

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

SATURDAY, JULY 3, 2010

SESSION OF 2010

194TH OF THE GENERAL ASSEMBLY

No. 46

HOUSE OF REPRESENTATIVES

The House convened at 9 a.m., e.d.t.

THE SPEAKER (KEITH R. McCALL)
PRESIDING

PRAYER

HON. THADDEUS KIRKLAND, member of the House of Representatives, offered the following prayer:

Let us pray:

Great is Thy faithfulness; great is Thy faithfulness. Morning till morning brand-new mercies we are allowed to see.

Our Father and our God, it is once again, O Lord, that we come into Your presence with thanksgiving, for You said in Your Word, "In all things give thanks." And we thank You, O God, for allowing us to rise early this morning, the blood yet still running warm in our veins.

God, we thank You for the men and women of the legislature who will go about Your business. We thank You, O God, for the staff and we thank You, O God, for the pages and security and all that You have placed in this House. And now, O God, we ask You for wisdom and understanding so that we might do which is pleasing unto You.

God, You have granted us traveling mercies. You have granted us another day, one that we have never seen nor witnessed before, and for that we are grateful.

Now, O God, we ask that You would be big in this place, be big in our lives. Order our footsteps so that we might do that which is pleasing unto You.

We ask these things in the mighty and majestic name of Your son. With thanksgiving, our soul says amen.

PLEDGE OF ALLEGIANCE

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

BILLS SIGNED BY SPEAKER

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

SB 87, PN 1943

An Act amending the act of December 15, 1982 (P.L.1266, No.287), entitled, as amended, "An act conferring limited residency status on military personnel, their dependents and civilian personnel assigned to an active duty station in Pennsylvania," expanding applicability of the act to include all active duty personnel and their dependents.

SB 1044, PN 1618

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

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

COMMUNICATIONS

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

The following communications were read:

A communication dated April 10, 2010, from the Intergovernmental Cooperation Authority, ICA, for cities of the second class submitted pursuant to Act 11 of 2004, providing a copy of the independent auditors' report for the fiscal year ended June 30, 2008.

A communication dated April 12, 2010, from the Legislative Audit Advisory Commission, providing a copy of the Audit of the Statement of Financial Affairs Report for the fiscal year 2008-2009.

A communication dated June 16, 2010, from the Office of Attorney General, submitted pursuant to the provisions of 42 Pa. C.S.A. §6801 et seq. and 18 P.S. §1.7 et seq., providing a copy of the fiscal year 2008-2009 reports.

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Friday, July 2, 2010, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

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

The Chair recognizes the minority whip, Representative Turzai, who requests leaves of absence for: Representative BEAR from Lancaster County for the day; Representative SCAVELLO from Monroe County for the day; Representative BENNINGHOFF from Centre County for the day; Representative ELLIS from Butler County for the day; Representative REICHLEY from Lehigh County for the day; Representative MURT from Montgomery County for the day. Without objection, the leaves will be granted.

MASTER ROLL CALL

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

MASTER ROLL CALL CONTINUED

The following roll call was recorded:

PRESENT—194

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—8

Bear	Ellis	Oliver	Scavello
Benninghoff	Murt	Reichley	True

LEAVES ADDED—1

Metzgar

LEAVES CANCELED—2

Bear Reichley

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

CALENDAR

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1200, PN 1605**, entitled:

An Act authorizing the Commonwealth of Pennsylvania to join the Interstate Wildlife Violator Compact; providing for the form of the compact; imposing additional powers and duties on the Governor and the Compact Administrator; and limiting the applicability of suspension powers.

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2480, PN 4074**, entitled:

An Act designating the Piper J-3 Cub as the official State aircraft of the Commonwealth of Pennsylvania.

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—194

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Bear	Ellis	Oliver	Scavello
Benninghoff	Murt	Reichley	True

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

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentleman from Clinton County, Representative Hanna, under unanimous consent.

Mr. HANNA. Thank you, Mr. Speaker. I just have remarks I would like to submit for the record. The SPEAKER. The Chair thanks the gentleman.

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

Thank you, Mr. Speaker. I rise today to ask my colleagues to support HB 2480, which would designate the Piper J-3 Cub as the official aircraft of the State of Pennsylvania.

The Piper J-3 Cub was originally built in Lock Haven, Pennsylvania, in the heart of Clinton County, between 1937 and 1947 by Piper Aircraft.

It was eventually modified and used by the United States Armed Forces during World War II for reconnaissance and as a hedgehopper during combat.

During this time the Piper Cub quickly became a familiar sight. First Lady Eleanor Roosevelt took a flight on a J-3 Cub, posing for a series of publicity photos to help promote the Civilian Pilot Training Program. Newsreels and newspapers of the era often featured images of wartime leaders – such as Generals Dwight Eisenhower, George Patton, and George Marshall – flying around European battlefields in Piper Cubs. And civilian-owned Cubs joined the war effort as part of the newly formed Civil Air Patrol, patrolling the eastern seaboard and Gulf Coast in a constant search for German U-boats and survivors of U-boat attacks.

Although it was originally only intended for flight training, the Piper J-3 Cub has become one of the most popular and best-known light aircraft of all time – easily recognizable by its fuselage's famous standard yellow paint, which has come to be known in aviation as Lock Haven Yellow.

There are many official State symbols in Pennsylvania. We have an official State seal, flag, and coat of arms. We recognize an official State animal, game bird, dog, fish, flower, insect, beverage, tree, flagship, fossil, and song; however, we currently do not designate a State aircraft, and what aircraft better to recognize than an American legend that was first built right here in Pennsylvania.

I encourage an affirmative vote on HB 2480. Thank you.

The House proceeded to third consideration of **HB 2521, PN 4075**, entitled:

An Act providing for anatomic pathology service disclosure.

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 DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, HB 2521 is part of the continuing effort that the House Insurance Committee has done to bring efficiency and transparency to health-care reform.

This bill creates the Anatomic Pathology Service Disclosure Act. It promotes transparency in the health-care system by requiring a referring health-care provider to provide disclosures in a bill for services provided to a patient. It is sourced in the American Medical Association's Code of Conduct and enhances that proposal by adding an enforcement mechanism to current physician practices.

There is no opposition to this bill, and it is supported by the Pennsylvania Medical Society and also the Pennsylvania Association of Pathologists and the College of American Pathologists.

And let me just say, Mr. Speaker, I want to commend my committee. I want to commend the minority chairman, Representative Micozzie. I also want to commend Scott Boyd and Representative Day, certainly, for working bipartisanly in the Insurance Committee. We have accomplished a lot in this committee because of the fact that we have been able to put our differences aside and work on behalf of the citizens of Pennsylvania. I also want to thank my executive director, Art McNulty, for all the hard work he has done in trying to put the stakeholders together, along with Kathy McCormac.

Mr. Speaker, working together we can accomplish a lot, and I just want to thank my committee on both sides of the aisle for the hard work that they do in working to provide legislation that will not only help to reduce costs but also put transparency into the health system.

I would ask for an affirmative vote on HB 2521. Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Fairchild	Levdansky	Readshaw
Baker	Farry	Longiotti	Reed
Barbin	Fleck	Maher	Reese
Barrar	Frankel	Mahoney	Roae
Belfanti	Freeman	Major	Rock
Beyer	Gabig	Manderino	Roebuck
Bishop	Gabler	Mann	Rohrer

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Bear	Ellis	Oliver	Scavello
Benninghoff	Murt	Reichley	True

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

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

**RULES AND APPROPRIATIONS
COMMITTEE MEETINGS**

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. EACHUS. Thank you, Mr. Speaker.

For the information of the members, there will be an immediate Rules Committee meeting in the majority caucus room. Once again, Rules Committee report to the majority

caucus room. Democrats will caucus at 9:30. Appropriations Committee members need to go to the majority caucus room for a 10 a.m. meeting, and we will return to the floor at 10:15. Once again, Rules immediately; 9:30, caucus for Democrats; 10 o'clock, Appropriations Committee; 10:15, back to the floor.

Thank you, Mr. Speaker.

The SPEAKER. There will be an immediate Rules Committee meeting in the majority caucus room and an Appropriations Committee meeting at 10 a.m.

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus at 9:30. I would ask our Republican members to please report to our caucus room at 9:30. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

Any further announcements?

RECESS

The SPEAKER. This House stands in recess until 10:15 a.m., unless sooner recalled by the Speaker.

AFTER RECESS

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence of the gentleman from Lehigh County, Representative Reichley, on the House floor. We cannot miss him. His name will be added to the master roll.

BILLS REREPORTED FROM COMMITTEE

HB 2157, PN 4064 By Rep. EACHUS

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

RULES.

HB 2413, PN 4017 By Rep. EACHUS

An Act designating State Route 997 within the limits of the Borough of Mont Alto as the Sgt. Edward W. Shaffer Memorial Highway.

RULES.

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 1332, PN 4049 By Rep. EACHUS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for confidential communications to a critical incident stress management team member by law enforcement officers, public safety responders and corrections officers and for confidential communications to a peer support member by law enforcement officers.

RULES.

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

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 2157 and HB 2413 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.

RECESS

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

AFTER RECESS

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

The SPEAKER. Members will report to the floor.

BILLS REREPORTED FROM COMMITTEE

HB 2157, PN 4064 By Rep. D. EVANS

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

APPROPRIATIONS.

HB 2413, PN 4017 By Rep. D. EVANS

An Act designating State Route 997 within the limits of the Borough of Mont Alto as the Sgt. Edward W. Shaffer Memorial Highway.

APPROPRIATIONS.

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of HB 65, PN 4073, 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 was agreed to.

SUPPLEMENTAL CALENDAR A

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of HB 2157, PN 4064, entitled:

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

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 2413, PN 4017, entitled:

An Act designating State Route 997 within the limits of the Borough of Mont Alto as the Sgt. Edward W. Shaffer Memorial Highway.

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

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to the following HB 1332, PN 4049, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for confidential communications to a critical incident stress management team member by law enforcement officers, public safety responders and corrections officers and for confidential communications to a peer support member by law enforcement officers.

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—195

Table listing names of members who voted 'YEAS' (195 total). Includes names like Adolph, Baker, Barbin, Barrar, Belfanti, Beyer, Bishop, Boback, Boyd, Boyle, Bradford, Brennan, Briggs, Brooks, Brown, Burns, Buxton, Caltagirone, Carroll, Casorio, Causer, Christiana, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Cruz, Curry, Cutler, Daley, Day, Deasy, Delozier, DeLuca, Denlinger, DePasquale, Dermody, DeWeese, DiGirolamo, Donatucci, Drucker, Eachus, Evans, D., Evans, J., Everett, Fabrizio, Fairchild, Farry, Fleck, Frankel, Freeman, Gabig, Gabler, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillespie, Gingrich, Godshall, Goodman, Grell, Grove, Grucela, Hahn, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Helm, Hennessey, Hess, Hickernell, Hornaman, Houghton, Hutchinson, Johnson, Josephs, Kauffman, Keller, M.K., Keller, W., Kessler, Killion, Kirkland, Knowles, Kortz, Kotik, Krieger, Kula, Lentz, Levdansky, Longiotti, Maher, Mahoney, Major, Manderino, Mann, Markosek, Marshall, Marsico, Matzie, McGeehan, McI. Smith, Melio, Metcalfe, Metzgar, Miccarelli, Micozzie, Millard, Miller, Milne, Mirabito, Moul, Mundy, Murphy, Mustio, Myers, O'Brien, D., O'Brien, M., O'Neill, Oberlander, Pallone, Parker, Pashinski, Payne, Payton, Peifer, Perry, Perzel, Petrarca, Petri, Phillips, Pickett, Preston, Pyle, Quigley, Quinn, Rapp, Ravenstahl, Readshaw, Reed, Reese, Reichley, Roae, Rock, Roebuck, Rohrer, Ross, Sabatina, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Schroder, Seip, Shapiro, Siptroth, Smith, K., Smith, M., Smith, S., Solobay, Sonney, Staback, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, J., Taylor, R., Thomas, Toepel, Turzai, Vereb, Vitali, Vulakovich, Wagner, Wansacz, Waters, Watson, Wheatley, White, Williams, Youngblood, Yudichak, McCall, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—7

Table listing names of members who were 'EXCUSED' (7 total). Includes names like Bear, Benninghoff, Ellis, Murt, Oliver, Scavello, True.

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

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 1332, PN 4049

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for confidential communications to a critical incident stress management team member by law enforcement officers, public safety responders and corrections officers and for confidential communications to a peer support member by law enforcement officers.

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

STATEMENT BY MR. GERGELY

The SPEAKER. For what purpose does the gentleman from Allegheny County, Representative Gergely, rise?

Mr. GERGELY. Unanimous consent, Mr. Speaker.

The SPEAKER. Unanimous consent is granted, without objection.

Mr. GERGELY. Thank you, Mr. Speaker.

Very briefly, I would just like to thank all the members who have helped make HB 1332, otherwise known as CISM (critical incident stress management), such a success. We had almost unanimous support both in the Senate and the House.

I want to recognize Representative Harper who did have some very good issues that we did address in the Senate. Senator Greenleaf and Senator Tartaglione made this bill a much better bill; Representative Brennan. And I also want to thank Representative Vereb and Representative Killion, who helped move this bill through the Senate and get it back here and get it to the Governor's Office. Again, thank you for the bipartisan effort in getting this bill passed.

STATEMENT BY MR. PYLE

The SPEAKER. Is the gentleman from Armstrong County, Representative Pyle, requesting unanimous consent? The gentleman from Armstrong County, Representative Pyle, is recognized under unanimous consent, without objection.

The House will come to order.

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

Mr. Speaker, in a matter of a few hours we will conclude with the main purpose of this House to enact a budget that will affect the 2010-2011 year. Many of us will leave and go on vacation; some will go to meet with our families.

Well, Mr. Speaker, today one of us is not here. I learned late last night that my roommate, the person I have shared a place with here, a guy I was elected with, lost his father. I am referring to Representative Brian Ellis. Brian's dad was recently diagnosed with cancer that was too widespread to be combated. From a simple fall and a headache came a diagnosis of cancer

so widespread through his brain that there was very little that could have been done except to put him in a hospice in Butler.

Brian has not been here this week, so I have kind of been trying to tend to things. But last night he asked me, would I get up and say a word about his dad? You see, I knew Brian's dad. Jim Ellis was a good man. Jim Ellis was one of those guys who became your friend the first time you met him, and to Jim Ellis, friends were family.

Now, before we leave today and go back and be with our families – and there is nobody looking more forward to seeing their kids than me – I would ask very humbly, Mr. Speaker, that when we go home tonight and we drop down on our knees and we say a prayer, maybe we could say a word for Jim Ellis.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

I know the Speaker speaks on behalf of the entire House of Representatives in wishing our heartfelt condolences to Brian Ellis and his entire family for such a tragic loss. Godspeed to Jim Ellis.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1042, PN 2141**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for investment, for State depositories, for requisitions, for audit of requisitions and issuance of warrants and for payments; providing for additional transfer, for bonds, for educational tax credits, for permit extensions, for heritage areas and for special provisions relating to victims of crime; further providing for the Pennsylvania Emergency Management Agency, for the Judicial Computer System Augmentation Account and for the Access to Justice Account; providing for the State Gaming Fund; further providing for the Tobacco Settlement Fund; providing for 2010-2011 budget implementation, for 2010-2011 restrictions on appropriations for funds and accounts and for retirement; and making related repeals.

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 Turzai.

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

I rise in opposition to the Fiscal Code, SB 1042. The Fiscal Code at one point in the General Assembly used to facilitate, essentially, the general appropriations bill. It now has become a repository for a wide variety of items, including promises between parties that they do not think that they may be able to keep.

In this particular legislation, our provisions indicate that it is the intent of the House majority leadership and the Senate majority leadership to pass tax-increase legislation from the

extraction of Marcellus Shale natural gas by October 1, 2010. The fact of the matter is, the other side of the aisle twice brought to the floor that particular tax and did not have the votes to deliver the tax. It seems to me if you want the bill, run the bill, and see if you have the votes.

I asked leadership of all the caucuses and the Governor's Office and their respective staffs if there is precedent in including language of intent that we will do a tax by X date. The answer was no; that precedent does not exist and such language has never been in a Fiscal Code before – ever. I suspect that I am happy that it is House majority leadership and Senate majority leadership whose intent it is to raise this tax revenue, because if it is not done by October 1, 2010, I do not know. Do they have to go to jail or pay fines? Are they subject to civil lawsuits? The fact that this language is in statute, what validity does it have, given the fact that it is being passed into law?

There are other, I would contend, irresponsible actions in this Fiscal Code. I know a number of my colleagues will address those points. One of them I think is reducing the contribution rate to essentially 5.64 percent employer contribution rates to PSERS (Public School Employees' Retirement System) without the needed reforms. This body passed, in a bipartisan manner, legislation that for me personally did not go far enough in terms of what those reforms might be but did pass reforms that would have essentially made changes for new hires going forward. As part of that, there was a reamortization, but essentially what this bill is doing is reamortizing without any reform, and it is just bypassing the tough decisions that were begun to be made here in the House of Representatives and sent over in a bill to the Senate.

Some of the transfers are of significant concern. I am not sure that it is great precedent that you take money from the Tobacco Settlement Fund and pay it directly as our contribution to SERS (State Employees' Retirement System). It is a budgetary gimmick, and I think it should have merited much more significant discussion.

There is also a concern with respect to the Governor's role or responsibility with respect to the acronym known as the FMAP (Federal Medical Assistance Percentages) money. It does not specifically state where that money should be cut from the budget if it does not materialize. The responsible thing to have done would have been to say, if this money comes, here it is going to be used in a contingency fund and/or in this Fiscal Code. It would have outlined exactly where those specific cuts would have been made. That is missing from the Fiscal Code, although an appropriate usage of the Fiscal Code.

I realize that these are technical issues that I have brought up, but the language of intent to enact a tax I think is fundamentally flawed and sets a bad precedent. And I am hopeful that in fact there is a significant discussion on the merits at a later time when an actual vote is taken – up or down; more green than red or more red than green – than putting in this fictional language about increasing a Marcellus Shale tax in this bill. I myself, when that day comes, will be voting against such a Marcellus Shale tax, because I do think that it is impeding the growth of an industry that provides wealth for landowners, new jobs for employees in Pennsylvania, and new capital.

I would ask that everyone votes "no" on this Fiscal Code. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that SB 1042 is agreed to on third.

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

The SPEAKER. The Chair recognizes the gentleman from Chester County. The gentleman from Chester County has two substantive amendments that would require the suspension of the rules.

Is it the gentleman's intent to offer the amendments and make a motion to suspend the rules?

Mr. SCHRODER. Mr. Speaker, I would be making a motion to suspend the rules for one of those amendments only, and that would be amendment 8426.

MOTION TO SUSPEND RULES

The SPEAKER. The gentleman from Chester County, Representative Schroder, makes a motion to suspend the rules for the purpose of offering amendment A08426, which the clerk will read.

The clerk read the following amendment No. **A08426**:

Amend Bill, page 123, line 8, by striking out "~~RESERVED~~"

Amend Bill, page 123, by inserting between lines 8 and 9

The following shall apply to appropriations for the Department of Community and Economic Development in the General Appropriation Act for the fiscal year beginning July 1, 2010:

(1) Notwithstanding any other provision of law to the contrary, if the Governor determines that there are insufficient funds in the General Fund to pay each of the appropriations from the General Fund pursuant to the General Appropriation Act as a result of the refusal of the Federal Government, after the effective date of this section, to appropriate at least \$850,000,000 in additional Federal funds to the Commonwealth for the purpose of the Medical Assistance Program, then prior to the withholding of payment from or the reduction of any other appropriation under the General Appropriation Act, no payment from the General Fund shall be made to the Department of Community and Economic Development for the purposes of urban development programs, for community and business assistance, for economic growth and development assistance and for community and municipal facilities assistance as appropriated under section 209 of the General Appropriation Act.

(2) (RESERVED).

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

The SPEAKER. On the question, will the House suspend the rules, the Chair recognizes the gentleman from Chester County, Representative Schroder, who is given the opportunity to make brief remarks on his amendment.

Mr. SCHRODER. Thank you, Mr. Speaker.

I will make brief remarks.

Mr. Speaker, I know it is late in the process here and there is a strong desire to go through these bills without hiccups or complications, but I do feel very strongly that we should

suspend the rules for a couple of reasons. First of all, this bill came to us unamendable because like others in the past it was amended on second in Appropriations and now is before us on third for the first time when we have no chance to make an impact by amendments without suspending the rules. So I think that reason alone should factor into this.

But most importantly, I truly believe that when this \$850 million does not materialize from the Federal government upon which this budget is based, before anything is cut – before education is cut, before any other line item in this budget is cut – the new WAM (walking-around money) funding that has been placed in this budget under DCED (Department of Community and Economic Development) should be the first funding to go and the first funding to be cut, and that is what this amendment will do.

Mr. Speaker, I am told that in the entire budget there is around \$100 million in WAMs – in legislative play money – in this budget in a year when we cannot afford it. When you look at your budget printouts and see the tide of red ink, some programs and worthy expenditures eliminated altogether, and we have the audacity to pass a budget that has \$100 million in WAMs. Well, Mr. Speaker, should that \$850 million not be here – and I think most of us believe that it will not – before we cut education, before we cut vital services, let us cut WAMs. Let us not go down this road of protecting our own abilities to scatter money around for our constituents and give our leadership big pots of money to throw around at us. Let us do the right thing.

The Senate will take this up. We showed the Senate the other day that we mean business when we did not concur with the teen driving bill, and I voted to nonconcur with the majority in this chamber. So I am asking you, please, let us make this simple amendment. Let us send it to the Senate. They will deal with it; even if they are scattered to the four winds, they will come back to deal with this important budget matter. Let us do the right thing. Thank you.

The SPEAKER. On the motion to suspend the rules, the Chair recognizes the majority leader.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to oppose the gentleman's motion. I think most of the membership has spoken to me. They want to get this budget done today and they want to go home for tomorrow. So respectfully, I oppose the gentleman's amendment.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF SB 1042 CONTINUED

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

The following roll call was recorded:

YEAS—86

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

NAYS—110

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

NOT VOTING—0

EXCUSED—6

Benninghoff	Murt	Scavello	True
Ellis	Oliver		

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

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

MOTION TO SUSPEND RULES

The SPEAKER. The gentleman from Bucks County, Representative Clymer, also would like to make a motion to suspend the rules for the immediate consideration of amendment A08429.

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Clymer, for brief, brief remarks on his amendment.

Mr. CLYMER. Thank you, Mr. Speaker, and I will be brief.

Mr. Speaker, I have heard the cry and the concerns of this General Assembly: We need more money; we are in a financial drought; where can we get this additional funding? Even Governor Rendell has said, I am going to go to Washington – and he did – to try to bring more money into this Treasury of ours. Well, I have a solution, Mr. Speaker. It is not a solution to cover the large deficit, but it is a step in the right direction. And here it is, one that certainly both sides of the aisle can easily support: I propose in this amendment to increase the amount of dollars that the State receives from table games revenue. For the first 2 years it would go from 14 percent to 27 percent, and then after, it drops off for 2 years and it goes to 24 percent.

Now, Mr. Speaker, this will bring in \$100 million to \$125 million per year. And we know, we know here in this General Assembly that the casinos have been extraordinarily successful. You know, whatever they wanted, we seemed to give them. Now, you heard the expression "it's time to give back." I am sure the casinos would be willing, if we had them here, to say, "Yes, Representative Clymer is moving in the right direction; let us support his amendment to increase the tax on the table games revenue." It is not going to tax our citizens; it is just going to say to the casinos, we want a little bit more of your profit.

So, Mr. Speaker, I ask for suspension of the rules to move my agenda forward. Thank you.

PARLIAMENTARY INQUIRY

The SPEAKER. On the question of suspension of the rules, on suspension of the rules, the Chair recognizes the gentleman from Westmoreland County, Representative Pallone.

Mr. PALLONE. A parliamentary inquiry, Mr. Speaker?

The SPEAKER. The gentleman will state it.

Mr. PALLONE. Thank you.

Before I can vote on the suspension, I would like to actually see the amendment, and it is not on the computer.

The SPEAKER. We are allowing Representative Clymer to make the motion on suspension. If the motion passes, we have to wait for the amendment to come down from the Reference Bureau.

Mr. PALLONE. Pursuant to what rule, Mr. Speaker?

The SPEAKER. It is prior practice of the House. The gentleman needs to have the rules suspended before he can offer the amendment.

Mr. PALLONE. All right. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of suspension of the rules, those in favor of suspending 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—89

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

NAYS—107

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

NOT VOTING—0

EXCUSED—6

Benninghoff	Murt	Scavello	True
Ellis	Oliver		

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

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

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

We have before us a very technical piece of legislation numbering 156 pages which we have had the opportunity to caucus about for about a half an hour, and during that time, not all the questions that have been identified to this point could be answered. So I am hoping that the majority leader may be able to help answer some questions.

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

Mr. MAHER. Thank you, Mr. Speaker.

Early in the bill, section 505, concerning State depositories, would designate eight banks as depositories. I understand that currently there are 19 banks as depositories. Could you educate us on how this change or why this change is being proposed?

Mr. EACHUS. Well, Mr. Speaker, to answer your question, if you can think about the – and I know you are a pretty sophisticated financial person, because I know your professional background. In the modern world of banking with digital movement of resources, this provision is incredibly antiquated. It sets up over a dozen depositories that are really unnecessary. So what this is doing is it is improving and consolidating and modernizing this. It was requested by our Treasury Department in order to make the daily transactions of State government more modern and orderly.

Mr. MAHER. And if we are aiming to streamline and take advantage of electronic wizardry, why go from 19 to 8? Why not go from 19 to 1 or 2? Why is 8 the magic number?

Mr. EACHUS. Well, you could make the argument that maybe 19 was too many, but you could also maybe be able to make the argument that 2 might be too small. You know, in a world where banks can fail, I think it is important to have the diversification of not only region but also size so that you have a good model for performance. And once again, this is recommended by Rob McCord, our State Treasurer.

Mr. MAHER. Thank you, Mr. Speaker. It sounds a bit like Goldilocks to me.

Mr. EACHUS. I do not know; I do not think I have the hair for Goldilocks, Mr. Speaker.

Mr. MAHER. That is fair.

Article XVI-G, refunding bonds, beginning on page 96. If I am reading this section correctly, the State is now stepping up as being obligated under bonds that will be issued by the Port Authority in Pittsburgh, by SEPTA (Southeastern Pennsylvania Transportation Authority), by other transit agencies. Am I reading that correctly?

Mr. EACHUS. Mr. Speaker, this is standard obligor language that happens in the transaction of bonding for transit authorities. You may know that the southeast public transit association, having lost their component of their resources from the Federal Highway Administration's rejection of the I-80 tolling plan, this has an impact on them. This just allows them to do what all other transit authorities do: It gives them authority to do additional bonding.

Mr. MAHER. Mr. Speaker, I do not think that is correct. I do not think this is standard. I think this is a brand-new section in the Fiscal Code, and it seems to tie the hands of the Commonwealth. When I read on page 97 that "THE COMMONWEALTH WILL NOT LIMIT OR ALTER THE RIGHTS...IN ANY MANNER INCONSISTENT WITH THE OBLIGATIONS OF THE TRANSIT ENTITY..." and any bonds issued by them, it seems to me that while we have got the Port Authority and SEPTA saying they cannot solve their own problems and they have enormous structural problems and are asking us to solve those structural problems, that it seems to me that this section is going to tie the hands of the Commonwealth of Pennsylvania in terms of bona fide structural changes, because we will have promised through this Fiscal Code a promise that will not be able to be abrogated because it will then be put into place on debt agreements that will carry on for 30 years. So it seems to me that this new section, far from being standard, serves to limit the options available to Pennsylvania in addressing the structural changes of SEPTA and the Port Authority for the next 30 years. And it seems to me, if that is correct, that it ought to have been discussed on its own merits and not buried on page 97 of a 156-page bill.

Mr. EACHUS. Mr. Speaker, will the gentleman restate the question?

Mr. MAHER. I will restate the question.

Have we ever before in a Fiscal Code promised that for the next 30 years the Commonwealth of Pennsylvania will not change its funding formulas in any way so that the Port Authority of Allegheny County, which has built itself a structural deficit, can go out and float bonds guaranteed by State money which may or may not exist?

Mr. EACHUS. I understand your question now. Let me answer it concisely.

While this language may be new to this particular Fiscal Code, this language is standard bonding language used in all bonding in the Commonwealth. So if the gentleman has a problem with it being in the Fiscal Code, I understand, but this is standard bonding language.

Mr. MAHER. Well, Mr. Speaker, we will just need to disagree on whether it is standard or special.

I would also ask, on page 96, line 29, when it talks about making termination payments on interest rate exchange agreements, does this mean that this section will permit the Port Authority to go out and borrow the \$30 million-plus that they need to from their gambling on interest rates gone wrong and turn that \$30 million gambling debt into an obligation of the Public Transportation Assistance Fund?

Mr. EACHUS. I think the language just gives the flexibility to go out in the marketplace and get the best rate, Mr. Speaker.

Mr. MAHER. The best rate to do what, to take that \$30 million gambling debt that comes due this year and turn it into a 30-year obligation of the Commonwealth's funds?

Mr. EACHUS. This language does not direct that, Mr. Speaker. It just allows them to go out—

Mr. MAHER. It allows them.

Mr. EACHUS. —on the open market; excuse me, Mr. Speaker. It just allows them to go out with this language and get the best rate.

Mr. MAHER. And again I say, the best rate to do what? If it is not intended to allow that, why is that recited?

Mr. EACHUS. I think I have answered your question, Mr. Speaker.

Mr. MAHER. Thank you, Mr. Speaker.

Section Subarticle (j). Just for clarity, this refers to this Crime Victim's Compensation Fund, which we discussed at some length here the other day, that would set up a victims' fund carved out for victims in Luzerne County. Are the provisions that are in this bill the same as in HB 2572?

Mr. EACHUS. I am sorry; my attention was distracted. Would you please ask the question? I am not trying to be difficult.

Mr. MAHER. No; I understand. Thank you.

Are the provisions concerning the "some Pennsylvanians are more equal than others" Luzerne County situation that was in HB 2572, is the language which is in this bill the same as was in HB 2572 when it passed the House?

Mr. EACHUS. Yes, the exact same language, Mr. Speaker.

Mr. MAHER. Thank you.

Subarticle (e), restrictions on appropriations for accounts and funds. Section 1799-E is the State Gaming Fund provisions, and this is the section where property tax relief funds, instead of being used for property tax relief, are lent to casinos. Can you tell me, will this permit an increase in the amount that is being lent to casinos or does this maintain the amount that is being lent to the casinos?

Mr. EACHUS. Mr. Speaker, we carried this language in every Fiscal Code since the creation of the Gaming Board. I think you are familiar that we have continued to loan them resources so that they can get their operations up and running. As you know, the Gaming Board was a new operation; there was very little startup, so we do use the ability to securitize that gaming relief fund. But it is very small, and it does a lot for the operation of the Gaming Board.

Mr. MAHER. So does this increase the amount that is being lent from the Property Tax Relief Fund or maintain it?

Mr. EACHUS. Yes. The new part of the language here, Mr. Speaker, is that the Gaming Board is now required to make payments back to the Commonwealth on this loan that we have paid, from the operating—

Mr. MAHER. Thank you. I am just trying to find out, does this increase the amount that is being lent to the Gaming Board or is there no increase in the amount being lent?

Mr. EACHUS. No increase. It is just an administrative provision.

Mr. MAHER. And so the total amount of loans outstanding from the Property Tax Relief Fund is how much then?

Mr. EACHUS. It would not be reflected in this bill, but I am happy to have our staff do some research and provide it to you, Mr. Speaker.

Mr. MAHER. Well, while we are talking, maybe somebody could gather that information. My recollection is it is somewhere between \$100 and \$200 million, but I would rather be more precise than that.

Section 1715-M dealing with the Tobacco Settlement Fund is a rather dense bit of language, and so I am just going to try to ask you if I am understanding the gist.

Does this essentially transfer all remaining assets of the endowment account?

Mr. EACHUS. Could you repeat the question again, Mr. Speaker?

Mr. MAHER. Section 1715-M dealing with the Tobacco Settlement Fund has a long list of provisions about this going here and that going there, and I am just trying to work them out on the back of an envelope, and I am believing what this section is aiming to accomplish is to transfer all remaining assets of the Tobacco Settlement Endowment Fund.

Mr. EACHUS. Yes, sir, Mr. Speaker; that is true.

Mr. MAHER. There are about \$130 million of tobacco settlement funds that are invested in venture capital, which is not liquid. Will those venture capital interests be transferred as an ownership interest or will there be an attempt to liquidate those?

Mr. EACHUS. The answer is no; it just helps close the budget gap, this transfer.

Mr. MAHER. No, you will not be liquidating them?

Mr. EACHUS. Correct.

Mr. MAHER. Thank you.

And to the extent that those venture capital commitments involve an open pledge of about \$100 million, who will be responsible for meeting those calls when they come due?

Mr. EACHUS. I did not really understand the nature of the question. Could you restate it?

Mr. MAHER. With these venture capital investments, when a commitment was made to invest by the tobacco board, typically it would be that you do not turn over the entirety of the investment in one fell swoop. The venture capital firms say to their investors, we will call you when we need your money to invest in a firm, but you are on the hook for whatever your commitment was to invest. There is about \$100 million of calls that have not yet happened by these venture capital firms connected to these venture capital investments where, during the course of this year, next year, the Commonwealth will get a call saying, it is time to meet your obligation. I am just asking what the source of funds will be for that.

Mr. EACHUS. I do not believe that your interpretation of the moving of these resources does what you have explained, Mr. Speaker. Let me say, though, that I am happy to facilitate a meeting with you with the board to clarify this for you. I would be happy to do that.

Mr. MAHER. Well, I think I have got the clarity, Mr. Speaker, and I would encourage you to look at that, because if this Commonwealth does not meet those \$100 million in obligations for calls when they come due, the Commonwealth essentially forfeits the \$100 million which is already invested.

The SPEAKER. Is the gentleman interrogating?

Mr. MAHER. Thank you, Mr. Speaker. I will add a question at the end: Do you not think that would be a swell idea?

Thank you, Mr. Speaker. I will be more mindful.

Mr. Speaker, in my final area of interrogation, I would hope that the majority leader and the other members of the majority leadership would each be able to rise individually so that we can verify what is on page 155. Page 155 says, "It is the intent of the House majority leadership...to pass legislation that raises revenue from the extraction of Marcellus Shale natural gas."

Mr. EACHUS. Your question again?

Mr. MAHER. My question is, Mr. Speaker, since I am not a mind reader to know your intent, I am going to ask you your intent. Is it your intent to raise revenue from the extraction of Marcellus Shale as put forth on page 155?

Mr. EACHUS. Well, I am not a mind reader either, Mr. Speaker, but I am telegraphing this to you: We are committed to passing a Marcellus Shale extraction tax by October 1. That policy is well documented. The members of the House Democratic Caucus feel strongly that we should not give away a natural resource without having the same benefits that all other States that have natural gas pumping are benefiting from currently under an extraction tax in all other States. And we will be working as a task force. I will be chairing that here in the House. I ask members in a bipartisan way to work with me on that, those that are interested. But we will be working in cooperation with the Senate to pass a Marcellus Shale extraction tax by October 1, with the implementation of the revenue by January 1, 2011.

Mr. MAHER. Thank you, Mr. Speaker, and that concludes my interrogation of the majority leader. I would like now to interrogate the majority whip.

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

Mr. MAHER. Thank you, Mr. Speaker.

Mr. Speaker, I think you just heard my question to the majority leader. Page 155 says it is the intent of the House majority leadership to raise taxes. Is that your intent as a member of leadership?

Mr. EACHUS. Mr. Speaker, I object to the gentleman's questioning. I answer for the Democratic Caucus leadership.

Mr. MAHER. With all due respect, Mr. Speaker—

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

The gentleman indicates he does not stand for interrogation. Does the gentleman have any further questions?

Mr. MAHER. No, Mr. Speaker, unless there is any other member of the—

The SPEAKER. Does the gentleman wish to speak on final passage of the bill?

Mr. MAHER. I do, Mr. Speaker, but I do have an open invitation for interrogation of any member of the House majority leadership who is prepared to stand up and back up the statement which is on page 155.

The SPEAKER. The majority leader has answered that question.

Mr. MAHER. Thank you, Mr. Speaker.

This is fascinating.

The SPEAKER. The gentleman will yield.

The gentleman would like to speak on final passage?

Mr. MAHER. Yes, Mr. Speaker. Thank you.

The SPEAKER. The gentleman is recognized for that purpose.

Mr. MAHER. Thank you, Mr. Speaker.

This is fascinating. It says it is "the intent of the House majority leadership," which is not just one person, of course; there is a whole panel of leadership, but we find that no one else from the House majority leadership is prepared to stand up and say this is what they believe.

Now, they are asking us to take a vote about what they believe, and they are not willing to tell us what they believe. So I do not think I can vote to say what they believe if they cannot figure out how to tell us what they believe. Maybe we will find out what they believe by how they vote, but I certainly am not in a position to read their minds. I did not see it posted on their Facebook pages – we intend to raise taxes; I intend to go to the mall; I intend to go to the lake – I did not see any of that. And for that reason alone, I think I would find that I would have to vote against legislation that asks me to verify what is in the hearts and minds of those who will not share that information.

I am disappointed that this bill continues to provide lending to casinos. The amount that is being lent to casinos is about the same as what the casinos paid for their table game licenses. So in actuality, they paid nothing for their table game licenses because Pennsylvania is lending them the money, and when we are in these difficult financial straits, I do not see the casinos as an appropriate object of your charity.

When it comes to the challenges facing mass transit, without any public debate, without any public hearings, the hands of Pennsylvania are going to be tied to some extent for the next 30 years, based on a provision that most of you probably did not even know was in this bill. That is wrong too. There needs to be real structural changes at these agencies, not giving them another dose and then telling us that we cannot provide the sort of intervention that they need for drying out.

I do not like the provisions that some Pennsylvanians are more equal than others and that for some reason people in one county should be treated better than the counties otherwise. It seems to me that the entire bill, the entire Fiscal Code, may be at risk for a constitutional challenge as a result of that.

With the Tobacco Settlement Fund, I find it startling that it is a "\$100 million here, \$100 million there" kind of a thing, that by making the changes that are set forth here, it is in all likelihood that Pennsylvania is going to require other legislation to avoid defaulting on obligations and forfeiting existing investments.

One hundred and fifty-six pages, and I wonder how many have actually been able to read it in the short time that it has been available. My guess is none. So I am going to vote "no"; I encourage you to vote "no." And if those members of the House Democratic leadership want to tell us what is on their mind, I would continue to encourage them to step up to the mike and tell us it is your intent to raise taxes in the fall.

Thank you, Mr. Speaker.

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I am going to be opposing SB 1042 on final passage for the same reasons I voted against the amendment last night in Appropriations, and I am going to submit the rest of my remarks for the record. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. Speaker, I rise today in opposition to SB 1042.

Mr. Speaker, 3 days ago I stood on this floor and spoke in support of the general appropriations bill for the 2010-11 fiscal year. As I said at that time, although it was not perfect, the budget bill we approved

was hashed out in a bipartisan and cooperative manner to reach our common goals.

Unfortunately, Mr. Speaker, this Fiscal Code before us today includes several provisions that were agreed upon by the majority parties and the administration that counter some of the key principles our caucus adopted throughout this budget process.

First, this bill contains language that calls for the intent to pass legislation that would raise revenue from the extraction of natural gas before October 1, 2010, and to be implemented by January 1, 2011.

Throughout this budget process, we have advocated for a no-tax-increase spending plan, and the budget we agreed upon on Wednesday met that goal. However, the language included in this bill states clearly the intent to pass legislation that would raise revenue from Marcellus Shale. This revenue is not necessary to balance the general appropriations bill we passed earlier this week.

While I do not want to speak for every member of this chamber, the overwhelming call from the House Republican Caucus has been to oppose new taxes in this year's budget.

Given the language included in this bill relative to raising revenue from Marcellus Shale gas extraction, I cannot support this proposal.

My other major issue of concern with this legislation centers on the fact that it does not provide language dictating where funding reductions may be made in the event the State does not receive the \$850 million in Federal FMAP funds from Washington.

Throughout the budget talks, we advocated that reductions should be included as part of this budget to account for the FMAP funds. This would help us better manage the impact on the budget in the months ahead.

Since no specific language is included to consider what may occur if the FMAP funds are not received, I do not believe it meets the concerns we conveyed throughout the budget talks.

Mr. Speaker, this bill has many issues and revenue sources that are necessary to move Pennsylvania forward. However, the language that spells out the intent to pass a bill does not belong in this Fiscal Code.

Thank you, and I will be voting "no" on this bill.

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

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, just briefly, this language that is in the bill that has been negotiated in a bipartisan fashion regarding the establishment, of the intent to establish an independent fiscal office and the legislative intent to pass a bill to provide for a resource replacement fee, the intent is between the two chambers. One of the previous speakers lamented the fact that this language seems to be unenforceable, that you cannot enforce it through any civil or any other mechanism in law. That is true. That is true because the language speaks to the intent of the leadership between the House and the Senate to, over the next few months, work in a bipartisan fashion to address these two issues that are important.

I also want to correct the record insofar as one of the previous speakers said that we had failed to pass the severance legislation in the past; quite to the contrary. Last September we moved the severance fee legislation out of the House. It went over to the Senate. It was not addressed in the Senate. But we did pass it here in the House last September, a version of it then. And I also just want to point out that Representative George has legislation, HB 1489, that was reported a couple of weeks ago from the Energy and Environmental Resources Committee on a bipartisan vote with bipartisan support. And I have no doubt that when we do address this issue over the coming months, I have no doubt that this chamber will work in a bipartisan fashion to pass the severance fee legislation just as we worked in a bipartisan fashion to pass the moratorium on additional

drilling – I am sorry, additional leasing of the State forests. So this House had addressed the issue on the floor last September, and we have recently moved legislation in a bipartisan fashion.

Mr. Speaker, just one final point: From my perspective, both the severance fee legislation and the independent fiscal office legislation are both significant, significant pieces of public policy that deserve and merit bipartisan support – bipartisan support. I think that we have demonstrated in the past that we can work in a bipartisan fashion. The creation of the independent fiscal office has a lot of pros and cons – a lot of people really have not focused on it yet – but it is a good piece of public policy. And it is important that Pennsylvania, that Pennsylvania put in place severance fee legislation so that we are able to take care of the needs of our local municipalities, of our conservation, of our environment, of our wildlife protection agencies, and the needs of the Commonwealth as well, and we can and we will do that.

The language in this legislation does not pass, does not create the independent fiscal office or create the severance tax. All it says is that it is the will of the leadership of the House and the Senate to, going forward, work in a bipartisan fashion to craft these two major pieces of public policy. I think it is a fair statement of intent of both chambers. The real test will be in the coming months to demonstrate that we can work in a bipartisan fashion to achieve these two important pieces of public policy.

I urge an affirmative vote.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. The Chair recognizes the majority leader, who moves that pursuant to rule 24, that members have had sufficient time to review the language and that the House proceed with consideration of SB 1042, PN 2141.

On the question,

Will the House agree to the motion?

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the minority whip, Representative Turzai, who requests a leave for the gentleman from Somerset County, Representative METZGAR, for the remainder of the day. Without objection, the leave will be granted.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24 CONTINUED

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—136

Adolph	Frankel	Markosek	Roebuck
Barbin	Freeman	Matzie	Ross
Belfanti	Gabler	McGeehan	Sabatina

Beyer	Galloway	McI. Smith	Sainato
Bishop	George	Melio	Santarsiero
Boyle	Gerber	Miccarelli	Santoni
Bradford	Gergely	Micozzie	Saylor
Brennan	Gibbons	Millard	Seip
Briggs	Godshall	Mirabito	Shapiro
Brown	Goodman	Mundy	Siptroth
Burns	Grucela	Murphy	Smith, K.
Buxton	Haluska	Myers	Smith, M.
Caltagirone	Hanna	O'Brien, D.	Smith, S.
Carroll	Harhai	O'Brien, M.	Solobay
Casorio	Harkins	O'Neill	Sonney
Causer	Harper	Oberlander	Staback
Cohen	Harris	Pallone	Sturla
Conklin	Hornaman	Parker	Taylor, J.
Costa, D.	Houghton	Pashinski	Taylor, R.
Costa, P.	Johnson	Payne	Thomas
Cruz	Josephs	Payton	Vereb
Curry	Keller, W.	Peifer	Vitali
Daley	Kessler	Perzel	Wagner
Deasy	Killion	Petrarca	Wansacz
DeLuca	Kirkland	Petri	Waters
DePasquale	Kortz	Phillips	Watson
Dermody	Kotik	Pickett	Wheatley
DeWeese	Kula	Preston	White
DiGirolamo	Lentz	Pyle	Williams
Donatucci	Levdansky	Quigley	Youngblood
Drucker	Longietti	Quinn	Yudichak
Eachus	Mahoney	Ravenstahl	
Evans, D.	Major	Readshaw	McCall,
Evans, J.	Manderino	Reed	Speaker
Fabrizio	Mann		

NAYS-57

Baker	Farry	Kauffman	Reese
Barrar	Fleck	Keller, M.K.	Reichley
Bear	Geist	Knowles	Roae
Boback	Gillespie	Krieger	Rock
Brooks	Gingrich	Maher	Rohrer
Christiana	Grell	Marshall	Samuelson
Clymer	Grove	Marsico	Schroder
Cox	Hahn	Metcalfe	Stern
Creighton	Harhart	Miller	Stevenson
Cutler	Helm	Milne	Swanger
Day	Hennessey	Moul	Tallman
Delozier	Hess	Mustio	Toepel
Denlinger	Hickernell	Perry	Turzai
Everett	Hutchinson	Rapp	Vulakovich
Fairchild			

NOT VOTING-2

Boyd	Gabig
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EXCUSED-7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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

CONSIDERATION OF SB 1042 CONTINUED

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS-109

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

NAYS-86

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

NOT VOTING-0

EXCUSED-7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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

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

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader.

Mr. EACHUS. Thank you, Mr. Speaker.

I need an immediate Rules Committee meeting. For the members of the Rules Committee, an immediate Rules Committee in the majority caucus room. It will not be long. We will be right back. Stay in your seats.

The SPEAKER. An immediate meeting of the Rules Committee in the majority caucus room.

The House will be at ease.

The House will come to order.

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 1186, PN 4094 (Amended) By Rep. EACHUS

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Department of Drug and Alcohol Programs; providing for governing body of the Pennsylvania Higher Education Assistance Agency; making a related repeal; repealing related provisions of the Pennsylvania Drug and Alcohol Abuse and Control Act; and making editorial changes.

RULES.

HB 1251, PN 3869 By Rep. EACHUS

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for minimum number of covered employees; further providing for duties of insurers and insurance producers, for investment, for group accident and sickness insurance and for mini-COBRA small employer group health policies; providing for continuation of coverage reinstatement; in long-term care, further providing for definitions; and providing for appealing an insurer's determination the benefit trigger is not met, for prompt payment of clean claims and for applicability.

RULES.

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

SUPPLEMENTAL CALENDAR C

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1251, PN 3869**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for minimum number of covered employees; further providing for duties of insurers and insurance producers, for investment, for group accident and sickness insurance and for mini-COBRA small employer group health policies; providing for continuation of coverage reinstatement; in long-term care, further providing for definitions; and providing for appealing an insurer's determination the benefit trigger is not met, for prompt payment of clean claims and for applicability.

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	Fairchild	Levdansky	Reese
Baker	Farry	Longietti	Reichley
Barbin	Fleck	Maher	Roae
Barrar	Frankel	Mahoney	Rock
Bear	Freeman	Major	Roebuck
Belfanti	Gabig	Manderino	Rohrer
Beyer	Gabler	Mann	Ross
Bishop	Galloway	Markosek	Sabatina
Boback	Geist	Marshall	Sainato
Boyd	George	Marsico	Samuelson
Boyle	Gerber	Matzie	Santarsiero
Bradford	Gergely	McGeehan	Santoni
Brennan	Gibbons	McI. Smith	Saylor
Briggs	Gillespie	Melio	Schroder
Brooks	Gingrich	Miccarelli	Seip
Brown	Godshall	Micozzie	Shapiro
Burns	Goodman	Millard	Sipthoth
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	Mustio	Stern
Cohen	Harhart	Myers	Stevenson
Conklin	Harkins	O'Brien, D.	Sturla
Costa, D.	Harper	O'Brien, M.	Swanger
Costa, P.	Harris	O'Neill	Tallman
Cox	Helm	Oberlander	Taylor, J.
Cruz	Hennessey	Pallone	Taylor, R.
Curry	Hess	Parker	Thomas
Cutler	Hickernell	Pashinski	Toepel
Daley	Hornaman	Payne	Turzai
Day	Houghton	Payton	Vereb
Deasy	Hutchinson	Peifer	Vitali
DeLozier	Johnson	Perzel	Vulakovich
DeLuca	Josephs	Petrarca	Wagner
Denlinger	Kauffman	Petri	Wansacz
DePasquale	Keller, M.K.	Phillips	Waters
Dermody	Keller, W.	Pickett	Watson
DeWeese	Kessler	Preston	Wheatley
DiGirolamo	Killion	Pyle	White
Donatucci	Kirkland	Quigley	Williams
Drucker	Knowles	Quinn	Youngblood
Eachus	Kortz	Rapp	Yudichak
Evans, D.	Kotik	Ravenstahl	
Evans, J.	Krieger	Readshaw	McCall,
Everett	Kula	Reed	Speaker
Fabrizio	Lentz		

NAYS—3

Creighton	Metcalfe	Perry
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NOT VOTING—0

EXCUSED—7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 1251, PN 3869

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for minimum number of covered employees; further providing for duties of insurers and insurance producers, for investment, for group accident and sickness insurance and for mini-COBRA small employer group health policies; providing for continuation of coverage reinstatement; in long-term care, further providing for definitions; and providing for appealing an insurer's determination the benefit trigger is not met, for prompt payment of clean claims and for applicability.

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

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 the consideration of HB 1186, PN 4094.

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

The following roll call was recorded:

YEAS—150

Adolph	Fairchild	Mahoney	Reed
Barbin	Farry	Major	Roebuck
Belfanti	Fleck	Manderino	Sabatina
Beyer	Frankel	Mann	Sainato
Bishop	Freeman	Markosek	Santarsiero
Boyle	Galloway	Marshall	Santoni
Bradford	Geist	Matzie	Saylor
Brennan	George	McGeehan	Seip
Briggs	Gerber	McI. Smith	Shapiro
Brown	Gergely	Melio	Siptroth
Burns	Gibbons	Micozzie	Smith, K.
Buxton	Godshall	Millard	Smith, M.
Caltagirone	Goodman	Miller	Smith, S.
Carroll	Grove	Mirabito	Solobay
Casorio	Grucela	Moul	Sonney
Causer	Haluska	Mundy	Staback
Christiana	Hanna	Murphy	Stern
Clymer	Harhai	Myers	Stevenson
Cohen	Harkins	O'Brien, D.	Sturla
Conklin	Harper	O'Brien, M.	Taylor, J.
Costa, D.	Harris	O'Neill	Taylor, R.
Costa, P.	Helm	Oberlander	Thomas
Cruz	Hennessey	Pallone	Turzai
Curry	Hess	Parker	Vereb
Daley	Hornaman	Pashinski	Vitali
Deasy	Houghton	Payne	Vulakovich
DeLuca	Johnson	Payton	Wagner
DePasquale	Josephs	Peifer	Wansacz

Dermody	Keller, W.	Perzel	Waters
DeWeese	Kessler	Petrarca	Watson
DiGirolamo	Kirkland	Petri	Wheatley
Donatucci	Knowles	Phillips	White
Drucker	Kortz	Preston	Williams
Eachus	Kotik	Pyle	Youngblood
Evans, D.	Kula	Quigley	Yudichak
Evans, J.	Lentz	Quinn	
Everett	Levdansky	Ravenstahl	McCall,
Fabrizio	Longietti	Readshaw	Speaker

NAYS—45

Baker	Gabig	Killion	Reese
Barrar	Gabler	Krieger	Reichley
Bear	Gillespie	Maher	Roae
Boback	Gingrich	Marsico	Rock
Boyd	Grell	Metcalfe	Rohrer
Brooks	Hahn	Miccarelli	Ross
Cox	Harhart	Milne	Samuelson
Creighton	Hickernell	Mustio	Schroder
Cutler	Hutchinson	Perry	Swanger
Day	Kauffman	Pickett	Tallman
Delozier	Keller, M.K.	Rapp	Toepel
Denlinger			

NOT VOTING—0

EXCUSED—7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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.

SUPPLEMENTAL CALENDAR D

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to **HB 1186, PN 4094**, as further amended by the House Rules Committee:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Department of Drug and Alcohol Programs; providing for governing body of the Pennsylvania Higher Education Assistance Agency; making a related repeal; repealing related provisions of the Pennsylvania Drug and Alcohol Abuse and Control Act; and making editorial changes.

On the question,
Will the House concur in Senate amendments as amended by the Rules Committee?

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

The following roll call was recorded:

YEAS—172

Adolph	Fabrizio	Levdansky	Readshaw
Baker	Fairchild	Longietti	Reed
Barbin	Farry	Mahoney	Reichley

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

NAYS—23

Causar	Gabler	Metcalfe	Rock
Cox	Hutchinson	Peifer	Rohrer
Creighton	Kauffman	Perry	Swanger
Cutler	Keller, M.K.	Rapp	Tallman
Denlinger	Krieger	Reese	Toepel
Gabig	Maher	Roae	

NOT VOTING—0

EXCUSED—7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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

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

STATEMENT BY MR. ADOLPH

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

Mr. ADOLPH. Thank you, Mr. Speaker.

At this time I would like to just congratulate Representative Gene DiGirolamo for the passage of HB 1186. This gentleman from Bucks County has been working over three or four terms on this piece of legislation, and he deserves an awful lot of credit. So I know this is probably Gene's shining moment in the Pennsylvania Legislature, and he should be congratulated. Thank you.

STATEMENT BY MR. WATERS

The SPEAKER. For what purpose does the gentleman from Philadelphia, Representative Waters, rise?

Mr. WATERS. For unanimous consent.

The SPEAKER. Without objection, unanimous consent is granted.

Mr. WATERS. I would also like to join in congratulating Representative DiGirolamo for passage of that. That bill came before the Health and Human Services Committee. I believe it was the smart way to go. In the long run, it will save money down the road by doing the things upfront that prevent incarceration and other problems on the other end of the road, getting the people the services and the help that they need. So congratulations to you for passage of that bill, sir. Thank you so much.

STATEMENT BY MR. JOHNSON

The SPEAKER. For what purpose does the gentleman from Philadelphia, Representative Johnson, rise?

Mr. JOHNSON. Unanimous consent.

The SPEAKER. Without objection.

Mr. JOHNSON. Thank you, Mr. Speaker.

Mr. Speaker, I also rise and thank Representative DiGirolamo for the passage of HB 1186. I commend him for his efforts. This is an issue that is very dear to me, and when you talk about crime prevention, I think it is great that he came up with a concept where we make the issue of drug and alcohol a priority by establishing an agency that deals specifically with the issues that need to be addressed, particularly with that population. So again I commend you for your efforts, and keep up the good work.

The SPEAKER. Is the gentleman from Montgomery County, Representative Shapiro, seeking recognition? The gentleman waives off.

VOTE CORRECTION

The SPEAKER. The gentleman from Cumberland County, Representative Gabig, to correct the record.

Mr. GABIG. Thank you, Mr. Speaker.

On the motion to proceed on SB 1042, I was in my seat and pushing my "nay" button prior to the vote being called; however, it did not indicate that on the board. So I would just like the record to reflect that I would have voted "no" rather than doing a motion to reconsider.

Thank you, Mr. Speaker.

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

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

The clerk of the Senate, being introduced, returned **HB 1300, PN 2702; HB 254, PN 4076; HB 1800, PN 4091; HB 2493, PN 4093; and HB 1859, PN 4056**, 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 BILL
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 1890, PN 3954**, with information that the Senate has passed the same without amendment.

RULES COMMITTEE MEETING

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

I need a Rules Committee meeting immediately in the majority caucus room. We will not be long.

The SPEAKER. A Rules Committee meeting immediately in the majority caucus room.

The House will be at ease.

The House will come to order.

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE****HB 254, PN 4076**

By Rep. EACHUS

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers of the Department of Public Welfare, further providing for determining whether applicants are veterans; in public assistance, further providing for medical assistance payments for institutional care; and providing for Statewide Quality Care Assessment.

RULES.

HB 1300, PN 2702

By Rep. EACHUS

An Act designating the interchange at Exit 32-B of Interstate 70 in Washington County as the Nathan Burnfield Memorial Interchange; and designating the Gay Street Bridge on State Route 113, which crosses French Creek in the Borough of Phoenixville, Chester County, as the Veterans Memorial Gay Street Bridge.

RULES.

HB 1800, PN 4091

By Rep. EACHUS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for vehicles exempt from registration, for display of registration plate, for exemption of persons, entities and vehicles from fees, for annual hauling permits and for

automated red light enforcement in first class cities; providing for automated red light enforcement systems in second class, second class A and third class cities and for the Automated Enforcement Fund; transferring money; further providing for general requirements for other vehicles transporting school children, for conditions of permits and security for damages, for permit for movement in the course of manufacture and for permit for movement of bulk refined oil; providing for permit for movement of nonhazardous liquid glue and for permit for movement of waste tires; further providing for definitions, for restricted account, for registration of snowmobile or ATV, for certificate of title for snowmobile or ATV, for fees and for records; and providing for vintage snowmobile permits.

RULES.

HB 1859, PN 4056

By Rep. EACHUS

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in enforcement, repealing the offense of assaulting an officer, further providing for jurisdiction and penalties, for revocation, suspension or denial of license, permit or registration and for determination of second or subsequent convictions; in game or wildlife protection, further providing for endangered or threatened species; in hunting and furtaking, further providing for killing game or wildlife by mistake, for unlawful taking or possession of game or wildlife, for unlawful use of lights while hunting, for buying and selling game, for trespass on private property while hunting, for unlawful killing or taking of big game and for additional penalty for poaching; and, in hunting and furtaking licenses, further providing for unlawful acts concerning licenses.

RULES.

HB 2493, PN 4093

By Rep. EACHUS

An Act amending the act of February 1, 1974 (P.L.34, No.15), known as the Pennsylvania Municipal Retirement Law, providing for implementation provisions for Deferred Retirement Option Plans, for corrective measures for maintaining tax qualified status of the Pennsylvania Municipal Retirement System and for solicitation of political contributions; and making a related repeal.

RULES.

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

SUPPLEMENTAL CALENDAR E**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 254, PN 4076**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers of the Department of Public Welfare, further providing for determining whether applicants are veterans; in public assistance, further providing for medical assistance payments for institutional care; and providing for Statewide Quality Care Assessment.

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—190

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

NAYS—5

Creighton	Maher	Metcalfe	Rohrer
Harper			

NOT VOTING—0

EXCUSED—7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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.

SUPPLEMENTAL CALENDAR F

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1859, PN 4056**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in enforcement, repealing the offense of assaulting an officer, further providing for jurisdiction and penalties, for revocation, suspension or denial of license, permit or registration and for determination of second or subsequent convictions; in game or wildlife protection, further providing for endangered or threatened species; in hunting and furtaking, further providing for killing game or wildlife by mistake, for unlawful taking or possession of game or wildlife, for unlawful use of lights while hunting, for buying and selling game, for trespass on private property while hunting, for unlawful killing or taking of big game and for additional penalty for poaching; and, in hunting and furtaking licenses, further providing for unlawful acts concerning licenses.

On the question,

Will the House 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—189

Adolph	Fabrizio	Levdansky	Reese
Baker	Fairchild	Longiatti	Reichley
Barbin	Farry	Maher	Roae
Barrar	Fleck	Mahoney	Rock
Bear	Frankel	Major	Roebuck
Belfanti	Freeman	Manderino	Rohrer
Beyer	Gabig	Mann	Ross
Bishop	Gabler	Markosek	Sabatina
Boback	Galloway	Marshall	Sainato
Boyd	Geist	Marsico	Samuelson
Boyle	George	Matzie	Santarsiero
Bradford	Gerber	McGeehan	Santoni
Brennan	Gergely	McI. Smith	Saylor
Briggs	Gibbons	Melio	Schroder
Brooks	Gillespie	Miccarelli	Seip
Brown	Gingrich	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
Causer	Haluska	Mundy	Sonney
Christiana	Hanna	Murphy	Staback
Clymer	Harhai	Mustio	Stern
Cohen	Harhart	Myers	Stevenson
Conklin	Harkins	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	Thomas
Cutler	Hornaman	Pashinski	Toepel
Daley	Houghton	Payne	Turzai
Day	Hutchinson	Payton	Vitali
Deasy	Johnson	Peifer	Vulakovich
Delozier	Josephs	Perry	Wagner
DeLuca	Kauffman	Perzel	Wansacz

Denlinger	Keller, M.K.	Petrarca	Waters
DePasquale	Keller, W.	Petri	Watson
Dermody	Kessler	Phillips	Wheatley
DeWeese	Killion	Pickett	White
DiGirolamo	Kirkland	Preston	Williams
Donatucci	Knowles	Pyle	Youngblood
Drucker	Kortz	Quinn	Yudichak
Eachus	Kotik	Rapp	
Evans, D.	Krieger	Ravenstahl	McCall,
Evans, J.	Kula	Readshaw	Speaker
Everett	Lentz	Reed	

NAYS—6

Creighton	Harper	Quigley	Vereb
Godshall	Metcalfe		

NOT VOTING—0

EXCUSED—7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 1859, PN 4056

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in enforcement, repealing the offense of assaulting an officer, further providing for jurisdiction and penalties, for revocation, suspension or denial of license, permit or registration and for determination of second or subsequent convictions; in game or wildlife protection, further providing for endangered or threatened species; in hunting and furtaking, further providing for killing game or wildlife by mistake, for unlawful taking or possession of game or wildlife, for unlawful use of lights while hunting, for buying and selling game, for trespass on private property while hunting, for unlawful killing or taking of big game and for additional penalty for poaching; and, in hunting and furtaking licenses, further providing for unlawful acts concerning licenses.

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

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. The Chair recognizes the majority leader, who moves that pursuant to rule 24, that members have had sufficient time to review the language and that the House proceed with consideration of HB 2493, PN 4093.

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

The following roll call was recorded:

YEAS—136

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

NAYS—58

Baker	Fleck	Knowles	Rapp
Barrar	Gabig	Krieger	Reese
Bear	Geist	Maher	Reichley
Boback	Gillespie	Major	Roae
Boyd	Gingrich	Marsico	Rock
Brooks	Grell	Metcalfe	Rohrer
Christiana	Grove	Miller	Samuelson
Clymer	Hahn	Milne	Schroder
Cox	Harhart	Moul	Stern
Creighton	Helm	Mustio	Swanger
Cutler	Hess	O'Neill	Tallman
Delozier	Hickernell	Perry	Toepel
Denlinger	Hutchinson	Pickett	Turzai
Fairchild	Kauffman	Pyle	Vulakovich
Farry	Keller, M.K.		

NOT VOTING—1

Day

EXCUSED—7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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.

SUPPLEMENTAL CALENDAR I

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2493, PN 4093**, entitled:

An Act amending the act of February 1, 1974 (P.L.34, No.15), known as the Pennsylvania Municipal Retirement Law, providing for implementation provisions for Deferred Retirement Option Plans, for corrective measures for maintaining tax qualified status of the Pennsylvania Municipal Retirement System and for solicitation of political contributions; and making a related repeal.

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

MOTION TO SUSPEND RULES

The SPEAKER. On the question, the gentleman, Representative Hennessey, has an amendment filed to this bill. Is it the gentleman's intention to offer the amendment? The gentleman will need to make a motion to suspend the rules to offer the amendment.

Mr. HENNESSEY. Yes, Mr. Speaker. Thank you.

I would like to ask for a suspension of the rules to consider this amendment, which would essentially correct what I think is a bad policy decision we included in Act 44 of last year. The amendment would prohibit DROPs, the deferred retirement option programs, in public employment and phase out existing DROP programs by public employers.

DROPs, in my view, are a bad idea, especially when they are imposed on our government entities. They cost our taxpayers money. They are a source of continuing embarrassment, in newspapers, to the legislature and to the public bodies that are benefiting from them. And so I ask for a suspension so we can consider getting rid of them. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

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

Mr. EACHUS. Thank you.

I respectfully oppose the gentleman's motion. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

The wrong message is on the voting board. This is a motion to suspend the rules for HB 2493.

Those voting to suspend the rules will vote "aye"; those voting not to suspend the rules will vote "nay."

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

The following roll call was recorded:

YEAS—87

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

NAYS—108

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

NOT VOTING—0

EXCUSED—7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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

On the question recurring,

Will the House concur in Senate amendments?

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

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

Mr. SCHRODER. Thank you, Mr. Speaker.

Would someone be able to stand for brief interrogation about a particular provision of the bill?

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

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, this bill appears to amend Act 205, section 703-A, regarding agents and solicitations, and I believe if I am reading it correctly that under the current law, those who would apply, submit, offer bid, respond to a request for proposal, or solicit a professional services contract with a municipality would not be able to give political contributions either to the candidate, a municipal official, or the political party of that person. This appears to be changing the law to eliminate the prohibition against giving contributions to the political party. Am I reading this correctly?

Mr. EACHUS. Sir, I do not believe you are reading that correctly.

Mr. SCHRODER. Would you be able to clarify then and point out for me where I am misinterpreting this or am wrong then?

Mr. EACHUS. I really cannot follow your logic, Mr. Speaker. It is hard for me to understand. But what I said is, I do not believe you are interpreting it correctly, how you are coming to your interpretation. If you want to explain further about what your interpretation is?

Mr. SCHRODER. Well, according to the information that I have that was provided by our staff, the current law deals with a person that has entered into or has applied for, submitted an offer or a bid, or responded to a request for proposal or otherwise solicited a professional services contract with a municipal pension system would not be permitted to give a political contribution to a candidate for office, the elected official, or the political party of that person. According to this, what has been stricken from that section is the term "political party." So what I am concluding from the reading of this is that this opens it up for contributions to go to the political party. Have I made myself more clear on that, sir?

Mr. EACHUS. Mr. Speaker, my chief counsel just informed me that there was an error in Act 44 when we passed it last year in the language that we passed relating to this section you are discussing. This is the Senate's attempt to repair that error. It is a corrective Senate amendment.

Mr. SCHRODER. Okay. I appreciate that explanation of how we got here with this, but I am still concerned about the actual impact of taking away "political party" in favor of inserting the words "or affiliated entity," which from my reading of it does not mean "political party" the way it is used here.

Mr. EACHUS. Could you restate your question for me, Mr. Speaker?

Mr. SCHRODER. The term in the current law that is used is a prohibition on giving a contribution to a political party, I believe. What is proposed in 2493 is that "political party" is stricken out and a term "or affiliated entity" is added in. I do not believe from my reading of this that that includes or covers "political party" because it applies to an entity affiliated, you know, with that person itself.

Mr. EACHUS. If you will refer to the language – and the members can, too – on page 11, line 16, the only word that is struck is "action." Do you have the language in front of you, Mr. Speaker? So the Election Code uses "political committee," not "action committee." So the word being removed, "action," actually conforms to the standard that is in current law.

Mr. SCHRODER. So, Mr. Speaker, are you suggesting then that there is no substantive change in the current law? Obviously what I am concerned about is whether this opens up the ability to engage in pay-to-play that might not be there right now. Certainly—

Mr. EACHUS. I— Sorry; excuse me.

Mr. SCHRODER. I was going to say, what I do not want to see happen is the specter raised where there is still a prohibition on giving to the candidate but they can give to the political party, who then, in turn, can give directly to the candidate.

Mr. EACHUS. Once again I will restate that the one word removal of "action" is in conformity with the standards in current law. So I think the gentleman is reading too much into it.

Mr. SCHRODER. Mr. Speaker, I am finished with the interrogation. I thank the gentleman for his remarks.

The SPEAKER. Does the gentleman wish to speak on final passage?

Mr. SCHRODER. No, Mr. Speaker. I believe I have gotten the answers that—

The SPEAKER. The Chair thanks the gentleman.

Mr. SCHRODER. Thank you.

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—115

Adolph	Eachus	Longietti	Sainato
Barbin	Evans, D.	Mahoney	Samuelson
Belfanti	Fabrizio	Manderino	Santarsiero
Beyer	Frankel	Mann	Santoni
Bishop	Freeman	Markosek	Seip
Boyle	Galloway	Matzke	Shapiro
Bradford	George	McGeehan	Siproth
Brennan	Gerber	McI. Smith	Smith, K.
Briggs	Gergely	Melio	Smith, M.
Brown	Gibbons	Micozzie	Smith, S.
Burns	Goodman	Mirabito	Solobay

Buxton	Grucela	Mundy	Staback
Caltagirone	Haluska	Murphy	Sturla
Carroll	Hanna	Myers	Taylor, J.
Casorio	Harhai	O'Brien, D.	Taylor, R.
Cohen	Harkins	O'Brien, M.	Thomas
Conklin	Hennessey	O'Neill	Vereb
Costa, D.	Hornaman	Pallone	Vitali
Costa, P.	Houghton	Parker	Wagner
Cruz	Johnson	Pashinski	Wansacz
Curry	Josephs	Payton	Waters
Daley	Keller, W.	Perzel	Wheatley
Deasy	Kessler	Petrarca	White
DeLuca	Kirkland	Preston	Williams
DePasquale	Kortz	Ravenstahl	Youngblood
Dermody	Kotik	Readshaw	Yudichak
DeWeese	Kula	Roebuck	
DiGirolamo	Lentz	Ross	McCall,
Donatucci	Levdansky	Sabatina	Speaker
Drucker			

NAYS—80

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

NOT VOTING—0

EXCUSED—7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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 254, PN 4076

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers of the Department of Public Welfare, further providing for determining whether applicants are veterans; in public assistance, further providing for medical assistance payments for institutional care; and providing for Statewide Quality Care Assessment.

HB 1890, PN 3954

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.

HB 2493, PN 4093

An Act amending the act of February 1, 1974 (P.L.34, No.15), known as the Pennsylvania Municipal Retirement Law, providing for implementation provisions for Deferred Retirement Option Plans, for corrective measures for maintaining tax qualified status of the Pennsylvania Municipal Retirement System and for solicitation of political contributions; and making a related repeal.

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1320, PN 2137**, entitled:

An Act designating Interstate 84, within this Commonwealth, as the Fallen Trooper Memorial Highway; and designating a bridge in Clarks Summit, Lackawanna County, as the John E. Fitzgerald Memorial Bridge.

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—195

Adolph	Fairchild	Levdansky	Reed
Baker	Farry	Longietti	Reese
Barbin	Fleck	Maher	Reichley
Barrar	Frankel	Mahoney	Roae
Bear	Freeman	Major	Rock
Belfanti	Gabig	Manderino	Roebuck
Beyer	Gabler	Mann	Rohrer
Bishop	Galloway	Markosek	Ross
Boback	Geist	Marshall	Sabatina
Boyd	George	Marsico	Sainato

Boyle	Gerber	Matzie	Samuelson
Bradford	Gergely	McGeehan	Santarsiero
Brennan	Gibbons	McI. Smith	Santoni
Briggs	Gillespie	Melio	Saylor
Brooks	Gingrich	Metcalfe	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.
Causser	Haluska	Moul	Solobay
Christiana	Hanna	Mundy	Sonney
Clymer	Harhai	Murphy	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	Taylor, R.
Curry	Hickernell	Parker	Thomas
Cutler	Hornaman	Pashinski	Toepel
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
Evans, D.	Krieger	Rapp	
Evans, J.	Kula	Ravenstahl	McCall,
Everett	Lentz	Readshaw	Speaker
Fabrizio			

NAYS-0

NOT VOTING-0

EXCUSED-7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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

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

SUPPLEMENTAL CALENDAR J

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1300, PN 2702**, entitled:

An Act designating the interchange at Exit 32-B of Interstate 70 in Washington County as the Nathan Burnfield Memorial Interchange; and designating the Gay Street Bridge on State Route 113, which crosses French Creek in the Borough of Phoenixville, Chester County, as the Veterans Memorial Gay Street Bridge.

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-195

Adolph	Fairchild	Levdansky	Reed
Baker	Farry	Longietti	Reese
Barbin	Fleck	Maher	Reichley
Barrar	Frankel	Mahoney	Roae
Bear	Freeman	Major	Rock
Belfanti	Gabig	Manderino	Roebuck
Beyer	Gabler	Mann	Rohrer
Bishop	Galloway	Markosek	Ross
Boback	Geist	Marshall	Sabatina
Boyd	George	Marsico	Sainato
Boyle	Gerber	Matzie	Samuelson
Bradford	Gergely	McGeehan	Santarsiero
Brennan	Gibbons	McI. Smith	Santoni
Briggs	Gillespie	Melio	Saylor
Brooks	Gingrich	Metcalfe	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.
Causser	Haluska	Moul	Solobay
Christiana	Hanna	Mundy	Sonney
Clymer	Harhai	Murphy	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	Taylor, R.
Curry	Hickernell	Parker	Thomas
Cutler	Hornaman	Pashinski	Toepel
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
Evans, D.	Krieger	Rapp	
Evans, J.	Kula	Ravenstahl	McCall,
Everett	Lentz	Readshaw	Speaker
Fabrizio			

NAYS-0

NOT VOTING-0

EXCUSED-7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 1300, PN 2702

An Act designating the interchange at Exit 32-B of Interstate 70 in Washington County as the Nathan Burnfield Memorial Interchange; and designating the Gay Street Bridge on State Route 113, which crosses French Creek in the Borough of Phoenixville, Chester County, as the Veterans Memorial Gay Street Bridge.

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

The SPEAKER. The House will be at ease.

The House will come to order.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader.

Mr. EACHUS. For the information of the members of the Rules Committee, there will be an immediate Rules Committee in the majority caucus room. I think it will be our last Rules Committee of the day.

The SPEAKER. An immediate meeting of the House Rules Committee in the majority caucus room.

The House will be at ease.

The House will come to order.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 2289, PN 4092**, and **HB 2290, PN 4090**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. Members of the House Rules Committee, please report to the majority caucus room. All members of the House Rules Committee – you need a quorum – to the majority caucus room.

The House will come to order.

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 2289, PN 4092

By Rep. EACHUS

An Act providing for the capital budget for the fiscal year 2010-2011; itemizing public improvement projects, transportation assistance projects and redevelopment assistance capital projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development and the Department of Transportation, together with their estimated

financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services, the Department of Community and Economic Development or the Department of Transportation; stating the estimated useful life of the projects; providing an exemption; providing for limitation on certain capital projects and for delegation of duties relating to a capital budget project to the University of Pennsylvania; and making appropriations.

RULES.**HB 2290, PN 4090**

By Rep. EACHUS

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

RULES.**COMMUNICATION**

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

The following communication was read:

A communication dated June 30, 2010, from the Department of Revenue, submitted pursuant to Act 4 of 2001, providing a copy of its annual report.

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

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

The SPEAKER. The Chair recognizes the majority leader, who moves that pursuant to rule 24, that members have had sufficient time to review the language and that the House proceed with the consideration of HB 2289, PN 4092, and HB 2290, PN 4090.

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

The following roll call was recorded:

YEAS—150

Adolph	Fabrizio	Levdansky	Readshaw
Barbin	Fairchild	Longiatti	Reed
Belfanti	Farry	Mahoney	Reichley
Beyer	Fleck	Major	Roebuck
Bishop	Frankel	Manderino	Ross
Boback	Freeman	Mann	Sabatina
Boyle	Gabler	Markosek	Sainato
Bradford	Galloway	Marshall	Santarsiero
Brennan	Geist	Matzie	Santoni
Briggs	George	McGeehan	Saylor
Brown	Gerber	McI. Smith	Seip
Burns	Gergely	Melio	Shapiro
Buxton	Gibbons	Miccarelli	Siptroth
Caltagirone	Godshall	Micozzie	Smith, K.
Carroll	Goodman	Millard	Smith, M.
Casorio	Grucela	Miller	Smith, S.
Causar	Haluska	Mirabito	Solobay

Christiana	Hanna	Mundy	Sonney
Cohen	Harhai	Murphy	Staback
Conklin	Harhart	Myers	Stern
Costa, D.	Harkins	O'Brien, D.	Stevenson
Costa, P.	Harper	O'Brien, M.	Sturla
Cruz	Harris	O'Neill	Taylor, J.
Curry	Hennessey	Oberlander	Taylor, R.
Daley	Hess	Parker	Thomas
Deasy	Hornaman	Pashinski	Vitali
Delozier	Houghton	Payne	Wagner
DeLuca	Johnson	Payton	Wansacz
DePasquale	Josephs	Peifer	Waters
Dermody	Keller, W.	Perzel	Watson
DeWeese	Kessler	Petrarca	Wheatley
DiGirolamo	Killion	Petri	White
Donatucci	Kirkland	Phillips	Williams
Drucker	Knowles	Preston	Youngblood
Eachus	Kortz	Pyle	Yudichak
Evans, D.	Kotik	Quigley	
Evans, J.	Kula	Quinn	McCall,
Everett	Lentz	Ravenstahl	Speaker

NAYS—45

Baker	Gillespie	Maher	Roae
Barrar	Gingrich	Marsico	Rock
Bear	Grell	Metcalfe	Rohrer
Boyd	Grove	Milne	Samuelson
Brooks	Hahn	Moul	Schroder
Clymer	Helm	Mustio	Swanger
Cox	Hickernell	Pallone	Tallman
Creighton	Hutchinson	Perry	Toepel
Cutler	Kauffman	Pickett	Turzai
Day	Keller, M.K.	Rapp	Vereb
Denlinger	Krieger	Reese	Vulakovich
Gabig			

NOT VOTING—0

EXCUSED—7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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.

SUPPLEMENTAL CALENDAR G

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2289, PN 4092**, entitled:

An Act providing for the capital budget for the fiscal year 2010-2011; itemizing public improvement projects, transportation assistance projects and redevelopment assistance capital projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development and the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services, the Department of Community and Economic Development or the Department of Transportation; stating the estimated useful life of the projects; providing an exemption; providing for limitation on certain capital projects and for delegation of duties relating to a capital budget project to the University of Pennsylvania; and making appropriations.

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

MOTION TO SUSPEND RULES

The SPEAKER. The gentleman from Chester County, Representative Schroder, has an amendment filed that would require a rules suspension. Would the gentleman like to be recognized?

Mr. SCHRODER. Thank you, Mr. Speaker.

I move to suspend the rules for the immediate consideration of amendment A08423, and I would just like to give a brief explanation of the amendment.

The SPEAKER. Of the amendment. The gentleman is in order.

Mr. SCHRODER. All right. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would put the brakes on a very large and looming problem in the Commonwealth of Pennsylvania regarding a previous authorization from a capital budget that was passed some time ago in this House. This would repeal the capital budget authorization for the Family Court project in Philadelphia.

Mr. Speaker, I submit that because of the fiasco that has occurred with the oversight of the Family Court project in Philadelphia, the various business arrangements that have been called into question—

The SPEAKER. The gentleman will yield.

The gentleman explained the amendment. That is enough. We are not going to debate the amendment. You can debate the amendment if you get the rules suspension. We understand what the amendment does.

Mr. SCHRODER. Mr. Speaker, I do not believe that I was going on any more than the usual explanation of these amendments that is allowed.

The SPEAKER. We are not going to debate. The Speaker allows the members to explain what the amendment does, a brief explanation. That is in our rules. The debate, whether the merits, yes or no, are for if the amendment or question is before the House.

Mr. SCHRODER. Well, Mr. Speaker, just for the record, I would just like to say that I feel I am being censored on this particular issue.

The SPEAKER. On the question, will the House suspend the rules for the immediate consideration of amendment A08423, those in favor of suspension of the rules will vote "aye"; those opposed, "nay."

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

The following roll call was recorded:

YEAS—93

Adolph	Geist	Metcalfe	Rapp
Baker	Gillespie	Miccarelli	Reed
Barrar	Gingrich	Micozzie	Reese
Bear	Godshall	Millard	Reichley
Beyer	Grove	Miller	Roae
Boback	Hahn	Milne	Rock
Boyd	Harhart	Moul	Rohrer
Brooks	Harper	Mustio	Ross
Causar	Harris	O'Brien, D.	Samuelson

Christiana	Helm	O'Brien, M.	Saylor
Clymer	Hennessey	O'Neill	Schroder
Cox	Hess	Oberlander	Smith, S.
Creighton	Hickernell	Pallone	Sonney
Day	Hutchinson	Payne	Stern
Delozier	Kauffman	Peifer	Stevenson
Denlinger	Keller, M.K.	Perry	Swanger
DiGirolamo	Killion	Perzel	Tallman
Evans, J.	Knowles	Petri	Taylor, J.
Everett	Krieger	Phillips	Toepel
Fairchild	Maher	Pickett	Turzai
Farry	Major	Pyle	Vereb
Fleck	Marshall	Quigley	Vulakovich
Gabig	Marsico	Quinn	Watson
Gabler			

NAYS-102

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

NOT VOTING-0

EXCUSED-7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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

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

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

Mr. TURZAI. Thank you, Mr. Speaker.

This bill, HB 2289, does a number of items. One, it provides for the bond authorization or the limit on the amount of bonds that may be issued for the various categories of capital projects during a given fiscal year. This bond authorization includes, amongst other borrowing, that borrowing for the redevelopment assistance capital project. Thus, this bill, HB 2289, works in

tandem with HB 2290. HB 2290 will deal with the specific raising of the debt ceiling for RCAP (Redevelopment Assistance Capital Program). HB 2289 raises that ceiling for, essentially sets the authorization for all borrowing, including that new \$600 million under RCAP.

In addition, this bill also itemizes capital projects. In the past, this chamber has always done capital project itemization bills separately. It has never been, or at least it has rarely been – if there is another precedent, I apologize – but it has rarely been used in this capital project bond authorization.

I would object to the legislation on two fronts. One, it encompasses the \$600 million increase in the RCAP program, which I will talk about in more detail when HB 2290 is in front of us. And in addition, it is providing, essentially, the Governor's itemization bill, the projects that he wants, and, I mean, these include projects like hotels, private-sector projects, and I think projects similar to the one that was alluded to by the good gentleman from Chester County that really tax dollars, particularly tax dollars that are going to be paid back by your kids – taxes on principal, interest, and fees – are just inappropriate. It includes headquarters for organizations. It includes hotels. It includes museums that you just really do not think of as being the appropriate type of RCAP capital project itemization bills.

I myself am against the program as a whole because I think it is far too broad, and I do not think we should be borrowing for it. And as a result, I ask people to vote "no" on HB 2289.

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-110

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

NAYS—85

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

NOT VOTING—0

EXCUSED—7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 2289, PN 4092

An Act providing for the capital budget for the fiscal year 2010-2011; itemizing public improvement projects, transportation assistance projects and redevelopment assistance capital projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development and the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services, the Department of Community and Economic Development or the Department of Transportation; stating the estimated useful life of the projects; providing an exemption; providing for limitation on certain capital projects and for delegation of duties relating to a capital budget project to the University of Pennsylvania; and making appropriations.

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

SUPPLEMENTAL CALENDAR H

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2290, PN 4090**, entitled:

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

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

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

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

I rise to oppose HB 2290. When Governor Rendell took office, the Redevelopment Assistance Capital Program, the cap limit on that borrowing program stood at approximately \$1.5 billion. Keep in mind, this is a revolving line of credit. You can send that money out for projects with little parameters, and it is chosen by the Governor. The debt limit on the Redevelopment Assistance Capital Program is now at \$3.45 billion.

In addition to the first credit card that existed when the Governor took office, he asked for a \$640 million increase in 2004 and got it, a \$500 million increase in 2005 and got it, an \$800 million increase in 2008 and got it, and now in his last year of his term is seeking another \$600 million. That will take it up to the fifth credit card, and the limit on it is now \$4.05 billion. It would be an increase of over \$2 1/2 billion in 8 years' time, or over 168 percent. Your kids and grandkids will be paying back on that credit card for at least 20 years to come.

In addition, past issuances have limited the amount that could be borrowed in any particular year, even though the authorization was higher. This particular bill will allow the Governor to spend all \$600 million of the borrowed money that will have to be paid back over time to the tune of about \$900 million in principal, interest, and fees. It will allow him to spend it all by the end of the year. This is irresponsible with respect to future generations. Many of these dollars will go to private-sector projects, and they will be using future tax dollars within the Governor's complete discretion. It is the hugest of the walking-around money. It is the big pot for walking-around money.

I would urge everybody here to vote "no." We need to act responsibly. We need to know where money of tax dollars is going for today and vote accordingly, not borrow money for projects that the Governor gets to pick that our kids and grandkids are going to have to repay in principal, interest, and fees in their taxes.

Please vote "no."

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—109

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

NAYS—86

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

NOT VOTING—0

EXCUSED—7

Benninghoff	Metzgar	Oliver	True
Ellis	Murt	Scavello	

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

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 2290, PN 4090

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

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

SENATE MESSAGE

RECESS RESOLUTION
FOR CONCURRENCE

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

In the Senate,
July 3, 2010

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, September 20, 2010, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, September 13, 2010, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses the week of September 13th, it reconvene on Monday, September 20, 2010, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

CALENDAR CONTINUED

RESOLUTIONS

Mr. EACHUS called up **HR 380, PN 2300**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to study and to issue a report on the status of and any disparities found in dental care for Pennsylvanians with disabilities.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 380 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 380 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.

* * *

Mr. EACHUS called up **HR 761, PN 3598**, entitled:

A Resolution offering the support and recommendation of the House of Representatives for the use of project labor agreements for all publicly funded or guaranteed public works construction, alteration, renovation, demolition, excavating and paving projects in this Commonwealth.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 761 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 761 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 RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1800 be removed from the supplemental calendar and recommitted to the Committee on Rules.

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

The SPEAKER. For the information of the members, I am going to recess regular session and go into special session at 1:43 p.m.

RECESS

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

AFTER RECESS

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

SENATE MESSAGE

HOUSE AMENDMENTS TO SENATE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 1186, PN 4094**.

BILL SIGNED BY SPEAKER

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

HB 1186, PN 4094

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Department of Drug and Alcohol Programs; providing for governing body of the Pennsylvania Higher Education Assistance Agency; making a related repeal; repealing related provisions of the Pennsylvania Drug and Alcohol Abuse and Control Act; and making editorial changes.

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

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman from Lehigh County, Representative Day. For what purpose does the gentleman rise?

Mr. DAY. Thank you, Mr. Speaker.

I rise for the purpose of correcting the record.

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

Mr. DAY. Thank you, Mr. Speaker.

I rise for the purpose of correcting the record on the vote for the motion to proceed on HB 2493. The plastic cover on my electronic voting device prevented me from being able to cast a vote in either the negative or the affirmative. I would like to at

this time be registered as being recorded in the negative on that vote.

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

The House will be at ease.

The House will come to order.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 747, PN 1897**, and **SB 1042, PN 2141**.

BILLS SIGNED BY SPEAKER

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

SB 747, PN 1897

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

SB 1042, PN 2141

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for investment, for State depositories, for requisitions, for audit of requisitions and issuance of warrants and for payments; providing for additional transfer, for bonds, for educational tax credits, for permit extensions, for heritage areas and for special provisions relating to victims of crime; further providing for the Pennsylvania Emergency Management Agency, for the Judicial Computer System Augmentation Account and for the Access to Justice Account; providing for the State Gaming Fund; further providing for the Tobacco Settlement Fund; providing for 2010-2011 budget implementation, for 2010-2011 restrictions on appropriations for funds and accounts and for retirement; and making related repeals.

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

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, any remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

RECESS

The SPEAKER. The Chair recognizes the gentleman from Chester County, Representative Drucker, who moves that this House do now recess for today and reconvene on Monday, September 13, 2010, at 1 p.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 1:56 p.m., e.d.t., the House recessed.