

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 23, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 93

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER PRO TEMPORE (RONALD I. BUXTON) PRESIDING

#### PRAYER

The SPEAKER pro tempore. The prayer will be offered by Pastor Charles Milliken, the guest of Representative Perry.

REV. CHARLES MILLIKEN, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Dear Heavenly Father, Lord God Almighty, we come to seek Your blessing on this Tuesday's session. Grant us wisdom from Your Word, give us understanding by Your Holy Spirit, and fill us with Your love in Christ Jesus.

As we begin this morning, may our decisions reflect Your mind and not our shortsightedness. May our choices, even from committee or in caucus, radiate Your love to others and not our own selfish ambitions or greed. Thank You for the steps to the Ethics Committee reforms yesterday. Now let our newly passed rules be reflected in our actions. May our voting follow Your will for our lives as one nation under God.

Thank You for the health and the strength that allows us to work together on the agenda set before us today. As elected officials may we be sensitive and responsive to the needs and the concerns of all the people who have given us their trust. Keep us focused on serving You, God, and we give You thanks for the privilege and the opportunity of faithfully serving all the people of this Commonwealth.

Lord, give grace to us, give us wisdom, give us understanding and compassion. As Your servants, help us to exercise our responsibilities today. We pray this in the name of the Father and of the Son and of the Holy Spirit, in Jesus' 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 Monday, October 22, 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 of absence on the Democrat side? Leave is requested for the day for the gentleman from Westmoreland, Mr. PALLONE. Without objection, leave will be granted.

Are there any leaves of absence on the Republican side? The lady from Chester, Mrs. RUBLEY, has requested leave for the day. Without objection, leave is granted.

Will members please report to the floor. We are about to take the master roll.

#### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—200

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Keller, W. Pallone Rubley

LEAVES ADDED—3

Kirkland Oliver Preston

LEAVES CANCELED—1

Rubley

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

### GUESTS INTRODUCED

The SPEAKER pro tempore. Please welcome, as guests of Representatives Scavello, Sipthroth, Carroll, Peifer, Grucela, and Daley, a group of homeschooled children and their parents from the Pocono Mountain area. They are guests seated in the gallery. Will they please rise, please.

Serving as a guest page today is Jennifer Hoover, a senior at Chestnut Ridge High School in Bedford County. Jennifer plans on attending college next fall and is a constituent of Representative Dick Hess. Would Jennifer please rise.

Representative Jay R. Moyer would like to welcome to the House of Representatives a group of seniors from Meadowood Retirement Community, who are visiting the Capitol. They are seated in the gallery, and if they could please rise to be recognized. Please rise.

Seated in the back of the House is a constituent of Representative Dan Surra from St. Marys, Pennsylvania. Rachel Bauer is a student in the fourth grade at St. Marys Area Elementary and is a winner of the statewide Renewable Energy Poster Contest that was held by the Pennsylvania Waste Industries Association. The contest was open to Pennsylvania

students in grades K through 12 and concluded September 21, focusing on the benefits of having a green energy in the community. She was 1 out of over 1100 entries from the elementary, middle, and high school students across the Commonwealth. Her winning entry focused on the practice of converting trash into energy. Rachel is joined by her parents, Lisa and Steve Bauer. Steve is a high school physics teacher and inspired her entry. Rachel, please stand and be recognized.

Representative Geist would like to welcome and recognize Courtney Langensiepen, who is the first-place winner of the middle school division in the Pennsylvania Waste Industries Association's Poster Contest regarding green energy. Courtney is an eighth grade student at Great Commission Schools in Altoona, Blair County. She is accompanied today by her parents, Karl and Amy Langensiepen, and brother, Lance, who are seated in the back of the House. Please join me in congratulating Courtney for her outstanding accomplishments. Courtney.

Nina Fleegle from Hawley, Pennsylvania, is the high school winner of the Pennsylvania Waste Industries Association's Poster Contest. Entrants were asked to spread the word about the importance of renewable energy. They were challenged to highlight the benefits of having green energy in the community while using the theme of the contest "Green Energy...It's Energizing PA!" She and her parents, Chris and Dawn Harkins, are seated in the rear of the House. Please rise and be recognized.

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

**HB 934, PN 1100**

By Rep. GEORGE

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further providing for powers and duties of counties.

ENVIRONMENTAL RESOURCES AND ENERGY.

### LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip, who requests leave for the gentleman from Philadelphia, Representative OLIVER, and the gentleman from Allegheny, Representative PRESTON. Without objection, leaves will be granted.

### RECONSIDERATION MOTION FILED

The SPEAKER pro tempore. The Chair recognizes receipt of a reconsideration motion filed by Representative Josephs and Representative Evans, Dwight Evans, by which HB 1179, PN 1848, was defeated on the 15th day of October be reconsidered.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1935** By Representatives CASORIO, BRENNAN, KOTIK, KULA, McILHATTAN, SIPTHROTH, SOLOBAY and YOUNGBLOOD

An Act amending the act of June 5, 1941 (P.L.84, No.45), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns and townships of the first class maintaining a police force of not less than three members; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expense on boroughs, incorporated towns and townships of the first class; imposing penalties, and repealing inconsistent laws," further providing for removals, suspensions or reductions in rank of police officers.

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

**No. 1936** By Representatives CASORIO, BRENNAN, KOTIK, KULA, McILHATTAN, SIPTROTH, SOLOBAY and YOUNGBLOOD

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for removals from the police or fire force.

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

**No. 1937** By Representatives CASORIO, BRENNAN, KOTIK, KULA, McILHATTAN, SIPTROTH, SOLOBAY and YOUNGBLOOD

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for removals, suspensions or reductions in rank of police officers.

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

**No. 1938** By Representatives JAMES, YOUNGBLOOD, HUTCHINSON, HENNESSEY, BRENNAN, KULA and ROEBUCK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the regulated use of bioptic telescopic lens systems.

Referred to Committee on TRANSPORTATION, October 23, 2007.

**No. 1939** By Representatives KULA, EACHUS, JOSEPHS, MAHONEY, BELFANTI, BEYER, BRENNAN, CALTAGIRONE, CARROLL, COHEN, CURRY, DALEY, DeLUCA, FRANKEL, GEORGE, GINGRICH, GOODMAN, GRUCELA, HALUSKA, HARHAI, HARKINS, HARPER, HORNAMAN, JAMES, KING, KORTZ, KOTIK, LEACH, LEVDANSKY, LONGIETTI, MANN, MARKOSEK, McGEEHAN, McILHATTAN, McILVAINE SMITH, MELIO, MUNDY, MUSTIO, NICKOL, M. O'BRIEN, PALLONE, PASHINSKI, PETRARCA, PETRONE, READSHAW, SANTONI, SHIMKUS, SIPTROTH, K. SMITH, SOLOBAY, STURLA, SURRA, TANGRETTI, R. TAYLOR, WALKO, WOJNAROSKI, PARKER, YOUNGBLOOD, MILNE, WANSACZ, J. WHITE, DALLY, LENTZ and MYERS

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, further providing for the definition of "eligible adult."

Referred to Committee on INSURANCE, October 23, 2007.

**No. 1946** By Representatives DALLY, BASTIAN, BEYER, CALTAGIRONE, CARROLL, DENLINGER, GEIST, GRELL, HARRIS, W. KELLER, McILHATTAN, MELIO, MILLARD, REICHLEY, RUBLEY, SCAVELLO, SWANGER and WALKO

An Act establishing a procurement procedure for certain contracts for legal services entered into between Commonwealth agencies and private attorneys.

Referred to Committee on JUDICIARY, October 23, 2007.

**No. 1947** By Representatives LEVDANSKY, McCALL, KESSLER, KORTZ, GALLOWAY, SEIP, SHAPIRO, SANTONI, SAINATO, YOUNGBLOOD, SCAVELLO, CAPPELLI, REED, FABRIZIO, BAKER, BELFANTI, BRENNAN, BUXTON, CALTAGIRONE, CREIGHTON, DALEY, DePASQUALE, GEORGE, GODSHALL, HARHAI, HARKINS, JOSEPHS, KAUFFMAN, KOTIK, MACKERETH, MAHONEY, MUNDY, MUSTIO, MYERS, M. O'BRIEN, RUBLEY, STABACK, STEIL, SURRA, TANGRETTI, R. TAYLOR, WALKO, WATSON, J. WHITE, YUDICHAK, HORNAMAN, EVERETT and PETRONE

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for exemptions and special provisions.

Referred to Committee on FINANCE, October 23, 2007.

**No. 1948** By Representatives LEVDANSKY, McCALL, KESSLER, KORTZ, SEIP, SAINATO, FABRIZIO, YOUNGBLOOD, CAPPELLI, SCAVELLO, REED, BAKER, BELFANTI, BRENNAN, BUXTON, CALTAGIRONE, CREIGHTON, DALEY, DePASQUALE, GEORGE, GODSHALL, HARHAI, HARKINS, JOSEPHS, KOTIK, MAHONEY, MUNDY, MUSTIO, MYERS, M. O'BRIEN, STABACK, SURRA, TANGRETTI, WALKO, J. WHITE, YUDICHAK, PETRONE, HORNAMAN and EVERETT

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for special tax provisions.

Referred to Committee on FINANCE, October 23, 2007.

**No. 1949** By Representatives HANNA, BAKER, BELFANTI, BOBACK, BRENNAN, DALEY, FLECK, FRANKEL, FREEMAN, GINGRICH, GODSHALL, GOODMAN, GRUCELA, HARKINS, HORNAMAN, JAMES, JOSEPHS, MAHONEY, MANN, McGEEHAN, MILLARD, MILNE, MUNDY, PALLONE, PASHINSKI, PICKETT, READSHAW, SAYLOR, SIPTROTH, K. SMITH, SOLOBAY, WALKO, J. WHITE and WOJNAROSKI

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for review and update of State, county and local flood maps.

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

**No. 1950** By Representatives HANNA, BELFANTI, DALEY, FREEMAN, GINGRICH, HORNAMAN, MAHONEY, SIPTROTH, SOLOBAY, STABACK, J. WHITE and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for authority to arrest or cite outside of State park or forest lands.

Referred to Committee on TRANSPORTATION, October 23, 2007.

**No. 1952** By Representatives WATSON, MUSTIO, BELFANTI, BEYER, CALTAGIRONE, CARROLL, CONKLIN, FRANKEL, GEIST, GINGRICH, GOODMAN, HARPER, JAMES, KOTIK, MARSHALL, McGEEHAN, R. MILLER, MOYER, MUNDY, MYERS, M. O'BRIEN, PETRI, PETRONE, PHILLIPS, RAPP, READSHAW, SCHRODER, SIPTROTH, SOLOBAY, SONNEY, J. WHITE and YOUNGBLOOD

An Act requiring carbon monoxide detectors in residential facilities with care-dependent individuals; imposing powers and duties on the Department of Health and the Department of Public Welfare; and imposing penalties.

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

**No. 1953** By Representatives MUNDY, BELFANTI, BRENNAN, CURRY, GINGRICH, JAMES, JOSEPHS, KIRKLAND, KULA, MYERS, PASHINSKI, SHIMKUS, SIPTROTH, WOJNAROSKI and YOUNGBLOOD

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

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

**No. 1954** By Representatives MUNDY, BELFANTI, BRENNAN, CURRY, GINGRICH, JAMES, JOSEPHS, KIRKLAND, KULA, MYERS, PASHINSKI, SHIMKUS, SIPTROTH, WOJNAROSKI and YOUNGBLOOD

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

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

**No. 1955** By Representatives GRUCELA, BELFANTI, BRENNAN, BUXTON, COHEN, GINGRICH, GOODMAN, HARKINS, HERSHEY, HESS, JOSEPHS, KENNEY, KOTIK, MACKERETH, McCALL, McGEEHAN, R. MILLER, MYERS, M. O'BRIEN, READSHAW, REICHLEY, SCAVELLO, SIPTROTH, WOJNAROSKI, YUDICHAK, GEIST, DeLUCA, HORNAMAN, YOUNGBLOOD, FRANKEL, JAMES, KULA, WANSACZ, WATERS and R. STEVENSON

An Act providing for restroom access for certain customers of retail establishments; and imposing a penalty.

Referred to Committee on CONSUMER AFFAIRS, October 23, 2007.

**No. 1956** By Representatives HARHART, REICHLEY, PERZEL, PHILLIPS, NAILOR, R. STEVENSON, BAKER, BARRAR, BRENNAN, DeLUCA, FRANKEL, FREEMAN, GEIST, HELM, HORNAMAN, MAJOR, MANN, MILLARD, MUSTIO, PASHINSKI, PAYNE, PICKETT, READSHAW, SCAVELLO, SCHRODER, SIPTROTH, K. SMITH, SONNEY, THOMAS, YOUNGBLOOD and KENNEY

An Act requiring online dating service providers to disclose information relating to criminal background checks of its users; imposing penalties; and establishing the Internet Dating Disclosure and Safety Awareness Fund.

Referred to Committee on JUDICIARY, October 23, 2007.

**No. 1957** By Representatives LENTZ, VEREB, SCAVELLO, R. TAYLOR, McILVAINE SMITH, BEAR, BOYD, BRENNAN, CAPPELLI, CLYMER, CREIGHTON, CUTLER, DALLY, DePASQUALE, HANNA, HARKINS, HERSHEY, HICKERNELL, KILLION, KOTIK, MAHONEY, MANDERINO, MANN, MENSCH, MURT, MUSTIO, O'NEILL, PETRI, QUINN, REICHLEY, RUBLEY, SHAPIRO, SHIMKUS, SIPTROTH, SOLOBAY, TANGRETTI, WATSON, MILNE, GINGRICH, GRELL, ROSS, HORNAMAN, EVERETT, MUNDY, MARSHALL, WAGNER, YOUNGBLOOD and HARPER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for conviction and point schedules, for speed timing devices and for State and local powers.

Referred to Committee on TRANSPORTATION, October 23, 2007.

**No. 1958** By Representatives SWANGER, ARGALL, BAKER, BENNINGHOFF, BOBACK, BOYD, CAUSER, CLYMER, CREIGHTON, CUTLER, EVERETT, FAIRCHILD, FLECK, GEIST, GINGRICH, GOODMAN, HALUSKA, HARPER, HARRIS, HELM, HERSHEY, HESS, HICKERNELL, HUTCHINSON, KAUFFMAN, M. KELLER, KENNEY, KORTZ, MAJOR, MANTZ, METCALFE, R. MILLER, MURT, MUSTIO, PEIFER, PICKETT, RAPP, ROAE, ROHRER, SAYLOR, SCHRODER, SOLOBAY, SONNEY, STERN, VULAKOVICH, WANSACZ, WOJNAROSKI, BARRAR and HORNAMAN

An Act providing for the English language as the official language of the Commonwealth.

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

**No. 1959** By Representatives LONGIETTI, HALUSKA, HARKINS, BELFANTI, BRENNAN, CALTAGIRONE, CARROLL, COHEN, GEORGE, GOODMAN, GRUCELA, HARPER, HORNAMAN, JAMES, JOSEPHS, McILVAINE SMITH, MURT, PETRONE, SANTONI, SAYLOR, SEIP, SIPTROTH, K. SMITH, SONNEY, STERN, R. STEVENSON, SURRA, WANSACZ, J. WHITE and YOUNGBLOOD

An Act amending the act of December 15, 1982 (P.L.1291, No.292), known as the Medicare Supplement Insurance Act, providing for the return of premium funds under certain circumstances.

Referred to Committee on INSURANCE, October 23, 2007.

**No. 1960** By Representatives HERSHEY, BELFANTI, CARROLL, CUTLER, DENLINGER, FAIRCHILD, FLECK, GEIST, GINGRICH, HARHAI, HARHART, HENNESSEY, HESS, MILNE, O'NEILL, PYLE, ROSS, SCAVELLO and SIPTROTH

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, providing for payments to certain local taxing authorities to offset assessments reduced under this act.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, October 23, 2007.

**No. 1961** By Representatives BENNINGTON, JOSEPHS, MANN, PARKER, SWANGER, CURRY, CAPPELLI, PALLONE, THOMAS, J. WHITE, PASHINSKI, KORTZ, LEACH, MAHONEY, BELFANTI, SIPTROTH, HORNAMAN and PETRONE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for information relating to prospective child-care personnel.

Referred to Committee on JUDICIARY, October 23, 2007.

### SENATE BILL FOR CONCURRENCE

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

#### SB 1065, PN 1465

Referred to Committee on TRANSPORTATION, October 23, 2007.

### PARLIAMENTARY INQUIRY

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

Mr. DALLY. A point of parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. Please state your point.

Mr. DALLY. I believe that I heard the Speaker make mention of a motion for reconsideration, the House bill that was defeated I think on October 15, and the question I have for the Chair is whether that reconsideration motion is in order given rule 26?

The SPEAKER pro tempore. We are going to take a look at that. We are just in receipt, and all we did was acknowledge the request. We will respond to it later.

Mr. DALLY. All right. Just note my objection to the reconsideration motion then.

Thank you.

The SPEAKER pro tempore. Thank you.

### GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair recognizes the majority leader, Representative DeWeese, for the purposes of an introduction. Mr. DeWeese, you are recognized for the purposes of an introduction.

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

I just wanted to recognize in the hall of the House Colleen Nelson and Bill Hewitt from Greene County, here on behalf of the American Cancer Society advocating for a statewide smoking ban. I just wanted to welcome them here from Greene County.

Thank you very much.

The SPEAKER pro tempore. I would like to welcome today, as guests of Representative Tim Seip, Brian Tobin, chief of staff; Bob Harris, president of the Paraclete Foundation in Pine Grove; and Ken Lehman, treasurer of the Paraclete Foundation. The Paraclete Foundation is working to build and sustain the first public library in Pine Grove in over 30 years. They are seated in the gallery. Please welcome Representative Seip's guests. Please rise.

I would like to recognize the boys from the Residential Service Unit of Bucks County and the staff and teachers who are their chaperons. The Residential Service Unit is sewing and providing quilts to wounded soldiers, new homeowners affected by Katrina, children who are hospitalized due to trauma, and for fundraising purposes. The boys are the guests of Representative Quinn and Representative Watson. They are seated in the rear of the chamber. Please stand and be recognized.

### FILMING PERMISSION

The SPEAKER pro tempore. The Chair has given permission to Jim Parsons and Kendall Cross from WTAE-TV to record the General Assembly with video for approximately 10 minutes. Permission is granted.

Representative Quinn, we have recognized your guests. We would appreciate if they would stand and show us their artwork. Thank you.

### CALENDAR

#### RESOLUTIONS PURSUANT TO RULE 35

Mr. FLECK called up **HR 442, PN 2606**, entitled:

A Resolution designating the month of May 2008 as "Local History Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

#### YEAS—198

Adolph	Frankel	Mann	Rohrer
Argall	Freeman	Mantz	Ross
Baker	Gabig	Markosek	Sabatina
Barrar	Galloway	Marshall	Sainato
Bastian	Geist	Marsico	Samuelson

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Keller, W. Oliver	Pallone	Preston	Rubley
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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 470, PN 2695**, entitled:

A Resolution designating October 27, 2007, as "Make a Difference Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Keller, W. Oliver	Pallone	Preston	Rubley
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

\* \* \*

Mr. MILNE called up **HR 472, PN 2697**, entitled:

A Resolution designating the month of October 2007 as "Mentoring Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

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

Mr. MILNE. Thank you, Mr. Speaker.

Mr. Speaker, I am pleased to stand to offer this resolution to designate October 2007 as "Mentoring Month" in Pennsylvania.

What got me thinking about the importance of this area was that recently the office of the southeastern Pennsylvania Big Brothers Big Sisters moved its headquarters into my district, and I am pleased to recognize them.

In recognition of all the good works that mentoring organizations perform, I wanted to offer this resolution. We know that there is a critical need for these kinds of intergenerational mentoring organizations. Twenty-five percent of all youth in the United States and 50 percent of all minority youth in Pennsylvania grow up in single-parent family houses. These organizations perform a critical niche in helping those children develop in positive ways and develop in good ways as they grow through their school years.

Most heartening, we know that these kinds of programs work. The empirical evidence shows that intergenerational mentoring programs like Big Brothers Big Sisters do have a positive effect on the youth who are enrolled in these programs, and the adults who are mentors in the program report that they also find it very valuable to have this kind of experience.

GUEST INTRODUCED

Mr. MILNE. I would also like to recognize that as an example of the Big Brothers Big Sisters mentoring program, we have with us a mentee of the Big Brothers Big Sisters program from Chester County. He will be serving as a guest page for me today, and that is Mr. Guillermo Hernandez. Mr. Hernandez, would you stand and please be recognized.

Mr. Hernandez is a ninth grader at Bayard Rustin High School back in Chester County, and we are pleased to have him with us today.

Thank you, and I would urge unanimous support of this resolution. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Keller, W. Oliver	Pallone	Preston	Rubley
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

\* \* \*

Mr. CURRY called up **HR 473, PN 2698**, entitled:

A Resolution designating the month of October 2007 as "Sudden Infant Death Syndrome Awareness Month" in Pennsylvania and recognizing the need for an education and prevention program that focuses on the risk factors for SIDS and safe sleeping practices for newborns and infants.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Frankel	Mann	Rohrer
Argall	Freeman	Mantz	Ross
Baker	Gabig	Markosek	Sabatina
Barrar	Galloway	Marshall	Sainato
Bastian	Geist	Marsico	Samuelson

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Keller, W. Oliver	Pallone	Preston	Rubley
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

**LEAVE OF ABSENCE CANCELED**

The SPEAKER pro tempore. The Chair recognizes the presence of Representative Rubley on the floor. She will be added to the master roll.

**RESOLUTION**

Mr. LENTZ called up **HR 335, PN 1930**, entitled:

A Resolution designating the Valley Forge Military College as the official military college of the Commonwealth of Pennsylvania.

On the question,  
Will the House adopt the resolution?

**GUESTS INTRODUCED**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware County, Representative Lentz, on the resolution.

Mr. LENTZ. Thank you, Mr. Speaker.

If I could have the members' attention for a short period of time, I want to recognize some special guests that we have here today.

It is my pleasure, along with Representative Adolph and Representative Mensch, to welcome to the House today some distinguished members of Valley Forge Military Academy and Junior College. With us today are Tony McGeorge, the president; Col. James Doyle, Marine Corps retired, the superintendent; Col. Dan Zupan, the dean of the college; and also two of the cadets from the college, Kevin Fulmer, who is a 1st captain/regimental commander and will be commissioned later this year as an armor officer; also, Capt. Taylor Picone, who will also be commissioned out of Valley Forge in the branch of armor.

Valley Forge Military Academy and Junior College is in Representative Adolph's district, and Representative Mensch and I are two of the less distinguished graduates of that institution.

I want to ask you to join me in welcoming them as representatives of Valley Forge Military Academy and Junior College on the day that we vote on this resolution. HR 335 designates Valley Forge Military as the official military college of Pennsylvania. It is particularly critical at this time in our nation's history that we have institutions in Pennsylvania like Valley Forge with a long and distinguished history of producing military leaders, and I would just like to mention a few of our distinguished graduates that have gone on to do great things in the military.

Adm. Gary Roughead is a—

The SPEAKER pro tempore. Will the gentleman please suspend.

May we please have order for the gentleman. Members, please take your seats.

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

The SPEAKER pro tempore. The gentleman may proceed.

Mr. LENTZ. Thank you.

I was going to mention some of the distinguished graduates of this, as I said, important institution. Adm. Gary Roughead, class of '69, is the current Chief of Naval Operations.

Gen. Norman Schwarzkopf, class of 1952, was the commander of the U.S. Central Command during the first Persian Gulf war and also was a decorated Vietnam veteran. He received five Distinguished Service Medals, three Silver Stars, a Bronze Star, and a Purple Heart for his service in Vietnam.



Col. Herbert Raymond McMaster, class of '80, was known from the Tom Clancy book "Armored Cav" for his commanding of soldiers at the Battle of 73 Easting during the first Persian Gulf war, where he was awarded the Silver Star. More recently, Colonel McMaster was the brigade commander during the taking of Tal Afar, a city in the northern portion of Iraq.

And closer to home we have Col. Walt Lord, who is a 1982 graduate. Colonel Lord was in my class. He is the Chief of Staff to the Joint Headquarters of the Pennsylvania National Guard.

And Col. James Orr, also a classmate of mine, who is the current commander of the Pennsylvania National Guard Officers Candidate School.

Valley Forge is currently one of only five colleges in the United States that offers an early commissioning program, which these two young men will be products of shortly. It is a critical institution to our State and our country. We need leaders, and Valley Forge Military Academy and Junior College has a proven record of producing such leaders.

At this time I would like to ask Representative Adolph to come forward and offer some remarks.

Thank you.

The SPEAKER pro tempore. The Chair recognizes Representative Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

It is certainly my pleasure to be here today to ask my colleagues to support this resolution.

Valley Forge Military College, as Representative Lentz mentioned, is in the 165th Legislative District in Radnor Township, Delaware County. This military college is an integral part of our community. On any given holiday, you will see the cadets and their marching band down Lancaster Avenue in the Memorial Day parade, the Fourth of July parade. They open up their facilities to the community, and I am so proud to have the Valley Forge Military College in Delaware County. These young men and women that attend the school go on to achieve tremendous professional ranks, not only in the military but also in the professional world.

So without further ado, I ask my colleagues on both sides of the aisle to support HR 335.

Thank you very much.

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

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Keller, W.	Oliver	Pallone	Preston
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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

RESOLUTION PURSUANT TO RULE 35

Mr. PETRI called up **HR 455, PN 2660**, entitled:

A Resolution honoring the life of Private First Class Robert H. Dembowski, Jr., United States Army, 82nd Airborne Division, 1st Battalion of the 504 Parachute Infantry Regiment, Bravo Company, 2nd Platoon, who died while in the courageous service of his nation on May 24, 2007, in Baghdad, Iraq.

On the question,  
Will the House adopt the resolution?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Petri, on the resolution.

Mr. PETRI. Mr. Speaker, members of the General Assembly, and honored guests:

Many times we underestimate the significance and the permanence of what we say or write. We may not always consider that what we do and say here on the House floor becomes a matter of public record and our words are forever preserved in the Legislative Journals that become the written history of the House. This point is particularly meaningful to me today as I take the floor to publicly express my sincere condolences and deep sense of gratitude for the life of Pfc. Robert Dembowski, Jr.

Private Dembowski of Ivyland, Bucks County, died in service to this country in Baghdad, Iraq, on May 24 when his unit encountered small arms fire. Private Dembowski was assigned to the 1st Battalion, 504th Parachute Infantry Regiment, 1st Brigade Combat Team, 82d Airborne Division, based in Fort Bragg, North Carolina. He was 20 years old.

Private First Class Dembowski served as a machine gunner, driver, and radio operator. His military awards and decorations included the Bronze Star, Purple Heart, Army Commendation Medal, Good Conduct Medal, Iraqi Campaign Medal, National Defense Service Medal, Global War on Terrorism Service Medal, Army Service Ribbon, Combat Infantryman Badge, and Parachutist Badge.

Only 16 when the Iraqi war started, Dembowski was deeply moved by the war and his desire to make the world a better place. So committed was he to the cause of freedom that he sought enlistment in the U.S. Marine Corps under its delayed enlistment program. He graduated from Council Rock North High School, class of 2005, and left for boot camp just days later.

Private Dembowski was a man of strong conviction. He was sure that his decision to join the military and go to Iraq was his duty. It was where he was supposed to be. That spring before he left, he was invited to participate in a Memorial Day service that included the dedication of a World War II memorial at Chancellor Center. Only 18 years of age, Private Dembowski delivered a speech in honor of veterans that demonstrated a far more mature understanding of the meaning of life than his young years would suggest. He said, and I quote, "When I enlisted in the Marine Corps and picked my Military Occupational Specialty, I picked Infantry. And with that I knew I would be at a much higher risk of severe injury or death. I have accepted this, and so has everyone else I know who is enlisted and ready to ship out after graduation. We are all more than willing to give our lives for this country, and to better the rest of the world. Also, we just want to do our part. We want to try to give back to this country what we have taken from it, and we want to show our respect to all military personnel that have given their lives in every conflict and war before us. Because even though we have holidays such as Veterans Day and Memorial Day, we don't feel that Veterans are truly appreciated enough for the monumental sacrifices they have made in order to make this the greatest country in the world...."

It is a great honor to be joined by Private Dembowski's parents, Robert Sr. and Frances Dembowski. Mr. and Mrs. Dembowski, your son's legacy is one of great pride, bravery, and honor. On that Memorial Day more than 2 years ago, he poignantly expressed his gratitude for our nation's veterans and the sacrifices they made. Today we in the House express ours.

Be assured that your son's words and the knowledge of his sacrifice he made in the name of freedom will live on in the Journals of this House and will serve as the lasting testament to

the quality and character of the men and women serving in our military today.

#### GUESTS INTRODUCED

Mr. PETRI. House members, please join me in recognizing the family of Pfc. Robert Dembowski, Jr. – namely, his mother and father, Robert and Frances; his siblings, Janice and Frank; and Frank's wife, Barbara; and his nephew, Connor.

The SPEAKER pro tempore. Would all members and guests please remain standing as a sign of respect for the fallen soldier.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of Pfc. Robert H. Dembowski, Jr.)

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

The following roll call was recorded:

#### YEAS—199

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

Fabrizio	Major	Rock	
Fairchild	Manderino	Roebuck	O'Brien, D.,
Fleck	Mann	Rohrer	Speaker
Frankel			

NAYS—0

NOT VOTING—0

EXCUSED—4

Keller, W.	Oliver	Pallone	Preston
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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

**HB 306, PN 347** By Rep. BELFANTI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, repealing provisions relating to certain appeals from the Pennsylvania Labor Relations Board.

LABOR RELATIONS.

**HB 1622, PN 2720 (Amended)** By Rep. BELFANTI

An Act amending the act of December 18, 1984 (P.L.1004, No.204), entitled "An act extending benefits to police chiefs or heads of police departments of political subdivisions of the Commonwealth who have been removed from bargaining units by the Pennsylvania Labor Relations Board," further providing for salary of nonunion police officers.

LABOR RELATIONS.

### BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that SB 915 be removed from the tabled bill calendar.

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

### BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that SB 915 be recommitted to the Committee on Appropriations.

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

The SPEAKER pro tempore. Are there any announcements?

### CHILDREN AND YOUTH COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentlelady from Philadelphia, Ms. Bishop.

Ms. BISHOP. Thank you, Mr. Speaker.

I would like to announce that at the break the Children and Youth Committee will be meeting, and we will convene in room 60E for a voting session. If all members would please be present, we appreciate it.

Thank you.

The SPEAKER pro tempore. The Children and Youth Committee will meet in room 60E at the break.

### HEALTH AND HUMAN SERVICES COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentlelady from Philadelphia, Ms. Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

For a committee announcement. It is my understanding that we will be returning to the floor at 1:15. So the Health and Human Services Committee meeting that was sunshined for today at the call of the Chair will happen a half-hour before we return to the floor. So at 12:45 the Health and Human Services Committee will meet in room 205, Ryan Office Building; 12:45, Health and Human Services, room 205, Ryan.

The SPEAKER pro tempore. The Health and Human Services Committee will meet at 12:45 in room 205, Ryan Office Building.

Are there any other committee announcements?

### DEMOCRATIC CAUCUS

#### APPROPRIATIONS COMMITTEE MEETING

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I have three announcements.

First, there will be an immediate meeting of the House Democratic Caucus.

Second, the Appropriations meeting today will be at 1 p.m. in the majority caucus room.

Third, our goal is to return to the floor at 1:15 p.m.

The SPEAKER pro tempore. The Appropriations Committee will meet at 1 p.m.

### REPUBLICAN CAUCUS

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

Miss MAJOR. Thank you, Mr. Speaker.

I would like to announce an immediate Republican caucus. That is, Republicans will caucus immediately at the call of the recess.

Thank you.

**SUBCOMMITTEE MEETING**

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

Mr. SABATINA. Thank you.

There will be a Federal State Relations Subcommittee meeting, Federal State Relations, in G-50 of the Irvis Office Building at the break.

The SPEAKER pro tempore. The Federal State Relations Subcommittee will meet in room G-50 at the break.

Are there any other announcements?

**RECESS**

The SPEAKER pro tempore. This House will stand in recess until 1:15 p.m.

**AFTER RECESS**

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

**THE SPEAKER PRO TEMPORE  
(MATTHEW E. BAKER) PRESIDING****BILLS REREPORTED FROM COMMITTEE**

**HB 110, PN 2721** (Amended) By Rep. D. EVANS

An Act providing for a report on potential global warming impacts and economic opportunities for the Commonwealth, for duties of the Department of Environmental Protection, for an inventory of greenhouse gases, for creation of stakeholder process, for a voluntary registry of greenhouse gas emissions and for a climate change action plan.

APPROPRIATIONS.

**HB 523, PN 2634** By Rep. D. EVANS

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

APPROPRIATIONS.

**HB 763, PN 884** By Rep. D. EVANS

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further defining "occupational disease."

APPROPRIATIONS.

**HB 948, PN 1547** By Rep. D. EVANS

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for vouchers for licenses.

APPROPRIATIONS.

**HB 1025, PN 1988**

By Rep. D. EVANS

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further defining "occupational disease."

APPROPRIATIONS.

**HB 1388, PN 1735**

By Rep. D. EVANS

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

APPROPRIATIONS.

**HB 1716, PN 2636**

By Rep. D. EVANS

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

APPROPRIATIONS.

**HB 1761, PN 2722** (Amended)

By Rep. D. EVANS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for law enforcement officers of limited jurisdiction.

APPROPRIATIONS.

**HB 1838, PN 2444**

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 home education program.

APPROPRIATIONS.

**HB 1801, PN 2401**

By Rep. D. EVANS

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

APPROPRIATIONS.

**HB 1877, PN 2574**

By Rep. D. EVANS

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for authorization of hotel tax.

APPROPRIATIONS.

**CALENDAR CONTINUED****RESOLUTION**

Mr. DeWEESE called up **HR 410, PN 2503**, entitled:

A Concurrent Resolution designating December 19, 2007, as "Coal Miner's Day" in Pennsylvania in appreciation, honor and remembrance of the accomplishments and sacrifices of coal miners in this Commonwealth.

On the question,  
Will the House adopt the resolution?

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

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

As a 2-minute prelude to the vote on HR 410, I would like the members to be keenly aware of the factor that has been coal mining in our State since its commencement.

Asking for December 19 to be commemorated as Coal Miner's Day is of especially poignant significance. As Nick Kotik, my colleague, Representative Nick Kotik from Allegheny County, pointed out to me a few moments ago, the terrible disaster at Darr Mine in Van Meter, Westmoreland County, currently in Representative Ted Harhai's district, killed hundreds and hundreds of young miners on the 19th of December 1907, and a great majority of those youngsters and young miners that were killed were from Hungary. They were Magyars from Central Europe. The texture of Pennsylvania's constituency since time immemorial has been heavily populated with immigrants and with a cross section of the world's population, especially those who have had experience in mining, whether they were from Poland or Italy or the Balkans or Germany or Wales or England.

So on this day, the day that we will commemorate, December 19, Coal Miner's Day, HR 410 will celebrate the lives and enthusiasms and endeavors of approximately 51,000 Pennsylvanians who have died in coal mines since 1871.

We will also focus, of course, on the industry today, a far safer industry today because of the cooperation of government and the mining companies and the United Mine Workers of America.

So I would ask for an affirmative vote as Pennsylvania in 2007 recognizes the 100th anniversary of the Darr Mine disaster in Westmoreland County and refocuses our collective enthusiasms on an industry which has been, is, and shall continue to be vital to this Commonwealth, the coal mining industry of Pennsylvania.

Thank you very much, Mr. Speaker. I would ask for an affirmative vote on HR 410.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Keller, W.	Oliver	Pallone	Preston
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The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 690, PN 2637**, entitled:

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

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

**SUPPLEMENTAL CALENDAR A**

**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 763, PN 884**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further defining "occupational disease."

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

\* \* \*

The House proceeded to second consideration of **HB 948, PN 1547**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for vouchers for licenses.

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

Mr. **ROHRER** offered the following amendment No. **A01289**:

Amend Sec. 1 (Sec. 2716), page 4, line 8, by inserting after "DEGREE."

Any person violating the regulations promulgated under this section commits a summary offense of the second degree.

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

**AMENDMENT WITHDRAWN**

The **SPEAKER** pro tempore. It is the understanding of the gentleman, Mr. Rohrer, is withdrawing that amendment?

Mr. **ROHRER**. Thank you, Mr. Speaker.

Yes, that amendment has been withdrawn, and I think there is one remaining. Chairman Staback will have the amendment.

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

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

Mr. **STABACK** offered the following amendment No. **A03532**:

Amend Sec. 1 (Sec. 2716), page 4, lines 5 and 6, by striking out all of said lines and inserting

(f) Penalties.—

(1) Any person who violates this section commits a summary offense of the first degree. Any person who commits a

Amend Sec. 1 (Sec. 2716), page 4, by inserting between lines 8 and 9

(2) Any person who violates any regulation promulgated under this section commits a summary offense of the second degree.

Amend Sec. 2, page 4, lines 9 and 10, by striking out "IN 60" in line 9, all of line 10 and inserting immediately.

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

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

Mr. **STABACK**. Thank you, Mr. Speaker.

Mr. Speaker, amendment 3532 makes three additions to **HB 948**. First, the amendment makes a simple grammatical change.

Second, the amendment adds language that was inadvertently left out of the original draft of the legislation addressing enforcement of regulations. My amendment will make a violation of the regulations a second-degree summary offense with a fine of \$100.

Mr. Speaker, the third provision of the amendment changes the effective date of the bill from 60 days to immediate, giving the Pennsylvania Fish and Boat Commission the ability to go ahead and sell their gift vouchers during the Christmas gift selling season.

The amendment itself is strongly supported by the Fish and Boat Commission. My understanding is it is agreed to by the prime sponsor of the bill, and with that being said, I would ask for an affirmative vote on the measure.

Thank you.

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

Mr. Metcalfe, are you seeking recognition?

Mr. **METCALFE**. Yes, Mr. Speaker.

The **SPEAKER** pro tempore. The Chair recognizes the gentleman, Mr. Metcalfe.

Mr. **METCALFE**. Mr. Speaker, I know that some of what we have gone through has been procedural, but I know there are a lot of members that would probably enjoy being here for the vote that have not made it yet. So maybe another call out to the membership to let them know that we are actually voting on amendments now and legislation would be appreciated.

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

All members, please report to the floor. All members, please report to the floor.

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

The following roll call was recorded:

**YEAS—199**

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Keller, W.	Oliver	Pallone	Preston
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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,

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

The SPEAKER pro tempore. Mr. Hickernell, is it the Chair's understanding you are withdrawing your amendment? The Chair thanks the gentleman. The Hickernell amendment has been withdrawn.

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 **HB 1025, PN 1988**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further defining "occupational disease."

On the question,

Will the House agree to the bill on second consideration?

Mr. **CASORIO** offered the following amendment No. **A01870**:

Amend Sec. 1 (Sec. 108), page 2, line 7, by striking out "OFFICERS OF" where it appears the second time and inserting rangers employed by

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. Mr. Casorio, under the rules we do need an explanation of the amendment.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is purely technical. It strikes out "officers" and inserts "rangers," the terminology for the Department of Conservation and Natural Resources.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Keller, W.	Oliver	Pallone	Preston
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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,  
Will the House agree to the bill on second consideration as amended?  
Bill as amended was agreed to.

(Bill as amended will be reprinted.)

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1096, PN 2667**, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, defining "council"; establishing the Uniform Construction Code Review and Advisory Council; and further providing for revised or successor codes and for training of inspectors.

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

Mr. **ELLIS** offered the following amendment No. **A03664**:

Amend Sec. 2 (Sec. 107), page 5, by inserting between lines 22 and 23

(20) An elected official of a township of the first class who has recognized ability and experience in construction of buildings.

Amend Sec. 2 (Sec. 107), page 6, line 11, by striking out "**TEN**" and inserting

Eleven

Amend Sec. 2 (Sec. 107), page 6, line 12, by striking out "**TEN**" and inserting

11

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

The **SPEAKER** pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Ellis.

Mr. **ELLIS**. Thank you, Mr. Speaker.

This amendment basically adds one additional member to the advisory council representing a township of the first class.

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

On the amendment, the Chair recognizes the gentleman, Mr. Metcalfe.

Mr. **METCALFE**. Mr. Speaker, I thought that it might be in order to ask for maybe a nurse or a doctor to come to the floor because there are still a couple of dozen seats that are unoccupied for the vote. Maybe we have a lot of gallbladder problems or bladder problems and people are not able to be here en masse, but for whatever reason, I would like to see the membership here for the vote.

The **SPEAKER** pro tempore. The Chair thanks the gentleman for his altruistic concerns for the members.

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

The following roll call was recorded:

YEAS-199

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



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

NAYS-0

NOT VOTING-0

EXCUSED-4

Keller, W.	Oliver	Pallone	Preston
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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,

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

Mr. **BUXTON** offered the following amendment No. **A03689**:

Amend Sec. 2 (Sec. 107), page 4, line 30, by striking out "the electrical construction industry" and inserting professional engineers

On the question,

Will the House agree to the amendment?

The **SPEAKER** pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Buxton.

Mr. **BUXTON**. Thank you, Mr. Speaker.

This amendment is just technical in nature. It changes the designation of the electrical construction industry to conform with the other listings of membership in the bill.

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

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-199

Adolph	Freeman	Mantz	Ross
Argall	Gabig	Markosek	Rubley
Baker	Galloway	Marshall	Sabatina
Barrar	Geist	Marsico	Sainato

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Keller, W.	Oliver	Pallone	Preston
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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.)

GUESTS INTRODUCED

The SPEAKER pro tempore. We welcome to the floor of the House, as guests of Representatives Sandy Major and Mike Peifer, Ray Hamill; his wife, Donna; and son, Jim, sitting to the left of the Speaker. He is the judicial nominee for the Court of Common Pleas in Wayne County, and they are joined today by Mary Baldwin, editor of the Weekly Almanac. Please rise and be recognized.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of HB 1109, PN 2638, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing, in fishing licenses, for nonresident and tourist licenses, for one-day resident fishing licenses, for issuing agents and for license, permit and issuing agent fees.

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

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The House proceeded to second consideration of HB 1548, PN 1952, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for disposition of dependent child.

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

Mr. KORTZ offered the following amendment No. A03699:

Amend Sec. 1 (Sec. 6351), page 1, line 15, by inserting after "permanent" physical and

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

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

Mr. KORTZ. Thank you, Mr. Speaker.

This amendment is technical in nature and adds two words to the bill to clean it up, the words "physical and." Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-199

Adolph Freeman Mantz Ross
Argall Gabig Markosek Rubley
Baker Galloway Marshall Sabatina

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Keller, W. Oliver Pallone Preston

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.)

**SUPPLEMENTAL CALENDAR A CONTINUED**

**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1801, PN 2401**, entitled:

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

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

\* \* \*

The House proceeded to second consideration of **HB 1838, PN 2444**, 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 home education program.

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

\* \* \*

The House proceeded to second consideration of **HB 1877, PN 2574**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for authorization of hotel tax.

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

**CALENDAR CONTINUED**

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 648, PN 1283**, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Borough of Ligonier, Westmoreland County; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey certain lands situate in the City of Connellsville, a third class city, Fayette County, to the City of Connellsville; and authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Allentown Commercial Industrial Authority, or their assigns, certain lands situate in the City of Allentown and the City of Bethlehem, Lehigh County, Pennsylvania.

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

Mr. VEREB offered the following amendment No. **A02887**:

Amend Sec. 1, page 3, by inserting between lines 14 and 15  
(d) Land restriction.—Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under State law.

Amend Sec. 1, page 3, line 15, by striking out "(d)" and inserting  
(e)

Amend Sec. 1, page 3, line 19, by striking out "(e)" and inserting  
(f)

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

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

Mr. VEREB. Thank you, Mr. Speaker.

I rise asking for the support of the floor and my colleagues for this amendment to make it consistent with other transfers that have occurred. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

**YEAS—199**

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Keller, W.	Oliver	Pallone	Preston
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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,

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

Mr. **SAMUELSON** offered the following amendment No. **A02911**:

Amend Title, page 1, line 14, by striking out "INDUSTRIAL" and inserting

and Industrial Development

Amend Sec. 3, page 6, line 2, by striking out "INDUSTRIAL" and inserting

and Industrial Development

Amend Sec. 3, page 7, line 9, by striking out "INDUSTRIAL" and inserting

and Industrial Development

Amend Sec. 3, page 7, line 15, by striking out "INDUSTRIAL" and inserting

and Industrial Development

Amend Sec. 3, page 8, line 20, by striking out "INDUSTRIAL" and inserting

and Industrial Development

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The **SPEAKER** pro tempore. On the question of the amendment, Representative Samuelson is recognized.

Mr. **SAMUELSON**. Thank you, Mr. Speaker.

This amendment is withdrawn, and I will be offering the second amendment.

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

On the question recurring,

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

Mr. **DiGIROLAMO** offered the following amendment No. **A03048**:

Amend Title, page 1, line 11, by striking out "AND" where it appears the first time

Amend Title, page 1, line 16, by removing the period after "PENNSYLVANIA" and inserting

; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Bensalem Township, certain lands situate in Bensalem Township, Bucks County.

Amend Bill, page 8, by inserting between lines 22 and 23 Section 4. Conveyance in Bensalem Township, Bucks County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Bensalem Township certain lands, and all improvements thereon, situate in Bensalem Township, Bucks County under terms and conditions to be established in an agreement of sale with the Department of General Services.

(b) Description.—The property to be conveyed pursuant to section 1 consists of approximately 15 acres, and all improvements thereon, bounded and more particularly described as follows:

BEGINNING at a point at the intersection of New Road and Neshaminy Boulevard in Bensalem Township, Bucks County, Pennsylvania; thence extending from the point of BEGINNING South 61 degrees, 58 minutes West 506.04 feet along Neshaminy Boulevard to a point; thence extending South 61 degrees 35 minutes, 25 seconds East 106.36 feet along Neshaminy Boulevard; thence extending South 52 degrees 45 minutes West 459.03 feet along Neshaminy Boulevard to a point; thence extending North 28 degrees 38 minutes West 636.67 feet to a point; thence extending North 2 degrees 16 minutes East 228.05 feet to a point along Route 1; thence extending North 34 degrees 30 minutes East 298 feet along the southeast side of U.S. Route 1; thence extending North 29 degrees 38 minutes East 74.07 feet along the southeast side of U.S. Route 1; thence extending North 34 degrees 30 minutes East 50.03 feet along the southeast side of U.S. Route 1 to a point on New Road; thence extending South 53 degrees 5 minutes West 340 feet to a point; thence extending South 52 degrees 29 minutes East 770 feet along New Road to the intersection of Neshaminy Boulevard, the place of BEGINNING.

CONTAINING 15-acres, more or less.

EXCEPTING AND RESERVING all that certain parcel of real estate as required by the Pennsylvania Department of Transportation for a highway improvement project entitled "SR 0001 SEC. 03S: SR 1 Reconstruction and Widening Project Required Area for PA Turnpike Ramp Reconstruction". The property preliminarily determined to be required for this project is shown as "Area Required for New Ramp Construction" on a plan prepared by the Pennsylvania Department of Transportation titled "SR 0001 SEC. 03S: SR 1 Reconstruction and Widening Project Required Area for PA Turnpike Ramp Reconstruction", which is on file with the Department of General Services. The final legal description and acreage of the property to be conveyed (less the property to be excepted and reserved for the PA Department of Transportation use, as aforesaid) shall be determined by a Pennsylvania licensed land surveyor prior to conveyance.)

(c) Conditions.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including but not confined to streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Land use restriction.—Any conveyance authorized under this act shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility

authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the Grantee, its successors and assigns. Should the Grantee, its successors or assigns, permit any portion of the property authorized to be conveyed in this act to be used in violation of this subsection, the title shall immediately revert to and revest in the Grantor.

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

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

(g) Alternate disposal of property.—In the event that the Grantee and the Department of General Services cannot reach a mutually acceptable agreement of sale within 12 months of the effective date of this act, the property may be disposed of in accordance with Article XXIV-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Amend Sec. 4, page 8, line 23, by striking out "4" and inserting  
5

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

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

This is a land transfer within my district. It is the old Trevoise State Police Barracks. Mr. Speaker, this has come out of the State Government Committee. It has passed unanimously through the committee process as a rule 32 and is agreed to by the administration.

I would appreciate an affirmative vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—1

Scavello

NOT VOTING—0

EXCUSED—4

Keller, W.	Oliver	Pallone	Preston
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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?

Ms. HELM offered the following amendment No. A03091:

Amend Title, page 1, line 11, by striking out "AND" where it appears the first time

Amend Title, page 1, line 16, by removing the period after "PENNSYLVANIA" and inserting  
; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Pennsylvania State Employees Credit Union, certain lands situate in Susquehanna Township, Dauphin County.

Amend Bill, page 8, by inserting between lines 22 and 23  
Section 4. Conveyance in Susquehanna Township, Dauphin County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Pennsylvania State Employees Credit Union certain lands, and any improvements thereon, situate in Susquehanna Township, Dauphin County for \$2,718,600 and under terms and conditions to be established in an agreement of sale with the Department of General Services.

(b) Description.—The property to be conveyed under subsection (a) consists of approximately 47.28-acres, and any improvements thereon, bounded and more particularly described as follows:

Beginning at a point, said point being located along the southerly right-of-way line of Interstate 81, approximately 355 feet from the centerline of Kohn Road, THE POINT OF BEGINNING; thence progressing South 18 degrees 15 minutes 00 seconds East a distance of

256.84 feet to a point on the western right-of-way line of Kohn Road; thence progressing along said right of way along a curve to the right having a radius of 551.04 feet, an arc length of 201.48 feet, a chord bearing of South 72 degrees 53 minutes 02 seconds West, and a chord distance of 200.36 feet to a point; thence along said right of way along a curve to the right having a radius of 1365.28 feet, an arc length of 130.90 feet, a chord bearing of South 89 degrees 18 minutes 14 seconds West, and a chord distance of 130.84 feet to a point; thence progressing along said right of way North 85 degrees 57 minutes 13 seconds West a distance of 402.09 feet to a point; thence progressing along said right of way North 86 degrees 33 minutes 02 seconds West a distance of 123.91 feet to a point; thence progressing along said right of way along a curve to the left having a radius of 316.50 feet, an arc length of 92.88 feet, a chord bearing of South 85 degrees 02 minutes 33 seconds West, and a chord distance of 92.55 feet to a point; thence progressing along said right of way along a curve to the left having a radius of 155.68 feet, an arc length of 214.47 feet, a chord bearing of South 37 degrees 10 minutes 05 seconds West, and a chord distance of 197.91 feet to a point; thence progressing along said right of way along a curve to the left having a radius of 2381.50, an arc length of 230.54 feet, a chord bearing of South 05 degrees 04 minutes 21 seconds East, and a chord distance of 230.45 feet to a point; thence progressing along said right of way South 07 degrees 50 minutes 44 seconds East a distance of 255.94 feet to a point; thence progressing along said right of way South 07 degrees 56 minutes 18 seconds East a distance of 105.02 feet to a point; thence progressing along said right of way South 09 degrees 38 minutes 55 seconds East a distance of 94.05 feet to a point; thence progressing along said right of way South 13 degrees 31 minutes 27 seconds East a distance of 96.77 feet to a point; thence progressing along said right of way South 13 degrees 16 minutes 31 seconds East a distance of 138.40 feet to a point; thence progressing along said right of way South 13 degrees 42 minutes 07 seconds East a distance of 41.97 feet to a point; thence leaving the right of way of Kohn Road and progressing South 82 degrees 38 minutes 10 seconds West a distance of 1,158.49 feet to a point; thence progressing North 07 degrees 21 minutes 50 seconds West a distance of 1,661.98 feet to a point along the southerly right of way of Interstate 81; thence progressing along said right of way South 85 degrees 54 minutes 11 seconds East a distance of 1,511.03 feet to a point; thence progressing along said right of way along a curve to the left having a radius of 3939.83, an arc length of 445.14 feet, a chord bearing of South 85 degrees 54 minutes 11 seconds East, and a chord distance of 444.90 feet to a point; thence progressing along said right of way North 00 degrees 51 minutes 37 seconds East a distance of 20.00 feet to a point; thence progressing along said right of way along a curve to the left having a radius of 3919.83 feet, an arc length of 239.27 feet, a chord bearing of North 89 degrees 06 minutes 42 seconds East, and a chord distance of 239.23 feet to a point, THE POINT OF BEGINNING.

CONTAINING 47.28-Acres.

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

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

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

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

(g) Proceeds.—The Department of General Services shall utilize the proceeds from the conveyance to reimburse itself for costs or fees it incurred as a result of this conveyance. Any funds remaining after reimbursement to the Department of General Services shall be deposited into the Agricultural Farm Operations Account established under the act of June 18, 1982 (P.L.549, No.159), entitled "An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture."

(h) Alternate disposal.—If the grantee and the Department of General Services cannot reach a mutually acceptable agreement of sale within 12 months of the effective date of this section, the property may be disposed of in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Amend Sec. 4, page 8, line 23, by striking out "4" and inserting

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On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentlelady, Ms. Helm.

Ms. HELM. Thank you, Mr. Speaker.

I rise today to urge my colleagues to support my amendment to SB 648. This amendment authorizes the Department of General Services to convey to the Pennsylvania State Employees Credit Union approximately 47 acres in Susquehanna Township, Dauphin County, for \$2.7 million. PSECU has outgrown its current headquarters building, and this property will be used as their site for their new headquarters. The new facility will house approximately 500 existing employees and will accommodate PSECU's anticipated growth over the next 50 years.

Mr. Speaker, by approving this amendment, we will be placing currently untaxed land on the tax rolls. In addition, by granting this conveyance, we will be making an easy transition for the current employees, as the new site is only a little over a mile from the current location. PSECU will be paying the fair market value for this property in accordance with an appraisal that has been accepted and supported by the Department of General Services.

It is also worth pointing out, Mr. Speaker, that the proceeds from this sale will be deposited in the agricultural farm operations account and will be used to support the Department of Agriculture's farm incubator program, which provides help to young farmers who are just getting started. Therefore, Mr. Speaker, this amendment creates a win-win situation for everyone – economic development, job creation, and helping agriculture. The Commonwealth will receive fair market value for the land, and the township and school district will gain a good neighbor that will provide substantial tax revenues for their budgets.

Finally, Mr. Speaker, I would like to note that the State Government Committee considered this amendment during a public meeting on July 16, 2007. The amendment enjoys the support of Representative Josephs, majority chair of the committee, and Representative Baker, the minority chair. In addition, Representative Buxton, Gov. Ed Rendell, and Agriculture Secretary Dennis Wolff have voiced their support.

So, Mr. Speaker, I ask my colleagues to join me in supporting this amendment. Thank you, Mr. Speaker.  
The SPEAKER pro tempore. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Keller, W.	Oliver	Pallone	Preston
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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?

The SPEAKER pro tempore. Mr. Fairchild, would you be kind enough to come to the rostrum, please?

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

Mr. SAMUELSON offered the following amendment No. **A03673**:

Amend Title, page 1, line 14, by striking out "INDUSTRIAL" and inserting

and Industrial Development

Amend Title, page 1, line 15, by striking out "AND THE CITY OF BETHLEHEM"

Amend Sec. 3, page 5, lines 27 and 28, by striking out "AND THE CITY OF BETHLEHEM"

Amend Sec. 3, page 6, line 2, by striking out "INDUSTRIAL" and inserting

and Industrial Development

Amend Sec. 3, page 6, line 8, by striking out "36.08" and inserting

29.321

Amend Sec. 3, page 6, lines 11 through 30; page 7, lines 1 through 5, by striking out all of said lines on said pages and inserting

All that certain lot or parcel of ground being located in the City of Allentown in Lehigh County, Pennsylvania and being bounded and described as follows:

BEGINNING at a point on the South line of Allen Street, said point being located N 81 degrees 23 minutes 17 seconds E for a distance of 678.83 feet from the Southwest corner of North Quebec Street and said point being the Northwest corner of this described parcel; thence from the place of beginning along the South line of Allen Street and the South line of Oil Process Systems N 81 degrees 23 minutes 17 seconds E for a distance of 531.03 feet to a concrete monument found; thence along the lands of Bruce Loch and James Burkos the following nine (9) courses and distances:

- (1) S 43 degrees 13 minutes 28 seconds E - 11.42 feet to a concrete monument found; thence
- (2) S 80 degrees 16 minutes 15 seconds W - 54.97 feet to an iron pin found; thence
- (3) S 7 degrees 57 minutes 07 seconds W - 61.34 feet to a concrete monument found; thence
- (4) S 61 degrees 19 minutes 56 seconds E - 163.09 feet to a concrete monument found; thence
- (5) N 68 degrees 57 minutes 39 seconds E - 177.92 feet to a point; thence
- (6) N 58 degrees 25 minutes 17 seconds E - 238.88 feet to a concrete monument found; thence
- (7) N 23 degrees 18 minutes 43 seconds W - 36.00 feet to a point; thence
- (8) N 82 degrees 58 minutes 17 seconds E - 987.97 feet to a concrete monument found; thence
- (9) N 82 degrees 59 minutes 59 seconds E - 1.43 feet to a point; thence along Lot No. 1, the residue lands of the Commonwealth of Pennsylvania the following eight (8) courses and distances:
  - (i) S 6 degrees 55 minutes 39 seconds W - 413.29 feet to a point; thence

- (ii) S 76 degrees 19 minutes 04 seconds W - 378.08 feet to a point; thence
- (iii) S 72 degrees 56 minutes 55 seconds W - 285.07 feet to a point; thence
- (iv) S 43 degrees 48 minutes 06 seconds W - 603.06 feet to a point; thence
- (v) S 54 degrees 56 minutes 04 seconds W - 603.06 feet to a point; thence
- (vi) N 34 degrees 49 minutes 40 seconds W - 160.00 feet to a point; thence
- (vii) N 55 degrees 10 minutes 20 seconds E - 243.03 feet to a point; thence
- (viii) N 27 degrees 11 minutes 30 seconds W - 1032.47 feet to the place of beginning.

CONTAINING 29.321 acres, more or less.

Amend Sec. 3, page 7, line 9, by striking out "INDUSTRIAL" and inserting

and Industrial Development

Amend Sec. 3, page 7, line 15, by striking out "INDUSTRIAL" and inserting

and Industrial Development

Amend Sec. 3, page 8, line 20, by striking out "INDUSTRIAL" and inserting

and Industrial Development

On the question,

Will the House agree to the amendment?

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

Mr. SAMUELSON. Thank you, Mr. Speaker.

SB 648 as amended by the State Government Committee back in June includes a land transfer at the Allentown State Hospital. This amendment makes two changes. The first is a correction to the name of the grantee, and as amended, this legislation will reflect that the land is to be granted to the Allentown Commercial and Industrial Development Authority.

And the second change is, back in July, the land transfer was contemplated at 36 acres. In subsequent discussions between the State Department of General Services and the city of Allentown, the acreage in the transfer has been reduced and the new description, which is in this amendment, reflects a transfer of 29.321 acres in the city of Allentown.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Keller, W.	Oliver	Pallone	Preston
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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.)

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 118, PN 2529**, entitled:

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



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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—141

Adolph	Gerber	Marsico	Samuelson
Argall	Gergely	McCall	Santoni
Belfanti	Gingrich	McGeehan	Saylor
Bennington	Godshall	McI. Smith	Schroder
Beyer	Goodman	McIlhattan	Seip
Bianucci	Grucela	Melio	Shapiro
Bishop	Haluska	Micozzie	Shimkus
Blackwell	Hanna	Miller	Siptroth
Boback	Harhai	Milne	Smith, K.
Brennan	Harkins	Moul	Smith, M.
Buxton	Harper	Moyer	Solobay
Caltagirone	Harris	Mundy	Staback
Carroll	Helm	Murt	Stairs
Casorio	Hennessey	Mustio	Steil
Civera	Hornaman	Myers	Sturla
Cohen	James	Nailor	Surra
Conklin	Josephs	Nickol	Tangretti
Costa	Kenney	O'Brien, M.	Taylor, J.
Creighton	Kessler	O'Neill	Taylor, R.
Cruz	Killion	Parker	Thomas
Curry	King	Pashinski	Vitali
Daley	Kirkland	Payne	Wagner
DeLuca	Kortz	Payton	Walko
DePasquale	Kotik	Perzel	Wansacz
Dermody	Kula	Petrarca	Waters
DeWeese	Leach	Petri	Watson
DiGirolamo	Lentz	Petrone	Wheatley
Donatucci	Levdansky	Quinn	White
Eachus	Longiotti	Ramaley	Williams
Evans, D.	Mackereth	Raymond	Wojnaroski
Evans, J.	Maher	Readshaw	Youngblood
Fabrizio	Mahoney	Roebuck	Yudichak
Frankel	Manderino	Ross	
Freeman	Mann	Rubley	O'Brien, D., Speaker
Galloway	Markosek	Sabatina	
George	Marshall	Sainato	

NAYS—58

Baker	Everett	Major	Roae
Barrar	Fairchild	Mantz	Rock
Bastian	Fleck	Mensch	Rohrer
Bear	Gabig	Metcalfe	Scavello
Benninghoff	Geist	Millard	Smith, S.
Boyd	Gibbons	Peifer	Sonney
Brooks	Gillespie	Perry	Stern
Cappelli	Grell	Phillips	Stevenson
Causer	Harhart	Pickett	Swanger
Clymer	Hershey	Pyle	True
Cox	Hess	Quigley	Turzai
Cutler	Hickernell	Rapp	Vereb
Dally	Hutchinson	Reed	Vulakovich
Denlinger	Kauffman	Reichley	Yewcic
Ellis	Keller, M.		

NOT VOTING—0

EXCUSED—4

Keller, W.                      Oliver                      Pallone                      Preston

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

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

\* \* \*

The House proceeded to third consideration of **HB 1192, PN 1496**, entitled:

An Act providing for the designation of the building referred to as the Keystone Building in the City of Harrisburg as the Speaker James J. Manderino Office Building.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the gentleman, Mr. Caltagirone, is recognized, but will the gentleman please suspend.

Members, kindly take your seat.

Mr. Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

In 1966, the people of the 58th Legislative District in Westmoreland County elected James J. Manderino as their Representative to the Pennsylvania General Assembly and thus began an unparalleled 23-year career in public service. Representative Manderino, known as the Rock of Monessen to his constituents, served as floor leader and whip from 1977 to 1988, and in 1989 he was elected the 133d Speaker of the Pennsylvania House of Representatives.

Those of us who served with Speaker Manderino knew him to be an extraordinary caucus builder and manager. He was a champion of many issues and a good budget negotiator. Representatives from both sides of the aisle acknowledged him as a legislative giant. His word was his bond. He treated his colleagues with fairness and respect and brought intelligence, passion—

The SPEAKER pro tempore. Members, please take your seats. This is a bill to honor a former Speaker.

Mr. Caltagirone.

Mr. CALTAGIRONE. He brought intelligence, passion, and integrity to every issue. He devoted his life to solving problems and to making the future better for all Pennsylvanians.

Speaker Manderino first assumed leadership in the House at a time when the integrity of the legislature and its membership had suffered serious blows. His leadership and example helped to restore that integrity. As the legislature faces similar

challenges today, we would all do well to remember and honor his example. That is why I ask you today to join me in voting for HB 1192 to designate the Keystone Building as the Speaker James J. Manderino Office Building.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. Thomas, are you seeking recognition?

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support HB 1192, but, Mr. Speaker, I want the record to at least reflect a couple things.

Number one, I came in as Speaker Manderino was going out, and I was blessed to have received some of Speaker Manderino's wisdom and his instructions. I was also blessed to have served, had a chance to meet, and really receive guidance from Speaker K. Leroy Irvis and Speaker Matthew Ryan. I have truly been blessed, Mr. Speaker.

And, Mr. Speaker, this body did an exceptional thing when it named the building on behalf of Speaker Ryan, and that building stands as a light and an anchor amongst all other Commonwealth buildings, because we made the investment for the Ryan Office Building to reflect the history and the contributions of Speaker Ryan. Mr. Speaker, we have named the South Office Building as the K. Leroy Irvis Office Building, and now we are looking to name the Keystone Commonwealth Building as Speaker James Manderino.

Mr. Speaker, I only ask that we not continue to let the Irvis Office Building deteriorate while carrying the name of Speaker Irvis, and I ask that we not allow the Keystone Commonwealth Building to deteriorate and not truly reflect the history and contribution of Speaker James Manderino. Mr. Speaker, if we are going to name these buildings in memory of folk who have shaped the landscape in the Commonwealth of Pennsylvania, folk who have made this Keystone State truly a lighthouse for North America, Mr. Speaker, let us make the investment. Let us make the investment; let us set aside the resources necessary to make sure that these buildings truly reflect the contributions of the people that we are naming them after.

And so, Mr. Speaker, as I rise to support 1192, I caution us, let us not just do this ceremoniously; let us be serious about it. Get the Irvis Office Building to a point where it reflects Speaker K. Leroy Irvis, and let us make sure that the Keystone Commonwealth Building truly reflects the history of Speaker Manderino.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Are there any other members seeking recognition? Seeing none, the Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Just one minute.

If the members or if I am privileged to have any of the members visit me in my office here in the Capitol, they will see a photograph, a candid photograph of former Speaker Manderino in my office. I do not now have tens and tens and tens of mementos; I only have five or six things on the office wall. I have it on the office wall preeminently because of all the members I have ever served with, Jim Manderino was the paragon of our institution. He lived, ate, breathed the Pennsylvania House of Representatives. So did Matthew Ryan; so did Leroy Irvis; so do many of us. So do all of us, I believe, but big Jim Manderino, as it was said by my honorable

colleague from Berks, Mr. Caltagirone, was nicknamed the "Rock of Monessen." He was a steadfast and intractable advocate on behalf of this chamber and the General Assembly in general, and it is with great enthusiasm that I cast a favorable vote for HB 1192.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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—198

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

#### NAYS—1

Hutchinson

NOT VOTING—0

EXCUSED—4

Keller, W.            Oliver            Pallone            Preston

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

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

\* \* \*

The House proceeded to third consideration of **HB 1226, PN 2587**, entitled:

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, amending the title of the act; providing for the definitions of "electrologist," "electrology," "electrology salon" and "electrology teacher"; further providing for membership of the State Board of Cosmetology; providing for scope of practice of electrology, for practice of electrology without a license, for qualifications, for eligibility requirements for the teaching of electrology, for licensure of electrology salons, for licensure reciprocity, for examinations, for continuing education for individuals licensed to practice or teach electrology and for electrology salon inspections; further providing for sanitary rules, for fees, for duration and renewal of licenses, for penalties and for regulations.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

**LEAVE OF ABSENCE**

The SPEAKER pro tempore. The Chair recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. KIRKLAND. Without objection, the leave will be so granted.

**CONSIDERATION OF HB 1226 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—188

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

NAYS—10

Benninghoff	Creighton	Kauffman	Perry
Causar	Ellis	Metcalfe	Rapp
Cox	Hutchinson		

NOT VOTING—0

EXCUSED—5

Keller, W.	Oliver	Pallone	Preston
Kirkland			

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

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

**SUPPLEMENTAL CALENDAR B**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1388, PN 1735**, entitled:

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

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

**YEAS—198**

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

Ellis	Longietti	Readshaw	Wojnaroski
Evans, D.	Mackereth	Reed	Yewcic
Evans, J.	Maher	Reichley	Youngblood
Everett	Mahoney	Roae	Yudichak
Fabrizio	Major	Rock	
Fairchild	Manderino	Roebuck	O'Brien, D., Speaker
Fleck	Mann	Rohrer	

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—5**

Keller, W. Kirkland	Oliver	Pallone	Preston
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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.

**CALENDAR CONTINUED**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1511, PN 2656**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for notice and hearing in juvenile matters.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the gentleman, Mr. Shimkus, is recognized. Mr. SHIMKUS. Thank you, Mr. Speaker.

This legislation was proposed a few months ago after a meeting I had with the Lackawanna County foster parents, and at that meeting where I was speaking and talking to them about their needs, they cried out for this right to be heard at permanency hearings for foster kids, many times the children that they have cared for for months. They were looking for the right to speak on a consistent basis, and after speaking with foster parent groups across the State, we proposed this legislation.

It was also the result of the influence of a couple in my district, Tom and Carol Oleski, who have been foster parents for more than 20 years and in that time have cared for the needs of more than 100 foster kids. And because of their hard work and their diligence and their selflessness, I thought they had earned the right to be heard. And so we proposed HB 1511, and I just want to give you kind of a summary of what it does.

It makes several changes in the Juvenile Act to make sure that the needs and interests of children in foster care are indeed addressed, and there are several reasons why I believe this legislation benefits children and why up to this point it has received such strong support. It brings Pennsylvania law into compliance with recent changes in Federal law governing children in foster care.

Now, under Federal law, foster parents, preadoptive parents, and relatives providing care for a child must be given the right rather than the opportunity to be heard—

The SPEAKER pro tempore. Will the gentleman please suspend.

The Chair has been notified that the members are having a hard time hearing. Members, kindly take your seats. Members, please extend the courtesy to the gentleman who is the maker of the bill. Thank you.

Mr. Shimkus.

Mr. SHIMKUS. Thank you, Mr. Speaker.

Again, under Federal law, foster parents, preadoptive parents, and relatives providing care for the child must be given the right rather than an opportunity to be heard at any hearing under the Juvenile Act. HB 1511, which you are looking at now, makes that change.

Secondly, the Federal law requires that the court ascertain the child's wishes in regard to the child's permanency plan. This is accomplished by this bill by directing the court to either consult directly with the child in a manner appropriate to that child's age and maturity or to ascertain the child's views by communication with a guardian ad litem, counsel when so appointed, court-appointed special advocate, or an individual designated by the court. Now, both these changes must be made by State law by January 1 of 2008 or else the Commonwealth faces a possible loss of \$395 million in Federal Title IV-E funds for child welfare services.

In addition, this bill permits foster parents, preadoptive parents, and relatives who provide care for a child to submit a written report, if they would prefer to, to the court on their observations about the child's adjustment, progress, and condition. These individuals see the child every day and have valuable information to convey about the child. DPW (Department of Public Welfare) will, according to the tenets of this proposed law, develop a form to use for this report. In addition, HB 1511 provides that county children and youth agencies and private foster-care agencies cannot take any retaliatory action against foster parents who express their views in good faith.

I want to thank all the members of the Judiciary Committee for their help in crafting this legislation and for all the people who worked so hard to bring it to this point, and I ask the members to support HB 1511. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The question recurs, shall the bill pass finally? Agreeable to the provisions— The Chair recognizes the gentleman, Mr. Gabig.

Mr. GABIG. Thank you, Mr. Speaker.

If the gentleman could stand for interrogation.

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

Mr. GABIG. I want to thank the gentleman for his hard work on this bill. I think he mentioned the Judiciary Committee at the end of his remarks, which I serve on, and as I recall the bill,

there were some issues about the last part of the provisions that he talked about, the written submission by the grandparents to the court. There were concerns about ex parte communication, that the other side have notice, and I know that the Solicitors Association had some problems with that. As I recall, at the Judiciary Committee meeting there were going to be some attempts to work those issues out, to ensure that the children and youth solicitors would have access to that communication, that there would not be ex parte communication with only one side being able to communicate with the judge if both sides would be able or all sides would be able to review the evidence. And I just ask the gentleman, were we able to resolve those matters to the satisfaction of the Solicitors Association, the Pennsylvania Children and Youth Solicitors Association?

Mr. SHIMKUS. Thank you, Mr. Speaker.

Because of the hearings that were held on this and this issue, there is wording in this proposed law that deals with that. On page 3, "The report shall be reviewed by the court, the county agency, the child's guardian...and court-appointed special advocate,..." so hopefully we have addressed those concerns and given access to the agency of the information in this written report.

Mr. GABIG. I want to thank the gentleman for working with those of us that had shared those concerns, and so at this point it is safe to say that the Pennsylvania Children and Youth Solicitors Association does not oppose the bill as currently amended or currently before us here in the House?

Mr. SHIMKUS. Mr. Speaker, we have heard nothing from that organization either way. But no, certainly no opposition.

Mr. GABIG. All right. So they no longer— I know at the committee stage they had some opposition, they expressed opposition, and there was going to be work on the bill to address those concerns. Do they no longer oppose the bill as it is currently written?

Mr. SHIMKUS. We have not heard, since we recrafted it, any opposition, Mr. Speaker. So we can only assume that they are satisfied because they have not come to us with any additional concerns.

Mr. GABIG. And— All right. I am being informed by our staff that there still is opposition from the Children and Youth Solicitors Association, that there are issues of confrontation and cross-examination of witnesses. So I wonder if the gentleman would be willing to go over this bill at this time so we can have staff just make us all comfortable with whether or not there is any opposition from the Children and Youth Solicitors Association or not. Would the gentleman be willing, if we could go over this momentarily so that we could resolve this issue?

Mr. SHIMKUS. Mr. Speaker, I am comfortable with the bill as it is written. We have not been informed or addressed by this organization and we are comfortable that we have addressed their specific needs and concerns, and I am comfortable moving the bill forward.

Mr. GABIG. Maybe, and I know it is a little loud in here, what our Judiciary staff just informed me of is that the Children and Youth Solicitors Association is, at this time, still opposed to your bill, and so maybe that is because there has not been a communication to them to tell them how it has been adjusted, or perhaps maybe you have some newer information, maybe your staff has some newer information. But I think those of us on Judiciary that heard the hearings were under the impression that that matter was going to be resolved before we got to the floor, and I think we would be a lot more comfortable supporting

the bill if we knew that there was no opposition from the Solicitors Association based on their concerns about ex parte communication, lack of cross-examination of witnesses, et cetera, are some of the concerns we heard. And I think it was also from DPW; they had some concerns also. But all I am asking is not to table this bill or anything, just to go over it so staff might be able to communicate just to resolve that, so that we all at least know who opposes it and who is for it, if we could get that done. Is the gentleman agreeable to do that, Mr. Speaker?

Mr. SHIMKUS. Mr. Speaker, I am not comfortable. I think we can move the bill forward, because the organizations that have contacted us, we have spoken to or staff has spoken to any concerns that were addressed by individual organizations. We have not heard, since the bill was amended, since it passed on second and is now here for final passage. I do not know that there is any need for waiting any longer. They have not approached us since. I appreciate the gentleman's caution, but I do feel comfortable moving this bill forward, and as it moves to the Senate, this organization has every right to continue to press for any changes that might be necessary.

Mr. GABIG. I thank the gentleman for his responses, and if I could just speak on the bill, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is in order and may speak on final passage.

Mr. GABIG. Mr. Speaker, I serve on the Judiciary Committee, and this bill is well-intended. We had a couple of meetings regarding this. But I heard specifically and expressly in letter format, in e-mails, in meetings with the Pennsylvania Children and Youth Solicitors Association, which deals with these children on an everyday basis in court, and the gentleman's legislation, as it was in our committee, had basically a secret report going to the court, where only one side would be able to give information to the fact-finder, to the court, without the other side having access to it. That was remedied to give some access to it, but there was no right of cross-examination of witnesses or to have them, which is a basic fundamental right in a litigated case, is to be able to confront and cross-examine the opponent's witnesses. That is a basic fundamental right.

And so there were concerns by this— You know, this is not some marginal group. This is a group that deals with these types of cases, trying to protect children on an everyday basis. I think those are legitimate concerns, and if they have not yet fully been addressed, they were raised at the committee hearing. They have been put in writing, and I think the maker of the bill should provide us with something that says, we have worked with this group as we said we would and they are no longer opposed to it, because the last communication we had from the Solicitors Association was they were opposed to it. The communication I am getting from the Judiciary staff on our side is that they continue to be opposed to it.

So unfortunately, at this stage I am not going to be able to support this bill with that kind of opposition. I think it is well-intended. I think the gentleman has made some steps to address some of the issues, but I do not think we need to ram it through at this stage when such a legitimate organization as the Solicitors Association is opposed to it. So I am not going to be able to support it at this stage, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the majority chairman of the Judiciary Committee, Mr. Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I did check with our chief counsel, and he had indicated we have heard nothing, no opposition whatsoever, from the CYS (Children and Youth Services) attorneys. We did give it due diligence in committee. We have had several weeks with this bill pending, both on the committee and, of course, on the calendar. We have heard no such opposition.

I would urge the members to please vote for this to get this over to the Senate. I do not think there is anything wrong with the bill. I would encourage a "yes" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Anyone else seeking recognition on final passage? Seeing none.

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—147

Adolph	Frankel	McCall	Schroder
Argall	Freeman	McGeehan	Seip
Baker	Galloway	McI. Smith	Shapiro
Barrar	George	McIlhattan	Shimkus
Belfanti	Gerber	Melio	Siproth
Bennington	Gergely	Mensch	Smith, K.
Beyer	Gibbons	Micozzie	Smith, M.
Biancucci	Gillespie	Miller	Smith, S.
Bishop	Goodman	Milne	Solobay
Blackwell	Grucela	Moul	Sonney
Boback	Haluska	Mundy	Staback
Brennan	Hanna	Murt	Stairs
Buxton	Harhai	Myers	Steil
Caltagirone	Harkins	O'Brien, M.	Sturla
Cappelli	Harper	O'Neill	Surra
Carrroll	Harris	Parker	Tangretti
Casorio	Hershey	Pashinski	Taylor, J.
Causar	Hickernell	Payton	Taylor, R.
Civera	Hornaman	Perzel	Thomas
Clymer	Hutchinson	Petrarca	Turzai
Cohen	James	Petrone	Vitali
Conklin	Josephs	Phillips	Vulakovich
Costa	Kenney	Pickett	Wagner
Cruz	Kessler	Pyle	Walko
Curry	Killion	Quinn	Wansacz
Cutler	King	Ramaley	Waters
Daley	Kortz	Raymond	Watson
DeLuca	Kotik	Readshaw	Wheatley
DePasquale	Kula	Reed	White
Dermody	Leach	Roebuck	Williams
DeWeese	Lentz	Rubley	Wojnaroski
DiGirolamo	Levdansky	Sabatina	Yewcic
Donatucci	Longiatti	Sainato	Youngblood
Eachus	Mahoney	Samuelson	Yudichak
Evans, D.	Manderino	Santoni	
Evans, J.	Mann	Saylor	O'Brien, D., Speaker
Fabrizio	Markosek	Scavello	
Fairchild			

#### NAYS—51

Bastian	Geist	Mantz	Quigley
Bear	Gingrich	Marshall	Rapp
Benninghoff	Godshall	Marsico	Reichley
Boyd	Grell	Metcalfe	Roae
Brooks	Harhart	Millard	Rock
Cox	Helm	Moyer	Rohrer

Creighton	Hennessey	Mustio	Ross
Dally	Hess	Nailor	Stern
Denlinger	Kauffman	Nickol	Stevenson
Ellis	Keller, M.	Payne	Swanger
Everett	Mackereth	Peifer	True
Fleck	Maher	Perry	Vereb
Gabig	Major	Petri	

NOT VOTING—0

EXCUSED—5

Keller, W.	Oliver	Pallone	Preston
Kirkland			

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 welcomes a visiting group from Abington and Upper Dublin Townships in Montgomery County, who are the constituents of Representative Josh Shapiro. They are located in the balcony. Please rise and be recognized.

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1612, PN 2657**, entitled:

An Act providing for testing standards for cigarette fire safety, for certification of compliance by manufacturers, for package markings and for enforcement and penalties; establishing special funds; and providing for sale of existing inventory, for manufacturers' sale to other states or foreign countries and for regulations and preemptions.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

Adolph	Frankel	Mantz	Ross
Argall	Freeman	Markosek	Rubley
Baker	Gabig	Marshall	Sabatina
Barrar	Galloway	Marsico	Sainato
Bastian	Geist	McCall	Samuelson
Bear	George	McGeehan	Santoni
Belfanti	Gerber	McI. Smith	Saylor
Benninghoff	Gergely	McIlhattan	Scavello

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Keller, W.	Oliver	Pallone	Preston
Kirkland			

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

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

\* \* \*

The House proceeded to third consideration of **HB 1830, PN 2585**, entitled:

An Act amending the act of December 19, 1990 (P.L.1234, No.204), known as the Family Caregiver Support Act, further providing for intent, for definitions, for caregiver support program, for reimbursements and for entitlement.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentledady, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

The Pennsylvania—

The SPEAKER pro tempore. Will the gentledady please suspend.

Thank you, members.

Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

Pennsylvania's Family Caregiver Support Program originated in 1990 as a reflection of a Federal law that provided reimbursement for expenses and small grants for assistive devices so that elderly people in our communities could stay at home as long as possible. Since the enactment of the Pennsylvania Family Caregiver Support Program, there have been changes at the Federal level which result in Federal money being appropriated that we in Pennsylvania cannot spend because of our more restrictive language.

HB 1830 would expand our definition of who is eligible to provide care to nonfamily and nonrelative caregivers. The reality is that in today's society, many families are scattered all across the country, and yet there are loving, supportive friends and family who are willing to provide this assistance to people so that they can stay at home as long as possible. So HB 1830, again, seeks to expand those who are eligible to provide care and receive this assistance. It also raises the maximum amounts allowable from \$200 for reimbursement of expenses to \$500 and the home modification cap from \$2,000 to \$6,000, more in line with the kinds of expenses that people are seeing today.

This is part of the administration's and the Aging Committee's goal of allowing people to age in place, to allow them to age where they want to age, in their own homes as long as possible, and I would strongly urge the members to support this initiative that is supported by AARP (American Association of Retired Persons), the Association of Area Agencies on Aging, the National Association of Social Workers, and the Alzheimer's Association here in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the minority chairman, Mr. Hennessey.

Mr. HENNESSEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask your support for HB 1830, which increases the rates of reimbursement for expenses incurred by caregivers who are uncompensated for the care they are giving, who are seeking to increase the amount of money that they can be reimbursed for out-of-pocket expenses. It also increases the reimbursements for modifications to homes for the people who are receiving that care.

Representative Matt Baker, today's Speaker, has championed this cause for a number of sessions. Last session, his bill, 566, passed unanimously but died in the Senate. Representative Mundy's bill, 1830, will again authorize those increased rates of reimbursement, and her bill also includes an expansion of the people who are authorized to receive reimbursement beyond just family members. With another strong vote from the House,

perhaps we will spur the Senate into action and get this bill to the Governor's desk for his signature.

So I ask all the members for their support of HB 1830. Thank you.

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

Mr. KORTZ. Thank you, Mr. Speaker.

I rise in support of HB 1830, and I commend my colleague for bringing this correct legislation before the House.

I know firsthand the devastation that can be brought upon families by a member who contracts a debilitating disease such as Alzheimer's. I lost my mother 2 years ago to this dreaded disease, and it was a terrible, terrible sight. Mother fought this disease for 9 years before she succumbed. My father refused to let anyone else care for my mother, which sufficiently sapped his strength and forced his passing.

HB 1830 is absolutely the right thing to do. It will provide help to those afflicted with disease and the caregivers who have to take care of these loved ones, and I would urge that everybody give an affirmative vote.

Thank you, Mr. Speaker.

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

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

Mr. Speaker, I rise in support of HB 1830 also. The one thing that we do have in our growing communities in the northeast is a number of commuters, and, Mr. Speaker, they are unable to take care of their adult parents and siblings. Therefore, Mr. Speaker, I again rise in support of HB 1830.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Anyone else seeking recognition on final passage? The gentleman, Mr. Williams, is recognized.

Mr. WILLIAMS. Mr. Speaker, I rise to support HB 1830.

As a member having a mother who is in a nursing home, realizing that you are not a medical professional, realizing the support services that our seniors deserve and want and need, I commend the maker of this bill, and I urge all the members, on behalf of the elderly people in Pennsylvania, to support HB 1830, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Seeing no other members, agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

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—198

Adolph	Frankel	Mantz	Ross
Argall	Freeman	Markosek	Rubley
Baker	Gabig	Marshall	Sabatina
Barrar	Galloway	Marsico	Sainato
Bastian	Geist	McCall	Samuelson
Bear	George	McGeehan	Santoni
Belfanti	Gerber	McI. Smith	Saylor
Benninghoff	Gergely	McIlhattan	Scavello



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

NAYS-0

NOT VOTING-0

EXCUSED-5

Keller, W.	Oliver	Pallone	Preston
Kirkland			

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

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

\* \* \*

The House proceeded to third consideration of **SB 886, PN 1442**, entitled:

An Act amending the act of February 19, 1980 (P.L.15, No.9), known as the Real Estate Licensing and Registration Act, further prohibiting certain acts.

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

(Bill analysis was read.)

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-198

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Keller, W.	Oliver	Pallone	Preston
Kirkland			

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

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

### RECESS

The SPEAKER pro tempore. We are going to recess regular session and go into special session at 2:40.

### AFTER RECESS

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

### RECONSIDERATION MOTION WITHDRAWN

The SPEAKER pro tempore. For the record, a reconsideration request was made earlier this morning by Representative Dwight Evans and Representative Babette Josephs, and so the members know, that has now been withdrawn.

### 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,  
October 22, 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 29, 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 29, 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.

### MOTION INSISTING UPON AMENDMENTS

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that the House insist upon its amendments nonconcurrent in by the Senate to SB 246, PN 1326.

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

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER pro tempore. Any further business or announcements for the good of the membership? Seeing none.

### ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Brennan from Lehigh County, who moves that this House do now adjourn until Wednesday, October 24, 2007, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

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

### HOUSE SCHEDULE

The SPEAKER pro tempore. There has been a request for an announcement by the majority leader, and since it would be helpful to the members, the Chair rescinds his previous announcement on adjournment and recognizes the gentleman, Mr. DeWeese.

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

I apologize; I was in the back of the hall of the House. Just an announcement about tomorrow's schedule.

We are going to have a comparatively abbreviated voting day. However, the Finance Committee, under Representative Levdansky's aegis, is going to have several hours of hearings on property taxes, the preeminent issue in many sections of the State. So the House will be working on property taxes tomorrow.

Finally, the Appropriations Committee will be sending to the floor the open records proposal, so progress will be made in that area also.

We will have votes in the early part of our session day. It will not be a long voting day, but the Appropriations Committee and Finance Committee and a variety of other committees will be engaged. I just thought that that announcement might be helpful to the members.

Thank you very much, sir.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### ADJOURNMENT CONTINUED

The SPEAKER pro tempore. On the motion for adjournment, those in favor will say "aye"; those opposed, "no."

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On the question recurring,  
Will the House agree to the motion?  
Motion was agreed to, and at 2:46 p.m., e.d.t., the House  
adjourned.