

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, DECEMBER 12, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 114

HOUSE OF REPRESENTATIVES

The House convened at 10 a.m., e.s.t.

THE SPEAKER PRO TEMPORE (JENNIFER L. MANN) PRESIDING

PRAYER

REV. ROBERT A. GRAYBILL, Chaplain of the House of Representatives, offered the following prayer:

May we pause for a moment:

O Lord God, we stand in the silence before You as we gather as the House of Representatives of this great Commonwealth. We are grateful to You for another day to work, to review the needs of our State, and to take seriously the matters of government that must be addressed.

In the midst of this day of work, we are keenly aware of the uncertainty that hovers over our State and how unsettling it is upon the hearts of our citizens. Many are anxious about winter heating costs, others are nervous about their health care, still others fearful for their loved ones who are serving in distant lands filled with war. Anxious, nervous, fearful are many of our fellow citizens of this great Commonwealth. So, Lord God, we ask of You to help us, to help them, in the face of their uncertainties. May Your spirit appear through us, so others will see Your steadfast love for all.

In the midst of the work of those gathered here, the leaders of our Commonwealth, they too, O Lord, face uncertainty. The serious problems of our Commonwealth, the frightening dilemmas of our families and neighborhoods, the tough struggles of industry and business, are all rather certain, very real, but, O Lord God, the responses are not as certain, the solutions are not as clear, and the answers are not so easy. Struggling in the face of uncertainty, O Lord, we ask that You help them, those gathered here, to remain steadfast and strong in their efforts to provide leadership for our Commonwealth.

O Lord God, whether it is the uncertainty of our brothers and sisters or the uncertainty we experience, may Your spirit remain ever so near and ever so strong for us and for them, we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNALS APPROVED

The SPEAKER pro tempore. The Journals of June 30 and July 1 of 2007 are now in print.

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal of Tuesday, December 11, 2007, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER pro tempore. Turning to leaves of absence, the Chair recognizes the majority whip. Are there any leaves on the Democratic side? The gentleman requests leave for the day for the gentleman, Representative DePASQUALE, Representative RAMALEY, Representative JAMES, and Representative KIRKLAND. The Chair hears no objection, and the leaves will be granted.

The Chair recognizes the minority whip. Are there any leaves on the Republican side? The gentleman requests leave for the day for Representative TRUE, Representative PERZEL, Representative BASTIAN, Representative PHILLIPS, and Representative Dennis O'BRIEN. The Chair hears no objection, and the leaves will be granted.

Members, please report to the floor. We are about to take up the master roll. Members, please report to the floor.

MASTER ROLL CALL

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER pro tempore. Strike the board; strike the board, please. The Chair rescinds. Momentarily we will take the master roll.

MASTER ROLL CALL

The SPEAKER pro tempore. Members will proceed to vote on the master roll.

The following roll call was recorded:

PRESENT—193

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—10

Bastian	James	Phillips	
DeLuca	Kirkland	Ramaley	O'Brien, D.,
DePasquale	Perzel	True	Speaker

LEAVES ADDED—5

Belfanti	Miller	Wheatley	Williams
Gerber			

LEAVES CANCELED—4

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

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

The SPEAKER pro tempore. It is the intention of the Chair to recess the House and call a special session of the House at 10:12 a.m.

RECESS

The SPEAKER pro tempore. The House stands in recess.

AFTER RECESS

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

ANNOUNCEMENT BY MINORITY LEADER

The SPEAKER pro tempore. Reconvening regular session, the Chair recognizes the minority leader, Representative Sam Smith.

Members, please take your seats. Members, please take your seats. There are many conversations, and the gentleman deserves our attention.

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

The SPEAKER pro tempore. Will the gentleman hold.

Members, please take your seats. Sergeants at Arms, please clear the aisles. Conferences will please break up. We restore order.

The gentleman may proceed.

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

As we prepare to head into the holiday season, each of us is reminded of our individual lives and families, and we all have to be cognizant that we have to deal with those things. And the majority leader has a similar announcement, and it is not a good announcement, it is an unfortunate announcement, but I was asked to announce to the floor that the mother of Representative John Perzel, Susan Perzel, passed away this morning, and I wanted to personally make that announcement to the membership.

And as I said, as we head into the holiday season, sometimes it is all about the fun and joy of life, but sometimes it also comes with the reality of life that life comes and goes and passes away. So be mindful of these members. As I said, the majority leader has another announcement, too. Be mindful of the humanity of each of our brothers and sisters of the body.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and extends deepest condolences to the Perzel family on behalf of the entire chamber.

ANNOUNCEMENT BY MAJORITY LEADER

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

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

Willie Alma Williams, the mom of Jewell Williams, passed away several days ago, and the announcement to the floor is pertinent relative to what Mr. Smith, the minority leader, indicated.

Jewell's mom was 83, born in 1924. And, God bless her, she gave us one multifaceted and interesting colleague, Representative Jewell Williams. So on her passing, we would also like the House to pause and pay its respects.

The SPEAKER pro tempore. The Chair thanks the gentleman and extends the condolences of the entire House to both of these members on their deep loss and asks that the members rise for a moment of silence in recognition.

(A moment of silence was observed.)

The SPEAKER pro tempore. Thank you. Members and guests may be seated.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is happy to welcome today guests of Representative Josh Shapiro and Representative Rick Taylor, Greg Halperin and Elana Rivel, who are guests and seated to the left of the Speaker. Their son, Max Halperin, is serving today as a guest page and is here on the floor. Max, will you please rise, as well as Greg and Elana. Please rise and be recognized. Let us welcome them to the hall.

The Chair would also like to recognize special guests that I, actually, have here today. Jane George; her son, Bobby; and daughter, Ellen, are seated to the left. They live in Representative Julie Harhart's district but are certainly friends to all of us in the Lehigh Valley delegation and are here today as part of the special tree-lighting ceremony. Jane's husband and the children's father is serving us right now overseas in this war, and we are certainly glad they made the special trip to Harrisburg today.

Please rise and be recognized; welcome.

COMMUNICATION FROM SPEAKER**SPEAKER PRO TEMPORE APPOINTED**

The SPEAKER pro tempore. A communication from the Speaker, which the clerk will read.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

December 12, 2007

To the Honorable House of Representatives:

Pursuant to House Rule 1, this is to advise that I have appointed the Honorable Jennifer Mann to serve as Speaker Pro Tempore for Wednesday, December 12, 2007.

Sincerely,
Dennis M. O'Brien
The Speaker

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED****HB 749, PN 876**

By Rep. FREEMAN

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

LOCAL GOVERNMENT.

HB 866, PN 1022

By Rep. FREEMAN

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for contents of subdivision and land development ordinance.

LOCAL GOVERNMENT.

HB 1705, PN 2255

By Rep. GEORGE

An Act authorizing the Commonwealth of Pennsylvania to join the Great Lakes-St. Lawrence River Basin Water Resources Compact; providing for the form of the compact; and imposing additional powers and duties on the Governor, the Secretary of the Commonwealth and the Compact.

ENVIRONMENTAL RESOURCES AND ENERGY.

SB 635, PN 927

By Rep. FREEMAN

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for officers to be elected, for election of assessors, for filling vacancies in elective borough offices, for powers of assessors and for duplicate assessments; and making related repeals.

LOCAL GOVERNMENT.

SB 636, PN 928

By Rep. FREEMAN

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, eliminating office of assessor in boroughs and townships of the first class; making conforming amendments; and making repeals.

LOCAL GOVERNMENT.

SB 709, PN 929

By Rep. FREEMAN

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for elected officers enumerated, for vacancies in general, for the corporate power of first class townships being vested in the board of township commissioners, for elected officers in townships of the first class and for additions and revisions to duplicates; and making related repeals.

LOCAL GOVERNMENT.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1281, PN 2935**, entitled:

An Act amending the act of April 28, 1978 (P.L.87, No.41), known as the Pennsylvania Appalachian Trail Act, further providing for actions by municipalities and their powers and duties; and making editorial changes.

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

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—169

Adolph	Gillespie	McCall	Sainato
Argall	Gingrich	McGeehan	Samuelson
Barrar	Goodman	McI. Smith	Santoni
Bennington	Grell	McIlhattan	Saylor
Beyer	Grucela	Melio	Scavello
Biancucci	Haluska	Mensch	Schroder
Bishop	Hanna	Micozzie	Seip
Blackwell	Harhai	Millard	Shapiro
Boback	Harhart	Milne	Shimkus
Boyd	Harkins	Moul	Siptroth
Brennan	Harper	Moyer	Smith, K.
Buxton	Harris	Mundy	Smith, M.
Caltagirone	Helm	Murt	Smith, S.
Cappelli	Hennessey	Mustio	Solobay
Carroll	Hershey	Myers	Sonney
Casorio	Hess	Nailor	Staback
Civera	Hickernell	Nickol	Stairs
Clymer	Hornaman	O'Brien, M.	Steil
Cohen	Josephs	O'Neill	Stern
Conklin	Keller, M.	Oliver	Sturla
Costa	Keller, W.	Pallone	Surra
Cruz	Kenney	Parker	Tangretti
Curry	Kessler	Pashinski	Taylor, J.
Cutler	Killion	Payne	Taylor, R.
Daley	King	Payton	Thomas
Dally	Kortz	Peifer	True
Dermody	Kotik	Petrarca	Turzai
DeWeese	Kula	Petri	Vereb
DiGirolamo	Leach	Petrone	Vitali
Donatucci	Lentz	Pickett	Vulakovich
Eachus	Levdansky	Preston	Wagner
Evans, D.	Longietti	Quigley	Walko
Evans, J.	Mackereth	Quinn	Wansacz
Fabrizio	Maher	Raymond	Waters
Fairchild	Mahoney	Readshaw	Watson
Fleck	Major	Reed	Wheatley
Frankel	Manderino	Reichley	White
Freeman	Mann	Rock	Williams
Galloway	Mantz	Roebuck	Wojnaroski

Geist	Markosek	Ross	Yewcic
George	Marshall	Rubley	Youngblood
Gergely	Marsico	Sabatina	Yudichak
Gibbons			

NAYS—22

Baker	Creighton	Hutchinson	Rapp
Bear	Denlinger	Kauffman	Roae
Benninghoff	Ellis	Metcalfe	Rohrer
Brooks	Everett	Perry	Stevenson
Causar	Gabig	Pyle	Swanger
Cox	Godshall		

NOT VOTING—0

EXCUSED—12

Bastian	Gerber	Perzel	
Belfanti	James	Phillips	O'Brien, D.,
DeLuca	Kirkland	Ramaley	Speaker
DePasquale	Miller		

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.

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The House proceeded to third consideration of **SB 1156, PN 1576**, entitled:

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

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

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—191

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

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

NAYS-0

NOT VOTING-0

EXCUSED-12

Bastian	Gerber	Perzel	
Belfanti	James	Phillips	O'Brien, D.,
DeLuca	Kirkland	Ramaley	Speaker
DePasquale	Miller		

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

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

* * *

The House proceeded to third consideration of **SB 1, PN 1646**, entitled:

An Act providing for access to public information, for a designated open-records officer in each Commonwealth agency, local agency, judicial agency and legislative agency, for procedure, for appeal of agency determination, for judicial review and for the Pennsylvania Public Records Office; imposing penalties; providing for reporting by State-related institutions; requiring the posting of certain State contract information on the Internet; and making related repeals.

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

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS-191

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

NAYS-0

NOT VOTING-0

EXCUSED—12

Bastian	Gerber	Perzel	
Belfanti	James	Phillips	O'Brien, D.,
DeLuca	Kirkland	Ramaley	Speaker
DePasquale	Miller		

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

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

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

The House will come to order.

RESOLUTIONS PURSUANT TO RULE 35

Mrs. RUBLEY called up **HR 513, PN 2877**, entitled:

A Resolution designating the month of January 2008 as "Radon Action Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

Donatucci	Leach	Quigley	Wansacz
Eachus	Lentz	Quinn	Waters
Ellis	Levdansky	Rapp	Watson
Evans, D.	Longiatti	Raymond	Wheatley
Evans, J.	Mackereth	Readshaw	White
Everett	Maher	Reed	Williams
Fabrizio	Mahoney	Reichley	Wojnaroski
Fairchild	Major	Roae	Yewcic
Fleck	Manderino	Rock	Youngblood
Frankel	Mann	Roebuck	Yudichak
Freeman	Mantz	Rohrer	

NAYS—0

NOT VOTING—0

EXCUSED—12

Bastian	Gerber	Perzel	
Belfanti	James	Phillips	O'Brien, D.,
DeLuca	Kirkland	Ramaley	Speaker
DePasquale	Miller		

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

* * *

Mr. BAKER called up **HR 522, PN 2921**, entitled:

A Resolution recognizing the patriotic, cultural, historic and artistic aspects of stamp collecting and related documents.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

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

NAYS-0

NOT VOTING-0

EXCUSED-12

Bastian	Gerber	Perzel	
Belfanti	James	Phillips	O'Brien, D.,
DeLuca	Kirkland	Ramaley	Speaker
DePasquale	Miller		

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

* * *

Ms. JOSEPHS called up **HR 526, PN 2953**, entitled:

A Resolution noting with sadness the passing of Philadelphia Common Pleas Court Judge Lisa Aversa Richette, senior Family Court judge and longtime child welfare and juvenile justice champion, on October 26, 2007, at 79 years of age.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-191

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

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

NAYS-0

NOT VOTING-0

EXCUSED-12

Bastian	Gerber	Perzel	
Belfanti	James	Phillips	O'Brien, D.,
DeLuca	Kirkland	Ramaley	Speaker
DePasquale	Miller		

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

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 17, PN 2982**, and **HB 131, PN 2910**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RESOLUTIONS PURSUANT TO RULE 35

Mrs. GINGRICH called up **HR 538, PN 2989**, entitled:

A Resolution commending Pennsylvania's community blood banks for providing invaluable services to the residents of this Commonwealth.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Bastian	Gerber	Perzel	
Belfanti	James	Phillips	O'Brien, D.,
DeLuca	Kirkland	Ramaley	Speaker
DePasquale	Miller		

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

* * *

Mr. PERRY called up **HR 541, PN 3006**, entitled:

A Resolution designating December 12, 2007, as "Passenger Awareness Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—12

Bastian	Gerber	Perzel	
Belfanti	James	Phillips	O'Brien, D.,
DeLuca	Kirkland	Ramaley	Speaker
DePasquale	Miller		

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

**CSM. CHARLES M. BLOSSER III
PRESENTED**

The SPEAKER pro tempore. The Chair requests that Representative Perry please come to the podium for an introduction.

Mr. PERRY. Thank you, Madam Speaker, and thank you to my colleagues.

I appreciate your indulgence on this fine day to recognize the significant contributions of, actually, Representative Gabig's constituent, but we served together in the military, and that would be Sgt. Maj. Charles M. Blosser and—

The SPEAKER pro tempore. Excuse me. Will the gentleman suspend.

There is entirely too much noise, and we have a special guest here.

The gentleman will proceed.

Mr. PERRY. Thank you, Madam Speaker.

Again, Command Sergeant Major – and I just want to give you a little background, for those who may have never served in the military, what the rank of Command Sergeant Major is so that you can understand it, and folks in the military do not think that they are anybody special any more than anyone else, it is just their chosen profession, but the rank of Command Sergeant Major is something that every single enlisted member of the Army aspires to be, but few attain.

And Command Sergeant Major Blosser had been serving for over 26 years before he retired, and because it takes so much to become a Command Sergeant Major, I just want to tell you a little bit about it. He started as a private, worked his way up through all the different requirements, and it is a position that requires that not only you be proficient technically, not only in your own position, but for every single position in the battalion or the squadron or the brigade that you represent, and so not only is he responsible for himself, but he is responsible to know that for every other single person in his unit. That notwithstanding, he also has to be a drill sergeant, a psychiatrist, a sociologist, a mother and a father, and he has to be a mindreader, too, because not only does he have to do all those things, but he has to figure out the intent of the commander in the commander's absence and lead those troops.

Command Sergeant Major Blosser's awards and decorations are numerous, and they might define his career, although he does not define himself by them. And I am not going to list all those, but I do want to tell you that, of the courses that he has taken: primary noncommissioned officer course, he is the honor graduate; basic noncommissioned officer course, honor graduate; advance noncommissioned officer course, honor graduate. Command Sergeant Major Blosser has been at the top of his game since the beginning, and he is going to be a sorely missed loss to the Pennsylvania Army National Guard. I am happy to report that he is going to stay here among us.

And on behalf of all the Commonwealth of Pennsylvania and this body and as a fellow soldier, I wish him Godspeed, and as we say in the cavalry: "I will see you on the high ground." Congratulations on your retirement.

And, of course, you recognize his mother, who works here, over to my right and also Command Sergeant Major Blosser's sister is in the rear of the House, and she works for Representative Gillespie, so he has got some ties.

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

The House will come to order.

The Chair requests that Representative Harris, Representative Marsico, Representative Perry, and Representative Gabig please come to the podium for the introduction of some special guests today on their retirement.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes the presence of the gentleman, Mr. Miller, who will be added to the master roll.

EVA LARUE PRESENTED

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

Mr. MARSICO. Thank you, Madam Speaker.

I am pleased today to present a citation, a recognition, a well-deserved citation to Eva Larue, whom many of you recognize, I am sure, who has helped us over the years, and many of us over the years, with her smiling face, her pleasant personality, and dedication to the members and to the House. Certainly I would say that she has been devoted very much to her job and to the members of the House.

She will certainly be missed. And I want to say that please help me in giving her the best wishes for the best in her future. And many thanks to her and for her help throughout the years, 28 years in the House of Representatives.

So I would like to present this citation to Eva Larue.

PAT HABOWSKI PRESENTED

The SPEAKER pro tempore. The Chair recognizes Representative Perry.

Mr. PERRY. Thank you, Madam Speaker.

I, too, would like you to join me in bidding a sad, but fond, farewell to one of my constituents, Pat Habowski, and one of the great things about being from the 92d District, which is just across the river, is I have got a lot of constituents who actually work in the Capitol, and I think that helps me because folks do not necessarily like what they see what is going on here, but at least my constituents who work here know what is going on here, and they see the hard work, at least by some of us. And Pat has been one of those people who has been working tirelessly since 1978, and I can tell you, in 1978 Milton Shapp was ending his term as Governor—

The SPEAKER pro tempore. The gentleman will suspend. The gentleman will suspend.

There is entirely too much noise in the chamber, and these retirees deserve this recognition, and the gentleman deserves our attention. Please proceed.

Mr. PERRY. Thank you, Madam Speaker.

As I said, Milton Shapp was ending his term as Governor, and Richard Thornburgh had just won against his candidate of opposition, Flaherty, for the governorship of Pennsylvania, of the Commonwealth, and that is a long time ago. Scott Perry was in high school and had no clue that he would ever come to the House at all, except for the fourth grade trip that he had taken.

And since that time, Pat Habowski, working as the amendment processing clerk, has been here toiling away through this chaos. And I do not think that I fully appreciate everything she has done, but I just know that being in the minority, I have been getting used to the amendment game, so, you know, the last minute submittals and all that stuff, she has been putting up with it for 29 and – as she put it – three-quarter years.

And so we want to wish her all the best, we really do. And I do thank her, from the bottom of my heart, for all of her selfless service over these many years. It is yeoman's work, and this place would not operate without the great service of folks like that, like Pat. So again, thank you, Pat, and all our best wishes.

MARY BLOSSER PRESENTED

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

Mr. GABIG. Thank you, Madam Speaker.

I am the State Representative for Mary Blosser, who is right behind me in the red sweater. She was an amendment clerk right over here on the side where the Democrats sit, on that far wall. She is the mother of the Command Sergeant Major that we just heard Scott Perry talk about, so this is really a big day for the Blosser family.

She has spent many, many years here. When I came up here in 2000, took office in 2001, she was very helpful to me, although she was not able to get my amendment passed on the open records law, it was not because of her. She has done a great job for us. She is a terrific lady from Plainfield, right outside of Carlisle, and it is a wonderful day for the Blosser family here in this beautiful House of Representatives.

And I want to wish her fair winds and following seas, as they said in the Navy, we heard about what the cavalry said, in her retirement. Congratulations, Mary.

GINNY SWARTZ PRESENTED

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

Mr. HARRIS. Thank you, Madam Speaker.

Obviously, I think you all agree, one of the greatest parts of this job is you meet so many warm and caring and wonderful people, and one of the sad things about this job is, occasionally, it becomes time to say farewell. And I am here today to recognize someone that I know all of you recognize, this wonderful smiling face up here to my left. This is Ginny Swartz. She is, I am very proud to say, my constituent, and she will be retiring after 28 years of service here in this chamber; just a wonderful, long career.

And she is just one of the many unsung heroes of this building. All the staffers – whether it is research, communications, Reference Bureau – who do all the work, you might not see them on PCN (Pennsylvania Cable Network) or read about them in the newspaper, but their hard work and dedication is what makes this place work.

So I hope you will all join me in saying thank you to Ginny for her 28 years of service. She will be missed. When I go back in the hall of the House in January of 2008, and she will not be there and Eva will not be there, it will be a little sad.

So please join me in thanking her for 28 years of great service.

CEREMONIAL GAVELS PRESENTED

The SPEAKER pro tempore. On behalf of the Speaker, I would like to present each of you with a ceremonial gavel and, certainly, on behalf of the entire House of Representatives, congratulate each of you on your years of service and thank you for your years of service to the Commonwealth and wish you well.

LEAVES OF ABSENCE CANCELED

Mr. SURRA. Madam Speaker?

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

Mr. SURRA. Thank you, Madam Speaker.

I just want to bring to your attention that Representative Belfanti and Representative Gerber have finished with their conference committee and they are in the hall of the House.

The SPEAKER pro tempore. The Chair notes their presence, and they will be added to the master roll.

GUESTS INTRODUCED

The SPEAKER pro tempore. Also, as we recognize these retirees, I know that there are family and friends also here to join them in this special day, and I would just ask that any family and friends of our retirees who are here, please stand and be recognized as well. I believe many of them are seated in the back.

REMARKS BY MR. THOMAS

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

Mr. THOMAS. Thank you, Madam Speaker.

Madam Speaker, I rise to join the elected officials who thought it was not robbery to take time out and thank these young jewels for the contribution that they have made to the Pennsylvania House of Representatives. And I guess if I had to sum it up with all four of them, and I have interacted with all four of them, I would sum it up this way: We have not known their parties, we have only known that they have cared, and each of them has contributed in a way which has demonstrated their compassion and their dedication to this process, and I want to rise and thank each and every one of them, collectively and individually, for their contribution to this institution.

Thank you. Go with Godspeed.

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

The SPEAKER pro tempore. For the information of the members, the Chair has some good news: In celebration of this day, there is cake in the back of the hall. So feel free to join in the celebration and have a sweet treat this morning.

REMARKS BY MRS. BEYER

The SPEAKER pro tempore. The Chair believes that Representative Beyer also wanted to make remarks. Is she available?

Once again, we extend our heartfelt congratulations and thanks to our retirees, and we wish you well. Thank you so much.

The Chair recognizes the gentlelady, Representative Beyer.

Mrs. BEYER. Thank you, Madam Speaker.

I apologize; I took a moment just to collect myself. I wanted to speak just momentarily about Eva and Ginny, and tell you that in August of 2005, when I came to the House of Representatives, I was treated with such warmth, such kindness, and such generosity to a new person in the House who really was not sure where to go, what to do, or whom to count on, and I can tell you that these two women gave me such a wonderful perspective. They welcomed me with open arms, open hearts, and I just wish them all the best in their future, all the best in their retirement, and I love you both very much.

Thank you, Madam Speaker.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1685, PN 2260**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Allentown Commercial Industrial Authority, or their assigns, certain lands situate in the City of Allentown and the City of Bethlehem, Lehigh County, Pennsylvania.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 1685 be removed from the active calendar and placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 1685 be removed from the tabled bill calendar and placed on the active calendar.

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

BILLS REMOVED FROM TABLE

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

HB 323;
HB 904;
HB 1090;
HB 1225;
HB 1274;
HB 1448;
HB 1742;
HB 1845;
HB 1976; and
SB 861.

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

BILLS RECOMMITTED

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

HB 323;
HB 904;
HB 1090;
HB 1225;
HB 1274;
HB 1448;
HB 1742;
HB 1845;
HB 1976; and
SB 861.

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

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

DEMOCRATIC CAUCUS**RULES COMMITTEE MEETING**

Mr. SURRA. Madam Speaker?
The SPEAKER pro tempore. The Chair recognizes Representative Surra.

Mr. SURRA. Thank you, Madam Speaker.

Just for the information of the Democratic Caucus, we are going to be holding a very brief caucus immediately in the majority caucus room. There will be a Rules Committee meeting at 11:45 in the majority caucus room, and then we will be back on the floor right after. There will be a Rules Committee meeting at 11:45, back to the floor at 12.

Thank you.

The SPEAKER pro tempore. There will be a Rules Committee meeting at 11:45 in the majority caucus room.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes Representative Major.

Miss MAJOR. Thank you, Madam Speaker.

I would like to announce a Republican caucus immediately at the call of the recess; that is, Republicans will caucus immediately at the call of the recess. Thank you.

AGRICULTURE AND RURAL AFFAIRS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes Representative Hanna.

Mr. HANNA. Thank you, Madam Speaker.

The Ag Committee meeting to be called by the Chair will be at the end of session; it is not now at the recess, but at the end of session. Because the recess is expected to be short, the Ag Committee meeting will be at the end of session.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

There will be an Ag Committee meeting at the end of session. Are there any additional announcements?

PROFESSIONAL LICENSURE COMMITTEE MEETING

The SPEAKER pro tempore. Representative Sturla.

Mr. STURLA. Madam Speaker, the House Professional Licensure Committee will hold a hearing immediately upon the call of the Chair in room 39, East Wing. We have got a couple of bills we need to get out of committee, and I would appreciate all members' attendance. We will try and be very brief, but we need to have everyone's attendance. Thank you.

The SPEAKER pro tempore. Immediately upon the call of the Chair in room 39, East Wing, there will be a House Professional Licensure Committee meeting.

EDUCATION COMMITTEE MEETING

The SPEAKER pro tempore. Representative Roebuck.

Mr. ROEBUCK. Thank you, Madam Speaker.

Immediately upon the call of recess, I want to reconvene the House Education Committee meeting in room 205, Ryan. We have some business we need to conclude. Thank you.

The SPEAKER pro tempore. Immediately upon the call of recess in room 205 of the Ryan Building, there will be a House Education Committee meeting.

ANNOUNCEMENT BY MR. CLYMER

The SPEAKER pro tempore. The Chair recognizes Representative Clymer.

Mr. CLYMER. Thank you, Madam Speaker.

Madam Speaker, I know that there are a lot of activities occurring today and meetings, but I also want to mention that at noontime, it is my understanding Governor Rendell will be doing the tree-lighting ceremony in the Capitol Rotunda, but equally important is that there are families who are going to be there whose husbands and uncles are serving in Iraq and Afghanistan, and I know I have some constituents coming from my district that are going to be at that tree-lighting ceremony, and I was just wondering if we could take 15 or 20 minutes

from our busy schedule to be with them for that timeframe. Perhaps not, but I just wanted to share with the members that this is occurring today at noontime. Thank you, Madam Speaker.

RECESS

The SPEAKER pro tempore. The House will stand in recess until 12:15.

AFTER RECESS

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 494, PN 549

By Rep. STURLA

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, further providing for State Board of Dentistry.

PROFESSIONAL LICENSURE.

HB 1188, PN 3011 (Amended)

By Rep. STURLA

An Act amending the act of July 2, 1993 (P.L.345, No.48) entitled "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; providing additional powers to the Commissioner of Professional and Occupational Affairs; and further providing for civil penalties and license suspension," further providing for civil penalties; and making related repeals.

PROFESSIONAL LICENSURE.

HB 1199, PN 3012 (Amended)

By Rep. STURLA

An Act amending the act of October 10, 1975 (P.L.383, No.110), known as the Physical Therapy Practice Act, further providing for definitions, for State Board of Physical Therapy and its powers and duties, for training and license required and exceptions, for application for license, for qualifications for license and examinations, for renewal of license and for reporting of multiple licensure; providing for continuing education; further providing for practice of physical therapy, for physical therapy assistant, education and examination, scope of duties and registration and for supportive personnel; repealing provisions relating to Athletic Trainer Advisory Committee and certification of athletic trainers and certification renewal, revocation and suspension; and further providing for refusal or suspension or revocation of license, for automatic suspension, for temporary suspension, for subpoenas, reports and surrender of license, for penalties and injunctive relief and for impaired professional.

PROFESSIONAL LICENSURE.

HB 1804, PN 3013 (Amended)

By Rep. STURLA

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for definitions and for the State Board of Medicine; providing for jointly promulgated regulations; and further providing for respiratory care practitioners and for respiratory care practitioner certificates and permits.

PROFESSIONAL LICENSURE.

HB 1999, PN 3014 (Amended) By Rep. STURLA

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

PROFESSIONAL LICENSURE.

HB 2088, PN 3007 By Rep. STURLA

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for definitions, for the State Board of Osteopathic Medicine, for respiratory care practitioners, for respiratory care practitioner certificates and permits and for reasons for refusal, revocation or suspension of license; and providing for regulations.

PROFESSIONAL LICENSURE.

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 17, PN 2982 By Rep. DeWEESE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "automated red light enforcement system" and "serious traffic violation"; and further providing for period of registration, for person with disability plate and placard, for weight restriction relating to special registration plates, for use and display of illuminated signs, for automated red light enforcement systems in first class cities, for employer responsibilities and for unlawful activities related to equipment standards.

RULES.

HB 43, PN 2870 By Rep. DeWEESE

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, providing for uniform environmental covenants.

RULES.

HB 131, PN 2910 By Rep. DeWEESE

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

RULES.

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

LEAVE OF ABSENCE

The SPEAKER pro tempore. Returning to leaves of absence, the Chair recognizes the majority whip, who requests a leave for the remainder of the day for the Representative from Philadelphia, Representative WILLIAMS. Without objection, leave is granted.

The House will be at ease.

The House will come to order.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 460, PN 3010 (Amended) By Rep. ROEBUCK

A Concurrent Resolution establishing the Joint Legislative Commission on Public School Finance and providing for the powers and duties of the commission.

EDUCATION.

The SPEAKER pro tempore. The resolution will be placed on the calendar.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the majority whip, who asks for a leave for the remainder of the day for the gentleman from Allegheny, Representative WHEATLEY. Without objection, leave will be granted.

SUPPLEMENTAL CALENDAR A

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 131, PN 2910**, entitled:

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

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—189

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

Conklin	Hickernell	O'Neill	Stern
Costa	Hornaman	Oliver	Stevenson
Cox	Hutchinson	Pallone	Sturla
Creighton	Josephs	Parker	Surra
Cruz	Kauffman	Pashinski	Swanger
Curry	Keller, M.	Payne	Tangretti
Cutler	Keller, W.	Payton	Taylor, J.
Daley	Kenney	Peifer	Taylor, R.
Dally	Kessler	Perry	Thomas
Denlinger	Killion	Petrarca	True
Dermody	King	Petri	Turzai
DeWeese	Kortz	Petrone	Vereb
DiGirolamo	Kula	Pickett	Vitali
Donatucci	Leach	Preston	Vulakovich
Eachus	Lentz	Pyle	Wagner
Ellis	Levdansky	Quigley	Walko
Evans, D.	Longietti	Quinn	Wansacz
Evans, J.	Mackereth	Rapp	Waters
Everett	Maher	Raymond	Watson
Fabrizio	Mahoney	Readshaw	Wojnaroski
Fairchild	Major	Reed	Yewcic
Fleck	Manderino	Reichley	Youngblood
Frankel	Mann	Roae	Yudichak
Freeman			

NAYS-3

Casorio	Kotik	White
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NOT VOTING-0

EXCUSED-11

Bastian	Kirkland	Ramaley	
DeLuca	Perzel	Wheatley	O'Brien, D.,
DePasquale	Phillips	Williams	Speaker
James			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 43, PN 2870**, entitled:

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, providing for uniform environmental covenants.

On the question,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS-192

Adolph	Freeman	Mann	Rock
Argall	Gabig	Mantz	Roebuck
Baker	Galloway	Markosek	Rohrer
Barrar	Geist	Marshall	Ross
Bear	George	Marsico	Rubley
Belfanti	Gerber	McCall	Sabatina
Benninghoff	Gergely	McGeehan	Sainato
Bennington	Gibbons	McI. Smith	Samuelson

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

NAYS-0

NOT VOTING-0

EXCUSED-11

Bastian	Kirkland	Ramaley	
DeLuca	Perzel	Wheatley	O'Brien, D.,
DePasquale	Phillips	Williams	Speaker
James			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Argall, for the purpose of a motion.

Mr. ARGALL. Thank you, Madam Speaker.

Madam Speaker, I would ask for the temporary suspension of rule 21 so that the House can move for full debate on HB 17, HB 1787, and SB 1100. We have considered these bills. I believe them to be relatively controversial, and this would allow us to consider these now rather than waiting an additional 5 hours.

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

The SPEAKER pro tempore. The Chair recognizes Representative McCall.

Mr. McCALL. Thank you, Madam Speaker.

Madam Speaker, I, too, would also concur with the remarks made by the gentleman, Mr. Argall, and ask that the members vote to suspend the rules.

The SPEAKER pro tempore. The gentleman has moved that the rules of the House be suspended for the immediate consideration of HB 17, HB 1787, and SB 1100.

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

The following roll call was recorded:

YEAS—178

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

NAYS—14

Cutler	Harris	Milne	Seip
Denlinger	Hutchinson	Petrarca	Sonney
Gillespie	Kauffman	Samuelson	Stevenson
Grell	McGeehan		

NOT VOTING—0

EXCUSED—11

Bastian	Kirkland	Ramaley	
DeLuca	Perzel	Wheatley	O'Brien, D.,
DePasquale	Phillips	Williams	Speaker
James			

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

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 17, PN 2982**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "automated red light enforcement system" and "serious traffic violation"; and further providing for period of registration, for person with disability plate and placard, for weight restriction relating to special registration plates, for use and display of illuminated signs, for automated red light enforcement systems in first class cities, for employer responsibilities and for unlawful activities related to equipment standards.

On the question,
Will the House concur in Senate amendments?

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

Mr. VITALI. Thank you, Madam Speaker.

Will the maker of the bill stand for brief interrogation?

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

Mr. VITALI. Could we have a brief explanation of this bill?

Mr. MARKOSEK. Thank you, Madam Speaker.

HB 17, in its original form, was passed out of the Transportation Committee earlier this year and passed the House and was sent over to the Senate, and it contained some language that was suggested by the Federal government, Federal Highway Administration, to keep us in tune with their Federal commercial driver's license laws, and it cleaned up some of our laws pertaining to commercial driver's licenses.

Over in the Senate, the Senate recently amended the bill to include several things: One is to reenact, for a 4-year period, the red light camera program in Philadelphia, and it also dealt with changing the weight limit on some vehicles that are eligible for veterans license plates. Currently those vehicles up to 9,000 pounds may have these license plates, but we have some folks out there that have bigger vehicles, some pickup trucks, et cetera, that go as high as 10,000 pounds, and so the bill does say that it can go to 10,000 pounds as well. That language was part of a bill that we passed out of our Transportation Committee, sponsored by Representative Todd Rock.

And I think, just off the top of my head, Madam Speaker, that is pretty much the bill and the changes that were made by the Senate.

Mr. VITALI. In quickly reviewing, I see language with regard to food delivery vehicles. Did you talk about the food delivery vehicle section? There is a spot in here about food delivery vehicles. Did you discuss that? I was reading and listening, half-and-half, at the same time.

Mr. MARKOSEK. Yes, Madam Speaker, the gentleman is correct, or the question regarding the allowing of additional signage on vehicles, again, was part of Representative Rock's bill that will allow for some illuminated signs on pizza delivery vehicles and, I believe, ice cream vehicles as well.

Mr. VITALI. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Payton.

Mr. PAYTON. Thank you, Madam Speaker.

As many of you know, HB 17 contains the language from HB 1690, which was the extension of the red light camera program, and I could not let this opportunity pass without expressing my extreme disappointment with my colleagues over in the Senate for taking out the accountability measures for the Philadelphia Parking Authority and also taking away the revenue from the School District of Philadelphia.

I find it unconscionable that we redirected the revenue to PENNDOT instead of the SMART (Saturday Morning Alternative Reach and Teach) program at the school district, which has a proven track record of reducing bullying and intimidation within our schools. And considering the recent events of violence within our schools, it is an atrocity that the Senate can so easily disregard such an essential program. And I want to question my colleagues' commitment to education, and I think it is wrong to take the revenue away from the School District of Philadelphia.

So I urge a "no" vote on this legislation.

The SPEAKER pro tempore. The Chair recognizes Representative Dwight Evans.

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

Madam Speaker, I rise to ask that we support concurrence on HB 17, and the reason I ask that we support concurrence on HB 17 is that there is an awful lot of work that has gone into this particular issue.

Madam Speaker, the House Appropriations Committee held a hearing of the Philadelphia Parking Authority, and in that process we asked a lot of the tough questions on both sides of the aisle. I can say to you, Madam Speaker, in the questions that we asked, those questions went a long way around the question of accountability.

Now, when this bill came out of the Appropriations Committee, we tried to make an attempt, offered by one of my colleagues, Representative McGeehan, on this bill, to redirect the money. We were not successful. But, Madam Speaker, I would say to you that basically, at this particular point, we have made some changes, some changes because this is a good program. This program saves lives. It also makes money for the Commonwealth of Pennsylvania. And as a result, Madam Speaker, I was able to get a letter written to the chairman of the Transportation Committee and myself that outlines, specifically, the reform measures that we wanted to have in the law. I will not read all of the measures that have been laid out in this letter, but this letter was cc'd to the Republican leader, Sam Smith, Bill DeWeese, Richard Geist, Jewell Williams, George Kenney, and Representative McGeehan. This is a letter that basically outlines, in a specific

way, the kinds of reforms that we need to have regarding the Parking Authority.

LETTER SUBMITTED FOR THE RECORD

Mr. D. EVANS. I will submit this for the record and put this on the record so that we know that we are committed to accountability, openness, and transparency regarding the Philadelphia Parking Authority.

So I would encourage both sides of the aisle to support HB 17.

Thank you, Madam Speaker.

Mr. D. EVANS submitted a letter for the Legislative Journal.

(For letter, see Appendix.)

The SPEAKER pro tempore. The Chair recognizes Representative McGeehan.

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

Madam Speaker, I reluctantly rise to oppose the Senate amendments inserted in HB 17. I do that with a caveat that I praise the work of Representative Dwight Evans and Representative Payton for bringing more accountability to the Philadelphia Parking Authority.

As a member of the Appropriations Committee, it is the first time in my memory that an organization was brought before the Appropriations Committee to answer the substantial newspaper, negative newspaper coverage that the Parking Authority had been subjected to, and Representative Evans, Chairman Evans, was correct that much good came out of that meeting, and he should be praised along with the other members of the Appropriations Committee.

However, I think the changes that were made to HB 1690, that we sent to the Senate and came back in the form of the amendments inserted into Representative Markosek's bill, HB 17, pale in comparison to the tough standards that the Appropriations Committee imposed on the Parking Authority.

And I just have a few observations but was wondering if the sponsor of the bill, Representative Markosek, would stand for a brief period of interrogation?

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

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

In the Senate amendments – and let me draw a distinction between HB 1690 as it left Appropriations and your bill, HB 17, which was amended by the Senate. My understanding is that the bill that we passed in the House Appropriations Committee, all the revenues from the red light camera program that currently exists in Philadelphia go to the Motor License Fund. Is that correct? One hundred percent of those?

Mr. MARKOSEK. Yes, ma'am. That is correct.

Mr. McGEEHAN. Under HB 1690, all of the revenues would go to the School District of Philadelphia and the two programs that were enunciated by Representative Payton. Is that correct?

Mr. MARKOSEK. I believe there was an amendment that would do that. The original bill, I believe it was designated to go to the school district, and we changed that in committee, and then it went on the floor, and there were some other amendments that would have driven some of the money to the

school district, but of course, that bill is still in the Appropriations Committee in the House.

Mr. McGEEHAN. Your vast experience – and obviously you are well known as the go-to guy on transportation issues in the House and across Pennsylvania – in your experience when we deal with traffic violations, in any other municipality or locality, how is that money divvied up?

Mr. MARKOSEK. Currently traffic violation fines are generally shared by the municipality and PENNDOT, and I believe fines of red light infractions in Philadelphia, that are given out by Philadelphia police, are divvied up the same way. But the fines with the red light cameras, the money totally goes to the Bureau of Motor Vehicles, the highway fund, transportation fund, in Harrisburg.

Mr. McGEEHAN. Not putting words in your mouth, but would you characterize that as something beyond the norm in your experience as the Transportation chairman?

Mr. MARKOSEK. Well, in the Philadelphia situation, I think the cameras have been in place for 3 years now. As far as I know, that has been the only situation whereby that is correct. There were some other compromises, as I understand it, when the bill was originally passed a few years ago, because with the red light cameras, there are no points generated, and I think part and parcel of the compromise there was the money would go to PENNDOT. So notwithstanding whatever the compromise may have been, I would suggest that the red light camera program in Philadelphia, as far as I know, is the only program where the money goes fully to the Department of Transportation.

Mr. McGEEHAN. Thank you, Madam Speaker.

That ends my interrogation.

Madam Speaker, may I speak on the bill?

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

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

Therein lies the problem that the chairman had indicated, that the revenue funding source from the red light cameras is outside the norm of the practice and the history of what we do in this House and in the Senate as far as the distribution of the funds generated by these traffic violations, and you have to ask yourself why.

In every other locality, in every other borough and city that has traffic violations, the locality keeps 50 percent of that money; the other 50 percent goes to the Motor License Fund. Yet in this program, that only exists in Philadelphia, where the vast majority of people who are being fined are Philadelphians, Philadelphia sees none of that revenue. It goes back to the Motor License Fund. That was a mistake we made when we originally crafted this bill. That is a mistake that is being perpetrated today by the amendments inserted into HB 17, and that is just dead wrong. Philadelphia sees no benefit, direct benefit, to the locality from this source of revenue. That is the main program, and obviously the program that was being funded was the children of the School District of Philadelphia. Now that money can be spent in Altoona or Erie or anywhere else, despite the fact that this program only exists in Philadelphia, and Philadelphians are bearing the disproportionate amount of the fines and costs incurred in this program.

There are other changes – and again, let me praise Representative Evans for having the foresight to really open up this process, open up the authority to greater scrutiny. Yet the amendment that Representative Evans inserted into the

House bill that we sent does not reflect in the amendments inserted into HB 17. Not only does this ignore openness and transparency, it extends a program not by 3 years but by 4 years. So we have a limited, limited scope of transparency not for 3 but for 4 years under the Senate version. It totally disallows the Attorney General and the Auditor General to have oversight on the Parking Authority operations and practices.

Madam Speaker, I know I do not have to remind the members that for 2 months the Parking Authority has been subjected to story after story in the local media and statewide media about some of the abuses, whether they are real or perceived, in the Parking Authority. And yet in the amendments inserted into HB 17, we tell the Auditor General and the Attorney General they do not have any authority to look at the practices, expenditures, and operations of the Philadelphia Parking Authority. That is dead wrong.

It also removes the provisions in the Right-to-Know Law that we inserted in the House and yet were stripped out in the Senate version, the amendments to HB 17.

Madam Speaker, this places an undue burden on the city of Philadelphia. This is unfair to the city of Philadelphia and to the schoolchildren of Philadelphia. This is a pale, this is a pale substitute for the tough measures we inserted in the House into HB 1690. This is coming back as a ghost, as a ghost. It answers none of the problems that were enunciated in the tremendous media coverage that was subjected to the Parking Authority.

Let me add one thing: I have been a frequent critic, Madam Speaker, of the authority, and I must say with the help of the leadership of Representative Evans on this issue, I believe they have made some progress, and I believe they are making progress still, and the letter that Chairman Evans had read into the record I think reflects some of that progress, but it does not go far enough. By voluntarily subjecting yourself to some of these measures, it does not have the effect of law, does not have the effect of statute, does not provide penalties of law for not keeping your promises, and, Madam Speaker, there were many promises made when we initially began this program that we now know were not kept.

Are you signaling me, Madam Speaker?

We know that many of the promises that were made here on this floor and elsewhere have not been kept relative to the Philadelphia Parking Authority. Madam Speaker, by voluntarily subjecting yourself to oversight and to scrutiny does not have the same effect, and we all know that. By making a statute that requires the Parking Authority to live up to the agreements that we institute by law carries a much greater relevancy authority and subjects those individuals and that organization to the power of law.

These voluntary measures do nothing to satisfy that concern of mine, I think the concern of the people of Philadelphia, and I hope the concerns of the members of the House.

For those reasons and others, I would ask that we nonconcur in the amendments to HB 17.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Representative Roebuck.

Mr. ROEBUCK. Thank you, Madam Speaker.

I stand here today and I wonder why we are engaged in this debate, a debate that focuses largely upon the Philadelphia Parking Authority.

If we go back to the record and we look at the legislation that this House adopted in the year 2001, which was designed to reform that authority, then, indeed, we should not be engaged in

this debate, because that legislation was based upon very clear problems and it was designed to resolve those problems. If we quote the record, quoting the then majority leader who said, in offering his support to this legislation, "The Philadelphia Parking Authority is a State agency created...by this General Assembly. For years and years, it has..." been using "...hundreds of millions of dollars willy-nilly,...by scandal after scandal..." and that there are no "...normal checks and balances and to accountability."

And so, indeed, we tried to put that in place, but then the gentleman went on to note that the purpose of the revenues going to the authority were designed to help the schools in Philadelphia and that we ought to, in the language, "squeeze" the authority to ensure that the amount of money going to Philadelphia schools was, indeed, greater.

What are we doing then today by, in fact, adopting legislation that chooses not to squeeze but to divert money that should be going to the schools in Philadelphia? What are we doing today when we are saying, although there are continued problems, somehow maybe that is all right? We accept a Senate bill which does not provide any real means of accountability, which does not address the continuing problems of the authority, and which puts us in a position of negating our responsibility as legislators to do something about a problem that directly affects a State agency – not a city agency, not a national agency – a State agency for which we are responsible.

Madam Speaker, we ought to reject this bill as amended by the Senate. If we believe in open government, if we believe in transparency, if we believe in reform, then we ought to be about ensuring that reform applies everywhere. This bill is fundamentally wrong. It is not open; it is not transparent. It diverts money from my schools, and it helps to make the problems we face in my constituency far worse.

I would urge those of you who believe that we are in a new day in Harrisburg, that we are, in fact, in a new atmosphere of change, a new atmosphere of responsibility, to reject concurring in the Senate amendments and send this bill to wherever it needs to go to get the problems inherent in it changed and remedied. We owe that to the school kids of Philadelphia. We owe that to the schoolchildren of Philadelphia. We owe it to our young people.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and would remind members that the question before the House is concurrence in Senate amendments and asks that remarks be kept to that subject.

On the subject, is the gentleman, Representative Geist, seeking recognition?

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

I did not really think that we were going to have to speak at all on this bill, but I would like to remind the House that when Representative McCall and I worked on this piece of legislation, we did so with the idea that it was for safety and public safety in Philadelphia as an experimental program, not as a revenue generator for anything. In no way was this ever designed to be a rolling tollbooth so that Philadelphians would pay at the light for some function or some program in the city, which would put additional pressure to create more tickets.

It is an experimental program. The time to grade it has not run out. The Senate amendments that were put in here are very good and they work. The city of Philadelphia, with all the other things that they have and all the other programs, can certainly

find other ways to raise money for projects rather than going after a new revenue source.

The bill is a very good piece of legislation, it is a good compromise, and I would urge a "yes" on concurrence.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Representative Taylor.

Mr. J. TAYLOR. Thank you, Madam Speaker, and I will be very brief to let these young folks sing here.

Before everybody gets all excited about this, this is very simple. We are extending an existing program in the city of Philadelphia that has been very successful. It is due to sunset at the end of this year if we do not pass this bill. There was never any money from red light cameras going to the schools in the city of Philadelphia. So they did not get cut because they never had it. We made many references to a House bill that is still in the House; it never got to the Senate.

So a lot of the debate may need to happen at some point in this chamber, that was brought up. It has nothing to do with the concurrence vote on HB 17, and I would urge all the members to support this, to support and continue a very important project in Philadelphia.

The SPEAKER pro tempore. Representative Benninghoff.

Mr. BENNINGHOFF. Thank you, Madam Speaker.

I just wanted to make a quick reflection on an initiative that is probably just as dear to the hearts of those of us who live in central Pennsylvania and across the northern tier. While I think it is important that we are cognizant of what goes on in the city of Philadelphia and the fact that some of our food vendors need lights on the top of their cars, the people in central Pennsylvania are very, very concerned about the tolling of I-80, and this bill would have provided a tremendous opportunity for many of us who have amendments to try to address a bill that was moved very quickly through the process, with no public hearings, no public conversations, and very little input.

My good friend, Representative McIlhattan, has a proposal that would allow you, the members, to have the right to vote by two-thirds majority on whether or not we should toll I-80—

The SPEAKER pro tempore. Will the gentleman suspend.

Once again the Chair reminds him and all members that what is before us is concurrence on Senate amendments.

Mr. BENNINGHOFF. I appreciate that, Madam Speaker, and I will keep that in close proximity in my mind, which could be a very long distance.

I will be brief, but I think it is important because these initiatives, when first rendered, are told to us that they will be a pilot program – pilot programs which are then expanded for several years later, and then, as other sad events, they progress throughout the Commonwealth. And who knows? Maybe we might even see red lights on I-80. It would be kind of scary, but we have done sillier things.

I would just ask that the members keep in mind that there are other parts of this State, and the Interstate 80 project of tolling is very, very concerning for those of us who live in rural Pennsylvania. I think we should have just as long dialogue, maybe even today, on that issue, as well as instituting expansion of the red light cameras.

Madam Speaker, I thank you.

The SPEAKER pro tempore. Representative Schroder.

Mr. SCHRODER. Thank you.

Would the maker of the bill stand for brief interrogation?

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

Mr. SCHRODER. Thank you, Madam Speaker.

Madam Speaker, there is just a matter that I want to get on the record with regards to a section of the bill that reduces fines for violations of the number of hours of operation of truck drivers, I believe. There has been a substantial reduction in the fine for those violations, and I am told that it is in connection with the requirement of Federal law. Could you explain to me and to the House what the requirement is?

Mr. MARKOSEK. Thank you, Madam Speaker.

The gentleman has a very good question, albeit a very technical one. Yes, this is a requirement of the Federal government. It reduces the fine in section 4107(d)(3) from \$2,750 to \$500 for drivers, or employers, who receive a citation for driving, or who allow vehicles to be driven, beyond the hours-of-service criteria established by the U.S. Department of Transportation. So the bill, essentially by mandate of the Federal government, will be identical to what they have asked us to do.

Mr. SCHRODER. Thank you, Madam Speaker.

Madam Speaker, just for a point of further clarification.

Madam Speaker, I am having trouble hearing the answers given by the gentleman, Mr. Markosek.

The SPEAKER pro tempore. Will the gentleman just suspend for one moment. There is, once again, entirely too much noise, and the gentlemen are having difficulty hearing each other back and forth. If we could just ask members to hold conversations to a minimum.

While the gentleman suspends, I am going to ask you to embellish one extra moment.

CENTRAL DAUPHIN HIGH SCHOOL SINGERS INTRODUCED

The SPEAKER pro tempore. You may have noticed in the back of the House patiently waiting are the singers from Central Dauphin High School. They were here this morning as part of our Capitol tree-lighting ceremony and have been patiently waiting. The Central Dauphin Singers are here today as part of our Capitol tree-lighting ceremony and would like to wish us holiday greetings. They are here today as the guests of Representative Ron Marsico. Mr. Masters is their instructor. We welcome you to the hall of the House.

Ladies and gentlemen, please recognize the Central Dauphin Singers.

("We Wish You a Merry Christmas" was sung by the Central Dauphin High School Singers.)

The SPEAKER pro tempore. Representative DeWeese.

Mr. DeWEESE. I would like to thank Representative Marsico for inviting these youngsters. We have it on great authority from Dan Surra, who was a preeminent voice in his high school chorus, that you performed in excellent fashion.

The SPEAKER pro tempore. The Chair thanks the Central Dauphin Singers and wishes you a merry Christmas as well, and we will let you go catch that bus.

CONSIDERATION OF HB 17 CONTINUED

The SPEAKER pro tempore. The Chair thanks Representative Schroder for suspending momentarily for the holiday greeting. The gentleman is in order to proceed.

Mr. SCHRODER. Thank you, Madam Speaker.

I was glad to suspend for that cheerful interlude there, and good job.

Back to the question, Madam Speaker. So are you saying then that Federal law only allows us to impose a \$500 fine for that particular violation and that we have no leeway?

Mr. MARKOSEK. That is correct, if we do not want to violate the Federal law.

Mr. SCHRODER. And what is the penalty for that violation? Would we lose funds? What would happen?

Mr. MARKOSEK. It could be a decertification of the program, the CDL (commercial driver's license) program, which I do not think any of us would want. It would also, perhaps – an option of losing highway funds up to \$384,000, and what we are doing here is correcting language in our original bill that we passed, Act 37 of 2005, which you and I more than likely voted for, where we had some information and some of the language in here that was drafted improperly. We imposed fines in one section and not another. What this does is changes that around. There is actually no loss of fine money relative to this new language. So it is just a matter of changing the language on paper, essentially, so we comply with the Federal regulation relative to this, so we do not have a program that is decertified.

Mr. SCHRODER. All right.

Thank you, Madam Speaker, for the interrogation.

The SPEAKER pro tempore. Representative Metcalfe.

Mr. METCALFE. Thank you, Madam Speaker.

Madam Speaker, one of the prior speakers had mentioned that this legislation is not about a moving tollbooth. And I think there are many of us who will be voting in the negative, Madam Speaker, because this legislation is not about those tollbooths that are moving toward I-80. Many of us would have liked to have seen this legislation give us a chance to repeal the I-80 tolling, and I will be voting in the negative because this legislation does not address a very important issue to this Commonwealth, and that is tollbooths that are moving toward I-80.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Representative McGeehan.

Mr. MCGEEHAN. Thank you, Madam Speaker.

I am not a disinterested party in this debate. Part of my district is included in the red light camera program along the Roosevelt Boulevard. I touch a small portion of it, and many other members have much larger swaths of Roosevelt Boulevard than I do, and I am sensitive to the public safety concerns of those who have spoken before and the possibility of a danger to the public if this program is not renewed.

I have had conversations with the Philadelphia Police Department. They have been freed up on I-95 and the Schuylkill Expressway by the increased presence of the State Police on those roadways, and I am informed by the Philadelphia Police Department that they intend to dedicate portions of their highway patrol to traffic enforcement along the Roosevelt Boulevard.

Madam Speaker, if we do not concur in these amendments today, this program does not die. It shuts down, yes, but it will be made up by a contingent of the Philadelphia

Police Department to continue the enforcement along the Roosevelt Boulevard to ensure that public safety is ensured through this period. We can come back in January and fix it and do what, I believe, and I think many others including the vast majority of the public in Philadelphia believes, is right – greater oversight, authority of the law behind the improvements that we seek in this renewal of this pilot program, and a greater accountability for all involved.

I urge a negative vote. Thank you, Madam Speaker.
The SPEAKER pro tempore. Representative Kenney.

Mr. KENNEY. Thank you, Madam Speaker.

I rise as a Philadelphia legislator to support concurrence in HB 17.

The previous speaker just spoke about the Philadelphia Police Department, who supports the continuation of this program, and they want the assistance. They need the help on Roosevelt Boulevard, a 12-lane highway. They know they do not have the resources; they do not have the police manpower. They know the bottom line is these red light cameras are saving lives, and if we have the opportunity today to save lives and continue this program, we should continue it, and I ask my colleagues to support us.

Thank you.

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—135

Adolph	George	Marsico	Ross
Argall	Gergely	McCall	Rubley
Baker	Gillespie	McI. Smith	Sabatina
Bear	Gingrich	Melio	Santoni
Belfanti	Godshall	Mensch	Saylor
Beyer	Grucela	Micozzie	Scavello
Bianucci	Haluska	Miller	Siptroth
Bishop	Hanna	Milne	Smith, K.
Blackwell	Harhai	Moul	Smith, M.
Boback	Harhart	Moyer	Smith, S.
Boyd	Harkins	Mundy	Solobay
Brennan	Harper	Murt	Sonney
Buxton	Helm	Mustio	Staback
Caltagirone	Hennessey	Nailor	Stairs
Cappelli	Hershey	Nickol	Steil
Carroll	Hess	O'Neill	Stern
Civera	Hickernell	Oliver	Sturla
Clymer	Hornaman	Pallone	Surra
Conklin	Keller, M.	Parker	Swanger
Costa	Keller, W.	Pashinski	Tangretti
Creighton	Kenney	Payne	Taylor, J.
Cruz	Kessler	Peifer	True
Daley	Killion	Petrarca	Turzai
Dally	Kortz	Petri	Vereb
Dermody	Kula	Petrone	Vulakovich
DeWeese	Leach	Pickett	Wagner
DiGirolo	Levdansky	Pyle	Walko
Evans, D.	Longiotti	Quigley	Waters
Evans, J.	Mackereth	Quinn	Watson
Fabrizio	Mahoney	Raymond	White
Fleck	Major	Readshaw	Wojnaroski
Frankel	Mann	Reed	Youngblood
Gabig	Markosek	Reichley	Yudichak
Geist	Marshall	Rock	

NAYS—57

Barrar	Fairchild	Maher	Roebuck
Benninghoff	Freeman	Manderino	Rohrer
Bennington	Galloway	Mantz	Sainato
Brooks	Gerber	McGeehan	Samuelson
Casorio	Gibbons	McIlhattan	Schroder
Causer	Goodman	Metcalfe	Seip
Cohen	Grell	Millard	Shapiro
Cox	Harris	Myers	Shimkus
Curry	Hutchinson	O'Brien, M.	Stevenson
Cutler	Josephs	Payton	Taylor, R.
Denlinger	Kauffman	Perry	Thomas
Donatucci	King	Preston	Vitali
Eachus	Kotik	Rapp	Wansacz
Ellis	Lentz	Roae	Yewcic
Everett			

NOT VOTING—0

EXCUSED—11

Bastian	Kirkland	Ramaley	
DeLuca	Perzel	Wheatley	O'Brien, D., Speaker
DePasquale	Phillips	Williams	
James			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

**BILLS SIGNED BY
SPEAKER PRO TEMPORE**

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 17, PN 2982

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "automated red light enforcement system" and "serious traffic violation"; and further providing for period of registration, for person with disability plate and placard, for weight restriction relating to special registration plates, for use and display of illuminated signs, for automated red light enforcement systems in first class cities, for employer responsibilities and for unlawful activities related to equipment standards.

HB 43, PN 2870

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, providing for uniform environmental covenants.

HB 131, PN 2910

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

SB 1156, PN 1576

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

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1787, PN 3009**, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, providing for procedure for municipal curative amendment subsequent to appellate court decision.

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

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—166

Adolph	Freeman	Mann	Ross
Argall	Gabig	Mantz	Rubley
Baker	Galloway	Markosek	Sabatina
Barrar	Geist	Marshall	Sainato
Bear	George	Marsico	Samuelson
Belfanti	Gerber	McCall	Santoni
Bennington	Gergely	McGeehan	Scavello
Beyer	Gibbons	McI. Smith	Schroder
Biancucci	Gingrich	McIlhattan	Seip
Bishop	Goodman	Melio	Shapiro
Blackwell	Grucela	Mensch	Shimkus
Boback	Haluska	Micozzie	Siptroth
Boyd	Hanna	Milne	Smith, K.
Brennan	Harhai	Moyer	Smith, M.
Buxton	Harhart	Mundy	Solobay
Caltagirone	Harkins	Murt	Staback
Cappelli	Harper	Mustio	Stairs
Carroll	Harris	Myers	Steil
Casorio	Helm	Nailor	Stern
Civera	Hennessey	O'Brien, M.	Sturla
Clymer	Hershey	O'Neill	Surra
Cohen	Hess	Oliver	Swanger
Conklin	Hickernell	Pallone	Tangretti
Costa	Hornaman	Parker	Taylor, J.
Cruz	Josephs	Pashinski	Taylor, R.
Curry	Keller, M.	Payne	Thomas
Cutler	Keller, W.	Payton	True
Daley	Kenney	Peifer	Turzai
Dally	Kessler	Petrarca	Vereb
Dermody	Killion	Petri	Vitali
DeWeese	King	Petrone	Vulakovich
DiGirolamo	Kortz	Pickett	Wagner
Donatucci	Kotik	Preston	Walko
Eachus	Kula	Pyle	Wansacz
Ellis	Leach	Quigley	Waters

Evans, D.	Lentz	Quinn	Watson
Evans, J.	Levdansky	Raymond	White
Everett	Longiotti	Readshaw	Wojnaroski
Fabrizio	Maher	Reed	Yewcic
Fairchild	Mahoney	Reichley	Youngblood
Fleck	Major	Roebuck	Yudichak
Frankel	Manderino		

NAYS—26

Benninghoff	Godshall	Miller	Rock
Brooks	Grell	Moul	Rohrer
Causar	Hutchinson	Nickol	Saylor
Cox	Kauffman	Perry	Smith, S.
Creighton	Mackereth	Rapp	Sonney
Denlinger	Metcalfe	Roae	Stevenson
Gillespie	Millard		

NOT VOTING—0

EXCUSED—11

Bastian	Kirkland	Ramaley	
DeLuca	Perzel	Wheatley	O'Brien, D.,
DePasquale	Phillips	Williams	Speaker
James			

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

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

* * *

The House proceeded to third consideration of **SB 1100, PN 1483**, entitled:

An Act providing for the Hazardous Sites Cleanup Fund, for its funding, for expenditures from the fund and for audits of the fund; making an appropriation; and making related repeals.

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

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

(Bill analysis was read.)

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

On the question, the Chair recognizes Representative Harper. Ms. HARPER. Thank you, Madam Speaker.

I rise, very briefly, to thank the bipartisan rank-and-file members of this chamber for doing their job so well with respect to this bill. We had a full and fair debate on Monday night. I know this bill was not the bill that everyone wanted, but we recognized, to keep the Hazardous Sites Cleanup Fund going, we had to pass the Senate version of the bill.

This was not a leadership decision; this was a rank-and-file decision. And by the actions of every legislator in this chamber,

we ensure that no DEP (Department of Environmental Protection) layoff notices go out on Christmas Eve and that the fund continues.

In advance of this vote, I thank all of my colleagues for the wonderful job that we have jointly done together in a bipartisan fashion.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Representative Maher.

Mr. MAHER. Madam Speaker, I just wanted to thank the immediately preceding speaker, Representative Kate Harper, for her leadership to help bring this Hazardous Sites Cleanup Fund's progress to fruition. She put her heart and soul into this and overcame astonishing odds, and now Pennsylvania will be taking care of these hazardous sites as it should.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Representative Petri.

Mr. PETRI. Thank you, Madam Speaker.

I will be very brief. I want to thank all the members. I think we have shown that we can turn over a new leaf. We can deal with things in advance of disasters and crises, and I think both sides of the aisle have worked extremely well in accomplishing that so that our constituents do not need to worry about the hazardous sites cleanup for this year, for next year, or to 2011. That is quite an accomplishment, and I certainly want to thank the chairmen of both Appropriations Committees for their stellar work, too.

Thank you.

The SPEAKER pro tempore. Representative McCall.

Mr. McCALL. Thank you, Madam Speaker.

Very, very briefly. I know time is of the essence and time was of the essence on the Hazardous Sites Cleanup Fund. I certainly want to thank Rick Taylor on our side of the aisle, Jim Wansacz, Mike Gerber, et al., for their leadership as well in our caucus discussions in bringing this issue to fruition, and I certainly do want to thank this chamber for rising above politics and doing what is right for the citizens of this Commonwealth and passing this legislation in a timely fashion.

Thank you, Madam Speaker.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

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

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Bastian	Kirkland	Ramaley	
DeLuca	Perzel	Wheatley	O'Brien, D., Speaker
DePasquale	Phillips	Williams	
James			

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

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

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

HB 2051, PN 3015 (Amended) By Rep. STURLA

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for physician assistants and for respiratory care practitioners; and making inconsistent repeals.

PROFESSIONAL LICENSURE.

COMMITTEE MEETING CANCELED

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

Mr. PETRONE. Thank you, Madam Speaker.

Madam Speaker, I would like to announce that the Urban Affairs meeting that was scheduled has been canceled until further notice.

Thank you, and Merry Christmas, everybody.

The SPEAKER pro tempore. The Chair thanks the gentleman.

VOTE CORRECTIONS

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

Mr. MILLER. Thank you, Madam Speaker.

Earlier today SB 1, the open records legislation, passed this House. I was on leave to attend the organizational meeting of the Conference Committee on SB 246, the smoking legislation. The vote here was 191 to 0 for final passage of SB 1. I would like the record to reflect that if I was able to be here at that vote, that my vote would have been in the positive.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For what purpose does Representative Gerber rise?

Mr. GERBER. Thank you, Madam Speaker.

I, too, rise to express my support for the open records law that passed here in the chamber. Along with the Representative that just spoke, I was attending the conference committee on the smoking ban and was unable to be on the floor but want the record to reflect my support for that legislation and applaud all the members for their hard work on passing a good piece of legislation.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

AGRICULTURE AND RURAL AFFAIRS COMMITTEE MEETING

The SPEAKER pro tempore. Representative Hanna.

Mr. HANNA. Thank you, Madam Speaker.

I just want to remind all Ag Committee members, our meeting is still on, at the break, in room G-50. Ag Committee members, we still have our meeting, at the break, in room G-50 of Irvis.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Agriculture and Rural Affairs Committee will meet at the break.

Are there any further announcements?

STATEMENT BY MINORITY LEADER

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

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

I just wanted to wish the members a happy holiday season and hope that everyone goes home to a safe and productive session away from the floor. As we all know, sometimes the reports are—

The SPEAKER pro tempore. Will the gentleman suspend.

Can we please have some order and quiet conversations. If they are necessary, we ask that they be taken to the anteroom.

Please proceed.

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

As we know, sometimes the reports and implications are that when we are not in session, we are all on vacation. And between us in this room and many of the people who work for us, we all know that we work just as hard at home when we are not in session, and I think that is important to spread upon the record. I recognize it and it is important to state.

So while we will not be in session until the first of the year, I hope you all enjoy the holidays, but I also know that you will be working very hard in the coming weeks and into the new year. So God bless you all. Have a safe and secure end of the year.

The SPEAKER pro tempore. One last call for some order in the hall of the House.

ANNOUNCEMENT BY MAJORITY LEADER

The SPEAKER pro tempore. The Chair recognizes Representative DeWeese.

Mr. DeWEESE. As my honorable colleague, Sam Smith, and I have discussed earlier, one of our colleagues and former Marine, Merle, is in a hospital setting right now, and Sam and I want to make sure that he knows his former Marine buddy and his leader, Sam, that we are all thinking about Merle Phillips.

Merry Christmas, Merle.

STATEMENT BY MAJORITY LEADER

Mr. DeWEESE. I have a good rapport with my honorable minority leader and friend, Sam, and I think we have had an exciting year, to say the least. But I think that the cross-aisle pollinations had incipient successes and I think that our opportunities here in the last couple of days on open records and on hazardous waste sites are a propitious omen for the new year.

I just talked with Chairman Hanna and Chairman Evans and others as well as the Governor this morning on our collective commitment to property tax reform. Hopefully those proposals will be debated in January. We are already contemplating having longer workweeks, including Thursdays and Fridays occasionally, to make certain that our pace is revved up to a palpable degree. I look forward to additional conversations with Mr. Rohrer and his colleagues as we have an aggressive conversation and some votes in early, middle, and late January on a vital element in the Pennsylvania body politic's ongoing dialogue concerning property tax reform. But I do think that the last 24 hours when the Petri-DeWeese motion – the Petri motion – was embraced do augur favorably.

So thank you, Madam Speaker, for this moment, and I am receiving incoming messages from Whip McCall for a— In fact, I am going to let Mr. McCall make this.

Keith McCall of Carbon, my friend and our whip, has asked – and this will be our final gesture – that for all of those – some of our members who have lost loved ones, we all know folks who are in the Middle East and around the world defending our freedom, so we would like just, Madam Speaker, a moment of silence for those folks in our families who passed from us this

year and for our men and women around the world who are serving in the Armed Forces, as a gesture of our affection and respect.

The SPEAKER pro tempore. Members and all guests, please rise for a moment of silence.

(A moment of silence was observed.)

The SPEAKER pro tempore. Thank you, and you may be seated.

VOTE CORRECTION

The SPEAKER pro tempore. Mr. Belfanti.

Mr. BELFANTI. Thank you, Madam Speaker.

I, too, would like to wish all of my colleagues a very happy holiday season and would like to go on the record, along with my colleagues, Representatives Gerber and Miller, that I was obliged to be at the organizational conference committee meeting on the restriction of smoking, so I was unable to be here for the final passage vote on SB 1. Had I been able to be here, I would have voted in the affirmative, and I would like the record to reflect that.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Are there any further announcements?

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Hornaman from Erie County, who moves that this House do now adjourn until Thursday, December 13, 2007, at 10 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 1:39 p.m., e.s.t., the House adjourned.