

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, OCTOBER 31, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 98

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

PRAYER

The SPEAKER. The prayer will be offered by Rev. Donald Edwards, the guest of Representative Everett.

REV. DONALD EDWARDS, Guest Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Our Heavenly Father, as we gather on this reformation day, we ask that once again through Your omniscient power, You would reform and renew these men and women whom You have called to serve the State, nation, and world. Give to them a steadfast resolve in order that they may desire to continue to do good for those who have elected them, to represent their needs and to give them hope.

May this place be one of benevolent purposes and an agency of redemptive goals and laws. By Your grace and design, may these words be transcended into aspiration and action of this legislature now and evermore.

May God bless America and may God bless this House. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Tuesday, October 30, 2007, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip, who requests Representative PAYTON from Philadelphia be placed on leave for the day. The Chair sees no objection, and the leave will be granted.

The Chair recognizes the minority whip, who requests that Representative PYLE from Armstrong County and

Representative MICOZZIE from Delaware County be placed on leave for the day. The Chair sees no objection. These leaves will be granted.

FINANCE COMMITTEE MEETING

The SPEAKER. The Chair gives permission to the House Finance Committee to meet until 11:25 p.m.

GUEST INTRODUCED

The SPEAKER. The Chair would also like to welcome to the floor of the House, seated to the left of the Speaker, Marlin Wertman, who is the guest of Representative Garth Everett, from St. Andrew Lutheran Church. He is the deacon, and he is accompanying Rev. Don Edwards, also here today. Would you please stand and be recognized.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 191, PN 1007**, with information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HB 191, PN 1007

An Act providing for the donation of blood by certain persons 16 years of age or older; and making a related repeal.

Whereupon, the Speaker, in the presence of the House, signed the same.

GUEST INTRODUCED

The SPEAKER. The Chair would like to welcome, seated on the bench in the well of the House, Brittany Feichtel, who is the guest page from East Pennsboro High School and is the guest of Representative Glen Grell. Would you please rise and be recognized. She is standing in the center aisle.

LEGISLATIVE FELLOWS INTRODUCED

The SPEAKER. The Legislative Fellowship Program, sponsored by the House of Representatives through the Bipartisan Management Committee, has five students participating in this fall's semester program, which runs 13 weeks.

Legislative Fellows are assigned to either a committee chairman or leadership office. The final requirement necessary to complete the fellowship is that each intern must create, research, and present an original piece of legislation, complete with oral defense before an audience of friends, professors, House staff, and members. The final presentation is scheduled for December 14, and hopefully many of you will be able to attend. Just for your information, to date, over 275 students have been through this program, and many of them are currently working here in the House, the Senate, and the Governor's Office.

I welcome to the hall of the House today the five fellows who began their internships in September. They are seated in the rear of the House.

They are Ruth Beaver, a student from Millerstown, Pennsylvania, attending Messiah College, assigned to the Democratic Education Committee under Representative Roebuck, and supervised by Chris Wakeley.

Tabitha Benjamin, a student from Spencer, New York, attending Lock Haven University, assigned to the majority whip, Representative McCall, supervised by Kate McMullen.

David Kenyon, a student from Lancaster, Pennsylvania, attending Millersville University, assigned to the Democratic Transportation Committee under Representative Markosek, supervised by Stacey Ritter.

Laura Kurtz, a student from Dauphin, Pennsylvania, attending Penn State Harrisburg, assigned to the Republican Veterans Affairs and Emergency Preparedness Committee, under Representative Fairchild and supervised by Rick O'Leary.

Jamie Serra, a student from Conyngham, Pennsylvania, attending Penn State Harrisburg, assigned to the Democratic Environmental Resources and Energy Committee, under Representative George and supervised by Tom Kuhn.

Also seated with them is the Legislative Fellowship coordinator, Ray Whittaker.

Would you please stand and be recognized. Welcome to the House.

Members will report to the floor.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—197

Adolph	Frankel	Manderino	Rohrer
Argall	Freeman	Mann	Ross
Baker	Gabig	Mantz	Rubley
Barrar	Galloway	Markosek	Sabatina
Bastian	Geist	Marshall	Sainato
Bear	George	Marsico	Samuelson
Belfanti	Gerber	McCall	Santoni

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1250, PN 2801 (Amended) By Rep. STURLA

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for definitions; providing for registration and permits for pharmacy technicians; further providing for multiple licensure, for refusal to grant revocation and suspension, for State Board of Pharmacy, for hearings and suspensions, for reinstatement, for drug therapy protocols and for penalties; and providing for collaborative drug therapy management.

PROFESSIONAL LICENSURE.

HALIFAX SCHOOL DISTRICT EDUCATORS PRESENTED

The SPEAKER. The Chair requests that Representative Helm come to the podium for the purpose of a presentation.

Ms. HELM. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to welcome to the floor two educators from the Halifax School District in Dauphin County. Superintendent Robert Hassinger has 30 years' experience in education, most recently serving as principal of Halifax Middle School for 13 years before becoming superintendent on July 1.

Superintendent Hassinger was the recipient of the 2007 William C. Caldwell Award for Excellence in Administration and Supervision for his work as principal of Halifax Middle School, where he designed and implemented a character education program that stresses the value of honesty, integrity, commitment, courage, and sensitivity to students. In 2001, because of Superintendent Hassinger's program, Halifax Middle School was recognized as a National School of Character by the Character Education Partnership in Washington, DC.

Also joining me today is Joan Popchock, a 12th grade English instructor at Halifax High School and recipient of the Walter J. DeLacy Award for Excellence in Instruction. Ms. Popchock came to Halifax right out of college and has been there for 34 years. She is credited with designing and implementing Halifax's graduation project program. She says her proudest achievement is creating a mock interview program in 1992 for career prep students. Now, all Halifax seniors are required to participate in the program for their graduation project with several Dauphin and Cumberland County employers serving as interviewers.

Mr. Speaker, the education of our children is a vitally important job, and both of these educators have shown that they are up to the task. Both of them are credits to their profession and assets to the Halifax School District. They should serve as examples to educators across our Commonwealth and across our nation.

Please join me in welcoming them to the floor and congratulating them for receiving these well-deserved honors.

GUEST INTRODUCED

The SPEAKER. Please welcome to the hall of the House Emily Foster. She is a guest of Representative Rick Taylor. Emily is an intern in Representative Taylor's district office in Horsham. She is a senior at Hatboro- Horsham High School. Please stand and be recognized. She is in the well of the House.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 784, PN 2802 (Amended) By Rep. CALTAGIRONE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of sale or transfer of firearms and for loans on or lending or giving firearms prohibited.

JUDICIARY.

HB 958, PN 2803 (Amended) By Rep. CALTAGIRONE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the judicial imposition of community service as a penalty.

JUDICIARY.

HB 1744, PN 2806 (Amended) By Rep. CALTAGIRONE

An Act amending Titles 18 (Crimes and Offenses) and 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, further providing for grading of theft offenses, for sale or transfer of firearms and for duties of Pennsylvania State Police; providing for limits on lending or transferring a firearm and for a study by the Joint State Government Commission; further providing for distribution of uniform firearm laws and firearm safety brochures; establishing the Firearm Safety Education Program and the Firearm Safety Education Fund; providing for powers and duties of the Office of Attorney General and for a transfer between funds; and making appropriations.

JUDICIARY.

HB 1961, PN 2719 By Rep. CALTAGIRONE

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

JUDICIARY.

SB 117, PN 1466 By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the establishment and operation of the Juvenile Court Judges' Commission; prescribing its powers and duties; and repealing provisions relating to Juvenile Court Judges' Commission.

JUDICIARY.

SB 737, PN 1188 By Rep. CALTAGIRONE

An Act amending the act of December 3, 2002 (P.L.1144, No.141), entitled "An act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for purchase, consumption, possession or transportation of liquor or malt or brewed beverages and for inducement of minors to buy liquor or malt or brewed beverages," extending the expiration provision.

JUDICIARY.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Ms. BISHOP called up **HR 422, PN 2540**, entitled:

A Resolution designating the month of November 2007 as "Sarcoidosis Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

* * *

Mr. READSHAW called up **HR 458, PN 2671**, entitled:

A Resolution recognizing the week of November 11 through 17, 2007, as "Hunger and Homelessness Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Micozzie Payton Solobay Wheatley
Mustio Pyle

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

* * *

Mr. THOMAS called up **HR 467, PN 2692**, entitled:

A Resolution recognizing the week of November 11 through 17, 2007, as "National Geography Awareness Week" in Pennsylvania and designating November 15, 2007, as "Pennsylvania GIS Day."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Frankel	Manderino	Rohrer
Argall	Freeman	Mann	Ross
Baker	Gabig	Mantz	Rubley
Barrar	Galloway	Markosek	Sabatina
Bastian	Geist	Marshall	Sainato
Bear	George	Marsico	Samuelson
Belfanti	Gerber	McCall	Santoni
Benninghoff	Gergely	McGeehan	Saylor
Bennington	Gibbons	McI. Smith	Scavello
Beyer	Gillespie	McIlhattan	Schroder
Biancucci	Gingrich	Melio	Seip
Bishop	Godshall	Mensch	Shapiro
Blackwell	Goodman	Metcalfe	Shimkus
Boback	Grell	Millard	Siptroth
Boyd	Grucela	Miller	Smith, K.
Brennan	Haluska	Milne	Smith, M.
Brooks	Hanna	Moul	Smith, S.
Buxton	Harhai	Moyer	Sonney
Caltagirone	Harhart	Mundy	Staback
Cappelli	Harkins	Murt	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	Oliver	Swanger
Conklin	Hickernell	Pallone	Tangretti
Costa	Hornaman	Parker	Taylor, J.
Cox	Hutchinson	Pashinski	Taylor, R.
Creighton	James	Payne	Thomas
Cruz	Josephs	Peifer	True
Curry	Kauffman	Perry	Turzai
Cutler	Keller, M.	Perzel	Vereb
Daley	Keller, W.	Petrarca	Vitali
Dally	Kenney	Petri	Vulakovich
DeLuca	Kessler	Petrone	Wagner
Denlinger	Killion	Phillips	Walko
DePasquale	King	Pickett	Wansacz
Dermody	Kirkland	Preston	Waters
DeWeese	Kortz	Quigley	Watson
DiGiroalamo	Kotik	Quinn	White
Donatucci	Kula	Ramaley	Williams
Eachus	Leach	Rapp	Wojnaroski
Ellis	Lentz	Raymond	Yewcic
Evans, D.	Levdansky	Readshaw	Youngblood
Evans, J.	Longietti	Reed	Yudichak
Everett	Mackereth	Reichley	

Fabrizio Maher Roae O'Brien, D.,
Fairchild Mahoney Rock Speaker
Fleck Major Roebuck

NAYS—0

NOT VOTING—0

EXCUSED—6

Micozzie Payton Solobay Wheatley
Mustio Pyle

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

* * *

Mr. SHIMKUS called up **HR 475, PN 2730**, entitled:

A Resolution designating November 8, 2007, as "75th Anniversary of Baptist Bible College & Seminary Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Frankel	Manderino	Rohrer
Argall	Freeman	Mann	Ross
Baker	Gabig	Mantz	Rubley
Barrar	Galloway	Markosek	Sabatina
Bastian	Geist	Marshall	Sainato
Bear	George	Marsico	Samuelson
Belfanti	Gerber	McCall	Santoni
Benninghoff	Gergely	McGeehan	Saylor
Bennington	Gibbons	McI. Smith	Scavello
Beyer	Gillespie	McIlhattan	Schroder
Biancucci	Gingrich	Melio	Seip
Bishop	Godshall	Mensch	Shapiro
Blackwell	Goodman	Metcalfe	Shimkus
Boback	Grell	Millard	Siptroth
Boyd	Grucela	Miller	Smith, K.
Brennan	Haluska	Milne	Smith, M.
Brooks	Hanna	Moul	Smith, S.
Buxton	Harhai	Moyer	Sonney
Caltagirone	Harhart	Mundy	Staback
Cappelli	Harkins	Murt	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	Oliver	Swanger
Conklin	Hickernell	Pallone	Tangretti
Costa	Hornaman	Parker	Taylor, J.
Cox	Hutchinson	Pashinski	Taylor, R.
Creighton	James	Payne	Thomas
Cruz	Josephs	Peifer	True
Curry	Kauffman	Perry	Turzai
Cutler	Keller, M.	Perzel	Vereb
Daley	Keller, W.	Petrarca	Vitali
Dally	Kenney	Petri	Vulakovich
DeLuca	Kessler	Petrone	Wagner
Denlinger	Killion	Phillips	Walko
DePasquale	King	Pickett	Wansacz
Dermody	Kirkland	Preston	Waters
DeWeese	Kortz	Quigley	Watson

DiGirolamo	Kotik	Quinn	White
Donatucci	Kula	Ramaley	Williams
Eachus	Leach	Rapp	Wojnaroski
Ellis	Lentz	Raymond	Yewcic
Evans, D.	Levdansky	Readshaw	Youngblood
Evans, J.	Longietti	Reed	Yudichak
Everett	Mackereth	Reichley	
Fabrizio	Maher	Roae	O'Brien, D.,
Fairchild	Mahoney	Rock	Speaker
Fleck	Major	Roebuck	

NAYS-0

NOT VOTING-0

EXCUSED-6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

* * *

Mr. DeLUCA called up **HR 483, PN 2752**, entitled:

A Resolution designating November 14, 2007, as "Leukemia, Lymphoma and Myeloma Awareness Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

Adolph	Frankel	Manderino	Rohrer
Argall	Freeman	Mann	Ross
Baker	Gabig	Mantz	Rubley
Barrar	Galloway	Markosek	Sabatina
Bastian	Geist	Marshall	Sainato
Bear	George	Marsico	Samuelson
Belfanti	Gerber	McCall	Santoni
Benninghoff	Gergely	McGeehan	Saylor
Bennington	Gibbons	McI. Smith	Scavello
Beyer	Gillespie	McIlhattan	Schroder
Biancucci	Gingrich	Melio	Seip
Bishop	Godshall	Mensch	Shapiro
Blackwell	Goodman	Metcalfe	Shimkus
Boback	Grell	Millard	Siptroth
Boyd	Grucela	Miller	Smith, K.
Brennan	Haluska	Milne	Smith, M.
Brooks	Hanna	Moul	Smith, S.
Buxton	Harhai	Moyer	Sonney
Caltagirone	Harhart	Mundy	Staback
Cappelli	Harkins	Murt	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	Oliver	Swanger
Conklin	Hickernell	Pallone	Tangretti
Costa	Hornaman	Parker	Taylor, J.
Cox	Hutchinson	Pashinski	Taylor, R.
Creighton	James	Payne	Thomas
Cruz	Josephs	Peifer	True
Curry	Kauffman	Perry	Turzai
Cutler	Keller, M.	Perzel	Vereb

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

* * *

Mr. DePASQUALE called up **HR 486, PN 2764**, entitled:

A Resolution designating the month of November 2007 as "Hydrocephalus Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

* * *

Mr. FRANKEL called up **HR 490, PN 2780**, entitled:

A Resolution designating the month of November 2007 as "Lung Cancer Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

* * *

Mr. READSHAW called up **HR 491, PN 2781**, entitled:

A Resolution proclaiming November 11 through 17, 2007, as "American Education Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

Blackwell	Goodman	Metcalfe	Shimkus
Boback	Grell	Millard	Siptroth
Boyd	Grucela	Miller	Smith, K.
Brennan	Haluska	Milne	Smith, M.
Brooks	Hanna	Moul	Smith, S.
Buxton	Harhai	Moyer	Sonney
Caltagirone	Harhart	Mundy	Staback
Cappelli	Harkins	Murt	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	Oliver	Swanger
Conklin	Hickernell	Pallone	Tangretti
Costa	Hornaman	Parker	Taylor, J.
Cox	Hutchinson	Pashinski	Taylor, R.
Creighton	James	Payne	Thomas
Cruz	Josephs	Peifer	True
Curry	Kauffman	Perry	Turzai
Cutler	Keller, M.	Perzel	Vereb
Daley	Keller, W.	Petrarca	Vitali
Dally	Kenney	Petri	Vulakovich
DeLuca	Kessler	Petrone	Wagner
Denlinger	Killion	Phillips	Walko
DePasquale	King	Pickett	Wansacz
Dermody	Kirkland	Preston	Waters
DeWeese	Kortz	Quigley	Watson
DiGirolamo	Kotik	Quinn	White
Donatucci	Kula	Ramaley	Williams
Eachus	Leach	Rapp	Wojnaroski
Ellis	Lentz	Raymond	Yewcic
Evans, D.	Levdansky	Readshaw	Youngblood
Evans, J.	Longietti	Reed	Yudichak
Everett	Mackereth	Reichley	
Fabrizio	Maher	Roae	O'Brien, D.,
Fairchild	Mahoney	Rock	Speaker
Fleck	Major	Roebuck	

NAYS-0

NOT VOTING-0

EXCUSED-6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

* * *

Mr. CURRY called up **HR 493, PN 2783**, entitled:

A Resolution commending the Alzheimer's Association, Delaware Valley Chapter, for raising awareness and funding to help those battling Alzheimer's disease through Philadelphia Memory Walk 2007, an event to be held on November 3, 2007, at Citizens Bank Park in Philadelphia.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

* * *

Mr. M. SMITH called up **HR 495, PN 2785**, entitled:

A Resolution recognizing November 2007 as "National Diabetes Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

* * *

Mr. METCALFE called up **HR 496, PN 2786**, entitled:

A Resolution honoring the Borough of Saxonburg on the occasion of its 175th anniversary.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

* * *

Mr. FAIRCHILD called up **HR 498, PN 2779**, entitled:

A Resolution recognizing the 25th anniversary of the dedication of the Vietnam Veterans Memorial.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

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

HB 638, PN 699

By Rep. DeLUCA

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for occupational therapy services.

INSURANCE.

HB 1177, PN 2804 (Amended)

By Rep. DeLUCA

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for clinical social work services.

INSURANCE.

HB 1634, PN 2805 (Amended)

By Rep. FREEMAN

An Act prohibiting municipal corporations from requiring municipal registration of deeds prior to recordation by recorders of deeds; providing for the transfer and transmission of copies of deeds for registration; and making related repeals.

LOCAL GOVERNMENT.

HB 1962, PN 2734

By Rep. DeLUCA

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for marriage and family therapy services and for professional counseling services.

INSURANCE.

APPROPRIATIONS COMMITTEE MEETING

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

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

On scheduling, we would like to have a 15-minute recess. We will return to the floor in 15 minutes in order that our Appropriations Committee can meet immediately in the House majority caucus room and expecting to return at 12 o'clock.

Thank you, Mr. Speaker.

The SPEAKER. The Appropriations Committee will meet immediately in the majority caucus room.

RECESS

The SPEAKER. This House will stand in recess until 12 p.m.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 848, PN 1444 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 the sale of unused and unnecessary lands and buildings.

APPROPRIATIONS.

HB 1033, PN 2664 By Rep. D. EVANS

An Act designating September 11 of each year as "Pennsylvania Emergency Responders' Day."

APPROPRIATIONS.

HB 1622, PN 2720 By Rep. D. EVANS

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.

APPROPRIATIONS.

HB 1693, PN 2665 By Rep. D. EVANS

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further defining "practice of social work"; defining "social worker"; providing for endorsement of out-of-State licenses; and further proscribing unlawful practice.

APPROPRIATIONS.

The SPEAKER. These bills will be placed on the supplemental calendar.

CALENDAR CONTINUED**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1129, PN 2773**, entitled:

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

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

The SPEAKER. The Chair recognizes Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, would the maker of the bill stand for a brief interrogation?

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

Mr. CLYMER. Thank you, Mr. Speaker.

Just to make some clarifications here. In doing the investigation of drug and alcohol abuse among our universities and colleges, the genesis for this bill is because your investigations have indicated that the problem is getting much worse. Would that be a correct assessment?

The SPEAKER. The Chair requests that members take their seats. Members are indicating to the Chair they are having difficulty hearing the debate. The Sergeants at Arms will clear the aisles. The Sergeants at Arms will clear the aisles. Conferences in the rear will break up.

The gentleman is in order.

Mr. CLYMER. Thank you, Mr. Speaker.

Let me repeat the question. In doing the investigations that drug and alcohol abuse is increasing in our higher institutions of education, our colleges and universities, your findings have indicated that the problem of drug and alcohol abuse is increasing. Would that be a fair assessment?

Mr. CONKLIN. Mr. Speaker, what we have found, especially in university communities, is that we have young people who are going directly from their high school years into their college years. In the first 2 months of their education is what we like to call the red zone. That is where they are most prone to get into trouble, whether it would be through sexual violence or a different type of discord. What this bill is meant to do is to use what such great universities as Penn State University, Pitt University, and a couple of others have already implemented. It is when those young people come in, to give them the opportunity to go through orientation and to understand those dangers for not only the female student but also the male student, Mr. Speaker.

Mr. CLYMER. Thank you.

How would you characterize the problems? As serious, very serious, not serious at all? Can you give me a feel for the drug and alcohol abuse that is occurring?

Mr. CONKLIN. Thank you, Mr. Speaker.

One of the things you see when young people go to a university is that it is a completely new world and getting into trouble through drugs and alcohol, or other types of violent acts, can harm a young person for the rest of their lives. At this point I find even one act to be a very serious offense. But we have found over the years that those incidents are definitely on the rise, whether it is because they are happening more often, Mr. Speaker, or because those individuals are telling more. At any rate, one is more than we want. We would like to avoid that to make sure that every young person looks back, when they become our age, with fond memories of their university years.

Mr. CLYMER. And I know that in doing some research myself, that in the year 2006 it has been reported that between the ages of 18 and 24, nationwide now, 1700 young people, between those ages, have lost their lives directly due to alcohol and drug abuse. It could be binge drinking or accidents in the car. So it is a serious problem.

Now, one of the ways, working together, that we may be able to curb this is that there is some legislation that is out there that is in committee that could help in our efforts, and especially, as you have brought HB 1129 to the forefront, is on the compliance check. That expires at the end of this year. That is where the Liquor Control Board has underage individuals who volunteer and train to go into a licensed liquor establishment

and order a drink. So that is something that you and I can say will continue to help bring down the record number of crimes.

Also, there is a bill out there, again, as it would impact on your legislation. It is called tag-a-keg, where the person who buys the keg – all the beer kegs have serial numbers on them – and so when that keg is purchased, the name and address of that purchaser will be identified should that keg be discovered to be used at an underage drinking party. That is something that you and I can move forward on, and this bipartisan support for these types of bills is very important.

And then finally, let me conclude, there is legislation and movement under way to allow it to be more available at stores – that is, beer – at minimarkets that sell oil and gasoline, and supermarkets. Again, that is something that we should be looking at seriously, and not just saying it is going to bring in more revenue for the State, but what are going to be the aftereffects on the lives of our young people based on what we have already discussed. Would that be a fair assessment as well?

Mr. CONKLIN. Yes. The speaker is absolutely correct. As we go down, we have to do whatever measures we can to help, especially those young individuals, whether they are 18, 21, or 24, to be able to look back when they become our age to have those fond memories without abuse problems. Yes, Mr. Speaker.

Mr. CLYMER. Mr. Speaker, that ends my interrogation. I thank the gentleman for answering these very important questions.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes Representative Josephs, who moves that the rules be suspended for the immediate consideration of amendment A04019, which the clerk will read.

The clerk read the following amendment No. **A04019**:

Amend Sec. 5, page 3, line 23, by striking out "The" and inserting

Information on the

Amend Sec. 5, page 3, line 24, by inserting after "diseases"
, and medical treatment to prevent either

On the question,

Will the House agree to the motion?

The SPEAKER. For the information of the members, on a motion to suspend the rules, the Chair will ask for a brief description of that amendment. It is not intended to debate the entire content of the amendment.

MOTION WITHDRAWN

The SPEAKER. The Chair recognizes the lady for a brief explanation.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I would like to make an explanation, but I do want to withdraw my motion to suspend the rules, if that is acceptable.

What we were concerned about, one of the clauses, one of the provisions in this bill talks about giving information – I am paraphrasing a little bit – on pregnancy and the transmission of sexual diseases. My amendment would have added medical treatment to prevent either, but something happened in Appropriations that we were not aware of.

It is not drawn to the right printer's number. So I am withdrawing.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

Will the House agree to the bill on second consideration?

The SPEAKER. Representative Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

As I look on our calendar today, I notice that we are talking about sexual violence awareness education in schools of higher education that receive public funding. And my question, if I may ask the prime sponsor of the bill, it is my understanding that everybody is doing this but maybe he is aware of some schools that are not doing this. So could he give us some schools in Pennsylvania that are not up front with their students, in particular, sexual awareness and, you might say, sexual violence awareness? Is he aware of any schools that are really not doing this and are not fulfilling this mission?

The SPEAKER. The gentleman is asking Representative Conklin to stand for interrogation. The gentleman indicates that he will. The gentleman may respond.

Mr. CONKLIN. I would like to thank the Speaker, and I thank Chairman Stairs for that question.

As you look through the prevention, we have some of the major universities, such as Penn State, that have implemented this, but at the same time we have some of the smaller universities, Mr. Speaker, that – if you would like, I would be more than glad to give you the list of those names in the back of the hall – that have not implemented these procedures at this point, and some of the other two major universities have not gone to quite the length that this legislation would call for.

Basically what we are doing is taking a good idea and we are going to build on it. We are going to take it from approximately 30 percent of the major universities and actually smaller colleges within our Commonwealth, and we are going to add that statewide, Mr. Speaker.

Mr. STAIRS. Certainly you answered the question, maybe not with specifics but, you know, in generalities, that maybe some programs are weak or some small schools are not involved, but we do not know this for sure, but nevertheless, that ends my questioning.

My statement would be, in previous sessions this legislation has come up. It is probably significantly changed somewhat; that being that before there was some enforcement capacity, in other words, if a school did not do this, that they might lose funding or there were consequences. To my knowledge, as I read the legislation, I do not see any consequences. It is just encouraging, which I certainly would not argue with, but I feel that this bill does not really get to the problem. It does say a few things that I think are important statements to make, but it does not follow up.

So I just want to be out on the record, and certainly we would like to hear from schools across the Commonwealth about their involvement in this, and I do think most schools in

some way or another do this. Maybe it needs to be turned up a notch or two because this is a very important issue and we want to make sure that these abuses do not happen. But I think if volunteers in the schools, if they were told that this is a problem, they would be more aware of trying to resolve it.

So the legislation has some meaning but still on the other hand, there is no enforcement, and I guess it is no harm to try to send out this good message.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

The SPEAKER. Will the Sergeants at Arms please identify the human or creature in the back of the House in the last row on the Democratic side of the aisle. Would you please stand and be recognized, sir.

SUPPLEMENTAL CALENDAR A

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 848, PN 1444**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for the sale of unused and unnecessary lands and buildings.

On the question,

Will the House agree to the bill on second consideration?

Mr. **ROHRER** offered the following amendment No. **A00553**:

Amend Title, page 1, line 5, by inserting after "providing" , in general provisions relating to school finances, for use of school funds and illegal use; and further providing

Amend Bill, page 1, lines 9 through 11, by striking out all of said lines and inserting

Section 1. Section 610 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended to read:

Section 610. Use of School Funds; Illegal Use.—(a) The board of school directors in every school district shall have the right to use and pay out, in the manner herein provided, any funds of the district for any and all of the purposes therein provided, subject to all the provisions of this act. The use or payment of any public school funds of any school district, in any manner or for any purpose not provided in this act, shall be illegal.

(b) Notwithstanding any other provision of this act to the contrary, no board of school directors in any school district may use or pay out any funds of the district for the acquisition of real property, if the purpose of the acquisition is to make an investment, unless the board is protected against loss of principal in the acquisition.

Section 2. Section 707 of the act is amended by adding a clause to read:

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

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman indicates that he withdraws the amendment. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **GODSHALL** offered the following amendment No. **A00607**:

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

; providing for State reimbursement for mobile classroom facilities; and making editorial changes.

Amend Bill, page 3, by inserting between lines 3 and 4

Section 2. Section 2574(a) of the act, amended September 29, 1959 (P.L.992, No.407), is amended to read:

Section 2574. Approved Reimbursable Rental for Leases Hereafter Approved and Approved Reimbursable Sinking Fund Charges on Indebtedness.—(a) For school building projects for which the general construction contract is awarded subsequent to March 22, 1956, and for approved school building projects for which the general construction contract was awarded but for which a lease was not approved by the Department of [Public Instruction] Education prior to March 22, 1956, the Department of [Public Instruction] Education shall calculate an approved reimbursable rental or approved reimbursable sinking fund charges. Reimbursable sinking fund charges may include charges for temporary indebtedness within constitutional limitations, if the indebtedness is incurred for approved [permanent] improvements to the school plant including the cost of acquiring a suitable site for a school building, the cost of constructing a new school building, or the cost of providing needed additions or alterations to existing buildings for which no bond issue is provided and for which an approved obligation or obligations other than bonds have been issued and the obligation or obligations are payable within five (5) years from the date of issue of the obligation in equal annual installments. As used in this section, "building" shall include a permanent structure that contains or is attached to relocatable or modular classrooms. The term "relocatable or modular classroom" shall mean a classroom not of a permanent nature which meets the criteria and specifications of the Department of Education.

Approved reimbursable rental or sinking fund charge shall consist of that part of the annual rental or sinking fund charge attributable to—

(1) The cost of acquiring the land upon which the school buildings are situate, the cost of necessary rough grading to permit proper placement of the building upon said land and the cost of sewage treatment plants, as required by the Department of Health, to the extent that such costs are deemed reasonable by the Department of [Public Instruction] Education and the interest on such costs of acquisition, grading and sewage treatment plants earned subsequent to date the construction contract is awarded, and

(2) The approved building construction cost and the interest on such construction cost.

* * *

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

On the question,

Will the House agree to the amendment?

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

AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER. This amendment will go over temporarily.

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

Mr. **HALUSKA** offered the following amendment No. **A00624**:

Amend Sec. 1 (Sec. 707), page 2, line 28, by inserting after "WITH"

State and

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

The SPEAKER. The Chair recognizes Representative Haluska on the amendment.

Mr. HALUSKA. Thank you, Mr. Speaker.

Mr. Speaker, this is just a technical amendment. What the amendment does is it inserts "Amend Sec. 1 (Sec. 707), page 2, line 28, by inserting after 'WITH' State and."

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

The following roll call was recorded:

YEAS—197

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

DeWeese	Kortz	Quigley	Watson
DiGirolamo	Kotik	Quinn	White
Donatucci	Kula	Ramaley	Williams
Eachus	Leach	Rapp	Wojnaroski
Ellis	Lentz	Raymond	Yewcic
Evans, D.	Levdansky	Readshaw	Youngblood
Evans, J.	Longiotti	Reed	Yudichak
Everett	Mackereth	Reichley	
Fabrizio	Maher	Roae	O'Brien, D., Speaker
Fairchild	Mahoney	Rock	
Fleck	Major	Roebuck	

NAYS—0

NOT VOTING—0

EXCUSED—6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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. **FREEMAN** offered the following amendment No. **A00674**:

Amend Sec. 1 (Sec. 707), page 2, line 3, by striking out "EIGHTY (80)" and inserting fifty (50)

Amend Sec. 1 (Sec. 707), page 2, line 19, by striking out "EIGHTY (80)" and inserting fifty (50)

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

AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes Representative Freeman on the amendment.

Mr. FREEMAN. Thank you, Mr. Speaker.

I would like to withdraw A00674 and offer in its place amendment A03480.

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

Mr. **FREEMAN** offered the following amendment No. **A03480**:

Amend Sec. 1 (Sec. 707), page 2, line 3, by striking out "EIGHTY (80)" and inserting fifty (50)

Amend Sec. 1 (Sec. 707), page 2, line 5, by inserting after "be." provided the prospective purchaser submits a plan for the building and demonstrates that the purchaser has the financial resources to implement the plan.

Amend Sec. 1 (Sec. 707), page 2, line 19, by striking out "EIGHTY (80)" and inserting

fifty (50)

Amend Sec. 1 (Sec. 707), page 2, line 20, by inserting after "value"

subject to the conditions set forth in this clause

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

The SPEAKER. The Chair recognizes Representative Freeman on the amendment.

Mr. FREEMAN. Thank you, Mr. Speaker.

This amendment would provide for a change in the percentage of market value in order to enable a school district to sell an unused school building. Currently the bill provides for an 80 percent fair market value that would have to be met in order to sell the building for redevelopment. My amendment would drop that to 50 percent, knowing full well that many of these older buildings have a lot of rehab costs that are incurred in an effort to reuse the building, sometimes that is environmental remediation, and so being able to lower the fair market value sale to 50 percent makes it more feasible for an older school building to be reused.

The other provision of the amendment would also provide for the developer purchasing the building to submit a plan to the school board demonstrating what he intends to do with it, and also that they have the financing necessary to implement the plan. Those should serve as safeguards in terms of ensuring that the building is in fact reused.

This is an agreed-to amendment with the prime sponsor, and I would urge a "yes" vote.

The SPEAKER. Representative Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

Mr. Speaker, several years ago as chairman of the Urban Affairs Committee with my friend, Representative Petrone, we looked, on a bipartisan basis, at the problem of blight all across the State in both large communities and small, and one of the issues that kept coming up again and again and again was some older schools that still had considerable life in them being sold to slumlords. And when people would complain to the school board, they said, look, you know, this person is a notorious slumlord. There is no way that they will ever do anything good with this building. They have a proven record of failing again and again and again. Why would you sell it to such a person with such a record? And every time the school board would say, under the existing law, we had no choice. So Representative Freeman's bill, by requiring that the purchaser demonstrate that he or she has the financial resources and the ability to implement a plan, in part of this amendment, is a critical part of that solution, and I would strongly advocate a "yes" vote on this amendment.

The SPEAKER. Representative Haluska.

Mr. HALUSKA. Thank you, Mr. Speaker.

This is an agreed-to amendment.

The SPEAKER. Representative Haluska?

Mr. HALUSKA. Yes, Mr. Speaker?

The SPEAKER. Did you seek recognition?

Mr. HALUSKA. No, no.

The SPEAKER. Representative Gabig.

Mr. GABIG. Thank you, Mr. Speaker.

I have a question, and I am not sure if I should ask this of the maker of the amendment or the maker of the bill, so I will just ask both of them to pay attention. I will ask the question, if one of them can raise their hand about who can answer.

In my district, what happens sometimes with these school buildings, the school district basically gives them to a municipality or a nonprofit for a dollar, a nominal fee, to use for some type of public purpose. Under the bill, I am assuming they can still do that. This is just regarding if you are selling it to a private entity, and the bill as amended. Mr. Freeman is raising his hand, so I would ask for interrogation of Mr. Freeman, if I could, Madam Speaker.

THE SPEAKER PRO TEMPORE (JENNIFER L. MANN) PRESIDING

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

Mr. FREEMAN. Thank you, Madam Speaker.

Yes, we are not touching the provisions that exist in the bill, which still permit a school district to sell the building for a nonprofit or to a municipality without having to meet the certain percentage of fair market value. All my amendment does is deal with a private developer who wishes to reuse it for a profitable purpose.

Mr. GABIG. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentelady, Representative Beyer.

Mrs. BEYER. Thank you, Madam Speaker.

Will the maker of the amendment stand for brief interrogation?

The SPEAKER pro tempore. The gentleman indicates he will stand for interrogation. The gentelady is in order.

Mrs. BEYER. Madam Speaker, can Representative Freeman tell me whether or not the School Boards Association has agreed to your amendment or has any objections at all?

Mr. FREEMAN. Thank you, Madam Speaker.

The School Boards Association has endorsed this amendment.

Mrs. BEYER. Did you anticipate at all a timeline that when a property is sold to a private developer, do they have a time frame with which they must implement the plan once it has been accepted by the board, and will the board vote on the sale of that land based on what the plan ultimately says?

Mr. FREEMAN. Madam Speaker, we are not that specific in terms of the language of the amendment, but obviously a key component of a good plan does lay out a time frame. So I assume that is something the school board will be able to insist upon as meeting the test of a valid plan.

Mrs. BEYER. Is there a specific instance perhaps that occurred that caused you to draft this particular amendment? Is there some kind of an example that perhaps members can look to as why you would draft this sort of amendment?

Mr. FREEMAN. Well, the amendment was drafted to address the concerns of the prime sponsor. My original amendment, which I withdrew earlier today, would have simply changed the sale factor of fair market value from 80 percent to 50 percent. The impetus for that amendment, which is partially in this amendment, is the notion that with older school buildings, there really are opportunities for adaptive reuse,

changing them into possibly apartments or office buildings or whatnot. And since this bill requires the demolition of unused school buildings after a 10-year period of unuse, I did not want us to miss the opportunity for a legitimate opportunity to have an adaptive reuse of a school building that could add something to the community in terms of tax base and opportunities for construction. It was at the insistence of the prime sponsor of the bill that I added the provision saying that there must be a plan and there must be the financial resources to follow through on the plan in order to address his legitimate concerns that you did not have, as Representative Argall mentioned, slum landlords coming in and just purchasing the properties, buying up the properties. They would have to prove that they have a reuse in mind, that the plan is well thought out, and that the financial resources to implement the plan are in fact there under my amendment.

Mrs. BEYER. That ends my interrogation. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentledady.

Is there anyone else seeking recognition? The Chair recognizes the gentledady, Representative Boback.

Ms. BOBACK. Thank you, Madam Speaker.

May I interrogate the maker of the amendment, please?

The SPEAKER pro tempore. The gentleman indicates he will stand for interrogation. The gentledady is in order.

Ms. BOBACK. Thank you.

My question is, with the problems of school property tax reform and some of these school systems looking for ways, as far as money issues go, I was sold with 80 percent fair market value, and I see even with that the School Boards Association opposed the bill. Why would you lower it to 50 percent? And I know your rationale is they are old buildings that would entice people to buy, but if they are a developer and they see potential there, do you not think that they would be willing to pay that 80 percent?

Mr. FREEMAN. Thank you, Madam Speaker.

The reason is that, as the bill is structured now, they would not be able to sell the building unless the 80 percent fair market value was reached. So in other words, you could have a developer come through the door who said, you know, I cannot afford to pay 100 percent fair market, but I can reuse this building. I can get it back on the tax rolls. I can make it work if you give me 75 percent fair market value. That is, I think, a good deal for the community if it brings it back on the tax rolls and takes a boarded-up building and has adaptive reuse for it to be back in a functional use.

I do not want us to be so high in our standard that we are missing opportunities to rebuild the tax base in some of our older communities and that we are missing the opportunities for the reuse of a perfectly good building. I understand the intent of the prime sponsor of the bill, which was that there are a lot of boarded-up buildings that are not being used. School districts are holding on to them, so let us force their hand. Let us get them to start to address these issues either by requiring them to demolish or to move on the buildings. But I think, given the fact that many of these buildings oftentimes have environmental remediation problems such as asbestos removal, they oftentimes require a much more creative and thoughtful process of how you go about reusing them, given the layout of the building, the structure of the building, that a minimum floor of 50 percent is more reasonable.

And again, keep in mind, it is just a required floor. It does not mean that you cannot accept a higher value. If the building has true value, someone might come in at 75 percent of fair market, 80 percent, or 100 percent. It is just stipulating that you cannot sell it for less than 50 percent in an effort to try and get adaptive reuse that might make more sense given the age and needs of the building.

The other component part of the amendment which is critical, and which we did add at the insistence of the prime sponsor, is there has to be a plan and there has to be proof that the developer has the financial wherewithal to implement the plan, and those are the true safeguards in the bill that I think gave the prime sponsor the comfort level to endorse this amendment.

Ms. BOBACK. I apologize. I did not hear that last part. Did you say then, in other words, before they purchase the building, they would have to prove that it would become a viable tax or provide tax to the school system?

Mr. FREEMAN. No, no. They have to prove that they have the financial wherewithal to carry out the plan that would reuse the building and restore it to the tax rolls.

Ms. BOBACK. Thank you. And you did say it is an agreed-to amendment?

Mr. FREEMAN. Yes.

Ms. BOBACK. Thank you.

The SPEAKER pro tempore. Is there anybody else seeking recognition? Representative Freeman?

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—194

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

Daley	Keller, M.	Petri	Vitali
Dally	Keller, W.	Petrone	Vulakovich
DeLuca	Kenney	Phillips	Wagner
Denlinger	Kessler	Pickett	Walko
DePasquale	Killion	Preston	Wansacz
Dermody	King	Quigley	Waters
DeWeese	Kirkland	Quinn	Watson
DiGirolamo	Kortz	Ramaley	White
Donatucci	Kotik	Rapp	Williams
Eachus	Kula	Raymond	Wojnaroski
Ellis	Leach	Readshaw	Yewcic
Evans, D.	Lentz	Reed	Youngblood
Evans, J.	Levdansky	Reichley	Yudichak
Everett	Longietti	Roae	
Fabrizio	Mackereth	Rock	O'Brien, D.,
Fairchild	Maher	Roebuck	Speaker

NAYS—3

Metcalfe	Moul	Perry
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NOT VOTING—0

EXCUSED—6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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. Representative Freeman, you have a couple other amendments. Is there anything else you would like to offer?

Mr. FREEMAN. Yes, Madam Speaker. I would like to withdraw amendment A00675 and offer in its place a timely filed amendment, A03505.

On the question recurring,

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

Mr. FREEMAN offered the following amendment No. **A03505**:

Amend Sec. 1 (Sec. 707), page 2, line 29, by striking out "OR"

Amend Sec. 1 (Sec. 707), page 3, line 2, by removing the period after "STUDENTS" and inserting

; OR

Amend Sec. 1 (Sec. 707), page 3, by inserting between lines 2 and 3

(iv) the school building was built before 1940 and the Pennsylvania Historical and Museum Commission determines the school building has historic value.

On the question,

Will the House agree to the amendment?

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

Mr. FREEMAN. Thank you, Madam Speaker.

Under this legislation, there are three current provisions which would allow a school district to not have to demolish an unused building. One is that the school board intends to use the building in the future for its school district needs, another is if the school building is maintained in accordance with now State and local building health and safety ordinances, and the third is if the school building is located on a property with at least one other school building that is used for the instruction of students.

What my amendment would do is add a fourth category, which would allow the school district to not have to demolish a building, and that would be if the school building itself was built before 1940 and that the Pennsylvania Historical and Museum Commission determines that the school building has historic value. There are many, many fine examples of historic architecture, of old schools that have an importance within the community in which they are located, and they are worthy of saving. They are historic gems. This provision would give one more opportunity for the school district to say, wait, let us not tear this down, do not force our hand and demolish it, it has historic significance.

Again, the criterion is a high bar. The building has to be built before 1940, and the Historical and Museum Commission has to wade into the issue and say, yes, in fact, it has historic value. And of course, it is a decision on the part of the school district to determine that that is one of the options they wish to exercise.

This amendment is also supported by the School Boards Association and is an agreed-to amendment with the prime sponsor of the legislation, so I would urge a "yes" vote.

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

The SPEAKER. Representative Haluska.

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

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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 clerk read the following amendment No. **A00607**:

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

; providing for State reimbursement for mobile classroom facilities; and making editorial changes.

Amend Bill, page 3, by inserting between lines 3 and 4

Section 2. Section 2574(a) of the act, amended September 29, 1959 (P.L.992, No.407), is amended to read:

Section 2574. Approved Reimbursable Rental for Leases Hereafter Approved and Approved Reimbursable Sinking Fund Charges on Indebtedness.—(a) For school building projects for which the general construction contract is awarded subsequent to March 22, 1956, and for approved school building projects for which the general construction contract was awarded but for which a lease was not approved by the Department of [Public Instruction] Education prior to March 22, 1956, the Department of [Public Instruction] Education shall calculate an approved reimbursable rental or approved reimbursable sinking fund charges. Reimbursable sinking fund charges may include charges for temporary indebtedness within constitutional limitations, if the indebtedness is incurred for approved [permanent] improvements to the school plant including the cost of acquiring a suitable site for a

school building, the cost of constructing a new school building, or the cost of providing needed additions or alterations to existing buildings for which no bond issue is provided and for which an approved obligation or obligations other than bonds have been issued and the obligation or obligations are payable within five (5) years from the date of issue of the obligation in equal annual installments. As used in this section, "building" shall include a permanent structure that contains or is attached to relocatable or modular classrooms. The term "relocatable or modular classroom" shall mean a classroom not of a permanent nature which meets the criteria and specifications of the Department of Education.

Approved reimbursable rental or sinking fund charge shall consist of that part of the annual rental or sinking fund charge attributable to—

(1) The cost of acquiring the land upon which the school buildings are situate, the cost of necessary rough grading to permit proper placement of the building upon said land and the cost of sewage treatment plants, as required by the Department of Health, to the extent that such costs are deemed reasonable by the Department of [Public Instruction] Education and the interest on such costs of acquisition, grading and sewage treatment plants earned subsequent to date the construction contract is awarded, and

(2) The approved building construction cost and the interest on such construction cost.

* * *

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

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Representative Godshall on the amendment.

Mr. GODSHALL. Thank you, Mr. Speaker.

This amendment, I believe, is an agreed-to amendment. What it does is allow for reimbursement for school repairs, roof repairs, whatever, to bring the schools up to code. This is building-and-mortar reimbursement for schools when you have modular classrooms. There is an exception in the law that says if you have modular classrooms at a school and if you do repairs to that school, unless you remove the modulars at the same time, which you may not need down the road, you do not get the reimbursement you are entitled to.

So as I said, this passed the House 198 to zero last year, and I appreciate your support.

The SPEAKER. Representative Haluska.

Mr. HALUSKA. Thank you, Mr. Speaker.

This is an agreed-to amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

Adolph	Frankel	Manderino	Rohrer
Argall	Freeman	Mann	Ross
Baker	Gabig	Mantz	Rubleby
Barrar	Galloway	Markosek	Sabatina
Bastian	Geist	Marshall	Sainato
Bear	George	Marsico	Samuelson
Belfanti	Gerber	McCall	Santoni
Benninghoff	Gergely	McGeehan	Saylor
Bennington	Gibbons	McI. Smith	Scavello
Beyer	Gillespie	McIlhatten	Schroder

Biancucci	Gingrich	Melio	Seip
Bishop	Godshall	Mensch	Shapiro
Blackwell	Goodman	Metcalfe	Shimkus
Boback	Grell	Millard	Siptroth
Boyd	Grucela	Miller	Smith, K.
Brennan	Haluska	Milne	Smith, M.
Brooks	Hanna	Moul	Smith, S.
Buxton	Harhai	Moyer	Sonney
Caltagirone	Harhart	Mundy	Staback
Cappelli	Harkins	Murt	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	Oliver	Swanger
Conklin	Hickernell	Pallone	Tangretti
Costa	Hornaman	Parker	Taylor, J.
Cox	Hutchinson	Pashinski	Taylor, R.
Creighton	James	Payne	Thomas
Cruz	Josephs	Peifer	True
Curry	Kauffman	Perry	Turzai
Cutler	Keller, M.	Perzel	Vereb
Daley	Keller, W.	Petrarca	Vitali
Dally	Kenney	Petri	Vulakovich
DeLuca	Kessler	Petrone	Wagner
Denlinger	Killion	Phillips	Walko
DePasquale	King	Pickett	Wansacz
Dermody	Kirkland	Preston	Waters
DeWeese	Kortz	Quigley	Watson
DiGirolamo	Kotik	Quinn	White
Donatucci	Kula	Ramaley	Williams
Eachus	Leach	Rapp	Wojnarowski
Ellis	Lentz	Raymond	Yewcic
Evans, D.	Levdansky	Readshaw	Youngblood
Evans, J.	Longietti	Reed	Yudichak
Everett	Mackereth	Reichley	
Fabrizio	Maher	Roae	O'Brien, D., Speaker
Fairchild	Mahoney	Rock	
Fleck	Major	Roebuck	

NAYS—0

NOT VOTING—0

EXCUSED—6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

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

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 1033, PN 2664**, entitled:

An Act designating September 11 of each year as "Pennsylvania Emergency Responders' Day."

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 1622, PN 2720**, entitled:

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.

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 1693, PN 2665**, entitled:

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further defining "practice of social work"; defining "social worker"; providing for endorsement of out-of-State licenses; and further proscribing unlawful practice.

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

The SPEAKER. The House will be at ease.

MOTION TO RECONSIDER HB 443

The SPEAKER. It has been moved by Representative Payne and Representative Killion that the vote by which HB 443, PN 2688, was agreed to on second consideration on the 30th day of October 2007 be reconsidered.

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

The SPEAKER. The Chair recognizes Representative Payne on the motion.

Mr. PAYNE. Thank you, Mr. Speaker.

It is our desire to have the roll-call vote which was denied yesterday on this particular bill.

The SPEAKER. For the information of the members, and this is instructional, rule 66 requires that a roll-call vote must be made prior to the announcement that a bill has been agreed to on second consideration. The record reflects that such a request was not made prior to the Speaker announcing the bill was agreed to.

Mr. PAYNE. And, Mr. Speaker, that is why we are making the motion for reconsideration.

The SPEAKER. The Chair thanks the gentleman.

On the motion, the Chair recognizes Representative DeWeese.

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

I will make certain that my remarks are devoid of excess passion and just share a commonsense scheduling perspective with the membership.

If my honorable colleague's motion is successful, the proposal would go back upon second consideration. All of the amendments that were filed late, notwithstanding the fact that we had almost 100 that we initially considered and we debated for 13 hours, would be available for debate today. The Reichley amendment is a substantive and complicated one, worthy of substantial debate at some point in the dialogue, but it would take several hours of debate, potentially, and certainly would take a lengthy caucus. The Grell amendment, again another substantive one, would be the adaptation of Senator Pileggi's entire proposal. It would gut every ounce of our enthusiasms, our 13-hour marathon effort yesterday, and insert the Senate bill completely, and all of our amendments would be voided. That would also, in my view, take a couple of hours of debate and a substantial caucus. That is not to say that the other amendments that I am not enumerating right now are other than substantive and serious.

So scheduling-wise, I do think we would probably be here until 6-ish, and potentially, and I do not want to be hyperbolic, and some might say that when I got up this morning I was hyperbolic, but it is possible that we would have to, and we talked about it last week, stay until tomorrow. That is okay. If that is the way it is, that is the way it is.

But we have been debating this. Mr. Mahoney's effort was launched in January. I am repeating myself, but I think it is necessary. We have had this proposal since March. We decided during the budget from this microphone, I said in July, that we will debate this in the fall. Yesterday we had 13 hours. I am not sure exactly how many amendments, but it is roughly 15 of ours went in and 20 of yours went in. We were very fair. This was a very bipartisan effort. More Republican amendments were incorporated into the body of the bill than were Democratic amendments.

So if it is the will of the chamber to stay today and potentially tomorrow to do some additional amendments, that were not filed on time; I mean, we are trying to have open records, and yet we are trying to go around our rules through a legitimate and necessary, occasionally necessary, procedure of suspension. But I would recommend against my honorable friend's motion being adopted. I would ask for a negative vote.

Thank you very much, Mr. Speaker.

The SPEAKER. Representative Sam Smith.

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

Just to kind of add a little point of reference, from my perspective anyways. When this bill was being considered and as the amendments that were in order were wound down and a couple that were filed late were denied an opportunity to suspend the rules so that they could be considered, in the course of those deliberations there was at least one member who had indicated that they sought to have debate and possibly asked for a roll-call vote on the occasion of the bill being read for the second time, which obviously is what allows it to be moved to third. It was clearly the intention of the Republicans to at least explore that area, and I am not sure what the vote would have been about going from second to third in essence, but it was clearly the intention.

I noted that 2 days ago there was, in a somewhat similar occasion, where a bill was read for the second time, thus

moving it to third, that the Speaker pro tem acknowledged that someone wanted to make a different motion that would have required that bill to be back on second, and so what the record says is that the Chair, without objection, will rescind that on second and will entertain a motion, in essence, rescinding the vote of the House. I am not sure if that is the proper process, and a little bit of this for me is about trying to figure out what the best way is to handle this. We have debated it before, going from second to third and such things. But the reason, I believe, that the members decided to proceed with the motion to reconsider is because we think that that is the more proper way to challenge the fact that the bill was moved from second to third without debate and without a vote, and that is not, that is not questioning anything other than the process that we are doing.

So I would support the motion to reconsider the vote by which this was moved from second to third, but I kind of wanted to put some of that on the record, because I believe it is still unclear as to what the proper, or at least, what the standard is, what the precedent for this House is going to be, when we have these types of issues before us. And I wanted to let the record reflect that that question is still up in the air and it is not necessarily resolved, at least not in my opinion. But I would ask the members to support the motion to reconsider.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—96

Adolph	Fairchild	Mantz	Raymond
Argall	Fleck	Marsico	Reed
Baker	Gabig	McIlhattan	Reichley
Barrar	Geist	Mensch	Roae
Bastian	Gillespie	Metcalfe	Rock
Bear	Gingrich	Millard	Rohrer
Benninghoff	Godshall	Miller	Ross
Beyer	Grell	Milne	Rublely
Boback	Harhart	Moul	Saylor
Boyd	Harper	Moyer	Scavello
Brooks	Harris	Murt	Schroder
Cappelli	Helm	Nailor	Smith, S.
Causer	Hennessey	Nickol	Sonney
Civera	Hershey	O'Neill	Stairs
Clymer	Hess	Payne	Steil
Cox	Hickernell	Peifer	Stern
Creighton	Hutchinson	Perry	Stevenson
Cutler	Kauffman	Perzel	Swanger
Dally	Keller, M.	Petri	Taylor, J.
Denlinger	Kenney	Phillips	True
DiGirolamo	Killion	Pickett	Turzai
Ellis	Mackereth	Quigley	Vereb
Evans, J.	Maher	Quinn	Vulakovich
Everett	Major	Rapp	Watson

NAYS—101

Belfanti	Galloway	Manderino	Shapiro
Bennington	George	Mann	Shimkus
Biancucci	Gerber	Markosek	Siproth
Bishop	Gergely	Marshall	Smith, K.
Blackwell	Gibbons	McCall	Smith, M.
Brennan	Goodman	McGeehan	Staback
Buxton	Grucela	McI. Smith	Sturla
Caltagirone	Haluska	Melio	Surra

Carroll	Hanna	Mundy	Tangretti
Casorio	Harhai	Myers	Taylor, R.
Cohen	Harkins	O'Brien, M.	Thomas
Conklin	Hornaman	Oliver	Vitali
Costa	James	Pallone	Wagner
Cruz	Josephs	Parker	Walko
Curry	Keller, W.	Pashinski	Wansacz
Daley	Kessler	Petrarca	Waters
DeLuca	King	Petrone	White
DePasquale	Kirkland	Preston	Williams
Dermody	Kortz	Ramaley	Wojnaroski
DeWeese	Kotik	Readshaw	Yewcic
Donatucci	Kula	Roebuck	Youngblood
Eachus	Leach	Sabatina	Yudichak
Evans, D.	Lentz	Sainato	
Fabrizio	Levdansky	Samuelson	O'Brien, D., Speaker
Frankel	Longietti	Santoni	
Freeman	Mahoney	Seip	

NOT VOTING—0

EXCUSED—6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

PARLIAMENTARY INQUIRY

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. The Chair recognizes the minority leader, Representative Smith.

Mr. S. SMITH. So that I am clear – I guess I would pose this as a point of parliamentary inquiry – that would mean that this bill is now where on our calendar? Is it on third consideration as of today, Wednesday?

The SPEAKER. It will be posted on third consideration.

Mr. S. SMITH. Today?

INTERROGATION

Mr. S. SMITH. Mr. Speaker, could I make an inquiry?

The SPEAKER. The bill cannot be voted today.

Mr. S. SMITH. I understand that, and I was going to ask if the majority leader would be inclined to give us an estimate of when they expect to run this bill on final passage. I realize it is at least 2 days away, but I am just curious, just for the members' edification, if that can be identified. I know that they would like to move it along rather promptly, and I was just curious if he has an idea what day it will be considered.

The SPEAKER. The gentleman indicates that he will respond.

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

We will embrace this dialogue one more time, or two or three or four more times, at the return of the Assembly on the 13th, and we will jump in with both feet, work together, hopefully have a bipartisan effort. Some of the proposals that are at least wafting about the chamber right now could potentially be attached to a Senate proposal. Mr. Pileggi's proposal will be sent hither. So we are looking forward to more discussion on this, as well as a very aggressive dialogue on

property taxes, as we hope Representative Levdansky's proposals come out of that committee later today. So when we come back in November, property taxes and open records will be taken up immediately.

Mr. S. SMITH. May I— Mr. Speaker, may I?

The SPEAKER. Representative Smith.

Mr. S. SMITH. If the majority leader would indulge me.

So is it your intention to – and I realize things change – is it your intention to call this bill up the week of the 13th when we come back for final passage, and your hopes would be that it would achieve a majority vote and go to the Senate for their consideration?

Mr. DeWEESE. Yes, sir, Mr. Leader.

The SPEAKER. Representative DeWeese.

Mr. DeWEESE. Yes, sir.

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 31, PN 56**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—189

Adolph	Fairchild	Major	Roebuck
Argall	Fleck	Manderino	Rohrer
Baker	Frankel	Mann	Ross
Barrar	Freeman	Mantz	Rublely
Bastian	Gabig	Markosek	Sabatina
Bear	Galloway	Marshall	Sainato
Belfanti	Geist	Marsico	Samuelson
Benninghoff	George	McCall	Santoni
Bennington	Gerber	McGeehan	Saylor
Beyer	Gergely	McI. Smith	Scavello
Bianucci	Gibbons	McIlhattan	Schroder
Bishop	Gillespie	Melio	Seip
Blackwell	Gingrich	Mensch	Shapiro
Boback	Godshall	Metcalfe	Shimkus
Boyd	Goodman	Millard	Siptroth
Brennan	Grell	Miller	Smith, K.
Brooks	Grucela	Milne	Smith, M.
Buxton	Haluska	Moul	Smith, S.
Caltagirone	Hanna	Moyer	Sonney
Cappelli	Harhai	Mundy	Staback

Carroll	Harhart	Murt	Stairs
Casorio	Harkins	Myers	Steil
Causer	Harper	Nailor	Stern
Civera	Harris	O'Brien, M.	Stevenson
Clymer	Helm	O'Neill	Sturla
Cohen	Hennessey	Oliver	Surra
Conklin	Hershey	Pallone	Swanger
Costa	Hess	Parker	Tangretti
Cox	Hickernell	Pashinski	Taylor, J.
Creighton	Hutchinson	Payne	Taylor, R.
Cruz	Josephs	Peifer	True
Curry	Kauffman	Perry	Turzai
Cutler	Keller, M.	Perzel	Veréb
Daley	Keller, W.	Petrarca	Vulakovich
Dally	Kenney	Petri	Wagner
DeLuca	Kessler	Petrone	Walko
Denlinger	Killion	Phillips	Wansacz
DePasquale	King	Pickett	Waters
Dermody	Kirkland	Quigley	Watson
DeWeese	Kotik	Quinn	White
DiGirolamo	Kula	Ramaley	Wojnaroski
Donatucci	Leach	Rapp	Yewcic
Eachus	Lentz	Raymond	Youngblood
Ellis	Levdansky	Readshaw	Yudichak
Evans, D.	Longietti	Reed	
Evans, J.	Mackereth	Reichley	O'Brien, D.,
Everett	Maher	Roae	Speaker
Fabrizio	Mahoney	Rock	

NAYS—8

Hornaman	Kortz	Preston	Vitali
James	Nickol	Thomas	Williams

NOT VOTING—0

EXCUSED—6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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 110, PN 2774**, entitled:

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.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—182

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

NAYS—15

Benninghoff	Creighton	Hutchinson	Rock
Brooks	Denlinger	Marshall	Smith, S.
Causer	Everett	Metcalfe	Swanger
Cox	Gabig	Rapp	

NOT VOTING—0

EXCUSED—6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

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

BILL ON FINAL PASSAGE

The House proceeded to consideration on final passage of **HB 523, PN 2775**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for trademark counterfeiting; prohibiting the sale of food, nonprescription drugs and cosmetics under certain circumstances; and imposing penalties.

On the question,
Shall the bill pass finally?

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—197

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

Everett	Mackereth	Reichley	
Fabrizio	Maher	Roae	O'Brien, D.,
Fairchild	Mahoney	Rock	Speaker
Fleck	Major	Roebuck	

NAYS—0

NOT VOTING—0

EXCUSED—6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1716, PN 2636**, entitled:

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.

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

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

(Bill analysis was read.)

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

The Chair recognizes Representative Vitali.
Mr. VITALI. Thank you, Mr. Speaker.
I just want to make a brief point. I am not going to belabor it.
The **SPEAKER**. The gentleman is in order and may proceed.
Mr. VITALI. There was some discussion on second passage about what the grading of stealing in excess of \$200 worth of cable services was. I have spoken with staff. As it turns out, if you are a homeowner and you jerry-rig the outside of your house and you get more than \$200 worth of cable services, you will have committed a felony of the third degree. So I think we have to realize the bill, which is in its present form, is kind of serious in that with premium cable, that could be 2 months' worth of services, and the implications of the felony as it relates to gun ownership and being able to work in schools with children and nursing homes are kind of severe.

So I am guessing this bill is going to pass, but I would just hope that when it gets over to the Senate, that they really take a good, hard look at that and maybe do the cleanup language that is necessary.

The **SPEAKER**. Representative Sainato.
Mr. SAINATO. Thank you, Mr. Speaker.
I would just like to say a few words on the legislation.

This is something that has taken a long time to put together over the last 3 months, and I know that Representative Vitali had some concern and, you know, I feel comfortable this bill is going to pass, and I would recommend— You know, I am amenable to any minor provisions changed over in the Senate. I do not see a problem working with them to make this a little more palatable. But I think we must remember what the main purpose of this bill was. It was for the safety of those people that work in the safety departments – the fire departments, the emergency first responders – because those are the people, that when things go awry, when people steal gas or electricity, they go into these homes, and if they do not know that there is a live wire or the gas is still on when you think it has been turned off because it has been rigged, that is how disaster occurs. As I said the other day, there was a terrible fire in New Jersey the day this bill came out of the Consumer Affairs Committee, and it just showed what can happen when people steal this stuff. So that is the secondary factor. The secondary factor is the theft; the major factor is the safety of those who work in the utility industry and those who respond to disasters.

I would like to thank Chairman Preston and Chairman Godshall for all their input and help on this vital piece of legislation, and also Tim Scott in Representative Preston's office for helping put this together with input from everybody in the utility industry as well as public safety officials. So this is a very important piece of legislation, Mr. Speaker. This is something that I think is long overdue in Pennsylvania, so I would encourage my colleagues to vote "yes."

The SPEAKER. Representative Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to encourage my colleague to do all that he can to take care of this problem in the Senate. The bill is a good bill, but there are things in the bill that we have to have when we talk about classification and talk about certain circumstances. But this one provision can be so egregious until it can just take all of the good out of the bill. And I know that you were well-intentioned when crafting this, and anything that I can do to help you in the Senate to get this straightened out, please do not hesitate.

Thank you.

The SPEAKER. Representative Preston.

Mr. PRESTON. Thank you, Mr. Speaker.

I rise in support of 1716, and I understand there have been certain people who have raised just certain questions, but let me give you an example under Federal guidelines. If you actually have someone take off a power box of electricity, that could be interruption of interstate commerce, which is already a Federal offense, even though that box may only be \$50. If someone is receiving a signal by satellite and interrupts that signal in any way, even with cable television, that could be a Federal offense on a felony level, the interruption of interstate commerce by transmission. So to be able to say that we need to clean something up, this is a bill that we need to be able to make people responsible for, it is actually a growing need, and the couple of examples I already gave at the Federal level, it just makes some of that point moot, and that would go with anything, even people living on the State line in some of the rural areas.

I would encourage us to vote for 1716. I think it is a good thought, it is a good bill. We had public hearings on the issues, and I think we just need to move forward.

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

Mr. GODSHALL. Thank you, Mr. Speaker.

Again, I would ask for a favorable vote on this legislation. Energy theft is right up there with car theft and with credit card theft, estimated at a minimum of a \$6 billion industry. All that money, all that energy that is stolen, that \$6 billion, has to be made up by the people, by the rest of us who are paying our bills. It is a serious situation. It is the theft and it is also the danger that is involved with it when we start messing with gas lines and with electric lines.

So I would ask for a favorable vote. It came out of committee unanimously, and I ask for your support.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

Fairchild	Mahoney	Roae	O'Brien, D.,
Fleck	Major	Rock	Speaker
Frankel			

NAYS—2

Bennington	Vitali
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NOT VOTING—0

EXCUSED—6

Micozzie	Payton	Solobay	Wheatley
Mustio	Pyle		

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

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Would the members of the House please join the Speaker, yesterday was Representative Marsico's birthday, today is Representative Swanger's birthday, and tomorrow is Representative Fabrizio's birthday. Would you please join the Chair in wishing them a very happy birthday.

FINANCE COMMITTEE MEETING

The SPEAKER. Announcements?
Representative Levdansky.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, I am going to call to reconvene the House Finance Committee. It will meet at 2 o'clock – at 2 o'clock. That gives us the time to grab a sandwich for lunch. The House Finance Committee will reconvene the committee meeting to finish its agenda beginning at 2 o'clock in G-50, the same room we were in the Irvis Office Building.

The SPEAKER. The Finance Committee will reconvene at 2 o'clock in room G-50 of the Irvis Office Building.

Other announcements?

The Chair is now going to recess regular session for the intention of convening special session at 1:18.

RECESS

The SPEAKER. Regular session is now in recess.

AFTER RECESS

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, tomorrow will be a token session.

Are there any announcements?

Representative Clymer has asked, under the provision of the House, for unanimous consent. The Chair will recognize Representative Clymer under that provision at 1:25.

Representative Cohen, would you approach the rostrum, please.

THE SPEAKER PRO TEMPORE (MARK B. COHEN) PRESIDING

The SPEAKER pro tempore. The House will come to order.

STATEMENT BY MR. CLYMER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, as we know, there are continued media reports that indicate there is a serious problem with the Bureau of Investigations and Enforcement in obtaining protected information from law enforcement agencies when doing casino application background checks.

As many of us recognize, casino gambling is a highly controversial issue that can be fraught with crime and corruption. In addition, three of the casinos whose licenses have been approved by the Pennsylvania Gaming Control Board have international connections, and many of the applicants are out of State as well. Simple logic would indicate that information from out-of-State enforcement agencies and from Interpol is critical. This protected information is critical if the Pennsylvania Gaming Control Board is to make these crucial decisions as to what organizations and corporations are to receive these very coveted and lucrative casino licenses.

From the information our caucus received, and that was from a former Pennsylvania State Police officer, this protected information is not being provided to the Bureau of Investigations and Enforcement because they are not a law enforcement agency. This is serious. So does the Pennsylvania Gaming Control Board have all the facts when they make a decision as to who is to get these casino licenses? There is a dark cloud above this issue because many of us feel they do not.

You know, it was the will of the General Assembly to have the State Police as primary investigators on this issue. HB 1450, sponsored by Representative Reichley, designates the Attorney General to be the State law enforcement agency, thereby enabling the Attorney General, in cooperation with the BIE (Bureau of Investigations and Enforcement), to receive this valuable protected information.

Mr. Speaker, currently HB 1450 is in the Committee on Gaming Oversight. I would encourage the chairman of this committee to call a vote on HB 1450. It is much needed. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman from Bucks.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

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

Seeing none, the Chair recognizes the gentleman from Centre, Mr. Conklin, who moves that the House do now adjourn until Thursday, November 1, 2007, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 1:29 p.m., e.d.t., the House adjourned.