

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, MAY 23, 2011

SESSION OF 2011

195TH OF THE GENERAL ASSEMBLY

No. 36

### HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (SAMUEL H. SMITH)  
PRESIDING**

#### PRAYER

The SPEAKER. The prayer this afternoon will be offered by Rev. Frank Allen of St. David's Episcopal Church in Wayne, PA.

REV. FRANK ALLEN, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

O Lord, our God, we thank You for the gift of our lives and for calling us to tasks and work which demand our best efforts. Now bless the leaders of our Commonwealth, that we may be a people of peace among ourselves and a blessing to the country and the nations of the earth. Send down the spirit of wisdom, charity, justice, and vision, that with clear purpose, this body may faithfully serve in their office to promote the well-being of all people. Finally, grant us all the grace to honor You and one another with our gifts and our common work, remembering the account which we must all one day give.

All this we ask through Your most holy name. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, May 11, 2011, will be postponed until printed.

#### JOURNALS APPROVED

The SPEAKER. The following Journals are in print and, without objection, will be approved: Monday, April 4, 2011, and Tuesday, April 5, 2011.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 265** By Representatives HANNA, BAKER, BENNINGHOFF, CALTAGIRONE, CAUSER, CONKLIN, D. COSTA, EVERETT, FABRIZIO, FLECK, GABLER, GEORGE, GINGRICH, GOODMAN, HENNESSEY, HORNAMAN, HUTCHINSON, JOSEPHS, KIRKLAND, KULA, LONGIETTI, MAJOR, MANN, MIRABITO, MOUL, STURLA, DALEY and GIBBONS

A Resolution urging the Commonwealth to upgrade its broadband communications network for use by the private and public sectors in the Northern Tier of this Commonwealth.

Referred to Committee on CONSUMER AFFAIRS, May 12, 2011.

**No. 295** By Representatives DALEY, BRADFORD, CALTAGIRONE, CLYMER, D. COSTA, EVERETT, HARRIS, HENNESSEY, HESS, MANN, MILLARD, MOUL, MURT, READSHAW, REICHLEY, SCAVELLO, SCHRODER, SWANGER, TALLMAN, THOMAS and VULAKOVICH

A Resolution commemorating the 100th anniversary of the founding of the Republic of China.

Referred to Committee on STATE GOVERNMENT, May 23, 2011.

**No. 296** By Representatives MUNDY, BRENNAN, DePASQUALE, GEORGE, GERBER, HORNAMAN, MATZIE, MULLERY, MURPHY, PAYTON, SAMUELSON and SANTARSIERO

A Resolution memorializing the Congress of the United States to pass the Fracturing Responsibility and Awareness of Chemicals Act, thereby repealing the provision in the Federal Safe Drinking Water Act that exempts oil and gas industries from restrictions on hydraulic fracturing operations located near drinking water sources, as well as requiring oil and gas industries to disclose all hydraulic fracturing chemicals and chemical constituents.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 23, 2011.

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 1270** By Representatives CREIGHTON, COHEN, B. BOYLE, BRENNAN, BRIGGS, V. BROWN, CALTAGIRONE, DALEY, DAVIS, EVERETT, FABRIZIO, FLECK, GERGELY, GIBBONS, GINGRICH, GOODMAN, KAUFFMAN, KOTIK, MASSER, MUNDY, MURT, MUSTIO, MYERS, PASHINSKI, PAYTON, PRESTON, PYLE, SANTARSIERO, SCAVELLO, STABACK, STURLA, TAYLOR, THOMAS, WATERS, YOUNGBLOOD, QUINN and SWANGER

An Act authorizing the Commonwealth of Pennsylvania to join the Agreement Among the States to Elect the President by National Popular Vote; and providing for the form of the agreement.

Referred to Committee on STATE GOVERNMENT, May 12, 2011.

**No. 1536** By Representatives MURT, CALTAGIRONE, CLYMER, DONATUCCI, EVERETT, HARHART, MILLARD, MOUL, VULAKOVICH and D. COSTA

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

Referred to Committee on INSURANCE, May 12, 2011.

**No. 1537** By Representatives MURT, CALTAGIRONE, COHEN, GIBBONS, JOSEPHS, MYERS, SABATINA, SONNEY, TAYLOR, VULAKOVICH and D. COSTA

An Act amending the act of July 2, 1996 (P.L.514, No.85), known as the Health Security Act, prohibiting insurers from setting fees for noncovered insurance services.

Referred to Committee on INSURANCE, May 12, 2011.

**No. 1538** By Representatives KRIEGER, TURZAI, AUMENT, BARRAR, BENNINGHOFF, BLOOM, BOYD, BROOKS, CALTAGIRONE, CAUSER, CHRISTIANA, CLYMER, D. COSTA, COX, CREIGHTON, CUTLER, DAY, DENLINGER, ELLIS, EVANKOVICH, EVERETT, FARRY, FLECK, GABLER, GEIST, GEORGE, GIBBONS, GILLEN, GINGRICH, GODSHALL, GOODMAN, GRELL, GROVE, HAHN, HALUSKA, HARHART, HARRIS, HENNESSEY, HESS, HICKERNELL, HORNAMAN, HUTCHINSON, KAUFFMAN, F. KELLER, M. K. KELLER, KORTZ, KULA, LAWRENCE, LONGIETTI, MAJOR, MALONEY, MARSHALL, MASSER, METCALFE, METZGAR, MILLARD, MILLER, MOUL, MULLERY, MUSTIO, OBERLANDER, PEIFER, PERRY, PETRARCA, PICKETT, PYLE, QUIGLEY, RAPP, READSHAW, REED, REESE, ROAE, ROCK, SACCONI, SAYLOR, SCHRODER, SONNEY, STABACK, STERN, STEVENSON, SWANGER, TALLMAN, TAYLOR, VULAKOVICH, WHITE, NEUMAN, BAKER and KNOWLES

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for firearms not to be carried without a license.

Referred to Committee on JUDICIARY, May 12, 2011.

**No. 1539** By Representatives SAYLOR, SONNEY, MILLER, AUMENT, BOYD, COX, GILLEN, GROVE, MURT, CLYMER, CREIGHTON, DALEY, DAVIS, DENLINGER, ELLIS, EVANKOVICH, EVERETT, GABLER, GEIST, GIBBONS, GINGRICH, GOODMAN, GRELL, HARRIS, HESS, HICKERNELL, HUTCHINSON, M. K. KELLER, KILLION, LONGIETTI, MARSHALL, MASSER, MILNE, MOUL, OBERLANDER, O'NEILL, PAYTON, PICKETT, PYLE, REICHLEY, ROCK, SCHRODER, SIMMONS, TALLMAN, TRUITT, VULAKOVICH, WAGNER and YOUNGBLOOD

An Act establishing the Keystone Works I Program.

Referred to Committee on LABOR AND INDUSTRY, May 12, 2011.

**No. 1540** By Representatives PERRY, AUMENT, BLOOM, BOYD, CAUSER, CREIGHTON, EVERETT, FLECK, GILLESPIE, GINGRICH, GROVE, KAUFFMAN, MARSICO, METCALFE, MILLARD, MILLER, MILNE, MOUL, RAPP, REICHLEY, ROAE, SAYLOR, SWANGER, TALLMAN, SACCONI, COX and SCHRODER

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, raising the threshold for applicability.

Referred to Committee on LABOR AND INDUSTRY, May 12, 2011.

**No. 1541** By Representatives PERRY, AUMENT, BLOOM, BOYD, CLYMER, CREIGHTON, CUTLER, EVERETT, FLECK, GILLESPIE, GINGRICH, GROVE, HARRIS, HENNESSEY, HICKERNELL, KAUFFMAN, F. KELLER, LAWRENCE, MARSICO, MASSER, METCALFE, MILLER, MILNE, MOUL, RAPP, REICHLEY, ROAE, SAYLOR, SWANGER, TALLMAN, COX and SCHRODER

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, further providing for definitions.

Referred to Committee on LABOR AND INDUSTRY, May 12, 2011.

**No. 1542** By Representatives MOUL, VULAKOVICH, AUMENT, BOYD, CLYMER, CREIGHTON, CUTLER, DAVIS, DeLUCA, EVERETT, GABLER, GIBBONS, GILLESPIE, GINGRICH, GRELL, GROVE, HELM, HORNAMAN, HUTCHINSON, M. K. KELLER, KNOWLES, MARSHALL, MASSER, MILNE, MURT, OBERLANDER, PERRY, RAPP, READSHAW, SONNEY, SWANGER, TALLMAN and TOEPEL

An Act amending the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, further providing for judicial salaries, for compensation of Governor, Lieutenant Governor, State Treasurer, Auditor General, Attorney General, Commissioners of the Pennsylvania Public Utility Commission and heads of departments and for members of the General Assembly.

Referred to Committee on STATE GOVERNMENT, May 12, 2011.

**No. 1543** By Representatives MILNE, AUMENT, BLOOM, BOYD, CLYMER, COX, EVERETT, FLECK, GABLER, GILLESPIE, GINGRICH, GROVE, KAUFFMAN, F. KELLER, MARSICO, MILLER, MOUL, MURT, PERRY, PICKETT, RAPP, ROAE, ROSS, SAYLOR, SCHRODER and SWANGER

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, further providing for definitions.

Referred to Committee on LABOR AND INDUSTRY, May 12, 2011.

**No. 1544** By Representatives CHRISTIANA, CLYMER, COHEN, GINGRICH, GRELL, M. K. KELLER, MOUL, O'NEILL, PICKETT and FARRY

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, further providing for death certificates.

Referred to Committee on HEALTH, May 12, 2011.

**No. 1545** By Representatives MARSHALL, BOYD, CALTAGIRONE, CARROLL, CAUSER, CHRISTIANA, COHEN, D. COSTA, P. COSTA, COX, CUTLER, DALEY, DAY, DeLUCA, DePASQUALE, DONATUCCI, DUNBAR, GEORGE, GERBER, GIBBONS, GILLESPIE, GINGRICH, GOODMAN, HARHAI, HARRIS, HENNESSEY, JOSEPHS, KAVULICH, W. KELLER, KILLION, KNOWLES, KOTIK, KRIEGER, KULA, MARSICO, MASSER, MATZIE, McGEEHAN, MILLER, MOUL, MULLERY, M. O'BRIEN, PETRARCA, PYLE, QUIGLEY, RAPP, READSHAW, ROAE, ROCK, SAINATO, SAYLOR, K. SMITH, SONNEY, STERN, TALLMAN, TAYLOR, THOMAS, TRUITT, VULAKOVICH, FARRY, SCHRODER, BOBACK and SWANGER

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, further providing for definitions and for registration requirement; and providing for unwanted automatic political calls.

Referred to Committee on STATE GOVERNMENT, May 12, 2011.

**No. 1546** By Representatives TOOIL, KNOWLES, MARSICO, TOBASH, STERN, CREIGHTON, TOEPEL, CUTLER, GEIST, DAY, SCAVELLO, HAHN, CULVER and VEREB

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of the Juvenile Court Judges' Commission.

Referred to Committee on JUDICIARY, May 12, 2011.

**No. 1547** By Representatives REESE, BENNINGHOFF, DAY, EVANKOVICH, GROVE, HARKINS, KRIEGER, KULA, MASSER, MOUL, PETRI, PYLE and RAPP

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for rights of municipalities preserved.

Referred to Committee on LIQUOR CONTROL, May 18, 2011.

**No. 1548** By Representatives MURT, ADOLPH, AUMENT, BAKER, BARBIN, BARRAR, BEAR, BENNINGHOFF, BLOOM, BOBACK, BOYD, B. BOYLE, K. BOYLE, BRADFORD, BRENNAN, BRIGGS, BROOKS, BROWNLEE, CALTAGIRONE, CARROLL, CAUSER, CHRISTIANA, CLYMER, COHEN, CONKLIN, D. COSTA, P. COSTA, COX, CREIGHTON, CRUZ, CURRY, CUTLER, DAVIS, DAY, DEASY, DELOZIER, DeLUCA, DENLINGER, DePASQUALE, DeWEESE, DiGIROLAMO, DONATUCCI, ELLIS, EMRICK, J. EVANS, EVERETT, FABRIZIO, FARRY, FLECK, FRANKEL, FREEMAN, GALLOWAY, GEIST, GEORGE, GERBER, GERGELY, GIBBONS, GILLESPIE, GINGRICH, GODSHALL, GOODMAN, GROVE, HACKETT, HAHN, HARHART, HARKINS, HARPER, HARRIS, HEFFLEY, HELM, HENNESSEY, HESS, HICKERNELL, HORNAMAN, KAUFFMAN, F. KELLER, M. K. KELLER, W. KELLER, KNOWLES, KORTZ, KOTIK, KRIEGER, LONGIETTI, MAHER, MAHONEY, MAJOR, MANN, MARSHALL, MARSICO, MASSER, MATZIE, McGEEHAN, METZGAR, MICCARELLI, MILLARD, MILLER, MILNE, MOUL, MURPHY, MUSTIO, MYERS, OBERLANDER, D. O'BRIEN, M. O'BRIEN, PARKER, PASHINSKI, PAYNE, PAYTON, PEIFER, PERRY, PETRARCA, PETRI, PICKETT, PYLE, QUIGLEY, QUINN, RAVENSTAHL, READSHAW, REED, REESE, ROCK, ROEBUCK, ROSS, SABATINA, SACCONI, SAINATO, SAMUELSON, SANTARSIERO, SANTONI, SAYLOR, SCAVELLO, SHAPIRO, K. SMITH, M. SMITH, STABACK, STEPHENS, STERN, STEVENSON, SWANGER, TALLMAN, TAYLOR, TOBASH, TOEPEL, TOOIL, TRUITT, TURZAI, VEREB, VITALI, VULAKOVICH, WATERS, WATSON, YOUNGBLOOD and SONNEY

An Act amending the act of May 13, 1915 (P.L.286, No.177), known as the Child Labor Law, further providing for definitions, for regulated employment, for employment of children at establishments where alcoholic beverages or malt liquor is sold and for permits; imposing duties on the department; further providing for educational requirements and for prohibitions regarding work hours; providing for transfers to minor child performer trust accounts; and further providing for employment certificate.

Referred to Committee on LABOR AND INDUSTRY, May 18, 2011.

**No. 1549** By Representatives MASSER, SAINATO, BROOKS, R. BROWN, CREIGHTON, EVANKOVICH, FARRY, GILLEN, HACKETT, HAHN, SCAVELLO and CULVER

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in names and corporate powers and classification of counties, further providing for counties divided into nine classes.

Referred to Committee on LOCAL GOVERNMENT, May 18, 2011.

**No. 1550** By Representatives CRUZ, YOUNGBLOOD, M. O'BRIEN, CARROLL, B. BOYLE, McGEEHAN and SABATINA

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school finances, further providing for distress in school districts of the first class.

Referred to Committee on EDUCATION, May 18, 2011.

**No. 1551** By Representatives CUTLER, BEAR, AUMENT, CREIGHTON, DENLINGER, FARRY, FLECK, GABLER, GEIST, GINGRICH, GRELL, GROVE, HELM, HICKERNELL, MILLARD, MURT, PICKETT, QUINN, ROCK, TALLMAN and SWANGER

An Act relating to physician credentialing by health insurers.

Referred to Committee on INSURANCE, May 18, 2011.

**No. 1552** By Representatives CUTLER, AUMENT, BAKER, BENNINGHOFF, BLOOM, CAUSER, CLYMER, COX, CREIGHTON, EVERETT, FLECK, GABLER, GEIST, GILLEN, GILLESPIE, GRELL, GROVE, HESS, HICKERNELL, KAUFFMAN, F. KELLER, KNOWLES, LAWRENCE, MARSICO, METCALFE, MILLARD, MILLER, MILNE, MOUL, MURT, O'NEILL, PICKETT, RAPP, SAYLOR, SCHRODER, SIMMONS, SWANGER, TALLMAN, TOEPEL, TRUITT and VULAKOVICH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for venue in personal injury actions.

Referred to Committee on JUDICIARY, May 18, 2011.

**No. 1553** By Representatives MURT, BAKER, BENNINGHOFF, BISHOP, BRIGGS, CONKLIN, FARRY, HARPER, HORNAMAN, REESE, STEVENSON, VULAKOVICH, YOUNGBLOOD and STERN

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for services by county children and youth offices.

Referred to Committee on CHILDREN AND YOUTH, May 18, 2011.

**No. 1554** By Representatives READSHAW, D. COSTA, DONATUCCI, JOSEPHS, CALTAGIRONE, DALEY, DeWEESE and STABACK

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for municipal police education and training.

Referred to Committee on JUDICIARY, May 18, 2011.

**No. 1555** By Representatives READSHAW, CLYMER, CALTAGIRONE, DAVIS, BURNS, D. COSTA, DALEY, DeLUCA, FREEMAN, KULA, FABRIZIO and SWANGER

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

Referred to Committee on STATE GOVERNMENT, May 18, 2011.

**No. 1556** By Representatives READSHAW, DeWEESE, STABACK, HORNAMAN, BRADFORD, KOTIK and K. SMITH

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

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 18, 2011.

**No. 1557** By Representatives READSHAW, DEASY, K. SMITH, KOTIK, BRADFORD, CALTAGIRONE, D. COSTA, DALEY, DAVIS, DeWEESE, HORNAMAN, STABACK, WAGNER and FABRIZIO

An Act amending the act of April 8, 1949 (P.L.418, No.58), entitled, "An act to provide for and regulate the accumulation, investment, and expenditure of funds by cities, boroughs, incorporated towns and townships for preparing plans for sewage disposal systems, and for the construction, improvement or replacement of sewage disposal systems for which plans have been approved by the Sanitary Water Board of the Commonwealth," further providing for definitions and for expenditure of fund.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 18, 2011.

**No. 1558** By Representatives READSHAW, D. COSTA, MOUL, DeWEESE, CUTLER, DALEY, DAVIS, FARRY, GEORGE, GINGRICH, GOODMAN, GROVE, HORNAMAN, KNOWLES, KOTIK, KULA, MAHONEY, MIRABITO, PRESTON, ROAE, SABATINA, K. SMITH, STABACK, TALLMAN, WAGNER, GIBBONS, FABRIZIO and SWANGER

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, prohibiting discrimination against volunteer ambulance services.

Referred to Committee on INSURANCE, May 18, 2011.

**No. 1559** By Representatives READSHAW, CALTAGIRONE, SABATINA, DONATUCCI, DALEY, DeWEESE, KOTIK, MIRABITO, PASHINSKI, K. SMITH and FABRIZIO

An Act regulating medical physicists; establishing the State Board of Medical Physicists; providing for funds, for licensure, for disciplinary action, for remedies, for penalties and for preemption.

Referred to Committee on PROFESSIONAL LICENSURE, May 18, 2011.

**No. 1560** By Representatives DEASY, DeLUCA, CALTAGIRONE, DALEY, HARKINS, HENNESSEY, MUNDY, READSHAW, THOMAS, WHITE and GIBBONS

An Act providing for uniform health carrier external review; and imposing powers and duties on the Insurance Department.

Referred to Committee on INSURANCE, May 18, 2011.

**No. 1561** By Representatives FARRY, AUMENT, CLYMER, EVERETT, GROVE, HARRIS, HENNESSEY, F. KELLER, LAWRENCE, MARSHALL, MASSER, MULLERY, MUSTIO, PETRI, QUINN, ROAE, SCAVELLO, SCHRODER, VULAKOVICH, WATSON, CREIGHTON, DAVIS and GALLOWAY

An Act amending the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, further providing for compensation of members of the General Assembly.

Referred to Committee on STATE GOVERNMENT, May 18, 2011.

**No. 1562** By Representatives MURT, BOYD, CAUSER, GINGRICH, HESS, HICKERNELL, HORNAMAN, M. K. KELLER, KNOWLES, MAJOR, MILLARD, MILLER, MOUL, READSHAW, SWANGER and VULAKOVICH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for drug trafficking sentencing and penalties.

Referred to Committee on JUDICIARY, May 23, 2011.

**No. 1563** By Representatives MURT, CALTAGIRONE, CLYMER, D. COSTA, DONATUCCI, FARRY, GEIST, GEORGE, GOODMAN, HORNAMAN, PICKETT, READSHAW, STEVENSON and WHITE

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for Senior Resident Annual Fishing License reciprocity.

Referred to Committee on GAME AND FISHERIES, May 23, 2011.

**No. 1564** By Representatives MURT, BOYD, V. BROWN, J. EVANS, GOODMAN, HARHART, HARPER, HORNAMAN, MANN, ROEBUCK, STURLA, SWANGER, VULAKOVICH and WAGNER

An Act establishing a bill of rights for individuals with intellectual and developmental disabilities; and conferring powers and duties on the Department of Public Welfare.

Referred to Committee on HUMAN SERVICES, May 23, 2011.

**No. 1565** By Representatives GEORGE, HANNA, SANTARSIERO, BOBACK, BRIGGS, V. BROWN, CALTAGIRONE, CARROLL, CONKLIN, D. COSTA, DEASY, DeLUCA, DePASQUALE, FABRIZIO, HARHAI, HESS, HORNAMAN, JOSEPHS, KORTZ, KULA, MAHONEY, MUNDY, MURPHY, MURT, M. O'BRIEN, PASHINSKI, REICHLEY, SCHRODER, STABACK, STURLA, VITALI, WAGNER and WATSON

An Act amending the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, further providing for definitions; and providing for chemical analysis of recycled wastewater during storage, for chemical analysis of wastewater generated by oil and gas activities and for electronic tracking of wastewater from oil and gas activities.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 23, 2011.

**No. 1566** By Representatives MICCARELLI, BARRAR, D. COSTA, KOTIK, MUSTIO, REICHLEY and KILLION

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for unlawful acts relative to liquor, alcohol and liquor licenses.

Referred to Committee on LIQUOR CONTROL, May 23, 2011.

**No. 1567** By Representatives BOBACK, TOOHL, GABLER, LAWRENCE, SCAVELLO, WAGNER, WATSON, CUTLER, PEIFER, MAJOR, GOODMAN, MILNE, HARRIS, SWANGER, TRUITT, TALLMAN and CARROLL

An Act amending the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, further providing for disqualification and forfeiture of benefits and for restitution.

Referred to Committee on JUDICIARY, May 23, 2011.

**No. 1568** By Representatives WATERS, V. BROWN, JOSEPHS, PASHINSKI and SWANGER

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

Referred to Committee on EDUCATION, May 23, 2011.

**No. 1569** By Representatives REICHLEY, BOYD, BRENNAN, CALTAGIRONE, COHEN, CONKLIN, CUTLER, DALEY, DAY, GINGRICH, GROVE, HENNESSEY, HORNAMAN, KULA, MANN, McGEEHAN, MURT, QUINN, RAPP, K. SMITH, TAYLOR, THOMAS, VULAKOVICH and WAGNER

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in services and facilities, further providing for proper service and facilities established on complaint and authority to order conservation and load management programs.

Referred to Committee on CONSUMER AFFAIRS, May 23, 2011.

**No. 1570** By Representatives REICHLEY, CLYMER, CUTLER, EVERETT, GILLESPIE, GODSHALL, GROVE, HARHART, HESS, LONGIETTI, MILLER and WATSON

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, in licensing of health care facilities, further providing for definitions, for licensure, for term and content of license and for reliance on accrediting agencies and Federal Government.

Referred to Committee on HEALTH, May 23, 2011.

**No. 1571** By Representatives GIBBONS, CALTAGIRONE, COHEN, D. COSTA, CREIGHTON, DONATUCCI, FABRIZIO, GERGELY and MARSHALL

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for booth rental prohibited.

Referred to Committee on PROFESSIONAL LICENSURE, May 23, 2011.

**No. 1572** By Representatives GIBBONS, K. BOYLE, BRENNAN, CALTAGIRONE, DALEY, DAVIS, DEASY, DeLUCA, EVERETT, FABRIZIO, FARRY, FLECK, FREEMAN, GEIST, GEORGE, GOODMAN, HARHAI, HESS, HORNAMAN, KILLION, KORTZ, MAHONEY, MANN, MARSHALL, MICOZZIE, MILLARD, MOUL, PASHINSKI, REICHLEY, SAINATO and STABACK

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for markers on graves, memorial certificates and headstones.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 23, 2011.

**No. 1573** By Representatives GIBBONS, K. BOYLE, BRENNAN, CALTAGIRONE, DALEY, DAVIS, DEASY, DeLUCA, EVERETT, FABRIZIO, FARRY, FLECK, FREEMAN, GEIST, GEORGE, GOODMAN, HARHAI, HESS, HORNAMAN, KILLION, KORTZ, MAHONEY, MANN, MARSHALL, MICOZZIE, MILLARD, MOUL, PASHINSKI, REICHLEY, SAINATO and STABACK

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in special powers and duties of counties, further providing for markers for graves and headstones.

Referred to Committee on LOCAL GOVERNMENT, May 23, 2011.

**No. 1574** By Representatives GIBBONS, K. BOYLE, BRENNAN, CALTAGIRONE, DALEY, DAVIS, DEASY, DeLUCA, EVERETT, FABRIZIO, FARRY, FLECK, FREEMAN, GEIST, GEORGE, GOODMAN, HARHAI, HESS, HORNAMAN, KILLION, KORTZ, MAHONEY, MANN, MARSHALL, MICOZZIE, MILLARD, MOUL, PASHINSKI, REICHLEY, SAINATO and STABACK

An Act amending the act of June 11, 1935 (P.L.326, No.149), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further providing for markers for graves and headstones.

Referred to Committee on LOCAL GOVERNMENT, May 23, 2011.

**No. 1576** By Representatives GIBBONS, MURT, BRENNAN, CALTAGIRONE, FABRIZIO, GOODMAN, JOSEPHS, KORTZ and M. O'BRIEN

An Act regulating child labor; conferring powers and duties on the Department of Labor and Industry and the Department of Education; imposing penalties; and making a repeal.

Referred to Committee on LABOR AND INDUSTRY, May 23, 2011.

**No. 1577** By Representatives STURLA, BEAR, BISHOP, BOBACK, BOYD, BRADFORD, BRIGGS, BUXTON, CALTAGIRONE, CARROLL, CLYMER, D. COSTA, DAVIS, DENLINGER, ELLIS, FABRIZIO, FRANKEL, GABLER, GEIST, GEORGE, GIBBONS, GILLEN, GILLESPIE, GOODMAN, GROVE, HARKINS, HESS, HICKERNELL, HORNAMAN, JOSEPHS, KAVULICH, KIRKLAND, KOTIK, KULA, LONGIETTI, MAJOR, MILLARD, MILLER, MURPHY, MURT, M. O'BRIEN, PAYTON, PICKETT, PYLE, RAVENSTAHL, READSHAW, REICHLEY, SANTARSIERO, K. SMITH, TOEPEL, WAGNER and WHITE

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

Referred to Committee on FINANCE, May 23, 2011.

**No. 1578** By Representatives GERBER, BRIGGS, CALTAGIRONE, FABRIZIO, JOSEPHS, MURT, PAYTON, SANTARSIERO, STURLA and WAGNER

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, authorizing incorporation of benefit corporations; providing for rights, duties and obligations of benefit corporations and their shareholders, directors and officers; and imposing powers and duties on the Department of State.

Referred to Committee on COMMERCE, May 23, 2011.

**No. 1579** By Representatives DeLUCA, D. COSTA, BISHOP, MURPHY, GEORGE, WAGNER, BOYD, M. O'BRIEN, KORTZ, MAHONEY, MATZIE, GOODMAN, STABACK, CALTAGIRONE, HARKINS, WHITE, DALEY, JOSEPHS, DONATUCCI, THOMAS, YOUNGBLOOD, MUNDY and FABRIZIO

An Act providing for the Protection of Patients and Medical Personnel from Health Care Facility Retaliation Act; providing for prohibitions against discrimination and retaliation and for rebuttable presumptions.

Referred to Committee on HEALTH, May 23, 2011.

## SENATE BILLS FOR CONCURRENCE

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

### SB 468, PN 723

Referred to Committee on TRANSPORTATION, May 11, 2011.

### SB 612, PN 1209

Referred to Committee on EDUCATION, May 11, 2011.

**SB 631, PN 1033**

Referred to Committee on TRANSPORTATION, May 11, 2011.

**SB 728, PN 734**

Referred to Committee on TRANSPORTATION, May 11, 2011.

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

**HB 665, PN 1941 (Amended) By Rep. BENNINGHOFF**

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for income tax returns.

FINANCE.

**HB 1334, PN 1532 By Rep. BENNINGHOFF**

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for time for filing returns and for time of payment.

FINANCE.

**LEAVES OF ABSENCE**

The SPEAKER. The Speaker turns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. MICCARELLI, from Delaware County for the week. Without objection, the leave will be granted.

The Speaker turns to the minority whip, who requests leaves of absence for: the gentleman, Mr. WHEATLEY, from Allegheny County for the day; the gentleman, Mr. GEORGE, from Clearfield County for the day; and the gentleman, Mr. JOHNSON, from Philadelphia County for the week. Without objection, the leaves will be granted.

**MASTER ROLL CALL**

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

The following roll call was recorded:

**PRESENT—199**

Adolph	Dunbar	Knowles	Rapp
Aument	Ellis	Kortz	Ravenstahl
Baker	Emrick	Kotik	Readshaw
Barbin	Evankovich	Krieger	Reed
Barrar	Evans, D.	Kula	Reese
Bear	Evans, J.	Lawrence	Reichley
Benninghoff	Everett	Longiatti	Roae
Bishop	Fabrizio	Maher	Rock
Bloom	Farry	Mahoney	Roebuck
Boback	Fleck	Major	Ross
Boyd	Frankel	Maloney	Sabatina
Boyle, B.	Freeman	Mann	Saccone
Boyle, K.	Gabler	Markosek	Sainato

Bradford	Galloway	Marshall	Samuelson
Brennan	Geist	Marsico	Santarsiero
Briggs	Gerber	Masser	Santoni
Brooks	Gergely	Matzie	Saylor
Brown, R.	Gibbons	McGeehan	Scavello
Brown, V.	Gillen	Metcalfe	Schroder
Brownlee	Gillespie	Metzgar	Shapiro
Burns	Gingrich	Micozzie	Simmons
Buxton	Godshall	Millard	Smith, K.
Caltagirone	Goodman	Miller	Smith, M.
Carroll	Grell	Milne	Sonney
Causer	Grove	Mirabito	Staback
Christiana	Hackett	Moul	Stephens
Clymer	Hahn	Mullery	Stern
Cohen	Haluska	Mundy	Stevenson
Conklin	Hanna	Murphy	Sturla
Costa, D.	Harhai	Murt	Swanger
Costa, P.	Harhart	Mustio	Tallman
Cox	Harkins	Myers	Taylor
Creighton	Harper	Neuman	Thomas
Cruz	Harris	O'Brien, D.	Tobash
Culver	Heffley	O'Brien, M.	Toepel
Curry	Helm	O'Neill	Toohil
Cutler	Hennessey	Oberlander	Truitt
Daley	Hess	Parker	Turzai
Davidson	Hickernell	Pashinski	Vereb
Davis	Hornaman	Payne	Vitali
Day	Hutchinson	Payton	Vulakovich
Deasy	Josephs	Peifer	Wagner
DeLissio	Kampf	Perry	Waters
Delozier	Kauffman	Petrarca	Watson
DeLuca	Kavulich	Petri	White
Denlinger	Keller, F.	Pickett	Williams
DePasquale	Keller, M.K.	Preston	Youngblood
Dermody	Keller, W.	Pyle	
DeWeese	Killion	Quigley	Smith, S.,
DiGirolamo	Kirkland	Quinn	Speaker
Donatucci			

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

George	Johnson	Miccarelli	Wheatley
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LEAVES ADDED—2

Evans, D.	Micozzie
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LEAVES CANCELED—1

Wheatley
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The SPEAKER. One hundred ninety-nine members having voted on the master roll call, a quorum is present.

**GUESTS INTRODUCED**

The SPEAKER. We would like to welcome some of the guests that are with us today. Located in the rear of the House, the Speaker welcomes a group from Allegheny and Washington Counties participating in a "Religious Liberty" tour of the Capitol. Members of the group are seeing firsthand the more than 50 Scripture quotations and Biblical references throughout the Capitol Building. The group is sponsored by Representative Saccone and is guided by his son, Matthew. Also part of the group is Representative Saccone's oldest son, Capt. Nick

Saccone, who recently returned from Afghanistan and is touring the Capitol for the first time. Will our guests please rise. Welcome to the hall of the House.

To Captain Saccone, thank you for your service to our country.

Also located in the rear of the House, the Speaker welcomes Lancaster City Elementary School students. These students recently competed in the school district's "Race Against Racism" and were the winners in their respective categories. They are the guests of Representative Sturla. Will our guests please rise. Welcome to the hall of the House.

Located in the gallery, the Speaker welcomes Wayne Seely, June Seely, Harold Getz, Joanne Getz, Ray Schneider, Barbara Schneider, Bill Schneider, and Janet Schneider. They are guests of Representative Toohil. Will you please stand. Welcome to the hall of the House.

Also up in the gallery, we have students from Southern Columbia Middle School. They are in the Capitol to participate in PAECT (Pennsylvania Association for Educational Communications & Technology) Student Technology Showcase, which is taking place in the East Wing rotunda. They are presenting a digital movie they wrote, designed, developed, and edited. It is titled "A Day in the Life of the Endocrine System." The students and their teacher are guests of Representative Kurt Masser. They are up in the gallery. Will we please welcome them to the hall of the House. Will you please stand. Thank you.

Also up in the balcony, we have students from the Jim Thorpe School District. They are here as guests of Representative Doyle Heffley. Will those students please rise and be welcomed to the House, over on the far side.

### STATE WRESTLING CHAMPIONS PRESENTED

The SPEAKER. Next, we would like to welcome to the hall of the House a number of PIAA State Champion wrestlers. Since we have a large number of honorees that will be receiving citations, we are going to introduce them as a group with each legislator coming forward to present the citation as the wrestler's name is called. So we would like to welcome all of our guests up to the dais.

The respective members, maybe come up and stand in front of them and we can proceed to recognize these individuals.

Our first honoree is Jordan Conaway. Jordan is the 112-pound Class AAA State Champion. He attends New Oxford High School. Representative Tallman will present him with a citation honoring his achievement, and I would like to add that Representative Tallman officiated Jordan's matches. With Jordan today are his parents, Dave and Jacqueline Conaway; his sister, Tiffanie Garman; and his friend, Woodrow Wilson, Jr. Will those guests please rise and be recognized as well if they are here in the hall of the House. They are in the back. Please— Oh, here we are, straight back. I apologize. Thank you.

Next, we have Zach Horan. Zach is the 130-pound Class AAA State Champion from Nazareth Area High School. Representative Hahn will present his citation. With Zach today are his coach, Derek Deutsch; his parents, Sean and Margie Horan; and his sister, Serena. Will our guests please rise. Welcome to the hall of the House. Also straight back.

Third, capturing the 145-pound Class AA State Championship is Nicholas Hodgkins. Nick attends Wyomissing Area High School. Representative Gillen will present his citation. With Nicholas today are his parents, David and Kelly Hodgkins, and Jack and Melissa Himmelberger. Will our guests please rise. Congratulations and welcome to the hall of the House.

Well, but for a school district, these two could have been wrestling each other, I guess. Also capturing the 145-pound State title in the Class AAA is Brian Brill. Brian wrestles for the Central Mountain Wildcats. Representative Hanna will be recognizing his achievement. Several of Brian's teammates are with him today, including Tyler Buckwalter, Logan Struble, and Joey Miller, as well as his coaches, Doug Buckwalter, Clyde Glossner, and Robbie Weikle. Will our guests please rise. Congratulations to the young man. Welcome to the hall of the House.

Chance Marsteller is the 152-pound Class AAA State Champion. He attends Kennard-Dale High School. Representative Saylor will present Chance with a citation. Chance has quite a few family members with him today. Seated in the rear of the House are his parents, Darren and Suzanne Marsteller; his sisters, Shayna and Kylie; his grandparents, Harry and Carol Ahlfeldt; and his friend, Brandon Phillips, who wrestles at Penn State. Also in the rear of the House is his coach, Michael Balistrini. Will our guests please rise. Welcome to the hall of the House, and congratulations to Chance.

Capturing the 152-pound State title Class AA is Zach Strickland. Zach attends Muncy High School. Representative Everett will recognize his achievement today. Zach's parent, Kevin Strickland and Stacy Brown, are here were him today, as well as his younger brother, Gable Strickland. Will our guests please rise. Welcome to the hall of the House, and congratulations to Zach as well.

Mike Ottinger is the 160-pound Class AAA State Champion. He attends Parkland High School. Representative Day will present his citation. Mike's parents, Angela and Lloyd Ottinger, are seated in the rear of the House, accompanying him to the Capitol today. Will our guests please rise. Welcome to the hall of the House. Please rise. You will not come back if you do not stand up. Congratulations.

Our final honoree today is Ryan Hembury. Ryan is the 189-pound Class AA State Champion. He attends Muncy High School, and Representative Everett will also recognize Ryan with a citation today. Seated in the rear of the House is Ryan's coach, Denny Harer, and the school's athletic director, Curt Chilson. Will our guests please rise. Congratulations to Ryan.

Let us give all of these outstanding athletes and their families and friends a warm round of applause. Congratulations to each of you young men.

### VILLANOVA WOMEN'S CROSS COUNTRY TEAM PRESENTED

The SPEAKER. Representative Adolph is invited to the rostrum for the purpose of presenting a citation to the Villanova Women's National Champion Cross Country Team.

The Speaker recognizes the gentleman, Mr. Adolph, for the purpose of presenting a citation.



Mr. ADOLPH. Thank you, Mr. Speaker.

Thank you, colleagues, for your attention. I would also like to invite up to the podium all the other Villanova alumni, whether it was undergraduate studies or law school. I know Representative Harper is one.

It is a great privilege to be able to stand at this podium again to highlight a remarkable achievement by the students of Villanova University. With me up here at the podium is Representative Greg Vitali of the 161st District. Not only does Representative Vitali share the campus with myself, he is also a graduate of Villanova, undergraduate and law. Also an undergraduate is Representative Dante Santoni, a very proud Villanova grad, former baseball player at Villanova. With me is, from Montgomery County, Representative Kate Harper, who is a graduate of the law school.

Today we are honoring the Villanova University Women's Cross Country Team for their great accomplishment of becoming the 2010 NCAA Division I Women's Cross Country Champs. This title represents the team's second consecutive championship and marks their ninth overall championship. Nine championships. No other team has won more than four titles since the competition was established in 1981.

Joining me in the front of the House are members of the team: Callie Hogan, Ali Smith, Bogdana Mimic, and head coach Gina Procaccio and assistant coach Meghan Shaner. The other team members who are in the back, if you would please stand: Nicky Akande, Shannon Browne, Anna Francis, Emily Lipari, Amanda Marino, Sarah Morrison, Ariann Neutts, Kaitlin O'Sullivan, Sheila Reid, and Megan Smith.

In addition to this impressive team success, the Villanova Women's Cross Country Team should be proud of the fact that one of their own has captured the 2010 NCAA Division I Women's Individual Cross Country Championship. That honor goes to Sheila Reid. Miss Reid has earned All-American honors and has won the individual championship at 8 of her last 10 meets.

Please join me in congratulating the student athletes for both their athletic and academic accomplishments. Each and every time Villanova students come to Harrisburg, I am reassured of the bright future that lies ahead for Pennsylvania. Thank you for your attention, and congratulations to these outstanding athletes.

The SPEAKER. The Speaker thanks the gentleman.

**UNCONTESTED CALENDAR**

**RESOLUTION PURSUANT TO RULE 35**

Mr. EVERETT called up **HR 283, PN 1860**, entitled:

A Resolution recognizing the week of May 14 through 21, 2011, as "Armed Forces Week" in Pennsylvania and encouraging the observance of May 21, 2011, as "Armed Forces Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—199**

Adolph	Dunbar	Knowles	Rapp
Aument	Ellis	Kortz	Ravenstahl
Baker	Emrick	Kotik	Readshaw
Barbin	Evankovich	Krieger	Reed
Barrar	Evans, D.	Kula	Reese
Bear	Evans, J.	Lawrence	Reichley
Benninghoff	Everett	Longietti	Roae
Bishop	Fabrizio	Maher	Rock
Bloom	Farry	Mahoney	Roebuck
Boback	Fleck	Major	Ross
Boyd	Frankel	Maloney	Sabatina
Boyle, B.	Freeman	Mann	Saccone
Boyle, K.	Gabler	Markosek	Sainato
Bradford	Galloway	Marshall	Samuelson
Brennan	Geist	Marsico	Santarsiero
Briggs	Gerber	Masser	Santoni
Brooks	Gergely	Matzie	Saylor
Brown, R.	Gibbons	McGeehan	Scavello
Brown, V.	Gillen	Metcalfe	Schroder
Brownlee	Gillespie	Metzgar	Shapiro
Burns	Gingrich	Micozzie	Simmons
Buxton	Godshall	Millard	Smith, K.
Caltagirone	Goodman	Miller	Smith, M.
Carroll	Grell	Milne	Sonney
Causar	Grove	Mirabito	Staback
Christiana	Hackett	Moul	Stephens
Clymer	Hahn	Mullery	Stern
Cohen	Haluska	Mundy	Stevenson
Conklin	Hanna	Murphy	Sturla
Costa, D.	Harhai	Murt	Swanger
Costa, P.	Harhart	Mustio	Tallman
Cox	Harkins	Myers	Taylor
Creighton	Harper	Neuman	Thomas
Cruz	Harris	O'Brien, D.	Tobash
Culver	Heffley	O'Brien, M.	Toepel
Curry	Helm	O'Neill	Toohil
Cutler	Hennessey	Oberlander	Truitt
Daley	Hess	Parker	Turzai
Davidson	Hickernell	Pashinski	Vereb
Davis	Hornaman	Payne	Vitali
Day	Hutchinson	Payton	Vulakovich
Deasy	Josephs	Peifer	Wagner
DeLissio	Kampf	Perry	Waters
Delozier	Kauffman	Petrarca	Watson
DeLuca	Kavulich	Petri	White
Denlinger	Keller, F.	Pickett	Williams
DePasquale	Keller, M.K.	Preston	Youngblood
Dermody	Keller, W.	Pyle	
DeWeese	Killion	Quigley	Smith, S., Speaker
DiGirolamo	Kirkland	Quinn	
Donatucci			

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—4**

George	Johnson	Miccarelli	Wheatley
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

CALENDAR

RESOLUTION

Mr. MURPHY called up **HR 244, PN 1632**, entitled:

A Resolution commemorating the 25th anniversary of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) in 2011.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Adolph	Dunbar	Knowles	Rapp
Aument	Ellis	Kortz	Ravenstahl
Baker	Emrick	Kotik	Readshaw
Barbin	Evankovich	Krieger	Reed
Barrar	Evans, D.	Kula	Reese
Bear	Evans, J.	Lawrence	Reichley
Benninghoff	Everett	Longietti	Roae
Bishop	Fabrizio	Maher	Rock
Bloom	Farry	Mahoney	Roebuck
Boback	Fleck	Major	Ross
Boyd	Frankel	Maloney	Sabatina
Boyle, B.	Freeman	Mann	Saccone
Boyle, K.	Gabler	Markosek	Sainato
Bradford	Galloway	Marshall	Samuelson
Brennan	Geist	Marsico	Santarsiero
Briggs	Gerber	Masser	Santoni
Brooks	Gergely	Matzie	Saylor
Brown, R.	Gibbons	McGeehan	Scavello
Brown, V.	Gillen	Metcalfe	Schroder
Brownlee	Gillespie	Metzgar	Shapiro
Burns	Gingrich	Micozzie	Simmons
Buxton	Godshall	Millard	Smith, K.
Caltagirone	Goodman	Miller	Smith, M.
Carroll	Grell	Milne	Sonney
Causser	Grove	Mirabito	Staback
Christiana	Hackett	Moul	Stephens
Clymer	Hahn	Mullery	Stern
Cohen	Haluska	Mundy	Stevenson
Conklin	Hanna	Murphy	Sturla
Costa, D.	Harhai	Murt	Swanger
Costa, P.	Harhart	Mustio	Tallman
Cox	Harkins	Myers	Taylor
Creighton	Harper	Neuman	Thomas
Cruz	Harris	O'Brien, D.	Tobash
Culver	Heffley	O'Brien, M.	Toepel
Curry	Helm	O'Neill	Toohil
Cutler	Hennessey	Oberlander	Truitt
Daley	Hess	Parker	Turzai
Davidson	Hickernell	Pashinski	Verb
Davis	Hornaman	Payne	Vitali
Day	Hutchinson	Payton	Vulakovich
Deasy	Josephs	Peifer	Wagner
DeLissio	Kampf	Perry	Waters
DeLozier	Kauffman	Petrarca	Watson
DeLuca	Kavulich	Petri	White
Denlinger	Keller, F.	Pickett	Williams
DePasquale	Keller, M.K.	Preston	Youngblood
Dermody	Keller, W.	Pyle	
DeWeese	Killion	Quigley	Smith, S.,
DiGirolamo	Kirkland	Quinn	Speaker
Donatucci			

NAYS—0

NOT VOTING—0

EXCUSED—4

George Johnson Miccarelli Wheatley

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

The SPEAKER. If we could have the members' attention. I would please ask the members to clear the aisles and curtail the conversations. We are about to take up two condolence resolutions.

RESOLUTIONS PURSUANT TO RULE 35

Mr. BOYD called up **HR 284, PN 1861**, entitled:

A Resolution honoring the life and expressing condolences upon the death of Marine Corporal Eric M. Torbert, Jr., who paid the supreme sacrifice on December 18, 2010, while serving his country in Afghanistan.

On the question,  
Will the House adopt the resolution?

The SPEAKER. The members will please rise as a sign of respect and a moment of silence for the fallen soldier's family. Members and all guests will please rise.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of Marine Cpl. Eric M. Torbert, Jr.)

The SPEAKER. Members and guests may be seated.

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

The following roll call was recorded:

YEAS—199

Adolph	Dunbar	Knowles	Rapp
Aument	Ellis	Kortz	Ravenstahl
Baker	Emrick	Kotik	Readshaw
Barbin	Evankovich	Krieger	Reed
Barrar	Evans, D.	Kula	Reese
Bear	Evans, J.	Lawrence	Reichley
Benninghoff	Everett	Longietti	Roae
Bishop	Fabrizio	Maher	Rock
Bloom	Farry	Mahoney	Roebuck
Boback	Fleck	Major	Ross
Boyd	Frankel	Maloney	Sabatina
Boyle, B.	Freeman	Mann	Saccone
Boyle, K.	Gabler	Markosek	Sainato
Bradford	Galloway	Marshall	Samuelson
Brennan	Geist	Marsico	Santarsiero
Briggs	Gerber	Masser	Santoni
Brooks	Gergely	Matzie	Saylor
Brown, R.	Gibbons	McGeehan	Scavello
Brown, V.	Gillen	Metcalfe	Schroder
Brownlee	Gillespie	Metzgar	Shapiro
Burns	Gingrich	Micozzie	Simmons
Buxton	Godshall	Millard	Smith, K.
Caltagirone	Goodman	Miller	Smith, M.

Carroll	Grell	Milne	Sonney
Causer	Grove	Mirabito	Staback
Christiana	Hackett	Moul	Stephens
Clymer	Hahn	Mullery	Stern
Cohen	Haluska	Mundy	Stevenson
Conklin	Hanna	Murphy	Sturla
Costa, D.	Harhai	Murt	Swanger
Costa, P.	Harhart	Mustio	Tallman
Cox	Harkins	Myers	Taylor
Creighton	Harper	Neuman	Thomas
Cruz	Harris	O'Brien, D.	Tobash
Culver	Heffley	O'Brien, M.	Toepel
Curry	Helm	O'Neill	Toohil
Cutler	Hennessey	Oberlander	Truitt
Daley	Hess	Parker	Turzai
Davidson	Hickernell	Pashinski	Vereb
Davis	Hornaman	Payne	Vitali
Day	Hutchinson	Payton	Vulakovich
Deasy	Josephs	Peifer	Wagner
DeLissio	Kampf	Perry	Waters
Delozier	Kauffman	Petrarca	Watson
DeLuca	Kavulich	Petri	White
Denlinger	Keller, F.	Pickett	Williams
DePasquale	Keller, M.K.	Preston	Youngblood
Dermody	Keller, W.	Pyle	
DeWeese	Killion	Quigley	Smith, S.,
DiGirolamo	Kirkland	Quinn	Speaker
Donatucci			

NAYS-0

NOT VOTING-0

EXCUSED-4

George	Johnson	Miccarelli	Wheatley
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. BOYD called up **HR 285, PN 1862**, entitled:

A Resolution honoring the life and expressing condolences upon the death of Private First Class Brandon M. Styer, who paid the supreme sacrifice on October 15, 2009, while serving his country in Afghanistan.

On the question,  
Will the House adopt the resolution?

The SPEAKER. The House will come to order. Members will please rise as a sign of respect for the fallen soldier in a moment of silence for his family and friends. Members and all guests will please rise.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of Pfc. Brandon M. Styer.)

The SPEAKER. Members and all guests may be seated.

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

The following roll call was recorded:

YEAS-199

Adolph	Dunbar	Knowles	Rapp
Aument	Ellis	Kortz	Ravenstahl
Baker	Emrick	Kotik	Readshaw
Barbin	Evankovich	Krieger	Reed
Barrar	Evans, D.	Kula	Reese
Bear	Evans, J.	Lawrence	Reichley
Benninghoff	Everett	Longietti	Roae
Bishop	Fabrizio	Maher	Rock
Bloom	Farry	Mahoney	Roebuck
Boback	Fleck	Major	Ross
Boyd	Frankel	Maloney	Sabatina
Boyle, B.	Freeman	Mann	Saccone
Boyle, K.	Gabler	Markosek	Sainato
Bradford	Galloway	Marshall	Samuelson
Brennan	Geist	Marsico	Santarsiero
Briggs	Gerber	Masser	Santoni
Brooks	Gergely	Matzie	Saylor
Brown, R.	Gibbons	McGeehan	Scavello
Brown, V.	Gillen	Metcalfe	Schroder
Brownlee	Gillespie	Metzgar	Shapiro
Burns	Gingrich	Micozzie	Simmons
Buxton	Godshall	Millard	Smith, K.
Caltagirone	Goodman	Miller	Smith, M.
Carroll	Grell	Milne	Sonney
Causer	Grove	Mirabito	Staback
Christiana	Hackett	Moul	Stephens
Clymer	Hahn	Mullery	Stern
Cohen	Haluska	Mundy	Stevenson
Conklin	Hanna	Murphy	Sturla
Costa, D.	Harhai	Murt	Swanger
Costa, P.	Harhart	Mustio	Tallman
Cox	Harkins	Myers	Taylor
Creighton	Harper	Neuman	Thomas
Cruz	Harris	O'Brien, D.	Tobash
Culver	Heffley	O'Brien, M.	Toepel
Curry	Helm	O'Neill	Toohil
Cutler	Hennessey	Oberlander	Truitt
Daley	Hess	Parker	Turzai
Davidson	Hickernell	Pashinski	Vereb
Davis	Hornaman	Payne	Vitali
Day	Hutchinson	Payton	Vulakovich
Deasy	Josephs	Peifer	Wagner
DeLissio	Kampf	Perry	Waters
Delozier	Kauffman	Petrarca	Watson
DeLuca	Kavulich	Petri	White
Denlinger	Keller, F.	Pickett	Williams
DePasquale	Keller, M.K.	Preston	Youngblood
Dermody	Keller, W.	Pyle	
DeWeese	Killion	Quigley	Smith, S.,
DiGirolamo	Kirkland	Quinn	Speaker
Donatucci			

NAYS-0

NOT VOTING-0

EXCUSED-4

George	Johnson	Miccarelli	Wheatley
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

**SUPPLEMENTAL CALENDAR B**

**RESOLUTION PURSUANT TO RULE 35**

Mr. MUSTIO called up **HR 298, PN 1918**, entitled:

A Resolution recognizing the outstanding contributions of ASSET Inc.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—199**

Adolph	Dunbar	Knowles	Rapp
Aument	Ellis	Kortz	Ravenstahl
Baker	Emrick	Kotik	Readshaw
Barbin	Evankovich	Krieger	Reed
Barrar	Evans, D.	Kula	Reese
Bear	Evans, J.	Lawrence	Reichley
Benninghoff	Everett	Longietti	Roae
Bishop	Fabrizio	Maher	Rock
Bloom	Farry	Mahoney	Roebuck
Boback	Fleck	Major	Ross
Boyd	Frankel	Maloney	Sabatina
Boyle, B.	Freeman	Mann	Saccone
Boyle, K.	Gabler	Markosek	Sainato
Bradford	Galloway	Marshall	Samuelson
Brennan	Geist	Marsico	Santarsiero
Briggs	Gerber	Masser	Santoni
Brooks	Gergely	Matzie	Saylor
Brown, R.	Gibbons	McGeehan	Scavello
Brown, V.	Gillen	Metcalfe	Schroder
Brownlee	Gillespie	Metzgar	Shapiro
Burns	Gingrich	Micozzie	Simmons
Buxton	Godshall	Millard	Smith, K.
Caltagirone	Goodman	Miller	Smith, M.
Carroll	Grell	Milne	Sonney
Causar	Grove	Mirabito	Staback
Christiana	Hackett	Moul	Stephens
Clymer	Hahn	Mullery	Stern
Cohen	Haluska	Mundy	Stevenson
Conklin	Hanna	Murphy	Sturla
Costa, D.	Harhai	Murt	Swanger
Costa, P.	Harhart	Mustio	Tallman
Cox	Harkins	Myers	Taylor
Creighton	Harper	Neuman	Thomas
Cruz	Harris	O'Brien, D.	Tobash
Culver	Heffley	O'Brien, M.	Toepel
Curry	Helm	O'Neill	Toohil
Cutler	Hennessey	Oberlander	Truitt
Daley	Hess	Parker	Turzai
Davidson	Hickernell	Pashinski	Vereb
Davis	Hornaman	Payne	Vitali
Day	Hutchinson	Payton	Vulakovich
Deasy	Josephs	Peifer	Wagner
DeLissio	Kampf	Perry	Waters
Delozier	Kauffman	Petrarca	Watson
DeLuca	Kavulich	Petri	White
Denlinger	Keller, F.	Pickett	Williams
DePasquale	Keller, M.K.	Preston	Youngblood
Dermody	Keller, W.	Pyle	
DeWeese	Killion	Quigley	Smith, S.,
DiGirolamo	Kirkland	Quinn	Speaker
Donatucci			

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—4**

George Johnson Miccarelli Wheatley

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

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. The Speaker recognizes the gentleman, Mr. Adolph, for the purpose of making an announcement.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, there will be a House Appropriations Committee meeting immediately upon the break in the majority caucus room. Thank you.

The SPEAKER. There will be an Appropriations Committee meeting in the majority caucus room at the break.

**FINANCE COMMITTEE MEETING**

The SPEAKER. The Speaker recognizes the gentleman, Mr. Benninghoff, for the purpose of making an announcement.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

Directly following the Appropriations Committee meeting, we will reconvene the House Finance Committee meeting and it will be hosted in the Appropriations conference room.

Thank you very much.

The SPEAKER. The Speaker thanks the gentleman.

There will be a Finance Committee meeting directly after the Appropriations Committee meeting.

**REPUBLICAN CAUCUS**

The SPEAKER. For the purpose of making a caucus announcement, the Speaker recognizes the lady from Susquehanna County, Ms. Major.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus at 3 p.m. We would be scheduled to come back on the floor at 4:30. So I would ask all Republican members to please come to our caucus room at 3 p.m. today. Thank you.

The SPEAKER. Would you repeat the time that you were planning to come back to the floor?

Ms. MAJOR. 4:30.

The SPEAKER. 4:30. Thank you.

**DEMOCRATIC CAUCUS**

The SPEAKER. For the purpose of a caucus announcement, the Speaker recognizes the gentleman from Allegheny County, Mr. Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

Democrats will caucus at 2 p.m.; 2 o'clock, Democrats will caucus after the Appropriations meeting. Thank you.

**RECESS**

The SPEAKER. This House stands in recess until 4:30, unless sooner recalled by the Speaker.

**AFTER RECESS**

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

**BILLS REREPORTED FROM COMMITTEE****HB 170, PN 114** By Rep. ADOLPH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driving on right side of roadway, for overtaking vehicle on the left, for no-passing zones, for required position and method of turning and for minimum speed regulation.

APPROPRIATIONS.

**HB 257, PN 1447** By Rep. ADOLPH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for acquisition of buildings, sites for school buildings and playgrounds, and disposing thereof, for approval by department of plans, etc., of buildings and exceptions and for approval of lease agreements.

APPROPRIATIONS.

**HB 285, PN 238** By Rep. ADOLPH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for adjustments based on Consumer Price Index relating to contracts and purchases; and further providing for work to be done under contract let on bids and exception, for purchase of supplies, for contracts for construction, repair, renovation or maintenance, for project contracts and for powers and duties of institution presidents.

APPROPRIATIONS.

**HB 1055, PN 1665** By Rep. ADOLPH

An Act providing for the registration and regulation of professional employer organizations and for powers and duties of the Department of Labor and Industry; and imposing penalties.

APPROPRIATIONS.

**HB 1278, PN 1541** By Rep. ADOLPH

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for sales by liquor licensees and restrictions and for special occasion permits.

APPROPRIATIONS.

**HB 1345, PN 1555** By Rep. ADOLPH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in safe schools, further providing for safe schools advocate in school districts of the first class, for standing and for enforcement.

APPROPRIATIONS.

**CALENDAR CONTINUED****BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1336, PN 1534**, entitled:

An Act amending the act of October 17, 2008 (P.L.1645, No.132), known as the Home Improvement Consumer Protection Act, providing for the definition of "home improvement retailer"; and further providing for procedures for registration as a contractor and for prohibited acts.

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

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 815, PN 1711**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of sexual abuse of children; and defining the offense of sexting by minors.

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

(Bill analysis was read.)

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 Speaker recognizes the gentleman from Delaware County, Mr. Vitali. The members will please come to order. The members will please clear the aisles.

The Speaker thanks the members. The gentleman may proceed.

Mr. VITALI. Thank you, Mr. Speaker.

I would like to rise in opposition of HB 815 that criminalizes sexting or the exchange of photographs via cell phone between minors. I salute the maker of the bill for his intent, which is to protect children, something we all want to do, but regrettably, I think that this bill is overbroad and can even be counterproductive in certain circumstances and may serve to traumatize and stigmatize our youth.

Mr. Speaker, let me just talk for a couple of minutes. I just have a letter here by the Juvenile Law Center that talks about, who also opposes this, and the Juvenile Law Center says a number of things. They say, "Sexting between two consenting teens is nothing more than normative adolescent sexual exploration using new technology." They talk about this as being the normal part of adolescent exploration. Regrettably, this bill would make certain parts of that exploration a misdemeanor of the second degree, which is, frankly, outrageous.

Mr. Speaker, the Juvenile Law Center also talks about the fact that contrary to what the proponents of this bill are saying as to what the need for this legislation is, they say contrary to what has been put out there, texting is not currently a crime in Pennsylvania. They talk about "...no Pennsylvania court has yet upheld a felony child pornography conviction for teen sexting...." So I think one of the reasons the makers are putting out is we have to do this because it is a heavier crime, but according to the Juvenile Law Center, that is simply not the case here, Mr. Speaker.

They also present a scenario which would make sexting a crime. You have two people – they, in this case, David and Michelle – both 17-year-olds in a long-term monogamous relationship, consensually exchange text messages with provocative pictures between themselves. Two consenting teens in a monogamous relationship. Now, this bill would make that a felony of the second degree. Mr. Speaker, that is just wrong.

Mr. Speaker, the American Civil Liberties Union also cites its opposition. They talk about— This is what the ACLU says: "HB 815 criminalizes children for behavior that, while irresponsible, stems from their biological development." They say that—

The SPEAKER. The gentleman will suspend.

Can we lower the conversations, please, and clear the aisles. The Speaker is having trouble hearing the gentleman as well as, I am sure, other members who may be interested.

Mr. VITALI. Mr. Speaker—

The SPEAKER. The gentleman will suspend just a minute. The members will please take their seats. Please clear the aisles and take your seats. It is hard to hear the debate. The Speaker thanks the members.

The gentleman may proceed.

Mr. VITALI. Thank you, Mr. Speaker.

I think the ACLU, in their letter of opposition to this bill they put out this May, they said "...approximately 25 percent of teens have engaged in some form of sexting." So do we want to make 25 percent of the teens in this State subject to a misdemeanor of the second degree? Mr. Speaker, that is just more than we want to do.

Mr. Speaker, the Juvenile Law Center cites a better approach to this; they cite the Greenleaf bill over in the Senate. One of the differences they make between the two bills is that the Greenleaf bill looks at conduct where there is the intent to harm, the intent of a person to embarrass someone else, damage someone else, harass someone else. The Greenleaf bill actually focuses in on the criminality of that intent to harass, embarrass, and so forth. This bill is overbroad. This bill does not do that. This bill makes this consensual sexting between minors a crime where there is no victim, there is no victim, there is no intent to harm; normal adolescent exploration and they make it a misdemeanor of the second degree. That is over the top.

Mr. Speaker, I am looking at what is a misdemeanor of the second degree here. They talk about a lewd act involving exposure of someone's, among other things, buttocks. So I am just thinking about, you know, I remember when I was younger and maybe two guys on the football team might moon each other, drop their drawers and moon each other, as we used to call it. I mean according to that, that is arguably lewd and a depiction of the buttocks, but that, that under this bill, if using modern technology, and all these kids have the cell phones

where they can take pictures of themselves and text it, but that would be a misdemeanor of the second degree. It is simply overbroad.

Mr. Speaker, we in this legislature, we should not be trying to legislate our view of moral conduct. This sort of conduct where teens engage consensually in this sort of activity is no doubt wrong, but this is something for parents to deal with. This is something for parents to deal with. Maybe you ground your kid for a month if he does this or prohibit them from dating someone or prohibit them from hanging out, but it is up to the parent in cases where it is consensual and wrong, and it is up to the schools. It is up to the schools to educate and the parents to discipline. We are going way beyond our role in the legislature when we try to come down with the hammer of a misdemeanor of the second degree for harmless sexual exploration among minors. We have just gone too far—

The SPEAKER. Will the gentleman suspend. The gentleman will suspend. For what purpose—

The gentleman will suspend. I was just being asked if the members could please hold their conversations down. Other members are not able to hear the speaker.

Mr. VITALI. Mr. Speaker?

The SPEAKER. The gentleman will just suspend for another second here. The members will please clear the aisles. Please hold the conversations down so that other members are able to hear the debate. The gentleman may proceed.

## MOTION TO RECOMMIT

Mr. VITALI. Thank you, Mr. Speaker.

Although I wholly agree with the gentleman in trying to protect kids where there is harm, a lot of this is just the problems of parents. This is legislation that clearly needs more work to really thresh that point out, so I am going to move that we rerefer this to the House Judiciary Committee so we can give it a second look. So I so move.

The SPEAKER. The gentleman from Delaware County, Mr. Vitali, has moved that HB 815 be rereferred to— I am sorry; what committee?

Mr. VITALI. Judiciary.

The SPEAKER. The Judiciary Committee.

On the question,

Will the House agree to the motion?

The SPEAKER. On that motion, the Speaker recognizes the gentleman, Mr. Grove, from York County.

Mr. GROVE. Thank you, Mr. Speaker.

I stand to oppose this motion. The Judiciary Committee unanimously voted it out of committee, and I feel it would be the exact same vote moving out of committee. So I would ask my colleagues to vote "no." Thank you.

The SPEAKER. The question before the House is whether or not HB 815 be recommitted to the Judiciary Committee. On that question, does the gentleman from Delaware County seek recognition?

Mr. VITALI. Okay. I will. Essentially, it is easier to— I think it needs more work. I am not sure why the Judiciary moved it out. I am no longer on that committee. But I think that given the added information of these groups coming out against

it, given the fact that sometimes bills go out a little too quickly, I think rather than to vote "no" on this bill, I think I want to give members an alternative to voting "no" and just give them a second chance to deal with this. Thank you, Mr. Speaker. I would urge a "yes" vote on the motion to rerefer.

The SPEAKER. The question before the House is, shall HB 815 be recommitted to the Judiciary Committee?

On that question, the Speaker recognizes the gentleman from Berks County, Mr. Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

Respectfully, to my colleague, in the last session we had a full-blown hearing on this very issue. We had the District Attorneys Association and many other groups appear before the committee asking for some guidance from this very body. They wanted legislation because their hands were tied as to how to deal with this very issue. It was voted out of committee. It is back on the floor again. This is the second time in two different terms. Respectfully, I would ask for a "no" vote. We do not need to drag our feet on this. I think this is a good bill. We fine-tuned it as best we could. Please vote "no."

The SPEAKER. The question is, shall HB 815 be recommitted to the Judiciary Committee?

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

(Members proceeded to vote.)

**VOTE STRICKEN**

Mr. HANNA. Mr. Speaker? Mr. Speaker?  
The SPEAKER. The clerk will strike the vote.

**LEAVE OF ABSENCE**

The SPEAKER. For what purpose does the gentleman rise?  
Mr. HANNA. To place the gentleman from Philadelphia, Mr. Evans, on leave.

The SPEAKER. Without objection, the gentleman, Mr. Dwight EVANS, will be placed on leave.

**CONSIDERATION OF HB 815 CONTINUED**

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

The following roll call was recorded:

**YEAS—43**

Briggs	Dermody	Kortz	Roebuck
Brown, V.	Donatucci	Longietti	Sabatina
Brownlee	Fabrizio	Mann	Sainato
Buxton	Frankel	Mundy	Samuelson
Cohen	Freeman	Myers	Sturla
Cruz	Gergely	O'Brien, M.	Thomas
Curry	Haluska	Parker	Vitali
Daley	Harkins	Pashinski	Waters
Davidson	Josephs	Payton	Williams
Davis	Keller, W.	Petrarca	Youngblood
DeLissio	Kirkland	Preston	

**NAYS—155**

Adolph	Emrick	Kotik	Ravenstahl
Aument	Evankovich	Krieger	Readshaw
Baker	Evans, J.	Kula	Reed
Barbin	Everett	Lawrence	Reese
Barrar	Farry	Maher	Reichley
Bear	Fleck	Mahoney	Roae
Benninghoff	Gabler	Major	Rock
Bishop	Galloway	Maloney	Ross
Bloom	Geist	Markosek	Saccone
Boback	Gerber	Marshall	Santarsiero
Boyd	Gibbons	Marsico	Santoni
Boyle, B.	Gillen	Masser	Saylor
Boyle, K.	Gillespie	Matzie	Scavello
Bradford	Gingrich	McGeehan	Schroder
Brennan	Godshall	Metcalfe	Shapiro
Brooks	Goodman	Metzgar	Simmons
Brown, R.	Grell	Micozzie	Smith, K.
Burns	Grove	Millard	Smith, M.
Caltagirone	Hackett	Miller	Sonney
Carroll	Hahn	Milne	Staback
Causar	Hanna	Mirabito	Stephens
Christiana	Harhai	Moul	Stern
Clymer	Harhart	Mullery	Stevenson
Conklin	Harper	Murphy	Swanger
Costa, D.	Harris	Murt	Tallman
Costa, P.	Heffley	Mustio	Taylor
Cox	Helm	Neuman	Tobash
Creighton	Hennessey	O'Brien, D.	Toepel
Culver	Hess	O'Neill	Toohil
Cutler	Hickernell	Oberlander	Truitt
Day	Hornaman	Payne	Turzai
Deasy	Hutchinson	Peifer	Vereb
DeLozier	Kampf	Perry	Vulakovich
DeLuca	Kauffman	Petri	Wagner
Denlinger	Kavulich	Pickett	Watson
DePasquale	Keller, F.	Pyle	White
DeWeese	Keller, M.K.	Quigley	
DiGirolamo	Killion	Quinn	Smith, S.,
Dunbar	Knowles	Rapp	Speaker
Ellis			

**NOT VOTING—0**

**EXCUSED—5**

Evans, D. George	Johnson	Miccarelli	Wheatley
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Less than the majority having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,  
Shall the bill pass finally?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Armstrong County, Mr. Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

Mr. Speaker, I rise— May I speak on the bill?

The SPEAKER. You are recognized on the bill. That is all you are allowed to talk about at this moment.

Mr. PYLE. I just wanted to qualify that one, Mr. Speaker. Thank you.

I rise in support of HB 815. As the father of two young ones, both daughters, both in junior high school, sexting has become a conversation in my living room every now and then. Whereas

I would agree with the gentleman from Delaware County that this is the purview of parents to teach their children well, what do you do about the other parents that refuse to reprimand their child for executing it? My daughter, in fact, has been the victim of this, and when I went to that young man's father and said, hey, you might want to tell Junior to lay off the f-bombs on my daughter's phone, I got nothing. Now, my daughter continues to suffer those indignities, Mr. Speaker, and I think HB 815 goes a long way toward clearing that up so that our kids, especially mine in junior high school, can focus on the rigors of algebra and geometry and not why somebody is sending profanity through a text message.

Thank you. Mr. Speaker, I encourage my colleagues to vote for HB 815.

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

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali, for the second time.

Mr. VITALI. I just want to respond to the previous speaker because this is not about language, this is not about the f-bomb, so I think his case would not apply here. The other point to be made here, harassment should be punished. I have no arguments if you have someone who is sending your daughter something and she does not want it sent to her, that should be part of, but this bill goes well beyond that. My point is that consensual sexting is the province of parents but nonconsensual sexting should be criminalized, and that is what the Greenleaf bill targets and that is one of the defects in this bill.

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—178

Adolph	Emrick	Knowles	Quinn
Aument	Evankovich	Kortz	Rapp
Baker	Evans, J.	Kotik	Ravenstahl
Barbin	Everett	Krieger	Readshaw
Barrar	Fabrizio	Kula	Reed
Bear	Farry	Lawrence	Reese
Benninghoff	Fleck	Longiotti	Reichley
Bloom	Freeman	Maher	Roae
Boback	Gabler	Mahoney	Rock
Boyd	Galloway	Major	Ross
Boyle, B.	Geist	Maloney	Saccone
Boyle, K.	Gerber	Mann	Sainato
Bradford	Gergely	Markosek	Samuelson
Brennan	Gibbons	Marshall	Santarsiero
Brooks	Gillen	Marsico	Santoni
Brown, R.	Gillespie	Masser	Saylor
Burns	Gingrich	Matzie	Scavello
Buxton	Godshall	McGeehan	Schroder
Caltagirone	Goodman	Metcalfe	Shapiro
Carroll	Grell	Metzgar	Simmons
Causar	Grove	Micozzie	Smith, K.
Christiana	Hackett	Millard	Smith, M.
Clymer	Hahn	Miller	Sonney
Conklin	Haluska	Milne	Staback
Costa, D.	Hanna	Mirabito	Stephens
Costa, P.	Harhai	Moul	Stern
Cox	Harhart	Mullery	Stevenson
Creighton	Harkins	Murphy	Sturla
Culver	Harper	Murt	Swanger
Cutler	Harris	Mustio	Tallman

Daley	Heffley	Myers	Taylor
Davidson	Helm	Neuman	Tobash
Davis	Hennessey	O'Brien, D.	Toepel
Day	Hess	O'Brien, M.	Toohil
Deasy	Hickernell	O'Neill	Truitt
Delozier	Hornaman	Oberlander	Turzai
DeLuca	Hutchinson	Parker	Vereb
Denlinger	Kampf	Payne	Vulakovich
DePasquale	Kauffman	Peifer	Wagner
Dermody	Kavulich	Perry	Waters
DeWeese	Keller, F.	Petrarca	Watson
DiGirolamo	Keller, M.K.	Petri	White
Donatucci	Keller, W.	Pickett	
Dunbar	Killion	Pyle	Smith, S., Speaker
Ellis	Kirkland	Quigley	

NAYS—20

Bishop	Cruz	Mundy	Sabatina
Briggs	Curry	Pashinski	Thomas
Brown, V.	DeLissio	Payton	Vitali
Brownlee	Frankel	Preston	Williams
Cohen	Josephs	Roebuck	Youngblood

NOT VOTING—0

EXCUSED—5

Evans, D. George	Johnson	Miccarelli	Wheatley
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

**STATEMENT BY MR. GROVE**

The SPEAKER. For what purpose does the gentleman, Mr. Grove, rise?

Mr. GROVE. Unanimous consent, Mr. Speaker.

The SPEAKER. The gentleman is recognized under unanimous consent.

Mr. GROVE. Thank you, Mr. Speaker.

I just wanted to take a moment and thank my colleagues for their affirmative vote on HB 815, which has been fully supported by all law enforcement organizations, the Fraternal Order of Police, District Attorneys Association, Pennsylvania State Troopers, Chiefs of Police Association to allow to ensure we have the right punishment for the right crime. So I appreciate their support, appreciate both chairmen of the Judiciary Committee for their hard work on this as well. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

**SUPPLEMENTAL CALENDAR A**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1278, PN 1541**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for sales by liquor licensees and restrictions and for special occasion permits.



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

(Bill analysis was read.)

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?

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

The following roll call was recorded:

YEAS—175

Adolph	Evankovich	Kula	Reed
Baker	Evans, J.	Longiotti	Reese
Barbin	Everett	Maher	Reichley
Barrar	Fabrizio	Mahoney	Roae
Benninghoff	Farry	Major	Roebuck
Bishop	Frankel	Maloney	Ross
Boback	Freeman	Mann	Sabatina
Boyle, B.	Gabler	Markosek	Saccone
Boyle, K.	Galloway	Marshall	Sainato
Bradford	Geist	Marsico	Samuelson
Brennan	Gerber	Masser	Santarsiero
Briggs	Gergely	Matzje	Santoni
Brown, R.	Gibbons	McGeehan	Saylor
Brown, V.	Gillespie	Micozzie	Scavello
Brownlee	Gingrich	Millard	Schroder
Burns	Godshall	Miller	Shapiro
Buxton	Goodman	Milne	Simmons
Caltagirone	Grell	Mirabito	Smith, K.
Carroll	Grove	Moul	Smith, M.
Causser	Hackett	Mullery	Sonney
Christiana	Hahn	Mundy	Staback
Cohen	Haluska	Murphy	Stephens
Conklin	Hanna	Mustio	Stern
Costa, D.	Harhai	Myers	Sturla
Costa, P.	Harhart	Neuman	Tallman
Cox	Harkins	O'Brien, D.	Taylor
Cruz	Harper	O'Brien, M.	Thomas
Culver	Harris	O'Neill	Tobash
Curry	Heffley	Oberlander	Toepel
Daley	Helm	Parker	Toohil
Davidson	Hennessey	Pashinski	Truitt
Davis	Hess	Payne	Turzai
Day	Hornaman	Payton	Verb
Deasy	Josephs	Peifer	Vitali
DeLissio	Kampf	Perry	Vulakovich
Delozier	Kavulich	Petrarca	Wagner
DeLuca	Keller, M.K.	Petri	Waters
DePasquale	Keller, W.	Pickett	Watson
Dermody	Killion	Preston	White
DeWeese	Kirkland	Pyle	Williams
DiGirolamo	Knowles	Quigley	Youngblood
Donatucci	Kortz	Quinn	
Dunbar	Kotik	Ravenstahl	Smith, S.,
Ellis	Krieger	Readshaw	Speaker
Emrick			

NAYS—23

Aument	Creighton	Hutchinson	Murt
Bear	Cutler	Kauffman	Rapp
Bloom	Denlinger	Keller, F.	Rock
Boyd	Fleck	Lawrence	Stevenson
Brooks	Gillen	Metcalfe	Swanger
Clymer	Hickernell	Metzgar	

NOT VOTING—0

EXCUSED—5

Evans, D. George	Johnson	Miccarelli	Wheatley
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1485, PN 1880**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2011, to June 30, 2012, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2011; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Aviation Restricted Revenue Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund and the Oil and Gas Lease Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2011, to June 30, 2012; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2011, to June 30, 2012, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2011; and to provide for the additional appropriation of Federal and State funds from the General Fund for the Executive Department of the Commonwealth for the fiscal year July 1, 2010, to June 30, 2011, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2010.

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

The SPEAKER. The Speaker has been informed that the following amendments have been withdrawn: A02209, A02211, A02212, A02213, A02250, A02256, A02257, and A02259. The Speaker thanks the members.

Mr. MARKOSEK. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman, Mr. Markosek, rise?

Mr. MARKOSEK. Thank you, Mr. Speaker.

The SPEAKER. For what purpose does the gentleman rise?

Mr. MARKOSEK. Mr. Speaker, I rise to make a motion to recommit HB 1485 to the Appropriations Committee.

The SPEAKER. The gentleman was not recognized to make a motion.

Mr. MARKOSEK. I am sorry?

The SPEAKER. You were not recognized for the purpose of making a motion.

Mr. MARKOSEK. I thought I was recognized, sir.

The SPEAKER. The Speaker asked for what purpose you sought recognition. You indicated that you wanted to be recognized for the purpose of making a motion, and I did not recognize you for that purpose at this time.

Mr. MARKOSEK. I would like to be recognized to make a motion, Mr. Speaker.

The SPEAKER. The Speaker would like to clear up some of the amendments that have been withdrawn, and you will be recognized at an appropriate time.

Mr. MARKOSEK. Mr. Speaker, I rise to make a privileged motion.

The SPEAKER. The Speaker is also of the understanding that amendment A02199 is being withdrawn; however, the sponsor of the amendment wanted to be recognized.

The Speaker is also of the understanding that amendment A02260 is being withdrawn; however, the maker of the amendment from Montgomery County, Mr. Vereb, wanted to speak on withdrawing the amendment. The gentleman is in order on withdrawing the amendment.

Mr. VEREB. Thank you, Mr. Speaker.

I want to thank our leadership team, our chairman of Appropriations, Mr. Adolph, the Governor's Office, and many of those across the aisle who have helped prevent the privatization of our forensic units. We have a commitment to work on this, not only in the Fiscal Code but certainly in the budgetary process over the next months.

So with great gratitude, I withdraw the amendment that would stop the privatization of these forensic units and look forward to working with everyone as we approach the final passage of the amendment in mid-June, Mr. Speaker. Thank you.

The SPEAKER. The Speaker thanks the gentleman.

The Speaker recognizes the gentleman, Mr. Clymer, relative to withdrawing amendment A02199. The gentleman is in order.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I appreciated the opportunity to present amendment 2199, and I thank the Appropriations Committee for considering it. This is an amendment that certainly, the dollars would be wisely used if those dollars can be somehow included in the budget. But I am withdrawing the amendment. I thank the Speaker for the opportunity to make these comments.

The SPEAKER. The Speaker is also of the understanding that amendment A02258 is to be withdrawn and would recognize the gentleman from Montgomery County, Mr. Stephens, relative to that amendment.

Mr. STEPHENS. Thank you, Mr. Speaker.

I do want to just affirm the fact that I am withdrawing that amendment, and I certainly appreciate leadership's consideration as the process moves forward for those items – rape crisis center, domestic violence, breast cancer screening, and autism – and certainly hope that as the process moves on, we can look out for those items and ensure that they are funded appropriately down the road.

Thank you, Mr. Speaker.

#### REMARKS SUBMITTED FOR THE RECORD

Mr. STEPHENS. On another note, Mr. Speaker, I do have some other remarks prepared that I would like to submit for the record.

The SPEAKER. The gentleman may submit his remarks for the record, and the Speaker thanks the gentleman.

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Clayton McLemore, who has been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Clayton McLemore.

Whereas, Clayton McLemore earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Clayton is a member of Troop 542.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Clayton McLemore.

On the question recurring,

Will the House agree to the bill on second consideration?

The SPEAKER. The Speaker understands that amendment A02261 is to be withdrawn and would recognize the gentleman, Mr. Ellis, from Butler County relative to that amendment.

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

You are correct. I reluctantly am going to withdraw this, but I think the conversations we had today for my amendment certainly have been a very important issue for this chamber over the last 5 years – autism funding. There were some questions about the level at which we are going to be able to participate in the coming years. And again, like I said, based on the conversation we had today, I feel that there is a general will for us to move, and as negotiations continue over the next month, I will continue to advocate that, and I would ask my colleagues to join me in supporting autism funding as we go forward.

Thank you very much, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

The Speaker is of the understanding that amendment A02255 has also been withdrawn.

The gentleman, Mr. Maher, from Allegheny County is recognized relative to withdrawal of that amendment.

Mr. MAHER. Thank you, Mr. Speaker.

It has been my privilege now in my third year as Republican chairman for agriculture, and having toured every farm in my district, I will just let you know that this amendment dealt with one-half of 1 percent – no; excuse me – one-half of one-hundredth of 1 percent of the budget. I am encouraged that we will get this resolved before the entire budget is inked and final. So I will be withdrawing my amendment. Thank you, Mr. Speaker.

The SPEAKER. Additionally, we are also in receipt of a late amendment, which would not be in order, amendment A02366.

Does the gentleman, Mr. Thomas, seek recognition relative to the withdrawal of that amendment?

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to withdraw that amendment, and I am hoping that before all is said and done, that the bipartisan Accountability Block Grant Program is restored and implemented in fiscal year '11-'12. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

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

### MOTION TO RECOMMIT

The SPEAKER. On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, today I rise to make a motion that HB 1485 be recommitted to the Appropriations Committee.

Mr. Speaker, due to strong revenue collections, we anticipate that roughly \$1 billion is available to offset the \$2.6 billion in cuts proposed by Governor Corbett and the House Republicans. This is based on additional revenues exceeding one-half billion dollars for this year, 2010-11, that will also be carried forward into the base for next year's 2011-2012 revenue estimate. This additional revenue can be used to help soften the blow of devastating cuts contained in HB 1485, and it can ease the burden of these cuts on poor and middle-class Pennsylvanians.

HB 1485 should also be recommitted to the Appropriations Committee for more review by committee staff. When the bill was considered by the committee initially, errors were found. This bill needs to be further vetted by the committee to ensure that it is error-free.

Mr. Speaker, this revenue is available to Pennsylvanians today, without increasing taxes or without imposing any new fees. Therefore, I urge all members of this House to support the motion to recommit HB 1485 to the Appropriations Committee.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Allegheny County, Mr. Markosek, has moved that HB 1485 be recommitted to the House Appropriations Committee.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the motion to recommit.

Mr. Speaker, we had close to a 3-hour Appropriations Committee meeting when this bill was considered, and there was no motion regarding the aggregate. So I oppose the motion and ask all members to vote "no." Thank you.

The SPEAKER. The question is, shall HB 1485 be recommitted to the House Appropriations Committee?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise to support the motion.

Mr. Speaker, we should recommit this bill to the Appropriations Committee because the Republican budget will hurt women, it will hurt children, it will hurt seniors, it will hurt disabled people, and chronically ill, and thousands of other extremely vulnerable Pennsylvanians.

We should recommit this bill because it is nothing more than—

The SPEAKER. The gentleman will suspend.

I just want to reinforce to the members before we get too far in this debate that the debate on a motion to recommit is not to

entail the pros and cons of the legislation before the House, but to focus on the reason for recommitment.

The gentleman may proceed.

Mr. FRANKEL. Mr. Speaker, I think that is what I am dealing with. These are reasons.

Let me again submit to you that we should recommit this bill because it is a budget that is built on fuzzy math. It presents false choices, it presents unnecessary choices, and it is bad public policy. It refuses to recognize what is clear to many of us today, that we have additional revenue this year to apply next year and we will have additional revenue next year.

We can start with the claim, the false claim by my colleagues on the other side of the aisle that the Department of Public Welfare can yield a savings of nearly half a billion dollars by rooting out waste, fraud, and abuse in the State's health and human services programs. It sounds good, but where is the hard data? It is not there.

This is a budget that should be recommitted because it is built on trumped-up, phony numbers, and for that reason alone, it should be recommitted to the Appropriations Committee where we can get some answers as to where this mystery \$471 million came from. The truth is that the claims made by my Republican colleagues that they can find nearly half a billion dollars in savings from within these programs is nothing more than a smoke screen for what their budget would really do — hurt Pennsylvania families.

If we do not recommit this bill to craft a budget with real numbers and real facts, then this budget is going to do real damage to some of our most vulnerable citizens. It would cause massive cuts to health and human services programs that help seniors in nursing homes, children and adults with disabilities, veterans, and the chronically ill, among others.

In short, if we do not recommit this bill and we pass this budget as is, the middle class will pay and vulnerable people living on the edge will suffer.

And, Mr. Speaker, I would be remiss if I did not mention the massive \$300 million cut to higher education in the Republican plan. We should recommit this bill not just for the sake of our most vulnerable, but also for the sake of our most promising — our future leaders, our children who are attending or planning to attend college at one of Pennsylvania's fine educational institutions. Make no mistake, these cuts to our community colleges, our State System of Higher Education, and of course our State-related universities, such as the University of Pittsburgh, will affect the ability of middle-class families to send their children to college. For many, our community colleges and State-owned universities are the only affordable college option available for our children. We cannot take away that option for our middle-class families, and we should recommit this bill in order to ensure that those families are saved from significant tuition hikes. This is something that has been advocated even from those across the aisle in past budgets.

Mr. Speaker, it is clear that passing on the burdens of this Republican budget to Pennsylvania's families and middle-class, the vulnerable citizens among us, is a sufficient reason, particularly when it is evident that we have the means to mitigate those cuts right in front of us today and next year, that we should recommit this bill to get the numbers correct and to make sure we do right by the citizens of this Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. The question is, shall HB 1485 be recommitted to the Appropriations Committee?

On that question, the Speaker recognizes the gentleman from Cambria County, Mr. Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I rise in support of Representative Markosek's motion to recommit this bill. I rise on the basis that this bill has been prepared on the basis of false assumptions. I am not a member of the Appropriations Committee, but I attended the Appropriations Committee meeting where the Budget Secretary indicated, even as late as March, that he was satisfied that the budget projection would come in at \$80 million. Well, that budget projection is already, as of the end of May, at \$506 million, and we expect that that number will continue to grow through the June 30 deadline for this fiscal year.

Now, I ask that all members consider recommitment because all members realize that spending needs to be cut, and most of the people in this chamber have taken the position that we cannot raise taxes, but the problem with this budget as it has been proposed is it will hurt real people, it will hurt real people needlessly because the budget projection was not accurate. It is not \$80 million. It is close to \$1 billion. It is over \$700 million before we even end this year.

At the same time, at the same time we are doing this, we are striking \$4 million out of the State veterans facility. This morning there was an informational meeting with the Adjutant General of Pennsylvania. He indicated that he was moving forward with a new wing for people that need skilled nursing care in southeastern Pennsylvania. It was going to require 120 additional beds, and he was asked the question, if the budget passed as it was, would he be able to fund those beds? And he said no. Now, we all know in this chamber, we all know that the soldiers are coming home from Iraq and Afghanistan. The Pittsburgh Post-Gazette has indicated that as many as 20 percent of the returning Armed Forces of an amount above 1.5 million will need care for either traumatic brain injury or for posttraumatic stress disorder. It makes no sense to start 120 new beds with all of these soldiers that are coming back knowing that the State veterans facility appropriation has been cut by \$4 million. It does not make common sense. We have a debt to the veterans, which—

The SPEAKER. The gentleman will suspend.

The Speaker would remind the gentleman to confine his remarks to the reason why the bill should be recommitted or not. The comments were more directed towards a final passage of the bill and not on whether or not it should be recommitted.

Mr. BARBIN. Thank you, Mr. Speaker.

Unless we recommit, we will not be able to provide funds that will allow these beds to be manned. That was the testimony of the Adjutant General this morning at the Veterans Affairs Committee.

This decision will affect lives, just like it will affect lives if we do not put money back into public education, \$900 million, when we are sitting on the sidelines with \$1 billion. Do you know what that translates to? That translates to a local property tax increase, and it will happen in every one of your districts if we do not do something about it.

And the other thing that we are doing is, we are cutting the State-relateds' appropriation by 25 percent at a moment when all of the students that we need their skills could be going to our economy; they could be helping us grow the economy. Instead,

we are going to stick a tuition hike of 25 percent on them. Some of them are not going to continue to stay in school.

Mr. TURZAI. Mr. Speaker? Mr. Speaker?

The SPEAKER. For what purpose does the gentleman, Mr. Turzai, rise?

Mr. TURZAI. Under rule 55, "Privileged Motions," it says that "The motion to commit or recommit is open to debate only as to the reasons for or against reference to committee and shall not include a discussion of the merits of the main question." This is far afield from the motion to recommit, and the rule specifically said that there should not be "...a discussion of the merits of the main question," sir.

The SPEAKER. The gentleman is correct and would ask the members to confine their remarks to the reason why the bill should be recommitted or not recommitted.

The gentleman may proceed.

Mr. BARBIN. Thank you, Mr. Speaker, and thank you, Mr. Majority Leader.

But if there is not a better reason to recommit this bill to avoid a college hike, I do not know what that reason would be.

That is all I have. Thank you, Mr. Speaker.

The SPEAKER. The question is, shall the bill be recommitted?

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I also support this motion to recommit, and I think the key point is, we need to get more money into this budget number beyond that \$27.3 billion or the health and safety of Pennsylvanians will be put at risk. Mr. Speaker, we need to get this rereferred to get more money into the Department of Environmental Protection because we do not have, if this budget is passed, adequate personnel to protect the health and safety of Pennsylvania. Mr. Speaker, this has to be recommitted, Mr. Speaker. We will not have enough people to inspect our power plants, inspect our mines, inspect our water purification facilities, our sewers and so forth.

Mr. Speaker, this budget is a \$40 million cut from the 2008-2009 budget as far as the Department of Environmental Protection goes. We have to recommit this, Mr. Speaker. This budget is even less, as far as the Department of Environmental Protection goes, than the draconian Governor Corbett budget. We have to recommit to get more money, and this is \$23 million less than the 2009-2010 budget, Mr. Speaker. We have to get other programs back in there.

Mr. Speaker, we have to recommit because this takes almost \$3 1/2 million from our flood control programs. These are programs, Mr. Speaker, that protect storm water management in many, many municipalities throughout the State. We have to get it back to committee, get it back to the Appropriations Committee to really carefully consider cutting West Nile virus. We put almost half-a-million-dollar cuts in West Nile virus. This is going to put our citizens at risk by transmitting that deadly disease. We have to get it back to committee to deal with these cuts. Environmental protection operations were cut over \$1 1/2 million, Mr. Speaker. That is going to be less inspectors out there.

Mr. Speaker, there are changing circumstances that justify this motion to recommit. More and more Marcellus drilling is going online. We have to get more inspectors out there to make sure this is done safely. So we have got to get this back to committee to consider all these things.

Mr. Speaker, this budget, there are times to cut and there are places to cut, but in light of the surplus we have, in light of the other sources of revenue such as the severance tax, we cannot cut with regard to the safety and health of the citizens of this Commonwealth, and the only way we are going to do that is to get this bill back to the Appropriations Committee and deal with these problems. Thank you, Mr. Speaker.

The SPEAKER. The question is, shall the bill be recommitted to the House Appropriations Committee?

On that question, the Speaker recognizes the gentleman from Mercer County, Mr. Longiotti.

Mr. LONGIETTI. Thank you, Mr. Speaker.

I rise in support of the motion to recommit HB 1485 to the Appropriations Committee.

There are a billion reasons to recommit this bill for further work; namely, the \$1 billion in cuts to public education and the \$1 billion in available funds that this bill would stockpile.

Mr. Speaker, if we do not recommit this bill, we will hoard \$1 billion of taxpayers' money and sock it away while we impose severe cuts in education that will hurt our children. If we do not recommit this bill, we will keep the taxpayers' money in Harrisburg while schoolchildren will suffer in Sharon, in Scranton, in Shamokin, and the South Hills of Pittsburgh – suffer needlessly, I might add.

Mr. Speaker, without recommitting this bill for further work, we will need to explain why we would urge school districts to spend down and exhaust their reserves while we would create a new reserve of money in Harrisburg.

Mr. Speaker, without recommitting this bill, we will have to explain to parents why music programs are being cut, why art programs are being cut, why school libraries are being closed and librarians are being laid off, why class sizes are being increased and course offerings are being pared down, and the State is sitting on \$1 billion that could be used to avoid this pain.

Without recommitting this bill for further work, in my district the Sharon City School District is considering eliminating 13 positions, the Farrell Area School District has authorized layoffs, and the Sharpsville Area School District has discussed having just 1 school nurse cover 3 buildings.

This bill also must be recommitted because it would put the heaviest burden of cuts on some of the poorest school districts in Pennsylvania. In my legislative district, the Farrell Area School District is the third poorest district in the State, yet the cuts that it would realize on a per-pupil basis would put it in the top 40 out of 500 school districts. In other words, 92 percent of the school districts would have a smaller cut than Farrell even though it is poorer than 98 percent of all the school districts in Pennsylvania.

If this bill is not recommitted, Sharon City School District, which is the 19th poorest in the State, would have a larger per-pupil cut than 492 of the 500 school districts, and 5 out of the 6 school districts that I represent would see cuts that are larger on a per-pupil basis than at least 392 of the 500 school districts, even though these 5 districts are poorer than at least 79 percent of all school districts.

Mr. Speaker, we must recommit this bill because, without further work, it would eliminate funding for "Science: It's Elementary," which gets elementary children engaged in the sciences, and because it would eliminate funding for Science in Motion, which brings mobile science labs to middle school and

high school students. If we do not recommit this bill, Pennsylvania will contribute to our national shortage in producing scientists by eliminating these programs. Just yesterday CNN produced a feature story where our country's failure to produce scientists was described as a crisis threatening the economic future of the United States.

Mr. Speaker, if we fail to recommit this bill—

Mr. TURZAI. Mr. Speaker?

The SPEAKER. The gentleman will suspend.

### POINT OF ORDER

The SPEAKER. For what purpose does the gentleman, Mr. Turzai, rise?

Mr. TURZAI. Point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TURZAI. Again, we voted unanimously on the rules. Rule 55, "Privileged Motions," indicates that "The motion to commit or recommit is open to debate only as to the reasons for or against reference to committee and" – it is explicit – "shall not include a discussion of the merits of the main question." I do believe this is far afield, sir.

The SPEAKER. The Speaker thanks the gentleman for his comments and does ask the members to avoid the specific merits of the underlying bill and focus on the reason why the bill should be recommitted.

The gentleman may proceed.

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, if we fail to recommit this bill, Pennsylvania contributes to that crisis by eliminating "Science: It's Elementary" and Science in Motion.

Mr. Speaker, if we do not recommit this bill, we will fail our children, we will fail the taxpayers, and we will fail the future. There are a billion reasons to recommit this bill; namely, a \$1 billion cut to public education produced by \$1 billion in excess funds that we would keep in Harrisburg.

Please vote to recommit this bill. Thank you, Mr. Speaker.

The SPEAKER. The question is, shall the bill be recommitted to the House Appropriations Committee?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, we believe the bill ought to be recommitted because this is not the best that can be done. We believe this bill ought to be recommitted in order to save the reputation of the House Republican Party and to save the reputation of the House of Representatives as a whole.

The SPEAKER. The gentleman will suspend.

The gentleman will not cast aspersions as to motivations for legislation, and you know that is not within the normal dialogue of debate.

On the motion to recommit.

Mr. COHEN. Mr. Speaker, we know full well that the Democratic Party is the minority party in the House of Representatives, and if this bill is recommitted, obviously it will only be recommitted because there is a considerable number of Republicans who agree with us that this is not the kind of budget we ought to be presenting to the people of Pennsylvania. And therefore, a positive vote for recommitment will send a very, very strong message to the House Appropriations Committee that the priorities of this bill are wrong, that there is much more

that can be done within budgetary resources that are clearly available, as well as budgetary resources that might become available soon.

We believe that a vote for recommittal will produce a better budget, a budget that we can all be proud of, a budget that will really meet the needs of Pennsylvanians to have a State government that is responsive to the public interests. There are people in every legislative district in this State who are going to be hurt by this budget, and it is unnecessary.

A vote for recommittal will improve the conditions of every single legislative district in Pennsylvania. It will improve the reputation of the House of Representatives and the State government as a whole. It will send a message to the Senate that they are not the only people who are concerned about the dire fiscal results of this budget.

A vote for recommittal today by a majority of the members of the House of Representatives will produce a much better budget. It will solve serious problems that now exist. It will lead to remedies to problems that do not have to exist. It will make Pennsylvania a better place to live this year, next year, and in the years to come.

A vote for recommittal will produce a product that we can be proud of, a product that deals constructively with the needs of Pennsylvania and individual Pennsylvanians, a product that deals constructively with the obvious disparity between our goals to help every citizen and our limited resources.

We can do better than this budget does. Because we can do better, because members of both parties here know we can do better, a vote for recommittal will lead to a much more responsive budget, a much more responsible budget, and a budget that each of us can be proud to talk to our constituents about.

I urge strongly all the members of the House of Representatives, including members of the Republican Party, to surprise us and come together on this vote and create a State of engaged activism to really improve the lives of the people of Pennsylvania.

The SPEAKER. The question is, shall the House recommit HB 1485 to the Appropriations Committee?

On that question, the Speaker recognizes the gentleman from Clinton County, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the motion to recommit. On the floor of this House there is no way to fix this bill. Our rules require us to rob one line item to fund another. If we can recommit, we can consider the additional \$1 billion in revenue that is available to reduce the draconian cuts proposed in this budget.

Mr. Speaker, we should recommit this bill to the Appropriations Committee because the Republican budget will unnecessarily hurt middle-class college students and their families.

We should recommit this bill because the House Republican plan would slash funding for higher education to the tune of \$300 million, including a \$75.5 million cut to our State-owned universities through the State System of Higher Education and a \$24 million cut to our 14 community colleges. If we recommit this bill, we can consider the—

The SPEAKER. Will the gentleman suspend.

For what purpose does the gentleman, Mr. Metcalfe, rise?

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, it is nice that our Democratic—

Mr. HANNA. Mr. Speaker, I would appreciate if the clock would stop.

Mr. METCALFE. —colleagues have their speeches all prepared, but they are far astray from actually advocating on behalf of this motion. I mean, they are way off track, and their writers did a good job for them, but it does not fit with what the motion is.

The SPEAKER. The Speaker thanks the gentleman.

The Speaker is a little bit reluctant to rule the members out of order when they at least make reference to recommitting the bill because. I would ask the members to confine their remarks to the reason the bill should be recommitted or not be recommitted and would also remind them that at such time as the bill is considered on second consideration or on final passage, that they certainly have ample opportunity to get into the merits of the legislation.

The gentleman may proceed.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, if we recommit this bill, we can consider the additional \$1 billion of revenue that recent collections reflect. The House Republican budget cuts to our State-owned universities would force those schools, including Lock Haven University in my district, to make dramatic cuts and increase tuition costs for students.

We should recommit this bill because these budget cuts would cause tuition hikes for Pennsylvania students who are already struggling to pay their bills. In fact, this year's college graduates now leave school with a record amount of debt, an average of \$22,900. That is not just a burden for college graduates; it is a burden to our economy. How can we expect today's college graduates to do better than their parents' generation when their tuition debt is more than their parents' mortgage? Saddling our college students with more debt is the wrong way to revitalize our economy.

We should recommit this bill because the budget cuts to both public education and higher education ignore the critical role education plays in improving workforce and economic development.

We should recommit this bill so that we can make public education and higher education the priority it should be in this budget, because an educated workforce is essential to economic development.

Yes, we should recommit this bill, but higher education funding and basic education funding are only some of the reasons to recommit. There are thousands of reasons to recommit this bill, even tens of thousands of reasons – the countless people who will be hurt by callous cuts to health care and human services.

We should recommit this bill because the budget would reduce the amount of money for hospitals that treat the poor; families seeking subsidized child care; shelters that aid women and the homeless; and counseling for families, children, and the mentally ill.

We should recommit this budget because of the concerns voiced by officials in our schools, our human service agencies, and our county and local governments across the Commonwealth. Perhaps their words can best describe why we should recommit this bill. Joan Benso, president and CEO (chief

executive officer) of Pennsylvania Partnerships for Children, said, "We think we need to advance this process by not trading one child need for another child need."

We should recommit this bill because, according to the leaders of Pennsylvania's rape crisis and anti-domestic violence networks, "A loss of money would mean thousands of people are unable to get help, including assistance for women applying for protection from abuse orders or therapy for children who have been sexually assaulted."

But we cannot forget the biggest reason to recommit this bill – the nearly \$1 billion cut to basic education in this budget. The effect of these cuts is devastating to school districts all across the Commonwealth, including the Keystone Central School District in my home county. This headline says it all. Look at this headline. It says, the "KC budget picture not pretty." The subheadline pretty much—

The SPEAKER. The gentleman will suspend.

The practice of the House is that we do not permit visual aids in the course of debate. The Speaker would ask the member to comply with that.

The gentleman may proceed.

Mr. HANNA. Thank you, Mr. Speaker.

Let me tell you what the subheadline says, " 'Shared pain'—

The SPEAKER. Does the subheadline say that the bill should be recommitted?

Mr. HANNA. It does.

The bill should be recommitted because the subheadline says, " 'Shared pain' concept includes tax increase, staff reduction, program cuts." That is what this budget is, a budget filled with pain.

In short, Mr. Speaker, we should recommit this bill to save our children, college students, taxpayers, middle-class families, and our most vulnerable citizens from the excruciating pain of these budget cuts. If we can recommit, we can consider the additional \$1 billion in revenue that is available to reduce these cuts. Mr. Speaker, we can do better. Please vote to recommit.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

The question is, shall the bill be recommitted to the House Appropriations Committee?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Let me thank my colleague for recognizing that I do not need any notes in order to explain why this bill must be recommitted.

Right up front, it should be recommitted because it is an illegitimate bill. It is illegit because, number one, it does not deal with the many communities across Pennsylvania that are facing structural and systemic unemployment and small business failure.

Number two, it is illegit because it takes money away from the gains that we have achieved in basic education and providing a bridge to the future through our schools of higher learning.

Number three, this bill is illegit and should be recommitted because housing— There are too many people in Pennsylvania facing mortgage foreclosure, too many homes in Pennsylvania – in rural Pennsylvania, urban Pennsylvania, suburban Pennsylvania – that need housing and redevelopment assistance.

Mr. Speaker, it is illegit and therefore we should recommit and recommit now.

The SPEAKER. The question is, shall the bill be recommitted to the House Appropriations Committee?

On that question, the Speaker recognizes the gentleman from Erie County, Mr. Hornaman.

Mr. HORNAMAN. Thank you, Mr. Speaker.

Mr. Speaker, HB 1485 does need to be recommitted, first of all, because the bill leaves \$1 billion in useable revenue on the table while forcing budget cuts on Pennsylvanians that are unfair and disproportionate. Of that \$1 billion, half is already in the bank.

I know I hear the argument that this is money that belongs to the people of Pennsylvania. And do you know what? I agree 100 percent. And those people, those middle-class taxpayers that this money does belong to, are the same people who want this bill recommitted so that their children can have a quality education and be ready to face an ever-demanding world.

Those taxpayers want this bill recommitted because they want an acceptable level of child-care service. These taxpayers want this bill recommitted because they want adequate funding for their veterans homes, and those same taxpayers want this bill recommitted because they want timely payments to their nursing homes. And do you know what? These taxpayers want this bill recommitted because they want medical assistance to the working disabled. These people want, these taxpayers want this bill recommitted because they want adequate funding for home- and community-based services. These taxpayers want this bill recommitted because what they really only want is fairness and balance, which HB 1485 cannot offer in its present form. And these taxpayers who want this bill recommitted are the same taxpayers who do not want an increase in their property taxes, which is exactly what is going to happen if this bill passes in its present form.

Mr. Speaker, we need to recommit HB 1485 so that it can be amended into a fair budget bill that can be offered with pride to those taxpayers of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

The question is, shall the bill be recommitted?

On that question, the Speaker recognizes the gentleman from Lackawanna County, Mr. Ken Smith.

Mr. K. SMITH. Thank you, Mr. Speaker.

Mr. Speaker, I rise today in support of the recommitment of HB 1485, and I do that, Mr. Speaker, for three reasons. The first reason is because this bill puts our seniors, our most vulnerable population, at risk. Just today, Mr. Speaker, I had a group of human services professionals in my office, and they pleaded with me to make sure that HB 1485 does not get passed in its current form, that it would go a long way in harming this population. For 5 years now, Mr. Speaker, I have been a member of the Aging Committee, and we hear a lot about age in place, and these people are professionals in keeping our seniors at home instead of in nursing homes. And, Mr. Speaker, if they do not age in place and go to the nursing homes, it certainly costs the Commonwealth much more money. So, Mr. Speaker, that is my first reason for recommitment support.

The second reason for supporting recommitment would be the cuts to our basic education. Mr. Speaker, our children have one chance, one chance at a good education, and here in Pennsylvania we have a very good public education system. The system is not broken. It works. We have seen the fruits of our labor. My children are products of public education, and they

have done well. We must not turn our back on our children's education.

The third reason for recommittal, Mr. Speaker, is jobs. There are tens of millions of dollars in cuts to this bill that would support job creation and job training during these very difficult economic times when we see 9- and 10-percent unemployment rates. We must not turn our back on Pennsylvanians that find themselves in desperate need of good-paying, family-sustaining jobs.

So, Mr. Speaker, my three reasons: job training, job education; second reason, education – basic education, higher education; and the third reason is to support our seniors, in the aging of that population, and to give them dignity and quality of life in the twilight of life.

So, Mr. Speaker, I urge a recommittal of HB 1485. Thank you.

The SPEAKER. The question is, shall the bill be recommitted to the House Appropriations Committee?

On that question, the Speaker recognizes the gentleman from Lackawanna County, Mr. Murphy.

Mr. MURPHY. Thank you, Mr. Speaker.

Mr. Speaker, I stand today to support the motion for reconsideration – recommittal. Reconsideration would be nice. I support the motion for recommittal because this is about a fair budget and being fair to Pennsylvanians.

The budget as I see it and the reason I support the recommittal is because the budget is not fair. The people with the least here in Pennsylvania are going to bear the biggest burden. The businesses that take advantage of loopholes here, in Delaware, and gas companies that are not paying their fair share, there is money that is being left on the table, Mr. Speaker, and at the same time, we are asking average Pennsylvanians struggling to pay mortgages and educate their children, who just get by and try to have a decent quality of life for themselves, to bear the biggest burden.

Mr. Speaker, I stand for recommittal because the children of Pennsylvania deserve better. I stand for recommittal because we do not want to take a step backwards. We know that test scores are improving. We know the funding of basic education here in Pennsylvania makes us one of the leaders in this nation. We do not want to go back to no 3-year-old preschool, half-day kindergartens.

Mr. Speaker, I stand for recommittal because this budget should be a fair budget. We should recommit this legislation because we could do better as legislators, we could do better for the people that we represent, and it is not just education, not just basic education, Mr. Speaker. It is also secondary education. It is about allowing our young adults here in Pennsylvania to be competitive not only throughout Pennsylvania, not only throughout the entire nation, but globally competitive right here in Pennsylvania, Mr. Speaker. We have to stand behind our young men and women who are trying to better their lives, try to make it affordable—

The SPEAKER. The gentleman will suspend.

Mr. MURPHY. —for our—

The SPEAKER. The gentleman will suspend.

Mr. MURPHY. Yes, Mr. Speaker.

The SPEAKER. The Speaker has been trying to be fair and evenhanded about this, but the members are definitely getting far afield of the reasons why a bill should be recommitted. And when you raise the question, the bill should be recommitted, and

state some substantive matter of the bill, while I appreciate the effort, it is clearly in conflict with the spirit of the rule. Mason's Manual says, "The motion to refer is debatable only as to the propriety of committing the main question, and does not open the main question to debate."

And I would simply ask the members to speak to the merits of recommittal or not recommittal and not continually wrapping around the substantive issues, which are certainly open to debate at a later point in the process.

The gentleman may proceed.

Mr. MURPHY. Thank you, Mr. Speaker.

And I apologize to the Speaker and to my colleagues if I was a little far afield.

But to be a little bit more precise, Mr. Speaker, I stand here for recommittal this evening because a \$1 billion revenue debt was not on the table at the time the budget was put together. I stand here because there is more money that we have to make sure that we are able to address priorities here in Pennsylvania that take care of our seniors, that take care of those Pennsylvanians with special needs that need to be taken care of, a priority here in Pennsylvania to give young adults an opportunity for a higher education so they can better their lives and be academically and professionally competitive throughout Pennsylvania, the nation, and the world.

And I am for recommittal, Mr. Speaker, because Pennsylvania's budget should be just, it should be fair, and the burden should be shared across the board. We cannot as Pennsylvanians stand here and let big business not pay their fair share while those with the least are bearing the biggest burden here in Pennsylvania, Mr. Speaker.

I understand that we have to talk about recommittal and why we want to send this legislation back to the Appropriations Committee. We want to send this bill back to the Appropriations Committee because we want to be able to stand here as legislators in Pennsylvania, look the constituents of Pennsylvania in their faces, and say we are putting the people first.

Thank you very much, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

The question is, shall the bill be recommitted?

On that question, the Speaker recognizes the gentleman from Lancaster County, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise and support recommittal because there is \$1 billion on the table that is the citizens' money that could be used to restore funding for education. Now, I understand if I were the Appropriations chair on the other side, it would not really matter much, because if I represented the Radnor Township School District—

The SPEAKER. The gentleman will suspend.

You are doing two things. You are getting into the main substance of the bill and you are questioning the motives of another member, and that is not proper debate.

The gentleman may proceed.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, the Radnor Township School District gets cut less than \$1,000 per classroom in this budget.

The SPEAKER. The gentleman will suspend.

That is clearly on the substance of the underlying bill, the main question. The question before the House is, shall the bill be recommitted?



Mr. STURLA. Mr. Speaker, we need to recommit so that we can properly fund education. The Northern Tioga School District gets cut \$15,000 per classroom, and it would not if we were able to recommit. The Greater Nanticoke Area—

The SPEAKER. The gentleman will suspend.

Mr. TURZAI. Mr. Speaker? Mr. Speaker?

The SPEAKER. The question of how the moneys that are appropriated under the basic education line are not even a part of the underlying bill. So you are two bills away from the subject; you are two subjects away.

The question before the House is, shall the bill be recommitted? The gentleman will stay on the subject, please.

Mr. STURLA. Mr. Speaker, I would suggest that we recommit because there is \$1 billion that could be used for education. The dollars that would go for education could be used to fund school districts at a rate higher than they currently are. There are school districts that under the proposal, because there is not money in this bill, will be cut as much as \$30,000 per classroom, \$40,000 per classroom, \$50,000 per classroom. Mr. Speaker, that is not necessary.

We could recommit this bill and place the appropriate amount of the taxpayers' dollars that they have already paid toward education of students in this State. They have already contributed those tax dollars, and they want them to be used to fund their children's education. Instead, as the bill currently stands, without recommitment, those dollars are not going to be used for education, and so those school districts that will go without funding—

Mr. TURZAI. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman, Mr. Turzai, rise?

Mr. TURZAI. Sir, under rule 55, it specifically says, "...not include a discussion of the merits of the main question."

Now, I recognize there has been some leeway here, and I understand, but the fact of the matter is, recommitment in and of itself does not change what happens with the bill, HB 1485. And in fact, tomorrow there will be plenty of opportunity to debate the merits of HB 1485 and folks will be able to vote "yes" or "no," and many of the arguments that the good gentleman from Lancaster County is making he will have the opportunity to make tomorrow on the underlying substance of the bill. It is not appropriate for this motion.

The SPEAKER. The Speaker thanks the gentleman.

As I have said before, I have been trying to be fairly reasonable about it and would ask the members to confine their remarks to the motion to recommit.

### PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman may proceed.

Mr. STURLA. Mr. Speaker, point of parliamentary inquiry.

The SPEAKER. The gentleman will state his point.

Mr. STURLA. Mr. Speaker, if I am not allowed to give a substantive reason as to why this bill should be recommitted, do I have to give a frivolous reason as to why it should be recommitted?

The SPEAKER. Generally speaking, the motion to recommit would be for the purpose of further study, for a hearing, for some additional information to be ascertained. Those are by example. The substance of the bill is generally not supposed to be debated. So it would appear to the Speaker that if the purpose

of the motion to recommit was to debate the merits of the bill in disguise, that perhaps the motion was somewhat frivolous, if that were the case. So the purposes for recommitment are generally towards things such as further study, additional information, public hearing perhaps, things of that nature.

Mr. STURLA. And, Mr. Speaker, I guess to further question, you pointed out that what I was pointing out was not contained in this bill, and so what I was trying to get at was that we needed to send it to the Appropriations Committee so that we could study the things that are outside of this bill. And you told me I was out of line for talking about things that were outside of this bill, and now you tell me I cannot talk about things that are inside this bill.

The SPEAKER. The gentleman will suspend.

The Speaker cautioned you on talking about the substance of the bill as opposed to why it should be recommitted. The subject that you had ventured into is not even a part of the bill. So even if I am going to be a little bit lenient in terms of how far off the subject of recommitment you went, you were on to another bill that deals with how a subset of the appropriations bill would be distributed. That is why I cautioned you on that.

On the motion to recommit, the gentleman is in order.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this bill needs to be recommitted because there is \$1 billion being left on the table. This is \$1 billion of the taxpayers' money that they have already paid that is to be used for the education of their children in this State. We have an opportunity to allow that to happen, but we cannot do it if we are restricted by not using that money for education. The way this bill has been aligned, those dollars cannot be used for education. That does not make sense. The people of Pennsylvania do not want their children's classrooms cut \$10,000 and \$20,000 per classroom. They do not want their local taxes going up because the State refuses to commit their tax dollars to the educational purposes that they sent their tax dollars here for.

The people of Pennsylvania have spoken loud and clear at town hall meetings, at school board meetings, and they are upset and furious that we have their dollars that they have already sent to Harrisburg that this budget, HB 1485, prohibits from being used for education. That is why they sent them here. That is what the Constitution says we are supposed to do with those dollars, provide for a thorough and efficient education. If we recommit, we can appropriate those dollars to education. We can stop property tax increases in local school districts. That is why we need to recommit this bill.

I can get into every individual school district, and it is not just Democratic school districts. It is Republican school districts in rural areas that are getting cut \$20,000 per classroom. There are other speakers—

Mr. TURZAI. Mr. Speaker? Mr. Speaker?

The SPEAKER. The gentleman will suspend.

Mr. TURZAI. Please.

The SPEAKER. You were clearly on to the merits of the bill and not the reason why the bill should be recommitted, and I would strongly urge the member to confine the remarks to reasons why the bill should be recommitted.

And I would make the members aware that previous Speakers have, on some occasions in the past, not allowed the members to make any passing reference to the underlying merits of the bill, and if need be, that is the direction we can go.

So the gentleman will proceed.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, the only way that we will be able to get money into the budget bill to avoid local property tax increases is to recommit the bill so that we can use those dollars appropriately, so that we can use them for what the taxpayers sent them here for.

I would urge that we recommit this bill to Appropriations so that we can do what our citizens sent us here to do and provide for a thorough and efficient education for the children of Pennsylvania.

Thank you, Mr. Speaker.

### PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman, Mr. DeWeese, rise?

Mr. DeWEESE. A point of parliamentary inquiry.

The SPEAKER. The gentleman will state his point.

Mr. DeWEESE. Mr. Speaker, respectfully going forward, not backward relative to this evening's dialogue, it seems to me, respectfully, that from the commencement of our national dialogue until tonight, from *Marbury v. Madison* to Turzai versus Dermody, that the spirit of the law or the spirit of the rule versus the actual letter of the law or the letter of the rule apropos of Mr. Turzai, our honorable majority leader's references to House rule 55, I would only say in my inquiry, Mr. Speaker, that if this chamber generates 2,500 bills in the biennium, 2,499 of the bills I would agree with my honorable colleague from Allegheny County, but the State budget, Mr. Speaker, seems to be a unique circumstance. And in the spirit—

The SPEAKER. Is there a question here?

Mr. DeWEESE. Yes, but I appreciate the latitude; I very much appreciate the latitude.

In the spirit of our budget dialogue under these critical conditions, I would only suggest to the Chair, and I am asking the Chair to respond, as to whether the spirit of rule 55 and the letter of rule 55 allow for some discernible differentiation with all of the other more delineated proposals that will be forthcoming? Thank you, Mr. Speaker.

The SPEAKER. You are not going to stick around and listen to my answer to your question?

The gentleman somehow got to a question in the middle of that.

I believe the Speaker has been lenient relative to the letter of the rule versus the spirit of the rule. The simple fact that on second consideration when the bill is before us and on final consideration when the bill is before us, all of these points are totally in order in terms of why the bill is good or bad and would say that the Speaker has been lenient beyond the letter of the rules in which we operate.

The question is, shall the bill be recommitted?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Myers.

Mr. MYERS. Thank you, Mr. Speaker.

I am going to address the question, should—

The SPEAKER. You would be the first.

Mr. MYERS. With a purpose.

Should HB 1485 be recommitted to Appropriations? And I will say yes. I support that, and this is why I think it should be recommitted, because the math is thrown off. How are you going to present a budget when the numbers are not right and the numbers have not even finally been decided on?

We have \$1 million that I know we are not going to send to the racetrack. I hope not. I mean, this \$1 billion is supposed to be there for the people.

Mr. Speaker, I think we should recommit because I think we made a mistake about how we handle ABC (Access to Basic Care) insurance, and now that we have some money, we might be able to straighten that mistake out, but we can only find out by recommitment.

Mr. Speaker, we need to recommit because of the hospital cuts, \$313 million taken from our hospitals. I guess few people in here have ever had to go to a hospital. The times I have been there, I would like to see that \$313 million there. We have a hospital — two that I think are a part of the reason of why we should recommit that have something to do with my district, Einstein Hospital and Temple University. I do not know how many of you all have ever been to Temple University's emergency room. It looks like an airport. You would not believe it. It looks like an airport. You have to go through all these scanners, security guards, because they are afraid the guy who just shot that guy is going to come back and try to shoot him again.

The SPEAKER. The gentleman will suspend.

Mr. MYERS. That is why I think we should recommit.

The SPEAKER. The gentleman will suspend.

Simply stating that you want to fly to the moon is why you want to recommit is not going to fly. Stay on the merits of why the bill should be recommitted or not recommitted, please.

The gentleman may proceed.

Mr. MYERS. Thank you, Mr. Speaker.

I think we should recommit because we need to— Darryl, I wish I had your sunglasses from the other day. Did you all see Darryl? Excuse me for a minute. Did you all see Darryl with his sunglasses on the other day?

The SPEAKER. The gentleman will suspend.

Mr. MYERS. Mr. Speaker, on recommitment I believe that we have a responsibility to take this billion dollars and refund programs that we have cut but now we can refund because we are out of money. It is very simple math to me. My wife said, "We need a new furnace." "Baby, I don't have any money. We can't get one." "You just got a check in the mail." "Okay. I will go get the furnace."

We need to spend the money to help the people. Therefore, I would ask that each and every one of us vote in the affirmative to recommit HB 1485, Mr. Speaker.

The SPEAKER. The question is, shall the bill be recommitted?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

It might be tough following that, but I rise to support recommitment of HB 1485, Mr. Speaker.

This bill as amended will still devastate our schools by cutting \$976 million from the K through 12, which is a massive hit to our school districts, and cutting \$300 million more from higher ed, which is equally bad.

Mr. Speaker, I think we should recommit this because it will result in cuts to school programs such as kindergarten, Classrooms for the Future, "Science: It's Elementary," dual enrollment, language classes like French and Spanish at many of the schools.

Mr. Speaker, we should recommit this because increased class sizes will be on the horizon, tuition hikes will occur in higher ed. Mr. Speaker, we should recommit because tax hikes will be incurred upon many homeowners in this State.

Mr. Speaker, we should recommit because of the layoffs to educators and staff, and now students may also face activity sports fees, Mr. Speaker.

Mr. Speaker, we should recommit this because HB 1485 obliterates the equity funding formula, Mr. Speaker, forcing poorer school districts such as Duquesne, Clairton, Sto-Rox, Chester Upland, and many others into deep financial trouble from which it is doubtful they will survive, Mr. Speaker.

Mr. Speaker, we should recommit this bill because in my district I have a number of schools that are going to take a severe hit. McKeesport School District, for example, \$2.9 million, 96 projected layoffs, with a tax increase of .3 mills; South Allegheny, \$986,000 cut, 25 layoffs planned, .4 mill increase; Baldwin-Whitehall, \$1.27 million cut, 4 projected layoffs; West Jefferson Hills, a better story, a better tax base, \$703,000 hit, no projected layoffs. But, Mr. Speaker, we should recommit because West Mifflin is going to be hit by an \$811,000 cut, 47 projected layoffs, and a tax increase of .4 mills.

Mr. Speaker, we should recommit HB 1485 because the basic education formula enhancement of \$1.98 million for the Duquesne High School students that were transferred to West Mifflin in East Allegheny 4 years ago is being eliminated, Mr. Speaker.

Mr. Speaker, we should recommit this because we have a duty to add this \$1 billion of taxpayers' money back into education. Hoarding this \$1 billion in surplus for a rainy day is a ludicrous argument, Mr. Speaker.

Mr. Speaker, our children deserve a better opportunity to get a good education, so we should recommit this, Mr. Speaker, to fix this bad budget proposal because they do deserve better.

I would urge a vote for recommitment. Thank you, Mr. Speaker.

The SPEAKER. The question is, shall the bill be recommitment?

On that question, the Speaker recognizes the gentleman from Philadelphia, Mr. Mike O'Brien.

Mr. M. O'BRIEN. Thank you, Mr. Speaker.

Commonwealth. Simply put, Mr. Speaker, has this process that has brought us to this point led to the common good?

Now, Mr. Speaker, you have a woman in labor going to a hospital to give birth to find out that in southeastern Pennsylvania, of the 19 obstetric centers, only 6 are left. With \$1 billion left on the table, she will tell you that the process has failed and this bill should be recommitment.

Mr. Speaker, the child who looks forward to a kindergarten experience will not have a full-day experience. Now, my wife is a kindergarten teacher, and let me tell you, she gets kids that are well prepped, she gets kids that have no experience, and she creates a level playing field.

The SPEAKER. The gentleman will suspend.

You are clearly getting off into the merits of the bill, the pros and cons of what makes the bill good or not good, and I would urge the member to confine his remarks as to why the bill should be recommitment.

Mr. M. O'BRIEN. Thank you, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. M. O'BRIEN. Thank you, Mr. Speaker.

Mr. Speaker, if we are cutting with \$1 billion left, this is a flawed bill. It needs to go back to committee.

Mr. Speaker, we have heard of cuts to hospitals, and my colleague from Philadelphia so eloquently spoke about the airport of hospitals. If there is \$1 billion left on the table, if hospitals are closing, if hospitals are not providing services, we need to recommit this bill.

Mr. Speaker, ultimately at the end of the day we understand that the amendment to this bill came forward, was put through in only a few hours, did not give time for contemplation, did not give time for consideration of \$1 billion left on the table. Quite simply, Mr. Speaker, this process was flawed. Quite honestly, Mr. Speaker, this process needs to be taken up again.

Mr. Speaker, I would urge for a positive vote on this motion. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

The question is, shall the bill be recommitment?

On that question, the Speaker recognizes the lady from Philadelphia, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I stand here asking for a vote for recommitment, and I do that at a time in the evening, a little bit after a quarter after 7, when people are probably on this floor thinking about dinner. So I am going to talk about food.

The SPEAKER. The question before the House is, shall the bill be recommitment?

Ms. JOSEPHS. This bill should be recommitment because it does not adequately support households, some 800,000 households in Pennsylvania who lack food security. This bill should be recommitment because in 2011, in a State where agriculture is our most important industry, there should be no households that suffer from food insecurity—

The SPEAKER. The lady will suspend.

You are clearly discussing the merits of the underlying bill and should confine your comments to why the bill should be recommitment or not recommitment.

Ms. JOSEPHS. Thank you, Mr. Speaker.

This bill should be recommitment because those of you who represent farmers are going to find that the cities that buy the agricultural product, food generally, are going to lose a market. We have cut the State Food Purchase Program by some \$339,000, almost \$400,000, and we know that people in the cities want now to eat local food. This not only, this budget not only hurts people who are hungry, and we can fix that if we recommit, but it hurts farmers who sell to cities, and we can fix that, too, if we recommit.

I know that Philadelphia alone brings in hundreds of thousands of tons of food from the rest of Pennsylvania—

The SPEAKER. The lady will suspend.

The Speaker would ask the lady to confine the remarks to the merits of whether or not the bill should be recommitment and not towards the underlying bill.

Ms. JOSEPHS. Thank you, Mr. Speaker.

The State Food Purchase Program supports farmers, supports people in cities all over the State. We need to recommit this bill so that, A, we have fewer hungry households in this State, and B, the hardworking farmers in this State have a customer to whom they can sell their nutritious and delicious product. We need to recommit to help that industry and to help our cities be a good customer of that industry.

Thank you, Mr. Speaker. Let us all vote for recommitment.

Now, it is hard to talk about the merits of this bill, because it really does not have very many merits—

The SPEAKER. The lady will suspend.

Ms. JOSEPHS. —but let us get some. Thank you.

### PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman, Mr. Reichley, rise?

Mr. REICHLEY. A point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his inquiry.

Mr. REICHLEY. Mr. Speaker, how long have we been debating the motion to recommit?

The SPEAKER. Well—

Mr. REICHLEY. Awhile?

The SPEAKER. If 100 people all chose to speak their full 5 minutes one time through, you know, you can do the math.

Mr. REICHLEY. Mr. Speaker, is it appropriate within the rules to move the previous question on a motion to recommit?

The SPEAKER. Yes, that motion is allowable under the rules.

Mr. REICHLEY. All right.

### MOTION FOR PREVIOUS QUESTION

Mr. REICHLEY. Mr. Speaker, I would move the previous question on the motion to recommit raised by the gentleman from Allegheny, Mr. Markosek.

The SPEAKER. The gentleman, Mr. Reichley, moves the previous question on the motion to recommit HB 1485.

Those who second this motion will rise and remain standing until their names are recorded. Twenty members are required.

The gentleman, Mr. Metcalfe— Once I read your name, then please be seated. If you are standing, you could be counted in as a second: The gentleman, Mr. Metcalfe; the gentleman, Mr. Causer; the lady, Ms. Oberlander; the gentleman, Mr. Sonney; the gentleman, Mr. Barrar; the gentleman, Mr. Pyle; the gentleman, Mr. Schroder; the gentleman, Mr. Kauffman; the gentleman, Mr. Ross; the gentleman, Mr. Moul; the gentleman, Mr. Miller; the gentleman, Mr. Reed; the gentleman, Mr. Adolph; the gentleman, Mr. Everett; the lady, Ms. Major; the gentleman, Mr. Saylor; the gentleman, Mr. Turzai; the gentleman, Mr. Day; the gentleman, Mr. Bear; the gentleman, Mr. Knowles; the gentleman, Mr. Scavello. The Speaker believes that is 21, more than enough to second the motion.

The motion for the previous question having been made and seconded, those in favor of the motion for the previous question will vote "aye"; those opposed will vote "no." An "aye" vote is a

vote to end all debate and bring the House to an immediate vote, and in this case, on the question of recommitment. The members will proceed to vote—

Mr. DERMODY. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman—

Mr. DERMODY. Is it appropriate to comment on the motion to move the question?

The SPEAKER. There is no debate on the motion to move the previous question.

### PARLIAMENTARY INQUIRY

Mr. DERMODY. Then a point of parliamentary inquiry.

The SPEAKER. The gentleman will state his inquiry.

Mr. DERMODY. Will this bill then be on second consideration if you move the previous question?

The SPEAKER. The question, the underlying question before the House, would be coming to second consideration, yes. This motion, the effect of this motion is to cut off debate on whether or not we should— The Chair apologizes.

The Speaker stands corrected. The motion before the House is to move the previous question and shut off debate on whether or not the bill would be recommitment. If the motion passes, then we would go immediately, without any further debate, to the question of recommitment.

On the question,

Will the House agree to the motion?

(Members proceeded to vote.)

### LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker recognizes the presence of the gentleman from Allegheny, Mr. Wheatley. His name will be added to the master roll call.

### CONSIDERATION OF HB 1485 CONTINUED

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

#### YEAS—110

Adolph	Farry	Lawrence	Reese
Aument	Fleck	Maher	Reichley
Baker	Gabler	Major	Roae
Barrar	Geist	Maloney	Rock
Bear	Gillen	Marshall	Ross
Benninghoff	Gillespie	Marsico	Saccone
Bloom	Gingrich	Masser	Saylor
Boback	Godshall	Metcalfe	Scavello
Boyd	Grell	Metzgar	Schroder
Brooks	Grove	Micozzie	Simmons
Brown, R.	Hackett	Millard	Sonney
Causer	Hahn	Miller	Stephens
Christiana	Harhart	Milne	Stern
Clymer	Harper	Moul	Stevenson
Cox	Harris	Murt	Swanger
Creighton	Heffley	Mustio	Tallman

Culver	Helm	O'Neill	Taylor
Cutler	Hennessey	Oberlander	Tobash
Day	Hess	Payne	Toepel
Delozier	Hickernell	Peifer	Toohil
Denlinger	Hutchinson	Perry	Truitt
DiGirolamo	Kampf	Petri	Turzai
Dunbar	Kauffman	Pickett	Vereb
Ellis	Keller, F.	Pyle	Vulakovich
Emrick	Keller, M.K.	Quigley	Watson
Evankovich	Killion	Quinn	
Evans, J.	Knowles	Rapp	Smith, S.,
Everett	Krieger	Reed	Speaker

NAYS-89

Barbin	DeLissio	Kirkland	Preston
Bishop	DeLuca	Kortz	Ravenstahl
Boyle, B.	DePasquale	Kotik	Readshaw
Boyle, K.	Dermody	Kula	Roebuck
Bradford	DeWeese	Longietti	Sabatina
Brennan	Donatucci	Mahoney	Sainato
Briggs	Fabrizio	Mann	Samuelson
Brown, V.	Frankel	Markosek	Santarsiero
Brownlee	Freeman	Matzie	Santoni
Burns	Galloway	McGeehan	Shapiro
Buxton	Gerber	Mirabito	Smith, K.
Caltagirone	Gergely	Mullery	Smith, M.
Carroll	Gibbons	Mundy	Staback
Cohen	Goodman	Murphy	Sturla
Conklin	Haluska	Myers	Thomas
Costa, D.	Hanna	Neuman	Vitali
Costa, P.	Harhai	O'Brien, D.	Wagner
Cruz	Harkins	O'Brien, M.	Waters
Curry	Hornaman	Parker	Wheatley
Daley	Josephs	Pashinski	White
Davidson	Kavulich	Payton	Williams
Davis	Keller, W.	Petrarca	Youngblood
Deasy			

NOT VOTING-0

EXCUSED-4

Evans, D.	George	Johnson	Miccarelli
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The majority having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

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

The SPEAKER. The question before the House is, shall HB 1485 be recommitted to the Appropriations Committee? Those who believe the bill should be recommitted will vote "aye"; those who oppose the motion to recommit will vote "nay."

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

The following roll call was recorded:

YEAS-89

Barbin	DeLissio	Kirkland	Preston
Bishop	DeLuca	Kortz	Ravenstahl
Boyle, B.	DePasquale	Kotik	Readshaw
Boyle, K.	Dermody	Kula	Roebuck
Bradford	DeWeese	Longietti	Sabatina
Brennan	Donatucci	Mahoney	Sainato

Briggs	Fabrizio	Mann	Samuelson
Brown, V.	Frankel	Markosek	Santarsiero
Brownlee	Freeman	Matzie	Santoni
Burns	Galloway	McGeehan	Shapiro
Buxton	Gerber	Mirabito	Smith, K.
Caltagirone	Gergely	Mullery	Smith, M.
Carroll	Gibbons	Mundy	Staback
Cohen	Goodman	Murphy	Sturla
Conklin	Haluska	Myers	Thomas
Costa, D.	Hanna	Neuman	Vitali
Costa, P.	Harhai	O'Brien, D.	Wagner
Cruz	Harkins	O'Brien, M.	Waters
Curry	Hornaman	Parker	Wheatley
Daley	Josephs	Pashinski	White
Davidson	Kavulich	Payton	Williams
Davis	Keller, W.	Petrarca	Youngblood
Deasy			

NAYS-110

Adolph	Farry	Lawrence	Reese
Aument	Fleck	Maher	Reichley
Baker	Gabler	Major	Roae
Barrar	Geist	Maloney	Rock
Bear	Gillen	Marshall	Ross
Benninghoff	Gillespie	Marsico	Saccone
Bloom	Gingrich	Masser	Saylor
Boback	Godshall	Metcalfe	Scavello
Boyd	Grell	Metzgar	Schroder
Brooks	Grove	Micozzie	Simmons
Brown, R.	Hackett	Millard	Sonney
Causer	Hahn	Miller	Stephens
Christiana	Harhart	Milne	Stern
Clymer	Harper	Moul	Stevenson
Cox	Harris	Murt	Swanger
Creighton	Heffley	Mustio	Tallman
Culver	Helm	O'Neill	Taylor
Cutler	Hennessey	Oberlander	Tobash
Day	Hess	Payne	Toepel
Delozier	Hickernell	Peifer	Toohil
Denlinger	Hutchinson	Perry	Truitt
DiGirolamo	Kampf	Petri	Turzai
Dunbar	Kauffman	Pickett	Vereb
Ellis	Keller, F.	Pyle	Vulakovich
Emrick	Keller, M.K.	Quigley	Watson
Evankovich	Killion	Quinn	
Evans, J.	Knowles	Rapp	Smith, S.,
Everett	Krieger	Reed	Speaker

NOT VOTING-0

EXCUSED-4

Evans, D.	George	Johnson	Miccarelli
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Less than the majority having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

PARLIAMENTARY INQUIRY

Mr. DERMODY. Mr. Speaker?  
The SPEAKER. For what purpose does the gentleman, Mr. Dermody, rise?  
Mr. DERMODY. To speak on second consideration.  
The SPEAKER. The question before the House is, will the House agree to the bill?

On that question, the Speaker recognizes the gentleman, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

A parliamentary inquiry.

We are on second consideration right now. Is that correct?

The SPEAKER. Correct.

Mr. DERMODY. All right.

The SPEAKER. The bill is under second consideration. Normally we may have amendments. Frequently, if there are no amendments, the bill is just agreed to. But we are on a vote for second consideration.

I may as well announce at this point in time, I am in receipt of a letter from two members asking for a roll-call vote on second consideration, so we will be proceeding in that manner as we go forward. But you are in order on the bill under second consideration.

Mr. DERMODY. Well, then thank you, Mr. Speaker.

Mr. Speaker, second consideration I usually would not object to, but here today, once again we have seen, very consistently, the Republican Caucus has decided to prevent us from debating, shutting off debate once again, as we have done all session. If it is not a motion, a germaneness motion, it is a motion to move the previous question.

We were here discussing a motion to recommit that made sense on a bill to go back to Appropriations so that Appropriations could consider whether we should use \$1 billion in excess revenues, whether or not there are additional revenues that the Budget Secretary could identify thanks to our robust tax revenues, and today, Mr. Speaker, with all due respect, even the Speaker yourself mentioned that there would be additional revenues available for this budget. The Appropriations Committee should have the ability to determine what those revenues are, how much those revenues might be, and where they could be best placed to help the people of Pennsylvania to prevent these drastic and draconian cuts, to stop these budget cuts, to make sure our children can get educated, that our senior citizens can stay in nursing homes. That is what is being stopped here today, Mr. Speaker.

You are cutting the middle class, you are killing the people of Pennsylvania who need it the most, and you have shut off debate once again. I object to it. I object to voting "yes" on second consideration. We should be allowed to speak our piece. If we cannot speak our piece on the motion to recommit, we should speak our piece on second consideration.

The SPEAKER. The question is, will the House agree to the bill?

Those in favor of agreeing to the bill on second consideration— For what purpose does the gentleman, Mr. Pashinski, rise?

Mr. PASHINSKI. Thank you, Mr. Speaker.

I rise to speak on second consideration of HB 1485.

The SPEAKER. The question before the House is second consideration of HB 1485. The gentleman is in order.

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

This is going to be one of the most important things that we do all year, Mr. Speaker, and throughout Pennsylvania, there are over 501 school districts that are feverishly trying to figure out how to manage their budgets. I am begging this entire House to consider stopping the rush. There is no reason to rush. We have plenty of time to consider this.

Mr. Speaker, there was a survey done of the 501 school districts. Of those, 263 school districts responded. The situation is dire. Mr. Speaker, 71 percent of all the districts expect to cut instructional programs for next year because of this HB 1485. Mr. Speaker, that means science. That means languages, art, and music. The people of Pennsylvania do not want that to happen.

Mr. Speaker, that same survey says that class sizes will increase. Eighty-six percent of the schools will furlough instructors in order to do that. Studies have shown time and time again, increased class sizes reduces productivity. Mr. Speaker, 71 percent will cut elective courses, 64 percent will eliminate tutoring, and 51 percent will drop summer school.

Tutoring has proven time and time again that it does work, especially for those children that do not have the nurturing family, for those students that do not have someone at home at the end of the day, for those people who do not have someone at home on the weekend to make sure that their work is complete.

Fifty-one percent will drop summer school. Mr. Speaker, summer school has proven time and time again to help the children that have fallen behind during the year. Summer school works. It proves it. It also takes the kids off the streets.

Mr. Speaker, 31 percent of the districts plan on cutting all-day kindergarten. Mr. Speaker, the evidence is overwhelming: All-day kindergarten does indeed make those children more prepared for grades 1, 2, and 3.

Mr. Speaker, there is no need to rush. Let us please consider all the available funds that we have to us today.

Mr. Speaker, two-thirds of the districts plan to lay off instructional staff, and 70 percent will lay off noninstructional personnel. Mr. Speaker, I thought our course of action this year was to create jobs and not to lay people off.

Mr. Speaker, the education industry employs hundreds of thousands of people throughout the Commonwealth of Pennsylvania. Whether it be pre-K, whether it be all-day kindergarten, whether it be K through 12, whether it be higher education, community colleges, each one of those areas will be severely damaged with HB 1485.

I beseech all of you, please, there is no need to rush. We certainly can do it far better, especially now that we are within the ability to take the additional \$500 million that we have. Those dollars will minimize the pain. The Governor in this very hall said, we must be all-embracing; all of us must share, share the pain and pay our fair share.

Mr. Speaker, we have the opportunity to utilize more prudently \$505.9 million in order to minimize the pain. After speaking with so many superintendents just this past week, any kinds of increases will help them provide the quality education that they can do. Plus on top of that, all the work that has been done over the last decade in taking Pennsylvania and making it the number one State, the number one State in the progress, now with these kinds of cuts, we jeopardize that progress. So we not only jeopardize the future of our children – yes, your children, your grandchildren – you also jeopardize the future of Pennsylvania.

Please, do not rush. Take our time. Let us do it right. We can do it better. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the bill?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Turzai.

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

Sir, if we could have order.

The SPEAKER. The House will come to order. The conversations will please cease. Members will please clear the aisles.

Mr. TURZAI. On May 11—

The SPEAKER. The gentleman will suspend.

Members will please take their seats. Members will clear the aisles. The Speaker thanks the members.

The gentleman may proceed.

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

Ladies and gentlemen of the Pennsylvania House of Representatives, on May 11, the Appropriations Committee under the able leadership of my colleague from Delaware County amended HB 1485 to put forth a responsible budget that all Pennsylvanians can live with. And I want to put out the question today on second consideration – on second consideration – if in fact you do not like the proposal that has been put on the table by our caucus in a responsible manner, where is your opposing budget? Or are you just the party of "no"?

And if I might say, the notion, the notion, the notion that we are rushing this process, that we are rushing this process is, over 8 years' time, over 8 years' time—

The SPEAKER. The gentleman will suspend.

#### POINT OF ORDER

The SPEAKER. For what purpose does the lady, Mrs. Davidson, rise?

Mrs. DAVIDSON. Point of order.

The SPEAKER. The lady will state her point of order.

Mrs. DAVIDSON. I heard the Speaker rule on numerous occasions not to make disparaging remarks about the motivations of members of the House.

The SPEAKER. The Speaker thanks the lady. That was not his interpretation that there was a casting of aspersion of motivations.

The gentleman may proceed.

Mr. TURZAI. Not to rush, for the past 8 years, and particularly for the past 4, under Governor Rendell, we never once had a budget done on time. Well, Mr. Speaker, on May 23 and May 24, we are in fact moving a responsible budget forward, because we recognize that it is our constitutional obligation to have a budget done on time.

Now, the fact of the matter is, this particular budget will be done on time without a tax increase, without reckless borrowing like the Specter Library or the Murtha Center, and will be done with prioritized spending. And let me talk about the prioritized spending.

In this particular budget that we typically do not debate on second consideration, \$9.6 billion will be spent on public education K through 12. That is in fact \$300 million over last year's State spend.

And in addition, there is \$10.7 billion being spent on public welfare. Yes, just like Auditor General Jack Wagner, Democrat, indicated, to root out fraud and abuse, we have found fraud and abuse to wean out from the Governor's proposal, and the fact of the matter is, we are moving forward with a \$10.7 billion spend, which is actually an increase in spending over last year's budget

on welfare. It is a 1-percent increase, but we are being responsible about it and we are looking for the rooting out of fraud, waste, and abuse, as pointed out by the Democratic Auditor General. It is prioritized spending, it is responsible spending, and it does not increase taxes. It does not borrow, and it will be done on time.

Now, I know that people would like to say that there is money gone from public education, but the fact of the matter, the money that is gone from public education is the Federal stimulus money that everybody knew was going to be gone – everybody. That \$1 billion in Federal stimulus has been gone, and the Republican Caucus in its amendment put forth a spend of \$9.6 billion, K through 12, which is a \$300 million increase over last year's State spend on public education.

Now, the fact is, also with respect to education, we took the four corners of what the Governor put forth in terms of looking for responsible spending, like families and like small businesses are doing, but we shifted more money over to that proposal to public education because we felt that there needed to be some increase. And we have an accountability block grant that we reinstated that was not in the Governor's original proposal. And we in fact took charge of the formula so that we could make some changes with respect to the Social Security aspect of that formula. We also put in more with respect to the basic ed line than what was originally proposed. So there is almost \$250 million more from the Republican amendment that was passed on May 11 for public education K through 12 than what was originally presented to this chamber, and we think that is appropriate and we think that is responsible.

In addition, we want you to know that over the last 8 years, spending increased by close to 40 percent when the rate of inflation was less than 21 percent. The fact of the matter is, we do need, like families, like businesses, a correction, and we are doing it in a responsible manner. We are in fact living within our means while putting the focus as fiscal stewards on the places where the investments should be best. Nobody can tell me, or I believe anybody here, that \$9.6 billion on K through 12 education is not significant. Nobody can say that \$10.7 billion on welfare is not significant, because it is. It is.

Now, we have an opportunity to move this budget forward. We have an opportunity to do better. Let me also tell you something in the amendment that was filed by my good colleague in Delaware County in front of the Appropriations Committee. Our particular proposal restored money in DPW (Department of Public Welfare) in these areas: MA (medical assistance), obstetrics and neonatal services, hospital-based burn centers, MA for critical-care hospitals, trauma centers, State-related academic medical centers in our poor urban areas, and physician practice plans. The fact of the matter is, when we were rooting out fraud, waste, and abuse in welfare, we were also restoring money to those services and to those hospitals. We did it in a responsible manner. We recognize that you have so much money and you have got to live within those means, and we are focused on our priorities. It is the message that we have been hearing across the State in town hall meetings: Look, you cannot continue to spend and you cannot continue to increase taxes.

This notion, this billion-dollar number that is thrown out, it is made-up numbers. They are revenues over estimates, Mr. Speaker. There is no surplus – quote, unquote, "surplus." That is clever language. That is not designed to face reality.

And we all know that we do not quite know where the economy is going next year. We know that. We know that because gas prices have been up to over \$4 per gallon.

We have an opportunity to take a very responsible, fiscally responsible approach, prioritizing on public education, prioritizing on hospitals, and still living within our means whereby we do not increase taxes, we do not spend borrowed money where your kids and grandkids have to pay for it, and guess what? We are going to do it on time.

So we can continue to debate on second consideration, and we will have a very thorough debate tomorrow on third consideration, but the notion that you actually stand for something, when we were in the minority, we filed an amendment that we all stood behind saying exactly what we were for. Well, guess what? We knew what we were for in 2009-2010 and 2010-2011, and we know what we are for and what we can take to the citizens of Pennsylvania in '11 and '12.

You know, I hate to go back to the eighties, but where is the beef? Thank you.

The SPEAKER. The question is, will the House agree to the bill?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I know the majority leader is very busy, and some of his facts just simply were not true. He talked about education. The Republican amendment, the House majority amendment in committee last week, cuts almost just under \$1 billion from basic education – \$1 billion from basic education this year, that all of our school districts will have to eat those cuts.

We have seen huge cuts in a lot of human-service types of programs that even, and he mentioned about the fraud and the waste. We had quotes, we had quotes from the Secretary, the new Secretary of DPW, as well as the new Budget Secretary that both indicated that they could not formulate their budgets based on the information and the analysis of the so-called waste that was there. They knew it was not anywhere near that, and they themselves have basically said they cannot formulate their budget and make those kinds of cuts based on that very, very questionable information.

I would suggest, and we have all heard a lot of feedback about what this budget cuts and who is going to get hurt from it, but if there is anybody in this room here tonight that is voting for this, let me just go down a few of the things that you will be voting against: the flood control projects program. Of all times, of all times right now, not only through the nation but here in Pennsylvania where it has done nothing but rain, we are going to cut flood control programs – eliminate, eliminate flood control programs – not just cut, eliminate. What about the diabetes program? You want to vote and go home and tell folks in your district who have diabetes that you just eliminated the diabetes program? Arthritis outreach program. You want to vote and go home and tell the folks in your district that you just voted for that? How about the lupus program? Eliminated. How about ALS (amyotrophic lateral sclerosis)? Eliminated. How about epilepsy? Eliminated. How about Tourette's syndrome? Eliminated. How about the community-based family centers? Eliminated. We are not just cutting. This is the most egregious budget that we could have ever had, even in a bad year like this, when we have \$1 billion sitting on the table that would easily fund all of these things, easily add back adultBasic, easily go

into fixing maybe a bridge or two in the Commonwealth, all of these things, and we are sitting here tonight to vote on this. Our members are not going to vote for it because of all these things, and I challenge the members on the other side to vote to make these kinds, these kinds of horrendous, draconian, painful cuts to good people in Pennsylvania, your friends and neighbors for the most part, school districts, higher education.

And if anybody thinks that this is a no-tax budget, well, you might technically go through here and say, gee, I do not see any State tax increase in here. But I guarantee you, there will be property tax increases, and they will be in a lot of districts on both sides of the aisle. I guarantee you, there will be tuition increases, and they will be for a lot of people that we all represent on both sides of the aisle. There will be increases in services that we now have loved ones receiving that will no longer be there.

Handicapped people. We have right now a very lengthy waiting list for people who hit the age of 21 who are handicapped, who are deemed to be identified as being developmentally disabled, who hit 21 and then their parents come and say, okay, I have to find a program for this person. And we have a long waiting list now; the cuts in DPW that I mentioned will really whack a lot of those programs, and that waiting list will become even longer. And these are people in many cases where the families, where the parents are elderly and the child has been in a program until they hit the age of 21, and now those parents are going to go out and say, who is going to take care of my handicapped person in my family, my loved one, now that I am 60 or 70 or even 80 years old? The State has been one of the guarantees of at least providing some programs for that.

That is what we are all about here today. We can talk numbers all you want, and yes, there is more than likely going to have to be some cuts, but just to totally demolish and eviscerate many, many good programs that people need that will cause huge problems for families and people and individuals who will not be able to make it, whose problems have gone beyond them, who will suffer unnecessarily with \$1 billion sitting on the table with this budget. I do not know how much more I can say about this. I think we have all said it many, many times. We all know it; we have heard the debate. This is a very, very harsh, harsh budget, and I am not going to vote for it. I am going to ask my colleagues on both sides of the aisle not to vote for it. I made a motion to recommit it, because I thought that at least there, we could change some of these things.

You know, the budget that was amended last week with the amendment cut a lot of money from human services that we had not had hearings on. All of our budget hearings were not on the amendment, they were on the Governor's original budget. I do not think we are going to be able to do that now. We should have lengthy hearings on a lot of these cuts and how hard it is and how harsh they are. I do not think we are going to be able to do that. I think we are stuck here tonight because a motion to cut off debate has put us in this particular position. I think that is wrong. I do not think that is what we are about here in a democracy, in the Pennsylvania House of Representatives, the oldest legislative body in North America and maybe the world, and yet we have done that yet again tonight.

It is very, very difficult to stand here tonight and almost beg that we do not do this because of the hardship, the very difficult and very painful hardship that this will cause to a lot of Pennsylvania families, my neighbors and, more importantly,



your neighbors. None of us in this room will escape the harshness of this budget.

Mr. Speaker, I have said enough here tonight. It has been very emotional. I appreciate just being able to stand here and your recognizing me, and I would just one more time ask all the members in this chamber to vote "no" on this. Thank you.

The SPEAKER. The question is, will the House agree to the bill?

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I know everybody has been listening to the speeches and so forth and everybody has certain line items that they would like to see back in the budget and so forth, but I think we all have to put this thing into perspective, and that is, number one, that we are down \$3.1 billion in Federal stimulus money, and that represents about 10 percent of our total revenue.

Now, my good friend from Allegheny County, Chairman Markosek, mentioned about the cuts in education. Well, I know the chairman is familiar with the line item, and I am going to read to you, for the record exactly the money that is going into that education line. The majority leader was absolutely correct when he stood here in front of you and said that we are putting more money into education, more State dollars, than we did the year before. And for the gentleman from Allegheny County to say otherwise is just not correct. These votes are going to be difficult, but we have to at least talk the correct numbers.

And then on the health issues, the gentleman knows that there have been many health issues such as epilepsy and lupus that were rolled into one other line item, under special medical services. So if we are going to debate HB 1485, let us debate on the actual real figures. Let us not deceive the public and let us not deceive our fellow colleagues on both sides of the aisle. Epilepsy funding is in this budget. It is rolled in on line 313. Lupus is in this budget. It is rolled in on line 313. The gentleman does know that.

The Department of Welfare, Mr. Speaker. State funds that are proposed by this budget are over \$10 billion – \$10 billion – 40 percent of our State budget. To say that we are pulverizing the Department of Welfare is absurd, is absurd. We are trying to establish rules and regulations so the people that need it the most – the elderly, the disabled, the children of Pennsylvania – so there is money in future years to be here.

I do not have to remind people that if you listen to the national news what is going on in the State of Illinois today. They are ready to announce bankruptcy. We have to become responsible. We lost \$3.1 billion in Federal stimulus money. We are putting more money into education, more State dollars into education than last year. We are putting back the higher education funding for our four State-relateds at 85 percent of last year's figures. Our State-owned universities, we are increasing them by about 20 percent over the Governor's proposal. We heard the message, but do not go out there and say that these line items have been taken out of the budget. Yes, they have been decreased, but they have not been eliminated.

This is a responsible budget. We waited and we gave everybody an opportunity for over a week and a half to bring on amendments and hear your proposal. There were no amendments heard on this floor today. We are going to debate

this bill on its merits and on the figures that are on this proposal, not on political rhetoric – not on political rhetoric, on actual figures.

If the gentleman was so concerned about the revenues over spending, May 11 was the time to question that. May 11 in the Appropriations Committee was the time to talk about whether we wanted to bring up to date possible extra dollars in the budget – not today, not tomorrow, in the committee. That was never even mentioned. So you cannot talk about some money that, let me tell you, Mr. Speaker, we have looming liabilities ahead of us, looming liabilities.

I talked on this floor before about the Mcare (Medical Care Availability and Reduction of Error) Fund – \$850 million. If the State Supreme Court asked us and tells us that we have to pay that back, what line item, Mr. Speaker, do we need to take that out of to pay that liability? Do you want to take it, another \$850 million, out of the Department of Welfare? out of K to 12? Be responsible; be responsible.

We have a \$3 billion liability-plus on the Federal unemployment. What line item do you want to take that out of? How are we going to pay that back? We all know about, we all know about our pension liabilities, our unfunded liabilities there. This \$500 million that the chairman has talked about is a drop in the bucket compared to what we owe, and we are getting our future children and grandchildren involved if we do not get this spending under control.

I urge the members on both sides of the aisle, let us talk about the real figures in this budget. Do not tell people that epilepsy funding was deleted out of this. Do not say lupus was deleted out of this. It is in line 313. Do not say we are not putting money into education. We are putting more State dollars into education than last year's budget, and that is a fact, and I have the numbers right here to prove it.

Thank you very much.

The SPEAKER. The question is, will the House agree to the bill?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Gergely.

Mr. GERGELY. Thank you, Mr. Speaker.

I just want to have a conversation with both sides of the aisle, and it is reflective to the last session in some of the work we did. At the very end of session, almost unanimously we tweaked the final version of the education bill, omnibus bill, and we provided for the expansion of the opportunity for schools to close. If you can remember, in 2006 the Duquesne School District closed down its high school, and we crafted legislation for that reason, for 9 through 12. Well, the three surrounding school districts that I represent actually fought that bill and won, and our response to that was to rewrite that legislation to make it easier for schools to close and broaden the way that that happens, and my concern, Mr. Speaker, is, we are creating something that I do not think anyone is thinking about.

I represent an area where obviously Duquesne School District already does not have a high school, where in a primary this year, a tax increase was proposed for Clairton Area School District, which I do not represent, but failed, and what is going to happen, Mr. Speaker, is now they are actually bankrupt. They have no fund balance, no rainy day fund, and I do not think they have anywhere or any way or means to educate their high school students. The way I read it, and I went over this bill

again with our staff, it says that the students will be sent to districts within a 10-mile radius, but I think it is actually 5, because this is from the Department of Ed, that are not financially or academically failing. Well, the news for me is, I do not have to worry about the Clairton Area High School kids; they probably will not be coming to my district. But if you represent South Park, if you represent West Jefferson Hills, districts that are financially sound, that are academically successful, you might be looking at kids like I had to deal with with Duquesne, and it is not fun.

In '06 we had an incredible challenge to place those kids appropriately, and it was not, it was really emotional for me, for everyone that had to deal with this. I can think of Jeannette School District having the same problem, probably North Huntingdon School District or Norwin or Hempfield having to take these kids. Because these school districts, as we all say, have to make tough financial decisions, and one thing that we provided for them to do is shut down 9 through 12s. I am going to tell you right now, I want kids to get an education; I want those kids to get a great education. If affluent school districts surround poor school districts and that is the answer, I openly support that, and I hope we all do. Actually, by voting for this budget, I think that is what we are creating, so we should be very careful about this.

I wanted to have this discussion about recommitment to do this, to talk about this and maybe have hearings on it, because I thought it was important. Because the one other thing I have here is the Duquesne School, ironically, is so broke they cannot even afford K through 8 now. And this is the quote, and I will provide this to anyone who wants to see it; this is the Executive Deputy Secretary of the State Department of Education, and this is the problem, and Chairman Adolph or Chairman Markosek could tell you there is no additional money. There was a \$1.9 million line item for Duquesne. They want to keep the school open because we have no legislation to shut down a K through 8, and here is what she said. She said, "...the department is not certain where the funding will come from but that an 'adequate' program will be operated for Duquesne students...." Mr. Speaker, adequate is not the answer. Successful, good education programs are the answer. Do not do this to children. These are the votes you are putting up. Actually, there is not even the money in the budget to do this, where this money is coming from.

So when I wanted to recommit the bill, I wanted to ask a legitimate question: Where are you going to fund these schools? But if we have to send them to other school districts, I can live with that, I can fight the good fight, and I can provide for an education for my children. I just hope when you vote for that, you are realizing, even like Chester Upland, I know there are very successful schools around there, many I suppose – I really do not represent the east – but those kids, those 2,000 high school kids can then get an education, and maybe that is the answer. Let us think outside the box and provide a good education for our children. Thank you.

The SPEAKER. The question is, will the House agree to the bill?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Frankel.

Mr. FRANKEL. Thank you, Mr. Speaker.

You know, I listened to the majority leader and the Appropriations chairman talk about responsibility. Why, my sense of responsibility is you take accountability for how we

spend our money and appropriate it without shifting it to other people or to other levels of government. The fact of the matter is what we are doing here, what this budget is doing here – we are not doing it; you guys are doing it – is shifting it to other folks. You are shifting it to school districts.

And let me tell you something: I do not think school districts care whether it is State or Federal money. A billion dollars cut to school districts raises property taxes and it does it unnecessarily, because we do have a billion dollars at a minimum to spend to help mitigate that, to appropriate additional money so they do not have to do it as significantly. We are shifting the burdens to college students. That is not responsible. We are making college much less affordable. That is what your budget is doing, and it does not have to be done to the level that you are doing it because we have the money to do it. We are shifting it to the elderly and the disabled. We are going to be taking it out of nursing homes. We are going to be taking out of the safety net. We are shifting it to the poor, the vulnerable, the people who require the safety net. That is what your budget is doing.

Responsible? Responsible? I do not understand this discussion of responsibility when we have the opportunity to absolutely help repair the damage that your budget is doing. That is not responsible. That budget is not responsible. We should be spending the surplus. You can call it whatever you want. Any reasonable person would tell you, half a billion dollars at the end of April is going to be more than half a billion dollars at the end of this year, and historically we have been budgeting that estimate for next year. That would be a very, very reasonable and responsible estimate to say that there is an additional billion dollars without raising any taxes to spend to help our school districts, to help our college students, not to shift the burden on the backs of property tax payers and the poor, the elderly, and to those trying to get a higher education. That is not responsible.

Our approach, and we do have an approach, is spend that money. Take it back to Appropriations, which you refuse to do. Let us take a look and figure out what the real revenue number is, not some artificial commitment just to say \$27.3 billion, we are not going to spend a dollar more, because you made some kind of promise to a right-wing organization in Washington, DC? I mean, that is what this is about, some pledge, some pledge not to spend more than \$27.3 billion.

We have the opportunity to act responsibly here, to spend money that is clearly available to us, not to shift it to property tax payers and college students and the poor and the elderly. That is what we should be doing. We should not support this on second consideration or third consideration tomorrow.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the bill?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, a short time ago the majority leader made various comments indicating how the budget had already improved as a result of action by the House Appropriations Committee. It was a better budget, he demonstrated to us, than the original budget was. We have great confidence that the process of improvement can be continuous. We do not believe that the improvements necessarily have to stop. If we keep this on second consideration for another day or two or three, the

processes of improvement and deliberation and discussion and new input may well continue.

Now, we may get a still better budget, not only budget 2.0 but maybe budget 3.0 or 4.0. We can have a budget that does better than the budget that we now have before us. As the gentleman from Allegheny County stated just a few minutes ago, the school districts in Pennsylvania really do not care about whether the money comes from the Federal government or the State government. Our constituents really do not care whether the money comes from the State budget or the Federal budget. They know what their needs are; they know what money we are approving in order to meet the needs. And clearly, our total spending, which is the relevant criteria for local governments and school districts around the State and the relevant criteria for individuals around the State, certainly our total spending is not meeting either expectations or needs. And miraculously, there is money that is available. That available money has been estimated so far at \$1 billion.

Now, money continues to come in. It may be that as we use up additional days, that available money may increase. Maybe it will be \$1.1 billion or \$1.2 billion. We can find out. The needs of the people of Pennsylvania are important. We are here to serve their needs.

As the parent of a student entering college in September, I am well aware of what tuition costs mean for a family budget. Everybody sending their child or children to a State university or a State-related university is going to have to pay more money under this budget. Anyone who accepts money from the State to meet urgent problems of income due to economic status or has a health condition that is not being dealt with under this budget is going to be suffering as a result of this budget. We can do better. We all know we can do better. We have the fiscal resources to do better, and it is time that we get into the detailed nitty-gritty of having a bipartisan effort to make improvements.

The Democratic Party is fully aware that we do not have the votes in order to push through specific changes. We welcome the opportunity to have a process in which specific changes can be developed and agreements can be forged. Not going from second consideration to third consideration will give us the opportunities we need to move ahead and do something that we can be proud of and our constituents can be proud of. We have to meet the needs of our constituents, and not going to third consideration is a good way to begin that process.

The SPEAKER. The question is, will the House agree to the bill?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I am hoping and trusting that people from all parts of Pennsylvania are paying attention to this conversation. And, Mr. Speaker, if they consider some of the comments that have been made, the only conclusion can be, shame on us, shame on us, because, Mr. Speaker, we are now sitting here this evening saying to the children of Pennsylvania, whether they be from Northumberland County, Philadelphia County, or York County, we are saying to them that because we do not have Federal support, you must suffer; you must not benefit the same way that you and I have. We are here today because somebody stood up at some point and said that you should have access to a quality education, that you should have access to quality health care, that you have decent and affordable housing. If somebody did not stand up at some point for you and me, we would not be

standing here this evening. And yet, we have come so far, and I am reminded of that Scripture where to whom much is given, much is required. So now we have gotten here and we are going to sit here this evening and say that children of Pennsylvania are not entitled, not entitled to the best that can be provided because all of a sudden we do not have the Federal dollars this year. And the last time I checked, Federal and State dollars are public dollars, but now we want to say that because we do not have the Federal dollars, we do not want to help.

Mr. Speaker, higher education. The bridge to the future is through our higher education. Pennsylvania is a light of the world because of the Cheyneys and Lincoln University. It was a United States Supreme Court Justice, Thurgood Marshall, that traveled to Pennsylvania to Lincoln University and graduated. Mr. Speaker, if the budget that is currently in place, and do not tell me about what we have not said, and all we said was no, because, Mr. Speaker, I remember sending an invitation to the majority leader to a discussion on an alternative to the Governor's budget. Many people on this side have offered progressive ideas, progressive ideas around this 2011-2012 fiscal year. So do not stand up here and say that we are saying no to everything. Mr. Speaker, what we are saying is that we are standing to put children, families, and communities first in Pennsylvania. That is our priority. We are unwilling to give \$800 million in corporate Pennsylvania without providing mortgage foreclosure assistance, providing health care. We got 14,000 working people in Pennsylvania that are without health insurance because we shut down the adult health insurance program, because we did not want to fund that.

Mr. Speaker, we need to draw a line in the sand. And to the people of Pennsylvania, pay attention to what is going on. Pay attention to what is going on in this House. And after today you will know and after tomorrow, I am standing for children, families, and communities first, not what we have articulated in 1485. It is good, but it is not enough. And to children who are dying because they cannot get food, this is not good enough. For children that need access to a quality education, while this is good, it is not good enough. It is time to go back and do it right, shift our priorities, and we got enough money to do it right.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the bill?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I rise to oppose HB 1485. Now, when this debate began, the gentleman from Allegheny, the Republican leader, began his remarks by lauding the fact that we would have a budget on time, a budget that would be without reckless spending, a budget that would prioritize spending. The reality is, and indeed the whole idea that the budget was on time was mentioned a number of times, but a budget on time that is a bad budget might as well not be on time. In fact, it might as well not happen. This is a bad, bad, bad budget. And understand why it is bad. It is bad because it hurts the children of this State. It hurts them in a very fundamental way, because it undercuts their ability to get a good education in the Commonwealth of Pennsylvania.

Understand what we have done over the last 8 years in improving education in this State. We have become a model in early childhood education. We are number one in the country in that area, and we are undercutting that with this budget. We are

talking about getting rid of kindergarten. We are talking about increasing class size. We are talking about eliminating teachers. We are talking about cutting out curricular subjects. Even some school districts have talked about going to 4-day weeks. Is this what we as a Commonwealth want it to be said, that in this State we do not care enough about our children to make sure that they get a solid education? But it goes beyond that. It also goes to our higher education system where we have reduced funding for college. And do we not understand that basic and higher education are linked? How can you have good students to go to college if they do not get a good basic education? How can we produce people to work in our workforce unless they get a good higher education?

Understand, Mr. Speaker, that this is just not a question that can be answered by simple platitudes. It has been asserted that all we are doing is responding to the reduction or the loss of Federal stimulus money. That is a fantasy. That is purely not the fact. The reality is, this budget cuts far deeper than the amount of the Federal stimulus. We have cut beyond the stimulus. We have cut into what we had done previously in terms of State funding for education. Make no mistake about it, Mr. Speaker, it is not just that we are not making up for what the Feds, the Federal people did not give to us; we are cutting State dollars from this budget.

But I am intrigued, I am intrigued by the fact that we are talking about the loss of Federal moneys and how we are merely trying to compensate for the stimulus. But the reality is, we are also leaving Federal money on the table. We have, Mr. Speaker, cut our health funding so that the Federal money we got for uncompensated care is being lost. Let us understand that if we are going to do this, let us do it right. Understand that if we are going to talk about Federal funds, then let us get the Federal funds we are due and use them for the benefit of our citizens.

I ask, Mr. Speaker, that we oppose this budget. It is bad. It is shortsighted. It hurts our kids. It hurts our citizens. We can do better. I ask that we vote "no" on HB 1485. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the bill?

On that question, the Speaker recognizes the lady from Philadelphia County, Ms. Donatucci.

Ms. DONATUCCI. Thank you, Mr. Speaker.

I am opposed to HB 1485 because this budget continues to stash hundreds of millions of dollars into the Rainy Day Fund while the proposed cuts equal a torrential downpour.

Mr. Speaker, I oppose this bill because millions of dollars will be cut from subsidies to public education while there is money in the Rainy Day Fund. Mr. Speaker, what is more rainy than laying off teachers, enlarging class size, and possibly increasing local taxes to make up for education cuts?

I oppose this bill because there are numerous cuts in programs that impact the health care of senior citizens while there is substantial funding being squirreled away in the Rainy Day Fund. Mr. Speaker, what can be more rainy than jeopardizing ready access to health-care facilities or forcing to close 3,000 elderly Pennsylvanians into nursing homes because they can no longer receive community services?

Mr. Speaker, I oppose HB 1485 because it would reduce funding for cancer screening programs by 10 percent while nearly \$1 billion is put into the Rainy Day Fund. Mr. Speaker, what could possibly be more rainy than having breast cancer and not knowing it?

And finally, Mr. Speaker, I oppose this bill because the cuts made in this budget have resulted in a loss of millions of dollars of matching Federal funds, and there should never be a time for us not to receive Federal funding because of our own unnecessary cuts.

So in conclusion, Mr. Speaker, please oppose HB 1485 because the rainy day is now, funding is available, and these cuts are an unnecessary burden on the citizens of Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the bill?

On that question, the Speaker recognizes the gentleman from Lancaster County, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, back in January somebody picked a number out of the air of \$27.3 billion. Now, my guess is that if that number were considerably less by now, if we were getting less revenue than we had expected by, say, \$1 billion, that we would not be clinging to that number desperately and saying it has to be \$27.3 billion; we would be trying to figure out where to make more cuts. The reality is, though, we found \$1 billion more, but everyone on the other side of the aisle is still desperately clinging to \$27.3 billion, whether there is more money there or not.

Now, there have been a lot of references I have heard in the past to a family and this is how a family would budget. They would sit down around the table and they would figure out how to deal with the fact that there is not as much revenue as there once was. Well, let us talk about this dysfunctional Republican family. They are sitting down around the table and they say, "Guess what? Uncle Sam isn't going to give us the same kind of money that he used to," and we go, "Okay; fine." And the dad says, "And I'm not quite generating as much as I used to. My hours got cut back a little bit," and everybody says, "I get that. That is fine." And the mom says, "But how about if I go get a second job and generate some more revenue?" And you all have said no, under no circumstances will we allow any more revenue to be generated. We will not close any loopholes; we will not allow anything to happen like that. No to more revenue.

So little Johnny, who came along late in life in this family, says, "How about my kindergarten?" And you all have said, you know what? We do not have the money for your kindergarten; sorry, you cannot have it. And Susie says, "How about me? I wanted to go to college." And you have all said, you will have to pay your way; there is not enough money to pay for your college, Susie; too bad. And Grandma says, "What about me? I need some nursing care." And we have said – you have said, sorry, Grandma, not enough money; times are tough; just suck it up.

Now, Tommy, Jr., who is the fair child of the family, he works for a big-box outlet which gets vendor discounts. It also happens to be a loophole at Delaware Loophole Corporation, and they plan to drill in the parking lot of this big-box outlet. Guess what? We are not going to cut Tommy. Tommy actually gets \$50 a week more in beer money. We are going to give him an allowance called a bonus depreciation.

Now, Mom says, "You know, I rebalanced that checkbook, and there really isn't a shortfall. There is a billion dollars more in that checkbook. Can't we please just get Johnny kindergarten? Can't we please get Susie college? Can't we please get Mom some nursing? And do you really have to give Tommy, Jr., an extra \$50 a week in beer money?" And you all

have said, no, we are not going to do that; that is outrageous. That is the dysfunctional Republican family that is putting this budget together.

There is \$900 million less for basic education in this budget than there was in last year's budget. That will result in cuts to like the Northern Tioga School District of \$15,000 per classroom. That lack of funding will result in \$17,000 less per classroom for the Greater Nanticoke Area School District. It will result in \$16,000 less per classroom for the Greenville Area School District. It will result in \$20,000 less per classroom for the Port Allegany School District. It will result in \$15,000 less per classroom for the Northwestern School District. It will result in \$20,000 less per classroom for the Mount Union Area School District; \$20,000 less for the Kane Area School District; \$20,000 per classroom less for the Lebanon School District; \$12,000 less for the Northern Lehigh School District; \$18,000 less for the Columbia Borough School District; \$30,000 less for the Midland Borough School District per classroom—

The SPEAKER. The gentleman will suspend.

The subject of how the school basic education subsidy is distributed is a subject of another bill; it is not a subject of this bill.

Mr. STURLA. I agree, Mr. Speaker. It is just that the cuts in this budget will result in those kinds of cuts.

The SPEAKER. The gentleman may proceed, for 9 seconds.

Mr. STURLA. Thank you, Mr. Speaker.

And \$20,000 less in the Iroquois School District—

The SPEAKER. The gentleman will suspend.

You are making reference to language that does not exist in this bill, that is not part of the general appropriations bill.

The gentleman will conclude his remarks.

Mr. STURLA. Thank you, Mr. Speaker.

The reality is, the \$900 million less for basic education in this budget will result in higher taxes and less dollars for education in your classrooms in your school districts.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the bill?

On that question, the Speaker recognizes the gentleman from Montgomery County, Mr. Shapiro.

Mr. SHAPIRO. Thank you, Mr. Speaker.

Mr. Speaker, I had hoped to speak about an hour or so ago on why this bill ought to be recommitted based on the flaws in it, but I was denied that opportunity when the majority took the unprecedented step, although I guess perhaps not as unprecedented as it used to be, the unprecedented step of moving the previous question and shutting off debate on that particular issue. So I will speak now, as this bill is on second consideration, about the fundamental and what I think is a fatal flaw in this legislation with the hopes that the good gentleman from Delaware will fix the legislation before the House considers it on final passage.

This bill, Mr. Speaker, assumes nearly half a billion dollars in savings out of the Department of Public Welfare, savings that, at least in this member's opinion, simply will not materialize. The Budget Secretary, Mr. Zogby, said, and I quote, "I can't go to the governor and say we can predicate a government on the potential of savings." "The potential of savings" so says Governor Corbett's own Budget Secretary. He

is right. We cannot base a budget on assumed funding. The items that the good gentleman from Allegheny, the majority leader, spoke about before, things that he was proud that had been partially restored in HB 1485, assume that funding that the Governor's own Budget Secretary says cannot be assumed, that this budget cannot be predicated upon. So says the Governor's own Budget Secretary.

I do not think that is how we ought to be budgeting in this chamber. And if you do not want to take my word for it, take the gentleman from Delaware's word for it when he said on July 3, 2010, quote, "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...funds...." In this case, he was talking about FMAP (Federal Medical Assistance Percentages) funds. He further went on to say, quote, "Since no specific language is included to consider what may occur if the...funds are not received, I do not believe it meets the concerns we conveyed throughout the budget talks."

If you do not want to take the gentleman from Delaware's word for it, take the then minority leader, now majority leader's words for it. He said, in referencing these assumed funds, which 1485 does, quote, "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." The point there, Mr. Speaker, was that there were assumptions then that they were not for and now they are basing a budget, indeed basing most of the PR response to the Governor's failed proposal and the restorations that they put forth on assumed funds that the Governor's Budget Secretary says you cannot predicate a budget on.

Even the Governor weighed in on this debate back in 2010. He said, "When you have an \$800 million guess, is it really done?" That is what then Attorney General Corbett said in talking about a budget that was predicated upon assumed funds.

Mr. Speaker, I do not believe we should move forward with a budget bill that assumes a level of funding that they predicate restorations on that the Governor's own Budget Secretary says is not real; he says is not real. The good news, though, is, Mr. Speaker, there is still time to fix it under rule 19(b), and I know the gentleman from Delaware knows this: The Appropriations Committee for special and proper reason may, by a majority vote, waive this deadline as it relates to amendments.

### MOTION TO POSTPONE

Mr. SHAPIRO. So, Mr. Speaker, in the final 20 seconds or so I have, I would like to make a motion. Mr. Speaker, if I may make a motion.

The SPEAKER. The gentleman is in order.

Mr. SHAPIRO. I would make a motion based on rule 19(b), based on the flaws that are in this budget, that the Governor's own Budget Secretary has said exist, that we postpone consideration of this budget until Wednesday, providing the gentleman from Delaware the opportunity to fix this budget with an amendment.

So, Mr. Speaker, at this time I would ask that the House consider a motion to postpone HB 1485 until Wednesday. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Montgomery County, Mr. Shapiro, has moved that the vote on HB 1485 on second consideration be postponed until Wednesday. Did I restate that correctly?

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

The SPEAKER. Those in favor of the motion will vote "aye"— For what purpose does the gentleman, Mr. Dermody, rise?

Mr. DERMODY. To speak on the motion, Mr. Speaker.

The SPEAKER. The gentleman will suspend just one second. The gentleman may proceed on the motion to postpone.

Mr. DERMODY. Thank you, Mr. Speaker.

The gentleman from Montgomery is correct, while we tried several times this evening, we tried for several hours to do the right thing with this bill and send it back to the Appropriations Committee so they could consider properly analyzing what funds are available so that we can restore these draconian cuts, there are serious flaws with this budget bill anyway. The motion by the Representative from Montgomery would send it back to the Appropriations Committee so we can evaluate that, we can comply and agree with what the Governor's own Budget Secretary has stated, that this budget is premised on flawed funding, funding that is pure speculation and is likely not to exist. Therefore, the gentleman's motion is very appropriate. I hope that all our members will vote for it so we can adequately address this budget in a responsible way, analyze what funding is available, determine that we can use not only the billion that is out there but the funding that the Speaker himself acknowledged would be available today for spending so that we can address the problems with this budget, address the draconian cuts that are in this budget, fund education, fund our nursing homes, take care of the most vulnerable citizens in Pennsylvania the right way, the proper way.

Mr. Speaker, I urge a "yes" vote on the motion to postpone.

The SPEAKER. The question is, shall HB 1485, the vote on it, be postponed until Wednesday?

On that question, the Speaker recognizes the gentleman from Delaware County, Mr. Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the motion to postpone.

I would just like to digress a little bit and go back to the second week in March when the Governor came into this chamber and addressed both the House and the Senate and proposed his spending plan. The week after that, the Appropriations Committee, made up of Republicans and Democrats, 5 days a week for 3 weeks sat through 8-hour hearings, some days longer, listening to testimony from the Cabinet, listening to the presidents and the chancellors of our State universities. After the hearings, we have had numerous Appropriations meetings.

On May 11 the House Republicans offered an amendment to the Governor's budget that is very responsible, based upon what we heard from our constituents, to put more money into education, to be responsible and try to get the welfare budget under control. We proposed that amendment. That amendment came out of the Appropriations Committee, has been sitting on the table for over 11 days. The House Democrats certainly had

their opportunity to offer amendments, to offer their own budget, but here on second consideration to move it to third consideration, the gentleman from Montgomery County makes a motion to postpone. No one will ever question his motives, but I often have to wonder why amendments have not been offered, why a counter budget proposal has not been offered, and why at this time they are offering a motion to postpone, to bring it back to the Appropriations Committee—

Mr. DERMODY. Mr. Speaker?

Mr. ADOLPH. —that for the last 3 weeks—

Mr. DERMODY. Mr. Speaker?

Mr. ADOLPH. —we have been working on this.

Mr. DERMODY. Point of order, Mr. Speaker.

The SPEAKER. The gentleman will suspend.

### POINT OF ORDER

The SPEAKER. For what purpose does the gentleman, Mr. Dermody, rise?

Mr. DERMODY. Well, it is nice to preface the comments with "I am not questioning the motives," but I believe he is questioning the Representative's motives.

Mr. ADOLPH. Thank you, Mr. Speaker.

The SPEAKER. The Speaker takes your comments thankfully and would ask the member to confine the remarks to the motion that is before the House.

Mr. ADOLPH. I oppose the motion to postpone for the reasons I stated before. I believe that the motion to postpone only slows this budget process up. In order to stay on our time schedule, we must continue to move this budget bill. So tomorrow on third, we will debate this bill and the interrogation will continue and this bill will move to the Senate on time and our colleagues in the Senate will have time to put their fingerprints on it, and we will have an on-time budget for the first time in 8 years with no tax increase in it. Thank you very much.

The SPEAKER. The question is, shall HB 1485, the vote on it, be postponed until this coming Wednesday?

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

The following roll call was recorded:

### YEAS—89

Barbin	DeLissio	Kirkland	Preston
Bishop	DeLuca	Kortz	Ravenstahl
Boyle, B.	DePasquale	Kotik	Readshaw
Boyle, K.	Dermody	Kula	Roebuck
Bradford	DeWeese	Longietti	Sabatina
Brennan	Donatucci	Mahoney	Sainato
Briggs	Fabrizio	Mann	Samuelson
Brown, V.	Frankel	Markosek	Santarsiero
Brownlee	Freeman	Matzie	Santoni
Burns	Galloway	McGeehan	Shapiro
Buxton	Gerber	Mirabito	Smith, K.
Caltagirone	Gergely	Mullery	Smith, M.
Carroll	Gibbons	Mundy	Staback
Cohen	Goodman	Murphy	Sturla
Conklin	Haluska	Myers	Thomas
Costa, D.	Hanna	Neuman	Vitali
Costa, P.	Harhai	O'Brien, D.	Wagner

Cruz	Harkins	O'Brien, M.	Waters
Curry	Hornaman	Parker	Wheatley
Daley	Josephs	Pashinski	White
Davidson	Kavulich	Payton	Williams
Davis	Keller, W.	Petrarca	Youngblood
Deasy			

NAYS—110

Adolph	Farry	Lawrence	Reese
Aument	Fleck	Maher	Reichley
Baker	Gabler	Major	Roae
Barrar	Geist	Maloney	Rock
Bear	Gillen	Marshall	Ross
Benninghoff	Gillespie	Marsico	Saccone
Bloom	Gingrich	Masser	Saylor
Boback	Godshall	Metcalf	Scavello
Boyd	Grell	Metzgar	Schroder
Brooks	Grove	Micozzie	Simmons
Brown, R.	Hackett	Millard	Sonney
Causer	Hahn	Miller	Stephens
Christiana	Harhart	Milne	Stern
Clymer	Harper	Moul	Stevenson
Cox	Harris	Murt	Swanger
Creighton	Heffley	Mustio	Tallman
Culver	Helm	O'Neill	Taylor
Cutler	Hennessey	Oberlander	Tobash
Day	Hess	Payne	Toepel
Delozier	Hickernell	Peifer	Toohil
Denlinger	Hutchinson	Perry	Truitt
DiGirolamo	Kampf	Petri	Turzai
Dunbar	Kauffman	Pickett	Vereb
Ellis	Keller, F.	Pyle	Vulakovich
Emrick	Keller, M.K.	Quigley	Watson
Evankovich	Killion	Quinn	
Evans, J.	Knowles	Rapp	Smith, S.,
Everett	Krieger	Reed	Speaker

NOT VOTING—0

EXCUSED—4

Evans, D.	George	Johnson	Miccarelli
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Less than the majority having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

**PARLIAMENTARY INQUIRY**

The SPEAKER. For what purpose does the gentleman, Mr. Reichley, rise?

Mr. REICHLEY. Point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his point.

Mr. REICHLEY. Mr. Speaker, is it appropriate within the rules to move the previous question on the bill as it is right now under second consideration?

The SPEAKER. That motion would be in order.

**MOTION FOR PREVIOUS QUESTION**

Mr. REICHLEY. Mr. Speaker, I move the previous question to bring for an immediate vote HB 1485 on second consideration.

Mr. DERMODY. Point of order, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Reichley, moves— May I state the question before the— The gentleman, Mr. Reichley, moves the previous question on second consideration of HB 1485. Those who second the motion will rise and remain standing until their names are recorded. Twenty members are required.

**POINT OF ORDER**

Mr. DERMODY. Point of order, Mr. Speaker.

The SPEAKER. The gentleman will state his point of order.

Mr. DERMODY. Mr. Speaker, I would like to make a privileged motion.

The SPEAKER. Are you asking if there is a—

Mr. DERMODY. I want to make a privileged motion.

The SPEAKER. May I secure the seconds on this and then you would be recognized. At this point, technically, it has not been seconded, so the motion, this motion—

Mr. DERMODY. That is fine.

The SPEAKER. —actually is not before us yet.

Mr. DERMODY. That is fine. Yes.

The SPEAKER. Those who second the motion will rise and remain standing until their names are recorded. Twenty members are required.

Mr. Metcalfe; Mr. Maher; Mr. Turzai; Mr. Saylor; Mr. Adolph; Mr. Reed; Mr. Everett; Ms. Major; Mr. Micozzie; Mr. Bear; Mr. Causer; Mr. Barrar; Mr. Pyle; Mr. Ellis; Mr. Ross; Mr. Tallman; Mr. Creighton; Mr. Miller; Ms. Pickett; Mrs. Gingrich; Mr. Kauffman.

The motion for the previous question having been made and seconded.

The gentleman, Mr. Dermody, seeks recognition for the purpose of making a privileged motion.

Mr. DERMODY. That is correct, Mr. Speaker.

The SPEAKER. The gentleman is in order.

**MOTION TO TABLE**

Mr. DERMODY. Mr. Speaker, I make a motion to table HB 1485 until the majority party understands that we live in a free and open democracy and allows us the opportunity to debate this bill.

The SPEAKER. The motion to table is a privileged motion that goes beyond the motion to move the previous question. Therefore, the question before the House is, shall HB 1485 be laid on the table?

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

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Turzai, from Allegheny County.

Mr. TURZAI. Thank you, Mr. Speaker.

Sir, I would ask the members to please oppose the motion to table. Please keep in mind that this is second consideration and that the vote that will ultimately be taken here is to move to third consideration. As we all know, debate is not typical with respect to second consideration, and we will be debating the

merits of the underlying bill, 1485, on third consideration, I assume, tomorrow.

In addition, certainly if there would have been an omnibus amendment filed by the good gentleman who is the leader of the opposing caucus, there could have been a full and robust debate over where the opposing side's budget is, but right now what we have is a motion to table, to really essentially stifle us and filibuster, essentially, from getting to the debate tomorrow. We can have a debate tomorrow on HB 1485 as written. I would ask that everybody please vote against the motion to table.

The SPEAKER. The question before the House is, shall HB 1485 be laid on the table?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, for the second time tonight, the majority party wants to cut off discussion and debate on a \$27 billion budget bill. We have attempted several times to give this bill, and help this bill, make this bill better, send it back to the Appropriations Committee because there are additional revenues available. There are ways to make this better, this budget better for the people of Pennsylvania and take care of several people who are going to be significantly hurt and impaired should this budget pass. Instead, they want to quiet us, they want to silence us this evening. This bill should be tabled until we get an opportunity to debate this bill fully, completely, whenever we should decide. This is an open House. It is on second consideration. The members are allowed to debate it today. They are allowed to debate it on third consideration. They should be allowed to debate it. When we are discussing \$27.3 billion, we are discussing the education of our children, how our senior citizens will be treated in nursing homes, how our disabled will be treated, how the most vulnerable among us will be treated, we ought to be able to have the ability to stand up and talk about it as long as we want.

Mr. Speaker, I have never seen the question moved so many times in my whole career here over the 20 years, two times in one evening to shut us up. This is not a motion to table, you guys want a motion and you want to stifle debate.

We should move to table this bill until we are allowed to debate it fully and completely.

The SPEAKER. The question before the House is, shall HB 1485 be laid on the table?

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

The following roll call was recorded:

YEAS-89

Barbin	DeLissio	Kirkland	Preston
Bishop	DeLuca	Kortz	Ravenstahl
Boyle, B.	DePasquale	Kotik	Readshaw
Boyle, K.	Dermody	Kula	Roebuck
Bradford	DeWeese	Longiotti	Sabatina
Brennan	Donatucci	Mahoney	Sainato
Briggs	Fabrizio	Mann	Samuelson
Brown, V.	Frankel	Markosek	Santarsiero
Brownlee	Freeman	Matzie	Santoni
Burns	Galloway	McGeehan	Shapiro
Buxton	Gerber	Mirabito	Smith, K.
Caltagirone	Gergely	Mullery	Smith, M.
Carroll	Gibbons	Mundy	Staback
Cohen	Goodman	Murphy	Sturla

Conklin	Haluska	Myers	Thomas
Costa, D.	Hanna	Neuman	Vitali
Costa, P.	Harhai	O'Brien, D.	Wagner
Cruz	Harkins	O'Brien, M.	Waters
Curry	Hornaman	Parker	Wheatley
Daley	Josephs	Pashinski	White
Davidson	Kavulich	Payton	Williams
Davis	Keller, W.	Petrarca	Youngblood
Deasy			

NAYS-110

Adolph	Farry	Lawrence	Reese
Aument	Fleck	Maher	Reichley
Baker	Gabler	Major	Roae
Barrar	Geist	Maloney	Rock
Bear	Gillen	Marshall	Ross
Benninghoff	Gillespie	Marsico	Saccone
Bloom	Gingrich	Masser	Saylor
Boback	Godshall	Metcalfe	Scavello
Boyd	Grell	Metzgar	Schroder
Brooks	Grove	Micozzie	Simmons
Brown, R.	Hackett	Millard	Sonney
Causer	Hahn	Miller	Stephens
Christiana	Harhart	Milne	Stern
Clymer	Harper	Moul	Stevenson
Cox	Harris	Murt	Swanger
Creighton	Heffley	Mustio	Tallman
Culver	Helm	O'Neill	Taylor
Cutler	Hennessey	Oberlander	Tobash
Day	Hess	Payne	Toepel
Delozier	Hickernell	Peifer	Toohil
Denlinger	Hutchinson	Perry	Truitt
DiGirolamo	Kampf	Petri	Turzai
Dunbar	Kauffman	Pickett	Vereb
Ellis	Keller, F.	Pyle	Vulakovich
Emrick	Keller, M.K.	Quigley	Watson
Evankovich	Killion	Quinn	
Evans, J.	Knowles	Rapp	Smith, S., Speaker
Everett	Krieger	Reed	

NOT VOTING-0

EXCUSED-4

Evans, D.	George	Johnson	Miccarelli
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Less than the majority having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

The SPEAKER. The motion for the previous question having been made and seconded, those in favor of the motion for the previous question will vote "aye"; those opposed, "no." An "aye" vote is a vote to end all debate and bring the House to an immediate vote.

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

The following roll call was recorded:

YEAS-106

Adolph	Farry	Maher	Reichley
Aument	Fleck	Major	Roae
Baker	Gabler	Maloney	Rock
Barrar	Geist	Marshall	Ross
Bear	Gillen	Marsico	Saccone
Benninghoff	Gillespie	Masser	Saylor
Bloom	Gingrich	Metcalfe	Scavello



Boback	Godshall	Metzgar	Schroder
Boyd	Grell	Micozzie	Simmons
Brown, R.	Grove	Millard	Sonney
Causser	Hackett	Miller	Stephens
Christiana	Hahn	Milne	Stern
Clymer	Harhart	Moul	Stevenson
Cox	Harris	Mustio	Swanger
Creighton	Heffley	O'Neill	Tallman
Culver	Helm	Oberlander	Taylor
Cutler	Hennessey	Payne	Tobash
Day	Hess	Peifer	Toepel
Delozier	Hickernell	Perry	Toohil
Denlinger	Kampf	Petri	Truitt
DiGirolamo	Kauffman	Pickett	Turzai
Dunbar	Keller, F.	Pyle	Verab
Ellis	Keller, M.K.	Quigley	Vulakovich
Emrick	Killion	Quinn	Watson
Evankovich	Knowles	Rapp	
Evans, J.	Krieger	Reed	Smith, S.,
Everett	Lawrence	Reese	Speaker

NAYS-93

Barbin	DeLissio	Keller, W.	Petrarca
Bishop	DeLuca	Kirkland	Preston
Boyle, B.	DePasquale	Kortz	Ravenstahl
Boyle, K.	Dermody	Kotik	Readshaw
Bradford	DeWeese	Kula	Roebuck
Brennan	Donatucci	Longietti	Sabatina
Briggs	Fabrizio	Mahoney	Sainato
Brooks	Frankel	Mann	Samuelson
Brown, V.	Freeman	Markosek	Santarsiero
Brownlee	Galloway	Matzie	Santoni
Burns	Gerber	McGeehan	Shapiro
Buxton	Gergely	Mirabito	Smith, K.
Caltagirone	Gibbons	Mullery	Smith, M.
Carroll	Goodman	Mundy	Staback
Cohen	Haluska	Murphy	Sturla
Conklin	Hanna	Murt	Thomas
Costa, D.	Harhai	Myers	Vitali
Costa, P.	Harkins	Neuman	Wagner
Cruz	Harper	O'Brien, D.	Waters
Curry	Hornaman	O'Brien, M.	Wheatley
Daley	Hutchinson	Parker	White
Davidson	Josephs	Pashinski	Williams
Davis	Kavulich	Payton	Youngblood
Deasy			

NOT VOTING-0

EXCUSED-4

Evans, D.	George	Johnson	Miccarelli
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The majority having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

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

The SPEAKER. The question before the House is second consideration of HB 1485, PN 1880.

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

The following roll call was recorded:

YEAS-110

Adolph	Farry	Lawrence	Reese
Aument	Fleck	Maher	Reichley
Baker	Gabler	Major	Roae
Barrar	Geist	Maloney	Rock
Bear	Gillen	Marshall	Ross
Benninghoff	Gillespie	Marsico	Saccone
Bloom	Gingrich	Masser	Saylor
Boback	Godshall	Metcalfe	Scavello
Boyd	Grell	Metzgar	Schroder
Brooks	Grove	Micozzie	Simmons
Brown, R.	Hackett	Millard	Sonney
Causser	Hahn	Miller	Stephens
Christiana	Harhart	Milne	Stern
Clymer	Harper	Moul	Stevenson
Cox	Harris	Murt	Swanger
Creighton	Heffley	Mustio	Tallman
Culver	Helm	O'Neill	Taylor
Cutler	Hennessey	Oberlander	Tobash
Day	Hess	Payne	Toepel
Delozier	Hickernell	Peifer	Toohil
Denlinger	Hutchinson	Perry	Truitt
DiGirolamo	Kampf	Petri	Turzai
Dunbar	Kauffman	Pickett	Verab
Ellis	Keller, F.	Pyle	Vulakovich
Emrick	Keller, M.K.	Quigley	Watson
Evankovich	Killion	Quinn	
Evans, J.	Knowles	Rapp	Smith, S.,
Everett	Krieger	Reed	Speaker

NAYS-89

Barbin	DeLissio	Kirkland	Preston
Bishop	DeLuca	Kortz	Ravenstahl
Boyle, B.	DePasquale	Kotik	Readshaw
Boyle, K.	Dermody	Kula	Roebuck
Bradford	DeWeese	Longietti	Sabatina
Brennan	Donatucci	Mahoney	Sainato
Briggs	Fabrizio	Mann	Samuelson
Brown, V.	Frankel	Markosek	Santarsiero
Brownlee	Freeman	Matzie	Santoni
Burns	Galloway	McGeehan	Shapiro
Buxton	Gerber	Mirabito	Smith, K.
Caltagirone	Gergely	Mullery	Smith, M.
Carroll	Gibbons	Mundy	Staback
Cohen	Goodman	Murphy	Sturla
Conklin	Haluska	Myers	Thomas
Costa, D.	Hanna	Neuman	Vitali
Costa, P.	Harhai	O'Brien, D.	Wagner
Cruz	Harkins	O'Brien, M.	Waters
Curry	Hornaman	Parker	Wheatley
Daley	Josephs	Pashinski	White
Davidson	Kavulich	Payton	Williams
Davis	Keller, W.	Petrarca	Youngblood
Deasy			

NOT VOTING-0

EXCUSED-4

Evans, D.	George	Johnson	Miccarelli
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The majority having voted in the affirmative, the question was determined in the affirmative and the bill was agreed to.

The SPEAKER. For what purpose does the gentleman, Mr. Kirkland, rise?

Mr. KIRKLAND. Thank you, Mr. Speaker.

I do not know if it is a parliamentary inquiry or just a question to the Speaker.

The SPEAKER. Does the gentleman have a parliamentary inquiry?

Mr. KIRKLAND. It may be, Mr. Speaker. I am not sure.

The SPEAKER. The gentleman will state his inquiry.

Mr. KIRKLAND. I am just trying to find out, Mr. Speaker, are we going to go through the same exercise in futility tomorrow with the members on this side, the minority party, not being able to debate the bill? Should we just not show up?

The SPEAKER. That is not a parliamentary inquiry.

Mr. KIRKLAND. Well, whatever it is, Mr. Speaker.

The SPEAKER. The gentleman is out of order.

SUPPLEMENTAL CALENDAR A CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 257, PN 1447, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for acquisition of buildings, sites for school buildings and playgrounds, and disposing thereof, for approval by department of plans, etc., of buildings and exceptions and for approval of lease agreements.

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

(Bill analysis was read.)

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?

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

The following roll call was recorded:

YEAS—199

Table listing names of members who voted 'YEAS' for HB 257, including Adolph, Aument, Baker, Barbin, Barrar, Bear, Benninghoff, Bishop, Bloom, Boback, Boyd, Boyle, B., Boyle, K., Bradford, Brennan, Briggs, Brooks, Brown, R., Brown, V., Brownlee, Burns, Dunbar, Ellis, Emrick, Evankovich, Evans, J., Everett, Fabrizio, Farry, Fleck, Frankel, Freeman, Gabler, Galloway, Geist, Gerber, Gergely, Gibbons, Gillen, Gillespie, Gingrich, Godshall, Kortz, Kotik, Krieger, Kula, Lawrence, Longiotti, Maher, Mahoney, Major, Maloney, Mann, Markosek, Marshall, Marsico, Masser, Matzie, McGeehan, Metcalfe, Metzgar, Micozzie, Millard, Ravenstahl, Readshaw, Reed, Reese, Reichley, Roae, Rock, Roebuck, Ross, Sabatina, Saccone, Sainato, Samuelson, Santarsiero, Santoni, Saylor, Scavello, Schroder, Shapiro, Simmons, Smith, K.

Table listing names of members who did not vote 'YEAS' for HB 257, including Buxton, Caltagirone, Carroll, Causer, Christiana, Clymer, Cohen, Conklin, Costa, D., Costa, P., Cox, Creighton, Cruz, Culver, Curry, Cutler, Daley, Davidson, Davis, Day, Deasy, DeLissio, Delozier, DeLuca, Denlinger, DePasquale, Dermody, DeWeese, DiGirolamo, Donatucci, Goodman, Grell, Grove, Hackett, Hahn, Haluska, Hanna, Harhai, Harhart, Harkins, Harper, Harris, Heffley, Helm, Hennessey, Hess, Hickernell, Hornaman, Hutchinson, Josephs, Kampf, Kauffman, Kavulich, Keller, F., Keller, M.K., Keller, W., Killion, Kirkland, Knowles, Miller, Milne, Mirabito, Moul, Mullery, Mundy, Murphy, Murt, Mustio, Myers, Neuman, O'Brien, D., O'Brien, M., O'Neill, Oberlander, Parker, Pashinski, Payne, Payton, Peifer, Perry, Petrarca, Petri, Pickett, Preston, Pyle, Quigley, Quinn, Rapp, Smith, M., Sonney, Staback, Stephens, Stern, Stevenson, Sturla, Swanger, Tallman, Taylor, Thomas, Tobash, Toepel, Toohil, Truitt, Turzai, Vereb, Vitali, Vulakovich, Wagner, Waters, Watson, Wheatley, White, Williams, Youngblood, Smith, S., Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—4

Table listing names of members who were excused: Evans, D., George, Johnson, Miccarelli.

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

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

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The House proceeded to third consideration of HB 285, PN 238, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for adjustments based on Consumer Price Index relating to contracts and purchases; and further providing for work to be done under contract let on bids and exception, for purchase of supplies, for contracts for construction, repair, renovation or maintenance, for project contracts and for powers and duties of institution presidents.

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

(Bill analysis was read.)

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?

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

The following roll call was recorded:

YEAS—124

Adolph	Fleck	Krieger	Reed
Aument	Freeman	Lawrence	Reese
Baker	Gabler	Longiatti	Reichley
Barrar	Galloway	Maher	Roae
Bear	Geist	Major	Rock
Benninghoff	Gibbons	Maloney	Ross
Bloom	Gillen	Marshall	Saccone
Boback	Gillespie	Marsico	Saylor
Boyd	Gingrich	Masser	Scavello
Brooks	Godshall	Metcalfe	Schroder
Brown, R.	Goodman	Metzgar	Simmons
Carroll	Grell	Micozzie	Sonney
Causar	Grove	Millard	Staback
Christiana	Hackett	Miller	Stephens
Clymer	Hahn	Milne	Stern
Cox	Haluska	Mirabito	Stevenson
Creighton	Harhai	Moul	Swanger
Culver	Harhart	Murt	Tallman
Cutler	Harper	Mustio	Taylor
Daley	Harris	O'Neill	Tobash
Day	Heffley	Oberlander	Toepel
Delozier	Helm	Payne	Toohil
Denlinger	Hennessey	Peifer	Truitt
DePasquale	Hess	Perry	Turzai
DiGirolamo	Hickernell	Petrarca	Vereb
Dunbar	Hutchinson	Petri	Vitali
Ellis	Kampf	Pickett	Vulakovich
Emrick	Kauffman	Pyle	Watson
Evankovich	Keller, F.	Quigley	
Evans, J.	Keller, M.K.	Quinn	Smith, S., Speaker
Everett	Killion	Rapp	
Farry	Knowles		

NAYS—75

Barbin	Davis	Kotik	Readshaw
Bishop	Deasy	Kula	Roebuck
Boyle, B.	DeLissio	Mahoney	Sabatina
Boyle, K.	DeLuca	Mann	Sainato
Bradford	Dermody	Markosek	Samuelson
Brennan	DeWeese	Matzie	Santarsiero
Briggs	Donatucci	McGeehan	Santoni
Brown, V.	Fabrizio	Mullery	Shapiro
Brownlee	Frankel	Mundy	Smith, K.
Burns	Gerber	Murphy	Smith, M.
Buxton	Gergely	Myers	Sturla
Caltagirone	Hanna	Neuman	Thomas
Cohen	Harkins	O'Brien, D.	Wagner
Conklin	Hornaman	O'Brien, M.	Waters
Costa, D.	Josephs	Parker	Wheatley
Costa, P.	Kavulich	Pashinski	White
Cruz	Keller, W.	Payton	Williams
Curry	Kirkland	Preston	Youngblood
Davidson	Kortz	Ravenstahl	

NOT VOTING—0

EXCUSED—4

Evans, D.	George	Johnson	Miccarelli
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 916, PN 1848**, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for definitions, for relief from charges from certain employers and for establishment and maintenance of employer's reserve accounts; providing for relief from charges; further providing for qualifications required to secure compensation, for ineligibility for compensation and for rate and amount of compensation; providing for effect of severance pay on wages; further providing for extended benefits program definitions and for rules of procedure; and providing for applicability.

On the question,

Will the House agree to the bill on second consideration?

Miss **PARKER** offered the following amendment No. **A02161**:

Amend Bill, page 1, line 16, by striking out "definitions, FOR"

Amend Bill, page 1, lines 19 through 21, by striking out the comma after "compensation" in line 19, all of line 20 and "compensation" in line 21

Amend Bill, page 1, line 23, by striking out "AND for rules of procedure"

Amend Bill, page 2, lines 4 through 30; page 3, lines 1 through 4, by striking out all of said lines on said pages and inserting

Section 1. Section 213(a) of the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, added December 9, 2002 (P.L.1330, No.156), is amended to read:

Amend Bill, page 3, line 21, by striking out "2" and inserting 1.1

Amend Bill, page 8, line 25, by striking out "3" and inserting 2

Amend Bill, page 13, line 1, by striking out "4" and inserting 3

Amend Bill, page 13, line 1, by striking out "and (f)"

Amend Bill, page 13, lines 2 and 3, by striking out "and December 9, 2002 (P.L.1330, " in line 2 and "No.156), are" in line 3 and inserting is

Amend Bill, page 14, lines 25 through 30; pages 15 through 20, lines 1 through 30; page 21, lines 1 through 16, by striking out all of said lines on said pages

Amend Bill, page 21, line 17, by striking out "7" and inserting 4

Amend Bill, page 22, line 12, by striking out "8" and inserting 5

Amend Bill, page 25, lines 10 through 30; page 26, lines 1 through 3, by striking out all of said lines on said pages

Amend Bill, page 26, line 4, by striking out "10" and inserting 6

Amend Bill, page 26, lines 5 through 10, by striking out all of lines 5 through 9 and "(2) (3)" in line 10 and inserting (1)

Amend Bill, page 26, line 10, by striking out the comma after "302" and inserting and

Amend Bill, page 26, lines 10 and 11, by striking out "and 402(b) " in line 10 and "and (e)" in line 11

Amend Bill, page 26, line 13, by striking out "(4)" and inserting (2)

Amend Bill, page 26, line 15, by striking out "(5)" and inserting (3)

Amend Bill, page 26, line 17, by striking out "(6)" and inserting (4)

Amend Bill, page 26, line 19, by striking out "11" and inserting 7

Amend Bill, page 26, line 20, by striking out "10(6)" and inserting 6(4)

Amend Bill, page 26, lines 22 and 23, by striking out all of said lines

Amend Bill, page 26, line 24, by striking out "(3)" and inserting (2)

Amend Bill, page 26, line 26, by striking out "(4)" and inserting (3)

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the lady from Philadelphia, Miss Parker.

Miss PARKER. Thank you, Mr. Speaker.

Mr. Speaker, amendment 2161 to HB 916 does the following: It deletes sections of HB 916 that would reduce unemployment benefits for Pennsylvanians who are out of work and/or ultimately make it harder for workers to qualify for unemployment benefits. I want to state for the record what this amendment does not do, Mr. Speaker. This amendment does not harm language contained in HB 916 that is in relation to (a) the work search, (b) the severance pay offsets, (c) the employers' automatic relief from charges, and, Mr. Speaker, this amendment does not touch changes needed to allow claimants to continue to qualify for the last 20 weeks of the federally funded extended benefits. This was added to the bill as an amendment by Chairman Keller. This amendment, Mr. Speaker, does not touch those issues that I just mentioned.

I want to state for the record that the issue of solvency, regarding our Unemployment Compensation Trust Fund, has been a bone of contention or sort of the center of much of the discussion regarding HB 916. Now, let me just state for the record also that the solvency of our trust fund, it must remain a priority, Mr. Speaker, for not only this chamber but the entire General Assembly and for the benefit of our constituency in the Commonwealth of Pennsylvania. But, Mr. Speaker, we should not do this simply on the backs of claimants. When we talk about the solvency of our trust fund, it must be done in a bipartisan manner. It must be done with employers, employees, and the UC (unemployment compensation) claimants all being a part of the solution. Many of us are familiar with the proposal that was put forth by Senator Gordner. His proposal, Mr. Speaker, actually ensured that the employers, employees, along with the claimants, each had a role and each made a sacrifice when it came to the issue of solvency.

Now, Mr. Speaker, for the record, I want to note that your vote in support of amendment 2161 is a sign to the residents of the Commonwealth of Pennsylvania that solvency of our UC Trust Fund is extremely important to this House chamber and to the General Assembly at large, but we will not try to reach solvency solely on the backs of those who are unemployed. Mr. Speaker, if you and/or any other members

would like, I can and will give a detailed explanation of each of the items that this amendment, 2161, would make to HB 916 under interrogation, if necessary.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman, Mr. Perry.

Mr. PERRY. Thank you, Mr. Speaker.

Will the gentlelady from Philadelphia stand for interrogation?

Miss PARKER. Yes, Mr. Speaker.

The SPEAKER. The lady indicates she will stand for interrogation. The gentleman may proceed.

Mr. PERRY. Thank you, Mr. Speaker.

Understanding your testimony regarding your amendment, I am trying to figure out how, if there is going to be shared involvement in solvency, in returning to solvency from both employees and employers, how does your amendment, how are employers involved in solvency, in solving that?

Miss PARKER. Well, Mr. Speaker, for the record, my amendment does not say that employers, none of the language in this amendment says that employers are actually involved in that process now. If you listened carefully to the record, to the statements that I just made on the record, I said once this amendment, 2161, is passed, this would be a strong signal to the residents of the Commonwealth that as we move forward in addressing the issue of solvency in the future, employers, employees, along with UC claimants, should be a part of that discussion. I made reference to the proposal that was put forth by Senator Gordner last summer that was actually a result of the committee that was put together that included the business community, along with employees and along with workers.

Mr. PERRY. Okay. Thank you.

I apologize. I could not hear you—

Miss PARKER. Sure. Sure.

Mr. PERRY. —so I wanted to make sure I understood that.

Miss PARKER. Sure.

Mr. PERRY. So then would it be safe to say that this amendment is not intended to do anything regarding restoring solvency to the UC situation in Pennsylvania?

Miss PARKER. Let me just state for the record so that I am clear, Mr. Speaker, about actually what this amendment does do. The first thing that this amendment would do is this amendment would delete the language that is contained in HB 916 that increases the amount of wages workers need to earn each week to establish credit weeks from \$50 to \$116. It also prevents lowest wage earners from qualifying.

In addition to that, you know, one of the things that HB 916 in its current form does, that I communicated to you, Mr. Speaker, and several other members of the Labor and Industry Committee during the hearing that was really personally touching to me, is that HB 916 in its current form toughens eligibility for workers who voluntarily quit their jobs for necessary and compelling reasons, like, for example, it may disproportionately affect women who leave work for domestic violence, child or elder care, or to move to maintain employment of a spouse. The reason why I mention that, not because it was sort of legislatively a priority, but for me,

I personally experienced it and did not think that Pennsylvanians should have to face what I had to face. In addition to that, I want to note that this amendment also limits the total— The bill limits the total amount of benefits a claimant can receive by requiring claimants to have a matching number of credit weeks – that means their weeks worked, Mr. Speaker – in order to receive that number of benefit weeks and increases that minimum to 18 weeks. Now, that is up from the current level of 16. HB 916 would increase it from the existing 16 up to 18. This amendment, 2161, would revert us back to the level of 16.

In addition to that, I want to talk about the issue of workers. HB 916 makes workers ineligible for benefits if they are fired for misconduct, not just willful misconduct. I have heard that there is another amendment sort of floating out there, but the fact of the matter is that HB 916 in its current form may penalize workers who do not intentionally make mistakes or who disobey an employer in order to avoid an illegal action. In addition to that, I want to mention the issue of seasonal workers, Mr. Speaker. When we talk about HB 916 in its current form lowering the weekly benefit rates by basing payments on the average of the three highest quarters of the base year, rather than just the highest quarter, this easily disqualifies or significantly lowers benefits for construction workers, for seasonal workers, or others who may not have steady and/or continuous work throughout the year.

So while I think, Mr. Speaker, that the issue of solvency is extremely important, States across the U.S. are dealing with this issue right now, the manner in which the Labor and Industry board, along with the committee that was comprised of members of both sides of the aisle from this House, along with the other chamber, along with members of the business community and the Labor Committee, we need to ask them, Mr. Speaker, to come together and work in a bipartisan forum to find a way for us to reach solvency, but we cannot say this is the direction the Commonwealth should be going to reach solvency, and the only thing that we are doing is saying that we should reach solvency on the backs of claimants.

In addition to that, one last thing, Mr. Speaker, that I want to state for the record, and this is one of the things that is surprising to me, and I mentioned this also in committee, was that HB 916 did absolutely nothing to increase, Mr. Speaker, the \$8,000 taxable wage base, which is one of the lowest in the country and the prime reason why our fund is so insolvent.

So while, Mr. Speaker, what I am saying to you is I think the employer and the employee, along with the UC claimant all have to share, talk about true shared sacrifice, I think each of those entities has a role in helping us to reach solvency, I just do not think that HB 916 is the way, because it seems like, in the name of solvency, we are saying we should do that on the backs of the most vulnerable who are already suffering, and that is those who are unemployed.

Mr. PERRY. Thank you.

I am wondering why, since you have referenced the Senator Gordner proposal, why your amendment does not include the 3-year lookback? I mean, if this is to signal solvency, I am wondering why—

Miss PARKER. I am sorry, Mr. Speaker. I did not hear you. Repeat your question, please.

The SPEAKER. She asked you to repeat the question. The gentleman will please repeat his question.

Mr. PERRY. I am going to withdraw the question, Mr. Speaker.

On the bill, or on the amendment.

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

Mr. PERRY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment, although somewhat well-meaning and includes several of the provisions, several being 4 of HB 916, which is comprehensive unemployment compensation reform, there are 12 substantive components to 916. So it only basically picks up one-quarter of that.

We have been 30 years under our current unemployment compensation system, and of those 30 years, 10 of those the system has been insolvent. There are people that will tell you that employers have no skin in the game in this unemployment compensation reform effort. I would remind everybody that just this year alone, employers are paying an additional \$500 million based on decisions that we make here in this House and are made federally. They pay based on their employment, unemployment compensation experience. That is how they manage their employees and how often they lay them off. That is what they base their insurance payment on. Yet they do not have any ability to affect what we do here and what the Federal government does that continues to raise their rates. Just this year alone, the Federal unemployment tax has doubled, just this year alone.

We are \$3.7 billion in debt to the Federal government. Our fund is bankrupt. The Federal government's fund is bankrupt, and we are required to pay the bills starting this year. Employers are already paying the bill. Taxpayers are already paying the bill. Now, we can, as we have in the past, kick the can down the road a little further and just continue to pay and pay and pay and increase taxes on employers, on employees, on working people, or we can do something. HB 916 solves the insolvency issue by 2018 by reasonably, by reasonably spreading the pain out over employees and employers, taxpayers all alike.

I do not want to kick the can down the road. This amendment does absolutely nothing but kick the can down the road. It does nothing towards solving insolvency, nothing at all, \$3.7 billion. It is estimated that this amendment might raise \$90 million a year. They cannot even tell you when it will solve the insolvency problem; they have no idea. You can solve it by 2018 with 916, or we can kick the can down the road and just pay more and more taxes. Meanwhile, you can have people collecting severance pay and unemployment at the same time. You can have people in prison collecting unemployment at the same time they are in prison, people out of the country collecting unemployment at the same time. You can have all those things. You can be responsible and fix something that has been screwed up for the last 30 years.

I would urge a "no" vote on this amendment that does nothing to solve the insolvency issue of Pennsylvania's unemployment compensation system.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Bill Keller.

Mr. W. KELLER. Thank you, Mr. Speaker.

As I said in the committee, I am trying to look for things I can agree with with Colonel Perry. I agree with him. Thirty years, we need a fix. This insolvency needs to be fixed. What

this amendment would do is stop it from being fixed on the backs of unemployed workers. We had this debate in committee. We are trying to get to solvency. It should not be on the backs of future unemployed workers. We can sit down, we can work it out, we will be able to get to solvency, but if we get to solvency without this amendment, it will be completely on the backs of the unemployed. You get to solvency by 2018 by reducing the benefits of the unemployed and the future unemployed, which, boy, does not seem to make much sense, because you know what happens when we reach solvency? The taxes on the employers go down. Employers should help; benefits should help. Labor is willing to sit down and talk about increasing their share. We should sit down and do that. The reform of the unemployment comp on this bill, without this amendment, would do nothing but hurt future unemployed workers. Please vote for this amendment so we can get to trying to fix this problem through shared pain and not just on the backs of unemployed workers.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I agree with the lady and the gentleman from Philadelphia. Pennsylvania workers in our State are one of only three State's workers that pay taxes into the system. Only three States in the United States have workers paying taxes to support the unemployment compensation system and we are one of them. We are one of a very, very, small group of States in which the employer community only pays taxes on a wage base of \$8,000 a year. They pay taxes on a wage base of \$8,000 a year if a worker earns \$8,000 and if a worker earns \$50,000 or \$75,000. The employers in Pennsylvania today get a pretty good deal. That is one of the reasons why we have an insolvency crisis.

As the gentleman from Philadelphia, the Democratic chair of the Labor Relations Committee says, this bill, without the Parker amendment, solves the insolvency problem on the backs of the workers. It dramatically cuts the benefits the workers receive. A lot of workers who now get unemployment compensation will not get any unemployment compensation whatsoever without the Parker amendment. This is a serious flaw. Others will get significantly reduced benefits. That is a significant flaw. The Parker amendment is a commonsense amendment to see that the unemployment compensation system serves the unemployed. That is who the unemployment system is supposed to serve.

This current law and all prior versions of the current law were backed by an agreement of business and labor. If the Perry amendment succeeds and passes the House and passes the Senate, on the backs of labor, this will be the first time in the history of the unemployment system in Pennsylvania in which workers are shut out of the process. That would be a serious tragedy. That would be a highly politicized event.

One reason that business and labor got together in 1983 to pass the essential elements of the current situation, including keeping the wage base low, including placing the tax on workers, was because the Democrats had made significant gains in the 1982 elections. This issue can be political dynamite. I am not certain that every member of the majority party will be happy if this issue explodes on the political scene in the

2012 elections. Workers ought to have access to unemployment compensation benefits, and this bill takes away the unemployment compensation benefits of many workers.

Representative Parker and Representative Keller have worked very hard to come up with a coherent and comprehensive approach to this situation, as did Senator Gordner. I strongly urge passage of the Parker amendment.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman, Mr. Miller.

Mr. MILLER. Thank you, Mr. Speaker.

I think it is important that we sort of shift the way this debate has been framed. First, I would like to point out that because of the debt that we owe to the Federal government, the employers in Pennsylvania are already paying \$500 million a year more than they would have paid. So it is not like the employers do not have any skin in the game. They are paying \$500 million more right now. You know what, in a struggling economy, that is a burden they should not have to carry. Thus, because of the UC debt, because of this debt, they are already paying 31 percent higher in taxes than they had to before. That is a very significant amount.

When we say that PA is only one State of several, a handful, that have employees contribute to the system, that may be true, but we do not have them pay unless the system reaches the state of insolvency. They do not pay a dime, not one dime towards the system until the system becomes insolvent. Then we ask them to pay 80 cents on a \$1,000; 80 cents. Now, I think that is fair. We ask employees to put some skin in the game when it goes insolvent. Otherwise, we do not ask them to participate in this. They do not contribute to the Unemployment Compensation Fund.

There are 29 States in this country that have borrowed money from the Federal government to pay their unemployment. It is great that we can do that because we certainly do not want to hurt the workers in this State by basically having it go bankrupt, but you have to understand something. Right now, the data for May 19, 2011, May 19, just last week, says that we owe collectively, those 29 States, the Federal government, \$40 billion. And guess what? Pennsylvania owes almost one-tenth of that amount. We are approaching \$4 billion that we owe. Only one State in the country owes more, and that is California. We owe the most of any State except for California, and we all know their population is much greater than ours. A couple of months ago, New York owed more than we did. We now owe more than New York State does to the Federal government.

Let me say this: Amendment A02161 keeps us on the road that we will still owe the Federal government money in 2018. It does very little towards improving the solvency of the system. It was admitted that it is not meant to improve the solvency of the system. Well, guess what? Without this amendment, HB 916 removes, removes the total Federal debt by the year 2018 and puts us on the road to solvency. It pays down that debt, and the employers have the skin in the game because they will see increases every year until that debt is paid off.

This bill is about putting Pennsylvania back on the road to prosperity, getting our unemployment comp costs under control. We have had the second most generous unemployment benefits in the country, and we have the debt to prove it. We need to get this under control. This is a jobs bill. We have to get people

working. We have to protect our employers. We cannot keep on taxing employers and expect them to create jobs.

So I ask for a "no" vote on amendment A02161.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Parker amendment.

Mr. Speaker, I just heard a speaker say that we have to stop expecting the private sector to create jobs. I thought that has been the message, to create an environment that allows the private sector to create jobs. Unless you are creating an environment to do that, then we are going to remain in this quagmire that we are in of structural unemployment and underemployment in many communities throughout Pennsylvania. At some point we need to deal with that.

But with respect to the Parker amendment, the Parker amendment does not contradict the mission of HB 916. The bill, HB 916, is designed to move us towards solvency. The amendment is not in collision with that. It does not contradict that basic principle of HB 916. Where the amendment and the bill deviate is the amendment defines or basically says it is a matter of public policy that we do not stomp people who are already down in order to get where we want to go. To that end, I would like to interrogate the maker of the bill.

Mr. Speaker, let me ask a question of the maker of the amendment.

The SPEAKER. The lady indicates she will stand for interrogation. The gentleman may proceed.

Mr. THOMAS. Thank you.

Mr. Speaker, is it your intent, under this amendment, to prevent unemployed workers from having to live on less than what is necessary to maintain a livable living? Because under 916, it is my understanding that benefits will be reduced if the Parker amendment is not in there. Is that correct?

Miss PARKER. You are correct, Mr. Speaker.

Mr. THOMAS. Madam Speaker—

The SPEAKER. The gentleman will suspend.

The Speaker will remind the members that the questions are to be directed to the Chair and that then the member who is being interrogated would be responding to that.

Mr. THOMAS. Well, Mr. Speaker, we want your vote so we are not going to cut you out of this discussion.

So, Mr. Speaker, on the amendment. Mr. Speaker, is there anything in the amendment that contradicts the basic goal of HB 916? Is that correct?

Miss PARKER. No, Mr. Speaker.

Mr. THOMAS. Pardon me?

Miss PARKER. No, Mr. Speaker.

Mr. THOMAS. Thank you, Mr. Speaker. Back to the amendment.

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

Mr. THOMAS. Mr. Speaker, I ask all of my colleagues from both sides of the aisle to let us rise and stand with Representative Parker. Representative Parker has made a good decision. Her amendment lines up with the architect of HB 916 in terms of dealing with this issue of insolvency, but, Mr. Speaker, the amendment specifically says that we should not kick people who are already down in order to deal with this

issue of insolvency. I do not know why it is always popular to beat up on people who are already down when we need to address a major public policy issue. You know, we look at the people who work for the House and look at the people who are— Look at our macebearer. If for some reason or another he has to collect unemployment, he should not be put in a position to suffer more because he is unemployed. He should be able to receive reasonable unemployment benefits. He should be able to receive unemployment benefits without having to suffer any worse than what he is facing. That is the only thing that is going on with this amendment, and that is to just eliminate exempt language that would punish people more than I know the architect of the bill is not intending to punish. But on its face, it looks like outright punishment.

So that we all can go back to our districts and feel comfortable about what we have accomplished, vote "yes" on the Parker amendment. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Clinton County, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Parker amendment.

The gentleman from York, the prime sponsor, says this bill does nothing to address the solvency issue. In fact, if you look at the fiscal note, the fiscal note clearly says that this amendment will save \$97 million. So it does address the solvency issue, maybe not as rapidly as the gentleman's bill, but it does address the solvency issue. Without the Parker amendment, solvency is achieved solely on the backs of unemployed workers. Let me reiterate that, unemployed workers. It is not just the workers that we are asking to address the solvency issue; it is unemployed workers that we are asking to address the solvency issue. With the Parker amendment, we will be agreeing with the Senate Republican chairman of the Labor Committee on how to address this issue.

Mr. Speaker, I urge a "yes" vote on the Parker amendment.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Gergely.

Mr. GERGELY. Thank you, Mr. Speaker.

Just for the membership, during last session Representative Keller was not the chairman of the Democratic Caucus, Representative Belfanti was, and he was very sick and unable to serve on the UC Advisory Council for the Democratic Caucus, but being the vice chairman of the Labor Committee, I did serve on that commission with the Senators, labor leaders, and business leaders. Mr. Speaker, this is not the proposal where the three-legged stool that was proposed is the agreement to fix, to really fix the solvency.

I think that the maker of the bill knows that this amendment addresses many of the issues that were talked about with the three-legged stool. He knows that I would be more than willing to work with him to make the substantive changes that are necessary to make it a responsible bill that we can slow growth, that we can involve businesses and employees collectively to solve the solvency issue, but we have to realize, when you talk about a \$500 million increase, I think it was, from the chairman of the Labor Committee, we also realize that was only \$50 per employee, a whopping 50 bucks. The numbers sound great the

way you frame them. I asked that question in Labor Committee. Actually, the maker of the bill answered that question at \$50. So, Mr. Speaker, this is not crippling businesses any time soon at \$50.

I am more than willing to talk about raising the taxable wage base. I withdrew the amendment, but I think you also know if we really wanted to talk about taxes, if we were to look back – and these are statistics from the Department of Labor – boy, you really could have talked about tax increases, Mr. Speaker, because in 1940, the taxable wage base in Pennsylvania was \$3,000. The annual wage was \$1,357. It was a 211-percent increase, or that is what the percentage would have been. We are by far significantly lower now. 1984 is the last time we addressed this. I do think, and I think you also understand, if we would have increased the taxable wage base to a reasonable number, not a high number, not something that could not be borne by employees and employers, to save \$14,000 incrementally, we could get rid of the debt that we have and in the future put away enough savings that we would not have to readdress this again.

My problem is, this is not going to go to the Senate and work. I do not believe Senator Gordner, the chairman of Labor, is going to entertain this because he worked diligently and I give him a lot of credit. He had a lot of good ideas. He brought everybody to the table. We worked collectively together to solve this. So this is a bad vote for many folks that have unemployed people in their communities. This is a bad vote against this amendment. This amendment solves a lot of the issues we should be addressing. We actually should just recommit this bill. I am not going to make that motion. I would think that the maker of the bill realizes this, and it is going to look good that we put this bill over there, it may be some good headlines, but at the end of the day, we really are not solving anything.

Hopefully the Senate comes up with a better compromise bill that we can all address and work to collectively solve the issues that lay in front of us with unemployment. Thank you.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Bill Keller, for the second time.

Mr. W. KELLER. Thank you, Mr. Speaker.

I am trying not to speak because I know it is late, I know we all want to get out of here, but when the chairman makes comments like this is a jobs bill, I really have to just step to the microphone.

The reason the employers had to pay a \$50-per-person tax is because we did not address the solvency issue. That is why. That tax could be reduced if we addressed the solvency issue.

The other comment that we are so generous in our unemployment benefits, the average unemployment benefit in Pennsylvania is \$314 a week. The average unemployment claim in Pennsylvania is \$314 a week. Only 66 percent of the people who apply for unemployment receive unemployment. Without the Parker amendment, under this bill, the average unemployment benefit in Pennsylvania will be a whopping \$277 a week. Pretty soon, that is what it will take us to fill our gas tanks up. We are not overly generous. We got caught in the recession. We have to address that problem. We cannot address that problem solely on the backs of the future unemployed

people of Pennsylvania. Let us get a real jobs bill. Let us put people back to work. Nobody wants to be on unemployment. I know the maker of the bill will disagree with me.

Unfortunately, I have been on unemployment, never wanted to be on it. Let us not go down that road. Let us fix the solvency issue. Let us get people back to work, and hopefully we do not have to pay people who are unfortunate enough to lose their jobs a whopping \$277 a week.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, once again this evening we are here talking about issues, and the issue is fairness, fairness for some of the most vulnerable people among us: unemployed workers and their families, workers who have lost their jobs through no fault of their own. Now, we all understand that we have a solvency issue here. We understand we need to solve the solvency issue, but it should not be done on the backs of unemployed workers, particularly at a time— We know why we have a solvency issue. As was just stated, we are in the midst of the worst recession in our history, and we should not be balancing the budget, we should not be balancing this solvency issue on the backs of unemployed workers and their families. The Parker amendment puts some fairness back into this bill, and we should all support it.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from York County, Mr. Perry.

Mr. PERRY. Thank you, Mr. Speaker.

Again, I appreciate the gentelady from Philadelphia County's efforts and she has picked up much of what I enumerated in 916, but I would say instead of sending a signal that we want to talk about it— Look, Mr. Speaker, we have a serious issue, \$3.7 billion in debt. Even when we get done in 2018, we will still have owed \$2.5 billion. We are all going to have to pay that back at some point. At \$97 million a year, we do not have 37 years to fix our insolvency problem, if it stops at that.

Now, I am not saying that you have to love everything in my bill or even agree with everything in my bill. I would agree with the gentelady from Philadelphia County that this is going to be a discussion between the House and the Senate. We will pass a bill here, and then we will get together and work out what we think we can do and what we should do. But I would say that we need to show the citizens of Pennsylvania and our colleagues in the Senate that we in the House are serious about solving the insolvency problem, that we are serious about making sure the most vulnerable among us, the unemployed, or many of the most vulnerable among us, have something to fall back on, a safety net that is there.

But I will also tell you that we continue to go into debt. What we are doing is jeopardizing that safety net. I do not think anyone in this chamber wants to be responsible for that. So while I appreciate the gentelady's efforts, I would ask for you and me to be serious, serious about solving the insolvency problem and voting "no" for this amendment.

Thank you, Mr. Speaker.



The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Allegheny County, Mr. Turzai.

Mr. TURZAI. Thank you, Mr. Speaker.

I do want to point out that the good lady from Philadelphia who is an exceptionally thoughtful and hardworking legislator, I understand that she wants to make sure that we see unemployment compensation benefits extended and that she has a particular context in making sure that gets done. We respectfully disagree with her amendment, although we think on many fronts that we are looking toward the same goal. The fact of the matter is, to make sure that Pennsylvania's Unemployment Compensation Law is solvent, we do need to make significant changes to how that system works. This amendment would gut some of those important changes that have to be done to make the unemployment compensation system solvent. We want to be able to combine those reforms to make the system solvent, along with extending the benefits for Pennsylvania's unemployed as part of a comprehensive package that looks at the totality of the picture. We do not think that you can segregate it as this particular amendment would do.

I respectfully request that folks please vote against the gentelady from Philadelphia's amendment, although in the end I think we are going to be getting to the exact same place where we can extend unemployment compensation benefits for those who are unemployed, while at the same time making sure that our system, which is probably, if not the worst, one of the worst in the nation in terms of its financial solvency, we need to get that house in order, too.

Thank you very much, Mr. Speaker.

### LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the majority whip, who requests a leave of absence for the gentleman from Delaware County, Mr. MICOZZIE, for the remainder of the day. Without objection, the leave will be granted.

### CONSIDERATION OF HB 916 CONTINUED

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the gentleman from Philadelphia County, Mr. Cohen, for the second time.

Mr. COHEN. Thank you, Mr. Speaker.

We are told we have to preserve the solvency of the unemployment system so the unemployed will be able to get unemployment compensation, but the Parker amendment, not the bill, is what guarantees that many people will be able to get unemployment compensation. If this bill is passed without the Parker amendment, then many people are going to lose unemployment compensation. Then it will not matter for them whether the system is solvent or not, they will not be getting unemployment compensation. I urge support of the Parker amendment.

The SPEAKER. The question is, will the House agree to the amendment?

On that question, the Speaker recognizes the lady from Philadelphia, Miss Parker, for the second time.

Miss PARKER. Thank you, Mr. Speaker.

Mr. Speaker, earlier it was mentioned by the prime sponsor of HB 916 that your support of that bill without the Parker amendment would ensure that Pennsylvania not kick the can down the road and deal with the issue of solvency immediately. Well, let me daresay to you tonight that if you support HB 916 without the Parker amendment, you will not be kicking the can down the road; you will be kicking Pennsylvania's people and workers down the road, Mr. Speaker. That is why I am asking members to support the Parker amendment.

I want us to be very practical because sometimes we talk about issues of insolvency, we talk about issues associated with this unemployment compensation trust. To the average Pennsylvanian, Mr. Speaker, I want us to just make sure that we are talking in plain and simple language. The fact of the matter is that we have almost 500,000 Pennsylvanians who are out of work as we speak right now, Mr. Speaker. You heard it mentioned earlier that the average unemployed worker receives about \$315 per week. In addition to that, Mr. Speaker, that average benefit amount translates to about \$16,000 per year. That is about \$2,000, Mr. Speaker, below the Federal poverty guidelines for a family of three people. So I want us to sort of be very practical and very pragmatic when we are talking about issues of insolvency and what we are kicking down the road. We are kicking the can or either we are kicking Pennsylvanians who find themselves down on their luck and they are unemployed for one reason or another.

In addition to that, Mr. Speaker, for the record, I challenge any critic of this program to attempt to pay their bills and care for their family on \$315 a week, but that is a pragmatic and realistic perception, overview, and/or summary of some of the challenges that Pennsylvania workers who are out of work are having to deal with today.

I ask members to support the Parker amendment, Mr. Speaker, because the issue of solvency, it does need to be addressed, but it needs to be done using a commonsense approach that was employed by Senator Gordner, and we hope that we will see a more like-minded proposal come forth in the Senate, but do the right thing by supporting the Parker amendment. Do not kick the can down the road, but also, do not kick Pennsylvanians who are out of work down the road.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—90

Barbin	DeLissio	Kortz	Ravenstahl
Bishop	DeLuca	Kotik	Readshaw
Boyle, B.	DePasquale	Kula	Roebuck
Boyle, K.	Dermody	Longietti	Sabatina
Bradford	DeWeese	Mahoney	Sainato
Brennan	Donatucci	Mann	Samuelson
Briggs	Fabrizio	Markosek	Santarsiero
Brown, V.	Frankel	Matzie	Santoni
Brownlee	Freeman	McGeehan	Shapiro
Burns	Galloway	Mirabito	Smith, K.
Buxton	Gerber	Mullery	Smith, M.
Caltagirone	Gergely	Mundy	Staback
Carroll	Gibbons	Murphy	Sturla
Cohen	Goodman	Myers	Taylor
Conklin	Haluska	Neuman	Thomas

Costa, D.	Hanna	O'Brien, D.	Vitali
Costa, P.	Harhai	O'Brien, M.	Wagner
Cruz	Harkins	Parker	Waters
Curry	Hornaman	Pashinski	Wheatley
Daley	Josephs	Payton	White
Davidson	Kavulich	Petrarca	Williams
Davis	Keller, W.	Preston	Youngblood
Deasy	Kirkland		

NAYS-108

Adolph	Farry	Lawrence	Reese
Aument	Fleck	Maher	Reichley
Baker	Gabler	Major	Roae
Barrar	Geist	Maloney	Rock
Bear	Gillen	Marshall	Ross
Benninghoff	Gillespie	Marsico	Saccone
Bloom	Gingrich	Masser	Saylor
Boback	Godshall	Metcalfe	Scavello
Boyd	Grell	Metzgar	Schroder
Brooks	Grove	Millard	Simmons
Brown, R.	Hackett	Miller	Sonney
Causer	Hahn	Milne	Stephens
Christiana	Harhart	Moul	Stern
Clymer	Harper	Murt	Stevenson
Cox	Harris	Mustio	Swanger
Creighton	Heffley	O'Neill	Tallman
Culver	Helm	Oberlander	Tobash
Cutler	Hennessey	Payne	Toepel
Day	Hess	Peifer	Toohil
Delozier	Hickernell	Perry	Truitt
Denlinger	Hutchinson	Petri	Turzai
DiGirolamo	Kampf	Pickett	Vereb
Dunbar	Kauffman	Pyle	Vulakovich
Ellis	Keller, F.	Quigley	Watson
Emrick	Keller, M.K.	Quinn	
Evankovich	Killion	Rapp	Smith, S., Speaker
Evans, J.	Knowles	Reed	
Everett	Krieger		

NOT VOTING-0

EXCUSED-5

Evans, D.	Johnson	Miccarelli	Micozzie
George			

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

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

BILL PASSED OVER

The SPEAKER. HB 916 and other amendments will be over for the remainder of the day.

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1053, PN 1850**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of neglect of care-dependent person; and providing for the offense of abuse of care-dependent person.

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS-198

Adolph	Donatucci	Knowles	Ravenstahl
Aument	Dunbar	Kortz	Readshaw
Baker	Ellis	Kotik	Reed
Barbin	Emrick	Krieger	Reese
Barrar	Evankovich	Kula	Reichley
Bear	Evans, J.	Lawrence	Roae
Benninghoff	Everett	Longietti	Rock
Bishop	Fabrizio	Maher	Roebuck
Bloom	Farry	Mahoney	Ross
Boback	Fleck	Major	Sabatina
Boyd	Frankel	Maloney	Saccone
Boyle, B.	Freeman	Mann	Sainato
Boyle, K.	Gabler	Markosek	Samuelson
Bradford	Galloway	Marshall	Santarsiero
Brennan	Geist	Marsico	Santoni
Briggs	Gerber	Masser	Saylor
Brooks	Gergely	Matzie	Scavello
Brown, R.	Gibbons	McGeehan	Schroder
Brown, V.	Gillen	Metcalfe	Shapiro
Brownlee	Gillespie	Metzgar	Simmons
Burns	Gingrich	Millard	Smith, K.
Buxton	Godshall	Miller	Smith, M.
Caltagirone	Goodman	Milne	Sonney
Carroll	Grell	Mirabito	Staback
Causer	Grove	Moul	Stephens
Christiana	Hackett	Mullery	Stern
Clymer	Hahn	Mundy	Stevenson
Cohen	Haluska	Murphy	Sturla
Conklin	Hanna	Murt	Swanger
Costa, D.	Harhai	Mustio	Tallman
Costa, P.	Harhart	Myers	Taylor
Cox	Harkins	Neuman	Thomas
Creighton	Harper	O'Brien, D.	Tobash
Cruz	Harris	O'Brien, M.	Toepel
Culver	Heffley	O'Neill	Toohil
Curry	Helm	Oberlander	Truitt
Cutler	Hennessey	Parker	Turzai
Daley	Hess	Pashinski	Vereb
Davidson	Hickernell	Payne	Vitali
Davis	Hornaman	Payton	Vulakovich
Day	Hutchinson	Peifer	Wagner
Deasy	Josephs	Perry	Waters
DeLissio	Kampf	Petrarca	Watson
Delozier	Kauffman	Petri	Wheatley
DeLuca	Kavulich	Pickett	White
Denlinger	Keller, F.	Preston	Williams
DePasquale	Keller, M.K.	Pyle	Youngblood
Dermody	Keller, W.	Quigley	
DeWeese	Killion	Quinn	Smith, S., Speaker
DiGirolamo	Kirkland	Rapp	

NAYS-0

NOT VOTING-0

EXCUSED-5

Evans, D. Johnson Miccarelli Micozzie  
George

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

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

**SUPPLEMENTAL CALENDAR A CONTINUED**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 170, PN 114**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driving on right side of roadway, for overtaking vehicle on the left, for no-passing zones, for required position and method of turning and for minimum speed regulation.

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

(Bill analysis was read.)

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?

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

The following roll call was recorded:

YEAS-197

Adolph	Donatucci	Knowles	Readshaw
Aument	Dunbar	Kortz	Reed
Baker	Ellis	Kotik	Reese
Barbin	Emrick	Krieger	Reichley
Barrar	Evankovich	Kula	Roae
Bear	Evans, J.	Lawrence	Rock
Benninghoff	Everett	Longietti	Roebuck
Bishop	Fabrizio	Maher	Ross
Bloom	Farry	Mahoney	Sabatina
Boback	Fleck	Major	Saccone
Boyd	Frankel	Maloney	Sainato
Boyle, B.	Freeman	Mann	Samuelson
Boyle, K.	Gabler	Markosek	Santarsiero
Bradford	Galloway	Marshall	Santoni
Brennan	Geist	Marsico	Saylor
Briggs	Gerber	Masser	Scavello
Brooks	Gergely	Matzie	Schroder
Brown, R.	Gibbons	McGeehan	Shapiro
Brown, V.	Gillen	Metcalfe	Simmons
Brownlee	Gillespie	Millard	Smith, K.
Burns	Gingrich	Miller	Smith, M.
Buxton	Godshall	Milne	Sonney
Caltagirone	Goodman	Mirabito	Staback
Carroll	Grell	Moul	Stephens
Causar	Grove	Mullery	Stern
Christiana	Hackett	Mundy	Stevenson
Clymer	Hahn	Murphy	Sturla
Cohen	Haluska	Murt	Swanger

Conklin	Hanna	Mustio	Tallman
Costa, D.	Harhai	Myers	Taylor
Costa, P.	Harhart	Neuman	Thomas
Cox	Harkins	O'Brien, D.	Tobash
Creighton	Harper	O'Brien, M.	Toepel
Cruz	Harris	O'Neill	Toohil
Culver	Heffley	Oberlander	Truitt
Curry	Helm	Parker	Turzai
Cutler	Hennessey	Pashinski	Vereb
Daley	Hess	Payne	Vitali
Davidson	Hickernell	Payton	Vulakovich
Davis	Hornaman	Peifer	Wagner
Day	Hutchinson	Perry	Waters
Deasy	Josephs	Petrarca	Watson
DeLissio	Kampf	Petri	Wheatley
DeLozier	Kauffman	Pickett	White
DeLuca	Kavulich	Preston	Williams
Denlinger	Keller, F.	Pyle	Youngblood
DePasquale	Keller, M.K.	Quigley	
Dermody	Keller, W.	Quinn	Smith, S.,
DeWeese	Killion	Rapp	Speaker
DiGirolamo	Kirkland	Ravenstahl	

NAYS-1

Metzgar

NOT VOTING-0

EXCUSED-5

Evans, D. Johnson Miccarelli Micozzie  
George

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

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

\* \* \*

The House proceeded to third consideration of **HB 1055, PN 1665**, entitled:

An Act providing for the registration and regulation of professional employer organizations and for powers and duties of the Department of Labor and Industry; and imposing penalties.

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

(Bill analysis was read.)

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?

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

The following roll call was recorded:

YEAS-198

Adolph	Donatucci	Knowles	Ravenstahl
Aument	Dunbar	Kortz	Readshaw
Baker	Ellis	Kotik	Reed

Barbin	Emrick	Krieger	Reese
Barrar	Evankovich	Kula	Reichley
Bear	Evans, J.	Lawrence	Roae
Benninghoff	Everett	Longietti	Rock
Bishop	Fabrizio	Maher	Roebuck
Bloom	Farry	Mahoney	Ross
Boback	Fleck	Major	Sabatina
Boyd	Frankel	Maloney	Saccone
Boyle, B.	Freeman	Mann	Sainato
Boyle, K.	Gabler	Markosek	Samuelson
Bradford	Galloway	Marshall	Santarsiero
Brennan	Geist	Marsico	Santoni
Briggs	Gerber	Masser	Saylor
Brooks	Gergely	Matzie	Scavello
Brown, R.	Gibbons	McGeehan	Schroder
Brown, V.	Gillen	Metcalfe	Shapiro
Brownlee	Gillespie	Metzgar	Simmons
Burns	Gingrich	Millard	Smith, K.
Buxton	Godshall	Miller	Smith, M.
Caltagirone	Goodman	Milne	Sonney
Carroll	Grell	Mirabito	Staback
Causer	Grove	Moul	Stephens
Christiana	Hackett	Mullery	Stern
Clymer	Hahn	Mundy	Stevenson
Cohen	Haluska	Murphy	Sturla
Conklin	Hanna	Murt	Swanger
Costa, D.	Harhai	Mustio	Tallman
Costa, P.	Harhart	Myers	Taylor
Cox	Harkins	Neuman	Thomas
Creighton	Harper	O'Brien, D.	Tobash
Cruz	Harris	O'Brien, M.	Toepel
Culver	Heffley	O'Neill	Toohil
Curry	Helm	Oberlander	Truitt
Cutler	Hennessey	Parker	Turzai
Daley	Hess	Pashinski	Vereb
Davidson	Hickernell	Payne	Vitali
Davis	Hornaman	Payton	Vulakovich
Day	Hutchinson	Peifer	Wagner
Deasy	Josephs	Perry	Waters
DeLissio	Kampf	Petrarca	Watson
Delozier	Kauffman	Petri	Wheatley
DeLuca	Kavulich	Pickett	White
Denlinger	Keller, F.	Preston	Williams
DePasquale	Keller, M.K.	Pyle	Youngblood
Dermody	Keller, W.	Quigley	
DeWeese	Killion	Quinn	Smith, S.,
DiGirolamo	Kirkland	Rapp	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Evans, D.	Johnson	Miccarelli	Micozzie
George			

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

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

\* \* \*

The House proceeded to third consideration of **HB 1345, PN 1555**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in safe schools, further providing for safe schools advocate in school districts of the first class, for standing and for enforcement.

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

(Bill analysis was read.)

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?

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

The following roll call was recorded:

YEAS-198

Adolph	Donatucci	Knowles	Ravenstahl
Aument	Dunbar	Kortz	Readshaw
Baker	Ellis	Kotik	Reed
Barbin	Emrick	Krieger	Reese
Barrar	Evankovich	Kula	Reichley
Bear	Evans, J.	Lawrence	Roae
Benninghoff	Everett	Longietti	Rock
Bishop	Fabrizio	Maher	Roebuck
Bloom	Farry	Mahoney	Ross
Boback	Fleck	Major	Sabatina
Boyd	Frankel	Maloney	Saccone
Boyle, B.	Freeman	Mann	Sainato
Boyle, K.	Gabler	Markosek	Samuelson
Bradford	Galloway	Marshall	Santarsiero
Brennan	Geist	Marsico	Santoni
Briggs	Gerber	Masser	Saylor
Brooks	Gergely	Matzie	Scavello
Brown, R.	Gibbons	McGeehan	Schroder
Brown, V.	Gillen	Metcalfe	Shapiro
Brownlee	Gillespie	Metzgar	Simmons
Burns	Gingrich	Millard	Smith, K.
Buxton	Godshall	Miller	Smith, M.
Caltagirone	Goodman	Milne	Sonney
Carroll	Grell	Mirabito	Staback
Causer	Grove	Moul	Stephens
Christiana	Hackett	Mullery	Stern
Clymer	Hahn	Mundy	Stevenson
Cohen	Haluska	Murphy	Sturla
Conklin	Hanna	Murt	Swanger
Costa, D.	Harhai	Mustio	Tallman
Costa, P.	Harhart	Myers	Taylor
Cox	Harkins	Neuman	Thomas
Creighton	Harper	O'Brien, D.	Tobash
Cruz	Harris	O'Brien, M.	Toepel
Culver	Heffley	O'Neill	Toohil
Curry	Helm	Oberlander	Truitt
Cutler	Hennessey	Parker	Turzai
Daley	Hess	Pashinski	Vereb
Davidson	Hickernell	Payne	Vitali
Davis	Hornaman	Payton	Vulakovich
Day	Hutchinson	Peifer	Wagner
Deasy	Josephs	Perry	Waters
DeLissio	Kampf	Petrarca	Watson
Delozier	Kauffman	Petri	Wheatley
DeLuca	Kavulich	Pickett	White
Denlinger	Keller, F.	Preston	Williams
DePasquale	Keller, M.K.	Pyle	Youngblood
Dermody	Keller, W.	Quigley	
DeWeese	Killion	Quinn	Smith, S.,
DiGirolamo	Kirkland	Rapp	Speaker

NAYS-0

NOT VOTING-0

## EXCUSED—5

Evans, D. Johnson Miccarelli Micozzie  
George

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.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. The Speaker recognizes the gentleman from Delaware County, Mr. Adolph, for the purpose of making an announcement.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce a location change for tomorrow's Appropriations meeting at 10:30 a.m. The majority caucus room is being used and the meeting will take place in the majority chairman's conference room, right behind the hall of the House, room 245. Thank you.

The SPEAKER. There will be an Appropriations Committee meeting tomorrow at 10:30 a.m. in room 245.

**REPUBLICAN CAUCUS**

The SPEAKER. The Speaker recognizes the lady, Ms. Major, for the purpose of making an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus tomorrow morning at 10:30. I would ask all Republican members to please report to our caucus room at 10:30 tomorrow morning. Thank you.

The SPEAKER. The Speaker thanks the lady.

**DEMOCRATIC CAUCUS**

The SPEAKER. The Speaker recognizes the gentleman from Allegheny County, Mr. Frankel, for the purpose of making an announcement.

Mr. FRANKEL. Thank you, Mr. Speaker.

Likewise, the Democrats will caucus tomorrow morning at 10:30; 10:30 caucus. Thank you.

**CONSUMER AFFAIRS  
COMMITTEE MEETING**

The SPEAKER. Does the gentleman from Montgomery County, Mr. Godshall, seek recognition for the purpose of making an announcement?

Mr. GODSHALL. There will be a voting meeting of the Consumer Affairs Committee tomorrow at the call of the Chair. I am not certain of the location as of this time, but there will definitely be a voting meeting, Consumer Affairs, at the break, at the call of the Chair.

The SPEAKER. The Speaker thanks the gentleman.

There will be a Consumer Affairs Committee meeting tomorrow at the call of the Chair.

**ANNOUNCEMENT BY SPEAKER**

The SPEAKER. For the information of the members, there will be no further votes this evening.

**BILL RECOMMITTED**

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 1336 be recommitted to the Committee on Appropriations.

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

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Speaker recognizes the majority leader, who moves that the following bills be removed from the tabled calendar and placed on the active calendar:

HB 382;  
HB 1219;  
HB 1424;  
HB 1459;  
HB 1460; and  
HB 1461.

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

**BILL RECOMMITTED**

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 3 be removed from the tabled calendar and recommitted to the Transportation Committee.

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

**RESOLUTION REFERRED**

The SPEAKER. The Speaker states for the record that HR 62 should be removed from the uncontested calendar and referred to the Committee on Rules.

**ADJOURNMENT**

The SPEAKER. Seeing no further business before the House, the Speaker recognizes the lady, Mrs. Davidson, from Delaware County, who moves that this House do adjourn until Tuesday, May 24, 2011, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 10:05 p.m., e.d.t., the House adjourned.