that we will be hearing about setting up some meetings with at least the members of the Senate relative to a future conference committee?

Mr. EACHUS. Thank you, Mr. Speaker.

I believe that that is exactly what we will begin to work on this evening into tomorrow.

As I think you know, as part of our tradition, the Speaker will make some appointments from our side as it relates to conferees, obviously you will make yours, and then we can begin that process. We are hoping to reach out to the Senate leadership after this vote is over and begin to figure out a very quick scheduling process to begin these conversations.

Mr. S. SMITH. Thank you, Mr. Speaker. I appreciate it.

The SPEAKER. The Chair thanks the gentleman.

Are there any further announcements?

RECESS

The SPEAKER. This House stands in recess until the call of the Chair.

AFTER RECESS

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

APPROPRIATIONS COMMITTEE MEETING

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

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.

RECESS

The SPEAKER. The House stands in recess until the call of the Chair.