

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, AUGUST 4, 2009

SESSION OF 2009

193D OF THE GENERAL ASSEMBLY

No. 79

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 join me in prayer.

Father in Heaven, we thank You for the gift of this new day, and we praise You, Father, as the God of all creation. We read in Your Word that we are created in Your image and that we are like You in certain ways. Father, we see this displayed in our world in subtle ways – in the loving embrace of a small child, in our yearning for that which is just and right and good, and in our concerns for our friends and neighbors who struggle with this world's cares. Thank You for this gift of Yourself to each of us.

Father, we meet today to debate and vote on significant matters. We thank You for calling each one here to the office of State Representative and for the privilege of serving. And as we make decisions, Father, we pray for an outpouring of Your wisdom and guidance. Help us to reflect on Your truths, timeless truths, as we fulfill our duties. And help us to avoid that which is petty and ungracious as we do our work.

Father, we again thank You for the opportunity that this day holds, and in all that is accomplished, Father, we will be careful to give You the praise and glory as we see the outworking of Your sovereign and Almighty plan in our midst.

Father, these things we ask in a spirit of humility and with gratitude. Amen.

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Speaker is granting permission to the Education Committee to continue to meet.

BILLS REREPORTED FROM COMMITTEE

HB 666, PN 1076

By Rep. EACHUS

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Authority for Industrial Development certain lands situate in the 39th Ward of the City of Philadelphia; and authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Regional Port Authority certain submerged lands situate in the 39th Ward of the City of Philadelphia.

RULES.

HB 1884, PN 2523

By Rep. EACHUS

An Act amending the act of February 1, 1974 (P.L.34, No.15), known as the Pennsylvania Municipal Retirement Law, further providing for general provisions, for provisions relating to municipal employees, for provisions relating to municipal firemen and municipal police officers and for optional retirement plans; providing for the Municipal Pension Recovery Program and for the Cooperative Municipal Pension and Security Program; and making editorial changes.

RULES.

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

BILL REREPORTED FROM COMMITTEE

HB 1858, PN 2533

By Rep. EACHUS

Authorizing counties to impose sales, use and occupancy taxes; and providing for the levying, assessment and collection of taxes and for the powers and duties of the Department of Community and Economic Development or any successor agency, the Department of Revenue and the State Treasurer.

RULES.

The SPEAKER. That bill will go to the House calendar.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 666 and HB 1884 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.

EDUCATION COMMITTEE MEETING

The SPEAKER. There will be an immediate meeting of the House Education Committee in room 60E; an immediate meeting of the House Education Committee in room 60E.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. There will be a meeting of the House Appropriations Committee at 11:30. We plan to be back on the floor at 11:45. The Appropriations Committee is meeting in the majority caucus room.

The Appropriations Committee at 11:30; back on the floor at 11:45.

RECESS

The SPEAKER. This House stands in recess until 11:45, unless sooner recalled by the Speaker.

AFTER RECESS

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

GUESTS INTRODUCED

The SPEAKER. In the balcony, the Chair would like to welcome Bishop White and the Linconia Tabernacle Church from Bensalem. They are the guests of Representative DiGirolamo. Will the guests please rise. Welcome to the hall of the House.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Monday, August 3, 2009, will be postponed until printed. The Chair hears no objection.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Speaker grants permission to the Education Committee to continue to meet.

The House will come to order.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip, Representative DeWeese, who requests the following leaves of absence for: Representative PETRARCA from Westmoreland County for the day and Representative STABACK from Lackawanna County for the day. Without objection, the leaves will be granted.

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

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—197

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Metcalf Micozzie Petrarca Staback
Micarelli Perry

LEAVES CANCELED—1

Micozzie

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

GUESTS INTRODUCED

The SPEAKER. In the balcony of the House, the Chair would like to welcome Frank Frame, the former Scotland School for Veterans' Children superintendent; Larry Holman, president of the Pennsylvania War Veterans Council; and Jean Vargas, president of the Scotland School for Veterans' Children Teachers Association, as well as the teachers, graduates, and friends of Scotland School, guests of Representative Barbin and Representative Kauffman. Will the guests please rise. Welcome to the hall of the House.

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

HB 1876, PN 2540 (Amended) By Rep. CALTAGIRONE

An Act amending Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, further providing for level of advertising rates and for establishment and change of advertising rates; and providing for additional publication on Internet websites.

JUDICIARY.

HB 1883, PN 2493 By Rep. CALTAGIRONE

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

JUDICIARY.

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

SB 299, PN 298 By Rep. CALTAGIRONE

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

JUDICIARY.

SB 391, PN 394 By Rep. CALTAGIRONE

An Act repealing the act of April 16, 1862 (P.L.538, No.513), entitled "An act relating to certain Children's Homes."

JUDICIARY.

SB 605, PN 655

By Rep. CALTAGIRONE

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

JUDICIARY.

BILLS REREPORTED FROM COMMITTEE

HB 620, PN 679

By Rep. D. EVANS

An Act providing a standard of care for the treatment of persons with bleeding disorders.

APPROPRIATIONS.

HB 1330, PN 1590

By Rep. D. EVANS

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, adding the definitions of "certified parking meter inspector" and "local government unit"; and providing for certified parking meter inspectors and for general testing and inspections.

APPROPRIATIONS.

HB 1847, PN 2428

By Rep. D. EVANS

An Act amending the act of September 24, 1968 (P.L.1040, No.318), known as the Coal Refuse Disposal Control Act, further providing for site selection.

APPROPRIATIONS.

HB 1884, PN 2523

By Rep. D. EVANS

An Act amending the act of February 1, 1974 (P.L.34, No.15), known as the Pennsylvania Municipal Retirement Law, further providing for general provisions, for provisions relating to municipal employees, for provisions relating to municipal firemen and municipal police officers and for optional retirement plans; providing for the Municipal Pension Recovery Program and for the Cooperative Municipal Pension and Security Program; and making editorial changes.

APPROPRIATIONS.

SB 112, PN 1091

By Rep. D. EVANS

An Act amending Title 42 (Judiciary and Judicial Procedure) and codifying Title 61 (Penal and Correctional Institutions) of the Pennsylvania Consolidated Statutes, further providing for adoption of guidelines for resentencing, for adoption of guidelines for parole and for adoption of recommitment ranges following revocation of parole by board; providing for temporary release from county correctional institutions; further providing for sentence of total confinement; providing for parole without board supervision, for judicial power to release inmates and for transfers of inmates in need of medical treatment; further providing for State intermediate punishment; providing for other criminal provisions; amending the heading of Title 61; adding definitions, provisions relating to general administration of correctional institutions, State correctional institutions, county correctional institutions, house of detention for untried inmates and witnesses, inmate labor, medical services, visitation, inmate prerelease plans, motivational boot camp, execution procedure and method, recidivism risk reduction incentive, miscellaneous matters relating thereto, probation and parole generally, the Pennsylvania Board of Probation and Parole, County Probation and Parole Officers' Firearm Education and Training, and correctional institution interstate compacts; and making conforming amendments, editorial changes and repeals relating to codification.

APPROPRIATIONS.

SB 366, PN 365

By Rep. D. EVANS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for right to bail.

APPROPRIATIONS.

SB 921, PN 1266

By Rep. D. EVANS

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, providing for the definitions of "dual" or "dualing" and "line-make"; further providing for mediation and arbitration, for unlawful acts by manufacturers or distributors and for manufacturer or distributor repurchase of inventory and equipment.

APPROPRIATIONS.

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

BILL REREPORTED FROM COMMITTEE**HB 666, PN 1076**

By Rep. D. EVANS

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Authority for Industrial Development certain lands situate in the 39th Ward of the City of Philadelphia; and authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Regional Port Authority certain submerged lands situate in the 39th Ward of the City of Philadelphia.

APPROPRIATIONS.

The SPEAKER. That bill will go to the House calendar.

SUPPLEMENTAL CALENDAR A**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 112, PN 1091**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) and codifying Title 61 (Penal and Correctional Institutions) of the Pennsylvania Consolidated Statutes, further providing for adoption of guidelines for resentencing, for adoption of guidelines for parole and for adoption of recommitment ranges following revocation of parole by board; providing for temporary release from county correctional institutions; further providing for sentence of total confinement; providing for parole without board supervision, for judicial power to release inmates and for transfers of inmates in need of medical treatment; further providing for State intermediate punishment; providing for other criminal provisions; amending the heading of Title 61; adding definitions, provisions relating to general administration of correctional institutions, State correctional institutions, county correctional institutions, house of detention for untried inmates and witnesses, inmate labor, medical services, visitation, inmate prerelease plans, motivational boot camp, execution procedure and method, recidivism risk reduction incentive, miscellaneous matters relating thereto, probation and parole generally, the Pennsylvania Board of Probation and Parole, County Probation and Parole Officers' Firearm Education and Training, and correctional institution interstate compacts; and making conforming amendments, editorial changes and repeals relating to codification.

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 366, PN 365**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for right to bail.

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 921, PN 1266**, entitled:

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, providing for the definitions of "dual" or "dualing" and "line-make"; further providing for mediation and arbitration, for unlawful acts by manufacturers or distributors and for manufacturer or distributor repurchase of inventory and equipment.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 620, PN 679**, entitled:

An Act providing a standard of care for the treatment of persons with bleeding disorders.

On the question,

Will the House agree to the bill on second consideration?

Mr. **GRUCELA** offered the following amendment No. **A03237**:

Amend Bill, page 3, line 24, by striking out "State-recognized" and inserting

State-funded

Amend Bill, page 4, line 5, by striking out "pharmacy" and inserting

provider

Amend Bill, page 4, line 5, by striking out "or" and inserting and

Amend Bill, page 4, lines 8 through 30; page 5, lines 1 through 14, by striking out "that does the following:" in line 8, all of lines 9 through 30, page 4 and all of lines 1 through 14, page 5 and inserting , as described fully in section 5 of this act.

Amend Bill, page 6, line 27, by striking out "pharmacy." An" and inserting

pharmacy" or "participating provider." A pharmacy or other

Amend Bill, page 7, lines 1 through 5, by striking out all of said lines

Amend Bill, page 7, line 12, by striking out ""State-recognized" and inserting

"State-funded
 Amend Bill, page 7, lines 15 and 16, by striking out "the Division of Child and Adult Health Services" in line 15 and "in" in line 16
 Amend Bill, page 8, line 23, by striking out "Pharmacies" and inserting
 Providers of products and services
 Amend Bill, page 8, line 24, by striking out "pharmacies" and inserting
 providers
 Amend Bill, page 8, lines 26 and 27, by striking out "pharmacies which demonstrate full compliance" in line 26 and "with this act" in line 27 and inserting
 providers, each of which must do the following:
 (1) Supplies blood clotting products and home nursing services as prescribed by the covered person's treating physician and does not make any substitutions of blood clotting products without the prior approval of the treating physician.
 (2) Supplies all FDA-approved brands of blood clotting products in multiple assay ranges, low, medium and high, as applicable, including products manufactured from human plasma and those manufactured with recombinant biotechnology techniques.
 (3) Supplies all needed ancillary infusion equipment and supplies.
 (4) Provides directly or through a reliable third-party agency home nursing services, whenever the services are prescribed and deemed necessary by the treating physician.
 (5) Upon receiving a prescription, sends in a single shipment the prescribed blood clotting products and ancillary infusion equipment to the covered person within three business days.
 (6) Provides a pharmacist on call, available at all times to fill prescriptions for blood clotting products.
 (7) Provides appropriate and necessary recordkeeping and documentation.
 (8) Provides administrative assistance for covered persons to obtain payment for blood clotting products, ancillary infusion equipment and home nursing services.
 (9) Provides covered persons, upon request, with information about the anticipated out-of-pocket costs for blood clotting products, ancillary infusion equipment and services that are not otherwise paid for by the health care insurer.
 (10) Provides patient notification of recalls and withdrawals of blood clotting products and ancillary infusion equipment as soon as practical.
 (11) Provides sharps containers or the equivalent for the removal and disposal of medical waste.
 Amend Bill, page 8, line 28, by striking out "pharmacies" and inserting
 providers
 Amend Bill, page 8, line 30, by inserting after "pharmacy" or provider
 Amend Bill, page 9, line 1, by striking out "State-recognized" and inserting
 State-funded
 Amend Bill, page 9, lines 3 through 5, by striking out all of said lines
 Amend Bill, page 9, line 6, by striking out "State-recognized" and inserting
 State-funded
 Amend Bill, page 9, line 9, by striking out "State-recognized" and inserting
 State-funded
 Amend Bill, page 9, line 12, by striking out "State-recognized" and inserting
 State-funded

Amend Bill, page 9, line 15, by striking out "State-recognized" and inserting
 State-funded
 Amend Bill, page 10, line 1, by striking out "State-recognized" and inserting
 State-funded
 Amend Bill, page 10, line 8, by inserting before "All"
 This act shall apply to new contracts and contract renewals occurring 90 days after the effective date of this act.
 Amend Bill, page 10, lines 10 through 14, by striking out all of said lines and inserting
 Section 9. Enforcement.
 (a) Duties of department.—The department shall ensure compliance with this act. The department may require health care insurers or providers under this act to provide it with records, documents and other information, including credentialing plans, provider contracts and network adequacy data, necessary for it to investigate the health care insurer's or provider's compliance with this act.
 (b) Potential violations.—The department shall investigate potential violations of the act based upon information provided to it by covered persons, providers and other sources in order to ensure compliance with this act.
 (c) Civil penalty.—The department may impose a civil penalty of up to \$5,000 for a violation of this act.
 (d) Injunctions.—The department may maintain an action in the name of the Commonwealth for an injunction to prohibit any activity which violates the provisions of this act.
 (e) Plan of correction.—The department may require a health care insurer or provider to develop and adhere to a plan of correction approved by the department. The department shall monitor compliance with the plan of correction.
 (f) Regulations.—The department may adopt regulations to carry out the provisions of this act.
 Section 10. Effective date.
 This act shall take effect in 90 days.

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—1

Kirkland

EXCUSED—6

Metcalfe	Micozzie	Petrarca	Staback
Miccarelli	Perry		

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.)

CALENDAR

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 958, PN 1161**, entitled:

An Act authorizing the turn back from the Commonwealth to Ward Township, Tioga County, of the road known as Old Possessions Road in Ward Township, Tioga County; and providing for the powers and duties of the Secretary of Conservation and Natural Resources.

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

The SPEAKER. It is the Chair's understanding that the gentleman from Philadelphia County, Representative Keller, is withdrawing amendment A02029. The Chair thanks the gentleman.

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

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1330, PN 1590**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, adding the definitions of "certified parking meter inspector" and "local government unit"; and providing for certified parking meter inspectors and for general testing and inspections.

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1661, PN 2449**, entitled:

An Act providing for a temporary moratorium of court-ordered countywide reassessments.

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

The SPEAKER. On that question, the Chair recognizes the gentelady from Lebanon County, Representative Swanger.

The House will come to order. Members will take their seats. The Chair recognizes the gentelady from Lebanon County. It is the Chair's understanding that the gentelady is withdrawing amendment A02856 and offering amendment A02871. Is that correct?

Mrs. SWANGER. Mr. Speaker, that is correct.
The SPEAKER. The Chair thanks the gentelady.

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

Mrs. **SWANGER** offered the following amendment No. **A02871**:

Amend Bill, page 2, line 21, by striking out "act" and inserting section

Amend Bill, page 2, line 22, by inserting after "court-ordered" countywide

Amend Bill, page 2, line 23, by inserting after "taxes"

; however, counties currently conducting a court-ordered countywide reassessment as of the effective date of this section may, at the discretion of the county, continue the process

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

The SPEAKER. On the question, the Chair recognizes the gentelady from Lebanon County, Representative Swanger.

Mrs. SWANGER. Thank you, Mr. Speaker.

This amendment is simple in that it allows counties that are under court order to reassess, to decide at the county level whether or not to continue that process. It is introduced out of concern for counties who fear that a 2-year moratorium will mean a substantial hike in the cost of their reassessment.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman from Allegheny County, Representative Dermody, on the question.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I would like to thank Representative Swanger for her hard work and cooperation in developing this language for this amendment and ask all the members' support.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—197

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

DeWeese	Killion	Pyle	Youngblood
DiGirolamo	Kirkland	Quigley	Yudichak
Donatucci	Knowles	Quinn	
Drucker	Kortz	Rapp	McCall,
Eachus	Kotik	Readshaw	Speaker
Ellis	Krieger	Reed	

NAYS—0

NOT VOTING—0

EXCUSED—6

Metcalf	Micozzie	Petrarca	Staback
Miccarelli	Perry		

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

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

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 1663, PN 2520**, entitled:

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2009, to June 30, 2010, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2009.

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Allegheny County, Representative Maher, who offers— There are two amendments. The gentleman is offering both amendments, amendment 03217?

Mr. MAHER. Mr. Speaker, I am offering amendment A03272.

The SPEAKER. Is the gentleman withdrawing A3217?

Mr. MAHER. Yes.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. **MAHER** offered the following amendment
No. **A03272**:

Amend Bill, page 2, lines 28 through 30, page 3, lines 1 through 6 by striking out all of said lines on said pages

Amend Bill, page 3, line 7 by striking out "502" and inserting

Amend Bill, page 3, lines 18 through 27, by striking out all of said lines

Amend Bill, page 3, line 28, by striking out all of said line and inserting

PART V

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

Amend Bill, page 4, line 5, by striking out "702" and inserting 501

On the question,

Will the House agree to the amendment?

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

Mr. MAHER. Thank you, Mr. Speaker.

Since the inception of gaming in Pennsylvania, it was supposed to afford property tax relief and other missions, but one of those missions was not to be tax relief for casinos. HB 1663 as drafted provides \$25 million of tax relief for casinos. This mirrors what has happened in several of the past years, and all said and done, if we adopt HB 1663 without this amendment, roughly \$100 million will be diverted from the Property Tax Relief Reserve Fund to tax relief for casinos. Enough is enough. If you really care about property tax relief and if these funds are not necessary to be in the relief fund, well, let us send them back home to the taxpayers, as what was intended.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Bucks County, Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

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

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

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I hope the members were listening to what the gentleman from Allegheny was saying as he was explaining his amendment. There were promises when casino gambling came online that they would provide wonderful property tax relief for the citizens of Pennsylvania. Well, we know that has not been realized. If you get maybe 5- or 6-percent property tax relief on your property, consider yourself fortunate.

What the gentleman is now saying is that rather than money continued to be paid out of that property tax reserve for the Pennsylvania gaming commission, which is approximately \$26 million, he is saying, let us keep that money in the Property Tax Reserve Fund for property tax relief. Let the casinos come up with the money, because as we all recognize, they are having wonderful profits. They are doing extraordinarily well in their income. It just makes good common sense for the casinos to pick up the costs for the Pennsylvania Gaming Control Board.

So I would ask members to support this amendment. Again, it is going to help in the overall issue of property tax relief by keeping money there and using it for its stated purpose rather

than diverting the money out of that fund to pay for the expenses of the Pennsylvania Gaming Control Board. So I support this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Chester County, Representative Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, I think the gentleman from Allegheny County who is offering this amendment said it well. Enough is enough. Year after year now, we have raided the Property Tax Relief Fund in order to fund the ongoing operations of the Pennsylvania Gaming Control Board. Mr. Speaker, that was never intended when Act 71 was passed. It was always envisioned that the casinos would be the sole funder of this regulatory board.

Mr. Speaker, I think it is time to end this approach. This approach is detrimental to our property taxpayers. And, Mr. Speaker, we have heard time and time and time again, as we have struggled through this budget season, about the possible impact of our decision on property taxes back home. Well, Mr. Speaker, here is something that will have a direct impact on the Commonwealth's ability to reduce property taxes through this program.

Mr. Speaker, the existing casinos can fund this burden without skipping a beat. There will be virtually no impact to them. They are the beneficiaries of this Gaming Control Board. They are the ones who should be funding it, and I urge adoption of the Maher amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia County, Representative Evans.

Mr. D. EVANS. Mr. Speaker, we have had this comprehensive agreement where we are borrowing for the purpose to ensure that we can pay for the operation, the gaming operation. Under this particular amendment, Mr. Speaker, this would make the casinos pay now.

We have an agreement that we worked out. It is when the 11th casino comes on board, then the money would be paid back to the fund. I believe, Mr. Speaker, that this amendment would violate that agreement, and I would ask that we would be "no" on the amendment. This was worked out from the very beginning when we established this, and this would disrupt what we have done over the last couple years.

So, Mr. Speaker, I do not think that this amendment is proper, and I hope there is a negative vote on this amendment.

Thank you, Mr. Speaker.

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

Mr. SANTONI. Thank you, Mr. Speaker.

I do not want to repeat what the Appropriations chairman said, but it is important to note that, yes, the 2004 law that put this into effect is working. We need to wait until the 11th casino is up and running, which should occur in the next year or two. So this is not a needed amendment. I think we should vote the amendment down. The process is working as is, and I would ask all of the members on our side and the Republican side to defeat the Maher amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Allegheny County, Representative Maher, for the second time.

Mr. MAHER. Thank you, Mr. Speaker.

The 2004 law that created the slots required that the casinos pay for the cost of the Gaming Board. That has never happened. It has not happened a single year yet. Twenty-six million dollars is being taken as a loan to reduce the cost of operations of casinos.

Now, we have heard a lot about budget challenges over the last days and weeks. You do not have enough money for libraries, you do not have enough money for education, you do not have enough money for property tax relief, you do not have enough money for any of these myriad things, but apparently you have got \$26 million to make it cheaper for casinos to operate, to reduce their burden from what was established in the 2004 law? Come on. They are minting money.

They are supposed to be paying for the cost of the Gaming Board. It is time they pay. Saying that we are going to wait until there are 11 casinos up and working may be waiting for a day that never comes, because, as we know, there has not been a lot of progress about the two locations in Philadelphia. And if you are prepared to keep shoveling out \$25 million a year to underwrite the cost of casinos, then I want you to explain to your constituents why you did not have enough money for libraries or pre-K, food banks, social services, education, arts, but you have got enough money so that you can have \$100 million in the pockets of casino owners who are supposed to be paying for the Gaming Board's operations.

Please vote for this amendment. Let us do the right thing.

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

Mr. VEREB. Thank you, Mr. Speaker.

I rise to support the Maher amendment, and one of the drivers that got me up to actually speak is the fact that the Gaming Board is working, I think under its new leader, to reduce its cost of operations, and we have been working with that new leader, and we encourage him to continue to cut costs for the operation of the Gaming Board.

But I think it is important, the gentleman from Philadelphia said that this amendment would be a violation of either an agreement or the gaming law to the casinos, and I am hoping the gentleman from Philadelphia remembers the word "violation" when we take up video poker, because I certainly concur that that potentially is a violation of the licensing agreement with the casinos.

So I support the Maher amendment. I think it is time for this legislature to take some spinach away from Popeye. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Representative DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Would the maker of the amendment stand for brief interrogation?

The SPEAKER. The gentleman from Allegheny County, Representative Maher, indicates he will stand for interrogation. The gentleman, Mr. DeLuca, is in order and may proceed.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I am a little confused. On this reserve fund, you mentioned the fact about taking the money from libraries and other budgetary things that we are talking about in this budget

season. Tell me how we take this money out of the reserve fund to put it into other budgetary line items. I understand about the property tax, Mr. Speaker, but so the public understands that, from my understanding, we cannot use this reserve fund for libraries or anything else. Am I correct or wrong?

Mr. MAHER. You can use this very same money for libraries or any other good purpose through the very same device. Instead of it being a loan from the Property Tax Relief Reserve Fund to the benefit of the casinos, you make it a loan to the benefit of the libraries. It is simple. It is simple. You are looking to change the law to take money from the Property Tax Relief Reserve Fund to benefit casinos. If we do not need it in the reserve fund, let us send it back out to the taxpayers for property tax relief, and if you are not prepared to do that, well, let us use it for some decent purpose, not for the purposes of subsidizing casinos in these difficult times.

Mr. DeLUCA. Mr. Speaker, I understand what you are saying, but does your amendment do that? Does your amendment permit us to isolate some of those funds for libraries?

Mr. MAHER. My amendment says that this money shall not be stripped from the Property Tax Reserve Fund for the benefit of casinos.

Mr. DeLUCA. Okay.

Mr. MAHER. And under the Gaming Act, I would be very happy, if we want to hold the bill over, to prepare an amendment to have these very same dollars go right back to the taxpayers as property tax relief or for any other of the decent, important purposes that we are searching for dollars for right now. I would be very happy to do that.

Mr. DeLUCA. Thank you, Mr. Speaker. That ends my interrogation. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Berks County, Representative Santoni, for the second time.

Mr. SANTONI. Thank you, Mr. Speaker.

Very quickly, it does not affect libraries. That is a ridiculous argument. So I would ask the members not to worry about that. This does not affect that.

And I just want to make one other point. This is not funded by the taxpayers. This is going to be a casino obligation. So when the 11 casinos are up and running, they will be paying this loan back. So I just want to make that clear to the members and would ask again to defeat the Maher amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—97

Adolph	Fairchild	Maher	Quinn
Baker	Farry	Major	Rapp
Barrar	Fleck	Marshall	Reed
Bear	Gabig	Marsico	Reese
Benninghoff	Gabler	Mensch	Reichley
Beyer	Geist	Metzgar	Roae
Boback	Gillespie	Millard	Rock
Boyd	Gingrich	Miller	Rohrer
Brooks	Godshall	Milne	Ross
Causar	Grell	Moul	Saylor

Christiana	Grove	Murt	Scavello
Civera	Harhart	Mustio	Schroder
Clymer	Harper	O'Brien, D.	Smith, S.
Cox	Harris	O'Neill	Sonney
Creighton	Helm	Oberlander	Stern
Cutler	Hennessey	Payne	Stevenson
Dally	Hess	Payton	Swanger
Day	Hickernell	Peifer	Tallman
Delozier	Hutchinson	Perzel	Taylor, J.
Denlinger	Kauffman	Petri	True
DiGirolamo	Keller, M.K.	Phillips	Turzai
Donatucci	Killion	Pickett	Vereb
Ellis	Knowles	Pyle	Vulakovich
Evans, J.	Krieger	Quigley	Watson
Everett			

NAYS—100

Barbin	Eachus	Lentz	Samuelson
Belfanti	Evans, D.	Levdansky	Santarsiero
Bishop	Fabrizio	Longiotti	Santoni
Boyle	Frankel	Mahoney	Seip
Bradford	Freeman	Manderino	Shapiro
Brennan	Galloway	Mann	Siptroth
Briggs	George	Markosek	Smith, K.
Brown	Gerber	Matzie	Smith, M.
Burns	Gergely	McGeehan	Solobay
Buxton	Gibbons	McI. Smith	Sturla
Caltagirone	Goodman	Melio	Taylor, R.
Carroll	Grucela	Mirabito	Thomas
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.	Preston	Youngblood
DeLuca	Kessler	Readshaw	Yudichak
DePasquale	Kirkland	Roebuck	
Dermody	Kortz	Sabatina	McCall,
DeWeese	Kotik	Sainato	Speaker
Drucker	Kula		

NOT VOTING—0

EXCUSED—6

Metcalfe	Micozzie	Petrarca	Staback
Miccarelli	Perry		

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

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 1684**, **PN 2125**, entitled:

An Act making appropriations to the Carnegie Museums of Pittsburgh for operations and maintenance expenses and the purchase of apparatus, supplies and equipment.

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

Mr. **SCHRODER** offered the following amendment
No. **A02116**:

Amend Bill, page 1, line 6, by striking out "\$226,000" and inserting

\$1,000

Amend Bill, page 1, line 11, by striking out "\$226,000" and inserting

\$1,000

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

AMENDMENT WITHDRAWN

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

Mr. **SCHRODER**. Mr. Speaker, one of the big problems that was identified in the Governor's original budget submission was really the decimation of the line items under the Pennsylvania Historical and Museum Commission that help fund many of our local historic sites. The Governor had zeroed out the museum line item where that funding came from, and my thought at the time was to reduce some of the nonpreferred museum appropriations in hopes of being able to transfer that funding to the General Fund budget and to the Pennsylvania Historical and Museum Commission so that our local items of historic interest could continue to receive that funding.

Mr. Speaker, I have this similar amendment posted to a number of bills. I guess they are scheduled to run today, and I will be withdrawing these amendments on each of them. I will withdraw this one and the similar ones that I have. Mr. Speaker, in light of what we did yesterday with passing – or will do later today, I believe, with sending SB 850 to the Governor, I do not know that my original idea or design still works, frankly.

So with that in mind, I will be withdrawing these but hope to raise the issue and recognize the need in a final budget to make sure that our communities have access to this vital historic funding that has done so much to refurbish and keep history alive in our communities and in our areas back home.

So, Mr. Speaker, thank you.

The **SPEAKER**. The Chair thanks the gentleman.

For the record, the gentleman, Representative Schroder, is withdrawing amendments A02116, 2117, 2118, 2119, 2120, 2121, 2122. The Chair thanks the gentleman.

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 1685**, **PN 2126**, entitled:

An Act making an appropriation to the Everhart Museum in Scranton for operating expenses.

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

* * *

The House proceeded to second consideration of **HB 1686**,
PN 2127, entitled:

An Act making an appropriation to the African-American Museum in Philadelphia for operating expenses.

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

* * *

The House proceeded to second consideration of **HB 1687**,
PN 2128, entitled:

An Act making an appropriation to the Academy of Natural Sciences for maintenance expenses.

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

* * *

The House proceeded to second consideration of **HB 1689**,
PN 2129, entitled:

An Act making an appropriation to the Franklin Institute Science Museum for maintenance expenses.

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

* * *

The House proceeded to second consideration of **HB 1690**,
PN 2130, entitled:

An Act making an appropriation to the Mercer Museum in Doylestown, Pennsylvania, for operating expenses.

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

* * *

The House proceeded to second consideration of **HB 1691**,
PN 2131, entitled:

An Act making an appropriation to the Whitaker Center for Science and the Arts in Harrisburg, Pennsylvania, for operating expenses.

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

* * *

The House proceeded to second consideration of **HB 1708**,
PN 2150, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making Federal and State appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

* * *

The House proceeded to second consideration of **HB 1710**,
PN 2152, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University—Commonwealth Act, making Federal and State appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. We will go over that bill temporarily.

* * *

The House proceeded to second consideration of **HB 1711**,
PN 2153, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh—Commonwealth Act, making Federal and State appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

The SPEAKER. Is the gentleman, Mr. Frankel, offering an amendment? The gentleman is withdrawing the amendment. The Chair thanks the gentleman.

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

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1847**,
PN 2428, entitled:

An Act amending the act of September 24, 1968 (P.L.1040, No.318), known as the Coal Refuse Disposal Control Act, further providing for site selection.

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 240, PN 1312**, entitled:

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.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Metcalf	Micozzie	Petrarca	Staback
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 return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **SB 563, PN 1355**, entitled:

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, further providing for definitions, for waiver of lien by claimant and for waiver by contractor and effect on subcontractor.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—197

Adolph	Evans, D.	Kula	Reese
Baker	Evans, J.	Lentz	Reichley
Barbin	Everett	Levdansky	Roae

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Metcalfe	Micozzie	Petrarca	Staback
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 return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **SB 850, PN 953**, 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 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 Chair recognizes the gentleman from Philadelphia, Representative Thomas, on final passage.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I think it is important to make sure that the record is clear, and that is SB 850 is moving forward for the sole purpose of getting 33,000 State workers and other State workers their paychecks; sole reason.

And someone stood up yesterday and reminded us of a comment that I made when we first addressed SB 850, and that is that SB 850 should be put in the trash, and I said at the time that it should be thrown in the trash. I stand here today and I remind my friend that in Pennsylvania we have something called a recycling law, and under the recycling law, we are required to separate certain things. So what I am doing is I am separating State workers from the rest of the bill that was put in the trash, and I am supporting that recycled portion of SB 850 that is before us today.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MOUL. Thank you, Mr. Speaker.

Mr. Speaker, I will vote for this bill today, but I am not going to vote for it because I like it. I am going to vote for it so that it gets those State workers – I am under the understanding, 77,000 of them. We do not actually just affect the workers; we affect their families. By dragging this on this long, we are actually hurting 77,000 families in Pennsylvania.

But this is going to leave a whole other group of people that are going to be affected by passing this today and dragging along a budget that does not pay the counties. Let me just read off to you some of the people that I could come up with off the top of my head that will be affected. The State workers will get their pay, but what about the LIUs (Lincoln Intermediate Units) and all the people that work within them that will not be funded? How about county providers such as MH/MR (mental health/mental retardation)? How about autism, children's advocacy centers, SCCAP (South Central Community Action Program) programs, aging programs, home care programs, homeless facilities, emergency shelters, mass transit, food banks, and the list goes on and on. So we are not talking about just 77,000 families. We are talking about hundreds of thousands of families that are being affected by not getting a budget in place.

A stopgap measure was available ever since the end of June. We should have used it. Like I said, I will vote for this bill just to get the State workers paid, but we are leaving a lot of people short here. I know that our Governor views our Constitution only as a guideline. We know that. But we are charged with the responsibility as legislators to pass a balanced budget by the end of June. The key word here is "balanced" budget.

And I have to wonder today if what we are doing is unconstitutional, because we are charged with the responsibility of handing the Governor a balanced budget and every single person in this chamber knows today that this is not a balanced budget. I have to question the constitutionality, although I will not make a motion on it because I do believe that the State workers do need to be paid.

All this being said, what went on in here yesterday with SB 850, the Kotik amendment – if I said his name correctly – to me, was despicable. What we have got to keep in mind is that there are a lot of people out here that need us to do our job, and I am looking at my counterparts on the other side of the aisle, and I am saying to myself, you people wanted to be in the majority; you are in the majority; bring a no-tax-increase bill, which your Appropriations chairman agreed to yesterday, bring a no-tax-increase bill to the floor, a balanced budget that funds everything, and do it soon. I guess what I am trying to say is, either lead, follow, or get out of the way; let us get something done.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Turning to leaves of absence, the Chair notes the presence of the gentleman from Delaware County, Representative Micozzie, on the House floor. His name will be added to the master roll.

CONSIDERATION OF SB 850 CONTINUED

The SPEAKER. On the question of final passage, the Chair recognizes the gentleman from Cambria County, Representative Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise to support SB 850 today. It is with apologies to the people in the gallery – the veterans, the families, the school employees, Mr. Holman as the leader of the Pennsylvania War

Veterans – that I am compelled to vote for a bill that reduces funding for veterans homes by \$15 million and eliminates the Scotland School for Veterans' Children, which has stood the test of time for 114 years. I will continue to fight for veterans' benefits in the final budget because it is a fight that is worth fighting. However, to delay this bill even one more day would be an even greater travesty to the citizens of this Commonwealth and veterans.

As a public servant, we are all elected to take action for the benefit of the public, not to make long-winded speeches.

Today this bill releases payments to 77,000 workers and to the families of 77 deployed Pennsylvania National Guardsmen. More action is needed. Unless a budget is passed within the next few weeks, hospitals, counties, cities, schools, and State contractors will run out of money and be forced to lay off employees. That will end our economic recovery.

I believe there are a majority of people of good will on both sides of the aisle that will demand action and will not allow politics or reapportionment to cut off our economic recovery just as it is beginning. It is my prayer that compromise and common sense will prevail over legacy and politics.

I respectfully ask my colleagues on both sides of the aisle to support SB 850 with the proviso that we all resolve to take action, each in our own way, to move the budget to a conclusion that will benefit all citizens, both taxpayers and those that are truly in need.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Northampton County, Representative Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I, too, rise in support of SB 850.

As all of us know and are saying here this afternoon, we know this is not the final budget but it accomplishes our main goal of paying our dedicated State workers.

I also believe SB 850's consideration this week will bring a final budget resolution closer to completion due to my friend from Allegheny County and his colleagues removing the PIT (personal income tax) from consideration in the final budget. If I heard the Senate majority leader, whom I have the utmost respect for, correctly on television last week, he said, take the PIT off the table and we can have a budget in 2 or 3 days. I certainly hope with that in mind that we could be voting on a final budget perhaps by this weekend.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Monroe County, Representative Siptroth.

Mr. SIPTROTH. Thank you, Mr. Speaker.

I, too, rise reluctantly to support this piece of legislation.

Never being faced with this dilemma since I have been in office, it certainly leaves a lot to be desired, but I am pleased that we are going to be able to pay the 77,000 State employees who are in the middle of this budget impasse and they will soon get a paycheck. They work hard and they deserve to be paid on time, but I want to remind my colleagues that this is not the final budget, that we need to work extremely hard in the best interests of all Pennsylvanians.

In recent days, Mr. Speaker, I have heard from the director of the Monroe County MH/MR program, and she informed me that her office has stopped payment to all agencies it does business

with. She also told me that her office may be forced to reduce or even stop providing services unless this budget crisis is resolved.

I have also heard from the Monroe County chairperson regarding SB 850 and the impact that it will have on the county operation and all the services that they are mandated to provide, and I am sure that the school districts will be right behind them in calling my office as well.

Today's action is important, but I urge my colleagues to pass a budget that will provide the necessary funding to the many county-run programs on which our citizens rely.

Thank you, Mr. Speaker.

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

Mr. TURZAI. August 4, this is as good a Theatre of the Absurd that you get.

All the people who have been railing against SB 850 since May are waiting until August to pass it to pay State employees? How many people from the other side of the aisle have said and I heard that SB 850 was the scourge of Pennsylvanians, and now each and every one of you is going to support it because it is paying State workers? For an indulgent administration that is the first in recent history, maybe all of Pennsylvania history, to ever hold State workers hostage, to get his way, so that he can increase spending, so that he can increase taxes, as if he has not done that enough, and perhaps increase borrowing as well because he has leveraged our kids' and grandkids' future, too?

The sanctimonious talk about SB 850 to pay off employees and all the concern about employees, you could have done that in May. Please, come on; give us a break. Be honest with the people out there. You do not have a solution. You have not put up a bill. You are using a Senate vehicle to create a joke on the citizens of Pennsylvania. It is wrong; it is absolutely wrong.

And what are they, the Blue Dogs, the lapdogs? Whatever it is, they got rid of the personal income tax. I will tell you who got rid of the personal income tax, Chairman Civera, because he put a real bill on the table. You are in the majority, Mr. Speaker. If you wanted to get rid of the personal income tax, you could have put up a budget and a Fiscal Code bill back in May. The personal income tax has never had the votes because the Pennsylvania citizens will not let it. They are tired of it. They are tightening their belts. They are taking care of their families. They want every dollar back in their pockets.

Put up a vote for the personal income tax if you believe that all the spending is necessary. Let us see it. Where are you headed to next, the sales tax, or are you going to eliminate exemptions like clothing? Are you going to do that?

The fact of the matter is that you do not want to deal with the tough questions that are at hand during a fiscal crisis and you are putting it off for another day again. You are going to resort to another gimmick. It is absolutely wrong.

What we offered and that this SB 850 does not offer the way you are doing it in terms of a gimmick is we offered a budget that Pennsylvanians could live by, focused on education, focused on hospitals, focused on law enforcement without taxes. And guess what? We have all publicly said we can walk away from the walking-around money. Are you guys willing to walk away from the walking-around money? Are you ready to get rid of the discretionary money? If so, let me hear it. I want to hear it.

What we are doing is putting Pennsylvania back on track. This Governor and his legacy, this gimmick, is a part of that, a gambling bill that smelled from the day it was passed, a pay raise that had to be rescinded, increased spending—

The SPEAKER. Will the gentleman yield.

Mr. TURZAI. —borrowing, and a personal income tax increase in the first part of this administration—

The SPEAKER. The gentleman will yield.

Mr. TURZAI. —and now they want another one.

With all due respect—

The SPEAKER. The gentleman will yield.

Mr. TURZAI. With all due respect—

The SPEAKER. The gentleman will yield.

Mr. TURZAI. Yes, sir.

The SPEAKER. Debate before us today is a spending plan, SB 850. I will grant, there is a lot of latitude that has been granted to the speakers and will be granted to the speakers on final passage of this bill.

There are no tax measures in this legislation. You could make general references about taxes and about how things get paid for, but you cannot talk about specifics that are not contained in SB 850.

Mr. TURZAI. Mr. Speaker, I appreciate it, but let me make it clear, let me make it clear – and I understand, Mr. Speaker, where you are headed – let me make it clear that this gimmick, what is happening today, is part of a history with respect to this administration that has been irresponsible, and it is a legacy that none of us can be proud of in this Capitol Building, and we should be getting our job done today with a budget that will govern Pennsylvania without taxes. And I hold that in contrast to the gimmick about hijacking a Senate bill that everybody has been railing against for the last 3 months, to hijack that bill without putting a responsible bill from the majority that everybody could vote up or down on both from a spending side and from a fiscal side. Let us be honest.

I end on this note. It has been 7 years now that we have not had a budget on time under this administration. Governor Ridge and Governor Schweiker, they got a budget done by June 30 every single time, and here we are on August 4 doing a gimmick.

As I have said twice and I am going to say it a third time, it is wrong. What we are doing today is wrong. We should be passing a budget that could go to the Senate and be on the Governor's desk, and shame on everybody who is not getting that done.

Thank you very much.

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

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

Earlier today when my honorable colleague from Jefferson County, the minority leader, ambled through our caucus room, he exclaimed that he was anxious for the gentleman from Allegheny, Mr. Turzai, to take the microphone because then my guys would allow me to talk, and I think that is a very, very auspicious pronouncement on his part, because I am excited to respond to my honorable colleague.

Now, the gentleman from Allegheny County talks about gimmickry and hijacking, yet the Rendell administration by some perspicacious budgeteering in the early years of his tenure avoided a tax increase last year when Florida and California and Texas and Illinois and Ohio and New York and New Jersey all

raised their taxes, but by a very substantial investment in infrastructure and construction – and we all had a lot of those cardboard checks over the Rendell years – we avoided a tax increase. We had a very robust budget cycle during the early years of the Rendell administration.

As I have said from this microphone, from Beijing to Bobtown we have money problems in the United States, we have money problems in Pennsylvania. This is not gimmickry. This is not hijacking anything. It is not a joke.

We are voting in a few moments to pass SB 850, because, as my friend, Mr. Grucela, and others have declared, we want to put 77,000 families back in the paycheck recipient dynamic. We want to make sure that the prison guards in Greene County and Fayette County, we want to make sure that Helena Moore, who drives the salt trucks on the interstate back in Greene County, get paid. We want to make sure that people get paid. That is the quintessential nub of our dialogue today, to pay our State workers. It is unequivocal, unambiguous, unalloyed, and I am running out of "un" words, Mr. Speaker, but the dynamics are very, very plain. We want to pay our people.

Now, I think it was Auguste Renoir, either him or it might have been Tim Mahoney, but the great impressionist painter once corresponded with a friend late in his life, and he said, I indulge in a lot of melancholy thoughts. Well, we are all going to indulge in a lot of melancholy thoughts, because this is not the perfect dynamic. We are still going to have to come back here and generate a budget that will conclude the yearly deliberation. That is not going to happen today.

But I want to repeat to the honorable gentleman who preceded me at the microphone, this is not gimmickry, this is not hijacking. This is paying 77,000 families. It is as simple as that. I would ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Tioga County, Representative Baker.

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

Mr. Speaker, I rise reluctantly to support SB 850. The Senate budget bill had passed May 6. It is too bad that we did not have this vote a little bit earlier. I thought maybe because it passed on May 6, being my wife's birthday, it would portend to be good news, but it was not to be.

Mr. Speaker, what I hear is a lot of passion about paying our State employees, and I agree, our State employees should have been paid and we should not be here voting on this particular bill just for one singular issue, and that is to pay our State employees. We should be passing a final budget bill. Notwithstanding, that is what is before us. The Governor has made it very, very clear he is going to use this as a stopgap bill, a bare-bones bridge bill, if you will, but I am also aware of the fact that maybe not all 77,000 of those State employees will get paid. In fact, I am aware that many employees are concerned about being furloughed. So if the Governor is listening, if anyone is listening, I certainly hope that all State employees get paid and that no employee gets furloughed, because that is not fair either.

And regrettably, a decision was made by the Governor very early about the payment of employees. He relied upon a Commonwealth Court ruling versus relying upon the Federal Labor Relations Act. He made that decision not to pay employees. Well, now here we are with tremendous passion and fervor to pass a stopgap bill to pay our State employees.

Again, I hope they all get paid, I hope there are no furloughs, and that no more State employees of any nature are held hostage or used as pawns in this budget deliberation. Mr. Speaker, I support SB 850 for that purpose. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentelady from Northampton County, Representative Beyer.

Mrs. BEYER. Thank you, Mr. Speaker.

Is there anyone willing to stand for brief interrogation on the bill? I guess the chairman of Appropriations or the majority leader or maybe even the entertaining majority whip, the ever-entertaining, wholesome, manly majority whip.

The SPEAKER. No one is standing for interrogation. No one has agreed to stand for interrogation.

Mrs. BEYER. Okay.

The SPEAKER. On final passage?

Mrs. BEYER. I know we are on final passage. I just want to have some things for the record. I suppose then, and it is not for any other— I adore and admire this gentleman. Will the minority chairman of Appropriations stand for brief interrogation?

The SPEAKER. The gentleman, Mr. Civera, indicates he will stand for interrogation. The gentelady is in order and may proceed.

Mrs. BEYER. Mr. Speaker, I really hope that the public has taken note that that is how far our relations have degenerated that I cannot even get the majority party to stand for a brief interrogation on a bill that they have put on the voting schedule.

Nevertheless, I was wondering, could you for the record just explain to me and the folks out there that we are in fact passing SB 850 in order to get it to the Governor's desk. Now, the Governor is not just going to sign it. What will he ultimately do? He will blue-line? He will line-item veto? How will he handle this bill?

Mr. CIVERA. Mr. Speaker, the Governor has indicated that he will blue-line everything in SB 850 other than the operating General Fund, which that is where the category of the State employees is so they could get paid. Education, agriculture – I do not want to just waste your time – everything is going to be blue-lined except for that category that I just explained to you.

Mrs. BEYER. And you have this commitment from the Governor and you trust that commitment that he is going to do this?

Mr. CIVERA. Mr. Speaker, we do not have a commitment from the Governor. The Governor said this to the press, and that is where I interpreted that. We have no idea exactly what he is going to blue-line. I am just telling you what he told the press.

Mrs. BEYER. I can tell you that I have some concerns, because when we voted, some 48 Republicans, to nonconcur on HB 1416 to get the budget process moving, the Governor misinterpreted those 48 votes as a vote for a tax increase, something that this Republican minority will not accept. We will not accept a tax increase on the Pennsylvania public. That was misinterpreted. I just want to make sure that this vote that we are about to take is not going to be misinterpreted by the Governor and some kind of shenanigans may occur.

Can you tell me if we have a commitment, a firm commitment from the Governor that he will blue-line only and allow for State workers to be paid and nothing else?

Mr. CIVERA. We have no commitment from the Governor of what you are asking for. The only thing I have heard from the Governor is through the press. The Governor has not directed to

me personally or to the Republican leader what your question is. We have no commitment whatsoever.

Mrs. BEYER. Thank you. That ends my interrogation.

Mr. Speaker, on the bill?

The SPEAKER. On the bill, the gentelady is in order and may proceed.

Mrs. BEYER. Thank you, Mr. Speaker.

I just want to make it perfectly clear to the residents of the 131st that I am about to vote "yes" on SB 850 in the hopes that State workers will be paid. This vote is also a call to the leadership of both the House and the Senate and the Governor to get to work, to get a compromise, to get a bottom-line revenue number that we can work from, and get a budget passed. Senator Pileggi said over and over and over again in the conference committee hearings, we have not agreed on a spend number without a tax increase, and the Governor and the Democrats must agree to a no-tax increase.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady and recognizes the gentelady from Bucks County, Representative Watson.

Mrs. WATSON. Thank you, Mr. Speaker.

I do not spend a lot of time and rarely get up to say anything. I am happy to let many of my colleagues do so.

I am not here today for SB 850 to ring through accusations, but I do have what I now know will be rhetorical questions, and I would suggest to you, Mr. Speaker, some food for thought. What we have here today by Webster's dictionary is known as a dilemma, and for many of us, it is a conundrum, and if you are not sure about that, the English teacher in me is happy to direct you to the dictionary to look those up.

But in a very serious kind of way, I doubt that there is one person in this chamber, certainly not in the other chamber either, who would say they wanted the State workers to go without pay and yet come to work and do the fine job they do every day. That decision was not yours and it was not mine. It rests with one person and one Commonwealth Court decision, which by all interpretation others say is wrong. Certainly, we would all agree when we are very honest and perhaps alone that to make someone work and provide them with no salary that you have agreed to pay them, it is illegal at best and it is something else at worst.

However, I would like to give you a case study to say what this dilemma is today from a real-live person, my constituent, whom I called again this morning. I will not use her name, though she told me I could, but I will tell you her story and what this will do for her today. She is a State worker. She works for the Board of Assistance, Bucks County Board of Assistance. She is a single parent in middle age, as most of us are, and she is raising two daughters. She has paid for those young women herself for a lot of her life working two jobs. Board of Assistance was not enough. Her credit rating is good. She is a cosigner for the loans because each of the young women, her daughters, are in college. She had called me originally to say, how can this be? She used the number; she said, I have \$1700 that I have to come up with and I knew I would, because I have done this, paid the mortgage, done this, by mid-August for my one daughter. That is what is left on the college bill for that semester. She said, I have never missed. I do not ask anybody for anything. It is interesting to note, her job is that she helps with Board of Assistance, those who do need the help and sets them up, but she herself, by herself, has managed to support her two children. Certainly commendable; we would like

everybody to be able to do that. And I said to her, I do not understand either. I do not know why you are not getting paid. You should be getting paid, and we went back and forth. But I promised her that I would keep her name and number on my desk, as I do with a bunch of people, and I would call every time something happened. Well, she and I have talked on several occasions, back and forth, and truthfully, it was really, nothing is going on; this happened today.

Here is what happens today when I reluctantly vote for 850, because I never believed that workers should not have been paid in the first place. And I was actually on Representative Buxton's bill, which I thought was terrific, to get them paid, take that out of the equation, and let us do our jobs.

She will get her salary, and as she said to me this morning, okay, I used mortgage money and I did this, and she went through all her scenario – I will have money to pay that \$1700. But, Mr. Speaker, when that is blue-lined, when 850 is blue-lined, and it was just asked the question that all that will be there is the salaries for workers? There is no higher education money in there. There is no grant money. There is no PHEAA (Pennsylvania Higher Education Assistance Agency) money.

And in fact, in SB 850 there was a \$50 million decrease, which gets back to one of my original votes and why I did not like it. I understood the strategy. I was not born yesterday, as you can all tell by looking, but I understood the strategy. The Senate was setting it low, then this would be negotiated, and we would have started this – May 6 we would have started this and worked on it.

But for now, Mr. Speaker, there is maybe \$50 million less to PHEAA and there is nothing going, and it is going to be blue-lined. So for my constituent, who I hope has become kind of a friend; we have a good working phone relationship— By the way, we have never met in person, we have not seen each other, but we know a lot about each other's lives.

She is the example of the dilemma. You got her her salary, a woman who works two jobs and putting daughters through college on the basis of loans, grants, and what she can provide, and you have left those young people with a really bad future, because the money—

The SPEAKER. The gentelady will have to wrap up.

Mrs. WATSON. I am sorry. Sorry, sir. I got so carried away, I did not look at the time. I apologize.

My point is, Mr. Speaker, I would just ask, reluctantly, we all vote for this. How about affirmatively we actually get something done that takes this. I thought we would do it yesterday. Let us do it sooner than later, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentelady from Montgomery County, Representative Harper.

Ms. HARPER. Thank you, Mr. Speaker.

I rise to support passage of SB 850 today as a stopgap budget.

The definition of "chutzpah" is the fellow who kills, murders his parents, and then throws himself on the mercy of the court because he is now an orphan.

Yesterday we had two chances to pass a balanced budget with no tax increase, and both of those amendments were murdered right here in the chamber. There is a lot of chutzpah on that side of the aisle.

I am voting for SB 850 because we have 77,000 workers who need to be paid. But we have 12 million Pennsylvanians

who deserve a balanced budget without a tax increase, and they are being left behind.

There is a lot of chutzpah in this chamber, Mr. Speaker, and I certainly hope that we get a balanced budget with no new taxes sometime soon. Thank you very much.

The SPEAKER. The Chair thanks the lady.

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

Mr. DeLUCA. Thank you, Mr. Speaker.

You know, yesterday and today I heard a lot of jokes about the Blue Dog Caucus. Now, maybe you guys do not like the way we run our caucus over here, but this caucus knows there is a conservative Blue Dog Caucus. Now, you might not agree with it on your side, but we are not there to satisfy your side; we are there to play an issue in this caucus. Just so you understand that.

Now, the personal income tax was taken off the table by our caucus. Now the Senate leader over there says that in 3 days, if the personal income tax was taken off the table, we would have a budget and we could negotiate an honest budget.

So, Mr. Speaker—

The SPEAKER. On the question.

Mr. DeLUCA. SB 850 will help pay our workers, but we are going to find a way to take care of the people, the 12 million Pennsylvanians who also need services out there, Mr. Speaker, and not just the State workers. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cumberland County, Representative Grell.

Mr. GRELL. Thank you, Mr. Speaker.

The result of what we are going to do here today is not too much in doubt, but I want to speak just for a minute to some of the constituencies that I represent in my district and throughout the State.

First to the State employees. I think we all owe them an apology for what we have put them through for the past 5 weeks, and I am glad to see that that is being remedied through the passage of SB 850.

However, I am concerned that there might be some unintended consequences to what the Governor may do with this bill once he receives it. I probably represent as many State employees as anybody in the chamber, and I am concerned that if it is not done correctly— Mr. Speaker?

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

Mr. GRELL. Mr. Speaker—

The SPEAKER. The gentleman will yield.

The Chair recognizes the gentleman from Cumberland County, Representative Grell.

Mr. GRELL. Thank you, Mr. Speaker.

We have had previous opportunities to take care of paying State employees if that was what we really wanted to do. We could have supported the gentleman from Dauphin County's stopgap budget that was introduced back in June. We could have supported and allowed to move the gentelady from Cumberland County's "Pay the Employees" legislation that for some inexplicable reason got assigned to the State Government Committee and did not move.

Nevertheless, we are here today with a budget that hopefully will allow State employees to be paid. But I want to make sure that if it is not done correctly, there will be State employees who will not be paid as a result of this action, because there are

certain State employees who are paid through line items other than the general government operations lines that the Governor says he is going to allow and blue-line the rest.

So for the constituents of mine who have talked to me, they are concerned that if certain line items that are Federal programs but they are in the State budget, if those line items are also blue-lined, there may be State employees that do not get paid, even as a result of this measure. So I hope the Governor will look very carefully before he blue-lines items.

Now, I want to also talk about what is in SB 850, because there is a lot more that the Governor could be doing with SB 850 once it is sent to him. I want to let the residents of, for example, the Cumberland Valley School District know that in SB 850, as we are considering it today, there is \$10 million in that budget, plus their special education money. There is no reason that the Governor could not allow that money to go through.

If he thinks there ought to be 500,000 more dollars going to that school district, that is fine. We can and we should do that through a supplemental budget. But I want the residents of those school districts to know that if your school district does not get money because of the blue line, it will be solely because of the action of the Governor in taking out and withholding that reimbursement to them.

Let us look at just a couple of other line items that we could do much more with than what the Governor sounds like he is going to do. Let us look at community colleges. In SB 850, there is \$236 million provided to fund our community colleges. The Governor's proposal was only \$216 million. That should be a no-brainer. He should allow that \$236 million to be paid to our community colleges so that they do not suffer when the school year starts shortly.

Let us look at the State Food Purchase Program under the Department of Agriculture. This funds and helps fund our food banks. The Governor's proposal was \$18 million. SB 850 contains \$18 million for that program. So if the food banks do not get their funding, it is not because we did not provide it in SB 850; it is because of the action of the blue pen.

Let us look at State parks. There is \$50 million in SB 850 for State parks. Sure, the Governor might want \$57 million, and we can argue about that other \$7 million. We can do a supplemental for that. But there is no reason to withhold the \$50 million to fund the State parks.

The same could be said for many other items, and I will just close with this one, because it is very timely, being in August.

PHEAA grants. If the Governor blue-lines that, I want you to know that there is \$386 million in SB 850 for those student grants, and if the students of Pennsylvania are not able to access those grants, it will not be because of SB 850; it will be because of the blue pen.

Thank you, Mr. Speaker.

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

Mr. CIVERA. Thank you, Mr. Speaker.

I am going to be brief and talk about SB 850 as far as the progress of 850, and the reason why it is before us is because we need to get our State workers paid. That is the only reason that I could see us really supporting 850.

SB 850, when it came over from the Senate, went to the Appropriations Committee, and the majority chairman at that point decided to have public hearings, which we have discussed

on this floor for 2 days. We had a vote on 850, and the Republicans voted "yea" and the Democrats voted "nay," and the bill was pushed around. And the serious intention of 850 when it arrived in this House was to get a budget together, to get an amendment together, amendments drawn to 850, and have everybody participate in the budget practice, because 850 came over to us early in the budget season, sometime in May.

Over the weekend I had reached out across the aisle, and the gentleman from Allegheny just a few minutes ago brought up about the Blue Dogs, and I really do not like the term "Blue Dogs." I would like to say more the Democrat conservative members that think some of what we think about. We were able to work with them over the weekend and shared an amendment that the Republicans had put together. Unfortunately, that amendment never came to the floor, but that amendment had some real positive workings as far as a budget is concerned, a budget that each and every one of us could have voted for, adopted, and went back to their individual districts.

So there has been some type of movement on the Republican side to share with the Democrats on the Democrat side different ideas, and I believe at this point, this is what we need to accomplish to get a budget done.

Passing 850, SB 850, puts the State workers back, but it does not address the individual counties; it does not address the judicial system; it does not address the school districts. It does not address everything that we are supposed to in a General Fund budget and a spending plan.

The Republicans over the last 3 years have sat down with the administration and have worked together with the Democrats and the Republicans, and the way we have initiated a budget was to come up with a spend number, a technique that was never used up until 3 years ago, a technique that kept the spending in line. If we were to go back to what we wanted to do 3 years ago and what the administration wanted to do 3 years ago as far as spending, we would be well over \$29 billion and we would be well out of balance with the economy today.

It is not the Republican Party who dictates the spending of this Commonwealth. It is not the Democratic Party who dictates the spending of this Commonwealth. It is the economy. It is the economy that we are living in. We just do not have enough money to do what everybody wants us to do. We just do not have that. And unfortunately in this chamber, it was taken away from us line by line, and the practice of the Republicans, when they were in the majority, was to let the members do.

Now, Common Cause took us to court some years ago, and the chairman on the other side, the majority chairman, was part of that suit and made the argument that we needed an open practice, and unfortunately, this chamber was not allowed to do that.

Now, at this point in time, there is no sense in blaming back and forth. I am tired of doing that. This is where I am coming from: We need a budget. We need our school districts to be funded. We cannot wait until September or October, and I am putting you on notice about that again, just like I put you on notice about the State employees in May.

Look at that document that we allowed the Democrats to have. Evaluate that document. Work off of that document. Work off of the ideas that we gave you and come back with something that we could vote on, get this dilemma over with, be proud lawmakers of the State of Pennsylvania, not ones that we got to hold our head down that we do not know what we are doing as everybody else looks at us, because at this point, we are one

body. It is not the matter of what party you are; it is what you represent.

Now, we gave you something. I am not criticizing anybody here today. Take that document, work it, put it together. By next week, let us come back and have something that we can vote on, go home for the summer, and call this impasse to an ease, to stop it. Be proud of something. Be proud of what you stand for.

Mr. Speaker, 850 puts people back to work, but we are a long way from where we should be on August 4. What a disgrace – August 4, 203 people could not get it together, and the Governor sits there and smiles and says— This is not the way you operate State government, not the way I was used to for over 30 years.

The SPEAKER. The gentleman will wrap up.

Mr. CIVERA. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Centre County, Representative Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I would be curious if the majority Appropriations chairman would answer a question?

Would the Appropriations chairman of the majority party be interested in answering a question on the budget, Mr. Speaker?

The SPEAKER. The gentleman indicates he will not stand for interrogation.

Mr. BENNINGHOFF. Would the majority whip be interested in answering a question on SB 850?

The SPEAKER. The gentleman will not stand for interrogation.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

On that note, I will interrogate myself on that question. It is a relatively simple question, which I believe I can probably or hope my counterpart can answer.

The question, Mr. Speaker, is, I am curious to know what is different in SB 850 today that was not in the bill that was passed by the Senate on May 6?

Well, I am glad you asked that question. There is nothing different in that bill.

Thank you, Mr. Speaker. I am also curious of what would be different in that bill today that was not in this bill on May 7, May 8, May 9, and all the way to June 30 when our State workers were still being paid. What is different in that bill?

Well, I am glad you asked that question. Nothing.

Well, then, Mr. Speaker, I have a hard time understanding why almost to the day, 90 days later, our State workers are told and their families that they cannot get a paycheck because we are now going to pass the same bill that we could have passed on May 6, 7, 8, 9, and so on and so forth.

Well, I am sorry; that one I cannot answer.

Mr. Speaker, you have been very indulgent – to both of us. But I have to say, as silly as that might have seemed, the only thing I can think of that is any sillier is to try to tell the people of Pennsylvania, to try to tell the State workers that we are doing you a favor now. The Governor and the Democrat Appropriations chairman and all those people love you today because they are going to pass SB 850, which you have been lobbying against for 3 months. It was the poison pill, the worst piece of legislation this General Assembly could have passed. It would have darn near ruined Pennsylvania. But today, today, Mr. Speaker, both of us stand before you and tell you that it is supposed to be a good bill. The people of Pennsylvania are not that silly. They know better.

I am very blessed. I have a couple of State workers that live on both sides of my house, and they told me, we know what you guys are trying to do; we understand that, because those same paychecks we are not getting are going to have a little bit more taken out of them if you guys go ahead and vote for a tax increase.

And I am not going to belabor the issue about a tax increase. Everybody knows that I am opposed to that, because it is not necessary. It is about taking more money out of people's pockets when they are in the worst recession, that many of you have talked about, that our country and our State has seen in a long time.

But I am here to stand to talk about my favorite sandwich shop here in Harrisburg, our good friends down at Pasquale's, who now sit with half their shop empty because they do not have the same regular clientele of State workers coming down to work. And why not? Because those same employees have been held hostage.

Yes, I am one of the guys who voted "no" yesterday when this was on second consideration because I saw the sham. I came here wanting to support my colleague, a Democrat member, who had the courage to come before us and offer an amendment that was done in a bipartisan manner that could have helped put money in the pockets of not only the State workers of Pennsylvania but the businesses and the small mom-and-pop shops that depend on them. Those are the people who send us here. Those are the people who elect us and expect us to do the right thing, and we are not doing the right thing.

Mr. Speaker, before I close, I want to remind the General Assembly and the members as well as the people in the Commonwealth, guess what? Taxpayers are still paying taxes, and they have continued to pay them through this whole entire budget impasse. There is money coming to this Commonwealth. There is absolutely no reason, in my personal opinion, and his personal opinion, that there is no reason that legally these State workers should have ever been deprived of their paycheck. It is unconstitutional, it is un-American, and I believe it is against the Federal law.

We are hurting small businesses, we are hurting families, and it is wrong. I will plug my nose today and vote for SB 850, reluctantly, because I have those people just as you do. But our State workers and our public, not just the State workers, should not be used as pawns in some political game in order to be able to raise taxes.

Mr. Speaker, thank you for your indulgence, and good luck on the vote.

The SPEAKER. The Chair recognizes the gentleman from Clearfield County, Representative George.

Mr. GEORGE. Thank you, Mr. Speaker.

You are probably going to have to cut me off a couple of times, but why do you not just turn down your hearing aid and let us go.

You know, Mr. Speaker, I have heard these fine people talk about what we have gone through, and now they have criticized our Governor. I have been here since 1974, and I voted for a tax increase in '77, and the only reason that it took a tax increase was because Governor Shafer left Governor Shapp without the funding mechanism to be able to continue to give the people in Pennsylvania what they desired and what they needed.

Then along came Thornburgh, and he spent the money up into the high class with their breaks, while we had cut the CNI (corporate net income). And then when Governor Shafer

left, he left Gov. Bob Casey in a very bad fiscal situation. And again we passed taxes, those of us that have the courage of our conviction, that want to go home and say we have done the right thing for you. Nobody likes taxes, especially those on the other side that brag about the programs and brag about not paying taxes, but by the same token, every administration you have had in my 35 years that has followed a Democrat Governor has had it pretty darn easy.

So I say to you, if you want to make your people happy, talk truthful to them. Let them know that you are here, that your worries are their worries, your concerns are their concerns, and you came down here to be honest with them.

So why do you not do this: Why do you not act any longer like this is a "Cash for Clunkers" deal. But the truth of the matter is, it is something that we are trying to do for people. We are trying to keep them at the same level they were a couple of years ago. With everything that is going on across this fine nation of ours, every State has suffered what we are doing.

So you know, there is only one way we are going to eliminate it when we do get to the crux of these things: Those of you that do not have the courage of your convictions and are afraid to put your money where your mouth is, then do not go home and tell the people how great thou are.

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

Mr. MAHER. Thank you, Mr. Speaker.

When we talk about our State's budget, when we are talking \$25, \$27, \$28 billion, the numbers really become unfathomable at some stage. So I thought I would offer remarks dealing with numbers a bit easier to digest.

Fourteen: 14 is the number of the amendment to the Federal Constitution that prohibited States from being able to mandate that people work or suffer consequences and work without pay. The 14th Amendment says that no State shall deprive any person of life, liberty, or property without due process of law, nor deny any person within its jurisdiction the equal protection of the laws.

You know, when you think of a big fellow living in a mansion, requiring that people work without pay or suffer consequences, you might think of a pre-Civil War Southern State, but now we have that right here on the Susquehanna. It is an embarrassment. I believe the Governor has deprived the civil rights of the State employees. I expect that the State ultimately will suffer a consequence as a result.

The next number is 5: 5 days since the Democratic Appropriations chairman stifled the conference committee on the budget from having any meetings; 5 days of lollygagging when there is supposed to be a sense of urgency.

The next number is 3: 3 months since SB 850, the bill which is before us now, arrived in this chamber from the Senate. If this was going to be your tactic, what were you waiting for? Why deprive all these Pennsylvanians – the workers, the taxpayers, the social service providers, those that depend on social services – for 3 months just so you can abandon your actual responsibility?

The next number is 1 1/2. You can tell I am counting down. That is the days the conference committee actually met after the assurance from the Democratic leaders it was going to meet every day, Saturdays and Sundays, until a budget was hammered out. Thanks for your steadfast commitment.

Zero: Zero is the value of this budget to most of Pennsylvania. In fact, if you are a youngster hoping to get your

PHEAA grant paid or your PHEAA loan disbursed to your college, this bill is a zero – if you are a provider of Head Start; if you operate a food bank; if you depend on the food bank. If you are one person in Pennsylvania who eats, you actually depend on our State diagnostic laboratories to identify early on the source of contaminants, the source of diseases, that need to be squashed to keep our agricultural industry strong.

In fact, SB 850 is an awful lot of pages long, but for most of Pennsylvania, it is worth less than a lotto ticket, because at least that lotto ticket has a chance of being worth something. But you know and I know that this bill, if the Governor keeps his word, is going to be worth nothing.

Now, the higher arithmetic is the unknown. The unknown is the number of people, the number of State employees, who still will not be paid. Because as the gentleman from Cumberland County pointed out, the meat cleaver the Governor is promising to use as a surgical implement is going to cause a lot of State employees to remain unpaid. So do not celebrate too soon. We do not know those numbers now, but you will soon enough, and I expect you will be hearing from them.

Immeasurable is the damage that is being done to Pennsylvania by this partisan skullduggery. Let us get on with the real work. Mr. Chairman of the Appropriations Committee, let us have the conference committee meeting in public. Let us do the budget. Let us do it in public. Let Pennsylvania see the truth.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from York County, Representative Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

I want to start out today in a bipartisan way by wishing happy birthday to President Obama today. So we should all applaud the President for his birthday.

But you know, as I have listened to the rhetoric, from both sides of the aisle we have talked about the issues and I have heard people talk about the rhetoric and everything else that is going on here today. I heard the Governor over the last many months talk about how he believes in our State workforce and everything else and he wants to pay the workers but he cannot. The truth is, the reason we are running SB 850 today is because the Governor knows that the Federal government is going to come down and make him do it anyway.

Well, I am going to vote for this bill, because I do believe the State workers, as I said all along, are very dedicated servants to the people of Pennsylvania and they deserve to be paid. But more importantly, this Governor talked about the need for the State workers to give him a statue of himself because of what he has done for the State workers of Pennsylvania. This is how many years in a row that he has held the State workers of this State as hostages in his battle for higher taxes and higher spending in this Commonwealth?

You know, I wonder, the apology that goes to the State workers goes and should come from the Governor of Pennsylvania for his tactics, and the worst part about it is, he has moved on to a new bunch of hostages. He is now going to hold local governments and county governments and social workers hostage until he gets his tax increase.

In fact, just on Saturday, this Governor stood at a podium in this Commonwealth and said, I will get my tax increase. That is what he said. And by voting yesterday against the Civera amendment, many of you apparently on the Democratic side of

the aisle agree with him. Because you did not vote for a reasonable spending plan, you want to continue to spend more dollars, but yet you are not willing. And I give the gentleman from Clearfield County who stood up and spoke before me credit, because he at least stood on this House floor and said he is willing to vote for taxes. He at least admitted where he stood. You cannot keep saying "I am against tax increases" and then vote to spend more money than we have.

We are also going to hold by this vote today our college students and parents hostage, because those grant moneys will not be able to go out to our college students as well.

The Governor continues from his February meeting in addressing this General Assembly in joint session that he did not want to hear any whining or crying here because we need to make sacrifices. The only person I have been hearing whining and crying across this Commonwealth has been this Governor. He keeps saying "I have made my cuts," and it is amazing, the cuts he has made keep ending up at the same spending amount. Nothing has changed. This Governor has tried to pull the wool over the eyes of the taxpayers of Pennsylvania, and many of you are going along with it.

Now we are going to go to a sales tax. We are going to forget the PIT and we are going to go to a sales tax. A tax is a tax. It does not matter—

The SPEAKER. The gentleman will yield. The gentleman will yield.

We are on final passage of SB 850. We would appreciate if you would just keep your remarks to final passage of that legislation.

Mr. SAYLOR. Mr. Speaker, in wrapping up, the truth of the matter is that this bill could have been made a lot better yesterday. While I will vote for this bill today, it is a sham on the taxpayers of Pennsylvania. This is something that should have been done a long time ago before these State workers had to go without pay. And more importantly, they should have been paid without this having to be passed.

So, Mr. Speaker, I hope at some point in time those of you on that side of the aisle who continue to twitter about taxes and things that are going on and that you are not for tax increases and parades, I hope at some point you are willing to put a vote up on this floor actually for something that stands for the money that the Pennsylvania Commonwealth needs to spend that is in line without a tax increase.

Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

Adolph	Evans, J.	Kula	Reed
Baker	Everett	Lentz	Reese
Barbin	Fabrizio	Levdansky	Reichley
Barrar	Fairchild	Longietti	Roae
Bear	Farry	Maher	Rock
Belfanti	Fleck	Mahoney	Roebuck
Benninghoff	Frankel	Major	Rohrer
Beyer	Freeman	Manderino	Ross
Bishop	Gabig	Mann	Sabatina
Boback	Gabler	Markosek	Sainato

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

NAYS-3

Drucker	O'Brien, D.	Santarsiero
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NOT VOTING-0

EXCUSED-5

Metcalfe	Perry	Petrarca	Staback
Miccarelli			

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 House proceeded to third consideration of **SB 852, PN 1143**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans' Affairs, to grant and convey to the Schuylkill YMCA certain lands and building situate in the City of Pottsville, Schuylkill 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-198

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

NAYS-0

NOT VOTING-0

EXCUSED—5

Metcalfe Perry Petrarca Staback
Miccarelli

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.

VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman from Delaware, Representative Kirkland, rise?

Mr. KIRKLAND. Thank you, Mr. Speaker. To correct the record.

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

Mr. KIRKLAND. Mr. Speaker, on SB 850 my button malfunctioned. I wanted to be recorded in the negative.

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

Mr. KIRKLAND. Thank you.

SUPPLEMENTAL CALENDAR B**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 666, PN 1076**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Authority for Industrial Development certain lands situate in the 39th Ward of the City of Philadelphia; and authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Regional Port Authority certain submerged lands situate in the 39th Ward of the City of Philadelphia.

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

**MOTION TO PROCEED TO CONSIDERATION
UNDER RULE 24**

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

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, pursuant to rule 24, I rise to seek House approval to proceed on third consideration and final passage on SB 862, PN 1369, less than 24 hours after it was last amended, as there has been sufficient time to review the language of the bill.

I am again seeking approval to proceed on third consideration and final passage on SB 862, PN 1369. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—178

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

NAYS—20

Brooks	Kauffman	Oberlander	Samuelson
Cox	Maher	Rapp	Schroder
Cutler	Marshall	Roae	Stern
Grell	Milne	Rock	Swanger
Hutchinson	Moul	Rohrer	Watson

NOT VOTING—0

EXCUSED—5

Metcalfe Perry Petrarca Staback
Miccarelli

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 862, PN 1369, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, authorizing certain lands in Centre County to be conveyed.

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

The SPEAKER. On that question, the Chair has in its possession a technical amendment to be offered by Representative Eachus.

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

Mr. EACHUS offered the following amendment No. A03307:

Amend Bill, page 7, line 5, by striking out "three parcels of"

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

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

Mr. EACHUS. Thank you, Mr. Speaker. This is merely a technical adjustment to the bill. 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-198

Table listing names of representatives who voted 'YEAS' for the amendment, including Adolph, Baker, Barbin, Barrar, Bear, Belfanti, Benninghoff, Beyer, Bishop, Boback, Boyd, Boyle, Bradford, Brennan, Briggs, Brooks, Brown, Burns, Buxton, Caltagirone, Carroll, Casorio, Causer, Christiana, Civera, Evans, D., Evans, J., Everrett, Fabrizio, Fairchild, Farry, Fleck, Frankel, Freeman, Gabig, Gabler, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillespie, Gingrich, Godshall, Goodman, Grell, Grove, Grucela, Haluska, Kula, Lentz, Levdansky, Longietti, Maher, Mahoney, Major, Manderino, Mann, Markosek, Marshall, Marsico, Matzie, McGeehan, McL. Smith, Melio, Mensch, Metzgar, Micozzie, Millard, Miller, Milne, Mirabito, Moul, Mundy, Reed, Reese, Reichley, Roae, Rock, Roebuck, Rohrer, Ross, Sabatina, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schroder, Seip, Shapiro, Siptroth, Smith, K., Smith, M., Smith, S., Solobay, Sonney, and Stern.

Table listing names of representatives who were present or voted, including Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Cruz, Curry, Cutler, Daley, Dally, Day, Deasy, DeLozier, DeLuca, Denlinger, DePasquale, Dermody, DeWeese, DiGirolamo, Donatucci, Drucker, Eachus, Ellis, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Helm, Hennessey, Hess, Hickernell, Hornaman, Houghton, Hutchinson, Johnson, Josephs, Kauffman, Keller, M.K., Keller, W., Kessler, Killion, Kirkland, Knowles, Korts, Kotik, Krieger, Murphy, Murt, Mustio, Myers, O'Brien, D., O'Brien, M., O'Neill, Oberlander, Oliver, Pallone, Parker, Pashinski, Payne, Payton, Peifer, Perzel, Petri, Phillips, Pickett, Preston, Pyle, Quigley, Quinn, Rapp, Readshaw, Stevenson, Sturla, Swanger, Tallman, Taylor, J., Taylor, R., Thomas, True, Turzai, Vereb, Vitali, Vulakovich, Wagner, Walko, Wansacz, Waters, Watson, Wheatley, White, Williams, Youngblood, and Yudichak.

NAYS-0

NOT VOTING-0

EXCUSED-5

Table listing names of representatives who were excused: Metcalfe, Miccarelli, Perry, Petrarca, and Staback.

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 third consideration as amended? Bill as amended 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-198

Table listing names of representatives who voted 'YEAS' for the bill, including Adolph, Baker, Barbin, Barrar, Bear, Belfanti, Benninghoff, Beyer, Bishop, Boback, Boyd, Boyle, Evans, D., Evans, J., Everrett, Fabrizio, Fairchild, Farry, Fleck, Frankel, Freeman, Gabig, Gabler, Galloway, Kula, Lentz, Levdansky, Longietti, Maher, Mahoney, Major, Manderino, Mann, Markosek, Marshall, Marsico, Reed, Reese, Reichley, Roae, Rock, Roebuck, Rohrer, Ross, Sabatina, Sainato, Samuelson, and Santarsiero.

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Metcalfe	Perry	Petrarca	Staback
Miccarelli			

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

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

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1828, PN 2521**, entitled:

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, adding special provisions for amortization of unfunded actuarial accrued liability and minimum municipal obligation in cities of the first class; and providing for special taxing authority for cities of the first class.

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

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

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

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

HB 11, PN 2543 (Amended) By Rep. ROEBUCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in 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.

EDUCATION.

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

SB 736, PN 1145 By Rep. ROEBUCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for possession and use of asthma inhalers and epinephrine auto-injectors.

EDUCATION.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 424, PN 2544 (Amended) By Rep. ROEBUCK

A Concurrent Resolution ratifying the designation of Valley Forge Military College as the Official Military College of Pennsylvania, endorsing and encouraging participation in the Valley Forge Military College Legislative Appointment Initiative Program.

EDUCATION.

The SPEAKER. The resolution will go to the House calendar.

BILLS RECOMMITTED

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

HB 1684;
HB 1685;
HB 1686;
HB 1687;
HB 1689;
HB 1690;
HB 1691;
HB 1708; and
HB 1711.

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1710, PN 2152**, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University—Commonwealth Act, making Federal and State appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1710 be removed from the active calendar and recommitted to the Committee on Appropriations.

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

* * *

The House proceeded to second consideration of **HB 687, PN 760**, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in guaranteed energy savings contracts, further providing for definitions, for contracting procedures and for contract provisions.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 687 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 687 be removed from the tabled calendar and placed on the active calendar.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1051, PN 2002**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for background checks of prospective employees and specific convictions of employees; and amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for release of information in confidential reports and for investigation of reports of suspected child abuse by county agencies.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1051 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1051 be removed from the tabled calendar and placed on the active calendar.

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

RESOLUTION

Mr. EACHUS called up **HR 145, PN 1037**, entitled:

A Concurrent Resolution directing the Joint State Government Commission to conduct an in-depth study focusing on creating a nonpartisan interbranch institute to assist policymakers, particularly in the legislature, in making informed judgments about significant, long-term criminal justice issues facing this Commonwealth; and requiring a report.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 145 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 145 be removed from the tabled calendar and placed on the active calendar.

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

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome, to the left of the Speaker, the Chair welcomes Ron Boehmer, Mary Patterson, Breanne Belfiore, Brendan McGinnis, Alycia Maltony, and Anna Hofrichter. They are the guests of Representative Jesse White. Will the guests please rise. Welcome to the hall of the House.

COMMITTEE MEETING POSTPONED

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

Mr. HANNA. Thank you, Mr. Speaker.

The Ag Committee meeting scheduled for today in room 39, East Wing, will not be held. The meeting for tomorrow is expected to be held in room 39, East Wing, at the call of the Chair.

Again, the Ag Committee meeting for today has been postponed. It is expected to be held tomorrow in room 39, East Wing, at the call of the Chair.

The SPEAKER. The Agriculture Committee meeting will be held tomorrow in room 39 of the East Wing at the call of the Chair.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

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

Mr. MELIO. Thank you, Mr. Speaker.

I would like to announce that the Veterans Affairs and Emergency Preparedness Committee will hold a voting committee meeting tomorrow, August 5. The meeting will be held in room 60 of the East Wing at 10 a.m.

I repeat: The Veterans Affairs and Emergency Preparedness Committee will hold a voting committee meeting tomorrow, August 5, in room 60, East Wing, at 10 a.m.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Veterans Affairs and Emergency Preparedness will meet tomorrow in room 60 of the East Wing at 10 a.m.

ANNOUNCEMENT BY MR. DePASQUALE

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

Mr. DePASQUALE. Thank you, Mr. Speaker.

There will be an immediate meeting in the majority leader's conference room for all Democratic members from third-class cities.

The SPEAKER. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

DEMOCRATIC CAUCUS

RULES COMMITTEE MEETING

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be an immediate meeting of the Appropriations Committee in the majority caucus room.

That immediate meeting of the Appropriations Committee in the majority caucus room will be followed by a very, very important budget caucus at 2:30 p.m. for all members of the House Democratic Caucus. Each member is strongly urged to attend.

Tomorrow at 10 a.m., we will have another caucus, and at 10:45 a.m. tomorrow we will have a Rules Committee meeting in the majority caucus room.

The SPEAKER. Appropriations will meet immediately in the majority caucus room. Rules will meet at 10:45 tomorrow in the majority caucus room.

ANNOUNCEMENT BY MR. CIVERA

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

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, there will be an immediate meeting for the southeast Republicans in the Appropriations conference room. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

REPUBLICAN CAUCUS

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

Miss MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus tomorrow morning – that is Wednesday morning – at 10 a.m. Republicans will caucus Wednesday morning at 10 a.m. Thank you.

The SPEAKER. The Chair thanks the gentlelady.

ANNOUNCEMENT BY MR. SAYLOR

The SPEAKER. The Chair recognizes the gentleman from York, Representative Saylor, for the purpose of an announcement.

Mr. SAYLOR. Thank you, Mr. Speaker.

I wanted to notify the Speaker that I filed a discharge resolution on SB 281, and I will plan to call that up on the first legislative day after tomorrow that we are in session. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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.

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

HB 1902, PN 2537

By Rep. D. EVANS

An Act amending the act of December 6, 1972 (P.L.1383, No.293), entitled "An act requiring municipal pension systems to have an actuarial investigation of the fund made by an actuary who shall report his findings to the Department of Community Affairs," providing for actuarial assumptions and methodologies.

APPROPRIATIONS.

BILL REREPORTED FROM COMMITTEE

HB 1861, PN 2490

By Rep. D. EVANS

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.

APPROPRIATIONS.

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

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SB 850, PN 953

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.

SB 852, PN 1143

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans' Affairs, to grant and convey to the Schuylkill YMCA certain lands and building situate in the City of Pottsville, Schuylkill County.

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

COMMUNICATION

The SPEAKER. The Speaker is in receipt of the following communication, which the clerk will read.

The following communication was read:

A communication dated July 29, 2009, from the Public Employee Retirement Commission, providing actuarial notes on HB 1874, PN 2470, as amended by amendment No. 03005, and HB 1884, PN 2499.

(Copy of communication is on file with the Journal clerk.)

The SPEAKER. Any further business?

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