

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, NOVEMBER 16, 2005

SESSION OF 2005

189TH OF THE GENERAL ASSEMBLY

No. 68

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (RAYMOND BUNT, JR.) PRESIDING

PRAYER DISPENSED WITH

The SPEAKER pro tempore. Without objection, we will dispense with the prayer for today.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. However, we will do the Pledge of Allegiance. All rise.

(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 Tuesday, November 15, 2005, will be postponed until printed.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Sinking Springs Elementary, who are the guests of Representative Keith Gillespie. Welcome, all.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1509**, **PN 1843**, with information that the Senate has passed the same without amendment.

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
November 15, 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, November 21, 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, November 21, 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 2041;
HB 2136;
SB 260;
SB 573; and
SB 596.

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 2041, PN 3027; HB 2136, PN 3057; SB 260, PN 264; SB 573, PN 623; and SB 596, PN 616.

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 2041;
HB 2136;
SB 260;
SB 573; and
SB 596.

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

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

HB 2027, PN 2804 By Rep. B. SMITH

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for unlawful devices and methods.

GAME AND FISHERIES.

HB 2090, PN 2880 By Rep. B. SMITH

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for powers of director of the Pennsylvania Game Commission.

GAME AND FISHERIES.

HB 2205, PN 3080 By Rep. B. SMITH

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for record of license sales.

GAME AND FISHERIES.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 2236 By Representatives MAITLAND, MACKERETH, McNAUGHTON, BARRAR, BEBKO-JONES, BOYD, CALTAGIRONE, CAPPELLI, CLYMER, CRAHALLA, FRANKEL, GEIST, GINGRICH, HERMAN, KAUFFMAN, LEACH, LEVDANSKY, McILHATTAN, PHILLIPS, READSHAW, REICHLEY, SAYLOR, E. Z. TAYLOR, J. TAYLOR, THOMAS and WILT

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for DNA Detection Fund deposits; and further providing for deposits into account.

Referred to Committee on JUDICIARY, November 16, 2005.

No. 2237 By Representatives PETRI, THOMAS, ALLEN, BENNINGHOFF, BOYD, CALTAGIRONE, CLYMER, CORRIGAN, CRAHALLA, CREIGHTON, GABIG, GODSHALL, GOODMAN, HARPER, HENNESSEY, M. KELLER, LEVDANSKY, MAJOR, MUSTIO, NAILOR, RAPP, REICHLEY, SAMUELSON, SAYLOR, SCAVELLO, SCHRODER, SEMMEL, B. SMITH, SONNEY, E. Z. TAYLOR, TIGUE, WATERS, WATSON and YOUNGBLOOD

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for sale of real estate belonging to the Commonwealth and grants of rights-of-way or other rights over or in real estate.

Referred to Committee on STATE GOVERNMENT, November 16, 2005.

No. 2238 By Representatives REICHLEY, WILT, BASTIAN, BOYD, CAPPELLI, DALLY, GABIG, GOODMAN, KIRKLAND, PYLE, ROEBUCK, SEMMEL and STERN

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing, in provisions relating to powers of attorney, for general provisions and for accounts and annual reports.

Referred to Committee on JUDICIARY, November 16, 2005.

No. 2239 By Representatives REICHLEY, ARGALL, ARMSTRONG, BALDWIN, CAPPELLI, CLYMER, CRAHALLA, CREIGHTON, GINGRICH, GOODMAN, GRELL, HARRIS, HERMAN, KILLION, KIRKLAND, KOTIK, McILHATTAN, NAILOR, PYLE, RUBLEY, B. SMITH, THOMAS and TIGUE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for interagency information sharing.

Referred to Committee on JUDICIARY, November 16, 2005.

No. 2240 By Representatives REICHLEY, BALDWIN, DALLY, HENNESSEY, MANN, O'NEILL, STERN and THOMAS

An Act amending Title 17 (Credit Unions) of the Pennsylvania Consolidated Statutes, further providing for membership.

Referred to Committee on COMMERCE, November 16, 2005.

No. 2241 By Representatives WRIGHT, REED, REICHLEY, BUNT, BOYD, CALTAGIRONE, CAPPELLI, CORNELL, CRAHALLA, CREIGHTON, CRUZ, FLEAGLE, GABIG, GEIST, GINGRICH, GRELL, GRUCELA, HARHAI, HARPER, HENNESSEY, HERSHEY, KAUFFMAN, KIRKLAND, KOTIK, LEH, MARKOSEK, McILHATTAN, METCALFE, NAILOR, O'NEILL, PETRARCA, PHILLIPS, PICKETT, QUIGLEY, RAPP, SOLOBAY, STABACK, STEIL, STERN, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, TRUE, TURZAI, WATSON, WILT and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for homicide by vehicle, for homicide by vehicle while driving under the influence and for aggravated assault by vehicle while driving under the influence.

Referred to Committee on TRANSPORTATION, November 16, 2005.

No. 2242 By Representatives GODSHALL, ARGALL, BUNT, BALDWIN, BARRAR, BELFANTI, BOYD, CALTAGIRONE, CAWLEY, CLYMER, COSTA, CRAHALLA, DALLY, DeLUCA, DENLINGER, FICHTER, FRANKEL, FREEMAN, GEIST, GINGRICH, GOODMAN, GRUCELA, HARHAI, HARPER, HENNESSEY, HERSHEY, HESS, HUTCHINSON, JAMES, KILLION, LEH, MANDERINO, MARKOSEK, MARSICO, MICOZZIE, MUNDY, MUSTIO, O'NEILL, QUIGLEY, READSHAW, REICHLEY, RUBLEY, SAINATO, SCAVELLO, SCHRODER, SEMMEL, SIPTROTH, STERN, T. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, TIGUE and WILT

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for member's options; and providing for Option 5 annual supplemental annuities commencing 2008.

Referred to Committee on STATE GOVERNMENT, November 16, 2005.

SENATE BILL FOR CONCURRENCE

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

SB 775, PN 954

Referred to Committee on JUDICIARY, November 16, 2005.

RECESS

The SPEAKER pro tempore. 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.

COMMUNICATION FROM SPEAKER

SPEAKER PRO TEMPORE APPOINTED

The SPEAKER pro tempore. The clerk will read the following communication from the Speaker of the House.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

November 16, 2005

To the Honorable House of Representatives:

Pursuant to House Rule 1, this is to advise that I have appointed the Honorable Raymond Bunt to serve as Speaker Pro Tempore for Wednesday, November 16, 2005.

Very truly yours,
John M. Perzel, Speaker

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1956, PN 3104**, with information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER PRO TEMPORE

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 1956, PN 3104

An Act repealing the act of July 7, 2005 (P.L.201, No.44), entitled, "An act amending Titles 42 (Judiciary and Judicial Procedure), 46 (Legislature) and 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for compensation; and making an inconsistent repeal"; reenacting and amending the act of September 30, 1983 (P.L.160, No.39), entitled "An act establishing salaries and compensation of certain public officials including justices and judges of Statewide courts, judges of courts of common pleas, judges of the Philadelphia Municipal Court, judges of the Philadelphia Traffic Court, district justices and the Governor, the Lieutenant Governor, the State Treasurer, the Auditor General, the Attorney General and certain other State officers and the salary and certain expenses of the members of the General Assembly; and repealing certain inconsistent acts," and further providing for members of the General Assembly; and making editorial changes.

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

RECESS

The SPEAKER pro tempore. The 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
(DAVID J. STEIL) PRESIDING****RECESS**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster, Mr. Boyd.

Mr. BOYD. Mr. Speaker, I move that this House do now recess until Thursday, November 17, 2005, at 11 a.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 10:59 a.m., e.s.t., Thursday, November 17, 2005, the House recessed.