

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, MAY 21, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 38

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER PRO TEMPORE (JOHN R. EVANS) PRESIDING

#### PRAYER

The SPEAKER pro tempore. The prayer will be offered by Rev. Canon Ginny Rex Day, the guest of Representative Scavello.

REV. CANON VIRGINIA REX DAY, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Gracious God, we come together on this day to ask Your blessing on those who will deliberate in this House during the days ahead. Strengthen them to hear all people with wisdom and understanding. Grant them the gift of discernment to legislate toward a just society in our Commonwealth.

Give each one of our leaders the courage to do what is right, whether it is politically advantageous or not. May justice for all be at the heart of the decisions that are made here. May compassion and generosity abound, even as honesty and integrity unite us in common cause.

We ask all this on behalf of the members of this Commonwealth. In Your holy name we pray. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### COMMEMORATIVE GAVEL PRESENTED

The SPEAKER pro tempore. On behalf of Speaker O'Brien, I would like to present Rev. Canon Ginny Rex Day with an honorary gavel in recognition of your participation in the House ceremony today.

#### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal of Wednesday, May 9, 2007, will be postponed until printed. The Chair hears no objection.

### LEAVES OF ABSENCE

The SPEAKER pro tempore. Turning to leaves of absence, the Chair recognizes the majority whip. Are there any leaves on the Democratic side? We see no leaves today.

The Chair recognizes the minority whip for leaves on the Republican side, and we note that Representative HARPER is on leave for the week. Representative SAYLOR, Representative NICKOL, Representative NAILOR, and Representative KENNEY are placed on leave. Without objection, those individuals will be placed on leave for the day.

The House will be at ease.

### GUESTS INTRODUCED

The SPEAKER pro tempore. Please welcome, as guests of Representatives Mario Scavello, John Siptroth, Mike Peifer, and Mike Carroll, today's Guest Chaplain, Rev. Ginny Day, along with congregation members of Trinity Episcopal Church located in Mount Pocono, Monroe County. Would those guests please stand and be recognized. Welcome to the hall of the House.

Serving as guest pages today for Representative Tim Seip are Boy Scouts from Troop 607: Chris Circilli, Jonathan Shuman, Jordan Zelinski. Also along with them, seated to the left of the Speaker, are Chris Circilli, Sr.; Dan Shuman; Frank Tenenholz; and Mike Zelinski. Will our guests please stand and be recognized.

### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—198

Adolph	Frankel	Mantz	Rohrer
Argall	Freeman	Markosek	Ross
Baker	Gabig	Marshall	Rubley
Barrar	Galloway	Marsico	Sabatina
Bastian	Geist	McCall	Sainato
Bear	George	McGeehan	Samuelson
Belfanti	Gerber	McI. Smith	Santoni
Benninghoff	Gergely	McIlhattan	Scavello
Bennington	Gibbons	Melio	Schroder
Beyer	Gillespie	Mensch	Seip
Biancucci	Gingrich	Metcalfe	Shapiro
Bishop	Godshall	Micozzi	Shimkus
Blackwell	Goodman	Millard	Siptroth
Boback	Grell	Miller	Smith, K.

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Harper	Nailor	Nickol	Saylor
Kenney			

LEAVES ADDED—1

Cruz

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

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

**HB 222, PN 1629** (Amended) By Rep. DALEY

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for a loan program for local police agencies and emergency medical services organizations funded by a bond issuance and for the responsibilities of the Governor's Center for Local Government Services within the Department of Community and Economic Development; establishing the Police Agency Loan Fund; and conferring powers and duties on the Secretary of the Commonwealth and the Legislative Reference Bureau.

COMMERCE.

**HB 284, PN 1630** (Amended) By Rep. DALEY

An Act amending the act of November 24, 1992 (P.L.732, No.111), known as the Pennsylvania Quality Improvement Act, further providing for legislative findings and intent, for establishment of the Pennsylvania Quality Leadership Awards, for the Pennsylvania Quality Leadership Awards Council; repealing provisions relating to board of examiners and panel of judges; further providing for establishment of the foundation and for awards; and repealing provisions relating to restriction on funds from Commonwealth.

COMMERCE.

**HB 810, PN 928** By Rep. DALEY

An Act requiring landlords to grant medical access; providing for termination of residential leases for terminal or mental illness; and making an inconsistent repeal.

COMMERCE.

**BILL REPORTED FROM COMMITTEE**

**HB 990, PN 1156** By Rep. DALEY

An Act establishing the Elevator Act and the Elevator Safety Review Board; conferring powers and imposing duties; providing for licensing; and imposing civil penalties.

COMMERCE.

**BILL REREFERRED**

The SPEAKER pro tempore. The Chair moves, at the request of the majority leader, that HB 990 be rereferred to the Committee on Labor Relations.

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

**HOUSE BILLS INTRODUCED AND REFERRED**

**No. 242** By Representatives PYLE, ARGALL, BASTIAN, BEYER, BOYD, BUXTON, CALTAGIRONE, COX, CURRY, DALLY, DeLUCA, FAIRCHILD, FREEMAN, GALLOWAY, GEIST, GIBBONS, GOODMAN, HALUSKA, HARHART, HARRIS, HENNESSEY, HERSHEY, KENNEY, KILLION, MACKERETH, MAHONEY, MANN, McILHATTAN, MELIO, R. MILLER, MUNDY, RAMALEY, RAYMOND, READSHAW, REED, REICHLLEY, ROSS, SANTONI, SAYLOR, SCAVELLO, SIPTHROTH, SOLOBAY, SONNEY, STABACK, STURLA, TANGRETTI, TRUE, TURZAI, WALKO, YUDICHAK, PEIFER and CUTLER

An Act amending Titles 53 (Municipalities Generally) and 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, further providing, in municipal taxation, for applicability and for definitions; consolidating the sales and use tax provisions of the Tax Reform Code of 1971; further providing for imposition, for computation, for exclusions, for alternate imposition, for filing times and for transfers to the Property Tax Relief Fund; consolidating the special situs for local sales tax provisions of the Tax Reform Code of 1971; providing for State allocations; and making related repeals.

Referred to Committee on FINANCE, May 21, 2007.

**No. 1092** By Representatives QUIGLEY, METCALFE, MAJOR, STERN, TURZAI, BAKER, BARRAR, BENNINGHOFF, BOYD, CAPPELLI, CAUSER, CLYMER, COX, CREIGHTON, CUTLER, DALLY, DeLUCA, DENLINGER, ELLIS, J. EVANS, EVERETT, FAIRCHILD, GABIG, GEIST, GILLESPIE, GINGRICH, GRELL, HARHART, HARPER, HARRIS, HENNESSEY, HERSHEY, HESS, HUTCHINSON, KAUFFMAN, M. KELLER, KENNEY, KILLION, KIRKLAND, MAHER, MANTZ, MARSHALL, MARSICO, MENSCH, MILLARD, MILNE, MOUL, MOYER, MURT, MUSTIO, PAYNE, PERRY, PETRARCA, PICKETT, PYLE, QUINN, RAPP, REED, REICHLEY, ROAE, ROCK, ROHRER, SAYLOR, SCAVELLO, SCHRODER, SONNEY, R. STEVENSON, SWANGER, J. TAYLOR, VEREB and YOUNGBLOOD

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

Referred to Committee on FINANCE, May 18, 2007.

**No. 1142** By Representatives WAGNER, M. SMITH, DeWEESE, BELFANTI, BENNINGTON, CREIGHTON, CURRY, DePASQUALE, FABRIZIO, FRANKEL, FREEMAN, GERGELY, GIBBONS, HORNAMAN, KORTZ, KOTIK, KULA, LEACH, MAHONEY, MANN, MARKOSEK, McGEEHAN, McILHATTAN, SANTONI, SOLOBAY, WALKO, J. WHITE, YOUNGBLOOD, YUDICHAK and McILVAINE SMITH

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, further providing for definitions, for investment of fund and accounts, for use of Tobacco Settlement Fund, for health research program, for department responsibilities, for National Institutes of Health funding formula and for regional biotechnology research centers; establishing the Jonas Salk Legacy Fund Program, the Jonas Salk Legacy Fund Board and the Jonas Salk Legacy Fund; and providing for the sale or assignment of Commonwealth Universal Research Enhancement Program receipts and for the issuance of Commonwealth Universal Research Enhancement Program bond.

Referred to Committee on HEALTH AND HUMAN SERVICES, May 18, 2007.

**No. 1238** By Representatives MARSICO, BAKER, BOYD, CLYMER, COX, CREIGHTON, CUTLER, EVERETT, FAIRCHILD, GABIG, GINGRICH, GRELL, HERSHEY, HESS, HICKERNELL, KAUFFMAN, M. KELLER, MACKERETH, McILHATTAN, METCALFE, R. MILLER, MILNE, NAILOR, O'NEILL, PEIFER, PHILLIPS, PICKETT, RAPP, REICHLEY, ROAE, ROHRER, RUBLEY, SCHRODER, STEIL, R. STEVENSON, SWANGER, TRUE, TURZAI and YOUNGBLOOD

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, raising the threshold for applicability.

Referred to Committee on LABOR RELATIONS, May 18, 2007.

**No. 1239** By Representatives DALLY, BASTIAN, BENNINGHOFF, BEYER, BOYD, CALTAGIRONE, DALEY, FABRIZIO, FAIRCHILD, FREEMAN, HENNESSEY, HICKERNELL, HORNAMAN, HUTCHINSON, KILLION, LONGIETTI, McILHATTAN, MELIO, MILLARD, MURT, O'NEILL, PHILLIPS, RAPP, REICHLEY, SAMUELSON, SAYLOR, SIPTROTH, STERN, J. TAYLOR, YOUNGBLOOD and YUDICHAK

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

Referred to Committee on FINANCE, May 18, 2007.

**No. 1240** By Representatives HENNESSEY, HESS, STERN, WATSON, GINGRICH, FABRIZIO, EVERETT, COX, BROOKS, BAKER, BOYD, CALTAGIRONE, CAPPELLI, CARROLL, DENLINGER, FAIRCHILD, FREEMAN, M. KELLER, KIRKLAND, MACKERETH, MARSHALL, MARSICO, McILHATTAN, R. MILLER, O'NEILL, PETRONE, RAPP, REICHLEY, RUBLEY, SCAVELLO, SCHRODER, SONNEY, YOUNGBLOOD and SWANGER

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for statement of purpose and for disposition of funds.

Referred to Committee on FINANCE, May 18, 2007.

**No. 1241** By Representatives GOODMAN, GEORGE, GIBBONS, HENNESSEY, JOSEPHS, KIRKLAND, KOTIK, LEACH, MARKOSEK, M. O'BRIEN, PETRONE, SURRA, WANSACZ and YOUNGBLOOD

An Act requiring host municipality agreements for certain municipal and residual waste facilities; and establishing a moratorium.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 18, 2007.

**No. 1242** By Representatives GOODMAN, CALTAGIRONE, COHEN, CONKLIN, DeLUCA, FREEMAN, GEORGE, GIBBONS, HARRIS, HENNESSEY, HESS, JOSEPHS, KOTIK, LEACH, McGEEHAN, McILHATTAN, MUNDY, MURT, M. O'BRIEN, PETRONE, PHILLIPS, SURRA, TANGRETTI, YOUNGBLOOD and KORTZ

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, limiting placement of municipal solid waste or residual waste landfills.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 18, 2007.

**No. 1243** By Representatives CRUZ, BUXTON, PALLONE, SIPTROTH, CALTAGIRONE, GEORGE, BLACKWELL, JAMES, CURRY and THOMAS

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for administration of assistance and for additional services for medically needy recipients; and abrogating a regulation.

Referred to Committee on HEALTH AND HUMAN SERVICES, May 18, 2007.

**No. 1244** By Representatives CRUZ, SABATINA, SAYLOR, PALLONE, THOMAS and KORTZ

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further prohibiting, in provisions relating to pupils and attendance, for uniforms and prohibited attire.

Referred to Committee on EDUCATION, May 18, 2007.

**No. 1245** By Representatives CRUZ, MAHONEY, SAYLOR, READSHAW, SABATINA, THOMAS and KORTZ

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further prohibiting, in provisions relating to pupils and attendance, for possession of telephone pagers and certain electronic devices.

Referred to Committee on EDUCATION, May 18, 2007.

**No. 1246** By Representatives SCHRODER, BOYD, CLYMER, CREIGHTON, FABRIZIO, HENNESSEY, HERSHEY, HICKERNELL, JAMES, KAUFFMAN, M. KELLER, KILLION, KIRKLAND, MANDERINO, MILNE, MOYER, MURT, PYLE, SABATINA, SAYLOR 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 qualifications of election officers.

Referred to Committee on STATE GOVERNMENT, May 18, 2007.

**No. 1247** By Representatives SCHRODER, BENNINGHOFF, GEIST, HARHAI, HORNAMAN, KILLION, KIRKLAND, MURT, READSHAW and WALKO

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for generator rebates; and establishing the Generator Rebate Fund.

Referred to Committee on FINANCE, May 18, 2007.

**No. 1248** By Representatives SCHRODER, BARRAR, BOYD, CLYMER, GINGRICH, HENNESSEY, KORTZ, MAHONEY, O'NEILL, PYLE, THOMAS, VULAKOVICH and SIPTROTH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing, in Pennsylvania Commission on Sentencing, for sentencing database.

Referred to Committee on JUDICIARY, May 18, 2007.

**No. 1249** By Representatives SCHRODER, BELFANTI, BOYD, CREIGHTON, GEIST, GIBBONS, GRELL, HENNESSEY, HERSHEY, JAMES, KORTZ, KULA, MANDERINO, MOYER, MURT, MUSTIO, MYERS, PAYNE, PICKETT, PYLE, RAPP, ROHRER, RUBLEY, SAYLOR, WALKO and YOUNGBLOOD

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer

Protection Law, further providing for the definition of "unfair methods of competition" and for unlawful acts or practices.

Referred to Committee on CONSUMER AFFAIRS, May 18, 2007.

**No. 1253** By Representatives SOLOBAY, SEIP, BELFANTI, CAPPELLI, CREIGHTON, DALEY, EACHUS, FREEMAN, GEIST, GRUCELA, JOSEPHS, KIRKLAND, MURT, PETRONE, SAYLOR, SIPTROTH, KULA, EVERETT, GIBBONS, KORTZ and PALLONE

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, further providing for scope of practice for certified registered nurse practitioners and for prescriptive authority for certified registered nurse practitioners; repealing provisions relating to drug review committee; and providing for collaborative and written agreements.

Referred to Committee on PROFESSIONAL LICENSURE, May 10, 2007.

**No. 1254** By Representatives GIBBONS, BELFANTI, CURRY, EACHUS, FREEMAN, GEIST, GRUCELA, PETRONE, SAYLOR, YOUNGBLOOD, MURT, SOLOBAY, KULA, SIPTROTH, CREIGHTON, KORTZ, HORNAMAN and GERGELY

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, adding definitions; and providing for clinical nurse specialists.

Referred to Committee on PROFESSIONAL LICENSURE, May 10, 2007.

**No. 1255** By Representatives WATERS, MYERS, JOSEPHS, BLACKWELL, EACHUS, MANDERINO, PASHINSKI, SOLOBAY, FREEMAN, KULA, LEACH, MURT, EVERETT, CONKLIN, GIBBONS, KORTZ, PICKETT and STABACK

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for nurse-midwife license.

Referred to Committee on PROFESSIONAL LICENSURE, May 10, 2007.

**No. 1256** By Representatives GERGELY, CALTAGIRONE, MANDERINO and EVERETT

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, providing for certified registered nurse anesthetists.

Referred to Committee on PROFESSIONAL LICENSURE, May 21, 2007.

**No. 1257** By Representatives PASHINSKI and KORTZ

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, further defining "dental hygienist" and "board"; defining "independent dental hygiene practitioner"; and providing for supervision and practice of dental hygienists and for independent dental hygiene practitioners.

Referred to Committee on PROFESSIONAL LICENSURE, May 21, 2007.

**No. 1259** By Representatives SCHRODER, BARRAR, BOYD, COX, CREIGHTON, EVERETT, HENNESSEY, HERSHEY, KORTZ, MILNE, PYLE, ROSS and VEREB

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 removal of certain officers and employees of school districts.

Referred to Committee on EDUCATION, May 18, 2007.

**No. 1260** By Representatives SCHRODER, BAKER, BENNINGHOFF, BOYD, COX, CREIGHTON, EVERETT, FABRIZIO, FAIRCHILD, GABIG, GEIST, HENNESSEY, HERSHEY, HICKERNELL, HORNAMAN, M. KELLER, KIRKLAND, KORTZ, MILNE, MURT, MUSTIO, MYERS, O'NEILL, PICKETT, PYLE, QUINN, RAPP, READSHAW, REICHLEY, ROAE, ROHRER, SAYLOR, SONNEY, STABACK, STERN, SWANGER and VULAKOVICH

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 display of United States flag and development of patriotism.

Referred to Committee on EDUCATION, May 18, 2007.

**No. 1261** By Representatives SCHRODER, BARRAR, BELFANTI, BIANCUCCI, BOYD, CAUSER, CLYMER, DePASQUALE, EVERETT, GINGRICH, HARHAI, HARRIS, HENNESSEY, M. KELLER, LEACH, LEVDANSKY, MARSHALL, READSHAW, ROHRER, RUBLEY, SONNEY, VULAKOVICH, WALKO and WATSON

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, further providing for the definitions of "telemarketing" and "telephone solicitation call" and for unlawful acts and penalties.

Referred to Committee on CONSUMER AFFAIRS, May 18, 2007.

**No. 1263** By Representatives GOODMAN, COHEN, CONKLIN, GEORGE, GIBBONS, HENNESSEY, McILHATTAN, PETRONE, SURRA and YOUNGBLOOD

An Act establishing a moratorium on the issuance of certain permits relating to municipal waste landfills; providing for rescission of unused capacity, for municipal control and for rebuttable presumptions and defenses; authorizing grants for municipal recycling improvements; and prescribing penalties.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 18, 2007.

**No. 1264** By Representatives SOLOBAY, BELFANTI, BOYD, CAPPELLI, GEIST, GINGRICH, GRUCELA, KULA, MAHONEY, MOYER, PAYNE, SONNEY, STABACK, J. WHITE, WOJNAROSKI, YOUNGBLOOD and MUNDY

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, further providing for definitions.

Referred to Committee on HEALTH AND HUMAN SERVICES, May 18, 2007.

**No. 1265** By Representatives CONKLIN, McCALL, SOLOBAY, SIPTROTH, HARHAI, MUNDY, CAUSER, JOSEPHS, SAINATO, GIBBONS, M. O'BRIEN, PETRARCA, MENSCH, BROOKS, MOYER, DALEY, GRUCELA, MAHONEY, HESS and PARKER

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, further providing for the definitions of "commercial lending activities" and "commercial lending institutions."

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 18, 2007.

**No. 1266** By Representatives DeLUCA, BELFANTI, CALTAGIRONE, COHEN, CURRY, FABRIZIO, GERGELY, HORNAMAN, JAMES, JOSEPHS, KIRKLAND, LEACH, MURT, MUSTIO, MYERS, THOMAS, WALKO, YOUNGBLOOD and SIPTROTH

An Act providing for the certification of persons conducting hazardous painting; and providing for a penalty.

Referred to Committee on LABOR RELATIONS, May 18, 2007.

**No. 1267** By Representatives DeLUCA, BLACKWELL, BOYD, CURRY, HORNAMAN, JOSEPHS, MELIO, WHEATLEY, WILLIAMS, YOUNGBLOOD and MURT

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, establishing sentencing guidelines for unexcepted nonlicensed possession of a firearm.

Referred to Committee on JUDICIARY, May 18, 2007.

**No. 1268** By Representatives DeLUCA, BELFANTI, BIANCUCCI, CALTAGIRONE, COHEN, HORNAMAN, JAMES, KIRKLAND, KORTZ, PRESTON, McILVAINE SMITH, SOLOBAY, WALKO, YOUNGBLOOD and SIPTROTH

An Act providing for the regulation of home improvement contracts and for registration of certain home improvement contractors; prohibiting certain acts; prescribing requirements for home improvement contracts; establishing the Home Improvement Guaranty Fund; and providing for claims against the fund and for the offense of home improvement fraud.

Referred to Committee on CONSUMER AFFAIRS, May 18, 2007.

**No. 1269** By Representatives SURRA, BOYD, CONKLIN, CREIGHTON, DALEY, DeLUCA, FABRIZIO, GIBBONS, GOODMAN, HARKINS, KIRKLAND, KORTZ, KOTIK, MYERS, SIPTROTH, K. SMITH, SOLOBAY, STABACK, THOMAS and YOUNGBLOOD

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for rates to be just and reasonable.

Referred to Committee on CONSUMER AFFAIRS, May 18, 2007.

**No. 1270** By Representatives ROSS, TANGRETTI, KESSLER, FREEMAN and GINGRICH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for form of permanent recordation and for copies of destroyed records.

Referred to Committee on JUDICIARY, May 18, 2007.

**No. 1271** By Representatives TANGRETTI, KESSLER, FREEMAN, GINGRICH and ROSS

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for required financial reporting; and making editorial changes.

Referred to Committee on URBAN AFFAIRS, May 18, 2007.

**No. 1272** By Representatives KESSLER, TANGRETTI, GINGRICH, FREEMAN and ROSS

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for the definition of "employee" and for the definition of "volunteer emergency service provider."

Referred to Committee on LABOR RELATIONS, May 18, 2007.

**No. 1273** By Representatives MARSICO, BOYD, CALTAGIRONE, CLYMER, COX, DENLINGER, FABRIZIO, GINGRICH, GOODMAN, KAUFFMAN, KORTZ, METCALFE, PICKETT, REICHLEY, SOLOBAY and TRUE

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

Referred to Committee on EDUCATION, May 18, 2007.

**No. 1274** By Representatives CREIGHTON, BOYD, BUXTON, CALTAGIRONE, CAPPELLI, CLYMER, FABRIZIO, FAIRCHILD, GEIST, HENNESSEY, JAMES, KIRKLAND, LEACH, R. MILLER, MYERS, NICKOL, PICKETT, RAPP, REICHLEY, RUBLEY and WALKO

An Act amending the act of August 6, 1941 (P.L.861, No.323), referred to as the Pennsylvania Board of Probation and Parole Law, further providing for release on parole.

Referred to Committee on JUDICIARY, May 18, 2007.

**No. 1278** By Representatives HANNA, DALEY, DeLUCA, FABRIZIO, JAMES, MAHONEY, STABACK and THOMAS

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for physician assistants.

Referred to Committee on PROFESSIONAL LICENSURE, May 18, 2007.

**No. 1279** By Representatives HANNA, DALEY, DeLUCA, FABRIZIO, JAMES, MAHONEY, STABACK and THOMAS

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for physician assistants.

Referred to Committee on PROFESSIONAL LICENSURE, May 18, 2007.

**No. 1282** By Representatives FREEMAN, CLYMER, JOSEPHS, BRENNAN, CURRY, FABRIZIO, FRANKEL, GIBBONS, GRELL, GRUCELA, HARHAI, HARRIS, HERSHEY, HORNAMAN, HUTCHINSON, KIRKLAND, KORTZ, KULA, LEACH, LEVDANSKY, LONGIETTI, MCGEEHAN, NAILOR, OLIVER, O'NEILL, PALLONE, SAYLOR, SCHRODER, SIPTROTH, McILVAINE SMITH, THOMAS 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 district election boards.

Referred to Committee on STATE GOVERNMENT, May 18, 2007.

**No. 1283** By Representatives CIVERA, ADOLPH, ARGALL, BAKER, BARRAR, BASTIAN, BEYER, BOYD, BROOKS, CAPPELLI, CLYMER, COX, DALLY, DeLUCA, DENLINGER, DePASQUALE, DiGIROLAMO, ELLIS, D. EVANS, J. EVANS, EVERETT, GABIG, GEIST, GINGRICH, GOODMAN, HARHAI, HARHART, HARPER, HENNESSEY, HERSHEY, HESS, HUTCHINSON, KAUFFMAN, W. KELLER, KENNEY, KILLION, KOTIK, LENTZ, LONGIETTI, MACKERETH, MAJOR, MANN, MARKOSEK, MARSICO, McILHATTAN, METCALFE, MICOZZIE, R. MILLER, MOUL, MOYER, MUSTIO, MYERS, D. O'BRIEN, PERZEL, PETRI, PETRONE, PHILLIPS, PICKETT, PYLE, QUIGLEY, QUINN, RAYMOND, READSHAW, REED, REICHLEY, ROHRER, SAYLOR, SCHRODER, SIPTROTH, SOLOBAY, SONNEY, STAIRS, R. STEVENSON, TANGRETTI, J. TAYLOR, THOMAS, TRUE, TURZAI, VEREB, WALKO, WATSON, YOUNGBLOOD, YUDICHAK, STERN, BEAR, SHAPIRO and BENNINGHOFF

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 maximum amounts of educational improvement tax credits.

Referred to Committee on EDUCATION, May 18, 2007.

**No. 1284** By Representatives O'NEILL, DENLINGER, EVERETT, FLECK, HENNESSEY, HERSHEY, KORTZ, KULA, MAJOR, MOYER, MURT, PHILLIPS, PYLE, REICHLEY, SCAVELLO, SONNEY, SURRA and STEIL

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Bowman's Hill Wildflower Preserve Association, Inc., certain lands situate in Solebury Township, Bucks County.

Referred to Committee on STATE GOVERNMENT, May 18, 2007.

**No. 1285** By Representatives KULA, MAHONEY, HARHAI, MANN, BELFANTI, CLYMER, CREIGHTON, FABRIZIO, FAIRCHILD, FRANKEL, FREEMAN, GRUCELA, HENNESSEY, HERSHEY, JAMES, JOSEPHS, KIRKLAND, KORTZ, MANDERINO, MARKOSEK,

MUNDY, MURT, MUSTIO, PAYNE, SOLOBAY, SONNEY, STABACK and YOUNGBLOOD

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for the definition of "unfair methods of competition" and "unfair or deceptive acts or practices."

Referred to Committee on CONSUMER AFFAIRS, May 18, 2007.

**No. 1291** By Representatives GEIST, MARKOSEK, QUIGLEY, ADOLPH, ARGALL, BARRAR, BENNINGHOFF, BIANCUCCI, BOYD, BROOKS, CALTAGIRONE, CAPPELLI, CARROLL, COX, DALLY, DePASQUALE, J. EVANS, EVERETT, FABRIZIO, FRANKEL, FREEMAN, GILLESPIE, GINGRICH, GODSHALL, GOODMAN, GRELL, HALUSKA, HARPER, HARRIS, HENNESSEY, HERSHEY, HUTCHINSON, JAMES, JOSEPHS, M. KELLER, W. KELLER, KILLION, KORTZ, KOTIK, LONGIETTI, MANN, McILHATTAN, R. MILLER, MOYER, MUNDY, MURT, NAILOR, PARKER, PETRONE, PICKETT, PYLE, RAYMOND, REED, REICHLEY, ROSS, SAINATO, SANTONI, SCAVELLO, SCHRODER, SEIP, SOLOBAY, SONNEY, WALKO and WATSON

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, further providing for metropolitan transportation authority powers relating to alternative means of raising revenue or reducing expenses.

Referred to Committee on TRANSPORTATION, May 18, 2007.

**No. 1292** By Representatives FAIRCHILD, METCALFE, BAKER, BASTIAN, CALTAGIRONE, CASORIO, CLYMER, CUTLER, DENLINGER, EVERETT, FABRIZIO, GEIST, GEORGE, GERGELY, GINGRICH, GODSHALL, HALUSKA, HARHAI, HARRIS, HERSHEY, HESS, KILLION, KORTZ, MARSHALL, McILHATTAN, R. MILLER, MURT, PAYNE, PHILLIPS, PICKETT, PYLE, RAPP, READSHAW, REICHLEY, ROAE, ROHRER, SAYLOR, SEIP, S. H. SMITH, SONNEY, STERN, SURRA, YEWIC and SWANGER

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

Referred to Committee on JUDICIARY, May 18, 2007.

**No. 1293** By Representatives McGEEHAN, DePASQUALE, BOYD, BRENNAN, CARROLL, JOSEPHS, KORTZ, LEACH, PRESTON, READSHAW, SCAVELLO, VITALI, WALKO, YOUNGBLOOD, FREEMAN and PETRONE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for free parking for hybrid and alternative fuel vehicles.

Referred to Committee on TRANSPORTATION, May 18, 2007.

**No. 1294** By Representatives SURRA, GOODMAN, CAPPELLI, COHEN, CONKLIN, CREIGHTON, FABRIZIO,

FAIRCHILD, FLECK, GEIST, GERGELY, GIBBONS, GRUCELA, HENNESSEY, HUTCHINSON, JAMES, KORTZ, KOTIK, MAJOR, MURT, M. O'BRIEN, O'NEILL, PARKER, PAYNE, SCAVELLO, SHIMKUS, STABACK, TANGRETTI and YUDICHAK

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service.

Referred to Committee on FINANCE, May 18, 2007.

**No. 1295** By Representatives HANNA, BAKER, BELFANTI, CONKLIN and DENLINGER

An Act amending the act of July 2, 1993 (P.L.359, No.50), known as the Keystone Recreation, Park and Conservation Fund Act, further providing for allocation from the Keystone Recreation, Park and Conservation Fund.

Referred to Committee on FINANCE, May 18, 2007.

**No. 1296** By Representatives LEACH, BENNINGTON, DePASQUALE, FABRIZIO, FREEMAN, GEORGE, GOODMAN, HARKINS, HENNESSEY, HUTCHINSON, JAMES, JOSEPHS, KILLION, KORTZ, MAHONEY, MURT, MYERS, READSHAW, RUBLEY, SAINATO and WALKO

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

Referred to Committee on FINANCE, May 18, 2007.

**No. 1297** By Representatives LEACH, COHEN, DENLINGER, DePASQUALE, FABRIZIO, FREEMAN, GEORGE, GOODMAN, HARKINS, HENNESSEY, HERSHEY, JAMES, JOSEPHS, KULA, LONGIETTI, MUNDY, MURT, MYERS, ROSS, RUBLEY, SAINATO, SEIP, K. SMITH, STURLA, VITALI, WALKO, WANSACZ, YOUNGBLOOD and SWANGER

An Act establishing a lending program in Commonwealth libraries for electricity meters; creating a grant; and making an appropriation.

Referred to Committee on EDUCATION, May 18, 2007.

**No. 1298** By Representatives MARSICO, BENNINGHOFF, BOYD, BROOKS, CALTAGIRONE, CAPPELLI, COSTA, DALLY, EVERETT, GEIST, GERGELY, GINGRICH, GOODMAN, HANNA, HERSHEY, M. KELLER, KORTZ, LEACH, LEVDANSKY, O'NEILL, PAYNE, PETRI, PRESTON, ROAE, SAYLOR, SCAVELLO, R. STEVENSON, J. TAYLOR and WATSON

An Act establishing the Compensation Commission; and providing for its powers and duties.

Referred to Committee on STATE GOVERNMENT, May 18, 2007.

**No. 1299** By Representatives COHEN, THOMAS, PETRONE, MUNDY, BELFANTI, CALTAGIRONE, GEORGE, STABACK, HENNESSEY, HERSHEY, ROAE, SCHRODER, BIANCUCCI, BUXTON, CARROLL, FABRIZIO, GIBBONS, HALUSKA, W. KELLER,

LONGIETTI, MANN, PALLONE, PARKER, SIPTROTH, WALKO, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for powers and duties of the Secretary of Revenue.

Referred to Committee on FINANCE, May 18, 2007.

**No. 1300** By Representatives HUTCHINSON, BAKER, BASTIAN, BENNINGTON, CAUSER, DALEY, DALLY, EVERETT, FABRIZIO, FAIRCHILD, GEORGE, GIBBONS, GINGRICH, GOODMAN, HARHAI, HARHART, HERSHEY, JAMES, KIRKLAND, KORTZ, MAJOR, MARSHALL, McILHATTAN, MOYER, MURT, MYERS, O'NEILL, PYLE, RAPP, REED, REICHLEY, STERN, R. STEVENSON, SURRA and WATSON

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service.

Referred to Committee on FINANCE, May 18, 2007.

**No. 1301** By Representatives QUIGLEY, CALTAGIRONE, MOYER, MURT, VEREB, BAKER, BELFANTI, BIANCUCCI, BOYD, CARROLL, CLYMER, COHEN, COX, CREIGHTON, EVERETT, FABRIZIO, FAIRCHILD, FLECK, GEIST, GEORGE, GIBBONS, GINGRICH, HARRIS, HESS, HORNAMAN, HUTCHINSON, JAMES, M. KELLER, KENNEY, KOTIK, MANN, McGEEHAN, McILHATTAN, METCALFE, R. MILLER, O'NEILL, PETRARCA, PHILLIPS, PICKETT, PYLE, RAPP, RAYMOND, READSHAW, REICHLEY, ROAE, RUBLEY, SAYLOR, SOLOBAY, SONNEY, STERN, R. STEVENSON, TANGRETTI, J. TAYLOR, TRUE, WANSACZ and WATSON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of unlawful procurement, sale or receipt of telephone records.

Referred to Committee on JUDICIARY, May 18, 2007.

**No. 1302** By Representatives BAKER, FAIRCHILD, ARGALL, HENNESSEY, ADOLPH, BASTIAN, BELFANTI, BENNINGHOFF, BOYD, CALTAGIRONE, CAPPELLI, CASORIO, CAUSER, CREIGHTON, CUTLER, DeLUCA, EVERETT, FABRIZIO, FLECK, GEIST, GEORGE, GIBBONS, GILLESPIE, GINGRICH, HARRIS, HERSHEY, HESS, HORNAMAN, HUTCHINSON, M. KELLER, KILLION, KING, KORTZ, KOTIK, KULA, MAJOR, MARSHALL, MARSICO, McILHATTAN, MICOZZIE, MILNE, MOYER, MURT, MYERS, NAILOR, PAYNE, PEIFER, PETRONE, PHILLIPS, PICKETT, PYLE, QUINN, RAPP, RAYMOND, READSHAW, REED, REICHLEY, RUBLEY, SAYLOR, SCAVELLO, SCHRODER, K. SMITH, SOLOBAY, SONNEY, STABACK, R. STEVENSON, TRUE, VULAKOVICH, WALKO, WANSACZ and J. WHITE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, authorizing a tax credit for a member of a volunteer emergency service organization who purchases fire equipment with personal income.

Referred to Committee on FINANCE, May 18, 2007.

**No. 1303** By Representatives CRUZ, K. SMITH, YOUNGBLOOD, SIPTROTH, HORNAMAN and CURRY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, prohibiting persons from smoking in motor vehicles occupied by minors; and prescribing a penalty.

Referred to Committee on TRANSPORTATION, May 18, 2007.

**No. 1304** By Representatives FAIRCHILD, THOMAS, BASTIAN, CALTAGIRONE, CAPPELLI, COHEN, DENLINGER, GEIST, HARPER, MARKOSEK, MENSCH, PICKETT, PYLE, RUBLEY, SONNEY, STURLA and YOUNGBLOOD

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, establishing the Pennsylvania Geospatial Coordinating Council; providing for the powers and duties of the Pennsylvania Geospatial Coordinating Council and for the Pennsylvania Mapping and Geospatial Technologies Fund.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, May 18, 2007.

**No. 1305** By Representatives CALTAGIRONE, CRUZ, SIPTROTH, BRENNAN, BUXTON, COHEN, DALEY, DePASQUALE, EACHUS, FRANKEL, FREEMAN, HENNESSEY, KULA, LEACH, MANN, MURT, REICHLEY, ROSS, SANTONI, SCAVELLO, STURLA, THOMAS, WALKO and YOUNGBLOOD

An Act providing for a Statewide Barrio Nuevo Latino Community and Economic Development Program to be established and administered by the Department of Community and Economic Development as a specific line item allocation to the Pennsylvania Association of Latino Organizations.

Referred to Committee on COMMERCE, May 18, 2007.

**No. 1306** By Representatives CALTAGIRONE, BASTIAN, BOYD, EVERETT, GEORGE, HERSHEY, JAMES, M. KELLER, KIRKLAND, R. MILLER, SIPTROTH, WALKO and YOUNGBLOOD

An Act authorizing State investment tax credits for qualified animal waste recycling facilities; further authorizing limited sales and use tax exemption; and establishing the Animal Waste Recycling Fund.

Referred to Committee on FINANCE, May 18, 2007.

**No. 1307** By Representatives CALTAGIRONE, BELFANTI, BOYD, CARROLL, GEIST, GODSHALL, GRUCELA, HERSHEY, M. KELLER, KIRKLAND, LEACH, McILHATTAN, R. MILLER, NAILOR, M. O'BRIEN, O'NEILL, PALLONE, SIPTROTH, STERN, TANGRETTI, YOUNGBLOOD, GIBBONS and HORNAMAN

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

Referred to Committee on STATE GOVERNMENT, May 18, 2007.



**No. 1308** By Representatives CALTAGIRONE, BELFANTI, CREIGHTON, DALEY, GEIST, HENNESSEY, JAMES, KIRKLAND, KORTZ, MURT and YOUNGBLOOD

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, providing for a probationary period for police officers and firefighters.

Referred to Committee on URBAN AFFAIRS, May 18, 2007.

**No. 1309** By Representatives CALTAGIRONE, BIANCUCCI, CURRY, DeLUCA, FREEMAN, HALUSKA, JAMES, JOSEPHS, KIRKLAND, KORTZ, KULA, LEACH, SIPTROTH and YOUNGBLOOD

An Act regulating the sale of tableware; imposing duties and responsibilities upon the Department of Health; and imposing penalties.

Referred to Committee on HEALTH AND HUMAN SERVICES, May 18, 2007.

**No. 1310** By Representatives CALTAGIRONE, CURRY, DALEY, GODSHALL, HARHART, REICHLEY, THOMAS 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, in community colleges, for tuition and for reimbursement of payments by the Commonwealth.

Referred to Committee on EDUCATION, May 18, 2007.

**No. 1311** By Representatives CALTAGIRONE, CARROLL, GEIST, GEORGE, GODSHALL, HERSHEY, R. MILLER, REICHLEY, SANTONI and SIPTROTH

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, eliminating cross-filing by candidates.

Referred to Committee on STATE GOVERNMENT, May 18, 2007.

**No. 1312** By Representatives GERGELY, CAPPELLI, DALEY, FABRIZIO, FRANKEL, FREEMAN, GIBBONS, GODSHALL, KOTIK, KULA, MAHONEY, PRESTON, SAYLOR, STURLA, J. WHITE, YOUNGBLOOD and SCHRODER

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for limited number of retail licenses to be issued in each county.

Referred to Committee on LIQUOR CONTROL, May 18, 2007.

**No. 1313** By Representatives THOMAS, PAYNE, BISHOP, BLACKWELL, KIRKLAND, KULA, MAHONEY, SIPTROTH, SWANGER and HORNAMAN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for collection of restitution, reparation, fees, costs, fines and penalties.

Referred to Committee on JUDICIARY, May 18, 2007.

**No. 1314** By Representatives DONATUCCI, DeLUCA, BIANCUCCI, MAHONEY, CALTAGIRONE, FABRIZIO, FREEMAN, HORNAMAN, W. KELLER, KORTZ, MURT, MYERS, RAYMOND, REICHLEY, SCAVELLO, K. SMITH and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the duty of driver in construction and maintenance areas or on highway safety corridors.

Referred to Committee on TRANSPORTATION, May 18, 2007.

**No. 1315** By Representatives DePASQUALE, SCAVELLO, SIPTROTH, BASTIAN, BELFANTI, CURRY, DALEY, DONATUCCI, FRANKEL, FREEMAN, GEIST, GEORGE, GERBER, HARHAI, HERSHEY, JOSEPHS, KORTZ, LEACH, MANN, MARKOSEK, McCALL, McGEEHAN, MOUL, MUNDY, M. O'BRIEN, PETRONE, PRESTON, RAYMOND, READSHAW, SANTONI, SURRA, WALKO, YOUNGBLOOD, YUDICHAK, CALTAGIRONE, HARPER, GIBBONS and SCHRODER

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for an alternative energy tax credit.

Referred to Committee on FINANCE, May 18, 2007.

**No. 1316** By Representatives DePASQUALE, SCAVELLO, BELFANTI, CARROLL, CURRY, DALEY, DeWEESE, DONATUCCI, FRANKEL, FREEMAN, GEORGE, GERBER, GOODMAN, HARHAI, HERSHEY, JOSEPHS, KORTZ, KULA, LEACH, MANDERINO, MANN, MARKOSEK, McCALL, McGEEHAN, MOUL, MUNDY, M. O'BRIEN, PETRONE, PRESTON, RAYMOND, READSHAW, SANTONI, SIPTROTH, SURRA, TANGRETTI, WALKO, YOUNGBLOOD, YUDICHAK and CALTAGIRONE

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

Referred to Committee on FINANCE, May 18, 2007.

**No. 1317** By Representatives DePASQUALE, SCAVELLO, BELFANTI, CARROLL, CURRY, DALEY, DeWEESE, DONATUCCI, FRANKEL, FREEMAN, GEORGE, GERBER, GOODMAN, HARHAI, HERSHEY, JOSEPHS, KORTZ, KULA, LEACH, MANDERINO, MANN, MARKOSEK, McCALL, McGEEHAN, MOUL, MUNDY, M. O'BRIEN, PETRONE, PRESTON, RAYMOND, READSHAW, SANTONI, SIPTROTH, SURRA, TANGRETTI, WALKO, YOUNGBLOOD, YUDICHAK and CALTAGIRONE

An Act amending the act of December 3, 1959 (P.L.1688, No.621), known as the Housing Finance Agency Law, establishing an energy-efficient home assistance program.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 18, 2007.

**No. 1318** By Representatives DePASQUALE, SCAVELLO, BELFANTI, CARROLL, CURRY, DALEY, DeWEESE, DONATUCCI, FRANKEL, FREEMAN, GEIST, GEORGE,

GERBER, GOODMAN, HARHAI, HERSHEY, JOSEPHS, KORTZ, KULA, LEACH, MANN, MARKOSEK, McCALL, McGEEHAN, MOUL, MUNDY, M. O'BRIEN, PETRONE, PRESTON, RAYMOND, READSHAW, SANTONI, SIPTROTH, SURRA, TANGRETTI, WALKO, YOUNGBLOOD, YUDICHAK and CALTAGIRONE

An Act providing incentives for the use of waste, coal bed methane and coal mine methane for the production of electricity; establishing the Coal Waste Fund; providing for a tax credit; and prohibiting certain surface disposal of coal waste.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 18, 2007.

**No. 1319** By Representatives SIPTROTH, SCAVELLO, GEORGE, STABACK, BELFANTI, BRENNAN, CARROLL, DALEY, DeLUCA, EVERETT, GEIST, GRUCELA, HARHAI, KIRKLAND, KORTZ, MAHONEY, MANN, MILNE, MURT, MYERS, M. O'BRIEN, O'NEILL, PALLONE, PASHINSKI, PEIFER, PHILLIPS, READSHAW, RUBLEY, SAINATO, SANTONI, SEIP, K. SMITH, STEIL, WALKO, WATSON, WOJNAROSKI, YOUNGBLOOD, YUDICHAK, MUNDY and SCHRODER

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the offense of scattering rubbish, for the acknowledgment of littering provisions at time of application for learner's permit or driver's license and for the offense of depositing of waste and other material on highway, property or waters.

Referred to Committee on JUDICIARY, May 18, 2007.

**No. 1320** By Representatives SIPTROTH, BELFANTI, BROOKS, CARROLL, CURRY, FRANKEL, GRUCELA, HORNAMAN, JOSEPHS, KORTZ, KOTIK, KULA, LENTZ, MURT, PALLONE, PAYNE, PEIFER, PETRONE, SCHRODER, SOLOBAY, THOMAS, WALKO and YOUNGBLOOD

An Act providing for a program for the disposal of home-generated medical sharps, and for powers and duties of the Department of Environmental Protection.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 18, 2007.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 276** By Representatives BELFANTI, DiGIROLAMO, PHILLIPS, GOODMAN, EACHUS, RAYMOND, ARGALL, FAIRCHILD, DeWEESE, CAPPELLI, ADOLPH, BARRAR, BENNINGTON, BEYER, BIANCUCCI, BISHOP, BLACKWELL, BRENNAN, BUXTON, CALTAGIRONE, CASORIO, CIVERA, CLYMER, COHEN, COSTA, CRUZ, DeLUCA, DePASQUALE, DERMODY, J. EVANS, FABRIZIO, FRANKEL, FREEMAN, GALLOWAY, GEORGE, GERBER, GERGELY, GIBBONS, GILLESPIE, GODSHALL, GRUCELA, HARHAI, HARKINS, HORNAMAN, JAMES, JOSEPHS, W. KELLER, KENNEY, KESSLER, KING, KIRKLAND, KORTZ, KOTIK, LEACH, LENTZ, LEVDANSKY, LONGIETTI, MANDERINO, MANTZ, MARKOSEK, MARSHALL, McCALL,

McGEEHAN, McILHATTAN, MELIO, MICOZZIE, MOYER, MUNDY, MURT, MUSTIO, MYERS, M. O'BRIEN, OLIVER, PAYTON, PETRARCA, PETRONE, PRESTON, RAMALEY, READSHAW, SABATINA, SANTONI, SCAVELLO, SEIP, SIPTROTH, K. SMITH, M. SMITH, SOLOBAY, STURLA, SURRA, TANGRETTI, J. TAYLOR, R. TAYLOR, THOMAS, VEREB, VITALI, WAGNER, WALKO, WHEATLEY, J. WHITE, WOJNAROSKI, YOUNGBLOOD, PASHINSKI, ROEBUCK, SHIMKUS and KILLION

A Resolution urging the Congress of the United States to reject extension of "fast track" trade legislation to maintain the regulatory authority of states and to allow consultation with representatives of state and local governments and industry regarding trade issues.

Referred to Committee on LABOR RELATIONS, May 18, 2007.

**No. 278** By Representatives SURRA, BEYER, BIANCUCCI, CLYMER, COHEN, DALEY, FABRIZIO, GABIG, GEORGE, GIBBONS, GINGRICH, GOODMAN, HARHART, HORNAMAN, JAMES, KIRKLAND, KORTZ, KOTIK, METCALFE, MUSTIO, PALLONE, READSHAW, ROHRER, SIPTROTH, TANGRETTI, VULAKOVICH, J. WHITE, WOJNAROSKI and YOUNGBLOOD

A Resolution opposing any effort to implement a trinational political, governmental entity among the United States, Canada and Mexico; opposing the Security and Prosperity Partnership of North America and initiatives pursued in conjunction with the partnership that threaten the sovereignty of the United States; and opposing a North American Union.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, May 18, 2007.

**No. 280** By Representatives CRUZ, YOUNGBLOOD, PALLONE, BARRAR, BLACKWELL, JAMES, THOMAS and CALTAGIRONE

A Resolution establishing a select committee to study the impact of legal and illegal immigration on housing, health care and education in this Commonwealth.

Referred to Committee on STATE GOVERNMENT, May 18, 2007.

**No. 281** By Representatives WATSON, ADOLPH, BELFANTI, BENNINGHOFF, BIANCUCCI, BOBACK, CALTAGIRONE, CAPPELLI, CLYMER, COHEN, DALEY, DePASQUALE, EVERETT, FLECK, FRANKEL, FREEMAN, GEORGE, GINGRICH, GOODMAN, HARHAI, HARKINS, HARPER, HENNESSEY, HERSHEY, JAMES, JOSEPHS, KENNEY, KIRKLAND, KOTIK, KULA, MAJOR, MANDERINO, MANN, McILHATTAN, MOYER, MUNDY, MUSTIO, PALLONE, PETRARCA, PICKETT, RAPP, READSHAW, REED, REICHLEY, RUBLEY, SANTONI, SAYLOR, SCAVELLO, SEIP, SURRA, SWANGER, TRUE, VEREB, WALKO, WHEATLEY, WOJNAROSKI and YOUNGBLOOD

A Concurrent Resolution directing the Joint State Government Commission to study the issue of workplace pay disparity, to reexamine existing Federal and State laws relating to that issue and to make recommendations to the General Assembly.

Referred to Committee on LABOR RELATIONS, May 18, 2007.

### REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER pro tempore. The Chair is in receipt of a supplemental report from the Committee on Committees, which the clerk will now read.

The following report was read:

#### SUPPLEMENTAL REPORT COMMITTEE ON COMMITTEES

In the House of Representatives  
May 21, 2007

Resolved that:

Rep. John T. Galloway, Bucks County, is elected a member of the Finance Committee *vice* Rep. Edward G. Staback resigned.

Respectfully submitted,  
Rep. Michael P. McGeehan  
Majority Chairman  
Committee on Committees

On the question,  
Will the House adopt the resolution?  
Resolution was adopted.

### LEAVE OF ABSENCE

The SPEAKER pro tempore. Turning to leaves of absence once again, the majority whip reports that Representative CRUZ will be on leave for the week. Without objection, Representative Cruz will be placed on leave.

### GUEST INTRODUCED

The SPEAKER pro tempore. The Chair recognizes the majority leader for a special announcement.

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

On behalf of the Democrats and the Republicans from Allegheny County and myself, I would like to welcome the young mayor of the city of Pittsburgh, young Luke Ravenstahl, to the hall of the House. Luke.

### FILMING PERMISSION

The SPEAKER pro tempore. The Speaker, for the information of the members, the Speaker is granting permission to Clem Murray of the Philadelphia Inquirer, authorized for 10 minutes to take still photography in the hall of the House.

### STATEMENT BY MR. STURLA

The SPEAKER pro tempore. The Chair recognizes Representative Sturla for an announcement.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, about 48 years ago was the last time the Minor League baseball team from York, the White Roses, played the Minor League baseball team from Lancaster, the Red Roses, until this weekend, and this weekend that war of the Roses resumed with play in Lancaster between the York Revolution and the Lancaster Barnstormers.

Being the gracious hosts that we were in Lancaster, we allowed the York Revolution to win two of those three games in that series, and as a result of that today, I have to buck up and pay a bet that I made with Representative DePasquale. So today I am presenting him with a can of Hammond's pretzels, which are manufactured in my district in Lancaster and the best pretzels made in the world. So just to let you all know, if you want to try one, Gene has got some on his hands right now.

By the way, I will say we expect York to be just as gracious when we play the series in their new stadium and lose to us two games to one also.

Mr. DePASQUALE. It was quite a privilege to defeat the defending champions on their home field, but it was even a greater experience to have the York and Lancaster rivalry renewed. It is, I believe, great for both Lancaster and York, and I am honored that Representative Sturla would find such a great prize to offer in. I had offered some Sparky's coffee that is manufactured in York. It is actually such a good coffee that it is the Governor's coffee of choice, but that means more for my wife and me because I simply did not have to give it up.

So thanks, Mike, but I am sure we will fire away back at this when we meet in July in York.

The SPEAKER pro tempore. The Speaker thanks the gentlemen.

### GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair welcomes the Greater DuBois Leadership Institute today. They are the guests of Representative Sam Smith, and they are seated in the rear of the chamber. Would those individuals please stand and be recognized. Welcome to the hall of the House.

### GREAT VALLEY HIGH SCHOOL BOYS INDOOR TRACK TEAM PRESENTED

The SPEAKER pro tempore. The Chair recognizes Representative Milne for the purpose of an introduction.

Mr. MILNE. Good afternoon.

Today I am pleased to recognize the Great Valley Boys Indoor Track Team that has joined us in the back of the House. Great Valley happens to be the high school that I also attended, and I am wearing blue and white in celebration of this team's accomplishments.

This team won All-American honors by finishing third at the Nike Indoor National Track and Field Championship in Landover, Maryland, on March 11. This is the boys indoor track 3200-meter relay team.

This team had a tremendous season this past year. Other honors won this season include winner at the Dickinson College Invitational; winner at the Burdette Indoor Classic; winner at the Penn State Invitational. The team was named to the Pennsylvania Track and Field Coaches Association's All-State

Team. And oh, by the way, along the way they set a new school record of 7 minutes and 58 seconds for the 3200-meter relay.

This team symbolizes the best in athletic accomplishments but also academic excellence, as you will see as I introduce the team members. So as I call the team members' names, if you would stand, I would appreciate it. We have with us from the relay team Aaron Parker, who will be attending Harvard University; E.J. LaGreca, who will be attending Bucknell University; Dan Addis, who will be attending Carnegie Mellon University; and the fourth member of the team is Will Turney, who has 2 more years left at Great Valley, as he is only a sophomore but obviously has a bright future. Joining them is their head coach, Mr. Paul Hadzor, assisted by Mr. Mike Kelly and Ms. Nicole Jones. Jenn Krisch is also an assistant coach with the team.

I would appreciate my colleagues recognizing the accomplishments of the 3200-meter relay team, which finished third at the Nike Indoor National Track and Field Championship. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### **HUNTINGDON CHRISTIAN ACADEMY GIRLS BASKETBALL TEAM PRESENTED**

The SPEAKER pro tempore. The Chair recognizes Representative Fleck for the purpose of a citation presentation.

Mr. FLECK. Thank you, Mr. Speaker.

Today I would like to congratulate the Huntingdon Christian Academy Girls Basketball Team for winning the 2007 Keystone Christian Association Class AAA championship title. The team finished the season with an undefeated record of 22 wins. This is the second time the Lions have won the title in the last 4 years. HCA (Huntingdon Christian Academy) has been competing in the AAA category since 2004. Prior to that, they won the title in the Class A category in 2002 and in the Class AA category in 2003.

The team will be presented with a citation that reads:

"WHEREAS, The House of Representatives of Pennsylvania takes great pleasure in recognizing the outstanding achievements realized by the youth of this nation in a spirit of personal sacrifice, commitment to a common goal and unity of purpose; and

"WHEREAS, The Huntingdon Christian Academy Girls' Basketball Team is being honored upon capturing the 2006-2007 Keystone Christian Education Association State Class...Girls' Basketball Championship; and

"WHEREAS, To their great credit, the Lions finished their stellar season with an overall record of 22 wins and 0 losses. The team defeated the Calvary of Lansdale Girls' Basketball Team with a score of 61 to 58 to capture the State title. Under the expert guidance of Head Coach Kim Harven and Assistant Coach Tracy Anderson, the team was comprised of Alex Shope, Ashley Shope, Rachael Harven, Kimberly Harven, Beka Harven, Annie Harven, Liz Davis, Kristy Bigelow and Katie Bigelow. Also providing assistance and support for the team was Mindy Fouse, Manager.

"NOW THEREFORE, The House of Representatives of the Commonwealth of Pennsylvania heartily congratulates the members and coaches of the Huntingdon Christian Academy Girls' Basketball Team, as well as all those who assisted them,

upon their stellar season and championship victory; commends them for skillfully using their abilities with unflagging dedication in pursuit of athletic excellence; offers best wishes for success in all future endeavors...."

Joining me today on stage are Ashley Shope, Kimberly Harven, Annie Harven, Liz Davis, and Katie Bigelow. Also in the back we have the rest of the team; if they would please stand. Congratulations.

Thank you.

### **LANCE LYONS AND SCOTT BENNING PRESENTED**

The SPEAKER pro tempore. The Chair recognizes Representative Kula for the presentation of a citation.

Mrs. KULA. Mr. Speaker and members of the House, it gives me great pleasure today to introduce to you two brilliant young men who are joining us today. Lance Lyons and Scott Benning, seventh grade students at Frazier Middle School in Perryopolis, which is part of the 52d District, are being honored upon capturing first place in the 2007 Intermediate Unit One Regional Computer Fair and the 2007 Pennsylvania Computer Fair sponsored by the Department of Education.

The Pennsylvania Middle School Computer Fair is a student event that highlights computer technology integration with the middle school classroom and recognizes student achievement. Students are able to unleash their creativity, convey information more dynamically, apply State standards, and collaborate to create innovative projects.

Lance and Scott were under the tutelage of James Natale, who teaches computer sciences at their school. They won first place in the State competition with a proactive PowerPoint presentation on "United States of America: Important Wars." I would highly recommend that everyone here today, if they have the opportunity to stop by the East Wing rotunda, take a look at their display. It is truly amazing what these seventh grade students have been able to accomplish.

Not only are these two young men impressive with their knowledge and talents in the world of computers, but they also are engaged in learning and sharing some of the most important moments in American history through their creative and innovative project. There are many out there who believe that the next generation of Americans has no interest in government or in learning about the history of this nation. Lance and Scott have proven that theory wrong. Mr. Speaker and fellow members, I respectfully ask that you join with me in congratulating Lance and Scott on this outstanding accomplishment.

Just as a side note, I did not want to take away from Lance and Scott, but Mr. Natale informed me today that former member James Shaner was his football coach and is the person that inspired him to become a teacher. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

### **YORK CATHOLIC HIGH SCHOOL GIRLS BASKETBALL TEAM PRESENTED**

The SPEAKER pro tempore. The Chair recognizes Representative DePasquale for the purpose of a citation presentation.

Mr. DePASQUALE. Good afternoon, everyone, once again.

I am proud to stand with the rest of my colleagues from York County as we begin to officially replace New York City as a basketball mecca of the world with York.

The York Catholic women's team, they won the AA State championship, and York Catholic has over the last 15 years won several boys and girls titles, and this year proved no exception again. So I am honored to stand with the rest of my House colleagues from York County in honoring the AA State champions, York Catholic High School Girls Basketball Team, and also if the rest of the team that is in the back could please stand up. Congratulations.

**THE SPEAKER PRO TEMPORE  
(JENNIFER L. MANN) PRESIDING**

**GENERAL McLANE BOYS BASKETBALL  
AND FOOTBALL TEAMS PRESENTED**

The SPEAKER pro tempore. The Chair recognizes Representative Evans for the purpose of a presentation.

Mr. J. EVANS. Thank you, Madam Speaker.

I am honored this afternoon to introduce not one but two State championship teams from my legislative district. The General McLane Lancers made PIAA history this year by becoming the first school ever to win State championships in both football and boys basketball during the same academic year.

In December the Lancers football team defeated Pottsville 28-23 in a thrilling contest played in Hershey to capture the Class AAA title, and not to be outdone, a few months later, in March, the boys basketball team traveled to Penn State where they defeated Green Castle-Antrim 57-55 in a game that also went down to the wire.

When you consider how many teams have competed in the PIAA playoffs over the years, the significance of this accomplishment cannot be underscored enough. These young men have achieved something that no other school in any classification level has ever done before in our State. It is truly a remarkable feat.

Joining us in the hall of the House are a select group of General McLane athletes who were two-sport champions in both football and basketball during this academic year. Joining us here on the rostrum: Shawn Walker, Drew Astorino, Bobby Stauffer, Kelley Ponsoll, and Dan Skelton. Please join me in welcoming these double State champions to Harrisburg.

Also joining us today are other players from the team who played in both football and basketball during the academic year and the coaches: Jim Wells, who successfully led the AAA champion Lancer football team; and Andy Schulz, who guided the McLane basketball team, which also brought home the AAA State title. Coach Wells is joined by his assistants, Luke Graham, Bill Frick, and Brad Wheeler; Coach Schulz is joined by his assistants, Roy Stauffer and Brian Schulz. They are joined by superintendent Alan Karns, principal Don Ickes, and athletic director Ken Walker. If you all could please stand and be recognized along with the players. How about a warm welcome for the General McLane basketball and football teams. Our congratulations to all of you, and thank you for making the long trip this afternoon to join us at the Capitol.

I will now turn the microphone over to my colleague, Representative John Hornaman, who also represents part of the General McLane district. Representative Hornaman.

Mr. HORNAMAN. Thank you, Representative Evans.

I really cannot add too much more to what Representative Evans has just said. The statistics certainly speak for themselves. But when you have made PIAA sports history like this, it may not happen again in our lifetime. So I would just like to express my pride in these phenomenal athletes and their coaches, Jim Wells and Andy Schulz, for an incredible feat.

Let us again please recognize the General McLane Lancers football and basketball AAA State champs. We will now present their citations to the team members.

**YORK COUNTY LOVING EYES/4-H  
SEEING EYE PUPPY CLUB INTRODUCED**

The SPEAKER pro tempore. The Chair recognizes Representative Gillespie for remarks and an introduction. The gentleman is in order.

Mr. GILLESPIE. Thank you, Madam Speaker.

Well, as someone said, we are going from championship basketball teams and so forth to the dogs, but today the dogs have come to us. Today I would like to take time to recognize a group of kids and their advisers who epitomize the spirit of giving back.

The York County Loving Eyes/4-H Seeing Eye Puppy Club is on the House floor today, seated over here in the Speaker's section. It is made up of volunteers, each of whom is at least 9 years of age. That is about 10 months old in dog years. Today we have Colonel, who is handled by Even Sterrett; Drake, who is handled by Anna Paules; Jedi by Skylar Landis; and other club members Harriet Homback, Brian Paules, Kathy Sterrett, and Linda Coble.

The puppies themselves are 7 or 8 weeks old when they are matched with a volunteer. That person is charged with socializing the animal and preparing it for life as a seeing-eye dog. Car travel, sudden noises, other animals, crowds, slippery floors, stairs, and stores are some of the things that would scare a puppy. It is a club member's responsibility to teach the young dog to remain calm through these experiences, something the animals will have to do if they are one day to be of assistance to someone with a visual impairment.

As tough as this task might be, an equally difficult task comes when the dog reaches 14 to 18 months of age. The bond between the child and the animal is broken and the dog goes on for more training, with the eventual goal of becoming a seeing-eye dog. If you are an animal lover – I know I certainly am and many of you here – you know the special bond that forms with a pet. That is what makes these young people so special. They enter into this relationship knowing full well that it will one day be broken, but the time and affection they give to their new friend will benefit someone they may never meet, someone who will benefit greatly and be eternally grateful.

Members of the York County Loving Eyes/4-H Seeing Eye Puppy Club, thank you for all you do.

Thank you, Madam Speaker.

FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair would like to recognize a special guest today. Former House member, one of our colleagues, Dennis Leh, is with us today. He is to the left of the rostrum. Dennis, welcome.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome the Tunkhannock Middle School, members of the Tunkhannock Middle School who are here today as guests of both Representative Boback and Representative Major. I am not sure that any of them are still in the balcony, but we certainly welcome them and we will recognize them at this time. Welcome.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. PAYNE called up HR 48, PN 220, entitled:

A Resolution designating May 26, 2007, as the "Tenth Annual National Moment of Silence Day" in Pennsylvania and urging emergency medical service providers and agencies throughout this Commonwealth to observe a special moment of silence in honor of those emergency medical service personnel who have died in the line of duty.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

Table listing names of members who voted 'YEAS' for HR 48, PN 220. Includes names like Adolph, Argall, Baker, Barrar, Bastian, Bear, Belfanti, Benninghoff, Bennington, Beyer, Biancucci, Bishop, Blackwell, Boback, Boyd, Brennan, Brooks, Buxton, Caltagirone, Cappelli, Carroll, Casorio, Causer, Civera, Clymer, Cohen, Conklin, Costa, Cox, Creighton, Curry, Freeman, Gabig, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillespie, Gingrich, Godshall, Goodman, Grell, Grucela, Haluska, Hanna, Harhai, Harhart, Harkins, Harris, Helm, Hennessey, Hershey, Hess, Hickernell, Hornaman, Hutchinson, James, Josephs, Kauffman, Keller, M., Markosek, Marshall, Marsico, McCall, McGeehan, McI. Smith, McIlhattan, Melio, Mensch, Metcalfe, Micozzie, Millard, Miller, Milne, Moul, Moyer, Mundy, Murt, Mustio, Myers, O'Brien, M., O'Neill, Oliver, Pallone, Parker, Pashinski, Payne, Payton, Peifer, Perry, Perzel, Ross, Rubley, Sabatina, Sainato, Samuelson, Santoni, Scavello, Schroder, Seip, Shapiro, Shimkus, Siproth, Smith, K., Smith, M., Smith, S., Solobay, Sonney, Staback, Stairs, Steil, Stern, Stevenson, Sturla, Surra, Swanger, Tangretti, Taylor, J., Taylor, R., Thomas, True, Turzai.

Table listing names of members who voted 'NAYS' for HR 48, PN 220. Includes names like Cutler, Daley, Dally, DeLuca, Denlinger, DePasquale, Dermody, DeWeese, DiGirolamo, Donatucci, Eachus, Ellis, Evans, D., Evans, J., Everett, Fabrizio, Fairchild, Fleck, Frankel, Keller, W., Kessler, Killion, King, Kirkland, Kortz, Kotik, Kula, Leach, Lentz, Levdansky, Longiotti, Mackereith, Maher, Mahoney, Major, Manderino, Mann, Mantz, Petrarca, Petri, Petrone, Phillips, Pickett, Preston, Pyle, Quigley, Quinn, Ramaley, Rapp, Raymond, Readshaw, Reed, Reichley, Roae, Rock, Roebuck, Rohrer, Vereb, Vitali, Vulakovich, Wagner, Walko, Wansacz, Waters, Watson, Wheatley, White, Williams, Wojnarowski, Yewcic, Youngblood, Yudichak, O'Brien, D., Speaker.

NAYS-0

NOT VOTING-0

EXCUSED-6

Table listing names of members who were 'EXCUSED' for HR 48, PN 220. Includes names like Cruz, Harper, Kenney, Nailor, Nickol, Saylor.

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

\* \* \*

Ms. PICKETT called up HR 192, PN 1235, entitled:

A Resolution designating June 3, 2007, as "Veterans Appreciation Day" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

Table listing names of members who voted 'YEAS' for HR 192, PN 1235. Includes names like Adolph, Argall, Baker, Barrar, Bastian, Bear, Belfanti, Benninghoff, Bennington, Beyer, Biancucci, Bishop, Blackwell, Boback, Boyd, Brennan, Brooks, Buxton, Caltagirone, Cappelli, Carroll, Casorio, Causer, Civera, Freeman, Gabig, Galloway, Geist, George, Gerber, Gergely, Gibbons, Gillespie, Gingrich, Godshall, Goodman, Grell, Grucela, Haluska, Hanna, Harhai, Harhart, Harkins, Harris, Helm, Hennessey, Hershey, Hess, Markosek, Marshall, Marsico, McCall, McGeehan, McI. Smith, McIlhattan, Melio, Mensch, Metcalfe, Micozzie, Millard, Miller, Milne, Moul, Moyer, Mundy, Murt, Mustio, Myers, O'Brien, M., O'Neill, Oliver, Pallone, Ross, Rubley, Sabatina, Sainato, Samuelson, Santoni, Scavello, Schroder, Seip, Shapiro, Shimkus, Siproth, Smith, K., Smith, M., Smith, S., Solobay, Sonney, Staback, Stairs, Steil, Stern, Stevenson, Sturla, Surra.

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Cruz	Kenney	Nickol	Saylor
Harper	Nailor		

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

\* \* \*

The SPEAKER pro tempore. Members, please take your seats. We are about to take up a condolence resolution. Will the Sergeants at Arms clear the aisles. Members, please take your seats.

Mr. KING called up **HR 150, PN 991**, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice of Staff Sergeant Jae S. Moon of the United States Army's Bravo Company, 2nd Battalion, 12th Infantry Regiment, 2nd Brigade Combat Team, 2nd Infantry Division, Fort Carson, Colorado, who tragically lost his life while bravely serving his country on December 25, 2006.

On the question,  
Will the House adopt the resolution?

The SPEAKER pro tempore. The Chair recognizes Representative King on the resolution.

Mr. KING. Thank you, Madam Speaker.

It is with regret and great sadness that I join the ranks of my colleagues who have stood before this body and honored the life of a fallen hero. Today I call upon you to join me in honoring the life and service of S. Sgt. Jae S. Moon, who served his country bravely and without hesitation and tragically lost his life on December 25, 2006, while serving in Iraq.

Staff Sergeant Moon exemplified the Army's core values of loyalty, duty, respect, selflessness, honor, integrity, and personal courage. In fact, the day that Staff Sergeant Moon perished, he had volunteered to go on duty, a reconnaissance patrol in place of a friend and fellow soldier so that his friend could benefit from a day of rest. It was on that day in which the vehicle that Staff Sergeant Moon was riding in, that it was hit by a roadside bomb in southern Baghdad, killing three service members inside.

Staff Sergeant Moon was 21 years old, was serving his second tour of duty in Iraq. He was part of the Army's Bravo Company, 2d Battalion, 12th Infantry Regiment, 2d Brigade Combat Team, 2d Infantry Division, Fort Carson, Colorado.

Despite his distant locale, Staff Sergeant Moon always remained close to his home of Levittown, Pennsylvania. When asked what mattered most in his life, Staff Sergeant Moon simply responded his family. A graduate of Neshaminy High School and known for a caring and respectful character, Staff Sergeant Moon was recognized for his community service efforts. Staff Sergeant Moon was posthumously awarded the Bronze Star Medal, the Purple Heart, and the Overseas Ribbon and was promoted to the rank of staff sergeant.

I ask that you please now join me in recognizing the contributions of this brave young man, S. Sgt. Jae S. Moon. Thank you.

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

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Cruz	Kenney	Nickol	Saylor
Harper	Nailor		

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

\* \* \*

#### RESOLUTIONS PASSED OVER

The SPEAKER pro tempore. The balance of the resolutions on page 4 of today's calendar are over for today.

#### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 13, PN 1536**, entitled:

An Act amending the act of February 2, 1965 (P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for liability of landowners toward recreational users, persons or property for acts or acts of omission by recreational users.

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

\* \* \*

The House proceeded to second consideration of **SB 650, PN 680**, entitled:

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

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

#### BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that SB 650, PN 680, be recommitted to the Appropriations Committee.

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

#### APPROPRIATIONS COMMITTEE MEETING

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

Mr. D. EVANS. Thank you, Madam Speaker.

Madam Speaker, at the break of the House, I would like to ask for a convening of the House Appropriations Committee in the majority caucus room.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Appropriations Committee will convene at the break in the majority caucus room.

#### STATEMENT BY MR. SCAVELLO

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Scavello, for remarks under unanimous consent.

Mr. SCAVELLO. Thank you, Madam Speaker.

As we all know, Madam Speaker, last week voters in 498 school districts statewide went to the ballot box to vote on local tax relief referenda mandated by this legislature by Act 1. As a result of that voting, less than 2 percent of the school districts in the State approved their school district's referendum. Less than 2 percent opted into increasing their local earned income tax or personal income tax in exchange for lower school property taxes.

Simply stated, we as legislators were told, no thank you. In no uncertain terms, the voters told us that if additional school property tax relief is going to happen, we have to vote on a plan covering the whole State. School property tax relief can only be achieved once and for all by this body working with the Senate and the Governor to come up with a plan that covers everyone. These piecemeal reforms are not bringing relief to all. Their promise has fallen short. Act 1 in effect punted the issue to voters. That did not work. Last Tuesday the voters have spoken. Voters last week told Harrisburg, if tax reform is a statewide problem, you take care of it. I am asking this body to again today take care of this issue.

Madam Speaker, I have cosponsored and sponsored legislation over the past few sessions that would use sales tax revenue and a slight increase in the State PIT (personal income tax) to bring significant, meaningful, and lasting property tax relief to homeowners. Included with gaming revenues, we could possibly see a 40- to a 45-percent reduction in property taxes.

I call on my colleagues to again take a look at the sales tax proposals. Consider the alternatives and what we have just been through with Act 1 and ask ourselves, do we have what it takes to pass a real school property tax relief bill? I believe the answer to the question is yes, so that means we should dedicate ourselves once again to the task at hand.

Thank you again, Madam Speaker.



**HOUSE BILL  
INTRODUCED AND REFERRED**

**No. 1366** By Representative D. EVANS

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for realty transfer tax stamps, commissions, payments and transfers.

Referred to Committee on APPROPRIATIONS, May 21, 2007.

The SPEAKER pro tempore. The House will be at ease for approximately 30 minutes for the purpose of an Appropriations Committee meeting.

**LABOR RELATIONS  
COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes Representative Belfanti for the purpose of an announcement.

Mr. BELFANTI. Thank you, Madam Speaker.

There will be an immediate meeting of the House Labor Relations Committee. It will be a voting meeting. We have two bills to vote on. We will be meeting in room 205 of the Ryan Office Building. Any of my members or those of Representative DiGirolamo's side of the aisle who are on the Appropriations Committee, please provide us with proxies. We would appreciate that.

Thank you very much.

The SPEAKER pro tempore. The Labor Relations Committee will meet in room 205 of the Ryan Office Building immediately.

**ANNOUNCEMENT BY MR. PALLONE**

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Pallone, rise?

Mr. PALLONE. To make an announcement on a subcommittee meeting.

The SPEAKER pro tempore. The gentleman is in order.

Mr. PALLONE. Thank you, Madam Speaker.

The subcommittee meeting for Judiciary, crimes and corrections, that was originally scheduled for tomorrow at the call of the Chair is canceled until a later date. The subcommittee hearing on crimes and corrections originally scheduled for tomorrow morning is canceled until a later date. Thank you.

The SPEAKER pro tempore. Are there any further announcements? Any further announcements? The House will be at ease.

**THE SPEAKER (DENNIS M. O'BRIEN)  
PRESIDING**

The SPEAKER. The House will come to order.

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

**HB 1286, PN 1543**

By Rep. D. EVANS

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 2007, to June 30, 2008, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2007; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Tobacco Settlement Fund and the Health Care Provider Retention Account to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2007, to June 30, 2008; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2007, to June 30, 2008, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 2007, to June 30, 2008, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2007; to provide for the additional appropriation of Federal and State funds from the General Fund, the State Lottery Fund and the Pharmaceutical Assistance Contract for the Elderly Fund for the Executive, Legislative and Judicial Departments of the Commonwealth for the fiscal year July 1, 2006, to June 30, 2007, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2006.

APPROPRIATIONS.

**HB 1287, PN 1544**

By Rep. D. EVANS

An Act making appropriations from restricted revenue accounts within the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General.

APPROPRIATIONS.

**HB 1288, PN 1545**

By Rep. D. EVANS

An Act providing for the capital budget for the fiscal year 2007-2008.

APPROPRIATIONS.

**HB 1289, PN 1546**

By Rep. D. EVANS

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

APPROPRIATIONS.

**SB 791, PN 883**

By Rep. D. EVANS

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2007, to June 30, 2008, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2007.

## APPROPRIATIONS.

**SB 792, PN 884** By Rep. D. EVANS

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2007, to June 30, 2008, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2007.

## APPROPRIATIONS.

**SB 793, PN 885** By Rep. D. EVANS

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

## APPROPRIATIONS.

**SB 794, PN 886** By Rep. D. EVANS

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2007, to June 30, 2008, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2007.

## APPROPRIATIONS.

**SB 796, PN 888** By Rep. D. EVANS

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

## APPROPRIATIONS.

**SB 797, PN 889** By Rep. D. EVANS

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

## APPROPRIATIONS.

**BILLS REREPORTED FROM COMMITTEE**

**HB 33, PN 1418** By Rep. D. EVANS

An Act authorizing and directing the Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, to lease to Pine Township, Clearfield County, a certain tract of land situate in Pine Township, Clearfield County, for a consideration of \$1.

## APPROPRIATIONS.

**HB 131, PN 1414** By Rep. D. EVANS

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, prohibiting fees for police services.

## APPROPRIATIONS.

**HB 588, PN 654** By Rep. D. EVANS

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for purposes and powers of municipal authorities.

## APPROPRIATIONS.

**HB 747, PN 874** By Rep. D. EVANS

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for a special license and license auction to hunt one elk.

## APPROPRIATIONS.

**HB 781, PN 900** By Rep. D. EVANS

An Act redesignating the Maple Avenue Bridge on State Route 271 in the City of Johnstown, Cambria County, as the Colonel John Joseph Tominac Memorial Bridge.

## APPROPRIATIONS.

**HB 834, PN 950** By Rep. D. EVANS

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.

## APPROPRIATIONS.

**HB 881, PN 1035** By Rep. D. EVANS

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for exceptions to unlawful use of lights while hunting.

## APPROPRIATIONS.

**HB 892, PN 1045** By Rep. D. EVANS

An Act designating a portion of State Route 74 in Perry County as the Marine Lance Corporal Jason L. Frye Memorial Highway.

## APPROPRIATIONS.

**SB 21, PN 29** By Rep. D. EVANS

An Act authorizing the Department of General Services, with the approval of the Governor, to enter into an agreement or other legal instrument with Chester County to alter use restrictions and reversionary covenants on real estate conveyed to Chester County, situate in Newlin and West Bradford Townships; and making inconsistent repeals.

## APPROPRIATIONS.

**SB 650, PN 680** By Rep. D. EVANS

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

## APPROPRIATIONS.

**SUPPLEMENTAL CALENDAR A**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 33, PN 1418**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, to lease to Pine Township, Clearfield County, a certain tract of land situate in Pine Township, Clearfield County, for a consideration of \$1.

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.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

The Chair recognizes Representative George.  
Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I believe this is an agreed-to bill with the DCNR (Department of Conservation and Natural Resources) and the DGS (Department of General Services) that directs the Department of General Services to lease approximately 2.5 acres of land to Pine Township in Clearfield County for use as a township building and a storage lot. The construction of a new State Wilds welcome center and the resulting increase in tourist traffic will require more services to be offered to the township roads.

Currently Pine Township has no township building, and the land conveyed will help Pine Township serve the many Pennsylvanians who will travel to that area. I ask for the support of all my colleagues for this bill. 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—197**

Adolph	Freeman	Markosek	Ross
Argall	Gabig	Marshall	Rubley
Baker	Galloway	Marsico	Sabatina
Barrar	Geist	McCall	Sainato
Bastian	George	McGeehan	Samuelson
Bear	Gerber	McI. Smith	Santoni
Belfanti	Gergely	McIlhattan	Scavello
Benninghoff	Gibbons	Melio	Schroder
Bennington	Gillespie	Mensch	Seip
Beyer	Gingrich	Metcalfe	Shapiro
Bianucci	Godshall	Micozzie	Shimkus
Bishop	Goodman	Millard	Siproth
Blackwell	Grell	Miller	Smith, K.
Boback	Grucela	Milne	Smith, M.
Boyd	Haluska	Moul	Smith, S.
Brennan	Hanna	Moyer	Solobay

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

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—6**

Cruz	Kenney	Nickol	Saylor
Harper	Nailor		

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 131, PN 1414**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, prohibiting fees for police services.

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.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

The Chair recognizes Representative Yewcic.  
Mr. YEWIC. Thank you, Mr. Speaker.

HB 131 is in response to one of the things that is happening around the Commonwealth and in my county in particular and I think a handful of other municipalities, where the municipality is charging, in my area at least, \$500 for local police to respond to a traffic accident and write a traffic report, an accident report. Upon further investigation, we had staff call the Ohio Company, and what they are doing in my county is typically if you are in an accident and a cop shows up to write an accident report, the municipality will send the bill to the insurance company. The insurance company generally refuses to pay. They will then send, this company will then go after the people outside the municipality and not bill the people inside the municipality. It is totally unfair.

Plus the issue of fee for service. Our local police are paid for by our taxes, and charging them 500 bucks or more for an accident report is absurd, and if you are going for a fee for service, there is really no need to pay taxes. This is not to prevent anybody or any municipality from assessing fees for other documents or other services within the municipality.

I would ask for a favorable vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Representative Petri.

Mr. PETRI. Thank you, Mr. Speaker.

If I may interrogate the witness for legislative intent.

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

Mr. PETRI. As I understand your bill, it is not your intent to override any judicial right that a judge may have to order restitution in a case if it is deemed appropriate under some circumstance where there is some sort of accident or cleanup.

Mr. YEWIC. That is correct, Mr. Speaker.

Mr. PETRI. And I also understand that if, for instance, there was another reason that a township would rightfully be able to collect, such as a hazardous cleanup or the like, that they would still be able to recover their costs associated with that type of service.

Mr. YEWIC. That is correct, Mr. Speaker. And by the way, most of those cleanups are done by fire companies. They certainly can get reimbursed for those costs.

Mr. PETRI. Right.

On the bill.

The SPEAKER. The gentleman may proceed.

Mr. PETRI. I believe that the Representative's intents are good. We met in committee, talked about this a great deal, tried to find ways to amend, to clarify the maker's intent, and actually found that the bill was probably more understandable as written than in any way we could figure out to amend it.

I think this is a good bill. It is intended to prohibit townships from charging, to do a police report when all they really do is show up at an accident scene, and that is something we do not want. So I think the maker is on to something here, and this needs to be dealt with.

I would urge an affirmative vote.

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—190

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

NAYS—7

Casorio	Kotik	Roae	White
Gergely	Pallone	Solobay	

NOT VOTING—0

EXCUSED—6

Cruz	Kenney	Nickol	Saylor
Harper	Nailor		

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 588, PN 654**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for purposes and powers of municipal authorities.

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.

(Bill analysis was read.)

The SPEAKER. 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—197

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

Everett	Mahoney	Reichley	Yudichak
Fabrizio	Major	Roae	
Fairchild	Manderino	Rock	O'Brien, D.,
Fleck	Mann	Roebuck	Speaker
Frankel	Mantz	Rohrer	

NAYS—0

NOT VOTING—0

EXCUSED—6

Cruz	Kenney	Nickol	Saylor
Harper	Nailor		

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 747, PN 874**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for a special license and license auction to hunt one elk.

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.

(Bill analysis was read.)

The SPEAKER. 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—196

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

Carroll	Hennessey	O'Neill	Stern
Casorio	Hershey	Oliver	Stevenson
Causer	Hess	Pallone	Sturla
Civera	Hickernell	Parker	Surra
Clymer	Hornaman	Pashinski	Swanger
Cohen	Hutchinson	Payne	Tangretti
Conklin	James	Payton	Taylor, J.
Costa	Josephs	Peifer	Taylor, R.
Cox	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, D.	Mackereth	Readshaw	Wojnaroski
Evans, J.	Maher	Reed	Yewcic
Everett	Mahoney	Reichley	Youngblood
Fabrizio	Major	Roae	Yudichak
Fairchild	Manderino	Rock	
Fleck	Mann	Roebuck	O'Brien, D.,
Frankel	Mantz	Rohrer	Speaker
Freeman	Markosek		

NAYS-1

Creighton

NOT VOTING-0

EXCUSED-6

Cruz	Kenny	Nickol	Saylor
Harper	Nailor		

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 778, PN 845**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for classification of offenses and penalties, for chemical testing to determine amount of alcohol or controlled substances and for operating watercraft under influence of alcohol or controlled substance.

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.

(Bill analysis was read.)

The SPEAKER. 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-196

Adolph	Gabig	Marshall	Ross
Argall	Galloway	Marsico	Rubley
Baker	Geist	McCall	Sabatina
Barrar	George	McGeehan	Sainato
Bastian	Gerber	McI. Smith	Samuelson
Beaer	Gergely	McIlhattan	Santoni
Belfanti	Gibbons	Melio	Scavello
Benninghoff	Gillespie	Mensch	Schroder
Bennington	Gingrich	Metcalfe	Seip
Beyer	Godshall	Micozzie	Shapiro
Biancucci	Goodman	Millard	Shimkus
Bishop	Grell	Miller	Siproth
Blackwell	Grucela	Milne	Smith, K.
Boback	Haluska	Moul	Smith, M.
Boyd	Hanna	Moyer	Smith, S.
Brennan	Harhai	Mundy	Solobay
Brooks	Harhart	Murt	Sonney
Buxton	Harkins	Mustio	Staback
Caltagirone	Harris	Myers	Stairs
Cappelli	Helm	O'Brien, M.	Steil
Carroll	Hennessey	O'Neill	Stern
Casorio	Hershey	Oliver	Stevenson
Causer	Hess	Pallone	Sturla
Civera	Hickernell	Parker	Surra
Clymer	Hornaman	Pashinski	Swanger
Cohen	Hutchinson	Payne	Tangretti
Conklin	James	Payton	Taylor, J.
Costa	Josephs	Peifer	Taylor, R.
Cox	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, D.	Mackereth	Readshaw	Wojnaroski
Evans, J.	Maher	Reed	Yewcic
Everett	Mahoney	Reichley	Youngblood
Fabrizio	Major	Roae	Yudichak
Fairchild	Manderino	Rock	
Fleck	Mann	Roebuck	O'Brien, D.,
Frankel	Mantz	Rohrer	Speaker
Freeman	Markosek		

NAYS-1

Creighton

NOT VOTING-0

EXCUSED-6

Cruz	Kenny	Nickol	Saylor
Harper	Nailor		

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

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

**SUPPLEMENTAL CALENDAR A CONTINUED**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 781, PN 900**, entitled:

An Act redesignating the Maple Avenue Bridge on State Route 271 in the City of Johnstown, Cambria County, as the Colonel John Joseph Tominac Memorial Bridge.

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

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

(Bill analysis was read.)

The SPEAKER. 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—197**

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

DeLuca	King	Phillips	Wagner
Denlinger	Kirkland	Pickett	Walko
DePasquale	Kortz	Preston	Wansacz
Dermody	Kotik	Pyle	Waters
DeWeese	Kula	Quigley	Watson
DiGirolamo	Leach	Quinn	Wheatley
Donatucci	Lentz	Ramaley	White
Eachus	Levdansky	Rapp	Williams
Ellis	Longiotti	Raymond	Wojnaroski
Evans, D.	Mackereth	Readshaw	Yewcic
Evans, J.	Maher	Reed	Youngblood
Everett	Mahoney	Reichley	Yudichak
Fabrizio	Major	Roae	
Fairchild	Manderino	Rock	O'Brien, D., Speaker
Fleck	Mann	Roebuck	
Frankel	Mantz	Rohrer	

NAYS—0

NOT VOTING—0

EXCUSED—6

Cruz	Kenney	Nickol	Saylor
Harper	Nailor		

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 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 third consideration?

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

Mr. MAHER. On the bill, Mr. Speaker.

The SPEAKER. The gentleman will state his question.

Mr. MAHER. And I wish to speak on the bill, but I would entail interrogation of the maker as well. I was seeking recognition.

The SPEAKER. The gentleman has no amendment? He wishes to be recognized on final passage?

Mr. MAHER. I do not have an amendment, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
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.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

The Chair recognizes Representative Maher.

Mr. MAHER. Thank you, Mr. Speaker.

If I might interrogate the maker of the bill?

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

Mr. MAHER. Thank you, Mr. Speaker.

I am hoping to ensure that I am understanding how this bill would be applied in the real world. In the event that medical professionals have a contract individually, let us set aside collective bargaining for a moment, but individuals enter into a contract with a health-care facility and the contract provides that the individual may be called upon to provide overtime and that the individual will accede to those requests insofar as possible, would that overtime, even if it was undesirable to the individual at a particular moment in time, would that be deemed to be mandatory overtime, for the purposes of your bill?

Mr. SURRA. I am a little unclear about individual contracts or collective-bargaining contracts. This does not totally ban mandatory overtime. What it would do is ban anything that goes beyond a predetermined work shift. So if you have a predetermined shift that you are expected to work that includes overtime and you have agreed to that, then that would not be covered under this act.

Mr. MAHER. If an individual has a contract as an individual, and it is fair to say there are tens and twenties and thirties of thousands of such contracts by health-care professionals in Pennsylvania, if an individual has a contract with a health-care provider that provides that that individual will be called upon as required by the employer to provide overtime services, without regard to whether it is convenient for that moment in time for that individual, and the individual has entered into this agreement, an employment contract for a period of a year or more, and if called upon to work overtime, would that be deemed mandatory overtime under your bill, and could the individual then refuse to work the overtime if it did not suit their convenience?

Mr. SURRA. The legislation does not require the renegotiation of existing contracts, be they collective-bargaining or individual, and I guess the best answer to your query would be that if it is a predetermined and pre-agreed-to work shift, it would not be deemed mandatory overtime.

Mr. MAHER. So then, Mr. Speaker, if it is not a predetermined work shift but rather a best-effort sort of contract where an individual pursuing a profession will provide their talent, their professional experience, and bring it as needed to the benefit of the patients of that health-care institution, if it is not based upon a predetermined schedule, that would be prohibited under your bill?

Mr. SURRA. If it is not a predetermined work shift, yes. However, the bill does provide for the situation where an employee was working on a procedure and the procedure may require to go beyond that predetermined work shift, they could then be required to stay, and I would have to believe that most of our health-care providers' employees would want to do that.

Mr. MAHER. So, Mr. Speaker, just to make sure I am clear on this, if I am a health-care professional and enter into a contract with a health-care institution and that contract which I have entered into provides that I can be called upon to provide overtime when the health-care facility deems that the patients' needs demand it, once this bill becomes law, if that overtime is

not desirable to me at that moment in time, I will be able to decline it with the protection of this legislation. Is that correct?

Mr. SURRA. Constitutionally we are precluded to delve in an existing contract.

Mr. MAHER. I understand that, Mr. Speaker, and I am talking about the real-world situation that is going to affect thousands and thousands of health-care professionals in Pennsylvania if this bill becomes a law. What is the answer that the health-care professional can provide to the health-care institution in that circumstance? Is it that I no longer need to work overtime if I am not desirous of it because of this bill unless it was already scheduled, or is it that, gee whiz, even though this bill has become law, I must continue to work the overtime regardless if I find it convenient?

Mr. SURRA. For the duration of this contract, if that wording is in the contract, they could be mandated to work the overtime.

Mr. MAHER. So this bill then would permit mandatory overtime so long as there is a contract in place where an individual has agreed with the health-care institution to provide work on that basis?

Mr. SURRA. On the effective date of this act and not in the future, beyond their contract.

Mr. MAHER. Can you show me in this bill, Mr. Speaker, where that distinction is made? I have read it several times and was unable to find that distinction.

Mr. SURRA. That is a constitutional provision, Mr. Speaker.

Mr. MAHER. The bill, though, says that on this effective date there can be no more mandatory overtime, and you have just said to me that constitutionally you know there has to be the permission to do that.

Mr. SURRA. Constitutionally we cannot abrogate an existing contract, and I believe you started your comments by stating that you already knew that.

Mr. MAHER. I do not remember saying that, but I certainly appreciate your observation. Thank you for responding to my questions.

Mr. Speaker, on the bill?

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

Mr. MAHER. Nowhere in this bill does it provide that existing contracts will be honored. There are tens of thousands of individual agreements and agreements where groups of health-care professionals have reached agreements with health-care institutions across Pennsylvania; tens of thousands of these cases. This bill as written says that effective immediately the mandatory overtime that might be provided for in those contracts freely entered into by those professionals and health-care institutions, who are aiming to do their very best in the patients' interest, will no longer be permitted. The maker of the bill acknowledges that doing that is unconstitutional.

Now, he may have intended to write this bill to honor existing contracts, but he did not. He wrote this bill so that effective immediately mandatory overtime would be illegal in Pennsylvania, which does violate those contracts.

### CONSTITUTIONAL POINT OF ORDER

Mr. MAHER. Therefore, Mr. Speaker, and with I think the endorsement of the maker of the bill's observation that such is unconstitutional, I move that under Article I, section 17, of the Pennsylvania Constitution that provides that no "...law



impairing the obligation of contracts...shall be passed," that this bill be found unconstitutional, and I thank the maker of the bill for emphasizing that that is, in fact, a result of this legislation.

The SPEAKER. The gentleman, Representative Maher, raises the point of order that the bill, HB 834, is unconstitutional. The Speaker, under rule 4, is required to submit the question of constitutionality of a bill to the House for its decision.

On the question,  
Will the House sustain the constitutionality of the bill?

The SPEAKER. On the point of order, the Chair recognizes Representative Surra.

Mr. SURRA. Mr. Speaker, did the gentleman state what section of the Constitution?

The SPEAKER. The gentleman will state what section of the Constitution he is referring to.

Mr. MAHER. I will be happy to repeat: Article I, section 17, which starts off that "No ex post facto law, nor any law impairing the obligation of contracts,...shall be passed."

The SPEAKER. Does the gentleman, Mr. Surra— The gentleman is allowed to be recognized once on constitutionality. Since the gentleman started his interrogation on constitutionality, this counts as your one bite of the apple.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, these issues were raised in committee and found to be warrantless. They were raised last session when this bill overwhelmingly passed this House and were found to be warrantless. There are basically two provisions under the Statutory Construction Act – the severability clause, which deals with any portion of a bill that is found to be unconstitutional, which can cut that portion out and does not find the entire bill entirely to be unconstitutional, and also the fact of the presumption of constitutionality. In the interrogation we are not abrogating any existing contracts, Mr. Speaker, and that is the intent of the legislation and the intent of this General Assembly, and in the future any contracts will have to be negotiated with this legislation in mind, and there are 11 other States that have almost identical legislation, Mr. Speaker.

So to use the words of my Democratic chairman, this is a red-herring argument, Mr. Speaker, and I would encourage the members to defeat this motion.

The SPEAKER. Representative Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, this bill does not abrogate any contracts and is constitutional. As Mr. Surra already spoke, we argued this last session. Our own Statutory Construction Act, there are several presumptions the court may use in interpreting our legislation. One of the most important of those is that the court presumes and our own Statutory Construction Act states that the legislature intends to pass laws that are constitutional. We intend to pass laws that do not violate the United States Constitution or the Constitution of the Commonwealth of Pennsylvania. Therefore, our own Statutory Construction Act, Pennsylvania Statutory Construction Act, requires our courts to interpret this law as constitutional.

This bill is constitutional, and we should vote "yes" on this. Thank you, Mr. Speaker.

The SPEAKER. Representative Seip.

Mr. SEIP. Thank you, Mr. Speaker.

I rise to support HB 834. As a licensed health-care professional, with experience working in a hospital setting, I recognize that this bill will allow more health-care professionals to enter the health-care setting. As with mandatory overtime, many health-care professionals have decided to not practice. This bill will allow more people to enter the health-care field and practice, put their license to work.

Also, we have to recognize that we are talking about licensed health-care professionals, people who are professional, medical, experienced people; people who have the ability to understand whether they are able to work or not work. They will only volunteer for overtime when it is professionally in the interest of the patient.

Thank you, Mr. Speaker.

The SPEAKER. Does anyone else seek recognition on constitutionality?

The Chair recognizes Representative Maher.

Mr. MAHER. Thank you, Mr. Speaker.

It is all very instructive to hear about the Statutory Construction Act and how unconstitutional provisions can be severed by the courts, but it is our duty to ensure that the legislation we pass is, in fact, constitutional. This became a matter of some public concern during the last session, and I would hope that we would embrace that spirit of reform and have a rigorous standard to gauge constitutionality, and it is quite clear from the comments that were made by the very maker of this bill that as written, it would have an unconstitutional effect. Now, perhaps it was intended to be written some other way, but it was not. As written, this bill would impair the contracts on its face between thousands and thousands of health-care professionals in this State, who mean well by their patients and the health-care institutions with which they work. It should not be necessary that each and every one of these tens of thousands of cases should go to the courts for an order to sever the unconstitutional provisions. It is our duty instead to pass a law which is constitutional.

I would have preferred that this issue is correct. It was brought up last session, and in committee the concern was embraced, is my understanding, last session, but if the power of the vote is going to overcome the power of the Constitution, then we will have a sad day. I think it is quite clear from the maker's own words that this bill will have an unconstitutional effect unless the courts choose to sever the unconstitutional provision.

Nothing could be clearer. We are both in agreement about the impact of this bill day to day on the lives of all these health-care professionals across Pennsylvania, and I ask you to join me in an honest vote that this is unconstitutional. Thank you, Mr. Speaker.

The SPEAKER. Representative Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, this bill is definitely constitutional. Again, it has been debated over several sessions. This very legislature has enacted bills into law that limit the amount of time that a tractor-trailer driver can drive on the roads of this Commonwealth, limit the amount of time a ship's captain can navigate in Pennsylvania waterways. These are people with collective-bargaining agreements in place – truck drivers. Several plants, certain industries, we limit the amount of time that people can work to 12 hours. Legislators, that is right, Mr. Speaker. We just limited how long we can work, a couple

of weeks ago. We do not have a collective-bargaining agreement, but leave me chairman long enough.

In any case, Mr. Speaker, as Representative Surra said, I refer to this argument as a red herring. It is a dilatory tactic. Let us get to the issues at hand: patient safety, number one; patient safety, number one, and then people being able to schedule quality family time, you know, family-value time, at home with their kids, knowing when their shift is going to start and when it is going to end.

Let us please vote that this legislation, HB 834, is in fact constitutional and move on to the arguments of the legislation and the debate therein. Thank you.

The SPEAKER. Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I think there is some misunderstanding on Representative Maher's part. I wonder if Mr. Surra would agree to interrogation?

Thank you.

The SPEAKER. The gentleman indicates he will. The gentleman is in order and may proceed.

Mr. COHEN. Thank you.

Mr. Speaker, will the gentleman indicate whether or not he agrees with Mr. Maher's characterization that he is in agreement that this bill has an unconstitutional effect?

Mr. SURRA. I do not agree with that interpretation. In fact, I strongly disagree with that interpretation, and in fact, nowhere in the bill, nowhere in this legislation can you find any language that deals with an existing contract, Mr. Speaker, and that goes to the heart of his argument. I think we just need to vote down his motion and proceed on final passage.

Mr. COHEN. Thank you, Mr. Speaker.

I have no further questions of Mr. Surra, but I would like to make a comment.

The SPEAKER. The gentleman is in order.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, you have heard various arguments. I agree with all the arguments that have been made on constitutionality. I also would urge you that there is considerable case law that labor contracts do not fit the meaning of contracts under the Pennsylvania Constitution.

By all means, this is a perfectly constitutional bill, and I would urge a "yes" vote, a "yes" vote in support of constitutionality of HB 834.

## PARLIAMENTARY INQUIRY

The SPEAKER. Representative DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Mr. Speaker, may I have clarification on what a "yes" vote and a "no" vote mean when it comes to constitutionality?

The SPEAKER. Yes. Those who believe the bill is constitutional will vote "aye"; those who believe the bill to be unconstitutional will vote "no."

Mr. DiGIROLAMO. Okay. Thank you, Mr. Speaker.

Mr. Speaker, this bill is clearly constitutional. I would urge all the members to vote "yes." Thank you.

The SPEAKER. Representative Leach.

Mr. LEACH. Thank you, Mr. Speaker.

I just would like to make two quick points.

Number one, in keeping with my policy of voting against virtually all challenges to constitutionality, I will vote against

this challenge of constitutionality. It is my belief that historically these challenges to the constitutionality have become surrogates for the way people feel about the bill. People who are for a bill tend to find it constitutional; people who are against a bill tend to find it unconstitutional, and I think that trivializes the process.

When we argue cases before an appellate court on constitutionality, you know, we write extensive briefs, we have lengthy records, and the court often divides evenly or close to evenly. For us to sit here and make an off-the-cuff determination of constitutional issues, which most of us often know nothing about, I think trivializes what we do. If you are for the bill, vote for it; if you are against the bill, vote against it. I vote against constitutional challenges even when I am against the bill.

On this specific constitutional challenge, I would say this: There are two types of constitutional challenges to a statute – on-its-face and as-applied. An on-its-face challenge to a statute, it says that the statute as drafted is not constitutional under any circumstances. An as-applied challenge says, it is constitutional on its face. It can be applied constitutionally. However, there are circumstances where it would be unconstitutional to apply it, and I think that is what the gentleman's motion goes to. But that is where the rules of statutory construction come into play, because the courts say that if it is an as-applied challenge to a statute, the statute stands, except in the particular situation where it would be unconstitutional as applied, in which case the courts will not apply the statute. So if there is any circumstance where a contract would be unconstitutionally adversely affected by this bill, the court will not apply the bill, but the court will apply it where it is constitutional, and therefore, the bill itself is constitutional.

So for those two reasons, I would urge a "yes," or I would urge whatever vote is appropriate; "yes" vote. Thank you.

The SPEAKER. Are there any other members seeking recognition on constitutionality?

Those who believe the bill is constitutional will vote "aye"; those believing the bill is not constitutional will vote "nay."

On the question recurring,

Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

## YEAS—156

Adolph	Galloway	McGeehan	Scavello
Argall	Geist	McI. Smith	Seip
Baker	George	McIlhattan	Shapiro
Belfanti	Gerber	Melio	Shimkus
Bennington	Gergely	Mensch	Siproth
Beyer	Gibbons	Micozzie	Smith, K.
Bianucci	Goodman	Millard	Smith, M.
Bishop	Grucela	Moyer	Solobay
Blackwell	Haluska	Mundy	Sonney
Boback	Hanna	Murt	Staback
Brennan	Harhai	Myers	Stairs
Brooks	Harkins	O'Brien, M.	Steil
Buxton	Harris	O'Neill	Stern
Caltagirone	Helm	Oliver	Sturla
Cappelli	Hershey	Pallone	Surra
Carroll	Hickernell	Parker	Tangretti
Casorio	Hornaman	Pashinski	Taylor, J.
Civera	James	Payne	Taylor, R.
Clymer	Josephs	Payton	Thomas
Cohen	Keller, M.	Perzel	True

Conklin	Keller, W.	Petrarca	Turzai
Costa	Kessler	Petri	Vereb
Curry	Killion	Petrone	Vitali
Daley	King	Phillips	Vulakovich
DeLuca	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	Raymond	White
Ellis	Longietti	Readshaw	Williams
Evans, D.	Mahoney	Reed	Wojnaroski
Evans, J.	Major	Roae	Yewcic
Everett	Manderino	Roebuck	Youngblood
Fabrizio	Mann	Sabatina	Yudichak
Fairchild	Mantz	Sainato	
Fleck	Markosek	Samuelson	O'Brien, D.,
Frankel	Marshall	Santoni	Speaker
Freeman	McCall		

## NAYS-41

Barrar	Gabig	Mackereth	Rapp
Bastian	Gillespie	Maher	Reichley
Bear	Gingrich	Marsico	Rock
Benninghoff	Godshall	Metcalfe	Rohrer
Boyd	Grell	Miller	Ross
Causar	Harhart	Milne	Rubley
Cox	Hennessey	Moul	Schroder
Creighton	Hess	Mustio	Smith, S.
Cutler	Hutchinson	Peifer	Stevenson
Dally	Kauffman	Perry	Swanger
Denlinger			

## NOT VOTING-0

## EXCUSED-6

Cruz	Kenny	Nickol	Saylor
Harper	Nailor		

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

On the question recurring,  
Shall the bill pass finally?

The SPEAKER. The Chair recognizes Representative Cutler.  
Mr. CUTLER. Thank you, Mr. Speaker.

I would like to rise in opposition to HB 834 for a variety of reasons, the first of which is that I am an x-ray tech and my wife is a nurse, and this bill would directly affect both of us. In fact, my wife happened to be on call today because of increased patient acuity levels and short-staffing due to unforeseen circumstances.

The reason that I share this is because my wife and I both knew our respective fields and what would be expected of us when we joined each one of these fields. We knew that sometimes our dedication to our patients would require long hours. We knew that sometimes it would require on call. And I have several concerns with this bill, in particular of which, I do not believe that this bill adequately addresses some of those unforeseen circumstances in my—

The SPEAKER. Will the gentleman cease.  
Mr. CUTLER. Yes, Mr. Speaker.

The SPEAKER. Members will please hold their conversations to a minimum.

The gentleman may proceed.

Mr. CUTLER. Thank you, Mr. Speaker.

I am not sure that this bill adequately addresses some of the unforeseen circumstances in life, things as simple as someone is running late, someone was in an accident, children are sick, or perhaps you yourself get sick right before you walk out the door. Perhaps my greatest concern is the provision that requires that employers cannot use any refusal of overtime as an adverse employment decision to the employee. I am extremely concerned that hospitals will not be able to properly reward those individuals who volunteer for overtime in order to take care of their patients because at that point that would be an employment decision adverse to the other employee because they could potentially not get as high of a raise as their coworkers who did volunteer.

So I believe if we as a legislature want to truly fix the staffing shortages and the mandatory overtime problems in this State, we should work together to improve schooling and improve funding for those individual areas, and I urge a "no" vote on HB 834. Thank you.

The SPEAKER. Do any other members seek recognition on final passage?

Representative Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, this mandatory overtime legislation has been around since I was majority chairman 13 years ago, and at the time we were asked by the Hospital Association and by other stakeholders to please let us correct our own problem. We know we have a nursing shortage, we know that forced mandatory overtime is a factor, but let us fix this on our own. We think we can do it. And, Mr. Speaker, several hospitals did just that; several hospitals did just that, and they were not all hospitals that have collective-bargaining agreements. But, Mr. Speaker, the problem has gotten worse. We have more medical errors in hospitals today than ever. A lot of those medical errors are contributed to the nursing and other staff care that a patient receives, not just a doctor, not just in the OR (operating room), but the amount of medication that is delivered to a person after working a 16-hour shift. We have studies that show that people that are working 16-hour shifts are actually working with the accumulative effect of being almost drunk, the same effect as being a .05 blood-alcohol level, and people working over 16 hours, up to 20 hours, that continues to rise until they are actually working legally drunk. At least that is what their body functional systems are telling them.

We now have one out of three, one out of three nurses and L.P.N.s (licensed practical nurses) in this State between the ages of 30 and 60 who have voluntarily placed their licenses into abeyance. They have quit the field. They are selling suits in Boscov's rather than not knowing what day of the week they are going to work and how many hours they are going to work that day.

Mr. Speaker, this mandatory overtime is now being used on a regular basis as opposed to, as the previous speaker from the other side of the aisle said, a voluntary basis. It is now being used intentionally. Nurses, L.P.N.s, and other health-care workers walk into a hospital today and they look on the board, the shift board. Here is the shift board. Guess what? The shift board has blank spots on it. Now, those nurses or the L.P.N. or the C.N.A. (certified nursing assistant) looking at that board,

seeing that there are 4-hour gaps and 8-hour gaps here and there, know that one of them, they know that one of them, before the end of their shift is over, is going to be told by a supervisor, you are filling that hole. The holes are there. They are there in a predetermined manner. This is being used for reasons in some settings – nursing homes in particular I think are the biggest violators of this – to avoid hiring more people and avoid paying fringe benefits for more people. They are using 12-hour shifts and 16-hour mandatory shifts as a way of avoiding fringe benefits.

They are putting their patients in the facilities that they are responsible to care for at great risk. This is not just at the hospital level. We now have nurses, like at no other time in Pennsylvania history, that are working per diem. They are working per diem without benefits just so they know that they can arrange for hours that are decent to them and hours that they can spend some time home with their family, with their children. There is something to be said about that as well, Mr. Speaker, apart from patient safety, is quality of your homelife. And why would a nurse give up a job in a hospital where occasionally she may be asked to work overtime? And many nurses enjoy actually working a bit of overtime. They volunteer for it. And we have not run into one nurse in 10 years of hearings, in 10 years of rallies, outside of this building, or 12 years, not one nurse has ever said, I would walk out of the hospital if there was a catastrophe that required my presence. In fact, if I were home, I would jump in the car and drive back to the hospital, even if I worked a 12-hour shift, if there were a calamity.

But we are using mandatory – the word is "mandatory" – overtime as a routine practice. It has to stop. We need to get the nurses that have put their licenses away to take them out, dust them off, and go back to work, and we need to have our young folks who are looking at career possibilities take a good hard look at the health-care industry again. It is one of the fastest growing industries in the State, but apart from those people that have the initials M.D. (doctor of medicine) or O.D. (doctor of optometry) or D.O. (doctor of osteopathy) or the top-level professionals, we are having a very, very difficult time in filling staffing needs.

Forced mandatory overtime begets more people quitting; more people quitting the profession begets more mandatory overtime. It is a vicious cycle. It has to stop. Today's bill is not perfect. It is modeled after 13 other States that have it in place. And once again, I am going to conclude by saying, when we regulate how long a truck driver can be on the road so that he does not fall asleep and have his rig drive into a car or three cars of children and parents, think of what we are doing to that nurse or that L.P.N. when they are forcing them to work a 16-hour day and they are working like they are drunk, and then they go home and they have 8 hours of sleep, 8 hours of sleep, and sometimes they have to get back to work. Well, if you knock off the hour to shower, the hour to get up to shower the following morning, you are looking at 6 hours' worth of sleep and then you are back on the job.

This bill allows for overtime, this bill allows for collective-bargaining agreements, to allow whatever voluntary overtime a nurse or other health-care professional would care to volunteer for, but it limits, it limits to 12 hours a day and 60 hours' worth of work in a 2-week period. It is 60 hours in any one week in a 2-week period without the okay of the staff person involved.

Again, let us follow the lead of some of the other States. Let us not always be behind the curve. Let us be in the middle of the curve on this one. Thank you, Mr. Speaker.

The SPEAKER. Representative Kessler.

Mr. KESSLER. Thank you, Mr. Speaker.

I would just like to share some very interesting stats with the other House members. This information comes from the California Board of Registered Nursing. When California passed a similar bill, the number of actively licensed R.N.s (registered nurses) in California grew by 10,000 per year compared to 3200 the prior year. Also when this law was enacted in California, registration for applications of registered nurses increased by 60 percent the year after that law was enacted.

So I urge people to vote for this bill "yes." Thank you.

The SPEAKER. Representative Seip.

Mr. SEIP. Thank you, Mr. Speaker.

I rise to support HB 834. With all due respect to my colleague across the aisle, I support this bill. Again, as a licensed health-care professional, I believe that we have to rely on professionals to make professional judgments. We have to rely on them to know what circumstances require them to remain on the job and what circumstances come about that have them too physically fatigued to continue to work. Just as we do not want tired truck drivers on our roadways, we do not want tired nurses trying to dispense schedule II narcotics.

Thank you, Mr. Speaker.

The SPEAKER. Representative Siptroth.

Mr. SIPTROTH. Thank you, Mr. Speaker.

Mr. Speaker, coming from a profession not too many years ago that had limitations on the number of hours that I was allowed to work, I can only agree with this particular bill and support it wholeheartedly. Mr. Speaker, if you have the exhaustive feeling that you can no longer perform, especially in a sensitive position such as a health-care worker, I feel it only your duty to inform your employer that you are not in a physical position to be able to exercise those responsibilities. Previously, as an air traffic controller, the Federal government limited my hours to 10 hours per day.

Mr. Speaker, I certainly do rise to support HB 834 and ask for an affirmative vote. Thank you.

The SPEAKER. Representative Daley, Pete Daley.

Mr. DALEY. Thank you, Mr. Speaker.

I rise to support HB 834. Several years ago my mother was a nurse, and she worked in OB (obstetrics), and I know they had to work long, long hours back in the fifties and sixties. Anyone in this room that would not vote for this bill would have to have your head examined, because think about this. The most unsung heroes in the medical profession today are the nurses, and we are not talking about, we are not talking about teachers and bus drivers, we are not talking about people working coal mines and the steel mill. We are talking about people that check on your mother and your brother and your sister in the hospital and make sure the records are right for your grandmother, your wife, and your children and your girlfriend and your boyfriend. These are people that make sure their lives are protected. These are the people that cannot make the mistake, because when they make the mistake, if they make the mistake at 3 o'clock in the morning, it could mean that someone in your family will die.

Mr. Speaker, we do not want our health-care workers working overtime, mandatory overtime. That is wrong. That does not make good sense, and it is not good health. That is

what we want to do, is protect the health, safety, and welfare of the Commonwealth of Pennsylvania. That is why I want you to vote for HB 834.

Thank you, Mr. Speaker.

The SPEAKER. Representative Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, it sounds to me like we have about 203 wannabe hospital CEOs (chief executive officers) on the floor of the House today. Mr. Speaker, how we can one by one go up to the microphone and pontificate about how best to run a hospital, from what limited knowledge most of us certainly have in that department, is really beyond me.

Mr. Speaker, the hospital administration's CEO and the staff, they have to weigh and take into consideration a variety of factors when making staffing decisions, whether it is overtime or not, on a day-by-day basis. So, Mr. Speaker, instead of micromanaging hospitals from the floor of the Pennsylvania House of Representatives, I really believe this is the wrong approach.

And furthermore, Mr. Speaker, this bill itself is a sham. If this bill was truly about patient safety, this bill would ban voluntary overtime as well, because, Mr. Speaker, go back and look at a lot of the reports that are cited by those advocating this bill and you will see that they make no distinction between the problems with mandatory overtime versus voluntary overtime. So, Mr. Speaker, this is not about patient safety. This is something else that is wrapped up nicely in patient safety because it is something, you know, that is very hard to vote against if they say it is patient safety.

So, Mr. Speaker, I believe this bill is misguided. I believe that there are those in far better position than the 203 of us on the House floor to make hospital staffing decisions, and I urge a "no" vote.

The SPEAKER. Representative Maher.

Mr. MAHER. Thank you, Mr. Speaker.

If I might interrogate the maker of the bill?

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

Mr. MAHER. Thank you, Mr. Speaker.

We have heard about legal prohibitions on excessive overtime for truck drivers. We have heard about it with respect to air traffic controllers. Is there anything in this bill that actually prohibits overtime, Mr. Speaker?

Mr. SURRA. It prohibits anything beyond a predetermined work shift, Mr. Speaker. If I had my way, Mr. Speaker, I would, but as you are aware, with your experience on this House floor, Mr. Speaker, you can only do what you can get the votes to pass, Mr. Speaker, and this is the best that we can do for the patients and the nurses of Pennsylvania, and that is why it is drafted as it is. However, it goes a long way. It is a middle ground; it is a compromise, Mr. Speaker, and that is why it is drafted like it is.

Mr. MAHER. If an individual wanted to work 12 hours, 16 hours, 18 hours, is there anything in this bill that would prohibit it?

Mr. SURRA. Could you repeat that, Mr. Speaker?

Mr. MAHER. If an individual wished to work 12 hours, 16 hours, 18 hours, is there anything in this bill that would prohibit it?

Mr. SURRA. The bill does permit voluntary overtime, Mr. Speaker.

Mr. MAHER. So the answer would be then, there is nothing in this bill that would prohibit an individual that wanted to work 12 hours, 16 hours, 18 hours from doing so in a health-care environment?

Mr. SURRA. Yes. If an individual wanted to work 20 hours a week, 7 days a week, they could, Mr. Speaker.

Mr. MAHER. Thank you, Mr. Speaker.

That concludes my interrogation. May I speak on the bill?

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

Mr. MAHER. This bill is not like the prohibitions on excessive overtime for truck drivers or the prohibitions on excessive overtime for air traffic controllers because, in fact, there is no prohibition on excessive overtime anywhere in this bill for any sort of health-care professional. Rather, instead of being a prohibition on excessive overtime, this is a prohibition on inconvenient overtime. It puts the health-care professionals' convenience ahead of the patients' needs, the needs of the health-care facility.

We have heard a lot about the health-care professional shortages. In fact, there is a House resolution to be considered this week to undertake a study about shortages in the health professions. Specifically because some professions are facing a shortage, it is my observation that health-care institutions are bending over backwards to recruit and retain talented professionals.

The marketplace is responding to the needs of individual professionals. Now, certainly this does not satisfy every single individual's requirements, but the health-care institution, the patients' needs, should not turn on the convenience of an individual. If this bill was really about patient safety, I would say many of the remarks that were offered earlier would be appropriate, but in fact, it has nothing to do with patient safety. It has everything to do with the convenience of individuals over the interests of patients and health-care institutions. It is not against excessive overtime. It is against inconvenient overtime, and I, for one, will be voting in opposition.

Thank you, Mr. Speaker.

## GUEST INTRODUCED

The SPEAKER. Before the Chair recognizes Representative Sturla for remarks, the Chair would like to welcome Representative Bryan Lentz to introduce his son to the General Assembly; congratulate him on his new addition to the family.

## CONSIDERATION OF HB 834 CONTINUED

The SPEAKER. Representative Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this is about patient safety. Having worked on this bill in the last session, we looked at studies that pointed out that mistakes in nursing settings when there was voluntary overtime were much less than mistakes when there was mandatory overtime. If someone knows and volunteers and is prepared to work an extra 4 hours and has mentally geared themselves up to do that extra overtime, they have a tendency to do a great job. When they are distracted by the fact that their kids may not have someone at home with them because they do not have day care, when they are distracted by the fact that they are missing a family-planned setting, when they know that they

are not doing the things that they wanted to do or that they are working now 8 or 10 or 12 or 14 hours when they had only planned on working a certain period of time, that is when the medical errors occur. This bill seeks to address the issue of not having people be mandated to work the overtime when they are not in agreement with it.

We know that given an opportunity, if I know I am going to have to work 12 hours— We get that same thing here. The days that we are told expect to work a long day, you mentally prepare yourself for that day. When you are told we are going to be out of here at 3 o'clock in the afternoon and it drags on till 3 o'clock in the morning, those are the days that fatigue sets in. Those are the days when people start to make mistakes. And so what we have to understand with this legislation is, this was crafted specifically to allow those people who want to have, say, four 12-hour days or three 12-hour days or four 10-hour days to work those shifts and to do a good job on those shifts but to not have people who just got done working an 8- or 10- or 12-hour shift be told that they have to stay around for another 4.

Thank you, Mr. Speaker.

The SPEAKER. Representative DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

There has been some question today about if this bill was about patient safety, and before I got involved in this issue about 3 years ago, I did something which I would encourage all the members here in the House, especially the new members, to do. I job shadowed a nurse at one of my local hospitals for an 8-hour shift, Mr. Speaker. I can assure you that nursing work and direct-care patient work is tiring and exhausting not only physically but mentally, Mr. Speaker. This bill is about patient safety.

There are protections in the bill. I would like all the members to know if there is an emergency or there is a nurse or a direct patient-care worker that is involved in a procedure or an operation, they can be required to work overtime.

And also, I think we can look finally to some of the other States who have banned mandatory overtime. Very close to our State of Pennsylvania, the State of New Jersey, who passed a similar bill a couple of years ago, they have had no trouble adapting to these kinds of rules and regulations.

Mr. Speaker, we have been working on this issue for a great number of years. I want to thank my colleague, Representative Surra, and I think the word I can use is "patience," the "patience" he has had in moving this issue forward, and I would ask all the members to vote "yes" for HB 834. Thank you.

The SPEAKER. Does any other member seek recognition?

The Chair recognizes Representative Surra.

Mr. SURRA. Thank you, Mr. Speaker.

We have been working on this issue for quite a few years. I have introduced the original mandatory overtime bill dealing with health-care workers back in the early nineties, and I can appreciate and respect the handful of members who oppose this. However, there is overwhelming evidence, overwhelming support from the people in the health-care fields – nurses, direct-care workers – to pass this type of legislation.

And frankly, there were a lot of comments made on the House floor which are totally inaccurate. This bill does not stop voluntary overtime; it does not stop voluntary overtime. It was stated that this legislation takes the interests of the individual nurse above the interests of our patients. Mr. Speaker, that is utterly ridiculous when you have almost 100,000 people a year that die in the United States of America because of patient

errors, because of medical errors. I would suggest that this legislation really has the patients' interest in mind.

And if you are serious about dealing with malpractice, if you are serious about trying to stop errors from occurring in the medical field, we ought not have people working on their 16th, 18th hour day after day.

This issue boils down to two things: the quality of life for our nurses and the quality of care for our patients. There are a number of States, and the list is growing, that have already passed this legislation. If we can do it for truck drivers, airline pilots, air traffic controllers, and flight attendants, Mr. Speaker, I think we should do it for our health-care workers also.

I want to thank both Democratic and Republican chairmen, Representative Belfanti and Chairman DiGirolamo, for their help on this, and from members from both sides of the aisle, this has a lot of support from Democrats and Republicans. It is a good piece of legislation. We have been working for a long time, and I really want to thank you for your affirmative vote.

Thank you, Mr. Speaker.

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—166

Adolph	Frankel	Markosek	Samuelson
Argall	Freeman	Marshall	Santoni
Baker	Galloway	McCall	Scavello
Barrar	Geist	McGeehan	Seip
Bastian	George	McI. Smith	Shapiro
Belfanti	Gerber	McIlhattan	Shimkus
Bennington	Gergely	Melio	Siproth
Beyer	Gibbons	Micozzie	Smith, K.
Bianucci	Goodman	Millard	Smith, M.
Bishop	Grucela	Moyer	Solobay
Blackwell	Haluska	Mundy	Sonney
Boback	Hanna	Murt	Staback
Brennan	Harhai	Mustio	Stairs
Brooks	Harhart	Myers	Steil
Buxton	Harkins	O'Brien, M.	Stern
Caltagirone	Harris	O'Neill	Stevenson
Cappelli	Helm	Oliver	Sturla
Carroll	Hennessey	Pallone	Surra
Casorio	Hershey	Parker	Tangretti
Civera	Hess	Pashinski	Taylor, J.
Clymer	Hickernell	Payne	Taylor, R.
Cohen	Hornaman	Payton	Thomas
Conklin	James	Peifer	True
Costa	Josephs	Perzel	Turzai
Creighton	Keller, M.	Petrarca	Vereb
Curry	Keller, W.	Petri	Vitali
Daley	Kessler	Petrone	Vulakovich
Dally	Killion	Phillips	Wagner
DeLuca	King	Pickett	Walko
DePasquale	Kirkland	Preston	Wansacz
Dermody	Kortz	Pyle	Waters
DeWeese	Kotik	Quigley	Watson
DiGirolamo	Kula	Quinn	Wheatley
Donatucci	Leach	Ramaley	White
Eachus	Lentz	Raymond	Williams
Ellis	Levdansky	Readshaw	Wojnaroski
Evans, D.	Longiotti	Reed	Yewcic
Evans, J.	Mahoney	Reichley	Youngblood
Everett	Major	Roae	Yudichak
Fabrizio	Manderino	Roebuck	

Fairchild Fleck	Mann Mantz	Sabatina Sainato	O'Brien, D., Speaker
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## NAYS—31

Bear	Gillespie	Marsico	Rock
Benninghoff	Gingrich	Mensch	Rohrer
Boyd	Godshall	Metcalfe	Ross
Causar	Grell	Miller	Rubley
Cox	Hutchinson	Milne	Schroder
Cutler	Kauffman	Moul	Smith, S.
Denlinger	Mackereth	Perry	Swanger
Gabig	Maher	Rapp	

## NOT VOTING—0

## EXCUSED—6

Cruz	Kenney	Nickol	Saylor
Harper	Nailor		

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.

## ANNOUNCEMENT BY SPEAKER

The SPEAKER. Turning to page 2 of today's House calendar, the Chair recognizes the gentleman from Philadelphia, Mr. Dwight Evans, and the Chair is in receipt of information that the gentleman, Mr. Evans, celebrated his 53d birthday on Wednesday, the day after the primary. So the Chair and the other members of the House would like to wish the gentleman a very happy birthday.

Mr. D. EVANS. Thank you, Mr. Speaker.

The SPEAKER. Would you like to acknowledge if I got the number right.

Mr. D. EVANS. Yes, you got it right. Thank you, Mr. Speaker.

## CALENDAR CONTINUED

## BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 876, PN 1446**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for the employer contribution rate.

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.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

The Chair recognizes Representative Evans.

Mr. D. EVANS. I just encourage the members to vote for it, Mr. Speaker.

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—196

Adolph	Gabig	Marshall	Ross
Argall	Galloway	Marsico	Rubley
Baker	Geist	McCall	Sabatina
Barrar	George	McGeehan	Sainato
Bastian	Gerber	McI. Smith	Samuelson
Bear	Gergely	McIlhattan	Santoni
Belfanti	Gibbons	Melio	Scavello
Benninghoff	Gillespie	Mensch	Schroder
Bennington	Gingrich	Metcalfe	Seip
Beyer	Godshall	Micozzie	Shapiro
Biancucci	Goodman	Millard	Shimkus
Bishop	Grell	Miller	Siptroth
Blackwell	Grucela	Milne	Smith, K.
Boback	Haluska	Moul	Smith, M.
Boyd	Hanna	Moyer	Smith, S.
Brennan	Harhai	Mundy	Solobay
Brooks	Harhart	Murt	Sonney
Buxton	Harkins	Mustio	Staback
Caltagirone	Harris	Myers	Stairs
Cappelli	Helm	O'Brien, M.	Steil
Carroll	Hennessey	O'Neill	Stern
Casorio	Hershey	Oliver	Stevenson
Causar	Hess	Pallone	Sturla
Civera	Hickernell	Parker	Surra
Clymer	Hornaman	Pashinski	Swanger
Cohen	Hutchinson	Payne	Tangretti
Conklin	James	Payton	Taylor, J.
Costa	Josephs	Peifer	Taylor, R.
Cox	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	Longiotti	Raymond	Williams
Evans, D.	Mackereth	Readshaw	Wojnaroski
Evans, J.	Maher	Reed	Yewcic
Everett	Mahoney	Reichley	Youngblood
Fabrizio	Major	Roae	Yudichak
Fairchild	Manderino	Rock	
Fleck	Mann	Roebuck	O'Brien, D., Speaker
Frankel	Mantz	Rohrer	
Freeman	Markosek		

## NAYS—1

Creighton

## NOT VOTING—0

EXCUSED-6

Cruz	Kenney	Nickol	Saylor
Harper	Nailor		

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

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

SUPPLEMENTAL CALENDAR A CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 881, PN 1035**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for exceptions to unlawful use of lights while hunting.

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.

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS-195

Adolph	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	McIlhattan	Santoni
Benninghoff	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, M.
Brooks	Harhai	Moyer	Smith, S.
Buxton	Harhart	Mundy	Solobay
Caltagirone	Harkins	Murt	Sonney
Cappelli	Harris	Mustio	Staback
Carroll	Helm	Myers	Stairs
Casorio	Hennessey	O'Brien, M.	Steil
Causar	Hershey	O'Neill	Stern
Civera	Hess	Oliver	Stevenson
Clymer	Hickernell	Pallone	Sturla
Cohen	Hornaman	Parker	Surra
Conklin	Hutchinson	Pashinski	Tangretti
Costa	James	Payne	Taylor, J.
Cox	Josephs	Payton	Taylor, R.

Creighton	Kauffman	Peifer	Thomas
Curry	Keller, M.	Perry	True
Cutler	Keller, W.	Perzel	Turzai
Daley	Kessler	Petrarca	Vereb
Dally	Killion	Petri	Vitali
DeLuca	King	Petrone	Vulakovich
Denlinger	Kirkland	Phillips	Wagner
DePasquale	Kortz	Pickett	Walko
Dermody	Kotik	Preston	Wansacz
DeWeese	Kula	Pyle	Waters
DiGirolamo	Leach	Quigley	Watson
Donatucci	Lentz	Quinn	Wheatley
Eachus	Levdansky	Ramaley	White
Ellis	Longiotti	Rapp	Williams
Evans, D.	Mackereth	Raymond	Wojnaroski
Evans, J.	Maher	Readshaw	Yewcic
Everett	Mahoney	Reed	Youngblood
Fabrizio	Major	Reichley	Yudichak
Fairchild	Manderino	Roae	
Fleck	Mann	Rock	O'Brien, D.,
Frankel	Mantz	Roebuck	Speaker
Freeman			

NAYS-2

Bennington	Swanger
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NOT VOTING-0

EXCUSED-6

Cruz	Kenney	Nickol	Saylor
Harper	Nailor		

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 892, PN 1045**, entitled:

An Act designating a portion of State Route 74 in Perry County as the Marine Lance Corporal Jason L. Frye Memorial Highway.

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.

(Bill analysis was read.)

The SPEAKER. 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-197

Adolph	Freeman	Markosek	Ross
Argall	Gabig	Marshall	Rubley



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

NAYS-0

NOT VOTING-0

EXCUSED-6

Cruz	Kenny	Nickol	Saylor
Harper	Nailor		

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

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

\* \* \*

The House proceeded to third consideration of **SB 21, PN 29**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to enter into an agreement or other legal instrument with Chester County to alter use restrictions and

reversionary covenants on real estate conveyed to Chester County, situate in Newlin and West Bradford Townships; and making inconsistent repeals.

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.

(Bill analysis was read.)

The SPEAKER. 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-197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Cruz  
Harper

Kenny  
Nailor

Nickol

Saylor

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

### RESOLUTION REPORTED FROM COMMITTEE

**HR 276, PN 1555**

By Rep. BELFANTI

A Resolution urging the Congress of the United States to reject extension of "fast track" trade legislation to maintain the regulatory authority of states and to allow consultation with representatives of state and local governments and industry regarding trade issues.

#### LABOR RELATIONS.

The SPEAKER. The Chair would like to inform the members there will be no more recorded votes for today.

### RESOLUTIONS PASSED OVER

The SPEAKER. The remainder of the resolutions on the calendar are over for today.

Are there any announcements?

### DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes Representative Cohen. Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce an immediate meeting of the House Democratic Caucus to go over the budget. Representative Evans and the staff will be there. I would strongly urge the attendance of all Democratic members.

### STATEMENT BY MR. McGEEHAN

The SPEAKER. Representative McGeehan. Mr. McGEEHAN. Thank you, Mr. Speaker.

I would like to be recognized on unanimous consent.

The SPEAKER. Without objection, the gentleman is recognized for unanimous consent.

Mr. McGEEHAN. Thank you, Mr. Speaker.

Mr. Speaker, in the last week we particularly in Philadelphia, but around the Commonwealth, experienced the rough-and-tumble of elections. Mr. Speaker, as a Philadelphian, there was not a more rough-and-tumble race than the race for mayor of Philadelphia, and you know, Mr. Speaker, in that race much was said and much was done that most of us did not

approve of, but I can tell you, Mr. Speaker, that our colleague, the chairman of Appropriations, Dwight Evans, handled himself with grace and dignity and intelligence, and I want to recognize him and thank him, and it is a pleasure to have him back with us. I know I speak for not just my fellow Philadelphians but Republicans and Democrats alike and congratulate him for the fine campaign he ran.

The SPEAKER. Not bad for a man of 53 years.

### REPUBLICAN CAUCUS

The SPEAKER. Representative Major.

Miss MAJOR. Thank you, Mr. Speaker.

I would like to announce that the Republicans will caucus immediately at the call of the recess, and I would encourage all Republicans to please attend caucus. It is going to be a very important budget discussion.

Thank you.

### STATEMENT BY MR. THOMAS

The SPEAKER. Representative Curtis Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I wish I could get the kind of applause that we just gave, but, Mr. Speaker, we have witnessed 159 shootings and murders in Philadelphia County, more homicides than in the year of 2007.

I applaud the U.S. Attorney, United States Attorney Pat Meehan, and the Philadelphia Police Department for their efforts, but, Mr. Speaker, at the end of the day, this body must give Philadelphia County the kind of support that it needs to really bring an end to gun violence in Philadelphia County. There are a number of bills in the Judiciary Committee, and I strongly urge the chair of the Judiciary Committee, both chairs, to move expeditiously— Mr. Speaker, I am not— Mr. Speaker, can we have some order, please.

The SPEAKER. The gentleman is entitled to be heard. Members will clear the aisles and reduce their conversations to a minimum.

Mr. THOMAS. Mr. Speaker, I strongly urge the chairs of the House Judiciary Committee to move expeditiously to bring out of committee several proposals that are in committee that will be very helpful in helping Philadelphia County get a handle on this problem.

Thank you, Mr. Speaker.

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair will remind the members that session will start at 10 a.m. tomorrow morning; 10 a.m.

### BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves the following bills be removed from the tabled bill calendar:

HB 43;  
HB 69;  
HB 110;

HB 161;  
 HB 185;  
 HB 366;  
 HB 537;  
 HB 647;  
 HB 786;  
 HB 800;  
 HB 999;  
 HB 1015;  
 HB 1078;  
 HB 1093;  
 HB 1169;  
 HB 1214;  
 HB 1228;  
 HB 1286;  
 HB 1287;  
 HB 1288;  
 HB 1289;  
 SB 218;  
 SB 760;  
 SB 791;  
 SB 792;  
 SB 793;  
 SB 794;  
 SB 796; and  
 SB 797.

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

### BILLS RECOMMENDED

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

HB 43;  
 HB 69;  
 HB 110;  
 HB 185;  
 HB 366;  
 HB 537;  
 HB 786;  
 HB 800; and  
 HB 1015.

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

### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 848, PN 1444**, 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 sale of unused and unnecessary lands and buildings.

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

### BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 848 be recommended to Appropriations.

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

### HOUSE BILL INTRODUCED AND REFERRED

**No. 1367** By Representatives DeWEESE, McCALL, COHEN, SURRA, DERMODY, EACHUS, D. EVANS and MUNDY

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 for institutional care, for definitions, for authorization, for amount, for repayment, for regulations and for time periods; and providing for the Senior Care and Services Study Commission.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 21, 2007.

### COMMUNICATION

The SPEAKER. The Speaker is in receipt of the following report, which the clerk will read.

The following communication was read:

The 136th annual report of the Board of Directors of City Trusts acting for the city of Philadelphia.

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

### VOTE CORRECTION

The SPEAKER. Representative Creighton.

Mr. CREIGHTON. Mr. Speaker, I was recorded in the negative for HB 778. I would like to be recorded in the positive.

The SPEAKER. The Chair thanks the gentleman, and his remarks will be spread upon the record.

Mr. CREIGHTON. Thank you.

The SPEAKER. Any further announcements? Any further business?

### ADJOURNMENT

The SPEAKER. The Chair recognizes Representative Milne from Chester County, who moves this House do now adjourn until Tuesday, May 22, 2007, at 10 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 4:23 p.m., e.d.t., the House adjourned.