

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, OCTOBER 16, 2006

SESSION OF 2006

190TH OF THE GENERAL ASSEMBLY

No. 58

HOUSE OF REPRESENTATIVES

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

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

PRAYER

REV. JAMES BRIGHT, Guest Chaplain of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Let us pray:

Gracious God, known to us by many names – Lord, Yahweh, Allahum, Allah – or no name at all, we ask if You will receive us as Your people as this representative body meets in these chambers. We ask that You will guide the deliberations of this House to the end that wisdom, patience, and fair play prevail; that all Your people of this great Commonwealth have their basic needs met and share in the greater good. Especially bless any member who is ill, lonely, or bereaved. Heal, enfold, and comfort them according to their needs.

Be with all those who are in harm's way, wherever they may be in this war-torn and weary world. Let Your mercy, love, and justice prevail here and all corners of the world. Let us feel Your presence and labor humbly before You. And all glory be to You, O Lord, our God. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Thursday, October 5, 2006, will be postponed until printed.

JOURNALS APPROVED

The SPEAKER. However, the following Journals are in print:

Wednesday, May 3;
Monday, May 8;
Monday, June 5;

Tuesday, June 6; and
Wednesday, June 7, 2006.

Without objection, those Journals will be approved.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move the following bills be taken off the table:

HB 1249;
HB 2696;
HB 2774;
HB 2897;
HB 2978;
HB 906; and
SB 198.

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 1249, PN 4735; HB 2696, PN 4732; HB 2774, PN 4708; HB 2897, PN 4664; HB 2978, PN 4751; HB 906, PN 4165; and SB 198, PN 787.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that the following bills be recommitted to the Committee on Appropriations:

HB 1249;
HB 2696;
HB 2774;
HB 2897;
HB 2978;
HB 906; and
SB 198.

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

CALENDAR

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 311, PN 3580**, entitled:

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 methods of competition" and "unfair or deceptive acts or practices."

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HB 311 be placed upon the table.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HB 311 be taken off the table.

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2658, PN 4752 (Amended) By Rep. FLICK

An Act prohibiting the sale and restricting the disposal of mercury thermostats; and prescribing penalties.

CONSUMER AFFAIRS.

HB 2954, PN 4753 (Amended) By Rep. FLICK

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for prohibition of revenue decoupling mechanisms.

CONSUMER AFFAIRS.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who moves for a leave of absence for the day for the gentelady

from Lancaster, Mrs. TRUE. Without objection, that leave will be granted.

The Chair recognizes the minority whip, who moves for a leave of absence for the week for the gentleman from Philadelphia, Mr. RIEGER; the gentleman from Mercer, Mr. GRUITZA; the gentelady from Philadelphia, Ms. BISHOP; and for the day for the gentleman from Allegheny, Mr. RUFFING, and the gentleman from Northampton, Mr. SAMUELSON. Without objection, those leaves will also be granted.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take the master roll, and the members will proceed to vote.

The following roll call was recorded:

PRESENT—196

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Bishop Gruitza	Rieger Ruffing	Samuelson	True
-------------------	-------------------	-----------	------

LEAVES ADDED—2

LaGrotta	Taylor, E. Z.
----------	---------------

LEAVES CANCELED—1

Samuelson

LOCK HAVEN UNIVERSITY WOMEN'S SOFTBALL TEAM PRESENTED

The SPEAKER. The Chair recognizes the gentleman, Mr. Hanna, for the purposes of a citation.

Members will please take their seats, and the gentleman is entitled to be heard. Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Ladies and gentlemen, many of us have had the honor of presenting State champions to this chamber, but I have the unique opportunity today to present to you some national champions. I am very proud to welcome the Lock Haven University Women's Softball Team here today to celebrate their winning the 2006 National Collegiate Association Division II National Championship.

The Lady Eagles finished a stellar season with 56 wins out of 60 games, a school record. They are the first team in the school's history to win a national softball championship. They triumphed with a 3-0 victory over Emporia State University on May 22 in a nationally televised game to bring home the national title. What a stellar accomplishment for the young women of the team and what a great thing for the Lock Haven University community that supports them.

On behalf of the State House of Representatives, I would like to congratulate the Lock Haven University Women's Softball Team and their coaches on their national championship and to recognize them for outstanding teamwork, personal sacrifice, and commitment to their sport and their university. Please give them a warm House of Representatives welcome.

Mr. Speaker, if I could, I would like to introduce some of the players that have joined me here at the podium. We have with us, today we have head coach Kelley Green. Kelley. We have players Julie Robitaille – Julie, and I believe Julie hit the winning home run in that national championship game – Iliia Lopez, Missy Kurian, Stephanie Kinch, Heather Johnson, and Kristin Erb. And Kristin has the unique honor of being the Division II Player of the Year. And one thing I would like to add to that, Kristin earned all of these honors, Player of the Year nationwide and a national championship, in her freshman year. Could I have another round of applause.

Also joining us from the team in the back are Erica Eisenbise, Jessica Jeffries, Sarah Norris, Nancy O'Connor, Julia Popovich, Amanda Roosa, assistant coach Kelly Shannon, and director of athletics Sharon Taylor.

Could you once again give a big round of applause to our national champions.

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who moves for a leave of absence for the remainder of the day for the gentlelady from Chester, Mrs. TAYLOR. Without objection, that leave will be granted.

CENTRAL BUCKS HIGH SCHOOL WEST GIRLS SOCCER TEAM PRESENTED

The SPEAKER. The Chair at this time recognizes Representative McIlhinney for the purposes of a citation.

Mr. McILHINNEY. Thank you, Mr. Speaker.

I would like to welcome the State Champion Central Bucks West Girls Soccer Team – they are in the back of the chamber – and its coaches to the State Capitol today. Soccer is truly a team sport, and this team has combined experience, depth, and excellent coaching by coach Chris Freudig and assistant coach George Battis to win its sixth PIAA Class AAAA Championship in the 14 years the State tournament has been held. No team in the State has won more State titles.

The soccer team came together in the playoffs with a clutch one-win goal, including a come-from-behind victory and a nerve-racking tie game decided by penalty kicks to finish an amazing season on top once again. We honor their accomplishment, which includes a 25-and-3 record and an 18-game winning streak, with a House citation and the House's usual warm round of applause.

Thank you very much.

YORK SUBURBAN SENIOR HIGH SCHOOL SWIM TEAM PRESENTED

The SPEAKER. The Chair at this time recognizes Representative Keith Gillespie for the purposes of a citation.

Mr. GILLESPIE. Mr. Speaker, fellow members, ladies and gentlemen, it is my honor to present to you the first place AA Boys PIAA Swimming and Diving Champions from York Suburban.

With us today are Jason Durs, Dan Marsteller, Harry Foster, Chris Manning, Kevin Marsteller, and coach Dick Guyer. Other members who made up this first in the history of the York Suburban School Swimming Championship Team were Matt Appleby, Joe Bentz, Alex Grubbs, Mike Appleby, David Kochenour, Hope Kowalewski, and Nikki Lehman.

Please join me in a warm Pennsylvania House of Representatives welcome for the York Suburban Championship Team.

RESOLUTIONS PURSUANT TO RULE 35

Mr. GODSHALL called up **HR 872, PN 4678**, entitled:

A Resolution designating October 21, 2006, as "Biomedical Research Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	Rieger	Samuelson	True
Gruitza	Ruffing	Taylor, E.Z.	

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

* * *

Mr. READSHAW called up **HR 880, PN 4718**, entitled:

A Resolution designating the month of October 2006 as "Domestic Violence Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	Rieger	Samuelson	True
Gruitza	Ruffing	Taylor, E.Z.	

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

HARRISBURG LEGISLATIVE LEAVE

The SPEAKER. The Chair recognizes the gentleman, Mr. Argall, who places the gentleman, Mr. GANNON, on Capitol leave, without objection.

RESOLUTIONS PURSUANT TO RULE 35

Mr. KENNEY called up **HR 882, PN 4739**, entitled:

A Resolution recognizing the month of October 2006 as “Breast Cancer Awareness Month” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

Evans, J. Fabrizio Fairchild	Lescovitz Levdansky	Roebuck Rohrer	Perzel, Speaker
------------------------------------	------------------------	-------------------	--------------------

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop Gruitza	Rieger Ruffing	Samuelson Taylor, E.Z.	True
-------------------	-------------------	---------------------------	------

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

* * *

Mr. S. SMITH called up **HR 883, PN 4740**, entitled:

A Concurrent Resolution commending the civic initiative of the dental profession for establishing the Donated Dental Services program; and urging the participation of all dentists in the program.

On the question,
Will the House adopt the resolution?

RESOLUTION RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HR 883, PN 4740, be recommitted to the Committee on Rules.

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

The SPEAKER. Would the gentleman, Mr. Sather, please come to the rostrum.

**FAREWELL ADDRESS
BY MR. SATHER**

The SPEAKER. The gentleman, Mr. Sather.
Please, keep the noise levels down. Would the conferences in the center aisle and the side aisles please break up. Keep the noise levels down. The gentleman, Mr. Sather, has some very important words for the membership here.

Mr. Sather.
Mr. SATHER. Thank you, Mr. Speaker.

I can assure you all that my remarks will be brief today, as most of my time spent here has not been one of oratorical, you know, the comments, but to the point.

For the 14 years I have served in the House of Representatives, I have been fortunate to work with honorable leadership – Matt Ryan, John Perzel, Bill DeWeese, and my friend here, Sam Smith, and of course all the many other individuals that I have had that opportunity to serve with. And while I have many friends to thank personally – too many for individual recognition – I want to express my sincere gratitude

to all of you, to all of you on both sides of the aisle for the privilege of serving with you.

While many times we have disagreed in our debates on the floor, I believe we have accomplished many good things by working together and achieved the goals that we have set out to achieve. More importantly is the knowledge that when we leave the House floor – and I hope everyone hears this and those back home who want to be – we leave the House floor after those debates, the bipartisan relationships that we have built and the friendships established will continue.

I do not want to forget to thank the excellent support staff that we have available here in Harrisburg – our pages, our messengers, the research and public information staff, the bipartisan management staff, and all those who have assisted in making my job a lot easier. I have been blessed, truly blessed, with great, loyal staff in both my Harrisburg and my district offices over the past 14 years, and I hope, I hope that they all know the deep gratitude and appreciation I feel for them. Believe me, as you know, we could not do it all without them.

Knute Rockne, I have used quotes from him before, because my father came to this country from Norway, but I can truly tell you my father was as much an American as anyone else. Knute Rockne once said, quote, “He never knew why he lost the game until his barber told him on Monday.” I am looking forward to the final report from my Monday morning analysts.

When I was elected to serve the residents of the 81st Legislative District, I was told by many that I had big shoes to fill, coming in after my predecessor, Sam Hayes. I decided early on, while the shoes might fit on some occasions, that I would prefer to walk in my own shoes, without any discomfort, and carve my own path to walk. I have walked that path, although rocky at times, to the best of my ability. I sincerely hope I have done it fairly well, as I have attempted to make the journey with dignity.

Gen. Douglas MacArthur – I am a World War II person that enjoys reading the quotes and comments of that history and that period of time in our life – Gen. Douglas MacArthur once said, quoting, “Old soldiers never die, they just fade away.” So, too, this politician.

To you, my colleagues, I wish nothing, nothing but the very best. Thank you; thank you for your service to the people of Pennsylvania and thank you mostly for your friendship, and God bless you all.

Thank you, Mr. Speaker.

RESOLUTIONS PURSUANT TO RULE 35

Mrs. GINGRICH called up **HR 847, PN 4594**, entitled:

A Resolution designating the week of October 22 through 28, 2006, as “Respiratory Care Week” in Pennsylvania and commending respiratory therapists for their outstanding contributions to health care.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Adolph	Feese	Mackereth	Rooney
Allen	Fichter	Maher	Ross

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	Rieger	Samuelson	True
Gruitza	Ruffing	Taylor, E.Z.	

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

* * *

The SPEAKER. The Chair is about to take up a condolence resolution.

Ms. RAPP called up **HR 855, PN 4645**, entitled:

A Resolution expressing deepest condolences for the death of Specialist Kirsten Fike of the Pennsylvania National Guard, who died

after collapsing on duty while patrolling the Arizona-Mexico border as part of Operation Jump Start.

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair would like to request the members to please be as quiet as possible while Representative Rapp makes her remarks.

Representative.

Ms. RAPP. Mr. Speaker, several of my colleagues have stood here to honor our brave men and women who have sacrificed their lives for their country. I hoped that I would never have had to stand here to give condolences to a fallen soldier, but I am honored and humbled today to honor Spc. Kirsten Fike.

Article IV, section 4, of the U.S. Constitution states that “The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion...” With an estimated 500,000 illegal aliens able to infiltrate just one section of America’s Arizona border in a single 6-month period, it is safe to say that our Federal government has been largely missing in action for the past several decades when it comes to effectively following through on this crystal clear constitutional directive. However, the same thing cannot be said of the few, the proud, and the brave Border Patrol agents and National Guard members who have stepped forward to defend our homeland despite limited manpower, resources, and overwhelming odds.

One of these individuals who answered the call to stem the flow of illegal immigrants as part of Operation Jump Start was from my legislative district. On August 10, 2006, Spc. Kirsten Fike from Bear Lake, PA, who proudly volunteered to serve with the 28th Military Police Detachment of the Pennsylvania National Guard along the Arizona-Mexico border, tragically collapsed in 104-degree heat while repairing downed defense netting. Fike, who previously served our great nation in the U.S. Air Force, passed away the next day at Yuma Regional Medical Center.

Mr. Speaker, on a given session day we are asked to consider various resolutions in recognition of community events, anniversaries, so on and so forth. As the mother of a veteran and a member of the House Veterans Affairs and Emergency Preparedness Committee, I feel that none of these are more important than publicly honoring the life of a soldier who has paid the ultimate price in defense of our lives, liberty, and property.

The outstanding legacy Kirsten Fike leaves behind as an American patriot, and even more importantly, as a devoted mother to her children, Cody, Tanner, and Tayler, should never be forgotten. When I spoke with Kirsten’s parents, Arden and Nina Chittick, who reside in the State of Washington, they asked me to share with the members of the House and the people of Pennsylvania that Kirsten was very proud to serve her country and proud to wear the uniform of the National Guard, and they are very proud of their daughter. They will always have fond memories of her and are blessed with her three children.

Passage of this resolution is just one small way to ensure that the supreme sacrifice made by Spc. Kirsten Fike in the line of duty is forever recognized by both her country and her Commonwealth.

With those thoughts in mind, Mr. Speaker, I urge a “yes” vote on final passage of this resolution.

May God bless Kirsten’s family and keep her forever in His love. Thank you.

The SPEAKER. The Chair thanks the gentlelady.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	Rieger	Samuelson	True
Gruitza	Ruffing	Taylor, E.Z.	

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

REPUBLICAN CAUCUS

The SPEAKER. The Chair at this time recognizes Representative Bunt for the purpose of a caucus announcement. Mr. Bunt.

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, the Republicans will caucus immediately at the calling of the recess, and we can expect to be back on the floor, Mr. Speaker, by 3:30.

The SPEAKER. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be informal and formal discussions in the House Democratic caucus immediately upon the call of the recess.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, at the call of recess, State Government Committee members, I ask you to meet in room 205 of the Ryan Building. We have an important piece of legislation that we must consider today. That is room 205, the members of the State Government Committee.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The State Government Committee will meet in room 205 of the Ryan Office Building at the call of the recess.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Baldwin.

Mr. BALDWIN. Mr. Speaker, I have a Transportation Committee announcement.

The SPEAKER. The gentleman is in order.

Mr. BALDWIN. Tomorrow we will have a Transportation Committee meeting in 205 Ryan Building starting at 9:30.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Transportation Committee will meet tomorrow at 9:30 in room 205 of the Ryan Office Building.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, the House Appropriations Committee will meet at 2 o'clock; 2 o'clock, Mr. Speaker, in the House Appropriations Committee conference room.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Appropriations Committee will meet at 2 p.m. in the conference room.

Are there any further announcements? The Chair sees none.

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the minority whip, who moves for a leave of absence for the remainder of the day for the gentleman, Mr. LaGROTTA. Without objection, that leave will be granted.

RECESS

The SPEAKER. This House is in recess till 3:30 p.m.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

COMMUNICATION FROM OFFICE OF CONSUMER ADVOCATE

The SPEAKER pro tempore. The Speaker acknowledges receipt of the Budget Request of the Office of Consumer Advocate for Fiscal Year 2007-2008 submitted pursuant to Act No. 25 of July 20, 1983.

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

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair notes the presence of the gentleman from Northampton County, Mr. Samuelson, and his name will be added to the master roll call.

BILLS REREPORTED FROM COMMITTEE

HB 814, PN 976

By Rep. FEESE

An Act amending the act of July 22, 1974 (P.L.589, No.205), known as the Unfair Insurance Practices Act, further providing for definitions, for unfair acts and for exclusions.

APPROPRIATIONS.

HB 1249, PN 4735

By Rep. FEESE

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, providing for uniform environmental covenants.

APPROPRIATIONS.

HB 2063, PN 2839

By Rep. FEESE

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for implementation agreements.

APPROPRIATIONS.

HB 2619, PN 3934

By Rep. FEESE

An Act establishing the Mine Families First Program; providing assistance to persons whose family members are trapped, injured or waiting rescue during an underground mine emergency and for duties of the Department of Environmental Protection.

APPROPRIATIONS.

HB 2634, PN 4227

By Rep. FEESE

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for procedure for conveyance of established projects.

APPROPRIATIONS.

HB 2666, PN 4050

By Rep. FEESE

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

APPROPRIATIONS.

HB 2703, PN 4112

By Rep. FEESE

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for burial details for veterans.

APPROPRIATIONS.

HB 2706, PN 4115

By Rep. FEESE

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

APPROPRIATIONS.

HB 2708, PN 4197

By Rep. FEESE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms.

APPROPRIATIONS.

HB 2751, PN 4202

By Rep. FEESE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for grading of theft offenses.

APPROPRIATIONS.

HB 2765, PN 4397

By Rep. FEESE

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, further providing for policy and for DNA sample required; providing for collection from persons accepted from other jurisdictions; and further providing for procedures for withdrawal, collection and transmission of DNA samples and for expungement.

APPROPRIATIONS.

HB 2824, PN 4328

By Rep. FEESE

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the fees, powers and duties, rules and regulations and records of issuing agents; and making an editorial change.

APPROPRIATIONS.

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

SB 983, PN 2112

By Rep. CLYMER

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, further providing for registration districts and local registrars' duties and for death and fetal death registration.

STATE GOVERNMENT.

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 off the table:

SB 972;
SB 1148; and
HB 2551.

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:

SB 972, PN 2098; SB 1148, PN 1894; and HB 2551, PN 4363.

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:

SB 972;
SB 1148; and
HB 2551.

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 412, PN 437**, entitled:

An Act establishing the Pennsylvania Long-term Care Council and providing for its powers and duties; and making a repeal.

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

Mr. **PISTELLA** offered the following amendment No. **A09558**:

Amend Sec. 3, page 2, by inserting between lines 12 and 13
(8) The Adjutant General.

Amend Sec. 3, page 2, line 13, by striking out “(8)” and inserting
(9)

Amend Sec. 3, page 2, line 14, by striking out “(9)” and inserting
(10)

Amend Sec. 3, page 2, line 16, by striking out “(10)” and
inserting
(11)

Amend Sec. 3, page 2, line 18, by striking out “(11)” and
inserting
(12)

Amend Sec. 3, page 2, line 21, by striking out “(12)
Twenty-two” and inserting

(13) The following

Amend Sec. 3, page 2, line 27, by inserting after “interests”
, one of whom shall be a member of the
Elder Law Section of the Pennsylvania Bar
Association

Amend Sec. 3, page 3, line 3, by striking out all of said line and
inserting

(vii) One member who represents labor interests.

(viii) One member who represents business
interests.

(ix) Four members at large, one of whom shall
hold an insurance producer’s license with expertise in the
area of long-term care.

Amend Sec. 8, page 6, line 7, by striking out “2006” and
inserting
2007

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

The SPEAKER pro tempore. On that question, the Chair
recognizes the gentleman, Mr. Pistella.

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, amendment 9558 will include the following
members, some of which will be public members, to the
Intra-Governmental Council on Long-Term Care. They will be

a member of the Elder Law section of the Pennsylvania Bar
Association. There will be one member each who will represent
the interests of both business and labor, and there will be one
additional public member who holds an insurance producer’s
license with expertise in the area of long-term care.

The additional member to those that are being added from
the government sector is the Adjutant General’s position, and
the justification for the addition of that public figure is that it is
that military affairs and veterans department that has the
oversight for our soldiers’ and sailors’ homes located around the
State, and I thought that it would be imperative to include them
in the interaction and discussion in the field of long-term care.

In addition, the income of the members will be limited
exclusively to those costs only for the participation in this
particular organization, the Intra-Governmental Council on
Long-Term Care.

Thank you.

The SPEAKER pro tempore. The Chair thanks the
gentleman.

The Chair recognizes the gentleman, Mr. Hess.

Mr. HESS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support this amendment. This is a good
amendment, and it is an agreed-to amendment by the
committee.

Thank you.

The SPEAKER pro tempore. The Chair thanks the
gentleman.

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

The following roll call was recorded:

YEAS—195

Adolph	Feese	Maher	Ross
Allen	Fichter	Maitland	Rubley
Argall	Flaherty	Major	Sabatina
Armstrong	Fleagle	Manderino	Sainato
Baker	Flick	Mann	Samuelson
Baldwin	Forcier	Markosek	Santoni
Barrar	Frankel	Marsico	Sather
Bastian	Freeman	McCall	Saylor
Bebko-Jones	Gabig	McGeehan	Scavello
Belardi	Gannon	McGill	Schroder
Belfanti	Geist	McIlhattan	Semmel
Benninghoff	George	McIlhinney	Shaner
Beyer	Gerber	McNaughton	Shapiro
Biancucci	Gergely	Melio	Siptroth
Birmelin	Gillespie	Metcalfe	Smith, B.
Blackwell	Gingrich	Micozzie	Smith, S.
Blaum	Godshall	Millard	Solobay
Boyd	Good	Miller, R.	Sonney
Bunt	Goodman	Miller, S.	Staback
Buxton	Grell	Mundy	Stairs
Caltagirone	Grucela	Mustio	Steil
Cappelli	Haluska	Myers	Stern
Casorio	Hanna	Nailor	Stevenson, R.
Causar	Harhai	Nickol	Stevenson, T.
Cawley	Harhart	O'Brien	Sturla
Civera	Harper	O'Neill	Surra
Clymer	Harris	Oliver	Tangretti
Cohen	Hasay	Pallone	Taylor, J.
Cornell	Hennessey	Parker	Thomas
Corrigan	Herman	Payne	Tigue
Costa	Hershey	Petrarca	Turzai
Crahalla	Hess	Petri	Veon
Creighton	Hickernell	Petrone	Vitali

Cruz	Hutchinson	Phillips	Walko
Curry	James	Pickett	Wansacz
Daley	Josephs	Pistella	Waters
Dally	Kauffman	Preston	Watson
DeLuca	Keller, M.	Pyle	Wheatley
Denlinger	Keller, W.	Quigley	Williams
Dermody	Kenney	Ramaley	Wilt
DeWeese	Killion	Rapp	Wojnaroski
DiGirolamo	Kirkland	Raymond	Wright
Diven	Kotik	Readshaw	Yewcic
Donatucci	Leach	Reed	Youngblood
Eachus	Lederer	Reichley	Yudichak
Ellis	Leh	Roberts	Zug
Evans, D.	Lescovitz	Roebuck	
Evans, J.	Levdansky	Rohrer	Perzel,
Fabrizio	Mackereth	Rooney	Speaker
Fairchild			

NAYS-0

NOT VOTING-0

EXCUSED-7

Bishop	LaGrotta	Ruffing	True
Gruitza	Rieger	Taylor, E.Z.	

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

On the question,

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

Mr. **PISTELLA** offered the following amendment No. **A09574**:

Amend Sec. 3, page 3, by inserting between lines 21 and 22

(g) Expenses.—A member shall not receive compensation or remuneration, but shall be entitled to reimbursement for all reasonable and necessary actual expenses accrued in the course of their duties.

Amend Sec. 4, page 4, lines 16 through 18, by striking out all of said lines and inserting

(7) To employ staff to carry out the operations of the council.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Pistella.

Mr. **PISTELLA**. Mr. Speaker, my apologies to the members. I blended the effect of both amendments into one explanation.

The amendment we just adopted did the appointment of those that I listed. This is the amendment that will limit the income of the members that are participating to those expenses only for the attended meetings. Again, I apologize to the members for blending the two of them together.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Hess.

Mr. **HESS**. Thank you, Mr. Speaker.

I also support this amendment, and this is an agreed-to amendment by the committee, and I urge my members to support it.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bishop	LaGrotta	Ruffing	True
Gruitza	Rieger	Taylor, E.Z.	

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

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

Bill as amended 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—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	LaGrotta	Ruffing	True
Gruitza	Rieger	Taylor, E.Z.	

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

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

* * *

The House proceeded to third consideration of **HB 2553, PN 4035**, entitled:

An Act providing for local senior citizen property tax and rent rebates.

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

Mr. **REICHLEY** offered the following amendment No. **A09483**:

Amend Title, page 1, line 1, by inserting after "tax"
and

Amend Sec. 1, page 1, line 6, by inserting after "Property"
Tax

Amend Sec. 3, page 4, lines 22 through 29, by striking out all of said lines and inserting

(a) General rule.—A local taxing authority may establish a local senior citizen property tax and rent rebate program in accordance with this act or continue an existing program under subsection (b).

(b) Existing programs.—Nothing in this act shall affect a local taxing authority that provides prior to the effective date of this act for a total or partial property tax or rent rebate or real estate tax deferral, refund, repayment, discount, return or reimbursement or abatement of property tax or rent.

(c) Prohibition.—No property tax or rent rebate may be issued by a local taxing authority except in conformity with subsection (a).

Amend Sec. 4, page 5, lines 1 through 21, by striking out all of said lines and inserting

(a) Income eligibility and rebates.—Income eligibility and the maximum amount of property tax and rent rebates shall be determined by the local taxing authority as follows:

(1) The maximum household income for property tax rebates shall not exceed \$35,000, and the maximum rebate shall not exceed \$650.

(2) The maximum household income for rent rebates shall not exceed \$15,000, and the maximum rebate shall not exceed \$650.

Amend Sec. 4, page 5, line 25, by striking out "\$500" and inserting

\$650

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

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

Mr. REICHLEY. Thank you, Mr. Speaker.

The amendment merely clarifies, for the purposes of the local property tax reduction act, that the income thresholds that we passed under special session Act 1 to raise the maximum income for property tax and rent rebates to \$35,000 and the maximum amount of the rebate would also apply to any local governments that want to offer similar rebates. The qualifications for the State program would be the same as for the local program.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	LaGrotta	Ruffing	True
Gruitza	Rieger	Taylor, E.Z.	

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

On the question,

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

Bill as amended 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—195

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

Donatucci	Leach	Reed	Youngblood
Eachus	Lederer	Reichley	Yudichak
Ellis	Leh	Roberts	Zug
Evans, D.	Lescovitz	Roebuck	
Evans, J.	Levdansky	Rohrer	Perzel,
Fabrizio	Mackereth	Rooney	Speaker
Fairchild			

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	LaGrotta	Ruffing	True
Gruitza	Rieger	Taylor, E.Z.	

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

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

* * *

The House proceeded to third consideration of **SB 1237, PN 1842**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the County of Lackawanna Transit System Authority (COLTS), certain lands situate in the City of Scranton, Lackawanna County, in exchange for a certain tract of land from COLTS situate in the City of Scranton, Lackawanna County.

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

Mr. **STEIL** offered the following amendment No. **A09162**:

Amend Sec. 1, page 1, line 9, by striking out all of said line and inserting
Section 1. Conveyance in city of Scranton, Lackawanna County.

(a) Authorization.—The Department of General Services, with the

Amend Sec. 2, page 1, lines 16 and 17, by striking out all of line 16, “section 1” in line 17 and inserting

(b) Property description.—

(1) The property to be conveyed to COLTS pursuant to subsection (a)

Amend Sec. 3, page 4, line 7, by striking out “Section 3.” and inserting

(2)

Amend Sec. 3, page 4, line 7, by striking out “section 2” and inserting
paragraph (2)

Amend Sec. 4, page 6, line 11, by striking out “Section 4.” and inserting

(c) Terms and conditions.—

Amend Sec. 4, page 6, line 11, by striking out “section 2” and inserting

subsection (b)(1)

Amend Sec. 5, page 6, line 19, by striking out “Section 5.” and inserting

(d) Deed of conveyance.—

Amend Sec. 5, page 6, line 19, by striking out “section 2” and inserting

subsection (b)(1)

Amend Sec. 6, page 6, line 23, by striking out “Section 6.” and inserting

(1)

Amend Sec. 6, page 6, line 23, by striking out “section 2” and inserting

subsection (b)(1)

Amend Sec. 6, page 7, by inserting between lines 4 and 5

(2) The property described in subsection (b)(1) shall be used for public transit purposes only. If at any time the property described in subsection (b)(1) or any portion of the property is conveyed in violation of the provisions of this paragraph or used in violation of the provisions of this paragraph the title of the property shall immediately revert to and revest in the Commonwealth of Pennsylvania.

Amend Sec. 7, page 7, line 5, by striking out “Section 7.” and inserting

(f) Costs and fees.—

Amend Sec. 8, page 7, line 7, by striking out “Section 8.” and inserting

(g) Time period for conveyance.

Amend Sec. 9, page 7, line 10, by striking out all of said line and inserting

Section 2. Effective date.

This act shall take effect immediately.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The **SPEAKER** pro tempore. The gentleman withdraws?
Thank you, Mr. Steil.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. **McGEEHAN** offered the following amendment No. **A09554**:

Amend Title, page 1, line 6, by removing the period after “County” and inserting

; and authorizing the Department of General Services, with the concurrence of the Department of Environmental Protection, to lease to Philadelphia Waterfront Partners, LP, land within the bed of the Delaware River within the City of Philadelphia.

Amend Sec. 1, page 1, line 9, by striking out all of said line and inserting

Section 1. County of Lackawanna Transit System Authority.

(a) Authorization.—The Department of General Services, with the Amend Sec. 2, page 1, line 16, by striking out “Section 2.” and inserting

(b) Description.—

Amend Sec. 3, page 4, line 7, by striking out “Section 3.” and inserting

(c) Exchange.—

Amend Sec. 3, page 4, line 7, by striking out “section 2” and inserting

subsection (b)

Amend Sec. 4, page 6, line 11, by striking out “Section 4.” and inserting

(d) Easements.—

Amend Sec. 4, page 6, line 11, by striking out “section 2” and inserting

subsection (b)

Amend Sec. 5, page 6, line 19, by striking out “Section 5.” and inserting

(e) Deed.—

Amend Sec. 5, page 6, line 19, by striking out “section 2” and inserting

subsection (b)

Amend Sec. 6, page 6, line 23, by striking out “Section 6.” and inserting

(f) Conditions.—

Amend Sec. 6, page 6, line 23, by striking out “section 2” and inserting

subsection (b)

Amend Sec. 6, page 7, line 3, by striking out “act” and inserting section

Amend Sec. 7, page 7, line 5, by striking out “Section 7.” and inserting

(g) costs and fees.—

Amend Sec. 7, page 7, line 6, by striking out “act” and inserting section

Amend Sec. 8, page 7, line 7, by striking out “Section 8.” and inserting

(h) Alternate disposition.—

Amend Sec. 8, page 7, line 8, by striking out “act” and inserting section

Amend Sec. 8, page 7, line 9, by striking out “act” and inserting section

Amend Bill, page 7, by inserting between lines 9 and 10 Section 2. Land within the Delaware River bed.

(a) Authorization.—The Commonwealth of Pennsylvania owns the lands within the bed of the Delaware River, a portion of which lands are located in the 65th Ward of the City of Philadelphia. The Department of General Services, with the concurrence of the Department of Environmental Protection, acting on behalf of the Commonwealth, is hereby authorized to lease to Philadelphia Waterfront Partners, LP, for an initial term of up to 99 years, land within the bed of the Delaware River in the City of Philadelphia, and to extend the period for all or any portion of the leased premises for an additional term of up to 99 years.

(b) Description of property.—The land to be leased is approximately 7.0 acres of filled land as more particularly described as follows:

ALL THAT CERTAIN lot or piece of ground together with the improvements thereon erected, situate in the 65th Ward of the City of Philadelphia and described as follows to wit:

BEGINNING AT AN INTERNAL POINT said point being the intersection of the Northeasterly side of Premises A as shown on Independence Pointe, Lot Line Relocation Plan prepared by Pennoni Associates Inc., dated 12/19/05, with the Bulkhead line Delaware River approved by the Secretary of War on September 10, 1940, said point being distant South 34 degrees 12 minutes 22 seconds East, 3,069.098 feet from a point on the Southeasterly side of State Road (80 feet wide) as shown on said Lot Line Relocation Plan;

THENCE from said Point of Beginning extending South 34 degrees 12 minutes 22 seconds East, 299.685 feet to the Pierhead line of the Delaware River approved by the Secretary of War on September 10, 1940;

THENCE extending along the Pierhead Line of Delaware River the following two (2) courses and distances:

(1) South 52 degrees 42 minutes 41 seconds West, 533.414 feet to an angle point;

(2) South 69 degrees 24 minutes 38 seconds West, 837.490 feet to a Point on the Southwesterly line of Premises A;

THENCE extending by the Southwesterly line of Premises A, North 32 degrees 39 minutes 35 seconds West, 306.032 feet to a point on the Bulkhead Line of the Delaware River;

THENCE extending along the Bulkhead Line of the Delaware River the following two (2) courses and distances:

(1) North 69 degrees 24 minutes 38 seconds East, 857.615 feet to an angle point;

(2) North 52 degrees 42 minutes 41 seconds East, 505.557 feet to the first mentioned point and place of beginning Containing 409,100 Square Feet or 9.39164 Acres, more or less, be the contents thereof what they may.

(c) Lease agreement.—The lease and any other documents hereby contemplated shall be approved by the Attorney General and shall be executed by the Department of General Services with the concurrence of the Department of Environmental Protection, which approvals shall not be unreasonably withheld, in the name of the Commonwealth. The lease shall grant the lessee and all successors, assigns and sublessees the right to use the above-described premises, or to assign the lease or sublease or permit the sublease of the above-described premises, for the purposes of development, consistent with public and/or maritime uses, for residential, office, commercial, condominium, hotel, marina or other uses.

(d) Sublease.—The Department of General Services, with the concurrence of the Department of Environmental Protection, acting on behalf of the Commonwealth of Pennsylvania, is also specifically authorized to enter into one or more nondisturbance agreements with any sublessee of the premises described in this section pursuant to which the Commonwealth will agree that, if the Commonwealth succeeds to the interest of the sublessor under the sublease, it will not terminate the sublease unless the sublessee is in default.

(e) Land use restriction.—All leases authorized or referred to under this section shall be made under and subject to the condition, which shall be contained in the lease documents, that no portion of the parcels shall be used as a licensed facility as defined in 4 Pa.C.S. § 1103 (relating to definitions) or any other similar type of facility authorized under the laws of this Commonwealth. This condition shall be a covenant running with the land and shall be binding upon the lessee and sublessees and their respective successors and assigns. Should any portion of any parcel authorized to be leased under this section be used in violation of this subsection, the lease shall terminate immediately.

(f) Improvements.—

(1) The Department of General Services, with the approval of the Attorney General, is hereby authorized to execute, on behalf of the Commonwealth of Pennsylvania, any declaration or other document necessary to submit these premises or any portion thereof and any improvements thereon to the provisions of 68 Pa.C.S. Pt. II Subpt. B (relating to condominiums) as a leasehold condominium.

(2) Development of the parcels authorized to be leased in this section shall be for residential, office, commercial, condominium, hotel, marina or other uses consistent with public and maritime uses.

(3) The lessee, all sublessees and their respective successors and assigns, shall provide and maintain at least the following free public access to the riverfront, for fishing and other recreation activities and free public parking in connection with such access:

(i) A minimum of ten free public parking spaces available at all times located proximate to the public walkway near the water edge and signage indicating the free public parking.

(ii) Public walkways on the riverfront, including water edge promenades along the entire water edge of the leasehold and adjacent to the water and providing free public access to the water and allowing for passive and active recreational activities year-round and signage indicating the walkways are open to the general public.

(iii) A free public park area along the public walkway near the water.

(iv) Public access to the Delaware River which with the Waterfront Setback requirements set forth in Section 14-216(6)(g) of the Philadelphia Code (enacted

into law by an Ordinance enacting Bill No. 050465, passed by the City Council on June 16, 2005, and signed by the Mayor on July 8, 2005).

(4) Should the lessee, any sublessee or any of their respective successors or assigns wish to modify the public access and parking required by this section, it must obtain the prior written approval of the Department of Environmental Protection and the Department of General Services, which approval shall not be unreasonably withheld. The public access and parking shall be completed and open to the public no later than the date the first tenant or resident occupies either the leasehold or the land adjacent to the leasehold.

(5) Nothing in this section shall affect or otherwise limit the requirements of the act of November 26, 1978 (P.L.1375, No.325), known as the Dam Safety and Encroachments Act, which may require further measures to provide for public access and use of the land and adjacent water.

(6) The conditions contained in this subsection shall be covenants that run with the land and shall be binding upon the lessee, any sublessee and their respective successors and assigns. Should the lessee, any sublessee or any of their respective successors or assigns, permit the parcels authorized to be leased under this section, or any portion thereof, to be used in a manner inconsistent with the conditions contained in this subsection, all rights and interests in the lease authorized by this section shall terminate immediately.

(g) Consideration.—The Department of General Services shall lease the land within the bed of the Delaware River as described in subsection (b) for \$10 per year and upon such terms and conditions as it shall, with the concurrence of the Department of Environmental Protection, establish through the lease agreements. Such terms may include a requirement to commence and construct such improvements authorized and/or required in this section within certain time periods.

(h) Costs and fees.—Costs and fees incidental to the lease authorized under this section shall be borne by the lessee.

(i) Sunset provision.—In the event that the lease authorized by this section does not occur within 18 months following the effective date of this section, the authority contained in this section shall be void.

Amend Sec. 9, page 7, line 10, by striking out “9” and inserting

3

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. McGeehan.

Mr. MCGEEHAN. Thank you, Mr. Speaker.

Mr. Speaker, this deals with a land transfer within my district. This is a former shipping pier. The Northern Shipping site in the Holmesburg neighborhood in my district, a developer intends to build 1700 new homes on this 77-acre property.

Mr. Speaker, the amendment deals with a 7-acre parcel which the Commonwealth exercises rights to. The amendment would deal with those 7 acres.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I know that members of the General Assembly had some questions about this proposal last week, and as a result, last week I also held an informational meeting of the State Government Committee in which Representative McGeehan brought in the developers, and we had a thorough discussion on this particular project. Hopefully we were able to arrest some of the concerns of the members. And then again today after we finished our business dealing with a particular

issue, a Senate bill, we then again allowed Representative McGeehan to come to the committee meeting and discuss this proposal.

In addition, I have sent out a memo to the members of the committee reflecting on the information that we gathered on the informational meeting. I stand here to tell you that I support the McGeehan amendment and feel that this is in the best interest of the city of Philadelphia.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady, Mrs. Watson, from Bucks County.

Mrs. WATSON. Thank you, Mr. Speaker.

Would the gentleman submit to an interrogation, please?

The SPEAKER pro tempore. The gentleman has agreed, and if you will suspend.

Members, members, please take your seats. Members, please take your seats. There is entirely too much noise on the floor of the House. The gentlelady, Mrs. Watson, would like to interrogate the gentleman, Mr. McGeehan.

Mrs. WATSON. Thank you, Mr. Speaker. Just a few questions, please, Mr. Speaker.

Am I correct in understanding from the meeting that we had and indeed the handout – thank you very much – that was prepared, that the State would be granting the lease for the 7 acres that the State would own, which have riparian rights, for a mere \$10 per year?

Mr. MCGEEHAN. Yes, Mr. Speaker. That is correct.

There has been a riparian lease on this property that dates back over 50 years to 1953. This was a former shipping pier. The 7 acres have been filled. They were filled at the original time of the shipping pier construction.

What this amendment essentially does is just change the use from a shipping pier to a residential development scheme, and the consideration is for \$10. That is generally the formula, and this has been worked out in negotiations with DGS (Department of General Services), with the Governor’s Office in consultation with the DEP (Department of Environmental Protection).

As you know, Mr. Speaker, and as the members know, the Governor announced in April a moratorium on all riverfront development in Philadelphia. It is the Governor’s estimation and DGS’s and DEP and mine and the communities that I represent, the enormous economic input and the enormous economic advantage this project would mean to this neighborhood in Philadelphia. The developer intends to spend \$700 million on this development, along with \$60 million in infrastructure improvements; again, boilerplate language for the transfer of properties because of the enormous back-end economic advantage that this development would bring to the city of Philadelphia and into the Commonwealth.

Mrs. WATSON. Thank you for that answer, and let me preface my next questions by saying, I certainly support the concept of economic development. I support the use of brownfields and indeed finding ways to bring people into homes without just churning up new land. I come from Bucks County. I know what that can do. I have no problem with that. But I guess I have to say, and I recognize that this was agreed to and perhaps I am certainly not questioning, Mr. Speaker, your role or your intent, which is noble, I guess I am questioning the whole circumstance here, because if I am correct, this will also house, this property that will be developed will have shops, offices, a hotel, a health-care facility; we have already said 1700 dwelling units, and am I correct, Mr. Speaker, we were

told the average price point for the dwelling unit, it is anticipated, and I have the photographs which look, drawings, which look lovely, will be about \$275,000 for a dwelling unit?

Mr. McGEEHAN. That is correct, Mr. Speaker.

Mrs. WATSON. I guess then, Mr. Speaker, I just have serious questions that, while I believe this is a viable deal for the community and I support that, my question is, I really have problems and do not understand the deal for the taxpayers of Pennsylvania with a \$10 lease, recognizing this is 7 acres on 77, recognizing that it has been filled in, but, Mr. Speaker, this whole project would not work if we did not have those 7 acres, and indeed, if we are the stewards of the taxpayers' money, I am not sure if this was a private investment and a private deal, and I would say to them, to you, for your private investment, and I have got you a deal because your 7 acres are going to get you \$10 every year, I am not sure that is a good deal at all.

Mr. McGEEHAN. Thank you, Mr. Speaker.

Mr. Speaker, let me answer that by saying, this facility had been an asset to the Commonwealth as a shipping pier. Again, we have done the same type of lease at this facility up until the mideighties when the pier closed. So the license that existed for the shipping pier had the same type of boilerplate language that this does as well. So this is nothing out of the ordinary and should not raise alarms, because this is essentially the same deal that the former occupant had struck with the Commonwealth. Having said that, though, most of the 7 acres that are being leased from the Commonwealth will be used for public access.

In order to orientate you, Mr. Speaker, to this site, this sits directly south of Pennypack on the Delaware. The developer has agreed to link up a direct route from that public park into this development. This development will not be closed off to the public. This development will not be gated. This development, most of the State lands that we are talking about will be covered with public amenities that you and I or anyone else can use. So it is not giving away the Commonwealth's property. It is utilizing it in the best interest of one economic development. It is putting back on the tax rolls a fallow piece of property that has been disused for two decades, and essentially, we are talking about the physical location of this property.

When we talk about riverfront development in Philadelphia, we think of the center-city high-rises. Most of those, Mr. Speaker, unfortunately go to people who have the means that you or I or most of the general public does not have. They are high-end properties. This development represents a sea change from that. This developer intends to build moderate— And when you say \$275,000, it may sound like a lot to you and me and to the general public—

Mrs. WATSON. It does; it does.

Mr. McGEEHAN. —but for waterfront property, it is not a lot of money. This is totally a sea change from what has been going on in Philadelphia.

My district is 10 miles out, give or take a mile or two, outside of the center-city district where much of this boon has taken place. This parcel of land is situated between the Philadelphia prison system and a trash transfer station. So we are not talking about, you know, this glorified, beautiful scenic property. It is a disused brownfield, and this developer has taken on the challenge of remediating the brownfield and taking the chance that people want to live, one, near the water but also sandwiched between the Philadelphia prison system and a trash transfer station. Mr. Speaker, I think it is a tremendous economic benefit to the taxpayers in Philadelphia. To bring a

parcel of land that has been disused and fallow for two decades back into viable use is a worthy use of taxpayers' dollars, and I think we would be wise to undertake this amendment.

Mrs. WATSON. Mr. Speaker, that ends my question. May I just speak briefly on the amendment?

The SPEAKER pro tempore. The gentlelady is in order and may proceed.

Mrs. WATSON. Thank you.

I have no doubt that this is a wonderful use of brownfields. I certainly know from the sketch drawings we were provided, it is a very attractive project, and I simply question the fact in terms of the dollar value, and while at the same time I recognize that the Representative who brought this forth has done a fine job representing his district and representing the city of the first class, I guess I will speak for those that are outside both of those and say, when I look over the numbers, and having had some experience certainly coming from a county that has seen development and has a good knowledge of how this all works, I still question the value of the dollar value that the State, that the Commonwealth and the taxpayers will get.

So it is not against the project, it is not against the maker of the amendment, but I really question the fact whether the taxpayers of this Commonwealth are getting a fair price, too.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

Mr. McGeehan, the Chair is interested in knowing whether you intend to offer amendment A09722.

Mr. McGEEHAN. I do not, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Does the gentleman, Mr. Vitali, seek recognition? He waives off.

The Chair recognizes the gentleman from Philadelphia County, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I wish to heartily endorse the McGeehan amendment. In answer to the questions that just have been raised about the McGeehan amendment, the McGeehan amendment will generate many millions of dollars in corporate income tax revenues to the Commonwealth of Pennsylvania; it will generate many millions of dollars in income tax revenues to the Commonwealth of Pennsylvania; it will generate many millions of dollars in wage tax revenues to the city of Philadelphia.

This is an enormously constructive amendment and a very constructive real estate development proposal that not only immediately benefits Representative McGeehan's district, but it also has spin-off benefits in benefiting all the land along the Delaware riverfront going down through center city and South Philadelphia, and it has considerable spin-off benefits in creating a sense of optimism and hope and value in the remaining areas of Northeast Philadelphia, part of which I represent. I also believe there should be some value for Lower Bucks County and eastern Montgomery County. The whole problem facing Northeast Philadelphia right now is that there has been substantial demographic change, which may well continue into the future, and that has created a sense of hopelessness and fear.

The McGeehan amendment shows that people are willing to invest considerable amounts of money in creating a stronger and more vibrant Northeast Philadelphia. It is a very, very positive message; it is a message that will redound greatly to the benefit

of the people of Northeast Philadelphia, and as I said earlier, it is a message that will give a tremendous aid in revenues to the city of Philadelphia and to the Commonwealth of Pennsylvania.

This is an excellent amendment. This is an amendment that all of us will be very proud to have supported in the years ahead. I strongly urge a vote for the McGeehan amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia County, Mr. Keller.

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

Although that site has been abandoned for 20 years, I worked for about 20 years on that site, so I can tell you that the use that Mr. McGeehan is trying to accomplish with this amendment goes a great deal in making that whole area better. And if everybody would remember, this is just 7 acres that the State owns the riverbed but they do not own the fastland. So the State has no issues where they could use this land or be of any beneficial use to the State, but in order to get tax revenues and more ratable housing into the city of Philadelphia, maybe that means we could get more money into schools and make the city better, which is what we are all trying to do up here.

So I would like to commend Mr. McGeehan, and I used to work there, and right across the river is Riverview, New Jersey, which is one of the best and I guess highest income residences in New Jersey. So I believe just across the river we could do the same thing in Philadelphia, and I would suggest to everybody that we vote "yes" on this amendment.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Clymer, for the second time. Mr. Clymer waives off.

The Chair recognizes the gentleman, Mr. McGill.

Mr. MCGILL. Thank you, Mr. Speaker.

Would the gentleman agree to a brief interrogation?

The SPEAKER pro tempore. The gentleman has agreed, and you may proceed.

Mr. MCGILL. It is my understanding that this project, from the information we were able to get, the investors in this project are willing to put \$700 million of investment along the riverfront?

Mr. MCGEEHAN. That is correct, Mr. Speaker.

Mr. MCGILL. So we have somebody that is looking at a piece of land, and maybe I am mistaken, can you explain what the benefit of the riparian rights are for them? They will be able now to go out and get into the river based on the \$700 million project that they are doing behind that and then go through this area to get out onto the river?

The SPEAKER pro tempore. Members, please take your seats.

The members cannot hear the gentleman. Mr. McGeehan cannot hear the question for interrogation. Kindly take your seats and give the gentleman the courtesy.

Mr. MCGEEHAN. I apologize, Mr. Speaker. I did not hear the complete question.

Mr. MCGILL. I am trying to get the location, because it is my understanding that the development that they want to spend the \$700 million on is on the land. This is some water rights that are in front of that, some 7 acres of waterfront that are along the river in front of it?

Mr. MCGEEHAN. No, Mr. Speaker. The riverbed has since been filled in; that is as Representative Keller had pointed out. It is the land behind the bulkhead, although historically the river

did flow there. In 1953 when they built the shipping pier, they filled all that in, but that is still considered a riverbed. So we are not talking about them encroaching on the water whatsoever. Where the bulkhead end lines now, where the ships used to pull up and unload, it is still the same place, but the river used to flow before 1953 when this original facility was built, and that way the Commonwealth is still claiming ownership to it. All we are saying is we are changing the use of it.

The Northern Shipping site filled that land in, bulkheaded it, and used it as a shipping pier. What we are saying is, we need a new license to use the same facility, not encroach one more inch on the waterfront, use that same facility that was built and filled in in 1953, but we are just changing the use from a shipping pier to a residential development, and the majority of that 7 acres that is filled now – we are not touching the water – will be used for the public amenities of that development and for the general public's use.

Mr. MCGILL. Okay. Will they have access, other than the use for the public, will they have access to bring ships in for some sort of entertainment or anything along that line?

Mr. MCGEEHAN. They do not have plans to at this point, Mr. Speaker. There is a shipping berth, a pier, not along the river, but it is perpendicular to the river. There are plans for a marina there, house I am going to say 50 ships, and the drawing is in here, 50 pleasure boats, if you will.

Mr. MCGILL. So I guess my question is—

Mr. MCGEEHAN. That would be under a separate lease.

Mr. MCGILL. Okay. If the value to the developer is \$700 million of investment, there has got to be a return on his investment. With this additional 7 acres that we are talking about, it has to add tremendous value to this project or make this project a go, and if it does that, I need to understand why the State is willing to roll it for a buck or for \$10?

Mr. MCGEEHAN. The 7 acres that we are talking about, Mr. Speaker, of the 1700 units, approximately 160 of those 1700 would be built within the 7-acre parcel of riparian rights that we are asking the Commonwealth to lease to this developer. So it is a small fraction of it.

Can this project go without that? It could, but it diminishes, obviously, one, the value of the entire project and, two, really makes the public amenities and the public access not very valuable either. So the developer does not get anything, potential residents do not get anything, and the public does not get anything for it. So the value is in, obviously, the waterfront, or people would not build between a trash transfer station and a prison if it was not situated on the water.

Mr. MCGILL. Thank you, Mr. Speaker.

I have no more questions.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentledady from Philadelphia County, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I am the Democratic chair of the committee that this bill went through, and I want to simply report that I am for the bill as well as most of the members of the committee at least and also to follow up on the remarks made by the gentleman from Philadelphia when he talked about the tax money and the economic development that is attached to this project.

I know that many times many people from outside of Philadelphia, with some justification, will say, oh, Philly got all the money for this or Philly got all the jobs for this. How about

my district? Well, this is a small step, maybe a major step, in making Philadelphia more self-sufficient and giving us a better tax base and bringing the resources and not taking them from anybody else, and I think it is important for the entire State, the entire General Assembly, and certainly for the city of the first class that we pass this, and I have supported it in committee and will support it on the floor.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—130

Adolph	Donatucci	Lescovitz	Sabatina
Allen	Eachus	Levdansky	Sainato
Baker	Ellis	Maher	Samuelson
Baldwin	Evans, D.	Major	Santoni
Bebko-Jones	Fabrizio	Manderino	Sather
Belardi	Feese	Mann	Shaner
Belfanti	Fichter	Markosek	Shapiro
Beyer	Flaherty	McCall	Siptroth
Biancucci	Flick	McGeehan	Smith, B.
Birmelin	Frankel	McIlhattan	Solobay
Blackwell	Freeman	McNaughton	Staback
Blaum	Gannon	Melio	Sturla
Boyd	George	Metcalf	Surra
Bunt	Gerber	Micozzie	Tangretti
Buxton	Gergely	Millard	Taylor, J.
Caltagirone	Good	Mundy	Thomas
Cappelli	Goodman	Mustio	Tigue
Casorio	Grucela	Myers	Veon
Cawley	Haluska	O'Brien	Vitali
Clymer	Hanna	Oliver	Walko
Cohen	Harhai	Pallone	Wansacz
Corrigan	Hennessey	Parker	Waters
Costa	Hickernell	Petrarca	Wheatley
Creighton	James	Petrone	Williams
Cruz	Josephs	Pistella	Wojnaroski
Curry	Keller, W.	Preston	Wright
Daley	Kenney	Ramaley	Yewcic
DeLuca	Killion	Readshaw	Youngblood
Denlinger	Kirkland	Roberts	Yudichak
Dermody	Kotik	Roebuck	Zug
DeWeese	Leach	Rooney	
DiGirolamo	Lederer	Ross	Perzel,
Diven	Leh	Rubley	Speaker

NAYS—64

Argall	Gingrich	McGill	Reichley
Armstrong	Godshall	McIlhinney	Rohrer
Barrar	Grell	Miller, R.	Saylor
Bastian	Harhart	Miller, S.	Scavello
Benninghoff	Harper	Nailor	Schroder
Causar	Harris	Nickol	Semmel
Civera	Hasay	O'Neill	Smith, S.
Cornell	Herman	Payne	Sonney
Crahalla	Hershey	Petri	Stairs
Dally	Hess	Phillips	Steil
Evans, J.	Hutchinson	Pickett	Stern
Fairchild	Kauffman	Pyle	Stevenson, R.
Fleagle	Keller, M.	Quigley	Stevenson, T.
Forcier	Mackereth	Rapp	Turzai
Geist	Maitland	Raymond	Watson
Gillespie	Marsico	Reed	Wilt

NOT VOTING—1

Gabig

EXCUSED—7

Bishop	LaGrotta	Ruffing	True
Gruitza	Rieger	Taylor, E.Z.	

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

On the question,

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

RULES SUSPENDED

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

Mr. ARMSTRONG. Mr. Speaker, I move for immediate suspension of the rules for consideration of amendment 9720.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—195

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

Denlinger	Keller, W.	Quigley	Williams
Dermody	Kenney	Ramaley	Wilt
DeWeese	Killion	Rapp	Wojnaroski
DiGirolamo	Kirkland	Raymond	Wright
Diven	Kotik	Readshaw	Yewcic
Donatucci	Leach	Reed	Youngblood
Eachus	Lederer	Reichley	Yudichak
Ellis	Leh	Roberts	Zug
Evans, D.	Lescovitz	Roebuck	
Evans, J.	Levdansky	Rohrer	Perzel,
Fabrizio	Mackereth	Rooney	Speaker
Fairchild			

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	LaGrotta	Ruffing	True
Gruitza	Rieger	Taylor, E.Z.	

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

On the question recurring,

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

Mr. **ARMSTRONG** offered the following amendment No. **A09720**:

Amend Title, page 1, line 6, by removing the period after "County" and inserting
; and authorizing the Department of General Services, with the approval of the Governor, to dedicate, grant and convey to the Strasburg, Lancaster County, Borough Authority, a water main and appurtenances to be constructed by the Department of General Services, together with easements for public water purposes, situate in Strasburg Township, Lancaster County, and to grant such further easements and licenses as may be necessary to provide the Railroad Museum of Pennsylvania with access to public sewer service.

Amend Sec. 1, page 1, line 9, by inserting before "The"

(a) Authorization.—

Amend Sec. 2, page 1, line 16, by striking out "Section 2." and inserting

(b) Description of property to be conveyed.—

Amend Sec. 3, page 4, line 7, by striking out "Section 3." and inserting

(c) Description of property to be received in exchange.—

Amend Sec. 4, page 6, line 11, by striking out "Section 4." and inserting

(d) Easements.—

Amend Sec. 4, page 6, line 11, by striking out "section 2" and inserting

subsection (b)

Amend Sec. 5, page 6, line 19, by striking out "Section 5." and inserting

(e) Execution of deed.—

Amend Sec. 5, page 6, line 19, by striking out "section 2" and inserting

subsection (b)

Amend Sec. 6, page 6, line 23, by striking out "Section 6." and inserting

(f) Restrictive covenant.—

Amend Sec. 6, page 6, line 23, by striking out "section 2" and inserting

subsection (b)

Amend Sec. 6, page 7, line 3, by striking out "act" and inserting section

Amend Sec. 7, page 7, line 5, by striking out "Section 7." and inserting

(g) Costs.—

Amend Sec. 7, page 7, line 6, by striking out "act" and inserting section

Amend Sec. 8, page 7, line 7, by striking out "Section 8." and inserting

(h) Termination of authorization.—

Amend Sec. 8, page 7, line 8, by striking out "act" and inserting section

Amend Sec. 8, page 7, line 9, by striking out "act" and inserting section

Amend Bill, page 7, by inserting between lines 9 and 10

Section 2. (a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to dedicate, grant and convey to the Strasburg, Lancaster County, Borough Authority, for \$1.00, a water main and appurtenances to such water main to be constructed by the Department of General Services as part of Project No. DGS 980-6, together with such easements as may be necessary for purposes of the operation, maintenance, repair and replacement of such water main and appurtenances, over, through, and in certain property constituting, or adjacent to, the grounds of the Railroad Museum of Pennsylvania, as described in subsection (b).

(b) Easement.—Pursuant to subsection (a), the Department of General Services is authorized to grant to the Strasburg, Lancaster County, Borough Authority a permanent easement, not to exceed 25 feet in width, over, through, and in the real property constituting the grounds of the Railroad Museum of Pennsylvania, consisting of the real property acquired by the General State Authority pursuant to deeds recorded at the Office of the Recorder of Deeds of Lancaster County at Deed Book W, Volume 56, Page 212, Deed Book O, Volume 60, Page 527, and Deed Book D, Volume 57, Page 123. The Department of General Services is further authorized to transfer, convey or assign to the Strasburg, Lancaster County, Borough Authority any easement acquired by the Department of General Services as part of Project No. DGS 980-6 for purposes of the construction, operation, maintenance, repair, and replacement of the water main and appurtenances.

All of the above described easements to be used for purposes of the operation, maintenance, repair, and replacement of the water main and appurtenances to be construed by the Department of General Services as part of Project No. DGS 980-6.

(c) Execution of deed of easement.—Any deed or other conveyance document executed pursuant to this section shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(d) Covenant.—Any deed conveying an easement over, through, and in the grounds of the Railroad Museum of Pennsylvania shall contain a covenant requiring the Grantee to repair, to the satisfaction of the Commonwealth of Pennsylvania, any damage to the easement area caused by the Grantee's operation, maintenance, repair, or replacement of said water main and appurtenances.

(e) Additional easements and licenses.—The Department of General Services is further authorized to transfer and convey, with the approval of the Governor, any easements or licenses necessary to provide the Railroad Museum of Pennsylvania with access to public sewer service. Access to public sewer service may be provided by means of a connection to privately owned sewer facilities.

(f) Costs.—Costs and fees incidental to the conveyances authorized by section 1 shall be borne by the Commonwealth of Pennsylvania.

Amend Sec. 9, page 7, line 10, by striking out “9” and inserting
3

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

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

Mr. VITALI. Thank you, Mr. Speaker.

Will the gentleman stand for brief interrogation?

The SPEAKER pro tempore. The gentleman has indicated that he will, and you may proceed.

Mr. VITALI. Could the gentleman initially explain this amendment?

Mr. ARMSTRONG. Well, I think, Mr. Speaker, the summary is self-explanatory. The Pennsylvania State Railroad Museum is in Strasburg Township and is in vital need of upgrade. This amendment is simply a land transfer, which is something that there has been a lot of work put into this between the Railroad Museum, the Department of General Services, and the local municipalities to make this happen so that we can upgrade the water main, and we need to do that, we need to do the land transfer to make that happen.

Thank you, Mr. Speaker.

Mr. VITALI. I would like to continue, but just as an aside, I am sure a lot of work has gone into it, but this is the first that we are hearing of it, from my perspective.

Could you explain – and again, because this is a suspension, I have had not even a chance to read it fully – but could you explain exactly how much of State land is being transferred to whom for what amount of money?

Mr. ARMSTRONG. Mr. Speaker, I do not have the exact figure. It is a very small amount of land. It is much less than an acre, and, you know, it is a land transfer that is of minimal consequence.

Thank you.

Mr. VITALI. Generally with Commonwealth land transfers, there is a rule 32 where the Department of General Services examines it and then gives its approval or disapproval. Do you know if the Department of General Services— I assume we do not have a rule 32 here. Is that correct?

Mr. ARMSTRONG. Mr. Speaker, from my knowledge, the Department of General Services has been very involved in this process right from the beginning.

Mr. VITALI. Do you know, if I can ask—

The SPEAKER pro tempore. Will the gentleman, Mr. Vitali, suspend.

The Chair has been given an indication that the gentleman, Mr. Clymer, may be in a better position to answer that question for you if you would like to proceed.

Mr. VITALI. I would be happy to yield the microphone if my chairman wants to speak on this.

The SPEAKER pro tempore. The gentleman, Mr. Clymer, is recognized and may proceed.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, staff had conversations today with General Services. They have approved a rule 32. I recognize that this amendment is being shown for the first time. It is something that we can support, and again, I just want to convey to the gentleman from Delaware County that General Services has given us a rule 32. So I hope that is helpful.

The SPEAKER pro tempore. Mr. Vitali?
The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	LaGrotta	Ruffing	True
Gruitza	Rieger	Taylor, E.Z.	

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

On the question recurring,

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

RULES SUSPENDED

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

Mr. CLYMER. Mr. Speaker, I request an immediate suspension of the rules for consideration of amendment 9763.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—195

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

Evans, J.
Fabrizio
Fairchild

Levdansky
Mackereth

Rohrer
Rooney

Perzel,
Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop
Gruitza

LaGrotta
Rieger

Ruffing
Taylor, E.Z.

True

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

On the question recurring,

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

Mr. CLYMER offered the following amendment No. **A09763**:

Amend Title, page 1, line 6, by removing the period after "County" and inserting

; and authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey to the Borough of Mansfield certain lands situate in the Borough of Mansfield, Tioga County.

Amend Sec. 1, page 1, line 9, by striking out all of said line and inserting

Section 1. Conveyance in City of Scranton, Lackawanna County.

(a) Authorization.—The Department of General Services, with the

Amend Sec. 2, page 1, line 16, by striking out all of said line and inserting

(b) Description.—

(1) The property to be conveyed to COLTS pursuant to

Amend Sec. 3, page 4, line 7, by striking out all of said line and inserting

(2) The conveyance authorized by paragraph (1) shall be

Amend Sec. 4, page 6, line 11, by striking out all of said line and inserting

(c) Easements.—The conveyance described in subsection (b)(1) shall be

Amend Sec. 5, page 6, line 19, by striking out all of said line and inserting

(d) Deed.—The deed of conveyance described in subsection (b)(1)

Amend Sec. 6, page 6, line 23, by striking out all of said line and inserting

(e) Use restriction.—Any conveyance authorized under subsection (b)(1) shall

Amend Sec. 7, page 7, line 5, by striking out all of said line and inserting

(f) Costs and fees.—All costs and fees incidental to the conveyances

Amend Sec. 8, page 7, line 7, by striking out all of said line and inserting

(g) Time limit.—In the event that these conveyances are not

Amend Sec. 8, page 7, line 8, by striking out "act" and inserting section

Amend Sec. 8, page 7, line 9, by striking out "act" and inserting section

Amend Bill, page 7, by inserting between lines 9 and 10 Section 2. Conveyance in Mansfield Borough, Tioga County.

(a) Authorization.—The Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, is authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the Borough of Mansfield certain land situate in the Borough of Mansfield, Tioga County for fair market value as determined by independent appraisal.

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of approximately 1.23 acres and an armory building bounded and more particularly described as follows:

BEGINNING at a point at the western edge of the now or late Erie Railroad Company right-of-way, the Southeast corner of land of the now or late Mansfield Joint School Authority and the Northeast corner of land of the now or late Mansfield School District, the POINT OF BEGINNING; thence South 77 degrees 50 minutes West along lands of the now or late Mansfield School District, a distance of 273.67 feet to a point, the Southwest corner hereof; thence North 13 degrees 30 minutes West along lands of the now or late Mansfield Joint School Authority, a distance of 252.25 feet to a point, the Northwest corner hereof; thence North 76 degrees 30 minutes East along lands of the now or late Mansfield Joint School Authority a distance of 153.00 feet to a point at the western edge of the now or late Erie Railroad Company right-of-way, the Northeast corner hereof; thence along the said Railroad Company right-of-way, South 27 degrees 48 minutes East, a distance of 12.00 feet to a point; thence South 38 degrees 55 minutes East along said Railroad Company right-of-way, a distance of 272.25 feet to a point, the place of beginning.

CONTAINING 1.23 acres more or less.

(c) Easements.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under the subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected on the land.

(d) Use restriction.—Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility as defined in 4 Pa.C.S. § 1103 (relating to definitions) or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the Grantee, its successors and assigns. If the Grantee, its successors or assigns, permits any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and revest in the Grantor.

(e) Deed.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the Grantee.

(g) Proceeds.—The proceeds from the conveyance shall be deposited in the State Treasury Armory Fund.

(h) Alternate disposition.—In the event that this conveyance is not executed within 12 months of the effective date of this section, the property may be disposed of in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Amend Sec. 9, page 7, line 10, by striking out “9” and inserting

3

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

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is the same as bill No. 2729, which we had reported out of the State Government Committee.

Just to refresh the memories of the committee members and the members here in the hall, it directs the Department of General Services to convey to Mansfield Borough in Tioga County land that is approximately 1.23 acres and an armory building; that is an armory building. The conveyance is for fair market value, which was determined to be \$180,000.

Gaming language is included, which would prohibit any gambling. The conveyance is to be used for borough offices, specifically to house the police department.

In support of this land transfer is the Department of General Services, Military and Veterans Affairs, and the Borough of Mansfield.

As I mentioned, this bill passed the State Government Committee on June 7, and I ask members to respectfully consider this amendment, and I ask for its support.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—195

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

DeWeese	Killion	Rapp	Wojnaroski
DiGirolamo	Kirkland	Raymond	Wright
Diven	Kotik	Readshaw	Yewcic
Donatucci	Leach	Reed	Youngblood
Eachus	Lederer	Reichley	Yudichak
Ellis	Leh	Roberts	Zug
Evans, D.	Lescovitz	Roebuck	
Evans, J.	Levdansky	Rohrer	Perzel,
Fabrizio	Mackereth	Rooney	Speaker
Fairchild			

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	LaGrotta	Ruffing	True
Gruitza	Rieger	Taylor, E.Z.	

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

On the question recurring,

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

Bill as amended 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—189

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

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

NAYS—6

Forcier	O'Neill	Reichley	Watson
Harper	Petri		

NOT VOTING—0

EXCUSED—7

Bishop	LaGrotta	Ruffing	True
Gruitza	Rieger	Taylor, E.Z.	

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

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

RESOLUTION ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HR 799, PN 4581**, entitled:

A Concurrent Resolution memorializing the President of the United States and the United States Congress to secure all borders of this nation to protect American citizens from the dangers of unlawful invasion and illegal immigration.

On the question,

Will the House concur in Senate amendments?

The SPEAKER pro tempore. It is moved by the gentleman, Mr. Metcalfe, that the House concur in the amendments inserted by the Senate.

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Roebuck, from Philadelphia County.

Mr. ROEBUCK. Mr. Speaker, I have an amendment to this.

The SPEAKER pro tempore. The Chair is not aware of any amendment, Mr. Roebuck. It would require a suspension of the rules. Do you require a suspension of the rules, Mr. Roebuck?

Mr. ROEBUCK. Can I explain the amendment and ask for the suspension? Is that within the rules?

The SPEAKER pro tempore. The gentleman is in order to give a brief explanation.

Mr. ROEBUCK. Okay. The issue here is one of sealing borders, and my concern is that the language here needs to be stronger in the effort to seal borders against illegal drugs. What my amendment does is strengthen the language that would make clear that our intent is not only to cut off what are, quote, "illegal immigrants," but also to seal the border against the flow of drugs and put that into the place in the resolution where it is, it should be, and give it that focus that would make firm that this body thinks that is what we should be doing.

The SPEAKER pro tempore. Will the gentleman send a copy of the amendment to the desk, please.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. Mr. Metcalfe, you would require the permission of the gentleman, Mr. Argall, in order to speak. Only the leaders can speak. Does the gentleman, Mr. Argall, yield to Mr. Metcalfe?

Mr. ARGALL. Absolutely, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Metcalfe, is in order and may proceed.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, if I could have everyone's attention, we passed this resolution earlier on this year and sent it to the Senate. The Senate amended the language that we had sent over specifically to update the figures regarding the amount of drugs that are captured at our borders. It is recognized in this resolution that along with the illegal aliens, the hundreds of thousands that are crossing our border, Mr. Speaker, that with that crossing we are also seeing drug traffickers bring illegal drugs into our nation, which cause a problem for the safety and security of our nation, and that we already have that language in here. The gentleman's language would increase the amount of information regarding that, but it would also slow down our ability to send this message to the Congress and President before the election, Mr. Speaker.

Mr. Speaker, this resolution has already gone to the Senate. They amended our language, sent it back to us. I would like us to concur with this language, and I would ask for the membership to vote "no" on suspending the rules so that we can pass this resolution today and send this very needed message to Congress and the President that we would like our borders to be secured. There is no reason to hold this message up any more than it already has been with the Senate changing, altering, and amending our language. It is ready to go to the President and the Congress. If we could just make sure that we do not suspend the rules, I would greatly appreciate it.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Assuming that the Democratic leadership is yielding to the gentleman, Mr. Roebuck, you may proceed, Mr. Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

There should be no greater priority in any resolution that talks about securing our borders than the priority of securing our borders against drugs. Drugs are the source of much of the

havoc and violence that transcends the life of communities across this Commonwealth.

Now, if we are going to send a message to the Congress or to the President, let us send the right and the complete message. All my amendment does is insert in the actual initial paragraph of this resolution a priority that says that we are concerned about the dangerous and illegal drug trafficking that is the cause of much of the violence in our society. Certainly we as a legislative body ought to be concerned about that traffic, and if it slows the process a little bit, we should still send that clear message. We ought to be on record every chance we have to condemn unequivocally drug trafficking in this country. When we seal our borders, it ought to be against drug trafficking as well as against any other problem we have. If we do not do that, then we are not doing what we should properly do as elected officials of this Commonwealth.

Understand that for many communities it is the blight of drugs as much as anything else that disrupts the life of those communities, and we ought to be clear in this resolution or any other resolution that we are firmly and unequivocally opposed to drug trafficking, and we urge the Congress and the President to make that the highest priority of this nation.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—95

Bebko-Jones	Fabrizio	Levdansky	Santoni
Belardi	Flaherty	Manderino	Semmel
Belfanti	Frankel	Mann	Shaner
Beyer	Freeman	Markosek	Shapiro
Biancucci	Geist	McCall	Siptroth
Blackwell	George	McGeehan	Solobay
Blaum	Gerber	Melio	Staback
Buxton	Gergely	Mundy	Sturla
Caltagirone	Goodman	Myers	Surra
Casorio	Gruclera	Oliver	Tangretti
Cawley	Haluska	Pallone	Thomas
Cohen	Hanna	Parker	Tigue
Corrigan	Harhai	Petrarca	Veon
Costa	Harper	Petrone	Vitali
Cruz	Hasay	Pistella	Walko
Curry	James	Preston	Wansacz
Daley	Josephs	Ramaley	Waters
DeLuca	Keller, W.	Readshaw	Wheatley
Dermody	Kenney	Roberts	Williams
DeWeese	Kirkland	Roebuck	Wojnaroski
DiGirolamo	Kotik	Rooney	Yewcic
Donatucci	Leach	Sabatina	Youngblood
Eachus	Lederer	Sainato	Yudichak
Evans, D.	Lescovitz	Samuelson	

NAYS—100

Adolph	Fichter	Major	Reichley
Allen	Fleagle	Marsico	Rohrer
Argall	Flick	McGill	Ross
Armstrong	Forcier	McIlhattan	Rublely
Baker	Gabig	McIlhinney	Sather
Baldwin	Gannon	McNaughton	Saylor
Barrar	Gillespie	Metcalfe	Scavello
Bastian	Gingrich	Micozzie	Schroder

Benninghoff	Godshall	Millard	Smith, B.
Birmelin	Good	Miller, R.	Smith, S.
Boyd	Grell	Miller, S.	Sonney
Bunt	Harhart	Mustio	Stairs
Cappelli	Harris	Nailor	Steil
Causser	Hennessey	Nickol	Stern
Civera	Herman	O'Brien	Stevenson, R.
Clymer	Hershey	O'Neill	Stevenson, T.
Cornell	Hess	Payne	Taylor, J.
Crahalla	Hickernell	Petri	Turzai
Creighton	Hutchinson	Phillips	Watson
Dally	Kauffman	Pickett	Wilt
Denlinger	Keller, M.	Pyle	Wright
Diven	Killion	Quigley	Zug
Ellis	Leh	Rapp	
Evans, J.	Mackereth	Raymond	
Fairchild	Maher	Reed	Perzel,
Feese	Maitland		Speaker

NOT VOTING—0

EXCUSED—7

Bishop	LaGrotta	Ruffing	True
Gruitza	Rieger	Taylor, E.Z.	

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

On the question recurring,

Will the House concur in Senate amendments?

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

(A roll-call vote was taken, but due to a malfunction, the vote was not recorded. See later voice vote.)

THE SPEAKER (JOHN M. PERZEL) PRESIDING

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SB 599, PN 1991

An Act amending the act of December 21, 1998 (P.L.1064, No.140), entitled "An act designating Route 581 in Cumberland County, Pennsylvania, as the American Ex-Prisoners of War Highway; designating a section of the Bay Front Parkway in Erie County, Pennsylvania, as the Bernard (Benny) J. Dombrowski Memorial Highway; designating a section of Route 26 in Centre County, Pennsylvania, as the Nittany Parkway; designating a bridge in Bethel Township, Lebanon County, as the Senator Clarence F. Manbeck Bridge; designating the Mount Union Bypass in Huntingdon County as the James DiCosimo Bypass; designating a portion of Route 26 in Huntingdon County as the Standing Stone Parkway; designating a portion of State Route 0094 in York and Cumberland counties as the 94th Infantry Division Memorial Highway; and designating a bridge in Chester County as the Ben Weaver Bridge," extending the Bernard (Benny) J. Dombrowski Memorial Highway; designating State Route 132 in Bucks County as the Armed Forces and Veterans Memorial Highway; designating a bridge on State Route 150 crossing the Beech Creek in Clinton and Centre Counties as the Beech Creek Veterans Memorial Bridge; designating State Route 291

through the City of Chester as the Rosa Parks Memorial Highway; and designating a road in Philadelphia County as Senator Hank Salvatore Drive.

SB 993, PN 1893

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in sales and use tax, for assessment, for reassessment, for review by Board of Finance and Revenue, for appeal to Commonwealth Court, for refund of sales tax attributed to bad debt, for refund or credit for overpayment, for restriction on refunds, for refunds, for refund petition, for review by Board of Finance and Revenue, for appeal to Commonwealth Court and for extended time for filing special petition for refund; further providing, in personal income tax, for assessment, for jeopardy assessments, for procedure for reassessment, for review by Board of Finance and Revenue, for appeal to Commonwealth Court, for restrictions on refunds and for limitations on refund or credit; further providing, in corporate net income tax, for definitions, for reports and payment of tax; for changes made by Federal Government, for settlement and resettlement and for enforcement relating to corporate net income tax; providing, in corporate net income tax, for assessments, for jeopardy assessments, for limitations on assessments, for extension of limitation period, for audit by Auditor General and for collection; further providing, in gross receipts tax, for imposition; further providing, in realty transfer tax, for determination and notice, for lien and for refunds; further providing, in mutual thrift institutions tax, for imposition and report; providing, in malt beverage tax, for assessment by department; providing for procedure and administration; further providing, in general provisions, for estimated tax, for underpayment, for refund petitions and for timely filing; and providing, in general provisions, for assessments to be made by department.

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

The SPEAKER. Are there any announcements?

CONSIDERATION OF HR 799 CONTINUED

VOTE RETAKEN

The SPEAKER. There has been a malfunction with the board. The last vote will have to be rerecorded for the sake of making sure it is done properly.

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

Mr. GABIG. Thank you, Mr. Speaker.

I need to correct the record when it is appropriate to do so.

The SPEAKER. Just one moment.

We are on concurrence in amendments on HR 799, PN 4581.

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. Agreeable to the provisions of the Constitution, on a voice vote, those in favor will vote "aye"; those opposed, "no."

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

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. Let the record reflect that it was unanimously passed by the House.

There will be no further votes on the floor of the House.

VOTE CORRECTION

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

Mr. GABIG. Thank you, Mr. Speaker.

On amendment 9554 to SB 1237, I was not recorded as voting, and I wanted to be recorded in the negative.

The SPEAKER. The Chair thanks the gentleman.

The gentleman's remarks will be spread across the record.

Are there any announcements?

RECESS

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

AFTER RECESS

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

BILLS AND RESOLUTIONS PASSED OVER

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

RECESS

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Shapiro.

Mr. SHAPIRO. Mr. Speaker, I move that this House do now recess until Tuesday, October 17, 2006, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:59 a.m., e.d.t., Tuesday, October 17, 2006, the House recessed.