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LEGISLATIVE JOURNAL

MONDAY, SEPTEMBER 15, 2008

SESSION OF 2008

192D OF THE GENERAL ASSEMBLY

No. 57

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

PRAYER

HON. JESS M. STAIRS, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

As we arise in prayer in this magnificent chamber of this Commonwealth, we are truly thankful that many years ago, Father, you gave William Penn the courage and the power to create the Holy Experiment of Pennsylvania, and we hope that we have followed in the tradition of blessing this and looking over the people's needs.

As we stand today, just a few short days ago our students all across Pennsylvania went back to school, hopefully to learn the academics, to be able to present them in the new century. As they learn academic subjects, we also pray that they will be instilled in the morals that will be needed to meet the challenges of the day. As our students are studying, we pray that He will give us wisdom to help us as legislators to provide an environment in which they, upon graduation, can stay in Pennsylvania and work and make a living and raise a family and be a Pennsylvanian from birth to death as they live in our Commonwealth.

We ask that as we all are different – we all come from different areas of the Commonwealth, some from small towns and farms and big cities – that even though we have differences, that we will be able to be in unity and work together to solve the difficult problems that face us this day and tomorrow and into the future.

As we work with our staff, we bless the staff members that they will give the legislators guidance on subjects in front of this very large chamber.

As we leave our families to come to Harrisburg, we pray that You will look over our loved ones and our family members who are back in our communities, and our American boys and girls who are now soldiers, who are in harm's way in distant lands to protect our freedoms and our ideals.

And finally, we have one more prayer, God, that this week, as we celebrate Constitution Day, that this great document of our forefathers that includes religion, the freedom of religion, and has been a manifesto for this country, that we will again celebrate this anniversary of this great document.

So we pray in His holy name to be with us and guide us and we will be able to walk in Thy shadows. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNALS APPROVED

The SPEAKER. The following Journals are now in print:

Monday, January 28;
Tuesday, January 29;
Wednesday, January 30;
Monday, February 4;
Tuesday, February 5;
Wednesday, February 6;
Thursday, February 7;
Monday, February 11;
Tuesday, February 12;
Wednesday, February 13;
Thursday, February 14;
Monday, March 10; and
Tuesday, March 11, 2008.

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

The SPEAKER. Those Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Tuesday, July 8, 2008, will be postponed until printed. The Chair hears no objection.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to announce, as the guests of the Speaker, Diane Beauchamp and David Maurer. Welcome to the House of Representatives.

If the Chair could have the attention of the members, the Chair would like to acknowledge members of the Friends of the Railroad Museum of Pennsylvania. They are Deborah Reddig, David Dunn, Robert Lawrence, and former State Representative and dear friend, Representative Jere Schuler. Would you please stand and be recognized. They are the guests of

Representative Cutler, and they are present today as we vote on HR 850 declaring September 27, 2008, as "Friends of the Railroad Museum of Pennsylvania Day" in Pennsylvania. Welcome again to the floor of the House.

The Chair would like to welcome to the floor of the House, as the guests of Representative Bob Godshall, Mark Landis and his wife, Cindy, and children Bill Reilly and Kyle Landis. Would you please stand and be recognized. They are seated to the left of the Speaker.

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise members he has given permission to Daniel Shanken of the Associated Press to take still photographs on the floor for 10 minutes.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 843 By Representative GEORGE

A Resolution directing the Speaker of the House of Representatives to authorize the Environmental Resources and Energy Committee to conduct an investigation into all aspects of the Governor's Energy Initiative.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, July 9, 2008.

No. 845 By Representatives PETRONE, MUSTIO, RAMALEY and VULAKOVICH

A Resolution directing the Joint State Government Commission to conduct an in-depth study of the subject of developments of regional significance and impact; and requiring a report.

Referred to Committee on STATE GOVERNMENT, July 9, 2008.

No. 848 By Representatives WATERS, BISHOP, JAMES, MANDERINO, PRESTON, BELFANTI, CALTAGIRONE, COHEN, CONKLIN, DALEY, FLECK, FRANKEL, GEORGE, GIBBONS, GOODMAN, GRUCELA, HARKINS, HESS, KORTZ, KOTIK, KULA, LONGIETTI, MANN, McCALL, McGEEHAN, MELIO, MICOZZIE, R. MILLER, M. O'BRIEN, PAYNE, PETRARCA, PETRONE, QUINN, READSHAW, REICHLEY, ROCK, SAYLOR, SCAVELLO, SEIP, SIPTROTH, SOLOBAY, SURRA, SWANGER, VULAKOVICH, HENNESSEY, HARHAI, WHEATLEY and MURT

A Resolution urging the President and the Congress of the United States to increase funding for the Low-Income Home Energy Assistance Program.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, August 5, 2008.

No. 849 By Representatives FAIRCHILD, CALTAGIRONE, COX, CREIGHTON, FLECK, FRANKEL, GILLESPIE, HARHART, HENNESSEY, HESS, KORTZ, MANDERINO, MARSICO, McGEEHAN, MELIO, MOUL, PAYNE, PHILLIPS, RAMALEY, REICHLEY, SAYLOR,

SIPTROTH, VEREB, WATSON, WOJNAROSKI, CUTLER, McILVAINE SMITH, HARHAI, WHEATLEY and MURT

A Resolution directing the Legislative Budget and Finance Committee to conduct a study to determine the advantages and disadvantages of establishing a four-day workweek for employees of the Commonwealth.

Referred to Committee on STATE GOVERNMENT, August 5, 2008.

No. 851 By Representatives STEIL, SHAPIRO, THOMAS, ADOLPH, BEAR, BEYER, BRENNAN, CLYMER, CREIGHTON, CUTLER, GALLOWAY, GINGRICH, GOODMAN, HANNA, HORNAMAN, HUTCHINSON, MARSHALL, McILVAINE SMITH, MELIO, MENSCH, MOUL, MOYER, MURT, MUSTIO, NAILOR, O'NEILL, QUINN, ROCK, ROHRER, RUBLEY, SIPTROTH, SWANGER, TRUE and WATSON

A Resolution amending the House Rules by providing for limits on bill introduction and for the consideration of bills.

Referred to Committee on RULES, August 21, 2008.

No. 852 By Representatives GODSHALL, PRESTON, ADOLPH, BAKER, BOBACK, BRENNAN, CALTAGIRONE, CLYMER, GILLESPIE, HARKINS, HERSHEY, KENNEY, KILLION, LONGIETTI, MELIO, READSHAW, REICHLEY, ROCK, SAYLOR, SCAVELLO, SWANGER, WATSON and HESS

A Resolution memorializing the Congress of the United States to intently examine its energy policies and make any and all necessary changes in order to address the ever-increasing price of energy on behalf of the citizens of this Commonwealth and of this nation.

Referred to Committee on CONSUMER AFFAIRS, August 21, 2008.

No. 855 By Representatives PETRONE, MENSCH, DeLUCA, ADOLPH, ARGALL, BEYER, BOBACK, BRENNAN, CALTAGIRONE, CAPPELLI, CASORIO, CLYMER, CONKLIN, DENLINGER, DiGIROLAMO, FABRIZIO, FAIRCHILD, FLECK, FRANKEL, GEIST, GEORGE, GIBBONS, GILLESPIE, GOODMAN, GRELL, GRUCELA, HARHAI, HARKINS, HENNESSEY, HERSHEY, HESS, KORTZ, KOTIK, KULA, LONGIETTI, MAHONEY, MAJOR, MANN, MARSICO, McGEEHAN, MICOZZIE, MILLARD, MOUL, MOYER, MURT, MYERS, M. O'BRIEN, PALLONE, PARKER, PAYNE, PETRARCA, PHILLIPS, PYLE, RAMALEY, RAPP, READSHAW, ROCK, SANTONI, SCAVELLO, SEIP, SIPTROTH, STABACK, SURRA, J. TAYLOR, THOMAS, VEREB, VULAKOVICH, WALKO, WATSON, YOUNGBLOOD, HORNAMAN and SCHRODER

A Resolution memorializing the President and Congress of the United States to renew the declaration of war against the trade of illegal drugs.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, August 28, 2008.

No. 856 By Representatives PETRONE, CALTAGIRONE, COHEN, FLECK, FRANKEL, GALLOWAY, GEIST, GEORGE, GIBBONS, GRUCELA, HARKINS, HELM, HERSHEY, HUTCHINSON, JAMES, KORTZ, KOTIK, KULA, MAHER, MANTZ, MOYER, PALLONE, PHILLIPS, RAMALEY, RAPP, READSHAW, ROEBUCK, SAINATO, SCAVELLO, SIPTROTH, K. SMITH, VULAKOVICH, WALKO, J. WHITE and YOUNGBLOOD

A Resolution urging the United States Board on Geographic Names to designate the Allegheny River and its headwaters in Pennsylvania as the true headwaters of the Mississippi River system.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, August 28, 2008.

No. 867 By Representatives RAPP, FAIRCHILD, GRUCELA, DiGIROLAMO, KAUFFMAN, ADOLPH, BAKER, BEYER, BOBACK, BROOKS, CALTAGIRONE, CAUSER, COHEN, CREIGHTON, DALEY, DePASQUALE, DONATUCCI, J. EVANS, EVERETT, FLECK, FRANKEL, GEORGE, GIBBONS, GILLESPIE, GINGRICH, GOODMAN, HARHAI, HELM, HENNESSEY, HERSHEY, HESS, M. KELLER, KILLION, KORTZ, KULA, LENTZ, LONGIETTI, MAHONEY, MAJOR, MANN, MANTZ, MARSHALL, MARSICO, McILHATTAN, MELIO, MILLARD, R. MILLER, MOUL, MUSTIO, NAILOR, PALLONE, PASHINSKI, PAYNE, PICKETT, RAMALEY, READSHAW, REICHLEY, ROCK, ROSS, RUBLEY, SAINATO, SAYLOR, SCAVELLO, SIPTROTH, SOLOBAY, SONNEY, STABACK, STERN, SWANGER, VULAKOVICH, WATSON, WOJNAROSKI, GEIST and ROHRER

A Resolution recognizing December 2, 2008, as "The Order of the Silver Rose Day" in Pennsylvania.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, September 12, 2008.

No. 874 By Representatives SCAVELLO, BEAR, BELFANTI, CALTAGIRONE, COHEN, FRANKEL, GEORGE, GOODMAN, HENNESSEY, KENNEY, KOTIK, KULA, MANN, McCALL, MELIO, MILLARD, MURT, PALLONE, PAYNE, PETRONE, QUINN, SIPTROTH, SWANGER and YOUNGBLOOD

A Resolution memorializing the Congress of the United States to enact H.R. 3543, which would establish the James Zadroga 9/11 Health and Compensation Act.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, September 12, 2008.

HOUSE BILLS INTRODUCED AND REFERRED

No. 153 By Representatives GIBBONS, BELFANTI, BEYER, CALTAGIRONE, J. EVANS, EVERETT, FLECK, FRANKEL, HARHAI, JOSEPHS, KORTZ, LENTZ, LONGIETTI, MELIO, MICOZZIE, PASHINSKI, ROCK, ROEBUCK, SAYLOR, SIPTROTH, SWANGER, VULAKOVICH and J. WHITE

An Act providing for the tuition rate to be charged to veterans, their spouses and dependents at certain public institutions of higher education.

Referred to Committee on EDUCATION, September 12, 2008.

No. 154 By Representatives DERMODY, MELIO, READSHAW, THOMAS, WALKO, CALTAGIRONE, CONKLIN, KORTZ, BRENNAN, BLACKWELL, SIPTROTH, McILVAINE SMITH, STABACK, LONGIETTI, MURT, GALLOWAY, FRANKEL, MAHONEY and CURRY

An Act providing for joint training and continuing education of nursing care providers and nursing facility surveyors, assisted living service providers and assisted living residence surveyors and for joint training and continuing education of personal care providers and personal care home surveyors.

Referred to Committee on HEALTH AND HUMAN SERVICES, September 12, 2008.

No. 232 By Representatives BAKER, PICKETT, CAUSER, PHILLIPS, BOYD, CURRY, EVERETT, GINGRICH, HESS, HORNAMAN, KOTIK, LONGIETTI, METCALFE, R. MILLER, MURT, PETRI, QUINN, REICHLEY, ROHRER, SAYLOR, SCAVELLO, SCHRODER, SIPTROTH, SWANGER, WATSON and YOUNGBLOOD

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for exclusions from tax.

Referred to Committee on FINANCE, September 12, 2008.

No. 971 By Representatives SCAVELLO, BROOKS, VEREB, ADOLPH, ARGALL, BAKER, BEYER, BOYD, CARROLL, CAUSER, CLYMER, DALLY, EVERETT, FAIRCHILD, FLECK, GEIST, GINGRICH, HARRIS, HESS, HUTCHINSON, KAUFFMAN, KORTZ, KOTIK, LEACH, LONGIETTI, MAJOR, MILLARD, R. MILLER, MOUL, D. O'BRIEN, O'NEILL, PEIFER, PICKETT, PYLE, REED, ROCK, SIPTROTH, SONNEY, STERN, R. STEVENSON, SURRA, WATSON, WOJNAROSKI, YOUNGBLOOD and TRUE

An Act amending the act of July 4, 2008 (P.L. , No.38A), known as the General Appropriation Act of 2008, adding a State appropriation to the Attorney General.

Referred to Committee on APPROPRIATIONS, September 12, 2008.

No. 2068 By Representatives CALTAGIRONE, BLACKWELL, CAPPELLI, HALUSKA, ROEBUCK, SIPTROTH, WALKO, WATERS, BENNINGHOFF, M. O'BRIEN, HARPER and CURRY

An Act amending the act of May 31, 1919 (P.L.356, No.170), entitled, as amended, "An act authorizing courts of record to remove convicts and persons confined in jails, workhouses, reformatories, reform or industrial schools, penitentiaries, prisons, houses of correction or any other penal institutions, who are seriously ill, to other institutions; and providing penalties for breach of prison," further providing for removal of certain convicts who are seriously ill.

Referred to Committee on RULES, August 5, 2008.

No. 2372 By Representatives LONGIETTI, BAKER, BEYER, BOYD, CAPPELLI, CASORIO, COHEN, DENLINGER, EACHUS, FLECK, GEIST, GIBBONS, GRUCELA, HARHAI, HENNESSEY, KORTZ, KOTIK, KULA, MANN, MELIO, MENSCH, R. MILLER, MOUL, MURT, PETRARCA, RAPP, READSHAW, ROCK, SANTONI, SAYLOR, SCAVELLO, SIPTROTH, K. SMITH, STABACK, STERN, SWANGER, J. TAYLOR and YOUNGBLOOD

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for penalties for the offense of participation in a criminal street gang and for the forfeiture of property associated with criminal street gang activity, for process and seizure and for the powers and duties of the Attorney General.

Referred to Committee on JUDICIARY, September 12, 2008.

No. 2643 By Representatives CONKLIN, BELFANTI, GOODMAN, MANN, SOLOBAY, BRENNAN, MANTZ, KORTZ, HARKINS, HARHAI, FAIRCHILD, MURT, SIPTROTH, KULA, VULAKOVICH, SHIMKUS, GEIST, KING, LONGIETTI, MOUL, PAYNE and PHILLIPS

An Act requiring persons convicted of arson and related offenses to register with local authorities; providing for duties of the Pennsylvania State Police and the Pennsylvania Board of Probation and Parole; and imposing a penalty.

Referred to Committee on STATE GOVERNMENT, July 23, 2008.

No. 2703 By Representatives PETRI, ADOLPH, CALTAGIRONE, CAPPELLI, FAIRCHILD, HARHAI, HERSHEY, KORTZ, MILLARD, R. MILLER, PHILLIPS, READSHAW, SCAVELLO, J. TAYLOR, THOMAS, YOUNGBLOOD, SIPTROTH, EVERETT, SONNEY, MURT, J. WHITE, COHEN and SAYLOR

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for compensation and expenses of witnesses.

Referred to Committee on JUDICIARY, July 9, 2008.

No. 2704 By Representatives MAHONEY, RAMALEY, KULA, CALTAGIRONE, CUTLER, DENLINGER, GIBBONS, HALUSKA, KING, KIRKLAND, LEVDANSKY, LONGIETTI, REICHLEY, ROCK, SIPTROTH, STURLA, SURRA and J. WHITE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for combination of school districts; providing for referendum on combination of school districts and for assistance for countywide school districts; and further providing for elections or appointments in newly formed districts and for duties of superintendents.

Referred to Committee on EDUCATION, July 9, 2008.

No. 2705 By Representatives McILVAINE SMITH, BOBACK, BRENNAN, CALTAGIRONE, EACHUS, FRANKEL, GEORGE, GRUCELA, HENNESSEY, JAMES, JOSEPHS, KORTZ, KULA, McGEEHAN, MELIO, MYERS,

M. O'BRIEN, PARKER, ROEBUCK, K. SMITH, SWANGER, THOMAS, YOUNGBLOOD, MURT and BENNINGTON

An Act providing for instruction of domestic violence awareness for health care professionals licensed or certified by the Commonwealth or governed by the State Board of Medicine, State Board of Osteopathic Medicine or State Board of Nursing.

Referred to Committee on PROFESSIONAL LICENSURE, July 9, 2008.

No. 2706 By Representatives BIANCUCCI, SURRA, GRUCELA, KOTIK, W. KELLER, KORTZ, MANN, FRANKEL, JOSEPHS, MUSTIO, MYERS, QUINN, SIPTROTH, K. SMITH, STABACK, THOMAS, WOJNAROSKI, YOUNGBLOOD, KULA and HENNESSEY

An Act amending the act of December 14, 1982 (P.L.1227, No.281), known as the Architects Licensure Law, further providing for issuance and renewal of certificates.

Referred to Committee on PROFESSIONAL LICENSURE, July 9, 2008.

No. 2707 By Representatives HARHART, BRENNAN, LEVDANSKY, ARGALL, MANN, BEYER, CALTAGIRONE, CAUSER, CONKLIN, EVERETT, FLECK, FRANKEL, GEORGE, GILLESPIE, GODSHALL, GOODMAN, GRUCELA, HARKINS, HERSHEY, HICKERNELL, M. KELLER, KILLION, LENTZ, MAJOR, MANDERINO, MARSHALL, MARSICO, McILHATTAN, MENSCH, MILLARD, MOYER, MUSTIO, NAILOR, M. O'BRIEN, O'NEILL, PALLONE, PAYNE, PHILLIPS, PICKETT, RAMALEY, RAPP, READSHAW, REED, ROAE, ROCK, RUBLEY, SAYLOR, SCAVELLO, SONNEY, STABACK, R. STEVENSON, SURRA, SWANGER, R. TAYLOR, THOMAS, TRUE, WOJNAROSKI, BOYD, STERN, MAHONEY, HENNESSEY, REICHLEY, KULA, K. SMITH, HORNAMAN, BENNINGHOFF, CREIGHTON, DALLY, ELLIS, GIBBONS and HESS

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

Referred to Committee on TRANSPORTATION, July 9, 2008.

No. 2708 By Representatives STERN, BOYD, REICHLEY, NAILOR, MAJOR, CAPPELLI, WATSON, SAINATO, MARSHALL, BAKER, PERRY, SAYLOR, CUTLER, RUBLEY, MILNE, ROHRER, TRUE, COX, FLECK, YOUNGBLOOD, HANNA, ADOLPH, PHILLIPS, SONNEY, McILHATTAN, MOYER, HERSHEY, MOUL, LONGIETTI, HESS, GRELL, CAUSER, COHEN, MANN, CALTAGIRONE, VULAKOVICH, BENNINGHOFF, R. MILLER, ROCK, PICKETT, O'NEILL, CREIGHTON, ELLIS, PAYNE, THOMAS, GEORGE, REED and M. KELLER

An Act amending the act of July 8, 1986 (P.L.408, No.89), known as the Health Care Cost Containment Act, further providing for sunset.

Referred to Committee on INSURANCE, July 9, 2008.

No. 2709 By Representatives MAHONEY, KULA, BELFANTI, BRENNAN, CALTAGIRONE, CASORIO, COHEN, DALEY, DeLUCA, GOODMAN, HARKINS, KORTZ, KOTIK, MANDERINO, MELIO, R. MILLER, MOYER, MURT, MYERS, PALLONE, PASHINSKI, SAMUELSON, SIPTROTH, K. SMITH, SOLOBAY, THOMAS, J. WHITE, YOUNGBLOOD and HORNAMAN

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for definitions; and providing for service contract disclaimers.

Referred to Committee on CONSUMER AFFAIRS, July 9, 2008.

No. 2710 By Representatives QUINN, ARGALL, BEAR, BOBACK, BOYD, DALLY, FAIRCHILD, GALLOWAY, GINGRICH, GOODMAN, HENNESSEY, HERSHEY, HESS, KAUFFMAN, McILVAINE SMITH, MENSCH, MURT, PEIFER, PICKETT, ROCK, SCAVELLO, SIPTROTH, S. H. SMITH, SONNEY, STEIL, STERN, SWANGER, WATSON and YOUNGBLOOD

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, further providing for public referendum requirements for increasing certain taxes.

Referred to Committee on FINANCE, July 14, 2008.

No. 2711 By Representatives QUINN, BOYD, CLYMER, FLECK, GEORGE, GOODMAN, HARHAI, HARHART, HERSHEY, HESS, KILLION, KORTZ, KOTIK, KULA, LONGIETTI, MAHONEY, MANN, MELIO, MOUL, MURT, O'NEILL, ROCK, RUBLEY, SCAVELLO, SURRA, SWANGER, WATSON, YOUNGBLOOD, J. WHITE, GALLOWAY and K. SMITH

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for reimbursement to counties for the costs of obtaining paper-ballot-based voting systems.

Referred to Committee on STATE GOVERNMENT, July 14, 2008.

No. 2712 By Representatives FREEMAN, BOYD, BRENNAN, DALEY, DALLY, DePASQUALE, FRANKEL, GEORGE, GOODMAN, GRUCELA, HARHAI, HARKINS, HENNESSEY, HORNAMAN, JAMES, KULA, LONGIETTI, MARSICO, McCALL, MYERS, M. O'BRIEN, O'NEILL, PASHINSKI, READSHAW, SIPTROTH, K. SMITH, SOLOBAY, SURRA, THOMAS and WOJNAROSKI

An Act amending the act of May 29, 1956 (1955 P.L.1804, No.600), referred to as the Municipal Police Pension Law, further providing for the calculation of cost-of-living increases.

Referred to Committee on FINANCE, July 14, 2008.

No. 2713 By Representatives SCHRODER, DeLUCA, DENLINGER, FAIRCHILD, GODSHALL, GOODMAN, HENNESSEY, MANDERINO, MELIO, MENSCH, MOUL, MURT, MUSTIO, NAILOR, PYLE, REICHLEY, ROAE, ROCK, ROHRER, RUBLEY, SAYLOR, STEIL, SWANGER, TRUE, VITALI, WATSON and HORNAMAN

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for disclosure of contributions by contractors and eligibility for certain contracts.

Referred to Committee on STATE GOVERNMENT, July 14, 2008.

No. 2714 By Representatives GALLOWAY, KING, McILVAINE SMITH, CONKLIN, CUTLER, DePASQUALE, GEORGE, GOODMAN, GRUCELA, HANNA, HORNAMAN, KORTZ, MANDERINO, MURT, SHIMKUS, SIPTROTH, ROAE, R. TAYLOR and M. SMITH

An Act providing for a Citizens Constitutional Convention, for a referendum on the question and for the nomination and election of delegates; defining the powers and duties of the convention; providing for operation of the convention; conferring powers and imposing duties on the Governor, the Secretary of the Commonwealth, the Chief Justice of the Supreme Court, officers of the General Assembly and county election boards; providing for a referendum on the convention's report; and making an appropriation.

Referred to Committee on STATE GOVERNMENT, July 14, 2008.

No. 2715 By Representatives SIPTROTH, BRENNAN, CALTAGIRONE, FRANKEL, HALUSKA, M. O'BRIEN, REICHLEY, ROCK, HARKINS, HESS and GIBBONS

An Act amending the act of March 2, 1956 (1955 P.L.1211, No.376), known as the Practical Nurse Law, further providing for violations.

Referred to Committee on PROFESSIONAL LICENSURE, July 14, 2008.

No. 2716 By Representatives SIPTROTH, BRENNAN, CALTAGIRONE, FRANKEL, HALUSKA, M. O'BRIEN, REICHLEY, ROCK, HARKINS, HESS and GIBBONS

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, further providing for use of title.

Referred to Committee on PROFESSIONAL LICENSURE, July 14, 2008.

No. 2717 By Representatives DePASQUALE, PERRY, BEAR, BELFANTI, BENNINGTON, BOYD, CALTAGIRONE, CARROLL, DALEY, FRANKEL, JOSEPHS, KULA, LONGIETTI, MACKERETH, McGEEHAN, McILVAINE SMITH, MYERS, NICKOL, ROSS, RUBLEY, SAYLOR, SIPTROTH, K. SMITH, STERN, STURLA, SWANGER, THOMAS, WALKO and YOUNGBLOOD

An Act authorizing programs relating to nutrient credit; providing for powers and duties of the Department of Environmental Protection, the Environmental Quality Board and the Nutrient Credit Trading Program Board; further providing for the Pennsylvania Infrastructure Investment Authority; and providing for the promulgation of regulations.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, July 14, 2008.

No. 2718 By Representatives McILVAINE SMITH, THOMAS, BENNINGTON, CAPPELLI, DeLUCA, FRANKEL, GEORGE, GOODMAN, HENNESSEY, JOSEPHS, LONGIETTI, MAHONEY, MANDERINO, MELIO, MURT, MYERS, RAPP, REICHLEY, SAYLOR, BELFANTI, WALKO, J. WHITE and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the burden of proof in due process hearings.

Referred to Committee on EDUCATION, July 23, 2008.

No. 2719 By Representatives DeLUCA, CONKLIN, CRUZ, FRANKEL, GEIST, HARHART, HARKINS, KORTZ, MAHONEY, McGEEHAN, McILVAINE SMITH, MELIO, MURT, MYERS, RAPP, READSHAW, ROCK, SIPTROTH, K. SMITH, SONNEY, VEREB, WOJNAROSKI, YOUNGBLOOD and MENSCH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, requiring current school employees to undergo criminal background checks.

Referred to Committee on EDUCATION, July 23, 2008.

No. 2720 By Representatives TURZAI, CLYMER, REICHLEY, VEREB, SCHRODER, CAUSER, CREIGHTON, DALLY, DENLINGER, ELLIS, J. EVANS, EVERETT, FAIRCHILD, FLECK, GINGRICH, GRELL, HARHART, HARRIS, HENNESSEY, HUTCHINSON, KAUFFMAN, MACKERETH, MANTZ, MARSHALL, McILHATTAN, MENSCH, METCALFE, R. MILLER, MOUL, NAILOR, M. O'BRIEN, PERRY, PYLE, QUIGLEY, REED, ROAE, ROCK, SAYLOR, SIPTROTH, STERN, R. STEVENSON, SWANGER, VULAKOVICH, MARSICO and MURT

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for definitions; and providing for slot machine license trusteeship.

Referred to Committee on GAMING OVERSIGHT, August 5, 2008.

No. 2722 By Representatives S. H. SMITH, BOBACK, WATSON, ROAE, BROOKS, RAPP, REICHLEY, SCAVELLO, CAPPELLI, DiGIROLAMO, M. KELLER, METCALFE, BEYER, STABACK, YOUNGBLOOD, MUSTIO, GEORGE, BAKER, MAJOR, VULAKOVICH, CAUSER, GRUCELA, HESS, HERSHEY, ROSS, KOTIK, FRANKEL, SWANGER, PERRY, HARHART, ADOLPH, CARROLL, READSHAW, PAYNE, SURRA, BRENNAN, CALTAGIRONE, RAMALEY, DALEY, MANN, REED, GOODMAN, FLECK, COHEN, RUBLEY, ARGALL, MOUL, HICKERNELL, PALLONE, SAINATO, GIBBONS, MOYER, SAYLOR, EVERETT, CUTLER, TRUE, WALKO, FAIRCHILD, MICOZZIE, LENTZ, MYERS, PHILLIPS, MURT, MILLARD, MAHONEY, STERN, PICKETT, GINGRICH, HENNESSEY, SIPTROTH, R. STEVENSON, SONNEY, ROCK, KORTZ, HARPER, BOYD, VEREB, DENLINGER, KENNEY, QUINN, KULA, K. SMITH, BENNINGHOFF, MARSICO and MELIO

An Act designating the bridges on State Route 830 over Interstate 80 in Washington Township, Jefferson County, as the SFC Michael J. Tully Memorial Bridges.

Referred to Committee on TRANSPORTATION, July 23, 2008.

No. 2723 By Representatives SCHRODER, SWANGER, McILVAINE SMITH, BEAR, BOYD, CLYMER, CUTLER, KORTZ, McILHATTAN, MILNE, ROAE, ROCK and SCAVELLO

An Act providing for a Citizens Constitutional Convention, for a referendum on the question and for the nomination and election of delegates; defining the powers and duties of the convention; providing for operation of the convention; conferring powers and imposing duties on the Governor, the Secretary of the Commonwealth, the Chief Justice of the Supreme Court, officers of the General Assembly and county election boards; providing for a referendum on the convention's report; and making an appropriation.

Referred to Committee on STATE GOVERNMENT, July 23, 2008.

No. 2724 By Representatives KORTZ, BELFANTI, DENLINGER, GERGELY, GIBBONS, GRUCELA, HARHAI, HORNAMAN, KULA, MAHONEY, MYERS, PAYNE, READSHAW, SIPTROTH, STURLA, THOMAS and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for police fuel reimbursement surcharge; and establishing the Police Fuel Reimbursement Fund.

Referred to Committee on TRANSPORTATION, July 23, 2008.

No. 2725 By Representatives KORTZ, BEYER, BOBACK, BRENNAN, CALTAGIRONE, CASORIO, GEORGE, GOODMAN, HARHAI, HELM, HORNAMAN, MAHONEY, McCALL, MELIO, R. MILLER, MURT, PALLONE, SAINATO, SIPTROTH, K. SMITH, SURRA, THOMAS, YOUNGBLOOD and PETRONE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of unlawful use of human biosolids.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, July 23, 2008.

No. 2726 By Representatives VEREB, MARSICO, CALTAGIRONE, REICHLEY, ADOLPH, ARGALL, BAKER, BARRAR, BASTIAN, BEAR, BENNINGHOFF, BEYER, BLACKWELL, BOYD, BUXTON, CAUSER, CLYMER, COSTA, CUTLER, DALEY, DALLY, DENLINGER, ELLIS, J. EVANS, EVERETT, FAIRCHILD, FLECK, GABIG, GERGELY, GIBBONS, GODSHALL, GOODMAN, GRELL, HALUSKA, HARHAI, HARHART, HARPER, HARRIS, HELM, HENNESSEY, HERSHEY, HICKERNELL, HORNAMAN, HUTCHINSON, JOSEPHS, KAUFFMAN, M. KELLER, W. KELLER, KENNEY, KILLION, KORTZ, KOTIK, KULA, LENTZ, MACKERETH, MAHER, MANTZ, MARSHALL, McGEEHAN, McILHATTAN, MENSCH, MICOZZIE, R. MILLER, MOUL, MOYER, MUNDY, MURT, MUSTIO, NAILOR, NICKOL, D. O'BRIEN, M. O'BRIEN,

O'NEILL, PASHINSKI, PAYNE, PAYTON, PERRY, PERZEL, PHILLIPS, PICKETT, PYLE, QUIGLEY, QUINN, RAPP, RAYMOND, REED, ROAE, ROCK, ROSS, RUBLEY, SABATINA, SAINATO, SAYLOR, SCAVELLO, SCHRODER, SHAPIRO, SIPTROTH, S. H. SMITH, SOLOBAY, SONNEY, STEIL, STERN, R. STEVENSON, STURLA, SWANGER, TANGRETTI, J. TAYLOR, R. TAYLOR, TRUE, TURZAI, VULAKOVICH, WATSON, WOJNAROSKI, YUDICHAK and GEIST

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

Referred to Committee on JUDICIARY, August 21, 2008.

No. 2727 By Representatives KILLION, BENNINGHOFF, ADOLPH, BRENNAN, CREIGHTON, DeLUCA, J. EVANS, GEORGE, GINGRICH, HARHART, HENNESSEY, MAHONEY, MANN, MARSICO, MENSCH, MOUL, MUNDY, MYERS, RAPP, ROCK, SAYLOR, SIPTROTH, SOLOBAY, SONNEY, SWANGER, THOMAS, WATSON and YOUNGBLOOD

An Act providing for identification badge for licensed health care practitioner and for penalties.

Referred to Committee on PROFESSIONAL LICENSURE, August 5, 2008.

No. 2728 By Representatives GILLESPIE, BEYER, DePASQUALE, GOODMAN, GRELL, HENNESSEY, MACKERETH, MELIO, MENSCH, R. MILLER, MOUL, MURT, PHILLIPS, PICKETT, RAPP, READSHAW, REICHLEY, ROCK, SAYLOR, SCAVELLO, SIPTROTH, SONNEY, STABACK, STERN, J. TAYLOR, THOMAS, WATSON and YOUNGBLOOD

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

Referred to Committee on JUDICIARY, August 5, 2008.

No. 2730 By Representatives R. TAYLOR, DePASQUALE, BRENNAN, BUXTON, CONKLIN, CREIGHTON, CUTLER, FAIRCHILD, GALLOWAY, GIBBONS, GINGRICH, GOODMAN, HANNA, HICKERNELL, HORNAMAN, KESSLER, KING, KORTZ, KULA, LONGIETTI, MAHONEY, MARSHALL, McILVAINE SMITH, MELIO, MOUL, MUNDY, NICKOL, M. O'BRIEN, PETRARCA, QUINN, REED, ROAE, ROCK, SAINATO, SAYLOR, SEIP, SIPTROTH, M. SMITH, SURRA, SWANGER, VULAKOVICH, YUDICHAK and HARHAI

An Act banning the payment of bonuses to employees of the General Assembly.

Referred to Committee on STATE GOVERNMENT, August 5, 2008.

No. 2731 By Representatives SAYLOR, GILLESPIE, MACKERETH, R. MILLER, PERRY, HERSHEY, PHILLIPS, RUBLEY, SIPTROTH and SWANGER

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

Referred to Committee on LOCAL GOVERNMENT, August 7, 2008.

No. 2732 By Representatives FAIRCHILD, BEAR, BRENNAN, CUTLER, EVERETT, GEIST, HENNESSEY, HERSHEY, M. KELLER, KULA, MARSICO, METCALFE, R. MILLER, MURT, M. O'BRIEN, PHILLIPS, PICKETT, RAPP, READSHAW, ROCK, SIPTROTH, SONNEY, STABACK, SWANGER, VEREB and YOUNGBLOOD

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for exclusion from the sales tax.

Referred to Committee on FINANCE, August 5, 2008.

No. 2733 By Representatives MAHER, DeWEESE and SWANGER

An Act relating to the delivery of services and programs to persons with disabilities; conferring powers and duties on the Office of the Governor; creating the Office for People with Disabilities and Advisory Committee for People with Disabilities; and providing for powers, duties and funding of the Office for People with Disabilities and the Advisory Committee for People with Disabilities.

Referred to Committee on HEALTH AND HUMAN SERVICES, August 7, 2008.

No. 2734 By Representatives CURRY, BENNINGHOFF, BIANCUCCI, CALTAGIRONE, CONKLIN, DePASQUALE, DeWEESE, HARPER, JOSEPHS, MANDERINO, McILVAINE SMITH, MELIO, MUNDY, MURT, M. O'BRIEN, RUBLEY, SIPTROTH and WILLIAMS

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for legislative and congressional reapportionment.

Referred to Committee on STATE GOVERNMENT, August 5, 2008.

No. 2735 By Representatives HALUSKA, HANNA, BRENNAN, CREIGHTON, DENLINGER, FAIRCHILD, GEORGE, GODSHALL, GOODMAN, HESS, KOTIK, KULA, LEVDANSKY, MAHONEY, PASHINSKI, SAYLOR, SIPTROTH, SOLOBAY, STABACK, SURRA, THOMAS, WATSON, WOJNAROSKI, YOUNGBLOOD and HUTCHINSON

An Act regulating prescribed burning practices; providing for the powers and duties of the State Forester and the Department of Conservation and Natural Resources; and establishing certain immunities.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, August 5, 2008.

No. 2736 By Representative GODSHALL

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in abandoned and unclaimed property, further providing for definitions, for property subject to custody and

control of the Commonwealth and for property held by business associations.

Referred to Committee on CONSUMER AFFAIRS, August 21, 2008.

No. 2737 By Representative GODSHALL

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for definitions.

Referred to Committee on CONSUMER AFFAIRS, August 21, 2008.

No. 2738 By Representatives NICKOL, MANN, BAKER, BEAR, BOYD, CIVERA, CLYMER, FAIRCHILD, FLECK, GIBBONS, GODSHALL, HENNESSEY, KOTIK, MARSHALL, MELIO, R. MILLER, MILNE, NAILOR, PHILLIPS, PICKETT, QUINN, ROAE, ROCK, RUBLEY, SAYLOR, SCAVELLO, SONNEY, STERN, SWANGER and WATSON

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for limitations on investment relationships and campaign contributions.

Referred to Committee on STATE GOVERNMENT, August 21, 2008.

No. 2739 By Representatives HORNAMAN, KORTZ, MARSHALL, McILVAINE SMITH, MURT, QUINN, ROCK, STABACK and SWANGER

An Act providing for convening the General Assembly following the general election.

Referred to Committee on STATE GOVERNMENT, August 21, 2008.

No. 2741 By Representatives QUINN, GALLOWAY, GEORGE, MAJOR, McILVAINE SMITH, R. MILLER, MILNE, SIPTROTH and SWANGER

An Act amending the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, further providing for bonding and for well plugging funds.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, August 21, 2008.

No. 2742 By Representatives QUINN, BOYD, CIVERA, HERSHEY, KILLION, KULA, MELIO, MUSTIO, NAILOR, O'NEILL, PEIFER, READSHAW, REICHLEY, ROCK, SAYLOR, SCAVELLO, STERN and SWANGER

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for tax deferral for taxpayers in declared disaster areas.

Referred to Committee on FINANCE, August 21, 2008.

No. 2743 By Representatives LENTZ, BELFANTI, CALTAGIRONE, FRANKEL, GOODMAN, HENNESSEY, KORTZ, KOTIK, KULA, MANN, McCALL, McGEEHAN, McILVAINE SMITH, MELIO, M. O'BRIEN, PALLONE,

PASHINSKI, READSHAW, ROCK, SIPTROTH, SURRA, SWANGER, R. TAYLOR, WHEATLEY, YOUNGBLOOD and LONGIETTI

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

Referred to Committee on EDUCATION, August 21, 2008.

No. 2744 By Representatives HARPER, BOYD, CLYMER, HENNESSEY, HERSHEY, KILLION, KORTZ, KOTIK, MARKOSEK, MELIO, R. MILLER, QUINN, RAPP, ROCK, RUBLEY, SIPTROTH, STEIL, STERN, SWANGER and WATSON

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the sale of certain land by the Department of Transportation to public agencies.

Referred to Committee on LOCAL GOVERNMENT, August 21, 2008.

No. 2745 By Representatives MARSICO, NAILOR, M. KELLER, BENNINGHOFF, BENNINGTON, BOYD, CLYMER, CREIGHTON, DALLY, ELLIS, EVERETT, FAIRCHILD, FLECK, GEIST, GILLESPIE, GOODMAN, GRELL, HALUSKA, HENNESSEY, HESS, HORNAMAN, MACKERETH, MAHER, MENSCH, R. MILLER, MILNE, MOUL, MOYER, MURT, O'NEILL, RAPP, READSHAW, ROAE, ROCK, RUBLEY, SAYLOR, SCAVELLO, SONNEY, R. STEVENSON, SWANGER, THOMAS and WATSON

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, providing for general appropriation procedure; and further providing for transmission of budget information to General Assembly.

Referred to Committee on APPROPRIATIONS, August 21, 2008.

No. 2746 By Representatives MARSICO, NAILOR, M. KELLER, BENNINGHOFF, BENNINGTON, BOYD, CLYMER, CREIGHTON, DALLY, ELLIS, EVERETT, FAIRCHILD, FLECK, GEIST, GILLESPIE, GOODMAN, GRELL, HALUSKA, HENNESSEY, HESS, HORNAMAN, MACKERETH, MAHER, MENSCH, R. MILLER, MILNE, MOUL, MOYER, MURT, O'NEILL, RAPP, READSHAW, ROAE, ROCK, RUBLEY, SAYLOR, SCAVELLO, SONNEY, R. STEVENSON, SWANGER, THOMAS and WATSON

An Act proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for appropriation bills.

Referred to Committee on STATE GOVERNMENT, August 21, 2008.

No. 2747 By Representatives J. TAYLOR, ARGALL, PETRONE, CARROLL, FLECK, FRANKEL, GEORGE, HALUSKA, HESS, KORTZ, MANDERINO, MARSHALL, RAMALEY, SCAVELLO, VULAKOVICH, WATSON, WOJNAROSKI, GOODMAN, LONGIETTI, MURT, REICHLEY, M. O'BRIEN, MANN, BEYER, KILLION, YUDICHAK and KENNEY

An Act providing for the tax sale of abandoned properties.

Referred to Committee on FINANCE, August 28, 2008.

No. 2748 By Representatives EACHUS, SURRA, COHEN, STURLA, BEAR, BENNINGTON, CONKLIN, CUTLER, FRANKEL, GEIST, GEORGE, GIBBONS, HARKINS, HERSHEY, JAMES, K. SMITH, KULA, MAHONEY, MARSICO, MELIO, MENSCH, MOYER, PHILLIPS, RAMALEY, RAPP, READSHAW, SAINATO, SIPTROTH, SWANGER, VULAKOVICH, PARKER, PAYNE, SCHRODER and KORTZ

An Act selecting, designating and adopting the Regal Fritillary butterfly as the official State butterfly of the Commonwealth of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, August 28, 2008.

No. 2749 By Representatives HARPER, MAHER, WATSON, ARGALL, BAKER, CAUSER, CREIGHTON, CUTLER, DENLINGER, ELLIS, J. EVANS, FAIRCHILD, GABIG, GEIST, GODSHALL, HARHAI, HARKINS, HESS, HUTCHINSON, JAMES, M. KELLER, MENSCH, METCALFE, R. MILLER, PETRI, PYLE, QUIGLEY, ROAE, ROCK, SAYLOR, SCAVELLO, SCHRODER, SIPTROTH, STEIL, STERN, SWANGER, TURZAI, VULAKOVICH, YOUNGBLOOD, QUINN, SONNEY, J. TAYLOR, GOODMAN, MURT, R. STEVENSON, REED, HORNAMAN, READSHAW, BEYER, KILLION and ROSS

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in support matters generally, further providing for costs and fees and for State disbursement unit.

Referred to Committee on JUDICIARY, August 28, 2008.

No. 2750 By Representatives DeLUCA, COHEN, GIBBONS, McGEEHAN, MICOZZIE, MURT, NAILOR, M. O'BRIEN, PAYNE, PRESTON, RAMALEY, ROCK, SAYLOR, SIPTROTH and SURRA

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, limiting Senators and Representatives from receiving outside earned income.

Referred to Committee on STATE GOVERNMENT, August 28, 2008.

No. 2751 By Representatives SIPTROTH, ADOLPH, BRENNAN, CALTAGIRONE, CARROLL, CREIGHTON, GALLOWAY, GEORGE, GIBBONS, GRUCELA, HARKINS, KORTZ, KOTIK, KULA, LONGIETTI, MELIO, PETRI, PICKETT, READSHAW, ROCK, SANTONI, SAYLOR, SCAVELLO, SURRA and VULAKOVICH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for declarations of estimated tax.

Referred to Committee on FINANCE, August 28, 2008.

No. 2752 By Representatives MILNE, THOMAS, BENNINGHOFF, CALTAGIRONE, COHEN, DALLY, ELLIS, J. EVANS, EVERETT, FRANKEL, GEIST, GEORGE,

GINGRICH, HARPER, HERSHEY, HESS, JAMES, M. KELLER, KORTZ, KOTIK, MANN, MARSHALL, McILVAINE SMITH, R. MILLER, MOYER, MURT, PICKETT, QUIGLEY, READSHAW, REICHLEY, ROCK, ROSS, RUBLEY, SAYLOR, SIPTROTH, STERN, VEREB and VULAKOVICH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a land conservation tax credit.

Referred to Committee on FINANCE, August 28, 2008.

No. 2753 By Representatives HARPER, MURT, R. MILLER, CALTAGIRONE, ROCK, WATSON, HENNESSEY, SAYLOR and BOYD

An Act authorizing the Department of Transportation to sell land under certain conditions; and making a related repeal.

Referred to Committee on TRANSPORTATION, August 29, 2008.

No. 2754 By Representatives BENNINGHOFF, ADOLPH, BEAR, BOYD, CALTAGIRONE, CAUSER, CUTLER, EVERETT, FRANKEL, GIBBONS, GINGRICH, GODSHALL, GOODMAN, GRELL, HENNESSEY, HERSHEY, KOTIK, KULA, LONGIETTI, MAJOR, MANN, McILHATTAN, R. MILLER, MILNE, M. O'BRIEN, PYLE, QUINN, READSHAW, REED, REICHLEY, ROCK, ROSS, SAYLOR, SCAVELLO, SIPTROTH, SONNEY, SWANGER, YOUNGBLOOD and ELLIS

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for classes of income.

Referred to Committee on FINANCE, September 9, 2008.

No. 2755 By Representatives BENNINGHOFF, CAUSER, CREIGHTON, EVERETT, FLECK, HARRIS, HENNESSEY, KORTZ, MOUL, REICHLEY, ROAE, ROCK, SURRA and SWANGER

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for municipal administration and enforcement.

Referred to Committee on LABOR RELATIONS, September 9, 2008.

No. 2756 By Representatives BENNINGTON, WAGNER, BRENNAN, BUXTON, CALTAGIRONE, DePASQUALE, FRANKEL, JOSEPHS, LEACH, MAHONEY, MANDERINO, MANN, McGEEHAN, M. O'BRIEN, PARKER, ROSS, SIPTROTH, McILVAINE SMITH, STURLA, WALKO, J. WHITE and YOUNGBLOOD

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in health and accident insurance, further providing for coverage for prescription contraceptive drugs and devices.

Referred to Committee on INSURANCE, September 9, 2008.

No. 2757 By Representatives HICKERNELL, BEAR, CURRY, CUTLER, EVERETT, FLECK, GEIST, GILLESPIE, HERSHEY, HESS, KILLION, MANN, MARSHALL, MELIO, R. MILLER, MURT, NAILOR, D. O'BRIEN, PAYNE, PETRONE, PHILLIPS, PYLE, READSHAW, REICHLEY, ROCK, SAYLOR, SCAVELLO, SIPTROTH, SONNEY, STERN, SWANGER, WATSON and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for additional parking regulations.

Referred to Committee on TRANSPORTATION, September 9, 2008.

No. 2758 By Representatives HICKERNELL, BEAR, BOYD, CUTLER, EVERETT, GEIST, GODSHALL, HARPER, HENNESSEY, HERSHEY, MARSHALL, MILNE, MURT, PERZEL, ROCK, SAYLOR, SIPTROTH and WATSON

An Act amending the act of January 19, 1968 (1967 P.L.992, No.442), entitled, as amended, "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for definitions and for local taxing options.

Referred to Committee on LOCAL GOVERNMENT, September 9, 2008.

No. 2759 By Representatives PETRONE, BRENNAN, GEORGE, GRUCELA, HARKINS, KORTZ, KOTIK, McGEEHAN, MUSTIO, READSHAW, SIPTROTH, THOMAS, VULAKOVICH, WALKO, JOSEPHS, FRANKEL, DALEY and PASHINSKI

An Act providing for the designation and regulation of geologically hazardous areas throughout this Commonwealth to protect people and limit property damage and the disruption of commerce from the possible dangers associated with land development in areas that are prone to landslides, sinkholes or other geologic hazards; imposing duties and conferring powers on the Department of Environmental Protection, the Department of Conservation and Natural Resources and municipalities; and providing for enforcement and remedies.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, September 9, 2008.

No. 2760 By Representatives REICHLEY, BEAR, CLYMER, CUTLER, DALEY, DALLY, DENLINGER, FRANKEL, FREEMAN, GEIST, GINGRICH, GOODMAN, HENNESSEY, HORNAMAN, KAUFFMAN, LONGIETTI, MARSICO, MELIO, MENSCH, R. MILLER, MOYER, O'NEILL, PYLE, RAPP, SCHRODER, SONNEY, SURRA, SWANGER, THOMAS and WALKO

An Act prohibiting unreasonable restraints of trade; imposing penalties; and providing for enforcement.

Referred to Committee on COMMERCE, September 9, 2008.

No. 2761 By Representatives MOYER, GEIST, FAIRCHILD, BOBACK, CREIGHTON, GEORGE, GOODMAN, HERSHEY, KORTZ, KULA, R. MILLER, PICKETT, REICHLEY, SAYLOR and SIPTROTH

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for dental benefits plan coordination of benefits policies.

Referred to Committee on INSURANCE, September 9, 2008.

No. 2762 By Representatives CRUZ, YOUNGBLOOD, THOMAS, HERSHEY, GEORGE, SIPTROTH and GIBBONS

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further defining "unfair methods of competition" and "unfair or deceptive acts or practices."

Referred to Committee on CONSUMER AFFAIRS, September 9, 2008.

No. 2763 By Representatives HENNESSEY, BEAR, BRENNAN, CALTAGIRONE, CASORIO, CREIGHTON, ELLIS, EVERETT, GILLESPIE, HORNAMAN, JAMES, M. KELLER, KORTZ, KOTIK, KULA, MARSICO, MOUL, MUNDY, MURT, MYERS, O'NEILL, PHILLIPS, QUINN, ROCK, SIPTROTH, K. SMITH, SONNEY, SWANGER, J. TAYLOR, VULAKOVICH, YOUNGBLOOD and SCHRODER

An Act amending the act of May 21, 1937 (P.L.774, No.211), referred to as the Pennsylvania Turnpike Commission Act, further providing for access and egress by emergency vehicles.

Referred to Committee on TRANSPORTATION, September 9, 2008.

No. 2764 By Representatives HENNESSEY, BEAR, BIANCUCCI, BOYD, CALTAGIRONE, CARROLL, CREIGHTON, DePASQUALE, EVERETT, FAIRCHILD, FLECK, GEORGE, GILLESPIE, GINGRICH, GODSHALL, GOODMAN, HARHART, HARPER, HERSHEY, HORNAMAN, JAMES, M. KELLER, KORTZ, KOTIK, KULA, LONGIETTI, MACKERETH, McILVAINE SMITH, MELIO, R. MILLER, MOYER, MUNDY, MURT, MYERS, NAILOR, O'NEILL, QUINN, RAPP, SAYLOR, SEIP, SIPTROTH, K. SMITH, SONNEY, SWANGER, VULAKOVICH, J. WHITE and SCHRODER

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for administration and procedure.

Referred to Committee on LOCAL GOVERNMENT, September 9, 2008.

No. 2766 By Representatives J. WHITE, SCHRODER, McGEEHAN, FRANKEL, HORNAMAN, McCALL, PETRONE, PASHINSKI, KORTZ, CALTAGIRONE, MUNDY, CREIGHTON, WALKO, GRUCELA, YOUNGBLOOD, READSHAW, SOLOBAY, JOSEPHS and PAYTON

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, in licensing, further providing for general requirements.

Referred to Committee on COMMERCE, September 9, 2008.

No. 2767 By Representatives BENNINGHOFF, BRENNAN, CALTAGIRONE, CREIGHTON, CUTLER, DENLINGER, GILLESPIE, GINGRICH, HENNESSEY, KAUFFMAN, MARSHALL, McILHATTAN, McILVAINE SMITH, MELIO, RAPP, ROAE, SCHRODER, SIPTROTH, SWANGER, TRUE and VULAKOVICH

An Act providing for a ban on the use of public funds by Commonwealth agencies for public opinion polling.

Referred to Committee on STATE GOVERNMENT, September 12, 2008.

SENATE BILLS FOR CONCURRENCE

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

SB 903, PN 2284

Referred to Committee on STATE GOVERNMENT, July 9, 2008.

SB 1203, PN 2293

Referred to Committee on JUDICIARY, July 9, 2008.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1931, PN 2684 By Rep. CALTAGIRONE

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for payments to family and funeral directors.

JUDICIARY.

HB 2216, PN 3331 By Rep. CALTAGIRONE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for applicability to providers outside this Commonwealth; and further providing for exceptions, for investigative disclosure or use of contents of wire, electronic or oral communications or derivative evidence, for requirements of governmental access, for mobile tracking devices, for issuance and for expiration.

JUDICIARY.

SB 1153, PN 1839 By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the Minor Judiciary Education Board and for the course of instruction and examination for certain minor judiciary.

JUDICIARY.

SB 1263, PN 2157 By Rep. CALTAGIRONE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in wiretapping and electronic surveillance, further providing for expiration of chapter.

JUDICIARY.

SB 1269, PN 1731

By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, adding definitions; and further providing for other basic rights and for adjudications of juveniles.

JUDICIARY.

BILLS REREPORTED FROM RULES COMMITTEE AND TABLED PURSUANT TO RULE 22

HB 98, PN 122

By Rep. DeWEESE

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.

RULES.

HB 488, PN 544

By Rep. DeWEESE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for exclusions from sales tax and for exemption certificates.

RULES.

HB 664, PN 4027

By Rep. DeWEESE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, creating a sales and use tax exemption for biomass products used for home heating purposes and agricultural products sold by the original producer for the production of fuel; and further providing for the procedure for claiming special tax provisions and for proof of eligibility.

RULES.

HB 905, PN 4028

By Rep. DeWEESE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a volunteer responder retention and recruitment tax credit.

RULES.

HB 973, PN 1137

By Rep. DeWEESE

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, adding a definition; and establishing the Center for Evidence-based Crime Prevention Research and its powers and duties.

RULES.

HB 1102, PN 3911

By Rep. DeWEESE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for contents of petitions for adoption and for time of entry of adoption decree; and providing for adoption statistics.

RULES.

HB 1121, PN 3955

By Rep. DeWEESE

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.

RULES.

HB 1319, PN 4087

By Rep. DeWEESE

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the offense of scattering rubbish, for the acknowledgment of littering provisions at time of application for learner's permit or driver's license and for the offense of depositing of waste and other material on highway, property or waters.

RULES.

HB 1334, PN 1676

By Rep. DeWEESE

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the composition of the State Veterans' Commission.

RULES.

HB 1397, PN 1744

By Rep. DeWEESE

An Act amending the act of June 22, 2001 (P.L.374, No.24), known as the Optional Occupation Tax Elimination Act, further providing for definitions, for earned income tax rate limits, for resolution required and for binding referendum; providing for applicability of income tax on personal income; and making a related repeal.

RULES.

HB 1495, PN 1858

By Rep. DeWEESE

An Act designating polka music as the official folk music of the Commonwealth of Pennsylvania; and designating the American square dance as the official folk dance of the Commonwealth of Pennsylvania.

RULES.

HB 1676, PN 2210

By Rep. DeWEESE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, dedicating sales and use tax revenues for transfer to the Game Fund and the Fish Fund.

RULES.

HB 1712, PN 4078

By Rep. DeWEESE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for State standards for business, computer and information technology courses.

RULES.

HB 1951, PN 4193

By Rep. DeWEESE

An Act providing for the elimination of property tax for older Pennsylvanians, for a one-year cap on real property tax increases for school property tax purposes and for the elimination of authority to

levy real property taxes for the support of public schools; imposing additional duties on the Department of Education; providing for the transfer of certain funds; and making related repeals.

RULES.

HB 2119, PN 3027

By Rep. DeWEESE

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for safety equipment for private security firms.

RULES.

HB 2218, PN 3333

By Rep. DeWEESE

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, providing for a task force on drug-endangered children.

RULES.

HB 2260, PN 3270

By Rep. DeWEESE

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for sliding scale of rates and adjustments.

RULES.

HB 2266, PN 3930

By Rep. DeWEESE

An Act updating and expanding the storm water planning requirements to be undertaken by counties; authorizing counties to regulate storm water within a watershed-based planning area; authorizing the formation of water resources management authorities; enabling counties, municipalities, and water resources management authorities to develop integrated water resources management plans; imposing duties and conferring powers on the Department of Environmental Protection, the Environmental Quality Board, counties, municipalities and water resources management authorities; providing for financing and for waiver of use for certain grant or loan funds; and making related repeals.

RULES.

HB 2276, PN 4080

By Rep. DeWEESE

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in employees, providing for basic education and continuing education programs for municipal secretaries.

RULES.

HB 2310, PN 3385

By Rep. DeWEESE

An Act providing for municipal volunteer fire service incentives.

RULES.

HB 2381, PN 3439

By Rep. DeWEESE

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for organization of commission and for its powers and duties.

RULES.

HB 2404, PN 4069

By Rep. DeWEESE

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the definition of "safety zone."

RULES.

HB 2430, PN 3563

By Rep. DeWEESE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for responsibilities of department and State Board of Education.

RULES.

HB 2434, PN 3958

By Rep. DeWEESE

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

RULES.

HB 2437, PN 3569

By Rep. DeWEESE

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

RULES.

HB 2440, PN 3605

By Rep. DeWEESE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for special education payments to school districts.

RULES.

HB 2442, PN 3606

By Rep. DeWEESE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for establishment of programs, for providers, for notification of program and for Educational Assistance Program.

RULES.

HB 2449, PN 3613

By Rep. DeWEESE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for basic education funding for student achievement and for accountability to Commonwealth taxpayers.

RULES.

HB 2463, PN 3959

By Rep. DeWEESE

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

RULES.

HB 2468, PN 3933

By Rep. DeWEESE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in early learning programs,

further providing for the definition of "eligible provider" and for duties of approved providers.

RULES.

HB 2474, PN 3636

By Rep. DeWEESE

An Act providing for earned income tax credit notification.

RULES.

HB 2475, PN 3666

By Rep. DeWEESE

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

RULES.

HB 2479, PN 3934

By Rep. DeWEESE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the definitions of "cyber charter school fund balance limit," "cyber education real cost level," "cyber special education real cost level," "employment cost index" and "Statewide average weekly wage"; and further providing for school staff, for funding for charter schools, for causes for nonrenewal or termination, for powers and duties of department, for assessment and evaluation, for cyber charter school requirements and prohibitions, for school district and intermediate unit responsibilities, for cyber charter school application, for enrollment and notification, for applicability and for State reimbursements for charter and cyber charter schools.

RULES.

HB 2526, PN 3848

By Rep. DeWEESE

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

RULES.

HB 2529, PN 3849

By Rep. DeWEESE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the use of polygraph tests.

RULES.

HB 2532, PN 4030

By Rep. DeWEESE

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

RULES.

HB 2569, PN 4026

By Rep. DeWEESE

An Act establishing a grant program for municipal fire and emergency services organizations; and providing for grant funding.

RULES.

HB 2571, PN 3823

By Rep. DeWEESE

An Act providing for municipal service grants and for powers and duties of the Department of Community and Economic Development; and making an appropriation.

RULES.

HB 2573, PN 3825

By Rep. DeWEESE

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class and Selective County Assessment Law, further providing for removal permits, transfer of ownership certificates and tax lien certificates of mobilehomes and trailers; and imposing a penalty.

RULES.

HB 2574, PN 3826

By Rep. DeWEESE

An Act amending the act of May 22, 1933 (P.L.853, No.155), known as The General County Assessment Law, further providing for removal and transfer of ownership certificates and for removal permits; providing for lien certificate; and imposing a penalty.

RULES.

HB 2582, PN 3954

By Rep. DeWEESE

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

RULES.

HB 2594, PN 4022

By Rep. DeWEESE

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for definitions; in rates and ratemaking, further providing for sliding scale of rates and adjustments; and, in service and facilities, further providing for ownership and maintenance of natural gas and artificial gas service lines.

RULES.

HB 2638, PN 4090

By Rep. DeWEESE

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, further defining "private developer" and adding definitions relating to the Commonwealth Financing Authority; further providing, in Commonwealth Financing Authority, for indebtedness; establishing, in Commonwealth Financing Authority, the Legacy Account Program; and making a related repeal.

RULES.

HB 2639, PN 3946

By Rep. DeWEESE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in State intermediate punishment provisions, further providing for referral to State intermediate punishment program.

RULES.

HB 2645, PN 4036

By Rep. DeWEESE

An Act establishing the Catastrophic Illness in Children Relief Fund and the Catastrophic Illness in Children Relief Fund

Commission; providing for the powers and duties of the commission; establishing a program for the payment of medical expenses of children in cases of catastrophic illness; and providing for funding.

RULES.

HB 2656, PN 3963

By Rep. DeWEESE

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.

RULES.

HB 2672, PN 4058

By Rep. DeWEESE

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for guiding principles in fisheries and aquatic resource management decisions.

RULES.

HB 2673, PN 4075

By Rep. DeWEESE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for requirements concerning returns, notices, records and statements.

RULES.

HB 2678, PN 4188

By Rep. DeWEESE

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Heritage Building Group, Inc., and the Municipal Authority of the Township of South Heidelberg, and/or their assigns, six permanent sanitary sewer easements and two temporary construction easements, situate in South Heidelberg Township and Lower Heidelberg Township, Berks County.

RULES.

HB 2681, PN 4101

By Rep. DeWEESE

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for definitions; prohibiting railroads from operating railroad locomotives in reverse in certain instances; and providing for provisions of counseling services and trauma leave after railroad accidents.

RULES.

HB 2692, PN 4131

By Rep. DeWEESE

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for absentee voting.

RULES.

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise members he has given permission to Laman Snyder of WHTM, Harrisburg, for videotape with audio for the next 10 minutes.

BILLS REMOVED FROM TABLE

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

HB 98;
 HB 488;
 HB 664;
 HB 905;
 HB 973;
 HB 1102;
 HB 1121;
 HB 1319;
 HB 1334;
 HB 1397;
 HB 1495;
 HB 1676;
 HB 1712;
 HB 1951;
 HB 2119;
 HB 2218;
 HB 2260;
 HB 2266;
 HB 2276;
 HB 2310;
 HB 2381;
 HB 2404;
 HB 2430;
 HB 2434;
 HB 2437;
 HB 2440;
 HB 2442;
 HB 2449;
 HB 2463;
 HB 2468;
 HB 2474;
 HB 2475;
 HB 2479;
 HB 2526;
 HB 2529;
 HB 2532;
 HB 2569;
 HB 2571;
 HB 2573;
 HB 2574;
 HB 2582;
 HB 2594;
 HB 2638;
 HB 2639;
 HB 2645;
 HB 2656;
 HB 2672;
 HB 2673;
 HB 2678;
 HB 2681; and
 HB 2692.

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

BILLS RECOMMITTED

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

HB 98;
 HB 488;
 HB 664;
 HB 905;
 HB 973;
 HB 1102;
 HB 1121;
 HB 1319;
 HB 1334;
 HB 1397;
 HB 1495;
 HB 1676;
 HB 1712;
 HB 1951;
 HB 2119;
 HB 2218;
 HB 2260;
 HB 2266;
 HB 2276;
 HB 2310;
 HB 2381;
 HB 2404;
 HB 2430;
 HB 2434;
 HB 2437;
 HB 2440;
 HB 2442;
 HB 2449;
 HB 2463;
 HB 2468;
 HB 2474;
 HB 2475;
 HB 2479;
 HB 2526;
 HB 2529;
 HB 2532;
 HB 2569;
 HB 2571;
 HB 2573;
 HB 2574;
 HB 2582;
 HB 2594;
 HB 2638;
 HB 2639;
 HB 2645;
 HB 2656;
 HB 2672;
 HB 2673;
 HB 2678;
 HB 2681; and
 HB 2692.

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

GUESTS INTRODUCED

The SPEAKER. Today, Peter Gratz, district aide of Representative Mark Mustio of the 44th Legislative District, is visiting Harrisburg, and Nick Antonucci is also visiting the State Capitol. Nick is the son of John and Rose Marie Antonucci of Moon Township. He attends Moon Area High School and is currently doing an internship in Representative Mustio's Moon district office. He hopes to attend Penn State after graduation from high school. They are seated to the left of the Speaker. Would you please stand and be recognized.

The Chair would like to recognize, as the guests of Representative John Galloway, Andrea Harvie, Pauline Michalski, Ralph and Josephine Lalli. They are seated in the balcony. Would you please stand and be recognized.

URBAN AFFAIRS COMMITTEE MEETING

The SPEAKER. For what purpose does Representative Petrone rise?

Mr. PETRONE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to call a meeting of the House Urban Affairs Committee immediately upon recess in room G-50 of the Irvis Office Building, and I encourage all members to attend. It will be a short, quick meeting.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Urban Affairs Committee will meet in room G-50 of the Irvis Building at the recess.

STATEMENT BY MR. DeLUCA

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

Mr. DeLUCA. Mr. Speaker, I just want to say a few words to the members here.

The SPEAKER. The gentleman is in order and may proceed under the provision of unanimous consent.

Mr. DeLUCA. I want to thank all the members here who—

The SPEAKER. If the gentleman will suspend for one moment.

The Chair will ask the members to please take their seats for the gentleman's remarks.

The gentleman is in order.

Mr. DeLUCA. Thank you, Mr. Speaker.

I just want to thank all the members for their thoughtfulness and prayers on the passing of my brother, who we were very close, and it really brings to light how this body on both sides of the aisle is a family. And I just want to thank you for all your prayers on behalf of my family and on behalf of my brother, and I think that helps me sustain this great loss that I have here today. So I just want to thank you for all your prayers and thoughtfulness. It shows me that we are a family, no matter. We argue on the issues and that there, but when something comes down, we are all here together. So thank you very much, and God bless you. Thank you.

DEMOCRATIC CAUCUS**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the majority leader, Representative DeWeese, for an announcement.

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

I would like to announce an immediate Democratic caucus and an Appropriations Committee meeting at approximately 3:15. It will be at the conclusion of both caucuses. I am just speculating that that will give us ample time to review the matters that we will be dealing with later in the day. Thank you.

REPUBLICAN CAUCUS

The SPEAKER. Representative Major.

Miss MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus immediately at the call of the recess. All Republicans should report to caucus immediately at the call. Thank you.

The SPEAKER. The Chair thanks the lady.

Are there any further announcements?

For clarification of the majority leader's announcement, the Appropriations Committee meeting will be around 3:15 in the majority caucus room.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. For what purpose does the lady, Representative Josephs, rise?

Ms. JOSEPHS. Thank you, Mr. Speaker. To make a committee announcement.

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

Ms. JOSEPHS. The House State Government Committee will meet in 60, East Wing, as soon as we break the session here, sir.

The SPEAKER. The Chair thanks the lady.

The State Government Committee will meet at the break in 60, East Wing.

Are there any further announcements?

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of John Patrick Sovich, who has recently been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of John Patrick Sovich.

Whereas, John Patrick Sovich has 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 this young man. He is a member of Troop 280.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of John Patrick Sovich.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to recognize, as the guests of Representative Marshall, Bob Svihra and Chris Camp. They are seated in the balcony. Would you please stand and be recognized. Welcome to the floor of the House.

RECESS

The SPEAKER. This House will stand in recess until 3:30 p.m., unless sooner recalled by the Speaker.

AFTER RECESS

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

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to requests for leaves of absence and recognizes the majority whip, who requests that Representative WOJNAROSKI from Cambria County be placed on leave for the week and Representative YOUNGBLOOD from Philadelphia be placed on leave for the week. The Chair hears no objections. Those leaves will be granted.

The Chair recognizes the minority whip, who indicates there are no requests for leaves.

The Chair is about to take the master roll. 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.

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the minority whip, who requests that Representative Bev MACKERETH be placed on leave. The Chair hears no objection. The leave will be granted.

MASTER ROLL CALL CONTINUED

The following roll call was recorded:

PRESENT—200

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Mackereth	Wojnaroski	Youngblood
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LEAVES ADDED—5

Adolph	Ellis	Gerber	Quigley
Benninghoff			

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

STATEMENT BY SPEAKER

The SPEAKER. The Chair wishes to make a few brief remarks before and on behalf of the members of the House of Representatives recognizing a great woman who is facing a challenge, our good friend, Lt. Gov. Catherine Baker Knoll.

May we have some order, please. Members will take their seats.

Catherine is struggling with a serious health issue, but now she is doing well, and we are glad to hear that she will be in her usual spot when the Senate reconvenes this week.

By her example, Catherine Baker Knoll continues to give us a better understanding of what it means to be a public servant.

Her talent, energy, and huge heart are gifts that helped shape her career and continue to serve her well.

So the Chair asks the House to join in saying welcome back, get well, and best wishes to Lt. Gov. Catherine Baker Knoll. You have our respect, our admiration, and prayers for a speedy recovery.

BILLS REREPORTED FROM COMMITTEE

HB 2525, PN 4068 By Rep. D. EVANS

An Act amending the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, further providing for definitions, for issuance of dog licenses, for applications for dog licenses, for license certificates, for kennels, for requirements for kennels, for out-of-State dealer license, for bills of sale, for revocation, suspension or refusal of kennel licenses, for transportation of dogs, for health certificates for importation, for inspections of premises and dogs and for additional duties of department; providing for refusal of entry; further providing for seizure and detention of dogs, for confinement of dogs, for dog bites, for registration, for certain requirements, for control of dangerous dogs, for public safety, for selling, bartering or trading dogs, for damages caused by coyotes, for burdens of proof, for enforcement, for rules and regulations and for violations; providing for exemption; further defining "releasing agency"; and making editorial changes.

APPROPRIATIONS.

HB 2532, PN 4030 By Rep. D. EVANS

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

APPROPRIATIONS.

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

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. CUTLER called up **HR 850, PN 4242**, entitled:

A Resolution proclaiming September 27, 2008, as "Friends of the Railroad Museum of Pennsylvania Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—1

Blackwell

EXCUSED—3

Mackereth Wojnaroski Youngblood

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

STATEMENT BY MR. BELFANTI

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

Mr. BELFANTI. Mr. Speaker, a point of personal privilege.

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

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, a lot of the staff from the House, my constituents back home, my staff back home, and in particular my wife, I wish to thank you all for the cards, letters, spoiled fruit baskets, flowers, and all of the other amenities that members sent my way over my long haul of surgeries this summer. I am not quite done yet, but I do wish to, from the bottom of my heart, say thank you to all.

I think I might have gotten more cards from Republicans than I did Democrats – I do not know why that is – and the fruit was fresher. But beyond that, Mr. Speaker, in all seriousness, thank you to all.

The SPEAKER. The Chair thanks the gentleman.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2575, PN 3827**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for deterrent fences for deer, bear and elk and the payment of claims for damages by certain elk; imposing duties on the Department of Agriculture; and providing for the establishment of the Elk Damage Fund.

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—199

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

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

NAYS—1

Cutler

NOT VOTING—0

EXCUSED—3

Mackereth Wojnaroski Youngblood

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 44, PN 4200**, entitled:

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

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—200

Adolph	Freeman	Markosek	Roebuck
Argall	Gabig	Marshall	Rohrer
Baker	Galloway	Marsico	Ross
Barrar	Geist	McCall	Rubley
Bastian	George	McGeehan	Sabatina
Bear	Gerber	McI. Smith	Sainato
Belfanti	Gergely	McIlhattan	Samuelson

Benninghoff	Gibbons	Melio	Santoni
Bennington	Gillespie	Mensch	Saylor
Beyer	Gingrich	Metcalfe	Scavello
Bianucci	Godshall	Micozzie	Schroder
Bishop	Goodman	Millard	Seip
Blackwell	Grell	Miller	Shapiro
Boback	Grucela	Milne	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	Sonney
Carroll	Harris	Nailor	Staback
Casorio	Helm	Nickol	Stairs
Causer	Hennessey	O'Brien, M.	Steil
Civera	Hershey	O'Neill	Stern
Clymer	Hess	Oliver	Stevenson
Cohen	Hickernell	Pallone	Sturla
Conklin	Hornaman	Parker	Surra
Costa	Hutchinson	Pashinski	Swanger
Cox	James	Payne	Tangretti
Creighton	Josephs	Payton	Taylor, J.
Cruz	Kauffman	Peifer	Taylor, R.
Curry	Keller, M.K.	Perry	Thomas
Cutler	Keller, W.	Perzel	True
Daley	Kenney	Petrarca	Turzai
Dally	Kessler	Petri	Vereb
DeLuca	Killion	Petrone	Vitali
Denlinger	King	Phillips	Vulakovich
DePasquale	Kirkland	Pickett	Wagner
Dermody	Kortz	Preston	Walko
DeWeese	Kotik	Pyle	Wansacz
DiGirolamo	Kula	Quigley	Waters
Donatucci	Leach	Quinn	Watson
Eachus	Lentz	Ramaley	Wheatley
Ellis	Levdansky	Rapp	White
Evans, D.	Longiatti	Raymond	Williams
Evans, J.	Maher	Readshaw	Yewcic
Everett	Mahoney	Reed	Yudichak
Fabrizio	Major	Reichley	
Fairchild	Manderino	Roae	O'Brien, D.,
Fleck	Mann	Rock	Speaker
Frankel	Mantz		

NAYS-0

NOT VOTING-0

EXCUSED-3

Mackereth	Wojnaroski	Youngblood
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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.

* * *

The House proceeded to third consideration of **SB 180, PN 2304**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for burial details for veterans and for termination of certain health insurance benefits; and adding a definition of "ancillary service plans."

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-200

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

NAYS-0

NOT VOTING-0

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

NAYS—14

Benninghoff	Grell	Murt	Schroder
Cox	Hutchinson	Perry	Seip
Cutler	Kauffman	Roae	Steil
Gillespie	Metcalfe		

NOT VOTING—0

EXCUSED—3

Mackereth	Wojnaroski	Youngblood
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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.

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

Mr. HANNA offered the following amendment No. A08988:

Amend Title, page 2, line 7, by striking out ", for rules and regulations"

Amend Sec. 1 (Sec. 102), page 6, line 18, by inserting after "trial"

, performance event

Amend Sec. 1 (Sec. 102), page 6, lines 19 through 21, by striking out all of said lines

Amend Sec. 1 (Sec. 102), page 7, by inserting between lines 20 and 21

"Muzzle." A device, in any arrangement of straps or wires, placed over an animal's mouth to prevent the animal from biting or eating.

Amend Sec. 1 (Sec. 102), page 8, line 28, by striking out the bracket before "Person"

Amend Sec. 1 (Sec. 102), page 9, line 1, by striking out "or" where it appears the first time and inserting
[or];

Amend Sec. 1 (Sec. 102), page 9, line 4, by inserting after "disability"

: who has a disability certificate issued by the United States Veterans' Administration;

Amend Sec. 1 (Sec. 102), page 9, line 4, by inserting brackets before and after "handicapped license" and inserting immediately thereafter

special registration

Amend Sec. 1 (Sec. 102), page 9, line 5, by inserting brackets before and after "handicapped" and inserting immediately thereafter

person with disability

Amend Sec. 1 (Sec. 102), page 9, line 6, by striking out the bracket after "placard)."

Amend Sec. 1 (Sec. 102), page 9, line 27, by inserting after "shows,"

performance events

Amend Sec. 2 (Sec. 200), page 12, line 29, by striking out "district justices" and inserting

magisterial district judges

Amend Sec. 2 (Sec. 200), page 14, lines 7 and 8, by striking out "district justice" and inserting

magisterial district judge

Amend Sec. 2 (Sec. 200), page 14, lines 15 through 20, by striking out all of said lines and inserting

(b.1) Mailings.—Advertisements, promotions, requests for donations, solicitations and other materials may not add to the cost of postage to be paid by the department and may not be directly attached to a dog license application, dog license renewal notice or other dog law document. Dog license mailings, renewals and other notices related to State dog licenses shall not contain any extraneous advertising, promotions, requests for donations, solicitations or other materials unless the advertisement, promotion, request for donation, solicitations or other materials have met one of the following conditions:

(1) They have been previously approved in writing by the department.

(2) They each contain a disclaimer stating that, "The solicitation or request for a donation herein is not for a program sponsored by, funded by or endorsed by the Pennsylvania Department of Agriculture (the Department). The Department takes no responsibility for this program. Participation in this program is voluntary, is not a condition of receiving a dog license and does not change the cost of obtaining a dog license. Any donation will be deposited into an account separate from the account for dog license revenues."

Amend Sec. 3 (Sec. 201), page 17, lines 20 and 21, by striking out all of said lines and inserting

Account. A vanity or collector tag shall not be issued without approval of the department.

Amend Sec. 3 (Sec. 201), page 19, lines 6 and 7, by striking out all of said lines and inserting

vanity or collector tag shall not be issued without approval of the department.

Amend Sec. 3 (Sec. 202), page 19, line 24, by inserting a bracket before "UNLESS"

Amend Sec. 3 (Sec. 202), page 19, line 26, by inserting a bracket after "YEAR"

Amend Sec. 3 (Sec. 202), page 20, line 15, by striking out all of said line and inserting

(1) Dogs when confined.(1.1) Dogs when restricted to the property of

Amend Sec. 3 (Sec. 202), page 20, line 21, by inserting after "Dogs"

which are confined to the property of the owner
or

Amend Sec. 3 (Sec. 202), page 20, line 23, by inserting after "to"
or from

Amend Sec. 3 (Sec. 202), page 20, line 24, by inserting after "they"

train or

Amend Sec. 3 (Sec. 202), page 20, line 25, by inserting after "license"

or individual dog license or tag

Amend Sec. 4 (Sec. 207), page 28, line 16, by inserting after "the"

general

Amend Sec. 4 (Sec. 207), page 28, lines 20 through 23, by striking out "The order to cease and desist shall" in line 20 and all of lines 21 through 23

Amend Sec. 4 (Sec. 207), page 29, line 3, by inserting after "(2)."
The order to cease and desist shall become a final order of the department upon expiration of the ten-day period for requesting an administrative hearing, unless a timely request has been filed with the department.

Amend Sec. 4 (Sec. 207), page 30, line 4, by striking out all of said line and inserting
section, except that, in the case of a dog running at large, it shall not be a violation of subsection (c)(3) or (4) of this section for the nonprofit kennel to list only the location from which a dog was retrieved if the information required to be maintained under subsection (c)(3) and (4) is unknown and not available to the nonprofit kennel.

Amend Sec. 4 (Sec. 207), page 30, line 11, by inserting a period after "213"

Amend Sec. 4 (Sec. 207), page 30, lines 11 through 15, by striking out ", OR DURING A HUNT," in line 11, all of lines 12 through 14 and "kennel network homes." in line 15

Amend Sec. 4 (Sec. 207), page 35, line 11, by removing the period after "hour" and inserting
and in accordance with the written directions of a veterinarian and generally accepted professional and husbandry practices, if such written directions and practices prescribe an air change rate greater than six changes per hour.

Amend Sec. 7 (Sec. 211), page 44, line 18, by striking out "been convicted of a violation of" and inserting

within the last ten years, been found to have violated

Amend Sec. 7 (Sec. 211), page 44, lines 21 and 22, by striking out all of line 21 and "person" in line 22 and inserting

or has been required

Amend Sec. 7 (Sec. 211), page 44, line 24, by inserting after "(ii)"

within the last ten years.

Amend Sec. 7 (Sec. 211), page 45, line 4, by inserting after "has"
acted

Amend Sec. 7 (Sec. 211), page 45, line 15, by striking out "HAS" and inserting

had

Amend Sec. 12 (Sec. 302), page 60, line 20, by inserting after "by"

personal service or

Amend Sec. 12 (Sec. 302), page 60, line 21, by inserting after "the" where it appears the first time

last known address, which shall be set forth in the license application record, of the

Amend Sec. 12 (Sec. 302), page 61, line 16, by striking out "weekends or"

Amend Sec. 14 (Sec. 502-A), page 63, line 27, by inserting brackets before and after "district justice" and inserting immediately thereafter

magisterial district judge

Amend Sec. 14 (Sec. 502-A), page 63, line 30, by inserting brackets before and after "district justice" and inserting immediately thereafter

magisterial district judge

Amend Sec. 14 (Sec. 502-A), page 64, line 20, by inserting brackets before and after "district justice" and inserting immediately thereafter

magisterial district judge

Amend Sec. 14 (Sec. 502-A), page 64, line 24, by inserting brackets before and after "district justice" and inserting immediately thereafter

magisterial district judge

Amend Sec. 16 (Sec. 505-A), page 70, line 5, by inserting after "The"

dangerous

Amend Sec. 16 (Sec. 505-A), page 70, line 8, by striking out "a" and inserting

the

Amend Sec. 16 (Sec. 505-A), page 70, by inserting between lines 14 and 15

(5) The dog is outside the dwelling of the owner without a muzzle regardless of whether the dog is physically restrained by a leash.

(6) The dog is outside the dwelling of the owner or a proper enclosure without a muzzle and unsupervised regardless of whether the dog is physically restrained by a leash.

Amend Sec. 16.1 (Sec. 507-A), page 73, line 29, by inserting brackets before and after "DISTRICT JUSTICE" and inserting immediately thereafter

magisterial district judge

Amend Sec. 16.1 (Sec. 507-A), page 73, line 30, by inserting brackets before and after "DISTRICT JUSTICE" and inserting immediately thereafter

magisterial district judge

Amend Sec. 16.2 (Sec. 602), page 75, line 12, by inserting brackets before and after "POLICE"

Amend Sec. 16.2 (Sec. 602), page 75, line 17, by inserting after "DOG"

, detection dog or search and rescue dog

Amend Sec. 16.2 (Sec. 602), page 75, line 18, by inserting after "AGENCY,"

fire department, search and rescue unit or agency or handler under the supervision of those departments.

Amend Sec. 16.2 (Sec. 603), page 76, line 15, by inserting after "show"

, performance event

Amend Sec. 16.2 (Sec. 706), page 77, line 28, by striking out the bracket after "Arbitration"

Amend Sec. 16.2 (Sec. 706), page 78, lines 7 through 9, by striking out "] disallowed.—" in line 7 and all of lines 8 and 9

Amend Sec. 16.2 (Sec. 706), page 79, line 9, by striking out "\$50,000" and inserting

\$75,000

Amend Sec. 16.2 (Sec. 901), page 80, lines 8 and 9, by striking out "assessing criminal" in line 8 and all of line 9 and inserting

referring violations for criminal prosecution, seeking injunctive relief, imposing civil penalties and entering

Amend Sec. 16.2 (Sec. 901), page 81, line 25, by striking out "; ["

Amend Sec. 16.2 (Sec. 901), page 82, line 10, by striking out the bracket after "wardens."

Amend Sec. 16.2 (Sec. 901), page 82, line 24, by striking out the bracket before "Any"

Amend Sec. 16.2 (Sec. 901), page 83, line 3, by striking out "]" (Reserved)."]

Amend Sec. 16.2 (Sec. 901), page 83, line 24, by striking out the bracket before "without"

Amend Sec. 16.2 (Sec. 901), page 83, line 25, by striking out the bracket after "(b.2)"

Amend Sec. 16.2 (Sec. 901), page 85, by inserting between lines 1 and 2

(15) A representative of boarding kennels.

Amend Sec. 16.2 (Sec. 901), page 85, line 2, by striking out "(15) Eight" and inserting

(16) Seven

Amend Sec. 17 (Sec. 903), page 88, line 10, by striking out "BUREAU OF DOG LAW ENFORCEMENT" and inserting

department

Amend Sec. 17 (Sec. 903), page 88, line 12, by striking out "LICENSEE" and inserting

kennel owner or operator

Amend Sec. 17 (Sec. 903), page 88, line 14, by inserting after "OWNER"

or operator

Amend Sec. 17 (Sec. 903), page 88, line 22, by striking out "BUREAU OF DOG LAW ENFORCEMENT" and inserting

department

Amend Sec. 17 (Sec. 903), page 88, line 24, by inserting after "OWNER"

or operator

Amend Sec. 17 (Sec. 903), page 88, line 28, by inserting after "OWNER"

or operator

Amend Sec. 17 (Sec. 903), page 89, line 11, by striking out "VIOLATOR" and inserting

person

Amend Sec. 17 (Sec. 903), page 89, line 23, by striking out "BUREAU OF DOG LAW ENFORCEMENT" and inserting

department

Amend Sec. 17 (Sec. 903), page 90, line 21, by striking out "VIOLATORS" and inserting

person's

Amend Sec. 17 (Sec. 903), page 90, line 23, by striking out "VIOLATOR" and inserting

person

Amend Sec. 17 (Sec. 903), page 91, line 21, by inserting after "OF"

both

Amend Sec. 20, page 92, by inserting between lines 23 and 24

(1) The following provisions shall take effect immediately:

(i) This section.

(ii) The addition of section 207(h)(17).

Amend Sec. 20, page 92, line 24, by striking out "(1)" and inserting

(2)

Amend Sec. 20, page 92, line 26, by striking out "(2)" and inserting

(3)

On the question,

Will the House agree to the amendment?

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

Mr. HANNA. Thank you, Mr. Speaker.

As indicated by Chairman Hershey, amendment A08988 is the result of our efforts to try and reach agreement on a number

of issues relating to the Dog Law. While it does resolve a number of issues, and I believe is an agreed-to amendment, and while it also makes a host of technical changes, it does not resolve all the issues and there will be additional amendments that we will have to consider. But I believe this amendment has been agreed to by both sides and does address those issues which we have been able to work out, as well as a host of technical issues as well.

I encourage the members' favorable support. The amendment has the support, I believe, of the prime sponsor as well.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Mackereth Wojnaroski Youngblood

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

The SPEAKER. The House will be at ease.

The House will come to order.

On the question,

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

Mr. **HERSHEY** offered the following amendment No. **A08359**:

Amend Sec. 4 (Sec. 207), page 35, line 30; page 36, lines 1 through 4, by striking out "Lighting in an indoor facility must be at least 10" in line 30, page 35; all of lines 1 through 3 and "including food preparation and storage areas." in line 4, page 36

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Representative Hershey.

Mr. **HERSHEY**. Thank you, Mr. Speaker.

The current kennel regulations require lighting in all indoor kennels to be sufficient to allow observation of the physical condition of the dogs as well as sanitary conditions of the facility. There is additional language in HB 2525 which provides more detail on lighting standards, including that there must be sufficient lighting to allow for observation of the dogs at night.

I am happy to support these provisions, as I believe they provide for a better atmosphere to ensure the health of the dogs to provide for quality inspection. However, Mr. Speaker, there are some provisions in HB 2525 that would require specific foot-candles of light for commercial kennels.

Now, I am not a lighting expert, but I had to find out what a foot-candle of light is. It is a unit that indicates the density of light that falls on a surface. I have also learned that the term "foot-candle" is an older unit based on English measurements and is actually now obsolete. It has been replaced with a metric unit called lux. Both foot-candles and lux are measurements of illuminance.

Mr. Speaker, while it may or may not be necessary to specify the amount of light provided in a commercial kennel, I question whether a foot-candle is an appropriate unit to use. Regardless, the language on pages 35 and 36 would require a commercial kennel owner, who wishes to be in compliance, to purchase and learn how to properly use a meter that measures foot-candles. A quick Internet search reveals that meters can be purchased anywhere from \$50 to \$500.

It seems that each kennel inspector would also have to carry a light-measuring meter. The measurement is done by holding

the meter underneath the light source, but the measurement varies depending upon the distance the meter is from the light source. I am concerned that a commercial kennel owner may hold a meter in one position to get a reading and the kennel inspector might hold it in a different position and get a different reading. A commercial kennel owner who believes he is in compliance may find himself with an unexpected citation.

I am also concerned that specific foot-candles of light are only required of commercial kennel owners. If the numbers of foot-candles specified are considered to be the standard for commercial kennels, would it not be important for all kennel owners to have the same amount of light to observe the condition of dogs and ensure cleanliness? Therefore, Mr. Speaker, I offer amendment 08359 to remove the references to foot-candles of light that would only be required for commercial kennels.

This amendment is supported by the Pennsylvania Veterinary Medical Association. I do support the other provisions for lighting that are contained in the bill, and, Mr. Speaker, I move that we accept this amendment A08359 and ask for your support.

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

Mr. **CASORIO**. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A08359.

Mr. Speaker, foot-candle, the term "foot-candle" usage, is a traditional standard of light measurement. Mr. Speaker, the National Institutes of Health uses foot-candles in their guidelines for construction of animal facilities, and, Mr. Speaker, a foot-candle is measurable via a light meter. Minimum lighting must be available to ensure that dogs or kennel workers, Mr. Speaker, are not injured in caring for the dogs as well as to allow for inspection of the dogs and facilities.

Mr. Speaker, there is no standard now for lighting, no minimum standard for lighting, and there would be no way to measure lighting, Mr. Speaker, without the provisions in HB 2525. A vote against this amendment, Mr. Speaker, would make sure that dogs housed in commercial kennels have minimum lighting, and it would remove all specific minimum lighting standards. With no minimum lighting standards, Mr. Speaker, to follow, the department will be unable to prosecute for a lack of sufficient lighting. Mr. Speaker, this is basic, this is widely held, and we need to ensure that there is some standard of lighting. We are adopting the National Institutes of Health foot-candle standard to ensure for the safety of the animals and for those that work in these facilities.

Mr. Speaker, this amendment eliminates minimum measurable lighting standards, and I would ask for a "no" vote on amendment 8359. Thank you, Mr. Speaker.

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

I join the prime sponsor in opposing amendment A08359.

I agree, as the prime sponsor has indicated, that "foot-candles" is a term that is used by the National Institutes of Health. It is a measurable way of determining the amount of light. It is necessary, and this amendment would remove that.

It would replace it with language that essentially is unenforceable. The amendment would establish a standard that, quote, is something well enough to "permit routine inspection." While that may sound like it makes sense, it would certainly be far too subjective to be sufficient in a court of law.

So the amendment, while well intended, creates a standard that would be essentially unenforceable. We need to retain the foot-candle provision, and I oppose this amendment and ask members to oppose it as well.

Thank you, Mr. Speaker.

The SPEAKER. The House will please come to order. Members will take their seats. Conferences will break up. Conferences on the floor will please break up. Conferences in the side aisles will please break up.

Is there any member seeking recognition on the amendment before the Chair recognizes the prime sponsor?

Representative Hershey is recognized for the second time on the amendment.

Mr. HERSHEY. Mr. Speaker, I think the lighting measurement and that entails more burden on the owner. We have a lot of good dog breeders, and we do not want to put them out of business. This is another cost that is not necessary. I support lighting, but not to this extent.

I ask for support for the amendment.

The SPEAKER. Representative Casorio on the amendment.

Mr. CASORIO. Thank you, Mr. Speaker.

In 30 seconds or less, this would give the department the ability to enforce the Dog Law as in HB 2525. It is a measurable, definable standard, and without a measurable standard, Mr. Speaker, there can be no enforcement.

I ask for a "no" vote on this amendment. Thank you, sir.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—74

Argall	Fairchild	Mensch	Reed
Baker	Fleck	Metcalfe	Reichley
Bastian	Geist	Millard	Roae
Bear	Gingrich	Miller	Rock
Benninghoff	Harhart	Moul	Rohrer
Boback	Harris	Mustio	Saylor
Boyd	Helm	Nickol	Smith, S.
Brooks	Hennessey	Payne	Sonney
Cappelli	Hershey	Peifer	Steil
Causar	Hess	Perry	Stern
Clymer	Hickernell	Perzel	Stevenson
Cox	Hutchinson	Phillips	Swanger
Creighton	Keller, M.K.	Pickett	Taylor, J.
Cutler	Maher	Pyle	True
Dally	Major	Quigley	Turzai
Denlinger	Mantz	Quinn	Vulakovich
Ellis	Marshall	Rapp	Watson
Evans, J.	Marsico	Raymond	Yewcic
Everett	McIlhattan		

NAYS—126

Adolph	Galloway	Mahoney	Sainato
Barrar	George	Manderino	Samuelson
Belfanti	Gerber	Mann	Santoni
Bennington	Gergely	Markosek	Scavello
Beyer	Gibbons	McCall	Schroder
Biancucci	Gillespie	McGeehan	Seip
Bishop	Godshall	McI. Smith	Shapiro
Blackwell	Goodman	Melio	Shimkus
Brennan	Grell	Micozzie	Siptroth
Buxton	Grucela	Milne	Smith, K.
Caltagirone	Haluska	Moyer	Smith, M.
Carroll	Hanna	Mundy	Solobay

Casorio	Harhai	Murt	Staback
Civera	Harkins	Myers	Stairs
Cohen	Harper	Nailor	Sturla
Conklin	Hornaman	O'Brien, M.	Surra
Costa	James	O'Neill	Tangretti
Cruz	Josephs	Oliver	Taylor, R.
Curry	Kauffman	Pallone	Thomas
Daley	Keller, W.	Parker	Vereb
DeLuca	Kenney	Pashinski	Vitali
DePasquale	Kessler	Payton	Wagner
Dermody	Killion	Petrarca	Walko
DeWeese	King	Petri	Wansacz
DiGirolamo	Kirkland	Petrone	Waters
Donatucci	Kortz	Preston	Wheatley
Eachus	Kotik	Ramaley	White
Evans, D.	Kula	Readshaw	Williams
Fabrizio	Leach	Roebuck	Yudichak
Frankel	Lentz	Ross	
Freeman	Levdansky	Rubley	O'Brien, D., Speaker
Gabig	Longiotti	Sabatina	

NOT VOTING—0

EXCUSED—3

Mackereth	Wojnaroski	Youngblood
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Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

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

Mr. HERSHEY offered the following amendment No. **A08361:**

Amend Sec. 4 (Sec. 207), page 39, line 14, by inserting after "measured"

in a straight line

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Representative Hershey.

Mr. HERSHEY. Thank you, Mr. Speaker.

Amendment A08361 addresses a problem that exists under current law and regulations that HB 2525 does nothing to correct.

Under the law, the minimum size of the primary enclosure for a dog is determined by a formula based upon the length of the dog, from the tip of his nose to the base of his tail plus 6 inches. Now, the same measurement is used in HB 2525 to calculate the size of an enclosure for dogs housed in commercial kennels. Any reasonable person would understand that this length should be measured on a straight line.

The USDA (United States Department of Agriculture) and others, airline companies, have drawings on how to properly measure a dog. However, it has come to my attention that some kennel inspectors are using a flexible tape and measure the length of the dog by following the contour of the dog's head and back. This obviously results in a greater distance and, therefore, a larger cage size. This potential method of measuring conflict

creates just one more reason to cite a commercial kennel owner for a violation they did not know they had committed. Is this the way we want to treat those who are truly making efforts to meet the standards? Therefore, as inconsequential as it sounds, I believe it is important that this measurement be clearly standardized so that everyone measures dogs in the same manner. A08361 simply requires that the measurement be taken in a straight line.

The Pennsylvania Veterinary Medical Association supports this amendment, and I thank the members for their support of this amendment.

The SPEAKER. Representative Casorio on the amendment.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A08361. Simply stated, Mr. Speaker, if we are going to state things simplistically, this amendment would take space away from dogs in already crammed quarters. We are establishing a standard and we are taking space away from dogs, which is counter to the intent of HB 2525, Mr. Speaker.

The synopsis is that it reduces the amount of space required in cages. It would decrease the proposed increase of floor space for dogs in commercial kennels. It would require that a dog be measured from the tip of their nose to the base of their tail in a straight line rather than following the curve of its neck and back, which is currently done, Mr. Speaker. That would result in smaller cages and a cage size that is determined by the length of the dog.

Mr. Speaker, these dogs spend their entire lives in crammed quarters. We would make those quarters even smaller. This is a standard, it would take away space, and it runs counter to HB 2525 and the intent of the entire bill.

I would ask for a "no" vote on amendment 8361. Thank you, Mr. Speaker.

The SPEAKER. Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I agree with the prime sponsor. This amendment is an attack on the prime purpose of the legislation, which is to require more space for the dogs.

The bottom line here is that you need an objective standard, and the bill does provide an objective standard. It may not be the objective standard that the prime sponsor of the amendment would like, but there is an objective standard here that is measurable and can be enforced.

So we are asking for a "no" vote on the amendment since the amendment attacks the prime purpose of the bill, which is to provide more space for dogs, and this amendment would reduce that amount.

Thank you, Mr. Speaker.

The SPEAKER. Is there any member seeking recognition before the Chair recognizes the prime sponsor of the amendment?

Representative Hershey for the second time.

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

I want to state this right now: We have a lot of good breeders in Pennsylvania, and I know there are people in certain parts of the State who do not like dog breeders. But they use these dogs and puppies to pay their taxes, to give their children work to do, and we have a lot of good breeders, and we just keep— They built their pens, some of them I visited built their pens 5 years ago. The pen size was according to the USDA, and they felt that this was the standard and that is what they have. They have agreed to make their pens larger, but all these different little

things coming up is just going to be harder and harder for them to meet, and I think this does not make much sense because their pens are built according to the USDA standards, and I ask for support for this amendment.

The SPEAKER. Representative Casorio on the amendment.

Mr. CASORIO. Thank you, Mr. Speaker.

Again in 30 seconds or less, HB 2525, the intent is to protect the dogs and, Mr. Speaker, to protect the good breeders; I could not agree more with the gentleman. This amendment reduces the amount of space required in cages for dogs, and I would ask for a "no" vote.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—62

Argall	Ellis	Major	Reed
Baker	Evans, J.	McIlhatten	Reichley
Barrar	Everett	Mensch	Roae
Bastian	Fairchild	Metcalfe	Rohrer
Bear	Fleck	Millard	Saylor
Benninghoff	Geist	Miller	Schroder
Boyd	Gillespie	Moul	Smith, S.
Brooks	Gingrich	Nickol	Sonney
Cappelli	Harhart	Perry	Stairs
Causar	Harris	Perzel	Steil
Clymer	Helm	Phillips	Stern
Cox	Hennessey	Pickett	Stevenson
Creighton	Hershey	Pyle	Swanger
Cutler	Hess	Quigley	Taylor, J.
Dally	Hickernell	Rapp	Turzai
Denlinger	Hutchinson		

NAYS—138

Adolph	Gergely	Marshall	Sabatina
Belfanti	Gibbons	Marsico	Sainato
Bennington	Godshall	McCall	Samuelson
Beyer	Goodman	McGeehan	Santoni
Bianucci	Grell	McI. Smith	Scavello
Bishop	Grucela	Melio	Seip
Blackwell	Haluska	Micozzie	Shapiro
Boback	Hanna	Milne	Shimkus
Brennan	Harhai	Moyer	Siproth
Buxton	Harkins	Mundy	Smith, K.
Caltagirone	Harper	Murt	Smith, M.
Carroll	Hornaman	Mustio	Solobay
Casorio	James	Myers	Staback
Civera	Josephs	Nailor	Sturla
Cohen	Kauffman	O'Brien, M.	Surra
Conklin	Keller, M.K.	O'Neill	Tangretti
Costa	Keller, W.	Oliver	Taylor, R.
Cruz	Kenney	Pallone	Thomas
Curry	Kessler	Parker	True
Daley	Killion	Pashinski	Vereb
DeLuca	King	Payne	Vitali
DePasquale	Kirkland	Payton	Vulakovich
Dermody	Kortz	Peifer	Wagner
DeWeese	Kotik	Petrarca	Walko
DiGirolamo	Kula	Petri	Wansacz
Donatucci	Leach	Petrone	Waters
Eachus	Lentz	Preston	Watson
Evans, D.	Levdansky	Quinn	Wheatley
Fabrizio	Longietti	Ramaley	White
Frankel	Maher	Raymond	Williams
Freeman	Mahoney	Readshaw	Yewcic
Gabig	Manderino	Rock	Yudichak
Galloway	Mann	Roebuck	

George Gerber	Mantz Markosek	Ross Rubley	O'Brien, D., Speaker
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NOT VOTING—0

EXCUSED—3

Mackereth	Wojnaroski	Youngblood
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Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

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

Mr. **HERSHEY** offered the following amendment No. **A08362**:

Amend Sec. 4 (Sec. 207), page 39, lines 24 and 25, by striking out "must be placed no higher than 12 inches above the floor of the housing facility and"

On the question,

Will the House agree to the amendment?

The **SPEAKER**. The Chair recognizes Representative Hershey.

Mr. **HERSHEY**. This one I want everyone to pay attention to, as I did the other ones, but this one is a little different, Mr. Speaker.

Amendment A08362 relates to the section of the bill which prohibits the stacking of primary enclosures for adult dogs in commercial kennels. I have no problem, Mr. Speaker, with prohibiting the stacking of enclosures and honestly believe that it is a practice not nearly as prevalent as some would have us to believe.

I do, however, understand another requirement in this same provision that mandates – and I am going to quote directly from the bill – "Primary enclosures must be placed no higher than 12 inches above the floor of the housing facility...." I find this rather arbitrary and do not even understand the logic of this requirement. Other parts of the bill specify enclosure size based upon the size of the dog. Thus, these enclosures might be of various sizes, some smaller than others for mature dogs of smaller breeds.

With the provision in the bill to prohibit the enclosure from being more than a foot off the facility floor, the top of the enclosure might be barely at waist level. Certainly this is not conducive to effective observation or care of the dog. In fact, I would argue that it is detrimental to that goal.

This arbitrary height restriction makes no sense whatsoever to me, and in no conversations I had on this bill have I received a satisfactory explanation for why it is included. Therefore, Mr. Speaker, I believe it falls under the category of just one more reason to cite a commercial kennel for a violation and a potential revocation of a license.

Again, this provision only applies to commercial kennel owners. Height of enclosures for dogs in other types of kennels is not specified.

Mr. Speaker, the Veterinary Medical Association supports this amendment, and I ask the members to support A08362, which strikes this arbitrary height. Again, a small dog kennel 12 inches off the floor would not even be more than about your belt, so how are you going to observe your dog and how it is doing when you can have it that low to the ground?

I ask for support for this amendment.

The **SPEAKER**. On the amendment, the Chair recognizes Representative Casorio.

Mr. **CASORIO**. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A08362. This amendment eliminates the requirement that primary enclosures be placed no higher than 12 inches off the floor. It essentially allows for the stacking of cages, Mr. Speaker. That would be something that HB 2525 sets out to eliminate, the stacking of cages.

A vote for this amendment is a vote to allow dogs to be housed in enclosures as small as rabbit hutches, Mr. Speaker. This amendment removes the requirement that primary enclosures be placed no higher than 12 inches off the floor of the facility. That would take into account draining and grade of a floor, Mr. Speaker. The department also believes that this is the first step to chip away, as I believe, and to knock out the stacking restriction, Mr. Speaker.

Again, this would essentially allow for the stacking of cages, and I would ask for a negative vote on amendment 8362. Thank you, Mr. Speaker.

The **SPEAKER**. Representative Hanna.

Mr. **HANNA**. Thank you, Mr. Speaker.

I join the prime sponsor in asking for a negative vote. I agree with him that this is the first step to restoring the ability to stack cages, and for that reason we are opposed to this. That was one of the primary objectives of this legislation, to make sure that that could not happen.

So we would oppose amendment A08362 and ask for a negative vote. Thank you, Mr. Speaker.

The **SPEAKER**. Representative Bastian.

Mr. **BASTIAN**. Thank you, Mr. Speaker.

Mr. Speaker, it is obvious that the PVMA (Pennsylvania Veterinary Medical Association) is not going to be listened to in this discussion.

I want to explain to people that the PVMA is about 1900 members strong across Pennsylvania. They have a legislative committee that looked at all of these amendments and this bill in total. They have had various meetings over the past 3 or 4 weeks to discuss these amendments.

This legislative committee is made up of members of the profession from not only the research department but the pharmaceutical department, the industrial veterinarians, veterinarians in practice, veterinarians that teach. It is a widespread cross-section of the veterinary profession that has looked at these amendments.

Now, I am not sure why members in this body are not listening to what the PVMA says about these amendments and voting with their emotions rather than the science of veterinary medicine. I would ask for a positive vote on this amendment. Thank you.

The **SPEAKER**. Is there any member seeking recognition before the Chair recognizes the prime sponsor? Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

While I agree with the previous speaker that the PVMA's opinion on this legislation and these amendments is important, we are concerned here. We respect the PVMA's opinion when it comes to their expertise on the care of dogs, but this bill is also designed to help us fix the major problems that we have had with enforcement of this law. We have had difficulties with the existing law, and we are concerned about the new provisions. We want them to be enforceable in a court of law.

And while we may agree with PVMA on many issues with respect to the care of dogs, we are not sure that they fully understand our ability to enforce this law in a court of law. That is where our concerns come in with some of their recommendations. This is one of those recommendations. In order for us to effectively enforce this law, we cannot accept an amendment that would change the ability or change the regulation, change the legislation that we have prepared here today.

So again, while we agree with the PVMA on the care of dogs, we are concerned that their opinion does not reflect a full understanding of our ability to enforce that law in a court of law.

Thank you, Mr. Speaker. I would oppose the amendment and would ask for a negative vote.

The SPEAKER. Representative Bastian, for the second time.

Mr. BASTIAN. Thank you, Mr. Speaker.

Mr. Speaker, I respect the opinion of the majority chair of the Ag Committee. However, when he talks about enforcement, I think the body has to realize that in the past 18 months, some more than 20 licenses have been revoked from dog breeders because they are not abiding by the law. More than 600 citations have been written in the past 18 months because current dog breeders are not abiding by the law.

I think enforcement has been increased, and that is good. I am not saying that 2525 does not have some good parts in it, but I think still the veterinary profession has not been listened to in what their recommendations are about this bill, and I would definitely ask for a positive vote on this amendment.

The SPEAKER. Representative Moul.

Representative Hershey, for the second time.

Mr. HERSHEY. Mr. Speaker, this has nothing to do with stacking. This does not remove the provision in the bill that prohibits stacking. It just gets the kennel up a little higher so it can be observed. I do not understand the language that the previous speakers on the other side of the aisle made comment on. Stacking is against the law in this provision, and this does not take it out. It just raises it higher so the people working in the kennels can see the dog.

A little dog, are you going to get down on your knees to peer in to it? I do not understand the opposition to this. And it does not take away the requirement or the provision that disallows stacking. Stacking is against the law anyway.

Thank you. I ask for your support.

The SPEAKER. Representative Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, two points, briefly.

One, this would eliminate the requirement that primary enclosures be placed no higher than 12 inches off the floor. It would eliminate the requirement that enclosures be placed no higher than 12 inches off the floor. That would allow for stacking, Mr. Speaker.

And, Mr. Speaker, we do respect, as the chairman of the Agriculture Committee has stated many times before, the opinion of the PVMA. Fact be told, Mr. Speaker, that the PVMA along with countless stakeholders has been at the table to do negotiations of 2525 for months and months and months and months.

It is my understanding, Mr. Speaker, that the PVMA agrees with some items of the bill but disagrees on this item. Their contributions and discussions have been taken into consideration, and I would ask that a negative vote be cast on 8362.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—65

Baker	Fleck	Major	Reed
Barrar	Gabig	Marsico	Reichley
Bastian	Geist	Mensch	Roae
Bear	Gillespie	Metcalfe	Rock
Benninghoff	Gingrich	Millard	Rohrer
Boyd	Harhart	Miller	Saylor
Brooks	Harper	Moul	Smith, S.
Causer	Harris	Nickol	Sonney
Clymer	Hennessey	Peifer	Stairs
Cox	Hershey	Perry	Steil
Creighton	Hess	Perzel	Stern
Cutler	Hickernell	Phillips	Stevenson
Dally	Hutchinson	Pickett	Sturla
Denlinger	Kauffman	Pyle	Swanger
Evans, J.	Keller, M.K.	Quinn	Turzai
Everett	Maher	Rapp	Yewcic
Fairchild			

NAYS—135

Adolph	George	Marshall	Sainato
Argall	Gerber	McCall	Samuelson
Belfanti	Gergely	McGeehan	Santoni
Bennington	Gibbons	McI. Smith	Scavello
Beyer	Godshall	McIlhattan	Schroder
Bianucci	Goodman	Melio	Seip
Bishop	Grell	Micozzie	Shapiro
Blackwell	Grucela	Milne	Shimkus
Boback	Haluska	Moyer	Siproth
Brennan	Hanna	Mundy	Smith, K.
Buxton	Harhai	Murt	Smith, M.
Caltagirone	Harkins	Mustio	Solobay
Cappelli	Helm	Myers	Staback
Carroll	Hornaman	Nailor	Surra
Casorio	James	O'Brien, M.	Tangretti
Civera	Josephs	O'Neill	Taylor, J.
Cohen	Keller, W.	Oliver	Taylor, R.
Conklin	Kenney	Pallone	Thomas
Costa	Kessler	Parker	True
Cruz	Killion	Pashinski	Vereb
Curry	King	Payne	Vitali
Daley	Kirkland	Payton	Vulakovich
DeLuca	Kortz	Petrarca	Wagner
DePasquale	Kotik	Petri	Walko
Dermody	Kula	Petrone	Wansacz
DeWeese	Leach	Preston	Waters
DiGirolo	Lentz	Quigley	Watson
Donatucci	Levdansky	Ramaley	Wheatley
Eachus	Longiotti	Raymond	White
Ellis	Mahoney	Readshaw	Williams
Evans, D.	Manderino	Roebuck	Yudichak
Fabrizio	Mann	Ross	

Frankel
Freeman
Galloway

Mantz
Markosek

Rubley
Sabatina

O'Brien, D.,
Speaker

NOT VOTING—0

EXCUSED—3

Mackereth

Wojnaroski

Youngblood

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

On the question recurring,

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

Mr. **HERSHEY** offered the following amendment No. **A08538**:

Amend Sec. 17 (Sec. 903), page 89, by inserting between lines 26 and 27

(4) Under no circumstance shall the civil penalty assessed against a kennel owner under this section exceed \$10,000 in the aggregate.

On the question,

Will the House agree to the amendment?

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

Mr. **HERSHEY**. Thank you, Mr. Speaker.

This bill establishes new provisions to authorize the Department of Agriculture— The number was wrong. The number is right now? Is that right? 08538? Thank you, Mr. Speaker.

This bill establishes new provisions to authorize the Department of Agriculture to level civil penalties on any kennel owner in lieu of criminal penalties or if criminal penalties are not ultimately assigned.

Mr. Speaker, I believe this is another method of the Department of Agriculture to use to put these kennels out of business. I am wholeheartedly supportive of assessing criminal penalties on people who violate the law. Imposing civil penalties seems excessive, especially in amounts of up to \$1,000 per offense per day. Therefore, Mr. Speaker, I offer A08538 to limit civil penalties to \$10,000 per kennel.

I ask for your support.

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

Mr. **CASORIO**. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A08538.

This amendment adds language to HB 2525 that states, quote, "Under no circumstance shall the civil penalty assessed against a kennel owner under this section exceed \$10,000 in the aggregate." Mr. Speaker, we are, through this process, not trying to put good kennels out of business; we are trying to protect good kennels and good kennel owners, Mr. Speaker.

A civil penalty is indeed intended to incent the person to gain compliance. That is why fines are usually assessed, Mr. Speaker, for each continuing day of the violation. If the

penalty amount is capped, as the gentleman would have it, a kennel owner with a large and lucrative business has absolutely no incentive to fix the problems once the cap amount has been reached. To some, it could simply become a normal cost of doing business, Mr. Speaker. Civil penalties are needed to accrue to do exactly what the gentleman would have us do, punish the bad actors and protect the good kennel owners, Mr. Speaker.

I would ask for a negative vote on amendment 8538. Thank you, Mr. Speaker.

The SPEAKER. Representative Hanna.

Mr. **HANNA**. Thank you, Mr. Speaker.

I would agree with the prime sponsor and ask for a negative vote on amendment A08538.

I would simply add that civil penalties are already limited by a penalty matrix and that the first violation must be a warning along with a reasonable time period to correct the problem prior to a monetary penalty being assessed. We believe that the bill adequately addresses this matter, and I would ask for a negative vote on amendment A08538.

The SPEAKER. Representative Lentz.

Mr. **LENTZ**. Thank you, Mr. Speaker.

I would just echo the comments of my colleagues. Essentially what this amendment would do would be to reward bulk violations. This is obviously a commercial industry that we are attempting to regulate here. We are talking about an industry that sells dogs for anywhere from \$200 to \$1500 per dog, and the higher the volume, obviously the higher the profit. So what we would be doing by capping the ability of the Department of Agriculture to penalize breeders that violate the law is to essentially make such violations the cost of doing business.

So it should not be capped. They should retain the ability to punish those that abuse on a large scale with large civil penalties, and I would ask my colleagues to vote against this amendment. Thank you.

The SPEAKER. Is there any member seeking recognition before the Chair recognizes the prime sponsor of the amendment?

Representative Hershey.

Mr. **HERSHEY**. Thank you, Mr. Speaker.

I want to let the audience know, the department aggressively started policing the existing Dog Law last year and over 21 permits were lifted. And that law is working; it just needed to be enforced.

This penalty, I think, is very, very excessive. I ask for your support.

The SPEAKER. Will the House agree to the amendment? Representative Casorio.

Mr. **CASORIO**. Thank you, Mr. Speaker.

Again, we are penalizing the bad kennel owners, those that would violate the law, while protecting the good kennel owners, Mr. Speaker. If this amendment were to pass, it would cap the fines, and if the penalty amount is capped, Mr. Speaker, a kennel owner, again, with a large and lucrative business, has absolutely zero incentive to fix the problems once the cap has been reached, and again, it could become simply a normal cost of doing business.

I would ask for a negative vote on amendment 8538. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—55

Baker	Evans, J.	Hess	Pickett
Bastian	Everett	Hickernell	Rapp
Bear	Fairchild	Hutchinson	Roae
Benninghoff	Fleck	Kauffman	Rock
Boyd	Gabig	Keller, M.K.	Saylor
Brooks	Geist	Major	Smith, S.
Cappelli	Gillespie	Mantz	Sonney
Causar	Gingrich	Marsico	Stairs
Clymer	Grell	Metcalfe	Stern
Cox	Harhart	Millard	Stevenson
Creighton	Harris	Moul	Swanger
Cutler	Helm	Nailor	Turzai
Dally	Hennessey	Perzel	Yewcic
Denlinger	Hershey	Phillips	

NAYS—145

Adolph	Gergely	Mensch	Sainato
Argall	Gibbons	Micozzie	Samuelson
Barrar	Godshall	Miller	Santoni
Belfanti	Goodman	Milne	Scavello
Bennington	Grucela	Moyer	Schroder
Beyer	Haluska	Mundy	Seip
Bianucci	Hanna	Murt	Shapiro
Bishop	Harhai	Mustio	Shimkus
Blackwell	Harkins	Myers	Siptroth
Boback	Harper	Nickol	Smith, K.
Brennan	Hornaman	O'Brien, M.	Smith, M.
Buxton	James	O'Neill	Solobay
Caltagirone	Josephs	Oliver	Staback
Carroll	Keller, W.	Pallone	Steil
Casorio	Kenney	Parker	Sturla
Civera	Kessler	Pashinski	Surra
Cohen	Killion	Payne	Tangretti
Conklin	King	Payton	Taylor, J.
Costa	Kirkland	Peifer	Taylor, R.
Cruz	Kortz	Perry	Thomas
Curry	Kotik	Petrarca	True
Daley	Kula	Petri	Vereb
DeLuca	Leach	Petrone	Vitali
DePasquale	Lentz	Preston	Vulakovich
Dermody	Levdansky	Pyle	Wagner
DeWeese	Longiatti	Quigley	Walko
DiGirolamo	Maher	Quinn	Wansacz
Donatucci	Mahoney	Ramaley	Waters
Eachus	Manderino	Raymond	Watson
Ellis	Mann	Readshaw	Wheatley
Evans, D.	Markosek	Reed	White
Fabrizio	Marshall	Reichley	Williams
Frankel	McCall	Roebuck	Yudichak
Freeman	McGeehan	Rohrer	
Galloway	McL. Smith	Ross	O'Brien, D.,
George	McIlhattan	Rubley	Speaker
Gerber	Melio	Sabatina	

NOT VOTING—0

EXCUSED—3

Mackereth	Wojnaroski	Youngblood
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Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

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

Mr. MOUL offered the following amendment No. **A08351**:

Amend Sec. 15 (Sec. 503-A), page 67, lines 21 through 29, by striking out all of lines 21 through 28 and "(5)" in line 29 and inserting (4)

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

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

Mr. MOUL. Mr. Speaker, I respectfully withdraw this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. MOUL offered the following amendment No. **A08369**:

Amend Sec. 4 (Sec. 207), page 39, lines 5 and 6, by striking out all of said lines and inserting (17) A dog may be euthanized by a veterinarian or humanely killed.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes Representative Moul.

Mr. MOUL. I also respectfully withdraw this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. MOUL offered the following amendment No. **A08375**:

Amend Sec. 7 (Sec. 211), page 45, line 4, by inserting after "has" acted

Amend Sec. 7 (Sec. 211), page 45, line 5, by striking out "violated" and inserting been convicted of violating

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

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

Mr. MOUL. And once again, Mr. Speaker, I respectfully withdraw this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. MOUL offered the following amendment No. **A08378**:

Amend Sec. 7 (Sec. 211), page 44, lines 4 and 5, by striking out "FAILED TO" in line 4 and all of line 5 and inserting [this act] been convicted of any violation of this act:

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

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

Mr. MOUL. Thank you, Mr. Speaker.

The current law has provisions to authorize the Secretary of Agriculture to refuse or revoke a kennel license, any kennel license, if a person is convicted of a violation of the Dog Law. HB 2525, however, changes this standard to authorize a refusal or revocation of a kennel license for any person who has failed to comply with the Dog Law.

Mr. Speaker, it seems that failing to comply with the act is an ambiguous standard that could mean almost anything. If a person was cited for not having an individual dog license, he has failed to comply with the law, but whether or not that citation becomes a valid conviction in court determines whether the dog owner was actually found to be in violation of the law.

Under the language in HB 2525, someone who is merely cited for not licensing their individual dog could be refused a kennel license. My amendment, A08378, restores the current standard for any conviction – operative word being "conviction" – of the Dog Law before the Secretary has the authority to use that information in refusing or revoking a kennel license.

The SPEAKER. Representative Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A08378. Mr. Speaker, this amendment would substantially change HB 2525 in a way that would hinder the department's ability to revoke or deny a kennel license of a commercial kennel owner violating the Dog Law.

Mr. Speaker, simply and straightforwardly put, requiring a conviction rather than a violation, as the gentleman would have, to happen before a license revocation can occur would enable a kennel owner to continuously operate a kennel while appealing court decisions so that there is never a conviction for the department to act on. Appeals can go on for years, during which time dogs in kennels are suffering with the department helpless to do anything about it, Mr. Speaker.

HB 2525 as proposed allows a kennel owner to appeal that refusal or revocation and can request an administrative hearing on the determination, during which time the kennel owner can continue to operate under conditions during the appeal. Therefore, Mr. Speaker, there is no denial of due process under HB 2525, and I would ask for a negative vote on amendment A08378.

Thank you, Mr. Speaker.

The SPEAKER. Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I join with the prime sponsor in opposing this amendment.

Two points that I would like to make. One, obviously if a kennel owner appeals a violation, the kennel, under this amendment, would be allowed to continue to operate. Essentially that would create a situation where an appeal that drags on for years would allow horrible conditions to continue

while that appeal drug on. Clearly, that is not what we want. As pointed out by the prime sponsor, if the license were denied or revoked as a result of the violation, the kennel then has the right to appeal that through the administrative process and a determination can be made more expeditiously whether the license should have been revoked or denied while the appeal of the other charges continued.

In addition, it is important to note that this amendment would require a conviction. A conviction is a criminal offense, and by requiring a conviction, this essentially would prohibit the department from revoking or denying a kennel license when there has been a civil violation and a civil penalty imposed.

While I understand the sponsor's intent and I respect his intent, the amendment leads to some bad consequences that we cannot accept, and I would strongly urge a "no" vote on the amendment. Thank you, Mr. Speaker.

The SPEAKER. Representative Lentz.

Mr. LENTZ. Mr. Speaker, just two points.

One, there was an argument made with regard to an individual dog owner not obtaining a license or violating some aspect of this law. Keep in mind that this law is written to apply specifically to those in the commercial breeding business. So it would not apply to an individual dog owner and whether or not they purchased a license for their dog. This would apply to people that sell or transfer 60 or more dogs a year for commercial purposes.

Secondly, this is consistent with the current existing regulations. What the amendment would do, as Chairman Hanna said, is elevate the standard, an administrative standard, to a standard of reasonable doubt and criminal conviction, which would severely hinder the ability of this administrative agency to carry out its duty.

So I would urge the members to reject this amendment.

The SPEAKER. Is there any member seeking recognition before the Chair recognizes the prime sponsor?

Representative Moul, for the second time.

Mr. MOUL. Thank you, Mr. Speaker.

In contradiction to the last speaker, 60 dogs in this case is not the magic number. You sell 1 dog commercially, whether you have 60 or whether you have 3 or 1, you are considered a commercial breeder or in the commercial dog business. Therefore, any violation would throw you into this.

I am a sole believer in due process and that you are innocent until proven guilty in a court of law. The ability to punish someone, to literally hinder or take their business away from them without due process, I feel is wrong. So I would ask for an affirmative vote. Thank you.

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

The following roll call was recorded:

YEAS—57

Argall	Gillespie	Mantz	Pyle
Baker	Gingrich	Marsico	Rapp
Barrar	Grell	McIlhattan	Reed
Bastian	Harhart	Mensch	Reichley
Brooks	Harris	Metcalfe	Roae
Causer	Helm	Millard	Rock
Clymer	Hennessey	Miller	Saylor
Creighton	Hershey	Moul	Smith, S.

Dally	Hess	Nickol	Sonney
Denlinger	Hutchinson	Peifer	Stairs
Evans, J.	Kauffman	Perry	Stern
Everett	Keller, M.K.	Perzel	Stevenson
Fleck	Maher	Phillips	Swanger
Gabig	Major	Pickett	Turzai
Geist			

NAYS—143

Adolph	Frankel	Marshall	Samuelson
Bear	Freeman	McCall	Santoni
Belfanti	Galloway	McGeehan	Scavello
Benninghoff	George	McI. Smith	Schroder
Bennington	Gerber	Melio	Seip
Beyer	Gergely	Micozzie	Shapiro
Biancucci	Gibbons	Milne	Shimkus
Bishop	Godshall	Moyer	Siptroth
Blackwell	Goodman	Mundy	Smith, K.
Boback	Grucela	Murt	Smith, M.
Boyd	Haluska	Mustio	Solobay
Brennan	Hanna	Myers	Staback
Buxton	Harhai	Nailor	Steil
Caltagirone	Harkins	O'Brien, M.	Sturla
Cappelli	Harper	O'Neill	Surra
Carroll	Hickernell	Oliver	Tangretti
Casorio	Hornaman	Pallone	Taylor, J.
Civera	James	Parker	Taylor, R.
Cohen	Josephs	Pashinski	Thomas
Conklin	Keller, W.	Payne	True
Costa	Kenney	Payton	Vereb
Cox	Kessler	Petrarca	Vitali
Cruz	Killion	Petri	Vulakovich
Curry	King	Petrone	Wagner
Cutler	Kirkland	Preston	Walko
Daley	Kortz	Quigley	Wansacz
DeLuca	Kotik	Quinn	Waters
DePasquale	Kula	Ramaley	Watson
Dermody	Leach	Raymond	Wheatley
DeWeese	Lentz	Readshaw	White
DiGirolamo	Levdansky	Roebuck	Williams
Donatucci	Longietti	Rohrer	Yewcic
Eachus	Mahoney	Ross	Yudichak
Ellis	Manderino	Rublely	
Evans, D.	Mann	Sabatina	O'Brien, D.,
Fabrizio	Markosek	Sainato	Speaker
Fairchild			

NOT VOTING—0

EXCUSED—3

Mackereth	Wojnaroski	Youngblood
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Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

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

Mr. **BASTIAN** offered the following amendment No. **A08357**:

Amend Sec. 1 (Sec. 102), page 12, by inserting between lines 4 and 5

"Veterinarian-client-patient relationship." A relationship in which:

(1) the veterinarian has assumed the responsibility for making veterinary medical judgments regarding the health of the animal and the need for veterinary medical treatment; and

(2) the owner or caretaker of the animal has agreed to follow the instructions of the veterinarian.

Amend Sec. 4 (Sec. 207), page 34, lines 14 through 19, by striking out all of said lines and inserting

(5) (i) Each kennel subject to this subsection shall establish a veterinarian-client-patient relationship.

(ii) Each kennel subject to this subsection shall establish a written program of veterinary care, which shall include a physical examination and vaccination schedule, a written exercise plan, a protocol for disease control and prevention, pest and parasite control, nutrition, emergency care, euthanasia, and regularly scheduled visits to the kennel. A copy of the program shall be kept in the kennel records.

Amend Sec. 4 (Sec. 207), page 36, lines 8 through 10, by striking out all of said lines and inserting

(9) The floor of a primary enclosure shall be coated with an impervious material and shall allow for moderate drainage of fluids. The walls and ceilings of indoor housing facilities must be impervious to moisture or be replaceable.

Amend Sec. 4 (Sec. 207), page 39, lines 28 through 30; page 40, lines 1 through 30; page 41, line 1, by striking out all of said lines and inserting

(3) The floor of a primary enclosure shall:

(i) Be coated with an impervious material and shall allow for moderate drainage of fluids.

(ii) Be strong enough so that it does not sag or bend between the structural supports.

(4) The floor of a primary enclosure may have metal strand flooring if the following conditions are met:

(i) The metal strand flooring is coated with a vinyl type of coating or a coating made of similar material.

(ii) The coated metal strand flooring shall be kept in good repair.

(iii) The coated metal strand flooring shall be made of mesh construction that does not allow the dog's feet to pass through any opening in the floor and does not otherwise cause injury to the dog.

(iv) The coated metal strand flooring shall be constructed of sufficient diameter (gauge) to provide a completely rigid floor area sufficient to support the weight of dogs housed in the enclosure.

(5) The floor of a primary enclosure may have slatted flooring if the following conditions are met:

(i) The slatted flooring shall be kept in good repair.

(ii) The slatted flooring shall be of a construction that does not allow the dog's feet to pass through any opening in the floor and does not otherwise cause injury to the dog.

(iii) The slatted flooring shall be constructed to provide a completely rigid floor area sufficient to support the weight of dogs housed in the enclosure.

(6) Each kennel under this subsection shall develop, document, and follow an appropriate plan to provide dogs with the opportunity for exercise as approved by the veterinarian identified by the veterinarian-client-patient relationship. The plan shall include written standard procedures to be followed in providing the opportunity for exercise, and be part of the records of the kennel. The plan, at a minimum, shall comply with each of the following:

(i) Dogs except bitches with litters shall be provided the opportunity for regular exercise.

(ii) The frequency, method, and duration of the opportunity for exercise shall be determined by the veterinarian and shall be provided by access to a run or open area at the frequency and duration prescribed by the

veterinarian. If an exercise area is utilized, it shall comply with the following conditions:

(A) The exercise run must have adequate means to prevent dogs from escaping.

(B) The exercise run fencing must be kept in good repair and be free of rust, jagged edges or other defects that could cause injury to the dogs.

(C) The exercise run shall be cleaned in accordance with the requirements under subsection (h)(14).

(D) Dogs must not be placed in the area in a manner that would cause injury to the dogs.

(E) Compatible dogs, as determined under subsection (h)(4), may be exercised together.

(F) Nursing bitches and their puppies shall be exercised separately from other dogs.

(G) Exercise area ground must be solid and maintainable. Surfaces such as gravel, packed earth and grass which are solid and maintainable may be utilized.

(iii) Forced exercise methods or devices such as swimming, treadmills, or carousel-type devices are unacceptable for meeting the exercise requirements of this paragraph.

(iv) If, in the opinion of the veterinarian, it is inappropriate for certain dogs to exercise because of their health, condition, or well-being, the kennel may be exempted from meeting the requirements of this paragraph for those dogs. Such exemption must be documented by the veterinarian and, unless the basis for exemption is a permanent condition, shall be reviewed at least every 30 days by the veterinarian. Records of any exemptions shall be maintained by the kennel.

(7) Rabies vaccinations may only be administered by or under the supervision of a veterinarian.

On the question,

Will the House agree to the amendment?

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

Mr. BASTIAN. Thank you, Mr. Speaker.

This amendment clearly and appropriately defines a veterinarian-client-patient relationship, which is important to define the role of both the veterinarian and the owner and expresses the responsibility they both assume. With a clear relationship defined, the welfare of the dog through both medical care and owner commitment can be ensured. Each kennel owner will be required to establish such a relationship.

This amendment also requires a written program of veterinary care to clearly establish the needs of each kennel and the dogs cared for there. The written program will require the specific needs of each dog to be met through standard-of-care practices and medical knowledge to maintain the welfare of the dogs. This written program also ensures, at a minimum, that the veterinarian will examine the dogs annually and provide appropriate and timely medical care which benefits the overall health and welfare of the dogs.

Solid flooring, as currently required in the bill, would prohibit proper drainage of urine, of diarrhea, vomit, and other fluids which would cause the fluids to pool on the floor. The dogs could then lie in the fluids, which would contaminate their fur and cause potential illness and skin conditions and

unsanitary conditions. This amendment outlines safe and appropriate flooring requirements to meet the needs for moderate drainage of fluids.

It is also vital to have flooring which does not bend or sag between structural supports based on the weight of the dog or allows the dog's feet to pass through. It should be coated with an impervious material that will not absorb moisture from fluids and it can be sanitized as appropriate. Vinyl-coated metal strand flooring or slanted flooring is appropriate for the kennel floors if the conditions I just outlined are met. From a medical standpoint, the most important flooring condition is the need for proper drainage and sanitation.

Exercise is also addressed in this amendment to include a written veterinary-approved exercise plan and regular access to an exercise area outside the primary enclosure. Exercise is imperative to the health and welfare of dogs. Having a veterinary-approved exercise plan allows the veterinarian to ensure appropriate exercise recommendations are made for each dog based on the dog's medical exam.

It is important to say that outdoor exercise is not a necessary requirement, as breeds of dogs vary in their ability to tolerate extreme temperatures. Forced exercise methods or devices are unacceptable methods of exercise unless the veterinarian has prescribed such in a written plan for medical reasons. The veterinarian also will have the information and option, if medically necessary, to exempt a dog from exercise based on the health and welfare of that dog.

Rabies vaccinations should be administered by or under the supervision of a veterinarian, because these are current, safe, and accepted guidelines.

This amendment is very strongly supported by PVMA and is a must if they are going to support the final passage of this bill. Again, the veterinary profession has taken a long, hard look at these. These are very important things, particularly the exercise plan and the solid flooring.

I recommend acceptance of this amendment. Thank you, Mr. Speaker.

The SPEAKER. Representative Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A08357.

This amendment, Mr. Speaker, allows for the use of wire flooring in all of the primary enclosures. It also allows for the elimination of exercise runs under the bill.

Mr. Speaker, in short, this amendment does nothing to address the biggest problems dogs in commercial kennels face – lack of exercise and flooring that hurts their feet. In fact, it perpetuates those problems, Mr. Speaker.

A vote for this amendment, Mr. Speaker, is a vote against assuring that dogs get exercise in commercial kennels. Passage of this amendment, Mr. Speaker, would assure that commercial kennels would not be able to be held accountable if they kept their dogs from exercising for the entirety of the dogs' lives.

Mr. Speaker, this amendment is a vote for the status quo on flooring, wire flooring, that harms dogs' feet.

This amendment, A08357, Mr. Speaker, essentially undoes all of the structural improvements in HB 2525. It removes the requirement that the floors and walls be impervious to moisture, takes out the solid flooring requirement, specifically allows current standards on wire flooring to remain in place, and would also make enforcement of exercise provisions impossible.

Additionally, it creates ambiguity about veterinary requirements. Would every dog still have to be seen by a vet

every year or at each pregnancy if the kennel owners have a, quote, "veterinarian-client-patient relationship"? Mr. Speaker, the kennel owner should not be immune from liability simply by stating that he or she has, quote, a "veterinarian-client-patient relationship."

Mr. Speaker, as we know, many wardens find feet problems on a regular basis with dogs in kennels. I would ask for a negative vote on amendment A08357. Thank you, Mr. Speaker.

The SPEAKER. Representative Hanna.

Representative Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I encourage the previous speaker to read the amendment more carefully. There was in fact specific language in this amendment that describes "impervious surface" to begin with. Secondly, in terms of considering the injury to the foot of the dog, there is explicit language there as well.

And in all of this, we are asking that a veterinarian, an expert in this area, be consulted and that in fact a veterinarian be brought into the consideration of frequently reviewing what is going on in a commercial kennel. The veterinarians are the experts. My colleagues, with all due respect, with one exception, are not experts in this area. I am disappointed that we would hold ourselves up as being more knowledgeable in the area of veterinary medicine than all but one of our colleagues.

I think that I speak on behalf of many that are interested in improving the quality and the conditions in these facilities, and I cannot think of a better way to do that than to take these very practical suggestions from veterinarians who have the best interests of the animals at heart and to take those rather than other parties who perhaps are less expert in that area.

So I stand in support of the Bastian amendment, and I urge my colleagues to take the advice of veterinarians on this position and vote for it.

The SPEAKER. Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I oppose this amendment for a number of reasons, but primarily because it creates a completely unenforceable standard with respect to exercise.

As we have indicated before with some of the other amendments, one of the objectives of this legislation is to establish law and regulation that is enforceable, and this amendment would establish standards for exercise that ultimately are completely unenforceable. We have to have exercise for these dogs. One of the primary reasons all of this started was because we had dogs who spent their entire life in a cage and never once set foot outside of that cage. This standard would allow that to continue, and we cannot accept an amendment that establishes a standard that becomes completely unenforceable and lets that be the result.

In addition, with respect to the flooring, this amendment would allow wire flooring to continue. Wire flooring is being used for one reason, it is cheap, and that is why it is being used. Wire flooring may be acceptable when first installed, but ultimately, wiring flooring will fail.

We recognize that the PVMA has made some valid points concerning flooring. We are still discussing with PVMA ways to try and resolve flooring, but the one thing that we are certain of is that this amendment's allowance of wire flooring is totally unacceptable, and we would oppose the amendment for those reasons.

Thank you, Mr. Speaker.

The SPEAKER. Representative Ellis.

Mr. ELLIS. Thank you, Mr. Speaker.

I echo the comments of the previous speaker. The real crux of the argument here is the wire flooring.

Now, we know, we have heard it over and over again, it is weak; it is flimsy; it hurts the feet of the dogs. But one of the other things we should also realize, now, I have a puppy, and he is only 8 months old. He chews everything. So you can put whatever kind of coating you want on the wire; those dogs are going to chew it, you are going to end up with flimsy wires, and those cages are going to fail.

This is an amendment that I think will destroy one of the main efforts of this Dog Law, and we need to oppose this amendment. Thank you very much, Mr. Speaker.

The SPEAKER. Representative Casorio, for the second time.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, metal strand flooring is wire flooring. Metal strand wire flooring coated with vinyl is not a satisfactory material for the floor of a cage that a dog spends its entire life in. It is flimsy, and it deteriorates rapidly. Even, Mr. Speaker, even if it is coated in a material, metal strand wire flooring still causes deformities to dogs' pads, paws, and legs.

Impervious coating such as a water seal, even the coatings on the wire flooring wear off quickly and can be chewed or ingested by the dogs, Mr. Speaker. A piece of plywood that has been coated with a water seal on it should not be allowed, and this amendment would allow that very type of flooring, Mr. Speaker.

And again, I would ask for a negative vote on amendment 8357. Thank you, Mr. Speaker.

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who requests that Representative GERBER be placed on leave. The Chair hears no objection. Leave will be granted.

CONSIDERATION OF HB 2525 CONTINUED

The SPEAKER. Representative Kessler, on the amendment.

Mr. KESSLER. Thank you, Mr. Speaker.

I would venture to guess that kennel owners, the majority of them have a dog in their home. That dog in their home, they do not put them in a cage and do not let them exercise, so therefore, the same should apply to these puppies in the kennels as well.

Thank you, Mr. Speaker.

The SPEAKER. Is there any member seeking recognition on the amendment before the Chair recognizes the prime sponsor?

Representative Bastian, for the second time.

Mr. BASTIAN. Thank you, Mr. Speaker.

When they talk about wire flooring, I have been in several kennels in the past month and do not see wire flooring; I see wire covered with vinyl. And I have not seen any evidence of where the vinyl was chewed on to the point where wire was exposed, I have not seen foot problems, and I think the bill does say the flooring needs to be in good repair, so I do not think you are going to have wire ever causing any problems.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—73

Argall	Fairchild	Kenney	Reed
Baker	Fleck	Major	Reichley
Barrar	Gabig	Mantz	Roae
Bastian	Geist	Marsico	Rock
Bear	Gillespie	McIlhattan	Rohrer
Benninghoff	Gingrich	Mensch	Ross
Beyer	Godshall	Metcalfe	Rubley
Boyd	Harhart	Millard	Saylor
Brooks	Harper	Miller	Schroder
Cappelli	Harris	Moul	Smith, S.
Causer	Helm	Nickol	Sonney
Clymer	Hennessey	Peifer	Stairs
Cox	Hershey	Perry	Steil
Creighton	Hess	Perzel	Stern
Cutler	Hickernell	Phillips	Stevenson
Dally	Hutchinson	Pickett	Swanger
Denlinger	Kauffman	Pyle	Turzai
Evans, J.	Keller, M.K.	Rapp	Yewcic
Everett			

NAYS—126

Adolph	George	McGeehan	Santoni
Belfanti	Gergely	McI. Smith	Scavello
Bennington	Gibbons	Melio	Seip
Bianucci	Goodman	Micozzie	Shapiro
Bishop	Grell	Milne	Shimkus
Blackwell	Grucela	Moyer	Siptroth
Boback	Haluska	Mundy	Smith, K.
Brennan	Hanna	Murt	Smith, M.
Buxton	Harhai	Mustio	Solobay
Caltagirone	Harkins	Myers	Staback
Carroll	Hornaman	Nailor	Sturla
Casorio	James	O'Brien, M.	Surra
Civera	Josephs	O'Neill	Tangretti
Cohen	Keller, W.	Oliver	Taylor, J.
Conklin	Kessler	Pallone	Taylor, R.
Costa	Killion	Parker	Thomas
Cruz	King	Pashinski	True
Curry	Kirkland	Payne	Vereb
Daley	Kortz	Payton	Vitali
DeLuca	Kotik	Petrarca	Vulakovich
DePasquale	Kula	Petri	Wagner
Dermody	Leach	Petrone	Walko
DeWeese	Lentz	Preston	Wansacz
DiGirolamo	Levdansky	Quigley	Waters
Donatucci	Longiatti	Quinn	Watson
Eachus	Maher	Ramaley	Wheatley
Ellis	Mahoney	Raymond	White
Evans, D.	Manderino	Readshaw	Williams
Fabrizio	Mann	Roebuck	Yudichak
Frankel	Markosek	Sabatina	
Freeman	Marshall	Sainato	O'Brien, D., Speaker
Galloway	McCall	Samuelson	

NOT VOTING—0

EXCUSED—4

Gerber	Mackereth	Wojnaroski	Youngblood
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Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

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

Mr. **BASTIAN** offered the following amendment No. **A08616**:

Amend Sec. 4 (Sec. 207), page 34, line 24, by inserting after "F" for more than four consecutive hours in a 24-hour period of time

Amend Sec. 4 (Sec. 207), page 34, line 25, by inserting after "F" for more than four consecutive hours in a 24-hour period of time

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

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

Mr. **BASTIAN**. Thank you, Mr. Speaker, and I apologize for the delay.

In a lot of the commentary about HB 2525, it was stated that dogs can now be legally kept in freezing cold or sweltering hot temperatures. I dispute that commentary and offer a quote from the existing kennel regulations which apply to all types of kennels. It says, "The kennel temperature shall be maintained at a level to protect the health and comfort of the type of dogs housed." You can have different housing for Eskimo Dogs or you can have different housing for Chihuahuas, but it says "The kennel temperature shall be maintained at a level to protect the health and comfort of the type of dogs housed."

Furthermore, our "Cruelty to animals" section of the Crimes Code states that it is an offense if you do not provide an animal with "...necessary sustenance, drink, shelter or veterinary care, or access to clean and sanitary shelter which will protect the animal against inclement weather and preserve the animal's body heat and keep it dry." I hardly believe that these current provisions would legally authorize the freezing or sweltering of any animal, let alone dogs in kennels. Regardless, HB 2525 would provide a specific temperature range for dogs in commercial kennels only; once again, establishing a separate and specific standard for certain dogs, not all dogs.

While I question the discrimination, I do support the provision. However, the language specifies that the ambient temperature for a commercial kennel must be between 50 and 85 degrees Fahrenheit at all times – period, end of story. If the temperature outside is above 85 and the temperature inside the kennel rises to 86, even for a small amount of time, the kennel owner could be in violation.

Amendment 8616 provides for possible temperature variations and real-world conditions as we are prone to having here in Pennsylvania, where the temperature cannot fall below or rise above the stated range for more than 4 consecutive hours in a 24-hour period. This language protects the health and the welfare of dogs in commercial kennels and provides for the potential of the heating, cooling, and ventilation system to react when temperatures fall outside of that range.

This amendment is supported by the PVMA, and I urge your support. Thank you.

The **SPEAKER**. Representative Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.
 Mr. Speaker, I rise in opposition to amendment A08616.
 Mr. Speaker, this amendment changes the minimum and maximum temperature requirements under HB 2525 so that it cannot exceed that temperature for more than 4 consecutive hours in a 24-hour time period.

Mr. Speaker, this amendment seeks to abolish the United States Department of Agriculture standards, Mr. Speaker, the window where kennel temperatures can go below 50 degrees or above 85 degrees, yet this amendment is even more regressive as it allows temperatures outside of the 50- to 85-degree range for 4 hours each day.

HB 2525 would set a range of temperatures that cannot go below 50 degrees and not range above 85 degrees. This amendment would allow that range to be abolished for 4 hours each day. On a cold day, the temperature may drop below 50 substantially; on a very warm day, Mr. Speaker, the 85-degree temperature may rise by a dozen degrees or so.

Mr. Speaker, a vote for this amendment is a vote against enforceable temperature standards for dogs in commercial kennels. Let me say that again, Mr. Speaker: A vote for this amendment is a vote against enforceable temperature standards for dogs in commercial kennels. A 4-hour window where kennel temperatures can go below 50 degrees or above 85 degrees yet is even more regressive, this amendment, as it allows temperatures outside of that 50- to 85-degree range for 4 hours each day.

Mr. Speaker, this amendment would create a huge loophole in the law. It would create a standard that would be unenforceable. Dog wardens would have to do a minimum, a minimum 5-hour inspection to see if the temperature varied in or out of compliance. Even at the largest kennels, Mr. Speaker, a State dog warden would not be at the kennel for 4 hours. They would have to stay a minimum of 5 hours to inspect the variance of temperature compliance.

For those reasons, Mr. Speaker, I would ask for a negative vote on amendment A08616. Thank you.

The SPEAKER. Is there any member seeking recognition before the Chair recognizes the prime sponsor?

The Chair recognizes Representative Bastian for the second time.

Mr. BASTIAN. Mr. Speaker, I think that you have to realize that some of the standards we expect for these kennels are not even enforced for human conditions. We can cut off the temperature or cut off the electric or the gas to homes where there are kids in there in the summertime and they do not have air-conditioning. I do not think it is right that we expect standards for dogs better than our own kids.

Thank you.

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

The following roll call was recorded:

YEAS—68

Argall	Fairchild	Kenney	Phillips
Baker	Fleck	Maher	Pickett
Barrar	Gabig	Major	Pyle
Bastian	Geist	Mantz	Rapp
Benninghoff	Gillespie	Marshall	Reed
Brooks	Gingrich	Marsico	Roae

Cappelli	Harhart	McIlhattan	Rock
Causer	Harper	Mensch	Rohrer
Clymer	Harris	Metcalfe	Saylor
Cox	Helm	Millard	Smith, S.
Creighton	Hennessey	Miller	Sonney
Cutler	Hershey	Moul	Stairs
Dally	Hess	Mustio	Steil
Denlinger	Hickernell	Nickol	Stern
Ellis	Hutchinson	Peifer	Stevenson
Evans, J.	Kauffman	Perry	Swanger
Everett	Keller, M.K.	Perzel	Turzai

NAYS—131

Adolph	George	Melio	Scavello
Bear	Gergely	Micozzie	Schroder
Belfanti	Gibbons	Milne	Seip
Bennington	Godshall	Moyer	Shapiro
Beyer	Goodman	Mundy	Shimkus
Bianucci	Grell	Murt	Sipthoth
Bishop	Grucela	Myers	Smith, K.
Blackwell	Haluska	Nailor	Smith, M.
Boback	Hanna	O'Brien, M.	Solobay
Boyd	Harhai	O'Neill	Staback
Brennan	Harkins	Oliver	Sturla
Buxton	Hornaman	Pallone	Surra
Caltagirone	James	Parker	Tangretti
Carroll	Josephs	Pashinski	Taylor, J.
Casorio	Keller, W.	Payne	Taylor, R.
Civera	Kessler	Payton	Thomas
Cohen	Killion	Petrarca	True
Conklin	King	Petri	Vereb
Costa	Kirkland	Petrone	Vitali
Cruz	Kortz	Preston	Vulakovich
Curry	Kotik	Quigley	Wagner
Daley	Kula	Quinn	Walko
DeLuca	Leach	Ramaley	Wansacz
DePasquale	Lentz	Raymond	Waters
Dermody	Levdansky	Readshaw	Watson
DeWeese	Longiatti	Reichley	Wheatley
DiGirolo	Mahoney	Roebuck	White
Donatucci	Manderino	Ross	Williams
Eachus	Mann	Rubley	Yewcic
Evans, D.	Markosek	Sabatina	Yudichak
Fabrizio	McCall	Sainato	
Frankel	McGeehan	Samuelson	O'Brien, D., Speaker
Freeman	McI. Smith	Santoni	
Galloway			

NOT VOTING—0

EXCUSED—4

Gerber	Mackereth	Wojnaroski	Youngblood
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Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

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

Mr. COX offered the following amendment No. **A08377**:

Amend Sec. 9 (Sec. 218), page 57, line 20, by striking out "any" and inserting

all
 Amend Sec. 9 (Sec. 218), page 57, lines 25 through 28, by striking out all of said lines and inserting

(2) The owner of the establishment has violated the provisions of section 220.

Amend Sec. 9 (Sec. 219), page 59, by inserting between lines 18 and 19

(b.1) Administrative search.—Evidence of the failure to permit an inspection under this section shall be necessary to show sufficient probable cause for a State dog warden or employee of the department to petition a court of competent jurisdiction for a warrant to conduct an administrative search of the establishment.

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

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

Mr. COX. Thank you, Mr. Speaker.

Mr. Speaker, I rise and ask for the members' support of amendment 8377, and up to this point we have been doing a lot of talking about the animals, about the dogs. I would like to shift gears with this amendment a little bit and let us talk about the business owners. Let us talk about the animal owners.

There are some concerns that I have had from the start with this bill, that the rights of the individuals who own these dogs are being trampled. I will not question that some of these animals have not been treated well, and we have talked about a lot of amendments that address those concerns. But I think it is time we start talking about what is the impact on the business owner, and so I would like to change the dynamic a little bit here. I would just explain where things are right now and why this amendment that I am offering is needed.

Under existing law, a dog warden or other employees of the Department of Agriculture, they can go in and they can inspect kennels and dogs. In fact, the law requires, mandates, that at least one inspection like that be completed every year. If this legislation passes, if HB 2525 passes in its current form, there will be at least two required inspections every year.

Now, members need to understand that this inspection does not require any standard of probable cause, does not require a search warrant in order to effect this administrative search, and that is under existing law.

Also under existing law is a requirement that the owner of the kennel or the premises, they have to allow the employee on site to conduct these inspections. If an owner fails to allow the inspection or refuses to grant access to these facilities, he is violating existing law, and that can be used to revoke or suspend a kennel operator's license. Again, that is already in existing law.

The maker of this bill and the Department of Agriculture would have us believe that they need new language in HB 2525 relating to probable cause for administrative searches; otherwise, they will not be able to conduct searches of kennels. We need to understand that the standard provided in HB 2525 is a lot lower than the standard of proof required for a search warrant under our Commonwealth's Rules of Criminal Procedure. In fact, under the standard offered by the prime sponsor of this legislation, the department would not be required to show any proof of a violation of a law. All they have to show is that there is reason to believe that a violation has occurred.

The justification for this change in the law is that Pennsylvania currently allows these types of searches in other highly regulated industries throughout this State, industries like sewage treatment facilities and hazardous sites cleanup. Now, our Constitution does permit such a search because of the overarching health, welfare, and safety needs of the general

public. In other words, constitutionally, the subject matter must pose a great risk to the public health.

The types of places that traditionally allow the types of administrative searches supported by the prime sponsor of the bill are typically industrial sites. In contrast, many of the kennels that the department would be allowed to search here are on private property and they are in places where the public is not typically invited. These are homes and farms. They are not sewage treatment facilities or hazardous sites cleanups. The threat posed by a commercial kennel is negligible compared to the dangers that exist with a hazardous waste site or a sewage treatment plant.

Amendment 8377 would ensure that the department's employees use their existing authority to inspect and attempt to gain access to the establishment through the existing means before pursuing an administrative search warrant. Once a kennel owner refuses access to the department employee, then and only then will there be sufficient cause for a warrant to be issued.

It is for these reasons that I would request your support of amendment 8377 to protect the rights of the property owners. Thank you.

The SPEAKER. Representative Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A08377.

Mr. Speaker, the department should be allowed to obtain an administrative search warrant to inspect the kennel whose owner has refused entry. This would simply allow them access to perform their administrative duties under the act, not give them the same authority that a criminal search warrant would give, Mr. Speaker. Therefore, the burden to obtain a warrant in this instance should not be as high as the burden to obtain a criminal search warrant. This also requires evidence of the failure to allow inspection, so any kennel owner who simply hides would not provide evidence for inspection.

Mr. Speaker, again, I would ask that the department be allowed to have administrative search warrants and simply not be hampered by their refusal to enter and ask for a negative vote on amendment 8377. Thank you, Mr. Speaker.

The SPEAKER. Representative Lentz.

Mr. LENTZ. Thank you, Mr. Speaker.

The section that this amendment would edit and change — and just to be clear for the members, I will read it, read it in part — "It shall be sufficient probable cause to show any of the following:..." The first instance is "(1) The inspection, examination or seizure is...NECESSARY to determine compliance with this act," and the act shall not apply to private kennels. This is the standard we are entitled to do inspections as part of the enforcement of the Dog Law act.

The second paragraph which would be completely removed by this amendment is that "The State dog warden or employee of the department" of Agriculture "has reason to believe that a violation of this act or the regulations promulgated under the authority of this act has occurred." This is the same standard that, as was pointed out by the prime sponsor of the amendment, it has been approved by the Pennsylvania Supreme Court in any number of administrative matters. What this amendment would require is that in all cases, the department have received a refusal from the owner of the commercial kennel before they could justify getting a search warrant, even if they had reasonable belief that there were violations of the act going on at the site.

So it would put the department in the somewhat comical position of knowing or having a reasonable suspicion that there was a violation of the act going on on the property but still being required to knock on the door and ask the violator to let them in and wait for a refusal to be allowed in before they could go get an inspection. Of course, it does not require proof of a violation to get a warrant. The whole point of getting the warrant is to gather evidence that will prove the violation. If you could prove the violation before the execution of the warrant, you would not need the warrant in the first place.

This is consistent with State of Pennsylvania law. It would provide the enforcement authorities with a key enforcement tool. That is, when you have reason to believe there is a violation of the act, you can get a warrant. It still has to go in front of a judge, and it still has to be approved before it can be executed.

So I would ask the members to oppose this amendment.

The SPEAKER. Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I do not want to repeat everything that the prior speaker said, but I would like to echo one of the things that I think is most important. I think all members should rest assured that the judicial branch of government is still involved. Every search warrant under this law, without this amendment, still has to be approved by a judge. So I oppose this amendment because it weakens the standard and there is judicial oversight already under the law.

So I oppose this amendment and would ask for a negative vote.

The SPEAKER. Is there any member seeking recognition before the Chair recognizes the prime sponsor of the amendment?

Representative Cox, for the second time.

Mr. COX. Thank you, Mr. Speaker. Just a couple closing comments.

I want to point out again here, and I do not want to seem heartless at all, but the administrative search provisions that are currently in place deal with the health and safety of the public. That is human beings. Now, I do not think anyone in this room would place the life of an animal above that of a human. What we are talking about here is the health and safety of animals. That is not a constitutional requirement for us to protect that.

Now, I understand that we have day cares and we have other facilities that house or care for human beings, and I would make the argument that these are not situations where animals are at risk. We are trying to humanize dogs here. We are trying to say that dogs deserve equal care. In some instances, these amendments or the provisions of this bill will provide better care than we have in some of our facilities that care for our seniors and some other people at risk.

We need to think about what we are doing. We need to think about what we are granting here. We are giving dog wardens the ability to walk on site to determine whether compliance exists. There is no health or safety risk for any human being here. There are not hazardous chemicals being used. There is not sewage being treated. As I mentioned in a couple of the earlier comments, we are seeing – this is an open door. This is a bad road to go down, and this is the beginning of the slippery slope for the erosion of individual rights on a larger scale.

I ask for your support for amendment 8377, again, to protect the rights of the property owners and the kennel owners.

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

The following roll call was recorded:

YEAS—61

Baker	Ellis	Keller, M.K.	Reed
Barrar	Evans, J.	Maher	Reichley
Bastian	Everett	Major	Roae
Bear	Fleck	Mantz	Rock
Benninghoff	Gabig	McIlhattan	Rohrer
Boyd	Geist	Mensch	Schroder
Brooks	Gingrich	Metcalfe	Smith, S.
Cappelli	Harhart	Millard	Sonney
Causar	Harris	Moul	Stairs
Civera	Helm	Peifer	Steil
Clymer	Hershey	Perzel	Stern
Cox	Hess	Phillips	Stevenson
Creighton	Hickernell	Pickett	Swanger
Cutler	Hutchinson	Pyle	Turzai
Dally	Kauffman	Rapp	Yewcic
Denlinger			

NAYS—138

Adolph	Gibbons	McGeehan	Sainato
Argall	Gillespie	McI. Smith	Samuelson
Belfanti	Godshall	Melio	Santoni
Bennington	Goodman	Micozzie	Saylor
Beyer	Grell	Miller	Scavello
Bianucci	Grucela	Milne	Seip
Bishop	Haluska	Moyer	Shapiro
Blackwell	Hanna	Mundy	Shimkus
Boback	Harhai	Murt	Siptroth
Brennan	Harkins	Mustio	Smith, K.
Buxton	Harper	Myers	Smith, M.
Caltagirone	Hennessey	Nailor	Solobay
Carroll	Hornaman	Nickol	Staback
Casorio	James	O'Brien, M.	Sturla
Cohen	Josephs	O'Neill	Surra
Conklin	Keller, W.	Oliver	Tangretti
Costa	Kenney	Pallone	Taylor, J.
Cruz	Kessler	Parker	Taylor, R.
Curry	Killion	Pashinski	Thomas
Daley	King	Payne	True
DeLuca	Kirkland	Payton	Vereb
DePasquale	Kortz	Perry	Vitali
Dermody	Kotik	Petrarca	Vulakovich
DeWeese	Kula	Petri	Wagner
DiGirolo	Leach	Petrone	Walko
Donatucci	Lentz	Preston	Wansacz
Eachus	Levdansky	Quigley	Waters
Evans, D.	Longiotti	Quinn	Watson
Fabrizio	Mahoney	Ramaley	Wheatley
Fairchild	Manderino	Raymond	White
Frankel	Mann	Readshaw	Williams
Freeman	Markosek	Roebuck	Yudichak
Galloway	Marshall	Ross	
George	Marsico	Rubleby	O'Brien, D., Speaker
Gergely	McCall	Sabatina	

NOT VOTING—0

EXCUSED—4

Gerber	Mackereth	Wojnaroski	Youngblood
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Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

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

Mr. COX offered the following amendment No. **A08621**:

Amend Sec. 4 (Sec. 207), page 27, line 16, by striking out "CIVIL PENALTY OR"

Amend Sec. 4 (Sec. 207), page 27, lines 24 through 30; page 28, lines 1 through 13, by striking out all of lines 24 through 30, page 27, all of lines 1 through 12 and "(a.3)" in line 13, page 28, and inserting
(a.2)

Amend Sec. 4 (Sec. 207), page 28, lines 28 through 30; page 29, lines 1 and 2, by striking out "The kennel shall divest of all dogs over 25 dogs," in line 28 and all of lines 29 and 30, page 28, all of line 1 and "divest of the dogs. That person" in line 2, page 29, and inserting
The owner

Amend Sec. 4 (Sec. 207), page 29, lines 6 and 7, by striking out "(5), (6), (7), (8)"

Amend Sec. 7 (Sec. 211), page 52, line 21, by striking out "207(a.3)" and inserting
207(a.2)

Amend Sec. 7 (Sec. 211), page 52, line 22, by striking out "207(a.3)(2)" and inserting
207(a.2)(2)

Amend Sec. 16.2 (Sec. 901), page 80, line 9, by striking out "assessing civil penalties"

Amend Sec. 17 (Sec. 903), page 88, lines 9 through 30; page 89, lines 1 through 27, by striking out all of lines 9 through 30, page 88, all of lines 1 through 26 and "(B)" in line 27, page 89, and inserting
(a)

Amend Sec. 17 (Sec. 903), page 90, line 26, by striking out "(C)" and inserting
(b)

Amend Sec. 17 (Sec. 903), page 91, line 1, by striking out "(D)" and inserting
(c)

Amend Sec. 17 (Sec. 903), page 91, line 5, by striking out "(E)" and inserting
(d)

Amend Sec. 17 (Sec. 903), page 91, line 17, by striking out "(F)" and inserting
(e)

Amend Sec. 17 (Sec. 903), page 91, line 20, by striking out "(G)" and inserting
(f)

Amend Sec. 17 (Sec. 903), page 91, line 24, by striking out "(H)" and inserting
(g)

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

AMENDMENT WITHDRAWN

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

The gentleman indicates that he withdraws this amendment.

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

Mr. COX offered the following amendment No. **A08755**:

Amend Sec. 9 (Sec. 218), page 57, by inserting between lines 28 and 29

(c.1) Exceptions.—A search warrant under subsection (c) shall not be issued to inspect or examine any of the following:

(1) A private residence or privately owned or leased vehicle.

(2) A place, premise, building or property that is not an establishment.

(3) A book or record unrelated to the operation of a licensed kennel.

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

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

Mr. COX. Thank you, Mr. Speaker.

Mr. Speaker, this amendment essentially continues what I was trying to do in the previous amendment.

It is my understanding that under the existing language of HB 2525, they can go in and essentially search any part of the property where a kennel is being housed. That includes private residences, privately owned or leased vehicles. They can look at any book or record, even if it is not related to the operation of a licensed kennel. There are really no limitations on what this search warrant entails and what they are able to search or not able to search.

This amendment essentially puts in some language that defines specific parameters that prevent them from searching areas, vehicles, and places where there is no possible way kennel activity or kennel records are going to be kept. It keeps them from going through people's bedrooms or other places where they suspect something might be kept. This is a basic individual right to keep people out of our homes, out of our private property, when it is not related to the business that we are carrying on.

I ask for your support for amendment 8755, again, to protect the rights of the individuals.

The SPEAKER. Representative Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A08755.

Briefly, Mr. Speaker, HB 2525 as drafted would limit searches to things that are necessary, quote, "necessary to ensure compliance with the law." Mr. Speaker, under the Constitution, a judge already has to limit the scope of the search to areas where relevant evidence is likely to be found. Otherwise, Mr. Speaker, the search warrant can be successfully challenged as being overbroad.

Mr. Speaker, I would ask for a negative vote on amendment 8755. Thank you.

The SPEAKER. Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I, likewise, would ask for a negative vote.

I am trying not to repeat what the prior speakers have said, but in this case I am concerned that the prime sponsor I think has misrepresented not just HB 2525 but also the current state of the law in Pennsylvania. There is nothing in this bill or under the current Constitution which would allow the searching of drawers that are totally unrelated to the violation that is being investigated. That simply is not the law. As the prime sponsor of the bill pointed out, 2525 specifically says that the search

would be limited to things that are necessary to ensure its compliance with law.

Likewise, the Constitution protects us against overbroad searches. The search would have to be limited and would be limited and tailored by the judge to those areas, those items, that are related to the reason for the search warrant. For that reason, Mr. Speaker, I would strongly oppose this amendment and encourage a "no" vote.

Thank you, Mr. Speaker.

The SPEAKER. Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

I would just like to briefly stand up and politely disagree with the prior two speakers, Mr. Speaker. I do not personally believe that it is our job here in the legislature to act as a rubberstamp for the administration, particularly with the issue of search warrants. I do not believe that we as citizens should have to go before a court and have a search warrant declared invalid just to protect what is our constitutional rights to begin with. I believe that we as legislators should come here, we should put some thought and deliberation into the process, and protect what is ours by right through the Constitution. It is that simple. We should not give that away to an agency to be dealt with through regulations.

So I respectfully disagree with the prior two speakers, and I do ask support for the Cox amendment, because this is an important individual right and one that should be protected. So thank you, Mr. Speaker.

The SPEAKER. Representative Lentz.

Mr. LENTZ. Mr. Speaker, I stand in opposition to the amendment, just to respond to some of the comments just made and to echo the earlier comments.

There is absolutely no precedent for a legislature dictating the scope of a search warrant. In fact, what we would be doing here is we would be creating a special category of people; in this case, commercial breeders of dogs. For homes, search warrants are limited in scope to areas specified by this detailed statute. We would be constraining law enforcement. We would be constraining the judges that review search warrants.

If you have a commercial breeding facility that happens to be co-located with your home and there is evidence gathered by law enforcement, that evidence of a crime is somewhere other than the commercial breeding site or in one of the restricted areas that is listed here, you would essentially be giving a free pass to people violating the law to conceal evidence in these areas that have been just declared off-limits as a result of this amendment.

It is completely contrary to all of the law, not just in this Commonwealth but in this country, with regard to the scope and purpose of search warrants, and it should be rejected. Thank you.

The SPEAKER. Is there any member seeking recognition before the Chair recognizes the prime sponsor of the amendment?

Representative Cox, for the second time.

Mr. COX. Thank you, Mr. Speaker.

I would just like to clarify and bring to the members' attention the language that is actually found in HB 2525. There has been talk of the Constitution and everything else, but the language in HB 2525, in my opinion, steps over and above and begins to tramp on the rights of individuals under the Constitution.

HB 2525 defines "ESTABLISHMENT," and an establishment is what we are talking about being searched here. HB 2525 defines "ESTABLISHMENT" as being "THE PREMISES ON, IN OR THROUGH WHICH A DOG is kept, bred, harbored, boarded, sheltered, maintained, sold, given away, exchanged or in any way transferred..THE TERM ENCOMPASSES ALL OF THE FOLLOWING ON, IN OR THROUGH WHICH ANY OF THE ACTIVITIES UNDER PARAGRAPH (1) TAKE PLACE:..." and what follows is a specific calling out of what is meant by an establishment. Subparagraph (i) states that an establishment includes "The home, homestead, place of business or operation of a person, including a dealer, which includes all of the land, property or housing facilities" or any combination of land, property, or housing facilities "of the individual or person." It does not call out that they have to have dogs there. It does not call out whether there is even space for a dog to go there. No parameters are given; just if they own the land, the property, or the facility, it is subject to search under the existing law.

Now, like Representative Cutler, I do not think we should have to go as citizens to say, you know what? My constitutional rights were violated, so please give me relief. We as a legislature are charged with the responsibility to protect those rights in the way that we craft our laws. We are charged with protecting individual rights. We are charged with protecting property rights. We are charged with protecting against search and seizure without warrants.

My concern is that we are just opening the door to anything – anything goes; we do not need to really have a cause; we are going to search every corner of every piece of property you own because you might be conducting business there and we are going to verify compliance. We should not place our dog wardens in the position of violating individuals' rights. We should not place the courts in the position of remedying those rights. We need to protect property owners here. We need to protect the rights of individuals to be free from search without probable cause.

I ask for your support for amendment 8755. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-62

Baker	Ellis	Keller, M.K.	Reed
Barrar	Everett	Major	Reichley
Bastian	Fairchild	Mantz	Roae
Bear	Fleck	Marsico	Rohrer
Benninghoff	Gabig	McIlhattan	Schroder
Boyd	Geist	Mensch	Smith, S.
Brooks	Gingrich	Metcalfe	Sonney
Cappelli	Grell	Millard	Stairs
Causar	Harhart	Peifer	Stern
Civera	Harris	Perry	Stevenson
Clymer	Helm	Perzel	Swanger
Cox	Hershey	Phillips	True
Creighton	Hess	Pickett	Turzai
Cutler	Hickernell	Pyle	Vulakovich
Dally	Hutchinson	Rapp	Yewcic
Denlinger	Kauffman		

NAYS—137

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

NOT VOTING—0

EXCUSED—4

Gerber	Mackereth	Wojnaroski	Youngblood
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Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

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

Mrs. **BROOKS** offered the following amendment No. **A08372**:

Amend Sec. 10 (Sec. 220), page 59, line 14, by striking out "permit an inspection" and inserting

respond

Amend Sec. 10 (Sec. 220), page 59, line 15, by inserting after "posted"

and make reasonable efforts to permit an inspection

On the question,

Will the House agree to the amendment?

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

Mrs. **BROOKS**. Thank you, Mr. Speaker.

Almost every member in this chamber has a kennel, a dog kennel, in their district. The provision in this law that I would like to talk about deals with all kennels, not just commercial kennels.

There is a provision in this bill that authorizes the kennel inspector to post an order of inspection, and that inspection must take place within 1 day and 12 hours. What that means is an inspector can come in, post the door, and that inspection must take place within 1 day and 12 hours. I think we can all agree that real-life circumstances sometimes prevent an owner to be at their business – let us say a death in the family across the country, out of the country. What this amendment does is it makes that owner respond to that notice of inspection and arrange with the department, when that owner comes back, to provide an inspection.

Now, when that owner for that kennel— And again, I want to remind everyone in this chamber, most of us have kennels in our district, and that is dealing with all kennels. Now, sure, that owner has made arrangements to have a neighbor or a family member or someone feeding these dogs while they may be out of the country. However, they do not have the background of the operations of that kennel and how it operates to give the department a tour of that kennel. So all this amendment does is, again, for all kennels in Pennsylvania, it gives a little bit of flexibility for that owner to make arrangements within 1 day and 12 hours, when that owner comes back, to then give a tour or allow the department to come in and inspect that kennel.

The SPEAKER. Representative Casorio.

Mr. **CASORIO**. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A08372. In fact, Mr. Speaker, HB 2525, the language in 2525, already goes from 24 hours to 36 hours.

Mr. Speaker, this is a subjective standard. What is a reasonable effort, Mr. Speaker, while dogs continue to suffer? We believe that 36 hours is an enforceable time frame. Mr. Speaker, this amendment, 8372, makes it so that a kennel owner need only respond to a request and make reasonable effort to schedule an inspection rather than allow an inspection, Mr. Speaker. This gives kennel owners an excuse to delay inspections indefinitely if they make reasonable efforts to schedule one at their convenience.

Mr. Speaker, some kennels with thousands and thousands and thousands of dogs certainly have someone manning the store. Mr. Speaker, kennel inspections should be unannounced. By requiring an inspection within 36 hours' notice, the department is giving owners more than adequate notice while maintaining the nature of the inspection. Mr. Speaker, a licensed kennel would be able to avoid inspection for an indefinite period of time. A kennel must be inspected in order to determine compliance with the law. The law does no good, Mr. Speaker, if the dogs are housed in substandard conditions, which this provision would encourage.

I would ask for a negative vote on amendment 8372. Thank you, Mr. Speaker.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the minority whip, who requests that Representative QUIGLEY and Representative ADOLPH be placed on leave. The Chair hears no objection. These leaves will be granted.

CONSIDERATION OF HB 2525 CONTINUED

The SPEAKER. Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Like the prime sponsor, I am encouraging a negative vote on amendment 8372.

You know, for many, inspections are a part of being licensed, and if you are on vacation, someone has to care for your dogs. A responsible kennel owner can leave instructions for the caregiver to permit an inspection if an order is posted.

You know, we addressed this in committee. It originally was proposed as a 24-hour provision. We extended it to the 36, and now we are being asked, as they continue to try and chip away at it, to change the standard again. We need to have inspections as part of enforcement of this law. We need to have this standard, the 36-hour standard as it is written in the law, and we cannot accept the amendment as proposed.

I would encourage a negative vote on this amendment. Thank you, Mr. Speaker.

**THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING**

The SPEAKER pro tempore. The Chair thanks the gentleman.

Seeing no other members seeking recognition, the Chair recognizes the maker of the amendment, Mrs. Brooks.

Mrs. BROOKS. Thank you, Mr. Speaker.

I am actually reading from the legislation: "Failure to permit an inspection within the...36-HOUR time period indicated in the order that was posted shall be a violation of this act...." Again I want to ask my colleagues, most of you have kennels in your district. All we are asking is that we give a practical alternative to a business owner that could be across the country, have him call, make arrangements with the department, and say, I can be back in the country, I can be back at my business in 5 days, and we will do the inspection then. It is not avoiding this. It is the owner that wants to comply with this piece of legislation.

Mr. Speaker, almost daily I have constituents come into my district office. It has taken them 2 weeks to get through to an 800 number from an agency or a department, but yet we are not extending the courtesy of that flexibility to our local business owners. This amendment does not circumvent this legislation. All it does is provide a practical alternative for real-world situations to a business owner that actually does want to comply with the law.

I ask for an affirmative vote. Thank you.

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

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

The following roll call was recorded:

YEAS—76

Argall	Fairchild	Maher	Rapp
Baker	Fleck	Major	Reed
Bastian	Gabig	Mantz	Reichley
Bear	Geist	Marsico	Roae
Benninghoff	Gillespie	McIlhattan	Rohrer
Beyer	Gingrich	Mensch	Rubley
Boback	Grell	Metcalfe	Saylor
Boyd	Harhart	Millard	Scavello
Brooks	Harris	Miller	Schroder
Cappelli	Helm	Moul	Smith, S.
Causer	Hennessey	Mustio	Sonney
Clymer	Hershey	Nailor	Stairs
Cox	Hess	Nickol	Steil
Creighton	Hickernell	Peifer	Stern
Cutler	Hutchinson	Perry	Stevenson
Dally	Kauffman	Perzel	Swanger
Denlinger	Keller, M.K.	Phillips	Turzai
Ellis	Kotik	Pickett	Vulakovich
Everett	Longiatti	Pyle	Yewcic

NAYS—121

Barrar	George	McGeehan	Santoni
Belfanti	Gergely	McI. Smith	Seip
Bennington	Gibbons	Melio	Shapiro
Biancucci	Godshall	Micozzie	Shimkus
Bishop	Goodman	Milne	Sipthroth
Blackwell	Grucela	Moyer	Smith, K.
Brennan	Haluska	Mundy	Smith, M.
Buxton	Hanna	Murt	Solobay
Caltagirone	Harhai	Myers	Staback
Carroll	Harkins	O'Brien, M.	Sturla
Casorio	Harper	O'Neill	Surra
Civera	Hornaman	Oliver	Tangretti
Cohen	James	Pallone	Taylor, J.
Conklin	Josephs	Parker	Taylor, R.
Costa	Keller, W.	Pashinski	Thomas
Cruz	Kenney	Payne	True
Curry	Kessler	Payton	Vereb
Daley	Killion	Petrarca	Vitali
DeLuca	King	Petri	Wagner
DePasquale	Kirkland	Petrone	Walko
Dermody	Kortz	Preston	Wansacz
DeWeese	Kula	Quinn	Waters
DiGirolo	Leach	Ramaley	Watson
Donatucci	Lentz	Raymond	Wheatley
Eachus	Levdansky	Readshaw	White
Evans, D.	Mahoney	Rock	Williams
Evans, J.	Manderino	Roebuck	Yudichak
Fabrizio	Mann	Ross	
Frankel	Markosek	Sabatina	O'Brien, D., Speaker
Freeman	Marshall	Sainato	
Galloway	McCall	Samuelson	

NOT VOTING—0

EXCUSED—6

Adolph	Mackereth	Wojnaroski	Youngblood
Gerber	Quigley		

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

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

Mrs. **BROOKS** offered the following amendment No. **A08370**:

Amend Sec. 20, page 92, line 25, by striking out "180 days" and inserting
one year

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

The **SPEAKER**. The Chair recognizes Representative Brooks.

Mrs. **BROOKS**. Thank you, Mr. Speaker.

While I appreciate the fact that the legislation extends the requirement for a compliance with these provisions to 6 months, this amendment actually extends that time period to 1 year.

I think we can all agree, in many cases, local land development or zoning ordinances can sometimes be very time consuming. Again, this does not circumvent the legislation, it requires the changes, but what it does is it gives the business owner 1 year instead of 6 months to comply to these different changes, because it could take a lot of time to get through the zoning ordinances or the development codes. So all we are asking is that we extend it from 6 months to 1 year in order for the business to comply.

The **SPEAKER**. Representative Casorio.

Mr. **CASORIO**. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A08370.

Mr. Speaker, this amendment simply moves the date of enforcement from 6 months out to another 6 months – to 1 year. A vote for this amendment, Mr. Speaker, is a vote to allow dogs to continue living in small, cramped, stacked cages for an additional 6 months.

Six months, Mr. Speaker, I believe is sufficient time to make the changes required in HB 2525. Mr. Speaker, the dogs in Pennsylvania's puppy mills have waited long enough for better conditions, and they should not have to suffer an additional 6 months.

I would ask for a negative vote on amendment 8370. Thank you, Mr. Speaker.

The **SPEAKER**. Representative Hanna.

Mr. **HANNA**. Thank you, Mr. Speaker.

I would oppose this amendment. There already is a provision in the bill that allows 6 months for compliance, and extending an additional 6 months simply does not make sense. We need to stick to the original 6-month time frame, and I would oppose amendment A8370.

Thank you, Mr. Speaker.

The **SPEAKER**. Is there any member seeking recognition before the Chair recognizes the prime sponsor of the amendment?

Representative Brooks, for the second time.

Mrs. **BROOKS**. Thank you, Mr. Speaker.

What does make sense is that in northwest Pennsylvania, you cannot pour concrete in January or February. We are in September, you have 6 months to comply, so when you have to reconfigure your kennels, it is going to be challenging. All this does is give a reasonable time to allow that business owner to comply with the legislation.

I know my good colleague said just casually, well, it extends from 6 months to a 12-month period, but what it does is it is a commonsense approach. Some of these changes are going to be

virtually impossible to do. In northwest Pennsylvania when it is 2 below zero, you cannot pour concrete. So all we are doing is we are asking that we extend it from 6 months to 12 months, they comply with the legislation, and we have addressed this serious problem.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—85

Argall	Fleck	Marshall	Roae
Baker	Gabig	Marsico	Rock
Barrar	Geist	McIlhattan	Rohrer
Bastian	Gillespie	Mensch	Ross
Bear	Gingrich	Metcalfe	Rubley
Benninghoff	Godshall	Millard	Saylor
Beyer	Grell	Miller	Scavello
Boback	Harhart	Moul	Schroder
Boyd	Harris	Mustio	Seip
Brooks	Helm	Nailor	Smith, S.
Cappelli	Hennessey	Nickol	Sonney
Causer	Hershey	Peifer	Stairs
Clymer	Hess	Perry	Steil
Cox	Hickernell	Perzel	Stern
Creighton	Hutchinson	Phillips	Stevenson
Cutler	Kauffman	Pickett	Swanger
Dally	Keller, M.K.	Pyle	Taylor, J.
Denlinger	Kenney	Quinn	True
Ellis	Maher	Rapp	Turzai
Evans, J.	Major	Reed	Vulakovich
Everett	Mantz	Reichley	Yewcic
Fairchild			

NAYS—112

Belfanti	George	McCall	Samuelson
Bennington	Gergely	McGeehan	Santoni
Bianucci	Gibbons	McI. Smith	Shapiro
Bishop	Goodman	Melio	Shimkus
Blackwell	Grucela	Micozzie	Siptroth
Brennan	Haluska	Milne	Smith, K.
Buxton	Hanna	Moyer	Smith, M.
Caltagirone	Harhai	Mundy	Solobay
Carroll	Harkins	Murt	Staback
Casorio	Harper	Myers	Sturla
Civera	Hornaman	O'Brien, M.	Surra
Cohen	James	O'Neill	Tangretti
Conklin	Josephs	Oliver	Taylor, R.
Costa	Keller, W.	Pallone	Thomas
Cruz	Kessler	Parker	Vereb
Curry	Killion	Pashinski	Vitali
Daley	King	Payne	Wagner
DeLuca	Kirkland	Payton	Walko
DePasquale	Kortz	Petrarca	Wansacz
Dermody	Kotik	Petri	Waters
DeWeese	Kula	Petrone	Watson
DiGirolamo	Leach	Preston	Wheatley
Donatucci	Lentz	Ramaley	White
Eachus	Levdansky	Raymond	Williams
Evans, D.	Longietti	Readshaw	Yudichak
Fabrizio	Mahoney	Roebuck	
Frankel	Manderino	Sabatina	O'Brien, D.,
Freeman	Mann	Sainato	Speaker
Galloway	Markosek		

NOT VOTING—0

EXCUSED—6

Adolph Gerber Mackereth Quigley Wojnarowski Youngblood

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

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

Mr. M. KELLER offered the following amendment No. **A08379**:

Amend Sec. 20, page 92, line 24, by striking out all of said line and inserting

(1) (i) The addition of section 207(h) and (i) of the act

Amend Sec. 20, page 92, by inserting between lines 25 and 26

(ii) For a kennel subject to section 207(h) and (i) of the act, licensed by the department on the effective date in paragraph (2), which is required to make structural renovations or undertake significant reconstruction, reconfiguration or reconditioning to the physical components of the kennel in order to attain compliance, the following shall apply:

(A) The kennel shall submit to the department a plan for compliance with the provisions of these sections.

(B) The plan shall include a specific timeline for structural changes necessary and the date of expected final completion which shall in no case be longer than two years from the effective date in subparagraph (i).

(iii) Subparagraph (ii) and this subparagraph shall take effect in 60 days.

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

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

Mr. M. KELLER. Thank you, Mr. Speaker.

Mr. Speaker, as a lot of my colleagues here know I do not get up very often and speak about different pieces of bills, but I certainly am really supportive of this particular amendment, and I would ask that they would pay particular attention to what I am really going to say here.

What this amendment does, and I am not going to read through everything, but what this amendment does is extends the period of time for the commercial kennels to come into compliance, but only extends that if they write up a plan that is agreeable with the department to how they will come in compliance. If they do not come in compliance within those benchmarks, then they do not have their license; they are revoked. So it only makes common sense, and it goes back to what Representative Brooks talked about in the time period to get the permits, to get the construction done, to get the bidding. All that is taken into place.

So that is what this particular amendment does. It is a commonsense amendment. It is an amendment that extends to

come in full compliance within a 2-year period of time, but only if the department and the owner have a written plan on how they are going to accomplish those things, and if they do not accomplish those things, then their licenses are revoked.

The SPEAKER. Representative Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, this process that we are involved in with HB 2525 has been going on for between 2 and 3 years. Mr. Speaker, if a business decision has been made without some foresight, then the business decision of a particular owner should be questioned, Mr. Speaker.

I would say to you, Mr. Speaker, that a vote for this amendment is a vote, again, to allow dogs to continue living in small, cramped, stacked cages for an additional 18 months, Mr. Speaker – an additional 18 months. I believe, again, that 6 months is a sufficient amount of time as required in HB 2525. And dogs in Pennsylvania have waited long enough for better conditions, Mr. Speaker; they should not have to suffer an additional 18 months.

I would ask for a negative vote on amendment 8379. Thank you, Mr. Speaker.

The SPEAKER. Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I, likewise, would ask for a negative vote on amendment 8379.

I would remind the members that you have already voted against an amendment that would have extended the implementation for 6 months. This amendment asks to extend it for 18 months. We have already rejected 6 months; we need to reject 18 months as well.

Mr. Speaker, I would request a negative vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER. Is there any member seeking recognition before the Chair recognizes the prime sponsor of the amendment?

Representative Keller, for the second time.

Mr. M. KELLER. Thank you, Mr. Speaker.

Let me throw it out like this, Mr. Speaker: I have just spent X amount of dollars to comply with USDA regulations in building my kennel. Now, 6 months after this bill passes, I am not in compliance and I cannot operate. What this amendment does is allows me to operate to come into compliance. Is that not what we want? Do we not want these kennels to come in compliance and not have the problems that we have today?

This in itself looks at it differently than what Representative Brooks's amendment did. Hers was for a year, but it did not have the piece in it that says they have to work with the department in achieving those benchmarks. If they do not achieve those benchmarks, their licenses are revoked.

It is a commonsense approach. I would appreciate a positive vote on this amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—72

Argall	Fairchild	Major	Rapp
Baker	Fleck	Mantz	Readshaw
Barrar	Gabig	Marsico	Reed

Bastian	Geist	McIlhattan	Reichley
Benninghoff	Gibbons	Metcalfe	Roae
Boback	Gillespie	Millard	Rohrer
Brooks	Gingrich	Miller	Sainato
Buxton	Grell	Moul	Saylor
Cappelli	Haluska	Nailor	Schroder
Causer	Harhart	Nickol	Smith, S.
Clymer	Harris	O'Neill	Sonney
Cox	Helm	Peifer	Stairs
Creighton	Hershey	Perry	Steil
Dally	Hess	Perzel	Stern
Denlinger	Hutchinson	Phillips	Stevenson
Ellis	Kauffman	Pickett	Swanger
Evans, J.	Keller, M.K.	Pyle	Turzai
Everett	Longietti	Quinn	Yewcic

NAYS—125

Bear	George	McCall	Scavello
Belfanti	Gergely	McGeehan	Seip
Bennington	Godshall	McI. Smith	Shapiro
Beyer	Goodman	Melio	Shimkus
Biancucci	Grucela	Mensch	Siptroth
Bishop	Hanna	Micozzie	Smith, K.
Blackwell	Harhai	Milne	Smith, M.
Boyd	Harkins	Moyer	Solobay
Brennan	Harper	Mundy	Staback
Caltagirone	Hennessey	Murt	Sturla
Carroll	Hickernell	Mustio	Surra
Casorio	Hornaman	Myers	Tangretti
Civera	James	O'Brien, M.	Taylor, J.
Cohen	Josephs	Oliver	Taylor, R.
Conklin	Keller, W.	Pallone	Thomas
Costa	Kenney	Parker	True
Cruz	Kessler	Pashinski	Vereb
Curry	Killion	Payne	Vitali
Cutler	King	Payton	Vulakovich
Daley	Kirkland	Petrarca	Wagner
DeLuca	Kortz	Petri	Walko
DePasquale	Kotik	Petrone	Wansacz
Dermody	Kula	Preston	Waters
DeWeese	Leach	Ramaley	Watson
DiGirolo	Lentz	Raymond	Wheatley
Donatucci	Levdansky	Rock	White
Eachus	Maher	Roebuck	Williams
Evans, D.	Mahoney	Ross	Yudichak
Fabrizio	Manderino	Rubley	
Frankel	Mann	Sabatina	O'Brien, D.,
Freeman	Markosek	Samuelson	Speaker
Galloway	Marshall	Santoni	

NOT VOTING—0

EXCUSED—6

Adolph	Mackereth	Wojnaroski	Youngblood
Gerber	Quigley		

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

On the question recurring,

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

Mr. M. KELLER offered the following amendment No. A08373:

Amend Sec. 7 (Sec. 211), page 44, lines 28 through 30; page 45, lines 1 through 3, by striking out "the person holding or applying for a

license has" in line 28, all of lines 29 and 30, page 44, all of lines 1 through 3, page 45 and inserting (Reserved).

On the question,

Will the House agree to the amendment?

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

Mr. M. KELLER. Thank you, Mr. Speaker.

Basically what this amendment does, again, is whenever local zoning takes effect, that the individual who possibly is living in an area where zoning prohibits the kennel, and the owner of the kennel that is proposing to be built in that area, the zoning has said, no, it cannot be, and, of course, there is a case on that at the present time and the owner then tries to build a kennel in a place that does allow a kennel to be built, what this does is puts the jurisdiction in the department, the local municipality, and not the administration.

Thank you, Mr. Speaker.

The SPEAKER. Representative Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A08373. We are standing on the side of local governments, Mr. Speaker. We are allowing local government rulings to stand.

HB 2525 does not supersede a local government ruling, Mr. Speaker. This amendment addresses the authority to refuse a license when the kennel owner has been denied zoning approval. The department should not be issuing, the State Department of Agriculture should not be issuing licenses to operate in an area where the municipality has refused to permit the use, plain and simple, Mr. Speaker.

I ask for a negative vote on amendment 8373. Thank you.

The SPEAKER. Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

For the reasons stated by the prime sponsor, I, likewise, would ask for a negative vote on amendment A08373.

The SPEAKER. Is there any member seeking recognition before the Chair recognizes the prime sponsor of the amendment?

Representative Keller, for the second time.

Mr. M. KELLER. Thank you, Mr. Speaker.

Mr. Speaker, I do not disagree with the last two statements of the last two speakers. Unfortunately, the way the bill is written is, if I move to another municipality, I cannot get a kennel license because that case is going on in the other municipality. So if I move, then I cannot acquire a kennel license. It does not make sense.

Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—60

Argall	Ellis	Kauffman	Rapp
Baker	Evans, J.	Keller, M.K.	Reed
Bastian	Everett	Major	Reichley
Bear	Fairchild	Mantz	Roae
Benninghoff	Fleck	Marsico	Rock
Boyd	Gabig	McIlhattan	Rohrer

Brooks	Geist	Metcalf	Schroder
Cappelli	Gingrich	Millard	Smith, S.
Causser	Harhart	Moul	Sonney
Clymer	Harris	Peifer	Stairs
Cox	Helm	Perry	Stern
Creighton	Hershey	Perzel	Stevenson
Cutler	Hess	Phillips	Swanger
Dally	Hickernell	Pickett	Turzai
Denlinger	Hutchinson	Pyle	Vulakovich

NAYS—137

Barrar	Gillespie	McI. Smith	Santoni
Belfanti	Godshall	Melio	Saylor
Bennington	Goodman	Mensch	Scavello
Beyer	Grell	Micozzie	Seip
Biancucci	Grucela	Miller	Shapiro
Bishop	Haluska	Milne	Shimkus
Blackwell	Hanna	Moyer	Siptroth
Boback	Harhai	Mundy	Smith, K.
Brennan	Harkins	Murt	Smith, M.
Buxton	Harper	Mustio	Solobay
Caltagirone	Hennessey	Myers	Staback
Carroll	Hornaman	Nailor	Steil
Casorio	James	Nickol	Sturla
Civera	Josephs	O'Brien, M.	Surra
Cohen	Keller, W.	O'Neill	Tangretti
Conklin	Kenney	Oliver	Taylor, J.
Costa	Kessler	Pallone	Taylor, R.
Cruz	Killion	Parker	Thomas
Curry	King	Pashinski	True
Daley	Kirkland	Payne	Verbe
DeLuca	Kortz	Payton	Vitali
DePasquale	Kotik	Petrarca	Wagner
Dermody	Kula	Petri	Walko
DeWeese	Leach	Petrone	Wansacz
DiGirolamo	Lentz	Preston	Waters
Donatucci	Levdansky	Quinn	Watson
Eachus	Longietti	Ramaley	Wheatley
Evans, D.	Maher	Raymond	White
Fabrizio	Mahoney	Readshaw	Williams
Frankel	Manderino	Roebuck	Yewcic
Freeman	Mann	Ross	Yudichak
Galloway	Markosek	Rublely	
George	Marshall	Sabatina	O'Brien, D.,
Gergely	McCall	Sainato	Speaker
Gibbons	McGeehan	Samuelson	

NOT VOTING—0

EXCUSED—6

Adolph	Mackereth	Wojnaroski	Youngblood
Gerber	Quigley		

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

On the question recurring,

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

Mr. COX offered the following amendment No. **A08618**:

Amend Sec. 4 (Sec. 207), page 29, line 8, by striking out ", (e) and (f)"

Amend Sec. 7 (Sec. 211), page 53, lines 9 and 10, by striking out "subject to bonding requirements of this section"

Amend Sec. 7 (Sec. 211), page 54, lines 3 through 24, by striking out all of lines 3 through 23 and "(f)" in line 24 and inserting (e)

On the question,

Will the House agree to the amendment?

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

Mr. COX. Thank you, Mr. Speaker.

Mr. Speaker, this amendment simply removes the bond requirement to obtain an appeal. My concern with the current language of HB 2525 is that it provides no opportunity for an individual with lesser financial means to appeal a ruling against him. I do not believe the door of justice should be closed on someone just because they cannot afford to pay.

The Superior Court in a 1972 case provided an excellent analysis of this concept. The court discussed the rights of what they called a pauper appellant as follows: The court said, "As early as 1496, in the eleventh year of the reign of Henry VII, a statute, the Statute of 11 Henry VII, gave the Chancellor jurisdiction to decree poor plaintiffs to be entitled to sue in forma pauperis, and in that capacity command the services not only of the officers of the court, and the attendance of witnesses, without pay, but to require the court to assign them counsel gratis" – for free. "This statute is a part of the common law of Pennsylvania and applies to relief in forma pauperis on appeal as well as in initial suit.... (parties) have the right under the common law to appeal in forma pauperis without restriction as to whether or not the appeal was from an award against him or from an inadequate award in his favor."

Our own Rules of Appellate Procedure in Pennsylvania, which apply in court cases, clearly allow for appeals in forma pauperis. HB 2525 in its current form does not contain such an option for an administrative appeal. My amendment simply removes the bond requirement to avoid a potential problem, again, found in our constitutional provisions.

I ask for your support for amendment 8618.

The SPEAKER. Representative Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A08618. Mr. Speaker, this amendment removes the requirement for a bond to be filed to appeal a seizure of dogs, and it removes the requirement that kennel owners who have filed an appeal after his or her dogs have been seized must post a surety bond with the department.

Mr. Speaker, this part of the bill is specifically intended to protect humane societies financially so that they can be assured that they will be fully reimbursed if they volunteer to house dogs that the department removes from bad kennels. Mr. Speaker, this is an attempt to allow someone who has had their license revoked and subsequently their dogs removed, meaning the situation is extremely bad for the dogs, to not have to pay anything toward the cost of care for their very own dogs, Mr. Speaker.

I would ask that we oppose amendment 8618. Thank you, Mr. Speaker.

The SPEAKER. Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

I rise in support of the Cox amendment A08618 for the following reasons.

I do believe, Mr. Speaker, that the individuals who break the law should in fact pay for that, and I believe that the proper remedies are there. However, to deny them basic access to justice and require them to carry a bond I believe is unconstitutional. Mr. Speaker, our Constitution clearly says that all courts shall be open – it is not a permissive statement – and it goes on to say that they shall be "administered without sale, denial or delay." Mr. Speaker, to close that court door for simply not having a bond I believe is not only unconstitutional, I think it is immoral. Mr. Speaker, we allow murderers and other common criminals that reside in prison the right to appeal their cases and they do not pay.

Mr. Speaker, to not pass this amendment will leave an unconstitutional time bomb ticking in the legislation, one that could potentially tie this legislation up for a long time to come. Mr. Speaker, I would propose that if this amendment is not accepted into the legislation, that as soon as it is signed into law, Mr. Speaker, it would be challenged.

And, Mr. Speaker, we have heard that a 6-month time period, the time period that we are working under, that we should not allow the animals to sit in their cages any longer than 6 months. Twelve months, as offered by my colleague previously, was unreasonable; 24 months was also unreasonable. Mr. Speaker, if the time goal truly is 6 months and individuals truly care about the animals, Mr. Speaker, then this amendment must be adopted. Otherwise, you risk the legislation being tied up in the courts for years to come.

So I rise again in support of the Cox amendment and encourage my colleagues to do so as well. Thank you.

The SPEAKER. Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I rise to ask for a negative vote on amendment A08618.

Mr. Speaker, the important thing for the members to understand here is that this amendment would shift the burden of care for the dogs, on a protracted appeal, from the owner who has filed the appeal to the humane societies who are caring for those dogs. Mr. Speaker, that is inappropriate. In this situation where dogs have been seized, there has obviously been a serious violation of the act. The department would not have acted if that was not the case. In that situation, the burden on appeal for the care of the dogs should remain with the kennel owner.

In addition, Mr. Speaker, it is my understanding that there are numerous areas in the law where bonds are required before an appeal can be perfected, and we would simply object to the elimination of the bond requirement here, which shifts the burden for the care of the dogs away from the kennel owner and instead to the humane societies or those who are being forced to take care of these dogs that have been seized.

For that reason, Mr. Speaker, I would ask for a negative vote on amendment A08618. Thank you, Mr. Speaker.

The SPEAKER. Representative Lentz.

Mr. LENTZ. Mr. Speaker, my understanding on how the bond system works is that in this case, it would not prohibit the individual from seeking an appeal. The purpose of the posting of the bond is dealing with the status of the dogs during the pendency of the appeal. The bond is limited to a period of 31 days and deals specifically with this issue of who feeds and who pays the cost of feeding and caring for the dogs that were seized as a result of this civil action.

So it does not interfere with anyone's due-process rights. It does not put a wealth requirement on the ability to exercise those rights or appeal. It deals specifically with the issue of the

burden of paying for the cost of the care of the dogs for the period of the bond, which, again, is limited to 31 days. So I would likewise urge a "no" vote on this amendment.

The SPEAKER. Is there any member seeking recognition before the Chair recognizes the prime sponsor of the amendment?

The Chair recognizes Representative Cox for the second time.

Mr. COX. Thank you, Mr. Speaker.

I hate to complicate things with something as trivial as the Pennsylvania Constitution, but it is a pretty important document, and some people put some thought into it several years ago. We are being negligent in our duties if we do not heed not only the words of the Superior Court that I read earlier, but if we ignore the constitutional provision here, I think we are in danger of putting this provision of this law into constitutional challenge and potentially prolonging a process that could otherwise be done smoothly through the legislative process.

Article I, section 11, states that "All courts shall be open; and every man for an injury done him in his lands, goods, person or reputation shall have remedy by due course of law, and right and justice administered without sale, denial or delay." Removing this bond requirement is a simple step to maintain the constitutionality of this bill. I will not stand here and say that there are not other concerns, but constitutionally, we cannot step on people's rights in this way.

I read earlier about a poor person having a right to defend themselves, a right to be heard, and a right to appeal. What this current language of HB 2525 does is to make an individual poor. Many of the individuals that we are talking about here, this is their primary source of income, and so when their dogs are seized under HB 2525, we are taking away their very means of producing an income, and when you take away someone's ability to make money, you in effect are making them poor. If you do not leave them the option to make money, how can we then require them to have money to file a bond so that they can appeal the judgment that has been against them? We are making them poor and then expecting them to somehow come up with the money to defend themselves.

You call it fair; I call it unconstitutional, and I think the courts are going to agree with me, Representative Cutler, and the other members that support this amendment. I think we are going to see, I do not know how long it is going to take, but we are going to be back here and we are going to be amending this to bring it up to constitutional muster.

I ask for your support for amendment 8618 as a constitutional issue. Thank you.

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

The following roll call was recorded:

YEAS—60

Argall	Ellis	Mantz	Reed
Baker	Everett	Marsico	Reichley
Barrar	Fleck	McIlhattan	Roae
Bastian	Gabig	Metcalfe	Rohrer
Bear	Gillespie	Millard	Saylor
Benninghoff	Gingrich	Miller	Schroder
Brooks	Grell	Moul	Smith, S.
Causer	Harhart	Mustio	Sonney

Civera	Harris	Nickol	Stairs
Clymer	Helm	Peifer	Stern
Cox	Hershey	Perry	Stevenson
Creighton	Hickernell	Perzel	Swanger
Cutler	Hutchinson	Pickett	True
Dally	Keller, M.K.	Pyle	Turzai
Denlinger	Major	Rapp	Vulakovich

NAYS—137

Belfanti	George	Marshall	Sainato
Bennington	Gergely	McCall	Samuelson
Beyer	Gibbons	McGeehan	Santoni
Bianucci	Godshall	McI. Smith	Scavello
Bishop	Goodman	Melio	Seip
Blackwell	Grucela	Mensch	Shapiro
Boback	Haluska	Micozzie	Shimkus
Boyd	Hanna	Milne	Siptroth
Brennan	Harhai	Moyer	Smith, K.
Buxton	Harkins	Mundy	Smith, M.
Caltagirone	Harper	Murt	Solobay
Cappelli	Hennessey	Myers	Staback
Carroll	Hess	Nailor	Steil
Casorio	Hornaman	O'Brien, M.	Sturla
Cohen	James	O'Neill	Surra
Conklin	Josephs	Oliver	Tangretti
Costa	Kauffman	Pallone	Taylor, J.
Cruz	Keller, W.	Parker	Taylor, R.
Curry	Kenney	Pashinski	Thomas
Daley	Kessler	Payne	Vereb
DeLuca	Killion	Payton	Vitali
DePasquale	King	Petrarca	Wagner
Dermody	Kirkland	Petri	Walko
DeWeese	Kortz	Petrone	Wansacz
DiGirolamo	Kotik	Phillips	Waters
Donatucci	Kula	Preston	Watson
Eachus	Leach	Quinn	Wheatley
Evans, D.	Lentz	Ramaley	White
Evans, J.	Levdansky	Raymond	Williams
Fabrizio	Longietti	Readshaw	Yewcic
Fairchild	Maher	Rock	Yudichak
Frankel	Mahoney	Roebuck	
Freeman	Manderino	Ross	O'Brien, D.,
Galloway	Mann	Rubleby	Speaker
Geist	Markosek	Sabatina	

NOT VOTING—0

EXCUSED—6

Adolph	Mackereth	Wojnaroski	Youngblood
Gerber	Quigley		

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

On the question recurring,

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

Mr. COX offered the following amendment No. **A08620**:

Amend Sec. 16.2 (Sec. 901), page 80, line 8, by striking out the bracket before "and"

Amend Sec. 16.2 (Sec. 901), page 80, lines 8 through 10, by striking out "], including issuing notices and orders, assessing criminal" in line 8, all of line 9 and "into consent agreements. The secretary" in line 10

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

AMENDMENT WITHDRAWN

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

The gentleman indicates he is withdrawing the amendment. The Chair thanks the gentleman.

On the question recurring,

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

Mr. **MILLARD** offered the following amendment No. **A08582**:

Amend Sec. 7 (Sec. 211), page 54, line 6, by inserting after "filed,"

within ten days of filing the appeal.

Amend Sec. 7 (Sec. 211), page 54, lines 7 through 11, by striking out "post a" in line 7, all of lines 8 through 11 and inserting either:

(i) post a surety bond in the amount determined by the department applying the criteria set forth in paragraph (2); or

(ii) deposit a sum of money not to exceed 10% of the amount of the surety bond determined by the department applying the criteria set forth in paragraph (2).

Amend Sec. 7 (Sec. 211), page 54, lines 15 and 16, by striking out all of said lines and inserting to removal and impoundment, for a period of 31 days.

(2.1) Any surety bond posted pursuant to paragraph (1)(i) shall be payable to the Commonwealth of

Amend Sec. 7 (Sec. 211), page 54, by inserting between lines 19 and 20

(2.2) Any deposit pursuant to paragraph (1)(ii) shall be held by the Department of Agriculture, Bureau of Dog Law Enforcement, until after the appeal. If after the appeal the dogs are not placed under the care of the owner from which they were seized, the department shall be entitled to keep the deposit and collect the remainder of the amount determined by the department applying the criteria set forth in paragraph (2) from the owner.

Amend Sec. 7 (Sec. 211), page 54, line 22, by inserting after "the" where it appears the second time deposit or the

On the question,

Will the House agree to the amendment?

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

Mr. MILLARD. Thank you, Mr. Speaker.

Mr. Speaker, right now under HB 2525, in order to file an appeal, an individual must post a bond in the amount necessary to transport, care, and feed any seized dogs for a period of 31 days. My amendment allows individuals who wish to appeal another option. Under my amendment, an individual could post a 10-percent deposit with the department in place of the bond requirement.

Let me explain where this idea originated. It comes from Pennsylvania's Rules of Criminal Procedure concerning the monetary conditions of bail. Under our current Rules of

Criminal Procedure, individuals accused of serious, heinous crimes can still be considered for release on bail. If monetary bail is required – and keep in mind, release on bail does not even have to include monetary conditions – one option is to deposit a sum of money not to exceed 10 percent of the full amount with the bail authority. I believe it is important to allow a similar 10-percent deposit option for individuals under this new appeals process.

As an initial matter, I am not sure how difficult it will be for interested parties who wish to appeal to get a bond. Therefore, I think we have to give them another option. But more importantly, I think we have to be fair to folks who want to appeal. Our Rules of Criminal Procedure require the courts to consider a 10-percent deposit option to allow accused child molesters out on bail. If we are going to impose a monetary requirement for an appeal under our Dog Law, at the very least we should offer this 10-percent deposit option.

Thank you, Mr. Speaker.

The SPEAKER. Representative Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A08582. Mr. Speaker, owners should bear the cost of caring for their dogs, Mr. Speaker, whether at their own facilities or at a shelter or agency where they are seized. The cost of necessary and legal required care, food, shelter, adequate veterinary care cost the same, Mr. Speaker, whether given at a kennel or at a shelter. Owners should not be excused from paying for these necessities. And shelters who step up to the plate, Mr. Speaker, to take on the care of seized animals should not be penalized by being forced to bear the financial burden of their generosity and care. And by giving the Department of Agriculture the care of the money, there must be a provision that the money is paid over to the shelter providing the care, Mr. Speaker.

Again, I would ask for a negative vote on amendment 8582. Thank you.

The SPEAKER. Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

Likewise, I would ask for a negative vote on amendment A08582.

Mr. Speaker, we have already addressed an amendment very much like this. As we had said on the previous amendment that was defeated, this amendment, like the previous amendment, this amendment would shift the cost of caring for the dogs that have been seized, and remember, when the department seizes dogs, it is in a very bad situation, and it would shift the burden of the care of those dogs. During any appeal, the care would have to be provided by the humane society that is taking care of them. Under 2525 as it is written, that burden would be on the kennel owner, and that is where it belongs.

So again, Mr. Speaker, we would urge a negative vote on amendment A08582 for those reasons. Thank you, Mr. Speaker.

The SPEAKER. Is there any member seeking recognition before the Chair recognizes the prime sponsor of the amendment?

Representative Millard, for the second time.

Mr. MILLARD. Thank you, Mr. Speaker.

This amendment offers a level of fairness – a level of fairness; keep that in mind. A lot of comments were made on prior amendments that they were weakening this law, HB 2525. This amendment, 8582, will strengthen this law. It will provide the needed level of fairness for an individual to have an option when they are accused to post a bond.

I ask for an affirmative vote. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—62

Argall	Dally	Kenney	Reed
Baker	Denlinger	Major	Reichley
Barrar	Ellis	Mantz	Roae
Bastian	Everett	Marsico	Rock
Bear	Fairchild	McIlhattan	Rohrer
Benninghoff	Fleck	Metcalfe	Taylor
Boback	Geist	Millard	Schroder
Boyd	Gingrich	Moul	Smith, S.
Brooks	Harhart	Peifer	Sonney
Cappelli	Harris	Perry	Stairs
Causar	Helm	Perzel	Stern
Civera	Hershey	Phillips	Stevenson
Clymer	Hess	Pickett	Swanger
Cox	Hickernell	Pyle	Turzai
Creighton	Hutchinson	Rapp	Vulakovich
Cutler	Keller, M.K.		

NAYS—135

Belfanti	Godshall	McI. Smith	Samuelson
Bennington	Goodman	Melio	Santoni
Beyer	Grell	Mensch	Scavello
Bianucci	Grucela	Micozzie	Seip
Bishop	Haluska	Miller	Shapiro
Blackwell	Hanna	Milne	Shimkus
Brennan	Harhai	Moyer	Siproth
Buxton	Harkins	Mundy	Smith, K.
Caltagirone	Harper	Murt	Smith, M.
Carroll	Hennessey	Mustio	Solobay
Casorio	Hornaman	Myers	Staback
Cohen	James	Nailor	Steil
Conklin	Josephs	Nickol	Sturla
Costa	Kauffman	O'Brien, M.	Surra
Cruz	Keller, W.	O'Neill	Tangretti
Curry	Kessler	Oliver	Taylor, J.
Daley	Killion	Pallone	Taylor, R.
DeLuca	King	Parker	Thomas
DePasquale	Kirkland	Pashinski	True
Dermody	Kortz	Payne	Vereb
DeWeese	Kotik	Payton	Vitali
DiGirolamo	Kula	Petrarca	Wagner
Donatucci	Leach	Petri	Walko
Eachus	Lentz	Petrone	Wansacz
Evans, D.	Levdansky	Preston	Waters
Evans, J.	Longietti	Quinn	Watson
Fabrizio	Maher	Ramaley	Wheatley
Frankel	Mahoney	Raymond	White
Freeman	Manderino	Readshaw	Williams
Gabig	Mann	Roebuck	Yewcic
Galloway	Markosek	Ross	Yudichak
George	Marshall	Rubley	
Gergely	McCall	Sabatina	O'Brien, D., Speaker
Gibbons	McGeehan	Sainato	
Gillespie			

NOT VOTING—0

EXCUSED—6

Adolph	Mackereth	Wojnaroski	Youngblood
Gerber	Quigley		

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

On the question recurring,

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

Mr. **MILLARD** offered the following amendment No. **A08517**:

Amend Bill, page 92, lines 23 through 27, by striking out all of said lines and inserting

Section 20. The Department of Agriculture shall promulgate regulations to implement the provisions of this act within 180 days.

Section 21. This act shall take effect as follows:

(1) The following provisions shall take effect immediately:

(i) Section 20 of this act.

(ii) This section.

(2) The remainder of this act shall take effect 90 days after the publication in the Pennsylvania Bulletin of final adoption of regulations promulgated by the Department of Agriculture to implement the provisions of this act.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman indicates he is withdrawing the amendment. The Chair thanks the gentleman.

On the question recurring,

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

Mr. **STERN** offered the following amendment No. **A08374**:

Amend Sec. 7 (Sec. 211), page 45, line 14, by striking out "OR CARING FOR THE DOGS."

Amend Sec. 7, page 45, line 15, by striking out "HAS" and inserting

had

Amend Sec. 7 (Sec. 211), page 45, line 16, by striking out "A role shall include"

Amend Sec. 7 (Sec. 211), page 45, lines 17 through 21, by striking out all of said lines

On the question,

Will the House agree to the amendment?

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

Mr. STERN. Thank you, Mr. Speaker.

Currently HB 2525 imposes a duty to conduct background checks on every owner, manager, employee, and even volunteers at kennels. This would be any type of kennel at all in Pennsylvania. In order to remove the risk of not being granted a license or having a kennel license revoked, if you employ someone or allow someone to volunteer at the kennel who could not be licensed if they were the applicant themselves is cause under HB 2525 to revoke or refuse a kennel license.

Amendment 8374 would limit that duty to conduct background checks and cause to revoke or refuse to persons who play a role in ownership, and that is what we should be about, looking at the owners of these kennels. And it is similar to standards used for liquor licenses which prohibit certain persons from being owners of or shareholders, directors, or partners in an entity applying for a liquor license. Certainly a kennel owner should be concerned about the type of person that he or she has in his employ, but should they be punished by losing their own kennel license if it is discovered that the volunteer would not have been able to obtain one themselves?

Under the current language in the bill, the reason could be that the volunteer that cares for the dogs had a zoning disapproval, as we heard previously in Representative Keller's amendment that he had proposed to offer. What does this have to do with the person's ability to properly care for dogs, I ask? Is the kennel owner expected to search through the municipal records of every local government unit prior to allowing someone to care for dogs?

AMENDMENT WITHDRAWN

Mr. STERN. I think it is pretty evident, Mr. Speaker, that unless these amendments that have been offered, a lot of commonsense amendments tonight, unless they have been approved by the administration, that they are going nowhere tonight, and so for that reason I withdraw this amendment, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. **STERN** offered the following amendment No. **A08380**:

Amend Sec. 7 (Sec. 211), page 43, line 14, by striking out "shall" and inserting

may

Amend Sec. 9 (Sec. 218), page 57, lines 19 through 28, by striking out "It shall be sufficient probable" in line 19 and all of lines 20 through 28

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. Representative Stern, on the amendment.

Mr. STERN. Thank you, Mr. Speaker.

For the reasons that I reiterated in the prior amendment, I will be withdrawing that amendment as well. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. STERN offered the following amendment No. A08356:

Amend Title, page 1, line 17, by inserting after "for" where it appears the second time

dealer and

Amend Sec. 1 (Sec. 102), page 4, line 21, by inserting after "who"

resides in this Commonwealth and who

Amend Sec. 3 (Sec. 206), page 20, line 29, by striking out "is a dealer or"

Amend Sec. 3 (Sec. 206), page 21, lines 19 through 26, by striking out all of said lines

Amend Sec. 5 (Sec. 209), page 41, line 20, by inserting brackets before and after "Out-of-state" and inserting immediately thereafter

Dealer and out-of-state

Amend Sec. 5 (Sec. 209), page 41, line 22, by striking out "Out-of-state dealers.—All" and inserting

[Out-of-state] Dealers and out-of-state dealers.—
All dealers and

Amend Sec. 5 (Sec. 209), page 41, line 23, by inserting brackets before and after "an" and inserting immediately thereafter

a dealer or

Amend Sec. 5 (Sec. 209), page 41, line 25, by striking out the bracket before "\$300"

Amend Sec. 5 (Sec. 209), page 41, line 25, by striking out "] set
by regulation

Amend Sec. 5 (Sec. 209), page 42, line 2, by inserting after "for"
dealers or

Amend Sec. 5 (Sec. 209), page 42, line 7, by inserting brackets before and after "an out-of-state" and inserting immediately thereafter

a

Amend Sec. 6 (Sec. 210), page 42, line 22, by inserting after "all"
dealers and

Amend Sec. 6 (Sec. 210), page 43, line 3, by inserting after "or"
by a dealer or

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

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

Mr. STERN. Thank you, Mr. Speaker.

The current law defines "dealer" and also "out-of-State dealer." The current law only assigns a license fee to an out-of-State dealer and to a person who operates a dealer kennel. There is no fee in current law for a dealer. HB 2525 makes an attempt to provide for the licensing of dealers, which I agree with, but the language on page 21 of the bill does not associate this dealer license with a fee, nor does it authorize any fee to be established whatsoever. It also does not provide for a licensing period.

I recognize that the Department of Agriculture may need to license an in-State dealer of dogs who may not operate a dealer kennel and would, therefore, remain unlicensed. This amendment provides the appropriate language to establish a dealer license, as the current bill intends to do, and it assigns with it a \$300 license fee. This is the same fee that is currently assigned in the current law for out-of-State dealer licenses.

Mr. Speaker, I would support the Department of Agriculture's desire here to license dog dealers, and this amendment properly executes this idea. I would ask for an affirmative vote on this amendment.

The SPEAKER. Representative Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to amendment A08356.

Mr. Speaker, this amendment would substantially change the provisions of the act, taking away the department's ability to regulate the in-State dealer and only allow the department to require a license fee. Mr. Speaker, the department must and should be able to enforce requirements against in-State dealers.

Mr. Speaker, a dealer does not fall under the definition of a "kennel" because dealers have no physical structure. They merely pass dogs through a system of breeders, pet shops, network homes, and final consumers. The department, Mr. Speaker, needs the ability to require the license and enforce that requirement. Taking this phrase out will negate that ability, Mr. Speaker. This amendment lumps all dealers together rather than take into account the fact that out-of-State dealers can only be regulated as to requiring them to have a license. In-State dealers can and should be able to shut down and be fined.

Mr. Speaker, I would ask for a negative vote on amendment 8356. Thank you.

The SPEAKER. Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I would concur with the prior speaker that we need a negative vote on amendment A08356, and the primary reason is exactly as stated. We cannot lump together both in-State and out-of-State dealers. Out-of-State dealers can only be regulated as to requiring them to have a license. We have to be able to regulate in-State dealers and should be able to shut them down and fine them. For that reason, Mr. Speaker, I would ask for a negative vote on amendment A08356.

Thank you, Mr. Speaker.

The SPEAKER. Is there any member seeking recognition before the Chair recognizes the prime sponsor of the amendment?

Representative Stern for the second time?

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

The following roll call was recorded:

YEAS—68

Argall	Ellis	Major	Reed
Baker	Everett	Marshall	Reichley
Bastian	Fairchild	Marsico	Roae
Bear	Fleck	McIlhattan	Rock
Benninghoff	Geist	Metcalfe	Rohrer
Boback	Gillespie	Millard	Saylor
Boyd	Gingrich	Miller	Schroder
Brooks	Harhart	Moul	Smith, S.
Cappelli	Harris	Mustio	Sonney
Causar	Helm	Nickol	Stairs
Civera	Hershey	Peifer	Stern
Clymer	Hess	Perry	Stevenson
Cox	Hickernell	Perzel	Swanger
Creighton	Hutchinson	Phillips	Turzai
Cutler	Keller, M.K.	Pickett	Vereb
Dally	Kenney	Pyle	Vulakovich
Denlinger	Maher	Rapp	Yewcic

NAYS—129

Barrar	Gergely	McCall	Samuelson
Belfanti	Gibbons	McGeehan	Santoni
Bennington	Godshall	McI. Smith	Scavello
Beyer	Goodman	Melio	Seip

Biancucci	Grell	Mensch	Shapiro
Bishop	Grucela	Micozzie	Shimkus
Blackwell	Haluska	Milne	Siptroth
Brennan	Hanna	Moyer	Smith, K.
Buxton	Harhai	Mundy	Smith, M.
Caltagirone	Harkins	Murt	Solobay
Carroll	Harper	Myers	Staback
Casorio	Hennessey	Nailor	Steil
Cohen	Hornaman	O'Brien, M.	Sturla
Conklin	James	O'Neill	Surra
Costa	Josephs	Oliver	Tangretti
Cruz	Kauffman	Pallone	Taylor, J.
Curry	Keller, W.	Parker	Taylor, R.
Daley	Kessler	Pashinski	Thomas
DeLuca	Killion	Payne	True
DePasquale	King	Payton	Vitali
Dermody	Kirkland	Petrarca	Wagner
DeWeese	Kortz	Petri	Walko
DiGirolamo	Kotik	Petrone	Wansacz
Donatucci	Kula	Preston	Waters
Eachus	Leach	Quinn	Watson
Evans, D.	Lentz	Ramaley	Wheatley
Evans, J.	Levdansky	Raymond	White
Fabrizio	Longietti	Readshaw	Williams
Frankel	Mahoney	Roebuck	Yudichak
Freeman	Manderino	Ross	
Gabig	Mann	Rublely	O'Brien, D.,
Galloway	Mantz	Sabatina	Speaker
George	Markosek	Sainato	

NOT VOTING—0

EXCUSED—6

Adolph	Mackereth	Wojnaroski	Youngblood
Gerber	Quigley		

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

On the question recurring,

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

Mr. **SIPTROTH** offered the following amendment No. **A08569**:

Amend Title, page 2, line 9, by inserting after "agency";" providing for county dog shelter restricted accounts;

Amend Sec. 3 (Sec. 201), page 19, by inserting between lines 7 and 8

(b.1) County dog shelter contribution.—A surcharge of \$2.50 shall be added to the license fees under this section. Fifty cents of this surcharge shall be maintained by the county treasurer for purposes of administering the county dog shelter restricted account of the county. The remaining amount shall be deposited into the county dog shelter restricted account established in section 1003.

Amend Bill, page 92, by inserting between lines 22 and 23

Section 20. The act is amended by adding a section to read:

Section 1003. County dog shelter restricted accounts.

(a) Duty to establish.—Every county in this Commonwealth shall establish a county dog shelter restricted account. Any interest accrued on the account shall be credited to the account.

(b) Appropriation.—The moneys and interest in a county dog shelter restricted account shall be appropriated as follows:

(1) Semiannually the county treasurer shall pay out in equal shares the balance of the account to not more than

three humane societies or associations for the prevention of cruelty to animals, as defined in section 102, operating in that county that are registered with the Bureau of Dog Law Enforcement and that accepted the highest totals of dogs from the county in the previous calendar year according to the Bureau of Dog Law Enforcement. The Bureau of Dog Law Enforcement shall provide the county treasurers with the list of registered humane societies and associations semiannually.

(2) If there are no humane societies or associations for the prevention of cruelty to animals registered with the Bureau of Dog Law Enforcement operating in the county, the county treasurer shall pay out in equal shares the balance of the county dog shelter restricted account to up to three humane societies or associations for the prevention of cruelty to animals, as defined by section 102, operating in other counties and that accepted the largest number of dogs from the county in the previous calendar year, according to the Bureau of Dog Law Enforcement.

(3) The county shall not place any restrictions or matching fund requirements for distribution of these funds.

(4) The appropriations distributed from the account may be used for any expenditure related to operations.

Amend Sec. 20, page 92, line 23, by striking out "20" and inserting

21

On the question,

Will the House agree to the amendment?

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

Mr. SIPTROTH. Thank you, Mr. Speaker.

Mr. Speaker, this bill simply increases the fees for the licensing of our animals, our dogs, and many of our shelters are certainly without the means to provide the care that is so needed of the animals at our shelters. And these funds, other than a small administrative fee which will go to the Treasurer's Office, will provide those funds that are desperately needed.

I certainly would encourage my colleagues to support this amendment. Thank you, Mr. Speaker.

The SPEAKER. Representative Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, I would rise in opposition to amendment A08569.

Thank you, Mr. Speaker.

The SPEAKER. Representative Hanna. The gentleman waives off.

Is there any member seeking recognition before the Chair recognizes the prime sponsor of the amendment?

Representative Siptroth, for the second time.

Mr. SIPTROTH. Thank you, Mr. Speaker.

Again I would ask for the members' support on this particular amendment. I feel that it is extremely important, although increasing fees slightly, but it does provide funds so that we may be able to continue to run our ASPCA (American Society for the Prevention of Cruelty to Animals) and other facilities that shelter animals.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the minority whip, who requests that Representative ELLIS be placed on leave. The Chair hears no objection. The leave will be granted.

CONSIDERATION OF HB 2525 CONTINUED

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

The following roll call was recorded:

YEAS—5

Bennington	Hanna	Ramaley	Siptroth
Gibbons			

NAYS—191

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

NOT VOTING—0**EXCUSED—7**

Adolph	Gerber	Quigley	Youngblood
Ellis	Mackereth	Wojnaroski	

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

The SPEAKER. The House will be at ease.

The House will come to order

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the minority whip, who requests that Representative BENNINGHOFF be placed on leave. The Chair hears no objection. The leave will be granted.

CONSIDERATION OF HB 2525 CONTINUED

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

The SPEAKER. If the Chair could have the attention of the members.

It is the impression of the Chair that with the exception of the Stern amendment 08354, all other timely amendments – timely amendments – have been withdrawn.

Are there any members seeking to offer a timely-filed amendment? Are there any members seeking to offer late-filed amendments? The Chair sees none.

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

Mr. STERN offered the following amendment No. **A08354**:

Amend Sec. 3 (Sec. 201), page 16, line 6, by striking out the bracket before "as"

Amend Sec. 3 (Sec. 201), page 16, lines 20 through 30; page 17, lines 1 through 11, by striking out "l, which shall be set by regulation and" in line 20 and all of lines 21 through 30, page 16; all of lines 1 through 11, page 17

Amend Sec. 3 (Sec. 201), page 18, line 4, by striking out the bracket before "as"

Amend Sec. 3 (Sec. 201), page 18, lines 23 through 28, by striking out "l, which shall be set by" in line 23, all of lines 24 through 27 and "(2)" in line 28 and inserting

(5)

Amend Sec. 3 (Sec. 201), page 19, line 1, by striking out "(3)" and inserting

(6)

Amend Sec. 3 (Sec. 206), page 21, lines 4 and 5, by striking out ", which shall be set by regulation,"

Amend Sec. 3 (Sec. 206), page 22, line 1, by striking out the brackets before and after "- \$75 per year"

Amend Sec. 3 (Sec. 206), page 22, line 6, by striking out the brackets before and after "- \$200 per year"

Amend Sec. 3 (Sec. 206), page 22, line 11, by striking out the brackets before and after "- \$300 per year"

Amend Sec. 3 (Sec. 206), page 22, line 16, by striking out the brackets before and after "- \$400 per year"

Amend Sec. 3 (Sec. 206), page 22, line 21, by striking out the brackets before and after "- \$500 per year"

Amend Sec. 3 (Sec. 206), page 22, line 25, by striking out 501 to 750 and inserting

more than 500

Amend Sec. 3 (Sec. 206), page 22, line 26, by inserting after "year"

- \$750 per year

Amend Sec. 3 (Sec. 206), page 22, lines 27 through 30; page 23, lines 1 through 26, by striking out all of said lines on said pages

Amend Sec. 3 (Sec. 206), page 23, line 30, by striking out the brackets before and after "- \$100 per year"

Amend Sec. 3 (Sec. 206), page 24, line 4, by striking out the brackets before and after "- \$150 per year"

Amend Sec. 3 (Sec. 206), page 24, line 8, by striking out the brackets before and after "- \$250 per year"

Amend Sec. 3 (Sec. 206), page 24, line 10, by inserting after "kennel"

- \$25 per year

Amend Sec. 3 (Sec. 206), page 24, line 13, by inserting after "year"

- \$75 per year

Amend Sec. 3 (Sec. 206), page 24, line 16, by inserting after "year"

- \$200 per year

Amend Sec. 3 (Sec. 206), page 24, line 19, by inserting after "year"

- \$300 per year

Amend Sec. 3 (Sec. 206), page 24, line 22, by striking out "200" and inserting

250

Amend Sec. 3 (Sec. 206), page 24, line 22, by inserting after "year" and inserting

- \$400 per year

Amend Sec. 3 (Sec. 206), page 24, line 24, by striking out "201" and inserting

251

Amend Sec. 3 (Sec. 206), page 24, line 25, by inserting after "year"

- \$500 per year

Amend Sec. 3 (Sec. 206), page 24, lines 27 and 28, by striking out "501 to 750" and inserting

more than 500

Amend Sec. 3 (Sec. 206), page 24, line 28, by inserting after "year"

- \$750 per year

Amend Sec. 3 (Sec. 206), page 24, lines 29 and 30; page 25, lines 1 through 16, by striking out all of said lines on said pages

Amend Sec. 4 (Sec. 207), page 32, line 2, by striking out "XII" and inserting

VI

Amend Sec. 4 (Sec. 207), page 32, line 4, by striking out "XII" and inserting

VI

Amend Sec. 5 (Sec. 209), page 41, line 25, by striking out the bracket before "\$300"

Amend Sec. 5 (Sec. 209), page 41, line 25, by striking out "]" set by regulation"

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

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

Mr. STERN. Thank you, Mr. Speaker.

Mr. Speaker, it has long been the position of the General Assembly that it is our duty and responsibility to set fees for licenses for a multitude of businesses and other activities for which our laws require a license or a similar document, and,

Mr. Speaker, I submit that this is as it should be since we are the ones who enact the laws requiring licenses and the ones ultimately that are responsible to those who elect us and put us here in Harrisburg to represent their needs and to those citizens that must obtain them.

The bill we have before us seeks to eliminate all individual dog license fees, kennel license fees, and out-of-State dealer license fees that are established in current law and instead it allows the Department of Agriculture to establish fees by regulation, and I find this totally unacceptable for several reasons, Mr. Speaker.

First of all, as I said, I believe it is a matter of public policy that this General Assembly be the body that sets the statutory authority for fees.

Second, this legislation clearly targets kennels of certain sizes and types for increased regulation to the point where it seems that the real intent of HB 2525 is to force them out of business for reasons unrelated to their ability to properly care for dogs. Allowing the Department of Agriculture to set all license fees is simply one more tool that they would have to attain a goal of possibly putting a lot of law-abiding kennels out of business.

And finally, Mr. Speaker, there is the purely practical aspect of this. The bill as it is currently written establishes numerous new kennel classes for which there are no fees established and further states that it will become effective in 60 days. Well, we all know, we have been here long enough to know, there is no conceivable way regulations can be promulgated to establish fees for new kennel licenses in 60 days, let alone 6, 12, or maybe even 18 months. If this would take effect as written, this current bill, HB 2525, how would anyone, including individual dog owners, be able to comply? What fee would they pay to get the proper license?

Since there is no provision in the bill for interim fees or interim regulation, what happens? Will the license be free until regulations are promulgated? I very much doubt that. Will they be unlicensed and therefore subject to citation for violation of the act? I say that that could be a distinct possibility given the attitude of the administration towards some of these businesses. Will the department attempt to establish without any authority in law some sort of interim policy to do what they please? I say again that could be a distinct possibility without adoption of this amendment in light of how they have attempted to address similar situations in the Commonwealth.

Mr. Speaker, I find that none of these alternatives are acceptable, and therefore, I do offer this amendment. What this amendment does is leave in place the kennel fees in current law for comparable-sized kennels and establish one new fee for the largest class of kennels. Current law assigns a fee of \$500 for a kennel that handles 251 or more dogs per year. My amendment assigns a fee of \$500 for a kennel that handles between 251 and 500 dogs and establishes a new kennel class and fee for 501 or more dogs at \$750 per year. This fee structure is consistent with the fees currently established by the USDA, Mr. Speaker.

For all the reasons that I have enumerated, HB 2525 is totally unacceptable in the manner in which fees will be left to the discretion of a department that has repeatedly indicated by its actions that it is targeting certain kennels. Fees are our responsibility as legislators, and I urge the members to join me in supporting 8354.

Thank you, Mr. Speaker.

The SPEAKER. Representative Casorio.
 Mr. CASORIO. Thank you, Mr. Speaker.
 Mr. Speaker, I would ask to defer to the gentleman, Representative Lentz, and then come back to me, if you would, please.

The SPEAKER. Representative Lentz.
 Mr. LENTZ. Thank you, Mr. Speaker.
 I rise to support amendment 08354. I had a similar amendment, which was not timely filed, which was based on the similar policy arguments to those just outlined by the gentleman who is the prime sponsor of this amendment.

To summarize what he said, taking this out of a regulatory area and putting it into the hands of us as a legislature is the proper remedy. We can disagree about the specific fee structures, but what this amendment does as a matter of public policy is necessary and a needed change to HB 2525, and I would urge all the members to support this amendment. Thank you.

The SPEAKER. Representative Casorio.
 Mr. CASORIO. Thank you, Mr. Speaker.
 Mr. Speaker, I rise to support amendment A08354. In light of the gentleman, Mr. Lentz, and the gentleman, Mr. Stern's work on this amendment, I would ask the body for an affirmative vote on amendment A08354.

Thank you, Mr. Speaker.
 The SPEAKER. Representative Hanna.
 Mr. HANNA. Thank you, Mr. Speaker.
 Likewise, I would ask for an affirmative vote on amendment A08354. Thank you, Mr. Speaker.

The SPEAKER. Representative Stern, for the second time.
 Mr. STERN. Mr. Speaker, I just want to thank the chairman of the Ag Committee as well as the prime sponsor of this legislation and Representative Lentz for agreeing to support this amendment.

Thank you.

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Adolph	Ellis	Mackereth	Wojnaroski
Benninghoff	Gerber	Quigley	Youngblood

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

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

(Bill as amended will be reprinted.)

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2034, PN 3198**, entitled:

An Act providing for long-term care patient access to pharmaceuticals; and conferring powers and duties on the State Board of Pharmacy.

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

The SPEAKER. It is the understanding of the Chair that Representative Bear has withdrawn his amendments. The gentleman indicates that is true.

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 1208 By Representatives W. KELLER, BOYD, CARROLL, CLYMER, COSTA, CURRY, FRANKEL, GRUCELA, HENNESSEY, JOSEPHS, KOTIK, KULA, MANN, McILVAINE SMITH, MURT, M. O'BRIEN, PAYTON, PETRONE, ROCK, SAYLOR, SIPTROTH, SOLOBAY, YOUNGBLOOD and YUDICHAK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in safe schools, further providing for safe schools advocate in school districts of the first class.

Referred to Committee on EDUCATION, September 15, 2008.

No. 1210 By Representatives NICKOL, BOYD, CLYMER, GILLESPIE, GINGRICH, HENNESSEY, HERSHEY, HESS, LONGIETTI, MANN, MICOZZIE, MILNE, MURT, MUSTIO, PYLE, QUINN, REICHLEY, ROCK, ROSS, RUBLEY, SAYLOR, SWANGER and VULAKOVICH

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in realty transfer tax, for excluded transactions.

Referred to Committee on FINANCE, September 15, 2008.

No. 1211 By Representatives DALLY, BOYD, BRENNAN, CALTAGIRONE, CARROLL, CLYMER, CUTLER, ELLIS, EVERETT, FAIRCHILD, FLECK, GEIST, GIBBONS, GINGRICH, GRUCELA, KORTZ, MACKERETH, MANN, MELIO, METCALFE, MUSTIO, PYLE, REED, REICHLEY, ROAE, ROCK, RUBLEY, SAYLOR, SCAVELLO, SIPTROTH, SONNEY, STERN, R. STEVENSON, SWANGER, TRUE, VULAKOVICH, WATSON and PETRI

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in State contract information, further providing for chapter heading; providing for submission and retention of grants and other State expenditures; and further providing for public availability of contracts.

Referred to Committee on STATE GOVERNMENT, September 15, 2008.

No. 1276 By Representatives STERN, GEIST, HESS, PHILLIPS, CALTAGIRONE, ROCK, GODSHALL, CREIGHTON, MAJOR, SAYLOR, REICHLEY, SWANGER, SIPTROTH, KORTZ, HENNESSEY, M. KELLER, HARHAI, MURT and EVERETT

An Act amending the act of June 28, 1995 (P.L.89, No.18), known as the Conservation and Natural Resources Act, further providing for contracts and agreements.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, September 15, 2008.

No. 1277 By Representatives SURRA, NICKOL, DePASQUALE, McCALL, ARGALL, BUXTON, JOSEPHS, KING, KORTZ, GRUCELA, HARKINS, RAMALEY, SAINATO, WATSON and SCAVELLO

An Act establishing the Public School Employees' Benefit Board and providing for its powers and duties; requiring a school employee benefits study and evaluation; providing for a Statewide health benefits program for public school employees, for alternative measures for cost reduction and for a retirement health savings plan; and establishing the Public School Employees' Benefit Trust Fund.

Referred to Committee on APPROPRIATIONS, September 15, 2008.

No. 1823 By Representative PETRI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for commercial driver's license qualification standards.

Referred to Committee on TRANSPORTATION, September 15, 2008.

No. 1906 By Representatives KING, CONKLIN, CUTLER, DePASQUALE, GOODMAN, McILVAINE SMITH, ROAE, SWANGER and WAGNER

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for definition of political parties and political bodies, for nominations by minor political parties and for nominations by political bodies.

Referred to Committee on STATE GOVERNMENT, September 15, 2008.

No. 1944 By Representatives KING, CONKLIN, GOODMAN, HARKINS, SANTONI, McGEEHAN, CALTAGIRONE, LENTZ, GEORGE, J. TAYLOR, PASHINSKI, MAHONEY, MURT and PAYTON

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for the definition of "public utility."

Referred to Committee on CONSUMER AFFAIRS, September 15, 2008.

No. 2203 By Representatives SAYLOR, BOYD, PYLE, R. MILLER, CREIGHTON, FAIRCHILD, GINGRICH, HARPER, HERSHEY, KAUFFMAN, METCALFE, REICHLEY, ROCK, ROHRER and SWANGER

An Act providing for open contracting by the Commonwealth and its political subdivisions and their agencies and authorities.

Referred to Committee on STATE GOVERNMENT, September 15, 2008.

No. 2300 By Representatives TURZAI, SAYLOR, BAKER, BASTIAN, BEAR, BOBACK, BOYD, BROOKS, CAUSER, CLYMER, CREIGHTON, CUTLER, EVERETT, FAIRCHILD, GEIST, GINGRICH, HARHART, HENNESSEY, HORNAMAN, KAUFFMAN, M. KELLER, MARSHALL, MILLARD, MOUL, MURT, MUSTIO, PICKETT, ROAE, ROCK, RUBLEY, SCAVELLO, SONNEY, STERN, J. TAYLOR and WATSON

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for the definition of "public utility"; adding definitions for "default service provider," "microgrid," "overall rate," and "rate phase-in plan"; further providing for standards for restructuring of electric industry and for duties of electric distribution companies; and providing for rate phase-in plans and for microgrids.

Referred to Committee on CONSUMER AFFAIRS, September 15, 2008.

No. 2508 By Representatives SAYLOR, MARSICO, BOYD, GRELL, PYLE, R. MILLER, GILLESPIE, CAUSER, CLYMER, CREIGHTON, CUTLER, EVERETT, FAIRCHILD, FLECK, GINGRICH, HARPER, HERSHEY, HICKERNELL, KAUFFMAN, M. KELLER, MACKERETH, MOUL, PAYNE, PHILLIPS, PICKETT, REICHLEY, ROAE, ROCK, R. STEVENSON, WATSON, ROSS and ROHRER

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, further defining "public work."

Referred to Committee on LABOR RELATIONS, September 15, 2008.

RESOLUTIONS

Mr. DeWEESE called up **HR 494, PN 2784**, entitled:

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.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 494 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 494 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 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 584, PN 3200**, entitled:

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.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 584 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 584 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.

* * *

Mr. DeWEESE called up **HR 639, PN 3409**, entitled:

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.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 639 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 639 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 658, PN 3463**, entitled:

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

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 658 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 658 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 673, PN 3500**, entitled:

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

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 673 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 673 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 779, PN 3878**, entitled:

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

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 779 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 779 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 783, PN 3880**, entitled:

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.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 783 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 783 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 789, PN 3915**, entitled:

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.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 789 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 789 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.

COMMUNICATION FROM GOVERNOR**VETO OF HOUSE BILL**

The Speaker laid before the House a communication in writing from the office of His Excellency, the Governor of the Commonwealth, advising that the following House bill had been vetoed by the Governor:

HB 1438, PN 2482.

Said bill having been returned with the following message:

Commonwealth of Pennsylvania
Office of the Governor
Harrisburg

July 14, 2008

To the Honorable, the House of Representatives of
The Commonwealth of Pennsylvania

I am returning HB 1438 without my signature. I do this with regret that our deliberative process did not afford adequate time to craft legislation that would both protect new property owners from a spot re-assessment process and provide reasonable protections to ensure that all homeowners carry their fair share of local property tax burden in the absence of county-wide re-assessment.

The changes provided for in HB 1438, and a companion bill in the Senate, SB 1247 which I am also vetoing, are an attempt to update a seventy year old statute which in my estimation does need revision. However, this legislation would remove significant powers that local taxing entities now have to challenge the county tax assessment of properties when there is a change of land use for those properties or they are sold and are under-assessed for their current use. This right to appeal assessments is a fundamental structure of our property tax law since it ensures that taxpayers can seek redress if they believe that assessors have undervalued, or overvalued, the fair market value of properties in their communities. Undervaluing of properties may result in a higher millage rate being imposed on all taxpayers. Equally fundamental in the law is the power of local taxing entities to seek redress if the county fails to establish a fair rate of assessment after a property is transferred since the county's failure to establish a reasonable fair market value in this instance can also affect all taxpayers under the jurisdiction of the taxing entity.

Schuylkill County is a perfect example of this problem. The county has not completed a reassessment since 1997. As a result, in just the last three years, according to the Schuylkill County Assessment Records, Schuylkill County Schools have appealed 3,133 properties. The school districts generated \$630,135 new dollars for the County of Schuylkill; \$388,832 new dollars for the municipalities of Schuylkill County; \$1,794,780 new dollars for the School Districts of Schuylkill County; and have increased Schuylkill County's market value by \$52,598,954. The Blue Mountain School District appealed assessments and, as a result, increased local tax revenue by \$356,450 for the schools. That level of revenue is equal to a .81 mill tax increase for the local taxpayers. These appeals were successful indicating that under-assessment of transferred land had occurred.

The impetus for this legislation is that some property owners (particularly residential property owners) assert that a school district's right to appeal an assessment, if successful, results in a spot-reassessment of their properties. The result is a property tax increase for the property owners due to the assignment of a higher fair market value on the property. Particularly harmed are new homeowners who purchase their homes based on one set of assumptions about their property taxes (that is, the property tax rate prior to purchase), only to find that they are required to pay much more in taxes than they expected or can even afford upon a school district's successful appeal of the fair market value of their property.

Given that counties are not compelled to regularly reassess the properties within their borders, the current law gives taxing entities the chance to have fair market values assigned to the properties under their jurisdiction, resulting in greater fairness in the imposition of property taxes for all property owners. However, as stated above, current law may result in spot reassessments. In the short term, I urge the sponsors of this legislation to work over the summer to resolve these two legitimate competing interests and find a compromise approach that ensures the appropriate sharing of the local property tax burden among all property owners.

I also recommend that the legislature start to tackle the long term solution to this problem – the passage of legislation that would compel regular assessments at the county level.

Sincerely,
Edward G. Rendell
Governor

The SPEAKER. Without objection, the message will be printed in full in today's Journal. The Chair hears no objection.

BILL AND VETO MESSAGE TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that the veto message be laid upon the table.

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

The SPEAKER. The House will be at ease.

The House will come to order.

DEMOCRATIC CAUCUS

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

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

The House Democrats will caucus a lengthy caucus tomorrow at 10, and I believe the Republicans are also going to caucus at 10, and we will report for floor voting session at 1:30.

Thank you very much, Mr. Speaker.

REPUBLICAN CAUCUS

The SPEAKER. Representative Major.

Miss MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus for Tuesday morning at 10 a.m., and it is important that all Republican members report to this caucus. Thank you.

The SPEAKER. The Chair thanks the lady.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

The SPEAKER. For what purpose does Representative Melio rise?

Mr. MELIO. Thank you, Mr. Speaker.

I would like to remind the members of the Veterans Affairs and Emergency Preparedness Committee that we will be holding a committee meeting tomorrow morning, Tuesday, September 16, at 9 a.m. in room 205 of the Ryan Office Building.

I repeat: There will be a meeting of the Veterans Affairs and Emergency Preparedness Committee tomorrow morning, Tuesday, September 16, at 9 a.m. in room 205 of the Ryan Office Building.

Thank you, Mr. Speaker.

The SPEAKER. The Veterans Affairs and Emergency Preparedness Committee will meet tomorrow morning at 9 a.m. in room 205 of the Ryan Office Building.

LABOR RELATIONS COMMITTEE MEETING

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

Mr. CASORIO. Thank you, Mr. Speaker. To make an announcement on a Labor Relations Committee meeting.

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

Mr. CASORIO. Thank you, Mr. Speaker.

The House Labor Relations Committee will meet tomorrow, Tuesday, September 16, at the call of the Chair in room 39, East Wing. The agenda will be HB 2275.

Labor Relations; Tuesday the 16th; call of the Chair; 39E. Thank you, sir.

The SPEAKER. The Labor Relations Committee will meet tomorrow at the call of the Chair in room 39, East Wing.

Are there any other announcements?

The Chair announces its intention to recess regular session and go into special session at 6:53.

RECESS

The SPEAKER. Regular session of the House will now stand in recess.

AFTER RECESS

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

The SPEAKER. Is there any further business in regular session? The Chair sees none.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair recognizes Representative Bear of Lancaster County, who moves that this House do now adjourn until Tuesday, September 16, 2008, at 1:30 p.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 6:56 p.m., e.d.t., the House adjourned.