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LEGISLATIVE JOURNAL

MONDAY, APRIL 23, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 31

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (DENNIS M. O'BRIEN)
PRESIDING

PRAYER

MSGR. JOHN BERGAMO, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Father, we are ever mindful of Your goodness to us, Your presence among us, and how much You have blessed our Commonwealth. We thank You for all You give us and for the love You show us. We pray that You help us take good care of all You have given us.

We take these few moments, Father, to lift our minds and our thoughts to You, to ask Your continued blessing on all who are gathered here. The springtime of the year, filled with the song of birds, the budding of trees, the blossoming of flowers, revitalizes and rejuvenates us. This time of year is filled with the hope and the promise of growth and new life.

Hear our prayer today for all who are called to leadership in the government of our Commonwealth. These men and women are entrusted by our people with the hope and promise to bring growth and new life to Pennsylvania. May they have the zeal and strength they need to fulfill this hope and promise. In a very special way, they have been called to serve with great privilege and awesome responsibility. Help them ever to remember that not only have the people called them to serve but You have called them as well. May they be good and faithful servants of You first, next of the people, and only lastly of themselves.

We pray, too, that for their service, they will receive the support and encouragement of those they represent. May they have the wisdom to govern well so that all their discussions and decisions will always serve the good of our citizens. May they have the courage they need as they face the issues of our times so they can listen and hear, can see and understand, and can respond to the needs of our people. Let them have special care of those whose voices are not strong – the elderly, the poor, the helpless, the newly arrived. Help them to work together to bring unity, peace, and justice to all in Pennsylvania. Fill them with moral uprightness and good judgment that they will always stand for what is right and just and never yield to temptations of greed, self-interest, or indifference.

Father, these men and women have been given a great trust by the people of the Commonwealth. Help them to be always worthy of that trust, faithful to their office and to the people

they represent. Under their watch, may all of us experience new life, new growth, in peace and prosperity, in dignity and equality, in justice and security.

Lord, hear our prayer, answer our prayer. Amen.

PLEDGE OF ALLEGIANCE

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. There will be an immediate meeting of the House Appropriations Committee in the majority caucus room; an immediate meeting of the House Appropriations Committee in the majority caucus room.

The House will stand at ease.

PHIL SORRENTINO PRESENTED

The SPEAKER. The Chair will ask Representative Kortz to come to the podium for the purpose of a presentation.

Representative Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

Mr. Speaker, members of the House of Representatives, honored guests, ladies and gentlemen, we are privileged today to take a moment and recognize an outstanding individual and a champion in his sport of wrestling. I am proud to say that he lives in my district, the 38th. His name is Phil Sorrentino. He is here today.

Joining Phil today are some of the people who have supported his quest in his sports career. First, his mother and father, Tina and Phil Sorrentino, Sr. Please rise. His sister and brother, Samantha and Anthony; grandmother, Sandy Majzer; aunt and uncle, Cheryl and Nick Sorrentino, and Nicole and Joe, his cousins; his high school principal and head varsity wrestling coach, Keith Gephart; and athletic director, Eric Roche.

Phil is a senior at South Allegheny High School, where he is an extremely talented wrestler on the varsity squad, and he had an outstanding record this year of 43 and 1. Incredible run throughout the 4 years: 119 and 24. Phil's wrestling achievements include the following: Outstanding Wrestler Award at both the South Hills Classic and Fort Cherry Township Tournaments; section champion; WPIAL Champion; Southwest Regional Champion; and finally culminating in the Pennsylvania State Champion, 152-pound weight class.

Ladies and gentlemen, please join with me in welcoming and officially recognizing this champion, Phil Sorrentino.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome Laurie Foust, Shane Foust, and Caleigh Foust, who are the guests of Representative Mike Gerber. Laurie is to the left of the Speaker, and Shane and Caleigh are guest pages for the day. Would you please join me in welcoming them to the House.

**EMMAUS HIGH SCHOOL
SWIM TEAMS PRESENTED**

The SPEAKER. The Chair would ask Representative Doug Reichley to come to the podium for a presentation. The Chair would also ask Representative Karen Beyer to come forward.

Mr. REICHLEY. Thank you, Mr. Speaker.

Members of the House, Representative Beyer and I have the great pleasure of being able to introduce the Emmaus boys and girls PIAA AAA State champion swim teams for both the boys and girls division. This was a first-time sweep in school history and only the fifth time ever in PIAA history that the same school has won both the boys and the girls State championship in the same year.

The Emmaus swim program is very excellently led by Coach O'Connor, who has done a great job with this program. Those of us in the Lehigh Valley have somewhat of a divided loyalty, because we got Parkland and Emmaus competing very carefully. But this year we were able to get the winners in both divisions, for both boys and girls from the Emmaus squads.

We are honored to have as well with Coach O'Connor the rest of the team. From the girls side, Erin Fischer, an All-American, All-State, member of three State championship teams; Kristen McCandless, also an All-State, member of two State championship teams. From the boys team we have David Gordon, All-American, All-State, member of two State championships; Matt Wehrman, All-American, All-State, member of two State championship teams as well; along with Dan Anderson, the All-State diver, member of two State championship teams; and Ryan Smith, an All-American, All-State, member of one State championship team.

If the rest of the Emmaus swim team that is with us here in the hall of the House today would not mind rising, if you would please stand up in the back of the House, and please extend your congratulations to all the members of the Emmaus swim team. Thank you.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome Linda DeCindio, Daniel DeCindio, and Danielle DeCindio, who are seated to the left of the Speaker. They are the guests of Representative Dave Argall. Would you please join me in welcoming them to the House of Representatives. Would you please rise.

With us today are the guests of Representative Peifer: warden Craig Lowe and assistant warden Robert McLaughlin from the Pike County Correctional Facility. Welcome to the House. They are seated to the left of the Speaker. Welcome.

**WEST YORK AREA HIGH SCHOOL
BOYS BASKETBALL TEAM PRESENTED**

The SPEAKER. The Chair will now recognize Representative Bev Mackereth and Representative DePasquale.

Mrs. MACKERETH. In the rear of the House today is the West York Area High School Basketball Team. The Bulldogs, coached by YAIAA Coach of the Year Bill Ackerman, went 29 to 4 this past season and reached the PIAA eastern semifinals. Highlights of their season included a 23-game winning streak, a York Area League championship, and the school's first ever district title in boys basketball. Senior Rob Estep was named the league's Player of the Year, senior Dane Lauber was named First Team All-Star, and senior Tim Llewellyn was named Second Team All-Star.

Please join me and Representative Eugene DePasquale in welcoming the West York Area High School Boys Basketball Team.

**ALL PENNSYLVANIA ACADEMIC TEAM
INTRODUCED**

The SPEAKER. I am pleased to introduce the 2007 All Pennsylvania Academic Team, representing all 14 of the Commonwealth's community colleges. The academic team represents some of the best and brightest of our community college students. Each year they come to Harrisburg to receive this recognition from the Pennsylvania Commission for Community Colleges and Phi Theta Kappa, the International Honor Society for 2-year colleges.

These students are selected by their colleges for their academic achievement as well as leadership and service to others. The students also compete at the national level as part of the All USA Academic Team. The national effort is sponsored by Coca-Cola and the USA Today.

They are seated in the back of the House. Please stand and be recognized, and thank you for joining us in the House of Representatives today.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Thursday, April 19, 2007, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip, who requests that the gentlemen and gentlelady, Representatives Matt SMITH, MYERS, and YOUNGBLOOD, be placed on leave for the week, and that Representatives OLIVER, Dwight EVANS, and CRUZ be placed on leave for the day. The Chair hears no objection. The Representatives will be placed on leave.

The Chair recognizes the minority whip for requests for leaves of absence. Without objection, Representative MOYER and Representative KENNEY from Philadelphia will be placed on leave. The Chair hears no objections. The Representatives will be placed on leave.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—195

Adolph	Gabig	Mantz	Rohrer
Argall	Galloway	Markosek	Ross
Baker	Geist	Marshall	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McI. Smith	Santoni
Benninghoff	Gillespie	McIlhattan	Saylor
Bennington	Gingrich	Melio	Scavello
Beyer	Godshall	Mensch	Schroder
Biancucci	Goodman	Metcalfe	Seip
Bishop	Grell	Micozzie	Shapiro
Blackwell	Grucela	Millard	Shimkus
Boback	Haluska	Miller	Siptroth
Boyd	Hanna	Milne	Smith, K.
Brennan	Harhai	Moul	Smith, S.
Brooks	Harhart	Mundy	Solobay
Buxton	Harkins	Murt	Sonney
Caltagirone	Harper	Mustio	Staback
Cappelli	Harris	Nailor	Stairs
Carroll	Helm	Nickol	Steil
Casorio	Hennessey	O'Brien, M.	Stern
Causar	Hershey	O'Neill	Stevenson
Civera	Hess	Pallone	Sturla
Clymer	Hickernell	Parker	Surra
Cohen	Hornaman	Pashinski	Swanger
Conklin	Hutchinson	Payne	Tangretti
Costa	James	Payton	Taylor, J.
Cox	Josephs	Peifer	Taylor, R.
Creighton	Kauffman	Perry	Thomas
Curry	Keller, M.	Perzel	True
Cutler	Keller, W.	Petrarca	Turzai
Daley	Kessler	Petri	Vereb
Dally	Killion	Petrone	Vitali
DeLuca	King	Phillips	Vulakovich
Denlinger	Kirkland	Pickett	Wagner
DePasquale	Kortz	Preston	Walko
Dermody	Kotik	Pyle	Wansacz
DeWeese	Kula	Quigley	Waters
DiGirolamo	Leach	Quinn	Watson
Donatucci	Lentz	Ramaley	Wheatley
Eachus	Levdansky	Rapp	White
Ellis	Longietti	Raymond	Williams
Evans, J.	Mackereth	Readshaw	Wojnaroski
Everett	Maher	Reed	Yewcic
Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Frankel	Mann	Roebuck	Speaker
Freeman			

ADDITIONS—0**NOT VOTING—0****EXCUSED—8**

Cruz	Kenney	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood

LEAVES ADDED—1

Maher

The SPEAKER. A quorum being present, the House will proceed to conduct business.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED**HB 179, PN 205**

By Rep. MELIO

An Act amending the act of June 13, 1907 (P.L.560, No.373), entitled "An act designating the official flag of the Commonwealth of Pennsylvania, and describing the same; providing for the carrying of such flag by the regiments of the National Guard of Pennsylvania; authorizing the Secretary of the Commonwealth to provide, and have deposited in the office of Secretary of the Commonwealth, a model of said flag, and making an appropriation therefor," further providing for specifications for the official flag of the Commonwealth.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.**HB 369, PN 1401 (Amended)**

By Rep. MELIO

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for the payment of death benefits to members of emergency personnel teams.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be taken from the table and placed on the active calendar: HB 239 and HB 842.

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

GUESTS INTRODUCED

The SPEAKER. Our Monroe County legislators have invited two special groups to join us today. On behalf of Representatives Scavello, Siptroth, Peifer, and Carroll, please welcome Leadership Pocono, a community-based business and personal leadership development program. They are escorted today by their executive director, Peter Alasty, vice president of the Pocono Mountain Chamber of Commerce. The guests are seated in the gallery. Please join us in welcoming them to the House of Representatives.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 232 By Representatives CONKLIN, SIPTROTH, KING, R. TAYLOR, HARKINS, DONATUCCI, EACHUS, GEORGE, GRUCELA, HARHAI, JAMES, JOSEPHS, KAUFFMAN, KENNEY, KILLION, KIRKLAND, KORTZ, KULA, LEACH, MCGEEHAN, MENSCH, MUSTIO, O'NEILL, PALLONE, READSHAW, ROEBUCK, SCAVELLO, STURLA, THOMAS, WATSON, J. WHITE,

YOUNGBLOOD, YUDICHAK, STABACK, GOODMAN and PARKER

A Resolution urging colleges and universities in this Commonwealth to implement campus security alert systems in order to warn campus communities of impending danger.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 23, 2007.

No. 241 By Representatives CASORIO, SURRA, BELFANTI, BROOKS, CALTAGIRONE, CAPPELLI, CAUSER, FABRIZIO, FAIRCHILD, FLECK, GEIST, GEORGE, GINGRICH, GRUCELA, HARHAI, HARKINS, HENNESSEY, HESS, HUTCHINSON, JAMES, KORTZ, MAHONEY, McILHATTAN, PETRONE, PICKETT, READSHAW, SCAVELLO, WALKO, WOJNAROSKI and LONGIETTI

A Resolution urging the Secretary of Aging to cease and desist from any action transferring long-term care assessments from the Commonwealth's area agencies on aging to a private contractor.

Referred to Committee on AGING AND OLDER ADULT SERVICES, April 23, 2007.

No. 242 By Representatives CASORIO, BELFANTI, BIANCUCCI, CALTAGIRONE, FABRIZIO, FRANKEL, GEIST, GERGELY, GIBBONS, GINGRICH, GOODMAN, KENNEY, KIRKLAND, KORTZ, KOTIK, PETRARCA, READSHAW, REICHLEY, ROSS, SCAVELLO, SOLOBAY, WOJNAROSKI and SONNEY

A Resolution urging the Governor and the Secretary of Public Welfare to cease and desist from any action that furthers the planned move from a voluntary managed care choice to a mandated fee-for-service system for medical assistance recipients.

Referred to Committee on HEALTH AND HUMAN SERVICES, April 23, 2007.

No. 245 By Representatives GIBBONS, BELFANTI, BENNINGTON, BEYER, BIANCUCCI, BROOKS, CALTAGIRONE, DePASQUALE, FABRIZIO, FREEMAN, GERGELY, GINGRICH, GOODMAN, GRUCELA, HENNESSEY, JOSEPHS, KIRKLAND, KORTZ, KOTIK, LEACH, MARKOSEK, McGEEHAN, MENSCH, MYERS, PETRARCA, READSHAW, REICHLEY, RUBLEY, SAINATO, SCAVELLO, SOLOBAY, SONNEY, STURLA, THOMAS, VEREB, WALKO, YOUNGBLOOD, CREIGHTON and SIPTROTH

A Resolution urging the Pennsylvania Infrastructure Investment Authority and the Department of Environmental Protection to establish a task force to study the feasibility of implementing a water resource restoration sponsorship program.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 23, 2007.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1120 By Representatives RAMALEY, NAILOR, READSHAW, BARRAR, BIANCUCCI, BOYD, COHEN,

COSTA, COX, GOODMAN, HERSHEY, HORNAMAN, JAMES, JOSEPHS, KOTIK, LEACH, MILLARD, PETRARCA, PRESTON, SCAVELLO, SOLOBAY, STERN, TANGRETTI, THOMAS, WALKO, WANSACZ and SIPTROTH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining "licensing board" and "professional or occupational license"; and defining the offense of impersonating the holder of a professional or occupational license.

Referred to Committee on PROFESSIONAL LICENSURE, April 23, 2007.

No. 1121 By Representatives YUDICHAK, DERMODY, K. SMITH, KENNEY, BELFANTI, BOYD, CASORIO, COHEN, FABRIZIO, GEORGE, GIBBONS, GRUCELA, HARKINS, HENNESSEY, JAMES, JOSEPHS, W. KELLER, KORTZ, MANDERINO, MANN, McILHATTAN, MUNDY, M. O'BRIEN, O'NEILL, READSHAW, SANTONI, SCAVELLO, SOLOBAY, SURRA, WALKO, WATSON, YOUNGBLOOD, MYERS, FREEMAN, J. WHITE and LONGIETTI

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Office of Consumer Advocate for Insurance as an independent office within the Office of Attorney General and prescribing its powers and duties; and establishing the Consumer Advocate for Insurance Fund.

Referred to Committee on INSURANCE, April 23, 2007.

No. 1122 By Representatives WANSACZ, STURLA, SANTONI, SHIMKUS, WOJNAROSKI, BARRAR, BOYD, CASORIO, DeLUCA, FABRIZIO, GEIST, GINGRICH, GODSHALL, GOODMAN, HARHAI, KILLION, KORTZ, LEACH, MARKOSEK, MURT, NAILOR, PAYTON, READSHAW, REICHLEY, SCHRODER, HORNAMAN and JOSEPHS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for definitions and for the offenses of intimidation of witnesses or victims, retaliation against witness, victim or party and for retaliation against prosecutor or judicial official.

Referred to Committee on JUDICIARY, April 23, 2007.

No. 1123 By Representatives WANSACZ, GEORGE, GOODMAN, GIBBONS, WALKO, GERGELY, GRUCELA, KORTZ, KOTIK, MURT, WHEATLEY and SOLOBAY

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, defining "affected municipality"; providing for siting near cemetery; and making editorial changes.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 23, 2007.

No. 1124 By Representatives WANSACZ, CONKLIN, GERGELY, STABACK, SURRA, BELFANTI, CAPPELLI, FABRIZIO, HENNESSEY, KORTZ, READSHAW, REICHLEY, YUDICHAK and JAMES

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for medical assistance payments.

Referred to Committee on HEALTH AND HUMAN SERVICES, April 23, 2007.

No. 1125 By Representatives STAIRS, CLYMER, CREIGHTON, GEIST, GINGRICH, MARSICO, MOYER, MURT, RAYMOND and REICHLEY

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for days schools not to be kept open.

Referred to Committee on EDUCATION, April 23, 2007.

No. 1126 By Representatives PHILLIPS, FAIRCHILD, GEORGE, BENNINGHOFF, CAPPELLI, COX, EVERETT, FREEMAN, GINGRICH, HARRIS, HENNESSEY, HERSHEY, HESS, JAMES, KORTZ, MURT, PAYNE, SCAVELLO, SONNEY, STERN and SWANGER

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further providing for designation of chief and other officers of the police bureau.

Referred to Committee on LOCAL GOVERNMENT, April 23, 2007.

No. 1127 By Representatives PAYTON, GERGELY, MURT, BRENNAN, CARROLL, CONKLIN, CRUZ, DALEY, DONATUCCI, ELLIS, FRANKEL, GALLOWAY, GEORGE, GIBBONS, GRUCELA, HARKINS, JAMES, JOSEPHS, W. KELLER, KESSLER, KING, KIRKLAND, KOTIK, KULA, LENTZ, McCALL, McGEEHAN, MOYER, M. O'BRIEN, PARKER, SABATINA, SCAVELLO, SIPTROTH, M. SMITH, STURLA, R. TAYLOR, VEREB, WAGNER, WATERS, WHEATLEY, WILLIAMS, YOUNGBLOOD, YUDICHAK, J. WHITE, GOODMAN, FREEMAN, LEACH and COHEN

An Act establishing the Pennsylvania Youth Commission; and providing for powers and duties, for report to the General Assembly and for Pennsylvania Youth Commission Scholarship.

Referred to Committee on STATE GOVERNMENT, April 23, 2007.

No. 1128 By Representatives BENNINGHOFF, BAKER, CLYMER, COHEN, COX, ELLIS, EVERETT, FAIRCHILD, FLECK, GABIG, GRELL, HERSHEY, HUTCHINSON, KORTZ, McILHATTAN, MUSTIO, NAILOR, PEIFER, PETRONE, PICKETT, REED, ROAE, ROHRER, SONNEY, STERN, SURRA and VULAKOVICH

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for explanation of ballot question.

Referred to Committee on STATE GOVERNMENT, April 23, 2007.

No. 1129 By Representatives CONKLIN, SIPTROTH, WATSON, YOUNGBLOOD, WATERS, BELFANTI, BRENNAN, DALEY, DeLUCA, DePASQUALE, DERMODY,

FABRIZIO, FRANKEL, GERBER, GIBBONS, KORTZ, LEACH, MAHONEY, MANN, McCALL, M. O'BRIEN, PHILLIPS, READSHAW, ROEBUCK, SHIMKUS, STABACK, STURLA, THOMAS and WALKO

An Act providing for sexual violence awareness education programs for new students matriculating to institutions of higher education or private licensed schools that receive public funding and for duties of the Department of Education.

Referred to Committee on EDUCATION, April 23, 2007.

No. 1130 By Representatives YOUNGBLOOD, COHEN, CRUZ, THOMAS, SABATINA, McGEEHAN, MANDERINO, PARKER, BLACKWELL, W. KELLER, JAMES, ROEBUCK, BISHOP, WATERS, DONATUCCI, KENNEY, MYERS, M. O'BRIEN, OLIVER, PAYTON, J. TAYLOR and WILLIAMS

An Act amending the act of April 21, 1949 (P.L.665, No.155), known as the First Class City Home Rule Act, providing for campaign report format.

Referred to Committee on URBAN AFFAIRS, April 23, 2007.

No. 1131 By Representatives MELIO, CAUSER, CONKLIN, DeWEESE, FAIRCHILD, GALLOWAY, GEORGE, GIBBONS, GINGRICH, GOODMAN, GRUCELA, HENNESSEY, HESS, JAMES, JOSEPHS, KILLION, KORTZ, MAHONEY, McCALL, MICOZZIE, R. MILLER, MOYER, MURT, PALLONE, PAYNE, SANTONI, SCAVELLO, SIPTROTH, S. H. SMITH, SOLOBAY, STABACK, J. WHITE, YOUNGBLOOD and FREEMAN

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, providing for the establishment of fire and emergency medical services.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 23, 2007.

No. 1132 By Representatives MELIO, BARRAR, BELFANTI, BRENNAN, CASORIO, CLYMER, DePASQUALE, FABRIZIO, FAIRCHILD, GALLOWAY, GOODMAN, GRUCELA, JAMES, KIRKLAND, KORTZ, KOTIK, MAHONEY, MOUL, MUNDY, MYERS, REICHLEY, SCAVELLO, SIPTROTH, SOLOBAY, WALKO, WOJNAROSKI and MURT

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

Referred to Committee on STATE GOVERNMENT, April 23, 2007.

No. 1133 By Representatives MELIO, CAUSER, CONKLIN, DeWEESE, FAIRCHILD, GALLOWAY, GEORGE, GIBBONS, GINGRICH, GOODMAN, GRUCELA, HENNESSEY, HESS, JAMES, JOSEPHS, KILLION, KORTZ, MAHONEY, McCALL, MICOZZIE, R. MILLER, MOYER, MURT, PALLONE, PAYNE, SANTONI, SCAVELLO, SIPTROTH, S. H. SMITH, SOLOBAY, STABACK, J. WHITE, YOUNGBLOOD and FREEMAN

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, providing for specific powers of boroughs relating to emergency services.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 23, 2007.

No. 1134 By Representatives MELIO, CAUSER, CONKLIN, DeWEESE, FAIRCHILD, GALLOWAY, GEORGE, GIBBONS, GINGRICH, GOODMAN, GRUCELA, HENNESSEY, HESS, JAMES, JOSEPHS, KILLION, KORTZ, MAHONEY, McCALL, MICOZZIE, R. MILLER, MOYER, MURT, PALLONE, PAYNE, SANTONI, SCAVELLO, SIPTROTH, S. H. SMITH, SOLOBAY, STABACK, J. WHITE, YOUNGBLOOD and FREEMAN

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, providing for specific powers relating to emergency services.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 23, 2007.

No. 1135 By Representatives MARSICO, BELFANTI, BOYD, CALTAGIRONE, CARROLL, CONKLIN, COSTA, COX, CRUZ, DENLINGER, FRANKEL, GEORGE, GIBBONS, HARHAI, HUTCHINSON, JAMES, KAUFFMAN, KILLION, KOTIK, KULA, McILHATTAN, MURT, MYERS, NAILOR, O'NEILL, PALLONE, PARKER, PEIFER, PETRARCA, PICKETT, READSHAW, SCAVELLO, SHIMKUS, SIPTROTH, SOLOBAY, STABACK, STERN, R. STEVENSON, J. TAYLOR, THOMAS, WANSACZ and J. WHITE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for drivers in funeral processions.

Referred to Committee on TRANSPORTATION, April 23, 2007.

No. 1136 By Representative M. O'BRIEN

An Act authorizing the Department of Transportation, with the approval of the Governor, to grant and convey to the Philadelphia Redevelopment Authority a tract of land situate in the City of Philadelphia, Philadelphia County.

Referred to Committee on STATE GOVERNMENT, April 23, 2007.

No. 1138 By Representatives WATERS, BISHOP, KIRKLAND, MYERS, BELFANTI, CAPPELLI, CURRY, DONATUCCI, FREEMAN, GEORGE, GIBBONS, HENNESSEY, HESS, HUTCHINSON, PARKER, PAYNE, PETRARCA, PHILLIPS, RAPP, SABATINA, SCHRODER, SHIMKUS, SIPTROTH, SOLOBAY, SONNEY, THOMAS and YOUNGBLOOD

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing, in custody, for declaration of policy; and providing for grandparent custody or visitation rights when parents were never married.

Referred to Committee on JUDICIARY, April 23, 2007.

No. 1139 By Representatives HESS, CAPPELLI, CREIGHTON, HENNESSEY, HERSHEY, M. KELLER, KIRKLAND, PHILLIPS, PRESTON and SURRA

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, prohibiting the use of facsimiles of game or wildlife for law enforcement purposes.

Referred to Committee on GAME AND FISHERIES, April 23, 2007.

No. 1140 By Representatives JOSEPHS, LENTZ, DeWEESE, BAKER, BARRAR, BASTIAN, BELFANTI, BENNINGHOFF, BENNINGTON, BEYER, BIANCUCCI, BISHOP, BLACKWELL, BOBACK, BRENNAN, BUXTON, CALTAGIRONE, CARROLL, CLYMER, COHEN, CONKLIN, COSTA, CRUZ, CURRY, DALLY, DeLUCA, DePASQUALE, DERMODY, DiGIROLAMO, EACHUS, FABRIZIO, FRANKEL, FREEMAN, GABIG, GEORGE, GIBBONS, GOODMAN, GRELL, GRUCELA, HANNA, HARPER, HELM, HORNAMAN, JAMES, W. KELLER, KENNEY, KING, KIRKLAND, KORTZ, KULA, LEACH, LEVDANSKY, MANDERINO, MANN, MARSHALL, McCALL, McGEEHAN, McILVAINE SMITH, MILNE, MOUL, MUNDY, MURT, MYERS, D. O'BRIEN, M. O'BRIEN, OLIVER, PALLONE, PARKER, PAYTON, PETRARCA, PETRI, PETRONE, PRESTON, QUINN, RAMALEY, RAPP, READSHAW, REICHLEY, ROEBUCK, ROHRER, RUBLEY, SABATINA, SAMUELSON, SANTONI, SAYLOR, SCAVELLO, SEIP, SHAPIRO, SIPTROTH, M. SMITH, SOLOBAY, STABACK, STAIRS, STURLA, SURRA, TANGRETTI, J. TAYLOR, R. TAYLOR, THOMAS, VITALI, WAGNER, WALKO, WATERS, WATSON, WHEATLEY, J. WHITE, WILLIAMS, WOJNAROSKI and YOUNGBLOOD

An Act prohibiting the investment of State funds in certain private business entities doing business in Sudan.

Referred to Committee on STATE GOVERNMENT, April 23, 2007.

No. 1141 By Representatives WAGNER, BIANCUCCI, BOYD, DALLY, DeLUCA, FRANKEL, GRELL, KILLION, KIRKLAND, KORTZ, MAHONEY, McILHATTAN, MILNE, MOUL, MURT, PEIFER, PETRONE, RUBLEY, SCAVELLO, SCHRODER, TANGRETTI, VULAKOVICH and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for junior driver's license.

Referred to Committee on TRANSPORTATION, April 23, 2007.

No. 1143 By Representatives MANN, M. O'BRIEN, BELFANTI, BENNINGTON, CALTAGIRONE, CARROLL, COHEN, COSTA, CURRY, DeLUCA, DePASQUALE, FABRIZIO, FRANKEL, FREEMAN, GERGELY, GIBBONS, GRUCELA, JAMES, JOSEPHS, KULA, MAHONEY, MELIO, PRESTON, ROEBUCK, SAMUELSON, SAYLOR, SIPTROTH, SOLOBAY, SONNEY, STABACK, STURLA and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for kindergartens and for the definition of "compulsory school age."

Referred to Committee on EDUCATION, April 23, 2007.

No. 1144 By Representatives SOLOBAY, PAYNE, BELFANTI, CONKLIN, DALEY, DENLINGER, FABRIZIO, GEORGE, GERGELY, GINGRICH, GOODMAN, GRUCELA, HALUSKA, HENNESSEY, HUTCHINSON, W. KELLER, KILLION, KORTZ, KOTIK, KULA, LEACH, MAHONEY, MANN, McGEEHAN, MYERS, M. O'BRIEN, PARKER, PETRARCA, RAYMOND, READSHAW, REICHLEY, SCAVELLO, SEIP, K. SMITH, SURRA, J. TAYLOR, WALKO, J. WHITE, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act establishing a tax credit for qualifying costs of automatic fire sprinkler systems.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 23, 2007.

No. 1145 By Representatives SOLOBAY, BAKER, BELFANTI, BENNINGHOFF, BOYD, CALTAGIRONE, CAPPELLI, CASORIO, CLYMER, CONKLIN, COX, CUTLER, DALEY, DeWEESE, EVERETT, FABRIZIO, FAIRCHILD, GEIST, GEORGE, GIBBONS, GOODMAN, HALUSKA, HERSHEY, HESS, KORTZ, KOTIK, McILHATTAN, METCALFE, MUSTIO, PAYNE, PETRARCA, ROAE, K. SMITH, SONNEY, R. STEVENSON, SURRA, WALKO and J. WHITE

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing, in provisions relating to the Governor and disaster emergencies, for general authority of the Governor.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 23, 2007.

No. 1146 By Representatives LONGIETTI, CALTAGIRONE, CARROLL, CLYMER, CONKLIN, DALEY, DeLUCA, EVERETT, FABRIZIO, GEORGE, GERGELY, GIBBONS, HARHAI, HARRIS, HENNESSEY, JAMES, W. KELLER, KILLION, KORTZ, KOTIK, KULA, MANN, MURT, M. O'BRIEN, PAYNE, PETRONE, PHILLIPS, READSHAW, SCAVELLO, SEIP, TANGRETTI, YOUNGBLOOD, GINGRICH, MILNE, MICOZZIE, FREEMAN and RAPP

An Act amending the act of April 12, 2006 (P.L.67, No.22), known as the Merchant Marine World War II Veterans Bonus Act, further providing for definitions, for application for bonus, for United States Merchant Marine World War II Veterans' Bonus Fund and for expiration.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 23, 2007.

No. 1147 By Representatives LONGIETTI, MANDERINO, BELFANTI, SOLOBAY, BIANCUCCI, BOYD, CARROLL, CLYMER, CREIGHTON, CURRY, FABRIZIO, FREEMAN, HALUSKA, HENNESSEY, KORTZ, McCALL, MURT,

PRESTON, SABATINA, R. STEVENSON and YOUNGBLOOD

An Act amending the act of November 24, 1998 (P.L.874, No.110), known as the Motor Vehicle Chop Shop and Illegally Obtained and Altered Property Act, further providing for the definition of "chop shop."

Referred to Committee on JUDICIARY, April 23, 2007.

No. 1148 By Representatives GIBBONS, BARRAR, BELFANTI, CALTAGIRONE, CAPPELLI, CREIGHTON, CRUZ, DeLUCA, DePASQUALE, EVERETT, FABRIZIO, FRANKEL, FREEMAN, GERGELY, GOODMAN, GRUCELA, HARKINS, HENNESSEY, JAMES, JOSEPHS, KORTZ, KULA, MAHONEY, MANDERINO, MARSICO, MURT, PAYTON, PETRONE, RAMALEY, REED, ROEBUCK, SAMUELSON, SANTONI, SEIP, SOLOBAY, STABACK, SURRA, TANGRETTI, THOMAS, WANSACZ, WHEATLEY, J. WHITE and YOUNGBLOOD

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

Referred to Committee on STATE GOVERNMENT, April 23, 2007.

No. 1149 By Representatives GIBBONS, BELFANTI, CARROLL, CASORIO, CLYMER, CRUZ, DONATUCCI, FABRIZIO, FREEMAN, HARHAI, HENNESSEY, HERSHEY, JAMES, KULA, MANN, NICKOL, PETRARCA, RAYMOND, READSHAW, K. SMITH, WALKO, WILLIAMS, YOUNGBLOOD and SIPTROTH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for unlawful sound amplification systems.

Referred to Committee on TRANSPORTATION, April 23, 2007.

No. 1151 By Representatives GIBBONS, BAKER, CAPPELLI, COHEN, CREIGHTON, FABRIZIO, FAIRCHILD, FLECK, GEORGE, GRUCELA, HENNESSEY, KORTZ, MURT, PICKETT, PYLE, RAMALEY, SOLOBAY, THOMAS, YOUNGBLOOD and SIPTROTH

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, defining "small county"; providing for the Small County Prosecution Support Grant Program; and making an appropriation.

Referred to Committee on JUDICIARY, April 23, 2007.

No. 1152 By Representatives GIBBONS, BAKER, DENLINGER, DePASQUALE, HALUSKA, HENNESSEY, JOSEPHS, KORTZ, McILHATTAN, PETRARCA, RUBLEY, SOLOBAY, J. WHITE, YOUNGBLOOD and LONGIETTI

An Act amending Title 13 (Commercial Code) of the Pennsylvania Consolidated Statutes, extensively revising preliminary provisions and provisions relating to warehouse receipts, bills of lading and documents of title; further providing, in secured transactions, for definitions, for perfection and priority in deposit accounts and for perfection upon attachment; and making editorial changes.

Referred to Committee on COMMERCE, April 23, 2007.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 118, PN 145**, entitled:

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

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 118, PN 145, be rereferred to the Appropriations Committee.

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

* * *

The House proceeded to second consideration of **HB 634, PN 697**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for conditional certification of persons by the Department of Education.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 634, PN 697, be rereferred to the Appropriations Committee.

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

LEAVE OF ABSENCE

The SPEAKER. Without objection, Representative John MAHER will be placed on leave for the day. The Chair hears no objection. The gentleman will be placed on leave.

BILLS REREPORTED FROM COMMITTEE

HB 60, PN 85 By Rep. D. EVANS

An Act authorizing the release of Project 70 restrictions on certain lands owned by the Township of Harrison, Allegheny County, being

conveyed by the township in return for the imposition of Project 70 restrictions on certain lands being conveyed to the township.

APPROPRIATIONS.

HB 331, PN 381 By Rep. D. EVANS

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, providing for preference for training programs.

APPROPRIATIONS.

HB 503, PN 558 By Rep. D. EVANS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for eligibility and incompatible offices for school directors.

APPROPRIATIONS.

HB 675, PN 1267 By Rep. D. EVANS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of illegal dumping of methamphetamine waste; and imposing a penalty.

APPROPRIATIONS.

HB 688, PN 774 By Rep. D. EVANS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for exemptions from jury duty.

APPROPRIATIONS.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 17, PN 1262**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "serious traffic violation"; and further providing for employer responsibilities and for unlawful activities related to equipment standards.

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

* * *

The House proceeded to second consideration of **HB 347, PN 1263**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for commercial driver's license qualification standards.

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

* * *

The House proceeded to second consideration of **HB 202, PN 235**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for reports and removal of abandoned vehicles within the boundaries of a city of the first class or second class.

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

* * *

The House proceeded to second consideration of **HB 272, PN 1266**, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further providing for residency requirements for vacancy appointments.

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

* * *

BILL PASSED OVER TEMPORARILY

The SPEAKER. HB 834 on page 2 will be over temporarily.

* * *

The House proceeded to second consideration of **HB 840, PN 955**, entitled:

An Act designating the Main Street bridge on State Route 69 in the Borough of Sugar Grove, Warren County, as the AMVETS POW-MIA Memorial Bridge.

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

* * *

The House proceeded to second consideration of **HB 825, PN 942**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 22 (Detectives and Private Police) of the Pennsylvania Consolidated Statutes, providing for the offense of impersonating a private investigator, security professional, fugitive recovery agent or employee; amending the heading of Title 22 and 22 Pa.C.S. Ch. 3; codifying and making extensive revisions to The Private Detective Act of 1953; codifying the Lethal Weapons Training Act; further providing for the definition of "privately employed agents"; providing for the continuation of certain licenses; making an appropriation; and making related repeals.

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

Mr. **MARSICO** offered the following amendment No. **A00452**:

Amend Title, page 1, line 1, by striking out "Titles 18 (Crimes and Offenses) and" and inserting

Title

Amend Title, page 1, lines 3 through 5, by striking out all of lines 3 and 4 and "or employee;" in line 5

Amend Bill, page 1, lines 14 through 22; page 2, lines 1 through 6, by striking out all of said lines on said pages and inserting

Section 1. The heading of Title 22 of the Pennsylvania Consolidated Statutes is amended to read:

Amend Sec. 3, page 2, line 11, by striking out "3" and inserting
2

Amend Sec. 4, page 2, line 15, by striking out "4" and inserting
3

Amend Sec. 4 (Sec. 323), page 35, line 10, by inserting after "chapter"

with intent to induce another to submit to the pretended official authority or otherwise to act in reliance upon that pretense to the other's prejudice

Amend Sec. 4 (Sec. 323), page 35, line 12, by inserting after "chapter"

with intent to induce another to submit to the pretended official authority or otherwise to act in reliance upon that pretense to the other's prejudice

Amend Sec. 5, page 48, line 4, by striking out "5" and inserting
4

Amend Sec. 6, page 48, line 16, by striking out "6" and inserting
5

Amend Sec. 7, page 48, line 29, by striking out "7" and inserting
6

Amend Sec. 8, page 49, line 4, by striking out "8" and inserting
7

Amend Sec. 9, page 49, line 17, by striking out "9" and inserting
8

Amend Sec. 9, page 49, line 25, by striking out "8(1)(ii)" and inserting

7(1)(ii)

Amend Sec. 10, page 50, line 1, by striking out "10" and inserting

9

Amend Sec. 10, page 50, line 10, by striking out "8(2)(ii)" and inserting

7(2)(ii)

Amend Sec. 11, page 50, line 26, by striking out "11" and inserting

10

Amend Sec. 11, page 50, line 30, by striking out "6" and inserting

5

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

The SPEAKER. On the amendment, the Chair recognizes Representative Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

My amendment, A452, would remove the language from the bill creating a Crimes Code offense for impersonating a private investigator, security professional, or fugitive recovery agent in favor of language creating a more comprehensive offense later in the bill. Also, at the request of the Office of Attorney General, the amendment would add an intent standard

which mirrors similar language in the current section, 4912, of the Crimes Code.

With all that said, trust me, this is an agreed-to amendment, and I ask for your support.

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

The following roll call was recorded:

YEAS—194

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McI. Smith	Santoni
Benninghoff	Gibbons	McIlhatten	Saylor
Bennington	Gillespie	Melio	Scavello
Beyer	Gingrich	Mensch	Schroder
Biancucci	Godshall	Metcalfe	Seip
Bishop	Goodman	Micozzie	Shapiro
Blackwell	Grell	Millard	Shimkus
Boback	Grucela	Miller	Siptroth
Boyd	Haluska	Milne	Smith, K.
Brennan	Hanna	Moul	Smith, S.
Brooks	Harhai	Mundy	Solobay
Buxton	Harhart	Murt	Sonney
Caltagirone	Harkins	Mustio	Staback
Cappelli	Harper	Nailor	Stairs
Carroll	Harris	Nickol	Steil
Casorio	Helm	O'Brien, M.	Stern
Causar	Hennessey	O'Neill	Stevenson
Civera	Hershey	Pallone	Sturla
Clymer	Hess	Parker	Surra
Cohen	Hickernell	Pashinski	Swanger
Conklin	Hornaman	Payne	Tangretti
Costa	Hutchinson	Payton	Taylor, J.
Cox	James	Peifer	Taylor, R.
Creighton	Josephs	Perry	Thomas
Curry	Kauffman	Perzel	True
Cutler	Keller, M.	Petrarca	Turzai
Daley	Keller, W.	Petri	Vereb
Dally	Kessler	Petrone	Vitali
DeLuca	Killion	Phillips	Vulakovich
Denlinger	King	Pickett	Wagner
DePasquale	Kirkland	Preston	Walko
Dermody	Kortz	Pyle	Wansacz
DeWeese	Kotik	Quigley	Waters
DiGirolamo	Kula	Quinn	Watson
Donatucci	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Wojnaroski
Everett	Mackereth	Reed	Yewcic
Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Frankel	Mann	Roebuck	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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

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

The SPEAKER. Are there any further amendments? The Chair sees none.

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

GUEST INTRODUCED

The SPEAKER. Ladies and gentlemen, please join the Chair in welcoming Jeff Reed, kicker of the Pittsburgh Steelers, who is here today with the University of Pittsburgh Cancer Institute. Please rise.

Will the gentleman please hold his ring up in the air so all of us can view it. There you go. Let us have no comments about the Philadelphia Eagles not having any rings.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 896, PN 1049**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for limited wineries.

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

Mr. MYERS offered the following amendment No. **A00352**:

Amend Sec. 1 (Sec. 505.2), page 3, line 15, by inserting after "farmers"
, who are certified by the Department of Agriculture of the Commonwealth to participate in the Farmers' Market Nutrition Program subject to 7 CFR Pt.249 (relating to Senior Farmers' Market Nutrition Program),

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

AMENDMENT WITHDRAWN

The SPEAKER. That amendment is withdrawn.

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

Mr. **PETRI** offered the following amendment No. **A00409**:

Amend Sec. 1 (Sec. 502.2), page 3, line 3, by striking out "not"

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

AMENDMENT WITHDRAWN

The SPEAKER. On the amendment, the Chair recognizes Representative Petri.

Mr. PETRI. Mr. Speaker, I intend to withdraw this amendment at this time.

The SPEAKER. The Chair thanks the gentleman.
Does the gentleman intend to offer amendment A00410?
Mr. PETRI. Yes.

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

Mr. **PETRI** offered the following amendment No. **A00410**:

Amend Sec. 1 (Sec. 502.2), page 3, lines 2 through 4, by striking out all of said lines

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

The SPEAKER. On the amendment, the Chair recognizes Representative Petri.

Mr. PETRI. Mr. Speaker, our Pennsylvania limited wineries have become an important and valuable asset to our communities.

The SPEAKER. The gentleman will suspend.

Members will please take their seats. The aisles will be cleared. Members will eliminate any unnecessary conversations so the gentleman can be heard.

The gentleman may proceed.

Mr. PETRI. Thank you, Mr. Speaker.

Our Pennsylvania limited wineries have become a valuable economic asset to our communities. They also add a tremendous amount of aesthetic value. My amendment seeks to aid those Pennsylvania wineries in promoting their projects by allowing them 5 days during a calendar year to participate in food festivals.

I would ask for the members' support.

The SPEAKER. Representative Solobay.

Mr. SOLOBAY. Thank you, Mr. Speaker.

This is an agreed-to amendment.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—139

Adolph	Gergely	Melio	Santoni
Barrar	Gibbons	Metcalfe	Saylor
Bastian	Gillespie	Micozzie	Schroder
Belfanti	Goodman	Millard	Seip
Benninghoff	Grucela	Miller	Shapiro

Bennington	Haluska	Milne	Shimkus
Beyer	Hanna	Moul	Siptroth
Biancucci	Harhai	Mundy	Smith, K.
Bishop	Harkins	Mustio	Solobay
Blackwell	Harris	Nailor	Staback
Boback	Hennessey	Nickol	Stairs
Brennan	Hornaman	O'Brien, M.	Steil
Buxton	James	O'Neill	Sturla
Caltagirone	Josephs	Parker	Surra
Cappelli	Keller, W.	Pashinski	Tangretti
Carroll	Kessler	Payne	Taylor, J.
Causar	Killion	Payton	Taylor, R.
Cohen	King	Peifer	Thomas
Conklin	Kirkland	Perzel	Turzai
Costa	Kortz	Petri	Vitali
Curry	Kula	Petrone	Vulakovich
Daley	Leach	Pickett	Wagner
DeLuca	Lentz	Preston	Walko
DePasquale	Levdansky	Pyle	Wansacz
Dermody	Longiotti	Quinn	Waters
DeWeese	Mackereth	Ramaley	Watson
DiGirolamo	Mahoney	Rapp	Wheatley
Donatucci	Manderino	Raymond	White
Eachus	Mann	Reichley	Williams
Evans, J.	Mantz	Roae	Wojnaroski
Fabrizio	Markosek	Roebuck	Yewcic
Fairchild	McCall	Ross	Yudichak
Frankel	McGeehan	Rubley	
Galloway	McI. Smith	Sabatina	O'Brien, D., Speaker
George	McIlhattan	Sainato	
Gerber			

NAYS—55

Argall	Everett	Hutchinson	Readshaw
Baker	Fleck	Kauffman	Reed
Bear	Freeman	Keller, M.	Rock
Boyd	Gabig	Kotik	Rohrer
Brooks	Geist	Major	Samuelson
Casorio	Gingrich	Marshall	Scavello
Civera	Godshall	Marsico	Smith, S.
Clymer	Grell	Mensch	Sonney
Cox	Harhart	Murt	Stern
Creighton	Harper	Pallone	Stevenson
Cutler	Helm	Perry	Swanger
Dally	Hershey	Petrarca	True
Denlinger	Hess	Phillips	Vereb
Ellis	Hickernell	Quigley	

NOT VOTING—0

EXCUSED—9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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

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

Mr. **PYLE** offered the following amendment No. **A00424**:

Amend Title, page 1, line 17, by inserting after "for"
special occasion permits and for

Amend Bill, page 1, lines 20 through 23, by striking out all of said lines and inserting

Section 1. Section 408.4 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14), is amended by adding a subsection to read:

Section 408.4. Special Occasion Permits.—

* * *

(r) Notwithstanding any provision of law to the contrary, the board may issue a special occasion permit to an eligible entity located in a dry municipality if the board is provided with a copy of a resolution adopted by the municipality's governing body confirming support for the issuance of the special occasion permit.

Section 1.1. Section 505.2(a)(4) and (c) of the act, amended December 8, 2004 (P.L.1810, No.239), are amended to read:

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes Representative Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

What amendment 00424 does is it empowers the township supervisors of dry townships to file with the Liquor Control Board a request for a special-occasion permit. Back home I have a local volunteer fire hall that does a 3-day festival every fall within a fenced-in area, that for 50 years was able to sell cups of beer in an otherwise dry township. It is how they supported their fire hall. Three years ago the LCB returned word back to the local township supervisors that they had to put it on a binding referendum ballot at a very high cost that would have negated any kind of profits the volunteer fire hall would have generated. What our bill does is it returns power back to the local township supervisors to make this decision and forgoes the extraneous cost.

I would like to point out, Mr. Speaker, this is an agreed-to amendment with the maker of the bill. Thank you.

The SPEAKER. Representative Solobay.

Mr. SOLOBAY. That is correct, Mr. Speaker; this is agreed to.

The SPEAKER. Representative Preston.

Mr. PRESTON. Will the gentleman stand for interrogation on the amendment?

The SPEAKER. The gentleman indicates that he will. The gentleman may proceed with his interrogation.

Mr. PRESTON. I want to make this clear. The people have voted about having a dry township, but we want to give the authority for the elected officials to override the people's decision so that they can be able to sell alcohol for a few special occasions. Is that what you are saying?

Mr. PYLE. That is correct. This returns local control to the supervisors of a township.

Mr. PRESTON. So we want to take the authority away from the people?

Mr. PYLE. No. Those supervisors are elected by the people.

Mr. PRESTON. But cannot the people, if they want to be able to do this, and cannot the supervisors just file at the appropriate election time under the local municipal primary date to be able to have this on a simple ballot for a small township?

Mr. PYLE. It is a very good question, sir, but that very same size, small, or lack of size of that township and the extravagant cost involved with getting a ballot question put on would negate any kind of profit generated by the volunteer fire department. It actually becomes self-defeating.

Mr. PRESTON. But the people have spoken, so why are not the people just doing a small initiative, whether it is 1,000 people or 3,000? I came from a small town of 3,000 people.

Mr. PYLE. I am sorry. Is that a question?

Mr. PRESTON. Yes, and I am trying to understand, why do we want to give the power to elected officials and take that authority away from the people so that someone can sell alcohol for a special occasion in a township where the people do not want it to be sold?

Mr. PYLE. I would contend, Mr. Speaker, that a township supervisor is respected as the voice of the people when they win election.

Mr. PRESTON. Mr. Speaker, may I speak on the amendment?

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

Mr. PRESTON. This is a perfect example of going back to the old basic history class of Madisonian thought and theory of giving the power to a few elected officials versus letting the mass of the people to be able to speak.

Now, all I have heard from reform is about give the people a chance to have a voice, and here we have an amendment that takes that voice away from those people so that we can have an election. If the people do not want alcohol to be sold in their area, it is very simple for them to be able to do it. In one of my boroughs and townships now, we are getting ready to be able to have community meetings to be able to ask the people, and it is a dry town. I have a borough of Wilkesburg in my legislative district, and we are going to be meeting with the people, with the elected officials present, but we will need to be able to give the authority to the people.

I am not going to vote for this amendment because I think that is what government is about. Why should a few people be able to make a decision? Yes, they may be elected, but here we have a town where the people have spoken. They do not want it, and on a few occasions— And I heard this thing about, when we said about a food festival. Whether it is a volunteer fire department or not, it is not about the issue. It is that the people themselves have spoken, and we do not need to take that authority away from them.

I am going to vote "no" on this amendment.

The SPEAKER. The Chair is about to recognize the prime sponsor of the amendment for the second time. Is there any other member that seeks recognition?

Representative Raymond.

Mr. RAYMOND. Thank you, Mr. Speaker.

Mr. Speaker, I would like to clarify a couple things that were said by the gentleman from Allegheny County; maybe respond to some of what he had indicated.

We in fact last year in this chamber passed a bill that allowed that municipality to issue a special-occasion permit, and here is the difference in what he is talking about. The towns are not voting to make the town wet, and we are not giving the town bars and package stores on every corner or anything. All this is, is to allow some charitable or fire company or some different group in a town that is dry to have the ability to have a fundraising effort that the elected town officials deem necessary. And you know what? It is not because they want the town wet and they want bars on every corner. They want to give these charitable groups and these worthy groups an opportunity, if they see fit, and we are giving local control back to local

elected officials, who can be voted out of office next time they run, the ability to do what they think is right.

We are not asking the towns to go wet and letting a group of commissioners or council people change the laws of the town. We are just asking to give the leeway to your local elected officials that want to help their fire company, their Kiwanis, or whomever they want to help, with a special-occasion permit that will still be regulated and guided and controlled by the LCB.

I urge the members to support this amendment and would ask them all to do so. Thank you.

The SPEAKER. Are there any other members that seek recognition?

Representative Preston for the second time.

Mr. PRESTON. Mr. Speaker, this is not about raising money. This is about being able to empower the people, and it is unfortunate. What we are basically saying is giving permission under a special— What we are saying is taking the authority away from the people, and I understand under certain special occasions, and I have no problem with special-occasion permits for people who want it, but what we are saying is, in a town that does not want one drop of alcohol, what we are saying is, for someone to be able to raise money is more important than the ethics of a small group of individuals or citizens. Whether it is 50 people or whether it is 20,000 people in my borough of Wilkesburg, the people have spoken, whether it is 1 day, whether it is 5 days, whether it is 30 days, and that is my whole issue. It is not about the volunteer fire department, which I support, and I have them in my legislative district just as well. It is just that the people have spoken, and I am amazed that we have people who prophesized that we need to take this and keep this business to the people, but yet, in a sense, we want to give the decision to a few elected people, to be able to make their own personal decision, and after that decision has been made, then maybe 2 to 4 years along, yes, they do have to face the people, but the people have spoken. Let the people's voice be heard, let it be recorded, and just eliminate the process, because we should not really be doing this and taking this authority away from the people.

I would still ask for a negative vote. Thank you.

The SPEAKER. Representative Ross.

Mr. ROSS. Thank you, Mr. Speaker.

Mr. Speaker, further clarifying, when the idea is put forward that in a dry township no drop of alcohol exists or is served, it is inaccurate. It is quite true that private parties in dry townships can currently exist, and when you look at the continuum between a private party and a full license, there is an intermediary step, which is a special-occasion permit, and I would suggest that a special-occasion permit is closer on a continuum to a private party than it is to a fully licensed restaurant or tavern, which would be operating throughout the year on a regular basis. So therefore, I think there is a good distinction to be made here, and to have an interim step in the way that the special-occasion permit might be granted in a dry township also makes a good deal of sense.

So I would urge a positive vote, an affirmative vote, on this amendment.

The SPEAKER. Is there any other member that seeks recognition on the amendment?

Representative Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

I would like to point out that this amendment does not turn a dry township into a wet township at the whim of township supervisors. All it does is it enables them to petition the LCB for a 3-day special-occasion permit, an SOP. If you would like some history on it, South Buffalo Township up until 2 years ago did not even know they were a dry township until LCB shut down the permit for the fire hall. I would like to point out, this was an agreed-to amendment this year and passed the House unanimously last year.

Mr. Speaker, if I may diverge, I heard something the previous speaker referred to – reform. Since we have opened the door to reform in the previous speaker's question, Mr. Speaker, reform takes many forms, Mr. Speaker, and where I come from, they say the best government is the one that governs least, and the one that they pay attention to and interact the most with is the local government, and empowering the township supervisors to apply for an SOP, we are returning more control to the local citizens who live on the site affected, and I would encourage a positive vote.

Thank you.

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

The following roll call was recorded:

YEAS—161

Adolph	Gillespie	McIlhattan	Sabatina
Argall	Gingrich	Melio	Sainato
Baker	Goodman	Mensch	Santoni
Barrar	Grell	Metcalfe	Saylor
Belfanti	Grucela	Micozzie	Scavello
Bennington	Haluska	Millard	Seip
Beyer	Hanna	Miller	Shapiro
Biancucci	Harhai	Moul	Shimkus
Bishop	Harhart	Mundy	Siproth
Blackwell	Harkins	Murt	Smith, K.
Boback	Harper	Mustio	Smith, S.
Brooks	Harris	Nailor	Solobay
Buxton	Helm	Nickol	Sonney
Caltagirone	Hennessey	O'Brien, M.	Staback
Cappelli	Hershey	O'Neill	Stairs
Causar	Hess	Pallone	Stevenson
Civera	Hornaman	Parker	Sturla
Conklin	James	Pashinski	Surra
Costa	Keller, M.	Payne	Tangretti
Curry	Keller, W.	Payton	Taylor, J.
Daley	Kessler	Peifer	Taylor, R.
Dally	Killion	Perry	Thomas
DeLuca	King	Perzel	Turzai
Dermody	Kirkland	Petrarca	Vereb
DeWeese	Kortz	Petri	Vitali
DiGirolamo	Kotik	Petrone	Vulakovich
Donatucci	Kula	Phillips	Wagner
Eachus	Leach	Pickett	Walko
Ellis	Lentz	Pyle	Wansacz
Evans, J.	Levdansky	Quigley	Waters
Everett	Longietti	Quinn	Watson
Fabrizio	Mackereth	Ramaley	Wheatley
Frankel	Mahoney	Rapp	White
Freeman	Major	Raymond	Williams
Gabig	Manderino	Readshaw	Wojnaroski
Galloway	Mann	Reed	Yewcic
Geist	Markosek	Reichley	Yudichak
George	Marsico	Roae	
Gerber	McCall	Roebuck	O'Brien, D., Speaker
Gergely	McGeehan	Ross	
Gibbons	McI. Smith	Rubley	

NAYS—33

Bastian	Cox	Hickernell	Rock
Bear	Creighton	Hutchinson	Rohrer
Benninghoff	Cutler	Josephs	Samuelson
Boyd	Denlinger	Kauffman	Schroder
Brennan	DePasquale	Mantz	Steil
Carroll	Fairchild	Marshall	Stern
Casorio	Fleck	Milne	Swanger
Clymer	Godshall	Preston	True
Cohen			

NOT VOTING—0

EXCUSED—9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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

On the question recurring,

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

Mr. **REICHLEY** offered the following amendment No. **A00436**:

Amend Sec. 1 (Sec. 505.2), page 2, line 5, by striking out "and food" and inserting

[and food], food and cultural

Amend Sec. 1 (Sec. 505.2), page 2, line 16, by striking out "and food" and inserting

[and food], food and cultural

Amend Sec. 1 (Sec. 505.2), page 2, lines 21 and 22, by striking out "and food" and inserting

[and food], food and cultural

Amend Sec. 1 (Sec. 505.2), page 2, line 23, by striking out "primary intent of" and inserting

[primary intent of] intent of promoting Pennsylvania products and culture by

Amend Sec. 1 (Sec. 505.2), page 2, line 28, by striking out "and food" and inserting

[and food], food and cultural

Amend Sec. 1 (Sec. 505.2), page 3, line 1, by striking out "and food" and inserting

food and cultural

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes Representative Reichley.

Mr. **REICHLEY**. Thank you, Mr. Speaker.

This was a matter brought to my attention by some of the local wineries in the Lehigh Valley who have been complaining of an apparent arbitrary decisionmaking pattern by the LCB and the granting of special permits at food and cultural expositions and fairs. Some wineries, in-State wineries, were granted permits; others were not. The intention of this amendment is to make it uniform so that all in-State wineries can fairly apply and receive a special-occasion permit for food and cultural

expositions. As we have heard already today on the floor, there are many situations in which charitable organizations wish to have these permits, but it extends as well to cultural exhibitions, and I believe the prime sponsor of the bill is also in agreement with this amendment.

Thank you, Mr. Speaker.

The SPEAKER. Representative Solobay.

Mr. **SOLOBAY**. Thank you, Mr. Speaker.

This also is an agreed-to amendment.

The SPEAKER. Is there anyone else that seeks recognition?

Representative Samuelson.

Mr. **SAMUELSON**. I would like to interrogate the maker of the amendment.

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

Mr. **SAMUELSON**. The question is, earlier we considered the Petri amendment which dealt with food expositions. Your amendment deals with food and cultural expositions. I just want to know how the two amendments work together, since the Petri amendment was adopted.

Mr. **REICHLEY**. Thank you, Mr. Speaker.

I believe the gentleman has referred to the amendment from the gentleman from Bucks County, Mr. Petri, that referred to the granting of special-occasion permits for in-State wineries attempting to have a display in grocery stores and convenience stores. This would not be strictly applied to those particular physical-type locations but I believe would, for instance, be available to Musikfest in Bethlehem, for an in-State winery to be able to have a special-occasion permit to sell in-State wine products at such an occasion.

The SPEAKER. Is there anyone else seeking recognition on the amendment?

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—169

Adolph	Gergely	McI. Smith	Sabatina
Argall	Gibbons	McIlhattan	Sainato
Barrar	Gillespie	Melio	Samuelson
Belfanti	Gingrich	Mensch	Santoni
Bennington	Godshall	Metcalfe	Saylor
Beyer	Goodman	Micozzie	Scavello
Biancucci	Grell	Millard	Schroder
Bishop	Grucela	Miller	Seip
Blackwell	Haluska	Milne	Shapiro
Boback	Hanna	Moul	Shimkus
Brennan	Harhai	Mundy	Siptroth
Brooks	Harhart	Murt	Smith, K.
Buxton	Harkins	Mustio	Solobay
Caltagirone	Harper	Nailor	Sonney
Cappelli	Harris	Nickol	Staback
Carroll	Helm	O'Brien, M.	Stairs
Casorio	Hennessey	O'Neill	Steil
Causser	Hershey	Pallone	Stevenson
Civera	Hornaman	Parker	Sturla
Cohen	James	Pashinski	Surra
Conklin	Josephs	Payne	Tangretti
Costa	Keller, W.	Payton	Taylor, J.
Curry	Kessler	Peifer	Taylor, R.
Daley	Killion	Perry	Thomas
Dally	King	Perzel	Turzai
DeLuca	Kirkland	Petrarca	Vereb

DePasquale	Kortz	Petri	Vitali
Dermody	Kotik	Petrone	Vulakovich
DeWeese	Kula	Pickett	Wagner
DiGirolamo	Leach	Preston	Walko
Donatucci	Lentz	Pyle	Wansacz
Eachus	Levdansky	Quigley	Waters
Ellis	Longietti	Quinn	Watson
Evans, J.	Mackereth	Ramaley	Wheatley
Everett	Mahoney	Rapp	White
Fabrizio	Major	Raymond	Williams
Fairchild	Manderino	Readshaw	Wojnaroski
Frankel	Mann	Reed	Yewcic
Freeman	Mantz	Reichley	Yudichak
Galloway	Markosek	Roae	
Geist	Marsico	Roebuck	O'Brien, D., Speaker
George	McCall	Ross	
Gerber	McGeehan	Rubley	

NAYS—25

Baker	Creighton	Hickernell	Rock
Bastian	Cutler	Hutchinson	Rohrer
Bear	Denlinger	Kauffman	Smith, S.
Benninghoff	Fleck	Keller, M.	Stern
Boyd	Gabig	Marshall	Swanger
Clymer	Hess	Phillips	True
Cox			

NOT VOTING—0

EXCUSED—9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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

On the question recurring,

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

Mr. **MARSICO** offered the following amendment No. **A00442**:

Amend Title, page 1, line 17, by inserting after "providing" for unlawful acts relating to furnishing free liquor or malt or brewed beverages and

Amend Bill, page 1, lines 20 through 23, by striking out all of said lines and inserting

Section 1. Section 493(24) of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14) and amended November 29, 2006 (P.L.1421, No.155), is amended and the section is amended by adding a clause to read:

Section 493. Unlawful Acts Relative to Liquor, Malt and Brewed Beverages and Licensees.—The term "licensee," when used in this section, shall mean those persons licensed under the provisions of Article IV, unless the context clearly indicates otherwise.

It shall be unlawful—

(24) [(i)] Things of Value Offered as Inducement. [Except as provided in subclause (ii), for] For any licensee under the provisions of this article, or the board or any manufacturer, or any employee or agent of a manufacturer, licensee or of the board, to offer to give anything of value or to solicit or receive anything of value as a premium for the

return of caps, stoppers, corks, stamps or labels taken from any bottle, case, barrel or package containing liquor or malt or brewed beverage, or to offer or give or solicit or receive anything of value as a premium or present to induce directly the purchase of liquor or malt or brewed beverage, or for any licensee, manufacturer or other person to offer or give to trade or consumer buyers any prize, premium, gift or other inducement to purchase liquor or malt or brewed beverages, except advertising novelties of nominal value which the board shall define. This section shall not prevent any manufacturer or any agent of a manufacturer from offering and honoring coupons which offer monetary rebates on purchases of wines and spirits through State Liquor Stores or purchases of malt or brewed beverages through distributors and importing distributors in accordance with conditions or regulations established by the board. The board may redeem coupons offered by a manufacturer or an agent of a manufacturer at the time of purchase. Coupons offered by a manufacturer or an agent of a manufacturer shall not be redeemed without proof of purchase. This section shall not apply to the return of any monies specifically deposited for the return of the original container to the owners thereof.

[(ii) Notwithstanding subclause (i) or any other provision of law, a holder of a restaurant license that is also approved to hold a slot machine license or a conditional slot machine license under 4 Pa.C.S. Part II (relating to gaming) may give liquor and malt or brewed beverages free of charge to any person actively engaged in playing a slot machine.]

(29.1) Furnishing Free Liquor or Malt or Brewed Beverages.
For any licensee that holds a slot machine license, or any employee, servant or agent of such licensee, to give away free of charge or below cost any liquor or malt or brewed beverage as a customary practice.

Section 2. Section 505.2(a)(4) and (c) of the act, amended December 8, 2004 (P.L.1810, No.239), are amended to read:

Amend Sec. 2, page 3, line 18, by striking out all of said line and inserting

Section 3. This act shall take effect as follows:

(1) The amendment of section 505.2(a)(4) and (c) of the act shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The **SPEAKER**. On the amendment, the Chair recognizes Representative Marsico.

Mr. **MARSICO**. Thank you, Mr. Speaker.

I am withdrawing the amendment, A00442. Thank you.

The **SPEAKER**. The Chair thanks the gentleman.

On the question recurring,

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

Mr. **PALLONE** offered the following amendment No. **A00464**:

Amend Title, page 1, line 17, by inserting after "providing"

for restrictions on sales of malt or brewed beverages involving retail dispensers and distributors and importing distributors and

Amend Bill, page 1, lines 20 through 23, by striking out all of said lines and inserting

Section 1. Section 431 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14), is amended by adding a subsection to read:

Section 431. Malt and Brewed Beverages Manufacturers', Distributors' and Importing Distributors' Licenses.—* * *

(b.2) (1) Notwithstanding any provision of this act to the contrary, it is unlawful for a retail dispenser licensee to purchase malt or brewed beverages from a distributor or importing distributor unless the manufacturer of the malt or brewed beverage has authorized the distributor or importing distributor to sell to that licensee or to sell to retail licensees in the geographic area of the importing distributor.

(2) The prohibition under paragraph (1) shall only apply to retail dispenser licensees whose sales of malt or brewed beverages for off-premises consumption are seventy-five per centum (75%) or more of its total sales.

Section 2. Section 505.2(a)(4) and (c) of the act, amended December 8, 2004 (P.L.1810, No.239), are amended to read:

Amend Sec. 2, page 3, line 18, by striking out "2" and inserting
3

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman, Representative Pallone.

Mr. PALLONE. Thank you, Mr. Speaker.

I thought this amendment was withdrawn with agreement with the maker of the bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman for his announcement.

On the question recurring,

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

Mr. NICKOL offered the following amendment No. A00465:

Amend Title, page 1, line 17, by inserting after "for"
possession or transportation of liquor or alcohol
and for

Amend Bill, page 1, lines 20 through 23, by striking out all of said lines and inserting

Section 1. Section 491(2), (3), (8) and (11) of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14) and amended February 21, 2002 (P.L.103, No.10), December 9, 2002 (P.L.1653, No.212) and July 7, 2006 (P.L.584, No.84), are amended to read:

Section 491. Unlawful Acts Relative to Liquor, Alcohol and Liquor Licensees.—

It shall be unlawful—
* * *

(2) Possession or Transportation of Liquor or Alcohol. For any person, except a manufacturer or the board or the holder of a sacramental wine license or of an importer's license, to possess or transport any liquor or alcohol within this Commonwealth which was not lawfully acquired prior to January first, one thousand nine hundred and thirty-four, or has not been purchased from a Pennsylvania Liquor Store or a licensed limited winery in Pennsylvania, except in accordance with section 488 or the board's regulations. In addition, it shall be lawful for anyone to possess miniatures totaling less than one gallon purchased in another state or a foreign country. The burden shall be upon the person possessing or transporting such liquor or alcohol to prove that it was so acquired. Notwithstanding this section or any other

provision of the law, wine may be produced by any person without a license if the wine is not produced for sale and total production does not exceed two hundred gallons per calendar year. Wine produced in accordance with this clause may be used at organized affairs, exhibitions, competitions, contests, tastings or judgments if it is not sold or offered for sale.

None of the provisions herein contained shall prohibit nor shall it be unlawful for any person to import into Pennsylvania, transport or have in his possession, an amount of liquor not exceeding one gallon in volume upon which a State tax has not been paid, if it can be shown to the satisfaction of the board that such person purchased the liquor in a foreign country or United States territory and was allowed to bring it into the United States. Neither shall the provisions contained herein prohibit nor make it unlawful for (i) any member of the armed forces on active duty, or (ii) any retired member of the armed forces, or (iii) any totally disabled veteran, or (iv) the spouse of any person included in the foregoing classes of persons to import into Pennsylvania, transport or have in his possession an amount of liquor not exceeding one gallon per month in volume upon which the State tax has not been paid, so long as such liquor has been lawfully purchased from a package store established and maintained under the authority of the United States and is in containers identified in accordance with regulations issued by the Department of Defense. Such liquor shall not be possessed, offered for sale or sold on any licensed premises.

None of the provisions herein contained shall prohibit nor shall it be unlawful for any consul general, consul or other diplomatic officer of a foreign government to import into Pennsylvania, transport or have in his possession liquor upon which a State tax has not been paid, if it can be shown to the satisfaction of the board that such person acquired the liquor in a foreign country and was allowed to bring it into the United States. Such liquor shall not be possessed, offered for sale or sold on any licensed premises. Nothing in this clause shall be construed to prohibit any person from possessing or transporting within this Commonwealth any wine in an amount not to exceed one hundred twenty-eight ounces not purchased in this Commonwealth for such person's exclusive personal consumption and not for resale.

Any person violating the provisions of this clause for a first offense involving the possession or transportation in Pennsylvania of any liquor in a package (bottle or other receptacle) or wine not purchased from a Pennsylvania Liquor Store or from a licensed limited winery in Pennsylvania, with respect to which satisfactory proof is produced that the required Federal tax has been paid and which was purchased, procured or acquired legally outside of Pennsylvania shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of twenty-five dollars (\$25) for each such package, plus costs of prosecution, or undergo imprisonment for a term not exceeding ninety (90) days. Each full quart or major fraction thereof shall be considered a separate package (bottle or other receptacle) for the purposes of this clause. Such packages of liquor shall be forfeited to the Commonwealth in the manner prescribed in Article VI of this act but the vehicle, boat, vessel, animal or aircraft used in the illegal transportation of such packages shall not be subject to forfeiture: Provided, however, That if it is a second or subsequent offense or if it is established that the illegal possession or transportation was in connection with a commercial transaction, then the other provisions of this act providing for prosecution as a misdemeanor and for the forfeiture of the vehicle, boat, vessel, animal or aircraft shall apply.

(3) Purchase of Liquor or Alcohol. For any person within this Commonwealth, by himself or by an employe or agent, to attempt to purchase, or directly or indirectly, or upon any pretense or device whatsoever, to purchase any liquor or alcohol from any person or source other than a Pennsylvania Liquor Store, except in accordance with the provisions of this act or the regulations of the board. This clause shall not be construed to prohibit any person from purchasing any wine in an amount not to exceed one hundred twenty-eight ounces outside of this Commonwealth for such person's exclusive personal consumption and not for resale.

* * *

(8) Importation and Sales of Alcohol. For any person, to import alcohol into this Commonwealth, or to sell alcohol to any person, except in accordance with section 488 and the regulations of the board. This clause shall not be construed to prohibit any person from importing wine in an amount not to exceed one hundred twenty-eight ounces into this Commonwealth for such person's exclusive personal consumption and not for resale.

* * *

(11) Importation of Liquor. For any person, other than the board or the holder of a sacramental wine license, an importer's license or a direct shipper's license, to import any liquor whatsoever into this Commonwealth, but this section shall not be construed to prohibit railroad and pullman companies from purchasing and selling liquors purchased outside the Commonwealth in their dining, club and buffet cars which are covered by public service liquor licenses and which are operated in this Commonwealth. This clause shall also not be construed to prohibit any person from importing wine in an amount not to exceed one hundred twenty-eight ounces into this Commonwealth for such person's exclusive personal consumption and not for resale.

* * *

Section 2. Section 505.2(a)(4) and (c) of the act, amended December 8, 2004 (P.L.1810, No.239), are amended to read:

Amend Sec. 2, page 3, line 18, by striking out "2" and inserting
3

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

AMENDMENT WITHDRAWN

The SPEAKER. On the amendment, the Chair recognizes Representative Nickol.

Mr. NICKOL. Thank you, Mr. Speaker.

I would like to withdraw the amendment. I want to tighten the language and offer it at a later date. Thank you.

The SPEAKER. The Chair thanks the gentleman for his announcement. The amendment is withdrawn.

Are there any further amendments?

Seeing none, will the House agree to the bill?

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **SB 437, PN 853**, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for the adoption of regulations.

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

The SPEAKER. Are there any amendments? The Chair sees none.

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

RESOLUTIONS AND

RESOLUTIONS PURSUANT TO RULE 35

RESOLUTIONS PASSED OVER TEMPORARILY

The SPEAKER. All the resolutions on pages 5 through 7 are over temporarily.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER

The SPEAKER. Without objection, HB 111 is over for today.

Without objection, HB 120 on page 1 of the supplemental calendar A is over for today.

* * *

The House proceeded to third consideration of **HB 60, PN 85**, entitled:

An Act authorizing the release of Project 70 restrictions on certain lands owned by the Township of Harrison, Allegheny County, being conveyed by the township in return for the imposition of Project 70 restrictions on certain lands being conveyed to the township.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rublely
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McI. Smith	Santoni
Benninghoff	Gibbons	McIlhattan	Saylor
Bennington	Gillespie	Melio	Scavello
Beyer	Gingrich	Mensch	Schroder
Biancucci	Godshall	Metcalfe	Seip
Bishop	Goodman	Micozzie	Shapiro
Blackwell	Grell	Millard	Shimkus
Boback	Grucela	Miller	Siptroth
Boyd	Haluska	Milne	Smith, K.
Brennan	Hanna	Moul	Smith, S.
Brooks	Harhai	Mundy	Solobay
Buxton	Harhart	Murt	Sonney
Caltagirone	Harkins	Mustio	Staback
Cappelli	Harper	Nailor	Stairs
Carroll	Harris	Nickol	Steil
Casorio	Helm	O'Brien, M.	Stern

Causar	Hennessey	O'Neill	Stevenson
Civera	Hershey	Pallone	Sturla
Clymer	Hess	Parker	Surra
Cohen	Hickernell	Pashinski	Swanger
Conklin	Hornaman	Payne	Tangretti
Costa	Hutchinson	Payton	Taylor, J.
Cox	James	Peifer	Taylor, R.
Creighton	Josephs	Perry	Thomas
Curry	Kauffman	Perzel	True
Cutler	Keller, M.	Petrarca	Turzai
Daley	Keller, W.	Petri	Vereb
Dally	Kessler	Petrone	Vitali
DeLuca	Killion	Phillips	Vulakovich
Denlinger	King	Pickett	Wagner
DePasquale	Kirkland	Preston	Walko
Dermody	Kortz	Pyle	Wansacz
DeWeese	Kotik	Quigley	Waters
DiGirolamo	Kula	Quinn	Watson
Donatucci	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Wojnaroski
Everett	Mackereth	Reed	Yewcic
Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	O'Brien, D.,
Fleck	Manderino	Rock	Speaker
Frankel	Mann	Roebuck	

NAYS-0

NOT VOTING-0

EXCUSED-9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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 331, PN 381**, entitled:

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, providing for preference for training programs.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-193

Adolph	Gabig	Markosek	Ross
Argall	Galloway	Marshall	Rubleby
Baker	Geist	Marsico	Sabatina
Barrar	George	McCall	Sainato
Bastian	Gerber	McGeehan	Samuelson
Bear	Gergely	McI. Smith	Santoni
Belfanti	Gibbons	McIlhattan	Saylor
Benninghoff	Gillespie	Melio	Scavello
Bennington	Gingrich	Mensch	Schroder
Beyer	Godshall	Metcalf	Seip
Biancucci	Goodman	Micozzie	Shapiro
Bishop	Grell	Millard	Shimkus
Blackwell	Gruclera	Miller	Siptroth
Boback	Haluska	Milne	Smith, K.
Boyd	Hanna	Moul	Smith, S.
Brennan	Harhai	Mundy	Solobay
Brooks	Harhart	Murt	Sonney
Buxton	Harkins	Mustio	Staback
Caltagirone	Harper	Nailor	Stairs
Cappelli	Harris	Nickol	Steil
Carroll	Helm	O'Brien, M.	Stern
Casorio	Hennessey	O'Neill	Stevenson
Causar	Hershey	Pallone	Sturla
Civera	Hess	Parker	Surra
Clymer	Hickernell	Pashinski	Swanger
Cohen	Hornaman	Payne	Tangretti
Conklin	Hutchinson	Payton	Taylor, J.
Costa	James	Peifer	Taylor, R.
Cox	Josephs	Perry	Thomas
Creighton	Kauffman	Perzel	True
Cutler	Keller, M.	Petrarca	Turzai
Daley	Keller, W.	Petri	Vereb
Dally	Kessler	Petrone	Vitali
DeLuca	Killion	Phillips	Vulakovich
Denlinger	King	Pickett	Wagner
DePasquale	Kirkland	Preston	Walko
Dermody	Kortz	Pyle	Wansacz
DeWeese	Kotik	Quigley	Waters
DiGirolamo	Kula	Quinn	Watson
Donatucci	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Wojnaroski
Everett	Mackereth	Reed	Yewcic
Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	O'Brien, D.,
Fleck	Manderino	Rock	Speaker
Frankel	Mann	Roebuck	
Freeman	Mantz	Rohrer	

NAYS-1

Curry

NOT VOTING-0

EXCUSED-9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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 503, PN 558**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for eligibility and incompatible offices for school directors.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—149

Adolph	Freeman	Manderino	Sabatina
Baker	Galloway	Mann	Sainato
Barrar	George	Mantz	Samuelson
Belfanti	Gerber	Markosek	Santoni
Benninghoff	Gergely	McCall	Saylor
Bennington	Gibbons	McGeehan	Scavello
Biancucci	Gillespie	McI. Smith	Schroder
Bishop	Gingrich	McIlhattan	Seip
Blackwell	Goodman	Melio	Shapiro
Boback	Grucela	Mensch	Shimkus
Boyd	Haluska	Micozzie	Siptroth
Brennan	Hanna	Millard	Smith, K.
Brooks	Harhai	Mundy	Solobay
Buxton	Harhart	Nickol	Staback
Caltagirone	Harkins	O'Brien, M.	Stairs
Carroll	Harper	O'Neill	Sturla
Casorio	Harris	Pallone	Surra
Causar	Helm	Parker	Tangretti
Civera	Hennessey	Pashinski	Taylor, J.
Clymer	Hershey	Payne	Taylor, R.
Cohen	Hess	Payton	Thomas
Conklin	Hickernell	Peifer	Turzai
Costa	Hornaman	Perzel	Vitali
Curry	James	Petrarca	Wagner
Daley	Josephs	Petri	Walko
Dally	Keller, W.	Petrone	Wansacz
DeLuca	Kessler	Phillips	Waters
Denlinger	Killion	Preston	Watson
DePasquale	King	Pyle	Wheatley
Dermody	Kirkland	Quinn	White
DeWeese	Kortz	Ramaley	Williams
DiGirolamo	Kotik	Raymond	Wojnaroski
Donatucci	Kula	Readshaw	Yewcic
Eachus	Leach	Reichley	Yudichak
Fabrizio	Lentz	Roae	
Fairchild	Levdansky	Roebuck	O'Brien, D., Speaker
Fleck	Longietti	Ross	
Frankel	Mahoney	Rubley	

NAYS—44

Argall	Geist	Miller	Rock
Bastian	Godshall	Milne	Rohrer
Bear	Grell	Moul	Smith, S.
Beyer	Hutchinson	Murt	Sonney
Cox	Kauffman	Mustio	Steil
Creighton	Keller, M.	Nailor	Stern
Cutler	Mackereth	Perry	Stevenson
Ellis	Major	Pickett	Swanger

Evans, J.	Marshall	Quigley	True
Everett	Marsico	Rapp	Vereb
Gabig	Metcalfe	Reed	Vulakovich

NOT VOTING—1

Cappelli

EXCUSED—9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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 675, PN 1267**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of illegal dumping of methamphetamine waste; and imposing a penalty.

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

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

The question is, shall the bill pass finally?

Representative Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

We all know what a problem methamphetamine is in this Commonwealth. Law enforcement closes approximately 100-plus labs across the Commonwealth of Pennsylvania. The chemicals used in the production of methamphetamine are highly, highly toxic chemicals. What this bill does is create an offense of illegal dumping of methamphetamine in this Commonwealth, and it makes it a felony of the third degree if convicted.

To produce about 2 ounces of methamphetamine, it creates about 6-plus pounds of toxic, toxic waste, and I think this legislation would go a long way in helping law enforcement deal with methamphetamine and these illegal labs in Pennsylvania. Thank you.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McI. Smith	Santoni
Benninghoff	Gibbons	McIlhatten	Saylor
Bennington	Gillespie	Melio	Scavello
Beyer	Gingrich	Mensch	Schroder
Biancucci	Godshall	Metcalfe	Seip
Bishop	Goodman	Micozzie	Shapiro
Blackwell	Grell	Millard	Shimkus
Boback	Grucela	Miller	Siptroth
Boyd	Haluska	Milne	Smith, K.
Brennan	Hanna	Moul	Smith, S.
Brooks	Harhai	Mundy	Solobay
Buxton	Harhart	Murt	Sonney
Caltagirone	Harkins	Mustio	Staback
Cappelli	Harper	Nailor	Stairs
Carroll	Harris	Nickol	Steil
Casorio	Helm	O'Brien, M.	Stern
Causer	Hennessey	O'Neill	Stevenson
Civera	Hershey	Pallone	Sturla
Clymer	Hess	Parker	Surra
Cohen	Hickernell	Pashinski	Swanger
Conklin	Hornaman	Payne	Tangretti
Costa	Hutchinson	Payton	Taylor, J.
Cox	James	Peifer	Taylor, R.
Creighton	Josephs	Perry	Thomas
Curry	Kauffman	Perzel	True
Cutler	Keller, M.	Petrarca	Turzai
Daley	Keller, W.	Petri	Vereb
Dally	Kessler	Petrone	Vitali
DeLuca	Killion	Phillips	Vulakovich
Denlinger	King	Pickett	Wagner
DePasquale	Kirkland	Preston	Walko
Dermody	Kortz	Pyle	Wansacz
DeWeese	Kotik	Quigley	Waters
DiGirolamo	Kula	Quinn	Watson
Donatucci	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Wojnaroski
Everett	Mackereth	Reed	Yewcic
Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	O'Brien, D.,
Fleck	Manderino	Rock	Speaker
Frankel	Mann	Roebuck	

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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 688, PN 774**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for exemptions from jury duty.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—191

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bastian	Gerber	McGeehan	Sainato
Bear	Gergely	McI. Smith	Samuelson
Belfanti	Gibbons	McIlhatten	Santoni
Benninghoff	Gillespie	Melio	Saylor
Beyer	Gingrich	Mensch	Scavello
Biancucci	Godshall	Metcalfe	Schroder
Bishop	Goodman	Micozzie	Seip
Blackwell	Grell	Millard	Shapiro
Boback	Grucela	Miller	Shimkus
Boyd	Haluska	Milne	Siptroth
Brennan	Hanna	Moul	Smith, K.
Brooks	Harhai	Mundy	Smith, S.
Buxton	Harhart	Murt	Solobay
Caltagirone	Harkins	Mustio	Sonney
Cappelli	Harper	Nailor	Staback
Carroll	Harris	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Causer	Hennessey	O'Neill	Stern
Civera	Hershey	Pallone	Stevenson
Clymer	Hess	Parker	Sturla
Cohen	Hickernell	Pashinski	Surra
Conklin	Hornaman	Payne	Swanger
Costa	Hutchinson	Payton	Tangretti
Cox	James	Peifer	Taylor, J.
Creighton	Josephs	Perry	Taylor, R.
Curry	Kauffman	Perzel	Thomas
Cutler	Keller, M.	Petrarca	True
Daley	Keller, W.	Petri	Turzai
Dally	Kessler	Petrone	Vereb
DeLuca	Killion	Phillips	Vitali
Denlinger	King	Pickett	Vulakovich
DePasquale	Kirkland	Preston	Walko
Dermody	Kortz	Pyle	Wansacz
DeWeese	Kotik	Quigley	Waters
DiGirolamo	Kula	Quinn	Watson
Donatucci	Leach	Ramaley	Wheatley
Eachus	Levdansky	Rapp	White
Ellis	Longietti	Raymond	Williams
Evans, J.	Mackereth	Readshaw	Wojnaroski
Everett	Mahoney	Reed	Yewcic
Fabrizio	Major	Reichley	Yudichak
Fairchild	Manderino	Roae	O'Brien, D.,
Fleck	Mann	Rock	Speaker
Frankel	Mantz	Roebuck	
Freeman			

NAYS—3

Bennington Lentz Wagner

NOT VOTING—0

EXCUSED—9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 419**, **PN 1269**, entitled:

An Act to promote the general welfare and stimulate the economy of the Commonwealth by requiring that all government agencies purchase only flags manufactured in the United States; and imposing a penalty.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McI. Smith	Santoni
Benninghoff	Gibbons	McIlhatten	Saylor
Bennington	Gillespie	Melio	Scavello
Beyer	Gingrich	Mensch	Schroder
Biancucci	Godshall	Metcalfe	Seip
Bishop	Goodman	Micozzie	Shapiro
Blackwell	Grell	Millard	Shimkus
Boback	Grucela	Miller	Siptroth
Boyd	Haluska	Milne	Smith, K.
Brennan	Hanna	Moul	Smith, S.
Brooks	Harhai	Mundy	Solobay
Buxton	Harhart	Murt	Sonney
Caltagirone	Harkins	Mustio	Staback
Cappelli	Harper	Nailor	Stairs
Carroll	Harris	Nickol	Steil
Casorio	Helm	O'Brien, M.	Stern
Causar	Hennessey	O'Neill	Stevenson

Civera	Hershey	Pallone	Sturla
Clymer	Hess	Parker	Surra
Cohen	Hickernell	Pashinski	Swanger
Conklin	Hornaman	Payne	Tangretti
Costa	Hutchinson	Payton	Taylor, J.
Cox	James	Peifer	Taylor, R.
Creighton	Josephs	Perry	Thomas
Curry	Kauffman	Perzel	True
Cutler	Keller, M.	Petrarca	Turzai
Daley	Keller, W.	Petri	Vereb
Dally	Kessler	Petrone	Vitali
DeLuca	Killion	Phillips	Vulakovich
Denlinger	King	Pickett	Wagner
DePasquale	Kirkland	Preston	Walko
Dermody	Kortz	Pyle	Wansacz
DeWeese	Kotik	Quigley	Waters
DiGirolamo	Kula	Quinn	Watson
Donatucci	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Wojnaroski
Everett	Mackereth	Reed	Yewcic
Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Frankel	Mann	Roebuck	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 834**, **PN 950**, entitled:

An Act relating to hours of employment of health-care employees; providing for penalties and remedies; and imposing powers and duties on the Department of Labor and Industry.

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

Mr. **BOYD** offered the following amendment No. **A00333**:

Amend Sec. 3, page 4, lines 18 and 19, by striking out "in excess of an agreed to, predetermined and" in line 18 and all of line 19 and inserting

more than 12 hours in a workday, more than
12 consecutive hours or more than 60 hours
per week.

Amend Sec. 3, page 4, lines 23 through 28, by striking out all of said lines

Amend Sec. 3, page 5, line 28, by striking out "ten" and inserting
12

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

The SPEAKER. On the amendment, the Chair recognizes Representative Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

I rise to offer amendment A00333. I believe that this amendment is a good, middle-of-the-road compromise on this issue. What my amendment specifically would do would define "overtime" for health-care providers as anything over 60 hours in a week or over a 12-hour shift. As the bill is currently drafted, the shift would be defined as a predetermined work requirement, meaning if somebody was required, their shift was only 4 hours and they were asked to work an extra hour, a fifth hour, they could refuse that for any reason.

I believe, if you look at the intent of this bill, it is actually called the excessive overtime bill. I believe that anything over 12 hours can be deemed excessive. I am not sure that anything over 5 hours or 6 hours would be deemed excessive. We have actually done some research on this, and there is similar language to this that is being introduced in Congress by the likes of such conservatives as Senator Kennedy and Senator Clinton, and even in their language, they are defining this as excessive over 12 hours.

So based on that, Mr. Speaker, I believe that this amendment actually is a good compromise. In fact, we actually added a provision in this amendment that if somebody works a 12-hour shift, that they cannot be called back for 10 hours as opposed to 8. So I think that this is a good fix. I think it gets at the heart of the issue and would make this legislation workable for both sides on this issue.

Thank you, Mr. Speaker.

The SPEAKER. Representative Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the Boyd amendment, and I would ask that my colleagues would join me.

This piece of legislation has been around for a long time, and it has had pretty much bipartisan support, and I am sure we will talk about that later, but specifically on the Boyd amendment, this proposal, if we are trying to deal with mandatory overtime in health care, under this amendment, an employee could still be required to work an extra 40 hours of work during a 2-week pay period. If an employee is off on a Monday and a Tuesday, they could be forced to work a 12-hour shift on Wednesday and every day afterwards until the following Friday of the following week. A nurse who normally works the day shift could be called at 10 p.m. on her day off and told to start at 11 p.m., without any sleep.

Mr. Speaker, what we are trying to do is not completely tie the hands, and we do understand the need for some overtime. We are trying to do that in a way that it is a normally scheduled shift so people understand, so nurses are not overworked, and the safety of their patients are not brought into jeopardy. So, Mr. Speaker, there has been a lot of work done on this legislation. Some of these amendments— You know, everybody has their own little niche and their own little problem. We have tried to work it out and tried to do what is best for the health-care industry, what is best for our patients, and what is best for our nurses.

So I would encourage a negative vote. Thank you, Mr. Speaker.

The SPEAKER. Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to oppose amendment No. 333, and it really, for me, boils down to patient safety. What the gentleman requires in some nontraditional hospital settings, for example, birthing centers, surgical units, and some other types of health providers rely on nontraditional work schedules in order to combat these kinds of scheduling issues, and in this case the gentleman's amendment is extremely prescriptive and forces, nurse anesthetists and others could also be affected by this. These nontraditional health-care work places, the places that use more agility in their scheduling, with this kind of prescriptive language, it could be very damaging to their ability to do business.

The other issue is a study done by Ann Rogers from the University of Pennsylvania. Her study showed that 2.1 percent of shifts are up to 8 1/2 hours, experienced high levels of errors. My point in this is that what we are trying to do with HB 834 is really be sensitive to nurses and their craft so that what we can do is reduce medical errors. The University of Pennsylvania's study shows clearly that even with just a half an hour over 8 hours, nurses experience a higher level of medical error.

That is why for two reasons I oppose amendment 333: one, because of its prescriptive nature, and two, because it is clear that from a patient safety perspective, this amendment could create a damaging situation due to the studies that we have in hand. Thanks, Mr. Speaker.

The SPEAKER. Representative DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to the Boyd amendment, Mr. Speaker, and, Mr. Speaker, I will tell you why I am opposed to the amendment.

Mr. Speaker, if you are a nurse or a health-care worker and you work a shift, let us say, 3 days a week, 12 hours a shift, Mr. Speaker, under the Boyd amendment, you will not be forced to work any overtime, but if you work another shift, a 5-day shift at 8 hours a day, you can be forced under the Boyd amendment to work 4 additional hours every day, for a total of 20 additional extra overtime hours a week. That means in a 2-week period, you will be working 120 hours or an extra week in a 2-week period, Mr. Speaker.

And, Mr. Speaker, all we have to do is look to the bill, the bill itself as written. There are protections in the bill for hospitals. You can be forced to work overtime if there is an emergency in the community, or if you are in the middle of an operation or a medical procedure, you can be forced to work overtime, Mr. Speaker.

For those reasons and a lot more, Mr. Speaker, I would encourage our members to vote "no" on the Boyd amendment. Thank you.

The SPEAKER. Representative Gabig.

Mr. GABIG. Thank you, Mr. Speaker.

I want to thank the maker of this amendment, the Boyd amendment, Representative Boyd, for his hard work on this issue, both in committee and here on the floor, and I think this is really an outstanding amendment that a lot of us could come together on. It goes too far in some areas for me, but it actually is tougher and stronger in dealing with some of the issues that have been brought up here on the floor.

For example, patient safety. The Boyd amendment is much, much stronger on the patient safety issue than the underlying bill. This improves that bill immensely on that issue. And why do I say that? Because under the bill, it only has to do with what

is called mandatory overtime, and what mandatory overtime or forced overtime is, is if the employee, the nurse, does not want to do the duty that is being requested of him or her. And so we heard some statistics, for example, of those that are opposing this very good amendment, the Boyd amendment, that said if you, you know, work 8 hours, it makes you too tired and you cannot be a good nurse. Well, under the bill, you can work 8 hours or 12 hours or 16 hours or 20 hours if you want to get some extra money. If you say, yes, I need that extra money and I want to work overtime, under the bill, the Surra bill, that is permitted, and that is not good for patient safety. They might be under, you know, an employee might be under some financial stress and need to make mortgages or pay off and feel, well, I have to take that or feel somehow that is advancing their career and other people will not do it so they are going to do it, but under the Boyd amendment, no, we are dealing strictly with patient safety. It is all about patient safety under the Boyd amendment.

So it is much, much stronger. It goes further than I would like to see it in some areas. I think the maker of the amendment said that Senators Clinton and Kennedy support this. I am certainly not in the mold of Senators Kennedy or Clinton, so it goes too far in some areas, but in trying to come together on a compromise package that really deals with the safety issues, which I think are the fundamental motives behind the bill, I would encourage those on both sides of the aisle to support the Boyd amendment.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair recognizes Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to defend the Senator from Massachusetts and the Senator from New York from Mr. Boyd's allegations. We are not supposed to mention the names of State Senators, but there is no requirement, of course, on our mentioning the names of Federal Senators.

Dan Ocko, who is a staff member of mine, who instantly looks up Federal laws whenever they are mentioned, points me to section 3: "LIMITATIONS ON MANDATORY OVERTIME FOR NURSES." This is the Kennedy-Clinton bill, and it prohibits mandatory overtime except by saying that "...except...in this subsection, a provider of services shall not, directly or indirectly, require a nurse to work in excess of any of the following" — "any of the following:" A nurse may not be required to work in excess of his or her "...scheduled work shift or duty period...", "a nurse may not be required to work "12 hours in a 24-hour period," and a nurse may not be required to work "80 hours in a consecutive 14-day period."

Mr. Speaker, Mr. Boyd's amendment is not the Kennedy-Clinton language. It does not give the nurses the same rights that the Kennedy-Clinton language does. It has no real relation to the Federal statute. I urge this amendment's defeat.

The SPEAKER. Representative Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the Boyd amendment, and there are a couple of reasons why I do.

Number one, I know my good friend, Representative Boyd, is concerned about the hospital costs, and so forth and so on, and the administration problems with trying to schedule an operation that goes 24/7. However, I know firsthand that there are an awful lot of per diem nurses out there that are looking for a 4-hour workday. These are the women that have children at

home and can only get away for 4 hours at a time, and most of the hospitals in our area do not have mandatory overtime.

So if you go through hospitals, these nurses are on their feet for 8 hours a day. They are dealing with tremendous, tremendous technical equipment today. If you go into the emergency ward or go into an operating room as well as the intensive care nursery, where my wife is a per diem nurse, you really cannot do much more than 8 hours. Some of the younger ones can. But I just want the members of the General Assembly to remember, the average age of a Pennsylvania nurse is over 50 years old. So this is one of the reasons I feel that many people have not gone into nursing over the last two decades, is because some of the areas demand mandatory overtime, and it just does not work into their lifestyle — taking care of their kids at home, as well as be at home on the weekends with their spouses.

So despite all the good reasons that Representative Boyd feels that this is a compromise amendment, I feel that using per diem nurses in our hospitals is a real good way to allow our hospitals, to run our hospitals more fiscally conservative, as well as keeping our nurses healthy, as well as the patients. Thank you, Mr. Speaker.

The SPEAKER. Representative Surra for the second time.

Mr. SURRA. Thank you, Mr. Speaker.

And finally, I think the point needs to be reinforced that many of our hospital facilities are opposed to this type of language. Last year when we were working, last session when we were working on this, the birthing centers said this will really impact on their ability to function. Oftentimes those people are required to stay once a procedure or once a birthing starts, and they are there longer than 12 hours. In this legislation to protect health-care facilities and to protect a patient that is in the middle of a procedure, we have language that allows that to occur, that allows the nurse to work beyond that time if they are already involved in a procedure, and there are health-care facilities that are against this type of language.

It is important to note that the bill before you as it is, is a work that was put together trying to take care of the needs of many different groups. It is a good piece of legislation. We do not need this type of amendment, and I would encourage a "no" vote.

The SPEAKER. The Chair is about to recognize the prime sponsor of the amendment for the second time. Is there any other member that seeks recognition?

The Chair recognizes Representative Seip.

Mr. SEIP. Thank you, Mr. Speaker.

I rise to speak against the Boyd amendment, not only as a member of the House but also as a former health-care worker in the health-care setting. As a licensed professional, I think the Surra bill is fine the way it stands. Nurses are licensed professionals in the health-care field. They are able to determine when they need to work and when they cannot work, when they are able to dispense medications and when they are too tired to. Yes, a nurse may agree to work overtime on one day when they are not tired and on another feel that they are too tired, but the way the law stands now, they could be mandated to stay when they are not at their best.

So I urge my colleagues to vote against the Boyd amendment. Thank you, Mr. Speaker.

The SPEAKER. Any other members seeking recognition?

The Chair recognizes Representative Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

There has been a lot of talk about patient safety, and my personal belief is that this amendment is about patient safety. There was a November 2003 study in the Institute of Medicine report, and the report specifically recommends that working more than 12 hours in a 24-hour period, 60 hours in a 7-day week would begin to cause medical errors. What we are doing is trying to stay below that. There are a number of other studies that document that the 60 and 12 are really where medical errors begin to happen. And need I remind everybody that we have got a provider shortage, and that is something that I want to make sure everybody emphasizes, that this bill is not just a nurse bill. This is for a broad range of health-care providers, and it will empower all of those health-care providers to refuse any additional hours beyond what their regular shift is defined as. It is not an 8-hour bill. It could be a 4-hour bill. It could be a 6-hour shift, and they can deny to work any extra hours for any reason unless there is an emergency.

Now, I am concerned that what is going to happen is, is that we are going to have situations where nurses or providers are not on staff, they do not take the overtime hours that they are asked to take, and we do not have an adequate number of providers in-house to perform the necessary services. The fact that someone is caught in a traffic jam on the way to work is not an emergency. The fact that somebody got ill and did not come in, it is a tremendous amount of concern, and I have to be honest with you, I would rather have a nurse on staff working in their 10th hour providing me care than not having enough nurses at all or not having a nurse at all. So for that reason, I believe I tried to strike up a compromise with the proponents of this bill. I understand that they are not supported by many on both sides of the aisle, but I believe that this is an excellent compromise and actually makes this workable for all the parties.

So with that said, I would like to ask for an affirmative vote on amendment A333. Thank you.

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

The following roll call was recorded:

YEAS—49

Bastian	Gillespie	Marsico	Reichley
Bear	Godshall	Mensch	Roae
Benninghoff	Grell	Metcalfe	Rock
Boyd	Harhart	Millard	Saylor
Brooks	Harper	Miller	Schroder
Causar	Helm	Mustio	Smith, S.
Cox	Hickernell	Nailor	Stevenson
Cutler	Hutchinson	Nickol	Swanger
Dally	Kauffman	Payne	True
Ellis	Keller, M.	Perry	Turzai
Everett	Mackereth	Perzel	Vitali
Fairchild	Mantz	Rapp	Vulakovich
Gabig			

NAYS—145

Adolph	Freeman	Markosek	Sainato
Argall	Galloway	Marshall	Samuelson
Baker	Geist	McCall	Santoni
Barrar	George	McGeehan	Scavell
Belfanti	Gerber	McI. Smith	Seip
Bennington	Gergely	McIlhattan	Shapiro
Beyer	Gibbons	Melio	Shimkus

Biancucci	Gingrich	Micozzie	Siptroth
Bishop	Goodman	Milne	Smith, K.
Blackwell	Gruclera	Moul	Solobay
Boback	Haluska	Mundy	Sonney
Brennan	Hanna	Murt	Staback
Buxton	Harhai	O'Brien, M.	Stairs
Caltagirone	Harkins	O'Neill	Steil
Cappelli	Harris	Pallone	Stern
Carroll	Hennessey	Parker	Sturla
Casorio	Hershey	Pashinski	Surra
Civera	Hess	Payton	Tangretti
Clymer	Hornaman	Peifer	Taylor, J.
Cohen	James	Petrarca	Taylor, R.
Conklin	Josephs	Petri	Thomas
Costa	Keller, W.	Petrone	Vereb
Creighton	Kessler	Phillips	Wagner
Curry	Killion	Pickett	Walko
Daley	King	Preston	Wansacz
DeLuca	Kirkland	Pyle	Waters
Denlinger	Kortz	Quigley	Watson
DePasquale	Kotik	Quinn	Wheatley
Dermody	Kula	Ramaley	White
DeWeese	Leach	Raymond	Williams
DiGirolamo	Lentz	Readshaw	Wojnaroski
Donatucci	Levdansky	Reed	Yewcic
Eachus	Longietti	Roebuck	Yudichak
Evans, J.	Mahoney	Rohrer	
Fabrizio	Major	Ross	O'Brien, D., Speaker
Fleck	Manderino	Rubley	
Frankel	Mann	Sabatina	

NOT VOTING—0

EXCUSED—9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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

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

The SPEAKER. The Chair recognizes Representative Boyd, who offers amendment A00439. The gentleman waives off. The gentleman is withdrawing the amendment. The Chair thanks the gentleman.

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

Mr. SCHRODER offered the following amendment No. **A00453**:

Amend Sec. 3, page 4, lines 14 through 17, by striking out all of said lines and inserting
Section 3. Overtime provisions.

(a) Prohibition.—

(1) Except as set forth in subsection (c), a health care facility may not require an employee

Amend Sec. 3, page 4, line 20, by striking out all of said line and inserting

(2) This subsection shall not be construed:

(i) To prevent an

Amend Sec. 3, page 4, lines 23 through 26, by striking out all of said lines

Amend Sec. 3, page 5, line 8, by striking out "mandatory"
 Amend Sec. 3, page 5, line 25, by striking out all of said line and inserting

(d) Off-duty time.—

(1) An employee who works more

Amend Sec. 3, page 5, line 27, by striking out "or who volunteers to work more than 12 consecutive hours"

Amend Sec. 3, page 5, line 29, by striking out all of said line and inserting
 immediately after the worked overtime.

(2) An employee may

Amend Sec. 4, page 6, line 3, by striking out "mandatory"

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

The SPEAKER. On the amendment, the Chair recognizes Representative Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, we have heard during the debate so far with these amendments that this bill is about patient safety and we must pass this bill for patient safety reasons. Mr. Speaker, I submit to you that if this bill was really just about patient safety, we would be banning not only mandatory overtime but voluntary overtime as well. Now, I will tell you why I say that.

There is a much heralded report that has been cited by proponents of this bill, and it is called "Keeping Patients Safe: Transforming the Work Environment of Nurses," and it is dated 2004. Mr. Speaker, that report clearly states that – and I will quote some sections – "...the committee does not distinguish in this recommendation between voluntary and mandatory overtime." It goes on to say that "...excessive hours endanger patient safety regardless of whether they are worked under a mandate or on a voluntary basis."

So, Mr. Speaker, I submit that if we were really truly concerned about patient safety, we would not only ban mandatory overtime but we would in fact ban voluntary overtime as well. Mr. Speaker, it leads me to believe that there are other, perhaps, agendas really behind the underlying legislation here.

Now, Mr. Speaker, I had drafted an amendment that would have, that should have banned all voluntary overtime as well as mandatory. However, I am informed by staff that the amendment was not properly drafted, and therefore, I will not be offering it. But I wanted to make that statement just to put it on the record that this bill really is not a step in the right direction for patient safety; rather, I think it is really giving a benefit to a group of workers, and it seems to me that we are allowing and we are fostering a situation where you can have your cake and eat it too – I do not have to work mandatory overtime, but I can get all the voluntary overtime I want.

AMENDMENT WITHDRAWN

Mr. SCHRODER. Mr. Speaker, I have said before that we should not be trying to manage hospitals from the floor of the General Assembly, and I will say that again, but, Mr. Speaker, because of the apparent errors in this amendment, I am withdrawing it.

The SPEAKER. The Chair thanks the gentleman for his announcement that he is withdrawing his amendment.

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

The SPEAKER. Are there any further amendments?

The Chair recognizes Representative Belfanti.

Mr. BELFANTI. Mr. Speaker, I wish to speak on final passage.

The SPEAKER. That is not today, Representative Belfanti. We are on second consideration.

Mr. BELFANTI. Oh; thank you, Mr. Speaker.

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

RESOLUTIONS

RESOLUTIONS PASSED OVER

The SPEAKER. The Chair turns to page 5 of today's calendar.

HR 51, PN 222; this resolution is over for today.

HR 115 is over for today.

RESOLUTIONS PURSUANT TO RULE 35

RESOLUTIONS PASSED OVER

The SPEAKER. HR 27 is over for today.

HR 48 is over for today.

HR 52 is over for today.

HR 61 is over for today.

HR 62 is over for today.

Turning to page 6, HR 63 is over for today.

HR 117 is over for today.

HR 146 is over for today.

HR 150 is over for today.

HR 160 is over for today.

* * *

Mr. PAYNE called up **HR 161, PN 1010**, entitled:

A Resolution honoring Hersheypark as it celebrates its 100th year of full operation in 2007.

On the question,
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McI. Smith	Santoni
Benninghoff	Gibbons	McIlhattan	Saylor
Bennington	Gillespie	Melio	Scavello
Beyer	Gingrich	Mensch	Schroder
Biancucci	Godshall	Metcalf	Seip

Bishop	Goodman	Micozzie	Shapiro
Blackwell	Grell	Millard	Shimkus
Boback	Grucela	Miller	Siptroth
Boyd	Haluska	Milne	Smith, K.
Brennan	Hanna	Moul	Smith, S.
Brooks	Harhai	Mundy	Solobay
Buxton	Harhart	Murt	Sonney
Caltagirone	Harkins	Mustio	Staback
Cappelli	Harper	Nailor	Stairs
Carroll	Harris	Nickol	Steil
Casorio	Helm	O'Brien, M.	Stern
Causer	Hennessey	O'Neill	Stevenson
Civera	Hershey	Pallone	Sturla
Clymer	Hess	Parker	Surra
Cohen	Hickernell	Pashinski	Swanger
Conklin	Hornaman	Payne	Tangretti
Costa	Hutchinson	Payton	Taylor, J.
Cox	James	Peifer	Taylor, R.
Creighton	Josephs	Perry	Thomas
Curry	Kauffman	Perzel	True
Cutler	Keller, M.	Petrarca	Turzai
Daley	Keller, W.	Petri	Vereb
Dally	Kessler	Petrone	Vitali
DeLuca	Killion	Phillips	Vulakovich
Denlinger	King	Pickett	Wagner
DePasquale	Kirkland	Preston	Walko
Dermody	Kortz	Pyle	Wansacz
DeWeese	Kotik	Quigley	Waters
DiGirolamo	Kula	Quinn	Watson
Donatucci	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Wojnaroski
Everett	Mackereth	Reed	Yewcic
Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Frankel	Mann	Roebuck	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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

* * *

RESOLUTIONS PASSED OVER

The SPEAKER. HR 163 is over for today.

HR 171 is over for today.

Turning to page 7 of today's calendar, HR 173 is over for today.

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Mr. MILNE called up **HR 177, PN 1146**, entitled:

A Resolution designating the month of May 2007 as "Literacy Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McI. Smith	Santoni
Benninghoff	Gibbons	McIlhattan	Saylor
Bennington	Gillespie	Melio	Scavello
Beyer	Gingrich	Mensch	Schroder
Biancucci	Godshall	Metcalfe	Seip
Bishop	Goodman	Micozzie	Shapiro
Blackwell	Grell	Millard	Shimkus
Boback	Grucela	Miller	Siptroth
Boyd	Haluska	Milne	Smith, K.
Brennan	Hanna	Moul	Smith, S.
Brooks	Harhai	Mundy	Solobay
Buxton	Harhart	Murt	Sonney
Caltagirone	Harkins	Mustio	Staback
Cappelli	Harper	Nailor	Stairs
Carroll	Harris	Nickol	Steil
Casorio	Helm	O'Brien, M.	Stern
Causer	Hennessey	O'Neill	Stevenson
Civera	Hershey	Pallone	Sturla
Clymer	Hess	Parker	Surra
Cohen	Hickernell	Pashinski	Swanger
Conklin	Hornaman	Payne	Tangretti
Costa	Hutchinson	Payton	Taylor, J.
Cox	James	Peifer	Taylor, R.
Creighton	Josephs	Perry	Thomas
Curry	Kauffman	Perzel	True
Cutler	Keller, M.	Petrarca	Turzai
Daley	Keller, W.	Petri	Vereb
Dally	Kessler	Petrone	Vitali
DeLuca	Killion	Phillips	Vulakovich
Denlinger	King	Pickett	Wagner
DePasquale	Kirkland	Preston	Walko
Dermody	Kortz	Pyle	Wansacz
DeWeese	Kotik	Quigley	Waters
DiGirolamo	Kula	Quinn	Watson
Donatucci	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Wojnaroski
Everett	Mackereth	Reed	Yewcic
Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Frankel	Mann	Roebuck	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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

* * *

RESOLUTIONS PASSED OVER

The SPEAKER. HR 183 is over for today.

HR 184 is over for today.

HR 189 is over for today.

HR 191 is over for today.

HR 192 is over for today.

HR 195 is over for today.

Turning to page 8 of today's calendar, HR 196 is over for today.

HR 199 is over for today.

HR 200 is over for today.

HR 201 is over for today.

HR 209 is over for today.

HR 210 is over for today.

HR 211 is over for today.

* * *

Mr. WHEATLEY called up **HR 213, PN 1273**, entitled:

A Resolution recognizing the month of April 2007 as "National Minority Health Month" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McI. Smith	Santoni
Benninghoff	Gibbons	McIlhattan	Saylor
Bennington	Gillespie	Melio	Scavello
Beyer	Gingrich	Mensch	Schroder
Biancucci	Godshall	Metcalfe	Seip
Bishop	Goodman	Micozzie	Shapiro
Blackwell	Grell	Millard	Shimkus
Boback	Grucela	Miller	Siptroth
Boyd	Haluska	Milne	Smith, K.
Brennan	Hanna	Moul	Smith, S.
Brooks	Harhai	Mundy	Solobay
Buxton	Harhart	Murt	Sonney
Caltagirone	Harkins	Mustio	Staback
Cappelli	Harper	Nailor	Stairs
Carroll	Harris	Nickol	Steil
Casorio	Helm	O'Brien, M.	Stern
Causser	Hennessey	O'Neill	Stevenson
Civera	Hershey	Pallone	Sturla
Clymer	Hess	Parker	Surra
Cohen	Hickernell	Pashinski	Swanger
Conklin	Hornaman	Payne	Tangretti
Costa	Hutchinson	Payton	Taylor, J.
Cox	James	Peifer	Taylor, R.
Creighton	Josephs	Perry	Thomas
Curry	Kauffman	Perzel	True
Cutler	Keller, M.	Petrarca	Turzai
Daley	Keller, W.	Petri	Vereb
Dally	Kessler	Petrone	Vitali
DeLuca	Killion	Phillips	Vulakovich
Denlinger	King	Pickett	Wagner

DePasquale	Kirkland	Preston	Walko
Dermody	Kortz	Pyle	Wansacz
DeWeese	Kotik	Quigley	Waters
DiGirolamo	Kula	Quinn	Watson
Donatucci	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Wojnarowski
Everett	Mackereth	Reed	Yewcic
Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Frankel	Mann	Roebuck	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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

* * *

RESOLUTIONS PASSED OVER

The SPEAKER. HR 214 is over for today.

Turning to page 9 of today's calendar, HR 215 is over for today.

* * *

Mr. CAPPELLI called up **HR 217, PN 1277**, entitled:

A Resolution designating the week of May 5 through 11, 2007, as "Nurses Week" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McI. Smith	Santoni
Benninghoff	Gibbons	McIlhattan	Saylor
Bennington	Gillespie	Melio	Scavello
Beyer	Gingrich	Mensch	Schroder
Biancucci	Godshall	Metcalfe	Seip
Bishop	Goodman	Micozzie	Shapiro
Blackwell	Grell	Millard	Shimkus
Boback	Grucela	Miller	Siptroth
Boyd	Haluska	Milne	Smith, K.
Brennan	Hanna	Moul	Smith, S.
Brooks	Harhai	Mundy	Solobay
Buxton	Harhart	Murt	Sonney
Caltagirone	Harkins	Mustio	Staback

Cappelli	Harper	Nailor	Stairs
Carroll	Harris	Nickol	Steil
Casorio	Helm	O'Brien, M.	Stern
Causer	Hennessey	O'Neill	Stevenson
Civera	Hershey	Pallone	Sturla
Clymer	Hess	Parker	Surra
Cohen	Hickernell	Pashinski	Swanger
Conklin	Hornaman	Payne	Tangretti
Costa	Hutchinson	Payton	Taylor, J.
Cox	James	Peifer	Taylor, R.
Creighton	Josephs	Perry	Thomas
Curry	Kauffman	Perzel	True
Cutler	Keller, M.	Petrarca	Turzai
Daley	Keller, W.	Petri	Vereb
Dally	Kessler	Petrone	Vitali
DeLuca	Killion	Phillips	Vulakovich
Denlinger	King	Pickett	Wagner
DePasquale	Kirkland	Preston	Walko
Dermody	Kortz	Pyle	Wansacz
DeWeese	Kotik	Quigley	Waters
DiGirolamo	Kula	Quinn	Watson
Donatucci	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Wojnaroski
Everett	Mackereth	Reed	Yewcic
Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Frankel	Mann	Roebuck	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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

* * *

Mr. CAPPELLI called up **HR 218, PN 1278**, entitled:

A Resolution declaring that May 13 through 19, 2007, be observed as "National Nursing Home Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McI. Smith	Santoni
Benninghoff	Gibbons	McIlhatten	Saylor
Bennington	Gillespie	Melio	Scavullo

Beyer	Gingrich	Mensch	Schroder
Biancucci	Godshall	Metcalfe	Seip
Bishop	Goodman	Micozzie	Shapiro
Blackwell	Grell	Millard	Shimkus
Boback	Grucela	Miller	Siptroth
Boyd	Haluska	Milne	Smith, K.
Brennan	Hanna	Moul	Smith, S.
Brooks	Harhai	Mundy	Solobay
Buxton	Harhart	Murt	Sonney
Caltagirone	Harkins	Mustio	Staback
Cappelli	Harper	Nailor	Stairs
Carroll	Harris	Nickol	Steil
Casorio	Helm	O'Brien, M.	Stern
Causer	Hennessey	O'Neill	Stevenson
Civera	Hershey	Pallone	Sturla
Clymer	Hess	Parker	Surra
Cohen	Hickernell	Pashinski	Swanger
Conklin	Hornaman	Payne	Tangretti
Costa	Hutchinson	Payton	Taylor, J.
Cox	James	Peifer	Taylor, R.
Creighton	Josephs	Perry	Thomas
Curry	Kauffman	Perzel	True
Cutler	Keller, M.	Petrarca	Turzai
Daley	Keller, W.	Petri	Vereb
Dally	Kessler	Petrone	Vitali
DeLuca	Killion	Phillips	Vulakovich
Denlinger	King	Pickett	Wagner
DePasquale	Kirkland	Preston	Walko
Dermody	Kortz	Pyle	Wansacz
DeWeese	Kotik	Quigley	Waters
DiGirolamo	Kula	Quinn	Watson
Donatucci	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Wojnaroski
Everett	Mackereth	Reed	Yewcic
Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Frankel	Mann	Roebuck	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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

* * *

RESOLUTIONS PASSED OVER

The SPEAKER. HR 219 is over for today.

HR 220 is over for today.

HR 221 is over for today.

HR 222 is over for today.

HR 223 is over for today.

HR 224 is over for today.

Turning to page 10 of today's calendar, HR 225 is over for today.

* * *

Mrs. RUBLEY called up **HR 227, PN 1287**, entitled:

A Resolution declaring the month of May 2007 as "Lyme Disease Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McI. Smith	Santoni
Benninghoff	Gibbons	McIlhatten	Saylor
Bennington	Gillespie	Melio	Scavello
Beyer	Gingrich	Mensch	Schroder
Biancucci	Godshall	Metcalfe	Seip
Bishop	Goodman	Micozzie	Shapiro
Blackwell	Grell	Millard	Shimkus
Boback	Grucela	Miller	Siptroth
Boyd	Haluska	Milne	Smith, K.
Brennan	Hanna	Moul	Smith, S.
Brooks	Harhai	Mundy	Solobay
Buxton	Harhart	Murt	Sonney
Caltagirone	Harkins	Mustio	Staback
Cappelli	Harper	Nailor	Stairs
Carroll	Harris	Nickol	Steil
Casorio	Helm	O'Brien, M.	Stern
Causar	Hennessey	O'Neill	Stevenson
Civera	Hershey	Pallone	Sturla
Clymer	Hess	Parker	Surra
Cohen	Hickernell	Pashinski	Swanger
Conklin	Hornaman	Payne	Tangretti
Costa	Hutchinson	Payton	Taylor, J.
Cox	James	Peifer	Taylor, R.
Creighton	Josephs	Perry	Thomas
Curry	Kauffman	Perzel	True
Cutler	Keller, M.	Petrarca	Turzai
Daley	Keller, W.	Petri	Vereb
Dally	Kessler	Petrone	Vitali
DeLuca	Killion	Phillips	Vulakovich
Denlinger	King	Pickett	Wagner
DePasquale	Kirkland	Preston	Walko
Dermody	Kortz	Pyle	Wansacz
DeWeese	Kotik	Quigley	Waters
DiGirolamo	Kula	Quinn	Watson
Donatucci	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Wojnaroski
Everett	Mackereth	Reed	Yewcic
Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Frankel	Mann	Roebuck	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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

* * *

Mr. HERSHEY called up **HR 228, PN 1288**, entitled:

A Resolution designating the week of April 21 through 28, 2007, as "Rural Road Safety Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Freeman	Mantz	Rohrer
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Barrar	Geist	Marsico	Sabatina
Bastian	George	McCall	Sainato
Bear	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McI. Smith	Santoni
Benninghoff	Gibbons	McIlhatten	Saylor
Bennington	Gillespie	Melio	Scavello
Beyer	Gingrich	Mensch	Schroder
Biancucci	Godshall	Metcalfe	Seip
Bishop	Goodman	Micozzie	Shapiro
Blackwell	Grell	Millard	Shimkus
Boback	Grucela	Miller	Siptroth
Boyd	Haluska	Milne	Smith, K.
Brennan	Hanna	Moul	Smith, S.
Brooks	Harhai	Mundy	Solobay
Buxton	Harhart	Murt	Sonney
Caltagirone	Harkins	Mustio	Staback
Cappelli	Harper	Nailor	Stairs
Carroll	Harris	Nickol	Steil
Casorio	Helm	O'Brien, M.	Stern
Causar	Hennessey	O'Neill	Stevenson
Civera	Hershey	Pallone	Sturla
Clymer	Hess	Parker	Surra
Cohen	Hickernell	Pashinski	Swanger
Conklin	Hornaman	Payne	Tangretti
Costa	Hutchinson	Payton	Taylor, J.
Cox	James	Peifer	Taylor, R.
Creighton	Josephs	Perry	Thomas
Curry	Kauffman	Perzel	True
Cutler	Keller, M.	Petrarca	Turzai
Daley	Keller, W.	Petri	Vereb
Dally	Kessler	Petrone	Vitali
DeLuca	Killion	Phillips	Vulakovich
Denlinger	King	Pickett	Wagner
DePasquale	Kirkland	Preston	Walko
Dermody	Kortz	Pyle	Wansacz
DeWeese	Kotik	Quigley	Waters
DiGirolamo	Kula	Quinn	Watson
Donatucci	Leach	Ramaley	Wheatley
Eachus	Lentz	Rapp	White
Ellis	Levdansky	Raymond	Williams
Evans, J.	Longietti	Readshaw	Wojnaroski
Everett	Mackereth	Reed	Yewcic
Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Frankel	Mann	Roebuck	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Cruz	Maher	Myers	Smith, M.
Evans, D.	Moyer	Oliver	Youngblood
Kenney			

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

The SPEAKER. That concludes the calendar for today. There will be no more recorded votes. The desk will remain open for some housekeeping duties. The Chair thanks the members.

Are there any announcements?

VOTE CORRECTION

The SPEAKER. Representative Curry.

Mr. CURRY. Thank you, Mr. Speaker.

Mr. Speaker, on the vote on HB 331, I am recorded in the negative, and I wish to vote in the affirmative.

The SPEAKER. The Chair thanks the gentleman. His remarks will be spread upon the record.

Further announcements?

ANNOUNCEMENTS BY MAJORITY WHIP

The SPEAKER. Representative McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, there will be a meeting of all Democratic chairmen immediately upon the call of recess or adjournment in the majority caucus room.

The SPEAKER. Further announcements?

Representative McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, simply just a happy birthday to Barbara McIlvaine Smith.

The SPEAKER. Happy birthday to Representative Barbara McIlvaine Smith.

ANNOUNCEMENT BY MR. THOMAS

The SPEAKER. The Chair recognizes Representative Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to remind members of the House Intergovernmental Affairs Committee that there will be a hearing tomorrow from 2 to 4 o'clock in room G-50 of the Irvis Office Building. We will be looking at strategies for helping first responders in emergencies in our school districts in Pennsylvania. So that is tomorrow from 2 to 4 o'clock in room G-50 of the Irvis Office Building.

Thank you.

VOTE CORRECTION

The SPEAKER. Representative Metcalfe.

Mr. METCALFE. Mr. Speaker, would it be appropriate to correct the record at this time?

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

Mr. METCALFE. Mr. Speaker, on HB 896, amendment 410, I was recorded in the affirmative. I wish to be recorded in the negative.

The SPEAKER. The Chair thanks the gentleman. His remarks will be spread upon the record.

Further announcements?

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves the following bills be taken from the table:

HB 65;
HB 144;
HB 682;
HB 708;
HB 882; and
SB 71.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves the following bills be rereferred to Appropriations:

HB 65;
HB 144;
HB 682;
HB 708;
HB 882; and
SB 71.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be rereferred to Appropriations after second consideration:

HB 17;
HB 202;
HB 272;
HB 347;
HB 825;
HB 834;
HB 840;
HB 896; and
SB 437.

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

The SPEAKER. Is there any further business?
Announcements?
The Chair sees none.

ADJOURNMENT

The SPEAKER. The Chair recognizes Representative Mantz from Berks County, who moves that the House do now adjourn until Tuesday, April 24, 2007, 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 3:05 p.m., e.d.t., the House adjourned.