

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, JUNE 17, 2008

SESSION OF 2008

192D OF THE GENERAL ASSEMBLY

No. 42

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

The SPEAKER pro tempore. The prayer today will be offered by Rev. Keith Hornung, guest of Representative Jim Marshall.

REV. KEITH HORNUNG, Guest Chaplain of the House of Representatives, offered the following prayer:

Thank you for the opportunity of being here and praying. I would like to ask you to join me.

Almighty God, creator and sustainer of all that was and all that is and all that is to be, we ask Your blessing upon the women and men that You have brought into this particular position of authority in this place. We ask that You would give to each of them the ability to speak clearly to one another the truth as You have revealed that truth to them. We ask that You would give to each of them the courage to stand firm for those values that You have instilled in them. We ask that You would give to each of them ears capable of hearing what You are saying are the real needs of the people of this State. We ask that You would give to each of them a servant's heart that enables them to fulfill the tasks that You have set before them.

Great God, protect these leaders and their families from harm. By Your spirit, enable them to be kept from any temptation and any testing for which they are ill-equipped. And then, empower them to do the business of this day as though it were a holy work and a holy trust, for that is what it is.

And I ask all of this in the name of my Lord and Savior, Jesus Christ. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal of Monday, June 16, 2008, will be postponed until printed. The Chair hears no objection.

### STATEMENT BY MR. MARSHALL

The SPEAKER pro tempore. The Chair recognizes Representative Marshall for the purpose of an introduction.

Mr. MARSHALL. Thank you, Madam Speaker.

I would like to take this opportunity to thank Rev. Keith Hornung for offering today's prayer. He was my former minister at College Hill Presbyterian Church and now resides in Washington County, Representative Peter Daley's 49th Legislative District.

#### GUEST INTRODUCED

Mr. MARSHALL. I would like to take this opportunity to recognize his wife, Jenni, who is seated to the left of the Speaker. Would you please stand and be recognized.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2600** By Representatives DALEY, THOMAS, DeWEESE, McCALL, McGEEHAN, SCAVELLO, REICHLEY, ADOLPH, BELFANTI, BENNINGTON, BEYER, BISHOP, BRENNAN, BUXTON, CALTAGIRONE, CARROLL, COSTA, DeLUCA, DePASQUALE, DERMODY, FABRIZIO, FRANKEL, GEORGE, GIBBONS, GOODMAN, GRUCELA, HALUSKA, HANNA, HARHAI, HARHART, HARKINS, HELM, HENNESSEY, HORNAMAN, JAMES, JOSEPHS, KILLION, KORTZ, KOTIK, KULA, LENTZ, LEVDANSKY, LONGIETTI, MAHONEY, MANDERINO, MANN, MARKOSEK, McILVAINE SMITH, MELIO, MOYER, MUNDY, MURT, M. O'BRIEN, PARKER, PASHINSKI, PAYNE, PAYTON, PETRONE, PHILLIPS, PRESTON, RAMALEY, READSHAW, SANTONI, SAYLOR, SEIP, SHIMKUS, SIPTROTH, SOLOBAY, STABACK, J. TAYLOR, WALKO, J. WHITE, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending the act of December 3, 1959 (P.L.1688, No.621), known as the Housing Finance Agency Law, providing for the Pennsylvania Housing Affordability and Rehabilitation Enhancement Program.

Referred to Committee on COMMERCE, June 17, 2008.

**No. 2601** By Representatives LONGIETTI, DALEY, McGEEHAN, KOTIK, HARHART, ADOLPH, BELFANTI, BENNINGTON, BEYER, BISHOP, BRENNAN, BUXTON, CALTAGIRONE, CARROLL, COSTA, DeLUCA, DePASQUALE, DERMODY, FABRIZIO, FRANKEL, GEORGE, GIBBONS, GOODMAN, GRUCELA, HALUSKA, HARHAI, HARKINS, HELM, HENNESSEY, HORNAMAN, JAMES, JOSEPHS, KILLION, KORTZ, KULA, LENTZ, LEVDANSKY, MAHONEY, MANDERINO, MARKOSEK, McCALL, MELIO, MOYER, MURT, M. O'BRIEN, PARKER, PASHINSKI, PAYNE, PAYTON, PETRONE, PHILLIPS, PRESTON, READSHAW, SANTONI, SAYLOR, SCAVELLO, SEIP, SHIMKUS, SIPTROTH, SOLOBAY, STABACK, J. TAYLOR, THOMAS, WALKO, J. WHITE, WOJNAROSKI, YOUNGBLOOD, YUDICHAK and K. SMITH

An Act amending the act of December 3, 1959 (P.L.1688, No.621), known as the Housing Finance Agency Law, making an appropriation.

Referred to Committee on COMMERCE, June 17, 2008.

**No. 2602** By Representatives SIPTROTH, THOMAS, DALEY, SCAVELLO, McGEEHAN, ADOLPH, BELFANTI, BENNINGTON, BEYER, BISHOP, BRENNAN, BUXTON, CALTAGIRONE, CARROLL, COHEN, COSTA, DeLUCA, DePASQUALE, DERMODY, FABRIZIO, FRANKEL, GEORGE, GIBBONS, GOODMAN, GRUCELA, HALUSKA, HARHAI, HARHART, HARKINS, HELM, HENNESSEY, HORNAMAN, JAMES, JOSEPHS, KILLION, KORTZ, KOTIK, KULA, LENTZ, LEVDANSKY, LONGIETTI, MAHONEY, MANDERINO, MARKOSEK, McCALL, MELIO, MOYER, MURT, M. O'BRIEN, PARKER, PASHINSKI, PAYNE, PAYTON, PETRONE, PHILLIPS, PRESTON, RAMALEY, READSHAW, SANTONI, SAYLOR, SEIP, SHIMKUS, SOLOBAY, STABACK, J. TAYLOR, WALKO, J. WHITE, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending the act of December 3, 1959 (P.L.1688, No.621), known as the Housing Finance Agency Law, establishing a foreclosure prevention program; and making an appropriation.

Referred to Committee on COMMERCE, June 17, 2008.

**No. 2656** By Representatives HANNA, HERSHEY, CALTAGIRONE, CARROLL, CONKLIN, FAIRCHILD, GEORGE, GRUCELA, HALUSKA, KULA, McCALL, O'NEILL, STERN, STURLA, THOMAS, YUDICHAK, HENNESSEY, YOUNGBLOOD, SAYLOR, PERRY and SOLOBAY

An Act establishing the Fair Share Nutrient Reduction Program; providing funding for wastewater treatment plants and farmers to meet nutrient reduction mandates; providing for a resource enhancement and protection tax credit and for supplemental funding for the Department of Agriculture and the State Conservation Commission.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 17, 2008.

## REMARKS SUBMITTED FOR THE RECORD

Mr. PETRI submitted the following remarks for the Legislative Journal:

Madam Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the names of Jordan Lee Landis and Timothy Weatherby Overton, who have recently been awarded Scouting's highest honor – Eagle Scout.

Madam Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Jordan Lee Landis and Timothy Weatherby Overton.

Whereas, Jordan Lee Landis and Timothy Weatherby Overton have earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of these young men. They are members of Troop 74.

Now therefore, Madam Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the names of Jordan Lee Landis and Timothy Weatherby Overton.

## JUDGE HENRY McCOOL AND ROBERT S. DANKER INTRODUCED

The SPEAKER pro tempore. The Chair recognizes Representative Scavello for the purpose of an introduction.

Mr. SCAVELLO. Thank you, Madam Speaker.

I am here today to announce a few visitors. They are in the back of the hall of the House, Judge Henry McCool and his wife, Connie, retired schoolteacher from Monroe County. Alongside of the judge, there is a gentleman there, his name is Robert Danker. He is a Vietnam war veteran, and he has written a book called "The Primitive Blade: Spirit in Steel," and it is about a family of three generations that served the Armed Forces in World War I, World War II, and in the Vietnam war.

The story talks about the grandfather who had a particular knife that he took with him into battle and how the grandfather made one for the son, who took it into World War II, and also for the grandson, who took it into Vietnam, and there are flashbacks in the story.

I have to tell you, I was so impressed with the book, but what is so important, why do you talk about a book here in the hall of the House? Mr. Danker has given every dollar of proceeds from the book to the veterans. So I recommend, I hope each and every one of us here in this room will buy this book. It is a great book. It really tells a tale.

Also, World War II guys coming back into the harbor in New York City and the feelings that each and every veteran had when they came back into that New York City harbor, it is in here, and you could not have spelled it out any better. I truly recommend that each and every one of you pick this book up.

"The Primitive Blade: Spirit in Steel" by R.S. Danker. If you need to know how to get it, you can contact me. But in the back, I would like if we can show Mr. Danker and Mr. McCool – Henry, the judge, Judge McCool – back there.

Thank you. Thank you very much, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### CODY GILBERT INTRODUCED

The SPEAKER pro tempore. The Chair recognizes Representative Grell for the purpose of an introduction.

Mr. GRELL. Madam Speaker, thank you very much.

It is my pleasure to introduce some guests that I have on the floor of the House today. With me today, I would like you to welcome Cody Gilbert, who is a recently raised Eagle Scout from Troop 89 in Enola, Pennsylvania. Along with him are his parents, Tom and Donna Gilbert and his sister, Haley Gilbert. They are seated in the rear of the chamber. Please join me in welcoming them.

### GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to recognize that joining Representative Fairchild as a guest page today is Victoria MacNamara. She attends the 21st Century Cyber Charter School and will be entering the 7th grade this fall. Would Victoria please stand and be recognized.

The Chair also recognizes, as a guest page today, a guest of Representative Keith Gillespie, Alex Gilliland of York County. Would Alex please stand and be recognized. Welcome.

Also joining us today, as a guest page and job shadower of Representative David Hickernell and Representative Thomas Creighton, is Kyle Brockman. Kyle, please rise and be recognized. Welcome.

Additional guests joining us today and seated in the balcony are Rebecca Traldi and Kevin Branco, interns in Representative Bob Freeman's district office. Would they please stand and be recognized. Welcome to the hall of the House.

### STATEMENT BY MRS. BEYER

The SPEAKER pro tempore. The Chair recognizes Representative Beyer for the purpose of remarks and an introduction.

Mrs. BEYER. Thank you, Madam Speaker.

I am so delighted to have my Lehigh Valley colleague up there, Madam Speaker. It is the first time you have introduced me when you have been up there, and it is a real honor and a pleasure.

The SPEAKER pro tempore. Thank you; my pleasure.

Mrs. BEYER. A little later on today, we are going to vote on a resolution that I would like to talk a little bit about now. In the Lehigh Valley, we are blessed with a rich historical heritage in many, many ways, and today we are paying tribute to our national pastime, baseball, and to one of the greatest stadiums ever built.

As you may recall in the wonderful baseball movie, "Field of Dreams," in that movie a farm owner is told by a spirit to build a baseball field, and the specific phrase was used, "If you build it, they will come."

In 1933 a businessman and great baseball fan named Howard "Lefty" Fegley had a dream and a vision, which resulted in the construction of Limeport Stadium. Madam Speaker, may I just have a little order, please?

The SPEAKER pro tempore. The lady is correct. There is certainly too much noise, and she deserves to be heard.

Thank you. The lady is in order and may proceed.

Mrs. BEYER. Thank you, Madam Speaker.

That grand ballpark will turn 75-years-old next month, and for these many years, it has been a haven for the great game of baseball, entertaining fans, young and old, and resulting in Limeport, Pennsylvania being aptly named "The biggest little baseball town in America."

In short, he built it and they came. Limeport Stadium has been the home of East Penn League baseball, specifically Howard's own team, the Limeport Milkmen, and it is said that Howard's two baseball-playing sons, Homer and Russel, were the inspiration for building this beautiful stadium. In its rich history, the stadium has undergone some modifications, but never has the integrity of the original construction been compromised.

There are many stories about this grand ballpark, and we could tell those stories for hours on end. One of the legends has it that Howard Fegley, the builder, his favorite beagle is buried under third base. Over the years, Limeport Stadium has played host to the Limeport Bulls, Dodgers, Southern Lehigh High School, Connie Mack baseball, American Legion baseball, and Allentown College.

Today this ballpark is managed by Limeport Stadium Incorporated, a nonprofit organization of 50 men and women, all dedicated volunteers. They have made \$100,000 worth of renovations and improvements, all through fundraisers and donations.

### GUESTS INTRODUCED

Mrs. BEYER. I would like to take this opportunity to introduce some of the special guests who have joined us on this special day. First of all, the Limeport Stadium Incorporated 75th Anniversary committee chairman, Mr. Tom Fulton. Also with us today is the community relations director, Mr. Frank Koeller, and finally, the owner of the big, booming voice that fills Limeport Stadium from the public address system, the voice of Limeport Stadium, Mr. Chris Barebo. They are at the rear of the House. Will you please rise and be recognized.

On Saturday, July 19, the anniversary will be celebrated with a series of daylong events. I am very, very proud – very proud – to represent this beautiful community and this beautiful stadium. Thank you very much, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and certainly agrees that Limeport Stadium is a real jewel of the Lehigh Valley. We thank the gentlemen for joining us today.

### GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Mikaela Calcara and Elizabeth Russoli, who are both guest pages and are both sixth graders in the Mechanicsburg School District. They are the guests today of Representative Jerry Nailor, and would they please rise and be recognized.

### CONDOLENCE RESOLUTION

The SPEAKER pro tempore. Members will please take their seats. We are about to take up a condolence. The Sergeants at Arms will please close the doors of the House.

The Chair recognizes Representative Casorio.

Mr. CASORIO. Thank you, Madam Speaker.

Madam Speaker, I rise today to honor a fallen hero, S. Sgt. David Wieger. Sergeant Wieger was killed in Iraq on November 1, 2007, when the convoy he was riding in struck an improvised explosive device near Balad Air Base, north of Baghdad. Sergeant Wieger was returning from a meeting with intelligence sources when he and two of his fellow officers were killed.

Sergeant Wieger, who was on his first tour of duty in Iraq, was on an important Federal law enforcement assignment for the U.S. Air Force Office of Special Investigations when he gave his life for his nation.

I am proud to honor Sergeant Wieger today, not only because of his service and sacrifice to the nation as a member of the United States Air Force, but also because Sergeant Wieger was a member of the law enforcement community for which I have such deep respect and gratitude. Sergeant Wieger's dream had always been to protect and serve. Madam Speaker, he was a 1997 graduate of Norwin High School in North Huntingdon Township, in my district, and studied criminal justice at Westmoreland County Community College.

When his initial 6-year commitment to the U.S. Air Force had been fulfilled, he reenlisted. He reenlisted in order to continue serving his nation and protecting the country, family members, and friends that he loved.

#### FAMILY INTRODUCED

Mr. CASORIO. I am honored, Madam Speaker, to be able to host Sergeant Wieger's parents today, Michael and Lori Wieger, and his brother Michael, and Michael's wife, Brenda. Would you please be recognized before the House.

On behalf of the entire Pennsylvania House of Representatives and the people of Pennsylvania, I want to offer my condolences to the family and my appreciation for the values that they instilled in their son – honor, commitment, courage, and duty – values that were constantly and consistently on display as Sergeant Wieger served, and ultimately sacrificed his life for his country.

Madam Speaker, I would ask that the members, later today, join me in honoring the life of S. Sgt. David Wieger and expressing our condolences to his family by voting "yes" on HR 782.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Members and guests will rise as a sign of respect for the fallen soldier.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of S. Sgt. David Wieger.)

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

#### CONDOLENCE RESOLUTION

The SPEAKER pro tempore. The Chair recognizes Representative Everett for the purpose of a condolence.

Mr. EVERETT. I would ask that Representative Hanna and Representative Seip join me.

Today I also rise in front of my colleagues here in the House to honor another of our fallen Pennsylvania heroes, M. Sgt. Sean Michael Thomas. I do this not only as the State Representative from Sean's hometown but also as a retired military officer in honor of a fallen comrade, and also as a friend of the Thomas family, whom I have grown to know quite well over the last year or so.

M. Sgt. Sean Michael Thomas was a native of Hughesville, Lycoming County, but at the time of his death he also was living and his unit was located in Representative Hanna's district in Clinton County. And he served in Iraq with Representative Seip's wife while they were deployed, so that is why they are joining me today.

Master Sergeant Thomas was a 1992 graduate of Hughesville High School, where he was actively involved in tennis, wrestling, soccer, and football. At his memorial ceremony, which overflowed the gymnasium at the Hughesville High School gym, Sean's family, friends, teachers, pastors, teammates, and fellow soldiers consistently painted the picture of a young man who brought energy and joy to everything he did.

As one of his college friends from Penn State said, if you did not know Sean when you got to the party, you knew him by the time you left. All of us remember Sean as the big guy with red hair and a big heart, a guy who lit up a room when he entered, a guy who would do anything for his family, his friends, and his comrades. During his senior year, Master Sergeant Thomas joined the Army Reserves and remained with the Reserves until 1998.

He then joined and served with the Pennsylvania Army National Guard's 728th out of Lock Haven, Pennsylvania, which is in Representative Hanna's district. He had an 8-month tour in Afghanistan, for which he was awarded the Bronze Star Medal, and Master Sergeant Thomas was serving in Baghdad with the 28th Division Support Command from Harrisburg when he gave up his life for our country in Iraq in an attack.

Throughout his military career, Master Sergeant Thomas received various awards and was posthumously awarded the Purple Heart, the Combat Action Badge, and his second Bronze Star. Master Sergeant Thomas is survived by his parents, Diana and Daniel Thomas; his two brothers, Daniel Jr. and David; and his two sisters, Melinda and Kelly, all of whom are with us today.

In addition to everything else he was in life, Sean was also the favorite uncle to Sean, Mitchell, Dylan, Andrew, and Rachel, all of whom are also with us here today, and all of them idolized their big Uncle Sean, and they still do.

However, first and foremost, Sean was dedicated to his lovely wife, Carrie, and their daughter, Alexa. Sadly, Sean will not get to spend the time he would have wanted to with either his wife or his daughter, as Alexa was just 6-months-old when Sean was taken from us, and he and Carrie would have celebrated their 1-year anniversary the day after Sean's memorial ceremony.

There are other relatives that are with us today and members of Sean's unit and folks who served with him in the back of the House, and I would like all of them to rise, along with the family, and have them recognized here today.

At this point, I would like to turn the podium over to Representative Seip, who would like to make some remarks.

Mr. SEIP. Thank you. I rise to support this resolution.

Madam Speaker, I actually had the honor of meeting Master Sergeant Thomas. Master Sergeant Thomas, as Representative Everett alluded to earlier, served in Baghdad, Iraq with my wife, Lt. Col. Starr Seip. Master Sergeant Thomas did a tremendous job for our Commonwealth and our nation in helping my wife maintain millions of dollars of assets in the desert and keep track of all of those assets and keep them safe.

I first learned of the tragic death of Master Sergeant Thomas from my wife. She called me at home and told me what had happened, and she said to me, the funeral arrangements will be on Good Friday. And she said, you know, I had been in that very spot about 20 minutes before this had happened to Master Sergeant Thomas. Instantly, I knew I had to go to Hughesville.

When I got to the high school, there were mourners outside, there were mourners in the vestibule, there were mourners inside the hallway, winding down into the gym, outlining the gym, outside of the gym, back down the corridors, crisscrossing their way back to the auditorium, and it took some time for me to get to where Master Sergeant Thomas was lying. And the whole time, I could only think to myself, what am I going to say to Carrie when I see her and the family? I finally got up into a position where I could overhear some of the comments that were being made to the family by other soldiers who had served with Master Sergeant Thomas. The comments that I heard were that we worked with Sean, he was a great soldier. He was a good coworker, and he made other soldiers better.

I want to thank Carrie and the family for coming to events. I have seen the family over at the 28th Division for all different types of events like the Freedom Salute. And these are difficult times, and it is difficult to talk at events like this, but it is very important to remember the service of our fallen heroes.

I have been at promotion ceremonies and retirement ceremonies with my wife, and those are easy times and enjoyable times to attend. They are necessary events, just like this is necessary, so that we have an opportunity to pay our gratitude to heroes like Master Sergeant Thomas for all that he has done for our Commonwealth and our nation.

I thank the family, and I urge my colleagues to give an affirmative vote on the resolution.

Mr. EVERETT. I want to thank Representative Seip for those comments.

I will just wrap up by saying that those of us back in Hughesville, in Lycoming County, will never forget Sean. We have already renamed the post office in Hughesville in his honor. There have been numerous concerts and charity motorcycle rides in his honor, and as long as any of us are around who knew Sean and as long as his family and his nephews and nieces are around, Sean will always be remembered. I would ask you to join me in voting later today to have the House of Representatives honor the memory of M. Sgt. Sean Michael Thomas.

Thank you.

The SPEAKER pro tempore. Members and guests will rise as a sign of respect for the fallen soldier.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of M. Sgt. Sean Michael Thomas.)

The SPEAKER pro tempore. Members and guests may be seated. The Sergeants at Arms will open the doors of the House.

## DEMOCRATIC CAUCUS

### APPROPRIATIONS AND RULES COMMITTEE MEETINGS

The SPEAKER pro tempore. The Chair recognizes Representative Surra for the purpose of an announcement.

Mr. SURRA. Thank you, Madam Speaker.

Just for our schedule, there will be an immediate meeting of the House Democratic Caucus in the majority caucus room, a 1 o'clock Appropriations Committee meeting in the majority caucus room, a 1:15 p.m. Rules Committee meeting, and then we plan on being back on the floor at 1:30 p.m.

Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

There will be an Appropriations Committee meeting in the majority caucus room at 1 o'clock, followed by a Rules Committee meeting at 1:15.

## REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes Representative Major for the purpose of an announcement.

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.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

## INSURANCE COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes Representative DeLuca for the purpose of an announcement.

Mr. DeLUCA. Thank you, Madam Speaker.

At the break, the Insurance Committee will be having a meeting at 60 East Wing, right after the break, 60 East Wing.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

There will be an Insurance Committee meeting at the break.

## CHILDREN AND YOUTH COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes Representative Bishop for the purpose of an announcement.

Ms. BISHOP. Thank you, Madam Speaker.

There is going to be a meeting of the Children and Youth Committee immediately in room 205 in the Ryan Building.

Thank you.

The SPEAKER pro tempore. There will be a Children and Youth Committee meeting immediately in room 205, Ryan Office Building.

Are there any other announcements?

**RECESS**

The SPEAKER pro tempore. The House stands in recess until 1:30 p.m., unless sooner recalled by the Speaker.

**AFTER RECESS**

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

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

**LEAVES OF ABSENCE**

The SPEAKER. The Chair turns to requests for leaves of absence. The Chair recognizes the majority whip, who indicates there are no requests for today.

The Chair recognizes the minority whip, who requests that Representative CAPPELLI from Lycoming County be placed on leave. The Chair hears no objection. The leave will be granted.

Members will report to the floor.

**MASTER ROLL CALL**

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

The following roll call was recorded:

**PRESENT—201**

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

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

**ADDITIONS—0**

**NOT VOTING—0**

**EXCUSED—2**

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

**SENATE MESSAGE**

**HOUSE BILL  
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 1863, PN 2549**, with information that the Senate has passed the same without amendment.

**BILL SIGNED BY SPEAKER**

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

**HB 1863, PN 2549**

An Act designating a bridge on PA Route 120 crossing the railroad tracks at the east end of Renovo Borough in Clinton County, Pennsylvania, as the Western Clinton County Veterans Bridge.

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

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

**HB 44, PN 3953 (Amended)** By Rep. GEORGE

An Act prohibiting the sale, installation and disposal of mercury thermostats; and prescribing penalties.

**ENVIRONMENTAL RESOURCES AND ENERGY.**

**HB 2485, PN 3676**

By Rep. BISHOP

An Act providing for visitation and inspection of family day-care homes and for reporting; and making a repeal.

CHILDREN AND YOUTH.

**HB 2582, PN 3954 (Amended)**

By Rep. BISHOP

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

CHILDREN AND YOUTH.

**RESOLUTION REPORTED  
FROM COMMITTEE****HR 788, PN 3884**

By Rep. GEORGE

A Resolution urging Congress of the United States to investigate the role of speculators relating to rising oil prices and manipulation of oil commodities markets.

ENVIRONMENTAL RESOURCES AND ENERGY.

The SPEAKER. The resolution will be placed on the active calendar.

**RESOLUTION REPORTED  
FROM COMMITTEE****HR 783, PN 3880**

By Rep. BISHOP

A Resolution directing the Legislative Budget and Finance Committee to investigate the benefits and costs of prevention and early intervention programs for the children and youth of this Commonwealth.

CHILDREN AND YOUTH.

**RESOLUTION REPORTED  
FROM COMMITTEE****HR 704, PN 3581**

By Rep. THOMAS

A Resolution urging the President of the United States and the Congress of the United States to reject the recent Pentagon decision to award a \$40 billion defense contract to a foreign entity for the construction of United States Air Force mid-air refueling tankers and urging Congress to investigate this decision.

INTERGOVERNMENTAL AFFAIRS.

**RESOLUTION REREFERRED**

The SPEAKER. The Chair moves, at the request of the majority leader, that HR 704 be rereferred to the Committee on Labor Relations.

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

**CALENDAR****RESOLUTIONS PURSUANT TO RULE 35**Mrs. BEYER called up **HR 785, PN 3882**, entitled:

A Resolution recognizing the commemoration of the 75th anniversary of the Limeport Stadium on July 19, 2008, and extending congratulations.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—201**

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

**NAYS—0****NOT VOTING—0**

EXCUSED—2

Cappelli Reed

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

\* \* \*

Mr. CASORIO called up **HR 782, PN 3879**, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice of Special Agent Staff Sergeant David A. Wieger of the United States Air Force Office of Special Investigations, who valiantly lost his life while in brave service to our country on November 1, 2007.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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

Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Frankel	Mann	Roebuck	Speaker
Freeman	Mantz	Rohrer	

NAYS—0

NOT VOTING—0

EXCUSED—2

Cappelli Reed

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

\* \* \*

Mr. EVERETT called up **HR 793, PN 3936**, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice of Master Sergeant Sean Michael Thomas of the 28th Infantry DISCOM of the Pennsylvania Army National Guard, who tragically lost his life in service to our country in Iraq on March 27, 2007.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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



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

NAYS—0

NOT VOTING—0

EXCUSED—2

Cappelli            Reed

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

The SPEAKER. Members will please take their seats. The Chair is about to take up a condolence resolution. The Sergeants at Arms will close the doors of the House.

**SUPPLEMENTAL CALENDAR B**

**RESOLUTION PURSUANT TO RULE 35**

Mr. HARKINS called up **HR 807, PN 3952**, entitled:

A Resolution honoring the life of Timothy John "Tim" Russert, Jr.; and recognizing his contributions to journalism, the American electoral process and the citizens of this Commonwealth and our nation.

On the question,  
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes Representative Harkins on the resolution.

Mr. HARKINS. Thank you, Mr. Speaker.

Mr. Speaker, on Friday afternoon I, like so many other Americans, was shocked and saddened to learn of the passing of Tim Russert of the famed NBC (National Broadcasting Company) "Meet the Press."

At the age of 58, Mr. Russert accomplished much more than most realized until the network began sharing the stories of religious people, political folks, and network personalities, just to name a few. They expressed their fond memories of Tim Russert, and many would reflect on many a Sunday morning that was reorganized because of who was going to be on "Meet the Press" any particular Sunday. Often after the first segment, you would feel that Russert was either too soft or too tough on the guest, depending on your leaning, but at the end of the show, you came away admiring how well the interview went and the things you learned about the particular guest or guests, and they showed the human side of all those involved.

Many remember the phrase "Blue State/Red State" coined by Russert or the white dry erase board that screamed "Florida, Florida, Florida" from the 2000 election. Or you cannot forget Chris Matthews, Tim Russert, and Pat Buchanan debating who really won the Presidential election of 2000. That was television education at its finest.

Russert was born and raised 90 miles from my district, in Buffalo, New York. An Irish Catholic, he graduated with honors from Cleveland-Marshall College of Law. He worked on Senator Daniel Patrick Moynihan's successful 1976 senatorial campaign. He also went on to work with Mario Cuomo's successful 1982 gubernatorial campaign, and he worked for a time in the Governor's Office in Albany, New York. In 1984 he left politics and went with NBC. In 1985 he arranged for Pope John Paul II's first American television interview. He then took over "Meet the Press" in 1991 and became the longest-serving host of the program.

An avid sports fan, Tim Russert would often pull for the Buffalo Bills so much so that the Bills' organization released a statement saying that the team would listen to Russert's exhortations of "Go Bills, Go Bills," and they actually made it part of their Sunday pregame preparations.

Perhaps Tim Russert's proudest accomplishments, though, were his family ties. In 1983 he was wed to Maureen Orth, and they have one son, Luke. His unwavering love, respect, and admiration for his dad, "Big Russ," as he was affectionately referred to in his book "Big Russ and Me," shows the example Timothy John Russert taught to all of us in his down-to-earth, simple way that we should all strive to emulate. We should carry on and share in his simple, do-unto-others lifestyle to try and attempt to make this a better world.

Thank you. I would ask that you would join with me in this resolution.

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

The following roll call was recorded:

YEAS—200

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

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

NAYS-0

NOT VOTING-1

Hutchinson

EXCUSED-2

Cappelli Reed

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

The SPEAKER. The Sergeants at Arms will open the doors of the House.

**CALENDAR CONTINUED**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1674, PN 3455**, entitled:

An Act amending the act of May 28, 1937 (P.L.955, No.265), known as the Housing Authorities Law, further providing for powers of authority.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cappelli Reed

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

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

\* \* \*

The House proceeded to third consideration of **HB 2477, PN 3668**, entitled:

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

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—201

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

Everett	Maher	Readshaw	Youngblood
Fabrizio	Mahoney	Reichley	Yudichak
Fairchild	Major	Roae	
Fleck	Manderino	Rock	O'Brien, D.,
Frankel	Mann	Roebuck	Speaker
Freeman	Mantz	Rohrer	

NAYS—0

NOT VOTING—0

EXCUSED—2

Cappelli Reed

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 987, PN 1741**, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, providing for emergency services.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cappelli Reed

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 1147, PN 2159**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing, in child protective services, for definitions, for immunity from liability, for release of information in confidential reports, for studies of data in records, for investigating performance of county agencies, for citizen review panels, for child abuse services and for reporting; and providing for report on child abuse and criminal history information requirements.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cappelli Reed

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.

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

**HB 98, PN 122** By Rep. OLIVER

An Act amending the act of November 24, 1976 (P.L.1163, No.259), referred to as the Generic Equivalent Drug Law, providing for epilepsy prescription products.

HEALTH AND HUMAN SERVICES.

**HB 1121, PN 3955** (Amended) By Rep. DeLUCA

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Office of Consumer Advocate for Health Insurance as an office within the Office of Consumer Advocate and prescribing its powers and duties; establishing the Consumer Advocate for Health Insurance Fund; and making editorial changes.

INSURANCE.

**HB 1824, PN 3956** (Amended) By Rep. DeLUCA

An Act establishing the Community-Based Health Care Provider Assistance Program in the Department of Health; setting criteria for eligibility for and authorizing payments to community-based health care providers to assist in providing medically necessary care to Pennsylvanians; providing for powers and duties of the Department of Health; and establishing the Community-Based Health Care Provider Assistance Fund.

INSURANCE.

**HB 2434, PN 3958** (Amended) By Rep. OLIVER

An Act providing for copies of patient test results to be sent directly to patients.

HEALTH AND HUMAN SERVICES.

**HB 2463, PN 3959** (Amended) By Rep. OLIVER

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in adoption, further providing for impounding of proceedings and access to records.

HEALTH AND HUMAN SERVICES.

**HB 2490, PN 3681** By Rep. DeLUCA

An Act amending the act of July 22, 1974 (P.L.589, No.205), known as the Unfair Insurance Practices Act, further providing for unfair acts.

INSURANCE.

**HB 2537, PN 3821** By Rep. THOMAS

An Act prohibiting the Commonwealth from obtaining certification under the Federal REAL ID Act of 2005; and providing for the authority of the Governor and Attorney General to file certain legal challenges.

INTERGOVERNMENTAL AFFAIRS.

**HB 2580, PN 3853** By Rep. DeLUCA

An Act requiring health insurance policies issued by professional health services plan corporations to reimburse for occupational therapy services provided by licensed occupational therapists.

INSURANCE.

**HB 2625, PN 3957** (Amended) By Rep. DeLUCA

An Act establishing the County Access to Community-based Care and Extended Safety-net Services (County Access) Program in the Department of Health; setting criteria for eligibility for counties and health care providers; developing plans to assure people and families with low income access to a continuum of health care services on a county basis; and providing for powers and duties of the Department of Public Welfare and the Department of Insurance.

INSURANCE.

**HB 2629, PN 3939** By Rep. OLIVER

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

HEALTH AND HUMAN SERVICES.

**HB 2642, PN 3948** By Rep. DeLUCA

An Act providing for health insurance rate increase standards.

INSURANCE.

**RESOLUTIONS REPORTED  
FROM COMMITTEE**

**HR 494, PN 2784** By Rep. THOMAS

A Resolution urging the Congress of the United States to enact legislation to ensure that the H-1B and L-1 visa programs are utilized for the purpose for which they were intended.

INTERGOVERNMENTAL AFFAIRS.

**HR 584, PN 3200** By Rep. THOMAS

A Resolution urging the Congress of the United States to declare March 31, 2008, a national holiday in honor of the late, great farm worker leader Cesar E. Chavez.

INTERGOVERNMENTAL AFFAIRS.

**HR 639, PN 3409** By Rep. THOMAS

A Resolution urging the United States Department of Defense to support American companies when awarding contracts regarding the replacement of its fleet of Boeing KC-135 tankers.

INTERGOVERNMENTAL AFFAIRS.

**HR 658, PN 3463** By Rep. THOMAS

A Resolution memorializing the Congress of the United States to recognize the dedication and sacrifice of firefighters by establishing a National Firefighters' Day.

## INTERGOVERNMENTAL AFFAIRS.

**HR 673, PN 3500**

By Rep. THOMAS

A Resolution memorializing the Congress of the United States to oppose the New York/New Jersey/Philadelphia metropolitan airspace redesign proposals.

## INTERGOVERNMENTAL AFFAIRS.

**HR 699, PN 3562**

By Rep. THOMAS

A Resolution recommending to the Congress of the United States that the cap on the Crime Victims Fund be eliminated and that the entire amount of funds deposited into the fund be distributed annually.

## INTERGOVERNMENTAL AFFAIRS.

**HR 767, PN 3960** (Amended)

By Rep. THOMAS

A Resolution urging the Congress of the United States to repeal the REAL ID Act of 2005 and to restore section 7212 of the Intelligence Reform and Terrorism Prevention Act of 2004.

## INTERGOVERNMENTAL AFFAIRS.

**HR 779, PN 3878**

By Rep. THOMAS

A Resolution memorializing Congress to designate a day each year in honor of the lifetime achievements of the late Roberto Clemente.

## INTERGOVERNMENTAL AFFAIRS.

**HR 789, PN 3915**

By Rep. THOMAS

A Resolution memorializing the Congress of the United States to urge the Comptroller of the Currency for the United States Treasury to add the Pittsburgh Metropolitan Statistical Area as a new Community Reinvestment Act assessment area for Bank of America.

## INTERGOVERNMENTAL AFFAIRS.

The SPEAKER. These resolutions will be placed on the active calendar.

### REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The Chair is in receipt of a report from the Committee on Committees, which the clerk will read.

The following report was read:

Committee on Committees  
Supplemental Report

In the House of Representatives  
June 16, 2008

RESOLVED, That

Representative Steven Cappelli, Lycoming County, is hereby removed from the Appropriations Committee and Representative John Maher, Allegheny County, is hereby elected a member of the Appropriations Committee.

Respectfully submitted,  
Richard A. Geist, Chairman  
Committee on Committees

On the question,  
Will the House adopt the resolution?  
Resolution was adopted.

The SPEAKER. The House will be temporarily at ease.

The House will come to order.

### STATEMENT BY MR. TANGRETTI

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

Members will please take their seats.

Mr. TANGRETTI. Mr. Speaker, I would like to ask for unanimous consent to make a comment.

The SPEAKER. The gentleman is recognized under the provision of unanimous consent. You may proceed.

Mr. TANGRETTI. Mr. Speaker, yesterday while we were debating the fine points of parliamentary procedure, there was a drama unfolding in San Diego, the U.S. Open. And when some of our more verbose members were taking the microphone to talk about those fine points, others of us went to the lounge to watch that drama because we had a Pennsylvanian, Rocco Mediate, who was in that championship. And I thought it would be only appropriate that today – well, I tried yesterday and, unfortunately, was not able to be recognized – but we ought to say thank you to Rocco, even though he did not win. He valiantly played one of the finest championships that I do not think that I have ever seen – and I would think that most of you would agree with me – played the number one player in the world up and back and forth to a tie, 90 holes. Although he did not win, he lost by one vote – one vote – one stroke – I wish it was a vote; he probably would have won – he did it with style and grace and true sportsmanship, and he represented this State, Westmoreland County, and more importantly, the city of Greensburg, very well, and I would ask the members of this chamber to thank him for being such a terrific guy.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman for his remarks.

The House will be at ease.

The House will come to order.

### BILL REPORTED FROM COMMITTEE

**HB 2518, PN 3751**

By Rep. THOMAS

An Act authorizing the Commonwealth of Pennsylvania to join the Interstate Compact on Educational Opportunity for Military Children; providing for the form of the compact; imposing additional powers and duties on the Governor, the Secretary of the Commonwealth and the compact commissioner; and establishing the State Council on Interstate Educational Opportunity for Military Children.

INTERGOVERNMENTAL AFFAIRS.

**BILL REREFERRED**

The SPEAKER. The Chair moves, at the request of the majority leader, that HB 2518, PN 3751, be rereferred to the Committee on Education.

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

**SENATE MESSAGE**

**RECESS RESOLUTION  
FOR CONCURRENCE**

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

In the Senate,  
June 16, 2008

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Regular Session of the Senate recesses this week, it reconvene on Monday, June 23, 2008, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Regular Session of the House of Representatives recesses this week, it reconvene on Monday, June 23, 2008, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,  
Will the House concur in the resolution of the Senate?  
Resolution was concurred in.  
Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. The House will be at ease.

The House will come to order.

**RESOLUTION**

Mr. HANNA called up **HR 465, PN 2690**, entitled:

A Resolution urging the Federal Emergency Management Agency to review and update state, county and municipal flood maps every ten years.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—201**

Adolph	Gabig	Markosek	Ross
Argall	Galloway	Marshall	Rubley
Baker	Geist	Marsico	Sabatina
Barrar	George	McCall	Sainato

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

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—2**

Cappelli                      Reed

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

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 740, PN 2135**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Centre County, certain lands situate in Benner Township, Centre County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey, at a price determined through competitive bidding, certain lands situate in Benner Township, Centre County; and authorizing the Department of General Services, with the approval of

the Governor, to grant and convey, separately, to The Pennsylvania State University, Benner Township and the Pennsylvania Fish and Boat Commission certain lands situate in Benner Township, Centre County.

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

Mr. **BENNINGHOFF** offered the following amendment No. **A07473**:

Amend Sec. 3, page 28, by inserting between lines 11 and 12

(f) Building restriction.—Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no building may be placed or constructed on the property conveyed. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns, permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

Amend Sec. 3, page 28, line 12, by striking out "(F)" and inserting

(g)

Amend Sec. 3, page 28, line 15, by striking out "(G)" and inserting

(h)

Amend Sec. 3, page 28, line 17, by striking out "(H)" and inserting

(i)

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

The **SPEAKER**. The Chair recognizes Representative Benninghoff on the amendment.

Mr. **BENNINGHOFF**. Thank you, Mr. Speaker.

Mr. Speaker, at this moment, if I could, I would ask Representative Hanna to just join me in a couple moments of discussion. We have had a lot of dialogue on this proposal back and forth and trying to work out—

The **SPEAKER**. If the gentleman will suspend.

The noise level is entirely too loud. The Chair requests that all members take their seats and hold their conversations to a minimum.

Representative Benninghoff.

Mr. **BENNINGHOFF**. Thank you, Mr. Speaker.

And briefly, for the members' sake, I will be pulling this, but Representative Hanna and I thought there were some important reasons why we ought to discuss a couple comments on this.

Specifically, this amendment would have prohibited the construction of any permanent building and/or type of structure on this proposed land transfer, and through our dialogue and discussion, there were concerns that there may be some need for some agricultural-related structures to be housing either farm equipment and/or necessary items for agricultural research and development by the Penn State University. So I have agreed to pull that.

My wish would be two things: As we do that, that Representative Hanna and the rest of the committee that will be doing the master plan would keep in mind that these structures be minimal, obviously, in size and amount of acreage they take up, but I think because of the sportsmen's access, we should also try to keep them consolidated throughout this 1100-acre parcel.

At this point I will turn it over to Representative Hanna, who I think wanted to make a comment also.

Thank you, Mr. Speaker.

The **SPEAKER**. The Chair recognizes Representative Hanna. Mr. **HANNA**. Thank you, Mr. Speaker.

Representative Benninghoff has correctly reviewed what we have agreed to. In fact, his amendment calls for a blanket prohibition of building on the property. Instead, we have agreed that there will be no building outside of the needs for agricultural uses. Currently there are barns and storage sheds and the like on the property. It is anticipated that those are the types of buildings that would be necessary for agricultural use. Our agreement is that he would withdraw the amendment, and Penn State will agree with the steering committee and those involved in the master planning process to incorporate in the master plan for this property that there will be no buildings other than those buildings necessary for the agricultural uses.

#### AMENDMENT WITHDRAWN

The **SPEAKER**. Representative Benninghoff.

Mr. **BENNINGHOFF**. Thank you, Mr. Speaker.

At this point we will pull amendment 7473 to SB 740, and we appreciate the members' indulgence as well as that of the Speaker's.

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

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

Mr. **BENNINGHOFF** offered the following amendment No. **A07474**:

Amend Sec. 3, page 28, by inserting between lines 11 and 12

(f) Restriction on land application of sewage sludge.—Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed may be used for the land application of sewage sludge, as defined in 25 Pa.Code Ch. 271 Subch. J (relating to beneficial use of sewage sludge by land application). The condition shall be covenant on running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns, permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

Amend Sec. 3, page 28, line 12, by striking out "(F)" and inserting

(g)

Amend Sec. 3, page 28, line 15, by striking out "(G)" and inserting

(h)

Amend Sec. 3, page 28, line 17, by striking out "(H)" and inserting

(i)

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

The **SPEAKER**. The Chair recognizes Representative Benninghoff on the amendment.

Mr. **BENNINGHOFF**. Again, thank you, Mr. Speaker.

Briefly, for the members' sake, I believe this is an agreed-upon amendment for this land transfer. I had requested



that we have an amendment drafted to prohibit the application of any sludge or agricultural waste-type materials on this land. For those who are not aware, we are talking about a large parcel, currently owned by Rockview prison, that contains a very pristine waterway, and there was concern of runoff, should we not have this language specifically written out in this legislation.

So therefore, I would ask the members' support.

The SPEAKER. Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I would agree with Representative Benninghoff and urge everyone to support the amendment. We have an agreement with Penn State University that they will accept the amendment and that there will be no spreading of sewage sludge on the property. So I would encourage your favorable vote for the amendment.

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

The following roll call was recorded:

YEAS—201

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Cappelli Reed

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

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

The SPEAKER. Are there any other amendments? Are there any other amendments?

The Chair sees no member rising.

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

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

**SB 485, PN 2206 (Amended)** By Rep. DALEY

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, further providing for real estate appraiser certification required, for State Board of Certified Real Estate Appraisers, for powers and duties of board, for application and qualifications, for certification renewal and records, for disciplinary and corrective measures, for reinstatement of certificate, for surrender of suspended or revoked certificate and for penalties.

COMMERCE.

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves SB 1063 be removed from the tabled bill calendar.

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

**BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader, who moves SB 1063 be recommitted to the Committee on Appropriations.

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

### RESOLUTIONS

Mr. DeWEESE called up **HR 581, PN 3182**, entitled:

A Resolution urging the Democratic National Committee and the Republican National Committee to assist every state, with the exception of Iowa and New Hampshire, in coordinating and implementing a rotating regional presidential primary system.

On the question,  
Will the House adopt the resolution?

### RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 581 be removed from the active calendar and placed on the tabled bill calendar.

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

### RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 581 be removed from the tabled bill calendar and placed on the active calendar.

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

\* \* \*

Mr. DeWEESE called up **HR 582, PN 3183**, entitled:

A Resolution urging the Congress of the United States to take action on S. 1905 and H.R. 3487, along with companion legislation S. 2024 and H.R. 1523, to coordinate and implement a rotating regional presidential primary system.

On the question,  
Will the House adopt the resolution?

### RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 582 be removed from the active calendar and placed on the tabled bill calendar.

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

### RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 582 be removed from the tabled bill calendar and placed on the active calendar.

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

\* \* \*

Mr. DeWEESE called up **HR 583, PN 3184**, entitled:

A Resolution urging the Secretary of State to discuss, coordinate and implement a mutually agreeable, common date for presidential primaries to be held in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia and the District of Columbia.

On the question,  
Will the House adopt the resolution?

### RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 583 be removed from the active calendar and placed on the tabled bill calendar.

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

### RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 583 be removed from the tabled bill calendar and placed on the active calendar.

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

\* \* \*

Mr. DeWEESE called up **HR 612, PN 3585**, entitled:

A Resolution memorializing the United States Secretary of Transportation to desist from allowing Mexican trucks into the United States.

On the question,  
Will the House adopt the resolution?

### RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 612 be removed from the active calendar and placed on the tabled bill calendar.

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

### RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 612 be removed from the tabled bill calendar and placed on the active calendar.

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

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 676, PN 3949**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Regional Port Authority certain lands situate in the 39th Ward of the City of Philadelphia; and providing for Commonwealth ownership of submerged lands.

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

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

(Bill analysis was read.)

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

The Chair recognizes Representative Keller.  
Mr. W. KELLER. Thank you, Mr. Speaker.  
I believe Representative Clymer wishes to interrogate.

The SPEAKER. The Chair recognizes Representative Clymer.

Does the gentleman wish to interrogate Representative Keller?

Mr. CLYMER. That is correct, Mr. Speaker.

The SPEAKER. The gentleman indicates he will stand for interrogation. Representative Clymer is in order and may proceed.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, in section (1), subsection (D), paragraph 1 of the bill, your language clarifies that the deed limits the use of the land to maritime purposes. Your definition of "maritime purposes" specifically excludes activities related to gambling or gaming. While I certainly agree with your definition and appreciate the exclusion of gaming, would I be correct in my understanding that this exclusion is just to guarantee that this land is not used for a casino? In other words, would you agree that any reasonable definition of "maritime purposes," by nature, excludes casinos, and you are really just adding this specific language to dot your i's and cross your t's?

Mr. W. KELLER. Yes, Mr. Speaker; you are correct. We put that in the amendment, which is now part of the bill, for 16 acres between parcels 122 and 124, and we also did it for the

main parcel down at the naval shipyard, but there is also a reverter clause. If any time that land is not used for maritime use – for the movement of cargo or passengers off of ships – it will revert back to the DGS (Department of General Services). And also, the Philadelphia Regional Port Authority and its authorizing legislation is not allowed to do any development except port industrial. So there are many safeguards in this legislation.

Mr. CLYMER. Mr. Speaker, that ends my interrogation. May I speak on the bill?

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

The Chair will again ask members to take their seats and hold their conversations to a minimum.

Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, this bill, without doubt, is going to create thousands of jobs as it provides new land for maritime activities and purposes along the Delaware River, and I commend the gentleman and the other members of the Philadelphia delegation for supporting this legislation. I, too, support this bill and would ask members to do likewise.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

### REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Representative Keller.

Mr. W. KELLER. Thank you, Mr. Speaker.

I would like to thank the gentleman from Bucks. I know he has the best interest of the Commonwealth at heart, but this is solely for port industrial use.

I have some comments I would like to spread upon the record.

The SPEAKER. The Chair thanks the gentleman. He will submit his remarks. They will be spread upon the record.

Mr. W. KELLER. Thank you, Mr. Speaker.

Mr. W. KELLER submitted the following remarks for the Legislative Journal:

Mr. Speaker, as the third riparian land transfer of this session, we continue to establish best practices to protect the Commonwealth's interest in these lands. We look to templates created by the administration, as well as case law, environmental concerns, and long-neglected property ownership of these submerged lands. Simply put, Mr. Speaker, this legislation reaffirms the Commonwealth lands and commits it to the common good and protects the public trust.

In providing for the Commonwealth's ownership of submerged lands, it is the intent of the General Assembly to affirm the findings of the Supreme Court of the United States of America and the Supreme Court of the Commonwealth of Pennsylvania, which assert title to the riverbeds of navigable waterways below the ordinary low-water mark rests solely with the Commonwealth of Pennsylvania. The ordinary low-water mark is that of which the river flowed when the Commonwealth was established, *Shively v. Bowlby*, 152 U.S. 1, 1894 and *Black v. American International Corp.*, 264 Pa. 267, 1919.

In addition, changes to the adjacent land due to natural accretions along navigable waterways become the real property of the adjacent land holder. However, fastland created by intentional, manmade fill or deposits upon the riparian lands of the Commonwealth remain real property of the Commonwealth and any interests in these lands must be conveyed by an act of the General Assembly, *Black v. American International Corp.*, 264, Pa. 267, 1919.

Acts of the United States of America intentionally filling riverbeds of navigable waterways within the boundaries of the Commonwealth, absent an act of the General Assembly or by eminent domain of the United States of America do not abdicate the Commonwealth's title or interest in the riparian lands or real property filled or deposited upon.

Acts by the United States of America and the Commonwealth of Pennsylvania to adopt pierhead and bulkhead lines were established as a means to regulate obstructions in navigable waters and did not alter riparian ownership in lands.

Absent an act of the General Assembly, ownership or title or the riverbed cannot be conveyed to a private individual or private use, as these lands are held in public trust pursuant to Article I, section 27, of the Pennsylvania Constitution.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

#### YEAS—201

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

Fleck	Manderino	Rock	O'Brien, D.,
Frankel	Mann	Roebuck	Speaker
Freeman	Mantz	Rohrer	

NAYS—0

NOT VOTING—0

EXCUSED—2

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

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

#### GUESTS INTRODUCED

The SPEAKER. The Chair takes great pleasure in recognizing some special guests of Representative Tony DeLuca, to the left of the Speaker, and if they would please rise as they are recognized. We have John Vento, Al Vento, Dom Costa, and Sam Dinardo. Welcome to the floor of the House.

#### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes Representative Keller for an announcement.

Mr. W. KELLER. Thank you, Mr. Speaker.

I would like to announce an Appropriations meeting in the majority caucus room immediately following session.

The SPEAKER. The Chair thanks the gentleman.

There will be an Appropriations meeting in the majority caucus room immediately following the recess.

#### COMMERCE COMMITTEE MEETING

The SPEAKER. For what purpose does Representative Daley rise?

Mr. DALEY. Mr. Speaker, I would like to call for a Commerce Committee meeting. We were meeting this morning and we recessed. We said we were going to call it on the floor of the House for approximately 3:30, here in the rear of the House, because we have members on Commerce that are also on Appropriations.

The SPEAKER. Representative Daley.

Mr. DALEY. Thank you, Mr. Speaker.

We are going to have a Commerce Committee meeting, and we will reconvene at 3:30 in the majority caucus room; at 3:30.

The SPEAKER. The Chair thanks the gentleman.

There will be a Commerce Committee meeting at 3:30 in the majority caucus room.

Are there any other announcements?

For the information of the members, there will be no more votes today. The Chair will recess for reports from committees.

**RECESS**

The SPEAKER. This House will stand in recess to the call of the Chair.

**AFTER RECESS**

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

**THE SPEAKER PRO TEMPORE  
(MARK B. COHEN) PRESIDING****BILL REREPORTED FROM COMMITTEE**

**HB 2499, PN 3961** (Amended) By Rep. D. EVANS

An Act regulating massage therapy; establishing the State Board of Massage Therapy; providing for funds, for licensure, for disciplinary action, for remedies, for penalties and for preemption.

**APPROPRIATIONS.**

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

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

**HB 2294, PN 3962** (Amended) By Rep. DALEY

An Act providing for the licensure of persons providing debt management services and for the powers and duties of the Department of Banking; requiring surety bonds; prohibiting certain fees and costs; providing for debt management plans; and prohibiting certain acts by persons providing debt management services.

**COMMERCE.****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 from Allegheny, Mr. Vulakovich, who moves that the House adjourn until Wednesday, June 18, 2008, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:50 p.m., e.d.t., the House adjourned.