

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

THURSDAY, JUNE 16, 2011

SESSION OF 2011

195TH OF THE GENERAL ASSEMBLY

No. 45

HOUSE OF REPRESENTATIVES

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

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

PRAYER

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

Merciful Father, bless the work of the members of this Assembly as we consider legislation that will affect the workings of this great State. Keep us mindful of our purpose to protect and preserve the goodness of what we call our Commonwealth. May we be unwavering in our convictions to provide for the common good, and may our decisions be based on the needs of the people we serve. Fill our hearts with sincerity and enable us to see the way to Your light and truth, knowing that the votes we make today have the power to affect future generations. And, Dear Lord, keep us mindful that in our capacity as legislators, we represent You first, and then those who sent us to this great House. 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 Wednesday, June 15, 2011, will be postponed until printed.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 1006, PN 1304**.

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 1006, PN 1304

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.

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 1610 By Representatives VEREB, QUIGLEY, MATZIE, CREIGHTON, BOBACK, BRADFORD, BRIGGS, V. BROWN, BROWNLEE, DEASY, DONATUCCI, FARRY, FRANKEL, GEIST, GINGRICH, HARKINS, HENNESSEY, HESS, HORNAMAN, KAUFFMAN, KILLION, KOTIK, MANN, MICOZZIE, MURT, NEUMAN, M. O'BRIEN, O'NEILL, PASHINSKI, PYLE, QUINN, ROCK, SANTARSIERO, SCAVELLO, SCHRODER, STERN, SWANGER, TAYLOR, TOOHL and WAGNER

An Act establishing standards for preventing sudden cardiac arrest and death in student athletes; assigning duties to the Department of Health and the Department of Education; and imposing penalties.

Referred to Committee on EDUCATION, June 16, 2011.

No. 1675 By Representatives COHEN, B. BOYLE, CALTAGIRONE, FABRIZIO, FREEMAN, HARHAI, JOHNSON, JOSEPHS, LONGIETTI, M. O'BRIEN, READSHAW, SANTONI, THOMAS, VITALI and WAGNER

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for an electric vehicle charging corridor tax credit; and imposing penalties.

Referred to Committee on FINANCE, June 16, 2011.

LEAVES OF ABSENCE

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

The minority whip requests leaves of absence for: the gentleman, Mr. CRUZ, from Philadelphia County for the day; the gentleman, Mr. KIRKLAND, from Delaware County for the day; the gentleman, Mr. WHEATLEY, from Allegheny County for the day; the gentleman, Mr. WILLIAMS, from Philadelphia County for the day; the gentleman, Mr. GEORGE, from Clearfield County for the day; and the gentleman, Mr. HALUSKA, from Cambria County for the day. Without objection, the leaves will be granted.

MASTER ROLL CALL

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

(Members proceeded to vote.)

LEAVES 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 from Philadelphia County, Mr. DWIGHT EVANS, and the lady from Delaware County, Mrs. DAVIDSON. Without objection, the leaves will be granted.

MASTER ROLL CALL CONTINUED

The following roll call was recorded:

PRESENT—193

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—10

Cruz	George	Metcalfe	Wheatley
Davidson	Haluska	Perry	Williams
Evans, D.	Kirkland		

LEAVES CANCELED—1

Davidson

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

APPROPRIATIONS COMMITTEE MEETING

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

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, there will be an immediate meeting of the House Appropriations Committee in the majority caucus room; immediate meeting of the House Appropriations Committee. Thank you.

The SPEAKER. There will be an immediate meeting of the House Appropriations Committee in the majority caucus room. For the information of the members, it is anticipated that the Appropriations Committee meeting will be a fairly brief one.

The House will be at ease until the conclusion of the Appropriations Committee meeting.

The House will come to order.

BILL REREPORTED FROM COMMITTEE

SB 1030, PN 1363

By Rep. ADOLPH

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 and for relief from charges and for establishment and maintenance of employer's reserve accounts;

providing for automatic relief from charges; further providing for qualifications required to secure compensation, for rate and amount of compensation, for definitions and for rules of procedure; and providing for shared-work program and for applicability.

APPROPRIATIONS.

GUESTS INTRODUCED

The SPEAKER. I just want to take a minute and recognize a couple of guests. Located in the rear of the House, we welcome Alyssa Albrecht. She is interning with Representative Caltagirone this summer. Will our guest please rise. Welcome to the hall of the House.

Seated in the rear of the House, the Speaker would like to welcome the members of the Greater Hazleton Chamber of Commerce. They are here today as guests of Representative Toohil. Welcome to the hall of the House.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, the delay, we are waiting for a technical amendment to the other bill that we are going to be dealing with today, and we expect it to be here just in another couple of seconds.

HR 339 RECONSIDERED

The SPEAKER. The Speaker is in receipt of a motion to reconsider a resolution that was filed by Representatives Gillen and Hackett, and they both move that the vote by which HR 339, PN 2077, was passed on the 15th day of June be reconsidered.

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

The following roll call was recorded:

YEAS—181

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

Causer	Hahn	Moul	Staback
Christiana	Harhai	Mullery	Stephens
Clymer	Harhart	Mundy	Stern
Cohen	Harkins	Murphy	Stevenson
Conklin	Harper	Murt	Sturla
Costa, D.	Harris	Mustio	Swanger
Costa, P.	Heffley	Myers	Tallman
Cox	Helm	Neuman	Taylor
Creighton	Hennessey	O'Brien, D.	Tobash
Culver	Hess	O'Brien, M.	Toepel
Curry	Hickernell	O'Neill	Toohil
Cutler	Hornaman	Oberlander	Truitt
Daley	Hutchinson	Parker	Turzai
Day	Josephs	Pashinski	Vereb
Deasy	Kampf	Payne	Vitali
DeLozier	Kauffman	Peifer	Vulakovich
DeLuca	Kavulich	Petrarca	Wagner
Denlinger	Keller, F.	Petri	Watson
DePasquale	Keller, M.K.	Pickett	White
DeWeese	Keller, W.	Preston	Youngblood
DiGirolamo	Killion	Pyle	
Donatucci	Knowles	Quigley	Smith, S.,
Dunbar	Kortz	Quinn	Speaker
Ellis	Kotik	Rapp	

NAYS—12

Briggs	DeLissio	Hanna	Santarsiero
Brown, V.	Dermody	Johnson	Thomas
Davis	Gerber	Payton	Waters

NOT VOTING—0

EXCUSED—10

Cruz	George	Metcalfe	Wheatley
Davidson	Haluska	Perry	Williams
Evans, D.	Kirkland		

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

VOTE CORRECTION

The SPEAKER. Does the lady, Ms. Brownlee, seek recognition for the purpose of correcting the record?

Ms. BROWNLEE. On unanimous consent.

The SPEAKER. The lady may proceed.

Ms. BROWNLEE. Thank you, Mr. Speaker.

It appears to me that on Tuesday, May 10, when HB 574, amendment A1687, was run, I was— I do not know what that was, but I would like to be— Button malfunction. That would be an affirmative vote, Mr. Speaker. Thank you.

The SPEAKER. The lady's remarks will be spread upon the record.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Speaker returns to leaves of absence and notices the presence of the lady from Delaware, Mrs. Davidson, on the floor of the House. Her name will be added to the master roll call.

SUPPLEMENTAL CALENDAR A

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1030, PN 1363**, 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 and for relief from charges and for establishment and maintenance of employer's reserve accounts; providing for automatic relief from charges; further providing for qualifications required to secure compensation, for rate and amount of compensation, for definitions and for rules of procedure; and providing for shared-work program and for applicability.

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

Mr. **W. KELLER** offered the following amendment No. **A03179**:

Amend Bill, page 18, line 28, by striking out "404 introductory paragraph," and inserting
404(a)

Amend Bill, page 19, lines 1 and 2, by striking out " October 19, " in line 1 and "1988 (P.L.818, No.109)" in line 2

Amend Bill, page 19, line 8, by striking out the bracket before "1989"

Amend Bill, page 19, line 8, by striking out "] 2013"

Amend Bill, page 25, lines 1 through 3, by striking out "FOR THE CALENDAR YEAR 2012, THE MAXIMUM" in line 1 and all of lines 2 and 3

Amend Bill, page 25, line 4, by striking out "THE" where it occurs the second time and inserting

for the calendar year 2012, the maximum weekly benefit rate shall be frozen at the rate calculated for calendar year 2011. Thereafter.

Amend Bill, page 25, line 25, by inserting after "UNEMPLOYMENT"

Compensation

Amend Bill page 25, by inserting between lines 27 and 28

(iv) If the change implemented by the freeze in calendar year 2012 is determined by the department, in an official notice to the General Assembly, to result in the loss of funds under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5, 123 Stat. 115), the schedule under subclause (iii) shall occur one year later and the expiration of the limitations set forth in subclause (iii) shall occur one year later.

Amend Bill, page 39, line 9, by striking out "THIS SECTION" and inserting

section 404(d)(1) and (1.1)

Amend Bill, page 39, line 28, by inserting after "(1)"

The amendment of section 404(e)(2) of the act shall take effect immediately.

(1.1)

Amend Bill, page 40, line 2, by striking out "404"

Amend Bill, page 40, line 3, by striking out "introductory paragraph and"

Amend Bill, page 40, line 4, by striking out "SUBSECTION (A)" and inserting

404(a)

Amend Bill, page 40, line 8, by inserting after "section" and sections 9 and 10

Amend Bill, page 40, line 9, by striking out "Article XIII of the act" and inserting

section 1311 of the act shall take effect immediately. The remainder of Article XIII of the act being added

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

The SPEAKER. On that question, the Speaker recognizes the gentleman from Philadelphia, Mr. William Keller.

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

This is a technical amendment, which had to fix a couple errors in the drafting yesterday. It is agreed-to. And once again, I would just like to say thank you to everyone involved, and hopefully, we can work this cooperatively together in the future and we can attack the insolvency issue in the Pennsylvania unemployment trust fund.

Thank you, Mr. Speaker.

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

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

Mr. MILLER. Mr. Speaker, this is an agreed-to amendment, and I would ask for an affirmative vote.

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

The following roll call was recorded:

YEAS—194

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

Curry	Helm	O'Brien, M.	Toepel
Cutler	Hennessey	O'Neill	Toohil
Daley	Hess	Oberlander	Truitt
Davidson	Hickernell	Parker	Turzai
Davis	Hornaman	Pashinski	Vereb
Day	Hutchinson	Payne	Vitali
Deasy	Johnson	Payton	Vulakovich
DeLissio	Josephs	Peifer	Wagner
DeLozier	Kampf	Petrarca	Waters
DeLuca	Kauffman	Petri	Watson
Denlinger	Kavulich	Pickett	White
DePasquale	Keller, F.	Preston	Youngblood
Dermody	Keller, M.K.	Pyle	
DeWeese	Keller, W.	Quigley	Smith, S.,
DiGirolamo	Killion	Quinn	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Haluska	Metcalfe	Wheatley
Evans, D.	Kirkland	Perry	Williams
George			

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 third consideration as amended?

The SPEAKER. Under the House rules, this bill could not be considered till later this afternoon or early evening.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

The SPEAKER. For the purpose of making a motion, the gentleman, Mr. Miller, is recognized.

Mr. MILLER. Mr. Speaker, I would like to make a motion to proceed to consider SB 1030.

The SPEAKER. The gentleman, Mr. Miller, has moved to proceed to the vote on final passage, under rule 24.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—184

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

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

NAYS—10

Cutler	Hutchinson	Milne	Schroder
Grell	Lawrence	Samuelson	Truitt
Heffley	Metzgar		

NOT VOTING—0

EXCUSED—9

Cruz	Haluska	Metcalfe	Wheatley
Evans, D.	Kirkland	Perry	Williams
George			

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

On the question recurring,

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

Bill as amended 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—194

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Haluska	Metcalfe	Wheatley
Evans, D.	Kirkland	Perry	Williams
George			

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

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

STATEMENT BY MR. MILLER

The SPEAKER. Does the gentleman, Mr. Miller, from York seek recognition under unanimous consent?

The gentleman is in order.

Mr. MILLER. Thank you, Mr. Speaker.

When legislation of this importance is moved through the House, there are many people to thank. The Republican and Democratic staffs of the House Labor and Industry Committee spent countless hours providing analysis and language drafting to get us to this point. The minority chairman of the Labor and Industry Committee is a tough negotiator, but his effort was instrumental in getting us to this vote. I am sure leadership on both sides of the aisle were instrumental on negotiating the difficult issues of this legislation, but I must single out the efforts of the majority leader. When I would consider the possibility of reaching a compromise as being out of reach, he would assure me that we would get there. With his leadership, we have passed legislation that we are sending to the Senate that addresses unemployment compensation reform and helps those Pennsylvanians in need of extended unemployment benefits. I appreciate the affirmative vote of all the members.

Thank you, Mr. Speaker.

STATEMENT BY MR. DiGIROLAMO

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

Mr. DiGIROLAMO. Unanimous consent.

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

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

And again, on 1030, this has not been easy. I always thought that people elect us and send us up here to Harrisburg to get things done, and even though I think we just had a fundamental difference on how to address an issue of major importance here in Pennsylvania, and that was unemployment compensation, I think we were all able to come together as evidenced when the bill passed – both sides of the aisle clapping together; all able to come together and find a compromise. I am not sure if any of the stakeholders are actually happy or claiming victory, although I think it was important to get this done for the 50,000 Pennsylvanians who are going to receive the extension and will not miss any of their checks. But I thought going through this that this was a perfect example of democracy at work, an example of democracy at work, and I think we can all in this House take some sense of pride in the way it was accomplished, and also, we can take victory in that we got it done. Thank you, Mr. Speaker.

STATEMENT BY MR. W. KELLER

The SPEAKER. Is the gentleman, Mr. Keller, from Philadelphia seeking recognition under unanimous consent as well?

Mr. W. KELLER. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. W. KELLER. I would also like to jump on the love train, Mr. Speaker.

The SPEAKER. That will get your unanimous consent withdrawn.

Mr. W. KELLER. I just want to also add my voice, too. This was a tough negotiation and it did come out the right way. Especially thanks to the staff; the staff was very instrumental in this. They put a lot of hard work in. We do have a great staff in the House and that proved it. Again, my congratulations to Chairman Miller. He did a great job. As you can see, hopefully, I keep reiterating that we should do this more and more often, and I think we can.

Thank you, Mr. Speaker.

STATEMENT BY MINORITY LEADER

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

Mr. DERMODY. Mr. Speaker, unanimous consent.

The SPEAKER. The gentleman may proceed under unanimous consent.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, back in March we were told that we would have a budget by mid-May, then we heard it would be the end of May, and now we are less than 2 weeks from the deadline. We have not been part of the negotiations, but where we are and what we do know is that school districts across the Commonwealth have announced layoffs of teachers, of staff, and they have raised property taxes. That is right. Our counties are calling us every day wondering what cuts they will have to make to human services, what cuts they will have to make for services for the disabled, the elderly, children at risk. While we are not in the room, all we can tell them is what we have heard in rumors. We have heard that the Senate will take the \$370-some-odd million of the Tobacco Settlement money and spend that or put that off-line, whatever that is and whatever that means, and that through some form of wizardry, that money will be spent, but it does not really count. We will not spend it. It will still be \$27.3, and that will be replaced with \$300 million from our surplus.

Mr. Speaker, today what we are asking is where we are, where we are on the budget, where we are on the spending, so that we can absolutely tell our constituents what they should be doing, help our school districts educate our children and our counties provide the services they need to provide.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Speaker recognizes the gentleman, the majority leader, Mr. Turzai.

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

This body, on May 24, passed a fiscally responsible budget that did not have reckless borrowing, that did not increase taxes, and that met the priorities of the citizens of Pennsylvania while still being respectful to the taxpayers.

Keep in mind, under the budget that this body passed in a timely, deliberative fashion, we are spending \$9.6 billion on public education from K through 12, which is \$300 million more in State funding than was in last year's budget. Understand this: We believe, over the last 8 years, in conjunction with Democratic Auditor General Jack Wagner, that there is real welfare fraud that has to be rooted out, and even so, our budget had \$10.7 billion – with a "b" – in helping the neediest in the Department of Public Welfare, although we did root out an additional \$500 million that we and the Auditor General felt

could be attributed to waste, fraud, and abuse. We have a responsibility to have a good public education system, which we did in our budget, and we have a responsibility to make sure that the dollars, the hard-earned tax dollars, are going to the people under welfare that deserve it and that it is not going to fraud, waste, and abuse. We were prioritized.

Now, let me just say this: We can assure you, as we did, that we would have a budget passed out of here in a timely fashion in May. We met and moved forward in a deliberative process. In addition, with our colleagues from the Senate, both Republican and Democratic, and with this chamber and the Governor, for the first time in 9 years, I can assure you this, we will have an on-time, constitutional budget. Thank you very much, Mr. Speaker.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, use of artificial noisemakers in the House is not permissible. You can hoot and holler, I cannot stop that, but no other noisemakers.

STATEMENT BY MR. MARKOSEK

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, to just talk a little bit about the budget. Mr. Speaker, just in following up with what Minority Leader Dermody has mentioned, we have essentially seen negotiations undertaken here recently, they are essentially negotiations by rumor. We have not been invited into the room. We have not been asked for our opinion. The 91 members of the Democratic Caucus represent almost 6 million of our constituents – that is nearly half the population of the State – that we have had no say in the ongoing negotiations between the Senate Republicans and the House Republicans and the Governor's Office. This at a time when almost everyone understands that there is substantial additional funding on the table; a conservative view would be about \$600 million. A moderate view would be about a billion dollars extra that can be applied to this coming fiscal year to alleviate a lot of the problems that we have talked about here, these substantial, punishing, painful cuts that we are subjecting – or I should say that the Republicans and the administration are subjecting the population of the State of Pennsylvania to, these very, very onerous and draconian cuts at a time when we have up to a billion dollars left to spend. And we are hurting, as we have heard before, chronically ill senior citizens in nursing homes, handicapped, disabled, kids, K through college, tuition payments – all those things are under a severe attack by the Republican Caucuses of both Houses and the Governor's administration. They are not even talking to anybody else about it. It is done behind closed doors. It is secretive. The lights have been turned off. Mr. Speaker, this is terribly wrong. This is something, these are backdoor negotiations, negotiations by rumors. We have not been invited.

I would also just add one other thing. We have heard a lot about the spend number here. We talked about it when the bill was here, the \$27.3, then we heard when it went over to the Senate that it is going to be higher than that. Then we heard that the Governor said, no, it is going to be lower than that. What is the spend number going to be? How are we going to determine

the spend number? We ought to take a page out of our gaming folks here and just have a big roulette wheel here and spin it and see which number comes up. That is the only way I can understand right now how we are going to even find out what the spend number is. Nobody is talking to us. Ninety-one members here, representing half the population of the Commonwealth, and we do not get a say. Then you are going to send a budget over here, and the night before, we have to have our entire staff in all night long trying to figure out what is in it, where you have hidden everything, what you have moved to various funds, and then you are going to say, well, we have not increased spending any. In the meantime, we have all these flimflam tricks that are going to be going on. We all know it is going to happen. It is just wrong. We should be a part of the talks.

Mr. Speaker, I think all of us in this room, on both sides of the aisle, ran in the last election for open government, open government – and this certainly is not open government. Anybody here that thinks it is, you know you are wrong. This is closed government. It is backdoor government. It is behind-the-scenes government. It is rumor government. It is just simply wrong, and I think it is time that we had more openness with this budget and at least give us a chance to weigh in on it and represent the people that we represent who are deserving of a chance to speak on this budget.

I appreciate the Speaker and the members for giving me an opportunity to say this today. We look forward to the very hard work. We are here. We have reported for duty. We have rolled up our sleeves. We are ready to work on this budget, along with our colleagues. We want to get this done. Thank you, Mr. Speaker.

STATEMENT BY MR. ADOLPH

The SPEAKER. Does the gentleman, Mr. Adolph, seek recognition?

Mr. ADOLPH. Thank you, Mr. Speaker.

The gentleman, the Democratic chair of the House Appropriations Committee, has a very short memory. It was not too long ago that I sat down with the chairman and asked him, will the Democrats be offering any amendments to the budget? And he assured me that they will not be offering any amendments. My door is always open to the chairman. I have responded to every letter regarding the budget that I have received from the House Democrats, and I will continue. We certainly are considering their letters. It would have been a lot easier to work with if the House Democrats would have offered some amendments at the time that procedurally it was appropriate, and they did not.

I also asked the chairman about a month ago, will you be supporting the budget? He said, no; do not expect any Democratic votes. So it is hard to deal with a side that is not offering any amendments and already in advance told you that they will not be voting for a budget this year.

All those folks that the chairman was talking about that would not be receiving funding, I did not hear the chairman talk about that when it was 6 months after June 30 and we still had not passed the budget. Those agencies that he was so concerned about 30 seconds ago are the same agencies that did not receive State funding for over 6 months. You can talk about political rhetoric and so forth. I can assure the gentleman that the House

Republicans have been working on a budget, yes, with the Senate Republicans. I also met with the Senate Appropriations Committee chair just last week on several issues. So my door is open to you, still is offered to you. My light is not turned off. My light is open at night, and we are over there working. If I had any type of cooperation from the other side, that they would be willing to work with a budget and willing to vote for a budget that does not increase taxes and does not overspend the hardworking people's tax money in Pennsylvania, I would be willing to sit down with them, but I have not received any amendments.

The \$600 million that the gentleman refers to, I can name almost double that amount in pending liabilities that this State may be expecting to pay in the next year or two. We just talked about unemployment earlier on this day, and for the gentleman's information, we owe the Federal government \$4 billion in unemployment loans. So we need to not spend every last dollar that the taxpayers have sent us. We expect to get an on-time budget by June 30, for the first time in 8 years. Thank you, Mr. Speaker.

RESOLUTION RECOMMENDED

The SPEAKER. The Speaker recognizes the majority leader, who moves that HR 339 be removed from the active calendar and recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?

Motion was agreed to.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, tomorrow we will not be voting bills. The desk is basically open to sign SB 1030 that we just passed. The Senate is planning on coming in tomorrow and concurring on that in order to get that to the Governor's desk as expeditiously as possible. The desk will be open tomorrow pretty much solely for that purpose.

Any other business before the House?

STATEMENT BY MR. THOMAS

The SPEAKER. For what purpose does the gentleman, Mr. Thomas, seek recognition?

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise for unanimous consent.

The SPEAKER. The gentleman may proceed under unanimous consent.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I think it is important that the record reflects that unanimous consent, that there is a commitment to try and get this done by June 30. There is also a commitment to make sure that we spend taxpayer dollars in an appropriate manner. However, Mr. Speaker, the record will reflect that there is a difference of understanding regarding priorities. According to the Pennsylvania Catholic Conference, there are over almost a million people in Pennsylvania who do not have health insurance. In May, 41,000 people were removed from the adult health insurance program. Mr. Speaker, there is no budget that

reflects dealing with that particular problem. Secondly, the budget that went to the Senate, Mr. Speaker, there is a difference of opinion in terms of whether it is about job creation or job status. There is no real job creation, from which we can glean, from the proposal that was sent to the Pennsylvania Senate. And to that end, the record needs to reflect a difference of opinion. Thirdly, Mr. Speaker, it is clear that there are more dollars in the budget, more State dollars in the budget that were sent to the Senate, but there is a major hole in what has been provided for equalization of opportunity in education that we have done in the past versus what is being done today. So no, there are no Federal dollars, but because there are no Federal dollars does not mean that we do not have a constitutional responsibility to provide sufficient funding to provide for equalization of opportunity in education for every child in Pennsylvania public schools.

Mr. Speaker, in Philadelphia County there are almost 4,000 people who have received layoff notices. There are almost 2,000 teachers that have received layoff notices, and there is nothing in the proposal that is over in the Pennsylvania Senate to address that. So, Mr. Speaker, while we have a unanimous consent around some issues, there is major disagreement about where priorities are and how we are allocating taxpayer dollars based on our priorities. So to that end, before we get to June 30, we need to speak to the real priorities of Pennsylvanians and not the priorities of a select few. Thank you, Mr. Speaker.

The SPEAKER. The Speaker thanks the gentleman.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Speaker has been asked to wish all the fathers here and amongst us a happy Father's Day this weekend. Also, the members should, since we are into the last full week in June, the members probably should be planning, reminder, just should be planning on a full week, certainly through Friday next week, as far as legislative session, and candidly, I would not even rule out a Saturday possibly. Staff does not like the Saturday thought; a little motivation.

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. The Speaker recognizes the gentleman, Mr. Mullery, from Luzerne County, who moves that this House do adjourn until Friday, June 17, 2011, at 12:30 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 12:51 p.m., e.d.t., the House adjourned.