

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 30, 2010

SESSION OF 2010

194TH OF THE GENERAL ASSEMBLY

No. 43

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (KEITH R. McCALL)
PRESIDING

PRAYER

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

Heavenly Father, as we gather here today on what is close to the eve of the birth of our nation, we praise You, give You thanks, and ask You to bless our country. Surrounded by murals of our past, let us be cognizant of our future, knowing that there are heroes among us who right now are going to battle for the love of our nation and the freedoms we enjoy.

We ask for Your guidance and mercy as we send our loved ones off to battle under the threat of terrorism to fight the good fight in the name of democracy; may they be protected. And as we remember those who serve, let us not forget those who gave their all so that we may celebrate everything we hold as precious and good. Even as we pray, dear Lord, a new symbol flies high and proud over our glorious Capitol as a reminder for us to honor and remember those who have dedicated their lives for our nation. May the Honor and Remember flag that flies today serve as a sign to all that we value – the men and women, mothers and fathers, sons and daughters, who have laid down their lives that we may be free. May we honor their memory and remember the gift they have so selflessly given.

Dear God, bless those who have gone on before us, those who carry the torch, and those who will continue to persevere in the name of life, liberty, and the pursuit of happiness. Keep us safe, keep us free, and give us the strength and courage to protect our country as we celebrate the tenets that we hold sacred in this land of the free and the home of the brave.

God bless us and God bless this remarkable experiment we call America, as one nation, under Your protection, with liberty and justice for all. Amen.

PLEDGE OF ALLEGIANCE

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

HEALTH AND HUMAN SERVICES COMMITTEE MEETING

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

Mr. MYERS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce that at 11:30 the Health and Human Services Committee will meet in room 60, East Wing; at 11:30. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Health and Human Services Committee will meet in room 60, East Wing, at 11:30.

CALENDAR

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 65, PN 4015**, entitled:

An Act amending Title 22 (Detectives and Private Police) of the Pennsylvania Consolidated Statutes, amending the heading of Title 22 and 22 Pa.C.S. Ch. 3; codifying and making extensive revisions to The Private Detective Act of 1953; codifying the Lethal Weapons Training Act; further providing for the definition of "privately employed agents"; providing for the continuation of certain licenses; making an appropriation; and making related repeals.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 65 be removed from the active calendar and recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

GUESTS INTRODUCED

The SPEAKER. To the left of the Speaker, the Chair would like to welcome Marci, Mike, Matthew, and Bryan Pienkowski; Joe and Rose Maier; Jim and Jackie Ryan; and Melanie Young. They are the guests of Representative DiGirolamo. Welcome to the floor of the House. There is a little more activity for our guests, but that will start very shortly.

RECESS

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

AFTER RECESS

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

**RULES AND APPROPRIATIONS
COMMITTEE MEETINGS**

The SPEAKER. There will be an immediate meeting of the House Rules Committee; an immediate meeting of the House Rules Committee in the majority caucus room. Five minutes after the adjournment of that meeting there will be an immediate meeting of the House Appropriations Committee in the majority caucus room. We will return to the floor of the House at 2 p.m.

So an immediate meeting of the Rules Committee followed by an Appropriations Committee meeting, back to the floor by 2 p.m., unless sooner recalled by the Speaker.

SENATE MESSAGE**AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 2279, PN 4032; HB 2285, PN 4033; and HB 2296, PN 4034**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE**HOUSE BILLS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 2280, PN 3260; HB 2281, PN 3261; HB 2282, PN 3262; HB 2283, PN 3263; HB 2284, PN 3264; HB 2287, PN 3266; HB 2292, PN 3268; HB 2293, PN 3269; HB 2294, PN 3270; and HB 2295, PN 3271**, with information that the Senate has passed the same without amendment.

RECESS

The SPEAKER. This House stands in recess until 2 p.m., unless sooner recalled by the Speaker.

AFTER RECESS

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

The SPEAKER. The members will report to the floor.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 875 By Representatives R. TAYLOR, GERBER, BELFANTI, BOYD, BOYLE, BRADFORD, BRIGGS, BROOKS, CLYMER, D. COSTA, CUTLER, DePASQUALE, FRANKEL, FREEMAN, HORNAMAN, JOSEPHS, KAUFFMAN, KORTZ, MILLARD, MURT, MUSTIO, O'NEILL, PYLE, READSHAW, SANTARSIERO, SCHRODER, SHAPIRO, SIPTROTH, M. SMITH, SWANGER, THOMAS, VULAKOVICH, YOUNGBLOOD and ROHRER

A Resolution declaring that Iran's nuclear weapons program represents a severe threat to American national interest and memorializing the President and the Congress of the United States to take immediate action to ensure that Iran does not attain nuclear capability.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 30, 2010.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 2605 By Representatives ROEBUCK, LONGIETTI, WAGNER and HARKINS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for immunity for private independent colleges from liability involving breach of confidentiality regarding student data or records shared with the Department of Education.

Referred to Committee on JUDICIARY, June 30, 2010.

No. 2620 By Representatives REED, REESE, BEYER, BOYD, D. COSTA, DALEY, DENLINGER, FARRY, FLECK, GEORGE, GINGRICH, GROVE, HARHART, HARRIS, KILLION, MILLER, MOUL, MURT, PYLE, RAPP, READSHAW, STERN, SWANGER, TOEPEL and TURZAI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for installment payment plans.

Referred to Committee on JUDICIARY, June 30, 2010.

No. 2621 By Representatives GABLER, BAKER, BEAR, BELFANTI, BENNINGHOFF, BEYER, BRADFORD, BROOKS, CALTAGIRONE, CAUSER, CHRISTIANA, CONKLIN, CREIGHTON, CUTLER, DALEY, DENLINGER, DiGIROLAMO, FAIRCHILD, FARRY, FLECK, GINGRICH, GOODMAN, GROVE, HAHN, HARHART, HARKINS, HELM, HENNESSEY, HESS, HICKERNELL, KAUFFMAN, M. KELLER, KILLION, KIRKLAND, KNOWLES, KORTZ, MAHONEY, MAJOR, MARSICO, MELIO, METZGAR, MICCARELLI, MILLARD, MILNE, MUSTIO, OBERLANDER, O'NEILL, PAYNE, PHILLIPS, PICKETT, PYLE, QUINN, RAPP, READSHAW, ROAE, ROCK, ROSS, SAYLOR, SCAVELLO, SIPTROTH, SONNEY, STERN, STEVENSON, SWANGER, TRUE and YOUNGBLOOD

An Act designating U.S. Route 219 within the Borough of Johnsonburg, Elk County, as the Johnsonburg Veterans' Bypass.

Referred to Committee on TRANSPORTATION, June 30, 2010.

No. 2622 By Representative MILLER

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

Referred to Committee on FINANCE, June 30, 2010.

No. 2623 By Representatives EACHUS, BROWN, BRIGGS, M. O'BRIEN, BAKER, CALTAGIRONE, PYLE, BRENNAN, SWANGER, PHILLIPS, SIPTROTH, VULAKOVICH, SABATINA, MAHONEY, LONGIETTI, HORNAMAN, HALUSKA, D. COSTA, BELFANTI, MILNE, K. SMITH, PARKER, FREEMAN, DALEY, MICOZZIE and DONATUCCI

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, further providing for petitions to deny parole upon expiration of minimum sentence.

Referred to Committee on JUDICIARY, June 30, 2010.

No. 2624 By Representatives WAGNER, CALTAGIRONE, CARROLL, D. COSTA, GEORGE, GERGELY, GIBBONS, HORNAMAN, W. KELLER, KULA, LONGIETTI, MAHER, MAHONEY, PARKER, SANTONI, SEIP, K. SMITH, TURZAI, VULAKOVICH, WHEATLEY and WHITE

An Act amending the act of April 6, 1956 (1955 P.L.1414, No.465), known as the Second Class County Port Authority Act, further providing for board members.

Referred to Committee on TRANSPORTATION, June 30, 2010.

No. 2625 By Representatives CALTAGIRONE, BELFANTI, BRENNAN, BRIGGS, D. COSTA, DeLUCA, GODSHALL, KOTIK, LEVDANSKY, OBERLANDER, M. O'BRIEN, PAYTON, PYLE, SAINATO, SIPTROTH, VULAKOVICH, DEASY and YOUNGBLOOD

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for sole source procurement and for emergency procurement.

Referred to Committee on STATE GOVERNMENT, June 30, 2010.

No. 2626 By Representatives CALTAGIRONE, BELFANTI, BENNINGHOFF, BRENNAN, CASORIO, CONKLIN, D. COSTA, GINGRICH, HALUSKA, HARKINS, HENNESSEY, HORNAMAN, MAHONEY, MILNE, MOUL, MURT, READSHAW, ROCK, SAINATO, SIPTROTH, K. SMITH, STABACK, WATSON and YOUNGBLOOD

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, further providing for restricted activities.

Referred to Committee on STATE GOVERNMENT, June 30, 2010.

No. 2627 By Representatives CALTAGIRONE, BELFANTI, BRENNAN, CUTLER, DENLINGER, FLECK, GOODMAN, HARKINS, JOSEPHS, KORTZ, KULA, MILLARD, MURT, SAYLOR, SCAVELLO, SIPTROTH and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for collection of restitution, reparation, fees, costs, fines and penalties.

Referred to Committee on JUDICIARY, June 30, 2010.

No. 2628 By Representatives SCHRODER, BOYD, CHRISTIANA, D. COSTA, CUTLER, EVERETT, FAIRCHILD, FARRY, FLECK, GABLER, GIBBONS, GINGRICH, GOODMAN, GRELL, HANNA, HELM, HENNESSEY, HICKERNELL, HORNAMAN, KAUFFMAN, M. KELLER, MARSICO, MILLARD, MOUL, MURT, O'NEILL, PYLE, RAPP, READSHAW, REICHLEY, ROAE, SAYLOR, SOLOBAY, STABACK, STEVENSON, SWANGER and VULAKOVICH

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for budget by operation of law.

Referred to Committee on STATE GOVERNMENT, June 30, 2010.

No. 2629 By Representatives D. COSTA, VULAKOVICH, BARBIN, BARRAR, BELFANTI, BRENNAN, BRIGGS, BROWN, CALTAGIRONE, CARROLL, DALEY, DELOZIER, DeLUCA, DERMODY, DONATUCCI, FAIRCHILD, FARRY, GEORGE, GOODMAN, GRUCELA, HORNAMAN, KOTIK, KULA, LONGIETTI, MAHONEY, MANN, MATZIE, MUSTIO, M. O'BRIEN, O'NEILL, PALLONE, PARKER, PAYNE, READSHAW, ROCK, SABATINA, SANTARSIERO, SIPTROTH, SWANGER, J. TAYLOR, R. TAYLOR, WAGNER, WHITE and YOUNGBLOOD

An Act providing for the Pennsylvania Blue Alert System; authorizing and directing the Pennsylvania State Police to establish and maintain the Pennsylvania Blue Alert System; assessing costs; and providing for immunity and penalties.

Referred to Committee on JUDICIARY, June 30, 2010.

No. 2630 By Representatives BOBACK, MUNDY, HELM, CALTAGIRONE, CARROLL, D. COSTA, DeLUCA, FLECK, HANNA, HARHART, KESSLER, KORTZ, MAHER, PAYTON, SANTARSIERO, SCAVELLO, SIPTROTH, STABACK, YOUNGBLOOD and YUDICHAK

An Act amending the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, further providing for well permits, for well location restrictions and for well reporting requirements.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 30, 2010.

No. 2631 By Representatives SANTARSIERO, BRADFORD, BRIGGS, CALTAGIRONE, DALEY, DONATUCCI, GEORGE, HARHAI, JOSEPHS, W. KELLER, KORTZ, O'NEILL, PAYTON and SIPTROTH

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for State depositories.

Referred to Committee on COMMERCE, June 30, 2010.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Tuesday, June 29, 2010, will be postponed until printed. The Chair hears no objection.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence of the gentleman from Centre County, Representative Benninghoff, on the House floor.

COMMITTEE MEETING CANCELED

The SPEAKER. The Chair recognizes the gentleman from Berks County, Representative Caltagirone, for the purpose of a committee announcement.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I would just like to inform the members of the House Judiciary Committee that we will not be meeting today. The two bills, HB 2600 and HB 2536, we are going to defer to hearings this summer on those bills and work out the language.

And if I could, please, with your acceptance, I would like Representative Lentz, whose bill it is that we are passing over, to say a couple words, with your recognition, sir.

STATEMENT BY MR. LENTZ

The SPEAKER. The Chair recognizes the gentleman from Delaware County, Representative Lentz, under unanimous consent. Without objection, it is granted.

Mr. LENTZ. Thank you, Mr. Speaker, and thank you to the chairman.

Mr. Speaker, this bill that we would have had the vote on today is the so-called closing of the Florida loophole. After reviewing the head count and after some very helpful feedback from my colleagues on the committee, I requested of the chairman that we delay the vote and instead schedule hearings over the summer to educate the members and the public about the need to act and to close this loophole, and I am appreciative that the chairman has agreed to do that. I thank my colleagues for their input in that regard. I am hopeful that with hearings we will be able to build some consensus on the need for the legislature to act to close this loophole, and I thank the Speaker for the time and attention.

The SPEAKER. The Chair thanks the gentleman.

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 leave of absence for: Representative OLIVER from Philadelphia County for the day, Representative Rick TAYLOR from Montgomery County for the day. Without objection, the leaves will be granted.

The Chair recognizes the minority whip, who indicates there are no leave requests.

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—200

Adolph	Fabrizio	Longiotti	Reed
Baker	Fairchild	Maher	Reese
Barbin	Farry	Mahoney	Reichley
Barrar	Fleck	Major	Roea
Bear	Frankel	Manderino	Rock
Belfanti	Freeman	Mann	Roebuck
Benninghoff	Gabig	Markosek	Rohrer
Beyer	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	Miccarelli	Schroder
Brown	Godshall	Micozzie	Seip
Burns	Goodman	Millard	Shapiro
Buxton	Grell	Miller	Siptroth
Caltagirone	Grove	Milne	Smith, K.
Carroll	Gruclera	Mirabito	Smith, M.
Casorio	Hahn	Moul	Smith, S.
Causar	Haluska	Mundy	Solobay
Christiana	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman
Creighton	Hennessey	Oberlander	Taylor, J.
Cruz	Hess	Pallone	Thomas
Curry	Hickernell	Parker	Toepel
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
DiGirolamo	Kirkland	Preston	White
Donatucci	Knowles	Pyle	Williams
Drucker	Kortz	Quigley	Youngblood

Eachus	Kotik	Quinn	Yudichak
Ellis	Krieger	Rapp	
Evans, D.	Kula	Ravenstahl	McCall,
Evans, J.	Lentz	Readshaw	Speaker
Everett	Levdansky		

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Oliver	Taylor, R.
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LEAVES CANCELED—1

Taylor, R.

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

BILLS REREPORTED FROM COMMITTEE

HB 2591, PN 3944 By Rep. EACHUS

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, further providing for definitions and for financial assistance.

RULES.

HB 2601, PN 3971 By Rep. EACHUS

An Act providing for the testing of new, environmentally beneficial and energy efficient technologies within various State agencies.

RULES.

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 2279, PN 4032 By Rep. EACHUS

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2010, to June 30, 2011, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2010; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Aviation Restricted Revenue Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund and the Tobacco Settlement Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2010, to June 30, 2011; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2010, to June 30, 2011, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2010; and to provide for the additional appropriation of Federal and State funds from the General Fund and the State Lottery Fund for the

Executive Department of the Commonwealth for the fiscal year July 1, 2009 to June 30, 2010, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2009.

RULES.

HB 2285, PN 4033 By Rep. EACHUS

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.

RULES.

HB 2296, PN 4034 By Rep. EACHUS

An Act making appropriations to the Trustees of the University of Pennsylvania.

RULES.

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

BILLS REREPORTED FROM COMMITTEE

HB 1482, PN 3976 By Rep. D. EVANS

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, providing for photo identification tag regulations.

APPROPRIATIONS.

HB 1774, PN 2286 By Rep. D. EVANS

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 marketing and administration of service contracts being distinct from the business of insurance.

APPROPRIATIONS.

HB 2302, PN 3438 By Rep. D. EVANS

An Act amending the act of April 16, 1992 (P.L.155, No.28), known as the Assessors Certification Act, further providing for nonapplicability.

APPROPRIATIONS.

SB 488, PN 1269 By Rep. D. EVANS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in provisions relating to minors, further providing for the offense of purchase, consumption, possession or transportation of liquor or malt or brewed beverages.

APPROPRIATIONS.

SB 1044, PN 1618 By Rep. D. EVANS

An Act amending Title 61 (Penal and Correctional Institutions) of the Pennsylvania Consolidated Statutes, providing for drug redistribution within correctional facilities.

APPROPRIATIONS.

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

BILLS REREPORTED FROM COMMITTEE**HB 65, PN 4015**

By Rep. D. EVANS

An Act amending Title 22 (Detectives and Private Police) of the Pennsylvania Consolidated Statutes, amending the heading of Title 22 and 22 Pa.C.S. Ch. 3; codifying and making extensive revisions to The Private Detective Act of 1953; codifying the Lethal Weapons Training Act; further providing for the definition of "privately employed agents"; providing for the continuation of certain licenses; making an appropriation; and making related repeals.

APPROPRIATIONS.

HB 2044, PN 2812

By Rep. D. EVANS

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for private actions.

APPROPRIATIONS.

SB 747, PN 1897

By Rep. D. EVANS

An Act authorizing the Department of Transportation to sell land under certain conditions; and repealing certain provisions of The Administrative Code of 1929.

APPROPRIATIONS.

SB 1320, PN 2117

By Rep. D. EVANS

An Act designating Interstate 84, within this Commonwealth, as the Fallen Trooper Memorial Highway.

APPROPRIATIONS.

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

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

HB 2300, PN 4052 (Amended)

By Rep. MELIO

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for the State Geospatial Coordinating Council.

VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 870, PN 3994

By Rep. MELIO

A Resolution urging government support of post deployment transition programs in an effort to ensure the successful assimilation and reintegration of military personnel returning from active duty.

VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS.

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

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 2591 and HB 2601 be removed from the supplemental calendar and recommitted to the Committee on Appropriations.

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

CALENDAR CONTINUED**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1890, PN 3954**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to The Pennsylvania State University, certain lands situate in Benner Township, Centre County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Benner Township, certain lands situate in Benner Township, Centre County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Pennsylvania Fish and Boat Commission, certain lands situate in Benner Township, Centre County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Pennsylvania Game Commission, certain lands situate in Benner Township, Centre County.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—199

Adolph	Fabrizio	Levdansky	Reed
Baker	Fairchild	Longietti	Reese
Barbin	Farry	Maher	Reichley
Barrar	Fleck	Mahoney	Roae
Bear	Frankel	Major	Rock
Belfanti	Freeman	Manderino	Roebuck
Benninghoff	Gabig	Mann	Rohrer
Beyer	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
Briggs	Gillespie	Metcalfe	Scavello
Brooks	Gingrich	Metzgar	Schroder
Brown	Godshall	Miccarelli	Seip
Burns	Goodman	Micozzie	Shapiro
Buxton	Grell	Millard	Siptroth
Caltagirone	Grove	Miller	Smith, K.
Carroll	Grucela	Milne	Smith, M.
Casorio	Hahn	Mirabito	Smith, S.
Causar	Haluska	Moul	Solobay
Christiana	Hanna	Mundy	Sonney
Clymer	Harhai	Murphy	Staback
Cohen	Harhart	Murt	Stern
Conklin	Harkins	Mustio	Stevenson
Costa, D.	Harper	Myers	Sturla
Costa, P.	Harris	O'Brien, D.	Swanger
Cox	Helm	O'Brien, M.	Tallman
Creighton	Hennessey	O'Neill	Taylor, J.
Cruz	Hess	Oberlander	Thomas
Curry	Hickernell	Parker	Toepel
Cutler	Hornaman	Pashinski	True
Daley	Houghton	Payne	Turzai
Day	Hutchinson	Payton	Veréb
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
DiGirolamo	Kirkland	Preston	White
Donatucci	Knowles	Pyle	Williams
Drucker	Kortz	Quigley	Youngblood
Eachus	Kotik	Quinn	Yudichak
Ellis	Krieger	Rapp	
Evans, D.	Kula	Ravenstahl	McCall,
Evans, J.	Lentz	Readshaw	Speaker
Everett			

NAYS—1

Pallone

NOT VOTING—0

EXCUSED—2

Oliver Taylor, R.

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.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. For what purpose does the gentleman from Clinton County, Representative Hanna, rise?

Mr. HANNA. Just to offer some comments for the record. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. HANNA submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

I have introduced legislation, HB 1890, which would officially transfer the Rockview state prison lands based on a compromise forged last year between interested parties and environmental groups.

The lands will be divided among several owners: the Pennsylvania Game Commission, Benner Township, Penn State University, and Pennsylvania Fish and Boat Commission. This has been a much-discussed and much-anticipated issue in my district over the past several years.

To give a little background, the Rockview property that is being transferred consists of about 1,800 acres of land, much of it wooded. The property includes Spring Creek Canyon and some additional rare and sensitive habitat that under prison ownership has been largely off-limits to the public for most of the past century.

The State DGS (Department of General Services) several years ago deemed the 1,800 acres to be surplus, opening the door for transfer of the property. However, concerns about the future of the property, and particularly about protecting the land's important natural and cultural features, led to years of discussion and debate.

Revised agreements have recently been reached among these groups to implement deed restrictions on the land prohibiting transfer by any of the landowning groups. If any of the landowners attempt to transfer the land or utilize it for uses other than those outlined in my legislation, ownership of the land would immediately revert back to the State Department of General Services.

Under the restrictions spelled out in the agreement and in my legislation, the entities would be limited in their uses of the land. Penn State University College of Agricultural Sciences may use the land only for agricultural purposes and for furthering its mission of agricultural education. Benner Township may use the land only as passive recreational open space for the benefit of the general public. The Pennsylvania Fish and Boat Commission may use the land only to carry out legislatively mandated functions. The Pennsylvania Game Commission may use the land only to carry out legislatively mandated functions. The groups have also agreed upon a master plan for the land that will be implemented by a conservation easement on the Penn State and Benner Township lands that will be held by local environmental group ClearWater Conservancy.

In addition, cooperative agreements have been drafted that will provide a framework of collective review and consultation among all the landowners and vested parties on the future planning and management of the lands and will also provide a means for resolving planning disagreements with appeal to an arbiter and/or through the judicial system.

The cooperative agreements between the Game Commission and Benner Township and the Fish and Boat Commission and Benner Township would also establish a technical advisory group responsible for implementing and updating the master plan. This advisory panel, comprised of representatives from each of the landowning groups plus the ClearWater Conservancy and the Spring Creek Alliance, would also afford the public the opportunity to offer input.

GUEST INTRODUCED

The SPEAKER. In the well of the House, the Chair would like to welcome Nicholas Lefever. He is serving as a guest page today and will be in sixth grade this fall in the Northern Lebanon School District. He is the guest of Representative RoseMarie Swanger. Will the guest page rise. Welcome to the hall of the House.

FILMING PERMISSION

The SPEAKER. For the information of the members, the Chair would like to advise the members that he has given permission to Brad Bower from the Associated Press to take still photographs on the House floor.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2571, PN 3892**, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, further providing for the Office of Victim Advocate and for powers and duties of victim advocate.

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?

REMARKS SUBMITTED FOR THE RECORD

Ms. BISHOP submitted the following remarks for the Legislative Journal:

Mr. Speaker, I rise to express my support for HB 2571. This legislation clarifies the role of the State Victim Advocate.

HB 2571 makes a few, but important, changes in the Crime Victims Act, which was first created in 1998. It updates the law, as we have done on other occasions, to keep pace with expectations and needs of our citizens.

In this case, the role of the State Victim Advocate has become extremely important in serving as the voice of victims of crimes in general, whether in serving on boards and commissions, testifying before legislative or other governmental agencies, or ensuring that procedures are followed throughout the State to give victims a voice in court or other agencies.

The Interbranch Commission on Juvenile Justice, created last year by HB 1648 and which expires today, June 30, 2010, recommended in its recent report that more attention should be given to victims of juvenile crime. This bill does that. It makes it clear that the Office of Victim Advocate will represent victims of juvenile crime, as well as victims generally, in its mission to serve the public.

I urge my colleagues to support this bill.

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—170

Adolph	Farry	Levdansky	Readshaw
Baker	Fleck	Longietti	Reed
Barbin	Frankel	Maher	Reichley

Barrar	Freeman	Mahoney	Roebuck
Belfanti	Gabig	Major	Ross
Beyer	Galloway	Manderino	Sabatina
Bishop	Geist	Mann	Sainato
Boback	George	Markosek	Samuelson
Boyle	Gerber	Marsico	Santarsiero
Bradford	Gergely	Matzie	Santoni
Brennan	Gibbons	McGeehan	Saylor
Briggs	Gillespie	McI. Smith	Scavello
Brown	Gingrich	Melio	Schroder
Burns	Godshall	Metzgar	Seip
Buxton	Goodman	Miccarelli	Shapiro
Caltagirone	Grell	Micozzie	Siptroth
Carroll	Grove	Miller	Smith, K.
Casorio	Grucela	Milne	Smith, M.
Clymer	Hahn	Mirabito	Smith, S.
Cohen	Haluska	Mundy	Solobay
Conklin	Hanna	Murphy	Staback
Costa, D.	Harhai	Murt	Stern
Costa, P.	Harhart	Mustio	Stevenson
Cruz	Harkins	Myers	Sturla
Curry	Harper	O'Brien, D.	Swanger
Daley	Harris	O'Brien, M.	Taylor, J.
Day	Helm	O'Neill	Thomas
Deasy	Hennessey	Pallone	Toepel
Delozier	Hess	Parker	Turzai
DeLuca	Hornaman	Pashinski	Vereb
DePasquale	Houghton	Payne	Vitali
Dermody	Johnson	Payton	Wagner
DeWeese	Josephs	Peifer	Wansacz
DiGirolamo	Keller, M.K.	Perzel	Waters
Donatucci	Keller, W.	Petrarca	Watson
Drucker	Kessler	Petri	Wheatley
Eachus	Killion	Phillips	White
Ellis	Kirkland	Pickett	Williams
Evans, D.	Knowles	Preston	Youngblood
Evans, J.	Kortz	Pyle	Yudichak
Everett	Kotik	Quigley	
Fabrizio	Kula	Quinn	McCall,
Fairchild	Lentz	Ravenstahl	Speaker

NAYS—30

Bear	Cutler	Metcalfe	Roae
Benninghoff	Denlinger	Millard	Rock
Boyd	Gabler	Moul	Rohrer
Brooks	Hickernell	Oberlander	Sonney
Causar	Hutchinson	Perry	Tallman
Christiana	Kauffman	Rapp	True
Cox	Krieger	Reese	Vulakovich
Creighton	Marshall		

NOT VOTING—0**EXCUSED—2**

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

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

VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman from Westmoreland County, Representative Pallone, rise?

Mr. PALLONE. Mr. Speaker, to correct the record.

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

Mr. PALLONE. Thank you, Mr. Speaker.

On HB 1890 on final passage, I was recorded in the negative. I intended to be recorded in the affirmative. My button obviously malfunctioned again. Thank you, Mr. Speaker.

The SPEAKER. We will make sure that gets fixed, Mr. Pallone. We will send the whip up right away. The Chair thanks the gentleman. His remarks will be spread upon the record.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1736, PN 3440**, entitled:

An Act amending the act of December 20, 1983 (P.L.260, No.72), referred to as the Public Adjuster Licensing Law, further providing for violations; and providing for civil remedy.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—200

Adolph	Fabrizio	Longiotti	Reed
Baker	Fairchild	Maher	Reese
Barbin	Farry	Mahoney	Reichley
Barrar	Fleck	Major	Roae
Bear	Frankel	Manderino	Rock
Belfanti	Freeman	Mann	Roebuck
Benninghoff	Gabig	Markosek	Rohrer
Beyer	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	Miccarelli	Schroder
Brown	Godshall	Micozzie	Seip
Burns	Goodman	Millard	Shapiro
Buxton	Grell	Miller	Siptroth
Caltagirone	Grove	Milne	Smith, K.
Carroll	Grucela	Mirabito	Smith, M.
Casorio	Hahn	Moul	Smith, S.
Causar	Haluska	Mundy	Solobay
Christiana	Hanna	Murphy	Sonney
Clymer	Harhai	Murt	Staback
Cohen	Harhart	Mustio	Stern
Conklin	Harkins	Myers	Stevenson
Costa, D.	Harper	O'Brien, D.	Sturla
Costa, P.	Harris	O'Brien, M.	Swanger
Cox	Helm	O'Neill	Tallman

Creighton	Hennessey	Oberlander	Taylor, J.
Cruz	Hess	Pallone	Thomas
Curry	Hickernell	Parker	Toepel
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
DiGirolamo	Kirkland	Preston	White
Donatucci	Knowles	Pyle	Williams
Drucker	Kortz	Quigley	Youngblood
Eachus	Kotik	Quinn	Yudichak
Ellis	Krieger	Rapp	
Evans, D.	Kula	Ravenstahl	McCall,
Evans, J.	Lentz	Readshaw	Speaker
Everett	Levdansky		

NAYS—0

NOT VOTING—0

EXCUSED—2

Oliver Taylor, R.

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.

SUPPLEMENTAL CALENDAR A

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1482, PN 3976**, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, providing for photo identification tag regulations.

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 2302, PN 3438**, entitled:

An Act amending the act of April 16, 1992 (P.L.155, No.28), known as the Assessors Certification Act, further providing for nonapplicability.

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2490, PN 3959**, entitled:

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, in insurance producer licensing, providing for life, accident and health insurance.

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

The SPEAKER. On that question, it is the Chair's understanding that Representative Saylor, Representative Baker, Representative Perry, and Representative Johnson have all withdrawn their amendments to this bill?

Representative Baker? Has the gentleman withdrawn his amendment? The Chair thanks the gentleman.

Representative Perry? The gentleman has withdrawn his amendment to HB 2490?

Mr. PERRY. Thank you, Mr. Speaker.

No, I am not withdrawing my amendment to HB 2490.

The SPEAKER. The Chair thanks the gentleman.

BILL PASSED OVER TEMPORARILY

The SPEAKER. HB 2490 will go over temporarily.

SUPPLEMENTAL CALENDAR A CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1044, PN 1618**, entitled:

An Act amending Title 61 (Penal and Correctional Institutions) of the Pennsylvania Consolidated Statutes, providing for drug redistribution within correctional facilities.

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 1774, PN 2286**, entitled:

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 marketing and administration of service contracts being distinct from the business of insurance.

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Lancaster County, Representative Boyd, who moves to suspend the rules for the immediate consideration of amendment—

BILL PASSED OVER TEMPORARILY

The SPEAKER. We will go over the bill temporarily.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1838, PN 4030**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for duty of board; and providing for municipal service fee exemption.

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, the Chair recognizes the gentleman from Bucks County, Representative Santarsiero, on final passage.

Mr. SANTARSIERO. Thank you.

Mr. Speaker, currently under Pennsylvania law, any veteran who is 100 percent service disabled and meets an income threshold is entitled to a property tax exemption. Unfortunately, all too often the determination of eligibility can take anywhere from 6 months to over a year by the Veterans Commission. During that time these veterans who have given so much to our country are forced to continue to pay property taxes, often in cases where they can ill afford to do so and stay in their homes.

What HB 1838 does is a very simple change in the law. It merely says that upon application, the veteran may take advantage of the exemption immediately. And if, ultimately, the individual is deemed to be eligible for the exemption, then there is no problem and the exemption remains in place. If, however, eligibility is ultimately deemed denied, then the veteran would simply pay the back tax without penalty or interest.

This issue originally came to me over a year ago where a number of veterans have written to me and expressed concern about this issue and the fact that we have a number of veterans in the Commonwealth who are currently having this benefit delayed to them, and that is the reason why I offer this bill to the House and ask my colleagues to support it – to do what we can to help our disabled veterans.

Thank you, Mr. Speaker.

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

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I commend my colleague from Bucks County for forwarding this legislation. I had similar legislation several sessions ago, and as a former member of the board of directors of the Slate Belt Veterans Association, we often had veterans come before us on this very, very topic.

So I certainly support this legislation, and I commend Representative Santarsiero for moving it forward. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 1838 CONTINUED

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS—201

Adolph	Fabrizio	Longiotti	Reese
Baker	Fairchild	Maher	Reichley
Barbin	Farry	Mahoney	Roae
Barrar	Fleck	Major	Rock
Bear	Frankel	Manderino	Roebuck
Belfanti	Freeman	Mann	Rohrer
Benninghoff	Gabig	Markosek	Ross
Beyer	Gabler	Marshall	Sabatina
Bishop	Galloway	Marsico	Sainato
Boback	Geist	Matzie	Samuelson
Boyd	George	McGeehan	Santarsiero
Boyle	Gerber	McI. Smith	Santoni
Bradford	Gergely	Melio	Saylor
Brennan	Gibbons	Metcalfe	Scavello
Briggs	Gillespie	Metzgar	Schroder
Brooks	Gingrich	Miccarelli	Seip
Brown	Godshall	Micozzie	Shapiro
Burns	Goodman	Millard	Siptroth
Buxton	Grell	Miller	Smith, K.
Caltagirone	Grove	Milne	Smith, M.
Carroll	Grucela	Mirabito	Smith, S.
Casorio	Hahn	Moul	Solobay
Causar	Haluska	Mundy	Sonney
Christiana	Hanna	Murphy	Staback
Clymer	Harhai	Murt	Stern
Cohen	Harhart	Mustio	Stevenson
Conklin	Harkins	Myers	Sturla
Costa, D.	Harper	O'Brien, D.	Swanger
Costa, P.	Harris	O'Brien, M.	Tallman
Cox	Helm	O'Neill	Taylor, J.
Creighton	Hennessey	Oberlander	Taylor, R.
Cruz	Hess	Pallone	Thomas
Curry	Hickernell	Parker	Toepel
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
DiGirolamo	Kirkland	Preston	White
Donatucci	Knowles	Pyle	Williams
Drucker	Kortz	Quigley	Youngblood
Eachus	Kotik	Quinn	Yudichak
Ellis	Krieger	Rapp	
Evans, D.	Kula	Ravenstahl	McCall,
Evans, J.	Lentz	Readshaw	Speaker
Everett	Levdansky	Reed	

NAYS—0

NOT VOTING—0

EXCUSED—1

Oliver

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 2572, PN 4031**, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, establishing the Special Juvenile Victim Compensation Fund; and further providing for costs.

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 Allegheny County, Representative Maher.

Mr. MAHER. Thank you, Mr. Speaker.

I would like to interrogate the maker of the bill.

The SPEAKER. The majority leader indicates he will stand for interrogation. The gentleman, Mr. Maher, is in order and may proceed.

Mr. MAHER. Thank you, Mr. Speaker.

I am hoping to make sure I am understanding this proposal correctly, and if I understand it, \$1/2 million would be set aside for a special group of victims of juvenile crime. Am I correct so far?

Mr. EACHUS. Yes.

Mr. MAHER. Thank you.

And these victims would have been the subject of a criminal proceeding that had an opinion or an order prior to May 31 of 2008 that involved restitution?

Mr. EACHUS. Yes.

Mr. MAHER. Thank you.

And further that these victims would have been those who had orders of restitution that were vacated after December 31 of 2008?

Mr. EACHUS. This is special legislation that would fit anyone who fits the criteria of the bill.

Mr. MAHER. Thank you, Mr. Speaker.

Was there any obstacle to these victims filing for restitution funds between the date of the adjudication that had to be prior to May 31 and this deadline of December 31? During those 7 months, was there some obstacle that prevented these individuals from seeking restitution?

Mr. EACHUS. Mr. Speaker, they were already awarded restitution, but these awards were vacated by the Supreme Court.

Mr. MAHER. So from what you have just said, do these individuals actually collect restitution and then have to repay it?

Mr. EACHUS. Some may have been awarded, but this legislation makes it very clear: If they have been awarded, they cannot get additional awards.

Mr. MAHER. So if an individual had an order for restitution prior to May 31 of '08 and filed for that restitution payment from the Victim's Compensation Fund and they have been paid, this would not affect those individuals?

Mr. EACHUS. Anything that they were paid would be subtracted from any award that they were previously entitled to.

Mr. MAHER. Thank you.

And for the other victims that may have had restitution orders who did not request payment in the 7 months-plus, from the time of the restitution order until this December 31 date, was there any obstacle that prevented those individuals from seeking a payment from the Crime Victim's Compensation Fund during that window?

Mr. EACHUS. The obstacle to the payment would have been if the offender paid anything to the victim of the crime.

Mr. MAHER. And so ordinarily then that would be an obstacle anywhere in Pennsylvania?

Mr. EACHUS. Once again, these were vacated, these awards.

Mr. MAHER. After December 31 of 2008?

Mr. EACHUS. As you stated.

Mr. MAHER. And to your knowledge, would any of the victims that would be the subject of this \$1/2 million appropriation reside anywhere but Luzerne County?

Mr. EACHUS. They could reside in perhaps anywhere, Mr. Speaker. It was not about their residency.

Mr. MAHER. Mr. Speaker, are you aware of even a single instance of a victim that would meet the criteria laid out in this bill – that seemed to be very, very particular and specialized – are you aware of even a single victim that involves adjudication outside of the Luzerne County court system?

Mr. EACHUS. Mr. Speaker, I am not aware of any individual victim. I know that there are a class of victims assigned by a judicial proceeding. Judge Grim has been involved in that activity.

Mr. MAHER. Thank you, Mr. Speaker.

That concludes my interrogation. I would like to speak on the bill.

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

Mr. MAHER. The majority leader, using his own words, talked about this being special legislation, and under the

Pennsylvania Constitution there are provisions for special legislation that I expect someone to address—

Mr. EACHUS. Mr. Speaker, if I may interrupt you? May I, Mr. Maher, just for one moment to clarify something I said?

Mr. MAHER. I believe you already have interrupted.

Mr. EACHUS. Well, if I can, I—

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

The gentleman, Mr. Maher, has the floor.

Mr. EACHUS. I understand. I am asking him to yield and allow me to clarify something I misspoke about, if it is possible, Mr. Speaker.

Mr. MAHER. With the good nature that I bring to this floor every day, I would be very happy to do that.

The SPEAKER. The Speaker appreciates that.

Mr. EACHUS. Well, I really thank the gentleman, Mr. Speaker.

The SPEAKER. The gentleman, the majority leader, is recognized.

Mr. EACHUS. Thank you, Mr. Speaker.

What I should have said is this is not special legislation.

Mr. MAHER. Oh.

Mr. EACHUS. So I want to make sure if I misspoke, Mr. Speaker—

Mr. MAHER. That is a little different.

Mr. EACHUS. —you have my correction on the record.

Mr. MAHER. Well, I do appreciate—

The SPEAKER. The gentleman, Mr. Maher, is recognized.

Mr. MAHER. Thank you, Mr. Speaker.

I do appreciate that rather stark correction, and you will be happy to know I was not going to make a motion on that aspect of it in any case. But what I am observing is that this legislation seeks to classify victims of juvenile crime in Pennsylvania into two categories: those who live in Luzerne County and everybody else. Individuals who live in Allegheny County or Washington County, Beaver County, Philadelphia County, Indiana, Mercer, Lehigh – any of the other 66 counties – are now second-class citizens if this bill becomes law. There will be two standards of protection afforded victims of juvenile crime in Pennsylvania.

At the conclusion of the great Civil War our nation was wise enough to adopt the 14th Amendment to the Constitution, which provides for equal protection under the law, not specialized classes.

CONSTITUTIONAL POINT OF ORDER

Mr. MAHER. And consequently, Mr. Speaker, I move that this legislation in its current form violates the United States Constitution, Article XIV, section 1, guaranteeing that "...any person within its jurisdiction" shall have "the equal protection of the laws." That is true throughout the United States, and it certainly should be true throughout Pennsylvania. So, Mr. Speaker, I move that this bill in its current form be deemed to be unconstitutional.

The SPEAKER. The gentleman, Mr. Maher, raises the point of order that HB 2572, PN 4031, is unconstitutional citing, the United States Constitution, Article XIV, section 1.

The Speaker, under rule 4 of our House rules, is required to submit questions of constitutionality to the full House of Representatives for decision.

On the question,
Will the House sustain the constitutionality of the bill?

PARLIAMENTARY INQUIRY

The SPEAKER. On the question of constitutionality and the point of order, would the gentleman, Mr. Maher, like to be recognized on that point of order?

Mr. MAHER. Mr. Speaker, inquiry?

I believe on questions of constitutionality the speaker can only speak once. Is that correct?

The SPEAKER. That is correct.

Mr. MAHER. Then I will defer in hopes of being the final speaker on the subject.

The SPEAKER. On the point of order, the Chair recognizes the gentleman from Northampton County, Representative Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Just, I think, a clarification. The old government teacher in me tells me that there is no Article XIV; it is the 14th Amendment, I believe. There are only seven articles in the U.S. Constitution. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Maher, on the point of order.

Mr. MAHER. Mr. Speaker, were there others seeking recognition?

The SPEAKER. Is there any other member seeking recognition on the point of order on constitutionality?

The Chair recognizes the majority leader on that question.

Mr. EACHUS. Mr. Speaker, I respectfully oppose the gentleman's motion on constitutionality.

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

Mr. MAHER. Thank you, Mr. Speaker.

I am sorry for the gentleman's high school teacher's misguidance to him, but it is in fact Article XIV, not that it matters too very much except for to those who are guaranteed equal protection under the law, to which it matters a great deal.

Now, if the Democrats in this chamber want to start slicing and dicing up the population of Pennsylvania into those that have more rights and those that have fewer rights, I urge you to proceed with great caution, because it is a very, very slippery slope. If you were able to determine that victims of crime in one community should have different rights than victims of crimes in other communities, it is very easy to imagine what other bad ideas follow that same model.

So I would ask you to take a moment, read Article XIV and be certain, be certain to stand up for equal protection of the laws for all persons in Pennsylvania. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question of constitutionality, those who believe HB 2572 is constitutional will vote "aye"; those who believe the bill is unconstitutional will vote "nay."

On the question recurring,
Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—119

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

NAYS—82

Baker	Geist	Marshall	Quinn
Barrar	Gillespie	Marsico	Rapp
Bear	Gingrich	Metcalfe	Reed
Benninghoff	Godshall	Metzgar	Reese
Boyd	Grell	Micozzie	Reichley
Brooks	Grove	Millard	Roae
Causer	Hahn	Miller	Rock
Christiana	Harhart	Milne	Rohrer
Clymer	Harper	Moul	Ross
Cox	Harris	Murt	Scavello
Creighton	Helm	Mustio	Schroder
Cutler	Hennessey	O'Neill	Sonney
Day	Hess	Oberlander	Stevenson
Delozier	Hickernell	Peifer	Swanger
Denlinger	Hutchinson	Perry	Tallman
Ellis	Kauffman	Perzel	Taylor, J.
Evans, J.	Keller, M.K.	Petri	Toepel
Everett	Killion	Pickett	True
Farry	Knowles	Pyle	Vulakovich
Fleck	Krieger	Quigley	Watson
Gabler	Maher		

NOT VOTING—0

EXCUSED—1

Oliver

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. On that question, the Chair recognizes the gentlelady from Luzerne County, Representative Boback.

Ms. BOBACK. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 2572, and I seek the support of my colleagues for its final passage.

Mr. Speaker, HB 2572 responds to two recommendations recently made by the panel of experts who served on the Interbranch Commission on Juvenile Justice. Those two recommendations are, one, to create a fund to provide unpaid restitution to the victims of juvenile crime who had the cases against their juvenile offenders vacated and expunged by the Supreme Court; and two, to restore State funding for Victims of Juvenile Offenders (VOJO) grants to counties to underwrite costs that the counties incur providing statutorily mandated rights and services to victims of juvenile crime.

Mr. Speaker, HB 2572 would set aside up to \$500,000 from the State funds available in the Victim's Compensation Fund to be used to address the injustice had by original victims of crimes whose juvenile offenders' cases and restitution orders were recently vacated and expunged.

Mr. Speaker, it is likely very difficult for many of us to fully comprehend what a person goes through when they are a victim of a crime let alone to comprehend the frustration and confusion and the loss that a victim experiences when the justice system fails them. Mr. Speaker, these victims are our victims and we must do the right thing. HB 2572 ensures that we will do what we can to help financially restore these victims to their precrime status, and it does so at no additional cost or expense to the Commonwealth. HB 2572 proposes the use of existing victim compensation dollars to provide these victims with compensation, and it is the least that we can do.

Mr. Speaker, HB 2572 also addresses the Interbranch Commission's VOJO funding recommendation. Mr. Speaker, in 2002 there was a shortfall in the Crime Victim's Compensation Fund, and victim service providers across the Commonwealth stepped up and supported the use of their service dollars in the crime victim services fund to address that compensation shortfall. Today, Mr. Speaker, the situation is reversed and the victim service providers need additional support, and this bill provides it by returning \$1 million, transferred in 2002, to the victim services fund.

I ask that we show our support for crime victims and support for our county crime victim programs with our affirmative vote on the final passage of HB 2572. Thank you, Mr. Speaker.

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

Mr. PERRY. Thank you, Mr. Speaker.

There is not one person in this chamber that does not believe in their hearts that the victims of the alleged crimes should be made whole and receive whatever payments and restitution that they justly deserve.

That having been said and knowing that we all want to do the right thing, the question is, how do we do it at this point? And I would submit to you that what you are being asked to vote for and to vote on is basically a blank check. None of us knows how much money we are talking about spending precisely. We do not know how many victims exactly.

We are also going to change the paradigm in Pennsylvania where pain and suffering will now be included where it never has been before, thus encumbering all the taxpayers of Pennsylvania at some point, potentially, of that new bill for victims, wherever they are. We are not sure of the Federal reimbursement. The language has been changed to ensure Federal reimbursement but yet it has not been tried, and so we are not sure we are ever going to be reimbursed and so we might be spending this money without ever knowing if we are going to receive it in return.

This is about special consideration for one county at the peril of the other 66, literally putting every victim in the queue behind the victims from one county. Mr. Speaker, there are questions of constitutionality and equal justice, and they have been brought up.

MOTION TO RECOMMIT

Mr. PERRY. At this time I would make a motion to recommit this bill to Judiciary where it could receive a proper vetting and be addressed correctly so that we do the right thing in the right way. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman from York County, Representative Perry, makes a motion to recommit HB 2572 to the Judiciary Committee.

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

The SPEAKER. On that question, on the motion, the Chair recognizes the majority leader.

Mr. EACHUS. Thank you, Mr. Speaker.

I respectfully oppose the gentleman's motion.

The SPEAKER. On the motion, those in favor of recommitment of HB 2572 to the House Judiciary Committee will vote "aye"; those opposed to recommitment will vote "no."

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

The following roll call was recorded:

YEAS—86

Adolph	Gabler	Marsico	Rapp
Baker	Geist	Metcalfe	Reed
Barrar	Gillespie	Metzgar	Reese
Bear	Gingrich	Miccarelli	Reichley
Benninghoff	Grell	Micozzie	Roae
Boyd	Grove	Millard	Rock
Brooks	Hahn	Miller	Rohrer
Causar	Harhart	Milne	Ross
Christiana	Harper	Moul	Saylor
Clymer	Harris	Murt	Scavello
Cox	Helm	Mustio	Schroder
Creighton	Hennessey	O'Neill	Sonney
Cutler	Hess	Oberlander	Stevenson
Day	Hickernell	Peifer	Swanger
Delozier	Hutchinson	Perry	Tallman
Denlinger	Kauffman	Perzel	Taylor, J.
Ellis	Keller, M.K.	Petri	Toepel
Evans, J.	Killion	Pickett	True
Everett	Knowles	Pyle	Vereb

Farry	Krieger	Quigley	Vulakovich
Fleck	Maier	Quinn	Watson
Gabig	Marshall		

NAYS—115

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

NOT VOTING—0

EXCUSED—1

Oliver

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

Ms. HARPER. Thank you, Mr. Speaker.

Would the gentleman, Mr. Eachus, stand for brief interrogation?

The SPEAKER. The majority leader indicates he will stand for interrogation. The gentlelady is in order and may proceed.

Ms. HARPER. Thanks.

Mr. Speaker, my worry is that crime victims from other parts of the State will be pushed to the back of the bus by this bill. I recognize that crime victims in Luzerne County are victims like everybody else, but the crime rate in Philadelphia, Harrisburg, Pittsburgh, Chester is much worse. So I would like to know if the gentleman can assure me that there is enough money in the Crime Victim's Compensation Fund to set aside this money solely for Luzerne County, because as a member of the Pennsylvania Commission on Crime and Juvenile Delinquency, it seems to me that we never have enough money

for all of the victims of crime. So if the gentleman could satisfy that worry of mine, I would appreciate it.

Mr. EACHUS. We have been notified, if I may, Mr. Speaker, that there is enough for the crime victims.

But I think we should also clarify that we have a unified judiciary – as you are, I believe, an attorney by trade – we have a unified judiciary in this Commonwealth, and these are actually adjudicated victims whose relief was set aside. They are a class of Pennsylvania victims who for no other reason other than the extreme circumstances that were identified in the Juvenile Justice Commissions' report, the Interbranch Commissions' report, that this is a class of Pennsylvania victims and they may live in Chester County but have been adjudicated in our court system of Luzerne. So this is an opportunity to do the right thing by that class of Pennsylvania victims.

To answer your question once again, we are told that there is enough money to take care of our victims. I was notified by the Victim Advocate.

Ms. HARPER. One more question, Mr. Speaker?

The SPEAKER. The gentlelady is in order.

Ms. HARPER. I want to clarify that this bill deals only with the victims of juvenile crime and not the children who were sent away to institutions when they should not have been. Is that right?

Mr. EACHUS. That is absolutely correct. This is for the victims of the crimes.

Ms. HARPER. On the bill, Mr. Speaker.

The SPEAKER. The gentlelady, Representative Harper, is recognized.

Ms. HARPER. Mr. Speaker, I recognize that the gentlelady from Luzerne County made an impassioned plea on behalf of the citizenry that she represents, and I respect that view. But we have many crime victims, unfortunately, in Pennsylvania, and the Pennsylvania Commission on Crime and Juvenile Delinquency has heretofore done a pretty good job of stretching the scarce resources that we have in our Crime Victim's Compensation Fund to take care of those who need it the most.

So regrettably, and recognizing the gentlelady's and the gentleman's good intentions here, I am going to be voting "no" on this bill because I do not think that it is fair to other crime victims in Pennsylvania. Thank you, Mr. Speaker.

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

Mr. PYLE. Thank you, Mr. Speaker.

Point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. PYLE. I am curious. In reading this language it identifies specifically this applies to counties of the third class only. Coming from counties of the sixth and fifth classes, I must ask the Speaker, for my ignorance of Pennsylvania geography, how many third-class counties are there?

The SPEAKER. That would not be a parliamentary inquiry. It would be a factual inquiry.

Mr. PYLE. Sorry, Mr. Speaker. I just thought I would ask.

Mr. Speaker, may I interrogate the maker?

The SPEAKER. The gentleman is in order, and the majority leader indicates he will stand for interrogation. The gentleman is in order and may proceed.

Mr. PYLE. Thank you, Mr. Speaker.

My heart goes out to Luzerne. I understand that there has been an identified misadjudication that affected a great number

of juveniles and that this bill's intent is to make monetary recompense to those who have suffered this misadjudication.

In making this reimbursement to these victims, will it leave the fund solvent to address, as the lady from Montgomery has identified, victims in other counties? What I am asking, sir, is will it bankrupt the fund?

Mr. EACHUS. To answer the gentleman from Armstrong's question: I have the Pennsylvania U.S. Department of Justice certification form in my hand – it is called the crime victim compensation certification form – that certifies that there is about \$29 million for victims' compensation, which will adequately allow for victims in all counties of all classes to be properly compensated.

Mr. PYLE. So a juvenile victim in my district, the 60th, Armstrong or Indiana, stands no danger whatsoever of not being properly recompensed should this bill be successful?

Mr. EACHUS. Yes, sir. I believe that it should not impact your victims in your county adversely.

Mr. PYLE. Thank you, Mr. Speaker.

The SPEAKER. On the question of final passage, the Chair recognizes the gentlelady from Philadelphia County, Representative Bishop.

Ms. BISHOP. Thank you, Mr. Speaker.

As chairwoman of the House Children and Youth Committee, which reported this legislation out of committee, I rise to express my support of HB 2572. This legislation implements several recommendations which were made by the Interbranch Commission on Juvenile Justice dealing with victims of juvenile crime.

HB 2572 ensures that compensation can be provided for several hundred victims of juvenile crimes, about 212 to be exact. These are individuals whose cases were vacated by an order of the State Supreme Court on October 29, 2009, due to the criminal conduct by several Luzerne County judges and the denial of due process rights of thousands of juveniles in juvenile court proceedings between 2003 and 2008.

HB 2572 corrects a problem that resulted when this group of about 212 victims of juvenile crime in Luzerne County did not obtain full restitution because the Supreme Court vacated these cases. In the meantime, the Supreme Court has reviewed these cases through this legislation. The Supreme Court will have a mechanism to ensure an award of compensation can be made to victims through the Pennsylvania Commission on Crime and Delinquency with strict checks and balances. The compensation will come from a special juvenile victim compensation fund with the transfer of certain funds from the current Victim's Compensation Fund.

The bill also makes sure that sufficient funds are available for grants to counties related to victim services for crimes involving juveniles. It does this by returning funds previously transferred from the witness funds.

I urge all of my colleagues to support this very reasonable and well-thought-through and well-planned-through legislation that will keep, restore, and help restore confidence in our system of justice. Again, I urge my colleagues to vote "yes" for this very needed legislation. Thank you.

The SPEAKER. The Chair thanks the lady and recognizes the gentlelady from Cumberland County, Representative Delozier.

Ms. DELOZIER. Thank you, Mr. Speaker.

I rise at this time— I have been a victim advocate for over 20 years. I sympathize with those that have gone – what has happened in Luzerne County. It is unacceptable what has happened to those children in a system that we all fight for and stand up and hope will do the right thing, but it failed them. It also failed the victims of those cases. The victims of these crimes, just like those in Cumberland County where I represent, each and every victim has the right and the capability to apply to be reimbursed as a victim.

And I stand against this bill primarily because I think no one victim should be treated any better or any worse than any other victim no matter where they live. Those in Luzerne County, those in Cumberland County, those in Chester County all should be treated equally and have every right for compensation, and I believe that this bill gives exceptional advantage to a particular section in our State, and I am against that. I think every victim has every right to be considered equal, and for that I will be voting "no" on this, but not because the victims should not be stood up for. And I think we should be fighting for those victims to receive compensation but just as hard as we do for those in Cumberland County. Thank you.

The SPEAKER. The Chair thanks the lady.

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—125

Adolph	Evans, D.	Lentz	Samuelson
Barbin	Evans, J.	Levdansky	Santarsiero
Belfanti	Everett	Longietti	Santoni
Beyer	Fabrizio	Mahoney	Saylor
Bishop	Fairchild	Major	Seip
Boback	Frankel	Manderino	Shapiro
Boyle	Freeman	Mann	Siptroth
Bradford	Galloway	Markosek	Smith, K.
Brennan	George	Matzie	Smith, M.
Briggs	Gerber	McGeehan	Smith, S.
Brown	Gergely	McI. Smith	Solobay
Burns	Gibbons	Melio	Staback
Buxton	Godshall	Miccarelli	Stern
Caltagirone	Goodman	Micozzie	Sturla
Carroll	Grucela	Mirabito	Taylor, J.
Casorio	Haluska	Mundy	Taylor, R.
Cohen	Hanna	Murphy	Thomas
Conklin	Harhai	Myers	Turzai
Costa, D.	Harkins	O'Brien, D.	Vereb
Costa, P.	Harris	O'Brien, M.	Vitali
Cruz	Hornaman	Parker	Wagner
Curry	Houghton	Pashinski	Wansacz
Daley	Johnson	Payne	Waters
Deasy	Josephs	Payton	Wheatley
DeLuca	Keller, W.	Petrarca	White
DePasquale	Kessler	Phillips	Williams
Dermody	Killion	Preston	Youngblood
DeWeese	Kirkland	Ravenstahl	Yudichak
DiGirolamo	Knowles	Readshaw	
Donatucci	Kortz	Roebuck	McCall,
Drucker	Kotik	Sabatina	Speaker
Eachus	Kula	Sainato	

NAYS—76

Baker	Gabler	Marsico	Quinn
Barrar	Geist	Metcalf	Rapp
Bear	Gillespie	Metzgar	Reed
Benninghoff	Gingrich	Millard	Reese
Boyd	Grell	Miller	Reichley
Brooks	Grove	Milne	Roae
Causar	Hahn	Moul	Rock
Christiana	Harhart	Murt	Rohrer
Clymer	Harper	Mustio	Ross
Cox	Helm	O'Neill	Scavello
Creighton	Hennessey	Oberlander	Schroder
Cutler	Hess	Pallone	Sonney
Day	Hickernell	Peifer	Stevenson
Delozier	Hutchinson	Perry	Swanger
Denlinger	Kauffman	Perzel	Tallman
Ellis	Keller, M.K.	Petri	Toepel
Farry	Krieger	Pickett	True
Fleck	Maher	Pyle	Vulakovich
Gabig	Marshall	Quigley	Watson

NOT VOTING—0

EXCUSED—1

Oliver

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 SPEAKER. For the information of the members, Representative Pyle, the Speaker went to the Pennsylvania Manual and highlighted the 11 class 3 counties. We will have a page deliver it to you.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1322, PN 3851**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the period of limitation relating to claims of adverse possession under certain circumstances; and providing for uniform notice, for mesne profits and for reimbursement.

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

The SPEAKER. On that question, the Chair notes the gentleman from Philadelphia County, Representative Boyle, is withdrawing his amendment. The Chair thanks the gentleman.

The gentleman from Cambria County has two amendments. Representative Haluska is withdrawing his amendments? The Chair thanks the gentleman.

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

Ms. **HELM** offered the following amendment No. **A08126**:

Amend Bill, page 2, line 7, by striking out "one" and inserting one-half

Amend Bill, page 2, lines 21 through 23, by striking out "in the manner described" in line 21, all of line 22 and "and the Pennsylvania Rules of Civil Procedure" in line 23

Amend Bill, page 2, by inserting between lines 23 and 24

(3) Notice shall be provided in a form approved by rule of the Pennsylvania Supreme Court, which form shall include the metes and bounds description, deed reference, street address, postal zip code, uniform parcel identifier or tax parcel number and the notices of the one-year period to cure as stated in subsection (d).

Amend Bill, page 3, by inserting between lines 7 and 8

(4) A judgment granting title by adverse possession pursuant to this section shall not, in and of itself:

(i) discharge, terminate or give rise to a presumption of satisfaction or release of any interest in the property that runs with title to the property, including, but not limited to, easements, profits, covenants, mortgages, liens, judgments and leases; or

(ii) otherwise extend or limit the period of time in which claims relating to the property may be asserted against a possessor granted title by a judgment of adverse possession.

Amend Bill, page 3, line 14, by striking out "one" and inserting one-half

Amend Bill, page 3, lines 21 through 27, by striking out all of said lines

Amend Bill, page 3, line 28, by striking out "5527.3" and inserting

5527.2.

Amend Bill, page 4, line 7, by striking out "5527.4" and inserting 5527.3.

Amend Bill, page 4, line 8, by inserting after "action" pursuant to section 5527.1 (relating to ten-year limitation)

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes the gentlelady from Dauphin County, Representative Helm.

Ms. HELM. Thank you, Mr. Speaker.

My amendment to HB 1322, which is an adverse possession bill aimed at curing blight in our communities, is a twofold amendment. First, it lowers the acreage from 1 acre to 1/2 acre. The majority of blighted properties are in urban areas and are on less than one-half acre of ground.

Secondly, when these adverse possession properties are deeded to the people who have been living in the property for 10 plus 1 year, all encumbrances including leases attached to the property, liens, mortgages, easements, and judgments entered against the property transfer with the property to the new owner.

Mr. Speaker, I ask for a favorable vote for this amendment and the opportunities it will bring to diminish blight in our communities and promote homeownership in Pennsylvania. Thank you.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Allegheny County, Representative Wheatley.

Mr. WHEATLEY. Mr. Speaker, I would ask my colleagues to support the amendment.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—201

Adolph	Fabrizio	Longiotti	Reese
Baker	Fairchild	Maher	Reichley
Barbin	Farry	Mahoney	Roae
Barrar	Fleck	Major	Rock
Bear	Frankel	Manderino	Roebuck
Belfanti	Freeman	Mann	Rohrer
Benninghoff	Gabig	Markosek	Ross
Beyer	Gabler	Marshall	Sabatina
Bishop	Galloway	Marsico	Sainato
Boback	Geist	Matzie	Samuelson
Boyd	George	McGeehan	Santarsiero
Boyle	Gerber	McI. Smith	Santoni
Bradford	Gergely	Melio	Saylor
Brennan	Gibbons	Metcalfe	Scavello
Briggs	Gillespie	Metzgar	Schroder
Brooks	Gingrich	Miccarelli	Seip
Brown	Godshall	Micozzie	Shapiro
Burns	Goodman	Millard	Siptroth
Buxton	Grell	Miller	Smith, K.
Caltagirone	Grove	Milne	Smith, M.
Carroll	Grucela	Mirabito	Smith, S.
Casorio	Hahn	Moul	Solobay
Causar	Haluska	Mundy	Sonney
Christiana	Hanna	Murphy	Staback
Clymer	Harhai	Murt	Stern
Cohen	Harhart	Mustio	Stevenson
Conklin	Harkins	Myers	Sturla
Costa, D.	Harper	O'Brien, D.	Swanger
Costa, P.	Harris	O'Brien, M.	Tallman
Cox	Helm	O'Neill	Taylor, J.
Creighton	Hennessey	Oberlander	Taylor, R.
Cruz	Hess	Pallone	Thomas
Curry	Hickernell	Parker	Toepel
Cutler	Hornaman	Pashinski	True
Daley	Houghton	Payne	Turzai
Day	Hutchinson	Payton	Veréb
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
DiGirolamo	Kirkland	Preston	White
Donatucci	Knowles	Pyle	Williams
Drucker	Kortz	Quigley	Youngblood
Eachus	Kotik	Quinn	Yudichak
Ellis	Krieger	Rapp	
Evans, D.	Kula	Ravenstahl	McCall,
Evans, J.	Lentz	Readshaw	Speaker
Everett	Levdansky	Reed	

NAYS—0

NOT VOTING—0

EXCUSED—1

Oliver

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.)

CONSIDERATION OF HB 2490 CONTINUED

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

The SPEAKER. The gentleman, Mr. Baker, has withdrawn his amendment.

Is the gentleman, Representative Saylor, withdrawing his amendment to this bill? The Chair thanks the gentleman.

The gentleman from York, Representative Perry? The Chair thanks the gentleman.

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

Mr. JOHNSON offered the following amendment
No. A08189:

Amend Bill, page 2, lines 26 and 27, by striking out "the outcome of each question of the producer" in line 26 and "insurance licensing examinations and to" in line 27

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

(Members proceeded to vote.)

The SPEAKER. It is the Speaker's understanding that the amendment is not on the screen. It is apparently on the PDF (portable document format) file. If you go to the PDF file, it is reported there; it is showing there. It is under rolling session now as well.

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

YEAS—201

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

Boyle	Gerber	McI. Smith	Santoni
Bradford	Gergely	Melio	Saylor
Brennan	Gibbons	Metcalfe	Scavello
Briggs	Gillespie	Metzgar	Schroder
Brooks	Gingrich	Miccarelli	Seip
Brown	Godshall	Micozzie	Shapiro
Burns	Goodman	Millard	Siptroth
Buxton	Grell	Miller	Smith, K.
Caltagirone	Grove	Milne	Smith, M.
Carroll	Grucela	Mirabito	Smith, S.
Casorio	Hahn	Moul	Solobay
Causser	Haluska	Mundy	Sonney
Christiana	Hanna	Murphy	Staback
Clymer	Harhai	Murt	Stern
Cohen	Harhart	Mustio	Stevenson
Conklin	Harkins	Myers	Sturla
Costa, D.	Harper	O'Brien, D.	Swanger
Costa, P.	Harris	O'Brien, M.	Tallman
Cox	Helm	O'Neill	Taylor, J.
Creighton	Hennessey	Oberlander	Taylor, R.
Cruz	Hess	Pallone	Thomas
Curry	Hickernell	Parker	Toepel
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
DiGirolamo	Kirkland	Preston	White
Donatucci	Knowles	Pyle	Williams
Drucker	Kortz	Quigley	Youngblood
Eachus	Kotik	Quinn	Yudichak
Ellis	Krieger	Rapp	
Evans, D.	Kula	Ravenstahl	McCall,
Evans, J.	Lentz	Readshaw	Speaker
Everett	Levdansky	Reed	

NAYS—0

NOT VOTING—0

EXCUSED—1

Oliver

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.)

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2279, PN 4032**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2010, to June 30, 2011, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2010; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Aviation Restricted Revenue Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund and the Tobacco Settlement Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2010, to June 30, 2011; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2010, to June 30, 2011, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2010; and to provide for the additional appropriation of Federal and State funds from the General Fund and the State Lottery Fund for the Executive Department of the Commonwealth for the fiscal year July 1, 2009 to June 30, 2010, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2009.

On the question,

Will the House concur in Senate amendments?

BILL PASSED OVER TEMPORARILY

The SPEAKER. If we can go over this just temporarily, I would like to make an introduction.

GUEST INTRODUCED

The SPEAKER. To the left of the Speaker, the Chair welcomes Hunter Schenck, who is a summer intern for the House Republican Policy Committee and a student at Penn State University and a guest of Representative Saylor. Will the guest please rise. Welcome to the hall of the House.

CONSIDERATION OF HB 2279 CONTINUED

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Philadelphia County, Representative Evans.

Mr. D. EVANS. Thank you, Mr. Speaker.

Mr. Speaker, the bill that we have before us is the spending plan for the Commonwealth of Pennsylvania for the 2010-2011 year.

As most of you know, this has been a very difficult, difficult year in a lot of different ways. First and foremost is the revenue picture. When we began the fiscal year, we had almost a \$400 million deficit. Revenues throughout the year came in to \$1.2 billion under estimate, and as a result, Mr. Speaker, we had to make some difficult choices; not choices that any of us would like, but choices that have to be made.

One of the most clear and important things, Mr. Speaker, is doing this budget on time. Today, Mr. Speaker, if the members of this House should vote this budget, we will do the budget on

time. In the Senate, Mr. Speaker, they passed this bill 37 to 13, bipartisan support. So the Senate has done their part. We in the House now have got to do our part.

In addition, Mr. Speaker, there are no tax increases connected with this budget. Let me repeat that: There are no tax increases connected to this budget. So, Mr. Speaker, it is clear that we have a budget that we are working within the confines of the dollars that we have available. It has not been easy. It is not something everybody will like.

But what have we done? The first thing we did, Mr. Speaker, is we made sure we invested in our young people across the Commonwealth of Pennsylvania; \$250 million invested in education, Mr. Speaker. In addition to that, we have also invested \$9 million in early intervention. We have also, Mr. Speaker, made sure we upgraded the adequate computer in the Treasury Department, but we also have invested in economic development, agriculture, crime prevention, local government programs, and most of all, Mr. Speaker, we have generated the aspect of investments in jobs in our economy. It is clear that education and job creation are the two most important issues to moving this State forward.

It is also important, Mr. Speaker, to understand how we got where we are. Mr. Speaker, we started this process early. We started in December, we had hearings in January, we had hearings in February, and we passed the budget in March.

I want to also compliment, Mr. Speaker, working with my colleague on the other side of the aisle, Chairman Adolph, working with Chairman Adolph and the Republican leader, Representative Smith, as well as their staff. We also worked with the Senate – the Senate Democrats and the Senate Republicans – and the Governor's Office to craft a package where we all are demonstrating to the people of the Commonwealth of Pennsylvania that we can make it happen.

So I think, Mr. Speaker, this is a good budget. This is a budget demonstrating to the people of Pennsylvania that we are going to get it done on time. And I would ask, Mr. Speaker, that we support this bill and that it be a bill that we say, it is not the end; it is the beginning, but that we work together.

So I would hope, Mr. Speaker, that you would support HB 2279, and I ask for your support. Thank you very much.

PARLIAMENTARY INQUIRY

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

Mr. METCALFE. Just an inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his inquiry.

Mr. METCALFE. Regarding HB 2279, how long does this have to be on the calendar before we actually vote it?

The SPEAKER. 24 hours.

Mr. METCALFE. What time would 24 hours be from the time that the Senate sent it to us?

The SPEAKER. It would not be the time that the Senate sent it to us. It would be the time that we posted it on the calendar.

Mr. METCALFE. What time would that be?

The SPEAKER. When the language was available to the members.

The gentleman, Mr. Metcalfe, we will get you the exact time, but it was when the amendatory language was adopted in the

Senate Rules Committee, when it was available on the computer. We will get you that precise time as soon as we have it.

Mr. METCALFE. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Greene County, Representative DeWeese.

Mr. DeWEESE. Mr. Speaker, I am going to vote in favor of the measure, and at the behest of the supreme deputy, chief deputy whip, Mr. Williams, I will limit my remarks.

I do want to focus like a carbine the attention of the chamber upon what I think is an inadequacy in the proposal but yet one that is understandable after listening to our negotiators this morning in caucus.

Now, we will have an unalloyed, aggressive focus on a severance tax, and we will join our sister States across America in October, according to the handshake that took place among the negotiators in the four caucuses and with the Governor. That is what we have been told and that has to be a paramount focus for those of us not only who live in rural Pennsylvania but for all of the members of the Assembly.

Hundreds of millions of dollars could be sluicing into the State Treasury if the Governor had advocated a severance tax several years ago, but for reasons unbeknownst to me, he was chary about that idea at that time, but today he is lined up foursquare for a severance tax. Our cohorts in the State Senate Republican Caucus—

The SPEAKER. The gentleman, Representative DeWeese, a severance tax is not before the House. It is the General Appropriations Act. I appreciate your remarks on final passage of the General Appropriations Act.

The gentleman, Mr. DeWeese, may continue.

Mr. DeWEESE. Mr. Metcalfe – I would yield to the gentleman. He seems to have a—

PARLIAMENTARY INQUIRIES

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

Mr. METCALFE. Thank you, Mr. Speaker, and thank you to Representative DeWeese for pointing me out.

Mr. Speaker, the question that I raised earlier regarding the time that this bill would actually be able to be voted, normally the process is that we suspend the rules to consider legislation before we start debating it, and I know sometimes when we are close to the timeframe, we kind of push the envelope and we debate first until that time. But I believe no matter what time the Speaker comes back with from my previous question, that we are actually looking at sometime tomorrow morning for when this bill was actually available to the public for review, because I do not believe the rules acted on it in the Senate until sometime this morning. So we are really pushing the envelope. We would have to actually suspend the rules tonight to go past 11 o'clock, through the morning, to actually get to that point, if we are going to debate through the night on this. So I think the public would be better served if we actually held this debate once this legislation has been available for the public to review for 24 hours, Mr. Speaker.

The SPEAKER. The gentleman, is that his parliamentary inquiry?

Mr. METCALFE. Yes. Would there be a motion to actually either call this up for suspension to proceed with debate or to postpone until the proper time when it has been available for the public to review for 24 hours that I could make, Mr. Speaker?

The SPEAKER. It has been the practice of this House, under our rules, that we allow the debate to move forward, and before the 24-hour period arrives, that we either vote to suspend the rules for the immediate consideration of the bill, the voting of the bill, and/or a motion to proceed. We do have the ability as a deliberative body to debate this bill from now until tomorrow morning, if we so desire, and at that point if this House would like to make a motion to move forward or suspend its rules, it will be the decision of this House whether or not to do that.

Mr. METCALFE. So, Mr. Speaker, in light of that information, I would like to make a motion to adjourn until the 24-hour period has elapsed so the public has full view of this legislation for a 24-hour period—

The SPEAKER. The gentleman will yield.

Mr. METCALFE. —before we actually debate, Mr. Speaker.

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

The gentleman was recognized for a point of parliamentary inquiry, not to make a motion.

Mr. METCALFE. I would like to make a motion to adjourn.

The SPEAKER. The gentleman is out of order. The gentleman is out of order.

Mr. METCALFE. Can I be recognized to make the motion to adjourn then, Mr. Speaker?

The SPEAKER. When it is your turn to be recognized, we will recognize you.

Mr. METCALFE. Is there any other—

The SPEAKER. The gentleman, Mr. Metcalfe, did not have the floor. You stated your parliamentary inquiry. You will get in line with the rest of the members who want to speak, and when you are recognized, you may make your motion.

Mr. METCALFE. Mr. Speaker, an additional parliamentary inquiry?

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. METCALFE. My understanding was that the motion to adjourn did not have any other business that was a higher priority than that motion to adjourn, Mr. Speaker.

The SPEAKER. That is correct when you are recognized for that purpose. You were not recognized for that purpose. You were recognized under a point of parliamentary inquiry. You interrupted the debate of the gentleman who has the floor. We have your name on the list. When you are recognized, you may make your motion at that time.

The gentleman, Mr. DeWeese, is recognized.

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

And with all due respect, Mr. Speaker, the severance tax I think is an intrinsic element of the appropriations debate, because the debate itself would be immeasurably different if we had a severance tax. So to be stymied relative to those remarks I think is unfair.

And I have already indicated to Mr. Williams and to the team that I am going to support the proposal, but I am not going to

support the proposal without at least focusing for 2 or 3 minutes on a deficit in our deliberations. We are bereft of hundreds of millions of dollars of revenue, and I do not think it is the problem of this chamber, especially my own caucus; I think we would pour tens and tens and tens of votes into a severance tax on this side of the aisle.

The SPEAKER. Will the gentleman yield.

The gentleman, Mr. DeWeese, the Speaker certainly does not want to admonish the gentleman, but we are not talking about a tax package; we are talking about a spending package. There is no reference whatsoever in this package to that tax. Therefore, your debate will be on HB 2279 and the spending provisions in that package.

Mr. DeWEESE. Mr. Speaker, I reject that perspective; honorably, respectfully reject that perspective.

RULING OF CHAIR APPEALED

Mr. DeWEESE. I will appeal the ruling of the Chair.

The SPEAKER. The gentleman, Representative DeWeese, has appealed the decision of the Chair. The decision of the Chair is that the gentleman's debate will be confined to the question before the House, and the question before the House is final passage of HB 2279 dealing with the spending provisions of this Commonwealth.

On the question,

Shall the decision of the Chair stand as the judgment of the House?

APPEAL WITHDRAWN

Mr. DeWEESE. Mr. Speaker, at the behest of some of my junior colleagues, I will withdraw my appeal. I do so regrettably because I have already indicated to my leadership team that I would support this measure, and I have indicated why I would support it.

I think that the budget that we are passing, for reasons that Mr. Evans has stated relative to education and relative to passing a measure on time, are essentially the motivators for all of us to vote in favor. I will have the chance to focus once again, when the revenue package appears, on the issue that is so near and dear to so many of us from rural Pennsylvania, and out of respect for the Speaker and the process, I will not mention it. But we do need more revenue, and somehow, someday we must get more revenue so that the subsequent appropriations packages that we will be debating in the years ahead will not harm our libraries, will not harm our institutions of higher learning, will not harm our fire companies.

So I am very, very anxious to move the debate forward in the fall when I will have more flexibility from the Speaker and from the chamber, and we can talk about a variety of issues that are so important in the gas fields of this big State. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments?

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I have some comments about this budget that we are now involved in. I understand that we have to make cuts in programs when you are trying to balance a budget, but what concerns me, Mr. Speaker, is that somehow we can find \$60 million in the Department of Community and Economic Development; \$60 million when the Department of Agriculture, which is a regulatory agency and which is responsible for a dependable food supply for Pennsylvanians, is responsible for inspecting restaurants and other food supply areas, for inspecting commercial feed mills. They are responsible for inspecting the nurseries, that is the plants and other green vegetation, and yet we do not have enough money for them. This is the third year in a row I think we have cut them.

Now, Mr. Speaker, agriculture is the number one industry, and it provides the food that enables the schoolchildren to have their breakfast and their lunches, and yet our farmers are struggling greatly to break even. Somehow we do not have enough money to help them, but we have enough money to put \$60 million in DCED.

Mr. Speaker, what also troubles me is that we know that the State Police of Pennsylvania, their mission is to catch the bad guys. Mr. Speaker, they protect our senior citizens, they hammer those who are the drug kingpins in our society, and they weed out those child predators to make our children safe, yet we have cut their program by 7.6 percent. We are not sure when we are going to have the next cadet class, and yet their mission is for the safety and security of all Pennsylvanians, and yet we have \$60 million in DCED for programs that we are not even sure where that money is going to go or who is going to be the beneficiary.

Mr. Speaker, we hear a lot about the environment. The Conservation and Natural Resources Department is responsible for our State forests and our State parks. As we all recognize, families and individuals enjoy the beauty and the serenity of these State parks, and yet we are going to cut them 11 percent – 11 percent. But somehow we can find \$60 million in DCED for programs that no one is sure who is going to be the beneficiary or how much money is going to be spent on each of these programs through DCED.

And then, Mr. Speaker, we know we need the funding for public libraries, one of the most popular places in our society for people to meet, to greet each other, and to secure books and tapes and other information that is very important in the education process. We all recognize how important the public library system is to our communities and yet we cannot find enough money to help them. We are going to cut them another 9 percent.

And then, Mr. Speaker, for special education funding; some time ago the gentleman from Lancaster County presented a program that would help provide funding under a new formula for special ed students. One of the reasons that I had opposed it at the time was because the funding, in my opinion, was not there. Mr. Speaker, if we had the funding for that program, that would help many school districts and families, but we cannot find the money for it, but we can find \$60 million for programs that are going to be administered by DCED.

And then we have RCAP (Redevelopment Assistance Capital Program), another \$600 million program that is going to be, for the most part, administered by this Governor, by Governor Rendell.

Mr. Speaker, I am very disappointed as to how this budget was put together. For those reasons – the budget is certainly not balanced, number one – and for the reasons I just outlined, I am going to be a "no" vote on this legislation. Thank you, Mr. Speaker.

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

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, HB 2279 that the chairman of the Appropriations from the majority had declared would give us an on-time budget, Mr. Speaker, for him to proclaim that I think is very misleading, Mr. Speaker. I think that everyone full well knows that we still have to have the Fiscal Code bill accompanying this bill to implement this budget, to actually make the budget happen. So for us to pass a budget here today, we have to have all the complements of that budget, just not this one appropriations bill, Mr. Speaker. We need the Fiscal Code bill. So from the last we heard, deals were still being worked out on that piece of legislation to implement all of what agreements have been going on behind closed doors, Mr. Speaker.

But, Mr. Speaker, I think on the face of this legislation, it is very clear to anybody that recognizes fiscal responsibility that they will quickly recognize this piece of legislation as a piece of legislation that is fiscally irresponsible, Mr. Speaker – fiscally irresponsible to pass a \$28 billion budget, a budget that is millions of dollars more than was passed last year, at the same time as last year's revenue does not meet the expectations for the current year, Mr. Speaker. Revenues have fallen off by over a billion dollars, and at the same time as we have a budget whose revenues were never met, the current budget that is being proposed is proposing to even spend more money – tens of millions, ultimately a couple hundred million dollars more – than was even spent last year, Mr. Speaker.

Mr. Speaker, another serious flaw with this that I think anyone with a little common sense would question is the fact that this budget, Mr. Speaker, is depending on Federal money, over \$800 million as I understand it, that is yet to be realized by the Federal government as even having been voted on or passed to be given to the States.

So, Mr. Speaker, where we have a constitutional mandate to pass a balanced budget, Mr. Speaker, with this appropriations bill depending and dependent upon Federal appropriations that have yet to occur, Mr. Speaker, I think it is very clear that this legislation, Mr. Speaker, is not in line with our constitutional charge to pass a balanced budget, Mr. Speaker.

Mr. Speaker, this legislation is not what the people of Pennsylvania need, because ultimately, it is going to cause the people of Pennsylvania to have to make up for billions of dollars of structural deficit next year. Mr. Speaker, when you have about \$24 billion coming in and you are attempting to spend \$28 billion, it does not take anyone beyond that level of mathematics that is learned in elementary school to understand that 24 cannot be raised to spend an equal 28.

Mr. Speaker, this legislation is a very irresponsible act, and as I mentioned, I believe that ultimately this legislation will violate our charge to have a budget that is balanced under our Constitution. I will be casting a "no" vote, Mr. Speaker, and would ask the majority to do the same.

The SPEAKER. The Chair recognizes the gentleman from Delaware County, Representative Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, for the last several months the members of this House have repeatedly called for the State to finally enact a budget by June 30. As we all know, in recent years there have been a number of challenges that have promoted late budgets. No example was more evident than last year's budget, an embarrassing 101 days.

Mr. Speaker, when Governor Rendell gave his address back in February, he presented this General Assembly, along with the residents of Pennsylvania, a spending plan of \$29.1 billion. I believe that it was this General Assembly that has been able to produce a spending plan that is now more reasonable, more responsible, living within its means, of \$28 billion and some change.

Mr. Speaker, there were three things that this legislator tried to accomplish during the budget negotiations: number one, pass a responsible budget on time so we do not put the fiscal pain that we put on our families, businesses, college students, higher education institutions, that we did last year. Some of those institutions are still paying interest on that debt.

Second, a no-new-tax budget. The Governor presented us with an \$800 million tax package, one that expanded the sales tax for 74 different items, including services. That was debated in this General Assembly. There were business taxes, Mr. Speaker. Some supported the repeal of them; some did not. But the majority did not, and that message was taken to the budget negotiations table by the leaders of this House.

Lastly, controlled spending – \$28 billion, less than 1 percent than last year. There was great debate at the negotiations table. What was last year's spending? I was not at the table last year. Some said it was \$28.1 billion; some said it was \$27.9 billion. It is hard to believe that we could not agree on what last year's spend number was, but we did not agree.

Some of you may remember a dear friend of mine, former Speaker of the House Matthew Ryan. When I came to this chamber 22 years ago, Matt Ryan took me in as a bright-eyed freshman, long hair and a mustache, and said, "Bill, the most important vote that you ever make in this General Assembly is a budget vote. Make it on time, and make it with your convictions." I can look at this budget and there are many reasons I could say no – I do not agree with this line; I do not agree with that line – but, Mr. Speaker, on June 30 it is time to pass a budget that includes controlled spending and no new taxes. This will get us in better shape for years to come.

I want to thank the cooperation that I did receive from our leader, Sam Smith; our whip, Mike Turzai; Speaker McCall; Leader Eachus; and Chairman Evans. We do not always agree, but we treated each other with respect and admiration for trying to make a very, very difficult decision.

I support HB 2279, and I hope and I pray to God that we pass that today. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Berks County, Representative Rohrer.

Mr. ROHRER. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman that just went before me said that the passage of a budget and the vote on the budget is perhaps one of the most important votes that we make, and I would agree with him, and that is why it so highly disturbs me that we even stand and call this a legitimate budget, because, Mr. Speaker, it is not a legitimate budget under any set of circumstances, under any set of legitimate budgeting. It is not

balanced. We know that. You cannot offer a balanced budget when you have at least \$850 million worth of revenue that depends on a fickle body in Washington that may or may not do what they say they want to do, which this budget is going to be built upon. Mr. Speaker, that is not a constitutionally balanced budget. This is not a legitimate budget.

In addition to that, Mr. Speaker, a budget properly put together must take into account the debt and the financial obligations that will come before this legislature. The Governor has failed to do that, and in my opinion, so have those who have crafted this budget, because this budget does not take into account nor make provision for any of the known obligations that will come before this legislature, and let me name just a couple of them.

Mr. Speaker, we do have and best estimates will have before this Commonwealth budgetary obligations of about \$4 billion for unemployment compensation that is due to the Federal government. We are going to have to deal with it in this body. There is no provision for that. Stimulus funds in this budget of \$2.7 billion will disappear come next year, which means an automatic hole of \$2.7 billion; this budget makes no account for that.

Mr. Speaker, the court still says, although it is appealed right now, that the Mcare (Medical Care Availability and Reduction of Error Act) dollars that were taken – I would say illegitimately from that account last year – we may have to come back and repay that. There is no accounting for where that money is going to come from.

Mr. Speaker, on the minimal side of the equation, you have probably \$5 billion worth of pension obligations, unless we just throw it off and say we are not going to worry about it. But that is also there, and this body will have to deal with it.

In addition, Mr. Speaker, budgets are dependent upon accurate revenue projections. This budget is predicated upon a 3-percent revenue increase. Mr. Speaker, 2 years ago when this House first ran into a budget deficit, the General Fund revenues went down about 8 1/2 percent. This last year there was no increase, about zero percent, which means it still is down about 8 1/2 percent from what it was 2 years ago.

There is no one under any set of fiscal sanity that is believing that the economy is going to grow 3 percent, nationally or in Pennsylvania, which means the revenues are overstated. And you take that number on top of a \$25 billion projection; that is \$750 million guaranteed right off the bat that will be a deficit. But a legitimate budget ought to factor in what is realistic, and, Mr. Speaker, a zero- or a 1- or a minus-2-percent revenue projection is what this body ought to figure in. That is a revenue spread of between \$750 million to \$1.25 billion.

You take and you add these all up, my point for saying this is this: These known debt items, debt obligations, run between \$12 and \$14 billion that this House and this Senate will face in the next year or two. There are no provisions for that. Mr. Speaker, this is not a good budget. It may be on time, but it is not right. And this budget may not have taxes in it this year, but this budget will guarantee gigantic tax increases this next year, and that is absolutely wrong and absolutely irresponsible.

A "no" vote is the only vote in order, I believe, on this budget. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. PERRY. Thank you, Mr. Speaker.

This budget spends \$28.05 billion and increases borrowing, in the form of RCAP, \$600 million. It does rely on increased taxes in regard to Marcellus, and it relies on Federal funding from a Congress that, hopefully, finally got the message to stop spending.

The Commonwealth has collected \$25.4 billion in revenue this fiscal year, yet this budget spends \$28.05 billion. Now, that leaves a structural deficit of nearly \$3 billion, and that is only the tip of the iceberg. The Commonwealth still must repay \$500 to \$700 million in Mcare funds that the court has deemed were illegally raided last year as a part of that budget process, and nearly \$3 billion of stimulus funds will not be available next year.

The last time we tried to fix transportation through some broken plan, it was rejected by the Federal government, so that remains. And there also remains the looming pension problem, which is not being addressed in this budget, which will add \$4 to \$5 billion in annual costs to this budget. And might I remind you that unemployment compensation today was reported at a \$3 billion debt, probably reaching \$7 billion at some point, and yet in the Commonwealth we have yet to see sustained growth in our revenues.

The fact is, not only is this budget irresponsible, it may even be unconstitutional, because we are balancing it based on \$850 million that we do not know we are going to get from the Federal government. This budget is precisely and exactly the opposite of what Pennsylvania taxpayers wanted. They wanted less spending; this budget spends more. They wanted less taxes; this budget relies on new taxes. They wanted no new borrowing, yet this budget increases borrowing. They wanted real pension reform; this budget ignores that oncoming disaster. The taxpayers wanted a budget that was right-sized, that sets Pennsylvania up for speedy economic recovery and job creation; this budget is a political shell game rather than a real solution. And the citizens and taxpayers of Pennsylvania wanted truth in budgeting and an end to the budget gimmicks, and this budget takes budget gimmicks to a whole new level.

Let us face reality, Mr. Speaker. Let us tell the truth to the people of Pennsylvania. And where does this budget leave us? It is going to leave us with \$4 to \$5 billion in debt next year. It will fool school districts into thinking their funding source is assured, when in reality it will be the Governor's pie-in-the-sky budgeting that sets up schools for education funding cuts in the future.

It is a budget that once again fails to focus on government priorities and instead continues to focus on political friends and deals. I would urge a "no" vote. Thank you, Mr. Speaker.

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

Mr. DENLINGER. Thank you, Mr. Speaker.

Mr. Speaker, as I begin my remarks, I want to congratulate those who have worked very hard on this process. You know, friends on both sides of the aisle, this chamber needs a victory in its process, and we are standing here on June 30, and though I do not agree with the conclusion, I do applaud the process to the extent that we are meeting our deadline, and I think that is a victory for all of us here. We will go home having achieved a victory.

But, Mr. Speaker, the conclusion, the result, is concerning. In 1991 there was an author by the name of Sebastian Junger who wrote a book that was a bestseller in that time entitled "The

Perfect Storm." "The Perfect Storm" was an account of a fishing vessel trapped in a real tragedy. It was the convergence of three storms in the North Atlantic, and that fishing vessel, the Andrea Gail, a six-man crew went down in a wreck, trapped in the perfect storm.

Mr. Speaker, today I suggest to you that this Commonwealth is headed into the perfect storm. Previous speakers have highlighted where we are headed as far as our obligations. I just want to highlight a few: the dry-up of the Federal stimulus dollars, \$2.7 billion plugged into this year's budget, leaves a gaping hole for our future. Mr. Speaker, the pension obligations that we all know are coming down the pike, which we are not dealing with in an aggressive and strong manner – another gaping hole. The Unemployment Compensation Fund – another gaping hole. Estimates are a \$4 to \$5 billion gaping hole in the future.

Mr. Speaker, truly we are headed into the perfect storm, and I hope that all here carefully consider what that means. By failing to make the hard choices, to provide the leadership, to provide the difficult choices that need to be made, we are kicking the can down the road once again, and we are looking at the looming perfect storm of next year.

I wish I could support this budget, but, Mr. Speaker, I cannot in good faith do so, because ultimately, we have an obligation to not just think about today or this week or this month; we need to think about the long term and the health of our fiscal state.

Again, I do appreciate all those who have worked so very hard to get the job done and that it is being done here on June 30, but I have to urge a "no" vote because of the future state of our fiscal picture. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Adams County, Representative Tallman.

Mr. TALLMAN. Thank you, Mr. Speaker. Just a couple of really brief comments.

I consider this particular spend bill to be fiscally irresponsible. Number one, I think there is a constitutional challenge in the fact that we are spending money that we do not have.

Number two, it increases spending when we have reduced our income. The people of Pennsylvania have cut back on spending in their personal households, yet we are increasing our spending under this particular bill. It is just inconceivable to me that we would be willing to do that.

And then thirdly, we are taking money from, transferring money from funds that need that money, and I am talking about the emergency services fund. Why are we taking their money? That is dedicated to them.

So, Mr. Speaker, if you are going to present yourself as being a fiscal conservative, the only way to vote on this spending bill is "no." Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. PETRI. Thank you, Mr. Speaker.

There is an old saying that "haste makes waste," and that is what we are about to do. To pass a budget simply for the sake of expediency is not the proper and right thing to do. Mr. Speaker, I have studied this budget for months and am convinced that we are making cuts to the wrong areas, we are making increases to the wrong areas, and we are not paying attention to the business of Pennsylvania.

Mr. Speaker, as many other speakers have previously indicated, this budget is currently out of balance, and I commend my leadership for attempting to pass a budget that would have structured our expenditures properly. The budget that we should be looking at would be a budget which would be a spend of about \$27.2 billion, and then and only then, if the \$850 million in Federal funds came in, we would be able to do supplemental spending. But that was not to be. A decision was made that this had to be a 28-point-something-billion-dollar budget. Well, let me tell you, the school districts that are counting on that money: You better not spend it, because I am telling you right now, you are not going to see it. There is going to be \$850 million more in cuts coming, or \$850 million worth of more taxes coming, and every member that votes for this budget better be prepared to say that they have to address those issues.

Mr. Speaker, there is nothing in this budget to address job creation. What about all the people that are out of work? And if you want to put a spin on unemployment, let me tell you what the true unemployment nature is in our State: I calculate it at 40 percent. And while my training is not as an accountant, it is as a lawyer, I will tell you how I came to that number.

Two years ago, if we would have raised one-tenth of 1 percent on the State income tax, we would have raised \$500 million. Today, one-tenth of 1 percent is projected to raise \$300 million. That is a 40-percent reduction in revenue out of one item. And why do we have that? Everyone at home knows – people that have lost their jobs; people that have never gotten a job; people who have given up looking for jobs; people that are job sharing; people that are taking off of work or are forced to take off on deferrals – that is the real cost of the state of our economy, and we are just simply spending too much money.

There is a General Fund financial statement, and it is probably the most revealing document I have noticed in the process. What it indicates is that our actual spend for 2009-2010 was \$24.9 billion. This year, our actual State spend will be \$25.2 billion. That is a \$354 million increase in spending. Now, maybe some people in this chamber think that is not material, but every taxpayer I know at home is saying: Stop spending money we do not have.

Vote "no," Mr. Speaker.

The SPEAKER. On the question, the Chair recognizes the gentleman from Crawford County, Representative Roae.

Mr. ROAE. Thank you, Mr. Speaker.

I would like to speak on the bill, please?

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

Mr. ROAE. Thank you.

Mr. Speaker, this bill spends \$28 billion. Our tax revenue for the next year is only going to be about \$25 billion. This budget bill spends \$3 billion more than we are going to collect in taxes. My kids are 6, 9, and 11 years old. We talked at dinner the other night. I said, "Kids, one of the things Daddy is working on is helping with the State budget." I told the kids we are going to collect about \$25 billion in taxes during the next year. I asked my kids, "How much do you think we should spend? Should we spend about \$25 billion or should we spend \$28 or \$29 billion?" And my 6-year-old said, "Daddy, how can we spend more than we have?" Well, I think my 6-year-old is right. He figured it out that we should not be spending more than we have.

We are getting all this Federal stimulus money – I think it is \$2.7 billion worth – that all of us and our kids and our grandkids are going to have to pay back someday. The \$850 million of

FMAP (Federal Medical Assistance Percentage) money that might not come in; it probably will not come in. That is another \$850 million hole. This budget is completely irresponsible, Mr. Speaker.

Now, when you look at some of the increases in the budget, education, basic education funding, is being increased by \$250 million. Philadelphia represents 10 percent of the State's population, but Philadelphia gets 25 percent of that increase. So one-fourth of that increase is going to that one school district that only represents 10 percent of the State's population.

Mr. Speaker, when you look at some of the other cuts – agriculture programs are being cut 7 percent, State parks are being cut 7 percent, environmental protection is being cut 9 percent, but the Department of Welfare is only being cut by 1 percent, Mr. Speaker. So what this budget says, it says if you are a hardworking farmer, if you care about the environment, if you want to enjoy our natural resources in our State parks, you are getting punished; if you are on welfare, you are getting rewarded. If your kids go to school in 499 school districts in this State, you are being punished; if your kids go to that one school district that is getting 25 percent of the increase, you are being rewarded.

Mr. Speaker, I feel this is a horrible budget, and I urge everyone to vote "no." Thank you.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland County, Representative Krieger.

Mr. KRIEGER. Thank you, Mr. Speaker.

Last year this body pretended the fiscal situation was fine when it was obvious that it was not. We pretended the table games would be our salvation when they were not. We pretended we had a balanced budget last year, and as facts have shown us, we did not. And all I can say is, here we go again, pretending we have a balanced budget when we know we do not. We are deceiving ourselves.

On the roof of this chamber there is a saying. It says that ye shall know the truth and it shall make you free. Well, here is the truth we all know today: We know this budget is not balanced, we know the revenue estimate is overstated, and we know we cannot rely on \$850 million that we will not be getting. The most painful truth of all is that we face a \$4 billion structural deficit. The only responsible choice is to begin to address that deficit now. It is simply irresponsible to ignore these very significant financial problems. The people of Pennsylvania deserve better. They deserve leadership, and we are collectively burying our heads in the sand today.

I certainly recognize it was difficult to address this situation given the present occupant of the Governor's Mansion; however, that is our job. The people of this Commonwealth will have to taste the bitter fruit of our irresponsibility for years to come. No matter how much we seek to avoid it, economic reality will catch up to us. When it does, the budgetary blood will flow and will begin to flow next year, and when that happens, let us all remember, let us look in the mirror and we will know who was responsible. This body is responsible with its profligate spending.

I think about my children and I think about your children. I think about what we are leaving them. We have got to make the hard decisions. We cannot continue to put this off like we are doing this day. Please vote "no." Thank you.

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I want to commend the members that negotiated this budget for doing what has been obviously a difficult budget negotiation.

We had passed a measure over to the Senate 100 days ago, and there is a sort of a moral dilemma I face right now. I intend to support this budget, but here we are, 100 days later, and the Senate has sent us something back and basically put a gun at our head and said, here it is. And they could have sent us this budget 99 days ago and chose not to.

But the moral dilemma that I have is that there are unfortunate cuts in this budget in order to balance it, and those cuts are there because we are not doing a tax on Marcellus Shale, a severance tax, and we are not taxing smokeless tobacco, and we are not making big-box retailers give up their vendor discount, and we are not eliminating the exemption for foreign corporations in the State of Pennsylvania, and so as a result there are going to be some cuts that need to be made. But I understand that we have to get this done, because last year what ended up happening was day-care facilities went without payments and there were other vital services to Pennsylvanians that got cut.

So I intend to vote for this today, and I would encourage members to vote for it because I think it is something we need to get done, but I also think we need to do a better job in the future of making sure we get our priorities straight. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority leader, Representative Smith.

REPUBLICAN CAUCUS

The SPEAKER. Correction. The Chair recognizes the gentledady from Susquehanna County, the minority caucus chairlady, Representative Major.

Ms. MAJOR. Thank you, Mr. Speaker.

I would rise to ask that Republicans caucus immediately and ask all Republicans to please report to our caucus room immediately. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentledady.

The Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. I am informed by the Republican Caucus secretary that this will be a very short, off-the-floor caucus. So I am asking Democratic members to stay on the floor until the Republicans are completed.

Thank you, Mr. Speaker.

The SPEAKER. The House will be at ease.

The House will come to order.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. The Chair recognizes the majority leader, who moves, pursuant to rule 24, that members have had sufficient time to review the language and that the House proceed with consideration of HB 2279, PN 4032.

On the question,

Will the House agree to the motion?

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

On the motion, those in favor of the motion will vote "aye"; those opposed, "nay."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—145

Adolph	Everett	Longietti	Ross
Barbin	Fabrizio	Mahoney	Sabatina
Barrar	Fairchild	Major	Sainato
Belfanti	Farry	Manderino	Santarsiero
Beyer	Fleck	Mann	Santoni
Bishop	Frankel	Markosek	Saylor
Boback	Gabler	Matzie	Scavello
Boyle	Galloway	McGeehan	Seip
Bradford	Geist	McI. Smith	Shapiro
Brennan	George	Melio	Siptroth
Briggs	Gerber	Miccarelli	Smith, K.
Brown	Gergely	Micozzie	Smith, M.
Burns	Gibbons	Millard	Smith, S.
Buxton	Godshall	Miller	Solobay
Caltagirone	Goodman	Mirabito	Sonney
Carroll	Grucela	Mundy	Staback
Casorio	Haluska	Murphy	Stern
Causar	Hanna	Murt	Stevenson
Cohen	Harhai	Mustio	Sturla
Conklin	Harkins	Myers	Taylor, J.
Costa, D.	Harper	O'Brien, D.	Taylor, R.
Costa, P.	Harris	O'Brien, M.	Thomas
Cruz	Helm	O'Neill	Vereb
Curry	Hess	Parker	Vitali
Daley	Hornaman	Pashinski	Vulakovich
Deasy	Houghton	Payne	Wagner
DeLuca	Johnson	Payton	Wansacz
DePasquale	Josephs	Peifer	Waters
Dermody	Keller, W.	Perzel	Wheatley
DeWeese	Kessler	Petrarca	White
DiGirolamo	Killion	Phillips	Williams
Donatucci	Kirkland	Preston	Youngblood
Drucker	Kortz	Quigley	Yudichak
Eachus	Kotik	Ravenstahl	
Ellis	Kula	Readshaw	McCall,
Evans, D.	Lentz	Reed	Speaker
Evans, J.	Levdansky	Roebuck	

NAYS—55

Baker	Gabig	Maher	Reese
Bear	Gillespie	Marshall	Reichley
Benninghoff	Gingrich	Marsico	Roae
Boyd	Grell	Metcalfe	Rock
Brooks	Grove	Metzgar	Rohrer
Christiana	Hahn	Milne	Samuelson
Clymer	Harhart	Moul	Schroder
Cox	Hennessey	Oberlander	Swanger
Creighton	Hickernell	Perry	Tallman
Cutler	Hutchinson	Petri	Toepel
Day	Kauffman	Pickett	True
Delozier	Keller, M.K.	Pyle	Turzai
Denlinger	Knowles	Quinn	Watson
Freeman	Krieger	Rapp	

NOT VOTING—1

Pallone

EXCUSED—1

Oliver

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

CONSIDERATION OF HB 2279 CONTINUED

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

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

Mr. GROVE. Thank you, Mr. Speaker.

I just wanted to submit comments for the record.

The SPEAKER. The Chair thanks the gentleman.

Mr. GROVE submitted the following remarks for the Legislative Journal:

Two years ago we had a \$300 million surplus in revenue. This no-tax-increase budget that increases spending by less than 1 percent would have been perfect then.

Time and time again this General Assembly has buried itself and the citizens we represent with poor fiscal positions embodied in its previous budgets. I for one am tired of continually digging the deficit hole further.

It is too late to stop the onslaught of the \$3 billion budget deficit we will have next year. Mr. Speaker, we needed a better budget this year and over the past 2 years. I am pleased it is not 101 days late, but it is not good enough for our fiscal future.

Thank you, Mr. Speaker.

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

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

Over the last 2 years our caucus has been arguing for fiscal restraint, and I honestly believe that we have made great strides in changing the direction of this Commonwealth towards that level of fiscal responsibility. We are not fully there yet, but this is a step in the right direction. The Governor put forth a spend of \$29 billion. This budget is \$28 billion – \$1 billion less. It is essentially a flatline budget. It is a budget that is being accomplished on June 30. It is a budget that has no new tax increases.

Last year when the Republicans held the line in this House and said, we do not want tax increases and we want a budget that is at or beneath the previous year's level of spend, we meant it, and we were willing to fight throughout the year to maintain those principles. In this budget, we have met those goals. It is flatlined, it is a billion dollars less than what the Governor wanted to spend, and we are willing to put up a vote on June 30, some of us, given the fact that there are no new taxes.

Last year there were new taxes and there were significant dollars that were going to be added. The fact that we held out actually reduced that spend last year. For many of us, we

recognize that with a new Governor, a new administration, we are going to continue to have to make tough choices. This is putting us in the right direction. There is a lot more that has to be done. We are going to have to address the pension obligations and what we do going forward with respect to legacy costs in this State, and we are going to have to make tough decisions. We are going to have to look at line items in welfare and truly root out fraud. We are going to have to insist that government lives within its means.

We are setting the stage to put an end to this 8 years and to start anew in 2010-2011 with a fiscally responsible paradigm for families and businesses in the State of Pennsylvania. Given that, I will be voting for this budget because it sets the right direction. There is a lot more work to be done, and I hope to help work with every member of this caucus to make those tough decisions with a new administration. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

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—117

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

NAYS—84

Baker	Farry	Krieger	Quinn
Barrar	Fleck	Maher	Rapp
Bear	Gabig	Marshall	Reed
Benninghoff	Gabler	Marsico	Reese
Boback	Geist	Metcalfe	Reichley
Boyd	Gillespie	Metzgar	Roae
Briggs	Gingrich	Miccarelli	Rock
Brooks	Grell	Millard	Rohrer
Causar	Grove	Miller	Ross

Christiana	Hahn	Milne	Scavello
Clymer	Harhart	Moul	Schroder
Cox	Harper	Murt	Sonney
Creighton	Harris	Mustio	Stevenson
Cutler	Hennessey	O'Neill	Swanger
Day	Hess	Oberlander	Tallman
Delozier	Hickernell	Peifer	Toepel
Denlinger	Hutchinson	Perry	True
Ellis	Kauffman	Petri	Vereb
Evans, J.	Keller, M.K.	Pickett	Vulakovich
Everett	Killion	Pyle	Wagner
Fairchild	Knowles	Quigley	Watson

NOT VOTING—0

EXCUSED—1

Oliver

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.

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

HB 1572, PN 4062 (Amended) By Rep. SEIP

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing for school foods reform and imposing duties on schools relating to the sale of food and beverages and on the Department of Education and the Department of Health.

HEALTH AND HUMAN SERVICES.

HB 1968, PN 4063 (Amended) By Rep. SEIP

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in adoption, further providing for definitions, for counseling, for effect of decree of termination, for religious belief, for time of entry of decree of adoption, for impounding of proceedings and access to records, for docket entries and for certificate of adoption; and providing for agency records and attorney records.

HEALTH AND HUMAN SERVICES.

HB 2061, PN 4060 (Amended) By Rep. ROEBUCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for disclosure by school entities of certain interscholastic athletic opportunity information.

EDUCATION.

HB 2157, PN 4064 (Amended) By Rep. SEIP

An Act creating the Pennsylvania Chronic Care Commission, providing for responsibilities and duties of the commission and for duties of the Department of Health.

HEALTH AND HUMAN SERVICES.

HB 2507, PN 3735

By Rep. ROEBUCK

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

EDUCATION.

HB 2603, PN 4061 (Amended) By Rep. ROEBUCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, further providing for costs of tuition and maintenance of certain exceptional children in approved institutions.

EDUCATION.

RESOLUTION REPORTED FROM COMMITTEE

HR 833, PN 3841 By Rep. SIEP

A Resolution directing the Joint State Government Commission to conduct an in-depth analysis of the occurrence, effects and trends of poverty and low income in this Commonwealth.

HEALTH AND HUMAN SERVICES.

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

SUPPLEMENTAL CALENDAR A CONTINUED

CONSIDERATION OF HB 1774 CONTINUED

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

RULES SUSPENDED

The SPEAKER. On that question, the Chair recognizes the gentleman from Lancaster County, Representative Boyd, who moves to suspend the rules for the immediate consideration of amendment A08312, which the clerk will read.

The clerk read the following amendment No. **A08312**:

Amend Bill, page 2, lines 9 and 10, by striking out ", but not" in line 9 and "including mechanical breakdown insurance" in line 10

Amend Bill, page 2, line 13, by inserting after "handling"
provided, however, that an insurance company providing coverage or payment for towing, rental, emergency road service or mechanical breakdown insurance shall not be considered to be providing a service contract; and further provided that automobile club coverage or payment of towing, rental or emergency road service shall not be considered a service contract and shall not be regulated as insurance

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

The following roll call was recorded:

YEAS—190

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

NAYS—11

Cutler	Grell	Perry	Schroder
Day	Hutchinson	Roae	Swanger
Gillespie	Metzgar	Rohrer	

NOT VOTING—0

EXCUSED—1

Oliver

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

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **BOYD** offered the following amendment No. **A08312**:

Amend Bill, page 2, lines 9 and 10, by striking out ", but not " in line 9 and "including mechanical breakdown insurance" in line 10

Amend Bill, page 2, line 13, by inserting after "handling" provided, however, that an insurance company providing coverage or payment for towing, rental, emergency road service or mechanical breakdown insurance shall not be considered to be providing a service contract; and further provided that automobile club coverage or payment of towing, rental or emergency road service shall not be considered a service contract and shall not be regulated as insurance

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question, will the House adopt the amendment, the Chair recognizes the gentleman from Lancaster County, Representative Boyd.

Mr. **BOYD**. Thank you, Mr. Speaker.

Mr. Speaker, this is a very simple amendment. It simply is emphasizing that a service contract or an automobile club contract shall not be regulated as insurance. This language will bring this bill into the exact same language as a bill that recently passed the Senate so that we can move this process along quicker, and I believe it is an agreed-to amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Delaware County, Representative Vitali.

Mr. **VITALI**. I am sorry; I was just having a little trouble finding it on the screen.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—201

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

Cox	Helm	O'Neill	Taylor, J.
Creighton	Hennessey	Oberlander	Taylor, R.
Cruz	Hess	Pallone	Thomas
Curry	Hickernell	Parker	Toepel
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
DiGirolamo	Kirkland	Preston	White
Donatucci	Knowles	Pyle	Williams
Drucker	Kortz	Quigley	Youngblood
Eachus	Kotik	Quinn	Yudichak
Ellis	Krieger	Rapp	
Evans, D.	Kula	Ravenstahl	McCall,
Evans, J.	Lentz	Readshaw	Speaker
Everett	Levdansky	Reed	

NAYS—0

NOT VOTING—0

EXCUSED—1

Oliver

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.)

SUPPLEMENTAL CALENDAR B CONTINUED

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2285, PN 4033**, 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 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—145

Adolph	Frankel	Longietti	Ross
Barbin	Freeman	Maher	Sabatina
Barrar	Galloway	Mahoney	Sainato
Belfanti	Geist	Manderino	Samuelson
Beyer	George	Mann	Santarsiero
Bishop	Gerber	Markosek	Santoni
Boyle	Gergely	Marshall	Scavello
Bradford	Gibbons	Marsico	Schroder
Brennan	Gingrich	Matzie	Seip
Briggs	Godshall	McGeehan	Shapiro
Brown	Goodman	McI. Smith	Siptroth
Burns	Grell	Melio	Smith, K.
Buxton	Grove	Micozzie	Smith, M.
Caltagirone	Grucela	Millard	Smith, S.
Carroll	Hahn	Mirabito	Solobay
Casorio	Haluska	Mundy	Sonney
Cohen	Hanna	Murphy	Staback
Conklin	Harhai	Mustio	Sturla
Costa, D.	Harhart	Myers	Taylor, J.
Costa, P.	Harkins	O'Brien, D.	Taylor, R.
Cruz	Harper	O'Brien, M.	Thomas
Curry	Harris	O'Neill	Vereb
Daley	Helm	Pallone	Vitali
Day	Hennessey	Parker	Vulakovich
Deasy	Hornaman	Pashinski	Wagner
DeLozier	Houghton	Payne	Wansacz
DeLuca	Johnson	Payton	Waters
DePasquale	Josephs	Peifer	Watson
Dermody	Keller, W.	Perzel	Wheatley
DeWeese	Kessler	Petrarca	White
DiGirolamo	Killion	Petri	Williams
Donatucci	Kirkland	Preston	Youngblood
Drucker	Kortz	Quigley	Yudichak
Eachus	Kotik	Ravenstahl	
Evans, D.	Kula	Readshaw	McCall,
Fabrizio	Lentz	Reichley	Speaker
Farry	Levdansky	Roebuck	

NAYS—55

Baker	Evans, J.	Major	Rapp
Bear	Everett	Metcalfe	Reed
Benninghoff	Fairchild	Metzgar	Reese
Boback	Fleck	Miccarelli	Roae
Boyd	Gabig	Miller	Rock
Brooks	Gabler	Milne	Rohrer
Causer	Gillespie	Moul	Stern
Christiana	Hess	Murt	Stevenson
Clymer	Hickernell	Oberlander	Swanger
Cox	Hutchinson	Perry	Tallman
Creighton	Kauffman	Phillips	Toepel
Cutler	Keller, M.K.	Pickett	True
Denlinger	Knowles	Pyle	Turzai
Ellis	Krieger	Quinn	

NOT VOTING—1

Saylor

EXCUSED—1

Oliver

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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2296, PN 4034**, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

On the question,

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—192

Adolph	Fabrizio	Longiotti	Readshaw
Baker	Fairchild	Maher	Reed
Barbin	Farry	Mahoney	Reese
Barrar	Fleck	Major	Reichley
Bear	Frankel	Manderino	Roae
Belfanti	Freeman	Mann	Rock
Benninghoff	Gabig	Markosek	Roebuck
Beyer	Gabler	Marshall	Rohrer
Bishop	Galloway	Marsico	Ross
Boback	Geist	Matzie	Sabatina
Boyd	George	McGeehan	Sainato
Boyle	Gerber	McI. Smith	Santarsiero
Bradford	Gergely	Melio	Santoni
Brennan	Gibbons	Metzgar	Saylor
Briggs	Gillespie	Miccarelli	Scavello
Brooks	Gingrich	Micozzie	Schroder
Brown	Godshall	Millard	Seip
Burns	Goodman	Miller	Shapiro
Buxton	Grell	Milne	Siptroth
Caltagirone	Grove	Mirabito	Smith, K.
Carroll	Grucela	Moul	Smith, M.
Casorio	Hahn	Mundy	Smith, S.
Causar	Hanna	Murphy	Sonney
Christiana	Harhai	Murt	Staback
Clymer	Harhart	Mustio	Stern
Cohen	Harkins	Myers	Stevenson
Conklin	Harper	O'Brien, D.	Sturla
Costa, D.	Harris	O'Brien, M.	Swanger
Costa, P.	Helm	O'Neill	Tallman
Cox	Hennessey	Oberlander	Taylor, J.
Cruz	Hess	Pallone	Taylor, R.
Curry	Hickernell	Parker	Toepel
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
DiGirolamo	Killion	Pickett	Wheatley
Donatucci	Kirkland	Preston	White
Drucker	Knowles	Pyle	Williams
Eachus	Kortz	Quigley	Yudichak
Ellis	Kotik	Quinn	
Evans, D.	Kula	Rapp	McCall,
Evans, J.	Lentz	Ravenstahl	Speaker
Everett	Levdansky		

NAYS—9

Creighton	Krieger	Samuelson	Thomas
Cutler	Metcalfe	Solobay	Youngblood
Haluska			

NOT VOTING—0

EXCUSED—1

Oliver

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.

BILLS SIGNED BY SPEAKER

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

HB 2279, PN 4032

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2010, to June 30, 2011, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2010; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Aviation Restricted Revenue Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund and the Tobacco Settlement Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2010, to June 30, 2011; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2010, to June 30, 2011, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2010; and to provide for the additional appropriation of Federal and State funds from the General Fund and the State Lottery Fund for the Executive Department of the Commonwealth for the fiscal year July 1, 2009 to June 30, 2010, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2009.

HB 2285, PN 4033

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.

HB 2296, PN 4034

An Act making appropriations to the Trustees of the University of Pennsylvania.

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

CALENDAR CONTINUED

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader, Representative Eachus, who makes a motion to suspend the rules for the immediate consideration of SB 1042.

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

The incorrect title of the motion is on the board. It is a motion to suspend the rules for the immediate consideration of SB 1042.

Those in favor of suspension of the rules will vote "aye"; those opposed, "nay."

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

The following roll call was recorded:

YEAS—140

Adolph	Fabrizio	Longietti	Ross
Barbin	Fairchild	Mahoney	Sabatina
Belfanti	Farry	Manderino	Sainato
Beyer	Fleck	Mann	Santarsiero
Bishop	Frankel	Markosek	Santoni
Boyle	Freeman	Marsico	Saylor
Bradford	Gabig	Matzie	Scavello
Brennan	Galloway	McGeehan	Seip
Briggs	Geist	McI. Smith	Shapiro
Brown	George	Melio	Siptroth
Burns	Gerber	Miccarelli	Smith, K.
Buxton	Gergely	Micozzie	Smith, M.
Caltagirone	Gibbons	Millard	Smith, S.
Carroll	Godshall	Miller	Solobay
Casorio	Goodman	Mirabito	Sonney
Causser	Grucela	Mundy	Staback
Cohen	Haluska	Murphy	Stern
Conklin	Hanna	Mustio	Stevenson
Costa, D.	Harhai	Myers	Sturla
Costa, P.	Harkins	O'Brien, D.	Taylor, J.
Cruz	Harris	O'Brien, M.	Taylor, R.
Curry	Helm	O'Neill	Thomas
Daley	Hess	Parker	Vereb
Deasy	Hornaman	Pashinski	Vitali
DeLuca	Houghton	Payne	Wagner
DePasquale	Johnson	Payton	Wansacz
Dermody	Josephs	Peifer	Waters
DeWeese	Keller, W.	Perzel	Wheatley
DiGirolamo	Kessler	Petrarca	White
Donatucci	Killion	Phillips	Williams
Drucker	Kirkland	Preston	Youngblood
Eachus	Kortz	Ravenstahl	Yudichak
Ellis	Kotik	Readshaw	
Evans, D.	Kula	Reed	McCall,
Evans, J.	Lentz	Roebuck	Speaker
Everett	Levdansky		

NAYS—61

Baker	Gillespie	Major	Rapp
Barrar	Gingrich	Marshall	Reese
Bear	Grell	Metcalfe	Reichley
Benninghoff	Grove	Metzgar	Roae
Boback	Hahn	Milne	Rock
Boyd	Harhart	Moul	Rohrer
Brooks	Harper	Murt	Samuelson
Christiana	Hennessey	Oberlander	Schroder
Clymer	Hickernell	Pallone	Swanger
Cox	Hutchinson	Perry	Tallman
Creighton	Kauffman	Petri	Toepel
Cutler	Keller, M.K.	Pickett	True
Day	Knowles	Pyle	Turzai
Delozier	Krieger	Quigley	Vulakovich
Denlinger	Maher	Quinn	Watson
Gabler			

NOT VOTING—0

EXCUSED—1

Oliver

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

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1042, PN 1465**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for method of filing; further providing for the definition of "cigarettes"; providing for the definition of "little cigars"; establishing the independent fiscal office; further providing for notice and publication of lists of property subject to custody and control of the Commonwealth; providing for borrowing for capital facilities, for oil and gas wells and for Pennsylvania Gaming Economic Development and Tourism Fund and for Water and Sewer System Assistance Bond Fund; further providing for Department of Corrections, for Department of Education, for Department of Environmental Protection, for Pennsylvania State Police and for Pennsylvania Emergency Management Agency; providing for 2009-2010 budget implementation and for 2009-2010 restrictions on appropriations for funds and accounts; abolishing the Board of Trustees of the Scranton State School for the Deaf; and making related repeals.

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

The SPEAKER. It is the Chair's understanding that all of the amendments – Representative Vitali; Representative Harper; the majority leader, Representative Eachus; and Representative Barrar with two amendments have withdrawn those amendments. Representative Barbin, Representative Maher, Representative Hanna, Representative Cox, Representative Grell, Representative Beyer, Representative Reichley, Representative Schroder, Representative Cutler, and Representative Cox – all those amendments have been withdrawn?

Will the House agree to the bill? It is the Chair's understanding that all of the amendments have been withdrawn? The Chair thanks the ladies and gentlemen.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 1042 be removed from the active calendar and recommitted to the Committee on Appropriations.

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2000, PN 2700**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in county officers, further providing for enumeration of elected officers.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 2000 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 2000 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.

* * *

The House proceeded to second consideration of **HB 2435, PN 3573**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, repealing provisions relating to discounts; further providing for the definition of "taxable" and "taxable year"; providing for the definitions of "commonly controlled group" and "separate company"; further providing for imposition of tax, for reports and payment of tax and for consolidated reports; providing for provisions relating to the taxation of tobacco products; imposing a tax on the extraction of natural gas; providing for natural gas severance registration certificate, for duties of the Department of Revenue, for tax

assessments and tax liens; imposing penalties; providing for service of process, for rulemaking, for cooperation with other governments and for bonds; further providing for underpayment of estimated tax; imposing penalties; and making an appropriation.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 2435 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 2435 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.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 1144 be removed from the tabled bill calendar.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 1144 be recommitted to the Committee on Appropriations.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 65 be removed from the active calendar and recommitted to the Committee on Appropriations.

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

SENATE MESSAGE**HOUSE BILL
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 2286, PN 3265**, with information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

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

HB 2280, PN 3260

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.

HB 2281, PN 3261

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.

HB 2282, PN 3262

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.

HB 2283, PN 3263

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.

HB 2284, PN 3264

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.

HB 2286, PN 3265

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.

HB 2287, PN 3266

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.

HB 2292, PN 3268

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

HB 2293, PN 3269

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

HB 2294, PN 3270

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

HB 2295, PN 3271

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University-Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

SB 904, PN 2029

An Act authorizing the Department of General Services, with the approval of the Department of Public Welfare and the Governor, to grant and convey to West Bradford Township, certain lands situate in West Bradford Township, Chester County; and authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey to Waynesburg University certain lands situate in the Borough of Waynesburg, Greene County.

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

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise members that he has given permission to Lou Romeo, WNEP-TV 16, permission to videotape with audio.

There will be no further votes.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the majority leader. Mr. EACHUS. Thank you.

For the information of the Democratic members, there will be an immediate Democratic caucus in the majority caucus room. Once again, for Democratic members, majority caucus room, Democratic caucus. Thank you.

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 recognizes the gentleman from Bucks County, Representative Farry, who moves that this House do now adjourn until Thursday, July 1, 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 6:27 p.m., e.d.t., the House adjourned.