

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, MAY 24, 2011

SESSION OF 2011

195TH OF THE GENERAL ASSEMBLY

No. 37

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (SAMUEL H. SMITH) PRESIDING

PRAYER

The SPEAKER. The prayer will be offered by the Pastor Robert Amundsen, Cherry Lane United Methodist Church in Tannersville, PA.

PASTOR ROBERT AMUNDSEN, Guest Chaplain of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

I would like to thank Representative Mario Scavello this day for having me, and Speaker Samuel Smith.

Would you bow your head in prayer with me:

Good and gracious God, we are gathered here today in our time of prayer to seek You out, to feel Your presence, and to be guided and governed by Your good spirit. We humbly ask that we may always prove ourselves to be a people mindful of Your favor and glad to do Your will.

I ask this morning, Lord, that You look upon this body with the grace and the compassion that You ask them to have as they create the laws that affect those they serve. Bless those here today that bear this great responsibility to lead and to govern. I ask that You give them the wisdom so that they may create laws that break down the walls of oppression and that they may use Your grace to build bridges of hope, care, and service for Your people.

We ask that Your spirit will strive mightily with the leaders of this great Commonwealth as they can find ways in which the people of the earth can use our abundant energy resources while still maintaining and assuring that we keep this world as beautiful and as pure as You have given it to us.

To Your glory we ask for peace in our world, in our nation, in our Commonwealth, and within this governing body as they strive to create jobs, to nurture our education system, and rebuild our infrastructure. Allow them to be models of how leaders should lead.

And, Lord, we humbly ask for comfort for our many brothers and sisters in Mississippi, who have lost their lives, their loved ones, and their homes. We ask that You guide them to safety and assist them as they struggle amongst their misfortunes.

And finally, Lord, in our time of prosperity, fill our hearts with thankfulness, and in our days of trouble, do not allow our trust in You to fail but to consistently seek out Your guidance, and that in Your strength and in Your love we will find Your comfort.

In Your name we pray. 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 Monday, May 23, 2011, will be postponed until printed.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 304 By Representatives HENNESSEY, BAKER, B. BOYLE, CALTAGIRONE, COHEN, D. COSTA, CREIGHTON, DEASY, EVERETT, FARRY, GIBBONS, GINGRICH, GOODMAN, GROVE, HARHART, HARKINS, HESS, KAVULICH, KIRKLAND, KNOWLES, LONGIETTI, MAHONEY, MAJOR, MANN, McGEEHAN, MILNE, MULLERY, MURPHY, MURT, M. O'BRIEN, QUIGLEY, READSHAW, REICHLEY, SCHRODER, K. SMITH, SWANGER, TAYLOR and WAGNER

A Resolution supporting the Unification of Ireland.

Referred to Committee on STATE GOVERNMENT, May 24, 2011.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1400 By Representatives REICHLEY, CALTAGIRONE, CLYMER, D. COSTA, CUTLER, GILLESPIE, GRELL, HARKINS, JOSEPHS, MILNE, M. O'BRIEN, THOMAS, WATSON, BOBACK, KILLION, SWANGER and DONATUCCI

An Act establishing a Statewide stroke system of care by designating primary stroke centers and directing the creation of emergency medical services training and transport protocols.

Referred to Committee on HEALTH, May 24, 2011.

No. 1581 By Representatives DePASQUALE, TALLMAN, BOYD, B. BOYLE, CALTAGIRONE, COHEN, DeLUCA, FREEMAN, GABLER, HORNAMAN, MAHONEY, MANN, MILLER, MILNE, MOUL, MURT, PYLE, SACCONI and STURLA

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 prohibited religious garb, insignia, etc. and penalty.

Referred to Committee on EDUCATION, May 24, 2011.

No. 1582 By Representatives TAYLOR, MILLER and M. O'BRIEN

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

Referred to Committee on LOCAL GOVERNMENT, May 24, 2011.

No. 1586 By Representatives BOYD, AUMENT, BEAR, CALTAGIRONE, D. COSTA, CREIGHTON, DALEY, GEIST, GIBBONS, HALUSKA, HESS, KAUFFMAN, M. K. KELLER, KILLION, MARSICO, MILLER, MILNE, MOUL, MURT, OBERLANDER, O'NEILL, PYLE, REICHLEY, ROCK, SWANGER, TAYLOR and VULAKOVICH

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

Referred to Committee on FINANCE, May 24, 2011.

No. 1587 By Representatives HENNESSEY, DePASQUALE, BISHOP, D. COSTA, CURRY, DALEY, FABRIZIO, GEIST, GILLESPIE, GINGRICH, GOODMAN, HARKINS, KIRKLAND, KORTZ, KULA, MOUL, MURT, MYERS, ROCK, SCAVELLO, K. SMITH, SWANGER and VULAKOVICH

An Act requiring certain persons to wear helmets when sledding or snowboarding under certain circumstances.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, May 24, 2011.

No. 1588 By Representatives MOUL and TALLMAN

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in fiscal affairs, further providing for authorization of three per centum hotel tax in certain counties of the sixth class.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, May 24, 2011.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 424, PN 1946 (Amended) By Rep. MICOZZIE

An Act amending the act of December 20, 1983 (P.L.260, No.72), referred to as the Public Adjuster Licensing Law, further providing for definitions and for license; providing for application for public adjuster license, for licensing, for issuance and term of license, for license renewals and for reciprocal licensing; further providing for fees, for bond and for contract; providing for written disclosure of financial interest; further providing for revocation, etc., of license and for violations; providing for civil remedy; further providing for administration and enforcement; and providing for persons licensed as public adjuster solicitors.

INSURANCE.

HB 973, PN 1945 (Amended) By Rep. BARRAR

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 definitions; and providing for disposition of cremated remains of veterans.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

HB 1025, PN 1112 By Rep. MARSICO

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

JUDICIARY.

HB 1280, PN 1416 By Rep. HARHART

An Act amending the act of February 14, 1986 (P.L.2, No.2), known as the Acupuncture Registration Act, further providing for medical diagnosis; and providing for liability insurance.

PROFESSIONAL LICENSURE.

HB 1436, PN 1943 (Amended) By Rep. MARSICO

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for restitution for official oppression; further providing for the offense of official oppression; and providing for sentencing for official oppression.

JUDICIARY.

HB 1546, PN 1944 (Amended) By Rep. MARSICO

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.

JUDICIARY.

HB 1567, PN 1929 By Rep. MARSICO

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.

JUDICIARY.

SENATE MESSAGE**RECESS RESOLUTION
FOR CONCURRENCE**

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

In the Senate,
May 23, 2011

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, June 6, 2011, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, June 6, 2011, unless sooner recalled by the Speaker of the House of Representatives.

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

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

BILLS REREPORTED FROM COMMITTEE**HB 1336, PN 1534** By Rep. ADOLPH

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.

APPROPRIATIONS.

SB 199, PN 170 By Rep. ADOLPH

An Act designating a portion of Interstate 78 in Berks County as the CMSgt. Richard L. Etchberger Memorial Highway.

APPROPRIATIONS.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED****SB 1006, PN 1250 (Amended)** By Rep. MARSICO

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for Schedule I controlled substances.

JUDICIARY.

LEAVES OF ABSENCE

The SPEAKER. There are no additional leaves of absence requested from either caucus.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—201

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Johnson Miccarelli

LEAVES ADDED—1

Sabatina

LEAVES CANCELED—1

Sabatina

The SPEAKER. Two hundred and one members having voted on the master roll call, a quorum is present.

GUESTS INTRODUCED

The SPEAKER. If I could have the members' attention, I just want to introduce some of the guests that are with us today.

Located to the left of the rostrum, the Speaker welcomes the mayor of West Hazleton, Frank Schmidt; and West Hazleton city councilman, Mark Yeager, and they are here today as guests of Representative Toohil. Will our guests please rise, and will the House welcome them to the floor of the House.

Located to the left of the rostrum, we also welcome Chuck Dickinson, the director of special projects at Split Rock Resort; PamelaJo Dickinson; Carl Wilgus, executive director of the Pocono Mountain Visitors Bureau; and Luke Boreway, the aquatics director of the H2O Indoor Water Park, and they are here today as guests of Representative Doyle Heffley. Will our guests please rise and will the House welcome them. Please rise.

Located in the rear of the House, we welcome Evan Unruh and Luke Parson. They are here today as guests of Representative Gordon Denlinger. Will our guests please rise. Welcome to the hall of the House.

Also located in the rear of the House, the Speaker welcomes Coach Elvetta Gemski, the head coach of the Crestwood High School Field Hockey Team. Coach Gemski was inducted into the Zag Field Hockey/National Field Hockey Coaches Association Hall of Fame on January 8, 2011. Her husband, Stanley, is with her today. And also in the rear are eight of her senior hockey players that all received scholarships. They are Jenna Chrismer, Emily Leo, Brittany Blass, Lindsay Metzger, Hannah Davies, Lindsay Brown, Audrey Bruell, and Samantha Surdy, and they are here today as guests of Representative Mullery. Will our guests please rise. Welcome to the hall of the House.

And we have several guest pages with us today in the well of the House. We welcome guest page Calista Frederick-Jaskiewicz. Her mother, Cynde Frederick, is seated to the left of the Speaker, and they are the guests of Representative Mike Turzai. Will our guest page and mother please rise. Welcome to the hall of the House.

Also as a guest page, we have Mara Leary. She is 14 years old and in the eighth grade at Faust Jr. High, and she is the guest of Representative Kauffman. Welcome to the hall of the House.

And Representative Geist and Representative Hennessey are hosting guest pages Nick Razewski and Ben Gindhart today, and they are, obviously, down here in the well of the House. Welcome to the hall, gentlemen.

We also have guest pages Matt and Sam Kumptmiller. They attend Lemoyne Middle School, and they are here today as the guests of Representative Sheryl DeLozier. Welcome to the hall of the House.

As a guest of Representative Ron Miller, we welcome guest page Madison Sharp, a sixth grader at Dallastown Intermediate School. Welcome to the hall of the House.

And last but certainly not least, we would welcome guest pages Billy Swatton and Chris Maiolie. They are here today as guests of Representative Gordon Denlinger. Welcome to the hall of the House, young men.

MISS TEEN AMERICAN SPIRIT PRESENTED

The SPEAKER. I would like to invite Representative Sonney to the rostrum for the purpose of presenting a citation to Rachel Ann Gollhardt, Miss Teen American Spirit of 2011.

The gentleman may proceed.

Mr. SONNEY. Thank you, Mr. Speaker.

Mr. Speaker, I am proud to welcome to the hall of the House today Erie County's own Rachel Ann Gollhardt. She is a senior at North East High School and the reigning Miss Teen American Spirit.

Rachel is here today to honor our country with the singing of the national anthem; however, before she performs, I would like to tell you a few things about her. Rachel is the president of her class at North East High School. She is a cheerleader. She is a member of the swim and softball teams and of the bowling club. After high school Rachel hopes to obtain a bachelor of science degree with a dual major in voice and communications, while minoring in political science. She is a member of the Young People's Chorus of Erie and performed at Carnegie Hall last year.

Rachel's extracurricular activities include the Family, Career and Community Leaders of America; Future Business Leaders of America; the ecology club; Model UN; serving as a teacher's aide, Lake Erie Pride Youth; American Legion Auxiliary Keystone Girls State participant; Helping Hands Community Service Club treasurer; and also very active in the Girl Scouts, where she has received the gold, bronze, and silver awards.

On top of all that, Rachel's list of public service involvement is also very extensive. Among her activities, she is currently working with the Environmental Protection Agency to film and further develop her Carbon Cops Club, which was nationally recognized through DoSomething.org's "Increase Your Green" campaign in 2010. She has done work with the Pennsylvania Liquor Control Board and the Lead and Seed underage drinking prevention program, of which she is a very big advocate. Rachel also created a charity named "B2S Success: It Takes a Community." The charity provides disadvantaged youth in her school district with back-to-school and personal hygiene supplies and clothing.

And if Rachel gets her way, today's visit will not be her last to Harrisburg: She has aspirations of one day being the Governor of Pennsylvania.

GUESTS INTRODUCED

Mr. SONNEY. Joining Rachel today are her parents, Susan and Dan Prichard, and her grandparents, Cheryl and Roland Peterson. If they would please stand to be recognized.

Mr. Speaker, I am very happy to present Rachel Ann Gollhardt to give her rendition of the national anthem.

(The "Star-Spangled Banner" was sung by Rachel Ann Gollhardt.)

The SPEAKER. Thank you very much. That was very good.

UNCONTESTED CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Ms. PICKETT called up **HR 123, PN 1061**, entitled:

A Resolution designating June 5, 2011, as "Veterans Appreciation Day" in Pennsylvania.

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Mr. GOODMAN called up **HR 143, PN 1220**, entitled:

A Resolution designating the month of June 2011 as "Corrections Officers and Employees Month" in Pennsylvania.

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Mrs. KULA called up **HR 197, PN 1493**, entitled:

A Resolution designating the month of June 2011 as "Dairy Farmers Appreciation Month" in Pennsylvania.

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Mr. F. KELLER called up **HR 255, PN 1672**, entitled:

A Resolution designating the week of June 4 through 12, 2011, as "Fishing and Boating Week" in Pennsylvania.

* * *

Mr. HEFFLEY called up **HR 288, PN 1865**, entitled:

A Resolution designating the month of May 2011 as "National Water Safety Month" in Pennsylvania.

* * *

Ms. PICKETT called up **HR 290, PN 1883**, entitled:

A Resolution designating the week of May 9 through 13, 2011, as "Salvation Army Week" in Pennsylvania.

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Ms. BOBACK called up **HR 294, PN 1914**, entitled:

A Resolution recognizing the volunteers participating in Keep Pennsylvania Beautiful's "Great American Cleanup of PA" March 1 through May 31, 2011.

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Mr. PYLE called up **HR 300, PN 1920**, entitled:

A Resolution designating the month of June 2011 as "Congenital Cytomegalovirus (CMV) Awareness Month" in Pennsylvania.

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Mr. PYLE called up **HR 301, PN 1921**, entitled:

A Resolution designating the month of September 2011 as "Alcohol and Drug Addiction Recovery Month" in Pennsylvania.

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Mr. PYLE called up **HR 302, PN 1922**, entitled:

A Resolution designating the month of August 2011 as "Kidney Cancer Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—201

Adolph	Dunbar	Knowles	Ravenstahl
Aument	Ellis	Kortz	Readshaw
Baker	Emrick	Kotik	Reed
Barbin	Evankovich	Krieger	Reese
Barrar	Evans, D.	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	George	Masser	Saylor
Brooks	Gerber	Matzie	Scavello
Brown, R.	Gergely	McGeehan	Schroder
Brown, V.	Gibbons	Metcalfe	Shapiro
Brownlee	Gillen	Metzgar	Simmons
Burns	Gillespie	Micozzie	Smith, K.
Buxton	Gingrich	Millard	Smith, M.
Caltagirone	Godshall	Miller	Sonney
Carroll	Goodman	Milne	Staback
Causer	Grell	Mirabito	Stephens
Christiana	Grove	Moul	Stern
Clymer	Hackett	Mullery	Stevenson
Cohen	Hahn	Mundy	Sturla
Conklin	Haluska	Murphy	Swanger
Costa, D.	Hanna	Murt	Tallman
Costa, P.	Harhai	Mustio	Taylor
Cox	Harhart	Myers	Thomas
Creighton	Harkins	Neuman	Tobash
Cruz	Harper	O'Brien, D.	Toepel
Culver	Harris	O'Brien, M.	Toohil
Curry	Heffley	O'Neill	Truitt
Cutler	Helm	Oberlander	Turzai
Daley	Hennessey	Parker	Vereb
Davidson	Hess	Pashinski	Vitali
Davis	Hickernell	Payne	Vulakovich
Day	Homaman	Payton	Wagner
Deasy	Hutchinson	Peifer	Waters
DeLissio	Josephs	Perry	Watson
Delozier	Kampf	Petrarca	Wheatley

DeLuca	Kauffman	Petri	White
Denlinger	Kavulich	Pickett	Williams
DePasquale	Keller, F.	Preston	Youngblood
Dermody	Keller, M.K.	Pyle	
DeWeese	Keller, W.	Quigley	Smith, S.,
DiGirolamo	Killion	Quinn	Speaker
Donatucci	Kirkland	Rapp	

NAYS—0

NOT VOTING—0

EXCUSED—2

Johnson Miccarelli

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

STATEMENT BY MR. HEFFLEY

The SPEAKER. The gentleman, Mr. Heffley, is recognized under unanimous consent.

Mr. HEFFLEY. Thank you, Mr. Speaker.

I would like to thank my colleagues for their support of HR 288 designating the month of May 2011 as "National Water Safety Month" in Pennsylvania. The World Waterpark Association, the National Recreation and Park Association, and the Association of Pool and Spa Professionals – representing water parks, aquatic facilities, pool and spa dealers – have combined resources in an effort to educate Americans to be water aware during "National Water Safety Month" in May.

These organizations are using this opportunity to promote water safety by providing education on preventing recreational water-related injuries and deaths. According to the Centers for Disease Control and Prevention, six people drown in United States pools every day. For that reason it is important that the House of Representatives designate the month of May 2011 as "National Water Safety Month" in Pennsylvania. Thank you.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. MULLERY called up **HR 126, PN 1087**, entitled:

A Resolution recognizing the unwavering leadership, commitment and trailblazing accomplishments of Ms. Elvetta Gemski, the head coach of the field hockey program at Crestwood High School, who was inducted into the Zag Field Hockey/National Field Hockey Coaches Association (NFHCA) Hall of Fame on January 8, 2011.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Mullery.

Mr. MULLERY. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to acknowledge an extraordinary Pennsylvanian. Elvetta Gemski is a 1972 graduate of Temple University. As a student athlete, she excelled in both field hockey and lacrosse. One short year later she started a small

field hockey club at Crestwood High School in Mountain Top, Pennsylvania. After 2 years of exhibition play, the Crestwood Comets joined the Wyoming Valley Conference, and as they say, the rest is history. The Crestwood Comets have dominated and established themselves as a force to be reckoned with statewide. Mrs. Gemski is the only head coach the Crestwood field hockey program has ever known. During her tenure, the Comets have captured four PIAA Class AA State titles. Her teams have participated in State playoffs 23 times and captured 18 District AA championships.

Mrs. Gemski has been recognized for her outstanding accomplishments by many organizations. She was inducted into the Luzerne County Sports Hall of Fame in 1999 and was named the NFHCA (National Field Hockey Coaches Association) "High School National Coach of the Year" in 2004. Just last year she was inducted into the Pennsylvania Sports Hall of Fame.

Mr. Speaker, despite their impressiveness, it was not Elvetta's personal accomplishments that caused me to sponsor this House resolution; instead, it was the significant contributions she has made to the lives of young women under her tutelage. Her positive approach, her steadfast discipline, and her compassion have resulted in 128 of her players earning college scholarships to play field hockey. Eight members of this year's senior class who have received scholarships are here today to share in their coach's special day. Additionally, hundreds more of her players have continued their academic careers at institutions of higher learning across the State and nation and have become leaders in their chosen fields. Elvetta Gemski has proven to be an unwavering role model for countless young women in northeastern Pennsylvania and is duly deserving of this House resolution.

Mr. Speaker, for the aforementioned reasons, I respectfully urge my colleagues for a unanimous vote on HR 126.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—201

Adolph	Dunbar	Knowles	Ravenstahl
Aument	Ellis	Kortz	Readshaw
Baker	Emrick	Kotik	Reed
Barbin	Evankovich	Krieger	Reese
Barrar	Evans, D.	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	George	Masser	Saylor
Brooks	Gerber	Matzie	Scavello
Brown, R.	Gergely	McGeehan	Schroder
Brown, V.	Gibbons	Metcalfe	Shapiro
Brownlee	Gillen	Metzgar	Simmons
Burns	Gillespie	Micozzie	Smith, K.
Buxton	Gingrich	Millard	Smith, M.
Caltagirone	Godshall	Miller	Sonney
Carroll	Goodman	Milne	Staback

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Johnson Miccarelli

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

GUESTS INTRODUCED

The SPEAKER. I would like to recognize a few other guests that are with us.

As the guests of Representative Margo Davidson, located in the rear of the House, the Speaker welcomes Tony "Luke" Lucidonio, the originator of the Eat for Peace concept. Also, we have food writer Robert Davidson, Dr. Carolyn Collins, Peacelyn Rajeswaran, Albie Misci, Oliver Cheatum, Sarah Kelly, and Eleni Yiambillis. Welcome. Will our guests please rise, and welcome to the hall of the House.

STATEMENT BY MRS. DAVIDSON

The SPEAKER. Does the lady, Mrs. Davidson, seek recognition or unanimous consent?

Mrs. DAVIDSON. I do, Mr. Speaker.

The SPEAKER. The lady is in order, without objection.

Mrs. DAVIDSON. Thank you, Mr. Speaker.

I want to thank members of the House in a bipartisan cosponsorship of the Eat for Peace resolution that is built on a simple concept but a profound premise that we can break down cultural and personal barriers by sharing a meal. Tony Lucidonio is a restaurateur and business owner whose enterprise includes many restaurants, up to 15 restaurants, several around the world, including stores in the Middle East. Mr. Lucidonio

recognized that long-held stereotypes began to melt away as he was in the Middle East hosting his first store.

Last April 11 he introduced the concept to a fourth grade class. He celebrated Eat for Peace at his 15 restaurants. He wanted folks to get the 411, or information, about each other as they shared cuisine from various cultures.

Mr. Speaker, if you will allow, I would like to read the resolution: "WHEREAS, 'Eat for Peace...' was inspired by Philadelphian Anthony Lucidonio..."

"WHEREAS, The House of Representatives understands the need for people from all walks of life to recognize and appreciate cultural differences; and

"WHEREAS, Respectful collaboration among all nationalities, customs and backgrounds is key in creating and maintaining a peaceful world..."

"WHEREAS, Regardless of race or ethnicity, all individuals strive for happiness; and

"WHEREAS, Anthony Lucidonio...found through his experiences that when people eat together they share cultural experiences and deepen understanding and peace between individuals..."

"WHEREAS, 'Eat for Peace...' asks that all people share a meal with persons of various backgrounds and thereby take a stride toward peace by shedding their stereotypes and prejudices; therefore be it

"RESOLVED, That the House of Representatives encourage individuals to dine with people of diverse customs in order to bring peace among different races and religions..."

Mr. Speaker, my district is represented by 70 nationalities, the largest being Irish Catholic, but 70 languages are spoken at the high school. So it is befitting that we come together and share cultures and begin to break down barriers.

I would ask that members of the House join me in supporting and applauding Tony Lucidonio for the Eat for Peace resolution; if members of the House will join me.

Thank you so much.

STATEMENT BY MR. D. COSTA

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

Mr. D. COSTA. Thank you, Mr. Speaker.

I rise under unanimous consent.

The SPEAKER. The gentleman is recognized under unanimous consent.

Mr. D. COSTA. Today we recognized a lot of good people in the Commonwealth, and I think it is important that we recognize one of our colleagues on a milestone birthday – I believe it is her 21st birthday – Representative Karen Boback. Happy birthday, Karen.

ANNOUNCEMENT BY MR. KOTIK

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

Mr. KOTIK. For the purpose of an announcement, Mr. Speaker.

The SPEAKER. The gentleman may make his announcement.

Mr. KOTIK. Thank you, Mr. Speaker.

Just a reminder to the members that the Pennsylvania Fraternal Alliance is sponsoring their annual luncheon in the Lieutenant Governor's reception area and a cordial welcome to all the members to attend. The alliance represents over 100 fraternal benefit insurance societies and fraternal organizations throughout this Commonwealth and does great work for all the people of the Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

GUESTS INTRODUCED

The SPEAKER. Also, some additional guests that are up in the balcony. As guests of Representative Marcy Toepel, we have some folks from the Red Hill Christian School. Will our guests please rise, and welcome to the hall of the House.

CONSUMER AFFAIRS COMMITTEE MEETING

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

Mr. GODSHALL. For the purpose of making a committee announcement. If I could get everybody's attention.

The SPEAKER. The House will please come to order.

The gentleman may proceed with his announcement.

Mr. GODSHALL. At the break, at the break, which I believe is going to be held momentarily, we are going to have a Consumer Affairs Committee meeting in room 31, which is down in the basement, right near the elevator in the main hall out here. So Consumer Affairs as soon as we break.

The SPEAKER. At the break the Consumer Affairs Committee will meet in room 31.

The Sergeants at Arms will please clear the back of the hall of the House. Will the guests please take their seats.

RESOLUTION PURSUANT TO RULE 35

Mr. SANTARSIERO called up **HR 303, PN 1923**, entitled:

A Concurrent Resolution commending the completion of the September 11th National Memorial Trail and urging all Pennsylvanians to remember those victims who lost their lives on that fateful day.

On the question,

Will the House adopt the resolution?

The SPEAKER. On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

I would like to ask Representative Metzgar to join me, if he will.

Mr. Speaker, we come before you today to ask for your support for HR 303, but in a broader sense, we are here to reflect on one of the darkest days in our nation's history. September 11, 2001, is a date that every American then alive will never forget. It is therefore fitting that this generation not pass without leaving a lasting memorial to the victims of that day so that their lives and the tragedy that they endured may be remembered by future generations at home and abroad. The

September 11th National Memorial Trail constitutes just such a memorial. The trail will connect the three crash sites of that horrible day. It is an 1100-mile hiking, biking, and driving trail that will create a physical link between the Flight 93 National Memorial, Ground Zero in New York, and the Pentagon.

The first leg of the trail is planned to extend from Virginia along the Chesapeake and Ohio Canal and follow the Potomac River to Cumberland, Maryland. It will then continue along the Great Allegheny Passage until it connects to the Flight 93 National Memorial site in Somerset County, which is the nation's official memorial honoring the courageous actions of the 40 passengers and crew of Flight 93 who, while attempting to thwart the plan of their terrorist attackers, were killed when their hijacked plane crashed in a field in Shanksville.

The second leg of the September 11th National Memorial Trail is planned to extend from the Pentagon in Virginia to Ground Zero in New York as part of the East Coast Greenway, and will include the Garden of Reflection, the Commonwealth's official memorial to the victims of September 11, 2001, which is situated in Memorial Park amid the natural beauty and historic farmland of Lower Makefield Township in Bucks County.

The third and final leg of the September 11th National Memorial Trail is planned to stretch between the Flight 93 National Memorial site in Shanksville to Ground Zero, thereby closing a loop that will connect all three of these hallowed sites for generations to come.

The trail also will provide those who travel it with a unique opportunity to take in the scenic beauty of our Commonwealth, as well as that of the participating States, while promoting the healthy activities of hiking and biking. It will be a truly innovative and moving tribute to the victims of September 11.

GUESTS INTRODUCED

Mr. SANTARSIERO. We are truly indebted to all of the volunteers and supporters who have worked hard to make the trail a reality. We are honored to have with us today some of them, including Mr. David Brickley, president and CEO (chief executive officer) of the September 11th National Memorial Trail Alliance. Mr. Brickley, would you please stand?

I might add that Mr. Brickley is a veteran of the Virginia legislature, where he served for over 20 years, so it is a double honor to have him with us here today, as well as Mr. Dick Martin of the Pennsylvania Forest Coalition. I know Dick is in the hall of the House, and I wanted to acknowledge him as well.

But I must admit that I am especially proud of our September 11th memorial at the Garden of Reflection in Lower Makefield, in a town that I call home. It will be a stop along the 1100-mile hiking and biking trail. The Garden of Reflection is a moving tribute to the 2,973 victims who lost their lives on that fateful day, including 9 residents of Lower Makefield Township, 18 residents of Bucks County, 58 other residents of this Commonwealth, and the 42 children of Pennsylvania who lost a parent in the attacks.

The Garden of Reflection is designed to guide visitors on a walking journey. It is a journey that begins with sorrowful reminders of tragedy and grief but then leads visitors toward luminous symbols of hope, peace, and the ultimate triumph of liberty and freedom over ignorance and fear. That journey is summed up in the simple phrase etched in steel and thereby memorialized at the garden, "After Darkness...Light."

I am honored that joining us today is Ellen Saracini, a resident of Lower Makefield and the widow of Victor Saracini, captain of United Airlines Flight 175, and one of the driving forces behind the creation of the garden. Ellen, would you please stand? Thank you.

Also with us is Liuba Lashchyk, the very talented architect who designed the garden, and, Liuba, I would ask that you please be acknowledged as well. Please stand.

Since taking office I have had a link on my House Web site to the garden's Web site, and I want to encourage every member here today at some point to visit the Garden of Reflection and to spread the word throughout your districts and to your constituents about how important this memorial is to our Commonwealth and what a treasure it truly is, and I hope as part of this memorial trail, its significance in the history of this fateful event in our history will be further underscored.

Both Representative Metzgar and I ask our fellow members to join us today to commend all Pennsylvanians to support the September 11th Memorial Trail and in so doing help us create what will at once be a fitting and lasting memorial to the victims of one of the darkest days in our nation's history and a monument to our country's enduring commitment to help build a bright future for all people everywhere. Thank you.

The SPEAKER. The question is, will the House adopt the resolution?

The Speaker would ask the members and all guests to please rise in a moment of silent reflection on the events of 9/11.

(A moment of silence was observed.)

The SPEAKER. The members and guests may be seated.

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

The following roll call was recorded:

YEAS—201

Adolph	Dunbar	Knowles	Ravenstahl
Aument	Ellis	Kortz	Readshaw
Baker	Emrick	Kotik	Reed
Barbin	Evankovich	Krieger	Reese
Barrar	Evans, D.	Kula	Reichley
Bear	Evans, J.	Lawrence	Roae
Benninghoff	Everett	Longiotti	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	George	Masser	Saylor
Brooks	Gerber	Matzie	Scavello
Brown, R.	Gergely	McGeehan	Schroder
Brown, V.	Gibbons	Metcalfe	Shapiro
Brownlee	Gillen	Metzgar	Simmons
Burns	Gillespie	Micozzie	Smith, K.
Buxton	Gingrich	Millard	Smith, M.
Caltagirone	Godshall	Miller	Sonney
Carroll	Goodman	Milne	Staback
Causser	Grell	Mirabito	Stephens
Christiana	Grove	Moul	Stern
Clymer	Hackett	Mullery	Stevenson

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Johnson Miccarelli

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

GUESTS INTRODUCED

The SPEAKER. The Speaker would like to also recognize some other guests that are here as guests of the Pennsylvania Legislative Black Caucus chaired by Representative Waters. They are located in the rear of the House, and they are the 2001 Pennsylvania Legislative Black Caucus scholarship winners – Britney Davis, Diana Hernandez, Crissy Tang, Jabril Muhammad, Raya Saba, Ariel Snell, Yentili Soto Albrecht, Crystal Tang, Tony Tran, and Jaela Wesley. Will our guests please rise, and welcome to the hall of the House.

STATEMENT BY MR. WATERS

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

Mr. WATERS. Personal privilege, Mr. Speaker.

The SPEAKER. How about unanimous consent?

Mr. WATERS. That will work too. Thank you, Mr. Speaker.

The SPEAKER. The gentleman is recognized under unanimous consent.

Mr. WATERS. Thank you, Mr. Speaker.

Under unanimous consent, I want to thank you and I want to thank the members of the General Assembly for their response to what I call the brightest and best of this Commonwealth. These students are all high school seniors. They scored very high on the exams. They had great GPA (grade point average) scores, and they are on their way to college here in Pennsylvania – every single one will be attending a college in

Pennsylvania. And I also want to recognize, they are joined by family and friends who have come with them from Pittsburgh to Philadelphia. So we have a very wide range. Some of them come from Democratic districts; some of them come from Republican districts. This is a great effort. They are males and females, they are here, and I am sure they are enjoying this great chamber of the House of Representatives. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

REPUBLICAN CAUCUS

The SPEAKER. The Speaker recognizes the lady, Ms. Major, for the purpose of an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce that Republicans will caucus immediately at our break. I would ask our Republican members to please report to our caucus room immediately.

The SPEAKER. No need for a Democratic announcement? The Speaker thanks the gentleman.

RECESS

The SPEAKER. This House stands in recess until 12:30, unless sooner recalled by the Speaker.

AFTER RECESS

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

The SPEAKER. The members will please report to the floor.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 10, PN 1957 (Amended) By Rep. GODSHALL

An Act amending the act of April 6, 1956 (1955 P.L.1414, No.465), known as the Second Class County Port Authority Act, further providing for title, for legislative findings, for definitions, for port authorities, for board, for eminent domain, for conveyance and for integrated operation; providing for exclusive jurisdiction and for report; and making editorial changes.

CONSUMER AFFAIRS.

HB 1173, PN 1279 By Rep. GEIST

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, further providing for metropolitan transportation authority powers relating to alternative means of raising revenue or reducing expenses.

TRANSPORTATION.

HB 1203, PN 1598 By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further regulating antique, classic and collectible plates.

TRANSPORTATION.

HB 1304, PN 1955 (Amended) By Rep. GEIST

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

TRANSPORTATION.

HB 1355, PN 1584 By Rep. GEIST

An Act designating the westbound bridge carrying Interstate 90 over Six Mile Creek in Harborcreek Township, Erie County, as the Jarrid L. King Memorial Bridge.

TRANSPORTATION.

HB 1399, PN 1660 By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further defining "motorcycle."

TRANSPORTATION.

HB 1441, PN 1731 By Rep. CREIGHTON

An Act amending Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, in codification and publication of documents, providing for electronic publication of municipal codes; and making an inconsistent repeal.

LOCAL GOVERNMENT.

HB 1446, PN 1736 By Rep. CREIGHTON

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for township manager.

LOCAL GOVERNMENT.

HB 1447, PN 1737 By Rep. CREIGHTON

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

LOCAL GOVERNMENT.

HB 1448, PN 1738 By Rep. CREIGHTON

An Act amending the act of May 24, 1956 (1955, P.L.1674, No.566), entitled "An act authorizing council of any incorporated town to create the office of town manager, and prescribe his powers and duties," further providing for the office of town manager and for powers and duties of a town manager.

LOCAL GOVERNMENT.

HB 1449, PN 1739 By Rep. CREIGHTON

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for the office of borough manager and for powers and duties of a borough manager.

LOCAL GOVERNMENT.

HB 1450, PN 1740

By Rep. CREIGHTON

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, providing for the office and powers and duties of a city administrator or manager.

LOCAL GOVERNMENT.

HB 1451, PN 1956 (Amended)

By Rep. CREIGHTON

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, providing for additional costs for rehabilitation and maintenance.

LOCAL GOVERNMENT.

HB 1458, PN 1764

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for nonreciprocity of operational limitations.

TRANSPORTATION.

BILL REPORTED AND REREFERRED TO COMMITTEE ON LABOR AND INDUSTRY

HB 1452, PN 1742

By Rep. CREIGHTON

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in additional coverages, further providing for definitions and for reimbursement.

Reported from Committee on LOCAL GOVERNMENT with request that it be rereferred to Committee on LABOR AND INDUSTRY.

The SPEAKER. Without objection, the bill will be so rereferred.

The members will please report to the floor.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 199, PN 170**, entitled:

An Act designating a portion of Interstate 78 in Berks County as the CMSgt. Richard L. Etchberger Memorial Highway.

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, Mr. Knowles.

Mr. KNOWLES. Thank you, Mr. Speaker.

Mr. Speaker, CMSgt. Richard Etchberger was a native of Hamburg, Pennsylvania, in Berks County, and in September of 2010 he was posthumously awarded the Congressional Medal of Honor by President Barack Obama.

Chief Etchberger was a part of a group of airmen that were handpicked during the Vietnam war for a classified mission in Laos, and in the early morning hours of March 11, 1968, the post he and other airmen were staffing came under attack from North Vietnam soldiers. Chief Etchberger tended to the wounded and fought off enemy troops while waiting for a rescue helicopter. When the rescue helicopter arrived, he loaded the wounded into the hovering chopper before boarding himself. After he boarded and the helicopter headed towards an air base in Thailand, an enemy soldier below unloaded an AK-47 into the underside of the chopper, fatally wounding Chief Etchberger.

I think it is fitting that we are, hopefully, passing this legislation at this time. Chief Etchberger is going to be memorialized on Memorial Day in his native town of Hamburg, Pennsylvania, and also, I am proud to be able to tell you that we will be laying a stone in Soldiers' Grove within the next couple of months in memory of this great American hero.

It just amazes me that we have young people to this day who put themselves in harm's way. This is a young man who really was somewhere, I guess at the time, that he was not supposed to be, but he was there, and he was doing his job as an airman and never realizing that someday he would be recognized for this, just as our soldiers today are doing.

So I would ask my colleagues that they would unanimously support and pass SB 199 in memory of this great American hero.

Thank you very much.

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—201

Adolph	Dunbar	Knowles	Ravenstahl
Aument	Ellis	Kortz	Readshaw
Baker	Emrick	Kotik	Reed
Barbin	Evankovich	Krieger	Reese
Barrar	Evans, D.	Kula	Reichley
Bear	Evans, J.	Lawrence	Roae
Benninghoff	Everett	Longiatti	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	George	Masser	Saylor
Brooks	Gerber	Matzie	Scavello

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

NAYS-0

NOT VOTING-0

EXCUSED-2

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 return the same to the Senate with the information that the House has passed the same without amendment.

The House proceeded to third 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 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-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

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.

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1424, PN 1852**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for the establishment, registration, licensing and use of a Pennsylvania Preferred trademark; establishing the Pennsylvania Preferred Trademark Licensing Fund; and providing for penalties and for enforcement.

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

* * *

The House proceeded to second consideration of **HB 1459, PN 1765**, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, in civil service, further providing for promotions.

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

* * *

The House proceeded to second consideration of **HB 1460, PN 1766**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, in civil service for police and firemen, further providing for examinations and for eligibility list and manner of filling appointments.

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

* * *

The House proceeded to second consideration of **HB 1461, PN 1767**, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, in civil service for police and firemen, further providing for examinations and for eligibility list and manner of filling appointments.

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

* * *

The House proceeded to second consideration of **HB 1219, PN 1329**, entitled:

An Act designating a bridge on that portion of State Route 2011 over the East Branch of Sideling Hill Creek, Monroe Township, Bedford County, as the Donald H. Clark Memorial Bridge.

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

* * *

The House proceeded to second consideration of **HB 382, PN 1753**, entitled:

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, further providing for unlawful acts and penalties and for unwanted telephone solicitation calls prohibited.

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

Mrs. **WATSON** offered the following amendment No. **A01948**:

Amend Bill, page 1, line 4, by inserting after "providing" for unlawful acts and penalties and
Amend Bill, page 1, lines 8 through 10, by striking out all of said lines and inserting
Section 1. Section 5(a) of the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, is amended by adding a paragraph to read:
Section 5. Unlawful acts and penalties.

(a) Acts enumerated.—The following acts are prohibited:

* * *

(10) Conducting telemarketing on a legal holiday.

* * *

Section 2. Section 5.2(c) of the act, amended September 12, 2003 (P.L.105, No.22), is amended to read:

Amend Bill, page 2, line 6, by striking out "2" and inserting
3

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

The **SPEAKER**. On that question, the Speaker recognizes the lady, Mrs. Watson.

Mrs. **WATSON**. Thank you, Mr. Speaker.

This amendment, for everybody's edification, simply says that there could be no telemarketing calls made on standard Federal legal holidays. It is a bill that I have introduced several times before, now in an amendment.

Let me just go through those so everybody understands what we are suggesting, and that would be the standard Federal legal holidays include Labor Day, Veterans Day, Thanksgiving Day, Christmas Day, President's Day, Good Friday, Columbus Day, Martin Luther King Day, New Year's Day, Independence Day, and Memorial Day. I thought that way we would keep it simple because those are agreed to nationally so everyone will know what the standard is.

I would appreciate your support. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Johnson Miccarelli

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

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

Bill as amended was agreed to.

The SPEAKER. The bill as amended will be reprinted.

* * *

The House proceeded to second consideration of **HB 1411, PN 1685**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school districts, providing for moratorium on certain data collection systems and data sets.

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

Mr. **ELLIS** offered the following amendment No. **A02355**:

Amend Bill, page 2, by inserting between lines 17 and 18 (vii) Any other Federal law in order to meet eligibility requirements for Federal funds.

Amend Bill, page 2, line 18, by inserting after "PVAAS" , including any revisions or improvements made to the system

Amend Bill, page 2, line 20, by striking out "Article" and inserting Articles XV-D and

Amend Bill, page 2, line 21, by inserting after "Education" and the Department of Public Welfare

Amend Bill, page 2, line 21, by striking out "school entities" and inserting their affected program participants

Amend Bill, page 3, by inserting between lines 8 and 9

(d) The Department of Education and the Department of Public Welfare shall not be required to complete reports that include data elements within the moratorium of this section.

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Butler, Mr. Ellis.

Mr. ELLIS. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is an agreed-to amendment, and it just makes underlying legislation better by making some small technical changes that we worked out with the administration in recent days. Thank you very much, Mr. Speaker.

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

The following roll call was recorded:

YEAS—201

Adolph	Dunbar	Knowles	Ravenstahl
Aument	Ellis	Kortz	Readshaw
Baker	Emrick	Kotik	Reed
Barbin	Evankovich	Krieger	Reese

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Johnson Miccarelli

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

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

The SPEAKER. The bill as amended will be reprinted.

* * *

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

Mr. **PERRY** offered the following amendment No. **A02311**:

Amend Bill, page 4, line 17, by striking out the brackets before and after "willful"

Amend Bill, page 9, line 3, by inserting after "for" where it occurs the second time

willful

Amend Bill, page 17, line 4, by striking out the brackets before and after "willful"

Amend Bill, page 17, line 7, by striking out "misconduct" and inserting

"willful misconduct"

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from York, Mr. Perry.

Mr. PERRY. Thank you, Mr. Speaker.

This amendment simply inserts the word "willful," on page 17, line 4, prior to the word "misconduct." So the phrase would then read "willful misconduct." 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. William Keller.

Mr. W. KELLER. Thank you, Mr. Speaker.

We are getting closer. I know one day the colonel and I are going to be together on something.

That is true; it adds the word "willful," and we would think that that is a good thing, but it does not go far enough. It does not change it in the definition, so workers will have to pay another price. And it sounds semantically like it is doing a great thing, but it did not go far enough in changing it in the definition section.

So I ask everyone to please oppose this, and maybe one day the colonel and I will get together on something we can agree on. Please vote "no" on the Perry amendment. Thank you.

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

The following roll call was recorded:

YEAS—111

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

NAYS—90

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

NOT VOTING—0

EXCUSED—2

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

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

Mr. **REICHLEY** offered the following amendment No. **A02357**:

Amend Bill, page 1, line 24, by inserting after "for" shared-work program and for
Amend Bill, page 26, by inserting between lines 3 and 4 Section 10. The act is amended by adding an article to read:

ARTICLE XIII
SHARED-WORK PROGRAM

Section 1301. Definitions.

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

"Affected unit." A department, shift or other organizational unit of two or more employees that is designated by an employer to participate in a shared-work plan.

"Approved shared-work plan." An employer's shared-work plan which meets the requirements of section 1303 and which the department approves in writing.

"Fringe benefit." Health insurance, a retirement benefit received under a pension plan, a paid vacation day, a paid holiday, sick leave and any other similar employee benefit provided by an employer.

"Participating employee." An employee in the affected unit whose hours of work are reduced by the reduction percentage under the shared-work plan.

"Participating employer." An employer who has a shared-work plan in effect.

"Reduction percentage." The percentage by which each participating employee's normal weekly hours of work are reduced under a shared-work plan in accordance with section 1303(b).

"Shared-work plan." A plan for reducing unemployment under which participating employees of an affected unit share the work remaining after reduction in their normal weekly hours of work.

Section 1302. Application to approve plan.

(a) Requirements.—An employer that meets all of the following requirements may apply to the department for approval of a shared-work plan:

(1) The employer has filed all quarterly reports and other reports required under this act and has paid all contribution, reimbursement, interest and penalty due through the date of the employer's application.

(2) If the employer is contributory, the employer's reserve account balance as of the most recent computation date preceding the date of the employer's application is a positive number.

(3) The employer has paid wages for the 12 consecutive calendar quarters preceding the date of the employer's application.

(b) Application.—An application under this section shall be made in the manner prescribed by the department and contain all information required by the department, including the following:

(1) The employer's assurance that it will provide reports to the department relating to the operation of its shared-work plan at the times and in the manner prescribed by the department and containing all information required by the department, including the number of hours worked each week by participating employees.

(2) The employer's assurance that it will not hire new employees in, or transfer employees to, the affected unit during the effective period of the shared-work plan.

(3) The employer's assurance that it will not lay off participating employees during the effective period of the shared-work plan, or reduce participating employees' hours of work by more than the reduction percentage during the effective period of the shared-work plan, except in cases of holidays, designated vacation periods, equipment maintenance or similar circumstances.

(4) A list of the week or weeks within the requested effective period of the plan during which participating employees are anticipated to work fewer hours than the number of hours determined under section 1303(a)(5) due to circumstances included in paragraph (3).

(5) The employer's certification that the implementation of a shared-work plan is in lieu of temporary layoffs that would affect at least 10% of the employees in the affected unit and would result in an equivalent reduction in work hours.

(6) The employer's assurance that it will abide by all terms and conditions of this article.

(c) Multiple plans.—An employer may apply to the department for approval of more than one shared-work plan.

Section 1303. Plan requirements.

(a) General rule.—The department may approve a shared-work plan only if the plan meets all of the following requirements:

(1) The shared-work plan applies to one affected unit.

(2) All employees in the affected unit are participating employees, except that the following employees may not be participating employees:

(i) An employee who has been employed in the affected unit for less than three months prior to the date the employer applies for approval of the shared-work plan.

(ii) An employee whose hours of work per week determined under paragraph (5) is 40 or more hours.

(3) There are no fewer than two participating employees, determined without regard to corporate officers.

(4) The participating employees are identified by name and Social Security number.

(5) The number of hours a participating employee will work each week during the effective period of the plan is determined by the following formula:

employee's normal weekly hours of
work x (100% - reduction percentage)

(6) As a result of a decrease in the number of hours worked by each participating employee, there is a corresponding reduction in wages.

(7) If any participating employee is covered by a collective bargaining agreement, the plan is approved in writing by the collective bargaining representative.

(8) The plan does not affect the fringe benefits of any participating employee not covered by a collective bargaining agreement.

(9) The effective period of the plan is not more than 52 consecutive weeks.

(10) The effective period of the plan combined with effective periods of the participating employer's prior plans does not equal more than 104 weeks out of a 156-week period.

(11) The reduction percentage satisfies the requirements of subsection (b).

(b) Reduction percentage.—The reduction percentage under an approved shared-work plan shall meet all of the following requirements:

(1) The reduction percentage shall be no less than 20% and no more than 40%.

(2) The reduction percentage shall be the same for all participating employees.

(3) The reduction percentage shall not change during the period of the shared-work plan unless the plan is modified in accordance with section 1308.

Section 1304. Approval or disapproval of shared-work plan.

The department shall approve or disapprove a shared-work plan no later than 15 days after the date the employer's shared-work plan application that meets the requirements of section 1302(b) is received by the department. The department's decision shall be made in writing and, if the shared-work plan is disapproved, shall include the reasons for the disapproval.

Section 1305. Effective period of plan.

(a) Number of weeks.—A shared-work plan is effective for the number of consecutive weeks indicated in the employer's application, or a lesser number of weeks as approved by the department, unless sooner terminated in accordance with section 1309.

(b) Start date.—The effective period of the shared-work plan shall begin with the first calendar week following the date on which the department approves the plan.

Section 1306. Criteria for compensation.

(a) General rule.—Compensation shall be payable to a participating employee for a week within the effective period of an approved shared-work plan during which the employee works the number of hours determined under section 1303(a)(5) for the participating employer on the same terms, in the same amount and subject to the same conditions that would apply to the participating employee without regard to this article, except as follows:

(1) A participating employee shall not be required to be unemployed within the meaning of section 4(u) or file claims for compensation under section 401(c).

(2) Notwithstanding section 404(d)(1), a participating employee shall be paid compensation in an amount equal to the product of his weekly benefit rate and the reduction percentage, rounded to the next lower whole dollar amount.

(3) The department shall not deny compensation to a participating employee for any week during the effective period of the shared-work plan by reason of the application of any provision of this act relating to active search for work or refusal to apply for or accept work other than work offered by the participating employer.

(4) A participating employee satisfies the requirements of section 401(d)(1) if the employee is able to work and is available for the employee's normal weekly hours of work with the participating employer.

(b) Equivalent remuneration.—For purposes of subsection (a), if a participating employee works fewer hours than the number of hours determined under section 1303(a)(5) for the participating employer during a week within the effective period of the approved shared-work plan, but receives remuneration equal to remuneration the employee would have received if the employee had worked the number of hours determined under section 1303(a)(5), the employee will be deemed to have worked the number of hours determined under section 1303(a)(5) during that week.

(c) Inapplicability of article.—A participating employee's eligibility for compensation for a week within the effective period of an approved shared-work plan shall be determined without regard to this article under any of the following circumstances:

(1) The employee works fewer hours than the number of hours determined under section 1303(a)(5) for the participating employer during the week and subsection (b) does not apply.

(2) The employee works more hours than the number of hours determined under section 1303(a)(5) for the participating employer during the week.

(3) The employee receives remuneration for the week from the participating employer for hours in excess of the number of hours determined under section 1303(a)(5).

Section 1307. Participating employer responsibilities.

(a) Filing claims.—The department shall establish a schedule of consecutive two-week periods within the effective period of the shared-work plan. The department may, as necessary, include one-week periods in the schedule and revise the schedule. At the end of each scheduled period, the participating employer shall file claims for

compensation for the week or weeks within the period on behalf of the participating employees. The claims shall be filed no later than the last day of the week immediately following the period, unless an extension of time is granted by the department for good cause. The claims shall be filed in the manner prescribed by the department and shall contain all information required by the department to determine the eligibility of the participating employees for compensation.

(b) Benefit charges.—Notwithstanding any other provision of this act, compensation paid to participating employees for weeks within the effective period of an approved shared-work plan will be charged to the participating employer.

Section 1308. Modification of plan.

An employer may apply to the department for approval to modify a shared-work plan to meet changed conditions. The department shall reevaluate the plan and may approve the modified plan if it meets the requirements for approval under section 1304. If the modifications cause the shared-work plan to fail to meet the requirements for approval, the department shall disapprove the proposed modifications.
Section 1309. Termination of plan.

(a) General rule.—The secretary may terminate a shared-work plan for good cause.

(b) Good cause.—For purposes of subsection (a), good cause includes any of the following:

(1) The plan is not being executed according to its approved terms and conditions.

(2) The participating employer fails to comply with the assurances given in the plan.

(3) The participating employer or a participating employee violates any criteria on which approval of the plan was based.

(c) Termination by employer.—The employer may terminate a shared-work plan by written notice to the department.

Section 1310. Department discretion.

The decision to approve or disapprove a shared-work plan, to approve or disapprove a modification of a shared-work plan or to terminate a shared-work plan will be made within the department's discretion. Such decisions are not subject to the appeal provisions of Article V.

Section 1311. Publication of notice.

The department shall transmit to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin notice that the provisions of this article have been approved by the department as required under section 3304(a)(4)(E) of the Federal Unemployment Tax Act (Public Law 86-778, 26 U.S.C. § 3304(a)(4)(E)) and section 303(a)(5) of the Social Security Act (49 Stat. 620, 42 U.S.C. § 503(a)(5)).

Section 1312. Severability.

Notwithstanding any other section of this act, if any provision or provisions of this article cause the department to withhold approval of this article as required under section 3304(a)(4)(E) of the Federal Unemployment Tax Act (Public Law 86-778, 26 U.S.C. § 3304(a)(4)(E)) and section 303(a)(5) of the Social Security Act (49 Stat. 620, 42 U.S.C. § 503(a)(5)), the department is authorized to permanently suspend the provision or provisions.

Section 1313. Expiration.

This article shall expire five years from its effective date.

Amend Bill, page 26, line 4, by striking out "10" and inserting 11

Amend Bill, page 26, line 19, by striking out "11" and inserting 12

Amend Bill, page 26, line 20, by striking out "10(6)" and inserting

11(6)

Amend Bill, page 26, by inserting between lines 25 and 26

(4) The addition of Article XIII of the act shall take effect upon publication in the Pennsylvania Bulletin of the notice required under section 1311 of the act or July 1, 2011, whichever occurs later.

Amend Bill, page 26, line 26, by striking out "(4)" and inserting (5)

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

Mr. Speaker, amendment A02357 would include within the bill a shared-work provision, which the gentleman from Montgomery, Mr. Bradford, and I have sort of traded over the last three sessions, as the prime sponsor of legislation which had been adopted by this House in the last session.

What this does is creates a new voluntary program for employers to enter into, whereby reducing hours of the employees, they can receive unemployment compensation to attempt to receive the difference between what they would have been paid under their normal salaries and what they would lose. It reduces the amount of unemployment compensation that has to be paid out. I think it is an issue that deserves consideration because of our concern of reducing the overall deficit within the Unemployment Compensation Trust Fund, and that it is facilitating for employers to keep employees on their payroll, not having to lay them off completely and then find new people to bring back on and to retrain.

So I would ask the members to support the legislation. As I said, it has been supported on a bipartisan basis in the past. It is a cost savings and assists employees not to face full unemployment.

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, Mr. Bill Keller.

Mr. W. KELLER. Thank you, Mr. Speaker.

We are getting closer. I agree with the Representative from Lehigh County and thank him and the Representative from Montgomery for working on this. This is an amendment that I believe we could all agree on, and maybe someday we will get closer.

Thank you, Mr. Speaker. Vote "yes" on the Reichley amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Johnson Miccarelli

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

On the question recurring,

Will the House agree to the bill on second consideration as amended?

Mr. **BRADFORD** offered the following amendment No. **A02160**:

Amend Bill, page 1, line 23, by striking out "and"
Amend Bill, page 1, line 24, by inserting after "applicability"
; and providing for shared work program
Amend Bill, page 26, by inserting between lines 3 and 4
Section 10. The act is amended by adding an article to read:

ARTICLE XIII

SHARED WORK PROGRAM

Section 1301. Definitions.

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

"Affected unit." A department, shift or other organizational unit

of two or more employees that is designated by an employer to participate in a shared-work plan.

"Approved shared-work plan." An employer's shared-work plan which meets the requirements of section 1303 and which the department approves in writing.

"Fringe benefit." Health insurance, a retirement benefit received under a pension plan, a paid vacation day, a paid holiday, sick leave and any other similar employee benefit provided by an employer.

"Participating employee." An employee in the affected unit whose hours of work are reduced by the reduction percentage under the shared-work plan.

"Participating employer." An employer who has a shared-work plan in effect.

"Reduction percentage." The percentage by which each participating employee's normal weekly hours of work are reduced under a shared-work plan in accordance with section 1303(b).

"Shared-work plan." A plan for reducing unemployment under which participating employees of an affected unit share the work remaining after reduction in their normal weekly hours of work. Section 1302. Application to approve plan.

(a) Requirements.—An employer that meets all of the following requirements may apply to the department for approval of a shared-work plan:

(1) The employer has filed all quarterly reports and other reports required under this act and has paid all contribution, reimbursement, interest and penalty due through the date of the employer's application.

(2) If the employer is contributory, the employer's reserve account balance as of the most recent computation date preceding the date of the employer's application is a positive number.

(3) The employer has paid wages for the 12 consecutive calendar quarters preceding the date of the employer's application.

(b) Application.—An application under this section shall be made in the manner prescribed by the department and contain all information required by the department, including the following:

(1) The employer's assurance that it will provide reports to the department relating to the operation of its shared-work plan at the times and in the manner prescribed by the department and containing all information required by the department, including the number of hours worked each week by participating employees.

(2) The employer's assurance that it will not hire new employees in, or transfer employees to, the affected unit during the effective period of the shared-work plan.

(3) The employer's assurance that it will not lay off participating employees during the effective period of the shared-work plan, or reduce participating employees' hours of work by more than the reduction percentage during the effective period of the shared-work plan, except in cases of holidays, designated vacation periods, equipment maintenance or similar circumstances.

(4) A list of the week or weeks within the requested effective period of the plan during which participating employees are anticipated to work fewer hours than the number of hours determined under section 1303(a)(5) due to circumstances included in paragraph (3).

(5) The employer's certification that the implementation of a shared-work plan is in lieu of temporary layoffs that would affect at least 10% of the employees in the affected unit and would result in an equivalent reduction in work hours.

(6) The employer's assurance that it will abide by all terms and conditions of this article.

(c) Multiple plans.—An employer may apply to the department for approval of more than one shared-work plan. Section 1303. Plan requirements.

(a) General rule.—The department may approve a shared-work

plan only if the plan meets all of the following requirements:

- (1) The shared-work plan applies to one affected unit.
- (2) All employees in the affected unit are participating employees, except that the following employees may not be participating employees:
 - (i) An employee who has been employed in the affected unit for less than three months prior to the date the employer applies for approval of the shared-work plan.
 - (ii) An employee whose hours of work per week determined under paragraph (5) is 40 or more hours.
- (3) There are no fewer than two participating employees, determined without regard to corporate officers.
- (4) The participating employees are identified by name and Social Security number.
- (5) The number of hours a participating employee will work each week during the effective period of the plan is determined by the following formula:

$$\frac{\text{employee's normal weekly hours of work} \times (100\% - \text{reduction percentage})}{100}$$
- (6) As a result of a decrease in the number of hours worked by each participating employee, there is a corresponding reduction in wages.
- (7) If any participating employee is covered by a collective bargaining agreement, the plan is approved in writing by the collective bargaining representative.
- (8) The plan does not affect the fringe benefits of any participating employee not covered by a collective bargaining agreement.
- (9) The effective period of the plan is not more than 52 consecutive weeks.
- (10) The effective period of the plan combined with effective periods of the participating employer's prior plans does not equal more than 104 weeks out of a 156-week period.
- (11) The reduction percentage satisfies the requirements of subsection (b).
 - (b) Reduction percentage.—The reduction percentage under an approved shared-work plan shall meet all of the following requirements:
 - (1) The reduction percentage shall be no less than 20% and no more than 40%.
 - (2) The reduction percentage shall be the same for all participating employees.
 - (3) The reduction percentage shall not change during the period of the shared-work plan unless the plan is modified in accordance with section 1308.

Section 1304. Approval or disapproval of shared-work plan.

The department shall approve or disapprove a shared-work plan no later than 15 days after the date the employer's shared-work plan application that meets the requirements of section 1302(b) is received by the department. The department's decision shall be made in writing and, if the shared-work plan is disapproved, shall include the reasons for the disapproval.

Section 1305. Effective period of plan.

(a) Number of weeks.—A shared-work plan is effective for the number of consecutive weeks indicated in the employer's application, or a lesser number of weeks as approved by the department, unless sooner terminated in accordance with section 1308.

(b) Start date.—The effective period of the shared-work plan shall begin with the first calendar week following the date on which the department approves the plan.

Section 1306. Criteria for compensation.

(a) General rule.—Compensation shall be payable to a participating employee for a week within the effective period of an approved shared-work plan during which the employee works the number of hours determined under section 1303(a)(5) for the participating employer on the same terms, in the same amount and subject to the same conditions that would apply to the participating

employee without regard to this article, except as follows:

- (1) A participating employee shall not be required to be unemployed within the meaning of section 4(u) or file claims for compensation under section 401(c).
- (2) Section 404(d)(1) shall be applicable as if it provided as follows: A participating employee shall be paid compensation in an amount equal to the product of his weekly benefit rate and the reduction percentage, rounded to the next lower whole dollar amount.
- (3) The department shall not deny compensation to a participating employee for any week during the effective period of the shared-work plan by reason of the application of any provision of this act relating to active search for work or refusal to apply for or accept work other than work offered by the participating employer.
- (4) A participating employee satisfies the requirements of section 401(d)(1) if the employee is able to work and is available for the employee's normal weekly hours of work with the participating employer.
 - (b) Equivalent remuneration.—For purposes of subsection (a), if a participating employee works fewer hours than the number of hours determined under section 1303(a)(5) for the participating employer during a week within the effective period of the approved shared-work plan, but receives remuneration as if the employee had worked the number of hours determined under section 1303(a)(5), the employee will be deemed to have worked the number of hours determined under section 1303(a)(5) during that week.

(c) Inapplicability of article.—A participating employee's eligibility for compensation for a week within the effective period of an approved shared-work plan shall be determined without regard to this article under any of the following circumstances:

- (1) The employee works fewer hours than the number of hours determined under section 1303(a)(5) for the participating employer during the week and subsection (b) does not apply.
- (2) The employee works more hours than the number of hours determined under section 1303(a)(5) for the participating employer during the week.
- (3) The employee receives remuneration for the week from the participating employer for hours in excess of the number of hours determined under section 1303(a)(5).

Section 1307. Participating employer responsibilities.

(a) Filing claims.—The department shall establish a schedule of consecutive two-week periods within the effective period of the shared-work plan. The department may, as necessary, include one-week periods in the schedule and revise the schedule. At the end of each scheduled period, the participating employer shall file claims for compensation for the week or weeks within the period on behalf of the participating employees. The claims shall be filed no later than the last day of the week immediately following the period, unless an extension of time is granted by the department for good cause. The claims shall be filed in the manner prescribed by the department and shall contain all information required by the department to determine the eligibility of the participating employees for compensation.

(b) Benefit charges.—Notwithstanding any other provision of this act, compensation paid to participating employees for weeks within the effective period of an approved shared-work plan will be charged to the participating employer.

Section 1308. Modification of plan.

An employer may apply to the department for approval to modify a shared-work plan to meet changed conditions. The department shall reevaluate the plan and may approve the modified plan if it meets the requirements for approval under section 1304. If the modifications cause the shared-work plan to fail to meet the requirements for approval, the department shall disapprove the proposed modifications.

Section 1309. Termination of plan.

- (a) General rule.—The secretary may terminate a shared-work plan for good cause.
- (b) Good cause.—For purposes of subsection (a), good cause

includes any of the following:

(1) The plan is not being executed according to its approved terms and conditions.

(2) The participating employer fails to comply with the assurances given in the plan.

(3) The participating employer or a participating employee violates any criteria on which approval of the plan was based.

(c) Termination by employer.—The employer may terminate a shared-work plan by written notice to the department.

Section 1310. Department discretion.

The decision to approve or disapprove a shared-work plan, to approve or disapprove a modification of a shared-work plan or to terminate a shared-work plan will be made within the department's discretion. Such decisions are not subject to the appeal provisions of Article V.

Section 1311. Publication of notice.

The department shall transmit to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin notice that the provisions of this article have been approved by the Department of Labor as required under section 3304(a)(4)(E) of the Federal Unemployment Tax Act (Public Law 86-778, 26 U.S.C. § 3304(a)(4)(E)) and section 303(a)(5) of the Social Security Act (49 Stat. 620, 42 U.S.C. § 503(a)(5)).

Section 1312. Report.

In addition to other reports by the department and the State Unemployment Compensation Advisory Council under section 204.1, an annual report shall be submitted to the Governor, the chairman and minority chairman of the Labor and Industry Committee of the Senate and the chairman and minority chairman of the Labor Relations Committee of the House of Representatives regarding shared work plans under this article. The report shall include the number of approved shared work plans, the number of participating employers, the number of participating employees, the amount of compensation paid to participating employees and any other information that the council or department determines is relevant to assess the impact of this article on the Unemployment Compensation Fund. The first report shall be submitted on or before the first day of March following the first complete calendar year during which this article is in effect, and subsequent reports shall be submitted on or before the first day of March of each year thereafter.

Section 1313. Severability.

Notwithstanding any other section of this act, if any provision or provisions of this article cause the Department of Labor to withhold approval of this article as required under section 3304(a)(4)(E) of the Federal Unemployment Tax Act (26 U.S.C. 3304(a)(4)(E) and section 303(a)(5)) of the Social Security Act, (42 U.S.C. § 503(a)(5)), the department is authorized to permanently suspend the provision or provisions.

Amend Bill, page 26, line 4, by striking out "10" and inserting
11

Amend Bill, page 26, line 19, by striking out "11" and inserting
12

Amend Bill, page 26, line 20, by striking out "10(6)" and
inserting

11(6)

Amend Bill, page 26, by inserting between lines 25 and 26

(4) The addition of Article XIII of the act shall take effect when notice is published in the Pennsylvania Bulletin under section 1311 of the act, or July 1, 2011, whichever is later.

Amend Bill, page 26, line 26, by striking out "(4)" and inserting
(5)

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman indicates that amendment is withdrawn.

On the question recurring,

Will the House agree to the bill on second consideration as amended?

MOTION TO SUSPEND RULES

The SPEAKER. The gentleman, Mr. Matt Smith, has proposed amendment A02446, which was late filed. That would require a suspension of the rules for consideration of that amendment.

Is the gentleman seeking a suspension of the rules?

The gentleman, Mr. Matt Smith, is recognized for the purpose of making a motion.

Mr. M. SMITH. Thank you, Mr. Speaker.

I am seeking to suspend the rules to amend HB 916 with amendment 2446, which would clarify the circumstances by which the spouse of someone in a military role would qualify under the necessitous and compelling cause exception in order to receive unemployment compensation notwithstanding the fact that that individual has voluntarily terminated their employment. Under the bill—

The SPEAKER. The gentleman will suspend.

In the context of making a motion to suspend, we anticipate that you give us a brief description of the amendment, but we are not going to debate the amendment unless the motion to suspend is in order, so you do not have to get into all the details.

Mr. M. SMITH. Thank you, Mr. Speaker.

What the amendment will do is add language that takes out the fact that the military individual would have to be full-time and adds in language that would include members of the Pennsylvania National Guard so that in the event that that individual's spouse voluntarily terminates their employment, they would specifically qualify for the exception under the gentleman's bill.

The SPEAKER. The gentleman, Mr. Matt Smith, has moved to suspend the rules for the consideration of amendment A02446.

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, the Speaker recognizes the gentleman from York, Mr. Miller.

Mr. MILLER. Thank you, Mr. Speaker.

Because of the time that we just saw this amendment – it was just handed to me about 3 minutes ago – it is very difficult to get into the full effects that this would have on the unemployment comp system. We have not had an opportunity to talk to the National Guard or anyone else about this.

So I would respectfully ask that the members oppose the motion to suspend, and as we work through this bill further, we will take a look and analyze what this amendment would do. So I would ask for a "no" vote on the suspension of the rules. We just saw the amendment, and I really do not know what the impact on the Unemployment Compensation Fund would be.

Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House move to suspend the rules?

For the information of the members, a motion to suspend the rules is debatable by the two floor leaders, the maker of the motion, and the maker of the bill itself. In this case, I recognized the gentleman, Mr. Miller, instead of the majority leader, just for the information of the members.

On the question, the gentleman, Mr. Dermody, is recognized.

Mr. DERMODY. Thank you, Mr. Speaker.

On the motion to suspend?

The SPEAKER. On the motion to suspend.

Mr. DERMODY. Thank you, Mr. Speaker.

We should all vote for this motion to suspend. All the gentleman is trying to do is to clear up some language in this bill that has an impact – a huge impact – on the members of the Pennsylvania National Guard and their families. These families could be left out of this bill, and some may be in a position to even lose their homes without the ability to obtain unemployment compensation. All the gentleman is trying to do is to suspend the rules so he can have this discussion.

The SPEAKER. The question is, shall the House suspend the rules for the consideration of amendment A02446?

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

Mr. PERRY. Thank you, Mr. Speaker.

As a guardsman who has served for more than 30 years and is pretty darn familiar with our Guard system and how this would affect us, I would respectfully request that the members vote "no" on this suspension. Thank you, Mr. Speaker.

The SPEAKER. The question is, will the House suspend the rules?

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

Mr. SHAPIRO. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his inquiry.

Mr. SHAPIRO. Mr. Speaker, the chairman of the committee, whom I respect a great deal on this issue, seemed to not raise substantive concerns with this language but rather timing concerns with this language. So my parliamentary inquiry, Mr. Speaker, would be, is the Speaker in a position to go over on this bill temporarily to allow the majority to review the merits of this amendment and come back to it?

The SPEAKER. That is not really a parliamentary inquiry. That would be more a question of the order of business, which I would suggest the member may talk to the chairman or the majority leader about the timing of the vote.

Mr. SHAPIRO. Okay.

PARLIAMENTARY INQUIRIES

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

Mr. SHAPIRO. A further parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his inquiry.

Mr. SHAPIRO. Thank you, Mr. Speaker.

Perhaps I stated my inquiry incorrectly before. Mr. Speaker, would it be in order then, Mr. Speaker, to make a motion to either postpone or table consideration of this legislation to allow for the majority the opportunity to review this legislation?

The SPEAKER. Either a motion to postpone or a motion to table would be in order. They are privileged motions and would take precedence over the motion to suspend the rules.

Mr. SHAPIRO. And, Mr. Speaker, a further parliamentary inquiry.

Would I be recognized at this time to make that motion?

The SPEAKER. For the purpose of making a privileged motion, a member would be in order.

Mr. SHAPIRO. Thank you, Mr. Speaker.

MOTION TO POSTPONE

Mr. SHAPIRO. Then I would like to be recognized at this time to make a motion to postpone consideration of this legislation.

The SPEAKER. The gentleman, Mr. Shapiro, from Montgomery County, has made a motion to postpone the vote on HB 916.

The question before the House is, shall the vote on HB 916 be postponed?

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Shapiro.

Mr. SHAPIRO. Thank you, Mr. Speaker.

Mr. Speaker, I make the motion to postpone with the hope that we could even come back to this bill a bit later today. I heard the gentleman, the chairman, raise a question about this bill based on the timing that he has had to review it, not so much on the merits of the legislation.

I think what the gentleman from Allegheny seeks to do is make sure that all men and women who serve this nation in our armed services and indeed in our Pennsylvania National Guard are afforded the same opportunities under this legislation. I imagine that everyone in this chamber wants to look out for all members of our military and certainly of our Pennsylvania National Guard.

And so, Mr. Speaker, my attempt in postponing this legislation is just to afford the majority the opportunity, I guess, to review the legislation, to hopefully reach the same conclusion that we have reached on this side of the aisle, that this amendment would go further in protecting the rights of all military personnel and Pennsylvania National Guardsmen. And I would urge the gentleman on the other side of the aisle and all members to support the motion to postpone.

Thank you, Mr. Speaker.

The SPEAKER. The question before the House is, shall the vote on HB 916 be postponed?

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

Mr. BOYD. Thank you, Mr. Speaker.

I just want to get on the record for the motion to postpone that this bill did go through the Labor Committee. There was ample time to review and offer amendments at that point in time.

Also, I just would like to point out for the members that this bill is still only on second consideration. The chairman and myself and others on the committee, Representative Perry from

York, we can look at this, and if the amendment has merit, it can be, by a suspension of the rules, considered on third. So I do not see any reason to postpone.

It feels like, I am not suggesting that it is, but we would like to get this bill moved and get it done this week. So I am just going to urge the members to not vote for postponement. Thank you, Mr. Speaker.

The SPEAKER. The question is, shall the vote on HB 916 be postponed?

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

Mr. PERRY. Thank you, Mr. Speaker.

I would urge the members to vote "no" to postpone. The bill is ready. This amendment does nothing, not in support of your National Guard. Traditional soldiers are not ordered by their command to relocate anywhere, only full-time soldiers, and so this motion to postpone is the wrong thing.

This is parliamentary gymnastics just to hold up the bill, quite honestly, and I appreciate a "no" vote on this. Thank you, Mr. Speaker.

The SPEAKER. The question is, shall the House postpone the vote on HB 916?

On that question, the Speaker recognizes the gentleman, Mr. Matt Smith.

Mr. M. SMITH. Thank you, Mr. Speaker.

I stand in support of the motion to postpone, and I do so not because I do not recognize the fact that members of the Pennsylvania National Guard cannot be transferred to locations outside of Pennsylvania, and I certainly appreciate and honor the gentleman's service in that capacity. What I am trying to address is what I view, respectfully, as an issue with this legislation, where it only applies to spouses of individuals who are on full-time status and would leave what I consider a gaping hole for spouses of individuals involved with the PA National Guard who might be sent to some location far away from home – Afghanistan, Iraq – and that particular spouse is left at home to care for the children, to run the house.

Under the gentleman's bill, that particular spouse, in the event that he or she voluntarily terminated his or her employment due to the burden of caring for the children or if child-care services were for some reason unavailable, that particular spouse—

The SPEAKER. The gentleman will suspend.

The question before the House is, shall the vote on this bill be postponed and not the merits of the bill or your underlying amendment. You should confine your remarks to why we should postpone or not postpone.

Mr. M. SMITH. Thank you, Mr. Speaker.

And I think we need to postpone consideration of this legislation in order to fix what I view as a gaping hole in protecting the spouses of individuals sent overseas with the PA National Guard, to make sure those individuals are protected in the event that they voluntarily terminate their employment. I believe that those spouses should be entitled to unemployment compensation, and I think we need to fix this legislation.

I would respectfully ask for an affirmative vote.

The SPEAKER. The question is, shall the House postpone the vote on HB 916?

On that question, the Speaker recognizes the minority leader, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, in spite of all the public hearings that we have had on this bill, apparently there is a problem that the gentleman from Allegheny has identified. We have the opportunity to postpone this bill for a short period of time to correct that problem, and it corrects a problem for members of our own National Guard, Pennsylvanians who are serving their country. It is something we ought to do, it is something we can do right now, and it is something we can do within a short period of time and finish voting on this bill today.

I urge the members to vote for the motion to postpone.

The SPEAKER. The question before the House is, shall the vote on HB 916 be postponed?

On that question, the Speaker recognizes the majority leader, Mr. Turzai.

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

I rise in opposition to the motion to postpone. With respect to the concern of our Armed Forces, I certainly would defer to those, like the maker of this particular bill, who have actually served, with their understanding as to exactly how the military operations lie and whether or not they would be covered or not.

Secondly, the goal here is to extend unemployment compensation benefits. By postponing, you are jeopardizing the ability to extend unemployment compensation benefits for some 40,000 Pennsylvanians, and either you are serious about extending those unemployment compensation benefits for those who are in need of them or you are not. If you are voting in favor of motioning to postpone, it seems to me you are opposed to extending those benefits. If you want to move on with HB 916, you want to make sure that those benefits are extended and that the unemployment compensation system is made more solvent so that it can in fact take care of everybody who comes upon hard times.

So I would ask everybody to please vote against a motion to postpone. Thank you.

The SPEAKER. The question is, shall the vote on HB 916 be postponed?

On that question, the Speaker recognizes the gentleman, Mr. Matt Smith, for a second time.

Mr. M. SMITH. Thank you, Mr. Speaker.

I would just respectfully assert, given the comments of my good friend from Bradford Woods, the very simple solution is to agree to suspend the rules, fix the bill, clear up this gaping hole for spouses of members of the Pennsylvania National Guard, and pass the bill under the normal schedule. We only need to postpone the bill if we do not agree to suspend the rules and fix the bill.

I understand the gentleman's intent, the maker of the bill, specifically with respect to the amendment that was added in Labor and Industry. I think it is a great amendment, but I do not think it goes far enough. And I am just pointing out that there is a hole here for spouses of members of the Pennsylvania National Guard that we can correct very easily by suspending the rules and inserting one line into the gentleman's legislation to make sure it is fixed, and there would be no delays.

So I would respectfully assert, we are not delaying anything here. We agree to the suspension, we fix the bill, and we move on from there. But in the absence of an agreement on suspension, I would urge a postponement of this particular consideration so that we can go back to committee and amend

the bill so that this hole is covered and that this loophole is addressed, and I would respectfully request that my colleagues support the motion to postpone and suspend.

The SPEAKER. The question before the House is, shall the vote on HB 916 be postponed?

Those in favor of postponement will vote "aye"; those opposed to postponing the vote will vote "nay."

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

The following roll call was recorded:

YEAS-91

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

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
Causar	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-2

Johnson Miccarelli

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 motion?

The SPEAKER. The question before the House is the motion to suspend the rules to consider amendment A02446.

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

The following roll call was recorded:

YEAS-92

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

NAYS-109

Adolph	Farry	Lawrence	Reichley
Aument	Fleck	Maher	Roae
Baker	Gabler	Major	Rock
Barrar	Geist	Maloney	Ross
Bear	Gillen	Marshall	Saccone
Benninghoff	Gillespie	Marsico	Saylor
Bloom	Gingrich	Masser	Scavello
Boback	Godshall	Metcalfe	Schroder
Boyd	Grell	Metzgar	Simmons
Brooks	Grove	Micozzie	Sonney
Brown, R.	Hackett	Millard	Stephens
Causar	Hahn	Miller	Stern
Christiana	Harhart	Milne	Stevenson
Clymer	Harper	Moul	Swanger
Cox	Harris	Murt	Tallman
Creighton	Heffley	Mustio	Taylor
Culver	Helm	O'Neill	Tobash
Cutler	Hennessey	Oberlander	Toepel
Day	Hess	Payne	Toohil
Delozier	Hickernell	Peifer	Truitt
Denlinger	Hutchinson	Perry	Turzai
DiGirolamo	Kampf	Petri	Vereb

Dunbar	Kauffman	Pickett	Vulakovich
Ellis	Keller, F.	Pyle	Watson
Emrick	Keller, M.K.	Quigley	
Evankovich	Killion	Rapp	Smith, S.,
Evans, J.	Knowles	Reed	Speaker
Everett	Krieger	Reese	

NOT VOTING—0

EXCUSED—2

Johnson Miccarelli

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

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

The SPEAKER. The bill as amended will be reprinted.

GUESTS INTRODUCED

The SPEAKER. I would like to recognize some other guests that we have up in the balcony. They are the guests of Representative Seth Grove, and they are from the Spring Grove Elementary School, third graders, and they are in the bright orange T-shirts. Will our guests please rise and give us a wave? Welcome to the hall of the House, kids.

**DECISION OF CHAIR RESCINDED
ON HB 916**

The SPEAKER. Without objection, the Speaker rescinds the previous announcement whereby HB 916 was given second consideration.

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

The SPEAKER. The Speaker is in receipt of a letter from Representative Dermody and Representative Hanna, who seek to have a roll-call vote on the second consideration of HB 916 pursuant to rule 66.

The question before the House is, shall the bill receive second consideration?

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

The following roll call was recorded:

YEAS—79

Adolph	Everett	Krieger	Reed
Aument	Gabler	Lawrence	Reese
Baker	Gillen	Maher	Reichley
Beare	Gillespie	Major	Roae

Benninghoff	Gingrich	Maloney	Rock
Bloom	Grell	Marsico	Ross
Boback	Grove	Metcalfe	Saylor
Boyd	Hahn	Metzgar	Scavella
Brown, R.	Harhart	Millard	Schroder
Causer	Harris	Miller	Sonney
Christiana	Heffley	Milne	Stevenson
Clymer	Helm	Moul	Swanger
Cox	Hickernell	Oberlander	Tallman
Creighton	Hutchinson	Payne	Toepel
Culver	Kampf	Peifer	Truitt
Cutler	Kauffman	Perry	Turzai
Delozier	Keller, F.	Pickett	Vulakovich
Denlinger	Keller, M.K.	Pyle	
Dunbar	Killion	Quigley	Smith, S.,
Ellis	Knowles	Rapp	Speaker
Evankovich			

NAYS—122

Barbin	DiGirolamo	Kortz	Ravenstahl
Barrar	Donatucci	Kotik	Readshaw
Bishop	Emrick	Kula	Roebuck
Boyle, B.	Evans, D.	Longietti	Sabatina
Boyle, K.	Evans, J.	Mahoney	Saccone
Bradford	Fabrizio	Mann	Sainato
Brennan	Farry	Markosek	Samuelson
Briggs	Fleck	Marshall	Santarsiero
Brooks	Frankel	Masser	Santoni
Brown, V.	Freeman	Matzie	Shapiro
Brownlee	Galloway	McGeehan	Simmons
Burns	Geist	Micozzie	Smith, K.
Buxton	George	Mirabito	Smith, M.
Caltagirone	Gerber	Mullery	Staback
Carroll	Gergely	Mundy	Stephens
Cohen	Gibbons	Murphy	Stern
Conklin	Godshall	Murt	Sturla
Costa, D.	Goodman	Mustio	Taylor
Costa, P.	Hackett	Myers	Thomas
Cruz	Haluska	Neuman	Tobash
Curry	Hanna	O'Brien, D.	Toohil
Daley	Harhai	O'Brien, M.	Vereb
Davidson	Harkins	O'Neill	Vitali
Davis	Harper	Parker	Wagner
Day	Hennessey	Pashinski	Waters
Deasy	Hess	Payton	Watson
DeLissio	Hornaman	Petrarca	Wheatley
DeLuca	Josephs	Petri	White
DePasquale	Kavulich	Preston	Williams
Dermody	Keller, W.	Quinn	Youngblood
DeWeese	Kirkland		

NOT VOTING—0

EXCUSED—2

Johnson Miccarelli

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

GUESTS INTRODUCED

The SPEAKER. The Speaker would like to take a moment and recognize some other guests that are with us.

Up in the balcony, as guests of Representative Marty Causer, we have the sixth grade students from Floyd Fretz Middle School in Bradford, Pennsylvania. Will our students, sixth graders, please stand and be recognized, and welcome to the hall of the House.

RECONSIDERATION MOTION FILED

The SPEAKER. For the information of the members, a motion to reconsider the vote by which HB 916, PN 1848, was given second consideration on this 24th day of May has been filed by Representatives Miller and Perry.

GUESTS INTRODUCED

The SPEAKER. The Speaker would like to recognize some additional guests up in the balcony, the fourth grade class from Roberts Elementary School, and they are the guests of Representative Briggs from Montgomery County. I guess they are in the yellow T-shirts. Welcome to the hall of the House.

BILL ON THIRD CONSIDERATION

The House proceeded to third 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 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. Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, today the House of Representatives will vote on a spending plan for the fiscal year 2011-2012. As this plan moves on, it is imperative to make sure that the conversation

that takes place is in the correct context so that each and every Pennsylvanian understands the unprecedented circumstances we must overcome. We must assure Pennsylvania residents that we are committed to a sustainable financial path that avoids deficit spending and delivers government services in a sustainable way that will not further burden the taxpayers.

As we are all aware, States across the nation relied on billions of Federal stimulus dollars to balance their budgets the last several years. This provided temporary relief to help States pass through very turbulent times. Here in Pennsylvania, we also used billions of dollars to increase the General Fund spending.

In the current year's budget, we have used over \$3 billion in Federal stimulus funds for general State programs. This breaks down, Mr. Speaker, to \$1.1 billion for K to 12 education, \$91 million for higher education, \$180 million for corrections, and an unbelievable \$1.7 billion for public welfare. These are staggering amounts of money that represent 10 percent of our operating budget. Losing that staggering sum of money from our operating budget brings us to the juncture where we must make very difficult decisions.

This budget represents a responsible proposal after a responsible assessment of the facts before us. The decisions in this budget proposal rest on the fact that increasing taxes during very difficult economic times kills jobs and adds unnecessary burden on the middle class. This budget proposal takes the responsible approach of setting priorities and making education a priority with the limited resources available to us.

Continuing to look at our current situation responsibly, we know that deficit spending is irresponsible and is exactly what landed us in this situation we are in now, forcing us to make very difficult decisions with a significant impact on people's lives. Calls for increased spending based upon a few months of bringing in more money than expected is irresponsible in our current economic climate.

Economists all across the nation are revising their economic growth forecasts. On May 16, on May 16, 2011, the Bond Buyer financial publication stated, "The economy is not looking as strong as it did" just "three months ago...." These facts should give us pause before we spend money that we do not have.

Given the uncertainty before us, the most responsible thing that we can do is let us set some priorities. This budget does that. Pennsylvania has made fiscal responsibility a priority, and we acknowledge that by exercising fiscal responsibility, realigning spending with reliable and sustainable revenues. We also recognize that education is a priority, and we, the House Republicans, have restored \$210 million to K to 12 education and \$380 million to higher education.

These difficult times have required us to move forward in a more responsible manner, and we should demand that same level of responsibility across all of State government. The most glaring example of where we can do better is in the Department of Public Welfare. Critics have argued against the DPW budget, saying it is not sufficient. However, we should ask ourselves if the funding going to DPW is being used responsibly.

Governor Rendell and his former DPW Secretary, Estelle Richman, acknowledged things could be done better, as did the Obama administration's Centers for Medicare and Medicaid Services. They both acknowledged a rate for ARRA's

(American Recovery and Reinvestment Act of 2009) abuse and fraud at 4 percent. But there is more, in audits and investigations of various DPW programs, more information continues to surface, and I will talk about these examples at a later time during this debate.

As we continue to move forward in a responsible manner, we have made an effort to work together while drafting this proposal. Republican members as well as Democrat members asked for the restoration of education funds; we did that. Republican members and Democrat members asked for the restoring of the Homeowners' Emergency Mortgage Assistance Program; we did that. Republicans and Democrats asked for restorations to the Human Services Development Fund; we did that. This was a responsible effort to set priorities and live within our means during very difficult times. This budget proposal of \$27.3 billion represents a tremendous investment in Pennsylvania and the recognition that we cannot spend beyond our means.

Once again, this proposal makes education a priority; responsibly identifies further cost savings within the Department of Public Welfare. This budget proposal contains no tax increases. This budget proposal sets a sustainable budget based on available and reliable revenue, and it more equitably distributes the fiscal impact caused by limited revenues and the loss of \$3 billion in Federal stimulus money. This budget also keeps the legislature on track to deliver an on-time budget for the first time in 8 years.

Many people question, how were we able to do this? Well, we took a responsible 10-percent reduction to all line items and then looked inside those line items that affected each of those areas. We also did not fill unfilled vacancies across the departments. This was completely eliminated.

The SPEAKER. The gentleman will suspend.

Members will please take their conversations to the anteroom, if necessary, and take their seats. Some of the members are having trouble hearing. I would ask the members to please take their seats, and if they need to have a conversation, to take it to the back.

Mr. ADOLPH. Thank you, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. ADOLPH. Thank you.

The way the \$210 million was restored in public education, we increased the basic education funding line by \$100 million. By doing this, each school district receives the basic education funding line item back to the 2008-2009 fiscal year. This is the fiscal year prior to the Federal stimulus money.

We also restored \$100 million in accountability grants. We heard from our school boards, our superintendents, that they used these accountability grants to help fund their kindergartens and another way that they could be more flexible with State money.

We also restored \$43 million for the School Employees' Social Security, which the Governor changed the funding method. We redirected \$3.4 million into job training programs; \$1.1 million to community education councils. We heard from members from both sides of the aisle that these councils were important to their areas, so we moved this money back in there.

We reduced by \$10 million from the Governor's request the school employees' retirement. We did this not because we just wanted to reduce it, but based upon updated estimates of school

salaries and the Commonwealth's funding share. This recalculated figure was agreed to by PSERS (Public School Employees' Retirement System).

The \$25 million from the Pennsylvania Assessment line was eliminated. Why? Since the Governor's administration has put this on hold, this money can be taken out of this line and there will still be enough funds available for administering the PSSAs (Pennsylvania System of School Assessments).

Let us talk about higher education. We restored \$380 million to higher education – \$195.2 million for our 14 State-owned universities. This brings them back up to 85 percent of the fiscal year 2010-2011. These 14 State universities, many of them are the economic engines in the small towns where they exist.

Our four State-related universities, we restored \$184 million, bringing them up to 75 percent of last year's funding: \$87 million to Penn State University, \$45.7 million to the University of Pittsburgh, \$47.3 million to Temple, and let us not forget the \$3.5 million restored to Lincoln University.

We increased the institutional assistance grants – \$7.5 million was added that helps our Pennsylvania students attend private colleges and universities. But where was this money going to come from? We could not possibly be responsible without taking a look at the largest line item in our State budget, the Department of Welfare. This budget is a proposed budget of \$10.7 billion. Mr. Speaker, that represents 40 percent of our General Fund budget.

During the last 8 years, the previous administration started with a \$6.5 billion budget in the Department of Welfare. The fiscal year ending 2010-2011, that budget swelled to \$10.6 billion. This is an increase of 64 percent in those 8 years – 64 percent – an increase of \$4.2 billion.

The number of people on welfare in this State is one out of six. The Federal stimulus money in last year's budget represented 16 percent of that budget. Despite that, DPW is at a break-even point, or if you add the Tobacco Fund money, it is actually receiving a slight increase over last year.

This responsible budget takes care of those that need it the most. We invest \$4.2 billion for medical assistance benefits; \$1.3 billion for programs serving our children; and more importantly, \$2.1 billion for mental health and mental retardation services. How were we able to do this, and why do we hear so many critics claiming, why should we minimize the significance of fraud and waste and abuse? We use a very, very conservative 4-percent error rate.

We went through 3 weeks of public hearings. Auditor General Jack Wagner, elected statewide twice and a registered Democrat, and I am quoting him, "Correcting the error rate uncovered in our Medicaid audits would save the Commonwealth" of Pennsylvania "\$436 million this fiscal year and...\$1.9 billion over the next four fiscal years." Auditor General Wagner also testified in these hearings, "There is verifiable data coming into the Department of Labor and Industry that is not being utilized on a timely basis...."

We then brought in at that time the Acting Secretary of the Department of Welfare, and now confirmed by the State Senate, Secretary Alexander. Secretary Alexander testified that what he has heard throughout the department is that the previous administration, there was an attitude, and a phrase started, "close your eyes and authorize," and "when in doubt, give it out." Mr. Speaker, this demonstrates very, very little attention was paid to ensuring benefits went to those that truly needed it.

Now, let me give you a couple of examples. Some of these came into my office from hardworking Department of Welfare employees. Some came in that work in our family courts. One family court employee faxed us and said she deals with child support and has suggested that over \$1 million could be saved from the number of fraudulent activities involving welfare recipients that she sees in 1 day. She has pointed out that there are parents, spouses, who are receiving welfare benefits under false pretenses and, she goes on, knowingly cashing in on food stamps, cash, and free medical assistance benefits because income is not being reported. Recipients are living with the presumed absent parent and not reporting that person's income to the Department of Welfare. These are not rumors; these are department employees trying to do the right thing.

Verification of household members is being manipulated, she said. Different addresses are being used so they can benefit their own. Some of these parents have medical benefits through work but are not forced to enroll their children under the private insurance coverage.

I received a radio report from WPXI in Pittsburgh, which reported a comment from Allegheny County District Attorney Stephen Zappala, and I quote, recipients are "spending approximately \$6,200 per month in welfare money on marijuana." He is quoted in the article as saying, "A lot of people in the community need help and the fact that these guys are buying dope with this money and somebody else is not feeding a family, it's just wrong on so many different levels." Allegheny County District Attorney Stephen Zappala.

In Philadelphia, a former CCIS (Child Care Information Services) eligibility specialist and four accomplices pleaded guilty to defrauding the subsidized child-care program of \$103,000 by applying for and receiving benefits for children that were not in their care.

I could go on and on. Mr. Speaker, these are not clerical errors; these are examples that justify this proposal's effort to eliminate fraud, waste, and abuse so the most vulnerable citizens of this Commonwealth can receive their benefits.

This budget proposal sends the message that we can no longer accept the "close your eyes and authorize" mentality. The 4-percent error rate will impact the MA (medical assistance) outpatient appropriation and the MA capitation appropriation. At the same time, we are going to restore neonatal funding to hospitals at a 90-percent clip from last year; our burn centers, 90 percent of what they received last year; our critical-care hospitals, 90 percent of what they received last year; our trauma centers, 90 percent of what they received last year. We are doing all this without the use of Federal stimulus money. We are using this by assuming a \$160 million savings by using the 4-percent error rate. Increased utilization of generic drugs – State savings, another \$19 million. We are increasing the copay, which generates savings. This copay has not been increased in years.

We understand that some of our hospitals may be concerned. Our plan proposes that the hospitals and the administration work together to readjust the statewide hospital assessment so that more Federal dollars can be drawn down to the State level to help these hospitals. Only 28 hospitals out of more than 300 hospitals lose money under this assessment. These 28 hospitals are facilities that have a very low MA population.

Hospital assessment has helped these hospitals. For fiscal year 2010-2011, over one-half billion dollars in additional funding is going to the hospitals as a result of this statewide

hospital assessment. Revising the assessment has the potential to even further increase and capture all of the Federal funding available.

Mr. Speaker, I understand how difficult it is in putting together a budget. I understand that there are line items out there that mean an awful lot to the individual districts that we represent. We listened and we put together a responsible budget that did not put a tax burden on our families or our businesses. We restored \$7.9 million to the Pennsylvania Housing Finance Agency. Why? Because we heard from members from both sides of the aisle.

I have heard in the last week or so that a \$500 million surplus exists here in Pennsylvania. This additional revenue was collected mostly in the month of April, and that is a good thing. I was very happy and excited to see this. However, it has not proven to be something that we can sustain or be certain about. It would be widely irresponsible for us to assume that these higher expectations of collections are guaranteed when 5 out of our last 10 months of this current year were below estimated collections – 5 out of 10 of the last months of this fiscal year.

Moreover, moreover, and please understand this, there are many outstanding obligations that we must address before committing to recurring expenses; the safe harbor impact and those that are familiar with the accounting terms of "depreciation" and "estimated tax payments" understand what I am talking about.

The Mcare (Medical Care Availability and Reduction of Error Act) ruling that we await, where just 2 years ago we took \$850 million from the Mcare Fund and put it in the General Fund to balance our budget, we were told that we were not supposed to be doing this. The Pennsylvania Medical Society and the docs and the hospitals took the Commonwealth of Pennsylvania to court and won – won at the Commonwealth Court level. This is now in the State Supreme Court, and the facts have been heard and we are awaiting the results – \$850 million, not to mention the \$3.7 billion that this State of Pennsylvania owes the Federal government in loans from the Federal government for unemployment.

Mr. Speaker, I rise to support the passage of HB 1485, and I am looking for a debate today on this bill that talks about facts and figures and keeps in mind the staggering job that we have to do to balance a budget without 10 percent of last year's revenue.

Thank you for your attention, Mr. Speaker.

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

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, many Pennsylvanians hear the word "budget" and think it is just a bunch of numbers, and it is in part, but more so, it is about our families, our future, and our well-being.

This budget before us cuts over \$2 billion in vital services that will impact our children, our most vulnerable citizens, and yes, every hardworking Pennsylvanian.

Do we face tough economic decisions? Yes, of course, but the consequences of those decisions do not have to be so dire. Our economy is showing signs of improving; yes, the stimulus is working. Stronger than expected revenues provide the opportunity to use up to \$1 billion to alleviate some of those horrendous cuts.

Yesterday I made the motion to recommit this budget bill to the Appropriations Committee where we could use these available dollars to help fund education and ensure the general

well-being of Pennsylvania citizens. Unfortunately, our pleas to help Pennsylvanians fell on deaf ears and our ability to make those pleas was silenced.

Today I ask every member to seriously reflect on the health and well-being of Pennsylvanians before you choose a red or a green button to vote on this budget before us. This is not a game. It is not just numbers on paper. This is about our citizens, the future of our Commonwealth. A budget this harsh will quickly undo the accomplishments of a great Commonwealth that has worked hard to recover from the plagues of a Rust Belt reputation. Make no mistake: Once this damage is done, Pennsylvania will not bounce back as quickly.

Once this budget makes nearly \$1 billion in cuts to kindergarten through high school education programs, the consequences cannot quickly be reversed. And yes, it is, in spite of what you may have heard before, it is nearly \$1 billion in cuts to basic ed. The basic education subsidy supporting our school districts is cut by almost \$450 million. The accountability block grant that helps fund all-day kindergarten, among other important services, in spite of what has been said about restorations, is cut \$160 million. More than \$480 million in education programs remains slashed or eliminated.

Children will go to school this fall facing larger class sizes, less teacher supervision, and no extracurricular activities, unless, of course, they are supposed to enter kindergarten, in which case they may not be able to attend school at all.

If you have recently graduated from high school, this budget will not help you either, considering the \$270 million in cuts to higher education. Our community colleges are cut by \$24 million; our State-owned universities, cut by \$76 million; our State-related universities – the University of Pittsburgh, Penn State, Temple, and Lincoln University – cut by a total of nearly \$169.5 million, an impact compounded by cuts to academic medical centers at Temple, Penn State, and the University of Pittsburgh.

The pain, the pain does not stop with education. While those on the other side of the aisle play political games with mythical allegations about waste, fraud, and abuse – let me repeat that – mythical allegations about waste, fraud, and abuse in the Department of Public Welfare, Pennsylvanians, including our most vulnerable citizens – our seniors, our disabled, our chronically ill – will suffer the consequences of this budget's terrible cuts to our hospitals and safety net programs.

This budget severely cuts funding to hospitals, which could negatively impact hospital resources and staff, jeopardizing all Pennsylvanians' access to care. These cuts include reducing supplemental payments to hospitals that serve low-income and uninsured patients, hospitals with medical and other health professional education programs, rehab hospitals, and small community hospitals; elimination of uncompensated care payments to hospitals; cuts in obstetric and neonatal services, burn centers, critical access hospitals, and trauma centers.

This budget also cuts programs for Pennsylvanians living with disabilities, cuts a total of \$120 million from home- and community-based services provided to disabled Pennsylvanians. These reforms – and I use that term loosely – could negatively impact services available to disabled individuals. Cuts a total of almost \$40 million from the Medical Assistance for Workers with Disabilities program, providing coverage to low-income working disabled Pennsylvanians. Cuts a total of roughly

\$6 million from autism services. Let me repeat that: cuts a total of roughly \$6 million from autism services. Imposes a sliding-scale copay for families with incomes above 200 percent of poverty in order to have medical assistance coverage provided to "loophole" children; that is, special-needs kids with autism, Down's Syndrome, et cetera.

This budget cuts services for our seniors, cuts almost \$41 million from home- and community-based services for 18,139 seniors. These so-called savings are anticipated from a variety of proposed reforms that could adversely impact services available to seniors who live in their homes rather than in a nursing facility. It cuts a total of \$32 million from the LIFE (Living Independently for Elders) program, a managed-care program that serves 2,975 frail elderly, enabling them to receive community services as an alternative to entering a nursing home.

This budget will greatly impact programs for our children, hardworking families, and Pennsylvanians needing critical supports. It cuts State funding for child-care programs which provide child-care services and early education quality assurance initiatives to children across Pennsylvania. It eliminates funding for community-based family centers, funding 65 family centers in 29 counties designed to offer a variety of community services to assist parents in improving their child-rearing skills. It cuts funding for the Nurse-Family Partnership Program, an intensive and comprehensive evidence-based home visitation program that gives vulnerable low-income, first-time mothers the support necessary to provide an excellent start for their children.

This budget further cuts funding for domestic violence, rape crisis, breast cancer screening, and legal services upward of 10 percent.

It cuts county human services programs, and I know many of us here have been former elected officials in county government. It cuts county human services programs, including county-administered social services programs for children and youth in each of the Commonwealth's 67 counties, county mental health programs, behavioral health services which fund county mental health programs and substance abuse programs, homeless assistance, and the Human Services Development Fund. These cuts will not only impact those receiving services but likely all property owners, leading to property tax increases to cover those services.

These cuts and eliminated programs that I have mentioned are merely the tip of the iceberg. Programs providing valuable supports to Pennsylvania families under various departments and agencies can be found on the budget's chopping block.

Again, I urge you to step back and truly examine the impact of these numbers on the screen before you – to see the faces behind those numbers; to think of your 5-year-old neighbor, unable to start kindergarten; to think of the battered mother turned away from a domestic violence shelter; to think of a seriously ill child unable to access hospital care due to cutbacks in service; to think of the elderly property owner who not only will not receive services to help stay in their home but will need to pay additional property taxes on that home as well.

This is a crucial decision about the future of Pennsylvania. I hope, I ask, I pray that all of those involved will make the right decision and vote "no" on HB 1485. Thank you, Mr. Speaker.

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

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

Mr. VITALI. Thank you, Mr. Speaker.

I wanted to focus in on one piece of the budget, and that was the Department of Environmental Protection, because when I look at that line item, I am just quite shocked at how low that line item is. This year's line item is \$136 million from the General Fund. There are other sources from fees and there are other sources from Federal sources, but \$136 million from the general line item.

Now, I want to put that in context to give you an idea of how low that \$136 million is. Back in 2007-2008, that was \$207 million. The next year, 2008-2009, it was up to \$229 million. It then went down, 2009-2010, to \$159 million. Last year, \$145 million. Governor Corbett's budget, \$138 million, and now we are down to \$136 million. It is simply shocking the way this has been cut and cut and cut and cut to the bone. I do not think Pennsylvania has ever faced any greater environmental challenges, and we are in a position now where we are simply leaving Pennsylvania defenseless. Mr. Speaker, in all frankness, this budget line item should not be below \$180 million, \$175 million, and this budget proposes to put it down to \$136 million.

Mr. Speaker, let me just go over a couple of line items here. There is a \$2.1 million cut in general government operations and \$1.67 million in environmental protection operations. These represent inspectors. These represent boots on the ground; DEP (Department of Environmental Protection) personnel who are doing things like inspecting power plants, inspecting drinking water supplies, inspecting mines, inspecting construction sites. Mr. Speaker, these things need to be made safe for the citizens of Pennsylvania, and if you do not have boots on the ground, they are not going to be safe for the citizens of Pennsylvania. This is what you are cutting, this is what you are cutting when you are cutting this amount of money from the Department of Environmental Protection. You are putting the health and safety of Pennsylvanians at risk.

Another line item: \$3.48 million for flood control projects. Pennsylvania is one of the most flood-prone States in the nation with its miles of streams and mountains. This goes for flood damage repair, upgrades to flood projects, stream improvements. If you neglect this, you put our communities at risk for increased damage from flooding.

Mr. Speaker, almost a half-million-dollar cut to West Nile virus. Mr. Speaker, residents of Delaware County, particularly southeastern Pennsylvania, I know the maker of this bill's district, we feel the effects of West Nile virus. We are at risk. If you cut West Nile virus protection and spraying, you are putting our citizens at risk.

Now, Mr. Speaker, the Governor in his proposed budget called for the elimination of 69 positions. This budget even goes \$2 million lower than the Governor's budget.

Mr. Speaker, beyond the general operations we are putting at risk, we have the Marcellus operations looming before us. Fifty thousand wells, 50,000 wells – Marcellus wells, hydrofracture wells – are expected to come online in the next decade or two. We have all heard about the millions of gallons of water for each well, the toxic chemicals, the clearing of land, the roads, the truck traffic, the pipelines – all this environmental disturbance, Mr. Speaker. We need more inspectors, we need more inspectors to keep this safe, not less.

Mr. Speaker, it would be understandable, perhaps, if there were absolutely no sources of revenue to fund our budget, but the severance tax is just laying out there untapped.

The SPEAKER. The gentleman's time has concluded. You need to wrap up your remarks.

Mr. VITALI. Thank you, Mr. Speaker.

The tax is out there, and I urge members, as we move this process forward, to reexamine what we have done to that line item.

Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

The question is, shall the bill pass finally?

On that question, the Speaker recognizes the gentleman from Northampton County, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I rise to speak against this budget proposal. The cuts to education funding are too deep and we must do better for our students.

Governor Corbett proposed cutting \$1 1/2 billion in education. This Republican budget restores a fraction of that funding, but it still cuts more than \$1 billion in education.

There are significant cuts in this budget proposal that affect students of all ages, yet today the chair of our Appropriations Committee declared, Republican and Democratic members asked for restoration of education funds and we did that. We did that? That is kind of like hanging a banner and declaring "Mission Accomplished" when everyone knows that there is much more that needs to be done.

Let us look at the numbers. There has been a lot of talk from people on both sides of the aisle about accountability block grants. The Governor wanted to eliminate this line item. The Republican budget proposal instead cuts it by 61 percent from the current year's funding. This is the line item that funds full-day kindergarten, pre-K, tutoring, smaller class sizes, afterschool programs. Are you saying that you like these programs but you think they deserve a 61-percent cut in funding?

Let us look at "Science: It's Elementary." Some of you visited a display in the lobby today from "Science: It's Elementary." Do not ask those students to look at this budget, because this budget includes zero for "Science: It's Elementary" and those opportunities for elementary school students.

Dual Enrollment. That is the program where advanced kids in high school can take college classes, the best and the brightest of Pennsylvania. Dual Enrollment is funded at zero in this budget proposal.

What about higher education? There has been a lot of talk that funding has been restored. Well, the State-related schools would face a 25-percent cut in funding – Penn State, Pitt, Lincoln, Temple. Our community college community in this proposal would face a 10-percent cut in funding at a time of increasing enrollment.

And what about the State-owned universities? There has been talk that they will be restored to a level where they are only going to be cut 15 percent. Well, let us take a close look at those numbers. During our budget hearings when Governor Corbett proposed cutting \$271 million, the presidents of those universities testified that that would lead to a \$2200 tuition increase. So what if you take a \$271 million cut and instead only cut \$75 million? You can do the math. Instead of a \$2,000 tuition increase, the tuition increase in this Republican budget proposal would be \$600 – \$600. That is significant for

our middle-class families who are sending their children to West Chester and Kutztown and East Stroudsburg and State System schools all across the State. That is a direct mathematical projection from what the presidents of these universities testified.

Finally, look at the basic education line item. Governor Corbett would have cut it \$1.1 billion in all of the basic education and related line items. This budget cuts \$976 million. So what you are saying is that you want to restore 17 percent of Governor Corbett's education cuts but yet you want to vote for 83 percent of those cuts? You want to put your seal of approval on 83 percent of Tom Corbett's education cuts? I think that is unacceptable. Look at your own school districts: programs are being cut, teachers are being laid off, advanced placement classes are being cut, class sizes are going up, property taxes are going up – all effects of these dramatic cuts in education funding. A \$976 million cut in education funding is too much. We can do better and we must do better for the future of our State and for the education of our children.

Thank you, Mr. Speaker.

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

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

Mr. MYERS. Thank you, Mr. Speaker.

Mr. Speaker, after yesterday, and I guess we all, most of us, got a chance to sleep on what we are going to try to do today and a fresh start. However, as you look at this document, the start is still the same. The Republican budget is set up to use, misuse, and abuse the constituency in the Commonwealth.

Now, you know and I know there is not a half a million dollars of waste, fraud, and abuse in the Welfare Department. I am not saying there is no fraud, waste, and abuse, but it is not a half a billion dollars. Half a billion dollars is in the bank. The half a billion dollars is in the bank from our April taxes. So if you want to find a half a billion dollars, you do not have to cut the Welfare Department; you can just go across the street to the bank and re-fund the programs.

Put people first. Why do we want to cut hospitals? Like I said last night, I do not know how many of you all remember the last time you had been in the hospital, but believe me, based on where they are with their income level and what we are doing, you might not want to go to some. Einstein Medical Center in the city of Philadelphia may have to stop delivering babies. Can you imagine that? Stop delivering babies? How about the pro-life people? Do you want to cut delivering babies when you support no abortion? So we would let them live, no abortion, and kill them in the hospital because we cut the programs that are there to save them. It does not make sense. You want to save children, you do not cut prenatal care. So if you are pro-life, you are either playing with yourself or you are playing with me when you support cutting prenatal care at Einstein Medical Center. You are playing with yourself or you are playing with me if you think there is half a billion dollars in welfare when we know there is a half a billion dollars over there in Fulton Bank.

Mr. Speaker, it certainly does not make sense to want to cut middle-class and low-income people and call it a savings when we have the money to pay for it. Mr. Speaker, it does not make sense to drive down the money that we need to train people for jobs. Every week you, me, and others complain about the jobs in Pennsylvania, the lack of jobs in Pennsylvania, and one good way to ensure that we create jobs is to cut the money to do it.

Now, if that does not sound Disney World, I do not know what is. If you believe the way to create jobs is to cut the money, I hope your constituents sit you down and talk to you about that does not make sense.

Mr. Speaker, I want to close by saying this here: If you are pro-choice, pro-jobs, vote against HB 1485 and stand up, man up, woman up, and do the right thing. Thank you, Mr. Speaker.

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

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

Mr. DENLINGER. Thank you, Mr. Speaker.

Mr. Speaker, I rise today in support of HB 1485, and I encourage my colleagues here to vote in favor of this attempt to deal with our State's fiscal situation.

Mr. Speaker, HB 1485 certainly could be classified as a "cautious" budget, and that is appropriate in this time of economic uncertainty. It is a cautious budget in a time when we realize that during this recession, 8.7 million jobs were lost and only 1.8 million jobs have come back.

HB 1485 is a cautious budget, which is appropriate as we are in the slowest period of economic growth since World War II. Estimates of GDP (gross domestic product) growth, as stated by IHS Global Insight, in fact are declining at this point in time. The minority Appropriations chairman indicated we were in a period of growth, but the numbers do not quite bear that out. In fact, this year the projection of GDP growth has dropped from 3.2 percent down to 2.7 percent.

And HB 1485 is a cautious budget in light of so many other things that we face, be they high oil prices, Europe's debt crisis, or the Federal debate over the debt ceiling. Mr. Speaker, indeed this is not a time to go on a spending spree, and HB 1485 is not that. It is a responsible attempt to respond to what the voters said last year: get your house in order, control spending, live within your means, and no tax increases.

Mr. Speaker, HB 1485 is not perfect, and we realize that there is probably something that every person in this room would prefer were different, but perhaps in that we find the answer that we need in this State. HB 1485 represents, Mr. Speaker, a good-faith effort at redirecting significant dollars back into the education lines. And education needs to be our priority, and yet we do need to live within our means and hold that spending at \$27.3 billion, and, Mr. Speaker, this budget does that.

HB 1485 is a no-tax-increase budget. And what we have heard from people out there is the burden of government is heavy upon them and they cannot sustain tax increases. This budget meets that need, that requirement.

And, Mr. Speaker, this is a cautious yet serious attempt to get the fiscal house of our State government back in line, and so I encourage my colleagues to be a "yes" vote on HB 1485, and I thank you for your consideration. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Northampton County, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose HB 1485. Simply put, the proposed budget contained in HB 1485 makes drastic and unnecessary cuts in basic education and higher education and an array of human services that affect our neediest of fellow citizens. The negative impact that these cuts will have on our communities and on the quality of education and human services in this Commonwealth will be considerable.

Advances that have been made in recent years in academic performance, affordability of higher education, health and human services programming, all of that will recede under this proposed budget. Academic achievement will suffer with reductions in all-day kindergarten, a loss of tutoring opportunities, larger class sizes, and a diminishing of early childhood education opportunities, as well as reductions in other essential educational programming and the loss of an essential body of education personnel.

This budget is a recipe for increased local school property taxes as the State backs away from its commitment to adequately fund public education. It is a recipe for increases in tuition at our institutions of higher learning here in Pennsylvania, increases which will directly affect the pocketbooks of middle-class families struggling to send their children to college in tough economic times. And this budget is a recipe for leaving behind the most vulnerable of our fellow citizens whose program needs in the field of human services will be sorely wanting.

These drastic cuts in essential services are unnecessary because they are the product of an arbitrary ideological line being drawn in the sand, a line that caps the State budget at \$27.3 billion despite the existence of a half a billion dollars in surplus funds becoming available since Governor Corbett gave his budget address and the projection of an additional half a billion dollars in revenue into the coming fiscal year.

These cuts are unnecessary because revenue could be realized and raised without directly affecting ordinary taxpayers. Let me emphasize that: without directly affecting ordinary taxpayers. We can raise that revenue if we would only enact a reasonable severance tax on the extraction of natural gas in Pennsylvania, gas being extracted by oil and gas companies who stand to reap a fortune from Pennsylvania's natural resources.

If we were to close the Delaware tax loophole to require the Home Depots, the Lowe's, and the Walmarts – who pay nothing, absolutely nothing in corporate net income tax – to pay their share, their fair share in taxes to Pennsylvania and to Pennsylvania's citizens, all told, these resources would provide substantial revenues to address real needs here in our Commonwealth and mitigate the worst effects of these unnecessary cuts. That, however, can only be realized if we take a pragmatic approach to this most paramount of public policy decisions and refuse to foolishly adhere to that arbitrary ideological line drawn in the sand.

Yesterday the Republican leader referred to this proposed budget as "a responsible budget." There is nothing responsible about a budget that blindly ignores revenue realities and shortchanges public education and essential human services. The great American statesman Hubert Humphrey once observed that "The moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy, and the handicapped." The architects of HB 1485 have failed in that moral test.

We should do better, we can do better, and I urge a "no" vote on HB 1485. Thank you.

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

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

Mr. FRANKEL. Thank you, Mr. Speaker.

Mr. Speaker, we are tasked today with voting on a budget that very simply fails the people of Pennsylvania and falls short of providing them with the services and the investments they need.

This is a budget proposal that does not meet the needs and the aspirations of the citizens of our Commonwealth. It is a budget that is instead based on the right-wing ideology of a Washington think tank that believes public policy can and should be whittled down to a single piece of paper containing a shortsighted and mean-spirited pledge not to use the needed and available revenues regardless of the ramifications to the public. Mr. Speaker, this budget is based on rhetoric and ideology posing as leadership and policy.

Now, there have been several themes that have been mentioned throughout by the Governor and by the House Republicans, talking about shared sacrifice, talking about fiscal responsibility, talking about what we need to have versus what we would like to have. Well, some of the things we need to have – or the Republicans would like us to think we would like to have, things like funding public education fully, funding higher education fully, funding human services for the elderly and the disabled and those without access to health insurance – these, apparently to Republicans, are the "like to have," not the "need to have."

Talk about shared sacrifice. There is a lot of shared sacrifice in this budget, but it is only limited to a few constituencies. The shared sacrifice is on people who pay property taxes to support our public schools, because those are going up. It is on college students and their families who are going to have to pay higher tuitions. And it is on folks who depend on the safety net, who are not going to have it available to them. That is a shared sacrifice, not the shared sacrifice that is to be used across the board, because folks in the business community, whom we would like to support in general good times, are getting a lot of benefits at this time. They are not only sacrificing, they are getting tax cuts. We are cutting the capital stock and franchise tax. We have got accelerated depreciation. They are going to get; they are not sacrificing in this budget. So shared sacrifice is only on middle-class families. There is no shared sacrifice from big oil and gas companies who are not being taxed on extraction of natural gas at the Marcellus Shale. There is no shared sacrifice on big tobacco companies that continue to get the benefit of tax-free, tax-free smokeless tobacco and cigars. So if we are talking about shared sacrifice as a theme, this budget, these proposals, the rhetoric that we hear, is not consistent.

When we talk about fiscal responsibility, as I said yesterday, I do not understand what you guys are talking about. Fiscal responsibility. Is it fiscally responsible to shift the burden of the cost of these programs, the cost of public education, to local property tax payers? That is not fiscal responsibility; that is abdicating our responsibility here. Is it fiscally responsible to shift the cost of higher education to college students and their families through higher tuitions? That is not fiscally responsible; that is our responsibility right here.

Now, if you want to be fiscally responsible and you want to talk about what we might like to have, well, it would be nice to have a Rainy Day Fund this year, and we have the ability. We have a surplus this year. We have a surplus we are going to forecast next year. That is a "like to have." But guess what? It is

raining in Pennsylvania; it is pouring in Pennsylvania. It is no time to sock away money in a Rainy Day Fund when you are going to shift all these costs to local property tax payers, to families and students, to people who need the safety net. It is not a time to be shifting those costs when you have money in the budget available to us that should not be socked away in a Rainy Day Fund, that should be spent to maintain the services and investments that our citizens rely on. That is fiscal responsibility.

This budget fails on every single theme that has been counted on between shared sacrifice, between fiscal responsibility, and between making a differentiation between what you need to have and want to have. This budget does not meet that criteria. It should go down in flames.

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

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

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the Republican HB 1485 budget amendment, and I do so because I hear a lot about the fact that we need cuts, and I understand we need cuts. Certainly, I understand that, and I think nobody in this House can deny that we need cuts and we also need to live within our means. I understand that. But we also need to be smart on how we cut. A lot of these cuts have broad ramifications that are going to cost society in this Commonwealth probably more money in the long run. I am amazed at the fact that we have taken some of the tobacco settlement money and we have put it into the General Fund when we did not have any money to address the 42,000 individuals who lost their health care on the adultBasic program.

I also see in that line item, the line item in this budget, that we have increased – and we have not touched it – we have increased, under the Corbett bill, we have increased the budget for prisons while we decreased childhood early intervention programs. For years we have been very negligent in not investing in the front end so that we would not have to put all this money in the back end and incarcerate people where it costs us a tremendous amount of money, because that makes headlines. We put these people, we incarcerate them, and that makes the headlines out there, but unfortunately, early childhood programs and some of our education kindergarten programs will be cut, even though— And I want to thank the other side for the restoration of some of the money in education. My district went from a \$3,900,000 cut to a \$3 million cut, which will probably cause them to raise taxes back home.

I have 500 e-mails in my computer right now, and I have not had one e-mail that says "Representative DeLuca, vote for HB 1485. It is a great budget." I do have a lot of e-mails and over 400 e-mails that say "Representative DeLuca, don't vote for HB 1485, because we're going to have to raise the taxes, we're going to have bigger class sizes, and it's going to affect my community and it's also going to affect my family." That is wrong-sightedness, Mr. Speaker.

We also hear about cutting the welfare program. Unfortunately, we do not hear about cutting corporate welfare. We hear about businesses, and I was in business. Why do we not hear anything about the loopholes that businesses take and do not pay any taxes? We always want to balance this budget on hardworking men and women out there who are trying to make a little bit for their families, trying to pay their bills, trying to

struggle. They are not asking for anything. But I keep hearing about, we need to tighten our belts and we need to make sacrifices, especially coming from Washington from the Democrats and the Republicans. Three-quarters of them are millionaires, and they could give a million out and their kids would still go to college; they still would attend the country clubs; they still would go to the restaurants. But guess who has to tighten their belt and share that sacrifice? Working men and women, not only in this Commonwealth but all over the country. That is a disgrace in this country. The middle class is shrinking. There will be only one class in this country, the haves and the have-nots, as the middle class keeps declining.

This is not the way to do this budget. We can do better, we should do better, and I urge my members on this side, and I hope some over there, to vote against this HB 1485. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the gentleman from Monroe County, Mr. Scavello.

Mr. SCAVELLO. Thank you, Mr. Speaker.

I chose this podium for a specific reason. Two years ago, Mr. Speaker, I stood at this same podium warning the members of this House to be very, very careful how you use that candy from DC, the stimulus money, that if you put it into school budgets and grow budgets, in 2 years you were going to look for a lot of trouble, a lot of cuts or increases in taxes. And here we are, 2 years later. It seems that most of us on the right-hand side, or my right, must have forgotten that talk and continued to vote for that stimulus money being injected into those school budgets.

Here we are today, 2 years later, without that stimulus money. It is approximately \$3 billion, and all we talk about are the cuts that are now on our school systems, on our higher ed, \$1.1 billion in education stimulus dollars that we used the last 2 years to backfill, to backfill education funding that the State did not do its job in putting in; \$91 million for higher ed, \$91 million for higher ed, but we hear about these higher ed cuts.

You know, I just ask the members, go up on YouTube. I stood right here and I talked about it; I compared the two budgets. The difference between what happened 2 years ago and today, we did not agree with the Democratic budget, and at that time, at that time Chairman Civera and the Republican Caucus put out their own budget. All we hear about today are cuts, all of these cuts that are being made to these various programs. And they are significant. There are cuts. Nobody is going to tell you that they are not there. They are not there because, Mr. Speaker, we do not have the money.

I remember 2 years ago, the middle of the summer, standing at the mike in the back and questioning a \$1.2 billion tax increase. The Democratic Caucus was going to send a bill over to the Senate \$1.2 billion short. And in that budget, guess what was not being funded? Higher ed. Higher ed was not in that budget. We were going to send that bill over, and now see how concerned we are about higher ed? I applaud you folks for changing over, coming over to our side, because higher ed is important. And we were going to figure out how to fund it at a later date. My gosh, how times have changed. If you feel that there is a problem with any particular line item, you know there is an amendment process, or you could have introduced a budget, and make those recommendations, but none were made.

We are sitting in very tough times. I have heard comments made about various categories on what was not being funded, and I kind of totaled them up. It is about \$2 billion. So you folks feel that we need to spend at least \$2 billion more but then claim that we have \$500 million more, that that could be \$1 billion, because you anticipate the same number the year after, \$1 billion. But in those same speeches that I heard yesterday, I heard that the DPW number, that \$400 million, is almost impossible; it is not attainable.

So here we are now, we are projecting a \$500 million surplus, but at the same time you are saying, that \$400 million, there is no way we are going to have it. What is the number then? Because all my e-mails coming back to me from folks back home are saying that we have got a \$1 billion surplus. You cannot have both. So if our number is not correct, what is the number?

Mr. Speaker, we have got a tough time here. If anybody thinks that the economy has leveled off and is on the upward swing, be very careful. If \$4 gasoline and \$4 heating oil a gallon continues, I will tell you, next year we are in a lot worse shape than you think we are. If the gasoline and the oil price do not come back down to that \$2.50, \$2.60 number, if folks have to put it in their gasoline and put it into their oil burners back home, their oil tanks, that is money that they are not going to have to spend in stores, and sales tax revenues and personal income tax are going to be affected.

I worry, I worry; let us not make the same mistakes that were made the last 2 years. We have made some big mistakes, and we need to live within our means this year. And if we do not, if we do not, next year at this time things could be a lot worse. Thank you very much.

GUESTS INTRODUCED

The SPEAKER. The Speaker would like to introduce some guests that are in the balcony. They are the guests of Representative Karen Boback, and they are from the Lake-Noxen Elementary School at Harveys Lake. Will our friends from Lake-Noxen Elementary please stand and be recognized.

CONSIDERATION OF HB 1485 CONTINUED

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

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

Mr. KORTZ. Thank you, Mr. Speaker.

I rise in opposition to HB 1485. Education has come under attack by this budget proposal, sir. The Governor's original proposal to cut education by more than \$1.6 billion was shocking, to say the least. The amended version that has the House Republican seal of approval still cuts education by approximately \$1.28 billion. This educational proposal, admittedly better than the Governor's, will still devastate our schools.

This proposal will hurt our children's basic ed and higher ed opportunities. More than \$480 million in programs remain slashed or eliminated, including the accountability block grants, educational assistance programs, dual enrollment, and the State funding for charter schools has been eliminated. These cuts are absolutely devastating and will result in school program cuts,

layoffs, increased property taxes, increased tuition bills, and yes, forced closures of schools. This is not a false argument, Mr. Speaker; this is a fact. Attacking the budget crisis by slashing the education of our children and putting their future in peril is unacceptable. This is very bad public policy, and I am opposed to it.

Mr. Speaker, if you want to remodel your kitchen, you do not burn down your house. What this budget does is burn down our educational house, and the result is that the students being left behind become the collateral damage in this war on money priorities. Yes, Mr. Speaker, our children will be the collateral damage in this struggle.

Mr. Speaker, HB 1485 negatively impacts my five school districts, and they are West Mifflin, McKeesport, South Allegheny, West Jefferson Hills, and Baldwin-Whitehall. The cumulative cuts to those five schools, sir, \$6.7 million, not including the \$1.98 million for the Duquesne High School kids that went to West Mifflin and East Allegheny 4 years ago. So the total cut we are looking at is over \$8 million. The cumulative proposed layoffs for those five school districts, 172 positions, and property taxes will be raised in 3 of them.

Mr. Speaker, what HB 1485 proposes for education is a step backwards because it also obliterates the equity funding formula. I talked about this yesterday, sir. There will be dire consequences for our poorer districts. They will not survive for long. This proposal is setting up class warfare between the haves and the have-nots. Mr. Speaker, it borders on discriminatory, and it is just plain wrong.

The Governor called for shared sacrifice, but I do not see his proposal as shared sacrifice. I see the children, the parents, teachers, homeowners, seniors, and the working poor as those having forced sacrifice, Mr. Speaker.

Mr. Speaker, Article III, section 14, of our Constitution states that "The General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth." It did not say the General Assembly shall cut the maintenance and support of a thorough and efficient system. The word "cut" is not part of the verbiage, and yet the Governor and the House Republicans are proposing, and advancing posthaste, a \$1.28 billion cut.

Mr. Speaker, the former Governor of Alaska said it best when she exclaimed, you can put lipstick on a pig, but it is still a pig. Well, Mr. Speaker, HB 1485 had fire-engine red lipstick applied, but it still stinks.

Mr. Speaker, I do not know how my colleagues can sit here and say no to help funding our children's education. We are sitting on a \$1 billion surplus. How can we go back home and justify that? I do not know how my colleagues can sit here and say no to helping fund our children's education when the Governor has proposed a new \$2 billion Liberty Loan Fund that is nothing more than a private WAM (walking-around money) fund, sir. How can we justify that when we are cutting education by \$1.28 billion? I do not know how my colleagues can sit here and say no to helping fund our children's education when major corporations utilize a massive \$900-million-a-year tax loophole to avoid paying their fair share. I do not know how my colleagues can sit here, sir, and say no to helping fund our children's education, knowing that the Marcellus Shale companies will enjoy mega-billions of dollars in profit and we will be the only State not to put a small severance tax. Unbelievable.

Mr. Speaker, we must do the right thing for our children and the people of Pennsylvania by putting credible revenue generators back on the table without hurting our children's education, taxpayers, educators, school districts, and seniors. We must prevent these drastic cuts to education.

Mr. Speaker, I stand here today for the children of Pennsylvania to ask that we not hurt their future. Mr. Speaker, it is all about the kids. Therefore, sir, I am respectfully requesting my colleagues to vote "no" on HB 1485.

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

On that question, the Speaker recognizes the gentleman from Clearfield County, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, naturally, I am going to be redundant, and I guess maybe what I will say today or any of us will say will be easier to handle than what will be said when we go home to that constituency and they ask me, because I looked in the paper today and one of my schools has just raised their taxes 3.5 percent, which on average is another \$80 on the real estate tax. We can complain about what we did the previous year, and it is only natural we did not do everything right. This administration will not do everything wrong or everything right, but my concern is that those people that we came down here telling them that we are concerned about them, that we want to provide an education for their young people, that we want to be able to provide a job, because all of us firmly believe, and rightfully so, that higher education is the inducement for a young person to be able to find a job. Even today some of the higher professions are not hiring. So under this HB 1485, unfortunately, the eight school districts in my district are ranging a low from \$469 a pupil to \$781 of a high, which is a reduction in what the school is getting.

Now, we still have things that we are all guilty for, not only the Democrats over here but the Republicans, in that your neighbor and you, you pay taxes, and the businesses in your area pay taxes, but why did we not do something about the Delaware loophole, which enables corporations to evade paying fair share? That is wrong. Under HB 1485, we have families paying even more unfair taxes, not only those property taxes but others. You know, we are the legislature, and people say, what are you going to do about \$4 gas? When are you and Pennsylvania – you are on the Environmental Committee – going to help us do something to create an atmosphere and an advantage for the citizens where we can get to work? Just today I had two people that are lucky enough to be working for the State ask why I cannot transfer them, because they are driving 80 miles to work, and at \$4 a gallon, that is quite a bit.

We do not have, in HB 1485, job creation plans or strategies to put more Pennsylvanians to work. Now, we said, or I heard somebody say, we are putting more money back into colleges. That money we put into colleges still cuts the colleges. That tuition will continue to rise and students will continue to owe more money than they can literally pay once they graduate. You know, we shred the safety net for our most vulnerable citizens, and we dim job and educational opportunities for these younger Pennsylvanians.

Meanwhile the Environmental Stewardship Fund, Growing Greener, is broke, and efforts to restore or protect the water wither. Just wait until a year from now when those of us— And I am not blaming the gas companies, but just wait. Even if they are not at fault, there will be times that what happens will

literally damage the water supply for a community or for homes like it has already done up in the northeast.

The SPEAKER. The gentleman's time has expired.

Mr. GEORGE. May I thank you for the time that you gave me?

The SPEAKER. You may.

Mr. GEORGE. Would I be able to ask to get up again, because I only have about 30 seconds left?

The SPEAKER. I would give you a couple seconds to wrap up, but there will not be a—

Mr. GEORGE. All right.

The SPEAKER. —second bite of the apple.

Mr. GEORGE. I thank the man, the Speaker.

He was on my committee. You should have heard how he used to act when I told him to sit down and shut up.

The SPEAKER. I am letting you talk longer than you ever allowed me to talk.

Mr. GEORGE. Seriously, I have a lot of appreciation for you, Mr. Speaker, and I will get back to it.

Meanwhile let us be clear: If the Commonwealth wants to run economic opportunities, increase brain drain, and doom Pennsylvania to the drudgery of mediocrity, then the House bill is what you should vote for; it is a perfect plan. But this is not a path-to-prosperity plan—

The SPEAKER. Has the gentleman about concluded?

Mr. GEORGE. I have concluded by saying go home after your vote for this and find out what they think. Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the lady from Luzerne County, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

Mr. Speaker, there is so much wrong with the budget priorities set forth in HB 1485 that I hardly know where to begin, but since I only have 5 minutes, I will focus my remarks on the shortsighted cuts in early childhood care and education, cuts that amount to an enormous setback for Pennsylvania's children, our future workforce; cuts that jeopardize our economic future. Investments in our children over time pay for themselves and then go on to pay dividends. It has been proven over and over again that strong investments in early childhood care and education generate billions of dollars in savings and revenue for government budgets, increased earnings to participants' families, and reduced costs to crime victims.

HB 1485 shamelessly ignores the \$500 million in this year's revenue surplus, revenue which could be used to offset cuts to critical services for children, such as the Nurse-Family Partnership, child-care services, and grants for full-day kindergarten. HB 1485 does find the money, however, to increase State funding for prisons. To increase State funding for prisons while cutting funding for children is the epitome of penny wise and pound foolish, and it will ensure that wasteful spending on prisons continues to grow ever larger over time. This bill cuts the Nurse-Family Partnership by \$1.2 million. NFP, I would argue, is one of if not the very most preventive program we fund through our State budget. The return on investment is staggering. Cutting this program is very shortsighted. Long-term studies have found that such programs reduce child abuse, welfare use, arrests, and substance abuse, while improving education and employment rates.

HB 1485 eliminates funding for the community-based family centers entirely, negatively impacting even more children. These cuts to NFP and community-based family centers jeopardize our State's eligibility for Federal funds from the Federal home visiting program, which would result in even more children left behind. This Republican budget also cuts child care for low-income working families. May I remind you what happened when Governor Ridge made cuts to the subsidized child-care program? Low-income working mothers had to quit their jobs and go on welfare because they could not afford child care. Teen mothers dropped out of school because they could no longer afford child care. The waiting list for child-care services in Luzerne County alone is already at 225 children. HB 1485 creates an even longer waiting list. This would grow our welfare rolls, very shortsighted indeed.

There is a difference between spending and investing, Mr. Speaker. Scientific findings from such organizations as the Pew Center on the States and America's Edge show that investments in early childhood programs, especially for at-risk children, earn anywhere from \$7 to \$16 for every dollar invested. Such programs help more of our children perform at grade level, graduate from high school, succeed in college, and earn more as adults. We must not reverse the progress we have made over the last 8 years, Mr. Speaker. I join the ranks of organizations like the Early Learning Investment Commission, Fight Crime: Invest in Kids, the Protect our Children Committee, and Pennsylvania Partnerships for Children in asking that we recognize the value of these investments in early childhood. Let us use some of the \$500 million surplus, the projected \$500 million surplus for next year, to restore these penny-wise and pound-foolish cuts. But for now, let us just reject the false promises of savings that we find in HB 1485.

Thank you, Mr. Speaker.

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

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

Mr. TURZAI. Thank you, Mr. Speaker.

What is missing, it seems, significantly from the debate is everybody when they are just saying, "Oh, we need to spend more, spend more" or "invest more, invest more," they act like it is their money. I remember a colleague from across the Capitol, in the other side, one time joking, "It is just O.P.P.," other people's money and their property. The fact of the matter is—I will get it right. I will get it right. I will get it right. But the fact of the matter is— Mr. Speaker, if I might?

The SPEAKER. The House will come to order.

Mr. TURZAI. The fact of the matter is, people like my sister, who is a nurse, and her husband, who is a police officer, they work hard and they pay taxes. My brother, he is a public school teacher. He works hard. He pays taxes. My wife, every day, while raising the three kids, is out there working hard. They see the money that comes out of their paychecks with respect to taxes. Small businesses, when they are putting together their risk, they are paying significant taxes, whether it is the CNI rate, the corporate net income tax rate, or whether it is the personal income tax. When loved ones die, we are taking money out of their estates. People are paying significant dollars out of their hard-earned dollars to make sure that we can fund State government and its services. We are fiscal stewards of that hard-earned money, and we cannot take that responsibility lightly.

The fact of the matter is, we are investing significantly with our priorities. In education, we are spending \$9.6 billion of the hard-earned dollars of your family members and your neighbors. We are spending \$10.7 billion on public welfare. Over \$1 billion of that is for nursing homes or for community care organizations, for those seniors or for those less well-off, and people are willing to work hard and to make those contributions. We talk about investments into early childhood: We are investing almost \$40 million into Head Start and \$84 million into Pre-K Counts and about \$200 million into early childhood intervention. In the Lottery Fund, we are actually creating another line item for home and community.

With respect to education, the House Republican budget, HB 1485, has actually put back in accountability block grants. We are spending more this year than last year on public education in State dollars. In basic ed, it is about a \$600 million increase from this year to last year in State dollars, and overall in public education, from K through 12, it is about a \$300 million increase from this year to last year. We believe in public education. We certainly believe in helping out those less fortunate than us. There is significant money in the budget with respect to Medicaid payments for those who are less fortunate than us. It is in the billions and billions of dollars to make sure that they are provided health-care services. And you know what? It is people who are working day in and day out, who are taking risk with their businesses, who have saved and wanted to pass that money on that taxes are being paid out of, because people care about education and people care about the welfare of those less fortunate.

I think there is an awful lot of heart in what has been done on two sides of the coin. Mr. Speaker?

The SPEAKER. The House will come to order. The conversations in the back will please, take them out in the hall if you need to.

Mr. TURZAI. It is a balance between the taxpayer, who is putting up the bill and contributing his or her hard-earned dollars to the State of Pennsylvania for us to spend, or it is about our investments, our spending with respect to services like public education, K through 12, or like nursing-home care or like in-home care, and I think we have got it right. I think we are working very hard to make sure that we prioritize the taxpayers' hard-earned dollars and that we act as fiscal stewards with those dollars.

In 8 years' time, we went from \$20 billion in spending to \$28 billion in spending, about a 40-percent growth rate when the rate of inflation was about 21 percent. It was a 2-to-1 growth in spending over the rate of inflation, but for people like my sister or like my brother or like my brother-in-law – a nurse, a teacher, a police officer – those same rates in terms of their pay were not the same. Or for the small businessmen, many of them who were losing their businesses; they did not get to see increases while they were paying taxes, both business and personal.

In the end, we have to do a balance. We have to respect those people that are paying the taxes and respect those services that we are providing to the citizens of Pennsylvania. There is no loss of provision of good services in terms of education and the general welfare with respect to the citizens under this proposal. In fact, I might just say that we, over the Governor's proposal, added money for neonatal and OBG (obstetrics-gynecology)

services, burn centers, academic medical centers, human services development. We made sure that we were taking care of hospitals and nursing homes. We have maintained the expenditures for the cadet classes for our State Police, and we added money back for Homeowners' Emergency Mortgage Assistance Program. Keep in mind, for our total spend on Department of Public Welfare, we have actually increased spending by almost \$140 million, or almost 2 percent, over last year, and yet we are doing it without increasing taxes. We are doing it without borrowing money, where we are leveraging the future of our kids and grandkids. We are doing it by focusing on real, responsible investments in our citizens, while respecting our taxpayers who are footing the bill.

This notion that somehow there is this magic money out there just to spend, or that we should not take into account what we already have in front of us I think is misguided. It is revenue overestimate. The fact of the matter is, we owe \$4 billion to the Federal government in unemployment compensation that we have borrowed. We have about \$850 million that we might be liable for with respect to medical malpractice premiums that we have been picking up here on the State. We have tax liabilities that could reach into the hundreds of millions of dollars. In addition, we do not know where the economy is going, particularly when we have reached over \$4 per gallon in gas. The fact of the matter is, we have to be prudent, and we cannot be taking more money from the people that are making it work for everybody else. Those citizens deserve for us to have a fiduciary responsibility to saying that we can only take so much out of their pocket. Keep in mind, they could be spending that money on their own families. They could be spending that money on investing, perhaps in a basketball program, and they have to curtail it for their kid because they can only do one league per year. Or maybe they wanted to take an extra vacation, but because of the taxes they are paying, that money is not available to them. Or maybe they are trying to save with respect to the fact that they know that no matter how much, they have to invest partially themselves into college education.

This notion that we are somehow not meeting our obligations as put forth by some on the other side is wrong. I think that we are doing well by the taxpayers and by the citizens for the greater good. I applaud the hard work that has been done. I will just end on this note. It is easy to say it is not a good proposal, but as I said yesterday and I will say it again today, where is the alternative? What tax do you want to increase? Where would you specifically have put the money? I have counted up at least \$1 1/2 billion more that other folks would like to spend as they rail against this particular \$27.3 billion proposal. Whom are you taking the money from? And what are you doing responsibly?

Sir, and to the members, my colleagues in this chamber, I think we are doing the right thing, and we are going to have a budget that is done on time and we are going to do it responsibly. Thank you very much.

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

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

Mr. GERGELY. Thank you, Mr. Speaker.

What has not been said today is thank you. Look into the camera and say thank you to all the teachers that do educate our children in the public school system, to the cuts that they are going to have to face in the schools, and to those that they are laying off. As the Republicans moan and groan over there, I do respect what you do every single day, especially in tough urban

school districts like mine. It matters, and some of you are not going to have jobs. It is folks like Chris. Chris teaches at the West Mifflin Area School District. Chris and another 47 teachers are going to be laid off because of these budget cuts, either the new Republican-proposed cut or the Governor's old cut. Chris is 28 years old. He just had two kids and bought a brand-new house in Westmoreland County in North Huntingdon. Chris wanted to start a great way of life. These are the faces of the people you are laying off. You are not laying off the union presidents, Mr. Speaker. You are not going to go get 'em. You are laying off folks that are in their late twenties and early thirties, that tried to stay at home, tried to teach the kids, many of the times at the same schools that they attended themselves, and cared about Pennsylvania. When you or anybody else talks about brain drain or when you or anybody else talks about unemployment, if the numbers go up next month, you are right, because you caused it. If my local school board raises taxes, I am going to thank the Governor and any single person that is elected that votes for this. This is devastating.

So get your pens out. Chairman Adolph, I wrote you a letter; you responded. Thank you very much for being so professional about this. In the Republican-proposed budget, \$6.3 million was allocated for the Duquesne City School District. Remember the number 6.3. So I called their business manager to have a very frank discussion – the majority leader talked about responsibilities for children; I hope he is listening – so I said to the business manager, what are your costs this year? Well, he said, Representative Gergely, \$1.6 million goes to the bond obligation prior to me having this position; \$2.6 million goes to tuition reimbursements, because we do not have a high school and we have to pay for those kids to go to other schools; and, Representative, \$2 million has to go to charter school reimbursements, because there is no money that is included in this budget to offset that cost. By the way, Representative, half a million dollars has to go to State-mandated transportation for special education children, which we feel we are obligated to pay and want to pay.

Well, Mr. Speaker, if you had a pen out, if you are good at math, that is \$6.7 million; \$6.7. We allocated through the Republican budget \$6.3. They are bankrupt. They are \$400,000 in the hole because of this budget, and you are not educating a single kid. So when you put up this vote and you act so committed to wanting to do right for everybody, remember, you just bankrupted a school district and every kid in that school. Maybe you care, maybe you do not. I get the impression you really do not care. I really do care. I care about the kids. Before I care about the teachers, before I care about anybody else, it is the kids that you are not providing an education for. But, hey, I am not like the North Allegheny School District where the big budget cut was \$97 per student; the Duquesne City School District was \$2,000 per student. I am not like the North Allegheny School District, where my average salary for my teachers is over \$71,000; my Duquesne teacher, who puts on their bootstraps every day to teach this hard district, makes a whopping \$56,000. I wish I lived in a richer area because I could get up on a microphone and tout how great this budget is. But, Mr. Speaker, the reality is, you are killing schools. You are killing schools every day. I was not kidding; I talked to prominent folks in Clairton about their school district and they want to shut it down. They want to shut down their high school

and they want to send their kids – they feel they are morally obligated – to affluent school districts so they get an education.

So I want to say again, do the right thing. Think about your outcomes. Think about kids in broke school districts. Because, Mr. Speaker, this is not the end. You are going to vote for Duquesne. This budget is coming back. I need \$3 million to run that school. So whether or not you believe it, you on that side, us on this side, someone is going to have to vote "yes" to fund Duquesne, and that is not about good fiscal responsibility because you have not funded them now. They are not the only ones. Next year there will be more. There will be Sto-Rox, there will be Clairton, there will be Chester Upland – the list keeps on growing and growing. Failing schools will keep on happening. Do the right thing. Thank you.

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

On that question, the Speaker recognizes the gentleman from Greene County, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, this budget is catastrophic. And the enumerated reasoning of the gentleman from Allegheny who just spoke, or the well-spoken chairman of our caucus who made some delineated remarks earlier in the day, as well as the sons of the Lehigh Valley whose comments were invaluable – all of the aforementioned remarks of the Democratic Caucus membership are ones that I embrace, and I find this proposal to be detestable.

I have a 3-minute metaphor, Mr. Speaker, to share that detestation with you and make it as poignant as I possibly can. The other day I was reading a national gazette on our political dynamics in the country, and one of the writers indicated that a Presidential candidate, who does not need mentioned at the time, did not practice the "politics of joy." The columnist indicated that that person reflected something out of an HBO series called the "Game of Thrones." In that HBO series, in the "Game of Thrones," a mythological tribe of many, many centuries ago would send its young sons by the battalion into the frozen tundra to practice perpetual celibacy and guard a wall of ice 700 feet into the sky. The "Game of Thrones."

Mr. Speaker, before I vote for this budget, I shall ask to be dispatched to the frozen tundra to practice a life of perpetual celibacy and guard a wall of ice 700 feet in the air. Mr. Speaker, this budget, this budget, this Corbett budget, Corbett budget, Corbett budget, needs to be rejected. I ask for a negative vote.

The SPEAKER. The Speaker thanks the gentleman and would suggest, being the wordsmith that he is, that he checks the redundancy of a frozen tundra.

The question is, shall the bill pass finally?

On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 1485, the General Fund budget bill. Mr. Speaker, the sky is not falling from what you have heard on education in Pennsylvania. Not to be repetitive, but the State is providing more than \$300 million in additional funding for education. As also has been mentioned, the Federal economic stimulus, when it ceased last year, took \$1.1 billion from education. Again, just to be reminding the members, HB 1485 restores \$100 million in basic education funding, \$100 million in accountability grants, and \$43 million in School Employees' Social Security, all during these very difficult times. We know these are difficult times because we have heard members get up and say how dire the finances are in their various school districts. But understanding that, yet we have

been able to hold harmless or have a slight decrease in Pre-K Counts, 1.9-percent decrease; Head Start, 1.9-percent decrease; career and technical education, our vo-tech schools, held harmless; early intervention, a major program for those just beginning education, held harmless; pupil transportation, an increase of \$13 million; special education for approved private schools, held harmless; special education, \$1 billion, also held harmless. Yes, there has been a decrease in community colleges; nevertheless, in our State universities, the 14 State universities, this bill does provide an additional 35 percent funding, so the cut is 15 percent. Our four State land-based universities have been cut by 50 percent under the previous budget; HB 1485, it is a 25-percent cut.

Mr. Speaker, Professor Robert Light of Lehigh University wrote a book a number of years ago on one-room schoolhouses. He measured the great success in education by the ability of these public schools to teach our children reading, writing, and arithmetic, the fundamentals that are so necessary for any quality education. I am not assuming that we go back to those days, I am only sharing with you as he talked about the optimism, about the optimism for America, the vision for America, the diversity and the richness of our culture, which I have not heard talked about at all this afternoon. Yet that is what was taught by those dedicated teachers and the parents who wanted their children to learn so that they could be a better citizen. We need those same core academics today: reading, writing, and arithmetic. If a child cannot do those core issues, the child is going to have a hard time succeeding.

Quality education is not based strictly on the funding as you have heard. Yes, that is an important component to education, but we need good superintendents, responsible principals, a school faculty that is dedicated, support personnel, but one of the most important ingredients are the parents. Without the parents, we are not going to have the type of education the people that have spoken today say that we need. Mr. Speaker, despite these economic difficulties, something very historic has happened over the past 6, 7 weeks. I say it is historic. It never happened before, and that is where the local school unions are saying to the teachers, you may want to consider a 1-year salary freeze as a way to help balance the budget. Can you imagine? Fifty-two school districts have entered into this agreement with the administration and the local school boards. That is going to help some of the school districts balance their budget and save the jobs. So while we are very negative about all the things that money will not buy, and yet, because of this very dire economic situation that the economy is in here in Pennsylvania, yet these new initiatives and new ideas are bubbling forth. So we commend those local school unions and those teachers who have decided that they would do the 1-year salary freeze to help balance the school budget and to save jobs.

May I end, Mr. Speaker—

The SPEAKER. The gentleman's time has expired. Please conclude your remarks.

Mr. CLYMER. My concluding remarks are this: We have heard so much today about property taxes, that property taxes continue to go up and, you know, what can we do to hold the line on property taxes? Mr. Speaker, I only suggest that whatever happened to the money from casino gambling? I thought that was for—

The SPEAKER. The gentleman will conclude his remarks.

Mr. CLYMER. I thought that was going to be the winner.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the lady from Delaware County, Mrs. Davidson.

Mrs. DAVIDSON. Thank you so much, Mr. Speaker.

I rise to speak on HB 1485, to talk about what this budget does, what this budget does not do, and what we as a House should do about it. There is a Scripture, Mr. Speaker, that says that for the nation's sake I will not hold my peace, and for the people's sake I will not be silent. I have to speak, Mr. Speaker, to oppose the radical, oppressive, and unnecessary dismantling of all the things that many of us hold dear: basic education, higher education, health care, elder care, family services, rape counseling, autism funding – the list goes on and on.

With all due respect to my very good friend, the gentleman from Delaware County, and I do applaud the chairman's efforts to stand up to this Governor and restore some of the cuts, but unfortunately, it does not go far enough. Nine hundred and seventy-three million dollars, Mr. Speaker, is still too dangerously close to \$1.1 billion. Close to a billion dollars or a little over a billion dollars is splitting hairs. The citizens of Delaware County, hardworking, middle-class taxpayers, voters in Delaware County overwhelmingly reject this budget. In my township, which is the largest in the county, people came in droves, Mr. Speaker; 600 people at the local school district meeting, nearly 200 more at my budget hearing.

Mr. Speaker, this is a heavy, bone-crushing burden on the backs of our children, our grandchildren, our grandparents, and the most infirm and unfortunate in our community. I have to ask the question, do we care? HB 1485 forces and asks voters and taxpayers to choose between educating their children and losing their homes. This budget hurts the children and the teachers who fought to improve test scores in my school district, the children that made terrific strides and are scoring higher on standardized tests. We say to those children, it may not be your fault about this budget, but we are going to make you pay for it just the same. This bill takes into consideration an arbitrary number, Mr. Speaker, \$27.3 billion. It assumes a deficit of \$2.6 billion, but it does not take into consideration \$500 million in revenue that is above, above and beyond last year's projections. This budget ignores this money, pretends it is not even there, and it does not acknowledge it. We are told that we might need to set it aside just in case.

Here is a news flash: It is already raining in Pennsylvania. My constituents and many across Delaware and this great Commonwealth are saying, why cannot we use that money? The answer from the majority of this chamber is, no, no way, no way, forget about it. This budget is also a burden on the backs of businesses. The budget does not relieve that burden, businesses that this majority cares about. I also certainly care about them. The budget does not address the Delaware loophole. This budget does not address the Marcellus Shale tax. This budget does not address many other things that could bring extra revenue into this budget. That is why I encourage a motion to recommit and fought to have this budget redone.

For the people's sake, Mr. Speaker, for the taxpayers' sake, Mr. Speaker, and to the members of this House, not only do we need to be fiscally sound, we have a moral obligation to the children and the parents of this Commonwealth and to the taxpayer. Please vote "no" on HB 1485.

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

On that question, the Speaker recognizes the gentleman from Bucks County, Mr. Petri.

Mr. PETRI. Thank you, Mr. Speaker.

The problem we are faced today with is our problem and we created it. You know, part of the problem is my generation assumes that if you throw money at something, it just solves everything. Let me tell you, Mr. Speaker, throwing money at an issue does not work unless you have proper oversight. After 3 weeks of hearings, I can tell you of at least five departments and instances where the oversight and the mismanagement of our State government is at fault for many of our problems, and we cannot allow it to continue.

Look, our options and our choices are over. There are no more Federal stimulus handouts. We do not have the ability to dig into fund balances to fill holes. We used those tricks. We do not have the Federal stimulus money, and so we are faced with the choices we have. We have to do what every taxpayer and business has had to do, and that is make appropriate cuts. During the hearings, one of the things I heard about – and it did not matter whether it was the Health Department, DPW, or for that matter, education – was consistently, members of the administration knew about problems; they understood what they were, and they ignored them. With that, I left with two thoughts. One was a great dismay and being disturbed about what had happened. The other was a great optimism, knowing that if we fix these issues, we could solve our problems going forward. But this is the year that we are going to have to set that path.

There is a general attitude in the administration from before that says that a 9-percent administrative fee is an acceptable number. Well, let me tell you, Mr. Speaker, 9 percent of \$100,000 is one number; 9 percent of one little line item, a \$700 million line item, is a huge number. It is \$70 million. That is the administrative cost to the Commonwealth. What does that create? It creates waiting lists for people who are deserving of benefits that cannot get them because we spend too much money to deliver services. So what we have to do is send a message to the various departments that they have to make these services available for less money.

I also found problems in our State bid process. Our State bid process is noncompetitive. Imagine missing the opportunity the first time of bidding on a contract, where you could provide services. That contract is issued for 5 years. Five years later it gets reissued and there are about, if I recall, there are about 70 CCISs. They are information services to provide for child care. Not one of them received a competitive bid, so every entity that had the contract got the contract for another 5 years. Does that not signal to us that there are problems in our State bid process, which means we are not competitive and we are not delivering services the proper way? This budget will set up a process where each Secretary and their deputies will be forced to rein in costs and expenses and root out some of the savings that we need.

On the reserve issue, I would like to talk about that a little bit. Many members have indicated that there is a large revenue estimate that is being received, and of course, we have talked about not knowing what the future is. I would like to put a different spin on that, Mr. Speaker. Do we realize that the \$500 million that is being discussed as a revenue surplus, which is just really money that came in over estimates, is really only about a 1-week to 2-week expenditure for our State government? I mean, put this in perspective: This money would barely carry us in the event of any type of circumstance for a week or two to cover our normal duties and obligations. Mr. Speaker, I think it is a far better practice to be conservative

in this budget and to do supplemental appropriations, if this body decides and the Senate decides that it is appropriate and that the cuts went too far and that the revenues are there to do it. That is far better than the practice we have undertaken the last 2 years, where we have had to cut and make major cuts midterm and take money back from the various groups that are out there providing services.

We need a predictable, accountable budget, and it is time to clean our House and to clean up our messes. This budget will help do that. It is painful, but it is our fault. Thank you.

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

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

Mr. B. BOYLE. Thank you, Mr. Speaker.

Let me eliminate any suspense by stating from the outset my strong opposition to the House Republican budget. This budget is radical ideology posing as fiscal responsibility. Consider: The Republican budget cuts basic education by \$1 billion, while also cutting higher education by hundreds of millions of dollars. It cuts reimbursements to hospitals. It makes devastating cuts to health programs for seniors. The Republican budget will lead to the layoffs of thousands of teachers. It will also have what is called the multiplier effect and lead to deep job losses in those areas where the major employer is a public college or university. And possibly worst of all, the Republican budget makes these deep cuts in education and health, while at the same time giving \$200 million in tax breaks to corporations, while keeping \$1 billion on the sidelines.

Mr. Speaker, what we are doing here in Pennsylvania, of course, is not in a vacuum. We are part of a national economy. Like Pennsylvania, many States across the country, after the Republican victories in the last election, are also making deep spending cuts and laying off workers. The cumulative effect of this will be to slow down the recovery right as all of the economic indicators show we are making real progress. Mr. Speaker, this is exactly what happened in the 1930s. While called the Great Depression, this is actually a misnomer. In the 1930s there were two economic depressions. The first was following the big market crash of 1929, but then just as the nation was getting out of the depression, the government too quickly turned to deep spending cuts and to austerity measures. This hasty action brought the recovery to a screeching halt and plunged the nation into a second downturn.

George Bernard Shaw once said, "We learn from history that we learn nothing from history." He must have had the Republican budget in mind. Now to be fair, the Republican argument to all of this is essentially, yes, these cuts may be deep, and yes, they may be painful, but we need to make these cuts because of the big spending or reckless spending of Governor Rendell and the Democrats over the last 8 years. In fact, my good friend, the majority leader, made this exact same talking point on the floor last night. So having not been here for most of the last 8 years, I did some research on this matter. It is true that spending in the last 8 years increased from \$20 billion to \$28 billion, an increase of 40 percent. However, here is the part of the story they leave out. Most of that increase in spending, 72 percent of it, occurred during Governor Rendell's first term, while they were in the majority in the House. Of course, 100 percent of that increase in spending has occurred under a Republican Senate.

But I have some good news for my Republican friends. They can feel good about these increases in spending that happened on their watch, because the fact is, it has helped produce dramatic results in education. Over the last 8 years Pennsylvania is the only State in the nation with increased test scores in all grades. The percentage of students scoring on grade level on the PSSA (Pennsylvania System of School Assessment) increased from 55 percent in 2002 to 75 percent in 2010. Since 2002 the percentage of students failing the PSSA has been cut in half. These increases in academic performance correlate precisely with the increase in education funding.

Now, did increased funding automatically produce these results? No, of course not. But we also know that before we provided these resources, we were falling well short academically of where we are today. After coming so far, why would we ever put these gains in jeopardy? Mr. Speaker, I ask all of the members of this House to say no to going backwards in education, to say no to going backwards in the economy, to say no to this Republican budget. Thank you.

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

On that question, the Speaker recognizes the gentleman from Adams County, Mr. Tallman.

Mr. TALLMAN. Thank you, Mr. Speaker.

Just a few brief comments on the budget. We have heard the other side of this chamber speak about all of the massive cuts that we have done. Actually, the Republican House members have restored a significant portion of the funding. Actually, the spending of State money has increased over last year for education. The next thing that we hear about from the other side of the chamber is this \$500 million or a billion – I guess if you are going to spend next year's money, which is typical for that side of the chamber – but we do not have a budget surplus. We are spending over \$500 million a year on interest on our debt. Would you not think it would be wise fiscal policy to reduce our debt? How about the reckless spending that was done under the previous administration, stealing \$850 million out of the Mcare Fund, which the lower court has already found that we are liable for? I think we better keep that \$500 million to pay that debt.

So we as a State have a huge amount of debt, some of it not even known yet. Our unemployment has a huge debt. So how can you say that we have \$500 million extra? In my house, I do not consider that extra money when I am in debt. You need to pay your debt. Pass HB 1485. Thank you, Mr. Speaker.

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

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

Mr. BARBIN. Thank you, Mr. Speaker.

I rise today in opposition to HB 1485, and I will give my reasons. First and foremost, this budget violates simple economic analysis, which threatens to prolong the great recession. Second, this budget feeds the prison and charter school industries while threatening public education, higher education, and hospitals. Third, this budget does not make the Commonwealth stronger; it makes it weaker, because it continues to make the same mistakes that we have been making for the last 15 years. Simple economic analysis: More people working creates more tax revenue, which creates more disposable income, which speeds the recovery. Conversely, the budget's cuts to public education will result in a minimum of

10,000 teachers being laid off. You do the math. There will be an additional 10,000 people laid off from hospitals and public universities if the cuts to higher education are placed.

You may not like this, but the facts are we spent \$48 billion last year on the combined budget, Federal and State. This year we are spending \$46 billion. Two billion dollars is the difference. That is the spending cut. Unfortunately, it comes at the expense of jobs. Jobs mean tax revenues are not coming in, which means we do not have additional moneys to provide benefits for. It also means we have to spend money to cover those social costs – the unemployment costs, the welfare costs. There are three ways to handle a budget that are normally accepted in this chamber and also in the Senate: you can cut spending, you can raise taxes, or you can do you budget tricks. Budget tricks are transfers. This year the budget does \$2 billion of spending cuts, which I applaud. It does not raise taxes, which I applaud. It makes transfers of \$800 million – \$480 million from the Tobacco Settlement Fund and \$380 million from the Federal stimulus that was supposed to go in for this year that is being transferred to next year. Despite all of that, we still are ahead of tax revenues by \$500 million. That is because the stimulus plan worked, and it worked simply because people were working. We do not want to put people out of work. If we do, what Representative Gergely said is going to come true. We are going to have bankrupt school districts. When that happens, we are going to have to come up with the money anyway.

My last reason why this budget should not be passed are all the people that surround us in this hall – Penn, Franklin, Stevens, Girard, and Washington. None of them, if they were standing here today, would say go ahead and do this, it is a great idea, because it misses the main component of freedom. Yes, you are supposed to have limited government, but you have to have government that recognizes their obligations. Our highest duty is public education. It is what makes a poor person have the same chance to be Washington as a rich person. If we cut public education, we cut out all those poor people that have a chance to be President of the United States, they have a chance to be George Westinghouse, they have a chance to be the person that created the first computer in the world, the first fully electronic computer at Penn. We do not want to cut public education and we do not have to, because the money is there. This year that dollar amount is not \$506 million; it was as of May, by June it is going to be \$700 million. The same thing will happen if we do not— \$200 million more. That is where the trends are going, unless we have unemployed people because we decide public teachers should be laid off.

Washington said that it is better not to offer a bad excuse than it is to have no excuse. There is no excuse for this budget. We should not lay off any public teachers or any college teachers.

Thank you, Mr. Speaker.

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

On that question, the Speaker recognizes the lady from Montgomery County, Ms. Harper.

Ms. HARPER. Thank you, Mr. Speaker.

I rise in support of this budget. I admit, it is not the budget I would have drafted had I been the only one doing the job. I have been quite public in saying that we should be taxing the Marcellus Shale severance tax. Notwithstanding that, however, I intend to vote for this budget and I think it is a good effort. We are not Congress. We do not print money and we cannot deficit spend. In a year when the economy has tanked – in fact, the

third year that this is true – we are bringing in less State revenues. When businesses make no money, they pay less in taxes. When people lose their jobs, do not get raises, and do not get bonuses, they pay less in taxes, and we owe the Federal government billions in order to be able to pay unemployment benefits.

In a situation like this, there are two choices: increase revenue or reduce spending. If the public said anything last fall when we were all elected, they said, if you have to do it, reduce spending. This is not a pretty budget. No one is exalting at this budget, but it is a good effort. It gets us to a balanced budget by reducing spending and without increasing taxes on people who are struggling to get by. They want us to get our fiscal house in order and this budget does it. I will be supporting this budget, and I would ask that the others of you support it as well.

Thank you, Mr. Speaker.

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

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to HB 1485. Let me get my policy concerns out of the way before we deal with some specifics. Number one, we cannot, should not, do not transfer any money from the Tobacco Settlement Fund to the General Fund. Let me say that again: We should not transfer one dollar out of the Tobacco Settlement Fund to the General Fund so that it can be used for speculative economic development purposes. We are not creating any WAMs in this budget.

Mr. Speaker, we entered into a covenant with the people of Pennsylvania, which said that we would use all Tobacco Settlement dollars for health-related issues. Mr. Speaker, that involved research and a number of other things. At a minimum, HB 1485 should use a portion of Tobacco Settlement to deal with the 14,000 working people who were removed from the adult health insurance program. That is number one. So as a matter of public policy, we should not transfer that. Secondly, we should not advocate, and from what I have looked over in HB 1485, there is no page, no corner, no center from which I can glean any real conditions that will result in real job creation. There is no program in HB 1485 that I can see, and I am open for advice, no job-creation program with some speculative or definitive numbers about reducing structural unemployment and underemployment in many communities of the Commonwealth. Without that kind of commitment or condition, then any and all job-creation programs are speculative at best and are WAMs at least. So, Mr. Speaker, I encourage as a part of HB 1485, support HB 85, which talks about creating an environment that will create jobs and will get folks ready for the current job market.

Secondly, housing. Mr. Speaker – and I thank you for putting money back into the HEMAP (Homeowners' Emergency Mortgage Assistance Program) – but, Mr. Speaker, the Appropriations chairman has 98 people in his district that were able to fight off mortgage foreclosure. In Butler County, there were 145 people who needed mortgage foreclosure assistance. In many districts – Indiana, Jefferson County, Allegheny County – in Allegheny County, 112 mortgage foreclosure applications. Mr. Speaker, PHFA (Pennsylvania Housing Finance Agency) has requested \$14 million for the HEMAP. You are providing \$7 million in HB 1485. The mortgage foreclosure is not over. It is getting worse in many communities of Pennsylvania. We need to fund it at what was requested, not

what we feel. Mr. Speaker, this is about dealing with the needs of Pennsylvanians, not what we need ourselves. Dr. King used to say that at some point we must be selfless about our interest and not selfish about our interests. If we are selfless about our interest, we need to put more money in the HEMAP.

Education. Mr. Speaker, as a general rule, we should never have a paradigm where we have a billion going in the prisons and taking a billion out of education. Mr. Speaker, I guarantee you, if you give me the \$32,000 that we spend for the 50,000 people in prison, I will send some young people to Yale rather than jail. Thirty-two thousand will help us to send a child to Yale rather than to jail. Under this budget, we demonstrated over the last 8 years that if you invest on the front end, you will get a good return on the back end. Let us not retreat on that commitment.

Last but not least, Mr. Speaker—

The SPEAKER. The gentleman's time has expired. Please conclude your remarks.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, our Excellency has said that public safety is the number one interest for the Commonwealth of Pennsylvania. To that end, we must put money back, sufficient funding in violence reduction, safe neighborhoods, juvenile justice—

The SPEAKER. The gentleman will conclude his remarks.

Mr. THOMAS. Mr. Speaker, I appreciate the extended time that you gave me. I will only close by saying, let us not forget about putting children, families, and communities first in our decisionmaking. Vote "no" on HB 1485, and let us get to a real budget for the real people of Pennsylvania. Thank you.

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

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

Mr. KILLION. Thank you, Mr. Speaker.

I will be brief. We have had a lot of folks speaking today. There seems to be agreement that we need to cut, but I think we need to look at the facts when it comes to basic education. I have been hearing from the other side of the aisle that there is up to a \$1 billion cut in basic ed. Well, let us look at the numbers. Let us look at the numbers. In 2008 and 2009 this body, through the budget, funded basic education at \$5,226,000,000; Governor Rendell in the Governor's Mansion, Democrats controlling the House. In 2009-2010, the State's commitment, the money that we put in, our money from our taxpayers dropped to \$4,871,000,000. So the self-proclaimed "education Governor" decreased funding from '08, '09, '10. What does this bill do? What does HB 1485 do? It increases State commitment to basic education over what Governor Rendell put in the basic education to \$5,121,000,000 – a \$250 million increase. Now, would I like to do more? Absolutely. I would like to do more for basic ed. I would like to do more for our State System schools. I would like to do more for my alma mater, Penn State, the school where my daughter, Rebecca, just finished her freshman year, but we have budget constraints. We have all heard that. Times are tough. Now, we hear about a billion-dollar surplus – well, they doubled it; it is \$500 million. We have had 2 good months and that is great news; 2 good months. Two good months does not make a recovery.

We need to see the revenues going forward, another month or two. Listen, we could come back after the budget is passed and refill in some of these lines. It is an easy thing to do. We could do that when we know they have the money, but today we

need to be responsible. We need to be responsible and pass a budget that, obviously, is balanced but is within our means. We could come back later and look at those lines, but I cannot stand here and allow the other side to talk about us cutting basic ed, when in fact, when in fact it was Gov. Ed Rendell and the Democrat-controlled House that cut basic ed. And where did they get the money to increase it? Where did it come from? It came from the Federal government. They knew it was going away in 2012. Now we are left holding that bag. Well, Mr. Speaker, that bag is empty. We are still increasing education over the Governor's budget by an excess of \$200 million.

This is the right thing to do. It is the responsible thing to do, and we can do better later as we see the economy improve. Please support HB 1485. Thank you, Mr. Speaker.

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

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

Mr. HALUSKA. Thank you, Mr. Speaker.

Mr. Speaker, in this budget, I looked at the line item for promotion for Pennsylvania. If you are a hotelier, work with an attraction or a restaurant, I will give you a minute to get your handkerchief, because you will probably need it when you hear these numbers. Over the past decade we funded travel promotion in Pennsylvania at an average of \$37 million. Over the decade, that is the average. Even last year, in the toughest of times, we funded tourism at \$18 million. This budget today that was presented to us gives \$3 million to promote Pennsylvania. So if you are in any one of these industries— In Pennsylvania, tourism is our second largest industry. We have convention centers in Pittsburgh, Philadelphia, Erie, Scranton, Altoona – all over the State. We have many attractions that we market. Pennsylvania is very diverse. And here we go, we are going to spend \$3 million to market a State that we normally spend \$37 million on average? I find that pretty tough sledding when you take 70 percent of the money away to market Pennsylvania.

Companies, when they are in tough times, do not shelve their marketing; they get out and they hit the streets. Colorado learned this lesson the hard way. A few years back they pulled all their marketing dollars. They went from one of the number one visited States in the Union to about the thirtieth. So I really think we have to take a long, hard look at what we are going to present Pennsylvania and our marketing to bring people to our State to help our second largest business in this State. So I cannot support HB 1485 when they actually gutted the money to market Pennsylvania.

Being on the Tourism Committee for the past 16 years, I have seen a lot of things, and we have a lot of great attractions. We have a lot of great sites in Pennsylvania, and we cannot afford to turn our back on them now and shut them out. So, Mr. Speaker, I will not be supporting HB 1485. Thank you.

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

On that question, the Speaker recognizes the gentleman from Butler County, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 1485. I think over the last 2 days it has really been mischaracterized, and there has really been quite a campaign of misinformation. I think that was very telling from some of the prepared remarks that we saw so many on the other side of the aisle reading from. But HB 1485, Mr. Speaker, takes a very small step in reducing spending by the Commonwealth, a very small step, I think about a 3-percent

reduction in spending. I support HB 1485 and the 3-percent cut in spending, although personally, I would like to see it cut much further, Mr. Speaker. As many of those of us that claim the credentials as fiscal conservatives believe that government should live within its means, we still do not believe that this budget goes as far as it should to ensure that it really does live within its means, but it is a good first step.

Mr. Speaker, to say that HB 1485 is going to drive property taxes up, it is going to, you know, the middle class keeps declining and this is a continuation of that, that it is shortsighted cuts, that it is jeopardizing our economic future – a 3-percent cut is jeopardizing our economic future, a 3-percent cut in the budget? Mr. Speaker, this budget, if it were a good steak, has only had a tenderizer and a butter knife used on it to reduce the fat, Mr. Speaker. Mr. Speaker, if I had my way, I would use a meat cleaver on this steak that we call the budget, and I would make sure that we rend the fat out of this budget.

The welfare spending has grown by over \$4 billion during the Rendell administration – per year, Mr. Speaker, per year. We could have found a 3-percent cut for the overall budget just in the welfare spending, Mr. Speaker. I think it is outrageous to say that this is jeopardizing our economic future by cutting spending, by the reductions that you will see in government jobs, Mr. Speaker. Mr. Speaker, that is the true economic stimulus for private-sector job creation, is reducing the government overhead, which is mainly carried through government employees' salaries and benefits, Mr. Speaker. The more government employees eliminated, the better for those trying to create jobs in the private sector, Mr. Speaker.

HB 1485 takes a small step in the right direction. I commend the Governor for actually putting a budget proposal forward, the first that I have seen in 13 years to actually reduce spending. I commend our Appropriations chairman, our majority leader, and our leadership team for actually moving forward to try and reprioritize within this budget so that we can find consensus and have a budget on time this year with no tax increases, with no fee increases, with no increases in debt, Mr. Speaker.

Mr. Speaker, the misinformation that we have listened to over the last 2 days, to claim that we have a surplus now when we have \$8 billion in debt, Mr. Speaker, when we have multibillion-dollar financial liabilities with our pension system, Mr. Speaker. Mr. Speaker, we have unemployment compensation liabilities, funding liabilities to the Federal government, multibillion dollar, that we are going to have to pay back to the Feds. Mr. Speaker, for any sane person to argue that we actually have a surplus when we are carrying such a high load of debt; it is laughable, Mr. Speaker. And I am sure that the taxpayers across the State that were fired up and went out last November to change the direction of this State by changing this body, that they are not sitting in their living rooms and watching this debate and applauding those on the other side of the aisle that claim that these cuts are deep, that it is going to jeopardize our economic future. Mr. Speaker, what is jeopardizing our economic future are those individuals on this floor who have been complicit with the previous administration and actually overtaxing the people of this State for far too long, Mr. Speaker. Mr. Speaker, HB 1485 has been a long time coming. It is a first step in many steps that we are going to need to take to really put the State back on an economic path to prosperity, Mr. Speaker.

Mr. Speaker, if we truly want to right the ship here, and we truly want to see the tens of thousands of Pennsylvanians who have lost jobs put back into the workforce and reemployed once again, Mr. Speaker, we are going to have to do this and more. We are going to need this step. We are going to need the previous bill that was not successfully moved today. We need to make changes; otherwise, we are not going to see a new direction, Mr. Speaker.

Mr. Speaker, HB 1485 is a good first step. I applaud the makers of this legislation and I will be there to support them. It is important that we move the budget forward at \$27.3 billion and not a penny more, Mr. Speaker, because there are many of us that will not support any further spending than what is already proposed in this budget. I will support HB 1485 because it puts us back on a better path to economic prosperity, Mr. Speaker. Thank you.

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

On that question, the Speaker recognizes the lady from Fayette County, Mrs. Kula.

Mrs. KULA. Thank you, Mr. Speaker.

The education cuts proposed in HB 1485 are bad news for taxpayers, for teachers, and for Pennsylvania's future workforce. We are always talking about saving taxpayers' money; what we should be talking about is returning taxpayers' dollars to them. The Accountability Block Grant Program does just that. It returns tax dollars back to taxpayers in the form of grants their local school boards can use to improve education without having to raise taxes or cut programs.

Unfortunately, this program is facing a 61-percent funding cut, a loss of almost \$160 million. This cut threatens important successful educational programs, and in doing so threatens our ability as a State to have a well-educated workforce, which we need to encourage high-tech companies with good-paying jobs to come here.

Accountability block grants offer such essential services such as full-day kindergarten and pre-K programs. These programs ensure that children start their day of first grade ready to learn. They teach children how to be good students and how to learn, skills that stay with them throughout their education. The number of school districts offering pre-K has increased by more than 87 percent since 2004. Why would we turn back the hands of time on early education programs that are proven education winners?

Reduced class sizes for younger students are an important education option since not everyone learns at the same pace. Smaller class sizes allow teachers to give that little extra special attention.

The education cuts in HB 1485 create education inequality in Pennsylvania. Rural and poor school districts will suffer higher State funding cuts than well-to-do districts. My district, where more than half of the residents are living at the poverty level or below, would see over \$500 less per student in State funding under HB 1485. We have a \$1 billion surplus that should be returned to the taxpayers in the form of better funding for public education. Instead, that money is being kept out of the hands of those who need it, and school boards will be forced to make up the difference through layoffs, program cuts, and tax hikes.

Repercussions of the education cuts proposed in this budget will be felt in all corners of the Commonwealth and for many years to come. I strongly encourage a "no" vote on HB 1485.

Thank you, Mr. Speaker.

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

On the question, the Speaker recognizes the lady from Bradford County, Ms. Pickett.

Ms. PICKETT. Thank you, Mr. Speaker.

Mr. Speaker, creating a budget in turbulent financial times is, to stay the least, very difficult. In fact, it is so very difficult that in this House only the Republicans have done so.

Mr. Speaker, many who depend on State funding are depending on each one of us to set priorities, do as little harm as possible, and stay within the boundary of available revenue. They do not want tax increases but effective spending that creates a successful, sustainable future for our Pennsylvania. Financial prudence will mold future success for Pennsylvania's families and taxpayers. I believe that economic development – and I translate that into jobs, jobs, jobs – creates the badly needed funds to enhance our education, our health care, our seniors, and our communities.

I consistently hear from my constituents that they want an on-time budget, one that searches out and destroys fraud and waste and spends their money wisely. They let me know they cannot afford any new tax increases.

Mr. Speaker, we have made two significant promises in this budget. Promise number one, to sustain the quality and the accessibility of education and increase funding in K through 12 at \$210 million, our 14 State-owned universities at \$195 million, and our 4 State-related universities at 184 million restored dollars.

Promise number two is to preserve the essential services in the Department of Welfare, preserve those services by replacing the substantial sum of Federal money that will be expiring in June, that being \$1.7 billion. In fact, DPW will be receiving \$136 million more than it did last year. We are doing this while doing the very serious work of uncovering waste and misuse of funds in this department.

Mr. Speaker, we need to turn the ship, we need a new course, one that is reflective of these financial times, and one that puts Pennsylvania in place to expand on its opportunities.

Mr. Speaker, I urge a "yes" vote on HB 1485. Thank you.

The SPEAKER. For the information of the members, there are approximately 35 members on the list yet to speak, and to put that into perspective, that is more than have already spoken.

The question is, shall the bill pass finally?

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, in listening to the debate so far, we largely heard Democrats attacking the budget and Republicans supporting it. Now, we also had Mr. Metcalfe attacking the budget and saying he nevertheless supported it. I would say that if I were a member of the Republican Caucus, based on Mr. Metcalfe's comments and Mr. Adolph's comments, I would support—

The SPEAKER. The gentleman will suspend.

Just to remind the member that it is improper to use the members' names.

Mr. COHEN. Thank you.

The SPEAKER. Use either their district number or their county of home origin, their hometown, some other euphemistic reference.

Mr. COHEN. Okay.

The SPEAKER. The gentleman may proceed.

Mr. COHEN. Thank you, Mr. Speaker.

If I were a member of the Republican Caucus and I had a choice between the gentleman from Butler's idea of the budget and the gentleman from Delaware's idea of the budget, I would vote for the gentleman from Delaware's idea of the budget. I would say we do not have maybe a meat cleaver attack on current spending, but we have an attack nevertheless.

Mr. Speaker, the majority leader spoke about the world divided between people who benefit from the budget and people who pay taxes to support the budget. In the real world in which we live in, a lot of people are in both categories. For instance, this budget cuts money for breast cancer screening. There are various governmental facilities where people can go for breast cancer screening. If they cannot go to them, they will go to hospital emergency rooms or doctors' offices. Whatever they do, we who pay taxes, which is really just about everybody, will have longer waiting times. Cutting the amount of money for breast cancer screening clinics does not really solve the problem nor does cutting money for TANF (Temporary Assistance for Needy Families) recipients who are transitioning to work. We do not want to pay money for welfare recipients, but cutting money to help them get jobs does not really solve the problem. It just means they will stay on welfare, on TANF, a little bit longer, or maybe in some cases, a lot longer.

We need to understand that there is interrelationship in the budget. We worry about people being unemployed and the high cost of unemployment and then we say, let us lay off a lot of teachers and a lot of hospital workers to save money. Well, if we lay them off to save money, they are going to file for unemployment compensation, and that will make our unemployment compensation problem a little bit worse.

We need a much more holistic approach than this budget presents. Doubling the cut from Governor Corbett's original budget from \$21.8 million to \$43 million in child welfare services does not make a lot of sense for the long-term. If you do not give children in need services, they tend not to react very well to that. Unfortunately, they do not react by contacting their legislators and demanding an increase in child welfare services, but they may react by committing crimes. Each crime committed costs the Commonwealth of Pennsylvania a lot of money. Cutting uncompensated care for hospitals only raises the cost of premiums for Blue Cross, Blue Shield; whatever health-care plan you pay, it is going to go up in cost because we are cutting uncompensated care.

Other people have gone on in great detail about the budget. This is not the best budget we ever passed. This will likely be the most partisan vote we have had in many years. I would strongly urge a "no" vote on this budget.

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

On that question, the Speaker recognizes the gentleman from Chester County, Mr. Lawrence.

Mr. LAWRENCE. Thank you, Mr. Speaker.

Mr. Speaker, we have heard a great deal yesterday and today about the surplus of \$500 million, \$1 billion before the Commonwealth. Now, it is an undeniable fact that the Commonwealth has indeed received more tax revenue than anticipated over the past month or two. Our State has had a good month, a very good month, and this is good news.

Mr. Speaker, I recognize that I have only been here for a few months and that I am perhaps naive to the ways of Harrisburg, but I have to say that I am amazed at how quickly and how many times over this money has been spent on every possible

cause out there. It gives me some idea of how we got into the fiscal situation facing the Commonwealth today. More money comes in than anticipated, spend it. Do not worry about the billions we need to fix the State pension system. Do not worry about the billions needed for roads and bridges in the Commonwealth. Do not worry about the billions we need to repay the Federal government for unemployment compensation loans.

Before I was elected to the legislature, I worked for a bank. One thing we stressed was this: Do not bring me a problem without bringing me a solution. Now, with all due respect, we have heard a lot of complaints today from the minority, but the truth is, they have offered no budget of their own. They have offered no amendments to this budget.

Now, we know how the vote is going to go today, and frankly, it takes no courage to put a "no" vote up on this budget. The people of this State, however, are desperate for leadership that deals with them squarely about the financial challenges facing our Commonwealth. The people of this State are sick and tired of pontification. They are ready to hear the truth. The truth is this budget is tough, and frankly, for some it is brutal, but it is financially sound. We all stand accountable to the taxpayers of this Commonwealth, and I encourage an affirmative vote.

Thank you, Mr. Speaker.

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this budget is about two Pennsylvanians. It is about the Pennsylvanians that have and the Pennsylvanians that do not have.

Several speakers have said we on the Democratic side have not offered alternatives. We tried to have this bill recommitted so that we could put the appropriate funds in the budget to do the things necessary for the people of Pennsylvania, so that we could use the money that they have already paid to pay for the things that they have asked us to pay for. That was denied. We do not have to make a Hobson's choice and take it away from a welfare recipient to give it to a school child. We do not have to take it away from someone in a nursing home to give it to someone else here in Pennsylvania. We could have eliminated the vendor discount, \$50 million-plus that goes to 10 big-box retailers in the State of Pennsylvania just for obeying the law, as a bonus to them. We could have frozen the capital stock and franchise tax like it had been, saving hundreds of millions of dollars. We could have not done the bonus depreciation, saving \$200 million for the people of Pennsylvania, and we could use the surplus that is there and will be there next year to use for education and other programs in Pennsylvania, but we are not doing that.

Instead, we talk about shared sacrifice. Let me tell you about how that shared sacrifice plays out in this Republican budget. If you live in Radnor Township, where there is a 6.1-percent poverty rate, your kids are going to do without \$975 per classroom. If you live in North Allegheny School District, where there is a 4.25-percent poverty rate, you are going to do without \$2,425. Not so bad. Maybe you will not be able to buy colored chalk this year. But guess what? If you live in the Hazleton Area School District, where there is a 59-percent poverty rate, you are going to do without \$10,925 per classroom this year. If you live in the Allentown School District, with a 73-percent poverty rate, you are going to do without almost

\$19,000 per classroom. If you live in the Pottstown School District, where there is a 60-percent poverty rate, you are going to do without more than \$13,000 per classroom. If you live in the Southeast Delco School District, where there is a 58-percent poverty rate, you are going to do without \$14,000 per classroom.

The SPEAKER. The gentleman will suspend.

The distribution of basic education subsidies is not a matter of this legislation. That will come at a later date, I suspect. The gentleman will confine his remarks to the bill before us.

Mr. STURLA. Mr. Speaker, as a result of the \$900 million in cuts to basic education, school districts that have low poverty rates will not see very much in terms of cuts in this budget. The have-nots in this State, the areas where there are high poverty rates, where kids struggle every day to get a decent education, this Republican budget cuts those areas dramatically. You heard about school districts that will need to shut down as a result of this budget. That is the reality of this budget, and it is done not because we do not have the money, but because different priorities were chosen. We chose to give money to big-box retailers. We chose to allow Delaware loophole corporations to go without paying taxes in this State. We chose to give hundreds of millions of dollars in a bonus depreciation this year to corporations. I should say you will choose to do that.

You have an opportunity though. All you need to do is vote "no," and voting "no" means we will go back to the drawing board and we will start over. This can be a budget that is good for all Pennsylvanians. We all understand that these are tough, dire times. That does not mean that you have to be cruel and unusual with the way you punish children in this State. That does not mean you have to be nasty about the way you impact people in this State that have less than you do. You can do all you want for big-time corporations. They do not vote. They are not your constituents. You can claim they are, but the people in your district will come back to haunt you when their taxes go up.

Thank you, Mr. Speaker.

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

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

Mr. MAHER. Thank you, Mr. Speaker.

Eight years of Governor Rendell, 8 years of balanced budgets, 8 years of budgets supported by the House Democrats, 8 years of balanced budgets. Now, the people whom you might meet day to day might think if you had 8 years of balanced budgets, that you had 8 years where things pretty much stayed even, but it is not the case. In Pennsylvania, with 8 years of balanced budgets supported by my friends on the other side of the aisle, Pennsylvania on an audited financial statement basis, went from being \$10 billion in the black, \$10 billion to the good at the beginning, 8 years of House Democrat-supported Ed Rendell budgets; \$10 billion in the red is going to be where Pennsylvania is when the books are closed in this fiscal year.

Now, how do you get a \$20 billion decline in the financial health of this entity we call the State of Pennsylvania on 8 years of Democratic balanced budgets? You get there because my friends are apparently not very good at forecasting or projecting, because if these truly were balanced budgets, assuming that they believed all of the projections involved, assuming that they believed all that they told the public, that means they are just plain not very good at it.

So I am interested today to hear projection after projection from my friends across the aisle – 10,000 of these people will be laid off, and 10,000 of those people are going to be laid off, and this, and that, and the other thing. Well, when you have been wrong so often, \$20 billion wrong over 8 years, I am not very persuaded. But I am open-minded, and because of the \$20 billion in errors in your budgets over 8 years, we are in a dismal financial condition. Everybody knows that. Your neighbors know that; everyone knows that. The State is in financial disarray. So there are tough choices to be made to repair the errors.

And like I am sure everyone in here, there are choices in this budget that I do not like, but there are choices that as a comprehensive package we have got to get to a comprehensive solution, and I have heard no other comprehensive solution offered. The only comprehensive solution is the one that is before us today. Your caucus had the same opportunity to offer a comprehensive solution that my caucus had in recent years, and we stepped forward with one. You chose not to.

We are in disarray for \$20 billion of budgeting errors through 8 years of a Democratic Governor, and the House is in a mess. We have got to pick it up. We have got to clean it up. We know that, and I am open-minded to whatever comprehensive solution you might offer, but you are not. So I cannot be with you. I have to support the only comprehensive solution that is presented, and I hope you will too.

You know, the budget that we are in this year has a structural deficit of \$4 billion, and what that means is that on an ongoing basis, if we do not change something, we are \$4 billion out of whack. So we have got to make dramatic changes, and this budget has some dramatic changes, some very dramatic, but somehow or another the House Republicans have found a way that for basic education, for our public schools, it is more money than in the history of the State, more State money than ever, ever before, more than you ever supported in your 8 years with Ed Rendell.

So if you support public education, please vote with us. Thank you.

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

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

Ms. BISHOP. Thank you, Mr. Speaker.

I rise in opposition to HB 1485. This budget bill cuts funding for child-care services by \$15.9 million; that is 9 percent, and child-care assistance by \$21.3 million; that is 11 percent. It is a budget of pain and a budget of tears for the children of Pennsylvania. Yes, tears, Mr. Speaker, not Democratic tears, not Republican tears, but tears. They are not urban; they are not rural. They are tears of the have-nots; tears of neglect; tears of loneliness; tears of despair, of hunger, disappointment, displacement; and tears of loss, hurt, anger for the children of the Commonwealth of Pennsylvania, all of the children in need.

And I want to make one point for sure, Mr. Speaker, investing in our most precious gifts and the most precious gifts of life, our children. Investing in our children is not abuse, investing in our children is not neglect, investing in our children is not waste; investing in our children is doing what we have always done best – taking care of those precious gifts that God has given us, taking care of those who cannot take care of themselves.

And to add salt to this great wound in this budget, it even increases the family copay by \$5, and I wonder how many families who already are struggling to make ends meet will not be able to afford the care, child care, due to this increase. The child-care system uses State and Federal funds to subsidize the cost of care for children whose parents are participating in employment, education, and training activities, so they can work. Child-care services provide subsidized child care to low-income working families on a sliding fee scale. Under the ARRA, funding for child-care service needs to be level, level-funded to enable the State to expend some of these ARRA funds. So really, we are going to lose money there too. Since July of 2006, the waiting list for subsidized child care has fluctuated between 6,000 and 16,000 children, so these cuts do not solve the problem anyway.

Cornell University research recently found that increased direct spending for early childhood services generated more total sales and employment than increases in any other major sector in Pennsylvania. For every additional dollar spent through Child Care Works and Keystone STARS (Standards, Training/Professional Development, Assistance, Resources), an average of \$2.06 is circulated in Pennsylvania's economy. Even Governor Corbett did not cut these programs.

Yes, they do cut. They hurt, they hurt. These cuts hurt our economy. They make it harder for working families to survive and probably cause some of them to give up their jobs, since somebody has to take care of the children. These fundings support our county administrative programs. They support these services, which include counseling, therapy – that is in-home counseling – placement services for foster care and family unification. They help our youth get on the right path and off public assistance. And if we are devoted and interested in the growth of our children in the Commonwealth of Pennsylvania, I urge you to remember that the best way to stop the cycle of poverty is by attacking these challenges head on and helping our youth to a better tomorrow.

And in closing, I want to say to each one in this House: You can do it. You can turn this nation or this Commonwealth around from going into poverty to a thriving nation or a thriving State. You have the power in your hands right now to stop all of this. Bring it to a halt and turn us into an upward direction by investing in our children. We thank you.

The SPEAKER. The lady's time has expired.

Ms. BISHOP. I want to say, vote "no" on HB 1485. Thank you.

LEAVE OF ABSENCE

The SPEAKER. The Speaker returns to leaves of absence and recognizes the minority whip, who requests a leave of absence for the gentleman, Mr. SABATINA, from Philadelphia for the remainder of the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 1485 CONTINUED

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

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

Mr. QUIGLEY. Thank you, Mr. Speaker.
I rise to support HB 1485, the budget bill.

Mr. Speaker, as I have heard the comments throughout the course of this long afternoon, I cannot help but think that many of us have not learned from history. It is true, as my good friend, my good Irish friend from northeast Philadelphia, reminded us of the budgets that have been passed in the past 8 years, and in some cases, we on this side of the aisle were supportive of those budgets. I personally was not, but some of us were. And I think the one difference is that we on this side of the aisle have learned from our mistakes. We realize that we have to live within our means. We realize that when we are presented with a revenue overestimate – some people call it a surplus; I call it a revenue overestimate – that we do not have to spend it right away. That was one of the things that amazed me in my first term here in 2005 and again in 2006. We took a look at these revenue projections, these revenue overestimates, and many people again, unfortunately, on both sides of the aisle could not find a quick enough way to spend that money, and that is what has led us to this situation that we find ourselves in right now. We have not learned from history.

Things are just maybe starting to turn around, depending on who you believe, with regard to this economy. People in my district have not come forward and said that they are feeling great about this economy or they are feeling great about job opportunities or the tax situation or the other bills that they are forced to pay, so I do not see how we can sit here and look at this revenue overestimate and find other ways to spend it.

We have to prioritize the spending, and I have heard a lot, again, about the school districts that are going to be impacted by this, and there is no doubt that they will, and hopefully those individuals – the school board directors, the teachers, the citizens who live in those districts – will learn from history as well.

In many of our districts, they are making difficult decisions and difficult cuts, but they are involving everyone in the community. In one of my school districts, a citizen commission has found \$1 million in savings in the school district – \$1 million. And the question would be asked, perhaps, how could it be that there is \$1 million in savings, unless you are forced to do it by these tough economic times? That is what we have to do throughout this Commonwealth at all levels – our county, our school districts, and our municipalities – is learn from history, learn that even as this economy hopefully does come back, as it will, that you save money, that you spend appropriately, and not find yourself with revenue overestimates or even surpluses and find quick ways to spend that money.

Learn from history. Let us steer this economy and this Commonwealth in the right direction, let us learn from our past mistakes, and let us move forward with this balanced, fiscally responsible budget.

Thank you, Mr. Speaker.

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

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

Mr. PAYTON. Thank you, Mr. Speaker.

I stand to urge the members of this chamber to vote against HB 1485 for a couple of reasons. First, we say this is a responsible budget, and I would ask all the folks that say this is a responsible budget, are you ready to assume the responsibility

for the outcomes of this budget? As we know, we are still climbing out of an economic downturn, and if 10,000 people got laid off tomorrow, will we still cut the food stamp program? If we know that kids in districts all around the State are finally starting to achieve with lower classroom sizes and additional teaching staff support, would we still cut the school budget?

I say all that to say that our actions have consequences, Mr. Speaker, and some of those consequences put organizations like community colleges in peculiar situations. There are more than 220,000 students in community colleges throughout Pennsylvania, and that number is increasing due to the recession. So more students, less funding equals a tenuous situation for many of our community colleges, and this will have effects in many counties, including Allegheny, Beaver, Bedford, Berks, Bucks, Butler, Cambria, Chester, Dauphin, Delaware, Fulton, Greene, Huntingdon, Indiana, Lancaster, Lawrence, Lehigh, Luzerne, Mercer, Monroe, Montgomery, Northampton, Philadelphia, Pike, Wayne, and Westmoreland Counties. Two-hundred and twenty thousand students from all across the Commonwealth will be impacted by this.

So are we ready to live with the outcomes of this budget that we say is responsible, that we say is responsible when we are eliminating a program like the T.E.A.C.H. (Teacher Education and Compensation Helps) program? And we all know the benefits of early childhood education and the multiplier effect that that has on the economy. But we are eliminating a program, which is the Teacher Education and Compensation Helps program, and it is doing wonders for many children across Pennsylvania, not to mention that we are eliminating full-day pre-K for many districts throughout.

And the other thing I would say is let us take a look at the basic ed funding formula, and if you look at the Social Security reimbursement and where that money went, are we really about fairness and equity, particularly my Libertarian friends? And I would appeal to the Libertarian streak in many of us and talk about the allocation of resources and do we really have fairness in equity or are we treating people differently? With the language that is in this budget, I would submit to you that we are treating people drastically different, particularly poor kids all across Pennsylvania. There is no equity for them, no equity for the poor kids of Pennsylvania in this budget. And I would say that should be something that is repulsive to everybody in this chamber. Everybody in this chamber should be repulsed that there is no equity for poor kids across Pennsylvania. Where is the fairness? It does not exist in this budget.

So for all of those things, I would ask all of my colleagues to rethink their ideology. I understand we talk about a responsible budget and we want to live by a number, but there are stories relative to those numbers, and there are stories in early childhood education where kids are coming into first grade now reading on grade level, whereas before, without full-day kindergarten, they were not; they were not. And there are also families, families that get by and scrape by with the help of programs like the WIC (women, infants, and children) program, and we are cutting those things, and we are cutting those things.

So let us think about what we are doing and think beyond this artificial number that we talk about and think about the stories that are out there of the kids that have no place to go but that library in Northampton County or that library in Adams County. Let us think about the effect on them as we discuss this budget, and please vote "no." Thank you.

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

On that question, the Speaker recognizes the gentleman from Westmoreland County, Mr. Krieger.

Mr. KRIEGER. Thank you, Mr. Speaker.

Many have spoken eloquently this afternoon, given you numbers, talked about dollars and cents. However, there is also a bigger picture here. When I came to this House, some good friends of mine gave me a card that I have on my desk. It was Thomas Jefferson. It said, "A government big enough to give you everything you need is a government big enough to take away everything that you have."

Their biggest concern when I came here was this place would change me. The people that sent me here asked me to help change this culture, to stand against business as usual, and we have a chance to do that today. We have a chance to have a real cut in spending for the first time in probably anybody's memory here.

Now, the other side has given great lip service to fiscal responsibility, but what cuts did they support? They are opposed to any cuts in education; however, 40 percent of our budget is in education. They are opposed, apparently, to any cuts in public welfare; another 40 percent are in public welfare. So I asked them, with 80 percent of our budget off limits, what cuts do they support?

There is not a single one of us here that would not like to fund some line item at a higher level than we have done it here. There is not a single one of us that does not think education is important, but there are other things important as well. Many have set up straw men today. We have talked about the Delaware loophole. Any accountant in this room in either party can tell you there is much more made of that than there is reality. We have heard the Marcellus Shale severance tax, and we all know, even under the most onerous proposal, that is a drop in the bucket to the \$4 billion structural deficit we face. We have heard about surplus revenues, and we all know they are an illusion.

A previous speaker talked about mythical allegations of waste, fraud, and abuse in public welfare, and I find that interesting, because obviously Jack Wagner, a Democrat Auditor General, disagrees. And why does he disagree? Because he had the honesty to look at it without party influence. He looked at the facts, and more importantly, our constituents know this. There is not one of you that has not been in a grocery store and has not had a constituent come up and talk about their anger about the waste and fraud they have seen.

The previous gentleman also talked about this budget would undo great accomplishments, and I do not know what great accomplishments he is talking about. I have always been under the impression that government is not the source of our great accomplishment, but it is our people, and our people have produced great accomplishments even under the great burdens we have placed them under.

Another speaker talked movingly about the middle class and the fact that it is disappearing. I am a product of that middle class, a fact of which I am very proud, and there is not a day goes by on this House floor when I do not think about what we are doing and how it impacts them – not big business, not any other special interests, but the regular men and women in this Commonwealth that get up every day.

There is a common term out there, "makers versus takers," that I have heard a lot about in the last couple years, and I think it is really true. These people are the makers. They do not want a government handout. They want to use their own money to raise their own kids and live their own lives, and they resent the fact that we take that money to give to every special interest group to support our electoral ambitions rather than doing what is right for those people, the salt of the earth in this Commonwealth.

I would have to say this: I do agree with the gentleman that the middle class is disappearing, and I would say to the minority party that you are crushing them with your support of excessive spending. I would say that in fact you are crucifying the middle class upon a cross of debt.

I would ask you to support HB 1485. Thank you.

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

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 opposition of HB 1485.

Mr. Speaker, American activist Marian Wright Edelman said this: "Education is for improving the lives of others and for leaving your community and world better than you found it."

Mr. Speaker, HB 1485 puts additional pressure on our already stressed school districts. The Governor's plan to cut more than \$1 billion to basic education will have an adverse effect on school districts throughout Pennsylvania. Cutting of funds to basic education will, in many cases, put an end to classes such as chorus, band, drama, woodshop, architecture, and many more.

Mr. Speaker, I can tell you this with all certainty: I have a nephew that is a talented young man with respect to music. He is currently a student at Notre Dame University. There is no way he would have attained that level of higher education if it was not for the specialty classes to which he was exposed to at Scranton High School. We must protect those students that have that talent and ability in those niche areas.

Mr. Speaker, Pennsylvania is the only State in the nation with gains in standardized testing in every grade level. These academic gains our students have made are directly at risk due to the proposed funding cuts. Seventy-five percent of Pennsylvania's school districts anticipate that they will need to reduce or eliminate educational programs next year in order to balance their budget. Over 30 percent of the school districts are considering eliminating full-day kindergarten. Next school year over 85 percent of the districts anticipate increasing class size. Also, over 60 percent of the districts anticipate cutting or eliminating their tutoring programs. I could tell you as a father of two children, I have a son that during his elementary, middle school, and high school years needed additional tutoring. I would hate to think what would have happened to his education if he did not have access to that type of tutoring. Seventy-five percent of the districts anticipate reducing or eliminating field trips and extracurricular activities, including sports.

Mr. Speaker, after talking to three superintendents of school districts to which I represent, each voiced their concerns as to the economic future of their respective districts. The cumulative cut to the three school districts to which I represent – Scranton,

Dunmore, and North Pocono – is over \$7 million, \$7 million. In the words of one of the superintendents, he said this: "If we continue on this course with basic education cuts, our school district will be a mere shell of what it is today."

Mr. Speaker, it has been said many times by our Governor that this is a no-tax-increase budget. By decreasing funding at the State level, the burden is transferred to the local school districts, and ultimately, to the local property owner, resulting in higher property taxes.

Mr. Speaker, for nearly a decade, Pennsylvania students have been making steady academic gains. Those gains are now at risk. With a cut of more than \$1 billion to basic education, the results will be fewer programs that work to ensure a student's success. The billion-dollar cut is the wrong answer for Pennsylvania's children today and the wrong answer for Pennsylvania's future.

Mr. Speaker, I thank you.

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Gabler, from Clearfield County.

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

Today we stand here in a very different position than we faced 1 year ago. We have a new Governor and we have a new leadership team here in this chamber. We are considering HB 1485, which represents a budget plan that prioritizes education and our core functions of government while living within our means, the way every family and every household is expected to in this Commonwealth. I think the course of debate over these past 2 days is illuminating in showing how we got into the position we now face; that is, that we must account for a \$4 billion structural deficit in order to pass a spending plan for the 2011-2012 fiscal year.

Yet with a \$4 billion deficit that our State has to face, our colleagues in the minority, who controlled the budget process in this chamber over the past 4 years, are now saying, hey, I just found some money in the couch cushions. Let us spend it and let us plan on spending more money like it in future years. Is it any wonder that this management style resulted in the \$4 billion problem we are now tasked to fix?

Here is the reality. Two years ago our State budget took over \$800 million out of an insurance fund that the Commonwealth Court determined we had no legal right to touch. The pending court case before the State Supreme Court could impose that liability on this State at any time. The Obama administration has also reinterpreted a tax policy that is going to impact State refunds over the next year. We are going to be required to have cash on hand to cover these liabilities. We do not yet know what the economic recovery truly looks like. With all these unknowns, any talk of a so-called surplus is nothing but fuzzy math. The truly responsible approach is to spend only the money we know we have so that we can be sure that future years will not be so difficult as this year is.

This budget lives within our means, refuses to raise taxes, and maintains our commitment to the core functions of government, including our education system. Let us look at a comparison. This proposal includes \$5.33 billion for our basic education subsidy. Last year's State share of the basic education

subsidy was only \$5.12 billion. This means that HB 1485 represents a historic investment of State dollars into education, an increase of \$210 million over last year and the highest amount of State dollars ever spent on basic education subsidies. I respectfully contend that the doomsday language that we hear from the opponents of this bill is nothing more than far-fetched hyperbole.

For these reasons I respectfully urge my colleagues to cast a responsible vote and vote "yes" on HB 1485.

Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady, Miss Parker, from Philadelphia.

Miss PARKER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to HB 1485, and I do so for the following reasons: First, for many years, Mr. Speaker, our great country toiled with the issue of separate and unequal opportunities relating to public education. Thanks to the *Brown v. Board of Education* decision rendered by the United States Supreme Court on May 17, 1954, this issue was addressed. However, today I believe that the new question before us here in our Commonwealth is whether or not the proposed crippling \$1 billion in cuts to basic education, the \$169.7 million cut in aid to State-related institutions, and the 10-percent cut to community colleges could possibly represent government creating an environment whereby separate and unequal access to the opportunity to acquire an affordable education actually prevails, but this time, Mr. Speaker, the discrimination and/or unequal distribution of public funds invested is between the haves and the have-nots.

You see, the cuts contained in HB 1485 related to basic and higher education, they will not matter to wealthy Pennsylvanians whose bank accounts are large enough that they can just write a check for college tuition or private school for their children, and they do not have to miss a beat at all. These cuts do not matter to them, but these cuts do matter to working- and middle-class Pennsylvanians who know that education is their tool to reach self-sufficiency. How are we, Mr. Speaker, going to expect our children to outbuild, outeducate, and outinnovate our global competitors if we divest in our most valued commodity, and that is the future, our young people, Mr. Speaker? If there were ever a time that urban Pennsylvanians, rural Pennsylvanians, and those struggling to maintain their suburban Pennsylvanian status needed to come together, the time is now, and that would be to defeat the cuts contained in HB 1485. In addition to that, Mr. Speaker, I want to note for the record that because of these cuts, HB 1485, it does not make sense and it is not worth taxpayer dollars.

I also oppose this bill because during the Appropriations Committee meeting held on May 11, when this bill was amended, I specifically asked the gentleman from Delaware why his amendment totally zeroed out funding for the gun checks line item contained in the State Police budget. He assured me that his office and staff had been in contact with the State Police and they said they could successfully carry out the duties related to gun checks without relying on the \$2 million-plus funds that were cut from that line item in this budget. I took the gentleman at his word, Mr. Speaker, but then the State Police had an opportunity to speak for themselves, and this is what they said: "If we are cut back on the number of personnel we can have assigned to this program, there is

definitely going to mean delays in checking records..." when a person is trying to make a purchase or it is going to delay "...the dealer in making the sale."

In addition to that, Mr. Speaker, the national system that the State Police would have to rely on, now solely without our PICS system (Pennsylvania Instant Check System), it does not include 587,000 mental health records in our State system. So mentally ill people could possibly be able to buy guns because our mental health records do not correspond with those in the national system.

In addition to that, the issue of waste, fraud, and abuse has been connected to all of the cuts contained in the Department of Public Welfare. I also asked during that same meeting, if that is the case, Mr. Speaker, show me where you find waste, fraud, and abuse in the cuts that were contained in the line items associated with domestic violence, rape crisis centers, breast cancer screening. The response that I received is that there was no waste, fraud, and abuse connected to cuts in those line items, but those programs were simply being cut.

Mr. Speaker, in closing, let me just say for the record that as mentioned for all of those reasons, I am urging my colleagues to vote "no." HB 1485, it does not make sense and it is not worth taxpayer dollars.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman, Mr. Briggs, from Montgomery.

Mr. BRIGGS. Thank you, Mr. Speaker.

Since I have been in office, I have not hidden the fact that my number one priority as a legislator is to ensure a brighter future for Pennsylvania's children. Given the major cuts in this budget that has been set forth, I worry that few other members share my vision that our budget should put our kids' futures first. Unfortunately, this budget continues down a troubling path of putting special corporate interests, gas drillers, and ideology ahead of our children, and our Commonwealth will be worse off for it.

There has been a lot of talk about last year's budget. I voted against last year's budget mainly for two reasons. Some of the funding in the budget was distributed throughout that I disagreed with, but the other major driver for my "no" vote was that in last year's budget we failed to prepare for the loss of stimulus funds and increased pension obligations. We did not prepare for the multibillion-dollar deficit that we knew we would face this year, and now we are faced with a budget that slashes and burns important programs that serve our children and our most needy residents.

This year, just as last year, my colleagues from across the aisle refuse to consider responsible remedies to the problems that we face. Instead of killing thousands of jobs and putting Pennsylvanian's at risk with senseless cuts to vital programs, we can make drilling companies share in the pain with a responsible severance tax or we could make other billion-dollar multinational corporations share in the pain by closing the Delaware loophole. But no, again my colleagues are attempting to kick the can down the road further, putting the brunt of the deficit on the backs of the middle class instead of making moneyed interests share in the pain.

Mr. Speaker, I would like to read a few excerpts from an op-ed published this past weekend in the Philadelphia Inquirer that was authored by three doctors at the Children's Hospital of Philadelphia, including Dr. Osterhoudt, a constituent of mine,

regarding the poison control center at CHOP. "A healthy Delaware Valley 17-year-old recently made an impulsive decision to swallow a large number of prescription pills and then told a friend she had done so in a text message. The teenager arrived at a local community hospital in a coma, and then her heart stopped beating. A team of doctors and nurses tried to revive her without success.

"But just as the girl was about to be pronounced dead, a quick-thinking anesthesiologist made a call to the local Poison Control Center..., miraculously the girl's heart was restarted. She remains well to this day.

"Consider how much the Poison Control Center's services were worth to that team of doctors and nurses, to the girl's family, and to the girl herself. And this remarkable story is just one of many examples of the value of the center, which handled 60,000 other human poisoning cases that year...preventing costly hospital visits. But now this important safety net is in danger of being lost....

"The savings that can be credited to the center well exceed the government investment. It's been estimated that every dollar the government spends on poison control services saves \$7 to \$14 in other health-care costs." Let me repeat that, Mr. Speaker. "It's been estimated that every dollar the government spends on poison control services saves \$7 to \$14 in other health-care costs." These are not my words. These are the words of medical professionals whose job it is to save the lives of thousands of children throughout Pennsylvania.

The current budget under consideration slashes the line item for this lifesaving program. Without the services of the Poison Control Center, that 17-year-old certainly would have died. Voting for this budget and its cuts to the Poison Control Center would be a vote for putting thousands of children in jeopardy every day.

Mr. Speaker, the supporters of this budget claim that it is fiscally responsible. As Dr. Osterhoudt explained, every dollar we invest in poison control saves \$7 to \$14 in health-care costs. I question how fiscally responsible it is to eliminate this investment when we know that it will cost 7 to 14 fold in the future.

Similarly, investment in public education and higher education are smart investments that have been proven to multiply every dollar we put in. Let me be clear: Public education, when you look at every line in the budget, is cut almost \$1 billion to our local districts and our children's future. Mr. Speaker, we cannot attract business without a well-educated workforce, and cutting education funding hampers our State's ability to grow. Why shift the burden of the State deficit onto the backs of hardworking middle-class families? Why propose policy that results in higher property taxes, higher tuitions, and larger class sizes? As we try to climb out of the recession, it seems absurd that we would pass a budget that would drive up local property taxes and compromise the economic future of Pennsylvania.

Mr. Speaker, 2 years ago I spoke about not turning back the clock on education. HB 1485 does not just turn back the clock, it smashes it into pieces. Mr. Speaker, I ask my colleagues who are serious about investing in our future and protecting our children to vote "no" on HB 1485. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Conklin, from Centre County.

Mr. CONKLIN. I would like to thank the Speaker.

Mr. Speaker, I would like to just take a second to quote the late, great Senator Morris Udall, who once said, "Everything has been said but not everyone has said it."

With that, Mr. Speaker, I would like to go on and just talk a little bit about what is. You know, a lot of times I hear people, not only in this chamber but in other places, talk about what somebody else did or how it was. I have heard people complain about how Governor Ridge had done things, whether it was gas tax raises or how the Republicans at that time put those taxes in. I have heard people talk about Gov. Ed Rendell, how he has done things.

But the fact is, what is. What is is that we have a half-a-billion-dollar surplus. What is is that the people of Pennsylvania are about to be taxed twice. What is is that we tried to take it back and work together and fix this budget, but the debate got shut off yesterday. What is is the fact that we can go back and we can look at ways to bring funding back to where it is important to us.

I hear people talk about a 3-percent cut across the board, but the fact is, what is is that Penn State was cut 25 percent, Lincoln was cut 25 percent, Temple was cut 25 percent, Pitt was cut 25 percent. What is is you are going to have to go back to your constituents who are losing their jobs in those areas and say, do you know what? You paid taxes. You paid a half a billion dollars in taxes. Today we see a billion-dollar surplus, but what is is that we are not going to put it back to where it is at. We are going to make you lose your job. What is is that you are going to go back to your school districts who have been cut money, who have just called me today and said, is there any way to get money back in because we are going to have to raise taxes with the cut? What is is that those people have paid taxes, but now they are going to have to raise taxes and pay again double because we think it is our money. It is not our money. It is the people's money. It is the people who have to keep their taxes lower.

CONSTITUTIONAL POINT OF ORDER

Mr. CONKLIN. But, Mr. Speaker, with a couple of minutes left, sir, what I would like to do, if I could, is talk about something that has not been talked about, sir. Would it be appropriate for me to make a motion, sir?

The SPEAKER pro tempore. Will the gentleman kindly state his motion.

Mr. CONKLIN. Mr. Speaker, I would like to move that HB 1485 is unconstitutional because it violates Article I, section 27, of the PA Constitution.

The SPEAKER pro tempore. Will the gentleman please suspend.

The gentleman, Mr. Conklin, raises the point of order that this House bill is unconstitutional.

The Speaker, under rule 4, is required to submit questions affecting the constitutionality of a bill to the House for decision, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the bill?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Conklin.

Mr. CONKLIN. Thank you so much, Mr. Speaker.

I state that this is unconstitutional because it violates Article I, section 27, of the PA Constitution. The section states, "The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and...values of the..." great resources of this. The "...property of all the people," which includes the "...generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people." And the reason that violates the Constitution, sir, is by slashing funding of the Department of Environmental Protection by roughly \$9 million, this bill violates Article I, section 27, and it causes the Commonwealth to take away the responsibility as trustee of those natural resources.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the motion for constitutionality, the gentleman, Mr. Adolph, is recognized.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the motion on this bill not being constitutional, and I would like a "no" vote on the motion, please. Thank you.

The SPEAKER pro tempore. Mr. Adolph, you mean you are asking for a "yes" vote that this bill is constitutional?

Mr. ADOLPH. That is correct.

The SPEAKER pro tempore. Thank you.

On the motion on constitutionality, those voting "aye" will vote to declare the bill to be constitutional; those voting "no" will vote to declare the bill to be unconstitutional.

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

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the gentleman's motion that this budget is unconstitutional because I believe he is correct. With these significant cuts in education, many school districts will not be able to provide a thorough and efficient education. It is unconstitutional, and we should support it. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Anyone else seeking recognition?

Those voting "aye" will vote to declare the bill to be constitutional; those voting "no" will vote to declare the bill to be unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—113

Adolph	Fleck	Maher	Roae
Aument	Freeman	Major	Rock
Baker	Gabler	Maloney	Ross
Barrar	Geist	Marshall	Saccone
Bear	Gillen	Marsico	Sainato
Benninghoff	Gillespie	Masser	Samuelson

Bloom	Gingrich	Metcalfe	Saylor
Boback	Godshall	Metzgar	Scavello
Boyd	Grell	Micozzie	Schroder
Brooks	Grove	Millard	Simmons
Brown, R.	Hackett	Miller	Sonney
Causar	Hahn	Milne	Stephens
Christiana	Harhart	Moul	Stern
Clymer	Harper	Murt	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	Hutchinson	Petri	Truitt
DiGirolamo	Kampf	Pickett	Turzai
Dunbar	Kauffman	Pyle	Vereb
Ellis	Keller, F.	Quigley	Vulakovich
Emrick	Keller, M.K.	Quinn	Watson
Evankovich	Killion	Rapp	
Evans, J.	Knowles	Reed	Smith, S.,
Everett	Krieger	Reese	Speaker
Farry	Lawrence	Reichley	

NAYS—87

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

NOT VOTING—0

EXCUSED—3

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

On the question recurring,
Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Hanna, from Clinton County.

Mr. HANNA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to HB 1485, the House Republican budget proposal.

Yesterday and again today, the majority leader asked where the House Democrats' counterproposal was. Mr. Speaker, because of the majority leader's clever procedural maneuvers, the House Republican budget is before us in a position that

prohibits us, the House Democrats, from allocating the \$1 billion of surplus revenues necessary to reduce the draconian cuts in this Republican budget.

It is irresponsible to move forward with a budget that punishes working families, children, college students, and senior citizens while the House Republicans leave a billion dollars of taxpayers' revenue on the table.

With a billion dollars on the table, it is irresponsible to move forward with a budget that will raise property taxes. Yes, that is right, I said a budget that will raise property taxes. School districts all across the Commonwealth have already announced that despite cuts to programs, despite larger class sizes, despite laying off hundreds of teachers, they are still forced to enact property tax increases. That is right, your constituents are being forced to pay higher property taxes while their money is being squirreled away in the Rainy Day Fund while it is pouring higher property taxes on them back home. Make no mistake about it, a "yes" vote is a vote to increase property taxes.

It is irresponsible to move forward with a budget that cuts \$300 million from public higher education. These cuts will force tuition increases that will devastate college students in middle-class families all across this Commonwealth. Recent surveys indicate students today are the first generation in modern history to believe that they will never achieve the success that their parents enjoyed in pursuing the American dream, and now the House Republican budget will force their student debt to balloon beyond their parents' home mortgage, permanently handicapping their financial future. How can you do this when there is a billion dollars on the table?

Mr. Speaker, yesterday House Democrats tried to return this budget to the Appropriations Committee to fix it, but because of clever procedural maneuvers, we were stopped from using the taxpayers' billion-dollar surplus to stop property tax increases and reduce the pain of the Republicans' unnecessary cuts to State programs.

Mr. Speaker, this budget not only hurts students and working families, it also hurts small businesses. One of the clearest examples of this is the defunding of the SBDCs (small business development centers) in this budget. Small business development centers have helped many local businesses grow in my region and across the Commonwealth, helping so many current and future small business owners all across Pennsylvania realize their dreams of owning their own business and being successful entrepreneurs. Yet in this Republican budget, funding for the small business development centers is completely eliminated.

Here are some quick statistics that show just how successful these centers are. A new business is opened every 4 hours and 25 minutes with assistance from the SBDCs. Eighty percent of businesses that are started with assistance from the SBDCs are still in business 8 years later. A new job is created every 1 hour and 7 minutes because of the SBDC's assistance. If we are really about jobs, then we should be making the smart investments that will make those jobs happen, yet this budget eliminates this vital job-creating program.

Also eliminated in this budget is funding for the hugely successful Infrastructure and Facilities Improvement Program. For those of you who are unaware of this program, it is a multiyear grant program that provides grants to help with funding infrastructure and building projects intended for economic development. We are talking about major projects that result in a minimum of 200 full-time jobs. This program has

helped urban, suburban, and rural areas alike with improvements to hospitals, manufacturing plants, warehouses, distribution centers, and convention centers. This is exactly the kind of program that Pennsylvania should be investing in so that we can create jobs. Unfortunately, this budget zeroes out the IFIP, and as a result, dozens of projects across the Commonwealth could be shelved: a \$4 million regional health center renovation in Elk County, at risk; a \$6.2 million hotel and conference center in Warren County, at risk; a \$5 million expansion of the Nittany Medical Center in State College, at risk; a \$6 million regional medical center in Montgomery County, at risk.

The SPEAKER pro tempore. Will the gentleman suspend.

Mr. HANNA. I am wrapping up, Mr. Speaker.

The SPEAKER pro tempore. Time is up. Sorry, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

The bottom line: This is a bad budget for Pennsylvania children, Pennsylvania college students, Pennsylvania taxpayers, and bad for Pennsylvania workers and small businesses.

Vote "no" on this bad budget and let us go to work on a budget that puts middle-class Pennsylvanians first. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Kampf, from Chester County.

Mr. KAMPF. Thank you, Mr. Speaker.

I rise in support of the bill. I am certainly in favor of restoring some of the funding to education that was removed from the Governor's proposal. I believe that those original proposals were too steep. But I think it is right in this bill to find that money elsewhere, and the Auditor General has led us directly over and over again to the right place, the Department of Public Welfare.

The prior speaker indicated that by reducing funding to education, we are automatically going to be creating property tax increases in our local communities. I think all of us know that there is not a direct correlation between State funding and property tax increases by our school districts, because in my community, even when State funding was flush, property taxes continued to go up.

I would like very briefly to go over our State balance sheet. In the last 8 years spending has gone up by 40 percent, borrowing has gone up by 80 percent. People have been talking about how we have a billion dollars, \$500 million in some sort of a surplus and \$500 million projected next year. Well, we have got plenty of liabilities if those predictions come true. We do not have a single dollar in our Rainy Day Fund. We owe \$3.5 billion to the Federal government for our unemployment compensation fund. People say we owe \$3.5 billion for annual transportation costs because we have been underfunding that. We owe \$850 million to the doctors when we took that money from the Mcare Fund to balance the budget. And our pension liabilities are 25 percent underfunded.

I have heard people say that the stimulus package worked. It does not sound to me, with that sort of a balance sheet, those liabilities, that the stimulus package worked. If we take a look back before this recession started, we know that Pennsylvania was 39th in the country at best in terms of job creation. We also know that Pennsylvania is about the 11th highest taxed State in the country.

Now we are \$3 billion in the hole. We do not have \$3 billion in stimulus money. We have these huge liabilities, and we have got real work to do to get Pennsylvania to become a job-friendly State. It is our time here in this legislature to face those facts, to live within our means, and to plan for our future. I believe that we can do that if we focus on our core responsibilities, if we pay down these liabilities that we have racked up over the last several years, and if we retool our economy for the future.

I know this is going to be difficult. I know it, because I have done it myself. I was chairman of the board of supervisors in my home township 2 years ago when this recession hit, and we did not have stimulus dollars. We had to reduce our budget by 15 percent. It was tough, but it can be done, and the world does not come to an end. If you focus on your core responsibilities, you can get the job done, and there will be a brighter day.

Someone else knows that: the family in Pennsylvania. Our taxpayers did not have stimulus dollars. They had to tighten their belts. They had to retool. They had to pay down their liabilities with less, and they had to plan for their future. We must in this legislature do that for those families, because they expect it, they deserve it, and they demand it.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Carroll, from Luzerne County.

Mr. CARROLL. Thank you, Mr. Speaker.

Mr. Speaker, because of the colossal deficiencies in HB 1485, I am compelled to share my thoughts related to the legislation before us today and my desire for a more reasoned approach as we move toward a final budget.

It seems to me one of the central policy issues before the House revolves around the insistence of holding to a very specific spend number of \$27.3 billion while refusing to consider the budgeting of the additional 2010-2011 tax revenues, which to date exceed \$500 million. The rigidity of this policy not only baffles me but my constituents.

Far from being wild spenders, many of my constituents embrace a more modest and I may say commonsense approach. Their view, which is a view that I share, suggests we carefully examine the additional available funds and allocate a portion to the Rainy Day Fund while allocating a portion to meet some of the budget needs that directly impact our State's residents that will not otherwise be met with a spending limit which ignores available revenues.

A reasoned approach to the added revenues balances the financial problems on the horizon, noted by the gentleman from Delaware County, with the financial problems we face in the coming year. Mr. Speaker, the amount the Commonwealth will spend in the coming year should be a reflection of the available revenues with also an eye to the future. This approach would help meet the significant fiscal challenges before us today and in the coming years. To simply bank all the additional revenues above the estimate for the current year ignores the reality of our responsibility to support a range of programs that will be transmitted to county and local governments as well as to our school districts throughout Pennsylvania, resulting in higher local taxes for our residents.

One specific action that has not been mentioned today that I would like to bring to your attention, that I think we should take advantage of, is using a portion of the \$500 million

available and begin the process of removing the State Police funding from the Motor License Fund and return this obligation to the General Fund. This is not new spending but simply the return of an obligation to the General Fund that should never have been moved to the Motor License Fund. These added revenues will give us a golden opportunity to begin this process.

If we are truly serious about transportation funding, this alternative provides a down payment on the transportation funding solution without any added increases in fees, tolls, or taxes. Last session HB 4 was cosponsored by 25 current House Republicans and 17 current House Democrats, suggesting bipartisan support for this proposal. I urge the budget negotiators in both chambers and the Governor to seriously consider transportation funding as we move forward in this budget dialogue.

It is both my desire and the desire of many of the people in the 118th District that we develop a budget that is reflective of the tax revenues we have received balanced with the responsibilities we have for both the coming year and the future. I believe we have an obligation to carefully consider our options related to the added revenues and develop a budget that uses these funds prudently and wisely. Sadly, HB 1485 does not accomplish this.

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

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Daley, from Washington County.

Mr. DALEY. Thank you, Mr. Speaker.

I rise to speak on HB 1485.

Hallelujah, we are passing a budget on time, and hallelujah, this budget is going to have no tax increases. And you know what? That is good for Pennsylvania. But as chairman of the Commerce Committee, we worked long and hard for many years to get economic development programs, and we have cut all those programs, and when you cut the programs of economic development, you do not stimulate the economy, you cannot get Pennsylvania running, and that is bad for Pennsylvania.

As my good friend from Clinton County, the minority whip, said, the small business development centers have created so many jobs – 26,000 jobs last year, 26,000 jobs for Pennsylvania – but we are cutting their funding. They opened new businesses every 4 hours in Pennsylvania. Both Democrats and Republicans worked on this program. Economic development not being funded: bad for Pennsylvania.

And we are not going to talk about higher education. As a member of the board of trustees of California University, we worked long and hard for good, quality, low-cost education, but the students of Pennsylvania who attend the 14 State institutions are going to be facing a tax increase, and that is bad for Pennsylvania. Not to mention the fact that the University of Pittsburgh, Penn State, Lincoln, and Temple are going to have a decrease in funding and a raise in the students' tuition. That is bad for Pennsylvania, because they do the research; they are the economic driving engines for Pennsylvania. And, Mr. Speaker, that is bad for Pennsylvania.

When we have school districts like Brownsville School District that loses funding to the tune of almost a thousand dollars a kid, when we have the other school districts in western Pennsylvania that are so well-off they lose \$100 a kid, that is not right. And if we do not address how we fund education and make it proportionately right for every child in Pennsylvania to get a quality education with the same kind of money, the same

kind of funding for each school district in Pennsylvania, then it is a bad day. It is bad for Pennsylvania.

Hallelujah, we are going to get a budget passed on time. I have been here 29 years, and that is a good thing for Pennsylvania. And if we do not have a tax increase, I think Democrats and Republicans say, you know what? That is good for Pennsylvania. We all collectively say that. But I know every one of us that approached this budget this year and tried to put our finger either on that "yes" button or that "no" button, we all do it with great trepidation, because we are concerned about the outcome. We are pushing this problem in the future, because if we do not solve the problems today with welfare reform, highway funding, pension reform, economic development, school education, Mr. Speaker, that is bad for Pennsylvania.

God bless you all. I ask you to vote "no." Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady, Representative Brownlee, from Philadelphia.

Ms. BROWNLEE. Thank you, Mr. Speaker.

I rise to oppose HB 1485. The impact this budget bill will have on working-class families, the elderly, the sick, and those who depend on government for a hand up, not a handout, given the current economy, struggling to put bread on the table, it will force them to choose between paying the mortgage or sending their college-age child on to higher education, between eating or seeking medical care, between working or staying home to care after their young day-care age children or an elderly family member. This budget has a negative impact on Pennsylvania's communities and economic well-being. It shifts the burden to pay for necessary services to local municipalities, most of them who have already cut services to the bare bone, thereby, Mr. Speaker, raising local taxes. No new taxes? Maybe not on the State level, but locally, there will be plenty of taxes to spread around.

This budget includes an unfair distribution of cuts that are disproportionately applied while corporations are receiving tax breaks, credits, and incentives. We need to consider all revenue options. We should close tax loopholes, identify new revenues, and yes, utilize the Rainy Day Fund or at least a part thereof, because, Mr. Speaker, it is raining. In fact, we are in a storm here in Pennsylvania.

I agree we must live within our means, and, Mr. Speaker, all of these revenues are within our means. This money we talk about does not belong to the Governor nor the legislature; it belongs to the citizens of this Commonwealth. The citizens I talk to say explore all options, use the Rainy Day Fund, tax Marcellus Shale drillers, tax smokeless tobacco, close the corporate tax loopholes before you cut education – early childhood education, basic and higher education – before you cut ob-gyn (obstetrician-gynecologist) centers and Pennsylvania hospitals, before you cut child care, before you cut newborn screening, cancer screening services, HIV (human immunodeficiency virus) programs, and child welfare services.

As good stewards, we should help those most vulnerable, those who need our help the most. We do need a balanced approach, a budget all Pennsylvanians can live with: a budget that is evenhanded; a budget that is not fraudulent, abusive, or wasteful; a budget that is not a spit away from a scenario like Wisconsin; a budget that does not attack the average Pennsylvanian; a budget that does not obliterate the middle class; a budget that does not create a class of haves and have-nots.

Mr. Speaker, my constituents say, fight for us; vote "no" on HB 1485. And, Mr. Speaker, that is just what I am going to do, and I urge all my colleagues on both sides of the aisle to do the same. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman, Mr. Saccone, from Allegheny County.

Mr. SACCONI. Thank you, Mr. Speaker.

I rise in support of this budget. Let us be clear: All this demagoguery from the other side about how much we are cutting reflects an ignorance of economics and an unhealthy addiction to spending. Without doubt, we have a spending problem. Our \$4 billion deficit is so large that if we closed this glorious hall and sent every legislator home in the House and the Senate, which I would not necessarily object to, it would only save \$300 million. That is only 10 percent, less than 10 percent of our deficit.

While legislators rail against the rise of college tuition and how much it costs to educate a child, they have yet to address the largest drivers of all – salaries, benefits, and pensions of government workers. Seventy-five percent of the costs are in these three areas, and we must show courage in addressing these skyrocketing costs to truly resolve this problem.

And the naysayers never mentioned the taxpayers. You heard that on that side of the aisle? Never. Many of them seniors under the threat of losing the homes that they spent their lives paying for and building, because of the oppression of high taxes. The taxpayers have had enough of years of reckless spending. They do not want more taxes; they want cuts in spending.

And finally, Mr. Speaker, unlike my good colleague from Allegheny County, I encourage you not to count out the good people of the city of Clairton, the city of prayer, whom I proudly represent, because I walked those streets and I knocked on those doors, and I tell you, those people are fighters; they do not give up. And they are struggling to save their school, and I think they will still do it and they are working hard to do it and I am going to help them do it, and I think some way we will find a way to do it.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady, Representative DeLissio, from Philadelphia.

Ms. DeLISSIO. Thank you, Mr. Speaker.

The constituents of the 194th elected me to represent their interests, including overseeing how their tax dollars are spent. My constituents have been contacting me for weeks about this budget, and to a one they have asked me to vote "no." I would not be doing my job if I did not stand up today to oppose HB 1485.

Thank you, Mr. Speaker, for letting me share a few details that provide evidence that this budget is both shortsighted and disproportionately affects the constituencies in the Commonwealth of Pennsylvania. I have a letter from the Urban Health Care Coalition. They sent this letter yesterday. They thanked us for the restorations to a number of the line items in the budget for ob-gyn services, for trauma services, and for burn centers. The Urban Health Care Coalition is the coalition of hospitals. But they also then expressed their dismay that uncompensated care has been eliminated from the budget.

Further, they went on to explain that the net effect of both adding in those line items to be restored minus the uncompensated care being eliminated leaves them with less money today as a result of HB 1485 than the Governor's proposed budget back in early March. And I find that uncompensated care line item to be particularly ironic given the fact that in February the adultBasic health insurance program was done away with, and those formerly insured individuals will be presenting in the emergency rooms of our hospitals across the Commonwealth to receive any type of care, and that care will all fall into the uncompensated-care category.

Another example I would like to share with you is recently – Friday the 13th, actually – I visited three public schools located in the 194th, and I was accompanying the chairs of the House Education Committee, the Representative from Bucks County as well as the Representative from Philadelphia County. At the Shawmont Elementary School, we visited with Ms. Klair McGlynn. She is a kindergarten teacher and teaches full-time kindergartners, because that is what we have currently in place. However, the students were not in the classroom, and I was pleasantly surprised to understand that the students, the full-time kindergartners, were in the computer lab finishing up their book reports. But because of HB 1485, I suspect that when I visit this school next year, the students will be in class, because their programs will have been cut tremendously and they will only have half of the time allotted to them to take advantage of whatever programs are left.

In reference to revenue, I have been responsible for balancing a number of budgets over the years as well as meeting payroll, so I take budgets very, very seriously, as do all the members of this body. My constituents, however, have asked some very specific questions as it pertains to revenue. For example, they would like to know why 100 percent of the sales tax is not collected. Why do we only collect 99 percent of the tax, in effect leaving the other percent with the businesses that collect the tax and it becomes a de facto corporate subsidy? If 100 percent of that tax was collected, we would realize about \$75 million on an annualized basis.

My constituents have also asked how we can be so adamant about not collecting additional revenue on items such as smokeless tobacco and cigars when other tobacco products are taxed. This does not make any sense to them, and I have not been able to provide them any type of logical answer because I have not been provided any type of logical answer.

These are just two examples of revenue we have chosen not to pursue and can offer no good reason as to why we refuse to add this revenue to the budget. Responsible people then also have a responsibility to go after all of the revenue available in order to support the needs of a budget, and we have not done that.

Thank you, Mr. Speaker. I ask that my colleagues join me in opposing budget bill 1485, and I hope that we can revisit this budget to be a more balanced event that will not as adversely affect the many, many constituencies in the Commonwealth.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman, Mr. Simmons, from Lehigh County.

Mr. SIMMONS. Thank you, Mr. Speaker.

I stand here on the floor for my first time in support of HB 1485. I must commend our leadership and my colleagues for crafting this fiscally responsible piece of legislation that makes us live within our means.

As I stand here today and I look over the floor, I am reminded of why we are here today. We are here to represent not one single group; we are here to represent the taxpayer. Make no mistake about it, this 112-to-91 Republican majority, the largest majority for any party in this House in over 40 years, was elected to be responsible stewards of the taxpayer dollars. Trust me, we were not elected because people just love Republicans. This budget accomplishes that while maintaining proper funding for our most important priorities, like education. In fact, this budget invests more State money into education than the last State budget. No longer will we use one-time gimmicks and fixes to balance our budget.

And that brings me to the Federal stimulus dollars. Make no mistake about it, the decline in overall education funding is entirely due to the expiration of Federal stimulus dollars. In 2008 school districts across this Commonwealth were warned that this money was temporary. They were told not to blow this money. Many listened; unfortunately, many did not. So naturally, when Governor Corbett released his initial budget, many of those school districts who did not listen came kicking and screaming into our offices. Our doors were open and we listened, and this is what we did: The House Republican budget has restored over \$200 million for K to 12 education over Governor Corbett's proposal. The House Republican budget has restored basic education funding for all school districts to pre-stimulus levels compared to Governor Corbett's budget. The House Republican budget has also restored over \$100 million to the Accountability Block Program, which was taken out of Governor Corbett's budget. And finally, House Republicans have increased funding for higher education by over \$380 million.

I know many members wish we could spend more. We constantly hear of the \$500 million surplus that we are projected to have. I say this, though: When this Commonwealth has over \$8 billion in outstanding debt, a possible \$800 million judgment to repay the Mcare Fund due to the last Governor's budget, increasing pension obligations for public employees, and a Federal unemployment compensation debt to repay, do we still have a surplus? If someone wants to tell me that we still have a surplus, I would suggest that they take a basic accounting course.

I am proud of this House Republican budget. The days of balancing the budget with Ponzi schemes, one-time gimmicks, and borrowing are over. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Pashinski. Mr. Pashinski from Luzerne County.

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

I rise today to share some thoughts with my colleagues about budgets, HB 1485, and we have heard countless numbers, line items, thousands of dollars, hundreds of thousands of dollars, millions and now billions of dollars. And as we study that budget inside and out and study each column, we are focused so heavily on the numbers that we lose sight of the faces that will represent those numbers. We lose sight of the pain or the joy that those numbers will cause.

And I know that everybody in this hall has studied those numbers and has had many meetings, and each and every one of us believe in our heart that we have taken the right course of

action. But for a moment I would ask all of you to just reflect on what has dominated the news over the last 2 days, the vivid pictures of a disaster unlike many of us have seen. The tornadoes in Missouri have decimated communities, stripped them of their buildings, of their houses, of their goods and wares, and created havoc in the State of Missouri. And as the television would span the area that was decimated, one building stood. One building withstood the violence of a wind that nearly reached 200 miles per hour. That building was the St. John's hospital.

Now I would ask all of you to think if that devastation happened here in Harrisburg, Pennsylvania, and the only building that was standing was this magnificent Capitol Complex, and as we looked throughout the streets of Harrisburg, we saw devastation and pain and suffering. And at that point I would ask everybody in this hall, would we quibble about numbers? Would we quibble about our ideologies? Would we quibble about money? I suspect, I certainly would hope, that we would come together as Pennsylvanians, as Americans, and we would do everything possible to help those that were affected so severely by that devastation.

And when the people came to us and said, please, we need your assistance, I believe we would come to them and I believe we would do everything we could. I believe that we would say we could take Marcellus Shale, especially since they have offered to help, and that would be 200-and-some million dollars that would help ease the pain. And I would say they would be able to take the depreciation value, \$130 million. And I believe we would take the loophole, \$36 million, and on and on and on, because we would come together and we would literally share the pain.

We are not sharing the pain, Mr. Speaker. Our Governor indicated to us, and I quote, this is an "all-embracing" budget. I welcome that; I stand with him, but I say without, without utilizing every dollar that we have wisely, to ease the pain of those people that will be suffering from the effects of this budget, we do not share the pain. That is the problem that I have here.

As Pennsylvanians, I ask us to come together, do the right thing, reconsider it, and provide more money to help ease the pain for the people that we represent of Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Costa, from Allegheny County.

Mr. P. COSTA. Thank you, Mr. Speaker.

I planned to stand up today and talk about the cuts to early education and also about the T.E.A.C.H. Scholarship Program, but Representative Tony Payton mentioned the good things that the T.E.A.C.H. Program does. And we all know what is going on with the education cuts and how important it is, so instead of explaining it to you, I am just going to submit my comments for the record, please.

The SPEAKER pro tempore. The Chair thanks the gentleman very much.

Mr. P. COSTA submitted the following remarks for the Legislative Journal:

Mr. Speaker, early childhood education cuts will hurt the poorest and most needy students in Pennsylvania

East Allegheny	52 percent poverty	15 percent cut
Pittsburgh	69 percent poverty	15 percent cut
Woodland Hills	59 percent poverty	20 percent cut

Pre-K and full-day kindergarten help put at-risk children on level so they can succeed in school.

Over the last 6 years, the AYP (adequate yearly progress) went from 62 percent to 96 percent across the board, which coincides when the funding began for pre-K and full-day kindergarten.

Studies consistently show that children who start behind academically stay behind in school – or it is much harder for them to catch up and ultimately need in-school services later. And we all know that special ed costs are much higher than basic ed.

And let me be even more frank, just to show you that I am not a hardhearted man, that it is not about dollars and cents. Mr. Speaker, I spent plenty of time in those classrooms, and over the course of just a few months, you can see the huge difference these early childhood educational programs had on these at-risk children.

In addition, Mr. Speaker, a great program, the T.E.A.C.H. Program, that aids our future teachers, who want to help these at-risk youths, get certified and be even better teachers, has been zeroed out. Does this make sense?

4 Kids Braddock, 36 percent of our children are classified as special ed; after 4 Kids, that group is 2 percent and you are cutting them.

Mr. Speaker, I know that House Republicans would like to put some of the surplus revenue into a Rainy Day Fund. Well, you are going to need it, because if we do not invest in our young, at-risk children today, we are going to pay later in special ed costs.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Kirkland, from Delaware County. The gentleman may proceed.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, I rise in complete and total opposition to HB 1485.

Mr. Speaker, yesterday during the debate surrounding HB 1485, the majority leader said that under the Rendell administration, during his tenure as Governor, we did not adopt a budget on time, and unfortunately, Mr. Speaker, the gentleman was right. However, Mr. Speaker, what the majority leader failed to mention was that unlike the current Corbett administration, education and education funding were the number one priority of then Gov. Ed Rendell.

Mr. Speaker, he, the former Governor, understood that if the children of Pennsylvania were going to compete academically on a global level, that education and the funding that goes along with it had to be a priority. Not so with HB 1485.

Mr. Speaker, over the past 8 years, children in academically underserved districts such as mine, the Chester Upland School District, were now able to do better academically because the funding was in place. Test scores were up; graduation rates, up; new modernized science labs and technology; after-school programs that work; schools and corporations partnering together to make sure that education was a priority – that, Mr. Speaker, and much, much more. Mr. Speaker, that was then, and unfortunately, this is now.

HB 1485 will set my school district and school districts like it back some 50 years. Mr. Speaker, my school district, the Chester Upland School District, would be one of the hardest hit if not the hardest hit district in the Commonwealth of

Pennsylvania if HB 1485 is passed – the "common wealth." We will lose \$20 million in education funding – \$20 million, Mr. Speaker. Mr. Speaker, that means massive teacher layoffs, important educational programs that will be wiped out, the arts are gone, music is gone, instrumental instruction, gone, and numerous schools that will be closed, \$20 million in cuts – the "common wealth" of Pennsylvania – all of this while our Governor Corbett walks around with an almost billion-dollar bulge in his back pocket.

Mr. Speaker, I need my Republican colleagues from Delaware County to hear me and hear me clearly. I also need their school superintendents, their school boards, and their constituents to hear me as well: If we pass HB 1485 out of this House today, I will personally move expeditiously to propose the elimination of grades 9 through 12 in my district and have those students transferred to school districts throughout Delaware County. That equates to 2,700 students that will not have the opportunity to be educated in their home city all because of these hateful, discriminatory, and mean-spirited cuts found in HB 1485.

Nevertheless, Mr. Speaker, it is imperative that they be educated. Therefore, I will do everything possible to make sure that they are able to attend school districts in my county where the educational cuts were nowhere near as severe. In other words, Federal court, here we come. Two thousand seven hundred students will have an opportunity and should have an opportunity to go to school districts like the Haverford School District, Marple Newtown School District, Rose Tree Media School District, Springfield School District, Garnet Valley School District, Wallingford School District, Interboro School District, Ridley School District, William Penn School District. Mr. Speaker, they will have a right and opportunity to go there.

Mr. Speaker, some folks are looking at me and they are saying that I am not supposed to be over here. What is he doing over here? Mr. Speaker, that is the same thing they will be saying to my children when they have to leave their school district to go to theirs. Mr. Speaker, I will be pushing for the 2,700 children who will lose \$20 million in education funding in their home district to come to another district near you, not because I want to, Mr. Speaker, but because of HB 1485, I have to. My children in my school district have a right to the same excellent education as yours. I am sure that a Federal judge and my good friend and colleague, Representative Gergely, will agree.

Mr. Speaker, under HB 1485, watch this: Per classroom of 25 students, my school district will lose almost \$64,000 per class.

The SPEAKER pro tempore. Will the gentleman suspend.

I am sorry—

Mr. KIRKLAND. In closing, Mr. Speaker, in closing, \$64,000 per class. That is not making education a priority; that is mean, that is hateful, that is discriminatory, and that is political bullying at its best.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Gillen, from Berks County.

Mr. GILLEN. Thank you, Mr. Speaker.

During the course of this debate, I have heard words like "mean" and "discriminatory" and "nasty" and "cruel and unusual punishment," and if I could just share a few personal

asides. This is my first time with the budget experience here in the State House of Representatives, and frankly, I have to report to you, Mr. Speaker, I am a little bit surprised at the tone of the discourse.

As an Act 48 certified educator currently certified in the Commonwealth of Pennsylvania, I have also been a guest teacher in the public schools, and I am a product of the public educational system. I have my master's degree at Kutztown University. My wife has her master's degree in elementary education. I have four school-age children, and one of the math lessons that I like to teach them is the value of saving, and we try to retard indebtedness in our own household.

Earlier on this day in the debate on HB 1485, my good friend from Allegheny County, the minority Appropriations chair, indicated that the stimulus is working. We have heard a lot of ongoing validation that borrowing is the way to go. If we continue to borrow and we continue to thief from future generations, and if you believe you can borrow your way to wealth, then I would assert that this is working. And if you believe that the historical credit card spending in Pennsylvania is working, I would ask you to take a look at a couple of numbers on the budget, line No. 85, line No. 135, and take a look at the consequences of borrowing and take pause at the suggestion that we ought to continue to borrow, because the Commonwealth of Pennsylvania is looking at \$1 billion worth of debt service. If the stimulus is working and if borrowing is working at a Federal level, then I would ask you to take pause and look at the \$200 billion worth of interest that we are paying on the national debt. May I say that that is \$200 billion worth of money that will not go to education. Might I add at the State level that that \$1 billion of debt service is money that will not go to education.

I think there is a fundamental philosophical difference here on borrowing, on priorities. We have heard from our good friend from Philadelphia; he believes that Jack Wagner's assertion that there is substantial savings to be derived from the Department of Public Welfare budget is in error. Well, my question to my colleagues on the other side of the aisle is, if we are not going to garner the substantial savings from waste, abuse, and fraud and pour it into our educational priorities, where is the money to come from?

Alternatively, I have heard, Mr. Speaker, that we are going to shut down the Marcellus Shale gas industry for environmental reasons, and a few seats away we will have someone else rise and explain how we are going to tax the same industry. I would only ask for consistency, Mr. Speaker. I would ask for civility in this discourse. I care just as much about my four school-age children as anyone on either side of this great auditorium.

I appreciate the time, Mr. Speaker. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Smith, from Allegheny County.

Mr. M. SMITH. Thank you, Mr. Speaker.

I rise to oppose HB 1485, and I do so because this budget is the highest form of fiscal irresponsibility and recklessness.

This budget's priorities are not only misplaced and incorrect; this budget's numbers are dangerously off base. The majority has made the choice to recklessly ignore \$1 billion in taxpayer dollars – and that is taxpayer money – and instead construct a budget on a risky assumption of almost half a billion dollars in savings from State operations that even the Corbett administration has called unrealistic.

Rejection of this budget is the fiscally responsible action to take, Mr. Speaker, and if you do not believe me, just listen to Budget Secretary Zogby and Secretary Gary Alexander. Mr. Zogby stated that he, quote, "...can't go to the governor and say we can predicate a government on the potential of savings," unquote. Mr. Alexander conceded that the savings, quote, "could be a lot less," unquote, than the savings upon which this budget relies. The two gentlemen from the Corbett administration have it right. It is indeed fiscally irresponsible to build a budget on the potential of savings rather than real dollars.

My good friend from Bradford Woods, the majority leader, said exactly this when talking about potential FMAP (Federal Medical Assistance Percentages) money last year. He said, and I quote, "You can't plan your budget around Federal money that's just been talked about." He added, quote, "It makes no sense," unquote.

Mr. Speaker, and the gentleman from Lehigh County just said this, it has been frequently said by the Governor and the majority that this proposal invests more in basic education than last year's budget and simply returns us to the days of the pre-stimulus money of '08 and '09. Mr. Speaker, the people of Pennsylvania deserve to know that this is patently false. In fact, over a half billion dollars is slashed from education investments that were included in the pre-stimulus budget of '08 and '09.

Just to take you through a few of those, Mr. Speaker, the Dual Enrollment payments in the '08-'09 budget, pre-stimulus, were funded to the tune of \$10 million. In this budget, it is zero. The school improvement grants were funded to the tune of \$22 million in the '08 and '09 pre-stimulus. In this budget, it is zero. The education assistance program was funded to the tune of \$65 million in the '08-'09 budget, pre-stimulus. In this budget, it is zero. In the "Science: It's Elementary" program, which I know enjoys quite a bit of support on the other side of the aisle, it was funded to the tune of \$14.5 million in the '08-'09 budget, pre-stimulus. In the House Republican budget, it is zero. And finally, the charter reimbursement, school reimbursement funding in the '08-'09 budget, pre-stimulus, was \$226 million. In the House Republican budget, it is zero.

There has been a lot of talk about, quote, unquote, "a restoration of the Accountability Block Grant Program." Just to take you through that really quickly, Mr. Speaker, in the '08-'09 budget, pre-stimulus, that was funded to the tune of \$271 million. In the House Republican budget, it is cut \$171 million down to \$100 million. That is a cut of \$171 million from the pre-stimulus funding.

Now, Mr. Speaker, the worst part about this bill is that there is another way forward. There is a responsible, middle-of-the-road, moderate way forward, not to either extreme. Contrary to the majority leader's comments, we have put forward a sensible, middle-of-the-road proposal that would continue to make key investments in our children. Use of the additional \$1 billion in taxpayer money we have or will have, that PA will collect, will allow us to continue to invest in full-day kindergarten and pre-K. It will allow us to invest in our life science job generators. It will allow us to prevent property tax and tuition increases on our families. This can and should be accomplished now by giving the taxpayers back their money, the money that they have sent to Harrisburg, rather than squirreling it away in some unknown fund for some unknown purpose.

Mr. Speaker, I respectfully ask my colleagues to reject this budget, let us chart a middle-of-the road course, a responsible course with the public's money, with real revenue, and not fool's gold potential savings. We can do that with no increased taxes and get this budget done on time for the people of Pennsylvania. Reject this budget.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Bradford.

Mr. BRADFORD. Mr. Speaker, I rise in opposition to HB 1485 also. While all of us realize cuts can, should, and must be made in this tough economic climate, for many of us, education is our top priority, and unfortunately, this budget, its priorities are wrong. It is wrong on so many issues, but on education, it is so glaringly obvious.

This budget, while amended, tries to make amends on education, but it falls woefully short. Cuts to our State-related universities – Temple, Lincoln, Penn State, Pitt – cut 25 percent. Our State System – West Chester, Cheyney – cut 15 percent. Our community colleges cut 10 percent. Let us be clear: This is not a tax-neutral budget; this is a tax-shift budget – a shift to tuition; a shift to middle-class families that struggle to pay that tuition bill. This budget on education is so wrong, but it is not just wrong on higher ed; it is wrong on K to 12 education where nearly a billion dollars is cut – a billion dollars.

And let us be clear: A lot has been said about stimulus funds, and this does not go beyond stimulus. This goes far beyond stimulus, whether it is the accountability block grant, charter school reimbursement, education improvement grant. These line items not supported by stimulus funds are being zeroed out. This, to be clear, is Governor Corbett's cuts to our K to 12 schools. It is wrong. It is wrong for Pennsylvania. It is wrong for property tax payers who will soon be getting the bill for these cuts.

Governor Corbett's budget acts as though he can be the hero and make these cuts, but all we do is push off to local property tax payers, seniors who struggle with property tax bills, young families who struggle to purchase a new home. We put on to them what we do not have the courage to deal with here. And it is worse, because we vilify our local school boards here today. Too many of our members stand up and say, oh, they have been irresponsible. But let us be honest to our local school board members. The night before Governor Corbett's budget was unveiled, nobody saw his slashing and burning of the Accountability Block Grant Program, his decision to cancel out whole line items important to the funding of our local schools. Now he proposes to increase class size, jeopardize student performance. This is wrong.

There have been those who have said that we are just the party of no, that we propose no alternative, that we are not bold in leading. Well, let us lead. Let us lead on the Marcellus Shale drilling tax, a tax that protects our environment and invests here in Pennsylvania. Let us use our surplus. Let us not hold back. Let us not hold back on our kids. Let us invest. Let us make sure that our property taxes do not go up because we failed to make tough choices. And let us stop the corporate tax breaks and giveaways, the phaseouts that are pushing an ideological budget and an ideological agenda that is wrong for Pennsylvania, that is wrong for southeastern Pennsylvania, that is wrong for my district.

Let us be clear: What is being proposed here as bold by the majority are illusory cuts that none other than Secretary Alexander has said, and I quote, "I can't go to the governor and say we can predicate a government on the potential of savings." So instead of using the real revenue of Marcellus, of the surplus, and stopping these corporate giveaways, we turn our back on those and we turn our sights on education. It is wrong. These are the wrong choices for us.

And do not take it from me; take it from Senator Pileggi—I apologize. Take it from the Senate majority leader when he says, of not using the surplus funds, I will need 26 members of the Senate Republican Caucus to vote for a spending plan. "It will be difficult to secure 26 votes if you're putting hundreds of millions of dollars into a rainy day fund without some very clear justification for doing so. So far we have not seen any justification." Like the Senate majority leader, I, too, have seen no justification for turning our back on these funds while turning our sights on K to 12 and higher education.

This budget's priorities are wrong, and that is why I, too, ask for a "no" vote. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the Representative from Washington County, Representative White.

Mr. WHITE. Thank you, Mr. Speaker.

We have heard two mantras over and over again during the budget debate. We have heard from our colleagues on the other side of the aisle that HB 1485 will not raise taxes, and we have heard that HB 1485 adequately funds education. Repeating those two talking points over and over again may make for good sound bites. Repeating those talking points may make you feel better about the terrible vote you are going to make tonight. You can repeat those two talking points as many times as you want and they still will not be true. HB 1485 reduces funding to education, and it has already led to higher property taxes. Your talking points may sound good here in the chamber of this House, but let us look at the impact in the real world.

In my district, school districts are raising taxes and cutting services across the board. Class sizes are becoming unmanageable. Students are being asked to pay for the privilege of playing sports or participating in the band. Teachers who are being unfairly painted as villains are accepting pay freezes. School boards are going to extraordinary lengths to try and save money. Some of my school districts have even heeded the apparent cure-all of Governor Corbett: They have entered into leases to drill for Marcellus Shale on their school property. And guess what? It is still not good enough.

These tax increases are not theoretical. They are going to be reality the second this budget becomes law. I have read the projected budgets of my school districts which are based on the cuts made in HB 1485, and there is no way I can vote for a budget which guarantees property tax increases in places most of you have never heard of and probably do not care about, but they mean everything to me, school districts like Avella, Fort Cherry, McGuffey, Burgettstown, Chartiers-Houston, South Fayette, and South Side Beaver, which I share with my good friend from across the aisle from Beaver County. To the people of those school districts and many others across Pennsylvania, let there be no mistake: A vote for HB 1485 will raise your property taxes. It will raise your taxes in the worst way imaginable – by passing the buck in an act of shameless political misdirection.

The worst part about all of this is that it does not have to be this way. It does not have to be this way. We have a projected \$1 billion surplus that could be used to restore those cuts and avoid those property tax increases. How do I know this is possible? It is simple. I did the best thing a good legislator can do: I listened. I listened to the following words, quote: "So to the people of Pennsylvania, the taxpayers who sent us here, I want to say something you have not heard often enough from this building: We get the picture. It is your money." Although I wholeheartedly agree with the sentiment, I cannot take credit for those words. Those words were spoken by Gov. Tom Corbett right here in this chamber not 3 months ago during his budget address. And now that we have a surplus, your tax dollars sitting in the bank, the Republicans are trying to convince everybody that it is not really the people's money. They now want you to believe that the government should hold on to your hard-earned cash and much-needed dollars because they say that government may need it later on, and they have the nerve to call this fiscal responsibility. The reality is, they are holding on to your money and expecting you to make up the difference through higher property taxes. That is not fiscal responsibility; that is nothing more than shenanigans of the very worst kind.

So to my colleagues on the other side of the aisle, I say make your speeches, recite your sound bites, say whatever you need to say to get you to justify your "yes" vote on this horrible budget bill, but know that the people of Pennsylvania are not stupid. They know that regardless of how you try to spin it, their property taxes are going up and the quality of their schools is going down, and they will remember who made it happen. They will remember who wanted to hoard a surplus and pass the buck, and they will remember who stood up and fought for the people of Pennsylvania.

So I implore you, on behalf of the people of the 46th District and across Pennsylvania, heed the words of your own Governor: Do the right thing, show us you really do get the picture, and give the people their money back. Thank you, Mr. Speaker.

THE SPEAKER (SAMUEL H. SMITH) PRESIDING

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

On that question, the Speaker recognizes the gentleman from Chester County, Mr. Hennessey. The gentleman waives off.

The question is, shall the bill pass finally?

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

Mr. WATERS. Thank you, Mr. Speaker.

Mr. Speaker, I just want to mention a couple of phrases that I am sure we are all very familiar with. One is "welfare to work." One is "No Child Left Behind." And a new one for many of you is "education over incarceration." Some familiar phrases, but one of them may be new. But one of them is one that I want us to also concentrate on, the last one, "education over incarceration."

Now, I know that as a member of the Appropriations Committee, we always have bills that come before us where the study of these bills has fiscal impacts, and being a member of the Appropriations and Judiciary Committees, I saw some bills that came before us that have fiscal implications. And I start to wonder why we are cutting money on one end where it is good

to put people on the right track, and that is, of course, education, from early childhood education all the way up until as far as the person's abilities will take them. The other one is No Child Left Behind, which is where we are supposed to really be providing every single person throughout this Commonwealth and this country with a great educational opportunity. And then "education over incarceration." That is where I am having a problem understanding. If we really care about public safety, how are we preparing our future generations to be better prepared to live productive lives?

As we all know, most of the people who are incarcerated have one thing in common, and that is that they did not finish school. So if we can afford, and I see in both the Governor's budget and HB 1485 that there is not enough money to make sure that we provide the resources for the children so that they can have a great opportunity to move forward in life and be successful, but I notice a continuation of additional funds for the Department of Corrections. And I have to wonder, what is the problem here? Where are we placing our priorities as stewards of taxpayers' dollars and what are we telling the people whom we represent, especially the young people? How are we telling them that they should see how we invest in them?

Now, we are telling them that we cannot find enough money to make sure that you have a great educational opportunity, but we are telling them there is plenty of money for you if you make a mistake and get into trouble. And I notice that when we are here, we constantly create new tougher, so-called tough-on-crime legislation that will only, at the end of the day, increase the prison population. And I know we all try to say that we are tough on crime, and I am sure it is a great slogan to take back to our districts about, look what we did; look what we did. Well, I have got news for you: If you look at the Department of Corrections, I want you to point and say, look what we did there, too. I want you to point there and see how over the last couple of decades, how we increased the population threefold, the prison population, and how that population went from about \$433 million to a \$2 billion budget. I want us to say, look what we did. And when we are cutting money for education, which I believe that people will do better when they know better, so when we are saying, it is okay, we increase it, I want to congratulate the gentleman from Delaware County for doing that, increasing it, but I say that we have not increased it enough. And if we are building three more correctional facilities in the Commonwealth of Pennsylvania and we are cutting education and we increase the funding for the Department of Corrections, then I want to find out, how many of us have a problem with that? How many of us have a problem with the fact that there is more money going towards corrections, and I do not hear much complaining about that.

So if we are really serious about public safety and really serious about our citizens, then we have to be the leaders in educating children and not the leaders in locking up our citizens, and that is where we stand right now. We are the leaders in this country and in all industrialized nations in locking up its citizens. So I want to dare this legislative body, and I welcome your input, that we do what we can to be creative, to not be tough on crime but let us be smart on crime, and then let us figure out how we deliver these resources to these children and young adults early so that we really reduce crime rather than responding to crime.

Thank you, Mr. Speaker,

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

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

Mr. KAVULICH. Thank you, Mr. Speaker.

Mr. Speaker, as my good friend from Lycoming County mentioned, pretty much everything that has to be said about this budget has been said. But even with all of my Democratic colleagues preceding me with very valid reasons not to vote for HB 1485 affecting students, middle class, senior citizens, everybody in Pennsylvania affected if this bill passes, I certainly agree with all of my colleagues on these issues, but I also have some other concerns as well.

Living in a State that is second only to Alaska in the total number of miles of rivers and streams that we have and living in a region that is no stranger to devastating flooding, I am concerned what could possibly happen, because HB 1485 eliminates the \$3.5 million flood control projects program which plans, designs, constructs, and annually inspects flood control projects designed to provide protection from these types of devastating floods.

I am concerned that if flooding leaves people without a place to call home, they would have trouble getting a meal or getting food on the table, because the State Food Purchase Program is cut \$339,000 under HB 1485. I am concerned that homeowners who fall behind on their mortgage payments while trying to recover from a potential flooding disaster might find it more difficult to get help, because HB 1485 cuts \$2.6 million from the Homeowners' Emergency Mortgage Assistance Program. I am concerned that these same people could find it hard to get back to a normal life and stay out of a shelter system and off the street, because the Red Cross extended care program is eliminated under HB 1485.

And taking it even further, I am wondering how those with cancer, AIDS (acquired immune deficiency syndrome), diabetes, lupus, tuberculosis, arthritis, epilepsy, Tourette's syndrome, cystic fibrosis, Cooley's anemia, hemophilia, or sickle cell anemia will be affected, because all of those services would suffer if HB 1485 is passed.

Mr. Speaker, I am concerned about the people of Pennsylvania if my colleagues do not vote "no" on HB 1485. Thank you.

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

On that question, the Speaker recognizes the gentleman from Westmoreland County, Mr. Reese.

Mr. REESE. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 1485.

Mr. Speaker, over the last 8 years we have had nothing but late budgets that have overreached and featured unrestrained spending. It has placed us in the very difficult position of having to restore the fiscal sanity of our Commonwealth, and, Mr. Speaker, this budget marks the beginning of that process.

In HB 1485, we have restored funding to areas of need while not exceeding the revenues we have coming in. And, Mr. Speaker, is that not exactly what every middle-income family does? They look at the revenue they have coming in, they sit down, and they set their priorities. We should be no different.

And this so-called surplus is a misnomer. We face a debt in unemployment compensation that will top \$3 billion. We have a potential court case coming down that will ask us to restore

\$800 million that we previously raided from Mcare. And let us not forget about our debt service, the \$1.1 billion we spend every year on debt service for past years' borrowing.

Now, Mr. Speaker, I am the first to recognize that we must have a State budget that fulfills the basic needs of our Commonwealth, but this budget does just that. We restored funding to both basic education and higher education. We restored funding to our hospitals and our human services. But with that said, we must start to look at things differently here in the Commonwealth of Pennsylvania. We have to change our mindset. The mindset of spending everything in sight is foolish and it must stop. Quite honestly, it has put us in this mess in the first place. So my hope is that when we pass this bill, the Senate takes it up and passes it also.

Mr. Speaker, I urge my colleagues to support HB 1485. Thank you very much.

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

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

Mr. LONGIETTI. Thank you, Mr. Speaker.

Mr. Speaker, there are a billion reasons to reject this bill, namely \$1 billion in surplus funds that would be socked away, none of which would be used to avoid drastic cuts that will directly affect our citizens.

Our citizens sent their hard-earned tax dollars to Harrisburg, and they do not expect us to sit on those dollars while imposing cuts that hurt seniors, schoolchildren, small businesses, and the seriously disabled. I liken it to a patient who goes to the doctor because of a leg problem. The doctor looks at the leg and tells the patient, "We need to cut the leg off. Come back in 2 weeks for surgery." When the patient returns for surgery, the doctor looks at the leg again and observes, "Your leg has gotten a lot better. We can save it." But the patient responds, "You told me 2 weeks ago that we had to cut off the leg. Cut it off now." That would never happen, but that is what we want to do with this budget.

On March 8 Governor Corbett said that we had to impose severe cuts because we cannot spend money we do not have. He proposed a \$27.3 billion budget. In the 2 1/2 months since that budget address, the improving economy has swelled tax receipts, providing hundreds of millions of dollars in excess funds. Despite this fact, this bill, HB 1485, would still cut the leg off. Why would we want to punish the taxpayers who provided these funds by cutting their legs off?

So what does this bill mean to our communities? For many of us, our hospitals are the lifeblood of our small communities. They are our largest employers. They provide critical care to all who enter their doors, many times on an uncompensated basis. They support many community initiatives. If they cannot survive, we lose available health care that we count on, we lose important jobs in our communities, and we lose key community partners. It was not bad enough that Governor Corbett's proposed budget would effectuate a cut of \$333 million to help offset the \$891 million of uncompensated care they provided, but this bill would cut even further. It would add an additional \$80 million in cuts, taking that total up to \$413 million and thereby totally eliminating the uncompensated care program from the Tobacco Settlement Fund. According to the Hospital Association of Pennsylvania, these cuts, quote, "...will be devastating to hospitals, and the patients and communities that

they serve." But we do not need to make this choice. We have excess funds to soften the blow and to help our hospitals survive.

This budget will also needlessly hurt our small businesses. The Business Retention and Expansion Program helps to keep existing businesses in Pennsylvania and it helps them to expand and create new jobs. It has been used successfully in my home county of Mercer and across the Commonwealth, yet this budget would eliminate its funding and effectively shut it down. It would also eliminate funding for training activities which support industry partnerships when our small businesses collaborate to jointly train their workers in a particular sector. Why would we want to shut the doors on business retention and expansion and on workforce development? How can we rebuild our economy and put people back to work if we refuse to invest in these efforts? How can we sit on excess business tax receipts in Harrisburg and not invest back in our existing businesses which paid those taxes?

Mr. Speaker, this budget would cut World Trade PA by 52 percent. That is a program that our businesses use to export products overseas, and it helps to close our trade deficit. It would also cut \$1 billion out of public education. That means in Mercer County, almost \$10 million leaving our community; \$10 million of taxpayer money that we sent to Harrisburg that will leave our community.

For all these reasons, Mr. Speaker, we must reject this budget which imposes severe cuts that hurt our citizens when we are sitting on \$1 billion in excess available funds.

Thank you, Mr. Speaker.

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

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

Mr. PYLE. Thank you, Mr. Speaker.

Mr. Speaker, it has been an absolutely thrilling day. What is that, 6 hours, 8 hours of arguing about the direction this Commonwealth should take for the 2011-2012 fiscal year? Mr. Speaker, we have heard all kinds of perspectives, people that would say "close the Delaware loophole," "tax the Marcellus," "let us get rid of the bonus depreciation," "let us tax, tax, tax." Why is it all the cheers are coming from over there? I do not get it.

Here is the deal, Mr. Speaker. I was first elected in 2005. I have seen big-borrow, big-tax, big-spend budgets go on for 6 years. Mr. Speaker, at some point you have to admit it is a failed experiment. We cannot borrow; we cannot tax ourselves to prosperity. Look at any one of the square inches between our borders. Mr. Speaker, let us get down to some very hard facts. We have \$27.3 billion to budget. Numerous speakers have said school districts are raising property taxes, to which I have a question: Why? Why are they raising property taxes? That would seem to allude that our well-paid superintendents have problems spending within their means. They would not be raising their taxes if they adjusted their budgeting for the revenue they had incoming.

Mr. Speaker, I went home last week – the municipal elections, county commissioner, school board members – and we had a unique occurrence happen in the Armstrong School District, which, by the way, is the second largest geographic district in the State. We overthrew six school board directors who had decided to borrow \$80 million. We did. The \$80 million was clearly not accepted by the public, and those people were put upon the block to sacrifice their positions.

Now, if these guys would choose to live within their means, this would not be an issue. And if I am not mistaken, Mr. Speaker, I believe they all got letters from the President of the Senate three times 3 years ago that informed them, do not use the stimulus ARRA money for your operating budgets. Use it, I believe the phrase was, for one-time fixes, like roofs and roads on your facility. Unfortunately, not many heeded those words, and now we find ourselves behind the eight ball because we need more money, we need more money, we need more money.

Mr. Speaker, I have heard it said today, do it for the kids. Mr. Speaker, I have two of those kids. I would like them to grow up here. I respect this State. You will find no finer anywhere in this country. My point being this: If we do not get a handle on spending we cannot sustain, we will be forced to raise a plethora of taxes that will make this an uninhabitable business environment. To quote my good friend, the leader from Allegheny, there can be no jobs without job creators.

To close, Mr. Speaker, I will be honest with you, there is talk that we have a \$500 million surplus. Not true. We have actually just accumulated 2 months' worth of surplus, which, by the way, was the quarter of retail spending over Christmas when the numbers typically adjust higher. So the assertion that if we have \$500 million in hand right now, it is going to magically turn into a billion dollars next week, is like saying that when you pull your favorite jeans out of the dryer and you have 5 bucks in the pocket, which everybody says is really cool, the next time you pull them out of the dryer there is going to be \$10.

Mr. Speaker, I am going to give it to you in a colloquialism I heard not too long ago: The rent is too darn high. We cannot afford Governor Rendell's tax, borrow, and spend policy anymore. Let us live within our means. Vote for HB 1485.

Thank you, Mr. Speaker.

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

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

Mr. KOTIK. Thank you, Mr. Speaker.

It has been a long day. I was not too wound up just until a couple of minutes ago, but it is time for me to unwind a little bit here. Anybody that would besmirch the character of our dear, departed Governor, Gov. Ed Rendell. I did not get invited to the RCAP (Redevelopment Assistance Capital Program) and WAM picnic. There are a lot of people in this chamber that got elected the last 8 years to that picnic, all stood in line. Talk about borrowing. Talk about spending. Talk about increasing the debt limit. A lot of RCAPs, a lot of WAMs in this House.

Let us be honest for a while. It is like Gene McGill used to say, when Gene McGill voted for the pay raise he said, vote "no," but take the dough. So that is my two cents on that, Mr. Speaker. Thank you for indulging me, I appreciate that. You know, I do not get up that often to say too much, so thank you for your indulgence. But seriously speaking, one of the deficiencies in this budget for me, one of the deficiencies in this budget for me is in the education line items. Okay? I represent a lot of districts that have been on the bubble for many years and we are facing a crisis in some of the very poor school districts that I represent. They have been teetering. The stimulus money saved them, gave them a little extra life, but now this cut in funding is going to kill them. They are going to go under. I do not know what we are going to do with them, but I think the people that did this budget should have taken into consideration the fact that we have to have another game plan for these school districts, because they are going to go bankrupt and belly up.

Because most of these school districts have populations that are elderly. They have no tax base. They have no ability to raise revenue, and we have to find a way to take care of those school districts and that item was not in the education line items in that budget.

So consequently, I do not know what we are going to do with those districts because the Catholic schools in my district are closing and the charter schools cannot absorb them all. We have a real crisis. I would hope that at some point we address this issue. I am not looking and I am not pointing fingers at any administration. I am not pointing fingers at Democrats or Republicans, but it is an issue that we have to resolve because those people cannot afford multi, big increases in school taxes. Thank you, Mr. Speaker.

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. On that question, the Speaker recognizes the gentleman from Lycoming County, Mr. Mirabito.

Mr. MIRABITO. Thank you. I am going to submit my remarks for the record.

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

Mr. Speaker, I rise today to bring the concerns of my constituents in opposition to HB 1485.

Throughout the district there has been discussion about reducing State spending and about saving money. Constituents are willing to make sacrifices to reduce spending, and they recognize that life does not treat us all the same. They also believe, however, that when government acts, it must do so in a way that treats all of us in a fair and equal manner.

Mr. Speaker, my constituents believe that life may not be fair, but government must act fairly. They have told me that this budget must be balanced fairly and in a way that treats all citizens on an equal basis. Sadly, many constituents in my district have expressed concern and anger about what they perceive to be the inequitable treatment that certain classes of people in the State are receiving from this budget. In the view of these constituents, the proposed budget is not being balanced fairly. It is not being balanced in a way that treats all citizens on an equal basis. For example, when we look at the population of individuals who lost coverage when adultBasic was eliminated, we see that 66 percent of them were women. When the women suffer, the children suffer too.

I have received hundreds of emails and letters regarding HB 1485. Here is what some constituents have written. A librarian wrote, "Our library community has given more than 30 percent back over the last 2 years. Public libraries have contributed to the budget reduction at the disproportionate level." An advocate for those with AIDS/HIV wrote: "These cuts would be devastating to the approximately 30,900 persons living with this disease in Pennsylvania and affect the one in five people living with HIV and unaware of his or her status." A nurse from Susquehanna Health, our local hospital and the largest employer in Lycoming County says, "The over \$400 million in cuts to medical assistance will jeopardize access to care for everyone, especially the elderly and the disabled."

Mr. Speaker, in Lycoming County, 18 percent of the population receives medical assistance. That is almost one in five people, and of those who receive it:

- a) 44 percent are under 18 years of age;
- b) 10 percent are over 65 years; and
- c) 25 percent are disabled.

- d) In addition, 50 percent of all Lycoming County births are covered by medical assistance – 50 percent.

A parent from Williamsport wrote: "My school district will be forced to increase class size, cut programs that are working, or raise property taxes – or do all three."

HB 1485 is perceived as unfair and not being applied equally because the cuts will affect communities across the Commonwealth in different ways, depending on wealth and demographics. The 83d District, located in a rural county, is a poorer district relative to the rest of Pennsylvania. Like much of rural Pennsylvania, we have fewer people who have been able to secure higher education. For this and other reasons, our wages and salaries tend to be lower. Mr. Speaker, the median household income in Pennsylvania is \$49,737. In Lycoming County, it is only \$41,856, almost 16 percent lower. And in the city of Williamsport, the median household income is only \$28,292, almost 43 percent lower than the statewide income.

The income spreads across the State are very large with a low of \$34,018 in Fayette County to a high of over \$100,000 in our Philadelphia suburbs. There is no doubt that these budget cuts will have a more profound effect in certain parts of the State. The proposed budget is picking winners and losers. And for many, the losers are people from rural and urban communities and from poorer sections of the State, including places like the 83d District and Lycoming County. When budget cuts undermine the ability of an individual to make choices about whether to attend college or whether that person has access to health care, then those cuts diminish the civil rights of that person.

When we analyze the data, it appears that the school districts with the greatest concentration in poverty may be receiving very substantial, or in some cases, the highest cuts in their education budgets. These State cuts to education funding will put pressure on local communities to raise property taxes. That approach is unfair to the poorer rural areas of the State, such as the 83d District and Lycoming County, because they do not have the economic base to sustain additional increases. It also is unfair because we have a higher proportion of seniors living on fixed incomes. This policy approach of pushing costs down to the local level pits the elderly against young families who have children of their own in school.

Another reason the budget is perceived as unfair is because of the inequity in the way the budget raises revenue. Although we claim that this budget does not raise taxes, we have chosen to impose taxes on certain businesses and working families while allowing others not to contribute their fair share. I speak specifically of the failure to impose a severance or impact fee on the production of natural gas. By not requiring these out-of-State companies to pay their fair share, this budget burdens all of Pennsylvania's taxpayers with the cost of drilling. This approach is wrong for two reasons. First, it is wrong because it tears at the social contract; and second, it is wrong from an economic perspective. The failure to impose such a fee keeps the production costs from being paid by the end user, who increasingly will be out-of-State consumers. Instead, Pennsylvania taxpayers are paying for the cost of production.

I do not exaggerate when I say that constituents have expressed outrage at the inequity of not imposing a severance or impact fee on the natural gas industry while asking working families and Pennsylvania businesses to accept major cuts that will affect their quality of life. Moreover, these constituents feel that they are being burdened with paying for the impact of the gas drilling and for living with the problems that come with the growth of this industry. The impact is evident in terms of the environment, the infrastructure, and social relations. When 38 States are assessing that fee – and when the industry has built a business model that includes payment of the fee – to not collect it is unfair and irrational to our Pennsylvania businesses and working families who pay taxes. In addition, we do not allow counties or school districts to assess natural gas reserves for the purpose of property taxes, so our residents are hurt in that way.

Mr. Speaker, the constituents in my district are not asking for a handout. They are asking for fair and equitable treatment by government in the budget process. I believe that we have the capacity and the obligation to provide that to them. Sadly, HB 1485 does not do that.

The SPEAKER. The Speaker thanks the gentleman.

The question is, shall the bill pass finally?

On that question, the Speaker recognizes the gentleman from Westmoreland County, Mr. Evankovich.

Mr. EVANKOVICH. Thank you, Mr. Speaker.

Mr. Speaker, I do not have a fiery speech prepared to deliver on the floor today. We have heard a lot of the talking points and a lot of the rhetoric. Rather, I have a few observations about the bill before us and the proceedings in this chamber. Mr. Speaker, some have characterized this budget as ideological. Some have characterized this budget as drastic. Mr. Speaker, with one-third of this budget in education and another one-third of this budget in welfare, I would hardly characterize this budget as ideological.

Mr. Speaker, in the area of education, with the loss of the Obama bailout, our budget returns total State education spending levels to the end of 2009. That is hardly revolutionary, and that is hardly drastic. Mr. Speaker, according to the U.S. Bureau of Labor Statistics, in the State of Pennsylvania since 2008, construction workers have seen a 1-percent pay increase. Mr. Speaker, since 2008, maintenance workers, like my father, have received a 3-percent pay increase. Since 2008 social workers and production workers saw a 4-percent pay increase, while over the same time period, Mr. Speaker, middle school teachers on average have received an 8-percent pay increase. We can do better. We will do better, because we have an obligation to do so.

Mr. Speaker, I will vote "yes" on HB 1485, not because it is necessarily the best possible proposal. I will vote "yes" on HB 1485 because the costs of our State have outpaced the taxpayers' ability to pay. Thank you.

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

On that question, the Speaker recognizes the gentleman from Luzerne County, Mr. Mullery.

Mr. MULLERY. Thank you, Mr. Speaker.

I rise in opposition to HB 1485, and my comments will mirror the sentiment of many of my colleagues that have spoken earlier today. Education is a top priority for the residents of the 119th Legislative District. I was elected, in part, because I pledged to fight for good schools and a quality education for the families I represent. As I have listened for the past several hours here, I have heard legislators talk about e-mail correspondence and telephone calls they have received from constituents back home. I would like to share an e-mail I received late last week from a young student in the Crestwood School District. Dallas Erinn Kendra wrote me.

"Dear Representative Mullery,

I am an 8th grader going on to 9th grade soon. Who like most children my age enjoy playing many different kinds of sports. With recent budget cuts many of the opportunities once offered to us will be destroyed. Without these options..." many of my fellow classmates will be put "...at a disadvantage of developing our athletic..." and academic "...skills, which some of us hope to use to gain scholarships for Universities and

Colleges. To better our academics and get a well paying job. By eliminating..." programs "...many students will fall behind and possibly drop out of school. What happened to no child left behind? I ask you to stand up for us and fight...in order to keep the..." programs "...we hold dear in our schools."

A few days after Dallas sent me that e-mail, her school board cast a vote regarding this year's budget and they made some very difficult decisions. They furloughed teachers and staff. They cut full-day kindergarten. They cut seventh, eighth, and ninth grade sports. They eliminated a high school English class. They eliminated middle school foreign languages. They cut all elementary and middle school activities. They eliminated the band. They eliminated the D.A.R.E. (Drug Abuse Resistance Education) program, and they cut community library funding, the only source of funding available to the library in the Mountain Top region. Despite all of that, the Crestwood School Board was required to raise taxes 7.6 percent. Given the cuts proposed in this budget, the programs that have helped develop students like Miss Kendra will continue to be gutted from districts across the State, placing our students at a competitive disadvantage with their counterparts across the nation. For that reason, I urge a "no" vote on this budget.

Mr. Speaker, I need to switch gears a little bit. As a legislator and an officer of the court in Luzerne County, I would be remiss if I did not discuss HB 1485's effect on Act 86 of 2000. For those of you who do not know, Act 86 of 2000 established rights and services specifically for victims of juvenile offenders, enabling victims to assert their rights and navigate the juvenile justice system in Pennsylvania. The funding mechanism for these services is the State's Victims of Juvenile Offenders Grant Program, VOJO.

I am sure all members of this chamber are familiar with the Interbranch Commission on Juvenile Justice. The ICJJ was established to investigate juvenile justice scandal in my home county and develop appropriate recommendations for reform. Their final report recommended a restoration of funding to 2005 levels – 2005. This budget, however, eliminates all funding for VOJO. What does that mean? It means the original victims in Luzerne County and other counties are forgotten. It means the process of rebuilding hope and trust in the juvenile justice system is shattered. It means that if you are a victim of crime, you had better hope your assailant was an adult offender, because victims of juvenile offenders will not be granted their basic rights due to the age of their assailant. It means that crime victims will not receive notifications, accompaniment, presence in the courtroom, an opportunity to prepare and present a victim impact statement, oral testimony, or have their rights restored. It means crime victims will not be treated fairly, will not be treated with due dignity, and will not be afforded the respect and representation they so greatly deserve. It means that more than 50,000 victims annually will not be served. Finally, it means services to the victims of juvenile offenders will become an unfunded mandate in this Commonwealth and will place the burden on our counties, which in turn will place the burden on our constituents.

For these reasons, Mr. Speaker, I am voting "no" on HB 1485, and I urge all of my colleagues to do the same. Thank you.

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

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

Ms. JOSEPHS. Thank you, Mr. Speaker.

Very interesting number of comments made. I would like to follow up on a few of them and talk again about food, the cities, and the farmers. In terms of education, let me say succinctly – and I have gestures here, just interpretive, not political – here we have this much money to spend on our young people. So we can do schools and jails, or we can do jails and schools. Now, you go home and ask your constituents what they would rather do and you know what they are going to say. They are going to say, fund public education; it keeps people out of jail and it makes us much more secure in the middle class. To take this out of poor people, to try and cut poor people, they are the same people, they are the people who fell out of the middle class and are trying to get back in, and they are going to suffer if the kids do not suffer, but probably the way we are going, everybody seems to think everybody is going to suffer. That is nice. That is not why I was elected. I do not know about the rest of you.

All right. Let us talk about food – food and farmers. As you heard, \$339,000 was just cut in this proposal from the State Food Purchase Program. I am not even going to go into almost the million people in this State, 830,000 families, who suffer from severe food insecurity. Very nice words; what it means is you go to sleep hungry and you wake up hungry. It means when you go to school, you are still hungry, or when you go on the job, you wish you could have a meal, but there is nothing left for you because you fed your kids. But let us talk about the farmers. In Philadelphia alone, and I think we could quadruple this for the rest of the urban areas in this State, in Philadelphia alone, we bring in locally, according to the DVRPC (Delaware Valley Regional Planning Commission) food system study, in 2007 over 40 million tons of food came into, moved within, and moved out of Philadelphia, making it an enormous center for food industry economy. And according to the freight-out analysis framework study, when it looks at imports only, Philadelphia imports approximately 8 million tons of food annually from Pennsylvania alone. Multiply that four times for the rest of the urban areas in this State, and you come to a very large figure.

These 8 million tons, which is probably more like 32 million tons, is worth \$8 billion. We cut the money that we could use to buy local food, more local food for our cities. I do not understand why anybody who represents one farmer would tolerate this program for a half a second, or this whole budget. So not for the hungry people; let us forget the hungry people. Let us concentrate on the folks who have made agriculture our biggest and most important industry. They are in the hardest small business possible. They need our support. We want to eat their food. Let us reject this budget and do it right.

Thank you. Mr. Speaker.

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

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

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

Here we are, it is budget time again. It is my fifth. I have to tell you, Mr. Speaker, I tend to be awestruck as we go through this process. Here I am in this chamber, just a humble butcher by trade, and I sit here with doctors, with lawyers, with Ph.D.s, with teachers, with funeral directors – the cream of the cream; the cream of the cream. But I have to tell you, sometimes, Mr. Speaker, as a humble butcher, I get left behind in the process. I lock on things that have happened before. It is not so long ago, Mr. Speaker, that this chamber decided to stick its toe

in the fiery lake of reproductive choice. It was an interesting debate, I must say. It was passionate, but it was collegial, but we went through that debate.

Now, Mr. Speaker, here is what I just do not get. Here is what I just do not get. Why is it that this General Assembly all of a sudden thinks that its interest, its concern, its responsibility stops at birth, stops at birth? You know, Mr. Speaker, we have cut, we have cut both State and Federal funding 11 percent, 11 percent to obstetric centers. Now, I have to tell you, during the budget hearings I put a question to the Secretary of Health, and he told me we do not have an OB (obstetrics) crisis. Well, perhaps his vision was clouded by his quest for fresh eggs, but that is a story for another day.

Mr. Speaker, Mr. Speaker, we cut funding to infants. Mr. Speaker, we cut funding to neonatal aid. Mr. Speaker, we cut funding to the development of the hope of this Commonwealth. Mr. Speaker, we cut kindergarten. Where is our heart, Mr. Speaker? Where is our sense of morality, Mr. Speaker? Where are we with a billion dollars in our pocket to turn our back on the most vulnerable? Now, I have to tell you, Mr. Speaker, when I take the oath of office and I look at that Bible sitting on my desk, I think to myself, it should mean something. I should open it to something, but we will come back to that in one second. We are going to come back to that in one second.

Mr. Speaker, I just do not understand where we are with this and why we do this. Mr. Speaker. At the end of the day, at the end of the day, if we have started down a path, if we have taken an interest in the formation, the well-being of the children of this Commonwealth, Mr. Speaker, we should do it to the end. And let us go back to the Bible sitting on my desk on swearing-in day. I opened it to the passage that says that you are neither hot nor cold and I shall vomit the lukewarm from my mouth. Mr. Speaker, let us get hot. Let us do the right thing. Let us vote "no" to this budget. Let us get it back into committee, and let us do the right thing for our children.

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

On the question, the Speaker recognizes the gentleman from Bucks County, Mr. Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

I rise in opposition to HB 1485. Article III, section 14, of the Pennsylvania Constitution reads as follows: "The General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth." It is one of the few, if not the only obligation enshrined in our Constitution that this General Assembly has. The framers of the Pennsylvania Constitution were wise to put it into that document because they understood, as apparently this generation has forgotten, that education is the future of our Commonwealth and our country. They understood the importance of investing in education to provide for a bright future for our kids and to provide for a bright future for us all.

But we are not doing well in education in Pennsylvania, even before this Republican budget was proposed. Mr. Speaker, Pennsylvania ranks 44th out of the 50 States in terms of the share of State funding toward our public schools; 44th out of the 50 States. Forty-three States do better than we do in terms of funding public education. That is before this budget. Now, the majority in this House would have us pass a bill that would cut approximately another billion dollars in education funding for our public schools, K through 12. Where will we be after that budget is proposed? We might actually supplant Nevada as the

State with the least amount of education funding going to the public schools.

Mr. Speaker, this is not the way to build a bright future for Pennsylvania. Our children demand and deserve better than this. There are alternatives. We have heard many folks from the other side of the aisle stand up and say, well, what is the alternative? We have spoken about the alternatives time and time again. My colleagues from this side of aisle have spoken, whether it is requiring that the 70 percent of the large corporations in this State who currently do not pay a dime toward income tax do the fair thing and pay their fair share. Or whether it is requiring the oil and gas companies that stand to make trillions of dollars – trillions of dollars – off a natural resource here in this Commonwealth to do their fair share and pay the drilling tax. Or whether, frankly, it is taking that surplus – and yes, indeed, there is a surplus – and putting that toward education so that our kids can have a bright future and compete in the global marketplace.

Mr. Speaker, we are not talking about doing anything that is onerous; we are talking about fairness. I believe firmly that the people of this Commonwealth are watching, and I further believe that they understand that we need to do the right thing and the fair thing and that this budget, this proposal, does neither. Mr. Speaker, I urge my colleagues on both sides of the aisle to stand up this evening and do the right thing. Reject this budget and restore funding to education and go on the path that we were on in the last couple of years of actually increasing education funding so that Pennsylvania will no longer be in the disgraced position of being 44th among 50 States in terms of our percentage share of funding for education.

Thank you, Mr. Speaker.

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

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

Mr. PRESTON. Thank you, Mr. Speaker.

Where is the beef? I heard that yesterday. I do not know in my legislative district, in a lot of our districts, because I see less, a lot less on the table, about where is the beef. I would like to be able to think that this is not about a party of "no." I would like to think that our party is a situation of consensus, and it is unfortunate that we are so divided between the aisles and the lines of demarcation that we make, but let us look at about where is the beef. I have the borough of Wilkinsburg, which under this bill will probably cost each household about \$850 in taxes. Where is the beef when people have to pay the extra taxes for the school district? I sit down and think about parking rates going up but at the same time about the lack of adequate child care. I think about the mother or the father that has to take off because they do not have the salary, they are paid by the hour. They take that hour off every time they have to go and take care of a child as compared to many of us who have the benefits in this House of Representatives. So where is the beef? A lot less on the table now; maybe no meat at all. Maybe just bread, vegetables, and maybe, hopefully, something else to taste.

I have heard a lot of things about taxes – tax and spend, tax and spend. That is a cliché that is too old. I do not want to go back to yesteryear; I want to go back to tomorrow. If we really care about people, we will look at HB 1485 and realize that it is not the answer. I have heard a lot of people say, well, we have to be frugal. Yes, you are right. We also have to be accountable. Yes, you are right, but we also know that every district attorney in most of this Commonwealth, we also know that most of the

police chiefs will say that the death penalty does not work. We are spending more on the Department of Corrections, but we are not correcting anything. That department is misnamed. So where is the beef?

Mothers cannot pay for their child; for minor discrepancies, to be able to pay for an attorney. I am not an attorney. I do not have any other subsidy income. Maybe too many of us do because we forget sometimes from whence we come from. I would like to be able to think a lot less is going on the table with this bill. Why are we hurting people? It is almost like taking the handicapped – the learning disabled, the mentally challenged – and pushing them off the cliff in a wheelchair.

I would like to think that we care, but for some reason, we are trying to make feel-good speeches. We need to be honest with ourselves. This bill does not do it. We have a legal responsibility to all of the people, not to just some of the people. This is not about the person that has a three-car garage and a swimming pool in the ground. This is also not about the people that just have the house with the two-car garage and the swimming pool above the ground. This is about people who are depending on transportation and health care, but this bill does not do it. It takes away from it. A lot less is going on the table.

Unfortunately, maybe too many of us have had too much meat on our table and have forgotten about those people who have no meat or food on their table at all. We need to be responsible. I cannot legally vote for this bill. My district does not want to hear about this bill, because it does not help. But I understand there are some people who want to say it feels good, but it does not do anything. We need to be honest with ourselves, and with the Representatives amongst the people, and we need to be able to be deal with the mothers and fathers who have a lot less on their table, no beef at all. I am going to vote "no" for HB 1485.

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. On that question, the Speaker recognizes the gentleman, Mr. Grell, from Cumberland County.

Mr. GRELL. Mr. Speaker, I would just like to submit written remarks for the record.

The SPEAKER. The Speaker thanks the gentleman.

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

Mr. Speaker, I would like to use my time this evening to address one aspect of the proposed General Fund budget, namely the funding for the 14 State System of Higher Education institutions. I have a special interest in this line item, not because one of these fine institutions is located in my legislative district; rather, it is because I have been on the Council of Trustees at one of these institutions for about 15 years.

We have heard a lot of rhetoric and hyperbole this evening about how devastating this budget will be, and I know I will not change anybody's vote this evening, but I want to give some reassurance to those families with students enrolled in the 14 SSHE universities.

When the Governor proposed his budget in March, the PASSHE line was cut by 50 percent. I was disappointed and very concerned, since the State appropriation represents 32 percent of the revenue for these schools. I stated publicly that this level of cut to PASSHE was unacceptable in that it could result in a tuition increase of \$2,200 per year. I am here tonight to thank Chairman Adolph and my

colleagues for their willingness to include increased funding in the amended budget before us tonight. As a result of this amendment, we are able to increase PASSHE funding to 85 percent.

Clearly, this still presents some challenges to the System and the universities; however, I am confident that through some collective efforts, the gap can be bridged through shared effort. We are doing our part tonight by increasing State funding by \$195 million. I know the System office and the individual universities will continue to work to find additional efficiencies and cost savings. I anticipate that the Board of Governors will have to take a hard look at a somewhat higher than usual tuition increase, perhaps as much as \$250 per semester. Finally, I am hopeful that the university personnel will come to a successful resolution of their current labor negotiations, including perhaps a real 1-year pay freeze among university personnel in order to avoid possible retrenchment of personnel.

In this difficult year, we cannot hope to hold the State System harmless and reach the level of \$465 million from last year; however, we can restore the System up to \$427 million, and voting for HB 1485 does that. Thus, when coupled with other necessary actions, we will allow the State System to continue to provide a great educational value for the thousands of students who attend these fine institutions.

I urge support of HB 1485.

* * *

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

Beyond cuts to education and public health and safety, this bill will have a negative impact on jobs and economic development here in Pennsylvania.

The mantra from the other side of the aisle is that cutting spending and not requiring every business and industry in this State to pay their fair share will create jobs and boost our economy.

In fact, Mr. Speaker, this budget does not take into account the hundreds of millions of dollars that we are leaving on the table by not imposing a severance tax on Marcellus Shale drilling.

Mr. Speaker, I have heard the talking points from those who oppose a severance tax: that it will hurt the industry, cause Pennsylvania to lose jobs, and have the multibillion-dollar gas companies pull up shop and leave the Commonwealth.

The truth is, that is just a good excuse to enable these companies to rake in millions of dollars and pay nothing to the taxpayers of this State.

Mr. Speaker, we have a precedent already set in Pennsylvania that proves this theory wrong. Pennsylvania has a flourishing and extremely profitable gaming industry. It is an industry that has provided over \$4 billion in economic impact, provided more than \$2 million in property tax relief for residents, and has created more than 15,000 good-paying jobs, not to mention the thousands of jobs created through construction and infrastructure development that has occurred around the casinos.

And though all of this economic impact and job creation, the industry has been paying a 55-percent tax on slot machine revenues they generate. Now, according to the mantra from my colleagues on the other side of the aisle, this industry should have imploded; they should have packed their bags and left.

But do you know what has happened, Mr. Speaker? Pennsylvania has become the leader in gaming revenues in the country – not Nevada, not New Jersey, but Pennsylvania is the State that generates the most revenue from casinos.

So as we vote on this budget, we need to keep in mind that we are leaving hundreds of millions of dollars on the table; hundreds of millions of dollars that could be used to help sustain job creation and workforce development in Pennsylvania.

As it is, the budget slashes funding for programs that help create and retain jobs.

This budget eliminates the Infrastructure and Facilities Improvements Grant program.

- In 2009-10 alone, approximately \$20 million in funds were awarded for 43 projects, creating an estimated 26,700 jobs.

This budget eliminates funding for Life Sciences Greenhouse.

- The investment in early-state life sciences companies helps produce high-paying technology jobs for Commonwealth citizens.

This budget also significantly cuts funding for many economic development programs, including small business development centers, which fund a network of 18 university-based centers and several outreach facilities, forming a statewide resource system serving over 13,000 small businesses.

This budget eliminates funding for training activities.

- This program provides incumbent worker training grants, which are awarded to existing industry partnership programs. A match from participation companies is required. A portion of the funds is used for needs-based payments to individuals in a wide array of training programs, including assistance with child-care and transportation costs.

This budget eliminates funding for New Choices/New Options.

- This program provides for career development services, nontraditional career training, and offers vocational counseling, career development services, including life skills, remedial skills, and job placement for single parents, displaced homemakers, single pregnant women, and individuals interested in nontraditional career and technical education.

This budget eliminates funding for industry partnerships.

- An industry partnership is a multiemployer collaborative effort that brings together management and labor around the common purpose of improving the competitiveness of a cluster of companies or organizations producing similar products or services and sharing similar supply chains, critical human resource needs, infrastructure requirements, business services, and/or retention/recruitment challenges.

Thank you, Mr. Speaker.

The SPEAKER. At the risk of sounding encouraging, we will have had 72 different, 74 different members speak on this bill today. I am declaring that a record. Whether it is true or not, I do not know, somebody will have to disprove it. We are down to the four leaders, and I just kind of wanted to conclude with them, the two Appropriations chairmen and the two floor leaders, for the information of the members.

With that, the question is, shall the bill pass finally?

On that question, I recognize the gentleman from Allegheny County, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

It just seems like such a long time ago that I stood here, when we kicked off this debate here today, but it was a good debate. I think the people of Pennsylvania learned a lot. I think they learned a lot about the budget and the differences that we have and a lot of the things that we as members feel about our own districts and about what we should be doing relative to the State. It is difficult to just stand here and try to sum up all of the reasons that our caucus is vehemently opposed to this budget.

We heard so many eloquent speakers today that indicated and gave out a lot of facts, a lot of data, as to the various issues relative to this budget.

I was just sitting here thinking of perhaps a way to put this into perspective. If somebody said, how can we devise a program or devise a system whereby we can do as much harm, as much damage to the folks of Pennsylvania, to the citizens of Pennsylvania, particularly a lot of those citizens who are the most vulnerable or the most helpless, what would we do? I do not think anybody in this chamber really feels that way tonight. Nobody here gets elected to hurt people, but if somebody said to us and gave us that assignment, I think one of the things we would say is, well, let us cut education in a big, big way – higher ed, community colleges, and certainly, basic ed, kindergartens, early childhood intervention, all of those kinds of things.

We would first do that, and oh, by the way, why do we not increase the line item for education in the prisons of our Commonwealth, which is exactly what has happened. We have a budget before us that raises the line item for education in the correction system, but cuts about a billion, almost a billion and a half for regular education. It seems like we are on a policy here to instead of educating kids K through college, we are educating them K through corrections. We would also say, well, let us take some of the more vulnerable folks in our society, how about the autistic? They are pretty vulnerable. Well, let us just cut millions out of their budget that we use to help them. How about people that are waiting that are developmentally disabled, that are now 21 years old, they go on the waiting list, their elderly parents do not have any place to put them, do not have the energy or the time or the finances to take care of them, let us shrink those lists. Let us shrink those waiting lists. Let us take a budget where we have falling, or a situation where we have falling infrastructure in our State, literally. We are in a situation, where an infrastructure, an infrastructure tragedy is something that will happen. It is something that we cannot avoid because we have neglected to take care of our massive, massive infrastructure problem, and we just keep neglecting it.

We would take all of these things. We would cut education, we would cut aid to hospitals, we would cut aid to folks who need it most. Very easily, we would just say, let us just take HB 1485, that will do the trick. That will hurt the most people. That will hurt the helpless. That will cut education. That will not educate people. We will have more people in prisons. Oh, by the way, we will tell everybody there is no tax involved, when we know that property taxes will go up, when we know that tuition payments will go up, when we know that the cost of caring for your loved ones will go way up, if you are even available to do that, we will have people that will have to leave their jobs in order to stay home to take care of their loved ones, whether they be elderly, whether they be chronically ill, whether they be handicapped. HB 1485 will do that.

You want to hurt the most people in the Commonwealth? You want to plan to do it? Just use HB 1485. It is essentially a bill that will hurt a lot of people, particularly, particularly, when we have \$1 billion sitting on the table that we do not want to use. A billion dollars that could ameliorate some of those cuts, that could mollify some of that pain, that could ease some of those hardships, that could put salve on some of those helpless people that need it the most. What are we going to do with that? Well, let us set it aside for a rainy day. We will find something else to do with it, but we will not spend it on our own people,

who in fact paid into that fund themselves. It makes no sense. It is a budget that is designed to hurt people. It does not solve the problems that we really need to have here at a time when our economy is such— We have suffered the worst recession since the Great Depression and we have people falling off the precipice economically, and what are we doing? We are making the safety net a heck of a lot smaller so that more of those people will just fall and will not be caught and will not be saved and will not be helped. That is what we are doing with this budget. That is why I am not voting for it. That is why I think all of us should not vote for it. We can go back to committee, we can do another budget; there is no stopping us. It is within the rules. We do not have to pass a budget over to the Senate tonight. We can do what we have to do as good citizens of the Commonwealth, as good legislators of the Commonwealth.

I would ask my colleagues to all vote "no" and let us start this process all over again and a fair budget for all Pennsylvanians. Thank you, Mr. Speaker.

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

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

Mr. ADOLPH. Thank you, Mr. Speaker.

I first want to thank everyone here, all my colleagues on both sides of the aisle for taking the time and debating this issue for close to 8 hours. I know there has been an awful lot of information said at the mikes tonight, but there is one thing that I think we all can agree on, you know, that we owe an awful lot of thanks to our staff that has been working very hard.

I want to thank the Appropriations staff for putting in the time, endless hours, weekends up here in Harrisburg, putting together these figures. I know there has been a lot said, but I just ask you to remember four figures, four figures. I am going to leave everybody with these four figures, because the people of Pennsylvania will remember these four figures. The first figure I want you to remember is \$3.1 billion in loss of Federal stimulus money, as figure number one. Figure number two is \$25.1 billion, 2010-2011 State dollars spent in the budget; \$25.1. Third figure, 27.3 billion State dollars spent in 2011-2012 House Republican budget. Fourth figure, \$2.2 billion increase in State funds.

Everything can be twisted around, but those four figures cannot be twisted around, cannot be twisted around. You can put your spins on it; whatever suits you, fine, but those four figures the people of Pennsylvania understand. There are more State tax dollars being spent in this year's budget than last year's. The losses come in only because of one thing, the loss of Federal stimulus money. We have spending under control, we are not increasing taxes, and we are going to pass this budget on time.

Thank you very much.

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

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

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I would first just like to take a moment just to set a few things straight. During the debate today, several members from the other side of the aisle have stated that these draconian education cuts that this House Republican budget makes are due to the loss of the stimulus funding. That simply is not the case and that is not accurate. The University of Pittsburgh received a total cut of \$42 million; \$7 1/2 million were cuts from the stimulus and \$34 1/2 million are cuts from

the House Republican budget. Penn State University had an \$81.3 million cut; \$11 1/2 million is from the stimulus and \$65 1/2 million is from the House Republican budget. Temple University had a total cut of \$43 million; \$7.7 million from the stimulus funding, \$35.2 million from the House Republican budget. Lincoln University had a total cut of \$3 1/2 million; \$159,000 from the stimulus funding and almost \$3.4 million from the House Republican budget. The State System of Higher Education, our State-owned schools, had a total cut of \$75 1/2 million; \$38.1 million from stimulus funding, \$37.3 million from the House Republican budget. The accountability block grants were zeroed out, \$159 1/2 million cut from the House Republican budget. The charter school reimbursement fund was cut, was zeroed, \$224 million cut from the House Republican budget. The education assistance program, a cut of \$47.6 million, total cut, from the House Republican budget. "Science: It's Elementary," total cut of \$6.9 million, total elimination of the line, and it is the House Republican budget. School improvement grants, total cut of \$10.8 million, all from the House Republican budget.

The funding cuts to education are not from the Federal stimulus cuts; they are from the House Republican budget. It is a House Republican conscious decision to make those draconian cuts in this budget. Yesterday the majority leader looked over and said, are you the party of no? I assure you, we are the party of no on this budget. We are the party of no on this budget because the House Republican budget says no to educating our children. The House Republican budget says no to sending our children to college. It says no to our frail senior citizens in nursing homes. It says no to disabled adults. The House Republican budget says no to disabled children. The House Republican budget says no to children at risk in our counties and at-risk kids working through county children and youth services. The House Republican budget says no to health care for our working poor. The House Republicans balance their budget on the most vulnerable among us. They balance their budget on the backs of our children. There are no tax breaks in this budget for the middle class, but there are significant tax breaks for some of the wealthiest corporations in the world. Under this budget, the needy get punished and the greedy get rewarded.

You know what, the shame of it all? It does not have to be this way. Last night we could have sent this bill back to the Appropriations Committee. We could have determined what moneys are available in these extra revenues. We know it is going to be well over a billion dollars. We could have restored several of these line items. We could have restored several of these cuts. We do not have to punish the most vulnerable among us. We do not have to punish our elderly that are frail in nursing homes. We do not have to punish our children. We could have restored those line items.

You know, it is no wonder that you wanted to cut off debate last night, because there is nothing good to come of this budget; it is indefensible. So you bet that the House Democrats are going to say no to this budget.

Thank you, Mr. Speaker.

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

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

Mr. TURZAI. Mr. Speaker, some order?

The SPEAKER. The House will come to order. We are almost done here.

The gentleman may proceed.

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

In this budget, I know we have been throwing around some important figures, but the fact of the matter is, let us put the figures aside. Republicans care about kids, as does every single person in this chamber. Republicans care about those citizens in nursing homes. I have had parents there. Republicans, like every single person in this chamber, care about the mentally disabled and about those without health care who need Medicaid. In fact, \$1 billion is going into nursing homes, over a half billion for in-home services for those who are disabled or senior, over \$4.5 billion for Medicaid alone.

With respect to education, we are spending \$9.6 billion in State money to educate our kids, of which I have three, from kindergarten through 12th grade, in schools throughout the State. That is \$300 million more this year than last year in terms of your State tax dollars. With respect to the basic education subsidy alone, Mr. Speaker, we are spending 600 million more dollars in State funds compared to last year. We are doing this without the benefit of the windfall of Federal stimulus dollars, which has propped up the budget for the last 2 years.

Now, everybody knew that the Federal stimulus was gone, but nonetheless, we are still spending more on public education in your State tax dollars today than last year by \$300 million overall, and in the basic education line – which funds your schools, your elementary schools and middle schools and high schools – by 600 million more dollars. And guess what? We are not increasing your personal income tax to do it. We are not increasing your sales tax to do it. We are not increasing taxes on businesses to do it, because we want the economy to flourish and grow over the next year so that there are more private-sector paying jobs, where you can sustain your own families. We are going to also do it without borrowing against your kids' futures, such that they do not have to pay taxes to pay off today's debt.

The thing is, what people have to understand, is that there is such a thing as responsibility, that it is not just hyperbole, it is not just class warfare. I think the difference is we recognize, overall – and I think there are many members on the other side, many who are good friends recognize this, too, but maybe cannot get up and say it – we are all on the same team. We are all fiscal stewards. It is easy to throw barbs out and act like other people are somehow mean-hearted, when in fact we are still stewards of \$27.3 billion of the taxpayers' money, hard-earned dollars that people busing tables or people managing companies or people teaching in schools or people working in hospitals – guess what? We are taking it out of their paychecks and we are bringing it here to Harrisburg to responsibly spend.

I will tell you this: Yeah, I heard people talking about the walking-around money or the RCAP. There is no increase in the Specter Library or the Murtha Center money in this budget. There are no calls for an increase in the personal income tax or the sales tax, as in all of the Governor Rendell budgets. We are getting it done on time. We are getting it done with the taxpayer dollars that are coming to Harrisburg, without asking for one cent more. We are not going to borrow or leverage our children's future, and we are still going to provide an increase in State dollars for public education, K through 12. And guess what? In welfare, we are spending \$10.7 billion on the neediest and on the seniors, and that is actually an increase of almost \$100 million over last year. That includes the stimulus money

that we are increasing over. Maybe it would have been nice to have the lavishness of the Federal stimulus to rely on over the last 2 years.

We recognize that there is a reality check and we are doing the absolute best for the citizens of Pennsylvania in a fiscally responsible way, and guess what? We are passing this budget tonight, on May 24, and I suspect when it is all done, with our good colleagues in the Senate and with the Governor, we are going to have an on-time budget and we will have met our constitutional obligation for the first time in 9 years. Please vote "yes."

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. Returning to leaves of absence, the gentleman, Mr. Sabatina's presence is noted on the floor. He will be added back to the master roll call.

CONSIDERATION OF HB 1485 CONTINUED

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS—109

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
Causar	Hahn	Miller	Stephens
Christiana	Harhart	Milne	Stern
Clymer	Harper	Moul	Stevenson
Cox	Harris	Murt	Swanger
Creighton	Heffley	Mustio	Tallman
Culver	Helm	O'Neill	Tobash
Cutler	Hennessey	Oberlander	Toepel
Day	Hess	Payne	Toohil
Delozier	Hickernell	Peifer	Truitt
Denlinger	Hutchinson	Perry	Turzai
DiGirolamo	Kampf	Petri	Vereb
Dunbar	Kauffman	Pickett	Vulakovich
Ellis	Keller, F.	Pyle	Watson
Emrick	Keller, M.K.	Quigley	
Evankovich	Killion	Quinn	Smith, S.,
Evans, J.	Knowles	Rapp	Speaker
Everett	Krieger	Reed	

NAYS—92

Barbin	DeLissio	Keller, W.	Preston
Bishop	DeLuca	Kirkland	Ravenstahl
Boyle, B.	DePasquale	Kortz	Readshaw

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

NOT VOTING—0

EXCUSED—2

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.

UNCONTESTED SUPPLEMENTAL CALENDAR B

RESOLUTIONS PURSUANT TO RULE 35

Mr. PAYNE called up **HR 307, PN 1960**, entitled.

A Resolution recognizing the week of May 21 through 27, 2011, as "Safe Boating Week" in Pennsylvania.

* * *

Mr. BRIGGS called up **HR 312, PN 1961**, entitled:

A Resolution recognizing the week of May 23 through 30, 2011, as "National Association of Insurance Women, International, Week" in Pennsylvania.

On the question,
Will the House adopt the resolutions?

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Johnson Miccarelli

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

BILLS RECOMMITTED

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

- HB 382;
- HB 1219;
- HB 1411;
- HB 1424;
- HB 1459;
- HB 1460; and
- HB 1461.

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 463;
- HB 608;
- HB 838;
- HB 864;
- HB 934;
- HB 1021; and
- HB 1326.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 626 be removed from the tabled calendar and placed on the active calendar.

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

BILL TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HB 626 be removed from the active calendar and placed on the tabled calendar.

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

CALENDAR CONTINUED

RESOLUTION

Mr. TURZAI called up **HR 6, PN 175**, entitled:

A Resolution amending the General Operating Rules of the House of Representatives, further providing for standing committees and subcommittees and tabling.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 6 be removed from the active calendar and placed on the tabled calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 6 be removed from the tabled calendar and placed on the active calendar.

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

BILL SIGNED BY SPEAKER

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

SB 199, PN 170

An Act designating a portion of Interstate 78 in Berks County as the CMSgt. Richard L. Etchberger Memorial Highway.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. As we wrap up this long day, I just wanted to thank the members for giving the Parliamentarian a very, very happy birthday today. He said it was one of the most memorable days he has served in this House, which may not be a compliment.

There will be no more votes.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Seeing no further business before the House, the Speaker recognizes the lady, Ms. Culver, from Northumberland County, who moves that this House do now adjourn until Wednesday, May 25, 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 8:23 p.m., e.d.t., the House adjourned.