

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 25, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 60

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

PRAYER

REV. EDWARD DeVORE, Guest Chaplain of the House of Representatives, offered the following prayer:

This focus verse is taken from Hebrew Scriptures, Micah 6: God, I showed You, O mortal, what is good and what does the Lord require of You but to do justice and to love kindness and to walk humbly with Your God.

Let us pray:

O mighty God, creator, redeemer, and sustainer of us all, we come before You in the morning of this day to praise Your name and to seek Your blessing. We give You thanks for Your amazing grace that has been poured out upon this Commonwealth for over 300 years. By Your guiding hand over the centuries, men and women of this State have labored and sacrificed so that what You require of us might be carried out.

Now, O Lord, we turn to You on this new day, a day filled with promise and possibilities. Pour out Your holy spirit upon each one of Your servants gathered in this room. At this hour fill their hearts and minds with the gifts they will need today to do what You require, justice and kindness. Grant them wisdom in times of discussion, grant them the gifts of patience and peace in times of frustration, and at all times give them a full measure of humility so that they might recognize their constant need for Your guiding presence.

These petitions we ask of You, Almighty God, who was and who is and who will come again. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Monday, October 24, 2005, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2005 By Representatives FLICK, PRESTON, RAMALEY, REICHLEY, ADOLPH, ARGALL, ARMSTRONG, BAKER, BALDWIN, BELARDI, BENNINGHOFF, BOYD, BUNT, BUXTON, CALTAGIRONE, CAPPELLI, CIVERA, CLYMER, COHEN, CRAHALLA, DALEY, DALLY, DENLINGER, DeWEESE, FABRIZIO, FAIRCHILD, FICHTER, GEIST, GEORGE, GOODMAN, HARHAI, HARRIS, HENNESSEY, HERMAN, JOSEPHS, KOTIK, LEDERER, LEH, MANN, MARKOSEK, R. MILLER, MUNDY, PETRARCA, PHILLIPS, PICKETT, READSHAW, RUBLEY, SEMMEL, SHANER, SHAPIRO, B. SMITH, SOLOBAY, R. STEVENSON, E. Z. TAYLOR, THOMAS, TIGUE, WANSACZ, WILT, WOJNAROSKI, WRIGHT and YOUNGBLOOD

An Act prohibiting the installation, transmission and use of computer software that collects personally identifiable information; authorizing the Attorney General and district attorneys to bring civil actions against persons who violate this act; and providing for damages.

Referred to Committee on CONSUMER AFFAIRS, October 25, 2005.

No. 2006 By Representatives PRESTON, FLICK, THOMAS, BAKER, BELFANTI, BOYD, CALTAGIRONE, CLYMER, GERGELY, GRUCELA, HARHAI, HERMAN, JAMES, JOSEPHS, MARKOSEK, McCALL, MUNDY, O'NEILL, PALLONE, PETRARCA, PETRONE, READSHAW, REICHLEY, RUBLEY, SAINATO, SANTONI, SIPTROTH, SHAPIRO, SOLOBAY, SURRA, TANGRETTI, E. Z. TAYLOR, TIGUE, WALKO and WOJNAROSKI

An Act providing for breach of security of identifying information and for penalties.

Referred to Committee on CONSUMER AFFAIRS, October 25, 2005.

No. 2122 By Representatives HARRIS, CAPPELLI, CRAHALLA, CREIGHTON, DeLUCA, GEIST, GINGRICH, GOODMAN, GRUCELA, HESS, HICKERNELL, KAUFFMAN, M. KELLER, KILLION, MANN, MARKOSEK, MARSICO, O'NEILL, PAYNE, PETRI, QUIGLEY, READSHAW, REED, REICHLEY, RIEGER, SATHER, SAYLOR, SCAVELLO, STABACK, R. STEVENSON, E. Z. TAYLOR, THOMAS, TIGUE, WATSON, WILT, J. EVANS, TRUE, YOUNGBLOOD and BOYD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentences for offenses against infant persons.

Referred to Committee on JUDICIARY, October 25, 2005.

No. 2123 By Representatives PAYNE, GEIST, THOMAS, ARMSTRONG, BAKER, BELFANTI, CALTAGIRONE, CAPPELLI, CAWLEY, CREIGHTON, FLEAGLE, GEORGE, HENNESSEY, HERMAN, HERSHEY, MARKOSEK, PICKETT, PYLE, REICHLEY, SCHRODER, B. SMITH, TIGUE, TURZAI, WALKO, YOUNGBLOOD and BOYD

An Act creating tax incentives for increasing workplace employment.

Referred to Committee on FINANCE, October 25, 2005.

No. 2124 By Representatives PAYNE, ARMSTRONG, BELFANTI, CALTAGIRONE, CRAHALLA, FREEMAN, HENNESSEY, HERSHEY, KAUFFMAN, LEACH, MARKOSEK, McILHATTAN, MUNDY, PETRI, PISTELLA, REICHLEY, SAYLOR, SCHRODER, B. SMITH, SURRA, TANGRETTI, THOMAS, WALKO, WRIGHT, YOUNGBLOOD, ZUG and BOYD

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, excluding hybrid motor vehicles from sales tax.

Referred to Committee on FINANCE, October 25, 2005.

No. 2125 By Representatives PAYNE, ARMSTRONG, BAKER, BELARDI, CALTAGIRONE, CAPPELLI, CAWLEY, CREIGHTON, DENLINGER, FLEAGLE, GEIST, GEORGE, GINGRICH, GOOD, GRELL, HARHAI, HENNESSEY, HERMAN, HERSHEY, KAUFFMAN, KILLION, LEH, MACKERETH, MAITLAND, MANN, MARKOSEK, McILHATTAN, METCALFE, MICOZZIE, PICKETT, PISTELLA, REED, REICHLEY, SAYLOR, SCHRODER, SOLOBAY, TIGUE, TURZAI, WALKO, WILT, YOUNGBLOOD, ZUG and BOYD

An Act amending the act of July 14, 2005 (P.L.278, No.48), known as the Health Savings Account Act, further providing for special tax provisions by excluding from personal income taxation any amounts deposited into a health savings account.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 25, 2005.

No. 2126 By Representatives PAYNE, BELFANTI, CALTAGIRONE, CAPPELLI, DENLINGER, DeWEESE, GEIST, GEORGE, GINGRICH, HANNA, HARHAI, HENNESSEY, HERMAN, HERSHEY, KAUFFMAN, KILLION, MANN, MARKOSEK, McGEEHAN, McILHATTAN, MUSTIO, PICKETT, PISTELLA, PYLE, REICHLEY, SCHRODER, SOLOBAY, E. Z. TAYLOR, THOMAS, TIGUE, WALKO, WILT, YOUNGBLOOD, YUDICHAK, ZUG and BOYD

An Act amending the act of April 3, 1992 (P.L.28, No.11), known as the Tuition Account Programs and College Savings Bond Act, providing for the taxation of deposits, contributions and refunds.

Referred to Committee on EDUCATION, October 25, 2005.

No. 2127 By Representatives PAYNE, BELFANTI, CALTAGIRONE, CAPPELLI, CAWLEY, COHEN, CREIGHTON, DeWEESE, FABRIZIO, FAIRCHILD, HENNESSEY, LEACH, MANDERINO, REICHLEY, SANTONI, SOLOBAY, THOMAS, WALKO, WILT, YOUNGBLOOD and BOYD

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further defining unfair business practices.

Referred to Committee on CONSUMER AFFAIRS, October 25, 2005.

No. 2128 By Representatives PAYNE, BALDWIN, BEBKO-JONES, CALTAGIRONE, CAPPELLI, CREIGHTON, FREEMAN, GOODMAN, MAITLAND, MARKOSEK, McILHATTAN, R. MILLER, PETRI, REICHLEY, RUBLEY, SAYLOR and SCAVELLO

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, providing for the procurement of hybrid vehicles.

Referred to Committee on STATE GOVERNMENT, October 25, 2005.

No. 2129 By Representatives CAPPELLI, ARMSTRONG, BAKER, BASTIAN, BELARDI, BENNINGHOFF, BOYD, CALTAGIRONE, CAUSER, COHEN, CORRIGAN, CRAHALLA, DENLINGER, J. EVANS, FABRIZIO, FAIRCHILD, FEESE, FLEAGLE, FRANKEL, FREEMAN, GABIG, GEIST, GERGELY, GINGRICH, GOOD, GOODMAN, HANNA, HARRIS, HASAY, HENNESSEY, HERMAN, HESS, HUTCHINSON, KAUFFMAN, M. KELLER, LEDERER, LEH, LEVDANSKY, MAJOR, MANN, MARKOSEK, McILHATTAN, METCALFE, MUSTIO, O'NEILL, PAYNE, PETRARCA, PHILLIPS, PICKETT, QUIGLEY, RAMALEY, READSHAW, REED, ROHRER, SAINATO, SCAVELLO, SCHRODER, SHANER, S. H. SMITH, SOLOBAY, STERN, SURRA, E. Z. TAYLOR, THOMAS, TIGUE, WALKO, WANSACZ, WHEATLEY, WILT, WOJNAROSKI, YOUNGBLOOD, YUDICHAK and ZUG

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for cooperation of government and nongovernment agencies.

Referred to Committee on JUDICIARY, October 25, 2005.

No. 2130 By Representatives CAPPELLI, THOMAS, ARMSTRONG, BAKER, BALDWIN, BELFANTI, BOYD, BUNT, CALTAGIRONE, CRAHALLA, DeLUCA, DENLINGER, FABRIZIO, FEESE, FRANKEL, FREEMAN, GEIST, GEORGE, GOOD, HARPER, HARRIS, HASAY, HENNESSEY, HERMAN, HERSHEY, LEACH, LEDERER, LEH, MANN, MARKOSEK, McILHATTAN, PETRARCA, PETRONE, PISTELLA, READSHAW, REICHLEY, SAINATO, SATHER, SCAVELLO, B. SMITH, SOLOBAY,

STABACK, E. Z. TAYLOR, TIGUE, TRUE, WANSACZ, WILT and YOUNGBLOOD

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

Referred to Committee on FINANCE, October 25, 2005.

No. 2131 By Representatives McNAUGHTON, GEIST, McCALL, HARHAI, BENNINGHOFF, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CAWLEY, COHEN, CRAHALLA, CREIGHTON, DeWEESE, D. EVANS, GOODMAN, HENNESSEY, HERMAN, McILHATTAN, O'NEILL, PETRARCA, READSHAW, REICHLEY, B. SMITH, SOLOBAY, THOMAS, TIGUE, WHEATLEY, WILT and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring manufacturers to disclose information relating to vehicles equipped with event data recorders or sensing and diagnostic modules.

Referred to Committee on TRANSPORTATION, October 25, 2005.

No. 2132 By Representatives FAIRCHILD, CALTAGIRONE, CAPPELLI, CRAHALLA, DALLY, FREEMAN, GEIST, GOODMAN, GRUCELA, HESS, LEH, PHILLIPS, RUBLEY, SATHER, SCAVELLO, B. SMITH, E. Z. TAYLOR, TIGUE, YOUNGBLOOD, SAMUELSON, HARRIS and BOYD

An Act amending the act of June 25, 1931 (P.L.1352, No.332), referred to as the Delaware River Joint Toll Bridge Compact, further providing for powers and duties and for audits.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, October 25, 2005.

No. 2133 By Representative FAIRCHILD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for identification card.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, October 25, 2005.

No. 2134 By Representative FAIRCHILD

An Act limiting the collection of Social Security numbers on State and local government forms; and further providing for duties of the Department of Transportation.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, October 25, 2005.

No. 2135 By Representatives BEYER, SAYLOR, BOYD, LEH, RUBLEY, SCAVELLO, WILT, ARGALL, BAKER, BALDWIN, BELARDI, BELFANTI, BUNT, BUXTON, CALTAGIRONE, CAUSER, COSTA, CRAHALLA, DALEY, DALLY, DeLUCA, J. EVANS, GEIST, GEORGE, GILLESPIE, GINGRICH, GOOD, GOODMAN, GRUCELA, HARHAI, HARRIS, HASAY, HENNESSEY, HERMAN,

JOSEPHS, KILLION, KOTIK, MACKERETH, MARKOSEK, MARSICO, McNAUGHTON, MICOZZIE, R. MILLER, NICKOL, O'NEILL, PAYNE, PETRARCA, PETRI, PICKETT, PYLE, READSHAW, SANTONI, SATHER, SCHRODER, SOLOBAY, SURRA, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, WALKO, YOUNGBLOOD and ZUG

An Act amending the act of March 11, 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and Assistance Act, further providing for property tax and rent rebate eligibility and for funds for payment of claims; and repealing the Homeowner Tax Relief Act.

Referred to Committee on FINANCE, October 25, 2005.

No. 2136 By Representatives KENNEY, CORRIGAN, ROONEY, ARMSTRONG, BASTIAN, BEBKO-JONES, BELARDI, CALTAGIRONE, CAPPELLI, CRAHALLA, CREIGHTON, DeLUCA, GEIST, GEORGE, GINGRICH, GOOD, GOODMAN, GRUCELA, HARRIS, HERSHEY, HESS, KAUFFMAN, KILLION, LEVDANSKY, MANN, MARKOSEK, McILHATTAN, R. MILLER, O'NEILL, PAYNE, PHILLIPS, PYLE, RAYMOND, READSHAW, RUBLEY, SCHRODER, B. SMITH, SOLOBAY, SONNEY, STABACK, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, TRUE, WATSON, WILT, WOJNAROSKI, YOUNGBLOOD and BOYD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for penalties for accidents involving death or personal injury.

Referred to Committee on TRANSPORTATION, October 25, 2005.

No. 2137 By Representatives J. EVANS, GEIST, GOOD, ARMSTRONG, BALDWIN, GERBER, HARPER, MAHER, McGILL, SCAVELLO, SOLOBAY, STAIRS, WATSON, BEBKO-JONES, BOYD, CALTAGIRONE, CAPPELLI, DENLINGER, FABRIZIO, HENNESSEY, HERSHEY, McILHATTAN, MUSTIO, PERZEL, PHILLIPS, REICHLEY, ROSS, SEMMEL and E. Z. TAYLOR

An Act amending the act of September 30, 1985 (P.L.240, No.61), known as the Turnpike Organization, Extension and Toll Road Conversion Act, further providing for collection and disposition of tolls.

Referred to Committee on TRANSPORTATION, October 25, 2005.

No. 2138 By Representative FABRIZIO

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for absentee voting and the filing of nomination papers.

Referred to Committee on STATE GOVERNMENT, October 25, 2005.

No. 2139 By Representatives MAHER, GEIST, BALDWIN, J. EVANS, GOOD, HESS, PETRARCA, ROBERTS, WATSON and WILT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for exemption of persons, entities and vehicles from fees.

Referred to Committee on TRANSPORTATION, October 25, 2005.

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
October 24, 2005

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Regular Session of the Senate recesses this week, it reconvene on Monday, October 31, 2005, 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 Regular Session of the House of Representatives recesses this week, it reconvene on Monday, October 31, 2005, 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 REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the following bills be taken from the table:

HB 248;
HB 496;
HB 609;
HB 804;
HB 1112;
HB 1427;
HB 1604;
HB 1607;
HB 1621;
HB 1641;
HB 1697;
HB 1928;
HB 2067;
HB 2082;
HB 1552;
HB 1050; and
HB 1083.

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

BILLS ON SECOND CONSIDERATION

The following bills, having been called up, were considered for the second time and agreed to, and ordered transcribed for third consideration:

HB 248, PN 274; HB 496, PN 535; HB 609, PN 682; HB 804, PN 966; HB 1112, PN 1319; HB 1427, PN 2883; HB 1604, PN 2007; HB 1607, PN 2738; HB 1621, PN 2056; HB 1641, PN 2026; HB 1697, PN 2887; HB 1928, PN 2882; HB 2067, PN 2917; HB 2082, PN 2886; HB 1552, PN 2273; HB 1050, PN 1964; and HB 1083, PN 1970.

BILLS RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the following bills be recommitted to the Appropriations Committee:

HB 248;
HB 496;
HB 609;
HB 804;
HB 1112;
HB 1427;
HB 1604;
HB 1607;
HB 1621;
HB 1641;
HB 1697;
HB 1928;
HB 2067;
HB 2082;
HB 1552;
HB 1050; and
HB 1083.

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

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 472, PN 511**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a tax credit for donation of used computers; and further defining "taxable income" relating to the corporate net income tax.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 472 be placed on the table.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 472 be taken off the table.

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

* * *

The House proceeded to third consideration of **SB 157, PN 1048**, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for the delegation of taxing powers and restrictions thereon; repealing provisions relating to continuation of occupational privilege taxes; and making editorial changes.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that SB 157 be placed on the table.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that SB 157 be taken off the table.

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

* * *

The House proceeded to third consideration of **SB 607, PN 766**, entitled:

An Act providing for the capital budget for the fiscal year 2005-2006.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that SB 607 be placed on the table.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that SB 607 be taken off the table.

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall members of the Friedens Lutheran Church. They are guests of Representative Bob Bastian, and we would like to welcome the seniors and youth group, who are located in the balcony. Please rise and be recognized.

Please recognize Representative Benninghoff's guest, Nathaniel Boring. Nate is an 11th grade student at Indian Valley High School in Lewistown. Accompanying Nathaniel today is his father, Mike Boring, of Reedsville, seated to the left of the Speaker. Welcome.

Please welcome as guests of Representative Mario Scavello Friends of the Monroe County Library, who volunteer tremendous amount of hours to improve the quality of service for Monroe County residents. The guests are seated in the gallery. Please rise.

We also welcome to the hall of the House Abbey Vanim, who is serving as a guest page today for Representative Sheila Miller. Abbey is from Sinking Spring and is a junior at Holy Name High School. Earlier this year Abbey attended the National Student Leadership Conference where she met with key officials and lawmakers. Abbey's parents, Al and Mary, and her sister, Rachel, are in the back of the House. Please rise and be recognized. Welcome.

The Chair welcomes Monica Masemer and Alyssa Bruchko. They are senior students from Bloomsburg University who are mentoring with the Pennsylvania Association of School Nurses

and Practitioners. The Chair would also like to recognize two certified school nurses. They are both Karen Roth and Karen Flad, who are the guests of Representative Mark Keller, and they are located to the left of the Speaker. Please rise and be recognized.

HUBERT H. HUMPHREY FELLOWS INTRODUCED

The SPEAKER pro tempore. Today we are joined by scholars from the Hubert H. Humphrey Fellowship Program at Pennsylvania State University. They are seated in the gallery, and I ask that because of the complexity of their names, for pronunciation purposes, we have our expert, the reading clerk of the House, to announce them individually and that each stands as you are recognized. Please hold applause until you all have been introduced.

The following names were read:

The program members include Mr. Abdel Nasser Abdel Razik, Dr. Lidia Ivanovna Agafonova, Ms. Lan Thi Ngoc Dang, Ms. Jannette Evelyn Rosemond Davies, Ms. Egle Kesyliene, Ms. Liudmila Alexandrovna Kozhevnikova, Ms. Laaldja Makhloufi, Ms. Jelena Mazurkivic, Ms. Altantsetseg Sodnomtseren, and Mr. Sonam Tshering.

The SPEAKER pro tempore. Accompanying the students is Dr. Jane L. Reese, assistant coordinator of the Humphrey Fellowship Program. Let us give them a warm welcome to the House. Welcome again. Thank you.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 105, PN 97 By Rep. SEMMEL

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, providing for cooperative purchase of fire, rescue and ambulance company supplies.

VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS.

HB 509, PN 547 By Rep. SEMMEL

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 campus police powers and duties.

VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS.

HB 2019, PN 2946 (Amended) By Rep. O'BRIEN

An Act amending the act of June 22, 1964 (Sp.Sess., P.L.84, No.6), known as the Eminent Domain Code, further providing for abandonment of project.

JUDICIARY.

HB 2054, PN 2831

By Rep. O'BRIEN

An Act amending Title 26 (Eminent Domain) of the Pennsylvania Consolidated Statutes, providing for limitations on the use of eminent domain; and making a related repeal.

JUDICIARY.

SB 509, PN 806

By Rep. O'BRIEN

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for classification and order of payment of claims against the estate of a decedent.

JUDICIARY.

RESOLUTION REPORTED FROM COMMITTEE

SR 160, PN 1112

By Rep. O'BRIEN

A Concurrent Resolution directing the Joint State Government Commission to establish a bipartisan task force with an advisory committee to conduct a comprehensive review of the current status of alternative dispute resolution (ADR) services within the panoply of methods of conflict resolution available in this Commonwealth, to identify relevant best practices in the delivery of ADR services locally and nationally and how to improve conflict resolution in this Commonwealth by incorporating these best practices, to develop a plan for educating the citizens of this Commonwealth about conflict resolution in general and the use of ADR services in particular, as well as ensuring access to all needed ADR services, utilizing best practices and to propose legislation as may be required to implement the proposed plan and advance the use of innovative conflict resolution methods Statewide in the civil courts and in schools, businesses, government, criminal and juvenile justice systems and other community settings.

JUDICIARY.

RULES COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee.

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 761, PN 2945 (Amended)

By Rep. S. SMITH

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the offense of invasion of privacy; and providing for actions involving products or services used to invade privacy.

RULES.

SB 361, PN 1240

By Rep. S. SMITH

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 home education programs.

RULES.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip, who requests a leave of absence for the day for the gentleman, Mr. RAYMOND, from Delaware. Without objection, the leave of absence is granted.

The Chair recognizes the minority whip, who requests a leave of absence for the week for the gentleman, Mr. SHANER, from Fayette County; and for the day for the gentleman, Mr. RIEGER, from Philadelphia County; the gentleman, Mr. BUTKOVITZ, from Philadelphia County; the gentledady, Miss PARKER, from Philadelphia County. Without objection, the leaves of absence are granted.

MASTER ROLL CALL

The SPEAKER pro tempore. The Chair is about to take the master roll. Members will proceed to vote.

The following roll call was recorded:

PRESENT—197

Adolph	Fairchild	Mackereth	Ruffing
Allen	Feese	Maher	Sainato
Argall	Fichter	Maitland	Samuelson
Armstrong	Fleagle	Major	Santoni
Baker	Flick	Manderino	Sather
Baldwin	Forcier	Mann	Saylor
Barrar	Frankel	Markosek	Scavello
Bastian	Freeman	Marsico	Schroder
Bebko-Jones	Gabig	McCall	Semmel
Belardi	Gannon	McGeehan	Shapiro
Belfanti	Geist	McGill	Siptroth
Benninghoff	George	McIlhattan	Smith, B.
Beyer	Gerber	McIlhinney	Smith, S. H.
Bianucci	Gergely	McNaughton	Solobay
Birmelin	Gillespie	Melio	Sonney
Bishop	Gingrich	Metcalfe	Staback
Blackwell	Godshall	Micozzie	Stairs
Blaum	Good	Millard	Steil
Boyd	Goodman	Miller, R.	Stern
Bunt	Grell	Miller, S.	Stetler
Buxton	Grucela	Mundy	Stevenson, R.
Caltagirone	Gruitza	Mustio	Stevenson, T.
Cappelli	Habay	Myers	Sturla
Casorio	Haluska	Nailor	Surra
Causar	Hanna	Nickol	Tangretti
Cawley	Harhai	O'Brien	Taylor, E. Z.
Civera	Harhart	Oliver	Taylor, J.
Clymer	Harper	O'Neill	Thomas
Cohen	Harris	Pallone	Tigue
Cornell	Hasay	Payne	True
Corrigan	Hennessey	Petrarca	Turzai
Costa	Herman	Petri	Veon
Crahalla	Hershey	Petrone	Vitali
Creighton	Hess	Phillips	Walko
Cruz	Hickernell	Pickett	Wansacz
Curry	Hutchinson	Pistella	Waters
Daley	James	Preston	Watson
Dally	Josephs	Pyle	Wheatley
DeLuca	Kauffman	Quigley	Williams
Denlinger	Keller, M.	Ramaley	Wilt
Dermody	Keller, W.	Rapp	Wojnaroski
DeWeese	Kenny	Readshaw	Wright
DiGiroloamo	Killion	Reed	Yewcic
Diven	Kirkland	Reichley	Youngblood
Donatucci	LaGrotta	Roberts	Yudichak

Eachus	Leach	Roebuck	Zug
Ellis	Lederer	Rohrer	
Evans, D.	Leh	Rooney	
Evans, J.	Lescovitz	Ross	Perzel,
Fabrizio	Levdansky	Rubley	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Butkovitz	Parker	Rieger	Shaner
Kotik	Raymond		

LEAVES CANCELED—1

Parker

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Katy Warwick, who is serving as a guest page, and her parents, Patty and Charlie Warwick. They are guests of Representative Phyllis Mundy. Katy is located with guest pages; parents in the balcony. Please welcome.

Members, we are about to take up condolence resolutions. Members will please take their seats. These are resolutions being proffered by members in behalf of lost soldiers. Members, please take your seats.

RESOLUTIONS PURSUANT TO RULE 35**CONDOLENCE RESOLUTIONS**

Miss MAJOR called up **HR 483, PN 2891**, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice of Specialist William L. Evans, Pennsylvania National Guard Company C, 1st Battalion, 109th Infantry Regiment, 28th Infantry Division, who tragically lost his life while in the service of his country when an improvised explosive device was detonated near his Bradley Fighting Vehicle in Ar Ramadi, Iraq on September 19, 2005.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. On that question, the gentledady, Miss Major, is recognized.

Miss MAJOR. Thank you, Mr. Speaker.

Mr. Speaker, I rise today with deep sadness to present HR 483 to honor Spc. William Evans of Hallstead, Pennsylvania, who died on September 19, 2005, just 1 week after his 22d birthday, while serving his country in Iraq. Specialist Evans, a member of Company C, 109th Infantry, in New Milford, Susquehanna County, was killed while on a routine patrol when the convoy he was riding in was attacked by an IED, an improvised explosive device, in Ar Ramadi, Iraq. He was riding at the time in a Bradley Fighting Vehicle.

Evans was a 2002 graduate of Blue Ridge High School, and he leaves behind his parents, Bill and Judy Evans; a brother, Joshua; a sister, Heather; and many other family members.

He was awarded the Bronze Star and the Purple Heart. He fought for what he believed in: God, his country, and freedom for all.

Bill's Bible verse when he was in Iraq with his fellow soldiers was Psalm 27:5. "For in the time of trouble he shall hide me in his pavilion: in the secret of his tabernacle shall he hide me; he shall set me up upon a rock."

Mr. Speaker, I ask you to join me in unanimously approving HR 483. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—197

Adolph	Fairchild	Mackereth	Ruffing
Allen	Feese	Maher	Sainato
Argall	Fichter	Maitland	Samuelson
Armstrong	Fleagle	Major	Santoni
Baker	Flick	Manderino	Sather
Baldwin	Forcier	Mann	Saylor
Barrar	Frankel	Markosek	Scavello
Bastian	Freeman	Marsico	Schroder
Bebko-Jones	Gabig	McCall	Semmel
Belardi	Gannon	McGeehan	Shapiro
Belfanti	Geist	McGill	Siptroth
Benninghoff	George	McLhattan	Smith, B.
Beyer	Gerber	McIlhinney	Smith, S. H.
Bianucci	Gergely	McNaughton	Solobay
Birmelin	Gillespie	Melio	Sonney
Bishop	Gingrich	Metcalfe	Staback
Blackwell	Godshall	Micozzie	Stairs
Blaum	Good	Millard	Steil
Boyd	Goodman	Miller, R.	Stern
Bunt	Grell	Miller, S.	Stetler
Buxton	Grucela	Mundy	Stevenson, R.
Caltagirone	Gruitza	Mustio	Stevenson, T.
Cappelli	Habay	Myers	Sturla
Casorio	Haluska	Nailor	Surra
Causar	Hanna	Nickol	Tangretti
Cawley	Harhai	O'Brien	Taylor, E. Z.
Civera	Harhart	Oliver	Taylor, J.
Clymer	Harper	O'Neill	Thomas
Cohen	Harris	Pallone	Tigue
Cornell	Hasay	Payne	True
Corrigan	Hennessey	Petrarca	Turzai
Costa	Herman	Petri	Veon
Crahalla	Hershey	Petrone	Vitali
Creighton	Hess	Phillips	Walko
Cruz	Hickernell	Pickett	Wansacz
Curry	Hutchinson	Pistella	Waters
Daley	James	Preston	Watson
Dally	Josephs	Pyle	Wheatley
DeLuca	Kauffman	Quigley	Williams
Denlinger	Keller, M.	Ramaley	Wilt
Dermody	Keller, W.	Rapp	Wojnaroski
DeWeese	Kenney	Readshaw	Wright
DiGirolamo	Killion	Reed	Yewcic
Diven	Kirkland	Reichley	Youngblood
Donatucci	LaGrotta	Roberts	Yudichak
Eachus	Leach	Roebuck	Zug
Ellis	Lederer	Rohrer	
Evans, D.	Leh	Rooney	
Evans, J.	Lescovitz	Ross	Perzel,
Fabrizio	Levdansky	Rubley	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Butkovitz	Parker	Rieger	Shaner
Kotik	Raymond		

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

* * *

Mr. WANSACZ called up **HR 475, PN 2858**, entitled:

A Resolution expressing condolences to the family of Spc. Eric W. Slebodnik of Greenfield Township, Lackawanna County, a member of the Pennsylvania Army National Guard who was killed in Iraq while serving his country on September 28, 2005.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. On that question, the gentleman, Mr. Wansacz, is recognized.

Mr. WANSACZ. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to join a growing number of my colleagues who have taken the floor to pay tribute to the members of Pennsylvania's military who, while serving their country and their State courageously and proudly, have made the ultimate sacrifice.

Late last month while undertaking a critical mission near Ar Ramadi, Iraq, a mission that would play a direct role in neutralizing insurgent activity, Spc. Eric Slebodnik of Greenfield Township, along with S. Sgt. George Pugliese of Carbondale, both of Lackawanna County, were among five of Pennsylvania's finest to perish under enemy fire.

As a civilian, Staff Sergeant Pugliese worked at SCI (State Correctional Institution)-Waymart; left behind a lovely wife and three young children, along with a loving mother and two caring brothers.

Specialist Slebodnik was a history major at Indiana University of Pennsylvania, a young man whose goal in life was to serve as an intelligence officer in the military, who proudly served his country, who wanted to make it his mission and believed in what he was doing.

These outstanding men, who took on risks, who shared a determined belief in democracy, who sacrificed the pleasantries of home to make the world a better, safer place, served bravely and will be missed by their families, friends, neighbors, and all who knew them. They will be mourned in their communities and in this chamber.

These men are shining examples of courage, of selflessness – excuse me, Mr. Speaker – but for making all the sacrifices in their defense of the cause of freedom. They are true heroes because they are fighting for what we have here today.

I ask all of you to take a moment to honor these fallen soldiers who have moved on but will never be forgotten.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—197

Adolph	Fairchild	Mackereth	Ruffing
Allen	Feese	Maher	Sainato
Argall	Fichter	Maitland	Samuelson
Armstrong	Fleagle	Major	Santoni
Baker	Flick	Manderino	Sather
Baldwin	Forcier	Mann	Saylor
Barrar	Frankel	Markosek	Scavello
Bastian	Freeman	Marsico	Schroder
Bebko-Jones	Gabig	McCall	Semmel
Belardi	Gannon	McGeehan	Shapiro
Belfanti	Geist	McGill	Siptroth
Benninghoff	George	McIlhattan	Smith, B.
Beyer	Gerber	McIlhinney	Smith, S. H.
Biancucci	Gergely	McNaughton	Solobay
Birmelin	Gillespie	Melio	Sonney
Bishop	Gingrich	Metcalfe	Staback
Blackwell	Godshall	Micozzie	Stairs
Blaum	Good	Millard	Steil
Boyd	Goodman	Miller, R.	Stern
Bunt	Grell	Miller, S.	Stetler
Buxton	Grucela	Mundy	Stevenson, R.
Caltagirone	Gruitza	Mustio	Stevenson, T.
Cappelli	Habay	Myers	Sturla
Casorio	Haluska	Nailor	Surra
Causer	Hanna	Nickol	Tangretti
Cawley	Harhai	O'Brien	Taylor, E. Z.
Civera	Harhart	Oliver	Taylor, J.
Clymer	Harper	O'Neill	Thomas
Cohen	Harris	Pallone	Tigue
Cornell	Hasay	Payne	True
Corrigan	Hennessey	Petrarca	Turzai
Costa	Herman	Petri	Veon
Crahalla	Hershey	Petrone	Vitali
Creighton	Hess	Phillips	Walko
Cruz	Hickernell	Pickett	Wansacz
Curry	Hutchinson	Pistella	Waters
Daley	James	Preston	Watson
Dally	Josephs	Pyle	Wheatley
DeLuca	Kauffman	Quigley	Williams
Denlinger	Keller, M.	Ramaley	Wilt
Dermody	Keller, W.	Rapp	Wojnaroski
DeWeese	Kenney	Readshaw	Wright
DiGirolamo	Killion	Reed	Yewcic
Diven	Kirkland	Reichley	Youngblood
Donatucci	LaGrotta	Roberts	Yudichak
Eachus	Leach	Roebuck	Zug
Ellis	Lederer	Rohrer	
Evans, D.	Leh	Rooney	
Evans, J.	Lescovitz	Ross	Perzel,
Fabrizio	Levdansky	Rubley	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Butkovitz	Parker	Rieger	Shaner
Kotik	Raymond		

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

* * *

Mr. WANSACZ called up **HR 476, PN 2859**, entitled:

A Resolution expressing condolences to the family of Staff Sgt. George A. Pugliese of Carbondale, Lackawanna County, a member of the Pennsylvania Army National Guard who was killed in Iraq while serving his country on September 28, 2005.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Fairchild	Mackereth	Ruffing
Allen	Feese	Maher	Sainato
Argall	Fichter	Maitland	Samuelson
Armstrong	Fleagle	Major	Santoni
Baker	Flick	Manderino	Sather
Baldwin	Forcier	Mann	Saylor
Barrar	Frankel	Markosek	Scavello
Bastian	Freeman	Marsico	Schroder
Bebko-Jones	Gabig	McCall	Semmel
Belardi	Gannon	McGeehan	Shapiro
Belfanti	Geist	McGill	Siptroth
Benninghoff	George	McIlhattan	Smith, B.
Beyer	Gerber	McIlhinney	Smith, S. H.
Biancucci	Gergely	McNaughton	Solobay
Birmelin	Gillespie	Melio	Sonney
Bishop	Gingrich	Metcalfe	Staback
Blackwell	Godshall	Micozzie	Stairs
Blaum	Good	Millard	Steil
Boyd	Goodman	Miller, R.	Stern
Bunt	Grell	Miller, S.	Stetler
Buxton	Grucela	Mundy	Stevenson, R.
Caltagirone	Gruitza	Mustio	Stevenson, T.
Cappelli	Habay	Myers	Sturla
Casorio	Haluska	Nailor	Surra
Causer	Hanna	Nickol	Tangretti
Cawley	Harhai	O'Brien	Taylor, E. Z.
Civera	Harhart	Oliver	Taylor, J.
Clymer	Harper	O'Neill	Thomas
Cohen	Harris	Pallone	Tigue
Cornell	Hasay	Payne	True
Corrigan	Hennessey	Petrarca	Turzai
Costa	Herman	Petri	Veon
Crahalla	Hershey	Petrone	Vitali
Creighton	Hess	Phillips	Walko
Cruz	Hickernell	Pickett	Wansacz
Curry	Hutchinson	Pistella	Waters
Daley	James	Preston	Watson
Dally	Josephs	Pyle	Wheatley
DeLuca	Kauffman	Quigley	Williams
Denlinger	Keller, M.	Ramaley	Wilt
Dermody	Keller, W.	Rapp	Wojnaroski
DeWeese	Kenney	Readshaw	Wright
DiGirolamo	Killion	Reed	Yewcic
Diven	Kirkland	Reichley	Youngblood
Donatucci	LaGrotta	Roberts	Yudichak
Eachus	Leach	Roebuck	Zug
Ellis	Lederer	Rohrer	
Evans, D.	Leh	Rooney	
Evans, J.	Lescovitz	Ross	Perzel,
Fabrizio	Levdansky	Rubley	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Butkovitz Parker Rieger Shaner
Kotik Raymond

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

* * *

Mr. STEIL called up **HR 478, PN 2861**, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice of Private First Class Nathaniel DeTample, Pennsylvania National Guard Company A, 1st Battalion, 111th Infantry, who tragically lost his life while in the service of his country when his vehicle hit a roadside bomb near Beiji, Iraq, on August 9, 2005.

On the question,
Will the House adopt the resolution?

RESOLUTION PASSED OVER

The SPEAKER pro tempore. Without objection, the resolution will go over for the day.

* * *

Miss MAJOR called up **HR 481, PN 2889**, entitled:

A Resolution expressing condolences on the death of United States Army Specialist Lee A. Wiegand.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. On that question, the gentlelady, Miss Major, is recognized.

Miss MAJOR. Thank you, Mr. Speaker.

Mr. Speaker, I again sadly rise to ask for your support for HR 481 honoring Spc. Lee A. Wiegand of Great Bend, Pennsylvania, who died on September 28, 2005, at the age of 20 while serving his country as a member of the Army National Guard, Unit 109th, based out of New Milford, Pennsylvania.

Specialist Wiegand died with four other soldiers, all based out of the New Milford Readiness Center, home to Company C, when a roadside IED struck their M2A2 Bradley Fighting Vehicle near Ar Ramadi, Iraq.

Specialist Wiegand was a 2003 graduate of Blue Ridge High School and joined the Guard in 2002. He was known to enjoy the outdoors and was an avid hunter and fisherman. Specialist Wiegand was honored with a Bronze Star, a Purple Heart, the Pennsylvania Meritorious Service Medal, and Combat Infantryman's Badge for his service.

He leaves behind a wife, Jessica, and a baby daughter, Jordan, along with his parents, sister, and other family members.

Specialist Wiegand was proud to serve his country, and he will indeed be missed by his family and friends.

Mr. Speaker, I ask for your unanimous support on HR 481 as we honor Specialist Wiegand. Thank you.
The SPEAKER pro tempore. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—197

Adolph	Fairchild	Mackereth	Ruffing
Allen	Feese	Maher	Sainato
Argall	Fichter	Maitland	Samuelson
Armstrong	Fleagle	Major	Santoni
Baker	Flick	Manderino	Sather
Baldwin	Forcier	Mann	Saylor
Barrar	Frankel	Markosek	Scavello
Bastian	Freeman	Marsico	Schroder
Bebko-Jones	Gabig	McCall	Sammel
Belardi	Gannon	McGeehan	Shapiro
Belfanti	Geist	McGill	Siproth
Benninghoff	George	McLhattan	Smith, B.
Beyer	Gerber	McLhinney	Smith, S. H.
Biancucci	Gergely	McNaughton	Solobay
Birmelin	Gillespie	Melio	Sonney
Bishop	Gingrich	Metcalfe	Staback
Blackwell	Godshall	Micozzie	Stairs
Blaum	Good	Millard	Steil
Boyd	Goodman	Miller, R.	Stern
Bunt	Grell	Miller, S.	Stetler
Buxton	Grucela	Mundy	Stevenson, R.
Caltagirone	Gruitza	Mustio	Stevenson, T.
Cappelli	Habay	Myers	Sturla
Casorio	Haluska	Nailor	Surra
Causer	Hanna	Nickol	Tangretti
Cawley	Harhai	O'Brien	Taylor, E. Z.
Civera	Harhart	Oliver	Taylor, J.
Clymer	Harper	O'Neill	Thomas
Cohen	Harris	Pallone	Tigue
Cornell	Hasay	Payne	True
Corrigan	Hennessey	Petrarca	Turzai
Costa	Herman	Petri	Veon
Crahalla	Hershey	Petrone	Vitali
Creighton	Hess	Phillips	Walko
Cruz	Hickernell	Pickett	Wansacz
Curry	Hutchinson	Pistella	Waters
Daley	James	Preston	Watson
Dally	Josephs	Pyle	Wheatley
DeLuca	Kauffman	Quigley	Williams
Denlinger	Keller, M.	Ramaley	Wilt
Dermody	Keller, W.	Rapp	Wojnaroski
DeWeese	Kenney	Readshaw	Wright
DiGirolamo	Killion	Reed	Yewcic
Diven	Kirkland	Reichley	Youngblood
Donatucci	LaGrotta	Roberts	Yudichak
Eachus	Leach	Roebuck	Zug
Ellis	Lederer	Rohrer	
Evans, D.	Leh	Rooney	
Evans, J.	Lescovitz	Ross	Perzel,
Fabrizio	Levdansky	Rubley	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Butkovitz Parker Rieger Shaner
Kotik Raymond

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

* * *

Miss MAJOR called up **HR 482, PN 2890**, entitled:

A Resolution expressing condolences on the death of United States Army Staff Sergeant Daniel L. Arnold.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. On that question, the gentledady, Miss Major, is recognized.

Miss MAJOR. Thank you, Mr. Speaker.

And, Mr. Speaker, I sincerely appreciate your tolerance and your understanding in my rising to speak on behalf of these resolutions today, because once again I ask for your support on HR 482 honoring another fallen soldier, S. Sgt. Daniel L. Arnold, who also died on September 28, 2005, with four of his fellow soldiers while serving his country in Iraq.

Staff Sergeant Arnold was a passenger in that same M2A2 Bradley Fighting Vehicle while conducting combat operations in Ar Ramadi as part of a four-vehicle patrol to secure construction of a railroad bridge. The patrol came under indirect fire attack and the vehicle caught fire.

Staff Sergeant Arnold was a 1996 graduate of Montrose High School, where he played varsity football, and a 2000 graduate of the Johnson Technical Institute, where he earned a degree in diesel mechanics.

He enlisted in the U.S. Army Reserves on December 11, 1994, as a heavy-wheeled vehicle mechanic and served with distinction through 2002. Staff Sergeant Arnold transferred to the Pennsylvania Army National Guard on April 30, 2002, and was assigned to Headquarters Company, 1st Battalion, 109th Infantry, in Scranton, Pennsylvania, as a recovery vehicle operator. He continued his service in the 1st Battalion, 109th Infantry, from 2002 through 2004.

His awards include the Bronze Star, the Purple Heart, the Army Achievement Medal, the National Defense Medal, Noncommissioned Officer Professional Development Ribbon, the Army Service Ribbon, the Iraq Campaign Medal, and Combat Infantryman's Badge.

He is survived by his wife, Kimberly; two sons at home, Devin and Kody; along with his parents, his sisters, and a brother, and many family members.

Mr. Speaker, I ask for your concurrence and your support in HR 482 as we honor this fallen Pennsylvania Guardsman. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—197

Adolph	Fairchild	Mackereth	Ruffing
Allen	Feese	Maher	Sainato
Argall	Fichter	Maitland	Samuelson

Armstrong	Fleagle	Major	Santoni
Baker	Flick	Manderino	Sather
Baldwin	Forcier	Mann	Saylor
Barrar	Frankel	Markosek	Scavullo
Bastian	Freeman	Marsico	Schroder
Bebko-Jones	Gabig	McCall	Semmel
Belardi	Gannon	McGeehan	Shapiro
Belfanti	Geist	McGill	Siptroth
Benninghoff	George	McIlhattan	Smith, B.
Beyer	Gerber	McIlhinney	Smith, S. H.
Biancucci	Gergely	McNaughton	Solobay
Birmelin	Gillespie	Melio	Sonney
Bishop	Gingrich	Metcalfe	Staback
Blackwell	Godshall	Micozzie	Stairs
Blaum	Good	Millard	Steil
Boyd	Goodman	Miller, R.	Stern
Bunt	Grell	Miller, S.	Stetler
Buxton	Grucela	Mundy	Stevenson, R.
Caltagirone	Gruitza	Mustio	Stevenson, T.
Cappelli	Habay	Myers	Sturla
Casorio	Haluska	Nailor	Surra
Causar	Hanna	Nickol	Tangretti
Cawley	Harhai	O'Brien	Taylor, E. Z.
Civera	Harhart	Oliver	Taylor, J.
Clymer	Harper	O'Neill	Thomas
Cohen	Harris	Pallone	Tigue
Cornell	Hasay	Payne	True
Corrigan	Hennessey	Petrarca	Turzai
Costa	Herman	Petri	Veon
Crahalla	Hershey	Petrone	Vitali
Creighton	Hess	Phillips	Walko
Cruz	Hickernell	Pickett	Wansacz
Curry	Hutchinson	Pistella	Waters
Daley	James	Preston	Watson
Dally	Josephs	Pyle	Wheatley
DeLuca	Kauffman	Quigley	Williams
Denlinger	Keller, M.	Ramaley	Wilt
Dermody	Keller, W.	Rapp	Wojnarowski
DeWeese	Kenney	Readshaw	Wright
DiGirolamo	Killion	Reed	Yewcic
Diven	Kirkland	Reichley	Youngblood
Donatucci	LaGrotta	Roberts	Yudichak
Eachus	Leach	Roebuck	Zug
Ellis	Lederer	Rohrer	
Evans, D.	Leh	Rooney	
Evans, J.	Lescovitz	Ross	Perzel,
Fabrizio	Levdansky	Rubley	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Butkovitz	Parker	Rieger	Shaner
Kotik	Raymond		

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

* * *

Ms. PICKETT called up **HR 484, PN 2892**, entitled:

A Resolution expressing condolences to the family of Specialist Oliver J. Brown of Athens, Bradford County, a Pennsylvania National Guard soldier who was killed in action near Ramadi, Iraq, on September 28, 2005.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. On that question, the gentlelady, Ms. Pickett, is recognized.

Ms. PICKETT. Thank you, Mr. Speaker.

Mr. Speaker, today I rise with a heavy heart to offer a condolence resolution honoring a very special young man, a young man from Bradford County who made the ultimate sacrifice for our country.

Spc. Oliver J. Brown was 19 years old. He was from Athens, Pennsylvania, and Specialist Brown was killed in action while defending his country on Wednesday, September 28, 2005. He was the first soldier from Bradford County to be killed during Operation Iraqi Freedom.

Specialist Brown was known to his family and his friends as “Bill” or “Olie.” He was born on December 4, 1985, the son of Robert and Susan Brown-Orchard.

Oliver enjoyed playing baseball. He enjoyed hunting, traveling, computers, and photography. He also loved spending time with his family and his friends and making them smile.

He was a 2004 graduate of Athens Area High School and a member of the Pennsylvania National Guard, 109th Infantry Division.

Specialist Brown was one of five Pennsylvania Guardsmen killed near Ramadi while on a routine patrol to provide security for the construction of a railroad bridge. An explosive device struck the Bradley Fighting Vehicle Oliver was traveling in, and it was then attacked by small-arms fire and rocket-propelled grenades, setting it ablaze.

Oliver was a man of great character and heart. As a matter of fact, he was not even scheduled to go on this mission. He volunteered to go in place of a sick soldier, because Oliver was dedicated to helping to rebuild Iraq.

All five soldiers in the convoy will be awarded the Purple Heart and Combat Infantryman’s Badge for the courage they displayed on this mission.

Words, of course, cannot adequately describe the deep sorrow those who knew him must feel at his loss. I wish his family and loved ones the comfort of knowing his sacrifices will not be forgotten. Oliver was a true hero and he will be forever in our debt.

I ask you today to join me in expressing our deepest sympathies to Oliver’s family and loved ones. Please also join me in honoring this brave young man who fulfilled his duties with honor and dignity and laid his life upon the altar of freedom. May we never forget Oliver J. Brown.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—197

Adolph	Fairchild	Mackereth	Ruffing
Allen	Feese	Maher	Sainato
Argall	Fichter	Maitland	Samuelson
Armstrong	Fleagle	Major	Santoni
Baker	Flick	Manderino	Sather
Baldwin	Forcier	Mann	Saylor

Barrar	Frankel	Markosek	Scavello
Bastian	Freeman	Marsico	Schroder
Bebko-Jones	Gabig	McCall	Semmel
Belardi	Gannon	McGeehan	Shapiro
Belfanti	Geist	McGill	Siproth
Benninghoff	George	McLlhattan	Smith, B.
Beyer	Gerber	McLhinney	Smith, S. H.
Biancucci	Gergely	McNaughton	Solobay
Birmelin	Gillespie	Melio	Sonney
Bishop	Gingrich	Metcalfe	Staback
Blackwell	Godshall	Micozzie	Stairs
Blaum	Good	Millard	Steil
Boyd	Goodman	Miller, R.	Stern
Bunt	Grell	Miller, S.	Stetler
Buxton	Grucela	Mundy	Stevenson, R.
Caltagirone	Gruitza	Mustio	Stevenson, T.
Cappelli	Habay	Myers	Sturla
Casorio	Haluska	Nailor	Surra
Causer	Hanna	Nickol	Tangretti
Cawley	Harhai	O’Brien	Taylor, E. Z.
Civera	Harhart	Oliver	Taylor, J.
Clymer	Harper	O’Neill	Thomas
Cohen	Harris	Pallone	Tigue
Cornell	Hasay	Payne	True
Corrigan	Hennessey	Petrarca	Turzai
Costa	Herman	Petri	Veon
Crahalla	Hershey	Petrone	Vitali
Creighton	Hess	Phillips	Walko
Cruz	Hickernell	Pickett	Wansacz
Curry	Hutchinson	Pistella	Waters
Daley	James	Preston	Watson
Dally	Josephs	Pyle	Wheatley
DeLuca	Kauffman	Quigley	Williams
Denlinger	Keller, M.	Ramaley	Wilt
Dermody	Keller, W.	Rapp	Wojnaroski
DeWeese	Kenney	Readshaw	Wright
DiGirolamo	Killion	Reed	Yewcic
Diven	Kirkland	Reichley	Youngblood
Donatucci	LaGrotta	Roberts	Yudichak
Eachus	Leach	Roebuck	Zug
Ellis	Lederer	Rohrer	
Evans, D.	Leh	Rooney	
Evans, J.	Lescovitz	Ross	Perzel,
Fabrizio	Levdansky	Rubley	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Butkovitz	Parker	Rieger	Shaner
Kotik	Raymond		

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

GUEST INTRODUCED

The SPEAKER pro tempore. Tara Grumbine is serving as guest page today. She is the guest of Representative John Payne. Tara is a ninth grade student at Lower Dauphin High School. Welcome.

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

HB 2132, PN 2936 By Rep. FAIRCHILD

An Act amending the act of June 25, 1931 (P.L.1352, No.332), referred to as the Delaware River Joint Toll Bridge Compact, further providing for powers and duties and for audits.

INTERGOVERNMENTAL AFFAIRS.

HB 2133, PN 2937 By Rep. FAIRCHILD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for identification card.

INTERGOVERNMENTAL AFFAIRS.

HB 2134, PN 2938 By Rep. FAIRCHILD

An Act limiting the collection of Social Security numbers on State and local government forms; and further providing for duties of the Department of Transportation.

INTERGOVERNMENTAL AFFAIRS.

RESOLUTION PURSUANT TO RULE 35

Mr. WHEATLEY called up **HR 485, PN 2905**, entitled:

A Resolution noting with sadness the death of August Wilson, who brought Pittsburgh's Hill District and the uniqueness of the African-American experience to American theater.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Fairchild	Mackereth	Ruffing
Allen	Feese	Maher	Sainato
Argall	Fichter	Maitland	Samuelson
Armstrong	Fleagle	Major	Santoni
Baker	Flick	Manderino	Sather
Baldwin	Forcier	Mann	Saylor
Barrar	Frankel	Markosek	Scavello
Bastian	Freeman	Marsico	Schroder
Bebko-Jones	Gabig	McCall	Semmel
Belardi	Gannon	McGeehan	Shapiro
Belfanti	Geist	McGill	Siptroth
Benninghoff	George	McIlhattan	Smith, B.
Beyer	Gerber	McIlhinney	Smith, S. H.
Biancucci	Gergely	McNaughton	Solobay
Birmelin	Gillespie	Melio	Sonney
Bishop	Gingrich	Metcalfe	Staback
Blackwell	Godshall	Micozzie	Stairs
Blaum	Good	Millard	Steil
Boyd	Goodman	Miller, R.	Stern
Bunt	Grell	Miller, S.	Stetler
Buxton	Grucela	Mundy	Stevenson, R.
Caltagirone	Gruitza	Mustio	Stevenson, T.
Cappelli	Habay	Myers	Sturla
Casorio	Haluska	Nailor	Surra
Causer	Hanna	Nickol	Tangretti
Cawley	Harhai	O'Brien	Taylor, E. Z.
Civera	Harhart	Oliver	Taylor, J.
Clymer	Harper	O'Neill	Thomas

Cohen	Harris	Pallone	Tigue
Cornell	Hasay	Payne	True
Corrigan	Hennessey	Petrarca	Turzai
Costa	Herman	Petri	Veon
Crahalla	Hershey	Petrone	Vitali
Creighton	Hess	Phillips	Walko
Cruz	Hickernell	Pickett	Wansacz
Curry	Hutchinson	Pistella	Waters
Daley	James	Preston	Watson
Dally	Josephs	Pyle	Wheatley
DeLuca	Kauffman	Quigley	Williams
Denlinger	Keller, M.	Ramaley	Wilt
Dermody	Keller, W.	Rapp	Wojnaroski
DeWeese	Kenney	Readshaw	Wright
DiGirolamo	Killion	Reed	Yewcic
Diven	Kirkland	Reichley	Youngblood
Donatucci	LaGrotta	Roberts	Yudichak
Eachus	Leach	Roebuck	Zug
Ellis	Lederer	Rohrer	
Evans, D.	Leh	Rooney	
Evans, J.	Lescovitz	Ross	Perzel,
Fabrizio	Levdansky	Rubley	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Butkovitz	Parker	Rieger	Shaner
Kotik	Raymond		

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

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. WHEATLEY called up **HR 488, PN 2923**, entitled:

A Resolution recognizing the month of October 2005 as "National Aviary Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Fairchild	Mackereth	Ruffing
Allen	Feese	Maher	Sainato
Argall	Fichter	Maitland	Samuelson
Armstrong	Fleagle	Major	Santoni
Baker	Flick	Manderino	Sather
Baldwin	Forcier	Mann	Saylor
Barrar	Frankel	Markosek	Scavello
Bastian	Freeman	Marsico	Schroder
Bebko-Jones	Gabig	McCall	Semmel
Belardi	Gannon	McGeehan	Shapiro
Belfanti	Geist	McGill	Siptroth
Benninghoff	George	McIlhattan	Smith, B.
Beyer	Gerber	McIlhinney	Smith, S. H.
Biancucci	Gergely	McNaughton	Solobay
Birmelin	Gillespie	Melio	Sonney
Bishop	Gingrich	Metcalfe	Staback
Blackwell	Godshall	Micozzie	Stairs

Blaum	Good	Millard	Steil
Boyd	Goodman	Miller, R.	Stern
Bunt	Grell	Miller, S.	Stetler
Buxton	Grucela	Mundy	Stevenson, R.
Caltagirone	Gruitza	Mustio	Stevenson, T.
Cappelli	Habay	Myers	Sturla
Casorio	Haluska	Nailor	Surra
Causser	Hanna	Nickol	Tangretti
Cawley	Harhai	O'Brien	Taylor, E. Z.
Civera	Harhart	Oliver	Taylor, J.
Clymer	Harper	O'Neill	Thomas
Cohen	Harris	Pallone	Tigue
Cornell	Hasay	Payne	True
Corrigan	Hennessey	Petrarca	Turzai
Costa	Herman	Petri	Veon
Crahalla	Hershey	Petrone	Vitali
Creighton	Hess	Phillips	Walko
Cruz	Hickernell	Pickett	Wansacz
Curry	Hutchinson	Pistella	Waters
Daley	James	Preston	Watson
Dally	Josephs	Pyle	Wheatley
DeLuca	Kauffman	Quigley	Williams
Denlinger	Keller, M.	Ramaley	Wilt
Dermody	Keller, W.	Rapp	Wojnaroski
DeWeese	Kenney	Readshaw	Wright
DiGirolamo	Killion	Reed	Yewcic
Diven	Kirkland	Reichley	Youngblood
Donatucci	LaGrotta	Roberts	Yudichak
Eachus	Leach	Roebuck	Zug
Ellis	Lederer	Rohrer	
Evans, D.	Leh	Rooney	
Evans, J.	Lescovitz	Ross	Perzel,
Fabrizio	Levdansky	Rubley	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Butkovitz	Parker	Rieger	Shaner
Kotik	Raymond		

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

CHILDREN AND YOUTH COMMITTEE MEETING

The SPEAKER pro tempore. The gentleman, Mr. Birmelin, is recognized for a committee announcement.

Mr. BIRMELIN. Thank you, Mr. Speaker.

There will be a meeting of the Children and Youth Committee tomorrow. We are meeting at 10 a.m., room 39 in the East Wing; that is the Children and Youth Committee meeting tomorrow, October 26, at 10 a.m. in room 39 of the East Wing.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Tomorrow, October 26, at 10 a.m. in room 39 of the East Wing, there will be a Children and Youth meeting.

The gentleman, Mr. Geist, chairman of the Transportation Committee, is recognized for a committee announcement.

COMMERCE COMMITTEE MEETING

The SPEAKER pro tempore. While awaiting that announcement, the Commerce Committee meeting scheduled for today will be held at the end of session today in room 205, Ryan Building.

FINANCE COMMITTEE MEETING

The SPEAKER pro tempore. The gentleman, Mr. Leh, is recognized for a committee announcement.

Mr. LEH. Thank you, Mr. Speaker.

I would like to announce a regular session meeting of the House Finance Committee. We will meet immediately upon recess in room 39E, East Wing.

The SPEAKER pro tempore. The Chair thanks the gentleman.

There will be a House Finance Committee meeting immediately upon the break in room 39E, East Wing.

The Chair recognizes the gentleman, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Point of clarification. The Commerce Committee meeting will be at the end of the next break, not at this break. Is that correct?

The SPEAKER pro tempore. That is correct.

Mr. MARKOSEK. Thank you.

The SPEAKER pro tempore. Thank you for that clarification.

Mr. MARKOSEK. Thank you.

INSURANCE COMMITTEE MEETING

The SPEAKER pro tempore. The gentleman, Mr. Wright, is recognized.

Mr. WRIGHT. I would like to announce an immediate meeting of the House Insurance Committee upon the break at the rear of the hall.

The SPEAKER pro tempore. The Chair thanks the gentleman.

At the rear of the hall of the House, there will be an immediate meeting of the House Insurance Committee at the break.

LABOR RELATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The gentleman, Mr. Allen, is recognized.

Mr. ALLEN. Thank you, Mr. Speaker.

This is just a reminder to all the members in the Labor Relations Committee that we will be meeting tomorrow at 10 a.m., 10 a.m. in room 205 of the Ryan Office Building.

Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

At 10 a.m. tomorrow in room 205 of the Ryan Office Building, there will be a Labor Relations meeting.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the State Government Committee will be meeting at the end of today's session. We will be meeting in room 60 in the East Wing, and at the end of session, I will stand up again to remind the members about this committee meeting.

Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

In room 60 of the East Wing, the State Government Committee will be meeting at the end of session today.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Geist.

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

The Transportation Committee will meet in the back of the House at 1:30; Transportation Committee meeting at 1:30 in the back of the House.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Today at the back of the House there will be a Transportation Committee meeting at 1:30.

ANNOUNCEMENT BY MR. LEH

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Leh.

Mr. LEH. Thank you, Mr. Speaker.

There has been some confusion. The announcement for the House Finance Committee is for the regular session members only, not the new additional members.

Thank you.

The SPEAKER pro tempore. The Chair thanks him for that clarification.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Mrs. Taylor, for an announcement.

Mrs. TAYLOR. Thank you, Mr. Speaker.

At the declaration of the recess, there will be a formal and informal caucus immediately following.

The SPEAKER pro tempore. The Chair thanks the lady.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Cohen, for an announcement.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, at the call of the recess, there also will be formal and informal discussions in the House Democratic caucus room.

The SPEAKER pro tempore. The Chair thanks the gentleman.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Patricia Rambasek and Dayton Baker from the National Aviary in Pittsburgh. They are here in recognition of National Aviary Month, who are guests of Representative Jake Wheatley. Welcome. They are located to the left.

Are there any further announcements?

RECESS

The SPEAKER pro tempore. The House will stand in recess until 1:30 p.m.

AFTER RECESS

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

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Miss Parker, who is present on the floor of the House and will be removed from the leaves of absence. Without objection, so moved.

REPORT SUBMITTED

The SPEAKER pro tempore. The Speaker acknowledges receipt of the Annual Report on the Low-Income Energy Assistance Program for the period July 1, 2004, to June 30, 2005, submitted pursuant to the Energy Conservation and Assistance Act.

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1051, PN 1207

By Rep. ADOLPH

An Act establishing the Adopt-a-River Program; providing for powers and duties of the Department of Conservation and Natural Resources; and making an appropriation.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1586, PN 1987

By Rep. LEH

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

FINANCE.

HB 1902, PN 2950 (Amended) By Rep. ADOLPH

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further providing for sunset for recycling fee and for performance grants for municipal recycling programs.

ENVIRONMENTAL RESOURCES AND ENERGY.

SB 410, PN 933 By Rep. ADOLPH

An Act amending the act of June 22, 1993 (P.L.105, No.24), known as the Environmental Education Act, providing for the establishment of the Pennsylvania Center for Environmental Education and the Pennsylvania Center for Environmental Education Board; and making editorial changes.

ENVIRONMENTAL RESOURCES AND ENERGY.

**BILL REPORTED AND REREFERRED
TO COMMITTEE ON
AGING AND OLDER ADULT SERVICES**

HB 2088, PN 2878 By Rep. LEH

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for Federal programs.

FINANCE.

**RESOLUTIONS REPORTED
FROM COMMITTEE**

HR 368, PN 2318 By Rep. ADOLPH

A Resolution urging the United States Army Corps of Engineers to study the effects of the 2004 wet weather events in the Little Lehigh Creek Watershed, Berks and Lehigh Counties, Pennsylvania, to reevaluate the existing flood control projects in the area and make recommendations on future flood control measures.

ENVIRONMENTAL RESOURCES AND ENERGY.

HR 382, PN 2377 By Rep. ADOLPH

A Concurrent Resolution memorializing Congress to reauthorize the Abandoned Mine Reclamation Fund.

ENVIRONMENTAL RESOURCES AND ENERGY.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1967, PN 2885**, entitled:

An Act amending the act of November 20, 2004 (P.L.886, No.121), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Erie-Western Pennsylvania Port Authority and to Robert L. and Karen N. Doust, Leona B. Disbrow, Louise F. Waller, Mary Schabacker, Paul D. and Mary Ann Brugger, and Ralph and Janet Toland, Sr., certain lands situate in the City of Erie, County of

Erie; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Derry Township Municipal Authority a certain easement for sanitary sewer purposes, together with an existing sanitary sewer line and appurtenances, situate in Derry Township, Dauphin County; authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Summerdale Associates, L.P., certain lands situate in the Township of East Pennsboro, County of Cumberland; and authorizing and directing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to the Borough of Doylestown certain lands situate in the Borough of Doylestown, Bucks County," further providing for conveyance to the Borough of Doylestown, Bucks County.

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

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

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

The following roll call was recorded:

YEAS—198

Adolph	Fairchild	Mackereth	Rubley
Allen	Feese	Maher	Ruffing
Argall	Fichter	Maitland	Sainato
Armstrong	Fleagle	Major	Samuelson
Baker	Flick	Manderino	Santoni
Baldwin	Forcier	Mann	Sather
Barrar	Frankel	Markosek	Saylor
Bastian	Freeman	Marsico	Scavello
Bebko-Jones	Gabig	McCall	Schroder
Belardi	Gannon	McGeehan	Semmel
Belfanti	Geist	McGill	Shapiro
Benninghoff	George	McIlhattan	Siptroth
Beyer	Gerber	McIlhinney	Smith, B.
Biancucci	Gergely	McNaughton	Smith, S. H.
Birmelin	Gillespie	Melio	Solobay
Bishop	Gingrich	Metcalfe	Sonney
Blackwell	Godshall	Micozzie	Staback
Blaum	Good	Millard	Stairs
Boyd	Goodman	Miller, R.	Steil
Bunt	Grell	Miller, S.	Stern
Buxton	Grucela	Mundy	Stetler
Caltagirone	Gruitza	Mustio	Stevenson, R.
Cappelli	Habay	Myers	Stevenson, T.
Casorio	Haluska	Nailor	Sturla
Causser	Hanna	Nickol	Surra
Cawley	Harhai	O'Brien	Tangretti
Civera	Harhart	Oliver	Taylor, E. Z.
Clymer	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Cruz	Hickernell	Phillips	Walko
Curry	Hutchinson	Pickett	Wansacz
Daley	James	Pistella	Waters
Dally	Josephs	Preston	Watson
DeLuca	Kauffman	Pyle	Wheatley
Denlinger	Keller, M.	Quigley	Williams
Dermody	Keller, W.	Ramaley	Wilt
DeWeese	Kenney	Rapp	Wojnaroski
DiGirolamo	Killion	Readshaw	Wright

Diven	Kirkland	Reed	Yewcic
Donatucci	LaGrotta	Reichley	Youngblood
Eachus	Leach	Roberts	Yudichak
Ellis	Lederer	Roebuck	Zug
Evans, D.	Leh	Rohrer	
Evans, J.	Lescovitz	Rooney	Perzel,
Fabrizio	Levdansky	Ross	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Butkovitz	Raymond	Rieger	Shaner
Kotik			

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

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

**THE SPEAKER (JOHN M. PERZEL)
PRESIDING**

* * *

The House proceeded to third consideration of **HB 1955, PN 2669**, entitled:

An Act designating the bridge carrying State Route 66 over Garrett's Run and the J. Franklin Graff Bridge in Manor Township, Armstrong County, as the 1/112th Infantry Alpha Company Bridge.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS-198

Adolph	Fairchild	Mackereth	Rubley
Allen	Feese	Maher	Ruffing
Argall	Fichter	Maitland	Sainato
Armstrong	Fleagle	Major	Samuelson
Baker	Flick	Manderino	Santoni
Baldwin	Forcier	Mann	Sather
Barrar	Frankel	Markosek	Saylor
Bastian	Freeman	Marsico	Scavello
Bebko-Jones	Gabig	McCall	Schroder
Belardi	Gannon	McGeehan	Semmel
Belfanti	Geist	McGill	Shapiro
Benninghoff	George	McIlhatten	Siptroth
Beyer	Gerber	McIlhinney	Smith, B.
Biancucci	Gergely	McNaughton	Smith, S. H.
Birmelin	Gillespie	Melio	Solobay
Bishop	Gingrich	Metcalfe	Sonney
Blackwell	Godshall	Micozzie	Staback

Blaum	Good	Millard	Stairs
Boyd	Goodman	Miller, R.	Steil
Bunt	Grell	Miller, S.	Stern
Buxton	Grucela	Mundy	Stetler
Caltagirone	Gruitza	Mustio	Stevenson, R.
Cappelli	Habay	Myers	Stevenson, T.
Casorio	Haluska	Nailor	Sturla
Causer	Hanna	Nickol	Surra
Cawley	Harhai	O'Brien	Tangretti
Civera	Harhart	Oliver	Taylor, E. Z.
Clymer	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Cruz	Hickernell	Phillips	Walko
Curry	Hutchinson	Pickett	Wansacz
Daley	James	Pistella	Waters
Dally	Josephs	Preston	Watson
DeLuca	Kauffman	Pyle	Wheatley
Denlinger	Keller, M.	Quigley	Williams
Dermody	Keller, W.	Ramaley	Wilt
DeWeese	Kenney	Rapp	Wojnaroski
DiGirolamo	Killion	Readshaw	Wright
Diven	Kirkland	Reed	Yewcic
Donatucci	LaGrotta	Reichley	Youngblood
Eachus	Leach	Roberts	Yudichak
Ellis	Lederer	Roebuck	Zug
Evans, D.	Leh	Rohrer	
Evans, J.	Lescovitz	Rooney	Perzel,
Fabrizio	Levdansky	Ross	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Butkovitz	Raymond	Rieger	Shaner
Kotik			

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

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

SUPPLEMENTAL CALENDAR B

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 361, PN 1240**, entitled:

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

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

The SPEAKER. It is moved by the gentleman, Mr. Smith, that the House do concur in the amendments.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—195

Adolph	Feese	Mackereth	Rublej
Allen	Fichter	Maher	Ruffing
Argall	Fleagle	Maitland	Sainato
Armstrong	Flick	Major	Samuelson
Baker	Forcier	Manderino	Santoni
Baldwin	Frankel	Mann	Sather
Barrar	Freeman	Markosek	Saylor
Bastian	Gabig	Marsico	Scavello
Bebko-Jones	Gannon	McCall	Schroder
Belardi	Geist	McGeehan	Semmel
Belfanti	George	McGill	Shapiro
Benninghoff	Gerber	McIlhattan	Siptroth
Beyer	Gergely	McIlhinney	Smith, B.
Biancucci	Gillespie	McNaughton	Smith, S. H.
Birmelin	Gingrich	Melio	Solobay
Bishop	Godshall	Metcalfe	Sonney
Blackwell	Good	Micozzie	Staback
Blaum	Goodman	Millard	Stairs
Boyd	Grell	Miller, R.	Steil
Bunt	Grucela	Miller, S.	Stern
Buxton	Gruitza	Mundy	Stetler
Caltagirone	Habay	Mustio	Stevenson, R.
Cappelli	Haluska	Myers	Stevenson, T.
Casorio	Hanna	Nailor	Sturla
Causer	Harhai	Nickol	Surra
Cawley	Harhart	O'Brien	Tangretti
Civera	Harper	Oliver	Taylor, E. Z.
Clymer	Harris	Pallone	Taylor, J.
Cohen	Hasay	Parker	Thomas
Cornell	Hennessey	Payne	Tigue
Corrigan	Herman	Petrarca	True
Costa	Hershey	Petri	Turzai
Crahalla	Hess	Petrone	Veon
Creighton	Hickernell	Phillips	Vitali
Cruz	Hutchinson	Pickett	Walko
Daley	James	Pistella	Wansacz
Dally	Josephs	Preston	Waters
DeLuca	Kauffman	Pyle	Watson
Denlinger	Keller, M.	Quigley	Wheatley
Dermody	Keller, W.	Ramaley	Williams
DeWeese	Kenney	Rapp	Wilt
DiGiroalamo	Killion	Readshaw	Wojnaroski
Diven	Kirkland	Reed	Wright
Donatucci	LaGrotta	Reichley	Yewcic
Eachus	Leach	Roberts	Youngblood
Ellis	Lederer	Roebuck	Yudichak
Evans, D.	Leh	Rohrer	
Evans, J.	Lescovitz	Rooney	Perzel,
Fabrizio	Levdansky	Ross	Speaker
Fairchild			

NAYS—3

Curry	O'Neill	Zug
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NOT VOTING—0

EXCUSED—5

Butkovitz	Raymond	Rieger	Shaner
Kotik			

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR C

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
AS AMENDED**

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 761, PN 2945**, as further amended by the House Rules Committee:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the offense of invasion of privacy; and providing for actions involving products or services used to invade privacy.

On the question,

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

The SPEAKER. It is moved by the gentleman, Mr. Fairchild, that the House do concur in the amendments inserted by the Senate.

On that question, the Chair recognizes the gentleman, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

This bill passed the House unanimously back on June 22. I note that there were some amendments that were made to this bill in the Rules Committee this morning. Could anybody provide a summary of what changes the Rules Committee made today?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker. I would be glad to.

When the Senate got the bill, they made a one-word change, and with all the groups that we had worked with and our attorneys, we were not sure that was the correct change. So consequently, the staff, in a bipartisan manner, worked with the Senate staff and the District Attorneys Association to come up with language that everyone agreed to and that we thought would finally get this to the measure. We wanted to get it right before we passed it. So there was a small change made in the wording. It is on the computer. If you would like, I could read it, but it is just a technical amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

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

The following roll call was recorded:

YEAS—198

Adolph	Fairchild	Mackereth	Rubley
Allen	Feese	Maher	Ruffing
Argall	Fichter	Maitland	Sainato
Armstrong	Fleagle	Major	Samuelson
Baker	Flick	Manderino	Santoni
Baldwin	Forcier	Mann	Sather
Barrar	Frankel	Markosek	Saylor
Bastian	Freeman	Marsico	Scavello
Bebko-Jones	Gabig	McCall	Schroder
Belardi	Gannon	McGeehan	Semmel
Belfanti	Geist	McGill	Shapiro
Benninghoff	George	McIlhattan	Siptroth
Beyer	Gerber	McIlhinney	Smith, B.
Biancucci	Gergely	McNaughton	Smith, S. H.
Birmelin	Gillespie	Melio	Solobay
Bishop	Gingrich	Metcalfe	Sonney
Blackwell	Godshall	Micozzie	Staback
Blaum	Good	Millard	Stairs
Boyd	Goodman	Miller, R.	Steil
Bunt	Grell	Miller, S.	Stern
Buxton	Grucela	Mundy	Stetler
Caltagirone	Gruitza	Mustio	Stevenson, R.
Cappelli	Habay	Myers	Stevenson, T.
Casorio	Haluska	Nailor	Sturla
Causar	Hanna	Nickol	Surra
Cawley	Harhai	O'Brien	Tangretti
Civera	Harhart	Oliver	Taylor, E. Z.
Clymer	Harper	O'Neill	Taylor, J.
Cohen	Harris	Pallone	Thomas
Cornell	Hasay	Parker	Tigue
Corrigan	Hennessey	Payne	True
Costa	Herman	Petrarca	Turzai
Crahalla	Hershey	Petri	Veon
Creighton	Hess	Petrone	Vitali
Cruz	Hickernell	Phillips	Walko
Curry	Hutchinson	Pickett	Wansacz
Daley	James	Pistella	Waters
Dally	Josephs	Preston	Watson
DeLuca	Kauffman	Pyle	Wheatley
Denlinger	Keller, M.	Quigley	Williams
Dermody	Keller, W.	Ramaley	Wilt
DeWeese	Kenney	Rapp	Wojnarowski
DiGirolo	Killion	Readshaw	Wright
Diven	Kirkland	Reed	Yewcic
Donatucci	LaGrotta	Reichley	Youngblood
Eachus	Leach	Roberts	Yudichak
Ellis	Lederer	Roebuck	Zug
Evans, D.	Leh	Rohrer	
Evans, J.	Lescovitz	Rooney	Perzel,
Fabrizio	Levdansky	Ross	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Butkovitz	Raymond	Rieger	Shaner
Kotik			

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

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

CALENDAR CONTINUED

REAL PROPERTY DISPOSITION
PLAN NO. 1, RESOLUTION A

Mr. S. SMITH called up for consideration **RPDP 1, Resolution A**, entitled:

Resolved, That Real Property Disposition Plan No. 1 of 2005, transmitted by the Governor under The Administration Code of 1929 to the General Assembly under date of June 29, 2005 which is incorporated herein by reference be approved.

On the question,

Will the House adopt Real Property Disposition Plan No. 1, Resolution A?

The SPEAKER. The Chair recognizes the gentleman, Mr. Vitali.

Mr. VITALI. A point of order, Mr. Speaker.

I do not think we have caucused on this particular item.

The SPEAKER. The gentleman waives off.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman, Mr. Metcalfe.

Mr. METCALFE. Mr. Speaker, on our House calendar we have got the RPDP 1 listed twice: resolution A; resolution B. Which one is this that we are voting on? Is it resolution A or B?

The SPEAKER. A; A.

Mr. METCALFE. A. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, since this involves surplus State property, would the chairman of the State Government Committee be willing to stand for a brief interrogation?

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

Mr. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, on this and any following surplus disposition resolutions that we have before us, can you please provide me information as to whether any of these include any State Farm properties?

Mr. CLYMER. The answer is no.

Mrs. MILLER. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

Just at the risk of sounding like my colleague on the other side of the aisle, did we caucus on this? I do not recall that this was the subject of discussion in the caucus, but I might be mistaken.

I know in past years, Mr. Speaker, there has been some controversy sometimes associated with this subject. That is why I was surprised I did not recall any discussion.

Mr. Speaker, I have been advised that sometime back in the spring we actually caucused on this and that there has been only a minor modification in the meantime. So pardon me if my memory is not accurate. Is that consistent with your understanding?

Mrs. TAYLOR. Yes, it is, Mr. Speaker; yes, that is correct.

Mr. MAHER. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman. The Chair thanks the gentledady.

On the question recurring,

Will the House adopt Real Property Disposition Plan No. 1, Resolution A?

The following roll call was recorded:

YEAS—195

Adolph	Fairchild	Mackereth	Ruffing
Allen	Feese	Maher	Sainato
Argall	Fichter	Maitland	Samuelson
Armstrong	Fleagle	Major	Santoni
Baker	Flick	Manderino	Sather
Baldwin	Forcier	Mann	Saylor
Barrar	Frankel	Markosek	Scavello
Bastian	Freeman	Marsico	Schroder
Bebko-Jones	Gabig	McCall	Semmel
Belardi	Gannon	McGeehan	Shapiro
Belfanti	Geist	McGill	Siptroth
Benninghoff	George	McIlhattan	Smith, B.
Beyer	Gerber	McIlhinney	Smith, S. H.
Bianucci	Gergely	McNaughton	Solobay
Birmelin	Gillespie	Melio	Sonney
Bishop	Gingrich	Metcalfe	Staback
Blackwell	Godshall	Micozzie	Stairs
Blaum	Good	Millard	Steil
Boyd	Goodman	Miller, R.	Stern
Bunt	Grell	Mundy	Stetler
Buxton	Grucela	Mustio	Stevenson, R.
Caltagirone	Gruitza	Myers	Stevenson, T.
Cappelli	Habay	Nailor	Sturla
Casorio	Haluska	Nickol	Surra
Causser	Hanna	O'Brien	Tangretti
Cawley	Harhai	Oliver	Taylor, E. Z.
Civera	Harhart	O'Neill	Taylor, J.
Clymer	Harris	Pallone	Thomas
Cohen	Hasay	Parker	Tigue
Cornell	Hennessey	Payne	True
Corrigan	Herman	Petrarca	Turzai
Costa	Hershey	Petri	Veon
Crahalla	Hess	Petrone	Vitali
Creighton	Hickermell	Phillips	Walko
Cruz	Hutchinson	Pickett	Wansacz
Curry	James	Pistella	Waters
Daley	Josephs	Preston	Watson
Dally	Kauffman	Pyle	Wheatley
DeLuca	Keller, M.	Quigley	Williams
Denlinger	Keller, W.	Ramaley	Wilt
Dermody	Kennedy	Rapp	Wojnaroski
DeWeese	Killion	Readshaw	Wright
DiGirolamo	Kirkland	Reed	Yewcic
Diven	LaGrotta	Roberts	Youngblood
Donatucci	Leach	Roebuck	Yudichak
Eachus	Lederer	Rohrer	Zug
Ellis	Leh	Rooney	
Evans, D.	Lescovitz	Ross	Perzel,
Evans, J.	Levdansky	Rubley	Speaker
Fabrizio			

NAYS—3

Harper	Miller, S.	Reichley
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NOT VOTING—0

EXCUSED—5

Butkovitz Raymond Rieger Shaner
Kotik

A majority of the members elected to the House having voted in the affirmative on Real Property Disposition Plan No. 1, Resolution A, the question was determined in the affirmative and the resolution was adopted.

Ordered, That the clerk inform the Senate and His Excellency, the Governor, accordingly.

BILL SIGNED BY SPEAKER

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

HB 1435, PN 2109

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of computer-assisted remote harvesting of animals.

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

COMMERCE COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Hasay, for the purposes of an announcement.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, the House Commerce Committee will have a voting meeting at the break; the House Commerce Committee will have a voting meeting in room 205 of the Speaker Ryan Building as soon as we break or recess.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

At the break the House Commerce Committee will have a voting meeting in room 205 of the Ryan Building.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the State Government Committee will meet at the call of recess in room 60 in the East Wing. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The State Government Committee will meet in room 60 in the East Wing at the call of the recess.

CONSUMER AFFAIRS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Flick.

Mr. FLICK. Thank you, Mr. Speaker.

I just want to remind the members that tomorrow morning at 9:30 the Consumers Affairs Committee is meeting in hearing room 5 of the Keystone Building; that is 9:30 tomorrow, Keystone Building, hearing room 5. It is an informational meeting only. There will be no votes taken.

Thank you, Mr. Speaker.

The SPEAKER. The Consumer Affairs Committee is meeting in hearing room 5 of the Keystone Building tomorrow morning at 9:30.

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Mr. Speaker? Mr. Speaker?

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. Just a point of parliamentary inquiry.

Tomorrow was supposed to be a regularly scheduled day, and I understand it will be a token day and committee meetings will go forward. Since this announcement was made after 2 p.m., the Chair may have accidentally precluded our members from filing amendments that would be appropriate for recognition on Monday.

Could you and the Parliamentarian at least take a moment to ascertain whether our apprehensions are valid, and if that is indeed the case, maybe we could readdress that parliamentarily right now.

Thank you.

LABOR RELATIONS COMMITTEE MEETING

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

Mr. ALLEN. Thank you, Mr. Speaker.

Tomorrow at 10 a.m. the Labor Relations Committee will meet in a voting session in room 205 of the Ryan Building. Thank you. It will be a voting meeting.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Labor Relations Committee will meet in a voting session tomorrow at 10 a.m. in room 205 of the Ryan Building.

ANNOUNCEMENT BY DEMOCRATIC LEADER

The SPEAKER. The Chair again recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

I did have a couple of observations on property tax I wanted to share, but before I do that, as a result of our sidebar meeting at the Speaker's podium, I would like to announce to our members, Democratic members, especially on the spending limitation legislation that will be forthcoming next week, that we will have until 6 o'clock tonight to draft our amendments.

So I did want to share that with the membership, and certificates can be garnered in the interim.

INTERROGATION

Mr. DeWEESE. Is the gentleman, Mr. Leh, in the hall of the House? If he is not, the majority leader would be a perfect gentleman for me to query for a minute or two on some internal committee maneuvering that I wanted to have some enlightenment about.

Would the gentleman, Mr. Smith, submit to interrogation?

The SPEAKER. The gentleman will submit to interrogation, but I would like to point out that that extension applies to the spending-cap bill. The Chair recognizes the majority leader; only the spending-cap bill. Mr. Smith.

Mr. S. SMITH. Mr. Speaker, I am sorry. I presumed the minority leader wanted to ask me a question. I did not hear it if he did.

PARLIAMENTARY INQUIRY

Mr. DeWEESE. I am sorry, Mr. Smith.

Before that, this inquiry would be another point of parliamentary inquiry to the Speaker. We might need time, because of the understandable commotion in the scheduling, with tomorrow being full freighted with committee meetings and not a regular voting day, we might need until 6 o'clock tonight for our rank-and-file Democrats to gather amendments to any bill that would be coming up, Mr. Speaker, on Monday, not just the cap-on-spending bill. I do not think that creates any dilemma.

The SPEAKER. For all bills listed on Monday's voting schedule, that would be correct.

Mr. DeWEESE. Thank you very much.

INTERROGATION CONTINUED

Mr. DeWEESE. And then just a quick inquiry to the honorable gentleman from Jefferson County. The parlance of the floor here refers to a group of our esteemed colleagues. In fact, I think they have taken the nomenclature and affixed it to their own group. They call themselves the Commonwealth Caucus, and these delightful and talented colleagues have come at property tax from an innovative and different angle. They introduced, Mr. Speaker, a series of proposals, and those proposals initially were lodged in the Finance Committee, and then they wafted somehow over to the Rules Committee, and then they made their way to the Appropriations Committee, and they have had a very serpentine passage over the past many weeks.

Now, we sculpted a brand-new organism within our Finance Committee substructure. We got new members to participate outside of the committee echelon, and we appointed new subcommittee chairmen, and now I am led to believe that these measures of the Commonwealth Caucus – Mr. Rohrer being one of their brigadiers – have made their way to the Appropriations Committee, and I am stupefied as to why in a special session and a regular session the same bills have wafted hither, thither, and yon to three committees.

We have to get focused on property tax reform. Mr. Rendell, our Governor, gave us a proposal. The General Assembly and

the body politic have not embraced it. But the Republicans who run the House and run the Senate must show us some cohesion, some delineation, some precision, some consistency. Three committees in a matter of weeks for a handful of bills. I just would love to see these go to Finance, where Mr. Leh and Mr. Levdansky, the Republican and Democrat, these new committee substructures that have been architected, if there is such a verb – if not, I will take literary license – and engineered. That is where the action should be, and, Mr. Speaker, please explain to me why you gainsay the wonderful dynamics of your own Finance Committee.

Thank you, Mr. Speaker.

Mr. S. SMITH. Thank you, Mr. Speaker.

While that question was about as serpentine as what he was accusing the life of these bills, I will try to answer what I think is the gist of it.

Number one, that package of five bills that is commonly referred to as the Commonwealth Caucus plan had been referred in regular session to the Appropriations Committee, if I am not mistaken, prior to the creation of the special session. Secondly, the bills that have been referred or introduced in the special session, a few of them have been reported to Appropriations. So it is not like they received entirely special treatment, if that is what your concern is.

Mr. DeWEESE. Again, my Finance chairman, the esteemed Mr. Levdansky from Allegheny County, informs me once again that initially these Commonwealth Caucus bills went to Finance. They did not have enough steam to make their way out, but they could have been altered or modulated. We have a big, big problem with property tax reform in our State, and now they are in Appropriations, and it just did not make a whole lot of sense to me as to why they had made this migration from Finance to Appropriations, Mr. Speaker, when we specifically and with high hopes and substantial motivation within the past fortnight have made certain that we created four robust little subcommittees and we were going to have the whole world look at our property tax reform effort. We have a big challenge, and we are shackled and pinioned by what we perceive to be Republican nonchalance within the committee structure.

Mr. S. SMITH. I think you are confusing two courses of action here. The bills that were introduced earlier in this year in regular session, there are actually two sets at this juncture, I believe – one set that was referred to the Finance Committee, of which I believe they reported four out of five from the committee, if I am not mistaken. Subsequently, the bills were altered in a minor way, most likely, reintroduced, and referred to the Appropriations Committee. That was in regular session earlier this year. This fall, once the Governor called the special session, bills have been introduced in the special session. I mean, some, whatever, 70 or 80 bills, I guess, have been introduced that deal with property tax in a variety of ways. A handful of those bills have been reported to the Appropriations Committee, not the least of which is one that represents the Governor's own plan.

So I am not sure what the gentleman is trying to imply. I mean, it is what it is, is what it is. They were referred to a committee.

Mr. DeWEESE. Would the gentleman commit or not commit – it is very simple – to at some time in the near-term future – a week, 2, 3, 4; sometime between now and our national holiday of Thanksgiving – commit to putting these bills, these five bills, in the Finance Committee? That is where we have done taxes

for the three decades I have been in this process. The Appropriations Committee has a different kind of mission. I am not going to assert that it is inappropriate for them to be repositied there momentarily, but the gut-wrenching, tough analysis that has to come from these property tax proposals on all sides, the Commonwealth Caucus dynamic and many other amendments that would be forthcoming from both sides of the aisle, should go to Finance. That is the view of the Democratic minority.

Will you, sir, politely, respectfully, commit to at least at some time allowing them to have that passage through the screen, through the very enlightened, very, very talented staff teams on the Republican side and the Democratic side in the Finance Committee? We are going to have enough challenges within the Appropriations Committee on the big State budget that is impending in the next few months.

So the Finance Committee seems to be where we would like for these actions to take place. Would the honorable gentleman commit to sending them to the Finance Committee at some time in the next 2, 4, 6 weeks for a good, solid Finance Committee staff and member overview?

Mr. S. SMITH. Did you hear that thud? That was, I fell off the turnip truck.

This bill, this set of bills, the Commonwealth Caucus package, obviously has some special implications to it, special in the sense that it is outside of the box of what we historically have dealt with. One of the reasons that it went to the Appropriations Committee was because therein lies the great debate about it, and that is, you know, what is actually subject to tax and what would that generate? That is a direct function of the Appropriations Committee, and in fact, that fiscal note has been a point of significant debate between what the Department of Revenue, you know, suggests that that bill as written generates versus what other parties and individuals believe is encompassed in that package of bills.

So I think it is appropriate that seeing that that is one of the key, at least fiscally relative questions – what does this package, what does the key bill generate in the way of revenues or what is taxed, what is not taxed under that proposal, setting aside the political implications of taxing food and clothing and those issues which are, you know, appropriate here. That number that will ultimately be affixed to what that bill generates is a critical number in terms of its viability, you know, whether it actually does what it says it is going to do.

So that is why it is in Appropriations. Beyond that, I am not inclined to commit to reporting it to the Finance Committee. Obviously, at some point in time that a bill is on the floor of the House, my decision not to report it or refer it or suggest that the Speaker refer it to Finance Committee is ultimately, you know, open for floor debate and you or any other members at the time that that might appear on the floor are free to make a motion that the bill be referred to Finance and subject it to a vote of the full House.

So I do not look at it as though I am saying, no, not never. I am just saying I am not inclined to commit to that. However, if that is the will of the House one day, then it will be done.

Mr. DeWEESE. Thank you very much.

My interrogation is concluded. Just a couple of observations—

The SPEAKER. The gentleman is in order.

Mr. DeWEESE. —and then the House can be in recess.

STATEMENT BY DEMOCRATIC LEADER

Mr. DeWEESE. I did not hear the thud, but I would never allege, to use my own Greene County metaphor, that the honorable gentleman fell off a load of pumpkins.

The Finance Committee will not get this proposal if my honorable colleague has anything to do about it, because he knows that it will receive a richly deserved burial within the Finance Committee. He is, of course, correct that it should make a momentary passage through the Appropriations Committee. That is one thing that he and I certainly agree on. I am sure other members on both sides of the aisle realize that the Commonwealth Caucus numbers historically, at least in many of our perspectives, have not added up, Mr. Speaker. There has been a chasm in the amount of revenue that would be needed versus the amount of money that would be generated. So it certainly should have a moment's respite in the Appropriations Committee, and our analysts there should tell us, if these bills were enacted, how much money would be raised, how much money would we need to raise if we did not raise enough, et cetera, et cetera. So I realize why it should be there for a short time.

But I saw the honorable gentleman, Mr. Smith, today at his news conference. It was published or at least video-screened for a statewide audience, and the honorable gentleman, Mr. Smith, indicated at that conference that there were at least thoughts in this room, in our setting, that property tax would be supplanted by a variety, a menu, a medley of different taxes, and if we are going to change the amount of focus on food and clothing, if we are going to talk about services, which many of us are very, very apprehensive about – legal, accounting, engineering, architectural, and so forth – we are very, very dubious about food and clothing also, but by virtue of the fact that the lion's share of the Commonwealth Caucus, this discrete entity of 18 or 20 – maybe more supporters are in the wings, I do not know – but the lion's share, all but one of the formally recognized members are from the honorable gentleman's Republican Caucus, and if these taxing issues are going to be delineated, if these taxing issues are going to be explored, if we are going to have the passionate overview of Chairman Leh on the Republican side and Chairman Levdansky on the Democratic side and these subcommittees, subcommittees, special session – the Republican Party, the Grand Old Party, went to our Governor and said, Governor Rendell, we want a special session on taxes. So then our reaction is, we put together a special subset of entities within the framework of the Finance Committee – subcommittees to explore this big, big picture, which is potentially a political albatross around all of our necks. We must do something on property tax reform or we shall suffer the consequences, and the only way to do it, in my view, is through the recognized structure of the Finance Committee.

The honorable gentleman will not commit. I accept that. He is honest. I hope that somewhere in his heart of heart he leans in that direction. But nevertheless, let it be asserted from this podium, from this side of the aisle, that most of the Democratic members want this property tax debate in the ensuing weeks between now and the yuletide to take place in the Finance Committee. If it does not, at least we made the argument here today.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader, the gentleman, Mr. Smith.

Mr. S. SMITH. Thank you, Mr. Speaker.

Just a short response, if I may.

One thing that is clear about the issue of property taxes is that through the course of last spring, the expectations of the general public were increased significantly because of the somewhat inflated proclamations that a billion dollars in gaming money was going to be driven out through Act 72, and I think the general public, when they hear a billion dollars, infers that that is going to be a huge amount of money in property tax relief, and surely that is enough to eliminate, you know, my property taxes, when in fact we all know that the property tax issue is tenfold of that billion dollars, and that is the high number. I do not think there are too many people that want to stake their reputation that a billion dollars will actually flow in the very near future. That is not the point of argument at this moment though.

The point of argument is that the expectations were increased significantly throughout the spring. As the school districts across the Commonwealth indicated four out of five that they did not want to participate in Act 72, there was a cry that came out that we should force that Act 72 down their throats, that we should just mandate it upon them, and that cry emerged at the end of May when the deadline was upon us and the first part of June. At that juncture we, at least through the leadership in the Republican Caucus, indicated that we did not think it was a good idea to overreact or respond quickly to that Act 72 issue simply because the gaming money was not sitting in a pot waiting to be distributed, so there was some time, if you will, to let the dust settle to where we could come back and take a more deliberative look and try to increase the level of success in terms of meeting the public's expectations relative to property tax reform issues. That was our decision to wait. We were not going to rush into something last June.

Consequently, with the Governor calling the special session, it clearly puts a special focus on this issue, and I am supportive of that. I do not know if the gentleman, Mr. DeWeese, is indicating he does not really think it is necessary, but the fact is, we have a focus on it. That is where we are here today, and regardless of what committee a bill is referred to or what track it takes to come to the floor, I think the challenge before us is to look at all of the various proposals that have been out there to try to determine, what is the problem we are trying to solve and who is it that we are trying to help when we solve this problem? That is a different answer to different people probably, but we need to come to some consensus, some uniformity, in terms of those types of questions.

The fact that the bill was referred to one committee or another does not impair its ability to be considered; does not reduce it in any way, shape, or form. At some point in the course of this special session, it is my expectation that we will either come to a consensus, as I am talking about, or we will deal with these issues individually.

Now, we can throw— We could take 10 different property tax plans that have been proffered within this House and we could bring them all up here, and arguably, they would all pass, and they could go over to the Senate, at which point in time the Senate would certainly be in the driver's seat to pick and choose and make the tough decision and send maybe one of those back

in some way, shape, or form. I do not think that that is the desired route, nor is it the responsible route.

So while some members may be agitated over a particular plan that they really like or they really hate, my goal is not to put anybody on the spot relative to that particular legislation that may be egregious to someone. My goal is to work these bills over, to build the consensus, and it is clearly going to have to be a bipartisan consensus, I think, so that the product that we move from this House is something that truly fulfills and meets the expectations of the public, who have been promised property tax reform over and over by, you know, political leaders within this Commonwealth.

So I do not see that the committee into which the bill is referred is a signal of life or death. The fact is, we are looking at everything that has been introduced and we are going to try to boil that down and refine it into something that is workable and that solves this dilemma for Pennsylvania.

Thank you, Mr. Speaker.

Mr. DeWEESE. I cannot resist, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. DeWeese.

Mr. DeWEESE. Again, politely and respectfully, one would hope that the amount of focus, the amount of time, the amount of TLC, the amount of tender loving care, that these tax reform bills receive from any committee of the majority leader's choosing will receive a whole lot more attention and focus than the razzle-dazzle, harum-scarum, slipshod, 99-mile-an-hour way that Bob Allen's bills on the spending cap just received in the Appropriations Committee. That came out of here with vertiginous dizziness, and nobody had hardly any idea of what was going on. So I hope that we will not be as cavalier and condescending and nonchalant as we do property tax reform.

We have got a great committee setup. It does not make any sense to me to reinforce, to bring in extra battalions in the Finance Committee just a couple of weeks ago to have special session on property tax reform and to have this entity called the Finance Committee given short shrift. It should be the epicenter, it should be the robust dynamic center of the debate, and the debate should ensue for the next several weeks, and the Republican Party should give us a property tax reform proposal sometime in November.

Mr. S. SMITH. Mr. Speaker, I am sorry that the minority leader has no respect for the members, the minority members at least, of the Appropriations Committee. I have all the faith in the world in the majority members.

Clearly, we are about trying to get this done. If you want to like tout this argument that where the bills are sent to and who gets their first crack at them, I look at that as a side show, if you will, Mr. Speaker. The bottom line is, we are going to be judged on what the ultimate product is and our goal is to produce something good.

The SPEAKER. Mr. DeWeese?

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1068, PN 2955 (Amended) By Rep. MICOZZIE

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for association group life insurance for Pennsylvania National Guard.

INSURANCE.

HB 1834, PN 2448 By Rep. GEIST

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for electronic access to driver records to confirm organ donor status.

TRANSPORTATION.

HB 2137, PN 2941 By Rep. GEIST

An Act amending the act of September 30, 1985 (P.L.240, No.61), known as the Turnpike Organization, Extension and Toll Road Conversion Act, further providing for collection and disposition of tolls.

TRANSPORTATION.

HB 2141, PN 2956 (Amended) By Rep. GEIST

An Act restricting the authority of the Environmental Quality Board over fuel additives; and abrogating a regulation.

TRANSPORTATION.

The SPEAKER. There will be no further votes today.

RECESS

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

AFTER RECESS

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 544, PN 2957 (Amended) By Rep. CLYMER

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for the functions of the Secretary of the Commonwealth, for the functions of county boards of elections, for the functions of district election boards, for the place and time of filing nomination papers, for objections to nomination petitions; providing for list of all nominated candidates to the public; further providing for instruction cards and supplies, for official absentee ballot applications, for approval of absentee ballot applications, for absentee elector files, for delivering ballots, for absentee voting, for canvassing official absentee ballots, for public records, for computation of returns and for reporting; and providing for misleading mailings and for unlawful interference with voter registration.

STATE GOVERNMENT.

HB 1906, PN 2611 By Rep. HASAY

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, providing for information availability on an Internet website; and further providing for articles of incorporation.

COMMERCE.

HB 2058, PN 2835

By Rep. HASAY

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act, providing for licensed facilities and licensed gaming entities eligibility; and making a related repeal.

COMMERCE.

SB 712, PN 1272 (Amended)

By Rep. HASAY

An Act providing for the notification of residents whose personal information data was or may have been disclosed due to a security system breach; and imposing penalties.

COMMERCE.

REMARKS SUBMITTED FOR THE RECORD

Mr. M. KELLER submitted the following remarks for the Legislative Journal:

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

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Brian Matthew Todd.

Whereas, Brian Matthew Todd earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Brian is a member of Troop 94.

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

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

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring John Mason McClellan.

Whereas, John Mason McClellan earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. John is a member of Troop 94.

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

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

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Zachary Michael Ryan Lightner.

Whereas, Zachary Michael Ryan Lightner earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. Zachary is a member of Troop 94.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Zachary Michael Ryan Lightner.

RECESS

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

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

BILLS AND RESOLUTIONS PASSED OVER

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

RECESS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Ramaley, from Beaver County.

Mr. RAMALEY. Mr. Speaker, I move that this House do now recess until Monday, October 31, 2005, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 12:59 p.m., e.s.t., Monday, October 31, 2005, the House recessed.