

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

SATURDAY, OCTOBER 3, 2009

SESSION OF 2009

193D OF THE GENERAL ASSEMBLY

No. 101

### HOUSE OF REPRESENTATIVES

The House convened at 10 a.m., e.d.t.

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

#### PRAYER

HON. MATTHEW E. BAKER, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Let us humble our hearts in prayer.

Gracious and holy God, the men and women assembled here to serve our Commonwealth ask You humbly for a blessing and help. We pray that through Your grace they gain the vision to see clearly, the courage to act rightly, the humility to consider all sides of the issues, the discernment to accept disagreement, and the faith to persevere through discouragement and adversity.

May we have the wisdom to see our Commonwealth's destiny as linked to Your will. We thank You, Lord, for the opportunity to serve and to grow in that service. May our motives, words, actions, and, indeed, love define us in these, our challenging moments, by Your grace and according to Your will.

It is in the name of our Lord and savior we pray. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNALS APPROVED

The SPEAKER. The Journals of Thursday, June 25; Monday, June 29; Tuesday, June 30; Wednesday, July 1; Wednesday, July 8; and Thursday, July 9 of 2009 are now in print. Will the House approve those Journals?

On the question,

Will the House agree to the motion?

Motion was agreed to.

The SPEAKER. The Journals are approved.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Friday, October 2, 2009, will be postponed until printed. The Chair hears no objection.

Members, please report to the floor of the House.

#### LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the gentleman from Allegheny County, the minority whip, Representative Turzai, who requests leaves of absence for: Representative GABLER from Clearfield for the day, Representative TRUE from Lancaster County for the day, Representative REICHLEY from Lehigh County for the day, Representative MICOZZIE from Delaware County for the day, Representative DALLY from Northampton County for the day. Without objection, the leaves will be granted.

The Chair recognizes the majority whip, Representative DeWeese, who indicates there are no leaves of absence.

Returning to leaves of absence, the Chair recognizes the gentleman, Representative Turzai, the minority whip, who requests a leave of absence for Representative Mark KELLER from Perry County for the day. Without objection, the leave will be granted.

#### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—195

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—8

Dally	Keller, M.K.	Micozzie	Reichley
Gabler	Miccarelli	Perry	True

LEAVES CANCELED—1

Keller, M.K.

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

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. D. COSTA called up **HR 430, PN 2536**, entitled:

A Resolution honoring the Pittsburgh Police Motorcycle Unit and its 100 years of service to the great citizens of the City of Pittsburgh.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Dally	Keller, M.K.	Micozzie	Reichley
Gabler	Miccarelli	Perry	True

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

## BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 47, PN 32**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for establishment of county boards and expenses.

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

The SPEAKER. There is a list of amendments that are withdrawn to this bill, but the Chair would like to verify.

The gentleman, Representative Turzai, is withdrawing amendment A03966? The Chair thanks the gentleman.

Is the gentleman, Representative Everett, withdrawing amendment A03924? The Chair thanks the gentleman.

The gentlelady, Representative Pickett, amendment A03922? The Chair thanks the lady.

The gentlelady, Representative Gingrich, amendment A03919. Withdrawing the amendment? The Chair thanks the lady.

The gentleman, Mr. Kauffman, amendment A03917? The Chair thanks the gentleman.

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

Mr. **EACHUS** offered the following amendment No. **A03905**:

Amend Bill, page 1, line 3, by inserting after "Commonwealth," in general powers and duties of the Department of Public Welfare, providing for determining whether applicants are veterans; and, in public assistance,

Amend Bill, page 1, line 4, by inserting after "expenses" and for lifetime limit; further defining "exempt hospital" and "general acute care hospital"; further providing for authorization, for administration, for no hold harmless, for tax exemption and for cessation

Amend Bill, page 1, lines 7 and 8, by striking out all of said lines and inserting

Section 1. The act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, is amended by adding a section to read:

Section 215. Determining Whether Applicants are Veterans.—(a) The department shall make a good faith effort to determine whether an applicant for cash, medical or energy assistance is a veteran. While in the process of making its determination, the department shall dispense benefits to the applicant, if otherwise eligible.

(b) As a condition of eligibility to receive cash, medical or energy assistance, unless there is good cause not to do so, an applicant who is a veteran shall be required to contact a veteran service officer accredited and recognized by the United States Department of Veterans Affairs, the Department of Military and Veterans Affairs or the county director of veterans affairs in which the applicant resides in order to determine the applicant's eligibility for veteran's benefits or to file a veteran claims packet. The department shall develop a standard form to be used by a veteran service officer to verify the applicant's eligibility for veteran's benefits.

(c) An applicant who is a veteran shall provide proof of compliance with this section and the department shall, to the greatest extent possible, require the applicant to provide information on the final determination of eligibility for veteran's benefits and the type of benefits the veteran is entitled to receive.

(d) As used in this section, the following words and phrases shall have the following meanings:

"Assistance" means money, services and payment for medical coverage or energy assistance for needy persons who are residents of this Commonwealth, are in need of assistance and meet all conditions of eligibility.

"Veteran claims packet" means an application requesting a determination or entitlement or evidencing a belief in entitlement to a benefit as provided for in 38 CFR (relating to pensions, bonuses, and veterans' relief) or 51 Pa.C.S. (relating to military affairs).

Section 2. Section 415 of the act is amended to read:

Amend Bill, page 2, by inserting between lines 7 and 8

Section 3. Section 441.4 of the act, added July 7, 2005 (P.L.177, No.42), is amended to read:

Section 441.4. [Lifetime Limit] Reasonable Limits on Allowable Income Deductions for Medical Expenses When Determining Payment Toward the Cost of Long-Term Care Services.—(a) [Necessary medical or remedial care expenses recognized under Federal or State law but not paid for by the medical assistance program are allowable income deductions when determining a recipient's payment toward the cost of long-term care services. An allowable income deduction for unpaid medical expenses incurred prior to the authorization of medical assistance eligibility and those medical expenses incurred for long-term care services after medical assistance is authorized shall be subject to a lifetime maximum of ten thousand dollars (\$10,000) unless application of the limit would result in undue hardship.] When determining a recipient's payment toward the cost of long-term care services, long-term care medical expenses incurred six months or more prior to application for medical assistance shall be disallowed as a deduction, and medical and remedial expenses that were incurred as a result of a transfer of assets penalty shall be limited to zero unless application of these limits would result in undue hardship.

(b) As used in this section, the term "undue hardship" shall mean that either:

- (1) denial of medical assistance would deprive the individual of medical care and endanger the individual's health or life; or
- (2) the individual or a financially dependent family member would be deprived of food, shelter or the necessities of life.

Section 4. The definitions of "exempt hospital" and "general acute care hospital" in section 801-E of the act, added July 4, 2008 (P.L.557, No.44), are amended and the section is amended by adding a definition to read:

Section 801-E. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

\*\*\*

["Exempt hospital." A hospital that the Secretary of Public Welfare has determined meets one of the following:

- (1) Is excluded under 42 CFR 412.23(a), (b), (d) and (f) (relating to excluded hospitals: classifications) as of March 20, 2008, from reimbursement of certain Federal funds under the prospective payment system described by 42 CFR Pt. 412 (relating to prospective payment systems for inpatient hospital services).

- (2) Is a Federal veterans' affairs hospital.

- (3) Is part of an institution with State-related status as that term is defined in 22 Pa. Code § 31.2 (relating to definitions) and provides over 100,000 days of care to medical assistance patients annually.

- (4) Provides care, including inpatient hospital services, to all patients free of charge.]

"General acute care hospital." A hospital other than [an exempt hospital.] a hospital that the Secretary of Public Welfare has determined meets one of the following:

- (1) Is excluded under 42 CFR 412.23(a), (b), (d), (e) and (f) (relating to excluded hospitals: Classifications) as of March 20, 2008, from reimbursement of certain Federal funds under the prospective payment system described by 42 CFR 412 (relating to prospective payment systems for inpatient hospital services).

- (2) Is a Federal veterans' affairs hospital.
- (3) Is a high volume Medicaid hospital.
- (4) Provides care, including inpatient hospital services, to all patients free of charge.

"High volume Medicaid hospital." A hospital that the Secretary of Public Welfare has determined meets all of the following:

- (1) Is a nonprofit hospital subsidiary of a State-related institution as that term is defined in 62 Pa.C.S. § 103 (relating to definitions); and
- (2) Provides more than 90,000 days of care to medical assistance patients annually.

\* \* \*

Section 5. Sections 802-E, 804-E, 805-E, 807-E and 808-E of the act, added July 4, 2008 (P.L.557, No.44), are amended to read:  
Section 802-E. Authorization.

(a) General rule.—In order to generate additional revenues for the purpose of assuring that medical assistance recipients have access to hospital services and that all citizens have access to emergency department services, and subject to the conditions and requirements specified under this article, a municipality may, by ordinance, [impose] do the following:

(1) Impose a monetary assessment on the net operating revenue reduced by all revenues received from Medicare of each general acute care hospital located in the municipality [subject to the conditions and requirements specified under this article].

(2) Beginning on or after July 1, 2009, and subject to the advance written approval by the secretary, impose a monetary assessment on the net operating revenues reduced by all revenues received from Medicare of each high volume Medicaid hospital located in the municipality.

(b) Administrative provisions.—The [ordinance] ordinances adopted pursuant to subsection (a) may include appropriate administrative provisions including, without limitation, provisions for the collection of interest and penalties.

(c) Maximum assessment.—In each year in which the assessment is implemented, the assessment shall be subject to the maximum aggregate amount that may be assessed under 42 CFR 433.68(f)(3)(i) (relating to permissible health care-related taxes) or any other maximum established under Federal law.  
Section 804-E. Administration.

(a) Remittance.—Upon collection of the funds generated by the assessment authorized under this article, the municipality shall remit a portion of the funds to the Commonwealth for the purposes set forth under section 802-E, except that the municipality may retain funds in an amount necessary to reimburse it for its reasonable costs in the administration and collection of the assessment and to fund a portion of its costs of operating public health clinics as set forth in an agreement to be entered into between the municipality and the Commonwealth acting through the secretary.

(b) Establishment.—There is established a restricted account in the General Fund for the receipt and deposit of funds under subsection (a). Funds in the account are hereby appropriated to the department for purposes of making supplemental or increased medical assistance payments for emergency department services to general acute care hospitals within the municipality and to maintain or increase other medical assistance payments to hospitals within the municipality, as specified in the Commonwealth's approved Title XIX State Plan.  
Section 805-E. No hold harmless.

No general acute care hospital or high volume Medicaid hospital shall be directly guaranteed a repayment of its assessment in derogation of 42 CFR 433.68(f) (relating to permissible health care-related taxes), except that, in each fiscal year in which an assessment is implemented, the department shall use a portion of the funds received under section 804-E(a) for the purposes outlined under section 804-E(b) to the extent permissible under Federal and State law or regulation and without creating an indirect guarantee to hold harmless, as those terms are used under 42 CFR 433.68(f)(i). The secretary shall submit any State

Medicaid plan amendments to the United States Department of Health and Human Services that are necessary to make the payments authorized under section 804-E(b).

Section 807-E. Tax exemption.

Notwithstanding any exemptions granted by any other Federal, State or local tax or other law, including section 204(a)(3) of the act of May 22, 1933 (P.L.853, No.155), known as The General County Assessment Law, no general acute care hospital or high volume Medicaid hospital in the municipality shall be exempt from the assessment.

Section 808-E. [Cessation] Time period.

(a) Cessation.—The assessment authorized under this article shall cease June 30, 2013.

(b) Assessment.—A municipality shall have the power to enact the assessment authorized in section 802-E(a)(2) either prior to or during its fiscal year ending June 30, 2010.

Amend Bill, page 2, line 8, by striking out "2" and inserting

6

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Dally	Keller, M.K.	Micozzie	Reichley
Gabler	Miccarelli	Perry	True

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?

Ms. **DELOZIER** offered the following amendment No. **A03928**:

Amend Bill, page 1, line 4, by inserting after "expenses" ; and providing for fraud reporting to Inspector General  
Amend Bill, page 2, by inserting between lines 7 and 8 Section 2. The act is amended by adding a section to read:  
Section 1417. Fraud Reporting to Inspector General.—(a) If an employe of a county assistance office who has reason to believe a recipient or applicant of public assistance is committing fraud or providing false information in order to receive public assistance benefits, including, but not limited to, medical assistance, cash assistance and food stamps, the county assistance office employe shall make a fraud report directly to the Office of Inspector General.

(b) The county assistance employe shall not be subject to any sanctions for making a fraud report.

Amend Bill, page 2, line 8, by striking out "2" and inserting  
3

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

The SPEAKER. On that question, the Chair recognizes the gentledady from Cumberland County, Representative DeLozier.

Ms. DELOZIER. Thank you, Mr. Speaker.

I offer this amendment with the sole purpose of being able to allow for employees to have the option of when they see something is wrong in State government, to have that opportunity to report it.

Simply, this amendment allows for an employee of the Department of Public Welfare when they see some possible fraud, something that they are very well aware of what is right and what is wrong, to be allowed to report that to the Office of Inspector General. Having that opportunity is something they have not had in the past. They have done it under other administrations, at other times. It is policy setting. This would allow for those employees to have that ability without fear of retribution.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentledady.

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—1

O'Brien, D.

EXCUSED—8

Dally	Keller, M.K.	Micozzie	Reichley
Gabler	Miccarelli	Perry	True

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

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

The SPEAKER. The Chair recognizes the gentleman from Indiana County, Representative Reed, who has two amendments.

Is the gentleman withdrawing amendment A03930 and offering A03926? Is the gentleman, Mr. Reed, offering amendment A03926?

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

Mr. REED offered the following amendment No. A03926:

Amend Bill, page 1, line 4, by inserting after "expenses"  
; and providing for prohibited use of public assistance funds  
Amend Bill, page 2, by inserting between lines 7 and 8  
Section 2. The act is amended by adding a section to read:  
Section 484. Prohibited Use of Public Assistance Funds.—It shall be unlawful for any individual to purchase liquor or alcohol with a gift certificate or a gift card which is in the form of an electronic benefits card issued to convey public assistance benefits administered by the Department of Public Welfare or a debit card issued to convey support payment moneys.

Amend Bill, page 2, line 8, by striking out "2" and inserting  
3

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

- |        |              |          |          |
|--------|--------------|----------|----------|
| Dally  | Keller, M.K. | Micozzie | Reichley |
| Gabler | Miccarelli   | Perry    | True     |

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 254, PN 2734**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers of the Department of Public Welfare, providing for veterans; in public assistance, further providing for establishment of county boards and expenses and for lifetime limit; and, in hospital assessment, further providing for definitions, for authorization, for administration, for no hold harmless, for tax exemption and for cessation.

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?

There are a number of amendments that were filed late to this bill. The gentleman, Representative Reed, has two amendments. The gentleman is withdrawing. The Chair thanks the gentleman.

Is the gentlelady, Representative Delozier, withdrawing her amendment? The Chair thanks the lady.

Is the gentleman, Representative Everett, withdrawing? The Chair thanks the gentleman.

The gentlelady, Representative Pickett, withdrawing? The Chair thanks the gentlelady.

The gentlelady, Representative Gingrich. She is withdrawing. The Chair thanks the gentlelady.

The gentleman, Representative Kauffman? Withdrawing. The Chair thanks the gentleman.

The gentleman, Representative Turzai? The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, I rise today in support of HB 254. As a veteran of the war in Iraq and as a veteran who uses the VA medical system, I think this is a wise approach.

Mr. Speaker, our veterans have given generously of themselves so that our country and the freedoms we enjoy can endure. Now our country has an obligation to these brave men and women.

Although there are Federal medical benefits available to our veterans, too often our brave veterans fall through the cracks and do not receive them. Mr. Speaker, by requiring the Department of Public Welfare to ascertain whether or not applicants for its programs and services are veterans, HB 254 will help ensure that veterans in Pennsylvania receive the benefits to which they are entitled.

Mr. Speaker, if an applicant for medical benefits, cash assistance, or energy assistance is determined to be a veteran, the applicant should be directed to an accredited veteran service officer, the State Department of Military and Veterans Affairs, or the county director of veterans affairs where they can file an appropriate VA claim.

Mr. Speaker, this process will ensure that our veterans in Pennsylvania are availing themselves of the benefits available to them through the VA and it will also free up critical Medicaid dollars that can be used to assist other families in Pennsylvania in need.

Mr. Speaker, this legislation makes sense, is patriotic, and I strongly urge my colleagues to join me in supporting it.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Union County, Representative Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

The previous speaker articulated the main points of the bill, and I really appreciate that. I am not going to speak on that.

I would just like to make a few comments. This is a very pro-veterans bill, and I sincerely appreciate all the assistance from not only our respective caucus staffs but also the assistance of the Department of Public Welfare to making this bill a reality.

Finally, I would like to say that it gives me great pleasure to bring this bill before us, especially in light of the contingent of representatives from the Scotland School for Veterans that have joined us today in the gallery, and we certainly appreciate your coming out on a beautiful Saturday morning. Thank you for all you do.

Thank you, Mr. Speaker, and I look forward to a positive vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MELIO. Thank you, Mr. Speaker.

I just want to thank Representative Fairchild for putting this bill forward to us and Representative Murt for his eloquent remarks.

And this is a great bill for the veterans, and I appreciate a positive vote from all my colleagues. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

(A roll-call vote was taken but later was stricken and was retaken.)

### RESOLUTION PURSUANT TO RULE 35

Mr. McGEEHAN called up **HR 481, PN 2738**, entitled:

A Resolution commemorating the 30th anniversary of Pope John Paul II's visit to the City of Philadelphia on October 3 and 4, 1979.

On the question,  
Will the House adopt the resolution?

### PARLIAMENTARY INQUIRY

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

Mr. METCALFE. A parliamentary inquiry, Mr. Speaker, from the last vote.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. METCALFE. Mr. Speaker, I think many of us thought that we were supposed to be voting on the veterans Welfare Code bill, the Fairchild legislation, and HB 1418, the capital budget, was the listed vote on the screen. If we could have a revote for the correct legislation and have HB 1418 considered with a future vote.

To have that reconsidered, do I need to file a reconsideration motion or can we just—

### VOTE STRICKEN

The SPEAKER. There was a malfunction of the voting machine. The gentleman is correct. We will strike the vote that was recorded, reprogram the machine for the proper vote, and call that vote. We will strike the vote right now.

We will vote the resolution that is currently listed on the board and go back to the Fairchild legislation.

**CONSIDERATION OF HR 481 CONTINUED**

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

The following roll call was recorded:

**YEAS—195**

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

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—8**

Dally	Keller, M.K.	Micozzie	Reichley
Gabler	Miccarelli	Perry	True

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

**CONSIDERATION OF HB 254 CONTINUED**

**VOTE RETAKEN**

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

**NAYS—0**

**NOT VOTING—0**



EXCUSED—8

Dally	Keller, M.K.	Micozzie	Reichley
Gabler	Miccarelli	Perry	True

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

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

STATEMENT BY MR. BRIGGS

The SPEAKER. The Chair recognizes the gentleman from Montgomery County, Representative Briggs, under unanimous consent.

Mr. BRIGGS. Thank you, Mr. Speaker.

I just want to thank you for this opportunity. I am having a constituent breakfast right now to give my constituents an update on the budget, and I was just informed that they are all watching PCN (Pennsylvania Cable Network). I just want to thank them for attending, and I am going to be giving them a call to give them an update on everything we are doing here. I just want to thank you for this opportunity. Thank you again for coming, and Michael's Deli in King of Prussia. Thank you.

The SPEAKER. The Chair thanks the gentleman.

RESOLUTIONS PURSUANT TO RULE 35

Mr. COHEN called up **HR 482, PN 2739**, entitled:

A Resolution observing the 20th anniversary of the founding of the Harrisburg Campus of Widener University School of Law.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Dally	Keller, M.K.	Micozzie	Reichley
Gabler	Miccarelli	Perry	True

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

\* \* \*

Mr. COHEN called up **HR 483, PN 2740**, entitled:

A Resolution designating the month of October 2009 as "Archives Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Dally	Keller, M.K.	Micozzie	Reichley
Gabler	Miccarelli	Perry	True

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

\* \* \*

Mr. MUSTIO called up **HR 486, PN 2743**, entitled:

A Resolution designating the week of October 18 through 24, 2009, as "Good Chemistry Week" in Pennsylvania in recognition of the dynamism and innovation of the business of chemistry.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

Adolph	Evans, J.	Levdansky	Reed
Baker	Everett	Longiatti	Reese
Barbin	Fabrizio	Maher	Roae
Barrar	Fairchild	Mahoney	Rock
Bear	Farry	Major	Roebuck
Belfanti	Fleck	Manderino	Rohrer

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Dally	Keller, M.K.	Micozzie	Reichley
Gabler	Miccarelli	Perry	True

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

**SUPPLEMENTAL CALENDAR A**

**RESOLUTION PURSUANT TO RULE 35**

Mr. ROEBUCK called up **HR 488, PN 2746**, entitled:

A Resolution designating the month of October 2009 as "Disability Employment Awareness Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

## YEAS—195

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

## NAYS—0

## NOT VOTING—0

## EXCUSED—8

Dally	Keller, M.K.	Micozzie	Reichley
Gabler	Miccarelli	Perry	True

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

## CALENDAR CONTINUED

## BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1418, PN 2532**, entitled:

An Act providing for the capital budget for the fiscal year 2009-2010; itemizing transportation assistance projects to be constructed or acquired or assisted by the Department of General Services or the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services or the Department of Transportation; stating the estimated useful life of the projects; and making appropriations.

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?

There are two late-filed amendments by the gentleman from Perry County, Representative Keller, that would require a suspension of the rules. The gentleman is withdrawing the amendments. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

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

I just want to point out that this is the capital budget bill, which essentially allows for the issuance of bonds or the additional borrowing, much of it under previously voted-upon legislation.

For those, like me, that have been arguing that under this particular administration we have been borrowing too much, we have borrowed \$6 billion, which our kids and grandkids have to pay back to the tune of \$10 billion, all of that \$6 billion being spent essentially within the Rendell administration during the same time while we have increased regular spending \$10 billion. I have found and many of my colleagues have found that problematic. That borrowing amount that I referenced does not include the \$12 billion I-80 tolling scheme, which is contingent upon moneys being borrowed with toll revenues from the turnpike.

In particular, I felt that the Redevelopment Capital Assistance Program, RCAP, which stood about \$1.6 billion in borrowing at the end of the Ridge-Schweiker administration, we have three times increased that credit card by \$500 million, \$650 million, and \$800 million, more than doubling the amount of the Redevelopment Capital Assistance project. It is true that this issuance of bonds is beyond RCAP. It covers a wide variety of capital budget areas.

The SPEAKER. Will the gentleman yield.

The House will come to order. Will the gentleman yield. The House will come to order. The House will come to order. The members will please take their seats. The Sergeants at Arms will clear the aisles.

The gentleman, Representative Turzai, is recognized.

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

Boy, who would have thought that a discussion of debt would engender such excitement.

Anyhow, thank you very, very much, Mr. Speaker.

Mr. Speaker, just for those of us that have over the past years just raised the issue of concern with too much borrowing, to vote in favor of this bill would be inconsistent with that position in opposition to some of the borrowing authorizations that have previously been put up for a vote.

I just wanted to say that Moody's Investors Service and Standard & Poor's recently downgraded Pennsylvania's bond rating outlook, and essentially this capital budget would provide for the issuance. I can see that it is based on previous legislation for \$1.68 billion in additional borrowing over the next year and will ultimately cost about \$2.7 billion in principal, interest, and fees to be paid back over 20 years. Mr. Speaker, that money will be paid by present and future tax dollars. I just want to make that clear on the record.

I rise in opposition to HB 1418. I think it is consistent with the stand that myself and others have taken with respect to previous borrowing proposals that have gone before this General Assembly, and I will vote "no." Thank you very much.

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

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, I just wanted to make sure that I made a clarifying statement. The gentleman referred to Standard & Poor's, Moody's, and Fitch's analysis, which I read, which focused on a negative rating for Pennsylvania. The reason why they rated us negatively is because we did not have a budget, and they were concerned that we were going to use one-time fixes and not put enough recurring revenue into this budget, which would guarantee our ratings so that money for our municipalities and our counties and the things that we have to do here are at a fair rate.

Our friends in New Jersey did what our Republican friends in the House and Senate have proposed, which is to use one-time fixes, and guess what happened to their rating? Bam, the taxpayers of those States now pay a higher rate for the money they are lent. It is a simple issue. This has nothing to do with the amount of investment that a Commonwealth makes as it relates to debt as long as it is responsible. It has to do with building a responsible budget model, and that is what we are working on doing, and I just wanted to make sure that this issue and the reports that I read from those three entities were clearly clarified.

The SPEAKER. The Chair thanks the gentleman.

### LEAVE OF ABSENCE CANCELED

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

### CONSIDERATION OF HB 1418 CONTINUED

The SPEAKER. The Chair recognizes the gentleman from Adams County, Representative Tallman, on the question.

Mr. TALLMAN. Thank you, Mr. Speaker.

We know today in our great nation that the vast majority, and I believe it is 58 percent, are very concerned about the indebtedness of our nation and the direction that the current administration in Washington, DC, is taking. Our State is following the same exact path as the administration is in Washington, DC, and under our current Governor, the indebtedness of this State has increased by several magnitudes of 10. Therefore, it is incumbent upon us as representatives of the people of this great Commonwealth to protect their standing as a State, not take us towards the edge of bankruptcy by incurring even more indebtedness. That is plain and simple.

Vote for the bill, vote for debt. If you vote against the bill, at least keep us equal to where we currently stand, which is too much already.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, as the former gentleman that was making a few comments had mentioned, people across the nation and across our State are concerned about government spending. Last night we saw a billion-dollar-plus tax increase voted on by the Democratic Caucus. Today we are watching another vote that is going to incur or spend more of the people's money through further indebtedness.

I find it very interesting one of the lines in this legislation provides \$15 million for furniture and other equipment. Mr. Speaker, I think there may be some additional chairs somewhere in storage or tables and desks that could be moved around inside the various departments to avoid that extra \$15 million. I know it is a small amount when you look at I think it is \$1.6 billion that the bill entails. But just that one line, \$15 million for furniture, I am sure our constituents, the 13 million or so, 12.78 million across the State would enjoy having \$15 million to spend on furniture and equipment but not something that I think we should be voting in support of today.

And I would agree with a couple of the previous speakers that this should be opposed. People are fed up with irresponsible government, and this is a continuation of it, Mr. Speaker.

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

Mr. KOTIK. Thank you, Mr. Speaker.

I am really intrigued by this debate this morning because I think we ought to amend this bill to make it known that everybody that does not want to raise the capital assistance do not put any requests in. It seems like we want to have our cake and eat it, too. We want to vote "no" on this RCAP assistance, and I am not a big fan of debt either, but if you are going to do that, do not put any requests in. Do not put billions and billions of dollars of requests in your district. Let us be consistent on this issue. Let us do the right thing. If you are worried about debt, do not go running over there and asking for all kind of money.

Thank you, Mr. Speaker.

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, just very briefly. If anyone here is not anxious to have any debt for transportation projects in their districts, wait until next year, because you will get a chance to put up other fundraising types of issues next year if you do not want to borrow anything for transportation, because we have major, major vast transportation infrastructure problems staring us right in the face that we are going to have to deal with probably after the first of the year.

So I would suggest that if you do not want to do any borrowing, be ready to vote for other fundraising-type issues to raise money for our very needed and necessary transportation system. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—137

Adolph	Evans, D.	Manderino	Sainato
Baker	Fabrizio	Mann	Samuelson
Barbin	Fairchild	Markosek	Santarsiero
Barrar	Frankel	Marshall	Santoni
Belfanti	Freeman	Marsico	Saylor
Benninghoff	Galloway	Matzie	Seip
Beyer	George	McGeehan	Shapiro
Bishop	Gerber	McI. Smith	Siptroth
Boyle	Gergely	Melio	Smith, K.
Bradford	Gibbons	Milne	Smith, M.
Brennan	Godshall	Mirabito	Smith, S.
Briggs	Goodman	Mundy	Solobay
Brown	Grove	Murphy	Sonney
Burns	Grucela	Murt	Staback
Buxton	Haluska	Mustio	Sturla
Caltagirone	Hanna	Myers	Taylor, J.
Carroll	Harhai	O'Brien, D.	Taylor, R.
Casorio	Harkins	O'Brien, M.	Thomas
Civera	Harper	O'Neill	Vereb
Cohen	Helm	Oliver	Vitali
Conklin	Hornaman	Pallone	Vulakovich
Costa, D.	Houghton	Parker	Wagner
Costa, P.	Johnson	Pashinski	Walko
Cruz	Josephs	Payne	Wansacz
Curry	Keller, W.	Payton	Waters
Daley	Kessler	Perzel	Watson
Deasy	Kirkland	Petrarca	Wheatley
DeLuca	Kortz	Petri	White
DePasquale	Kotik	Phillips	Williams
Dermody	Kula	Pickett	Youngblood
DeWeese	Lentz	Preston	Yudichak
DiGiolamo	Levdansky	Quinn	
Donatucci	Longietti	Readshaw	McCall,
Drucker	Mahoney	Roebuck	Speaker
Eachus	Major	Sabatina	

NAYS—59

Bear	Everett	Keller, M.K.	Rapp
Boback	Farry	Killion	Reed
Boyd	Fleck	Knowles	Reese
Brooks	Gabig	Krieger	Roae
Causer	Geist	Maher	Rock
Christiana	Gillespie	Mensch	Rohrer

Clymer	Gingrich	Metcalf	Ross
Cox	Grell	Metzgar	Scavello
Creighton	Harhart	Millard	Schroder
Cutler	Harris	Miller	Stern
Day	Hennessey	Moul	Stevenson
Delozier	Hess	Oberlander	Swanger
Denlinger	Hickernell	Peifer	Tallman
Ellis	Hutchinson	Pyle	Turzai
Evans, J.	Kauffman	Quigley	

NOT VOTING—0

EXCUSED—7

Dally	Miccarelli	Perry	True
Gabler	Micozzie	Reichley	

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

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

GUESTS INTRODUCED

The SPEAKER. In the balcony, the Chair welcomes Mark Sipper and his children, Caroline and Michael, who are visiting the Capitol today. They are the guests of Representative Chris Sainato. Will the guests please rise. Welcome to the hall of the House.

DEMOCRATIC CAUCUS

HOUSE SCHEDULE

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

Mr. EACHUS. Thank you, Mr. Speaker.

For the information of the members, tomorrow the Democrats will caucus at noon and we will be on the floor at 1:30.

I know that everybody is trying to understand what the sequence of events is for Monday. Monday will be a normal Monday start – 1 o'clock.

Pardon me. My staff tells me that the Democrats will caucus right now after this session is over.

STATEMENT BY MR. BENNINGHOFF

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

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I actually had wanted to make a comment on the last bill, but I did not want to interrupt the vote that was starting to be tallied. If I could make a quick comment or ask a quick question?

The SPEAKER. The Chair, being that there is no question before the House, can grant you unanimous consent, without objection.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Actually, I will be very brief. I think those capital budget bills are probably bigger than what a lot of us know.

But my comment, instead of a question, would be if the majority leader at some time could put forth a white paper or whatever allowing us to know what the procedure is and whether those projects are prioritized in any particular order. I think it might help us better understand what all is within that type of bill.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

#### **STATEMENT BY MS. HARPER**

The SPEAKER. For what purpose does the gentlelady from Montgomery, Representative Harper, rise?

Ms. HARPER. Point of personal privilege, Mr. Speaker.

Today is my 28th wedding anniversary, and while I enjoy sharing it with all of you, I would like to give a little shout-out to Paul J. Kelly III of Lower Gwynedd, PA. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair congratulates the gentlelady.

#### **ANNOUNCEMENT BY SPEAKER**

The SPEAKER. Also, happy birthday today to Jim Christiana, who is 26 years old.

#### **REPUBLICAN CAUCUS**

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce an immediate Republican caucus. I would ask all Republicans to please report to caucus immediately. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

Are there any further announcements?

#### **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 to the call of the Chair.