

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, SEPTEMBER 25, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 81

HOUSE OF REPRESENTATIVES

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

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

PRAYER

The SPEAKER. The prayer will be offered by Pastor Art Gladfelter, the guest of Representative Everett.

REV. ARTHUR E. GLADFELTER, Guest Chaplain of the House of Representatives, offered the following prayer:

I bring you greetings from Lycoming County and am honored to share with you in a devotional time.

Shall we join together our hearts.

Bless the Lord, O my soul, bless the Lord and forget not all of His benefits, for surely You have been a gracious God, and I do not think there is a single person here this morning who cannot say, God, You have blessed my life. We thank You for life, for the ability to breathe, to take a breath and to exhale. All is part and evidence of Your goodness, and we come in thanksgiving for the joy of being a part of this body and to live in this great State of Pennsylvania.

As we gather, You know that there are many issues that are going to be dealt with this day – medical issues, insurance issues, items dealing with the transportation, and items on vehicles – and we would just ask Your guidance and Your strength not only for these issues but throughout the times that will be faced ahead with transportation, with energy, with the environment, and so forth.

You have promised us, O God, that as our days are, so shall our strength be, and we call upon You so that in the words of Isaiah, Your thoughts may be our thoughts and Your ways may be our ways.

Bless, O God, each Representative here this day. Go before them to show them the way, aside of them to befriend them, behind them to give them courage, and above them, by Your spirit, give them strength to do all things through Your spirit which will help them.

And then, our Father, not only this day but in the days to come, if we really do not know how to pray or what to ask You for, may our prayers simply be, Thy will be done; Thy will be done on earth as it has already been accomplished in heaven.

And these are our prayers and we ask them in the name of You, our Father, the God of Abraham, Isaac, and Jacob, the God who came incarnate to show us the way, the truth, and the life. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Monday, September 24, 2007, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip, who requests Representative DeLUCA from Allegheny County, Representative SAMUELSON from Northampton County, Representative LENTZ from Delaware County be placed on leave for today. The Chair hears no objection. The leaves will be granted.

The Chair turns to the minority whip, who requests Representative HESS from Bedford County for the day, Representative GODSHALL from Montgomery County for the week. The Chair hears no objections. These gentlemen will be placed on leave.

Members will report to the floor.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—198

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

DeLuca	Hess	Lentz	Samuelson
Godshall			

LEAVES CANCELED—1

Samuelson

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

MISS PENNSYLVANIA AMERICAN JUNIOR TEEN COVER GIRL PRESENTED

The SPEAKER. Will Representative Stairs approach the rostrum for the purpose of a presentation.

Mr. STAIRS. Thank you, Mr. Speaker.

I would like to introduce to you and appreciate your House of Representatives welcome to a young lady from my district, Ashley Legas, who is Miss Pennsylvania Junior Teen. Let us give her a hand.

Ashley is going to represent us, Pennsylvania, in the national pageant of Miss American Junior Teen in Orlando in November, and we want to give her a great sendoff to competition, and I wanted her to be introduced to you today.

And I might add that if any of you have a young girl who is interested in becoming a pageant participant, maybe Ashley can give them some hints.

So thank you for your kindness, and we wish Ashley well in her national competition.
Thank you very much.

GUESTS INTRODUCED

The SPEAKER. Sitting to the left of the Speaker are Jody Flynn, who is a legislative aide in Representative John Payne's Hershey office, and Michael Steinfeld, who served as a summer intern in Representative Payne's Hershey office. Would you please stand and be recognized.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 690, PN 776 By Rep. GEORGE

An Act establishing the Plug-in Hybrid Task Force; and providing for its powers and duties.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1374, PN 1722 By Rep. GEORGE

An Act amending the act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act, further providing for penalties and for fines, civil penalties and fees; and making editorial changes.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1519, PN 2476 (Amended) By Rep. GEORGE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting posting signs on State property in cities of the first class; and establishing the Tree Vitalize Fund.

ENVIRONMENTAL RESOURCES AND ENERGY.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome to the hall of the House the following who are the guests of the Local Government Committee: Thomas Oliverio, who is with the Pennsylvania State Association of Boroughs and Zelenople Borough mayor; Don Carman, the PSAB first vice president and Elkland Borough council president; Robert "Doc" Orr, PSAB second vice president and Girard Borough councilman; James Green, Slippery Rock Borough councilman; Rodney Horton, Middletown Borough councilman; John Dorin, Montoursville Borough mayor; Alex Potoczny, Jr., Sellersville Borough councilman. They are standing in the rear of the House. Please join me in welcoming these individuals to our House of Representatives. They are the guests of Representative Robert Freeman and Representative Stan Saylor.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair recognizes the presence of Representative Samuelson on the floor. His name will be added to the master roll.

FILMING PERMISSION

The SPEAKER. The Chair grants permission to Rebecca Kocher of the Pennsylvania State Association of Boroughs to take still photography in designated areas of the House and videotape and recording audio for the purpose of member photography.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. VULAKOVICH called up **HR 380, PN 2396**, entitled:

A Resolution encouraging the University of Pittsburgh Panthers Football Team and The Pennsylvania State University Nittany Lions Football Team to play each other.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

Fabrizio	Mann	Roae	Yudichak
Fairchild	Mantz	Rock	
Fleck	Markosek	Roebuck	O'Brien, D.,
Frankel	Marshall	Rohrer	Speaker
Freeman			

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca	Godshall	Hess	Lentz
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. KIRKLAND called up **HR 397, PN 2455**, entitled:

A Resolution recognizing the week of September 24 through 30, 2007, as "Health, Wealth and Wellness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

DiGirolamo	Levdansky	Quinn	Watson
Donatucci	Longietti	Ramaley	Wheatley
Eachus	Mackereth	Rapp	White
Ellis	Maher	Raymond	Williams
Evans, D.	Mahoney	Readshaw	Wojnaroski
Evans, J.	Major	Reed	Yewcic
Everett	Manderino	Reichley	Youngblood
Fabrizio	Mann	Roae	Yudichak
Fairchild	Mantz	Rock	
Fleck	Markosek	Roebuck	O'Brien, D.,
Frankel	Marshall	Rohrer	Speaker
Freeman			

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca	Godshall	Hess	Lentz
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. MYERS called up **HR 398, PN 2461**, entitled:

A Resolution expressing support for "National Food Safety Education Month" in September 2007.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

Cutler	Kessler	Petrarca	Turzai
Daley	Killion	Petri	Vereb
Dally	King	Petroni	Vitali
Denlinger	Kirkland	Phillips	Vulakovich
DePasquale	Kortz	Pickett	Wagner
Dermody	Kotik	Preston	Walko
DeWeese	Kula	Pyle	Wansacz
DiGirolamo	Leach	Quigley	Waters
Donatucci	Levdansky	Quinn	Watson
Eachus	Longietti	Ramaley	Wheatley
Ellis	Mackereth	Rapp	White
Evans, D.	Maher	Raymond	Williams
Evans, J.	Mahoney	Readshaw	Wojnaroski
Everett	Major	Reed	Yewcic
Fabrizio	Manderino	Reichley	Youngblood
Fairchild	Mann	Roae	Yudichak
Fleck	Mantz	Rock	
Frankel	Markosek	Roebuck	O'Brien, D.,
Freeman	Marshall	Rohrer	Speaker

NAYS—1

Brooks

NOT VOTING—0

EXCUSED—4

DeLuca	Godshall	Hess	Lentz
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Ms. PICKETT called up **HR 399, PN 2471**, entitled:

A Resolution designating September 30, 2007, as "Gold Star Mother's Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

DeLuca	Godshall	Hess	Lentz
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. SAYLOR called up **HR 403, PN 2473**, entitled:

A Resolution designating October 10, 2007, as "Put the Brakes on Fatalities Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Gabig	Marsico	Ross
Argall	Galloway	McCall	Rubley
Baker	Geist	McGeehan	Sabatina
Barrar	George	McI. Smith	Sainato
Bastian	Gerber	McIlhatten	Samuelson
Bear	Gergely	Melio	Santoni
Belfanti	Gibbons	Mensch	Saylor
Benninghoff	Gillespie	Metcalfe	Scavello
Bennington	Gingrich	Micozzie	Schroder
Beyer	Goodman	Millard	Seip
Biancucci	Grell	Miller	Shapiro
Bishop	Grucela	Milne	Shimkus
Blackwell	Haluska	Moul	Siptroth
Boback	Hanna	Moyer	Smith, K.
Boyd	Harhai	Mundy	Smith, M.

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

NAYS-0

NOT VOTING-0

EXCUSED-4

DeLuca	Godshall	Hess	Lentz
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

VOTE CORRECTION

The SPEAKER. For what purpose does the gentlelady, Representative Brooks, rise?

Mrs. BROOKS. On the last resolution, there was a switch malfunction as Representative Pyle had turned around and hit the button, so if I could be cast in the vote of affirmative as I was prior to that.

The SPEAKER. That is HR 399.

Mrs. BROOKS. Yes.

The SPEAKER. HR 398. The gentlelady's remarks will be spread upon the record; HR 398.

Caucuses in the center aisles and the side aisles will break up. Members will take their seats. Caucuses will break up; Delaware County. Members and guests are asked to please take their seats, reduce the noise level to a minimum. We are about to take up a special resolution.

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. McCALL called up **HR 407, PN 2474**, entitled:

A Resolution congratulating George Bedwick on his retirement after thirty years of service with the House of Representatives.

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes Representative McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, if I may, I would like to take the members back in history to 1977 when Reggie Jackson was called Mr. October when he hit three home runs in three at bats and led the Yankees to another World Series championship. Elvis Presley passed away. Despite what a lot of people believe, that did in fact happen. "Star Wars" was the blockbuster as well as "Saturday Night Fever." They were the two blockbuster movies, but the best picture of the year was about an underdog from Philadelphia, Pennsylvania, by the name of Rocky Balboa. I was a senior in high school, 17 years old, and I think the one piece of history that George can relate to the most and all of us on our side of the aisle that talked with George about one of his favorite pastimes was Seattle Slew won the Kentucky Derby, Triple Crown as well, and certainly I am sure George may have had a little bet on that race.

But George was hired in 1977. Some of the members may remember the gentleman that he came to Harrisburg with, and his name was Bernie O'Brien. He was chairman of the Mines and Energy Management Committee. Kevin Blaum served in that seat for a number of years, and now Eddie Day Pashinski serves in that seat. But he cut his teeth with Bernie O'Brien and then moved on to work with Fred Taylor, where I think he honed his golf skills. Right, George? Fred Taylor was an avid golfer. George was a 36 handicap; now he is a 10.

But the reality is that George has been an outstanding, dedicated, hardworking employee of this House of Representatives. I have known George for almost the entire 30 years because my father served before me. Bernie O'Brien and my dad were great friends, and I got to know George before I was elected, but then when I was elected, he was one of those staff persons that, you know, kind of takes you under their wing and makes sure that you do the right things as you represent the people that elect you here in Harrisburg.

But George has been involved in many pieces of legislation, but I think when property taxes finally get reduced, when gaming money finally gets to the table, the one crowning moment was the work that George Bedwick did on the gaming legislation. He was truly a leader, truly a hard, diligent worker in making sure that all of the t's were crossed and all of the i's were dotted in formulating that piece of legislation.

He will certainly be a tough gentleman to replace, and I know we all say that it is easy to replace people in this chamber and, really, in any walk of life, but I can honestly say one thing about George that will be sorely missed and I do not think can ever be replaced. The institutional knowledge that this man has, his knowledge of the rules, but the institutional

knowledge and history that he has of this House of Representatives is certainly something that will be very, very difficult to replace. He has an encyclopedic memory, and it is something that will be sorely missed I know by me. I have only had him on my staff for 6 months. He really worked on the leadership team of Ivan Itkin and then certainly with Mike Veon and then me for the last 6, 7, 8 months. But we will certainly miss his institutional knowledge and that encyclopedic memory that he does in fact have.

So I certainly want to wish George Godspeed in his travels, and I know that the next time the Kentucky Derby comes up, I know there will be a lot of e-mails over to George to find out who the winner – and by the way, he did pick last year's winner – we will be asking George who we should be betting on with the Kentucky Derby. But Godspeed to you, George, in your retirement. I hope you enjoy it. Get your golf clubs and get that bag and travel.

Thank you, Mr. Speaker.

The SPEAKER. As Representative McCall reflected back so many years when he was 17, I was 23 when I first came to this chamber. George and I were fondly exchanging stories, because our first meaningful participation in the legislative process we began together in February of 1977, and if you thought this budget was tough, you should have been here in '77, and out of respect for Representative John Taylor, I am not going to tell any of those '77 budget battle stories.

But in passing, one thing that Representative McCall did not mention was George's distinguished military service while attending Dickinson Law School. He participated in the Dickinson College ROTC (Reserve Officers' Training Corps) program, and he spent 6 weeks in training in his first year of law school at Fort Knox, Kentucky – so maybe that is where he got his helpful hints on how to predict the Kentucky Derby – and the second year at Fort Indiantown Gap, and upon graduating law school, he entered the Army Reserves and continued his Reserve service for 20 distinguished years.

And, ladies and gentlemen, as I talked to George downstairs in my office, we reflected on some personal stories that we had, and I remember in 1980 I left the halls of this House. I had bigger and grander designs, which did not work out, and I came back in '82, but I remember everybody wishing me well as I walked out, and then I remember being alone with myself as I left this chamber. Please join me in sharing your personal stories with George so this last day is truly a memorable day.

Ladies and gentlemen, I present George Bedwick.

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

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Marsico	Ross
Argall	Galloway	McCall	Rubley
Baker	Geist	McGeehan	Sabatina
Barrar	George	McI. Smith	Sainato
Bastian	Gerber	McIlhattan	Samuelson
Bear	Gergely	Melio	Santoni
Belfanti	Gibbons	Mensch	Saylor
Benninghoff	Gillespie	Metcalfe	Scavello
Bennington	Gingrich	Micozzie	Schroder
Beyer	Goodman	Millard	Seip
Bianucci	Grell	Miller	Shapiro

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

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca	Godshall	Hess	Lentz
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

COMMEMORATIVE GAVEL PRESENTED

The SPEAKER. I present George with this ceremonial copy of the resolution and the ceremonial gavel so you remember us fondly for your many, many years of dedicated and loyal service.

GEORGE BEDWICK PRESENTED

The SPEAKER. George.

Mr. BEDWICK. Mr. Speaker, members of the House, and fellow staff people:

For those who know me, I really like to talk, but I am just totally overwhelmed right now.

Driving in this morning, I was thinking of the first day I started here and how privileged I felt at that time to be able to work for this particular institution. That feeling never left through the years, and as I was coming in today, I kind of reflected back and thought about what a privilege it was and what an honor it was, and all I can really say right now is, thank you, thank you for this and thank you for allowing me to serve you for the period of time I did.

Thank you very much.

REMARKS BY MR. GEIST

The SPEAKER. The Chair recognizes Representative Geist. Mr. GEIST. Thank you, Mr. Speaker.

I was trying to get recognized before to see if that resolution was debatable.

The SPEAKER. The resolution has already been voted on.

Mr. GEIST. George is just a great guy. I have known him since I came here in '78, and a wonderful guy, just the greatest guy to work with in this House, and we wish him all the very best in retirement. I hope he makes another \$10 million.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1044, PN 1642**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of the Municipal Police Officers' Education and Training Commission and for police training.

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

Mr. **PALLONE** offered the following amendment No. **A01628**:

Amend Title, page 1, line 4, by removing the period after "TRAINING" and inserting
; and providing for county park police.

Amend Bill, page 1, lines 9 and 10, by striking out all of said lines and inserting

Section 1. The definitions of "police department" and "police officer" in section 2162 of Title 53 of the Pennsylvania Consolidated Statutes are amended to read:

§ 2162. Definitions.

The following words and phrases when used in this subchapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

"Police department." Any of the following:

(1) A public agency of a political subdivision having general police powers and charged with making arrests in connection with the enforcement of the criminal or traffic laws. This paragraph includes the sheriff's office in a county of the second class.

(2) A campus police or university police department, as used in section 2416 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, certified by the Office of Attorney General as a criminal justice agency under the definition of "criminal justice agency" in 18 Pa.C.S.

§ 9102 (relating to definitions). This paragraph does not include a campus police or university police department of the State System of Higher Education and its member institutions.

(3) A railroad or street railway police department formed with officers commissioned under 22 Pa.C.S. Ch. 33 (relating to railroad and street railway police) or any prior statute providing for such commissioning.

(4) The Capitol Police.

(5) The Harrisburg International Airport Police.

(6) An airport authority police department.

(7) A county park police department.

"Police officer." Any of the following:

(1) A full-time or part-time employee assigned to criminal or traffic law enforcement duties of any of the following:

(i) A police department of a county, city, borough, town or township.

(ii) Any railroad or street railway police.

(iii) Any campus or university police department.

(iv) The Capitol Police.

(v) The Harrisburg International Airport Police.

(vi) An airport authority police department.

(2) A deputy sheriff of a county of the second class.

(3) A security officer of a first class city housing authority or a police officer of a second class city housing authority.

(4) A county park police officer.

The term excludes persons employed to check parking meters or to perform only administrative duties and auxiliary and fire police.

* * *

Section 2. Section 2164(1) of Title 53 is amended to read:

Amend Sec. 2, page 2, line 14, by striking out "2" and inserting 3

Amend Bill, page 2, by inserting after line 30

Section 4. Section 2168 of Title 53 is amended by adding a subsection to read:

§ 2168. Automatic certification.

* * *

(e) County park police.—Any county park police officer who has successfully completed the basic training course under this subchapter prior to the effective date of this subsection shall be assigned a certification number under this subchapter but shall be required to complete the in-service training as set forth in section 2164(7) (relating to powers and duties of commission).

Amend Sec. 3, page 3, line 1, by striking out "3" and inserting 5

On the question,

Will the House agree to the amendment?

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

Mr. PALLONE. Thank you, Mr. Speaker.

This amendment does nothing more than improve an already standing law that we passed back in November of 2004, which gave the county park police in a third-class county the ability to have law enforcement powers and authority. We basically gave them their badge, their gun, their uniform, and their jurisdictional limitations, but there is a component missing which requires them to have the MPOETC (Municipal Police Officers' Education and Training Commission) number, which gives them the ability to be able to actually issue citations.

Currently there is only one county park police department in Pennsylvania. It is in Westmoreland County. Anytime that they enforce any of the laws on county property, they have to call

either the local police department, Greensburg police because of the courthouse, or the local county detectives to make the actual arrest and issue the citation.

This particular component of two bills that otherwise passed and were signed into law back in 2004 will actually give the county park police the ability to be able to issue their own citations and appear in court and so forth for proper enforcement.

Thank you, Mr. Speaker.

The SPEAKER. Representative Cohen.

Mr. COHEN. Mr. Speaker, this is an agreed-to amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—141

Adolph	Gergely	McIlhattan	Saylor
Barrar	Gibbons	Melio	Seip
Bastian	Goodman	Mensch	Shapiro
Belfanti	Grucela	Micozzie	Shimkus
Benninghoff	Haluska	Millard	Siptroth
Bennington	Hanna	Miller	Smith, K.
Bianucci	Harhai	Moul	Smith, M.
Bishop	Harkins	Moyer	Smith, S.
Blackwell	Harper	Mundy	Solobay
Brennan	Harris	Murt	Staback
Buxton	Hennessey	Mustio	Stairs
Caltagirone	Hershey	Myers	Steil
Carroll	Hornaman	Nickol	Sturla
Casorio	James	O'Brien, M.	Surra
Causer	Josephs	O'Neill	Tangretti
Cohen	Keller, W.	Oliver	Taylor, J.
Conklin	Kenney	Pallone	Taylor, R.
Costa	Kessler	Parker	Thomas
Cruz	Killion	Pashinski	Vereb
Curry	King	Payton	Vitali
Daley	Kirkland	Petrarca	Wagner
Dally	Kortz	Petri	Walko
DePasquale	Kotik	Petrone	Wansacz
Dermody	Kula	Preston	Waters
DeWeese	Leach	Pyle	Watson
DiGirolamo	Levdansky	Quigley	Wheatley
Donatucci	Longiatti	Quinn	White
Eachus	Maher	Ramaley	Williams
Evans, D.	Mahoney	Raymond	Wojnaroski
Fabrizio	Manderino	Readshaw	Yewic
Fairchild	Mann	Roebuck	Youngblood
Frankel	Markosek	Rublely	Yudichak
Freeman	Marshall	Sabatina	
Galloway	McCall	Sainato	O'Brien, D.,
George	McGeehan	Samuelson	Speaker
Gerber	McI. Smith	Santoni	

NAYS—58

Argall	Evans, J.	Major	Reichley
Baker	Everett	Mantz	Roae
Bear	Fleck	Marsico	Rock
Beyer	Gabig	Metcalfe	Rohrer
Boback	Geist	Milne	Ross
Boyd	Gillespie	Nailor	Scavello
Brooks	Gingrich	Payne	Schroder
Cappelli	Grell	Peifer	Sonney
Civera	Harhart	Perry	Stern
Clymer	Helm	Perzel	Stevenson
Cox	Hickernell	Phillips	Swanger
Creighton	Hutchinson	Pickett	True
Cutler	Kauffman	Rapp	Turzai

Denlinger Keller, M. Reed Vulakovich
 Ellis Mackereth

NOT VOTING—0

EXCUSED—4

DeLuca Godshall Hess Lentz

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. REICHLEY offered the following amendment No. A02148:

Amend Title, page 1, line 4, by striking out "AND" and inserting a comma

Amend Title, page 1, line 4, by removing the period after "TRAINING" and inserting
and for powers of home rule charter counties;
and making an inconsistent repeal of the Sheriff Fee Act.

Amend Bill, page 2, by inserting after line 30

Section 3. Section 2962 of Title 53 is amended by adding a subsection to read:
§ 2962. Limitation on municipal powers.

* * *

(k) Sheriff fees.—A county which adopts a home rule charter may establish by ordinance the fees, including commissions and mileage, to be received by the sheriff of the county from a person or the county requiring services of the sheriff.

Section 4. Section 2 of the act of July 6, 1984 (P.L.614, No.127), known as the Sheriff Fee Act, is repealed insofar as it is inconsistent with the addition of 53 Pa.C.S. § 2962(k).

Amend Sec. 3, page 3, line 1, by striking out "3" and inserting
5

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

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

Mr. REICHLEY. Thank you, Mr. Speaker.

This amendment was prompted by a request from the Lehigh County Solicitor's Office representing the sheriffs. It specifically is limited to the, I believe, five home-rule-charter counties within Pennsylvania.

Under current law, in order for sheriff's fees to be either increased or decreased, it would require State legislation, and this would empower merely the five home-rule counties to have the ability, by ordinance of the county commissioners, to set the sheriff's fees within those particular counties. This does not mandate any kind of sheriff's fee increase or decrease. It specifically does not affect the county of the first class, Philadelphia, because I think Philadelphia already has this ability. So this does not affect any non-home-rule-charter counties and is really limited to just empowering the five

home-rule-charter counties to be able to have greater flexibility setting their own sheriff's fees.

Thank you, Mr. Speaker.
The SPEAKER. Representative Cohen.
Mr. COHEN. Thank you, Mr. Speaker.
Mr. Speaker, this amendment is agreed to.

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

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca Godshall Hess Lentz

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

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

Mr. FAIRCHILD offered the following amendment No. A02636:

Amend Sec. 2 (Sec. 2167), page 2, lines 23 through 26, by striking out "UPON RETURN TO SERVICE, THE COMMISSION MAY REQUIRE" in line 23, all of lines 24 and 25 and "COMMISSION DEEMS APPROPRIATE." in line 26

Amend Sec. 2 (Sec. 2167), page 2, line 30, by inserting after "APPROPRIATE"

in accordance with this chapter and 51 Pa.C.S. Ch. 75 (relating to professional and occupational licenses)

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

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

Mr. FAIRCHILD. Thank you, Mr. Speaker.

This amendment simply adds language which ensures the Municipal Police Officers' Education and Training Commission allows those returning veterans a period of up to 1 year to fulfill any outstanding police training requirements which they may have missed during their military deployment.

In closing, the Fraternal Order of Police supports my amendment, and I want to personally thank the prime sponsor of the bill for working with us to include this amendment in the bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is very relevant to the bill. I support the amendment.

As the prime sponsor of the amendment indicated, this amendment improves the wording of the bill, so it achieves its original goal of extending the period of time for those affected people who have served our country abroad to meet the police training requirements.

I strongly urge support of this amendment.

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

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Marsico	Ross
Argall	Galloway	McCall	Rubley
Baker	Geist	McGeehan	Sabatina
Barrar	George	McI. Smith	Sainato
Bastian	Gerber	McIlhattan	Samuelson
Bear	Gergely	Melio	Santoni
Belfanti	Gibbons	Mensch	Saylor
Benninghoff	Gillespie	Metcalfe	Scavello
Bennington	Gingrich	Micozzie	Schroder

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

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca	Godshall	Hess	Lentz
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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.)

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 487, PN 1411**, entitled:

An Act providing for notice of motor vehicle event data recorders and for information retrieval; imposing penalties; and providing for evidentiary rules.

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

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

(Bill analysis was read.)

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

Representative Harhai.

Mr. HARHAI. Thank you, Mr. Speaker.

HB 487 creates the Event Data Recorder Act to provide for information retrieval from an event data recorder in a motor vehicle.

An EDR is similar to black boxes used in commercial airliners. EDRs record what a car is doing. EDRs record information such as steering wheel movement, whether brakes were applied and the level of brake pressure, the speed of the vehicle, whether a seat belt was buckled, and the actual movement of the car itself. If there is a crash, the EDR stops and records that last several seconds of the operations of the vehicle leading up to the event.

EDRs were developed because the National Transportation Safety Board, NTSB, advocates the use of EDRs to improve transportation safety. By providing comprehensive data, EDRs assist safety researchers, accident investigators, and automotive designers in developing ways to reduce severity of vehicle accidents in the future.

However, most consumers do not know what an EDR is, let alone the fact that they probably have one in their vehicle and they record braking, speed, seat belt use, et cetera. According to the National Highway Traffic Safety Administration, 65 percent of model year 2005 vehicles were equipped with EDRs.

Unfortunately, like with all new technology, there are now incidents when the EDR data is being used for purposes beyond the original intent – namely, in court proceedings and in insurance matters.

My legislation requires that a vehicle manufacturer disclose that an event data recorder, EDR, exists in the vehicle. Additionally, EDR data would only be retrievable if the owner of the vehicle provides consent, a lawfully issued subpoena is produced, it is used for purposes of increasing vehicle safety, and the device is retrieved for the purpose of diagnosing or servicing the vehicle, or even the National Transportation Safety Board should make a request for the data as part of an accident investigation. It also provides the downloaded EDR data should not be used unless supported by other evidence in determining the cause of an accident.

Mr. Speaker, while technology brings advancements and benefits, evidence has shown that EDR data is not always reliable and as a result should not be used unless supported by other evidence in determining the cause of an accident. Let me give you an example.

In 2004 Maine Gov. John Baldacci was involved in an accident in his State-owned SUV (sport-utility vehicle) when the car, driven by a State Police detective, hit an ice patch while passing a slower car and caused both vehicles to spin off the highway. Although the EDR indicated the SUV was traveling 71 miles per hour before the air bag deployed, the detective driving the car claimed the speedometer showed 55 miles

per hour, a number that was closer to the 55-65 miles per hour that police investigators estimated based on physical evidence at the scene. The EDR also indicated that the Governor was not buckled in, although Baldacci and his driver disputed this. Medical personnel who treated the Governor also said his injuries, which included a broken rib, were consistent with someone wearing a seat belt.

A similar case recently happened in Westmoreland County, in my district, Mr. Speaker. A gentleman was charged with vehicular homicide in a crash caused by a freak snow squall that killed his pregnant wife and another driver. With no skid marks or air bag deployment, the Commonwealth of Pennsylvania proceeded to prosecute this man for two felony counts of homicide by vehicle with information obtained from the EDR. The EDR said the man was traveling at a speed of 58 miles per hour 5 seconds before the accident and 51 miles per hour 1 second before the accident. The Pennsylvania State Police accident reconstruction expert— Mr. Speaker? Mr. Speaker? May I have a little—

The SPEAKER. The gentleman is entitled to order. Caucuses in the side aisles will break up; caucuses in the center aisles. Members will take their seats.

The gentleman is in order and may proceed.

Mr. HARHAI. Thank you, Mr. Speaker.

The PA State Police accident reconstruction expert, using crunch factor calculations, determined the speed at the time of impact to be between 30 and 40 miles per hour. Again, the air bags did not deploy, but State and local police were convinced that the EDR was accurate and used it as the sole piece of evidence claiming reckless driving caused the accident. After being released from the hospital and attending to the funerals of his wife and unborn son, the gentleman was arrested. Thankfully, Mr. Speaker, the gentleman's attorney learned that the EDR in the vehicle was subject to a recall. He also learned that there are no Federal or Pennsylvania guidelines regulating the use, disclosure, calibration, installation, or removal of EDRs. Thankfully, the gentleman was acquitted, but only after a very expensive trial defending himself against faulty technology that he most likely had no idea was even in his vehicle in the first place.

Finally, Mr. Speaker, limited tests of EDRs have indicated that if power to an EDR is lost during the crash, the device may not record all data or could falsely record seat belt data. The vehicle's speed can also be recorded inaccurately if the car is airborne during an accident, rolls over, or loses a wheel from the drive axle.

Mr. Speaker, HB 487, long overdue, is a good consumer protection bill that alerts and protects consumers from having well-intentioned technology used against them without their consent and requires additional evidence to prove that the technology is in fact accurate.

I ask for an affirmative vote on my legislation, Mr. Speaker, and I thank you very much.

The SPEAKER. Representative Reichley.

Mr. REICHLEY. Would the prime sponsor of the bill stand for brief interrogation, Mr. Speaker?

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

Mr. REICHLEY. Thank you, Mr. Speaker.

Let me just preface my questions by saying I fully understand and sympathize with the intentions of the prime sponsor.

Mr. Speaker, would you be able to describe for the members of the House if similar legal provisions are in place in the States surrounding Pennsylvania with regard to the EDRs?

Mr. HARHAI. There are roughly between 11 to 13 States that do have it. Surrounding Pennsylvania, I do not believe anyone, to my knowledge, has that at this point.

Mr. REICHLEY. Okay. So if this legislation was to become law as it stands today, there is not a concurrent obligation upon New Jersey drivers, for instance, to have an EDR in place and to have driving activity which could be downloaded from such a device?

Mr. HARHAI. Currently the Federal government is establishing the regulations, but all we want to do is to let people know that the data is within the vehicle. I do not think any State has anything presently, but I know that multiple States, in the neighborhood of 20 to 30 States, are working on similar legislation, but the Federal government really rules the roost on this issue.

Mr. REICHLEY. Okay. And, Mr. Speaker, I believe that – and I cannot see my computer screen from here – but I think you have certain requirements specified where the information is downloadable; for instance, with a subpoena. Is that correct?

Mr. HARHAI. I am sorry. Could you repeat that, please.

Mr. REICHLEY. The bill prohibits the downloading or the retrieval of data unless one of the following conditions applies, and you have six different elements built into that. Is that correct?

Mr. HARHAI. Yes, sir.

Mr. REICHLEY. And one of those is that a subpoena is lawfully issued; number two, I think. Is that correct?

Mr. HARHAI. Yes.

Mr. REICHLEY. When you are referring to a subpoena, are you including a subpoena duces tecum, which is provided for under the Rules of Civil Procedure?

Mr. HARHAI. Yes.

Mr. REICHLEY. Mr. Speaker, would the scenario then be in a motor vehicle accident where a civil suit is initiated, the plaintiff's attorney or the defendant's attorney could serve a subpoena duces tecum upon the opposing party to get the downloadable information or the retrieved information from the EDR?

Mr. HARHAI. What we are looking at is all parties being given equal footing on being able to get the information – insurance, law enforcement, the owner of the vehicle – and that was the biggest point. The owner of the vehicle at one point did not have the ability to get that information, but they paid for the vehicle in the beginning.

Mr. REICHLEY. I understand the response, Mr. Speaker, but I think my question was, in a civil lawsuit, would the information from one party to another be obtained merely upon the service of a subpoena duces tecum, which is more or less a subpoena for production of records and documents?

Mr. HARHAI. Yes, it would.

Mr. REICHLEY. Would you agree, Mr. Speaker, that such a subpoena under the Rules of Civil Procedure does not in fact require a judicial signature or any review of the merits of the request by an independent party?

Mr. HARHAI. The court itself could rule that it is inadmissible. That would be a ruling on their part.

Mr. REICHLEY. And I notice you were speaking with the gentleman, Mr. Longietti, who I know has experience as a lawyer, particularly in civil matters. Mr. Speaker, I take it,

though, that the courts ruling on any question of admissibility would be after the fact that the information has actually been obtained by the lawyers in the civil suit merely by means of a subpoena duces tecum.

Mr. HARHAI. I do not know if this is answering your question or not, Mr. Speaker, but we had help from the trial lawyers to get the verbiage correct in order to avoid any conflict, and that is what we based this upon. I do not know if that helps you or it does not.

Mr. REICHLEY. No. I think it is helpful, Mr. Speaker. I appreciate that.

My final question, Mr. Speaker, would be, does your legislation enable a private vehicle purchaser to go to the dealership to say, I want you to disconnect this device?

Mr. HARHAI. At no time can you disconnect the EDR. As a matter of fact, if you did disconnect it, nothing would operate because it is so entwined and entrenched with the actual operation of the vehicle. It is not just a mere unplugging. It is tied into the computer and everything else that goes with it.

Mr. REICHLEY. Mr. Speaker, what would happen in the situation, as with many members in the General Assembly, where a vehicle which is from the Commonwealth pool of vehicles is operated by a member of the House? Who is the possessor of the EDR information?

Mr. HARHAI. That information is owned by the Commonwealth.

Mr. REICHLEY. So not the driver?

Mr. HARHAI. Not the driver himself or herself.

Mr. REICHLEY. All right. Thank you, Mr. Speaker.

That is the extent of the questions I have. May I speak briefly on the bill, Mr. Speaker?

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

Mr. REICHLEY. Thank you, Mr. Speaker.

As I mentioned before, I completely understand the sentiments of the prime sponsor of the legislation and understand that in consultation with the Trial Lawyers Association, they sought to draft language which creates an equal-footing situation for each party in the civil litigation.

Let me just bring to the attention of the members that under the answers provided and under the language of the legislation, under rule 4009.26 of the Civil Rules of Procedure, all that is merely necessary to obtain this information in a civil lawsuit is for the service of subpoena duces tecum, a subpoena for records and documents. That in and of itself does not require an evaluation by a judge to determine if there is a legitimacy to this request or to overcome any privacy interests that the operator of the vehicle would have within this lawsuit. It is different than a search warrant in a criminal procedure where a judge or district judge is making an evaluation if there is a reasonable set of facts described to overcome the privacy interests of an individual. It is different than a service of a witness subpoena, which in criminal situations also would enter documents that would have to undergo an examination by a judge. So what you have is a situation where the interests of each party in a civil suit have sort of fallen to the interests of the trial lawyers in obtaining as much information as possible.

The last point I would raise is that the gentleman I think was very honest in admitting that this is a matter being reviewed at the Federal level and that many States are considering legislation like this. Let me just throw out a scenario there. Sometime during the course of the year Pennsylvania drivers would be going to the Jersey shore. They get into a car accident,

and this legislation is in effect which would allow the New Jersey plaintiff's attorney to request the EDR information from the Pennsylvania driver but no concurrent obligation exists on the New Jersey driver. So you are placing the Pennsylvania resident at a disadvantage in going out of State and potentially being involved in a motor vehicle situation. The same thing would apply to Maryland; the same thing would apply to the District of Columbia, Ohio, New York.

So these are some factors which the members of the General Assembly may want to consider when voting on the legislation. Thank you.

Mr. HARHAI. Mr. Speaker?

The SPEAKER. Are there any other members seeking recognition on final passage before the Chair recognizes the prime sponsor?

Seeing none, the Chair recognizes Representative Harhai.

Mr. HARHAI. Thank you, Mr. Speaker.

I just had one final message. I wanted to thank Chairman Joe Preston of the Consumer Affairs Committee and his staff for their help with this bill; also Chairman Joe Markosek of the Transportation Committee and his staff. AAA (American Automobile Association) and Mr. Ted Leonard were very instrumental in helping me through.

This bill has gone on or been through the works for about 2 to 3 to possibly even 4 years, and I want to thank former Representative Kevin Blaum, who kind of got me turned on to this bill and thought it was a good cause for consumer knowledge, and I am just happy to be able to kind of push it through. So I want to thank you again.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—150

Adolph	Fabrizio	Mann	Santoni
Argall	Fairchild	Markosek	Saylor
Baker	Fleck	Marshall	Scavello
Barrar	Frankel	McCall	Seip
Bastian	Freeman	McGeehan	Shapiro
Bear	Galloway	McI. Smith	Shimkus
Belfanti	Geist	McIlhattan	Siptroth
Bennington	George	Melio	Smith, K.
Bianucci	Gerber	Micozzie	Smith, M.
Bishop	Gergely	Millard	Solobay
Blackwell	Gibbons	Miller	Staback
Boback	Gingrich	Moyer	Stairs
Boyd	Goodman	Mundy	Steil
Brennan	Grucela	Murt	Sturla
Buxton	Haluska	Myers	Surra
Caltagirone	Hanna	O'Brien, M.	Swanger
Carroll	Harhai	O'Neill	Tangretti
Casorio	Harkins	Oliver	Taylor, J.
Civera	Harper	Pallone	Taylor, R.
Clymer	Hennessey	Parker	Thomas
Cohen	Hickernell	Pashinski	True
Conklin	Hornaman	Payton	Vereb
Costa	James	Perzel	Vitali
Cruz	Josephs	Petrarca	Wagner
Curry	Keller, W.	Petrone	Walko
Cutler	Kenney	Phillips	Wansacz
Daley	Kessler	Preston	Waters
Dally	Killion	Quigley	Watson

Denlinger	King	Quinn	Wheatley
DePasquale	Kirkland	Ramaley	White
Dermody	Kortz	Raymond	Williams
DeWeese	Kotik	Readshaw	Wojnaroski
DiGirolamo	Kula	Roebuck	Yewcic
Donatucci	Leach	Ross	Youngblood
Eachus	Levdansky	Rubley	Yudichak
Ellis	Longiotti	Sabatina	
Evans, D.	Mahoney	Sainato	O'Brien, D.,
Evans, J.	Manderino	Samuelson	Speaker

NAYS—49

Benninghoff	Helm	Milne	Reed
Beyer	Hershey	Moul	Reichley
Brooks	Hutchinson	Mustio	Roae
Cappelli	Kauffman	Nailor	Rock
Causer	Keller, M.	Nickol	Rohrer
Cox	Mackereth	Payne	Schroder
Creighton	Maher	Peifer	Smith, S.
Everett	Major	Perry	Sonney
Gabig	Mantz	Petri	Stern
Gillespie	Marsico	Pickett	Stevenson
Grell	Mensch	Pyle	Turzai
Harhart	Metcalf	Rapp	Vulakovich
Harris			

NOT VOTING—0

EXCUSED—4

DeLuca	Godshall	Hess	Lentz
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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.

SENATE MESSAGE

RECESS RESOLUTION
FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate,
September 24, 2007

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Regular Session of the Senate recesses this week, it reconvene on Monday, October 1, 2007, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Regular Session of the House of Representatives recesses this week, it reconvene on Monday, October 1, 2007, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

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

HB 1065, PN 1302 By Rep. CALTAGIRONE

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

JUDICIARY.

HB 1068, PN 1305 By Rep. CALTAGIRONE

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, providing for Supplement Safe Neighborhoods Program and for powers and duties of Pennsylvania Commission on Crime and Delinquency; establishing the Supplement Safe Neighborhoods Fund; and making an appropriation.

JUDICIARY.

HB 1563, PN 1962 By Rep. CALTAGIRONE

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further defining "police department" and "police officer" for purposes of municipal police training and education.

JUDICIARY.

ANNOUNCEMENT BY MR. GRUCELA

The SPEAKER. The Chair recognizes Representative Grucela for the purpose of an announcement.

Members will take their seats.

Representative Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, if I may have the attention of the members of the House.

The SPEAKER. Members will please take their seats and hold their conversations to a minimum. The gentleman may proceed.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, one of our colleagues, Representative Tony Melio, and his lovely wife, Anna May, have celebrated their 50th wedding anniversary, and on behalf of the House, Representative Tom Tangretti and I would like to present Representative Melio with this citation for having reached this milestone.

Mr. TANGRETTI. I just want to add my personal congratulations to Tony and Anna May, whom he refers to as his "speaker of the house," by the way. Fifty more, Tony. God bless you.

The SPEAKER. Representative Melio, congratulations.

Mr. MELIO. You know, you are not going to believe this, but when I go home, I have to genuflect, and when I want to speak, I have to raise my hand. And one thing I can say is, my wife is going straight to heaven, without any stops, to put up with me the way she has. God bless her. So I just say to all you guys, try to be nice to your wives and try to love them dearly, because without them, you are nothing.

And thank you so much for this great honor.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair would like to direct the members' attention to the left side of the podium and welcome our former colleague, Representative Nick Colafella, back to the House of Representatives.

**HEALTH AND HUMAN SERVICES
COMMITTEE MEETING**

The SPEAKER. For what purpose does the gentleman, Representative Oliver, rise?

Mr. OLIVER. Mr. Speaker, at the call of the recess, the Health and Human Services Committee shall be meeting in room 60E.

The SPEAKER. The Chair thanks the gentleman.

The Health and Human Services Committee will meet in room 60E at the recess.

For the information of the members, we have some housekeeping that we have to do and we will proceed to special session.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Representative Evans.

Mr. D. EVANS. Mr. Speaker, at 1:30 the House Appropriations Committee will meet in the majority caucus room; at 1:30 the House Appropriations Committee.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Appropriations Committee will meet in the majority caucus room at 1:30.

Any other announcements?

DEMOCRATIC CAUCUS

The SPEAKER. Representative Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the caucus that was originally scheduled for 12:30 will now be at 2 o'clock; 2 o'clock Democratic caucus today. In addition, there will be a Democratic caucus at 10:30 a.m. tomorrow.

REPUBLICAN CAUCUS

The SPEAKER. Representative Major.

Miss MAJOR. Thank you, Mr. Speaker.

The Republicans will caucus tomorrow at 10:30. There was no need for a caucus this afternoon for Republicans, but we will caucus tomorrow morning at 10:30.

Thank you.

The SPEAKER. The Chair thanks the lady.

Further announcements?

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1649, PN 2124**, entitled:

An Act providing for fluoridation of public water.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1649 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1649 be removed from the tabled bill calendar and placed on the active calendar.

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

BILL ON FINAL PASSAGE POSTPONED

The House proceeded to consideration on final passage postponed of **HB 1170, PN 1912**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for attendance in other school districts and for attendance of nonresident pupils.

On the question recurring,
Shall the bill pass finally?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1170 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1170 be removed from the tabled bill calendar and placed on the active calendar.

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

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 983, PN 1980**, entitled:

An Act amending the act of January 19, 1967 (1968, P.L.992, No.442), entitled "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for acquisition of interests in real property, for local taxing options and for exercise of eminent domain.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 983 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTIONS

Mr. DeWEESE called up **HR 109, PN 1530**, entitled:

A Resolution establishing and directing a select committee to examine matters relating to the shortage of health care professionals in this Commonwealth.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 109 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 109 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. DeWEESE called up **HR 112, PN 817**, entitled:

A Resolution directing the Department of Environmental Protection to identify and implement policies which encourage the use of current electronic waste recycling programs and expand existing programs.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 112 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 112 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. DeWEESE called up **HR 268, PN 1523**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to contract for an independent study of the Pennsylvania Game Commission's forestry and mineral development policies.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 268 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 268 be removed from the tabled bill calendar and placed on the active calendar.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bill be recommitted to the Committee on Appropriations: HB 1044.

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

The SPEAKER. The House will convene special session at 12:26.

RECESS

The SPEAKER. 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.

THE SPEAKER PRO TEMPORE (JOSEPH A. PETRARCA) PRESIDING

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1788, PN 2500 (Amended) By Rep. OLIVER

An Act requiring the Department of Public Welfare to prepare and submit a report on licensing of personal care homes.

HEALTH AND HUMAN SERVICES.

BILLS REREPORTED FROM COMMITTEE

HB 174, PN 2187 By Rep. D. EVANS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a special registration plate for veterans and members of United States military airborne units.

APPROPRIATIONS.

HB 281, PN 2188 By Rep. D. EVANS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for pedestrians soliciting rides or business.

APPROPRIATIONS.

HB 885, PN 1039 By Rep. D. EVANS

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for the implementation and coordination of advanced multimodal traveler information through 511 service and other means and for powers and duties of the Department of Transportation.

APPROPRIATIONS.

HB 982, PN 2498 (Amended) By Rep. D. EVANS

An Act establishing the Code Enforcement Challenge Grant Program; and providing for the powers and duties of the Department of Community and Economic Development.

APPROPRIATIONS.

HB 1067, PN 1911 By Rep. D. EVANS

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

APPROPRIATIONS.

HB 1147, PN 1396 By Rep. D. EVANS

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

APPROPRIATIONS.

HB 1308, PN 1841 By Rep. D. EVANS

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

APPROPRIATIONS.

HB 1320, PN 2499 (Amended) By Rep. D. EVANS

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

APPROPRIATIONS.

HB 1377, PN 1998 By Rep. D. EVANS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for possession and use of asthma inhalers.

APPROPRIATIONS.

HB 1604, PN 2043 By Rep. D. EVANS

An Act designating a portion of State Route 145 in Northampton County as the Battle of the Bulge Veterans Memorial Highway.

APPROPRIATIONS.

HB 1691, PN 2225 By Rep. D. EVANS

An Act authorizing the Department of Conservation and Natural Resources, Department of Transportation, Department of Environmental Protection and Philadelphia Regional Port Authority, on behalf of the Commonwealth, to agree to hold and save the United States Army Corps of Engineers free from certain damages arising from certain construction projects.

APPROPRIATIONS.

HB 1795, PN 2448 By Rep. D. EVANS

An Act designating the Powell Avenue Bridge on State Route 299 in Millcreek Township, Erie County, Pennsylvania, as the Staff Sergeant Jeremy R. Horton Memorial Bridge.

APPROPRIATIONS.

SB 779, PN 875 By Rep. D. EVANS

An Act designating a portion of State Route 462 in Lancaster County as the Pennsylvania State Police Trooper Robert D. Lapp, Jr., Memorial Highway.

APPROPRIATIONS.

The SPEAKER pro tempore. Those bills will be placed on the calendar.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1438 By Representatives SEIP, GOODMAN, ARGALL, HERSHEY, HORNAMAN, McCALL, REICHLEY and YOUNGBLOOD

An Act amending the act of June 26, 1931 (P.L.1379, No.348), referred to as the Third Class County Assessment Board Law, further providing for appeals by corporate authorities.

Referred to Committee on LOCAL GOVERNMENT, September 25, 2007.

No. 1439 By Representatives SEIP, GOODMAN, ARGALL, HERSHEY, HORNAMAN, McCALL, REICHLEY and YOUNGBLOOD

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class and Selective County Assessment Law, further providing for appeals by municipalities.

Referred to Committee on LOCAL GOVERNMENT, September 25, 2007.

No. 1440 By Representatives SEIP, CALTAGIRONE, GOODMAN, GRUCELA, HERSHEY, HORNAMAN, KULA, MAHONEY, MURT, SWANGER, VULAKOVICH and PASHINSKI

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for prohibition on transfers from the State Gaming Fund.

Referred to Committee on FINANCE, September 25, 2007.

No. 1441 By Representatives SEIP, CALTAGIRONE, GOODMAN, GRUCELA, HERSHEY, HORNAMAN, KULA, MAHONEY, MURT, SWANGER and VULAKOVICH

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for transfers from State Gaming Fund.

Referred to Committee on FINANCE, September 25, 2007.

No. 1442 By Representatives SEIP, GOODMAN, BLACKWELL, BOYD, BUXTON, CARROLL, COX, EACHUS, FREEMAN, HARHAI, MAHONEY, McCALL, PASHINSKI, PRESTON, PYLE, SAINATO, SHAPIRO, SHIMKUS, SOLOBAY, TANGRETTI, R. TAYLOR and YUDICHAK

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for raffle for free lifetime fishing licenses.

Referred to Committee on GAME AND FISHERIES, September 25, 2007.

No. 1443 By Representatives SEIP, GOODMAN, BLACKWELL, BOYD, BUXTON, CARROLL, COX, EACHUS, FREEMAN, HARHAI, MAHONEY, McCALL, PASHINSKI, PRESTON, PYLE, R. TAYLOR, SAINATO, SHAPIRO, SHIMKUS, SOLOBAY, TANGRETTI and YUDICHAK

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for raffle for free lifetime combination hunting and furtaking licenses.

Referred to Committee on GAME AND FISHERIES, September 25, 2007.

No. 1444 By Representatives BENNINGHOFF, BAKER, BEAR, BOBACK, BOYD, BROOKS, CALTAGIRONE, CLYMER, CREIGHTON, DALEY, DeLUCA, EVERETT, FAIRCHILD, FLECK, GEIST, GINGRICH, GOODMAN, GRELL, HARRIS, HENNESSEY, HERSHEY, JAMES, KILLION, KOTIK, MACKERETH, MAHONEY, MAJOR, MARSHALL, MENSCH, METCALFE, MILLARD, MOUL, MOYER, MUSTIO, PETRARCA, PICKETT, PYLE, READSHAW, ROHRER, RUBLEY, SAINATO, SOLOBAY, SONNEY, R. STEVENSON, SWANGER, J. TAYLOR, TURZAI, WANSACZ, WATSON and YOUNGBLOOD

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

Referred to Committee on FINANCE, September 25, 2007.

No. 1445 By Representatives BAKER, HERSHEY, HENNESSEY, CAUSER, COHEN, DeLUCA, FLECK, FRANKEL, FREEMAN, GILLESPIE, GINGRICH, HELM, KOTIK, MACKERETH, MAHONEY, MARSHALL, MOYER, MURT, PAYNE, PETRONE, REICHLEY, SAYLOR, SIPTROTH, SOLOBAY, VULAKOVICH, WATSON, J. WHITE and WOJNAROSKI

An Act relating to the rights of consumers who purchase or lease used motor vehicles with certain nonconformities; providing for the duties of dealers of used motor vehicles; and establishing a civil cause of action.

Referred to Committee on CONSUMER AFFAIRS, September 25, 2007.

No. 1446 By Representatives MELIO, BELFANTI, BRENNAN, CURRY, GRUCELA, HENNESSEY, KORTZ, KOTIK, MANN, MURT, M. O'BRIEN, O'NEILL, PETRONE,

ROEBUCK, SCAVELLO, SHIMKUS, THOMAS, YOUNGBLOOD and SIPTROTH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for accessibility of parking spaces for persons with disabilities.

Referred to Committee on TRANSPORTATION, September 25, 2007.

No. 1447 By Representatives SIPTROTH, BELFANTI, CALTAGIRONE, CAPPELLI, CARROLL, COHEN, FLECK, GOODMAN, HARHAI, HARKINS, HERSHEY, JAMES, JOSEPHS, KOTIK, KULA, LONGIETTI, MAHONEY, MANN, McGEEHAN, MELIO, PAYNE, PETRONE, READSHAW, SANTONI, SCAVELLO, SOLOBAY, SWANGER, VULAKOVICH, WALKO, WHEATLEY, SHIMKUS, YOUNGBLOOD, GRUCELA and R. MILLER

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for short title and for definitions; and expanding the scope of the act to include motorcycles and motor homes.

Referred to Committee on CONSUMER AFFAIRS, September 25, 2007.

No. 1448 By Representatives FRANKEL, BENNINGTON, BEYER, BISHOP, BOYD, BUXTON, CALTAGIRONE, COHEN, COSTA, CURRY, DALEY, DENLINGER, DePASQUALE, FABRIZIO, FAIRCHILD, FREEMAN, GERGELY, GOODMAN, GRELL, HARKINS, HENNESSEY, HORNAMAN, JAMES, JOSEPHS, KING, KOTIK, KULA, LEVDANSKY, LONGIETTI, MAHONEY, MARKOSEK, McILHATTAN, MELIO, MENSCH, MUNDY, NAILOR, M. O'BRIEN, O'NEILL, PETRONE, RAPP, REICHLEY, SIPTROTH, SOLOBAY, SWANGER, VULAKOVICH, WALKO, WHEATLEY, J. WHITE, YOUNGBLOOD and MURT

An Act amending the act of April 28, 1999 (P.L.24, No.3), known as the Mental Health or Mental Retardation Facility Closure Act, providing for proceeds derived from facility disposition; and establishing the Mental Health Community Services Trust Fund and the Mental Retardation Community Services Trust Fund.

Referred to Committee on HEALTH AND HUMAN SERVICES, September 25, 2007.

No. 1449 By Representatives YEWIC, BELFANTI, BAKER, BARRAR, BOBACK, BRENNAN, CALTAGIRONE, CAPPELLI, CARROLL, CAUSER, CONKLIN, SURRA, CUTLER, EVERETT, FLECK, FREEMAN, GEIST, GEORGE, GIBBONS, GOODMAN, GRUCELA, HENNESSEY, HESS, KING, YOUNGBLOOD, YUDICHAK, KULA, LENTZ, MANTZ, MARKOSEK, McILVAINE SMITH, MELIO, MICOZZIE, MUSTIO, NAILOR, M. O'BRIEN, O'NEILL, PETRI, PETRONE, PHILLIPS, RAMALEY, RAPP, REICHLEY, SAINATO, SCAVELLO, SOLOBAY, SWANGER, THOMAS, VEREB, WAGNER and WATSON

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, further providing for the definition of "income."

Referred to Committee on FINANCE, September 25, 2007.

No. 1450 By Representatives REICHLEY, VEREB, TURZAI, BENNINGHOFF, BOYD, CAPPELLI, CLYMER, CREIGHTON, CUTLER, DALLY, EVERETT, GEIST, HUTCHINSON, KAUFFMAN, KORTZ, MAJOR, McILHATTAN, METCALFE, R. MILLER, MOYER, MURT, NAILOR, O'NEILL, PEIFER, PETRONE, PYLE, QUIGLEY, RAPP, ROAE, SCAVELLO, SCHRODER, S. H. SMITH, STERN, SWANGER, VULAKOVICH, WATSON, GINGRICH and MARSICO

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for general and specific powers of the board, for slot machine license applications, for additional slot machine license requirements, for duty of licensees, key employees and gaming employees, for gross terminal revenue deductions, for itemized budget reporting, for investigations and enforcement, for the duty of the Pennsylvania State Police to provide criminal history background investigations, for submission of fingerprints and photographs and for reimbursement of the Pennsylvania State Police for costs incurred in conducting investigations.

Referred to Committee on GAMING OVERSIGHT, September 25, 2007.

No. 1451 By Representatives REICHLEY, ARGALL, BARRAR, BRENNAN, CARROLL, EVERETT, FLECK, GEIST, GIBBONS, HELM, HENNESSEY, HERSHEY, HESS, HORNAMAN, KILLION, LONGIETTI, MELIO, R. MILLER, MILNE, O'NEILL, PEIFER, PETRONE, RAPP, ROAE, SABATINA, SAYLOR, SCAVELLO, SEIP, SIPTROTH, SONNEY, VEREB, YOUNGBLOOD and GINGRICH

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

Referred to Committee on JUDICIARY, September 25, 2007.

No. 1452 By Representatives REICHLEY, BAKER, BARRAR, BRENNAN, CALTAGIRONE, EVERETT, GEIST, GOODMAN, HARPER, HELM, HENNESSEY, KULA, MAJOR, R. MILLER, MILNE, O'NEILL, PEIFER, RAPP, SAYLOR, SCAVELLO, SIPTROTH, VEREB, YOUNGBLOOD and GINGRICH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for limitations period for certain criminal offenses.

Referred to Committee on JUDICIARY, September 25, 2007.

No. 1850 By Representatives TURZAI, METCALFE, RAMALEY, VULAKOVICH, BIANCUCCI, BRENNAN, CAPPELLI, CIVERA, CLYMER, CREIGHTON, DALLY, EVERETT, FRANKEL, GEIST, GILLESPIE, GINGRICH, GRUCELA, HELM, HENNESSEY, HESS, HORNAMAN, KAUFFMAN, KENNEY, KOTIK, KULA, MAJOR, MANTZ, McILHATTAN, MENSCH, MICOZZIE, MILNE, MOYER, O'NEILL, PETRONE, QUIGLEY, RAPP, READSHAW, REICHLEY, RUBLEY, SIPTROTH, SOLOBAY, VEREB, WATSON, J. WHITE, BEAR, PAYNE and WOJNAROSKI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for schedule of convictions and points, for general requirements for braking systems and for safety requirements for towed vehicles.

Referred to Committee on TRANSPORTATION, September 25, 2007.

The SPEAKER pro tempore. Is there any further business before the House?

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Scavello from Monroe County, who moves that this House do now adjourn until Wednesday, September 26, 2007, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:23 p.m., e.d.t., the House adjourned.