

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, MARCH 15, 2010

SESSION OF 2010

194TH OF THE GENERAL ASSEMBLY

No. 12

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

THE SPEAKER (KEITH R. McCALL)
PRESIDING

PRAYER

HON. RICHARD GRUCELA, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.
Good afternoon.

Since this is the week of St. Patrick's Day, today's prayer was suggested by our colleague, Representative Tony Melio, and it is adapted from the prayer of St. Patrick's Breastplate:

I bind to myself today
God's Power to guide me,
God's Might to uphold me,
God's Wisdom to teach me,
God's Eye to watch over me,
God's Ear to hear me,
God's Word to give me speech,
God's Hand to guide me,
God's Way to lie before me,
God's Shield to shelter me,
God's Host to secure me,
 Against the snares of demons,
 Against the seductions of vices,
 Against the lusts of nature,
 Against everyone who meditates injury to me,
 Whether far or near,
 Whether few or with many.

And, dear God, we ask today for the blessings of good health for our members and their families and for those serving in our Armed Forces, especially those in harm's way.
All this we ask in Your loving name. Amen.

PLEDGE OF ALLEGIANCE

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

The SPEAKER. Members will please report to the floor.

JOURNAL APPROVED

The SPEAKER. The Journal of Tuesday, December 8, 2009, is now in print. Will the House approve the Journal?

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, March 10, 2010, will be postponed until printed. The Chair hears no objection.

COMMUNICATIONS

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

The following communications were read:

A communication dated February 22, 2010, from the Department of Corrections, submitting a copy of a Federal consent decree between the Environmental Protection Agency and the State Departments of General Services and Corrections regarding the Clean Air Act.

A communication dated February 16, 2010, from the Department of Labor and Industry, providing a copy of the annual report of the Pennsylvania Conservation Corps for fiscal year 2008-2009.

A communication dated March 1, 2010, from the Commissioner of the Insurance Department, providing a copy of the department's report on the Flood Insurance Consumer Education Plan pursuant to Act 10 of Special Session No. 2 of 1996.

A communication dated February 26, 2010, from the Office of Small Business Advocate, providing a copy of its annual report for calendar year 2009.

A communication dated March 1, 2010, from the Pennsylvania Emergency Management Agency, providing a copy of its fiscal year 2008-2009 annual report on the traditional wireline and Voice over Internet Protocol 911 systems.

(Copies of communications are on file with the Journal clerk.)

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 674 By Representatives ROEBUCK, COHEN, STURLA, GRUCELA, LONGIETTI, M. O'BRIEN, MILNE, MURT, BISHOP, BRIGGS, CASORIO, GOODMAN, JOSEPHS, KOTIK, MUNDY, PARKER, PRESTON, READSHAW, SANTARSIERO, SIPTROTH, THOMAS, HESS and GIBBONS

A Resolution directing the Legislative Budget and Finance Committee to study and to issue a report on the status and success of states' efforts to implement School-Wide Positive Behavioral Support in their public schools, including the efforts to implement School-Wide Positive Behavioral Support in this Commonwealth, and to make specific recommendations for legislative action.

Referred to Committee on EDUCATION, March 12, 2010.

No. 681 By Representatives DEASY, OLIVER, EACHUS, CURRY, DePASQUALE, DeLUCA, R. TAYLOR, GEORGE, KOTIK, MANN, MARKOSEK, MURPHY, M. O'BRIEN, READSHAW, SIPTROTH and YOUNGBLOOD

A Resolution urging the Congress of the United States to pass and the President of the United States to sign legislation to extend the Federal Medical Assistance Percentage extension for the states' Medicaid programs to June 30, 2011.

Referred to Committee on HEALTH AND HUMAN SERVICES, March 12, 2010.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2291 By Representative D. EVANS

An Act providing for the capital budget for the fiscal year 2010-2011; itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, State forestry bridge projects, General Fund current revenue projects, State ATV/Snowmobile Fund projects and State transportation enhancement funds projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, 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, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection or the Department of Transportation; stating the estimated useful life of the projects; providing an exemption; providing for limitation on certain capital projects; and making appropriations.

Referred to Committee on APPROPRIATIONS, March 15, 2010.

No. 2307 By Representatives BARBIN, KORTZ, DALEY, MURPHY, READSHAW, BURNS, HALUSKA, HORNAMAN, MURT, M. O'BRIEN, K. SMITH, SWANGER and THOMAS

An Act amending the act of June 9, 1936 (Sp. Sess., P.L.13, No.4), entitled, as reenacted and amended, "An act imposing an emergency State tax on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," further providing for the emergency State tax on liquor.

Referred to Committee on FINANCE, March 12, 2010.

No. 2308 By Representatives WHITE, BELFANTI, BRENNAN, CALTAGIRONE, D. COSTA, EACHUS, MCGEEHAN, MELIO, MUNDY, MURT, SIPTROTH, SWANGER and YOUNGBLOOD

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for cancellation of health insurance policies.

Referred to Committee on INSURANCE, March 12, 2010.

No. 2309 By Representatives WHITE, BELFANTI, FREEMAN, HORNAMAN, JOSEPHS, MANDERINO, McILVAINE SMITH, MOUL, PASHINSKI, READSHAW, SIPTROTH and SWANGER

An Act providing for the confidentiality of prescription data.

Referred to Committee on CONSUMER AFFAIRS, March 12, 2010.

No. 2310 By Representatives WHITE, BELFANTI, FREEMAN, HORNAMAN, JOSEPHS, MANDERINO, McILVAINE SMITH, MOUL, PASHINSKI, READSHAW, SIPTROTH and SWANGER

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for unlawful acts.

Referred to Committee on CONSUMER AFFAIRS, March 12, 2010.

No. 2311 By Representatives WHITE, BELFANTI, CASORIO, D. COSTA, FRANKEL, HALUSKA, HORNAMAN, KORTZ, MELIO, SEIP, K. SMITH, SOLOBAY and YOUNGBLOOD

An Act amending the act of May 2, 1947 (P.L.143, No.62), entitled "An act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement; providing for the licensing of persons reselling such tickets for profit; providing for the suspension and revocation of such licenses; imposing duties on licensees and owners or operators of places of amusement; imposing powers and duties on the Department of Revenue, county treasurers, district attorneys, and the receiver of taxes, and city solicitors in cities of the first class; making disposition of moneys collected and providing penalties," providing for a limitation on ticket service fees.

Referred to Committee on CONSUMER AFFAIRS, March 12, 2010.

No. 2312 By Representatives WHITE, BRENNAN, BROWN, DENLINGER, DERMODY, GIBBONS, HALUSKA, HESS, JOSEPHS, MAHONEY, MILNE, MOUL, PETRARCA, SIPTROTH and SWANGER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, requiring the nonprevailing party in a civil action to pay the reasonable attorney fees of the prevailing party along with all court costs.

Referred to Committee on JUDICIARY, March 12, 2010.

No. 2313 By Representatives WHITE, CREIGHTON, FABRIZIO, GEORGE, HOUGHTON, JOSEPHS, KORTZ, MUNDY, SANTARSIERO, STABACK and SWANGER

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for prosecution of ordinance violators.

Referred to Committee on LOCAL GOVERNMENT, March 12, 2010.

No. 2314 By Representatives WHITE, BELFANTI, CALTAGIRONE, MURT and SWANGER

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for governing body.

Referred to Committee on LOCAL GOVERNMENT, March 12, 2010.

No. 2315 By Representatives WHITE, CREIGHTON, FABRIZIO, GEORGE, HOUGHTON, JOSEPHS, KORTZ, MUNDY, SANTARSIERO, STABACK and SWANGER

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for ordinances.

Referred to Committee on LOCAL GOVERNMENT, March 12, 2010.

No. 2316 By Representatives STABACK, BELFANTI, BRADFORD, BUXTON, CARROLL, CASORIO, COHEN, CONKLIN, DALEY, DeWEESE, EVERETT, FLECK, GEORGE, GERGELY, GILLESPIE, GODSHALL, HARHAI, HARKINS, HESS, HUTCHINSON, KOTIK, KULA, LEVDANSKY, MAHONEY, MILLER, MOUL, MURT, PETRARCA, READSHAW, REICHLEY, ROAE, SIPTROTH, K. SMITH, SONNEY, STERN, SWANGER, TALLMAN and VULAKOVICH

An Act amending Titles 18 (Crimes and Offenses), 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of aggravated assault; and, in enforcement, further providing for interference with officers of the Pennsylvania Game Commission and of the Pennsylvania Fish and Boat Commission.

Referred to Committee on GAME AND FISHERIES, March 12, 2010.

No. 2317 By Representatives PYLE, METZGAR, BOYD, CHRISTIANA, CREIGHTON, CUTLER, DALEY, ELLIS, EVERETT, FAIRCHILD, GABLER, GEIST, GEORGE, GINGRICH, GROVE, HALUSKA, HARHAI, HESS, HORNAMAN, HUTCHINSON, KOTIK, METCALFE, MURT, OBERLANDER, PICKETT, RAPP, ROAE, SOLOBAY, SONNEY, STEVENSON, SWANGER, TALLMAN and VULAKOVICH

An Act amending the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act, further providing for mining permit, reclamation plan and bond.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 12, 2010.

No. 2318 By Representatives CREIGHTON, BEYER, CALTAGIRONE, CLYMER, GEIST, GINGRICH, HENNESSEY, HORNAMAN, MILLER, MOUL, MURT, PICKETT, RAPP, READSHAW, SIPTROTH and SWANGER

An Act amending the act of November 24, 1976 (P.L.1163, No.259), referred to as the Generic Equivalent Drug Law, further providing for the labeling of dispensed drugs; and providing for notification of the country of origin of dispensed drugs.

Referred to Committee on HEALTH AND HUMAN SERVICES, March 12, 2010.

No. 2319 By Representatives BENNINGHOFF, DeWEESE, BELFANTI, BEYER, CALTAGIRONE, CARROLL, D. COSTA, DALEY, FLECK, GIBBONS, GOODMAN, HALUSKA, HELM, HUTCHINSON, KILLION, KORTZ, METZGAR, MURT, MUSTIO, READSHAW, REED, STERN and VULAKOVICH

An Act amending the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act, further providing for collective bargaining impasses for correctional personnel.

Referred to Committee on LABOR RELATIONS, March 12, 2010.

No. 2320 By Representatives PALLONE, BELFANTI, BRIGGS, CALTAGIRONE, EVERETT, FLECK, GOODMAN, GRUCELA, HALUSKA, HARHAI, KORTZ, KULA, LONGIETTI, MOUL, SOLOBAY, THOMAS, WHITE and McILVAINE SMITH

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 cyber charter school requirements and prohibitions, for cyber charter school enrollment and notification and for applicability.

Referred to Committee on EDUCATION, March 12, 2010.

No. 2321 By Representatives FAIRCHILD, BEAR, BELFANTI, BRADFORD, CALTAGIRONE, CARROLL, CAUSER, CLYMER, CREIGHTON, DeWEESE, EVERETT, FLECK, GABLER, GEIST, GIBBONS, GODSHALL, GRELL, GROVE, HALUSKA, HARHAI, HARHART, HARKINS, HARRIS, HENNESSEY, HESS, HICKERNELL, M. KELLER,

KNOWLES, KULA, MAJOR, MARSHALL, MARSICO, MICOZZIE, MILLARD, MILLER, MOUL, MURT, OBERLANDER, O'NEILL, PICKETT, RAPP, REED, SAYLOR, SIPTROTH, SOLOBAY, SONNEY, STERN, TALLMAN, TRUE, VULAKOVICH, WATSON, YUDICHAK, SWANGER, BEYER and GINGRICH

An Act amending Titles 4 (Amusements), 18 (Crimes and Offenses) and 35 (Health and Safety) of the Pennsylvania Consolidated Statutes consolidating statutory provisions relating to firefighters, the State Fire Commissioner and grants to fire companies and other services; making editorial changes; and making related repeals.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 12, 2010.

No. 2322 By Representatives LONGIETTI, CALTAGIRONE, CREIGHTON, FLECK, GIBBONS, HALUSKA, HENNESSEY, JOSEPHS, KOTIK, MELIO, MURPHY, MURT, SIPTROTH, SOLOBAY, WHITE, GRUCELA, DEASY, McILVAINE SMITH and GINGRICH

An Act providing for the validity of electronic documents; authorizing county recorders of deeds to receive electronic documents as a means for recording real property; granting powers and duties to the county recorders of deeds; establishing the Electronic Recording Commission; and prescribing standards of uniformity.

Referred to Committee on COMMERCE, March 12, 2010.

No. 2323 By Representatives LONGIETTI, BARBIN, BELFANTI, BRADFORD, BRIGGS, CALTAGIRONE, CARROLL, COHEN, CONKLIN, DALEY, DeLUCA, DeWEESE, DONATUCCI, EACHUS, EVERETT, FABRIZIO, FRANKEL, FREEMAN, GALLOWAY, GEORGE, GIBBONS, GOODMAN, GRUCELA, HARHAI, HARKINS, HELM, HORNAMAN, JOSEPHS, KORTZ, KOTIK, LENTZ, MANDERINO, MANN, McGEEHAN, McILVAINE SMITH, MURPHY, MURT, M. O'BRIEN, SCAVELLO, SHAPIRO, SIPTROTH, SOLOBAY, VULAKOVICH and WANSACZ

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for health insurance coverage for certain children of insured parents.

Referred to Committee on INSURANCE, March 12, 2010.

No. 2324 By Representatives MURPHY, WANSACZ, BOYLE, CALTAGIRONE, CARROLL, FAIRCHILD, GEORGE, GIBBONS, GINGRICH, GRUCELA, HARHAI, HORNAMAN, HOUGHTON, JOSEPHS, KULA, LENTZ, MARKOSEK, MATZIE, MURT, M. O'BRIEN, SIPTROTH, STABACK, SWANGER, THOMAS, YUDICHAK, BARBIN, D. COSTA, DeWEESE, DRUCKER, J. TAYLOR, VEREB, FARRY, GERGELY, DEASY and GROVE

An Act amending the act of July 3, 1947 (P.L.1242, No.507), entitled "An act relating to police and firemen's pension funds in cities of the second class A, and directing such cities to appropriate certain moneys thereto, and requiring reports and audits," further providing for credit for military service.

Referred to Committee on FINANCE, March 12, 2010.

No. 2325 By Representatives MURPHY, WANSACZ, BOYLE, CALTAGIRONE, CARROLL, FAIRCHILD, GEORGE, GIBBONS, GINGRICH, GRUCELA, HARHAI, HORNAMAN, HOUGHTON, JOSEPHS, KULA, LENTZ, MARKOSEK, MATZIE, MURT, M. O'BRIEN, SIPTROTH, STABACK, SWANGER, THOMAS, YUDICHAK, BARBIN, D. COSTA, DeWEESE, DRUCKER, J. TAYLOR, VEREB, FARRY, GERGELY, DEASY and GROVE

An Act amending the act of September 23, 1959 (P.L.970, No.400), referred to as the Second Class A City Employee Pension Law, further providing for credit for military service.

Referred to Committee on FINANCE, March 12, 2010.

No. 2326 By Representatives KOTIK, FABRIZIO, BRENNAN, KORTZ, CALTAGIRONE, FREEMAN, HALUSKA, JOSEPHS, MURT, SIPTROTH and STABACK

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, defining "certified dental assistant"; further providing for general powers of the State Board of Dentistry, for fees, for reason for refusal, revocation or suspension of license or certificate, for penalties, for civil penalties, for right of dentists to practice as dental hygienists and expanded function dental assistants, for reporting of multiple licensure or certification and for definition of "assignment of duties"; and providing for scope of practice for certified dental assistant.

Referred to Committee on PROFESSIONAL LICENSURE, March 12, 2010.

No. 2327 By Representatives BURNS, HOUGHTON, BRADFORD, BENNINGHOFF, CALTAGIRONE, CARROLL, CUTLER, ELLIS, EVERETT, FAIRCHILD, GALLOWAY, GERGELY, GIBBONS, GODSHALL, GOODMAN, HALUSKA, HARHAI, HARRIS, HESS, KORTZ, LENTZ, LEVDANSKY, MAHONEY, MOUL, MURT, PALLONE, PETRARCA, SANTARSIERO, SCAVELLO, SEIP, SOLOBAY, TALLMAN, R. TAYLOR, YUDICHAK and SWANGER

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for table game taxes.

Referred to Committee on GAMING OVERSIGHT, March 12, 2010.

No. 2328 By Representatives TALLMAN, CLYMER, DENLINGER, GOODMAN, KIRKLAND, LONGIETTI, MILLER, MOUL, SAYLOR, SIPTROTH and GROVE

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

Referred to Committee on EDUCATION, March 12, 2010.

No. 2329 By Representatives CALTAGIRONE and MARSICO

An Act making a supplemental appropriation from the General Fund to the Supreme Court for the fiscal year beginning July 1, 2009.

Referred to Committee on APPROPRIATIONS, March 12, 2010.

No. 2330 By Representatives DEASY, SOLOBAY, READSHAW, BUXTON, BELFANTI, BRENNAN, BRIGGS, CALTAGIRONE, CARROLL, CASORIO, DONATUCCI, GALLOWAY, GERGELY, GIBBONS, GOODMAN, GRUCELA, HALUSKA, HARKINS, HENNESSEY, HORNAMAN, KOTIK, KULA, MANN, MARKOSEK, MURT, PETRARCA, SEIP, SIPTROTH, SONNEY, VULAKOVICH, WHITE, FABRIZIO and DePASQUALE

An Act amending the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, further providing for definitions and for rules for licensing and operation; providing for progressive jackpots; and further providing for penalties.

Referred to Committee on GAMING OVERSIGHT, March 12, 2010.

SENATE BILLS FOR CONCURRENCE

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

SB 260, PN 1548

Referred to Committee on JUDICIARY, March 12, 2010.

SB 766, PN 1723

Referred to Committee on EDUCATION, March 12, 2010.

SB 916, PN 1102

Referred to Committee on LOCAL GOVERNMENT, March 12, 2010.

The SPEAKER. Members, please report to the floor.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the gentleman from Allegheny County, the majority whip, Representative Dermody, who requests a leave of absence for Representative MAHONEY from Fayette County for the day; Representative CURRY from Montgomery County for the day; Representative BRIGGS from Montgomery County for the day; Representative YOUNGBLOOD from Philadelphia County for the day; Representative CRUZ from Philadelphia County for the week; Representative LENTZ from Delaware County for the day; Representative PALLONE from Westmoreland County for the day. Without objection, the leaves will be granted.

The Chair recognizes the gentleman from Allegheny County, the minority whip, Representative Turzai, who requests a leave of absence for Representative BEYER from Northampton County for the day; Representative DiGIROLAMO from Bucks County for the day; Representative MICOZZIE from Delaware County for the day; Representative FARRY from Bucks County for the day; Representative MICCARELLI from Delaware

County for the day; Representative ROHRER from Berks County for the day; Representative John TAYLOR from Philadelphia County for the week. Without objection, the leaves will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—186

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—14

Beyer	DiGirolamo	Miccarelli	Rohrer
Briggs	Farry	Micozzie	Taylor, J.
Cruz	Lentz	Pallone	Youngblood
Curry	Mahoney		

LEAVES ADDED—5

Barrar	Donatucci	Ellis	Thomas
Creighton			

LEAVES CANCELED—8

Beyer	Creighton	Lentz	Pallone
Briggs	DiGirolamo	Micozzie	Youngblood

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

WEST CHESTER HENDERSON HIGH SCHOOL BOYS CROSS COUNTRY TEAM PRESENTED

The SPEAKER. The Chair recognizes the gentlelady from Chester County, Representative McIlvaine Smith, for the purpose of a presentation.

Ms. McILVAINE SMITH. Thank you, Mr. Speaker.

It is my great honor and great pleasure today to introduce to you the State champions from West Chester Henderson High School, my alma mater. They won the State championship for cross country. So it is with great pleasure in recognizing the outstanding achievements realized by the youth of this nation in the spirit of personal sacrifice, commitment to a common goal, and unity of purpose. West Chester B. Reed Henderson High School Boys Cross Country Team is being honored upon capturing the 2009 PIAA State Class AAA Boys Team Cross Country Championship.

And to their great credit, they came off of an undefeated season. They finished, they were ranked 20th in the nation. And winning the State title with 119 points, they also captured the team titles at the 2009 Ches-Mont League Cross Country Championship and the 2009 PIAA District 1 Class AAA.

Under the expert guidance of head coach Kevin Kelly and assistant coach Bryan Johnson, the team was comprised of Will Kellar, Achraf Khattabi, Bryan Andrews, Stash Grab, Austin Steckclair, Tim Collins, Steve Jordan, and Mike Salach, and I want to have you all give them a round of applause for such a great accomplishment.

MIKE KUHNS PRESENTED

The SPEAKER. The Chair recognizes the gentleman from Lehigh County, Representative Brennan, for the purpose of a presentation.

Mr. BRENNAN. Thank you, Mr. Speaker.

Good afternoon.

I am proud to welcome, along with Representative Harhart, Whitehall constituent Mike Kuhns today to honor him for his athletic achievements.

Mike, a 2004 graduate of Whitehall High School and recipient of its Lehigh Valley Volunteer Award, has shown amazing success in the sport of powerlifting.

The year 2009 was a banner year for Mike as he won his first Open World Championship. Also last year, he set four Junior and Open American Record bench press marks, one Junior and Open American Record squat, and one Junior Record total. He also won a national championship in powerlifting and became the World Bench Press champ.

Mike has competed and broken records all across the globe, from Ohio to Luxembourg to South Africa and King of Prussia. He bench presses more than 450 pounds and can deadlift around 400 pounds.

To challenge himself in calisthenics, Mike did 255 push-ups, 77 chin-ups, and 115 parallel bar dips, which is more than the Democratic delegation from Erie has done collectively in their lifetime. In 2010 Mike will continue to challenge himself in competitions for bench pressing and powerlifting at both the national and global levels.

In addition to his incredible athletic achievements, Mike takes the time to volunteer as powerlifting coach for the Bethlehem Chapter of the Special Olympics, an activity he has done since 2003.

Mike Kuhns deserves to be recognized for his commitment to his sport, his community. He continues to meet the challenge and seeks competitions all over the world.

He is joined by his mother, Bonnie; his father, Don; his grandfather, Ken, over to my left, and I would like to join with Representative Harhart and ask everyone to give Mike a round of applause and present him with a proclamation from the House of Representatives.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. CAUSER called up **HR 644, PN 3246**, entitled:

A Resolution congratulating the County of Cameron on its 150th anniversary.

On the question,
Will the House adopt the resolution?

(Members proceeded to vote.)

LEAVES OF ABSENCE CANCELED

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

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

CONSIDERATION OF HR 644 CONTINUED

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

The following roll call was recorded:

YEAS—188

Adolph	Fabrizio	Longiatti	Reed
Baker	Fairchild	Maher	Reese
Barbin	Fleck	Major	Reichley
Barrar	Frankel	Manderino	Roae
Bear	Freeman	Mann	Rock
Belfanti	Gabig	Markosek	Roebuck
Benninghoff	Gabler	Marshall	Ross
Bishop	Galloway	Marsico	Sabatina

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

NAYS-0

NOT VOTING-0

EXCUSED-12

Beyer	DiGirolamo	Mahoney	Rohrer
Cruz	Farry	Miccarelli	Taylor, J.
Curry	Lentz	Micozzie	Youngblood

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

* * *

Mr. CAUSER calls up **HR 645, PN 3247**, entitled:

A Resolution designating the week of March 21 through March 27, 2010, as "Maple Producers Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-188

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

NAYS-0

NOT VOTING-0

EXCUSED-12

Beyer	DiGirolamo	Mahoney	Rohrer
Cruz	Farry	Miccarelli	Taylor, J.
Curry	Lentz	Micozzie	Youngblood

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

* * *

Mr. GOODMAN called up **HR 646, PN 3248**, entitled:

A Resolution congratulating the American Cancer Society for its commitment to research and public service and designating the week of March 15 through 21, 2010, as "Daffodil Days Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—188

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Beyer	DiGirolamo	Mahoney	Rohrer
Cruz	Farry	Miccarelli	Taylor, J.
Curry	Lentz	Micozzie	Youngblood

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

GUEST INTRODUCED

The SPEAKER. To the left of the Speaker, the Chair welcomes Laura Brenner. She is the guest of Representative Bryan Cutler. Will the guest please rise. Welcome to the hall of the House.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 206, PN 450**, entitled:

An Act prohibiting limitations on the wearing of official military uniforms on school property; and imposing a penalty.

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—188

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

Daley	Houghton	Payne	Turzai
Day	Hutchinson	Payton	Vereb
Deasy	Johnson	Peifer	Vitali
Delozier	Josephs	Perry	Vulakovich
DeLuca	Kauffman	Perzel	Wagner
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
Donatucci	Kirkland	Preston	White
Drucker	Knowles	Pyle	Williams
Eachus	Kortz	Quigley	Yudichak
Ellis	Kotik	Quinn	
Evans, D.	Krieger	Rapp	McCall,
Evans, J.	Kula	Readshaw	Speaker
Everett	Levdansky		

NAYS—0

NOT VOTING—0

EXCUSED—12

Beyer	DiGirolamo	Mahoney	Rohrer
Cruz	Farry	Miccarelli	Taylor, J.
Curry	Lentz	Micozzie	Youngblood

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.

GUESTS INTRODUCED

The SPEAKER. For the information of the members, to the left of the Speaker, the Chair welcomes distinguished members of the Semper Fi Families of Doylestown. These guests are United States Marine Corps, Army, and Navy veterans and family members of Marines currently serving or preparing for deployment around the world: Mrs. Blanche Buchanon; Kenneth A. Link, Sr.; Kenneth A. Link, Jr.; and Eileen and Duane Longfellow. They are the guests of Representatives Marguerite Quinn, Tim Hennessey, Thomas Murt, and Larry Curry. Welcome to the hall of the House.

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, the majority whip, Representative Dermody, for the purpose of an announcement.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, there will be an immediate meeting of the Rules Committee in the majority caucus room, at 2 o'clock there will be a Democratic caucus, and at 3 o'clock there will be an Appropriations Committee meeting in the majority caucus room. Back on the floor at 3:15.

The SPEAKER. The Chair thanks the gentleman.

Rules will meet immediately in the majority caucus room, and Appropriations will meet at 3 in the majority caucus room.

REPUBLICAN CAUCUS

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

Ms. MAJOR. Could I have just a minute, please, Mr. Speaker? Thank you.

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus at 1:45. I would ask Republicans to please report to caucus at 1:45. Thank you.

The SPEAKER. The Chair thanks the lady.

Any further announcements?

HEALTH AND HUMAN SERVICES COMMITTEE MEETING

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

Mr. OLIVER. Thank you, Mr. Speaker.

The Health and Human Services Committee will be meeting in room 205 at the call of the recess.

The SPEAKER. The gentleman, Mr. Oliver, would that be the Ryan Office Building?

Mr. OLIVER. Yes, in the Ryan Building, 205.

The SPEAKER. The Chair thanks the gentleman.

Health and Human Services will meet at the call of recess in room 205 of the Ryan Building.

Any further announcements?

RECESS

The SPEAKER. This House does now stand in recess until 3:15 p.m., unless sooner recalled by the Speaker.

AFTER RECESS

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

The SPEAKER. Members will please report to the floor.

LEAVE OF ABSENCE

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

COMMUNICATIONS

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

The following communications were read:

A communication dated February 25, 2010, from the Public Employee Retirement Commission, providing a copy of its annual public report summarizing its findings, recommendations, and activities for calendar year 2009.

A communication from the Legislative Budget and Finance Committee pursuant to HR 2007-193, providing a copy of its report titled "Examination of Current and Future Costs and Revenues From Forest Products and Oil, Gas, and Mineral Extraction on Pennsylvania Game Commission Lands."

A communication dated February 23, 2010, from the Insurance Commissioner, providing a copy of the department's annual report on the adultBasic program for calendar year 2009.

A communication from the Honorable Jack Wagner, Auditor General, providing a copy of the department's report titled "A Special Investigation of the Bethlehem Area School District, Lehigh/Northampton Counties," studying the issue of qualified rate management agreements, also known as swaps.

A communication dated March 1, 2010, from the Honorable Jack Wagner, Auditor General, providing his certifications in accordance with Article VIII of the Pennsylvania Constitution and section 304 of the Capital Facilities Debt Enabling Act.

A communication dated February 23, 2010, from the Insurance Commissioner, providing a copy of the department's annual report on the Children's Health Insurance Program for calendar year 2009.

A communication from the Legislative Budget and Finance Committee pursuant to HR 2008-642, providing a copy of its report titled "The Deer Management Program of the Pennsylvania Game Commission."

A communication dated February 16, 2010, from the Treasury Department, providing a copy of the annual report for the Tuition Account Program for fiscal year 2008-2009.

(Copies of communications are on file with the Journal clerk.)

LEAVES OF ABSENCE CANCELED

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

The Chair also notes the gentleman from Bucks County, Representative DiGirolamo, on the House floor. His name will be added to the master roll.

The Chair notes the presence of the gentlelady from Philadelphia County on the House floor, Representative Youngblood. Her name will be added to the master roll.

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 416, PN 2247 By Rep. EACHUS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining "licensing board" and "professional or occupational license"; and defining the offense of impersonating the holder of a professional or occupational license.

RULES.

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

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 485, PN 3361 (Amended) By Rep. EACHUS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of illegal dumping of methamphetamine waste; imposing a penalty; and providing for the offense of operation of methamphetamine laboratory.

RULES.

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

BILLS REREPORTED FROM COMMITTEE

HB 460, PN 504 By Rep. D. EVANS

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for unlawful acts concerning licenses.

APPROPRIATIONS.

HB 1795, PN 3307 By Rep. D. EVANS

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, in local workforce investment areas and boards, providing for youth councils.

APPROPRIATIONS.

HB 2161, PN 3007 By Rep. D. EVANS

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for resident license and fee exemptions.

APPROPRIATIONS.

HB 2230, PN 3308 By Rep. D. EVANS

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, providing for industry partnerships.

APPROPRIATIONS.

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

BILLS REREPORTED FROM COMMITTEE

HB 9, PN 3360 (Amended) By Rep. D. EVANS

An Act amending the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act, further providing for supervisors and for expiration.

APPROPRIATIONS.

HB 255, PN 2059

By Rep. D. EVANS

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, adding definitions; and providing for licensure of prosthetists, orthotists, pedorthists and orthotic fitters.

APPROPRIATIONS.

HB 713, PN 3358 (Amended)

By Rep. D. EVANS

An Act establishing the Science Technology Partnership Program and the Science Education Innovation Grants Program; and providing for State grants.

APPROPRIATIONS.

HB 929, PN 3359 (Amended)

By Rep. D. EVANS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, authorizing boards of school directors to establish a program to provide high school diplomas to certain veterans.

APPROPRIATIONS.

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

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

HB 2291, PN 3357

By Rep. D. EVANS

An Act providing for the capital budget for the fiscal year 2010-2011; itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, State forestry bridge projects, General Fund current revenue projects, State ATV/Snowmobile Fund projects and State transportation enhancement funds projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, 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, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection or the Department of Transportation; stating the estimated useful life of the projects; providing an exemption; providing for limitation on certain capital projects; and making appropriations.

APPROPRIATIONS.

BILL REREPORTED FROM COMMITTEE

HB 1188, PN 2399

By Rep. D. EVANS

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for definitions.

APPROPRIATIONS.

BILL REREFERRED

The SPEAKER. The Chair moves, at the request of the majority leader, that HB 1188, PN 2399, be rereferred to the Professional Licensure Committee.

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the gentleman from Lancaster County, Representative Creighton, on the House floor. His name will be added to the master roll.

SUPPLEMENTAL CALENDAR A**RESOLUTIONS PURSUANT TO RULE 35**

Mr. SCAVELLO called up **HR 677, PN 3329**, entitled:

A Resolution recognizing the month of March 2010 as "National Athletic Training Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

(Members proceeded to vote.)

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 HR 677 CONTINUED

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

The following roll call was recorded:

YEAS—191

Adolph	Fairchild	Longiotti	Reed
Baker	Fleck	Maher	Reese
Barbin	Frankel	Major	Reichley
Barrar	Freeman	Manderino	Roae

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Beyer	Donatucci	Mahoney	Rohrer
Cruz	Farry	Miccarelli	Taylor, J.
Curry			

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

* * *

Mr. STURLA called up **HR 679, PN 3331**, entitled:

A Resolution designating April 4, 2010, as "Thaddeus Stevens Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-191

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Beyer	Donatucci	Mahoney	Rohrer
Cruz	Farry	Miccarelli	Taylor, J.
Curry			

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

SUPPLEMENTAL CALENDAR C

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 416, PN 2247**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining "licensing board" and "professional or occupational license"; and defining the offense of impersonating the holder of a professional or occupational license.

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

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

Mr. BARBIN. Thank you, Mr. Speaker.

This bill is on concurrence from the Senate. It adds criminal penalties for those other than a public servant and a notary public.

The criminal penalty is a misdemeanor 1 as amended by the Senate and allows for an additional time period to provide for criminal restitution in the event that a person is injured either financially or bodily harm.

I ask for an affirmative vote. Thank you, Mr. Speaker.

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

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

The following roll call was recorded:

YEAS—191

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Beyer	Donatucci	Mahoney	Rohrer
Cruz	Farry	Miccarelli	Taylor, J.
Curry			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 416, PN 2247

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining "licensing board" and "professional or occupational license"; and defining the offense of impersonating the holder of a professional or occupational license.

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

SUPPLEMENTAL CALENDAR B

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 460, PN 504**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for unlawful acts concerning licenses.

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Perry County, Representative Mark Keller. Is the gentleman offering both amendments? Will the gentleman inform the Chair what amendment he is offering?

Mr. M. KELLER. Yes, Mr. Speaker. I am withdrawing A05445.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. M. KELLER offered the following amendment No. A05839:

Amend Bill, page 1, line 6, by striking out "2711(a)(9)" and inserting

2711(a)(1) and (9)

Amend Bill, page 1, by inserting between lines 10 and 11

(1) Hunt or take any game or wildlife by any means or manner or device, including the use of dogs, without first securing and personally signing [and displaying] the required license. The required license must be carried on person when hunting or taking any game or wildlife within this Commonwealth.

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Perry County, Representative Keller.

Mr. M. KELLER. Thank you, Mr. Speaker.

Just to clear some things up, it is an agreed-to amendment that simply removes corresponding display requirement language from the Game Code so that removal of the hunting license display requirement under HB 460 is consistent throughout the code.

The amendment also specifies that the license must still be carried on person while hunting or taking game. While this is implied with the removal of the display requirements, we felt it should be specified in the statute. And it is an agreed-to amendment by the Game Commission and the sponsor of the bill.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Schuylkill County, Representative Goodman.

Mr. GOODMAN. Thank you, Mr. Speaker.

As the previous speaker pointed out, this is an agreed-to amendment. I think it goes a long way in making the bill stronger and clarifies many of the issues that were brought to us by the Pennsylvania Game Commission.

I would ask my colleagues for an affirmative vote.

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

The following roll call was recorded:

YEAS—191

Adolph	Fairchild	Longiotti	Reed
Baker	Fleck	Maher	Reese
Barbin	Frankel	Major	Reichley

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Beyer	Donatucci	Mahoney	Rohrer
Cruz	Farry	Miccarelli	Taylor, J.
Curry			

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 1795**, **PN 3307**, entitled:

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, in local workforce investment areas and boards, providing for youth councils.

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 2161**, **PN 3007**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for resident license and fee exemptions.

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 2230**, **PN 3308**, entitled:

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, providing for industry partnerships.

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 **HB 689**, **PN 1706**, 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 referendum or public hearing required prior to construction or lease.

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 is informed that there is a late-filed amendment that is a substantive amendment to **HB 689**, filed by the gentleman from Bucks County, Representative Petri. Does the gentleman wish to suspend the rules to offer the amendment?

It is the Chair's understanding that the gentleman from Bucks County is withdrawing the amendment? 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 Butler County, Representative Metcalfe.

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

Mr. Speaker, while I support the effort to create buildings that are more energy-efficient within our school districts, I also support fiscal restraint and accountability from the taxpayers to those that are making decisions to build new buildings. I think this legislation removes another component of the overall fiscal picture when building a building and would remove that from ensuring that the voters would at some point have the opportunity to either have a referendum or have a public hearing on the escalating costs of some of these school buildings.

Mr. Speaker, when our economy is in such dire straits – we have a budget proposed at \$29 billion by the Governor when revenue is at \$25 billion or less for the current year – it is important that our school districts also live within their means, as our State should this year, as we enter that debate, Mr. Speaker. Mr. Speaker, removing yet again one more component of the overall budget in building a new school building is not going to give more accountability to the taxpayers but less.

I think this is not a move in the direction of accountability. This legislation should be defeated to give more accountability to the taxpayers, Mr. Speaker. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the previous speaker kind of summed up some of the things I wanted to say. I might add to what he has put into the debate that if green technology is accepted by the taxpayers and the investment in green technology for future returns is viable, why do we need to exempt this technology from a referendum requirement?

And also, Mr. Speaker, I am concerned that there are no requirements in this legislation that a school receiving an exemption of green building technology expenditures must actually meet the standards of or become certified by LEED (Leadership in Energy and Environmental Design), Green Globes, or any of these other green organizations.

So these are reasons that we have to ponder and reasons that we should not be moving in support of this bill, and I would ask for a "no" vote. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Bucks County, Representative Petri.

Mr. PETRI. Thank you, Mr. Speaker.

Will the maker of the bill rise for brief interrogation?

The SPEAKER. Will the gentleman, Representative Drucker, stand for interrogation? The gentleman indicates he will stand for interrogation. The gentleman, Mr. Petri, is in order and may proceed.

Mr. PETRI. Mr. Speaker, am I correct that this bill removes from the requirement the green technology expenditures by a school district from the referendum process?

Mr. DRUCKER. Yes; that is correct.

Mr. PETRI. Is that, Mr. Speaker, regardless of the amount of that green technology? In other words, even if the green technology costs a substantial amount – say, millions of dollars – that a school district would not be required to go to the voters on a referendum on that issue?

Mr. DRUCKER. Yes.

Mr. PETRI. On the bill.

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

Mr. PETRI. Mr. Speaker, I have no objection to the idea of encouraging green technology. I think it is a great idea. The issue for me is notice to the public. And what I foresee happening in this circumstance is that a school district very well may not fully inform their constituents about the true cost of construction if they are allowed to eliminate from those costs, for referendum purposes, the cost of green construction. And so for me it is a question more of making sure that the school district is required to notify its constituency of the true costs. If we have a referendum requirement, then that ought to go to the voters. The voters ought to be aware of the true and actual cost.

Mr. Speaker, I can think of an example that I read about in history that would be very akin to that. This beautiful building, built in the early 1900s, was believed by the public to be one cost and revealed itself later to be a completely different cost; that is a history I do not want to repeat.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester County, Representative Schroder. The gentleman waives off. The Chair thanks the gentleman.

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

Mr. SAYLOR. Thank you, Mr. Speaker.

In all honesty, this bill is nothing more than a tax increase on homeowners in Pennsylvania. It is just another excuse to raise property taxes by school districts.

Clean energy, green energy as such, is a noble cause, and it should be looked at by everybody who is building a home or a business or a school or a township building, but those costs that are associated with it are recovered in the savings and energy. There is no excuse to offer a referendum, a nonreferendum issue like this, to avoid those kinds of things that the school districts need to do, and that is look at every little bit they spend every day.

We have families in this Commonwealth who cannot figure out how to hold on to their homes now with the ever-increasing property tax rates we have. And more importantly, we have senior citizens in this Commonwealth who have lived 25 to 50 years in their homes and now are being forced to sell them because school districts are not acting responsibly when they make their decisions.

The cost of green energy can be recovered simply through energy savings, not by adding another reason for school districts to raise property taxes. This is a bad bill. It is a reason for school districts to raise taxes. That is all it is: another excuse to add on to the burden of the taxpayers of Pennsylvania. It is time that we understand, the taxpayers of Pennsylvania have no more to give and it is time for us to be able to reasonably assess where we are spending our dollars and make sure they are spent effectively.

Thank you, Mr. Speaker. I ask for a "no" vote on HB 689. Thank you.

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

Mr. TALLMAN. Thank you, Mr. Speaker.

I would like to know if the maker of the bill would stand for interrogation?

The SPEAKER. The gentleman, Representative Drucker, indicates he will stand for interrogation. The gentleman, Mr. Tallman, is in order and may proceed.

Mr. TALLMAN. Mr. Speaker, I would like to continue our conversation from the Education Committee: Do you feel that the people of this Commonwealth would support your proposal?

Mr. DRUCKER. I am sorry; would you repeat the question again?

Mr. TALLMAN. Is it your feeling that the people of this Commonwealth would support your proposal to add this green into the school construction?

Mr. DRUCKER. The purpose of the bill, among other things, is to save the people of the Commonwealth money in the long run, and yes, I think they will support this proposal.

Mr. TALLMAN. I am sorry; I could not hear that.

Mr. DRUCKER. Yes.

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

The House will come to order. Both gentlemen have a right to be heard. Members will please take their seats. The House will come to order.

Mr. TALLMAN. I am sorry; I did not hear your response.

Mr. DRUCKER. Yes.

The SPEAKER. The gentleman may proceed.

Mr. DRUCKER. My response is yes.

Mr. TALLMAN. Then my question to you is, why will you not allow the citizens of this Commonwealth to vote on this, whether they want to exclude this green construction cost or include it? Why do you not want to allow the citizens of this Commonwealth to have that right to vote?

Mr. DRUCKER. The purpose of the bill is to promote green energy development and usage. The effect of the bill is the long-term savings of money by the school districts, and the people of the Commonwealth of Pennsylvania can vote on that on a regular basis.

Mr. TALLMAN. Thank you, Mr. Speaker.

Another question: There does not seem to be any limit in this bill on the amount of dollars to spend here on green technology, so in your opinion, can you imagine a whole building or a whole addition being included in your exemption?

Mr. DRUCKER. I am not an environmental engineer, so I am not sure I am qualified to answer that question.

Mr. TALLMAN. Mr. Speaker, on the bill.

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

Mr. TALLMAN. Just a couple of quick comments.

Number one, we are taking away from the citizens of this Commonwealth the right established under Act 1 to allow them to vote on whether they want to include this or not.

Number two, there are no limits on the millions of dollars that is possible to be spent. I mean, depending on the definitions here, we could have CFRs (Codes of Federal Regulations) included in the school construction code; we could have the insulation included; we could have a garden on our roof, the brand-new roof included in this particular bill. So therefore, since the citizens are not protected – they are actually going to be exploited – I urge a "no" vote on this bill.

Thank you, Mr. Speaker.

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

Mr. VITALI. Thank you, Mr. Speaker.

I rise in support of this bill, and one reason I rise in support of this bill is because it will save taxpayers money.

I want to clear up a few misconceptions. As I understand it, the way this bill works is that— Well, let me back up. The way existing School Code language works is that if you build a building above a certain amount of money, given the size of the school district, you have to put that to referendum. What this bill simply says is if you are planning on building a building and adding extra features to get LEED certification, then what you spend on those extra features to get certification is not counted in that triggering amount. But, and this goes to the gentleman from Bucks County's point, if in fact you trigger the referendum amount, everything, according to this bill, everything – green building features and whatnot – everything goes to referendum. So there is no hiding of anything. Everything goes to referendum.

Now, the reason this bill is so important to save taxpayers money is as follows: My school district recently put up a new building, but they did not want to go to referendum because— They did not put extra green building standards in that could have saved them money because it would trigger the referendum; therefore, they did not put those standards in. But the reality is, if they put those standards in over the course, maybe not year 1 but over the course of the life of the building, because of reduced energy costs, taxpayers over time would be saving money. They would be saving money in terms of lower electricity costs and other features.

So this really is to save taxpayers money, but given the reality of school boards, given the fact that school boards are going to do everything they can to avoid a referendum, they are not going to put these features in buildings which could save them money to save them from having to go to a referendum. So what we are trying to do, as I understand it with this bill, is to really kind of take the pressure off the school boards with regard to doing these standards and triggering the referendum process.

Now, another gentleman made the point, well, could you not theoretically have the whole building, you know, be what it takes to be LEED certified? That is not the way it works, that is not the way it works in the real world. Generally, only a small fraction of a building, the basic building, the bulk of the costs in real life are not there to get that LEED or environmental certification. So it is really only a small fraction of the real building costs that we are talking about.

So not only is this good to conserve energy, something we all want to do, and not only will it help create good green jobs, because when you have features like solar panels, have features like insulated windows, have features like superefficient heating systems, have features like programmable thermostats, have all of these high-tech features, one, they create good green jobs. But two, they save money, they save money, and that is what this bill is all about, to put us in a position where we can save money.

So I think this is a really good idea, and I commend Representative Drucker for doing it. Thank you. I urge an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MAHER. I am always impressed by elected officials who advocate for something on the basis that it is going to save the taxpayers money, but the taxpayer they do not believe is wise enough to understand that. So they are going to do the taxpayer a great favor under this proposal by telling the taxpayer, we are going to keep you in the dark, because if we shared the information with you and let you vote on it, you could not possibly understand it. That is a terrible premise.

Now, whether you like the referendum approach or not, I think you would agree that the public should have a right to see an honest number on a referendum question: What is this building really going to cost? I was weighing the merits of this proposal while listening to the debate, and I was astonished to hear that the sponsor of the legislation says he cannot speak to what might be carved out of that number. Could it be an entire wing? Could it be an entire building? And he says he is not an environmental engineer; he cannot advise us. So he is asking you to vote to put a phony number up on a referendum for the cost of a school building that will have, apparently, not much restriction as to what can be carved out or none that the sponsor cares to enunciate here on the floor.

This is very troubling, and I would urge the sponsor to consider pulling this bill back and seeing if you could craft some amendments that could address these concerns. But to advance this thing with the argument that this is going to save the public money but you do not believe they are smart enough to understand it so they should not know is just so contrary to what I would hope we would all believe.

So I would ask you, if we need to vote on this measure today, I would urge you to vote "no." But with having the environmental concern that so many of us do, I really do urge the sponsor to consider asking that this bill be held over and perhaps amendments can be drafted to repair these concerns. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester County, Representative Ross.

Mr. ROSS. Thank you, Mr. Speaker.

There is some misunderstanding on the floor right now that I would like to correct. This referendum that is referred to is for a provision that is known as the Taj Mahal act, and it really is geared around the idea of making sure that a building construction project does not get gold-plated or excessively expensive. Because of that and because of its nickname, school boards do not go to these referendums. You are not being denied a referendum because they do not hold them. They control the cost of the project so that it stays below the cap under which the referendum would kick in. So therefore, we are not taking anything away that people are routinely getting today anyway.

The important thing to remember is that energy efficiency costs money up front and saves money over time. So therefore, if you want your school to operate more efficiently, you want to make sure that they are encouraged to institute energy measures. If otherwise the project would qualify and kick over into the referendum, the energy-saving effort will be lost, the cost of the operation will be increased, and that is not talking about the

quality of the school either. There are a number of studies that have been conducted throughout the country that show that LEED certified, energy-efficient-type school buildings, that the students actually perform better. There are measurable tests of school test results that show students learn better in a healthier environment where air circulation is improved, where there is more daylight and less fluorescent lighting, where there are fewer volatile organic compounds going off in the air that make people sick. So you are going to save the school district money, which helps the taxpayer in the long run; you are going to improve the quality of life internally within the school and increase test results; and you are not taking away a referendum that anybody is going to be getting anyway.

So for those reasons I urge a "yes" vote.

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

Mr. PYLE. Thank you, Mr. Speaker.

I have a few questions for the maker of the bill, if he would be so kind.

The SPEAKER. The gentleman, Representative Drucker, indicates he will stand for interrogation. The gentleman, Mr. Pyle, is in order and may proceed.

Mr. PYLE. Thank you, Mr. Speaker.

To the gentleman from Chester, my first question: You state that the ostensible purpose of this bill is to save money by encouraging LEED certified buildings and green energy buildings to absorb energy costs. Is that pretty close?

Mr. DRUCKER. Yes, that is pretty close.

Mr. PYLE. Just for the good of the order here and for the benefit of the members, I am assuming you are referring to electrical consumption in a public school building. Is that on the mark?

Mr. DRUCKER. I am not sure I understood that question.

Mr. PYLE. Well, most of the alternative energy, green building efforts I have seen take place either revolve around self-sustaining energy production or geothermal heat sourcing, which is not really electricity. So I assume you are referencing electrical production and consumption on-site, which your bill would encourage. Is that correct?

Mr. DRUCKER. I am not sure if that is correct.

Mr. PYLE. Well, thank you. We can discuss that off floor later. My question – and I really do want to enter into this voting decision with an open mind – how much does it cost to generate a kilowatt-hour off of a solar panel?

Mr. DRUCKER. I do not know.

Mr. PYLE. Well, if it is not a solar panel, most of the rest of Pennsylvania is either generated from wind production, coal-fired generation, or nuclear generation. My question is, I know we can generate a kilowatt-hour from nuclear and coal sources for less than 8 cents a kilowatt-hour. How much will it cost to generate a kilowatt-hour from a solar panel?

Mr. DRUCKER. I do not know the answer to that question.

Mr. PYLE. Well, there is a rumor out there, Mr. Speaker, that it is around 48 cents, and the math just does not compute. Now, Mr. Speaker, may I speak on this bill?

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

Mr. PYLE. Thank you.

I thank the gentleman from Chester for trying to answer my questions. I am concerned, and I concur with my good friend, the gentleman from Upper St. Clair, that subverting or sidestepping a referendum vote by the voters of a local school

district should be avoided at all costs. Whether it be retrofitting, reopening, or closing buildings, those are local control issues, Mr. Speaker. And frankly, I would urge a "no" vote until amendments are drawn to HB 689 to make a better bill. Please vote "no."

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair also notes the presence of Representative Beyer from Northampton County on the House floor. Her name will be added to the master roll.

CONSIDERATION OF HB 689 CONTINUED

The SPEAKER. On the question, the Chair recognizes the gentleman from York County, Representative DePasquale.

Mr. DePASQUALE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the legislation from Mr. Drucker for one reason and one reason only: For too long I believe State laws have hindered our school districts and not enabled them to make strategic decisions on a whole host of issues, one of those being school construction and their energy costs. And in many areas of the State, when rate caps come off, the utility bills of these school districts are going to go through the roof, which will impact our property tax payers. One of the best tools to attack this problem is for us to give school districts the ability to make their schools more reliant on alternative energy. If they do that, they can then get control of their long-term energy costs and be more self-reliant. This legislation will give school districts the ability to get control of their long-term energy costs, save taxpayers property tax money in the long-term, and at the same time improve our environment and also help local contractors with jobs. So this legislation is good in the long-term for our property tax payers, it is good for our environment, and it is good for our economy.

The final point I want to make: State law, in many instances, prevents school districts from taking proactive action on too many fronts. This legislation attacks that by giving school districts the ability to move in a more alternative energy-friendly direction, which will help them get control of their energy costs, especially considering when the rate caps come off – and that is a direct result of legislation that this General Assembly enacted in the midnineties, and we did not give school districts the tools to cope with those rate caps coming off. Since we have not passed anything to deal with the rate caps coming off, I say this is the next best thing to help school districts, and I ask that the membership support the Drucker legislation.

Thank you, Mr. Speaker.

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

Mr. ROEBUCK. Thank you, Mr. Speaker.

I rise to support this legislation. It seems to me the facts are quite clear, that green technology will allow school districts to save money, not necessarily up front, but in producing better quality buildings that use alternative energy more efficiently, the end result is that those districts will save money and taxpayers will also save money. It is also clear to me that green buildings produce a better learning environment; you enhance the ability of young people to learn, and that ought to be a consideration. It is also clear that this proposal will ultimately create new jobs that will enhance our economy.

And finally, it would also help our environment. If we can get all these good things out of a single piece of legislation, it would seem to me that all of us ought to be in favor of this proposal. I would urge my colleagues to support this legislation.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Luzerne County, Representative Carroll.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, the way I see this bill, this gives our school boards options and flexibility. It gives our school boards the ability to make a decision to do this if they choose to, and it gives the school boards the ability to look into the future instead of just worrying about today.

So this gives, in my view, the school boards throughout our State the opportunity to make a decision that is best for them, best for their school district, and best for their children, and I urge a "yes" vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SCHRODER. Thank you, Mr. Speaker. A brief interrogation?

The SPEAKER. The gentleman, Mr. Drucker, indicates he will stand for interrogation.

The gentleman, Mr. Schroder, is in order and may proceed.

Mr. SCHRODER. Thank you.

Mr. Speaker, this question probably goes more to an Act 1 question, but what I am wondering is, is there anything in Act 1 or anywhere else in law—

Mr. DRUCKER. I am sorry; I cannot hear you.

The SPEAKER. The gentleman will yield. The gentleman will yield. The House will come to order. The House will come to order.

Will the gentleman, Mr. Schroder, restate his question.

Mr. SCHRODER. My question is simply this: Under Act 1, would the school district be permitted to, in essence, put out an alternative ballot question, one that would have the green certification requirements contained in the cost and one that would not, for the public to cast their vote on?

Mr. DRUCKER. If I understand your question, the answer is no, but I am not sure I understand what you are asking me.

Mr. SCHRODER. I guess what I am thinking, so that the public would have all the information before them as to total cost of a project that was either LEED or other green certified, would they be able, would the school district be allowed to put out to the public, for purposes of that referendum, the cost of the project with the green certification versus the cost of the project

without so that the public would have those numbers to weigh in their referendum decision?

Mr. DRUCKER. The question as phrased as I understand it was, would the school district be allowed? And I think the answer is yes; the school district is allowed to do what the school district wants to do.

Mr. SCHRODER. So—

Mr. DRUCKER. I am not sure if you are asking me if they are allowed or required; that may not be the same answer.

Mr. SCHRODER. What I am getting at is, would they be prevented from doing that under current law, under current Act 1?

Mr. DRUCKER. Prevented from doing what?

Mr. SCHRODER. Instead of putting one cost figure out there for the school construction project, would they be permitted under law in that referendum to tell the public what the cost of the project would be with green certification elements included versus the cost of the project without that?

Mr. DRUCKER. Again, I am not sure I understand you. The only requirement of the law is that if the cost of the construction – current law – goes over the Taj Mahal calculus, then the school district must go for referendum. That is the current law.

Mr. SCHRODER. Correct; right.

Mr. DRUCKER. Now, I do not know if that answers your question. If this law is passed, if the green portion places the price of the construction over the Taj Mahal calculus, that is not included, and therefore, the answer is no under those circumstances.

Mr. SCHRODER. Once again – and I apologize, Mr. Speaker – it is a bit difficult for me to hear your answer.

The SPEAKER. The gentleman will yield.

Mr. DRUCKER. It is hard for me to hear your question. Fair is fair.

The SPEAKER. The House will come to order. Sergeants at Arms will clear the aisles. Sergeants at Arms will clear the aisles of the House. Members will come to order.

Would the gentleman, Mr. Schroder, like to continue his interrogation?

Mr. SCHRODER. May I yield for a moment, a little sidebar conversation?

The SPEAKER. For a moment.

Mr. SCHRODER. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Chester County to continue his interrogation.

Mr. SCHRODER. Thank you, Mr. Speaker.

I appreciate your forbearance there for a moment. I do not have any other questions for the gentleman, just to speak on the bill.

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

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate what the gentleman is trying to do with this piece of legislation. I believe it is very well-intended and I certainly support and know of many good school districts that have gone the way of either LEED or other green certifications. I think the better approach would be if the school districts would put the information out to the public and allow the public to consider the cost of the building with green certification versus the cost of the building without green certification regardless of— And then that way, the savings that would be realized in the operation of the school building could be factored in to the commentary and the debate and the discussion over that particular referendum. So while I do

support the intent of what HB 689 is trying to accomplish, I just think that there might be other alternative and better ways to do it. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Mercer County, Representative Longietti.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this important piece of legislation. I am one of those folks that is always turning off lights, always lowering thermostats, finding ways to conserve energy, and while all of those measures are important, they pale in comparison to actually building an energy-efficient structure like a school building. And I think this bill encourages school boards. As a former school solicitor, I know how difficult it is for school boards on any school construction issue when it comes time to vote. This bill simply gives them that encouragement that they need to go ahead and build a building that fits green standards, that will be an energy-efficient building. It only excludes from the referendum process that additional cost for a green building, and as the previous speaker said, cost savings will be realized in the long run by lower utility bills.

So I strongly support this legislation. I think it is just one way that we as a legislature can encourage conservation efforts, by building structures that consume less energy.

Thank you, Mr. Speaker.

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

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the gentleman today on the final passage of HB 689. You know, it is pretty clear to me that as society advances and technology advances, we cannot just walk away from the logic that has really been articulated for some years about efficiency in everything from refrigerators to more efficient windows to insulation systems that save money. People are doing it at the household level. The Federal government has been incenting that investment. We here in the Commonwealth have put an innovative strategy together for alternative energy for not only growing jobs in these technology areas and wind and geothermal and all of the other areas we have talked about, but we also have to look in the mirror and say, we have to ask ourselves in this minute, should we continue to allow construction of public buildings without laying options on the table that lead people to make good decisions about alternative energy? That is exactly what the gentleman is doing in this bill. He is forcing no mandate on any school district to implement any technology in any school district.

What he is doing is he is putting forward a model so that it puts forward the logic of the advancement in technology, in energy technology, and really the wasted resources that schools are now seeing in all the older school buildings, where the heat just turns on and the taxpayers' money just flies right out the window or right through the roof that is improperly insulated. Making sure that the public investment going forward in this Commonwealth indicates what the members in this chamber supported just 2 years ago on an alternative energy strategy that makes us an innovator in these technologies.

This is an obvious, commonsense choice. Invest and give options for alternative energy for the Commonwealth's school districts today and taxpayers will see the benefit tomorrow in lower utility bills that they will pay down that will actually end up paying for the investment that we make today. It is a

commonsense approach in a modern world. It takes, as I said, into account all the environmental and technical advances in energy efficiency that our school districts and our taxpayers should be part of.

I rise to support the gentleman today. It is a great idea. Let us put energy technology and investment first, and let us make sure that even taxpayers going forward, that they are the ones who are the beneficiaries of this day's decision.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Representative Turzai, wish to speak on the bill on final passage? The Chair recognizes the gentleman from Allegheny County, the minority whip, Representative Turzai, on final passage.

Mr. TURZAI. Mr. Speaker, thanks very much.

I have heard a lot of the discussion and I just thought a bit of a rebuttal needed to be made. In the first instance, the green building is a good thing in the sense that it reduces costs for school districts, and in addition, it is environmentally friendly, but why do we need to opt out or create an exception from this referendum on cost when school boards are going to want to do it in the first place on their own? It does not make sense for us to mandate it. I will tell you what, I have two school districts and they are going to look at green buildings and have looked at green buildings, both in terms of remodeling or in terms of new construction, and they have done it not because we are acting like we are somehow important in sending it down to them; they do it because they are thoughtful, reasonable, and if it makes sense from a cost perspective and from an environmental perspective, they are going to do it. They do not need us looking like we are big brother and big sister.

I think we can vote this down and still promote, on a subsidiary level, cost savings and green buildings. And I think to a certain extent, if you mandate it you are really to a certain extent saying, hey, it is our road or the highway, whether or not the cost makes sense. I would urge people to vote "no" on this.

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—106

Barbin	Fabrizio	Manderino	Sainato
Belfanti	Frankel	Mann	Samuelson
Bishop	Freeman	Markosek	Santarsiero
Boyle	George	Matzie	Santoni
Bradford	Gerber	McGeehan	Scavello
Brennan	Gergely	McI. Smith	Seip
Briggs	Gibbons	Melio	Shapiro
Brown	Goodman	Micozzie	Siproth
Burns	Grucela	Mundy	Smith, K.
Buxton	Haluska	Murphy	Smith, M.
Caltagirone	Hanna	Murt	Solobay
Carroll	Harhai	Myers	Staback
Casorio	Harkins	O'Brien, D.	Sturla
Cohen	Harper	O'Brien, M.	Taylor, R.
Conklin	Homaman	O'Neill	Vereb
Costa, D.	Houghton	Oliver	Vitali
Costa, P.	Johnson	Pallone	Wagner
Daley	Josephs	Parker	Wansacz
Deasy	Keller, W.	Pashinski	Waters
DeLuca	Kessler	Payton	Wheatley

DePasquale	Kirkland	Perzel	White
Dermody	Kortz	Petrarca	Williams
DeWeese	Kotik	Preston	Youngblood
DiGirolamo	Kula	Readshaw	Yudichak
Drucker	Lentz	Roebuck	
Eachus	Levdansky	Ross	McCall,
Evans, D.	Longietti	Sabatina	Speaker

NAYS—85

Adolph	Fairchild	Knowles	Pyle
Baker	Fleck	Krieger	Quigley
Barrar	Gabig	Maher	Quinn
Bear	Gabler	Major	Rapp
Benninghoff	Galloway	Marshall	Reed
Beyer	Geist	Marsico	Reese
Boback	Gillespie	Metcalfe	Reichley
Boyd	Gingrich	Metzgar	Roae
Brooks	Godshall	Millard	Rock
Causar	Grell	Miller	Saylor
Christiana	Grove	Milne	Schroder
Civera	Harhart	Mirabito	Smith, S.
Clymer	Harris	Moul	Sonney
Cox	Helm	Mustio	Stern
Creighton	Hennessey	Oberlander	Stevenson
Cutler	Hess	Payne	Swanger
Day	Hickernell	Peifer	Tallman
Delozier	Hutchinson	Perry	True
Denlinger	Kauffman	Petri	Turzai
Ellis	Keller, M.K.	Phillips	Vulakovich
Evans, J.	Killion	Pickett	Watson
Everett			

NOT VOTING—0

EXCUSED—9

Cruz	Farry	Miccarelli	Taylor, J.
Curry	Mahoney	Rohrer	Thomas
Donatucci			

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

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

* * *

The House proceeded to third consideration of **HB 705, PN 3322**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing parent involvement programs and policies in school districts and the school health services task force.

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

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

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I agree with the premise of this legislation, that there should be more parental involvement in their child's education, but I am not sure putting another mandate on local school districts is the right direction we should go. I would think that a parent who has a child or children in education would want to be involved for the sake of their child's future, for the well-being of that child, to encourage the child in the academics or in extracurricular activities that the parents should be involved in and, Mr. Speaker, in many cases they are.

In my own district I have seen parents who support their children in education by attending school on special days in which parents are invited to attend. I see them attending field trips, such as when they come to the Capitol for a field trip. They run their children to band practice, to school chorus. They are out there on fundraisers. They are actively involved at the present time. And trying to get parents, to say, you have to become more involved, is not the right direction. It is the right direction to go, but putting a mandate out there I am not sure is the right thing. After all, we know that the teachers, administrators, and the school board members are dedicated people who have the interest of the child in view, and so they can find ways to create the right recipes of formulas to get the parents involved. I do not think that we need to do this through legislation.

In addition, the Federal legislation, No Child Left Behind, also requests that these types of programs be initiated by the school districts. So we really have a policy that has been put out there by the Federal government to say, parental involvement is a key component to a child's education.

Therefore, Mr. Speaker, I would be a "no" vote on this issue. Thank you.

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.

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 705 CONTINUED

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS—117

Barbin	Evans, D.	Longietti	Sabatina
Belfanti	Evans, J.	Manderino	Sainato
Beyer	Fabrizio	Mann	Samuelson
Bishop	Frankel	Markosek	Santarsiero
Boback	Freeman	Marshall	Santoni
Boyle	Galloway	Matzie	Scavello
Bradford	George	McGeehan	Schroder
Brennan	Gerber	Melio	Seip
Briggs	Gergely	Micozzie	Shapiro
Brown	Gibbons	Mirabito	Siptroth
Burns	Godshall	Mundy	Smith, K.
Buxton	Goodman	Murphy	Smith, M.
Caltagirone	Grucela	Murt	Solobay
Carroll	Haluska	Myers	Staback
Casorio	Hanna	O'Brien, D.	Sturla
Christiana	Harhai	O'Brien, M.	Taylor, R.
Civera	Harkins	Oliver	Vereb
Cohen	Harper	Pallone	Vitali
Conklin	Hornaman	Parker	Wagner
Costa, D.	Houghton	Pashinski	Wansacz
Costa, P.	Johnson	Payton	Waters
Daley	Josephs	Peifer	Wheatley
Deasy	Keller, W.	Perzel	White
DeLuca	Kessler	Petrarca	Williams
DePasquale	Kirkland	Petri	Youngblood
Dermody	Kortz	Preston	Yudichak
DeWeese	Kotik	Quigley	
DiGirolamo	Kula	Rapp	McCall,
Drucker	Lentz	Readshaw	Speaker
Eachus	Levdansky	Roebuck	

NAYS—73

Adolph	Gabler	Maher	Quinn
Baker	Geist	Major	Reed
Bear	Gillespie	Marsico	Reese
Benninghoff	Gingrich	McI. Smith	Reichley
Boyd	Grell	Metcalfe	Roae
Brooks	Grove	Metzgar	Rock
Causar	Harhart	Millard	Ross
Clymer	Harris	Miller	Saylor
Cox	Helm	Milne	Smith, S.
Creighton	Hennessey	Moul	Sonney
Cutler	Hess	Mustio	Stern
Day	Hickernell	O'Neill	Stevenson
DeLozier	Hutchinson	Oberlander	Swanger
Denlinger	Kauffman	Payne	Tallman
Ellis	Keller, M.K.	Perry	True
Everett	Killion	Phillips	Turzai
Fairchild	Knowles	Pickett	Vulakovich
Fleck	Krieger	Pyle	Watson
Gabig			

NOT VOTING—0

EXCUSED—10

Barrar	Donatucci	Miccarelli	Taylor, J.
Cruz	Farry	Rohrer	Thomas
Curry	Mahoney		

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

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

* * *

The House proceeded to third consideration of **HB 2026, PN 3323**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in safe schools, further providing for Office for Safe Schools; in terms and courses of study, providing for dating violence education.

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

The SPEAKER. There is a late-filed amendment to this legislation by the gentleman from Adams County, Representative Tallman.

Does the gentleman, Representative Tallman, wish to suspend the rules?

Mr. TALLMAN. Yes, Mr. Speaker. I would like to suspend the rules to consider this amendment.

MOTION TO SUSPEND RULES

The SPEAKER. The gentleman from Adams County, Representative Tallman, makes a motion to suspend the rules for the immediate consideration of amendment A05933.

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

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

Mr. EACHUS. Thank you, Mr. Speaker.

While I respect the gentleman, I rise to oppose the suspension of the rules.

Thank you very much.

The SPEAKER. On the motion, the gentleman, Representative Tallman, would like to be recognized on the motion? The Chair recognizes the gentleman from Adams County, Representative Tallman.

Mr. TALLMAN. Thank you, Mr. Speaker.

Basically, it was my understanding when we discussed this bill in Education Committee that we were going to clarify that language. So my amendment does what we had actually spoken about in the Education Committee: It clarifies the language on sexual partners. So therefore, I would like to have an affirmative vote on rules suspension so that we could get into the discussion of the amendment.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The gentleman wants to speak on the motion? You would not be in order. The leaders and prime sponsor of the bill only to speak on the motion.

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

The following roll call was recorded:

YEAS—90

Adolph	Gabig	Marsico	Quigley
Baker	Gabler	Metcalfe	Quinn
Bear	Geist	Metzgar	Rapp
Benninghoff	Gillespie	Micozzie	Reed

Beyer	Gingrich	Millard	Reese
Boback	Godshall	Miller	Reichley
Boyd	Grove	Milne	Roae
Brooks	Harhart	Moul	Rock
Causar	Harper	Murt	Saylor
Christiana	Harris	Mustio	Scavello
Civera	Helm	O'Brien, D.	Schroder
Clymer	Hennessey	O'Neill	Smith, S.
Cox	Hess	Oberlander	Sonney
Creighton	Hickernell	Pallone	Stern
Day	Hutchinson	Payne	Stevenson
DeLozier	Kauffman	Peifer	Swanger
Denlinger	Keller, M.K.	Perry	Tallman
DiGirolamo	Killion	Perzel	True
Ellis	Knowles	Petri	Turzai
Evans, J.	Krieger	Phillips	Vereb
Everett	Maher	Pickett	Vulakovich
Fairchild	Major	Pyle	Watson
Fleck	Marshall		

NAYS—100

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

NOT VOTING—0

EXCUSED—10

Barrar	Donatucci	Miccarelli	Taylor, J.
Cruz	Farry	Rohrer	Thomas
Curry	Mahoney		

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

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

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, Representative Tallman had a very important issue that I thought we were going to clarify, that that was a consensus in the Education Committee. Maybe I misunderstood that, but I really did think that that issue on sexual partners would be clearly defined.

MOTION TO RECOMMIT

Mr. CLYMER. I think we need to look at that, Mr. Speaker, and as a result, I move that we recommit HB 2026 to the Education Committee to get that issue clarified.

The SPEAKER. The gentleman from Bucks County, Representative Clymer, makes a motion to rerefer HB 2026 back to the Education Committee.

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

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

Mr. EACHUS. Thank you, Mr. Speaker.

Once again, I oppose— Is the motion on the board, Mr. Speaker? Thank you.

I wanted to make sure that the members were clear: I oppose the recommittal motion. This issue has been properly vetted, voted from the committee, and we are ready for action today.

Thank you, Mr. Speaker.

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

Mr. CLYMER. Mr. Speaker, I defer to Representative Gordon Denlinger; I defer.

The SPEAKER. The Chair recognizes the gentleman from Lancaster County, Representative Denlinger.

Mr. DENLINGER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the gentleman's motion to recommit this bill to the Education Committee, and I do so because of some concerns that we see with this legislation. Mr. Speaker, this bill specifically addresses teen dating violence and no one here is unconcerned about that issue. Certainly, we all abhor acts of violence that happen within our teen community. But, Mr. Speaker, I rise to support the gentleman's motion because, again, concerns have been raised that need attention at the committee level, concerns that relate to the involvement of parents versus schools in setting those dating parameters that are so important for our young people.

I understand from the chairman, Chairman Clymer, that there was some agreement that was not followed through on. So for that reason I do request that we take this back to the committee and in fact address those significant concerns before this comes up for a final vote.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—92

Adolph	Fleck	Major	Quigley
Baker	Gabig	Marshall	Quinn
Bear	Gabler	Marsico	Rapp
Benninghoff	Geist	Metcalfe	Reed
Beyer	Gillespie	Metzgar	Reese
Boback	Gingrich	Micozzie	Reichley
Boyd	Godshall	Millard	Roea
Brooks	Grell	Miller	Rock
Causar	Grove	Milne	Ross
Christiana	Harhart	Moul	Saylor
Civera	Harper	Murt	Scavello
Clymer	Harris	Mustio	Schroder
Cox	Helm	O'Brien, D.	Smith, S.
Creighton	Hennessey	O'Neill	Sonney
Cutler	Hess	Oberlander	Stern
Day	Hickernell	Payne	Stevenson
Delozier	Hutchinson	Peifer	Swanger
Denlinger	Kauffman	Perry	Tallman
DiGirolamo	Keller, M.K.	Perzel	True
Ellis	Killion	Petri	Turzai
Evans, J.	Knowles	Phillips	Vereb
Everett	Krieger	Pickett	Vulakovich
Fairchild	Maher	Pyle	Watson

NAYS—98

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

NOT VOTING—0

EXCUSED—10

Barrar	Donatucci	Miccarelli	Taylor, J.
Cruz	Farry	Rohrer	Thomas
Curry	Mahoney		

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

On the question recurring,
Shall the bill pass finally?

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

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this legislation as currently drafted. I think the previous motion was a very appropriate motion to try and resolve an issue in this legislation that I think some of the committee members were under the impression would have been resolved before it was brought before the full body for a vote.

Mr. Speaker, the legislation as currently drafted and the definitions of the dating relationship do not clearly state that the dating relationship would be between two individuals of the opposite sex. I did go to the prime sponsor of this legislation last week, Mr. Speaker, and raised the issue to him, if he had intended this legislation to cover homosexual relationships, and he in fact told me he did not, Mr. Speaker. His intent was not for this to cover homosexual relationships was what he conveyed to me during a conversation.

The language that was drafted by the gentleman earlier that asked for a suspension of the rules would have clarified that the legislation said that the dating relationship would be between two individuals of the opposite sex, Mr. Speaker. It would have been a very technical change based on the intent that the sponsor had said that he had. Mr. Speaker, we have seen a couple of procedural votes now that have not allowed for this language to be corrected. And, Mr. Speaker, I know that the majority of parents in my district have some reservations about allowing school personnel to address dating relationships with their children to begin with, and now if you are going to have language drafted in a way that is broad enough to allow for a rogue teacher to introduce homosexual dating relationships into the conversation, Mr. Speaker, then a lot of parents and a lot of students will be offended by this being allowed in the classroom, Mr. Speaker.

Mr. Speaker, I think this is legislation that could be fixed and could be resolved. I am disappointed that the previous motion was not allowed to allow it to go back to committee and have the language fixed to address the intent of what the prime sponsor had said that he meant. I think, Mr. Speaker, that as I mentioned, a lot of parents do not want dating relationships being addressed by school personnel with their children, their young adults, to begin with, and now if you are going to allow for this very broad range of conversation to occur in a classroom, I think you are going to have a lot of parents that are going to be very offended and a lot of students that are going to be very offended in the process.

I oppose this legislation based on those reasons, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Lancaster County, Representative Denlinger.

Mr. DENLINGER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to highlight a different point than the previous speaker and it is this: We continually talk about responsibility and we enjoy the benefits of living in a free society, and these days, of course, we also talk about the responsibilities that go along with that blessing. Within our families, of course, we see kids being educated in different ways and the public school community is an important part of that mixture. But the question on this is one that really gets to the heart of families and family discussions in and around the issue of dating. Ultimately, again, I wish to state that everybody on this floor abhors and should abhor any act of violence. There is

no debate on that idea or that reality. But, Mr. Speaker, I think the discussion that should happen between parents and children about dating and what is appropriate conduct within a dating relationship is a very personal one within the family structure.

My concern here is that we are transferring that important discussion, that dialogue, from families over into the school context, which I think is a genuine tragedy. Here once again we see government reaching into families and removing that responsibility, that loving dialogue that should happen between parent and child. So, Mr. Speaker, I ask for a negative vote on this bill.

Again, I do feel the pain that goes with acts of violence; I am sensitive to that, but are we legislating based on worst-case scenario. And I am afraid that at this point we are moving in that direction, and once again State government is doing an overreach, an overgrab, supplanting parental love and guidance and putting that into the hands of a classroom instructor. Mr. Speaker, I believe that is inappropriate.

For those reasons I hope there will be a negative vote on HB 2026. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentledady from Mercer County, Representative Brooks.

Mrs. BROOKS. Thank you, Speaker.

May I interrogate the maker of the bill, please?

The SPEAKER. The gentleman from Centre County, Representative Conklin, indicates he will stand for interrogation. The gentledady is in order and may proceed.

Mrs. BROOKS. Just a couple of questions, very quickly.

One, has the curriculum for this been determined?

Mr. CONKLIN. Sorry, Mr. Speaker; I missed the question.

The SPEAKER. The gentledady and the gentleman will yield.

The House will come to order. The House will come to order.

Mrs. BROOKS. Thank you, Mr. Speaker.

The SPEAKER. The gentledady may proceed.

Mrs. BROOKS. I just had a question. Has the curriculum been determined for this course?

Mr. CONKLIN. Yeah, the curriculum is actually a curriculum that is used in other States. On the Web site there are organizations – such as Liz Claiborne has it on their Web site – but eight other States have initiated this same program very effectively.

Mrs. BROOKS. Would it allow the Department of Education to change that curriculum, or do they have to follow that standard that is on the Web site?

Mr. CONKLIN. The Department of Education is involved and will be involved in the curriculum itself.

Mrs. BROOKS. But are they able to change that curriculum if they want it changed from what is on the Web site?

Mr. CONKLIN. The curriculum that we have been using will be and has been approved by the Department of Education.

Mrs. BROOKS. Thank you, but my question is, the curriculum that is advertised from these other eight States, is that the identical, guaranteed curriculum that will be used by the Department of Ed and no changes will take place? Is that correct?

Mr. CONKLIN. No. Quite obviously, each State will have its little point of content which they want to put into it. And I am sure if we would go over the pages of each State, you may find small variances in each State which would adapt better to that certain community or that State so it would best fit the

Commonwealth of Pennsylvania or the State of Rhode Island.

Mrs. BROOKS. Thank you.

One other question: Do parents have the ability or the right to opt in for their child to take this course?

Mr. CONKLIN. The parents will have the right to opt out of this course if they so wish.

Mrs. BROOKS. And how would that information be given to the parents?

Mr. CONKLIN. The curriculum for any parent – as you know, all parents are involved in their children's education because they get involved and I am sure that this curriculum, as it goes, the parents will know that it is there and if they so wish to opt their child out of it, they will have that ability if they so wish to.

Mrs. BROOKS. Okay. Thank you very much. I would like to speak on the bill.

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

Mrs. BROOKS. Thank you very much.

As a mother of a 16-year-old, I am very concerned about this issue. However, my other concern is that the devil is in the detail. What happens when someone that is teaching this course feels that something is appropriate on a date that I do not feel is appropriate, and I have raised my child to say that is not appropriate behavior but now I have a concern that they have a teacher saying it is. Mr. Speaker, I think that the curriculum should go through this legislation, I think it should be very transparent, and I think we should know what is going to be presented to the school districts even before we vote on this legislation.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentledady.

On the question, the Chair recognizes the gentleman from Allegheny County, Representative Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise in support of this legislation, and I think members are trying to read too much into this. I mean, we have had here in the House families who have experienced the most devastating possible experience within their families – the murder of a child. I had a hearing in the city of Pittsburgh with family members who had children who were murdered in a dating relationship. This is something that is occurring and not every family is able to address these issues. This is very specific; it is about dating violence. We are not talking about other types of protocol. It is about trying to avoid those sorts of behaviors that take place that give people clues that we know about, that other States have found out about, that they have initiated – steps to prevent these sorts of crimes that absolutely devastate families in Pennsylvania and across this country.

This is not complicated, and there is an opt-out provision. If for some reason some family has an issue with the program or the curriculum, they can opt out, but this is something that urgently, urgently needs to be addressed because we see, particularly with the forms of communication today – the telltale signs, the calling on cell phones, the texting – all those things that become the, kind of, keystone pieces of information that let families know, let individuals know that there is something wrong here they need to be made aware of.

Our world has changed and we need to make adjustments. Our schools are one way to protect our children. The families that were here last week, that have been in our communities, that have been in the hearing I had in Pittsburgh need to see us address an issue to protect our children. So I urge that all of us

take a moment. There are no complicated conspiracies here that some members seem to want to interpret into this bill. This is very simple; it is about preventing dating violence and injury and murder of our young people. It is not a complicated issue. It is something that we need to do that other States have done. It is time for us to step forward to protect our young people. Thank you.

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

Mr. EVERETT. Thank you, Mr. Speaker.

I wonder if the prime sponsor would rise for interrogation?

The SPEAKER. The gentleman from Centre County indicates he will stand for interrogation. The gentleman is in order and may proceed.

Mr. EVERETT. Thank you, Mr. Speaker.

Would this legislation require school districts to adopt a curriculum mandated by PDE (Pennsylvania Department of Education) or does it allow school districts to develop their own curriculum that meets the general requirements established by PDE?

Mr. CONKLIN. Thank you, Mr. Speaker.

That is an excellent question. What this does, there will be a curriculum, a model, but it will allow the school district itself to adapt it to their certain communities to use what is most effective through it.

Mr. EVERETT. Thank you.

And this may be somewhat redundant, but I just want to understand it for sure and make it clear. If there is an instructor who is not following the curriculum established by the district, just like in any other curriculum established by the district, the district is going to have the full authority and ability to correct that instructor, teacher, and have them instruct according to the dictates of the school board. Is that your basic understanding?

Mr. CONKLIN. The speaker is absolutely correct.

Mr. EVERETT. Thank you. I appreciate it.

Mr. CONKLIN. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Lancaster County, Representative Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 2026. A few years ago there was some information that I got a hold of as a result of involvement with the Fatherhood Initiative, which many of you may be aware of, which tries to get fathers involved in their children's lives. The statistics that were presented pointed out that in fact the majority of teens that become pregnant become pregnant to men whose average age is 25 years old. And when confronted with this, I found it rather appalling. What I found even more appalling was when I started talking about this in schools, when I would go speak to school groups, was that the young teen mothers – and in some cases, just those that were still dating but had not become pregnant yet – would defend the action as saying, oh, but you do not understand. He is real good for me. He can support me. My parents like the fact that he can support me. And so there you had the 16-year-old dating the 28-year-old with the full support of the parents.

Now, I heard comments earlier that we should be concerned because we want to make sure we know what is in there because the parents know best what should be in there. I really do believe that the flexibility that has been built into this allows for

community standards but also does not always comport with what an individual parent, misguided as they may be, might come up with in some cases.

So I believe that this legislation supports teens no matter what their gender; no matter what their age, in terms of whom they are dating; no matter what their familial situation and gives them information so that they have another avenue to discuss what they are doing and how they might go about that in a safe manner.

So I support this legislation and would hope that we could pass this, and I am concerned that we are even having a discussion about what might be wrong with this. Thank you.

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, will the gentleman stand for brief interrogation?

The SPEAKER. The gentleman from Centre County, Representative Conklin, indicates he will stand for interrogation. The gentleman, Mr. Clymer, is in order and may proceed.

Mr. CLYMER. Mr. Speaker, did I hear correctly that you said that there is curriculum already established on this issue, that there is curriculum already established?

Mr. CONKLIN. I believe the question was, is there a curriculum already established? Was that the question, Mr. Speaker?

Mr. CLYMER. Yes. Is there dating violence education? Is there curriculum already established? Did you say that there is curriculum on this issue already established?

Mr. CONKLIN. There are established guidelines, but every State and every school district will be able to put their thumbprint on this to make sure that it is done individually to that particular school district and that particular community, Mr. Speaker.

Mr. CLYMER. And is Pennsylvania one of those States?

Mr. CONKLIN. The curriculum will be done by the Board of Education, but it will be able to be modified by the particular school district which best addresses the needs of that particular district.

Mr. CLYMER. I truly understand the reason that this legislation is moving forward, because no one – obviously, we are all appalled at the things that have taken place with young people, young women who have been brutally assaulted, and I understand that serious, serious concern. Mr. Speaker, I am through with my interrogation.

The SPEAKER. On the question?

Mr. CLYMER. Yes.

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

Mr. CLYMER. Mr. Speaker, if we are going to deal with this issue effectively, then I think that without controlling what parents allow to be placed when they have their children watching television, I think there has to be stricter parental authority on what the children watch. And of course, some of the programs that come on adults watch as well, which also leads and breeds this kind of violence. The video games that are seen by many young people also are very distressing. Those programs should not be, parents should not allow those children to see those video programs that are so violent and that show so much murder and other acts of violence that we all detest.

Then finally, Mr. Speaker, we know that the Boy Scouts and the Girl Scouts of America do a phenomenal job in training young people in traditional family values, and I would hope as the Boy Scouts of America celebrate their 100th anniversary, that we – and I have seen the citations and I have supported, the House resolutions I have supported – that we do more than just support those resolutions, but we back them up with our support, our verbal support, however we can provide addition funding for them – outside of government, of course – but just encourage them because they do a phenomenal job in training young people.

So thank you, Mr. Speaker.

The SPEAKER. On final passage, the Chair recognizes the gentleman from Schuylkill County, Representative Seip.

Mr. SEIP. Thank you, Mr. Speaker.

Mr. Speaker, dating is an incredibly important facet in the lives of teens in this Commonwealth, and certainly, some families have great resources, they have great capacities to address important issues with their children, but unfortunately, other families and other students are not in that same situation. I would also ask the members to consider some of those children that are in foster care situations or in out-of-home placements who do not have those same resources that other students do. I would ask that members consider this when they make this vote.

Hopefully, these students will be able to make good decisions. This will provide them with the knowledge that they need to do or what they need to do in dangerous situations and handle them appropriately. As my good colleague from Allegheny County has already mentioned, there is an opt-out provision available. I support the legislation and I ask other members to do the same.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Cumberland County, Representative Gabig.

Mr. GABIG. Thank you, Mr. Speaker.

I wonder if the maker of the bill would be prepared to answer a couple of questions?

The SPEAKER. The gentleman from Centre County, Representative Conklin, indicates he will stand for interrogation. The gentleman, Mr. Gabig, is in order and may proceed.

Mr. GABIG. Thank you, Mr. Speaker.

The gentleman mentioned an opt-out provision. Could you help me find that in the bill?

Mr. CONKLIN. If a parent or guardian does not wish their child to be part of this program, simply by writing a letter to the individuals in charge of the school district that child can opt out.

Mr. GABIG. That is my understanding of what an opt-out might be, perhaps, as part of this, but where in the bill is that? I cannot find it in the bill. I am quickly looking through it here on the thing and I am not on that committee so I have not had a great time to study it, but could you just point to me what page it is on, or line, et cetera?

Mr. CONKLIN. Staff is looking, if you would like to ask any other questions while they are finding that line for you.

Mr. GABIG. What is the definition of "dating partner"? Is there a definition of "dating partner" in the bill?

Mr. CONKLIN. Thank you, Mr. Speaker.

The definition – and I am sure the staff is going to find that – would be, evidently the word "dating" would be dating, would be somebody else.

Mr. GABIG. What grades are we talking about, Mr. Speaker? What grades is this targeted to?

Mr. CONKLIN. Sorry, Mr. Speaker.

Mr. GABIG. What grades?

Mr. CONKLIN. We would like to start as soon as they enter junior high school, Mr. Speaker, because when you look at today 72 percent of young children at the age of 12 and 13 years old are already in a relationship. Many of these relationships can start to be abusive even at a young age, and what we want to do, Mr. Speaker, is just to give warning signs to these children, that if somebody is being overprotective, texting you constantly, trying to separate you from your friends, what we are trying to do, Mr. Speaker, is just give these children an understanding of what is right and what is wrong with any type of relationship, and that is what this has done and that is the reason we wish to start it early enough before these children can be injured in any way.

Mr. GABIG. All right. So bullying – I think this is an amendment to the bullying statute under the Safe Schools. And you used the term "relationship," so friendships, I guess, are relationships. But I think what you are trying to do, if I understand, you are using the term "dating." I am trying to find out what grades you are talking about and what does dating mean? Is there a statutory—

Mr. CONKLIN. The reason for this legislation, Mr. Speaker – and thank you; it is a good question – one of the reasons for this legislation is that when somebody is being bullied, there is no emotional contact between the two individuals. When someone is being picked on, there is not an emotional bond between those two individuals, but at a young age, while young men and girls are growing up, many times they have a disconnect between what is appropriate and what is not appropriate when it comes to injuring another person or taking control of another individual. That becomes an emotional aspect, and when we normally think about dating, we think about an emotional tie to an individual, where bullying could just be someone for a reason unbeknownst to ourselves, just to, like, show superiority over somebody, Mr. Speaker.

Mr. GABIG. Control and superiority, is that the definition of "dating partner"?

Mr. CONKLIN. That is not in there. Thank you, Mr. Speaker.

Mr. GABIG. You used the terms "control" and "superiority" in terms of a relationship, trying to distinguish that between regular friendships or other relationships that you described. I am trying to get what is the difference between these regular relationships and friendships and this dating that you talked about into the, you said, what, 12th, 7th grade, or what grade?

Mr. CONKLIN. Mr. Speaker, many folks have many different versions of what they want to consider that. What we are looking at is a way to let young people know, Mr. Speaker, what can happen in a bad relationship, what can happen to a young individual. When you look today, when you look at Demi Cuccia, Mr. Speaker, a 16-year-old girl. She was on the phone with her father, on the phone with her father, Mr. Speaker, when

her boyfriend came over to the house and took her life. Good parents, Mr. Speaker, parents who only wish that their child had the information they knew, and the list goes on of parents that have lost their daughters to a violence that— Times have changed. When you and I were younger, Mr. Speaker, we had one landline phone in the house in the middle of the house. Today we give our children cell phones, we give them computers, we allow them to text. Times have changed, and all we are trying to do, Mr. Speaker, is change along with those times to save a life, to help a parent not go through a grieving process, maybe just one child may be saved by giving the information necessary, so they see the warning signs, Mr. Speaker.

Mr. GABIG. Thank you.

I appreciate that, that bad things happen in Pennsylvania and in America, and we want to try to do the best we can here in the State to help make sure that we do the best we can in making sure we limit the amount of bad things that happen to people and encourage good things to happen to people, and I think we all agree with that. But what I am trying to get at is, what is the difference between the underlying bill that we passed here before – the bullying aspects that you sort of cited with the cell phones and the texting and the controlling and the superiority – and now you are getting into this dating partner as opposed to another type of relationship? And I guess you have answered that question the best you could.

I wonder if the staff has had a chance to locate where the opt-out provision is? I only had a brief chance, as I said, on our computer screen to scroll down and I was unable to see it. I see staff has had a chance to sort of go through his notebook there and—

Mr. CONKLIN. Our understanding by the folks is that the curriculum is for the parents to look at and parents can opt themselves out, whether it is, regardless, written in this law, but parents still have the right to come in and examine.

Mr. GABIG. All right. So that is a very important answer there, I think, that you had a chance to somewhat correct the record to a representation that you made to this House and largely to the people of Pennsylvania that there was an opt-out for parents that were not interested in this for, say, a 12-year-old. And now you are saying in the bill that there is no opt-out. So do you agree with me that that is different than what you said before and represented to us, and do you agree with me that perhaps as we stated earlier it might be better if we sent this back for a little bit more staff work to get it done in the way that you said you wanted done? I am sure you were not misleading us on purpose. You thought it was in there; it is not in there.

Before we are asked to vote on it, should it not at least be what the maker of the bill – yourself, Mr. Speaker – wants to put in there, has said that he wants in there? Will you consider holding off on this until we are able to at least get that piece in there, Mr. Speaker?

Mr. CONKLIN. Thank you so much.

As I said before, according to the folks, a parent can – the reason it is not in – opt out of classes.

Thank you, Mr. Speaker.

Mr. GABIG. My son wanted to go to baseball practice today and I do not think the school was going to let him opt out of classes early to go to baseball practice. I am not a big-city lawyer; I am a small-town lawyer, but are you honestly telling this House that students can just opt out of classes and that is what you are relying on as an opt-out provision, when you said

before that is what you thought was in here, that kids could just say, I do not want to go, and you think they are going to get away with that in school, Mr. Speaker?

Mr. CONKLIN. Thank you, Mr. Speaker.

If you could play that back to me as that is what I said; I do not believe that is what I said. Thank you very much. But as we said, it is in that parents can opt out of classes. And, Mr. Speaker, I hope you are not abdicating that children should be able to opt out on themselves. Thank you.

Mr. GABIG. That would conclude my interrogation, Mr. Speaker. On the bill, please.

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

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

I would just really ask us to step back here for a minute. I know there has been some controversy about this bill and I did not see that provision which the maker said was in there. I think that is an important provision that maybe some people could support if there was an opt-out and are not going to be able to if there is not. So I just think that the thing is not ready for prime time, this bill. I think it needs more work. It is well-intended. So I just ask my colleagues to consider that as we move forward.

The SPEAKER. On final passage, the Chair recognizes the gentledady from Mercer County, Representative Brooks, for the second time.

Mrs. BROOKS. Could we have just a moment, Mr. Speaker?

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

Mrs. BROOKS. I just had a question for the maker of the bill on some of his comments, please?

The SPEAKER. On final passage, the gentleman from Centre County, Representative Conklin, stands for interrogation. The gentledady is in order and may proceed.

Mrs. BROOKS. Thank you, Mr. Speaker.

Earlier I had made comments on the opt-in or opt-out and you had firmly said that was in the legislation. You also said that the parents, although it is not in the legislation, that parents would still have a way to opt out. Is this required by the Department of Education if it becomes law for school districts to offer this course?

Mr. CONKLIN. I could not hear the question, but again, I apologize for any confusion. It falls, basically, under the education course, that there is an opt-out provision within these courses. Sorry that we did not clarify, but when we talked to staff, we just thought that since it was part of the whole decision, that folks would understand that this would not exclude that opt-out provision if it was not clearly stated word for word, but you can because the provisions that are already entailed within the educational system will give you that ability to do that, if you so wish.

Mrs. BROOKS. Where in the School Code does that say that?

Mr. CONKLIN. Thank you, Mr. Speaker.

Now, I am going to read slowly with the staff person next to me because I thank the gentledady for bringing this up. And for the gentledady, what we are doing is that the bill itself on – I believe they have the page up for us – will take you and refer to the School Code, which is in the regulation. I want to make sure I get the terminology correct so I am not disputed by folks who are so caring.

Chapter 4, section (d)(3), which is "The right to have their children excused from specific instruction that conflicts with their religious beliefs, upon receipt..." – of the school districts,

including charter schools, AVTS (area vocational-technical schools), or intermediate units, of the writer's – "...request from the parents or guardians."

Mrs. BROOKS. That is religious beliefs; that does not answer my question as far as a program like this, to allow you to opt out. The way my daughter should handle herself on a date – it is not all-encompassing as far as religious beliefs.

The SPEAKER. The gentlelady from Mercer County is still in order and may proceed.

Mrs. BROOKS. A question for the maker of the legislation: Would you consider, since there is so much ambiguity as far as interpreting whether a parent has the right to opt in or opt out and have oversight as to what is being taught to their child, would you consider a motion to recommit, put an opt-in clause in there, or an opt-out clause, to give that parental choice and bring it back to the House floor?

Mr. CONKLIN. Thank you, Mr. Speaker.

I believe that is clearly covered within the legislation by reverting back to the other legislation that would precede it, within the School Code.

Mrs. BROOKS. I was hoping that we could have a piece of legislation that would actually give parental consent, and so I am done with my interrogation. If I could speak on the bill, please?

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

Mrs. BROOKS. Thank you.

It is very disconcerting that there are comments that are made that it is very clear that parents have the right to opt out of this, when really, in the legislation it does not state that. And in any other program we pass, the opt-out provision is included in the bill. All we are asking is that parents have the choice as to whether their child participates in this program, so it stays in line with the parental beliefs. I am a mother of a 16-year-old; I want our children to be safe on dates, but I also should have a choice as a parent as to what is being taught on what my daughter should be doing on a date.

MOTION TO RECOMMIT

Mrs. BROOKS. Mr. Speaker, I would like to make another motion to recommit so that this is corrected, so we can offer that provision, and this vote can be unanimous.

The SPEAKER. The gentlelady from Mercer County, Representative Brooks, makes the motion to recommit to the Committee on Education?

Mrs. BROOKS. Yes.

The SPEAKER. The gentlelady from Mercer County, Representative Brooks, makes the motion to recommit HB 2026 to the Committee on Education.

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

PARLIAMENTARY INQUIRY

The SPEAKER. On that motion, the Chair recognizes the gentleman from Centre County, Representative Conklin.

Mr. CONKLIN. Parliamentary inquiry, Mr. Speaker?

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. CONKLIN. This will be the second recommittal vote. Is that proper under the rules?

The SPEAKER. There was intervening business conducted. The motion would be in order.

Mr. CONKLIN. Any votes taken?

My understanding is discussion is not intervening business; votes are.

The SPEAKER. Debate is intervening business. There was ample discussion on the floor during debate that could have changed members' minds. Therefore, there was intervening business and debate falls within that category of intervening business.

On the motion. The gentleman is still in order.

Mr. CONKLIN. I do not wish to challenge the Chair. No; I do not wish to challenge the Chair. I will take the Chair's ruling.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. EACHUS. Mr. Speaker, I understand the gentlelady's motion, but my actions are the same. This bill has been well discussed at the committee level. We have had a good debate here today and we are ready for action, because protecting teens and creating more awareness about teen violence is where the heart of this bill is. I oppose the recommittal motion.

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

Mr. EVERETT. Thank you, Mr. Speaker.

I rise to support the motion to recommit. When we were in caucus today, I thought I fully understood this bill and when we got on the floor, when we were first discussing it, I thought I had a handle on it, and with the debate that we have had and the questions that have not been able to be answered, I think that this bill is not ready for action, that it does need some fine-tuning, to say the least.

I think that this is a great purpose that is being pursued, but I do not think that this bill is ready for prime time, to be voted on, and I would ask that the members would support the motion to recommit.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the motion, the Chair recognizes the gentlelady from Mercer County, Representative Brooks.

Mrs. BROOKS. Thank you, Mr. Speaker.

Earlier we actually voted on a bill that encourages parental involvement, but now we are on a piece of legislation that is for our children and they want to discourage parental involvement. All we are asking is to include parents in this very important discussion. All we are asking is to have a unanimous vote on this house floor to allow the parent to make the choice, be part of their child's education, to opt in or opt out of this program.

Thank you, Mr. Speaker.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 2026 CONTINUED

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

The following roll call was recorded:

YEAS—92

Adolph	Gabig	Major	Quigley
Baker	Gabler	Marshall	Quinn
Bear	Geist	Marsico	Rapp
Benninghoff	Gillespie	Metcalfe	Reed
Beyer	Gingrich	Metzgar	Reese
Boback	Godshall	Micozzie	Reichley
Boyd	Grell	Millard	Roae
Brooks	Grove	Miller	Rock
Causer	Harhart	Milne	Ross
Christiana	Harper	Moul	Saylor
Civera	Harris	Murt	Scavello
Clymer	Helm	Mustio	Schroder
Cox	Hennessey	O'Brien, D.	Smith, S.
Creighton	Hess	O'Neill	Sonney
Cutler	Hickernell	Oberlander	Stern
Day	Hornaman	Payne	Stevenson
Delozier	Hutchinson	Peifer	Swanger
Denlinger	Kauffman	Perry	Tallman
DiGirolamo	Keller, M.K.	Perzel	True
Evans, J.	Killion	Petri	Turzai
Everett	Knowles	Phillips	Verab
Fairchild	Krieger	Pickett	Vulakovich
Fleck	Maher	Pyle	Watson

NAYS—97

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

NOT VOTING—0

EXCUSED—11

Barrar	Donatucci	Mahoney	Taylor, J.
Cruz	Ellis	Miccarelli	Thomas
Curry	Farry	Rohrer	

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

On the question recurring,
Shall the bill pass finally?

The SPEAKER. On that question, the Chair recognizes the gentledady from Warren County, Representative Rapp.

Ms. RAPP. Thank you, Mr. Speaker.

Mr. Speaker, I am basically going to be following up with the comments from what the gentledady from Mercer County has stated. Yesterday on second consideration, I brought up the fact that this bill requires parents to put in writing a request to even look at the curriculum. Now we have a situation, Mr. Speaker, where supposedly there is an opt-out section of this bill and we find it does not exist.

I was observing the executive director of the Education Committee while he was trying to find the section that actually speaks to a parent's right to opt out. I also saw him use his cell phone to make a phone call to whomever, I am assuming to try and find out where exactly in the School Code that is referenced. Now, I would like to ask the members here: We have parents all across this Commonwealth. If the executive director of the Education Committee has to try and find that reference, make phone calls, do we really think that parents are going to know where to find that information in the School Code, that they have the right to opt out? And as was read, it was only for religious reasons. It has to be in writing.

So if you go to your principal and you have any questions regarding opting out your child and you are just speaking to him verbally, they do not really have to give you any information, because guess what? It is not in writing, and this piece of legislation requires that you put it in writing. They do not have to do anything. They do not even have to tell you, well, put it in writing and we will give you and let you examine the curriculum. Put it in writing and we will let you opt out, because if you do it verbally, guess what? They do not have to comply with your wishes.

Again, Mr. Speaker, all across this Commonwealth school districts, teachers are saying to parents, be involved in your child's education. As the last speaker said as well, we just passed parental involvement programs, which I support. In my opinion, that allows for school districts to establish the programs; it does not force parents to be involved. But, Mr. Speaker, this bill raises more questions than what the sponsor of the bill can give answers to. And for that reason, Mr. Speaker, I am going to make a motion that we table this piece of legislation until this bill is fixed and until the opt-in and the concerns of the legislators, because if we have those concerns, I am sure parents across this Commonwealth are going to have those same concerns and they do not have the information at their fingertips that we have, that our committee people have.

MOTION TO TABLE

Ms. RAPP. So, Mr. Speaker, I make a motion that we table this piece of legislation until some of the issues that we have raised are put into the legislation.

Thank you, Mr. Speaker.

MOTION WITHDRAWN

The SPEAKER. It was the Speaker's intention to put this legislation on the final passage postponed calendar. If the lady would withdraw her motion, I will make that announcement from the rostrum, and the sponsor can work on an amendment to the legislation.

Ms. RAPP. Yes, Mr. Speaker.

BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR

The SPEAKER. It is the Chair's intent, without objection, to place HB 2026 on the final passage postponed calendar.

The House proceeded to third consideration of HB 2280, PN 3260, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS-171

Table listing names of members who voted 'YEAS' for HB 2280, including Adolph, Baker, Barbin, Bear, Belfanti, Benninghoff, Beyer, Bishop, Boback, Boyd, Boyle, Bradford, Brennan, Briggs, Brooks, Brown, Burns, Buxton, Fabrizio, Fairchild, Fleck, Frankel, Freeman, Gabig, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillespie, Gingrich, Godshall, Goodman, Grell, Grucela, Longjetti, Maher, Major, Manderino, Mann, Markosek, Marshall, Marsico, Matzie, McGeehan, McI. Smith, Melio, Metzgar, Micozzie, Millard, Miller, Milne, Mirabito, Readshaw, Reed, Reichley, Roebuck, Ross, Sabatina, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schroder, Seip, Shapiro, Siptroth, Smith, K., Smith, M.

Table listing names of members who did not vote 'YEAS', including Caltagirone, Carroll, Casorio, Christiana, Civera, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Cutler, Daley, Day, Deasy, Delozier, DeLuca, DePasquale, Dermody, DeWeese, DiGirolamo, Drucker, Eachus, Evans, D., Evans, J., Everett, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Helm, Hennessey, Hess, Hickernell, Hornaman, Houghton, Johnson, Josephs, Keller, W., Kessler, Killion, Kirkland, Knowles, Kortz, Kotik, Kula, Lentz, Levdansky, Moul, Mundy, Murphy, Murt, Mustio, Myers, O'Brien, D., O'Brien, M., O'Neill, Oliver, Pallone, Parker, Pashinski, Payne, Payton, Peifer, Perzel, Petrarca, Petri, Phillips, Pickett, Preston, Pyle, Quigley, Quinn, Smith, S., Solobay, Sonney, Staback, Stern, Stevenson, Sturla, Taylor, R., True, Turzai, Vereb, Vitali, Vulakovich, Wagner, Wansacz, Waters, Watson, Wheatley, White, Williams, Youngblood, Yudichak, McCall, Speaker.

NAYS-18

Table listing names of members who voted 'NAYS', including Causer, Creighton, Denlinger, Gabler, Grove, Hutchinson, Kauffman, Keller, M.K., Krieger, Metcalfe, Oberlander, Perry, Rapp, Reese, Roae, Rock, Swanger, Tallman.

NOT VOTING-0

EXCUSED-11

Table listing names of members who were 'EXCUSED', including Barrar, Cruz, Curry, Donatucci, Ellis, Farry, Mahoney, Miccarelli, Rohrer, Taylor, J., Thomas.

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

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

The House proceeded to third consideration of HB 2281, PN 3261, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

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—168

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

NAYS—21

Brooks	Gabler	Metcalfe	Rapp
Causar	Hutchinson	Metzgar	Roae
Cox	Kauffman	Moul	Rock
Creighton	Keller, M.K.	Oberlander	Swanger
Cutler	Krieger	Perry	Tallman
Denlinger			

NOT VOTING—0

EXCUSED—11

Barrar	Donatucci	Mahoney	Taylor, J.
Cruz	Ellis	Miccarelli	Thomas
Curry	Farry	Rohrer	

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

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

* * *

The House proceeded to third consideration of **HB 2282, PN 3262**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

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—171

Adolph	Fairchild	Longietti	Readshaw
Baker	Fleck	Maher	Reed
Barbin	Frankel	Major	Reichley
Bear	Freeman	Manderino	Roebuck
Belfanti	Gabig	Mann	Ross
Benninghoff	Galloway	Markosek	Sabatina
Beyer	Geist	Marshall	Sainato
Bishop	George	Marsico	Samuelson
Boback	Gerber	Matzie	Santarsiero
Boyd	Gergely	McGeehan	Santoni
Boyle	Gibbons	McI. Smith	Saylor
Bradford	Gillespie	Melio	Scavello
Brennan	Gingrich	Metzgar	Schroder
Briggs	Godshall	Micozzie	Seip
Brooks	Goodman	Millard	Shapiro
Brown	Grell	Miller	Siptroth
Burns	Grove	Milne	Smith, K.
Buxton	Grucela	Mirabito	Smith, M.
Caltagirone	Haluska	Mundy	Smith, S.
Carroll	Hanna	Murphy	Solobay
Casorio	Harhai	Murt	Sonney
Christiana	Harhart	Mustio	Staback
Civera	Harkins	Myers	Stern
Clymer	Harper	O'Brien, D.	Stevenson
Cohen	Harris	O'Brien, M.	Sturla
Conklin	Helm	O'Neill	Taylor, R.
Costa, D.	Hennessey	Oliver	True
Costa, P.	Hess	Pallone	Turzai
Cutler	Hickernell	Parker	Vereb
Daley	Hornaman	Pashinski	Vitali
Day	Houghton	Payne	Vulakovich
Deasy	Johnson	Payton	Wagner
DeLozier	Josephs	Peifer	Wansacz
DeLuca	Keller, W.	Perry	Waters
DePasquale	Kessler	Perzel	Watson
Dermody	Killion	Petrarca	Wheatley
DeWeese	Kirkland	Petri	White
DiGirolamo	Knowles	Phillips	Williams
Drucker	Kortz	Pickett	Youngblood
Eachus	Kotik	Preston	Yudichak

Evans, D.	Kula	Pyle	
Evans, J.	Lentz	Quigley	McCall,
Everett	Levdansky	Quinn	Speaker
Fabrizio			

NAYS-18

Causer	Hutchinson	Moul	Roae
Cox	Kauffman	Oberlander	Rock
Creighton	Keller, M.K.	Rapp	Swanger
Denlinger	Krieger	Reese	Tallman
Gabler	Metcalfe		

NOT VOTING-0

EXCUSED-11

Barrar	Donatucci	Mahoney	Taylor, J.
Cruz	Ellis	Miccarelli	Thomas
Curry	Farry	Rohrer	

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

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

* * *

The House proceeded to third consideration of **HB 2283, PN 3263**, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2010, to June 30, 2011, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2010.

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-174

Adolph	Fairchild	Levdansky	Readshaw
Baker	Fleck	Longiotti	Reed
Barbin	Frankel	Maher	Reichley
Bear	Freeman	Major	Rock
Belfanti	Gabig	Manderino	Roebuck
Benninghoff	Galloway	Mann	Ross
Beyer	Geist	Markosek	Sabatina
Bishop	George	Marshall	Sainato
Boback	Gerber	Marsico	Samuelson
Boyd	Gergely	Matzie	Santarsiero
Boyle	Gibbons	McGeehan	Santoni

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

NAYS-15

Causer	Gabler	Oberlander	Roae
Cox	Hutchinson	Pallone	Swanger
Creighton	Krieger	Rapp	Watson
Denlinger	Metcalfe	Reese	

NOT VOTING-0

EXCUSED-11

Barrar	Donatucci	Mahoney	Taylor, J.
Cruz	Ellis	Miccarelli	Thomas
Curry	Farry	Rohrer	

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

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

* * *

The House proceeded to third consideration of **HB 2284, PN 3264**, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2010, to June 30, 2011, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2010.

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—174

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

NAYS—15

Causar	Gabler	Oberlander	Roae
Cox	Hutchinson	Pallone	Swanger
Creighton	Krieger	Rapp	Watson
Denlinger	Metcalfe	Reese	

NOT VOTING—0

EXCUSED—11

Barrar	Donatucci	Mahoney	Taylor, J.
Cruz	Ellis	Miccarelli	Thomas
Curry	Farry	Rohrer	

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

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

* * *

The House proceeded to third consideration of **HB 2285, PN 3274**, 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, 2010, to June 30, 2011, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2010.

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—149

Adolph	Frankel	Manderino	Ross
Barbin	Freeman	Mann	Sabatina
Belfanti	Galloway	Markosek	Sainato
Benninghoff	Geist	Marshall	Samuelson
Beyer	George	Matzie	Santarsiero
Bishop	Gerber	McGeehan	Santoni
Boyle	Gergely	McI. Smith	Saylor
Bradford	Gibbons	Melio	Scavello
Brennan	Gillespie	Micozzie	Schroder
Briggs	Godshall	Millard	Seip
Brown	Goodman	Miller	Shapiro
Burns	Grell	Milne	Siptroth
Buxton	Grove	Mirabito	Smith, K.
Caltagirone	Grucela	Mundy	Smith, M.
Carroll	Haluska	Murphy	Smith, S.
Casorio	Hanna	Murt	Solobay
Christiana	Harhart	Mustio	Sonney
Civera	Harkins	Myers	Staback
Cohen	Harper	O'Brien, D.	Stevenson
Conklin	Helm	O'Brien, M.	Sturla
Costa, D.	Hennessey	O'Neill	Taylor, R.
Costa, P.	Hess	Oliver	Turzai
Daley	Hornaman	Parker	Vereb
Day	Houghton	Pashinski	Vitali
Deasy	Johnson	Payne	Vulakovich
Delozier	Josephs	Payton	Wagner
DeLuca	Keller, W.	Peifer	Wansacz
DePasquale	Kessler	Perzel	Waters
Dermody	Killion	Petri	Watson
DeWeese	Kirkland	Phillips	Wheatley
DiGirolo	Kortz	Pickett	White
Drucker	Kotik	Preston	Williams
Eachus	Kula	Quigley	Youngblood
Evans, D.	Lentz	Quinn	Yudichak

Evans, J.	Levdansky	Readshaw	
Everett	Longietti	Reed	McCall,
Fabrizio	Maher	Reichley	Speaker
Fairchild	Major	Roebuck	

NAYS—40

Baker	Denlinger	Keller, M.K.	Petrarca
Bear	Fleck	Knowles	Pyle
Boback	Gabig	Krieger	Rapp
Boyd	Gabler	Marsico	Reese
Brooks	Gingrich	Metcalfe	Roae
Causser	Harhai	Metzgar	Rock
Clymer	Harris	Moul	Stern
Cox	Hickernell	Oberlander	Swanger
Creighton	Hutchinson	Pallone	Tallman
Cutler	Kauffman	Perry	True

NOT VOTING—0

EXCUSED—11

Barrar	Donatucci	Mahoney	Taylor, J.
Cruz	Ellis	Miccarelli	Thomas
Curry	Farry	Rohrer	

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

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

* * *

The House proceeded to third consideration of **HB 2286, PN 3265**, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2010, to June 30, 2011, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2010.

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—169

Adolph	Fabrizio	Longietti	Reed
Baker	Fairchild	Maher	Reichley
Barbin	Fleck	Major	Roebuck
Bear	Frankel	Manderino	Ross
Belfanti	Freeman	Mann	Sabatina

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

NAYS—20

Brooks	Hutchinson	Metcalfe	Reese
Cox	Kauffman	Metzgar	Roae
Creighton	Keller, M.K.	Moul	Rock
Denlinger	Knowles	Oberlander	Swanger
Gabler	Krieger	Rapp	Tallman

NOT VOTING—0

EXCUSED—11

Barrar	Donatucci	Mahoney	Taylor, J.
Cruz	Ellis	Miccarelli	Thomas
Curry	Farry	Rohrer	

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

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

* * *

The House proceeded to third consideration of **HB 2287, PN 3266**, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission; and providing for the additional appropriation of Federal funds from the General Fund to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2009, to June 30, 2010.

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—166

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

NAYS—23

Beyer	Gabler	Moul	Reichley
Brooks	Hutchinson	Oberlander	Roae
Causar	Kauffman	Pallone	Rock
Cox	Keller, M.K.	Petrarca	Swanger
Creighton	Krieger	Rapp	Tallman
Denlinger	Metcalfe	Reese	

NOT VOTING—0

EXCUSED—11

Barrar	Donatucci	Mahoney	Taylor, J.
Cruz	Ellis	Miccarelli	Thomas
Curry	Farry	Rohrer	

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

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

* * *

The House proceeded to third consideration of **HB 2289, PN 3267**, entitled:

An Act providing for the capital budget for the fiscal year 2010-2011.

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—132

Adolph	Everett	Levdansky	Readshaw
Baker	Fabrizio	Longiotti	Roebuck
Barbin	Fairchild	Major	Sabatina
Belfanti	Fleck	Manderino	Sainato
Benninghoff	Frankel	Mann	Samuelson
Bishop	Freeman	Markosek	Santarsiero
Boyle	Galloway	Marshall	Santoni
Bradford	Geist	Marsico	Saylor
Brennan	George	Matzie	Seip
Briggs	Gerber	McGeehan	Shapiro
Brown	Gergely	McI. Smith	Siptroth
Burns	Gibbons	Melio	Smith, K.
Buxton	Godshall	Micozzie	Smith, M.
Caltagirone	Goodman	Millard	Smith, S.
Carroll	Grove	Mirabito	Solobay
Casorio	Grucela	Mundy	Sonney
Causar	Haluska	Murphy	Staback
Christiana	Hanna	Murt	Sturla
Civera	Harhai	Myers	Taylor, R.
Cohen	Harkins	O'Brien, D.	Vereb
Conklin	Harper	O'Brien, M.	Vitali
Costa, D.	Hess	O'Neill	Wagner
Costa, P.	Hornaman	Oliver	Wansacz
Daley	Houghton	Parker	Waters
Deasy	Johnson	Pashinski	Watson
DeLuca	Josephs	Payton	Wheatley
DePasquale	Keller, W.	Perzel	White
Dermody	Kessler	Petrarca	Williams
DeWeese	Killion	Petri	Youngblood
DiGirolamo	Kirkland	Phillips	Yudichak

Drucker	Kortz	Pickett	
Eachus	Kotik	Preston	McCall,
Evans, D.	Kula	Quinn	Speaker
Evans, J.	Lentz		

NAYS—57

Bear	Gingrich	Metzgar	Reese
Beyer	Grell	Miller	Reichley
Boback	Harhart	Milne	Roae
Boyd	Harris	Moul	Rock
Brooks	Helm	Mustio	Ross
Clymer	Hennessey	Oberlander	Scavello
Cox	Hickernell	Pallone	Schroder
Creighton	Hutchinson	Payne	Stern
Cutler	Kauffman	Peifer	Stevenson
Day	Keller, M.K.	Perry	Swanger
Delozier	Knowles	Pyle	Tallman
Denlinger	Krieger	Quigley	True
Gabig	Maher	Rapp	Turzai
Gabler	Metcalfe	Reed	Vulakovich
Gillespie			

NOT VOTING—0

EXCUSED—11

Barrar	Donatucci	Mahoney	Taylor, J.
Cruz	Ellis	Miccarelli	Thomas
Curry	Farry	Rohrer	

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

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

* * *

The House proceeded to third consideration of **HB 2290, PN 3275**, entitled:

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, further providing for appropriation for and limitation on redevelopment assistance capital projects.

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

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

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

On the question, shall the bill pass finally, the Chair recognizes the gentleman from Delaware County, Representative Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to remind the members that HB 2290 amends the Capital Facilities Debt Enabling Act, which increases the limit on the RCAP (Redevelopment Assistance Capital Program) projects.

Mr. Speaker, this legislation will allow the State to increase its allowable debt relative to the RCAP projects by \$800 million from the current ceiling of \$3.45 billion to \$4.25 billion. Mr. Speaker, the estimated annual debt service on this cap, if approved, would be \$327 million. Estimated repayment over 20 years, with a 4.5-percent interest rate, on a \$4.25 billion RCAP ceiling would total \$6.53 billion. Mr. Speaker, under this current ceiling of \$3.45 billion, \$200 million is available for commitment immediately. Another \$1.25 billion has been committed but debt has not been issued. The \$1.25 billion represents promises made by the Governor. This debt service cost would total \$1.23 billion to issue another \$800 million, assuming a 20-year repayment schedule, 4.5 percent interest, and level debt service.

Mr. Speaker, the House Republicans in the Appropriations Committee oppose this legislation because we feel, during this recession period that the nation is undergoing and the State is undergoing, that now is not the time to increase our debt, and this would hurt our future financial liabilities.

I urge my colleagues for a "no" vote on this legislation. Thank you.

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

Mr. TURZAI. Mr. Speaker, this would be the fourth increase in the RCAP under this administration. At the end of Governor Schweiker's administration, the debt stood at \$1.5 billion. The second credit card was taken out in 2004 for \$640 million. The third credit card was taken out in 2005 at \$500 million. The fourth credit card in 2008 was taken out for \$800 million. The limit stands at \$3.45 billion. Keep in mind, these lines of credit on these credit cards are revolving. As we pay off the debt service, principal, interest, and fees, this money can be resented out again – because it is a cap on your credit card – can be resented out again and borrowed again. So it is not a finite borrowing amount. It means you can borrow, up to now it would be \$4.25 billion, an increase of 180 percent over the Schweiker administration, on your credit cards, and it is a revolving line of credit. For every dollar we borrow, we are paying back about a dollar and a half in interest, and that is your kids and grandkids that are paying that debt service off.

The State general obligation debt outstanding for '09-'10 now stands at close to \$10 billion. In 2002, the last year of that Ridge-Schweiker administration, it stood at just about \$6 billion. This is a 53-percent increase, without enacting this particular bill, in 8 years' time. Total State debt, including State agencies and authorities, stands at \$43 billion. In 2002 it was almost half that. That is an increase of 82 percent in 8 years' time. Why would we possibly think about increasing the credit card or taking out a fifth credit card of \$800 million in this time when we should be reducing spending, ultimately cutting taxes, as opposed to borrowing more money to burden our kids and grandkids? This one is not even close.

We urge everybody to vote "no."

The SPEAKER. The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman from Adams County, Representative Moul.

Mr. MOUL. Thank you, Mr. Speaker.

I would just like to bring to everyone's attention in the House today that last year our interest payments alone approached \$400 million on this money that we have borrowed. Just think how many school systems you could operate on \$400 million,

and that was interest payments alone. Now we are looking at increasing the debt another \$800 million. That is exactly what is going on in Washington, DC, and our country is in an uproar about it. Let us not make the same mistake here by increasing this debt load to our children, our grandchildren, my future great-grandchildren that are not even born yet.

I would appreciate a "no" vote on this so that they can live a decent life without paying off our debts that we are creating today.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia County, the chairman of the House Appropriations Committee, Representative Evans.

Mr. D. EVANS. Mr. Speaker, I just want to remind the members, this is about job creation. So at the end of the day, Mr. Speaker, this reinvests into the 67 counties, Democrats and Republicans. It is not just about the Governor.

The record is clear that every member on both sides of the aisle has participated in the redevelopment assistance. So you need to be clear that this is allowing us next week, I think on Monday, we will vote the bill where we have done line items around capital projects. All of you on both sides of the aisle have submitted items in that bill. In order for the implementation of that bill, this bill has to pass. So you cannot do anything with the bill we will do next week if this bill does not pass.

Secondly, secondly, Pennsylvania has a AA rating on the issue of debt.

Thirdly, in terms of the Moody's rating, it has been rated at plus-A since 2000; Standard & Poor's, AA; Fritz, AA. Pennsylvania has maintained a AA rating; at least 29 States have seen their rating downgraded and Pennsylvania's rating is up.

Also, Pennsylvania's debt, the percentage of personal income, was ranked 27th among the 50 States in 2009, and according to Moody's, the Commonwealth's debt as a percentage of personal income is 2.2 percent.

Now, I say all that to you, at the end of the day, with us moving in terms of this economy, we need to keep investing in our communities in terms of our infrastructure, in terms of our development. So I understand what the gentlemen have both said on that side of the aisle, but what I am trying to say is that this does not need to be a partisan issue. This needs to be an issue about reinvesting in jobs. So it is clear that we need this to occur in order for the capital bill we have relating to the projects that we have in our communities.

A number of members on both sides of the aisle have used this capital project; counties have used it; townships have used it. It is clear to me, this needs not to be partisan. We need to work together on creating jobs. I would ask that we would vote "yes" on HB 2290.

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—104

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

NAYS—85

Adolph	Gabig	Marsico	Rapp
Baker	Gabler	Metcalfe	Reed
Bear	Gillespie	Metzgar	Reese
Benninghoff	Gingrich	Millard	Reichley
Beyer	Grell	Miller	Roae
Boback	Grove	Milne	Rock
Boyd	Harhart	Moul	Ross
Brooks	Harper	Murt	Saylor
Causer	Harris	Mustio	Scavello
Christiana	Helm	O'Neill	Schroder
Civera	Hennessey	Oberlander	Smith, S.
Clymer	Hess	Pallone	Sonney
Cox	Hickernell	Payne	Stern
Creighton	Hutchinson	Peifer	Stevenson
Cutler	Kauffman	Perry	Swanger
Day	Keller, M.K.	Petri	Tallman
Delozier	Killion	Phillips	True
Denlinger	Knowles	Pickett	Turzai
Evans, J.	Krieger	Pyle	Vereb
Everett	Maher	Quigley	Vulakovich
Fairchild	Major	Quinn	Watson
Fleck			

NOT VOTING—0

EXCUSED—11

Barrar	Donatucci	Mahoney	Taylor, J.
Cruz	Ellis	Miccarelli	Thomas
Curry	Farry	Rohrer	

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.

HB 2289 RECONSIDERED

The SPEAKER. The Speaker has in his possession a motion to reconsider the vote on HB 2289, PN 3267, as it passed the House on the 15th day of March, and they ask that that vote be reconsidered, signed by the gentleman, Representative Payne, and the gentleman, Mr. Reichley.

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

The following roll call was recorded:

YEAS—183

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

NAYS—6

Casorio	McI. Smith	Pallone	Santoni
Hutchinson	Mundy		

NOT VOTING—0

EXCUSED—11

Barrar	Donatucci	Mahoney	Taylor, J.
Cruz	Ellis	Miccarelli	Thomas
Curry	Farry	Rohrer	

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

On the question recurring,
Shall the bill pass finally?

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—133

Adolph	Fabrizio	Lentz	Readshaw
Barbin	Fairchild	Levdansky	Reichley
Belfanti	Fleck	Longiatti	Roebuck
Beyer	Frankel	Manderino	Sabatina
Bishop	Freeman	Mann	Sainato
Boyle	Galloway	Markosek	Samuelson
Bradford	Geist	Marshall	Santarsiero
Brennan	George	Marsico	Santoni
Briggs	Gerber	Matzie	Seip
Brown	Gergely	McGeehan	Shapiro
Burns	Gibbons	McI. Smith	Siptroth
Buxton	Godshall	Melio	Smith, K.
Caltagirone	Goodman	Micozzie	Smith, M.
Carroll	Grell	Millard	Smith, S.
Casorio	Grucela	Mirabito	Solobay
Causar	Haluska	Mundy	Sonney
Civera	Hanna	Murphy	Staback
Clymer	Harhai	Murt	Sturla
Cohen	Harhart	Myers	Taylor, R.
Conklin	Harkins	O'Brien, D.	Vereb
Costa, D.	Harper	O'Brien, M.	Vitali
Costa, P.	Helm	O'Neill	Wagner
Daley	Hess	Oliver	Wansacz
Day	Hornaman	Parker	Waters
Deasy	Houghton	Pashinski	Watson
DeLuca	Johnson	Payne	Wheatley
DePasquale	Josephs	Payton	White
Dermody	Keller, W.	Perzel	Williams
DeWeese	Kessler	Petrarca	Youngblood
DiGirolamo	Killion	Petri	Yudichak
Drucker	Kirkland	Phillips	
Eachus	Kortz	Preston	McCall,
Evans, D.	Kotik	Pyle	Speaker
Evans, J.	Kula	Quinn	

NAYS—56

Baker	Gabler	Metcalfe	Reese
Bear	Gillespie	Metzgar	Roae
Benninghoff	Gingrich	Miller	Rock
Boback	Grove	Milne	Ross
Boyd	Harris	Moul	Saylor
Brooks	Hennessey	Mustio	Scavello
Christiana	Hickernell	Oberlander	Schroder
Cox	Hutchinson	Pallone	Stern
Creighton	Kauffman	Peifer	Stevenson
Cutler	Keller, M.K.	Perry	Swanger

Delozier	Knowles	Pickett	Tallman
Denlinger	Krieger	Quigley	True
Everett	Maher	Rapp	Turzai
Gabig	Major	Reed	Vulakovich

NOT VOTING—0

EXCUSED—11

Barrar	Donatucci	Mahoney	Taylor, J.
Cruz	Ellis	Miccarelli	Thomas
Curry	Farry	Rohrer	

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.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 58, PN 41 By Rep. OLIVER

An Act amending the act of June 13, 2008 (P.L.182, No.27), known as the Clean Indoor Air Act, repealing provisions relating to preemption of local ordinances.

HEALTH AND HUMAN SERVICES.

HB 1361, PN 2621 By Rep. OLIVER

An Act establishing the Family Caregiver Support Advisory Board within the Department of Public Welfare; and providing for its powers and duties.

HEALTH AND HUMAN SERVICES.

RESOLUTION REPORTED FROM COMMITTEE

HR 681, PN 3356 By Rep. OLIVER

A Resolution urging the Congress of the United States to pass and the President of the United States to sign legislation to extend the Federal Medical Assistance Percentage extension for the states' Medicaid programs to June 30, 2011.

HEALTH AND HUMAN SERVICES.

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

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be removed from the tabled bill calendar:

HB 406;
HB 967;
HB 1090;
HB 1747;
HB 1812;
HB 1863;

HB 2178;
HB 2221;
SB 126;
SB 908;
SB 909;
SB 910;
SB 911;
SB 912;
SB 913; and
SB 987.

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

BILLS RECOMMITTED

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

HB 406;
HB 967;
HB 1090;
HB 1747;
HB 1812;
HB 1863;
HB 2178;
HB 2221;
SB 126;
SB 908;
SB 909;
SB 910;
SB 911;
SB 912;
SB 913; and
SB 987.

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 2291 be removed from the tabled bill calendar and placed on the active calendar.

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

STATE GOVERNMENT COMMITTEE MEETING

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

Ms. JOSEPHS. Thank you, Mr. Speaker.

The State Government Committee will meet tomorrow at the call of the Chair in room G-50, Irvis Office Building. We will

be considering HB 1600, HB 1634, and HB 2299, and any other business that comes before the committee. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The State Government Committee will meet tomorrow in room G-50, Irvis Office Building, at the call of the Chair.

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.

ADJOURNMENT

The SPEAKER. The Chair has in its possession a motion to adjourn by Representative Christiana from Beaver County, who moves that this House do now adjourn until Tuesday, March 16, 2010, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 6:02 p.m., e.d.t., the House adjourned.