

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

THURSDAY, JUNE 28, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 59

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

HON. JERRY A. STERN, member of the House of Representatives, offered the following prayer:

Let us bow our heads:

Dear Heavenly Father, we thank You for the beauty of this day. As Representatives, please give us wisdom and discernment to do Your will for those that have entrusted us with authority. Help us to separate the political from the personal so we may make it practical to those we serve.

In Psalms 96, we are reminded by the Psalmist that the Lord is great and greatly to be praised, for He made the heavens; and honor and majesty are before Him, strength and beauty are in His sanctuary.

As we gather in this beautiful historic chamber, may we be reminded of what is lasting and permanent. Bless those in authority in this Commonwealth. Be with Governor Rendell and leaders from both parties in the House and Senate as we carry out our constitutional duties in passing a budget and laws that benefit Pennsylvanians.

Thank You for those gathered here this morning for special ceremonies. We are reminded by the Golden Rule of treating others as we would like to be treated. Have us carry out our duties, mindful of this and determined to do what is right and lasting in Your sight.

May the glory and honor be Yours forever, O Lord, and we pray these things in Your matchless and holy name. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal of Wednesday, June 27, 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? He has requested that the following members be placed on leave for the day: the gentleman, Representative Matt SMITH; Representative Curtis THOMAS; Representative John SIPTROTH; Representative Chris KING; and Representative John PALLONE. Without objection, the gentlemen will be placed on leave.

The Chair recognizes the minority whip. Are there any leaves on the Republican side? The gentleman requests leave for Representative Carole RUBLEY, Representative Tom MURT, and Representative Jerry NAILOR. Without objection, the gentlemen and gentelady will be placed on leave.

The House will be momentarily at ease.

### GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Wendy Schlappich, district aide for the Slatington district office, and Maribeth Corrow, summer intern, who are here today as guests of Representative Julie Harhart. These guests are located in the back of the hall. We ask that they please stand and be recognized. Welcome to the House.

### MASTER ROLL CALL

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

(Members proceeded to vote.)

### LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes the presence of the gentleman, Mr. Siptroth. He will be, obviously, added to the master roll.

### MASTER ROLL CALL CONTINUED

The following roll call was recorded:

PRESENT—196

Adolph	Frankel	Mann	Roebuck
Argall	Freeman	Mantz	Rohrer
Baker	Gabig	Markosek	Ross
Barrar	Galloway	Marshall	Sabatina

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

## ADDITIONS—0

## NOT VOTING—0

## EXCUSED—7

King	Nailor	Rubley	Thomas
Murt	Pallone	Smith, M.	

## LEAVES CANCELED—2

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

## SENATE MESSAGE

AMENDED HOUSE BILL RETURNED  
FOR CONCURRENCE AND  
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 881, PN 1978**, with information that the Senate has passed the same

with amendment in which the concurrence of the House of Representatives is requested.

## WALTER PEECHATKA PRESENTED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Daley, for the purpose of an introduction.

Mr. DALEY. Thank you, Madam Speaker.

It is my pleasure today to be able to come before you and present a gentleman, along with Chairman Hershey, that has done so much for the Commonwealth, and we are honoring his retirement. Ladies and gentlemen, Walter N. Peechatka is being honored upon his retirement from PennAg Industries Association after 10 years of dedicated and distinguished service.

He is a veteran of the United States Army. He earned a bachelor's degree and a master's degree in American studies from the Pennsylvania State University. He began his tenure of service with PennAg Industries in 1997 as executive vice president, the position which he is retiring. Mr. Peechatka previously served for 10 years with the Department of Agriculture, holding the positions of director of the Bureau of Plant Industry, Deputy Secretary for Regulatory Programs, and Acting Secretary of the department and Executive Deputy Secretary.

In addition, Mr. Peechatka was executive vice president of the Soil and Water Conservation Society of America from 1982 to 1987 and director of the Bureau of Soil and Water Conservation for the Department of Environmental Resources from 1981 to 1982; president and vice chairman of the Agricultural Awareness Foundation. He is a member of the Pennsylvania State Grange, the Pennsylvania Farm Bureau, the Pennsylvania Council of Farm Organizations, and the South Central Agricultural Land Preservation Committee. He is a member of the board of directors of the Pennsylvania State Agricultural Law Society and a member of the Penn State Agricultural Council Legislative Committee.

I would like to introduce Chairman Hershey for a few comments.

Mr. HERSHEY. Thank you, Chairman Daley.

It is an honor for me to make a few comments on behalf of Walter Peechatka. I knew Walt when he was, I think he was the Deputy Secretary of Ag under about three Governors and was very, very effective, and the proof that he was able to continue his job showed how effective he was for about three Governors. And I am just happy to stand here to make a few comments and thank him for his dedicated service, not only to the Commonwealth, to agriculture especially.

Thank you.

Mr. DALEY. Thank you, Madam Speaker.

Also joining us in this resolution and citation is Chairman Michael Hanna, the majority chairman of the Ag Committee.

I would like to introduce Walt. Joining with him are Bonnie, his wife, in the back; Troy, his son, and his other son, Trent. Would they please stand and receive our appreciation and our applause. Also joining Walt is Chris Herr, the new executive vice president. Chris, please stand up.

Thank you, Madam Speaker.

We are going to have a reception for him in room 214. If any members wish to stop by, we made some pasta and salad,

and everyone is welcome to come to room 214 – thank you – at 12 o'clock, South Office Building, Irvis Office Building.

Thank you, Madam Speaker.

## CALENDAR

## RESOLUTION

Mr. BLACKWELL called up **HR 321, PN 1767**, entitled:

A Resolution urging passage of the Employee Free Choice Act of 2007.

On the question,  
Will the House adopt the resolution?

## RESOLUTION PASSED OVER TEMPORARILY

The SPEAKER pro tempore. The resolution is temporarily over.

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

## RESOLUTION PASSED OVER

The SPEAKER. HR 321 will be over for today.

## RESOLUTION PURSUANT TO RULE 35

Mr. GEORGE called up **HR 342, PN 2059**, entitled:

A Resolution honoring the life of a Pennsylvania icon, Peter C. Wambach, Sr., and recognizing his contributions to the Commonwealth of Pennsylvania and its citizens.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

## YEAS—196

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

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

## NAYS—0

## NOT VOTING—0

## EXCUSED—7

King	Nailor	Rubley	Thomas
Murt	Pallone	Smith, M.	

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

The SPEAKER. Members and guests will please take their seats. Conferences in the side aisles will break up. Members will take their seats. Members will please take their seats.

## PETER C. WAMBACH, SR. MEMORIAL CEREMONY

## PETER C. WAMBACH, JR., PRESENTED

The SPEAKER. The House has just adopted a condolence resolution for Peter Wambach, Sr. The Chair at this time would like to introduce a former member and former codirector of BMC (Bipartisan Management Committee), Pete Wambach, to come to this rostrum to speak on the resolution.

Mr. WAMBACH. Mr. Speaker O'Brien, Democratic leaders, Republican leaders, members of the House of Representatives, former colleagues, family, mother:

My father's favorite poet regarding Pennsylvania was Rudyard Kipling. Kipling wrote in his poem, "Pennsylvania in the Morning," the last four lines of which were:

(Citizens, I give you friendly warning).

The things that truly last when men and times have passed,  
They are all in Pennsylvania in the morning!

My father wrote, not necessarily a response to that, but he wrote a little four-liner himself and said:

At the ending of the day  
Pray for those far away,  
To their sorrow who will not see again paradise,  
Pennsylvania tomorrow.

Again, Mr. Speaker, leaders, members, I realize what you are about to do is indeed a rare honor, a rare honor for a citizen of this Commonwealth to be acknowledged by this body in the form of this condolence resolution. I want to personally thank Representative Bud George and all of the cosponsors on behalf of my mother, Rita, and the family for this wonderful honor.

Back in 1980 when I took my oath of office as a member of this House of Representatives, immediately after the oath I looked up into the gallery, because in fourth grade my class came for its first Capitol tour, and my father at the time was a speech writer for Gov. George Michael Leader. In 1956 he joined my class, and he sat up there and explained to us the three different branches of government and their responsibilities, and I kind of made a little pledge to myself that one day I would love to be a member of this body, and it all started from a father's talk to a fourth grade class right up in the middle of that gallery.

My father loved Pennsylvania. My father lived Pennsylvania his entire life. It was a lifetime commitment that he made. He wrote a 21-song musical entitled "Anthracite." That was his love of Pennsylvania. You all heard him say "It's a Beautiful Day in Pennsylvania" quite often. He also designed a bumper sticker that said "Pennsylvaniana. The Heart of Pennsylvania is Love." And then obviously his legacy was the development of the series "This is Pennsylvania," where he wrote, edited, produced, and recorded 2,470 vignettes about Pennsylvania, that he decided a few years ago rather than to make a commercial entity out of it, that he would donate it to the State Archives of Pennsylvania so the citizens of this Commonwealth could enjoy the words that he labored and created in his legacy, for them to enjoy the bounty and the beauty of Pennsylvania.

He also ran for Lieutenant Governor, and he ran for Lieutenant Governor for one main reason: He felt that the Lieutenant Governor should be the ambassador of the Commonwealth of Pennsylvania. He always told us, tourism is the second largest industry in Pennsylvania; let manufacturing and agriculture fight over the first slot. But tourism was number two and it should have a level of responsibility in the Lieutenant Governor's Office, and that was part of his platform in 1966.

When he spoke about Pennsylvania throughout the Commonwealth, he would call me up before he would leave on a trip and say, Petey, who are the Representatives in such and such a county and who is the Senator, because I want to mention them in my speeches, because he knew day in and day out that you made sacrifices to be here, that you left your communities every week to come to Harrisburg for the people's business, and you left your families, too, most importantly, to do it. He understood that. He knew this General Assembly. He had many, many friends here in all branches of government, and he respected you all without any regard for party affiliation or what that center aisle meant. He crossed it, and he taught me to cross it many, many times for votes that I personally had here in the House.

One of his favorite people was Marion Munley, who was a member of this House back in the sixties from Lackawanna County. I still remember her when I was a page boy sitting on these benches. She sat about halfway back, just about where Representative Buxton is, and she was a feisty Irish woman. And you women may recall her name because the lounge for the women is named after Representative Marion Munley. But he wrote a delightful poem about Marion, and I would like to indulge for a few seconds and read it to you. It is called "A Lesson From Marion Munley." This will describe my father's wit in wordsmithing that he just thoroughly enjoyed throughout his lifetime:

Marion Munley took a chance  
At every church bazaar  
For cakes and quilts and kewpie dolls  
And raffles on a car.

In all her twenty years or so  
Of "pol" activity  
She bought from every Catholic school  
And fire company.

If you'd assessed what she had bought  
From priests or bar-room souses  
She could have lived for seven years  
Or built her sons' two houses.

So after years of chances spent  
One day from Langan's Bar  
They called to tell her— "Marion  
You've won the Buick car."

Of all the raffles she had bought  
And charity she'd done  
Without a thought of winning  
'Twas the first time she had won.

From that point on her many friends  
Who'd helped on every try  
Would duck her when she went to church  
On streets they'd pass her by.

They said: "She has no right to win  
She owns an old machine  
A job, a house, a fancy dress  
Why, she lives like a Queen."

Where once they loved her as their Rep  
Their working Legislator  
Because she won that Buick car  
Her friends began to hate her.

And there in Lackawanna  
In her legislative section  
Would you believe that Marion  
Nearly lost the next election?

So, when they pull your number out  
You've won the coal, ten tons  
Just wave to all, and loudly shout  
"I give it to the nuns."

Oh, there is more.

And at the fire company  
 "You've won" recounts the Chief  
 "I give it" say magnanimously  
 "To fireman's relief."

Whenever any drawing's on  
 The simplest, (for the door)  
 Remember, if you win, to say  
 "It's for the monsignor."

Yes, if you're at a Bingo game  
 And all night in a rut  
 When somehow, you get five across  
 Just keep your big mouth shut.

The moral is: In politics  
 Buy chances, as you choose  
 But make damn sure that you don't win  
 Cause that's the way you lose.

I just want to say, Mr. Speaker, thank you so much for this time and this honor for my father. I am sure he is looking down from heaven with a big smile on his face and saying a few prayers as you deliberate this budget week. There is no doubt in my mind.

I also want to say again, thank you, Representative Bud George, and thank you, cosponsors of this resolution. It is incredible that you honored my father.

And if I can quote you in the end of your resolution, in the final resolve clause: "...and be it further

"RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania will always consider, in honor of the life of Peter C. Wambach, Sr., that every day will be "A Beautiful Day in Pennsylvania."

God bless you, and thank you so much.

### FAMILY INTRODUCED

Mr. WAMBACH. Ladies and gentlemen of the House, the Speaker has asked me to introduce my family to you. If I may, my mother and the mother of 14 children, 23 grandchildren, Margherita Carmela Wambach, right here. She was married to my father for 67 years – 67 years. My sister, Cecelia, from San Francisco is next to her. My brother, Joseph, from Harrisburg; my sister, Rita, from Harrisburg; my sister, Marie Murphy, from Harrisburg; her daughter, Lena; my brother-in-law, Pat MacDonald; my sister, Marion, from Harrisburg; my sister-in-law, Sharon Wambach; my brother, Vince Wambach; my brother, Paul. My brother, Paul, gives his sadness that he broke his leg and he is not able to be here today. He would have loved to have been here. In the rear of the House, we have the grandchildren of my father: my son, Peter Wambach III; my niece, Hannah Wambach; my nephew, Jonathan MacDonald; my nephew, Sean Murphy; and my nephew, Stephen Murphy.

Thank you, Mr. Speaker.

The SPEAKER. Thank you, Pete.

Well, I guess that is evidence of an old political adage: If you cannot outvote them, you outproduce them. What a wonderful family.

Ladies and gentlemen, I think this was extraordinary and very important that we as a General Assembly take time out on

a bipartisan basis to recognize those who have poured their heart and soul into Pennsylvania to make a difference. Certainly Pete Wambach, Sr., is one of those individuals, and I want to thank Pete, Jr., for sharing and enriching us with the wonderful memories of Pete Wambach, Sr.

And at this time, at this time I would like to introduce Representative Bud George, who is the sponsor of this resolution, for some remarks.

### STATEMENT BY MR. GEORGE

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

And as it was with his blessed father, when he spoke first, there was no use of me speaking, and that is what happened. But nevertheless, I am here to ask you to join with me to recognize the life of Mr. Peter C. Wambach, Sr., who had passed away at age 90, and take a moment to share warm memories of his many contributions to our Commonwealth.

Many knew Pete simply as "Mr. Pennsylvania" and would recognize him instantly by his radio segment line, "It's a Beautiful Day in Pennsylvania." These segments featured interesting facts about our Commonwealth and were heard statewide for 17 years. As was just demonstrated by his son, Pete was a talented wordsmith, and again, I remember following him one time after he spoke and I vowed I would never do that again. But most importantly, I remember that at the root of everything he did, he had a strong passion for giving back to his community.

Mr. Speaker, would I be in order to ask that the membership and all here today rise for a moment of silence to join us in this commemoration?

The SPEAKER. The gentleman would be in order. Members and guests will please rise as a sign of respect for Pete Wambach, Sr.

Mr. GEORGE. I would ask, Mr. Speaker, that we would remain standing while we in the House of Representatives express our deep and profound sorrow upon the passing of Peter C. Wambach, Sr. In honor of his great life, we shall consider every day to be "A Beautiful Day in Pennsylvania."

I ask the members of the House and guests to join me, and if you will gavel it, Mr. Speaker, a moment of silence.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable Peter C. Wambach, Sr.)

(Audio was played, "This is Pete Wambach. It's a Beautiful Day in Pennsylvania.")

Mr. GEORGE. Thank you all for honoring a very special individual, and he thought people like you were very special, as you have just witnessed.

Thank you, Mr. Speaker, for this honor. Thank you, the Wambachs, for who you are. Thank you very much.

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

## SUPPLEMENTAL CALENDAR A

## BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 71, PN 492**, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, providing for notice to school district; and further providing for application for final approval.

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

## BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. The bill will be over temporarily.

## CALENDAR CONTINUED

## BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1488, PN 1853**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for the intercept of winnings on slot machines.

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

Mr. **SCHRODER** offered the following amendment No. **A01980**:

Amend Sec. 2 (Sec. 4310), page 2, line 3, by striking out "may" and inserting

shall

Amend Sec. 2 (Sec. 4310), page 3, line 17, by striking out "department" and inserting

State disbursement unit

Amend Sec. 2 (Sec. 4310), page 3, line 21, by striking out "department" and inserting

State disbursement unit

Amend Sec. 2 (Sec. 4310), page 3, line 22, by striking out "domestic relations section" and inserting

State disbursement unit

Amend Sec. 2 (Sec. 4310), page 4, line 3, by inserting after "fee"

, if necessary.

Amend Sec. 2 (Sec. 4310), page 4, line 13, by striking out "money was" and inserting

slot machine winnings were

Amend Sec. 2 (Sec. 4310), page 4, line 17, by inserting after "the"

slot machine

Amend Sec. 2 (Sec. 4310), page 4, line 18, by striking out "winnings were" and inserting

slot machine winnings was

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

The SPEAKER pro tempore. The Chair recognizes Representative Schroder, who offers the amendment. Will the gentleman suspend for one moment, please?

Can we have some order? Members will please take their seats.

## AMENDMENT WITHDRAWN

The SPEAKER pro tempore. The gentleman is in order.

Mr. **SCHRODER**. Thank you, Madam Speaker.

Madam Speaker, that amendment is to be withdrawn in favor of offering amendment 02111.

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

Mr. **SCHRODER** offered the following amendment No. **A02111**:

Amend Sec. 2 (Sec. 4310), page 2, line 3, by striking out "may" and inserting

shall

Amend Sec. 2 (Sec. 4310), page 3, line 17, by striking out "department" and inserting

State disbursement unit

Amend Sec. 2 (Sec. 4310), page 3, line 21, by striking out "department" and inserting

State disbursement unit

Amend Sec. 2 (Sec. 4310), page 3, line 22, by striking out "domestic relations section" and inserting

State disbursement unit

Amend Sec. 2 (Sec. 4310), page 4, line 3, by inserting after "fee"

, if necessary.

Amend Sec. 2 (Sec. 4310), page 4, line 13, by striking out "money was" and inserting

slot machine winnings were

Amend Sec. 2 (Sec. 4310), page 4, line 17, by inserting after "the" where it appears the second time

slot machine

Amend Sec. 2 (Sec. 4310), page 4, line 18, by striking out "a portion of the winnings were" and inserting

a portion of the slot machine winnings was

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

The SPEAKER pro tempore. On the question.

Mr. **SCHRODER**. Thank you.

Madam Speaker, this is purely a technical amendment. The amendment was drafted after consultation with the Department of Public Welfare, who suggested a couple of wording changes to specifically reference the State disbursement unit and some things that they thought necessary just to technically correct a couple of things in the amendment.

So I ask for support. Thank you.

## LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Nailor, who will be added to the master roll.

**CONSIDERATION OF HB 1488 CONTINUED**

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

The following roll call was recorded:

**YEAS—192**

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

**NAYS—5**

Cappelli	Fairchild	Geist	Hess
Evans, J.			

**NOT VOTING—0****EXCUSED—6**

King	Pallone	Smith, M.	Thomas
Murt	Rubley		

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

On the question,

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

Mr. **PHILLIPS** offered the following amendment No. **A02132**:

Amend Title, page 1, line 3, by removing the period after "machines" and inserting

; and further providing for identifying information in protection from abuse orders.

Amend Bill, page 5, by inserting between lines 8 and 9

Section 3. Section 6108(b) of Title 23 is amended to read:

§ 6108. Relief.

\* \* \*

(b) Identifying information.—Any order issued under this section shall, where furnished by either party, specify the Social Security number and date of birth of the defendant. Any portion of an order, petition or other paper that includes a defendant's Social Security number shall be kept in the files of the court as a permanent record and withheld from public inspection except:

(1) upon an order of the court granted upon cause shown;

(2) as necessary, by law enforcement and court personnel; or

(3) after redaction of information listing a defendant's Social Security number.

\* \* \*

Amend Sec. 3, page 5, line 9, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendment?

The **SPEAKER** pro tempore. On the amendment, the Chair recognizes Representative Phillips for a brief explanation.

Mr. **PHILLIPS**. Thank you, Madam Speaker.

This amendment amends section 6108 of the Protection from Abuse Act relating to identification, identifying information. Under current law, any protection-from-abuse order issued by the court must contain the Social Security number and date of birth of the defendant. The statute does not contain a provision addressing the disclosure or nondisclosure of this information. The amendment addresses the potential for identifying theft of the defendant's Social Security number. The amendment provides that any portion of an order, petition, or any other paper containing the defendant's Social Security number shall be kept in the files of the court as a permanent record and withheld from the public, except upon an order of the court, as necessary by law enforcement and court personnel, after redaction of the defendant's Social Security number.

The amendment is supported by both the Pennsylvania State Police and the Pennsylvania Sheriffs' Association. This is HB 800 of this session, and it had been voted out of the Judiciary Committee.

Thank you, Madam Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

## YEAS—197

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

## NAYS—0

## NOT VOTING—0

## EXCUSED—6

King	Pallone	Smith, M.	Thomas
Murt	Rubley		

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

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

\* \* \*

The House proceeded to second consideration of **SB 34, PN 1045**, entitled:

An Act permitting a mother the freedom to nurse her child in public; providing that breastfeeding may not be considered a nuisance, indecent exposure, sexual conduct or obscenity.

On the question,

Will the House agree to the bill on second consideration?

Ms. **JOSEPHS** offered the following amendment No. **A02198**:

Amend Title, page 1, line 4, by striking out "and"

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

; and providing for a private right of action.

Amend Bill, page 3, by inserting between lines 5 and 6 Section 5. Private right of action.

A woman whose freedom to breastfeed, as provided in this act, has been denied, interfered with, or otherwise restricted may bring an action in an appropriate court of original jurisdiction to enjoin future denials, interference and restriction and to recover statutory damages of \$100 per violation. If a woman prevails in her suit, she shall be awarded reasonable attorney fees and reasonable expenses of litigation.

On the question,

Will the House agree to the amendment?

The **SPEAKER** pro tempore. On the amendment, the Chair recognizes Representative Josephs.

Ms. **JOSEPHS**. Thank you, Madam Speaker.

My amendment is very simple. It gives the woman who is nursing a cause of action if she is harassed against the person who harasses her. She can bring a suit against that person or entity. The maximum amount of money she can receive if she is successful in her suit is \$100. She can also receive reasonable attorney's fees and court costs.

I have much experience and much sympathy, and I think others of you have heard from your constituents, with the situation of a woman who is nursing a baby in public and needs protection. I was at a pool with my then baby, who is now 42 years old. I was the most modestly attired woman within eyesight, and I chose to nurse my baby because he was hungry. I was told by the people at the pool that I should take my baby and go to the dark and dank locker room and sit there, where there was no chair really, and nurse my baby there, and I refused. I was then told that this would be a terrible, terrible thing for teenagers to see that somebody was nursing a baby, to which I replied, "Hey, how are they going to know how to take care of a baby if they don't see people nursing them?" I stayed where I was, but as most of you know, I have a little bit of nerve, and I have to say the harassment ended at that point. There are some much worse situations that have been reported to me around the State where people have very modestly tried to nurse their baby in public, hardly noticeable, but some busybody reports it to some other busybody, and these women are getting harassed.



The U.S. Public Health Department is doing advertisements in prime time.

The SPEAKER pro tempore. Will the lady please suspend. For what purpose does the gentleman, Mr. Waters, rise?

Mr. WATERS. Madam Speaker, I am trying to hear what Representative Josephs is saying. She is speaking about an issue I believe is very pertinent and very relevant to women. So I would like to hear it, because I do have a mother; I have a sister; I have people who I know would like to hear this message. Please.

The SPEAKER pro tempore. The gentleman is correct. There is certainly too much noise in the chamber. We ask for order, and the gentlelady may proceed.

Ms. JOSEPHS. Thank you, Madam Speaker, and I thank the gentleman from Philadelphia.

The U.S. Department of Public Health is doing advertisements in prime time TV, trying to encourage women to breastfeed because it is so healthy for them and for their babies. How can we in Pennsylvania fail to support the right of a woman to do that? Right now the bill says "freedom." I would like to make sure that that freedom can be vindicated.

Madam Speaker, almost every museum you go to or public place has a picture of a Madonna and a baby. What are they doing? They are nursing. This is something that is integral to our feelings about motherhood, that is important for the mother's health, and I hope that I can have universal support for my amendment.

Thank you, Madam Speaker.

### MOTION TO TABLE

The SPEAKER pro tempore. The Chair recognizes Representative Mustio.

Mr. MUSTIO. Thank you, Madam Speaker.

Would it be appropriate for me to ask to table this bill until after we pass a budget?

The SPEAKER pro tempore. Is the gentleman making a motion?

Mr. MUSTIO. Yes.

The SPEAKER pro tempore. If so, you are in order. Please state your motion.

Mr. MUSTIO. I just think we have, although this is a very important issue, I think that our constituents are expecting us to be focused on the budget at this time, and I would like to move that we table this bill until after we pass the budget.

The SPEAKER pro tempore. The gentleman has made a motion to table the bill.

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

The SPEAKER pro tempore. I would like to recognize the gentlelady, Representative Josephs, on the motion.

### PARLIAMENTARY INQUIRY

Ms. JOSEPHS. I have a point of parliamentary inquiry.

We are working on the amendment. Is a motion to table the bill in order at this point?

The SPEAKER pro tempore. Yes, it is.

Ms. JOSEPHS. Thank you, Madam Speaker.

May I speak on the motion to table?

The SPEAKER pro tempore. You are in order.

Ms. JOSEPHS. Thank you, Madam Speaker.

What can I say? When we get hungry here, we do not say, let us wait for the budget until we get fed lunch. We cannot let the baby citizens of this State, some of whom are Republicans, go hungry until we feed them.

I ask for a "no" vote on this motion to table. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes Representative Preston.

Mr. PRESTON. Thank you very much, Madam Speaker.

To table this bill is basically tabling about 51 percent of the population in the Commonwealth of Pennsylvania, against women. Unless the gentleman is also going to be consistent about standing up and tabling all the bills that we have already voted on in the past, today, and for the rest of the bills today or tomorrow or whenever, it is offensive to me that anyone would actually ask us to table something when he knows what the agenda is. We are here to do the people's business. This is part of the people's business. This is about mother and apple pie. I cannot imagine, and I really would encourage the gentleman even to withdraw his motion, and if not, it is basically saying that women do not have many rights in this State. I think that is offensive in a lot of different ways just to table this unless he is going to stand up and table everything else that we are going to deal with for the rest of the day and also ask for all the other bills to be reconsidered that we have already voted on today, to be reconsidered so that he can also make the same motion just as well.

This is about consistency and respect. Let us vote not to table.

The SPEAKER pro tempore. The Chair recognizes the majority leader, Mr. DeWeese.

Mr. DeWEESE. I would also reinforce the gentleman from Allegheny County's request that we not, I repeat, that we not table this effort. Thank you.

### MOTION WITHDRAWN

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

Mr. MUSTIO. Thank you.

In an effort to expedite the process, since this obviously was not intended to drag it on, I will pull the motion with the comment that primarily I was trying to focus our attentions on the budget and avoid, I guess, headlines tomorrow. Thank you.

The SPEAKER pro tempore. The gentleman withdraws his motion to table.

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

The following roll call was recorded:

### YEAS—129

Adolph	Freeman	Manderino	Shapiro
Baker	Gabig	Mann	Shimkus
Barrar	Galloway	Markosek	Siptroth
Belfanti	George	McCall	Smith, K.
Bennington	Gerber	McGeehan	Solobay
Beyer	Gergely	McI. Smith	Staback

Biancucci	Gibbons	McIlhattan	Stairs
Bishop	Goodman	Melio	Steil
Blackwell	Grucela	Mensch	Stevenson
Brennan	Haluska	Moyer	Sturla
Brooks	Hanna	Mundy	Surra
Buxton	Harhai	Myers	Tangretti
Caltagirone	Harhart	O'Brien, M.	Taylor, J.
Carroll	Harkins	Oliver	Taylor, R.
Casorio	Harper	Parker	Vereb
Clymer	Helm	Pashinski	Vitali
Cohen	Hornaman	Payne	Vulakovich
Conklin	Hutchinson	Payton	Wagner
Costa	James	Petrarca	Walko
Cruz	Josephs	Petrone	Wansacz
Curry	Keller, W.	Pickett	Waters
Daley	Kenney	Preston	Watson
DeLuca	Kessler	Quigley	Wheatley
Denlinger	Killion	Ramaley	White
DePasquale	Kirkland	Raymond	Williams
Dermody	Kortz	Readshaw	Wojnarowski
DeWeese	Kotik	Roebuck	Yewcic
DiGirolamo	Kula	Sabatina	Youngblood
Donatucci	Leach	Sainato	Yudichak
Eachus	Lentz	Samuelson	
Evans, D.	Levdansky	Santoni	O'Brien, D.,
Fabrizio	Longietti	Schroder	Speaker
Frankel	Mahoney	Seip	

## NAYS—68

Argall	Fleck	Marshall	Pyle
Bastian	Geist	Marsico	Quinn
Bear	Gillespie	Metcalfe	Rapp
Benninghoff	Gingrich	Micozzie	Reed
Boback	Godshall	Millard	Reichley
Boyd	Grell	Miller	Roae
Cappelli	Harris	Milne	Rock
Causar	Hennessey	Moul	Rohrer
Civera	Hershey	Mustio	Ross
Cox	Hess	Nailor	Saylor
Creighton	Hickernell	Nickol	Scavello
Cutler	Kauffman	O'Neill	Smith, S.
Dally	Keller, M.	Peifer	Sonney
Ellis	Mackereth	Perry	Stern
Evans, J.	Maher	Perzel	Swanger
Everett	Major	Petri	True
Fairchild	Mantz	Phillips	Turzai

## NOT VOTING—0

## EXCUSED—6

King	Pallone	Smith, M.	Thomas
Murt	Rubley		

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

On the question,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

\* \* \*

The House proceeded to second consideration of **SB 815, PN 909**, entitled:

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, further providing for underground storage tank environmental cleanup program and for underground storage tank pollution prevention program.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

## GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to once again welcome Wendy Schlappich, district aide for the Slatington district office, and Maribeth Corrow, summer intern, who are here today as the guests of Representative Julie Harhart. They are here seated to the left of the Speaker. Please rise and be recognized. Please welcome them.

The House will be temporarily at ease.

HOUSE RESOLUTION  
INTRODUCED AND REFERRED

**No. 355** By Representatives JOSEPHS, BEYER, BLACKWELL, CALTAGIRONE, CARROLL, CASORIO, CLYMER, COHEN, CONKLIN, DALLY, DeLUCA, DiGIROLAMO, FABRIZIO, FREEMAN, GALLOWAY, GOODMAN, GRUCELA, HANNA, HARHAI, HARKINS, HERSHEY, JAMES, KESSLER, KIRKLAND, KORTZ, KULA, LONGIETTI, MANN, MANTZ, MARSHALL, McGEEHAN, McILVAINE SMITH, MENSCH, MURT, MYERS, NICKOL, PALLONE, PETRI, READSHAW, ROEBUCK, SAINATO, SEIP, SIPTROTH, STABACK, SURRA, SWANGER, THOMAS, WAGNER, WATERS and YOUNGBLOOD

A Concurrent Resolution urging review of import-export control systems for food and drug products sourced from China.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 28, 2007.

HOUSE BILLS  
INTRODUCED AND REFERRED

**No. 152** By Representatives CREIGHTON, METCALFE, DENLINGER, EVERETT, FAIRCHILD, HERSHEY, R. MILLER, MOUL, RAPP, SCHRODER, TRUE, BENNINGHOFF, CLYMER, GINGRICH, KAUFFMAN, M. KELLER, MANTZ, PERRY, ROAE, STEIL, SWANGER and BOYD

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, eliminating authority for the fair share fee for employees of Commonwealth entities; and relieving certain employee organizations of certain duties and obligations.

Referred to Committee on LABOR RELATIONS, June 28, 2007.

**No. 1499** By Representatives REED, ADOLPH, ARGALL, BAKER, BARRAR, BEAR, BELFANTI, BENNINGHOFF, BOBACK, BOYD, CALTAGIRONE, CAPPELLI, CAUSER, CLYMER, COX, CREIGHTON, CUTLER, DALLY, DENLINGER, ELLIS, J. EVANS, EVERETT, FAIRCHILD, FLECK, GABIG, GEIST, GILLESPIE, GINGRICH, GODSHALL, GRELL, HARHART, HARRIS, HERSHEY, HESS, HICKERNELL, HUTCHINSON, KAUFFMAN, M. KELLER, KILLION, KIRKLAND, MAHONEY, MAJOR, MANTZ, MARKOSEK, MARSHALL, MARSICO, McILHATTAN, MENSCH, METCALFE, MILLARD, R. MILLER, MOUL, MURT, MUSTIO, NAILOR, O'NEILL, PAYNE, PEIFER, PERRY, PHILLIPS, PICKETT, QUIGLEY, RAPP, REICHLEY, ROAE, ROCK, ROHRER, RUBLEY, SAYLOR, SCAVELLO, S. H. SMITH, SONNEY, STAIRS, STERN, R. STEVENSON, SWANGER, TRUE, TURZAI, VEREB, VULAKOVICH, WATSON and BASTIAN

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, repealing Assistance Recipient Identification Program provisions; providing for fingerprinting system and for fraud detection system; and making editorial changes.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 28, 2007.

**No. 1650** By Representatives GERGELY, SOLOBAY, HARHART, BIANCUCCI, CALTAGIRONE, CAPPELLI, CLYMER, COSTA, DALLY, DePASQUALE, DONATUCCI, FABRIZIO, GEIST, GIBBONS, GOODMAN, HARKINS, KOTIK, KULA, MANN, THOMAS and WANSACZ

An Act amending the act of May 26, 1947 (P.L.318, No.140), known as the CPA Law, further providing for peer review.

Referred to Committee on PROFESSIONAL LICENSURE, June 28, 2007.

**No. 1651** By Representatives COHEN, THOMAS, JOSEPHS, ROEBUCK, JAMES, OLIVER, BISHOP, BLACKWELL, KIRKLAND, MANDERINO, McGEEHAN, MYERS, PARKER, PAYTON, SABATINA, YOUNGBLOOD, RUBLEY, HENNESSEY, MURT, M. O'BRIEN, CALTAGIRONE, FREEMAN, FABRIZIO and GEORGE

An Act amending the act of April 21, 1949 (P.L.665, No.155), known as the First Class City Home Rule Act, repealing provisions relating to specific powers.

Referred to Committee on URBAN AFFAIRS, June 28, 2007.

**No. 1652** By Representatives JOSEPHS and KING

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for a limitation on the length of session.

Referred to Committee on RULES, June 28, 2007.

**No. 1653** By Representatives MUSTIO, ADOLPH, BARRAR, BOYD, CREIGHTON, DENLINGER,

DePASQUALE, J. EVANS, FREEMAN, GEIST, GINGRICH, GODSHALL, HERSHEY, KILLION, KOTIK, MOYER, MYERS, PETRARCA, PYLE, RAPP, READSHAW, REED, REICHLEY, ROSS, SAYLOR, THOMAS, VULAKOVICH, WATSON, YOUNGBLOOD, SCHRODER, JAMES and BASTIAN

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, authorizing the Neighborhood Energy Assistance Tax Credit.

Referred to Committee on FINANCE, June 28, 2007.

**No. 1654** By Representative M. O'BRIEN

An Act authorizing the Department of General Services, with the concurrence of the Department of Environmental Protection, to lease to Lens Partners, LP, or its nominee, land within the bed of the Delaware River in the City of Philadelphia.

Referred to Committee on STATE GOVERNMENT, June 28, 2007.

**No. 1655** By Representatives VITALI, BEYER, BELFANTI, BRENNAN, CALTAGIRONE, KOTIK, KULA, MAHONEY, McILVAINE SMITH, MENSCH, MOUL, MUSTIO, O'NEILL, PALLONE, PASHINSKI, SIPTROTH, SONNEY, THOMAS and WANSACZ

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 funding for charter schools and for establishment of cyber charter schools.

Referred to Committee on EDUCATION, June 28, 2007.

**No. 1657** By Representative HANNA

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey, separately, to The Pennsylvania State University, Benner Township and the Pennsylvania Fish and Boat Commission certain lands situate in Benner Township, Centre County.

Referred to Committee on STATE GOVERNMENT, June 28, 2007.

## SENATE BILLS FOR CONCURRENCE

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

**SB 97, PN 1217**

Referred to Committee on FINANCE, June 28, 2007.

**SB 455, PN 1243**

Referred to Committee on PROFESSIONAL LICENSURE, June 28, 2007.

**SB 638, PN 1218**

Referred to Committee on HEALTH AND HUMAN SERVICES, June 28, 2007.

**SB 763, PN 1219**

Referred to Committee on FINANCE, June 28, 2007.

**SB 886, PN 1195**

Referred to Committee on PROFESSIONAL LICENSURE, June 28, 2007.

**ANNOUNCEMENT BY  
SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. For the information of the members, we are simply awaiting the arrival of a couple of amendments for the remaining couple of bills that are on our calendar for today, so we will remain temporarily at ease.

**BILLS REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND  
RECOMMITTED TO COMMITTEE ON RULES**

**HB 659, PN 746** By Rep. FREEMAN

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for intergovernmental cooperation, joint ownership and maintenance.

LOCAL GOVERNMENT.

**HB 660, PN 747** By Rep. FREEMAN

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for intergovernmental cooperation, joint ownership and maintenance.

LOCAL GOVERNMENT.

**HB 661, PN 748** By Rep. FREEMAN

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for intergovernmental cooperation, joint ownership and maintenance.

LOCAL GOVERNMENT.

**HB 780, PN 899** By Rep. FREEMAN

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for appointment, term and vacancy of planning commission members and for conduct of business of planning commission.

LOCAL GOVERNMENT.

**HB 841, PN 956** By Rep. FREEMAN

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for other meeting expenses paid by counties.

LOCAL GOVERNMENT.

**HB 1329, PN 1672** By Rep. FREEMAN

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

providing for jurisdiction of the zoning hearing board and the court of common pleas in challenges to the validity of an ordinance for procedural defects in the process of enactment.

LOCAL GOVERNMENT.

**HB 1330, PN 2148 (Amended)** By Rep. FREEMAN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for appeals generally and for appeals from ordinances, resolutions, maps, etc.

LOCAL GOVERNMENT.

**RESOLUTION REPORTED  
FROM COMMITTEE**

**HR 180, PN 2149 (Amended)** By Rep. FREEMAN

A Concurrent Resolution establishing a commission to study the Commonwealth's fragmented system of local governance and identify methods to promote more regional collaboration in the delivery of municipal services and the execution of local government.

LOCAL GOVERNMENT.

The SPEAKER pro tempore. The House will be at ease.

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1631, PN 2112**, entitled:

An Act providing for the Pennsylvania Gaming Economic Development and Tourism Fund Capital Budget for 2007-2008; itemizing projects to be assisted by the Department of Community and Economic Development, together with their estimated financial costs; authorizing recurring payments for certain projects; and making appropriations.

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

**RULES SUSPENDED**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Smith, for a motion.

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

Madam Speaker, I would like to move that rule 21 be suspended so that I can offer amendment A2347 and that rule 24 be suspended so that that bill can be immediately voted on final passage if the House in fact adopts that amendment.

Thank you, Madam Speaker.

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

The SPEAKER pro tempore. On the motion, the Chair recognizes the gentleman, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Madam Speaker.

The SPEAKER pro tempore. Will the gentleman suspend for a moment.

The Chair recognizes the gentleman, Mr. Evans.

Mr. D. EVANS. I want to, Madam Speaker, support the motion of the Republican leader. This issue is relating to the budget, Madam Speaker. Thank you.

### PARLIAMENTARY INQUIRY

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

Mr. SAMUELSON. Thank you.

Is the motion to suspend both rules at the same time, or is there a separate vote on each of the two motions?

The SPEAKER pro tempore. For the knowledge of the members, to answer your question, as the gentleman stated, the purpose for the motion is so that he may immediately offer his amendment and also suspend rule 24, which, assuming the amendment is adopted, will allow immediate consideration, immediate third consideration of the bill as amended.

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

Mr. MAHER. Madam Speaker, in connection with considering whether or not to support suspension, I just was wanting to clarify, if it is appropriate, the content of the amendment.

The SPEAKER pro tempore. Would the gentleman, Mr. Smith, be inclined to give a brief explanation of the amendment?

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

Madam Speaker, as you know, the underlying bill has to do with capital budget authorizations that are related to the Gaming Economic Development and Tourism Fund, that portion of the gaming fund. This amendment seeks to provide some consistency in how the projects are identified in terms of the form, somewhat technical in nature. To that point, however, in addition to that, it does add some additional projects that would be eligible, presumably somewhere down the road, for funding from the Gaming Economic Development and Tourism Fund. So it adds some potential projects that came about that just did not get into the original bill.

Thank you, Madam Speaker.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

### YEAS—172

Adolph	Freeman	Mantz	Roebuck
Argall	Galloway	Markosek	Rohrer
Baker	Geist	Marshall	Ross
Bastian	George	Marsico	Sabatina
Belfanti	Gerber	McCall	Sainato
Bennington	Gergely	McGeehan	Santoni
Beyer	Gibbons	McL. Smith	Saylor
Biancucci	Gillespie	McIlhattan	Scavello
Bishop	Gingrich	Melio	Schroder
Blackwell	Godshall	Mensch	Seip
Boback	Goodman	Micozzie	Shimkus
Brennan	Grucela	Millard	Siptroth
Brooks	Haluska	Miller	Smith, K.
Buxton	Hanna	Milne	Smith, S.
Caltagirone	Harhai	Moul	Solobay
Cappelli	Harhart	Moyer	Sonney
Carroll	Harkins	Mundy	Staback
Casorio	Harper	Mustio	Stairs

Causer	Harris	Myers	Stern
Civera	Helm	Nickol	Stevenson
Clymer	Hennessey	O'Brien, M.	Sturla
Cohen	Hershey	O'Neill	Surra
Conklin	Hess	Oliver	Tangretti
Costa	Hornaman	Parker	Taylor, J.
Cruz	James	Pashinski	Taylor, R.
Curry	Josephs	Payne	Turzai
Daley	Keller, M.	Payton	Vereb
Dally	Keller, W.	Peifer	Vulakovich
DeLuca	Kenney	Perzel	Wagner
Denlinger	Kessler	Petrarca	Walko
DePasquale	Killion	Petri	Wansacz
Dermody	Kirkland	Petrone	Waters
DeWeese	Kortz	Phillips	Watson
DiGirolamo	Kotik	Pickett	Wheatley
Donatucci	Kula	Preston	White
Eachus	Leach	Pyle	Williams
Ellis	Lentz	Quigley	Wojnarowski
Evans, D.	Levdansky	Ramaley	Yewcic
Evans, J.	Longietti	Rapp	Youngblood
Everett	Maher	Raymond	Yudichak
Fabrizio	Mahoney	Readshaw	
Fairchild	Major	Reed	O'Brien, D., Speaker
Fleck	Manderino	Reichley	
Frankel	Mann		

### NAYS—25

Barrar	Gabig	Metcalfe	Samuelson
Bear	Grell	Nailor	Shapiro
Benninghoff	Hickernell	Perry	Steil
Boyd	Hutchinson	Quinn	Swanger
Cox	Kauffman	Roae	True
Creighton	Mackereth	Rock	Vitali
Cutler			

### NOT VOTING—0

### EXCUSED—6

King	Pallone	Smith, M.	Thomas
Murt	Rubley		

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. S. SMITH offered the following amendment No. **A02347**:

Amend Sec. 3, page 2, line 6, by striking out "by the incurring of debt or" and inserting

from the

Amend Sec. 3, page 3, line 10, by striking out "\$500,000" and inserting

\$15,000,000

Amend Sec. 3, page 3, lines 13 and 14, by striking out all of said lines and inserting

redevelopment projects 240,000,000

(Base Project Allocation -  
\$240,000,000)

Amend Sec. 3, page 4, lines 13 through 30, by striking out all of said lines

Amend Sec. 3, page 5, by inserting between lines 27 and 28

(B) Construction and  
infrastructure related

to upgrades at the Reading Hospital 1,000,000

(ii) Hamburg Borough

(A) Construction and related infrastructure for the Hamburg Area High School Stadium Project 300,000

Amend Sec. 3, page 5, line 28, by striking out "(II)" and inserting

(iii)

Amend Sec. 3, page 13, line 2, by striking out all of said line and inserting

(17) Clearfield County

(i) County projects

(A) Construction and other costs associated with building a new indoor athletic facility at Lock Haven University 10,000,000

(B) Costs associated with furniture and equipment for a new indoor athletic facility at Lock Haven University 1,000,000

(C) Construction, infrastructure and other costs related to coal gasification project 20,000,000

(D) Construction and other costs associated with the Biomass Conversion Center of Excellence 2,750,000

(E) Construction and other related costs for the Wood Pellet Mill project 1,000,000

(ii) Curwensville Borough

(A) Construction and other related costs for stream channel clearing and restoration 5,000,000

(B) Infrastructure and other costs related to building the Sunnyside Ethanol Manufacturing Plant 5,000,000

(iii) Karthous Township

(A) Construction, infrastructure and other costs associated with the River Hill Power Waste Coal Fired Power Plant 15,000,000

(iv) Lawrence Township

(A) Construction and other related costs for a BioEnergy Ethanol Plant 5,000,000

Amend Sec. 3, page 19, line 6, by striking out all of said line and inserting

(35) Lackawanna County

(i) County projects

(A) Additional improvements to the Archbald Regional Park 1,425,000

Amend Sec. 3, page 20, lines 27 and 28, by striking out all of said line and inserting

and other related costs 495,000,000

(Base Project Allocation - \$495,000,000)

Amend Sec. 3, page 28, by inserting between lines 4 and 5

(B) Construction and acquisition related to new sewerage hookups and dispersal of treated affluent 4,000,000

Amend Sec. 3, page 29, by inserting between lines 29 and 30

(B) Design and construction of the Slate Belt Community Center and regional recreation facility 7,000,000

(C) Acquisition, infrastructure and other costs related to the construction of St. Luke's Riverside Health Campus 15,000,000

Amend Sec. 3, page 30, lines 26 through 30; page 31, lines 1 through 19, by striking out all of said lines on said pages and inserting

for the operating expenses of the Pennsylvania Convention Center 880,000,000

(Base Project Allocation - \$880,000,000)

Amend Sec. 4, page 35, lines 23 through 27, by striking out all of said lines and inserting

(3) The amount allocated to the projects described in section 3(2)(i)(D) shall be made in annual amounts, not to exceed \$8,000,000, including \$500,000 to a nonprofit community development fund to fund infrastructure, construction and redevelopment projects, for 30 years or the retirement of the debt issued for the projects described in section 3(2)(i)(D), whichever is less.

(3.1) The amount allocated to the project described in section 3(40)(i)(A) shall be made in annual amounts, not to exceed \$16,500,000, for 30 years or the retirement of the debt issued for the project described in section 3(40)(i)(A), whichever is less.

Amend Sec. 4, page 36, line 3, by striking out "the amount allocated" and inserting

\$64,000,000

Amend Sec. 4, page 36, line 6, by inserting after "and"

\$6,000,000 for

Amend Sec. 6, page 36, line 21, by striking out "3(2) AND (51)" and inserting

3(2)(i)(D)

Amend Sec. 6, page 36, line 22, by inserting a period after "Fund"

Amend Sec. 6, page 36, lines 22 through 30; page 37, lines 1 through 6, by striking out "in" in line 22 and all of lines 23 through 30, page 36 and all of lines 1 through 5 and "(c)" in line 6, page 37 and inserting

(b)

Amend Bill, page 37, by inserting between lines 11 and 12

Section 7. Editorial changes.

In editing and preparing this act for printing following the final enactment, the Legislative Reference Bureau shall insert or revise

letters or numbers for projects where the letters or numbers are missing or require revision. The bureau shall also revise the total monetary amounts for the total authorization, debt authorization, appropriations and departmental totals as necessary to agree with the total monetary amounts of the projects.

Amend Sec. 7, page 37, line 12, by striking out "7" and inserting  
8

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

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

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

Just to quickly reiterate, the amendment that is before us would provide some consistency and clarity between the projects that were enumerated in the initial bill so that they are all identified in a consistent fashion as well as adding several projects that would presumably be eligible for funding under the gaming redevelopment and tourism fund.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Evans, Representative Evans.

Mr. D. EVANS. I support the Republican leader in this amendment, Madam Speaker, and ask all my colleagues to vote for it. Thank you.

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

The following roll call was recorded:

#### YEAS—171

Adolph	George	Marsico	Samuelson
Argall	Gerber	McCall	Santoni
Baker	Gergely	McGeehan	Saylor
Bastian	Gibbons	McI. Smith	Scavella
Belfanti	Gillespie	McIlhattan	Schroder
Bennington	Gingrich	Melio	Seip
Beyer	Godshall	Micozzie	Shapiro
Biancucci	Goodman	Millard	Shimkus
Bishop	Grell	Miller	Siptroth
Blackwell	Gruela	Milne	Smith, K.
Boback	Haluska	Moul	Smith, S.
Brennan	Hanna	Moyer	Solobay
Brooks	Harhai	Mundy	Sonney
Buxton	Harhart	Mustio	Staback
Caltagirone	Harkins	Myers	Stairs
Cappelli	Harper	Nailor	Steil
Carroll	Harris	Nickol	Stern
Casorio	Helm	O'Brien, M.	Stevenson
Civera	Hennessey	O'Neill	Sturla
Cohen	Hershey	Oliver	Surra
Conklin	Hess	Parker	Swanger
Costa	Hornaman	Pashinski	Tangretti
Cruz	James	Payne	Taylor, J.
Curry	Josephs	Payton	Taylor, R.
Daley	Keller, W.	Peifer	Turzai
Dally	Kenney	Perzel	Vereb
DeLuca	Kessler	Petrarca	Vitali
DePasquale	Killion	Petri	Vulakovich
Dermody	Kirkland	Petrone	Wagner
DeWeese	Kortz	Phillips	Walko
DiGirolamo	Kotik	Pickett	Wansacz
Donatucci	Kula	Preston	Waters
Eachus	Leach	Pyle	Watson
Evans, D.	Lentz	Quigley	Wheatley
Evans, J.	Levdansky	Ramaley	White

Everett	Longietti	Raymond	Williams
Fabrizio	Mahoney	Readshaw	Wojnarowski
Fairchild	Major	Reed	Yewcic
Fleck	Manderino	Reichley	Youngblood
Frankel	Mann	Roebuck	Yudichak
Freeman	Mantz	Ross	
Gabig	Markosek	Sabatina	O'Brien, D.,
Galloway	Marshall	Sainato	Speaker
Geist			

#### NAYS—26

Barrar	Creighton	Keller, M.	Quinn
Bear	Cutler	Mackereth	Rapp
Benninghoff	Denlinger	Maher	Roae
Boyd	Ellis	Mensch	Rock
Causar	Hickernell	Metcalfe	Rohrer
Clymer	Hutchinson	Perry	True
Cox	Kauffman		

#### NOT VOTING—0

#### EXCUSED—6

King	Pallone	Smith, M.	Thomas
Murt	Rubley		

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

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

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

(Bill analysis was read.)

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

The Chair recognizes the gentleman, Representative Clymer.  
Mr. CLYMER. Thank you, Madam Speaker, and I will try to be brief here.

Act 71 of 2004 provided for 5 percent of gaming revenues to be used for various projects. The money would go into the Gaming Economic Development and Tourism Capital Budget, which you have heard. Specifically, two municipalities would benefit from this development fund. They are Pittsburgh and the city of Philadelphia. This is kind of unique in the gaming legislation that has passed across the nation, but be that as it may, for 10 years Pittsburgh and Philadelphia benefit, and if I was a legislator from either one of these two communities, counties, I would certainly be very pleased about that.

Governor Rendell has selected the projects to be funded from this special fund. In the area of Allegheny County, he has picked the international airport and the Penguin stadium. The Pennsylvania Convention Center is his choice in Philadelphia to receive this special economic benefit. One would think, though, those who fashion the slots license would have been more generous and fair in the qualifications of municipalities and

allowing others to have equal projects. In other words, spread the wealth; allow others to participate from this special fund that has been created for these two municipalities.

Madam Speaker, there are five racinos that are up and running that are currently contributing to this fund. One such racino, Philadelphia Park, which is in Bensalem, Bucks County, is providing money for this fund so that these three projects in these two counties can be properly funded. Now, what I find is that we are coming up empty-handed here in Bucks County because we are not receiving any benefit, and, Madam Speaker, in addition to that, I think our pockets are being picked because we are being denied equal representation on the SEPTA Board.

I will be voting "no" on HB 1631. Thank you, Madam Speaker.

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

Mr. VITALI. Oh, thank you. Will the prime sponsor stand for a brief interrogation?

The SPEAKER pro tempore. The gentleman agrees he will stand for interrogation. The gentleman may proceed.

Mr. VITALI. Thank you. I apologize. I have to ask a very basic question.

I am trying to understand conceptually what a gaming capital funds budget is versus our regular capital funds budget.

Mr. D. EVANS. The gaming fund budget was something that was developed in terms of Act 71 where a certain percentage of the gaming money was set aside for economic development projects. The capital fund is basically what we do every year. Either there is redevelopment assistance or there is the capital fund project based on the debt of the Commonwealth of Pennsylvania.

Mr. VITALI. Now, are the criteria— Well, two questions: One, are the criteria for the capital funds project and the projects out of the capital fund and the criteria for the projects out of the gaming fund the same, and if not, how do they differ?

Mr. D. EVANS. Madam Speaker, repeat your question, please.

Mr. VITALI. I am trying to get at whether the criteria to get moneys out of the capital funds budget versus the criteria to get funds out of the gaming capital fund budget, are the criteria the same, and if not, how do they differ?

Mr. D. EVANS. I would say yes, Madam Speaker, that it is.

Mr. VITALI. The criteria are the same.

Now, is the gaming funds capital budget a continuing thing that is going to happen year after year, or is this a one-time-only gaming capital budget?

Mr. D. EVANS. I would say we potentially could do one annually or every other year, but maybe not necessarily the same way we do the capital budget.

Mr. VITALI. How much of the gaming money goes into the gaming capital budget each year?

Mr. D. EVANS. About \$150 million; 5 percent.

Mr. VITALI. \$150 million.

If no moneys were expended for these projects, would they go into property tax reduction?

Mr. D. EVANS. No, Madam Speaker.

Mr. VITALI. What would happen to that money then, that \$150 million?

Mr. D. EVANS. Madam Speaker, this is a fund that is set aside specifically for economic development projects.

Mr. VITALI. Okay. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Maher.

Mr. MAHER. Thank you, Madam Speaker.

If the gentleman who is the prime sponsor might assist with answering a couple of questions?

The SPEAKER pro tempore. The gentleman agrees to interrogation. Please proceed.

Mr. MAHER. Thank you, Madam Speaker.

A couple of just very basic fact questions. As I understand, this bill as amended now provides— Let me know when you are ready, Madam Speaker.

Mr. D. EVANS. Could you repeat your question, please, Madam Speaker.

Mr. MAHER. Thank you.

Madam Speaker, it is my understanding that the bill as amended now provides \$880 million for construction of a convention center in Philadelphia. Is that correct?

Mr. D. EVANS. The answer is yes, Madam Speaker.

Mr. MAHER. And before giving effect to this bill if it were to become law, how much is currently provided from this source for a convention center in the city of Philadelphia?

Mr. D. EVANS. Can you repeat the question, Madam Speaker?

Mr. MAHER. I am sorry. I could not hear you, Madam Speaker.

Mr. D. EVANS. Could you repeat the question or rephrase the question?

Mr. MAHER. Under existing law, from this funding source, how much is already provided for a convention center for the city of Philadelphia?

Mr. D. EVANS. None from this source, Madam Speaker.

Mr. MAHER. Thank you. And if I understand, the funds that come into this bucket that would be disbursed across various projects are coming from the taxes on the slots?

Mr. D. EVANS. Yes, Madam Speaker.

Mr. MAHER. Thank you very much. That concludes my questions. If I might offer a couple observations?

The SPEAKER pro tempore. The gentleman is in order.

Mr. MAHER. Thank you.

The big pitch for slots was that the proceeds from slots would go to property tax reform. At this point we passed slots some years ago, and at that time I had the misfortune of predicting that it would be fiscal year '09 before any homeowner would see any proceeds from slots. The current estimates I have seen – and if there is more information available, I am open to it – is that when property tax relief comes from slots, it is going to amount to \$700 million a year, perhaps, for every single home in Pennsylvania, which frankly I do not think is enough of it, enough of a share of the slots taxes, not enough, not nearly enough is going to property tax relief.

Now, this bill would allow for a new dedication, \$880 million, for one building in Philadelphia will now be eligible for more funds from slots than every home in the entire State of Pennsylvania. That does not seem consistent with the commitments of what the slots taxes were to be used for, Madam Speaker, and for that reason I will be declining to support this proposal.

Thank you.



**LEAVE OF ABSENCE CANCELED**

The SPEAKER pro tempore. The Chair recognizes the presence of Representative Pallone on the floor of the House. He will be added to the master roll.

**CONSIDERATION OF HB 1631 CONTINUED**

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

**YEAS—121**

Adolph	Frankel	Markosek	Scavello
Belfanti	Freeman	Marshall	Schroder
Bennington	Geist	Marsico	Shapiro
Beyer	George	McCall	Shimkus
Biancucci	Gerber	McGeehan	Siptroth
Bishop	Gergely	McI. Smith	Smith, K.
Blackwell	Gibbons	Melio	Smith, S.
Boback	Godshall	Micozzie	Solobay
Brennan	Grucela	Milne	Staback
Buxton	Haluska	Moyer	Steil
Caltagirone	Hanna	Mundy	Sturla
Cappelli	Harhai	Mustio	Surra
Civera	Harkins	Myers	Swanger
Cohen	Harper	O'Brien, M.	Tangretti
Conklin	Helm	O'Neill	Taylor, J.
Costa	Hershey	Oliver	Taylor, R.
Cruz	James	Parker	Vulakovich
Curry	Josephs	Pashinski	Wagner
Daley	Keller, W.	Payne	Walko
Dally	Kenney	Perzel	Waters
DeLuca	Kessler	Petri	Watson
Denlinger	Killion	Petrone	Wheatley
DePasquale	Kirkland	Preston	White
Dermody	Kortz	Ramaley	Williams
DeWeese	Kotik	Raymond	Wojnarowski
DiGirolo	Leach	Readshaw	Youngblood
Donatucci	Lentz	Roebuck	Yudichak
Eachus	Levdansky	Ross	
Evans, D.	Major	Sabatina	O'Brien, D.,
Evans, J.	Manderino	Samuelson	Speaker
Fabrizio	Mann	Santoni	

**NAYS—77**

Argall	Galloway	Mantz	Rapp
Baker	Gillespie	McIlhattan	Reed
Barrar	Gingrich	Mensch	Reichley
Bastian	Goodman	Metcalfe	Roae
Bear	Grell	Millard	Rock
Benninghoff	Harhart	Miller	Rohrer
Boyd	Harris	Moul	Sainato
Brooks	Hennessey	Nailor	Saylor
Carroll	Hess	Nickol	Seip
Casorio	Hickernell	Pallone	Sonney
Causar	Hornaman	Payton	Stairs
Clymer	Hutchinson	Peifer	Stern
Cox	Kauffman	Perry	Stevenson
Creighton	Keller, M.	Petrarca	True
Cutler	Kula	Phillips	Turzai
Ellis	Longietti	Pickett	Vereb
Everett	Mackereth	Pyle	Vitali
Fairchild	Maher	Quigley	Wansacz
Fleck	Mahoney	Quinn	Yewcic
Gabig			

**NOT VOTING—0****EXCUSED—5**

King	Rubley	Smith, M.	Thomas
Murt			

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.

**GUESTS INTRODUCED**

The SPEAKER pro tempore. The Chair would like to join with Representative Kirkland and the legislative Black Caucus by acknowledging their guests. We have a special delegation with us here today. The Liberian delegation is a group that is led by the Honorable Mayor Esther Coaline Warbey from the city of Gbarnga, Bong County, Liberia. Accompanying the mayor are Dr. J. Mamadee Woah-Tee, Sr.; Mr. J. Baitee Tubah; and along with them are the Honorable Vera Jean White, president of Harrisburg City Council, and Robert William, president for the Pennsylvania Center for International Exchange and Partnership. They are here to the left of the Speaker. Please rise and be recognized, ladies and gentlemen. Let us welcome this esteemed group.

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1589, PN 2107**, entitled:

An Act providing for the capital budget for the fiscal year 2007-2008; itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, Motor License Fund projects, State forestry bridge projects, Manufacturing Fund projects and federally funded projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection and the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection or the Department of Transportation; stating the estimated useful life of the projects; providing an exemption; providing for limitation on certain capital projects, for special provisions for certain redevelopment assistance capital projects and for preemption of local ordinances for Department of Corrections projects; and making appropriations.

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

**RULES SUSPENDED**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Evans, for a motion.

Mr. D. EVANS. Madam Speaker, I move that rule 21 be suspended so that I can offer amendment No. 2380 and that rule 24 be suspended so that the bill can be moved immediately and voted on final passage if the House adopts that amendment, Madam Speaker.

The SPEAKER pro tempore. The gentleman moves that the rules be suspended so that he can introduce amendment A02380.

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

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

Mr. SAMUELSON. Thank you, Madam Speaker.

Just to clarify, is this only to suspend rule 21 to offer the amendment or also to suspend rule 24, the 24-hour rule?

The SPEAKER pro tempore. The motion is to suspend both rules 21 and 24. Thank you for the clarification.

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

The following roll call was recorded:

## YEAS—157

Adolph	Geist	Markosek	Ross
Argall	George	Marshall	Sabatina
Bastian	Gerber	Marsico	Sainato
Belfanti	Gergely	McCall	Santoni
Bennington	Gibbons	McGeehan	Saylor
Beyer	Gillespie	McI. Smith	Scavello
Biancucci	Gingrich	McIlhattan	Schroder
Bishop	Godshall	Melio	Seip
Blackwell	Goodman	Micozzie	Shimkus
Boback	Grucela	Millard	Siptroth
Brennan	Haluska	Miller	Smith, K.
Buxton	Hanna	Milne	Smith, S.
Caltagirone	Harhai	Moyer	Solobay
Cappelli	Harkins	Mundy	Staback
Carroll	Harper	Mustio	Stairs
Casorio	Harris	Myers	Stern
Civera	Helm	Nailor	Sturla
Cohen	Hershey	Nickol	Surra
Conklin	Hess	O'Brien, M.	Swanger
Costa	Hickernell	O'Neill	Tangretti
Cruz	Hornaman	Oliver	Taylor, J.
Curry	James	Pallone	Taylor, R.
Daley	Josephs	Parker	Vitali
DeLuca	Keller, M.	Pashinski	Vulakovich
Denlinger	Keller, W.	Payne	Wagner
DePasquale	Kenney	Payton	Walko
Dermody	Kessler	Peifer	Wansacz
DeWeese	Killion	Perzel	Waters
DiGirolamo	Kirkland	Petrarca	Watson
Donatucci	Kortz	Petri	Wheatley
Eachus	Kotik	Petrone	White
Ellis	Kula	Phillips	Williams
Evans, D.	Leach	Preston	Wojnaroski
Evans, J.	Lentz	Quinn	Yewcic
Everett	Levdansky	Ramaley	Youngblood
Fabrizio	Longietti	Raymond	Yudichak
Fleck	Mahoney	Readshaw	
Frankel	Major	Reed	O'Brien, D.,
Freeman	Manderino	Reichley	Speaker
Galloway	Mann	Roebuck	

## NAYS—41

Baker	Dally	Mantz	Rock
Barrar	Fairchild	Mensch	Rohrer
Bear	Gabig	Metcalfe	Samuelson
Benninghoff	Grell	Moul	Shapiro
Boyd	Harhart	Perry	Sonney
Brooks	Hennessey	Pickett	Steil
Causer	Hutchinson	Pyle	Stevenson
Clymer	Kauffman	Quigley	True
Cox	Mackereth	Rapp	Turzai
Creighton	Maher	Roae	Vereb
Cutler			

## NOT VOTING—0

## EXCUSED—5

King	Rubley	Smith, M.	Thomas
Murt			

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

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

Mr. D. EVANS offered the following amendment No. **A02380**:

Amend Sec. 3, page 17, by inserting between lines 21 and 22  
(xvi) New State Correctional  
Institution in Luzerne County  
(A) Construct a new  
2,300-bed L-3  
medium security  
prison within a  
five-mile radius of  
SCI Retreat. Includes  
construction of all  
other facilities as  
necessary to operate  
institution 200,000,000  
(Base Project Allocation -  
\$160,000,000)  
(Design and Contingencies -  
\$40,000,000)

Amend Sec. 3, page 27, by inserting between lines 19 and 20  
(ix) Keystone Lodge, Lebanon  
County  
(A) Construction,  
infrastructure and  
other related costs 1,300,000

Amend Sec. 4, page 34, lines 28 through 30, by striking out all of  
said lines

Amend Sec. 4, page 35, by inserting between lines 6 and 7  
(i) (Reserved)

Amend Sec. 4, page 35, by inserting between lines 18 and 19  
(v) New State Correctional  
Institution in Luzerne County  
(A) Original furniture and  
equipment for the  
new institution  
within a ten-mile  
radius of SCI Retreat 6,500,000

Amend Sec. 4, page 36, by inserting between lines 1 and 2  
 (4.1) Department of Military and Veterans Affairs  
 (i) Keystone Lodge at Fort Indiantown Gap  
 (A) Original furniture and equipment 500,000

Amend Sec. 6, page 50, by inserting between lines 28 and 29  
 (X) Acquisition, construction, infrastructure and other related costs for the Pittsburgh Zoo and PPG Aquarium 5,000,000

Amend Sec. 6, page 52, by inserting between lines 6 and 7  
 (B) Construction, infrastructure and other costs associated with the Marshall Drive redevelopment project 500,000

Amend Sec. 6, page 55, by inserting between lines 4 and 5  
 (v) Hamburg Borough  
 (A) Construction and related infrastructure for the Hamburg Area High School Stadium Project 500,000

Amend Sec. 6, page 55, line 5, by striking out "(V)" and inserting (vi)

Amend Sec. 6, page 73, by inserting between lines 23 and 24  
 (X) Construction, infrastructure and other related costs for the Children's Zoo 8,200,000  
 (Y) Construction, infrastructure and other related costs for the McNeil Aviary 6,000,000  
 (Z) Construction, infrastructure and other related costs for the Philadelphia Zoo Big Cat exhibit 5,800,000  
 (AA) Construction and other related costs for the Washington Square redevelopment 1,000,000

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

The SPEAKER pro tempore. The Chair returns to amendment A02380 and recognizes the gentleman, Mr. Evans.

Mr. D. EVANS. Madam Speaker, it just adds projects to the capital bill. I hope that members can support this particular amendment. Thank you.

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

The following roll call was recorded:

YEAS—143

Adolph	George	Marshall	Samuelson
Argall	Gerber	Marsico	Santoni

Belfanti	Gergely	McCall	Scavello
Bennington	Gibbons	McGeehan	Schroder
Beyer	Gingrich	McI. Smith	Seip
Biancucci	Godshall	Melio	Shapiro
Bishop	Goodman	Micozzie	Shimkus
Blackwell	Grucela	Moyer	Siptroth
Brennan	Haluska	Mundy	Smith, K.
Buxton	Hanna	Mustio	Smith, S.
Caltagirone	Harhai	Myers	Solobay
Cappelli	Harhart	Nailor	Staback
Carroll	Harkins	Nickol	Stairs
Casorio	Helm	O'Brien, M.	Steil
Civera	Hershey	O'Neill	Sturla
Cohen	Hess	Oliver	Surra
Conklin	Hickernell	Pallone	Swanger
Costa	Hornaman	Parker	Tangretti
Cruz	James	Pashinski	Taylor, J.
Curry	Josephs	Payne	Taylor, R.
Daley	Keller, W.	Payton	Vitali
Dally	Kenney	Perzel	Wagner
DeLuca	Kessler	Petrarca	Walko
Denlinger	Killion	Petri	Wansacz
DePasquale	Kirkland	Petrone	Waters
Dermody	Kortz	Phillips	Watson
DeWeese	Kotik	Preston	Wheatley
DiGirolamo	Kula	Ramaley	White
Donatucci	Leach	Raymond	Williams
Eachus	Lentz	Readshaw	Wojnarowski
Evans, D.	Levdansky	Reed	Yewcic
Evans, J.	Longietti	Reichley	Youngblood
Fabrizio	Mahoney	Roebuck	Yudichak
Frankel	Manderino	Ross	
Freeman	Mann	Sabatina	O'Brien, D.,
Galloway	Markosek	Sainato	Speaker
Geist			

#### NAYS—55

Baker	Everett	Major	Quinn
Barrar	Fairchild	Mantz	Rapp
Bastian	Fleck	McIlhattan	Roae
Bear	Gabig	Mensch	Rock
Benninghoff	Gillespie	Metcalfe	Rohrer
Boback	Grell	Millard	Saylor
Boyd	Harper	Miller	Sonney
Brooks	Harris	Milne	Stern
Causar	Hennessey	Moul	Stevenson
Clymer	Hutchinson	Peifer	True
Cox	Kauffman	Perry	Turzai
Creighton	Keller, M.	Pickett	Vereb
Cutler	Mackereth	Pyle	Vulakovich
Ellis	Maher	Quigley	

#### NOT VOTING—0

#### EXCUSED—5

King	Rubleby	Smith, M.	Thomas
Murt			

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

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

Bill as amended was agreed to.

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

(Bill analysis was read.)

The SPEAKER pro tempore. 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—152

Adolph	Galloway	Manderino	Sainato
Argall	Geist	Mann	Samuelson
Baker	George	Markosek	Santoni
Belfanti	Gerber	Marshall	Scavello
Bennington	Gergely	Marsico	Schroder
Beyer	Gibbons	McCall	Seip
Biancucci	Gingrich	McGeehan	Shapiro
Bishop	Godshall	McI. Smith	Shimkus
Blackwell	Goodman	Melio	Siptroth
Boback	Grell	Micozzie	Smith, K.
Brennan	Grucela	Moyer	Smith, S.
Brooks	Haluska	Mundy	Solobay
Buxton	Hanna	Mustio	Staback
Caltagirone	Harhai	Myers	Stairs
Cappelli	Harhart	Nailor	Steil
Carroll	Harkins	O'Brien, M.	Sturla
Casorio	Harper	O'Neill	Surra
Civera	Helm	Oliver	Swanger
Cohen	Hershey	Pallone	Tangretti
Conklin	Hess	Parker	Taylor, J.
Costa	Hickernell	Pashinski	Taylor, R.
Cruz	Hornaman	Payne	Vitali
Curry	James	Payton	Vulakovich
Daley	Josephs	Perzel	Wagner
Dally	Keller, M.	Petrarca	Walko
DeLuca	Keller, W.	Petri	Wansacz
Denlinger	Kenney	Petrone	Waters
DePasquale	Kessler	Phillips	Watson
Dermody	Killion	Pickett	Wheatley
DeWeese	Kirkland	Preston	White
DiGirolamo	Kortz	Ramaley	Williams
Donatucci	Kotik	Raymond	Wojnaroski
Eachus	Kula	Readshaw	Yewcic
Evans, D.	Leach	Reed	Youngblood
Evans, J.	Lentz	Reichley	Yudichak
Fabrizio	Levdansky	Roebuck	
Frankel	Longietti	Ross	O'Brien, D.,
Freeman	Mahoney	Sabatina	Speaker
Gabig	Major		

#### NAYS—46

Barrar	Fairchild	Metcalf	Rapp
Bastian	Fleck	Millard	Roae
Bear	Gillespie	Miller	Rock
Benninghoff	Harris	Milne	Rohrer
Boyd	Hennessey	Moul	Saylor
Causar	Hutchinson	Nickol	Sonney
Clymer	Kauffman	Peifer	Stern
Cox	Mackereth	Perry	Stevenson
Creighton	Maher	Pyle	True
Cutler	Mantz	Quigley	Turzai
Ellis	McIlhattan	Quinn	Vereb
Everett	Mensch		

#### NOT VOTING—0

#### EXCUSED—5

King	Rubley	Smith, M.	Thomas
Murt			

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.

#### GUEST INTRODUCED

The SPEAKER pro tempore. The Chair would like to recognize a guest of Representative Sam Rohrer and a constituent of Representative Jerry Nailor. Mr. Jim Compton, a retired naval commander, is here today to assist House and Senate members in understanding the urgency of passing HB 1351, the passage of which would remove Pennsylvania from the Federal Real ID mandate. Mr. Compton is sitting in the gallery. Would he please stand to be recognized. Welcome to the hall of the House.

#### ANNOUNCEMENT BY MAJORITY LEADER

The SPEAKER pro tempore. The Chair recognizes the majority leader, Representative DeWeese.

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

The House will, I believe, if the Republicans are amenable, caucus tomorrow at 10, go on the floor at 11, and we will do our level best, and I am highly confident that we will be able to make a comment tomorrow relative to the weekend schedule; so sometime tomorrow morning or early in the afternoon, give you a perspective of what our weekend will look like. From my own perspective, I think we are making palpable progress, although it is somewhat measured.

Thank you.

#### STATEMENT BY MINORITY LEADER

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

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

I appreciate the announcement by the majority leader, and I realize none of us have a perfect crystal ball to predict exactly what our schedule or timelines would be. I would note that the constitutional timeline for enacting a State budget is closing rapidly upon us. The House had passed an appropriations bill. The Senate amended it as they saw fit and sent it back to us. It, I believe, is in the Rules Committee. It is a bill that is a real budget. It is not something that is not complete in terms of its ability to carry Pennsylvania further, and that should we not have other agreements in place, I think it would be important that we consider putting that budget before this House to see if it should be going to the Governor's desk as it is as opposed to the potential of missing our constitutional duty and not sending a budget till sometime next week, and I think it is important that we focus, that we do have a solution before us if a better solution is not presented in the next day or two.

Thank you, Madam Speaker.

**ANNOUNCEMENT BY MR. SOLOBAY**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Solobay, for an announcement.

Mr. SOLOBAY. Thank you, Madam Speaker.

The Veterans Affairs and Emergency Preparedness public hearing that we had to suspend when we came onto the floor will reconvene back in room 60, my best bet is at 2:15 to 2:30. There is another assignment that the committee has at 2 o'clock in the Governor's reception room, so I would say the hearing will reconvene, room 60, 2:30 this afternoon.

Thank you.

The SPEAKER pro tempore. There will be a Veterans Affairs and Emergency Preparedness hearing in room 60 at 2:30.

**REPUBLICAN CAUCUS**

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Representative Major.

Miss MAJOR. Thank you, Madam Speaker.

I would like to announce that there will be a Republican caucus tomorrow morning at 10 a.m.; that is a Republican caucus Friday morning at 10 a.m. Thank you.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes Representative Evans.

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

Madam Speaker, there will be an Appropriations Committee meeting in the next 5 minutes in the majority caucus room; an Appropriations meeting in the next 5 minutes. Thank you.

The SPEAKER pro tempore. The Appropriations Committee will meet in 5 minutes in the caucus room.

**DEMOCRATIC CAUCUS**

The SPEAKER pro tempore. The Chair recognizes Representative Cohen.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, in addition to the caucus that was announced by the Democratic leader for tomorrow morning at 10 a.m., in addition, there will be a Democratic caucus immediately upon the conclusion of the Appropriations Committee meeting. So I would say roughly 1:20 p.m., roughly 1:20 p.m., there will be an important Democratic caucus. I would urge all members to attend.

**COMMITTEE MEETING POSTPONED**

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

Mr. BELFANTI. Thank you, Madam Speaker.

Madam Speaker, I sunshined a House Labor Relations Committee for 9:30 tomorrow morning assuming that the House would be in at 10. I am postponing that meeting, the same location, till 10:30 a.m. tomorrow morning; House Labor Relations Committee meeting, 10:30 a.m., same room. All the other information remains the same.

Thank you, Madam Speaker.

The SPEAKER pro tempore. There will be a House Labor Relations Committee meeting at 10:30 tomorrow morning.

**STATE GOVERNMENT COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Representative Josephs, for an announcement.

Ms. JOSEPHS. Thank you, Madam Speaker.

Just a reminder, the House State Government Committee is meeting tomorrow in Ryan Office Building, room 205, at the call of the Chair. Thank you, Madam Speaker.

The SPEAKER pro tempore. The State Government Committee will meet tomorrow in room 205, Irvis Office Building, at the call of the Chair.

**VOTE CORRECTION**

The SPEAKER pro tempore. The Chair recognizes Representative Keller.

Mr. M. KELLER. Thank you, Madam Chair.

On HB 1589 I was recorded in the positive. I would have liked to have been in the negative. My button malfunctioned. Thank you.

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

Are there any further announcements? Any further announcements?

For the purpose of the members, there will be no further votes today.

**RECESS**

The SPEAKER pro tempore. The House will stand in recess until the call of the Chair.

**AFTER RECESS**

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

**BILL REREPORTED FROM COMMITTEE**

**HB 71, PN 492**

By Rep. D. EVANS

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, providing for notice to school district; and further providing for application for final approval.

**APPROPRIATIONS.**

The SPEAKER pro tempore. The bill will be placed on the active calendar.

### **BILLS RECOMMITTED**

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that the following bills be recommitted to the Committee on Appropriations:

HB 1488;  
SB 34; and  
SB 815.

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

### **RECESS**

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