

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, SEPTEMBER 23, 2008

SESSION OF 2008

192D OF THE GENERAL ASSEMBLY

No. 61

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

PRAYER

The SPEAKER. The prayer will be offered by Representative Bob Bastian.

HON. BOB BASTIAN, member of the House of Representatives, offered the following prayer:

Let us pray:

Dear Heavenly Father, we thank You for the many blessings You have bestowed upon us here in this great State and nation, among which are our resources, relationships, and freedoms that we come together today to protect and preserve.

The Bible says that He who is the greatest among you must be the servant of all. Keep us mindful that we are to serve You and our fellowman. Let us realize that our purpose in working together is to ease the path of others. Grant us the wisdom, integrity, and compassion in fulfilling the responsibility given to us to this end.

All of us in this chamber share the desire to make a positive difference. Legislation scheduled to be considered today has been proposed with the intention of improving conditions within our State. Direct us as we strive to enhance the lives of all who live in the Commonwealth of Pennsylvania. Guide our decisions in accordance with Your will. Extend Your guidance also to other branches of State government and to the Federal government for our common goals of protecting the gifts given to us and the betterment of our lives and the lives of others.

We also thank You for the freedoms that come through our Constitution, particularly the freedom to vote. Not all will be happy with the results in a few weeks. However, we know You are still in charge, and those who lose, we know that when a door closes, another will soon open. For those who will be victorious, give them the strength and wisdom to do the right thing in an honest and forthright manner.

Also, Lord, we continue to ask You to guide and protect our troops that are in harm's way.

Through You, we can accomplish much. Be with us as we serve You and the people of the Commonwealth of Pennsylvania in our business today.

In Your holy name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

GUESTS INTRODUCED

The SPEAKER. The Chair would like to introduce the grandchildren of Representative Bob Bastian. He has no idea that they are here in the front of the House. They are here serving as guest pages. They are— Bob, why do you not introduce them?

Mr. BASTIAN. Thank you.

If they would raise their hands while I introduce them: Erika Bastian, David Bastian, Sarah Bastian, Nick Bastian, and Kelli Lenze and Margie Lenze.

My wife, Susie. My wife, Susie, apparently she is up in the gallery, and other family members and friends are seated in the balcony. I did not know this was happening. Thank you very much.

The SPEAKER. Bob's family and friends are here because they are very proud of their grandfather, their husband, and their friend, as we are in this General Assembly. Bob, we are very grateful for your service.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Monday, September 22, 2008, will be postponed until printed. The Chair hears no objection.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair gives permission to the Judiciary Committee to continue to meet.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2765 By Representatives FRANKEL, BENNINGTON, CLYMER, CURRY, HARKINS, HORNAMAN, JOSEPHS, LENTZ, PYLE, SAYLOR, M. SMITH, SWANGER, VITALI, WALKO and J. WHITE

An Act amending the act of June 13, 2008 (P.L.182, No.27), known as the Clean Indoor Air Act, repealing provisions relating to preemption of local ordinances.

Referred to Committee on HEALTH AND HUMAN SERVICES, September 23, 2008.

No. 2777 By Representatives BENNINGTON, WAGNER, FRANKEL, SIPTROTH, BISHOP, COSTA, DALEY, DERMODY, GIBBONS, KORTZ, McILVAINE SMITH, MICOZZIE, READSHAW, SAINATO, STABACK, WOJNAROSKI, YOUNGBLOOD and MARKOSEK

An Act making an appropriation to the Children's Home of Pittsburgh.

Referred to Committee on APPROPRIATIONS, September 23, 2008.

No. 2778 By Representative GIBBONS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in State intermediate punishment, providing for group homes.

Referred to Committee on JUDICIARY, September 23, 2008.

No. 2779 By Representatives GIBBONS, GALLOWAY, GOODMAN, HARHAI, KORTZ, LONGIETTI, ROCK, SAINATO, SIPTROTH and SWANGER

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for recall of elected public officers.

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

No. 2780 By Representative GIBBONS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, further providing for limitation on and change in place of confinement; and, in State intermediate punishment, further providing for definitions and for drug offender treatment program.

Referred to Committee on JUDICIARY, September 23, 2008.

No. 2781 By Representatives GIBBONS, GALLOWAY, GOODMAN, HARHAI, KORTZ, LONGIETTI, ROCK, SAINATO, SIPTROTH and SWANGER

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, providing for recall election of State and local officers, for recall petition process, for review of recall petitions, for recall election and for prohibited practices.

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

No. 2782 By Representatives DERMODY, FRANKEL, MAHER, J. WHITE, FAIRCHILD, HARKINS, STABACK, CALTAGIRONE, PALLONE, SOLOBAY, PASHINSKI, KULA, K. SMITH, BELFANTI, SWANGER and YOUNGBLOOD

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, providing for information technology procurement.

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

No. 2783 By Representatives CAUSER, RAPP, BAKER, BEYER, BRENNAN, CALTAGIRONE, CAPPELLI, COHEN, CONKLIN, CREIGHTON, DIGIROLAMO, D. EVANS, EVERETT, FAIRCHILD, FLECK, FRANKEL, GEIST, GEORGE, GIBBONS, GILLESPIE, GINGRICH, GOODMAN, HENNESSEY, HERSHEY, HESS, HICKERNELL, HUTCHINSON, KAUFFMAN, M. KELLER, KENNEY, KORTZ, KULA, MAHONEY, MAJOR, MARSHALL, MARSICO, MELIO, METCALFE, MILLARD, MOYER, MURT, MUSTIO, NAILOR, D. O'BRIEN, O'NEILL, PALLONE, PAYNE, PHILLIPS, PYLE, RAMALEY, READSHAW, REICHLEY, ROAE, ROCK, ROHRER, ROSS, SAINATO, SAYLOR, SCAVELLO, SIPTROTH, SOLOBAY, STABACK, R. STEVENSON, SURRA, SWANGER, TRUE, VULAKOVICH, WALKO and WOJNAROSKI

An Act designating the bridge on State Route 6 over Potato Creek at Smethport, McKean County, as the POW/MIA Memorial Bridge; and designating State Route 120 in the Borough of Emporium as General Joseph T. McNarney Boulevard.

Referred to Committee on TRANSPORTATION, September 23, 2008.

No. 2784 By Representatives NICKOL, SHAPIRO, FRANKEL, BRENNAN, BUXTON, CARROLL, COHEN, DePASQUALE, GEORGE, JOSEPHS, MANDERINO, MANN, McGEEHAN, MUNDY, M. O'BRIEN, PASHINSKI, PETRONE, ROEBUCK, ROSS, SANTONI, SIPTROTH, M. SMITH, STURLA, SWANGER and MURT

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

Referred to Committee on JUDICIARY, September 23, 2008.

No. 2785 By Representatives S. H. SMITH, FAIRCHILD, MARSHALL, REED, TRUE, NAILOR, SIPTROTH, PHILLIPS, J. WHITE, BRENNAN, HUTCHINSON, R. STEVENSON, CUTLER, STERN, DENLINGER, GINGRICH, BROOKS, BOYD, DeWEESE, HESS, SWANGER, HALUSKA, MILLARD, KAUFFMAN, GOODMAN, ROCK, SURRA, FLECK, READSHAW, SAYLOR, PAYNE, LONGIETTI, BAKER, PICKETT, M. KELLER, RAPP, ARGALL, CAUSER, SOLOBAY, HERSHEY, KORTZ, SONNEY, KOTIK, PYLE, R. MILLER, KENNEY, EVERETT and J. EVANS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for firearms not to be carried without a license.

Referred to Committee on JUDICIARY, September 23, 2008.

No. 2786 By Representatives PHILLIPS, FAIRCHILD, READSHAW, ADOLPH, ARGALL, BAKER, BLACKWELL, BOBACK, BOYD, CALTAGIRONE, CAUSER, CLYMER, DALEY, DALLY, DENLINGER, ELLIS, EVERETT, FLECK, GEIST, GEORGE, GIBBONS, GODSHALL, GOODMAN, HALUSKA, HENNESSEY, HERSHEY, HESS, HORNAMAN, KAUFFMAN, KILLION, KING, KORTZ, KULA, LENTZ,

MARSHALL, MELIO, MENSCH, MICOZZIE, MILLARD, R. MILLER, MILNE, MOUL, MOYER, MURT, NAILOR, M. O'BRIEN, O'NEILL, PAYNE, PETRONE, PICKETT, PYLE, RAPP, REICHLEY, ROCK, ROHRER, RUBLEY, SAYLOR, SCAVELLO, SIPTROTH, SOLOBAY, SONNEY, STABACK, STERN, R. STEVENSON, SURRA, SWANGER, J. TAYLOR, THOMAS, TRUE, WALKO, WATSON, J. WHITE, WOJNAROSKI and YOUNGBLOOD

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

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, September 23, 2008.

No. 2787 By Representatives CASORIO, BELFANTI, BRENNAN, HARKINS, JAMES, LONGIETTI, MANN, MUNDY, PETRI, READSHAW, REICHLEY, SIPTROTH, SURRA, SWANGER, R. TAYLOR and WOJNAROSKI

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, September 23, 2008.

No. 2788 By Representatives PETRI, ROCK, HELM, O'NEILL, WATSON, CREIGHTON, JOSEPHS and MURT

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for licensing of retailers.

Referred to Committee on FINANCE, September 23, 2008.

No. 2789 By Representatives SOLOBAY, CAUSER, CUTLER, HARKINS, KIRKLAND, KULA, R. MILLER, PAYNE, ROCK, J. WHITE, WOJNAROSKI, HARHAI, SURRA, BRENNAN, CREIGHTON, MAHONEY, GRUCELA, DONATUCCI, MARSHALL, MUSTIO, J. EVANS and EVERETT

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for information relating to other persons having contact with children.

Referred to Committee on JUDICIARY, September 23, 2008.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 2480, PN 3671

By Rep. GEORGE

An Act providing for the Mid-Atlantic Area National Corridor Compact for the purpose of asserting jurisdiction over the location and construction of cross-borders electric energy transmission facilities and transmission corridors; and providing for the form of the compact and for its implementation and expiration.

ENVIRONMENTAL RESOURCES AND ENERGY.

SB 100, PN 2428 (Amended)

By Rep. PRESTON

An Act providing for the regulation of home improvement contracts and for the registration of certain contractors; prohibiting certain acts; and providing for penalties.

CONSUMER AFFAIRS.

SB 1050, PN 2426 (Amended)

By Rep. GEORGE

An Act amending the act of December 19, 1996 (P.L.1478, No.190), entitled "An act relating to the recycling and reuse of waste tires; providing for the proper disposal of waste tires and the cleanup of stockpiled tires; authorizing investment tax credits for utilizing waste tires; providing remediation grants for the cleanup of tire piles and for pollution prevention programs for small business and households; establishing the Small Business and Household Pollution Prevention Program and management standards for small business hazardous waste; providing for a household hazardous waste program and for grant programs; making appropriations; and making repeals," further providing for the Used Tire Pile Remediation Restricted Account; and requiring the Department of Environmental Protection to provide an annual report on cleanup of stockpiled tires.

ENVIRONMENTAL RESOURCES AND ENERGY.

SB 1062, PN 2195

By Rep. GEORGE

An Act providing for reimbursement to developers of brownfield sites; authorizing the Secretary of Environmental Protection to enter into redevelopment agreements; and establishing the Brownfield Site Reimbursement Fund.

ENVIRONMENTAL RESOURCES AND ENERGY.

SB 1330, PN 2427 (Amended)

By Rep. GEORGE

An Act establishing the Coal Methane Review Board to resolve disputes between property owners over the location of coal bed methane wells and access roads; preserving the uses and value of surface lands of this Commonwealth from damage to the lands from coal bed methane extraction or production; requiring disclosure statements as to the impacts on surface lands of proposed coal bed methane gas wells and related facilities to be provided to landowners and tenants; providing for the jurisdiction of courts in the enforcement thereof; regulating the installation and operation of coal bed methane gas wells and related facilities; regulating the impact of the installation of coal bed methane gas wells and related facilities on surface lands and waters; placing responsibilities on landowners and occupiers; and imposing duties upon the Department of Environmental Protection.

ENVIRONMENTAL RESOURCES AND ENERGY.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 107, PN 730

By Rep. GEORGE

A Resolution calling for the holding of a conference on the use of alternate energy sources in honor of Benjamin Franklin.

ENVIRONMENTAL RESOURCES AND ENERGY.

HR 883, PN 4355

By Rep. GEORGE

A Resolution directing the Legislative Budget and Finance Committee to review the Commonwealth's program of providing grants for environmental protection and improvement projects under the Growing Greener program.

ENVIRONMENTAL RESOURCES AND ENERGY.

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

SENATE MESSAGE

RECESS RESOLUTION FOR CONCURRENCE

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

In the Senate,
September 22, 2008

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Regular Session of the Senate recesses this week, it reconvene on Monday, October 6, 2008, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Regular Session of the House of Representatives recesses this week, it reconvene on Monday, October 6, 2008, unless sooner recalled by the Speaker of the House of Representatives.

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

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

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to requests for leaves of absence.

The Chair recognizes the majority whip, who requests that Representative BELFANTI from Northumberland County be placed on leave for today. The Chair sees no objection. The leave will be granted.

The Chair recognizes the minority whip, who requests that Representative SWANGER of Lebanon County be placed on leave for the day. The Chair sees no objection. The leave will be granted.

Members will report to the floor.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—199

Adolph	Gabig	Mantz	Roebuck
Argall	Galloway	Markosek	Rohrer
Baker	Geist	Marshall	Ross
Barrar	George	Marsico	Rubley
Bastian	Gerber	McCall	Sabatina

Bear	Gergely	McGeehan	Sainato
Benninghoff	Gibbons	McI. Smith	Samuelson
Bennington	Gillespie	McIlhattan	Santoni
Beyer	Gingrich	Melio	Saylor
Biancucci	Godshall	Mensch	Scavello
Bishop	Goodman	Metcalfe	Schroder
Blackwell	Grell	Micozzie	Seip
Boback	Grucela	Millard	Shapiro
Boyd	Haluska	Miller	Shimkus
Brennan	Hanna	Milne	Siptroth
Brooks	Harhai	Moul	Smith, K.
Buxton	Harhart	Moyer	Smith, M.
Caltagirone	Harkins	Mundy	Smith, S.
Cappelli	Harper	Murt	Solobay
Carroll	Harris	Mustio	Sonney
Casorio	Helm	Myers	Staback
Causer	Hennessey	Nailor	Stairs
Civera	Hershey	Nickol	Steil
Clymer	Hess	O'Brien, M.	Stern
Cohen	Hickernell	O'Neill	Stevenson
Conklin	Hornaman	Oliver	Sturla
Costa	Hutchinson	Pallone	Surra
Cox	James	Parker	Tangretti
Creighton	Josephs	Pashinski	Taylor, J.
Cruz	Kauffman	Payne	Taylor, R.
Curry	Keller, M.K.	Peifer	Thomas
Cutler	Keller, W.	Perry	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.	Longietti	Rapp	Williams
Evans, J.	Mackereth	Raymond	Wojnarowski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Yudichak
Fairchild	Major	Reichley	
Fleck	Manderino	Roae	O'Brien, D., Speaker
Frankel	Mann	Rock	
Freeman			

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Belfanti	Payton	Swanger	Youngblood
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LEAVES ADDED—1

O'Brien, D.,
Speaker

LEAVES CANCELED—1

Swanger

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

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:

SB 100;
HB 2480;
SB 1050;
SB 1062; and
SB 1330.

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 the Committee on Appropriations:

SB 100;
HB 2480;
SB 1050;
SB 1062; and
SB 1330.

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

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 and placed on the active calendar: SB 1503 and SB 1504.

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.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair would like to bring to the attention of the members that Representative Art Hershey's retirement book is in the possession of Lori Lochetto, seated in the front of the House. We invite the members to come down and sign the book.

And again, we extend our best wishes and appreciation for the long and distinguished service of Representative Art Hershey and again wish him a happy 80th birthday.

GUESTS INTRODUCED

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

Mr. PASHINSKI. Thank you, Mr. Speaker.

It is my privilege to welcome several constituents from District 121, northeastern Pennsylvania: Jackie Rogalski and her son, Jesse, who, by the way, today is 17 years old. I wonder if

you would all welcome him with a warm House round of applause. They are here to see government in action, so be on your best behavior.

Thank you, sir.

The SPEAKER. Will Representative Baker approach the rostrum, please.

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1737, PN 2315**, entitled:

An Act prohibiting any municipal pension or retirement system in a city of the first class from denying certain benefits to surviving spouses of firefighters or certain employees upon a subsequent remarriage of the surviving spouse; and making related repeals.

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

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

(Bill analysis was read.)

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

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER pro tempore. The clerk will strike the board.

The Chair recognizes the gentleman, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

Will the maker of the bill stand for brief interrogation?

The SPEAKER pro tempore. The gentleman has agreed to interrogation, and you may proceed, Mr. Geist.

Mr. Geist, you are seeking a brief description?

Mr. GEIST. Thank you, Mr. Speaker.

Yesterday I was approached by Attorney Schwoyer and assured that all systems in cities throughout the State of Pennsylvania were okay with this, only to find out from our research staff that they were not, that there are gaps. And I wanted to ask the maker of the bill to verify that, and if it is true, is it possible to hold the legislation until we draft an amendment or suspend the rules to draft an amendment so all cities could be equal?

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. D. O'BRIEN. To respond to the gentleman, the query that was put to me yesterday was involving third-class cities, and my information, as I related to the gentleman through counsel, was that the third-class cities' repealer was enacted in the form of Act 74 of 1992, and that information is reflected in the actuarial note that was obtained and has been distributed for the members of the House.

I will tell you that if there are any other further gaps that I, as the sponsor of this amendment, was not aware of them. I was approached by the firefighters throughout Pennsylvania for this specific language. Because of the necessity for an actuarial note, that process would have to be followed, and that could not be accomplished, in my estimation, in this current legislative session because that is a timely issue.

But given the fact that this has been repealed, what I thought was the exception of first-class cities, I would suggest that we move forward on this, and if there are any other gaps, that we can come back in the beginning of the next legislative session since PERC (Pennsylvania Employees Retirement Commission) has already identified that there is no actuarial impact in this. So I would think that there would be no problem in following through with a subsequent piece of legislation.

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

If there is no actuarial impact, why can we not do it for the rest of the cities in Pennsylvania, especially the second-class-A cities?

Mr. D. O'BRIEN. I concur with the gentleman, and I fully support that.

Mr. GEIST. Then why would it not be okay to hold the bill for a little bit, suspend the rules, and have somebody from Pittsburgh or somebody else do an amendment that would include all the cities?

Mr. D. O'BRIEN. The gentleman perhaps missed my response to that.

In order to enact a piece of legislation like this, you have to request an actuarial note from PERC. That takes weeks, months, perhaps longer, and I do not know when their next meeting is. I suggest that it would be impossible to accomplish that, if in fact there were a gap, and I am not aware of any gaps, but we would not be able to accomplish that in this legislative session.

So I suggest for the members of the House that we move forward on this and that we all agree that if there are any other gaps, this should apply equally to all firefighters. And if there is a remedy that is necessary, we should come back at the earliest possible point and address that deficiency.

Mr. GEIST. Thank you.

Mr. Speaker, one of my biggest fears is that we all do not represent the city of Philadelphia, and it is very, very hard for third-class cities or Pittsburgh to get legislation passed. This is a vehicle that would be very good for all these to be cleaned up and put in one bill. That is why I am asking, is it possible to put a hold on this, or are we just going to dance to the tune of Philadelphia?

Mr. D. O'BRIEN. State law – to respond to the gentleman one more time – State law would prohibit us from considering the gentleman's amendment without an actuarial note, and it would be impossible at this time to obtain that.

The gentleman's inquiry yesterday was specific to third-class cities. We researched that issue before this bill was introduced, and that repealer was accomplished in 1992. I am not aware of any other deficiencies in this; otherwise, I would have remedied

them in this current request for an actuarial note. And I would be more than glad as a Representative from the city of the first class to come back and champion this issue not only for firefighters in the city of the first class. I believe that every firefighter in the Commonwealth of Pennsylvania is entitled to equal protection, as does PERC.

Mr. GEIST. Thank you.

Mr. Speaker, may I be recognized?

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

Mr. GEIST. Thank you, Mr. Speaker.

In light of that, I would like to move that this bill be held over until we can draft an amendment that includes them all, and I will make that in the form of a motion.

The SPEAKER pro tempore. Will the gentleman, Mr. Geist, kindly approach the rostrum?

The House will be at ease.

(Conference held at Speaker's podium.)

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

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair welcomes, as a guest of Representative Seip, Tony Gurski, who serves with Representative Perry in the Air Guard from Pine Grove. He is a captain in the Air National Guard, currently on active duty at Fort Indiantown Gap. He will be leaving in January for a 1-year tour of duty in Iraq with the 28th Aviation Brigade and has been in the military for 18 years. Please welcome Tony Gurski. Please rise and be recognized.

The House will come to order.

CONSIDERATION OF HB 1737 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the maker of the bill, Speaker O'Brien.

Mr. D. O'BRIEN. Thank you, Mr. Speaker.

In consultation with the minority Appropriations chair, he has revealed to me that there are some concerns. The actuarial note that we received from PERC assures us that there are no gaps. Having said that, I would not object to working with the Appropriations chair and go back and review that actuarial note with Representative Geist and make sure that PERC's information to us is correct.

I agree to going over this temporarily until we resolve that issue.

The SPEAKER pro tempore. The Chair thanks the gentleman.

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. The bill will be temporarily over.

* * *

The House proceeded to third consideration of **HB 1914, PN 3905**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for resident license and fee exemptions.

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

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Mantz	Roebuck
Argall	Galloway	Markosek	Rohrer
Baker	Geist	Marshall	Ross
Barrar	George	Marsico	Rubley
Bastian	Gerber	McCall	Sabatina
Bear	Gergely	McGeehan	Sainato
Benninghoff	Gibbons	McI. Smith	Samuelson
Bennington	Gillespie	McIlhattan	Santoni
Beyer	Gingrich	Melio	Saylor
Biancucci	Godshall	Mensch	Scavello
Bishop	Goodman	Metcalfe	Schroder
Blackwell	Grell	Micozzie	Seip
Boback	Grucela	Millard	Shapiro
Boyd	Haluska	Miller	Shimkus
Brennan	Hanna	Milne	Siptroth
Brooks	Harhai	Moul	Smith, K.
Buxton	Harhart	Moyer	Smith, M.
Caltagirone	Harkins	Mundy	Smith, S.
Cappelli	Harper	Murt	Solobay
Carroll	Harris	Mustio	Sonney
Casorio	Helm	Myers	Staback
Causser	Hennessey	Nailor	Stairs
Civera	Hershey	Nickol	Steil
Clymer	Hess	O'Brien, M.	Stern
Cohen	Hickernell	O'Neill	Stevenson
Conklin	Hornaman	Oliver	Sturla
Costa	Hutchinson	Pallone	Surra
Cox	James	Parker	Tangretti
Creighton	Josephs	Pashinski	Taylor, J.
Cruz	Kauffman	Payne	Taylor, R.
Curry	Keller, M.K.	Peifer	Thomas
Cutler	Keller, W.	Perry	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.	Mackereth	Raymond	Wojnaroski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Yudichak
Fairchild	Major	Reichley	
Fleck	Manderino	Roae	O'Brien, D.,
Frankel	Mann	Rock	Speaker
Freeman			

NAYS—0

NOT VOTING—0

EXCUSED—4

Belfanti	Payton	Swanger	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 **HB 1915, PN 3906**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in fishing licenses, further providing for deployed Pennsylvania National Guard members and for reserve component of armed forces members.

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

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—199

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

Brennan	Hanna	Milne	Siptroth
Brooks	Harhai	Moul	Smith, K.
Buxton	Harhart	Moyer	Smith, M.
Caltagirone	Harkins	Mundy	Smith, S.
Cappelli	Harper	Murt	Solobay
Carroll	Harris	Mustio	Sonney
Casorio	Helm	Myers	Staback
Causser	Hennessey	Nailor	Stairs
Civera	Hershey	Nickol	Steil
Clymer	Hess	O'Brien, M.	Stern
Cohen	Hickernell	O'Neill	Stevenson
Conklin	Hornaman	Oliver	Sturla
Costa	Hutchinson	Pallone	Surra
Cox	James	Parker	Tangretti
Creighton	Josephs	Pashinski	Taylor, J.
Cruz	Kauffman	Payne	Taylor, R.
Curry	Keller, M.K.	Peifer	Thomas
Cutler	Keller, W.	Perry	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.	Longietti	Rapp	Williams
Evans, J.	Mackereth	Raymond	Wojnarowski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Yudichak
Fairchild	Major	Reichley	
Fleck	Manderino	Roae	O'Brien, D.,
Frankel	Mann	Rock	Speaker
Freeman			

NAYS—0

NOT VOTING—0

EXCUSED—4

Belfanti Payton Swanger 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 **SB 1103, PN 1427**, entitled:

An Act authorizing the Department of Transportation, with the approval of the Governor, to grant and convey to the Philadelphia Redevelopment Authority a tract of land situate in the City of Philadelphia, Philadelphia County.

On the question,

Will the House agree to the bill on third consideration?

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia County, Representative William Keller, who makes a motion to suspend the rules for the purpose of offering amendment A09284, which the clerk will read.

The clerk read the following amendment No. **A09284**:

Amend Title, page 1, line 4, by removing the period after "County" and inserting
; authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Regional Port Authority certain lands situate in the 39th Ward of the City of Philadelphia; and repealing an act relating to ownership of submerged lands.

Amend Bill, page 4, by inserting between lines 17 and 18
Section 2. Land consisting of 16.89 acres in the City of Philadelphia.

(a) Legislative findings.—The General Assembly finds and declares as follows:

(1) The Commonwealth in the act of February 10, 1863 (P.L.24, No.28), entitled "An act ceding to the United States of America the right of exclusive legislation over League Island, in the Delaware river, in the county of Philadelphia," consented to the purchase and acquisition of the title by the United States of the certain island located in the Delaware River, situated in the 39th Ward in the City of Philadelphia, Philadelphia County, known as "League Island," and granted legislative and jurisdiction over all of the inland channel or waterway, unto the low water mark on the northerly shore thereof.

(2) The United States, through the Department of the Navy and by Quit Claim Deed, disposed of its interest and title to the property known as the former United States Navy Base situated in the 39th Ward in the City of Philadelphia, Philadelphia County to the Philadelphia Industrial Development Corporation, and a portion of that property is known as "League Island."

(3) In 2004 the Commonwealth, through the Department of General Services by Quit Claim Deed, disposed of its interests and title to the property commonly known as Parcel 9A and a portion of the former naval base to the Philadelphia Regional Port Authority.

(4) Part of the conveyance of the Department of the Navy's title and interests to the property known as the former United States Navy Base situated in the 39th Ward in the City of Philadelphia, Philadelphia County to the Pennsylvania Authority for Industrial Development was for the open water between what was the Consolidated Rail Corporation portion of the naval base and what was known as "League Island."

(5) The Commonwealth still maintains its title and interests in property areas of this open water, between what was the Consolidated Rail Corporation portion of the naval base and what was known as "League Island."

(6) The General Assembly intends to convey the rights and interests to the Philadelphia Regional Port Authority for the property areas of this open water between what was the Consolidated Rail Corporation portion of the naval base and what was known as "League Island."

(b) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the Philadelphia Regional Port Authority, for \$1, certain lands situate in the 39th Ward of the City of Philadelphia described in subsection (c).

(c) Description.—The lands to be conveyed pursuant to subsection (b) consist of 16.89 acres more or particularly described as follows:

ALL THAT CERTAIN tract, piece or parcel of land situate in the 39th Ward of the City of Philadelphia, Commonwealth of Pennsylvania, described as follows to wit:

PARCEL No. 1

BEGINNING at a point on the Bulkhead Line of the Delaware River, approved by the Secretary of War, September 10, 1940, said point being located the two (2) following courses and distances from the intersection of the Southerly side of Packer Avenue (148 feet wide) and the said Easterly side of Christopher Columbus Boulevard (250 feet wide); (1) thence extending S 14 degrees 30 minutes 00.0 seconds W along the Easterly side of Christopher Columbus Boulevard (formerly Delaware Avenue), the distance of 3,601.940 feet to a point; (2) thence extending S 75 degrees 30 minutes 00.0 seconds E along a line the distance of 580.759 feet to said point of beginning.

- (1) THENCE extending from said point of beginning S 75 degrees 30 minutes 00.0 seconds E the distance of 438.331 feet to a point on the Pierhead Line of the Delaware River approved by the Secretary of War, September 10, 1940;
- (2) THENCE continuing along said line S 75 degrees 30 minutes 00.0 seconds E the distance of 100.000 feet to a point;
- (3) THENCE extending along a line S 29 degrees 01 minute 18 seconds W the distance of 567.735 feet to a point;
- (4) THENCE extending along a line N 75 degrees 58 minutes 58.9 seconds W the distance of 100.000 feet to a point on the Pierhead Line of the Delaware River approved by the Secretary of War, September 10, 1940;
- (5) THENCE continuing along said line N 75 degrees 58 minutes 58.9 00.0 seconds W the distance of 565.227 feet to a point on the Bulkhead Line of the Delaware River, approved by the Secretary of War, September 10, 1940;
- (6) THENCE extending along said Bulkhead Line of the Delaware River, approved by the Secretary of War, September 10, 1940 N 40 degrees 23 minutes 05 seconds E the distance of 617.039 feet to the point of beginning.

CONTAINING within said metes and bounds, 7.62 acres of land being the same, more or less.

PARCEL No. 2

BEGINNING at a point on the Bulkhead Line of the Delaware River, approved by the Secretary of War, September 10, 1940, said point being located the three (3) following courses and distances from the intersection of the Southerly side of Packer Avenue (148 feet wide) and the said Easterly side of Christopher Columbus Boulevard 250 feet wide; (1) thence extending S 14 degrees 30 minutes 00.0 seconds W along the Easterly side of Christopher Columbus Boulevard (formerly Delaware Avenue), the distance of 3,601.940 feet to a point; (2) thence extending S 75 degrees 30 minutes 00.0 seconds E along a line the distance of 580.759 feet to a point on the Bulkhead Line of the Delaware River, approved by the Secretary of War, September 10, 1940; (3) thence extending along said Bulkhead Line of the Delaware River, approved by the Secretary of War, September 10, 1940 S 40 degrees 23 minutes 05 seconds W the distance of 617.039 feet to the said point of beginning;

- (1) THENCE extending from said point of beginning along a line S 75 degrees 58 minutes 58.9 seconds E the distance of 565.227 feet to a point on the Pierhead Line of the Delaware River approved by the Secretary of War, September 10, 1940;
- (2) THENCE, continuing along said line S 75 degrees 58 minutes 58.9 seconds E the distance of 100.000 feet to a point;
- (3) THENCE extending along a line S 28 degrees 57 minutes 13 seconds W the distance of 573.207 feet to a point;

(4) THENCE extending along a line N 76 degrees 03 minutes 40 seconds W the distance of 100.000 feet to a point on the Pierhead Line of the Delaware River approved by the Secretary of War, September 10, 1940;

(5) THENCE continuing along said line N 76 degrees 03 minutes 40 seconds W the distance of 691.822 feet to a point on the Bulkhead Line of the Delaware River, approved by the Secretary of War, September 10, 1940;

(6) THENCE extending along said Bulkhead Line of the Delaware River, approved by the Secretary of War, September 10, 1940 N 40 degrees 23 minutes 05 seconds E the distance of 618.514 feet to the point of beginning.

CONTAINING within said metes and bounds, 9.27 acres of land being the same, more or less.

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

(e) Deed.—

(1) The deed of conveyance shall contain a clause that the lands conveyed in this section shall be used only for maritime purposes by the grantee, or its successor in interest or its lessees, concessionaires, licensees or assignees permitted by the Commonwealth. Should the grantee, or its successors in interest, allow the lands conveyed to be used for any other purpose or attempt to convey or transfer the lands, the title shall immediately revert to and revest in the grantor. The term "maritime purposes" shall mean activities related to the handling, import, export and or transport of cargo or the transport of passengers within and through the Port of Philadelphia but the term shall not mean activities related to gambling or gaming.

(2) The deed of conveyance shall contain a clause that if the Philadelphia Regional Port Authority or its successors in interest ceases to exist, the lands conveyed in this section shall immediately revert to and revest in the grantor, unless a successor authority has been formed to continue the Commonwealth's governance of regional port activities along the Delaware River.

(f) Deed execution.—The deed of conveyance authorized by this section shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

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

Section 3. Land consisting of 305 acres in the City of Philadelphia.

(a) Legislative findings.—The General Assembly finds and declares as follows:

(1) The Commonwealth in the act of February 10, 1863 (P.L.24, No.28), entitled "An act ceding to the United States of America the right of exclusive legislation over League Island, in the Delaware river, in the county of Philadelphia," consented to the purchase and acquisition of the title by the United States of the certain island located in the Delaware River, situated in the 39th Ward in the City of Philadelphia, Philadelphia County, known as "League Island," and granted legislative and jurisdiction over all of the inland channel or waterway, unto the low water mark on the northerly shore thereof.

(2) The United States, through the Department of the Navy and by Quit Claim Deed, disposed of its interest and title to the property known as the former United States Navy Base situated in the 39th Ward in the City of Philadelphia, Philadelphia County to the Philadelphia Industrial Development Corporation, and a portion of that property is known as "League Island."

(3) In 2004 the Commonwealth, through the Department of General Services by Quit Claim Deed, disposed of its interests and title to the property commonly known as Parcel 9A and a portion of the former naval base to the Philadelphia Regional Port Authority.

(4) Part of the conveyance of the Department of the Navy's title and interests to the property known as the former United States Navy Base situated in the 39th Ward in the City of Philadelphia, Philadelphia County to the Pennsylvania Authority for Industrial Development was for the open water between what was the Consolidated Rail Corporation portion of the naval base and what was known as "League Island."

(5) The Commonwealth still maintains its title and interests in property areas of this open water, between what was the Consolidated Rail Corporation portion of the naval base and what was known as "League Island."

(6) The General Assembly intends to convey the rights and interests to the Philadelphia Regional Port Authority for the property areas of this open water between what was the Consolidated Rail Corporation portion of the naval base and what was known as "League Island."

(b) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the Philadelphia Regional Port Authority, for \$1, certain lands situate in the 39th Ward of the City of Philadelphia described in subsection (c).

(c) Description.—The lands to be conveyed pursuant to subsection (b) consist of 305 acres more particularly described as follows:

ALL THAT CERTAIN land located in the City of Philadelphia, Commonwealth of Pennsylvania, that is river-bed that was made fast land by having fill placed upon it, a general description based upon paper survey as follows to wit:

Beginning at a point near the Bulkhead Line of the Delaware River, as established by the Secretary of War, September 10, 1940, a common corner for lands now or formerly of Consolidated Rail Corporation, and Parcel 9, the said point being measured the nine (9) following courses and distances from the intersection of the easterly side of Broad Street (at 300 feet wide) with the southwesterly side of Pattison Avenue (at 120 feet wide):

1. Southwesterly along the easterly side of Broad Street, 2,527.57 feet to a point;
2. Southeasterly at right angles to said Broad Street, 37 feet to a drill hole set, a corner for the said lands now or formerly of Consolidated Rail Corporation; (courses 3 through 8 along the southerly side of lands now or formerly of Consolidated Rail Corporation);
3. South 75 degrees 30 minutes 00 seconds East, 3.00 feet to a drill hole set;
4. South 76 degrees 31 minutes 21 seconds East 229.54 feet to an iron pin set;
5. South 68 degrees 33 minutes 21 seconds East, 284.65 feet to an iron pin set;
6. South 63 degrees 50 minutes 26 seconds East, 341 feet to an iron pin set;
7. Southeasterly by a curve to the left having a radius of 2,287.44 feet, and an arc length of 730.03 feet to an iron pin set, said point being distant by a chord of South 72 degrees 59 minutes 00 seconds East 726.93 feet from the last described point;
8. South 82 degrees 07 minutes 34 seconds East 1,741.91 feet to a point; and
9. South 76 degrees 03 minutes 40 seconds East, 6093.91 feet to the said point of Beginning;

Thence from said point of Beginning, the twenty five (25) following described courses and distances:

1. South 76 degrees 3 minutes 40 seconds East, 50 feet to the point and place of Beginning;
 2. South 40 degrees 23 minutes 05 seconds West, 1,627.95 feet along the Bulkhead line of the Delaware River;
 3. South 58 degrees 07 minutes 17 seconds West, 1,737.34 feet along the Bulkhead line of the Delaware River;
 4. South 78 degrees 26 minutes 04 seconds West, 1,099.52 feet along the Bulkhead line of the Delaware River;
 5. South 78 degrees 27 minutes 42 seconds West, 2,645 feet along the Bulkhead line of the Delaware River;
 6. North 86 degrees 01 minutes 55 seconds West, 300 feet along the Bulkhead line of the Delaware River;
 7. North 10 degrees 18 minutes 40 seconds West, 960 feet to the Bulkhead Line of the Delaware River;
 8. North 72 degrees 11 minutes 20 seconds East, 1,650 feet;
 9. North 12 degrees 11 minutes 20 seconds East, 150 feet;
 10. North 48 degrees 41 minutes 20 seconds East, 1,005 feet;
 11. North 81 degrees 33 minutes 40 seconds West, 1,580 feet;
 12. North 76 degrees 33 minutes 40 seconds West, 1,040 feet;
 13. North 72 degrees 33 minutes 40 seconds West, 2,375 feet;
 14. North 89 degrees 18 minutes 40 seconds West, 500 feet;
 15. North 83 degrees 48 minutes 40 seconds West, 475 feet;
 16. North 13 degrees 11 minutes 20 seconds East, 550 feet;
 17. North 87 degrees 41 minutes 20 seconds East, 420 feet;
 18. South 65 degrees 18 minutes 40 seconds East, 2,170 feet;
 19. South 66 degrees 48 minutes 40 seconds East, 2,120 feet;
 20. South 82 degrees 18 minutes 40 seconds East, 910 feet;
 21. South 75 degrees 03 minutes 40 seconds East, 920 feet;
 22. South 84 degrees 33 minutes 40 seconds East, 1,470 feet;
 23. South 66 degrees 33 minutes 40 seconds East, 340 feet;
 24. North 73 degrees 56 minutes 20 seconds East, 470 feet;
 25. North 60 degrees 56 minutes 20 seconds East, 1,240 feet;
- Containing 305 acres of land.

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

(e) Deed.—

(1) The deed of conveyance shall contain a clause that the lands conveyed herein shall be used only for maritime purposes by the grantee, or its successor in interest. Should the grantee, or its successor in interest, allow the lands conveyed to be used for any other purpose or attempt to convey or transfer the lands, the title shall immediately revert to and revest in the grantor. The term "maritime purposes" shall mean activities directly related to the handling of cargo for import or export or the transport of passengers through the Port of Philadelphia but the term shall not mean activities related to gambling or gaming.

(2) The deed of conveyance shall contain a clause that if the Philadelphia Regional Port Authority or its successor in interest cease to exist, the lands conveyed herein shall immediately revert to and revest in the grantor, unless a successor authority has been formed to continue the Commonwealth's governance of regional port activities along the Delaware River.

(f) Land use restriction.—All deeds or leases authorized or referred to under this section shall be made under and subject to the condition, which shall be contained in the deed or lease documents, that no portion of the parcels shall be used as a licensed facility as defined in 4 Pa.C.S. § 1103 (relating to definitions) or any other similar type of facility authorized under the laws of this Commonwealth. This condition shall be a covenant running with the land and shall be binding upon the deed or lease or sublessees and their respective successors and assigns. Should any portion of any parcel authorized for

conveyance under this section be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(g) Deed execution.—The deed of conveyance authorized by this section shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

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

Section 4. Repeals.

Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate the addition of sections 2 and 3 of this act.

(2) The act of June 8, 1907 (P.L.488, No.321), entitled "A supplement to an act, entitled 'An act to provide for the better government of cities of the first class in this Commonwealth,' approved the first day of June, one thousand eight hundred and eighty-five; creating a Department of Wharves, Docks, and Ferries, for the improvement, regulation, and supervision of the construction, extension, alteration, maintenance, and use of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors, and harbor structures, in cities of the first class; and providing for the making and enforcement of rules and regulations, and fixing certain penalties for violation thereof; and providing for the acquisition of property by said cities, by purchase and by condemnation, for certain purposes," is repealed.

Amend Sec. 2, page 4, line 18, by striking out "2" and inserting
5

On the question,

Will the House agree to the motion?

MOTION WITHDRAWN

The SPEAKER pro tempore. On suspension, the Chair recognizes the gentleman, Mr. Keller.

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

I would like to withdraw that request.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—166

Adolph	Geist	Markosek	Ross
Argall	George	Marshall	Rubley
Baker	Gerber	Marsico	Sabatina
Barrar	Gergely	McCall	Sainato
Bastian	Gibbons	McGeehan	Samuelson
Benninghoff	Gingrich	McI. Smith	Santoni

Bennington	Godshall	McIlhattan	Saylor
Beyer	Goodman	Melio	Seip
Biancucci	Grucela	Mensch	Shapiro
Bishop	Haluska	Micozzie	Shimkus
Blackwell	Hanna	Millard	Siptroth
Boback	Harhai	Miller	Smith, K.
Brennan	Harhart	Milne	Smith, M.
Brooks	Harkins	Moul	Smith, S.
Buxton	Harper	Moyer	Solobay
Caltagirone	Harris	Mundy	Staback
Cappelli	Helm	Murt	Stairs
Carroll	Hennessey	Mustio	Steil
Casorio	Hershey	Myers	Stevenson
Causer	Hess	Nickol	Sturla
Civera	Hornaman	O'Brien, M.	Surra
Cohen	James	O'Neill	Tangretti
Conklin	Josephs	Oliver	Taylor, J.
Costa	Keller, W.	Pallone	Taylor, R.
Cruz	Kenney	Parker	Thomas
Curry	Kessler	Pashinski	Vereb
Daley	Killion	Payne	Vitali
Dally	King	Peifer	Vulakovich
DeLuca	Kirkland	Perzel	Wagner
DePasquale	Kortz	Petrarca	Walko
Dermody	Kotik	Petri	Wansacz
DeWeese	Kula	Petrone	Waters
DiGirolamo	Leach	Pickett	Watson
Donatucci	Lentz	Preston	Wheatley
Eachus	Levdansky	Quigley	White
Ellis	Longietti	Quinn	Williams
Evans, D.	Maher	Ramaley	Wojnaroski
Evans, J.	Mahoney	Rapp	Yewcic
Fabrizio	Major	Raymond	Yudichak
Frankel	Manderino	Readshaw	
Freeman	Mann	Reichley	O'Brien, D., Speaker
Galloway	Mantz	Roebuck	

NAYS—33

Bear	Fleck	Mackereth	Rock
Boyd	Gabig	Metcalfe	Rohrer
Clymer	Gillespie	Nailor	Scavello
Cox	Grell	Perry	Schroder
Creighton	Hickernell	Phillips	Sonney
Cutler	Hutchinson	Pyle	Stern
Denlinger	Kauffman	Reed	True
Everett	Keller, M.K.	Roae	Turzai
Fairchild			

NOT VOTING—0

EXCUSED—4

Belfanti	Payton	Swanger	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 return the same to the Senate with the information that the House has passed the same without amendment.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 923, PN 4332**, entitled:

An Act establishing and providing for the implementation and administration of the Beginning Educator Support and Training (BEST) Program; and providing for powers and duties of the Department of Education.

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

Mr. **ROEBUCK** offered the following amendment No. **A09080**:

Amend Sec. 3.1, page 3, line 20, by inserting after "secretary" and that are selected for participation by the department

Amend Sec. 3.1, page 3, line 22, by inserting after "5" and that are selected for participation by the department

Amend Sec. 5, page 5, line 5, by striking out "An" and inserting To the extent funds are appropriated for this program, an

Amend Sec. 5, page 5, line 9, by inserting after "allocate" an amount not to exceed

Amend Sec. 6, page 5, line 26, by striking out "2008" and inserting
2010

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

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

BILL PASSED OVER TEMPORARILY

The **SPEAKER** pro tempore. The bill will be temporarily over.

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. **STABACK** called up **HR 898, PN 4398**, entitled:

A Resolution recognizing September 23, 2008, as "National Hunting and Fishing Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The **SPEAKER**. On the question, those in favor of the resolution will vote "aye"; those opposed, "nay." Members will proceed to vote— Oh; the Chair did not see Representative Staback seeking recognition. The gentleman is in order and may proceed.

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

Mr. Speaker, HR 898—

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

The noise level is entirely too loud. The Chair requests that conferences and conversations cease on the floor. The gentleman is entitled to be heard.

Representative Staback.

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

Mr. Speaker, HR 898 recognizes today as National Hunting and Fishing Day in Pennsylvania. Legislators around the nation

today are joining together to make similar pronouncements, but nowhere is Hunting and Fishing Day more appropriate than here in Pennsylvania.

By supporting this resolution, we give proper recognition to the immense impact of hunting and fishing to the culture and economy of our State. Mr. Speaker, hunting and fishing in Pennsylvania are a way of life for hundreds of thousands of men, women, and juniors. One out of every seven residents hunt or fish, investing \$3 1/2 billion each year into the economy, supporting 51,000 jobs, and returning \$371 million in State and local tax revenues. And all of those Pennsylvanians know of the countless personal benefits found in participation in these longtime honored activities.

So as chairman of the House Game and Fisheries Committee and as someone who knows firsthand of Pennsylvania's outdoor traditions, I am pleased to sponsor this measure and ask all the members to join in this special recognition on this special day by casting a positive vote for HR 898.

Thank you, Mr. Speaker.

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

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

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Mantz	Roebuck
Argall	Galloway	Markosek	Rohrer
Baker	Geist	Marshall	Ross
Barrar	George	Marsico	Rubley
Bastian	Gerber	McCall	Sabatina
Bear	Gergely	McGeehan	Sainato
Benninghoff	Gibbons	McI. Smith	Samuelson
Bennington	Gillespie	McIlhatten	Santoni
Beyer	Gingrich	Melio	Saylor
Biancucci	Godshall	Mensch	Scavello
Bishop	Goodman	Metcalfe	Schroder
Blackwell	Grell	Micozzie	Seip
Boback	Grucela	Millard	Shapiro
Boyd	Haluska	Miller	Shimkus
Brennan	Hanna	Milne	Siptroth
Brooks	Harhai	Moul	Smith, K.
Buxton	Harhart	Moyer	Smith, M.
Caltagirone	Harkins	Mundy	Smith, S.
Cappelli	Harper	Murt	Solobay
Carroll	Harris	Mustio	Sonney
Casorio	Helm	Myers	Staback
Causer	Hennessey	Nailor	Stairs
Civera	Hershey	Nickol	Steil
Clymer	Hess	O'Brien, M.	Stern
Cohen	Hickernell	O'Neill	Stevenson
Conklin	Hornaman	Oliver	Sturla
Costa	Hutchinson	Pallone	Surra
Cox	James	Parker	Tangretti
Creighton	Josephs	Pashinski	Taylor, J.
Cruz	Kauffman	Payne	Taylor, R.
Curry	Keller, M.K.	Peifer	Thomas
Cutler	Keller, W.	Perry	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.	Longietti	Rapp	Williams
Evans, J.	Mackereth	Raymond	Wojnaroski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Yudichak
Fairchild	Major	Reichley	
Fleck	Manderino	Roae	O'Brien, D.,
Frankel	Mann	Rock	Speaker
Freeman			

NAYS—0

NOT VOTING—0

EXCUSED—4

Belfanti	Payton	Swanger	Youngblood
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

CALENDAR CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mr. SIPTROTH called up **HR 814, PN 4013**, entitled:

A Resolution recognizing the month of October 2008 as "Domestic Violence Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

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

Mr. SIPTROTH. Thank you, Mr. Speaker.

Mr. Speaker, good morning.

Domestic violence is a problem that affects people from all walks of life. The abuse, both physical and emotional, creates a huge burden on its victims and can have lasting effects on their lives, no matter their economic background, age, ethnicity, or gender.

Leaving a violent relationship or a volatile home life is difficult for victims who are already weakened by the toll that domestic abuse takes. Mr. Speaker, victims often stay in these bad situations for a number of reasons – financial, family pressure, concern for their children, and often because of their fear of their abuser.

Too often, silence surrounds domestic violence. Part of breaking the silence includes creating awareness for programs aimed at helping domestic abuse victims. In Pennsylvania, there are a host of helpful places a victim can turn to – 24-hour hotlines, individual and group counseling, court and emergency room assistance, shelters and safe homes, and State assistance programs like the Crime Victims Compensation Fund, which provides victims with financial help for hospital costs and destruction of property as a result of domestic violence.

I offer HR 814 today to establish Domestic Violence Awareness Month so that the State House and the public recognize the severity of this widespread problem. Domestic abuse is not a personal issue; it is a social problem faced by

many Pennsylvanians. I ask that you join me in the fight against this problem by supporting HR 814.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Mantz	Roebuck
Argall	Galloway	Markosek	Rohrer
Baker	Geist	Marshall	Ross
Barrar	George	Marsico	Rubley
Bastian	Gerber	McCall	Sabatina
Bear	Gergely	McGeehan	Sainato
Benninghoff	Gibbons	McI. Smith	Samuelson
Bennington	Gillespie	McIlhattan	Santoni
Beyer	Gingrich	Melio	Saylor
Biancucci	Godshall	Mensch	Scavello
Bishop	Goodman	Metcalfe	Schroder
Blackwell	Grell	Micozzie	Seip
Boback	Grucela	Millard	Shapiro
Boyd	Haluska	Miller	Shimkus
Brennan	Hanna	Milne	Siptroth
Brooks	Harhai	Moul	Smith, K.
Buxton	Harhart	Moyer	Smith, M.
Caltagirone	Harkins	Mundy	Smith, S.
Cappelli	Harper	Murt	Solobay
Carroll	Harris	Mustio	Sonney
Casorio	Helm	Myers	Staback
Causer	Hennessey	Nailor	Stairs
Civera	Hershey	Nickol	Steil
Clymer	Hess	O'Brien, M.	Stern
Cohen	Hickernell	O'Neill	Stevenson
Conklin	Hornaman	Oliver	Sturla
Costa	Hutchinson	Pallone	Surra
Cox	James	Parker	Tangretti
Creighton	Josephs	Pashinski	Taylor, J.
Cruz	Kauffman	Payne	Taylor, R.
Curry	Keller, M.K.	Peifer	Thomas
Cutler	Keller, W.	Perry	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.	Longietti	Rapp	Williams
Evans, J.	Mackereth	Raymond	Wojnaroski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Yudichak
Fairchild	Major	Reichley	
Fleck	Manderino	Roae	O'Brien, D.,
Frankel	Mann	Rock	Speaker
Freeman			

NAYS—0

NOT VOTING—0

EXCUSED—4

Belfanti	Payton	Swanger	Youngblood
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

CONSIDERATION OF HB 923 CONTINUED

CONSIDERATION OF AMENDMENT A09080 CONTINUED

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

The clerk read the following amendment No. **A09080**:

Amend Sec. 3.1, page 3, line 20, by inserting after "secretary"
and that are selected for participation by the
department

Amend Sec. 3.1, page 3, line 22, by inserting after "5"
and that are selected for participation by the
department

Amend Sec. 5, page 5, line 5, by striking out "An" and inserting
To the extent funds are appropriated for this
program, an

Amend Sec. 5, page 5, line 9, by inserting after "allocate"
an amount not to exceed

Amend Sec. 6, page 5, line 26, by striking out "2008" and
inserting

2010

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

The SPEAKER. The Chair recognizes the gentleman,
Representative Roebuck, on the amendment.

Mr. ROEBUCK. Thank you, Mr. Speaker.
This amendment to the—

The SPEAKER. If the gentleman will suspend.

The Chair will ask all members to please take their seats. The
noise level is entirely too loud. The Chair thanks the members.

Representative Roebuck is in order.

Mr. ROEBUCK. Thank you, Mr. Speaker.

This amendment to the Beginning Educator Support and
Training Program does a number of things which are largely
technical in nature. It gives the department more discretionary
power in selecting the eligible school district, provides that
funding would be only to the extent that the legislature
appropriates funds, and also that the language as now written
provides for every beginning legislator a \$1500 grant. The
amendment provides that the funding would be up to \$1500 but
could be less than \$1500 if the money is not appropriated by
this body.

I would ask for approval of the amendment.

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

Mr. STAIRS. Thank you, Mr. Speaker.

A question for the sponsor of the amendment, please.

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

Will the gentleman use another microphone. There seems to
be a malfunction with that. Now it is working?

Mr. STAIRS. I think she has the magic touch here. She took
care of it.

My question to you, Representative Roebuck, and if I am out
of order, it is maybe on the bill or on the motion, but it is my
understanding in this legislation there is a cap, if we want to use
that word "cap," of 10 percent that can go to any one school
district.

First of all, answer if that is correct or not, and I do not know
if that is a germane question, if it is on the amendment or on the
bill itself. But I guess the question is, no district could receive
more than 10 percent. Is that correct?

Mr. ROEBUCK. The bill provides that— Mr. Speaker, that
is not in the amendment; it is in the bill. You are correct.

The SPEAKER. Has the gentleman concluded his
interrogation? The Chair thanks the gentleman.

Will the House agree to the amendment? Representative
Metcalfe.

Mr. METCALFE. Thank you. Thank you, Mr. Speaker.

Just a few comments on the amendment.

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

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, I know that good ideas seem to be in an endless
supply, and in this legislature, good ideas that cost the taxpayers
more money always seem to be in an endless supply.

Mr. Speaker, with the markets doing what they have been
doing, the price of gasoline and a barrel of oil going up and
down and through the roof, and people really having a hard time
understanding where they are at financially and how this
marketplace that has such fluctuations is impacting their own
pockets, Mr. Speaker, another program that is being created to
yet again spend more tax dollars when we have had revenue
shortfalls the last 2 months – the Governor has even called for
his administration to make some adjustments based on that
shortfall – Mr. Speaker, I just do not believe that this is the right
time for us to be considering another program to provide yet
again taxpayer dollars to individuals in this way that have to
come out of the pockets of their neighbors.

Mr. Speaker, I think the revenue shortfall, the marketplace
doing what it has been doing, and I keep hearing my colleagues,
many of them from both sides, it seems like they want me to say
that we should not allow for this bonus to be given to potential
teachers or teachers, Mr. Speaker, I think it is time to halt these
types of legislation. It is time to actually work on legislation that
is going to save the taxpayers money instead of spending more
of their money, which is what this legislation will do,
Mr. Speaker.

Mr. Speaker, I think that this chamber and the chamber
upstairs and across the Capitol have to get with the program and
get with reality. Now, there are a lot of reality shows out there,
Mr. Speaker, and we watch reality play out across the State and
across the nation with the state of the current economy, and I do
not think that we should forget that reality when we come in
these chamber rooms, that we have to recognize that something
has to be done to curtail spending. This is yet another program,
another new way to spend tax dollars, and I would ask for a vote
in the negative for that reason, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Representative Preston, on the amendment.

Mr. PRESTON. On the amendment, Mr. Speaker.

You know, we have in our college system where all across
this State the universities are doing remedial courses, because
our public systems and even the public-private schools are not
really doing the job, and for the previous speaker to talk about

let us not spend on education, I think, is really an insult to an awful lot of our public school systems.

Education is part of our problem in this State. We are not really doing the job. And if you do not want to support education in this State, then go ahead, vote against the Roebuck amendment, which the gentleman kind of directed you to do. But we are failing, and it is our responsibility for the next generation to come.

If you care about education in this State, let us vote for the Roebuck amendment. We have a long way to go, an awful long way to go, and it is time for people to quit pointing their finger and talk about what is wrong and let us start doing what is right.

Thank you, and let us vote for the Roebuck amendment.

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

The following roll call was recorded:

YEAS—134

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

NAYS—65

Adolph	Fairchild	Killion	Rapp
Argall	Fleck	Maher	Reed
Baker	Gabig	Major	Reichley
Barrar	Geist	Mantz	Roae
Bastian	Gillespie	Marsico	Rock
Bear	Gingrich	McIlhattan	Rohrer
Boyd	Grell	Metcalfe	Saylor
Brooks	Harhart	Millard	Scavello
Causar	Harris	Moul	Schroder
Civera	Helm	Nailor	Smith, S.
Clymer	Hershey	Payne	Sonney
Creighton	Hess	Peifer	Stern
Cutler	Hickernell	Perry	Stevenson

Dally	Hutchinson	Phillips	True
Denlinger	Kauffman	Pyle	Turzai
Ellis	Keller, M.K.	Quigley	Vulakovich
Everett			

NOT VOTING—0

EXCUSED—4

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

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

GUESTS INTRODUCED

The SPEAKER. Representative Geist would like to introduce Cristina Flores and Amber Villano, along with their mother, Ratiba Villano, visiting from Altoona. Cristina and Amber are serving as guest pages this week. Would you please welcome them to the House floor, and would they please stand and be recognized.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2466, PN 4333**, entitled:

An Act establishing and providing for the powers and duties of the Office for Drop-out Prevention and Data Collection in the Department of Education; and providing for grant funding for drop-out prevention plans and drop-out recovery programs.

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

Mr. **ROEBUCK** offered the following amendment No. **A09125**:

Amend Title, page 1, lines 1 and 2, by striking out all of line 1 and "Office" in line 2 and inserting

Providing

Amend Table of Contents, page 1, line 10, by striking out "Office for"

Amend Table of Contents, page 1, line 11, by striking out "Establishment" and inserting

Powers and duties

Amend Table of Contents, page 1, line 12, by striking out all of said line

Amend Table of Contents, page 1, line 13, by striking out "303" and inserting

302

Amend Sec. 103, page 4, line 4, by striking out "office" and inserting

department

Amend Sec. 103, page 6, lines 17 through 24, by striking out "A small high school located on" in line 17 and all of lines 18 through 24 and inserting

A school which offers a middle college high school program as defined in section 1602-B of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

Amend Sec. 103, page 6, line 30; page 7, line 1, by striking out all of said lines on said pages

Amend Sec. 103, page 7, line 8, by striking out all of said line

Amend Chapter heading, page 8, line 6, by striking out "OFFICE FOR"

Amend Bill, page 8, lines 8 through 10, by striking out all of said lines

Amend Sec. 302, page 8, line 11, by striking out "302" and inserting

301

Amend Sec. 302, page 8, line 12, by striking out "office" and inserting

department

Amend Sec. 302, page 8, lines 27 through 30, by striking out all of lines 27 through 29 and "(4)" in line 30 and inserting

(3)

Amend Sec. 302, page 9, line 4, by striking out "(5)" and inserting

(4)

Amend Sec. 302, page 9, line 9, by striking out "(6)" and inserting

(5)

Amend Sec. 302, page 9, line 13, by striking out "(7)" and inserting

(6)

Amend Sec. 302, page 9, line 16, by striking out "(8)" and inserting

(7)

Amend Sec. 302, page 9, line 19, by inserting after "grant" to the extent that funds are appropriated for this purpose

Amend Sec. 302, page 9, line 20, by striking out "(9)" and inserting

(8)

Amend Sec. 302, page 9, line 22, by striking out "offices" and inserting

department's

Amend Sec. 303, page 9, line 23, by striking out "303" and inserting

302

Amend Sec. 303, page 9, line 24, by striking out "302" and inserting

301

Amend Sec. 303, page 9, line 25, by striking out "office" and inserting

department

Amend Sec. 303, page 10, line 6, by striking out "office" and inserting

department

Amend Sec. 303, page 10, line 7, by striking out "office" and inserting

department

Amend Sec. 501, page 10, line 16, by striking out "office" and inserting

department

Amend Sec. 501, page 10, line 18, by striking out "302 with moneys" and inserting

301 to the extent that funds are

Amend Sec. 501, page 10, line 19, by inserting after "Assembly" for this purpose

Amend Sec. 501, page 11, line 19, by striking out "office" and inserting

department

Amend Sec. 501, page 11, line 30, by striking out "office" and inserting

department

Amend Sec. 502, page 12, line 5, by striking out "office" and inserting

department

Amend Sec. 502, page 12, line 7, by striking out "302 with moneys" and inserting

301 to the extent that funds are

Amend Sec. 502, page 12, line 7, by inserting after "Assembly" for this purpose

Amend Sec. 502, page 13, line 7, by striking out "office" and inserting

department

Amend Sec. 503, page 13, line 11, by striking out "Office" and inserting

Department

Amend Sec. 503, page 13, line 11, by striking out "The office" and inserting

To the extent funds are appropriated for these purposes, the department

Amend Sec. 503, page 13, line 13, by striking out "office" and inserting

department

Amend Sec. 503, page 13, line 16, by striking out "office" and inserting

department

Amend Sec. 503, page 14, line 8, by striking out "office" and inserting

department

Amend Sec. 504, page 15, line 1, by striking out "appoint" and inserting

designate

Amend Sec. 505, page 15, line 27, by inserting after "district" or the department

Amend Sec. 507, page 16, lines 10 through 14, by striking out all of said lines and inserting

(a) Prevention.—For drop-out prevention plan grants, priority funding shall be provided to school districts that have been determined by the department to have a drop-out rate higher than the State average.

(b) Recovery.—For drop-out recovery program grants, priority funding shall be provided to community partners based on the percentage of individuals lacking a high school diploma in the work force investment area that is being served, as determined by the department.

Amend Sec. 701, page 16, line 19, by striking out "office" and inserting

department

Amend Sec. 701, page 17, line 24, by striking out "office" and inserting

department

Amend Sec. 701, page 17, line 26, by striking out "office" and inserting

department

Amend Sec. 701, page 17, line 27, by striking out "office" and inserting

department

Amend Sec. 701, page 17, line 28, by striking out "office" and inserting

department

Amend Sec. 1101, page 18, line 4, by striking out "Notwithstanding section 505, a" and inserting

A

Amend Sec. 1101, page 18, line 6, by inserting after "programs)" and containing the plan contents set out in section 505(b) with appropriate accommodations, modifications and supports

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

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

Mr. ROEBUCK. Thank you, Mr. Speaker.

We all recognize that the issue of dropouts is a central issue to this Commonwealth and to this nation, and this bill is designed to begin to move us in a way that we can more effectively address that issue. It provides for the creation of a focus effort upon the dropout problem.

The original language in the bill would create an Office for Drop-out Prevention and Data Collection. We have been advised by the Department of Education that they can in fact accomplish that goal without creating a separate office. So this does in fact implement the intent of the legislation without creating a new separate office.

It provides that the funding in the legislation would be used only to the extent that it is appropriated by this legislative body. It provides that dropout prevention grants will go to school districts that have the highest dropout levels and that those districts, the highest dropout rates, would in fact benefit from the provisions of this legislation.

It also provides for dropout recovery grants based upon the number of individuals lacking high school diplomas relevant to the workforce in the workforce investment areas. It also clarifies, under the provisions of legislation impacting students with special needs, that the individual graduation plans can be fulfilled within a student's individual education plan, provided that the IEP (individualized education program) contains the provisions of the individual graduation plan.

I would ask for favorable action on this amendment.

The SPEAKER. Representative Kauffman, on the amendment.

Mr. KAUFFMAN. Would the gentleman entertain a brief interrogation?

Mr. ROEBUCK. Yes.

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

Mr. KAUFFMAN. I just wanted to inquire, the fiscal note on this, what are the projected costs on this?

Mr. ROEBUCK. There is no money appropriated in the bill.

Mr. KAUFFMAN. Okay. So there is no money appropriated.

Is there a cost associated with this initiative, a projected cost?

Mr. ROEBUCK. It is my understanding that the Department of Education is saying that they can do this without additional costs. What it does require is in fact that they do it, but they are saying they can do it without additional costs.

Mr. KAUFFMAN. I guess I read— I am sorry.

Mr. ROEBUCK. If I could just add one point, sir.

Mr. KAUFFMAN. Sure.

Mr. ROEBUCK. I am advised also that they are already doing some of this under the provisions of the National Governors Association.

Mr. KAUFFMAN. Okay. I thought I had read a fiscal note of, I do not know, \$25,000 or something. And then I understood that in Education Committee meetings this past spring, that staff estimated the entire initiative to have a \$20 million price tag. That is not correct?

Mr. ROEBUCK. I am sorry. I did not clearly hear what you said.

Mr. KAUFFMAN. I understand. It is difficult in the chamber right now.

I think I read a fiscal note of, I thought it was around \$25,000. And then I understand in the Education Committee this past spring that there was a price tag estimated of around \$20 million. Am I incorrect? Is that not associated with this measure?

Mr. ROEBUCK. It is my understanding that was to establish the office, but that this amendment does not provide for the establishment of a separate office. So what the department is saying, they can do that within their existing administrative structure so that that no longer applies.

Mr. KAUFFMAN. Okay. So the administrative function, that fiscal note, that is why you are saying that that would not be necessary.

Now, the program costs of \$20 million, that is not included in this bill? Is that not going to be needed either?

Mr. ROEBUCK. Again, Mr. Speaker, we did not put an appropriation in the language of this legislation.

Mr. KAUFFMAN. Okay. So there is nothing included in this bill.

Was there funding for this included in the budget that we just passed in July?

Mr. ROEBUCK. No.

Mr. KAUFFMAN. Okay.

On the amendment, Mr. Speaker.

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

Mr. KAUFFMAN. I guess my concerns are similar to my good colleague from Cranberry Township. I think in this tight fiscal environment, I think just last week we heard about the Governor initiating a hiring freeze, eliminating out-of-State travel, telling his Secretaries in his Cabinet that they needed to reduce costs. It seems peculiar that we are creating a program with no funding and really putting us in a more difficult fiscal situation when we have to fund it this coming budget year.

I think the intentions of the gentleman are good and honorable and the program, maybe in another fiscal environment, would be good. But in this situation, I just have to question the good sense of creating another program with no funding and the possibility of funding is very limited in the future.

Thank you, Mr. Speaker.

THE SPEAKER PRO TEMPORE (JENNIFER L. MANN) PRESIDING

The SPEAKER pro tempore. The Chair recognizes Representative Samuelson.

Mr. SAMUELSON. Thank you, Madam Speaker.

In response to the previous speaker, what we are talking about here is a dropout prevention program, and we have had grants for dropout prevention in recent budgets. You can check the bill analysis; perhaps half a million dollars that benefited 14 school districts, students in 14 school districts. What this

legislation seeks to do is to create a statewide dropout prevention initiative, and when you think about it, keeping kids in school and having them get the benefit of education is a very wise investment.

Let me quote a former Speaker of this House, Benjamin Franklin, who said an investment in education pays the best interest, pays the best dividends. Think about that. What we invest in our educational opportunities for our young people "pays the best dividends," in the words of Ben Franklin. When you think about it, this statewide dropout prevention initiative really will have some long-term benefits for our students. Let us unite in a bipartisan manner about an initiative to keep kids in school.

And specifically on this amendment, the bill, as drafted, would create a separate office for dropout prevention. This amendment actually saves money by saying that the Department of Education should do this with existing staff. So if you are voting "no" on this amendment, you are actually voting to keep this bill with a separate dropout prevention office. I think the amendment is wise to reduce the scope of the administrative costs, but the overall bill, dropout prevention is a worthy goal, a worthy goal for all of our students. Let us try to invest in education in Pennsylvania.

Thank you, Madam Speaker.

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

Mr. METCALFE. Thank you, Madam Speaker.

Madam Speaker, I rise again to make the similar point that I made earlier, that the ideas that we put forward here in the legislature that will spend more of the taxpayers' money just seem to be endless.

But, Madam Speaker, it really strikes me, while I am sitting here listening to this, that we need this new initiative on keeping kids in school. It is like 2008 – 2008. It is like that old "Field of Dreams," build it and they will come. It is like we have built these public school systems, 501 of them across the State, we built the schools, we continue to build schools, some of our school districts are laying Astroturf on the fields and they continue to build, build, build – build it and they will come. It is 2008, and we need a new program to try and figure out how to keep kids in school.

I do not think that this new program is going to solve a problem that many people have worked on for many decades. I think first and foremost it has to start in the home, that parents have to be responsible for making sure that their children actually get to what has been built, that people expected them to come to. I do not think that this new program that is going to ultimately end up costing the taxpayers more money is actually going to do anything. I think if we actually found some innovative way to try and ensure that we would have higher graduation rates and more kids taking advantage of the school system, I think a new innovative idea would be good, one that does not spend more money, but I think this program is just going to spend more money in the end.

And I think, again, with the current state of the marketplace, I think we all have a chance to read a newspaper during the day or watch Fox hopefully or one of the other channels that give a little more biased news, but while we are watching the news that we actually would pay attention to what is happening in the real world and that we cannot come into these chamber rooms, close those doors, and just vote to continue to take more out of the pockets of the hardworking men and women across this State.

This, again, is another new program in the year 2008 to try and make sure kids go to school, and I think we have to come up with something new and innovative, not some new addition, some new program, that is just going to spend more money. Thank you, Madam Speaker.

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

Mr. THOMAS. Thank you, Madam Speaker.

Madam Speaker, what we do for young people today will determine what young people do for the world tomorrow. If you make the investment today, then we will not only see but we will be able to appreciate the return tomorrow.

Madam Speaker, this is not a new program. It is not a new fiscal policy. It does not add any new dollars. Madam Speaker, this is primarily an effort to try and define the arena in which the Department of Education will begin to deal with this issue of dropout. I think that it is in the taxpayers' interest and in Pennsylvanians' interest to find out why young people are dropping out of school and how we can reverse that, because every dropout that we can bring back in school can eventually become a productive member of the larger community. It is real simple, Madam Speaker, and to cloud it with marketplace and cloud it with some of these other aesthetic ideas is troubling at best.

Madam Speaker, this is about the Pennsylvania today and what Pennsylvania will look like tomorrow, and I do not think that there is a taxpayer out there, whether he or she is in Erie, Pennsylvania, or he or she is in Philadelphia County or Chester, Pennsylvania, because the people that I talked to, the taxpayers that I talked to, what they say to me is, we do not mind making the investment as long as we can get a return. We do not mind continuing our efforts to provide a quality education to children all across the Commonwealth of Pennsylvania. Regardless of where they live or how they live, they are entitled to access to a quality education, and when some if not all of them are not taking advantage of that commitment, then we need to find out why and we need to take affirmative steps to address that.

So, Madam Speaker, let us vote in the affirmative on the Roebuck amendment. It is a good amendment, it focuses on good public policy, and, Madam Speaker, it lays a foundation for helping us understand how we can ensure that every young person in Pennsylvania not only has access but takes advantage of the quality education that is available to them.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Is there anybody else seeking recognition on the amendment? The Chair recognizes Representative Stairs.

Mr. STAIRS. Thank you, Madam Speaker.

I will try a different microphone.

I have a question for the sponsor of the amendment.

The SPEAKER pro tempore. The gentleman agrees to interrogation. You may proceed.

Mr. STAIRS. My question is, we have been taking the liberty to talk more about the bill in the last few minutes than we did the amendment, and so my question may wander into the bill, too. But the last bill that we just passed a few moments ago in reference to education, we had a 10-percent – it is my understanding there was a 10-percent cap. In other words, no district could receive more than 10 percent of the funding that is going to be allocated for this. So whether it be Philadelphia or

any other district, they would be capped how much they could receive.

Now, it is my understanding that there is no cap in this amendment or in this bill. Could you clarify that for me, please?

Mr. ROEBUCK. I think we are wandering again off the amendment onto the bill. But the intent is to ensure that we try to focus the funding that we already provide to the problem that we have, the problem being that of trying to keep kids in school so that they will not drop out, and that is the intent of what we are doing.

Mr. STAIRS. May I respond? And I have a comment to make to this chamber, Madam Speaker.

The SPEAKER pro tempore. Have you concluded your interrogation?

Mr. STAIRS. Yes.

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

Mr. STAIRS. Thank you.

My concern is we amend this bill, and certainly there are needs in certain parts of the State, very drastic needs in dropout prevention, but I think we have to look at the whole picture, look at the whole State. So I would hope – and I will vote for this amendment and vote for the bill – but I hope that as we move forward on this, that as it goes to the Senate they can maybe address, make sure that everybody has a chance. The poorer districts, whether they are in the city or in the suburbs or in the rural area of the State, they have their problems, and I hope that we have a chance to address all the problems, not just a few of the problems limited to certain districts.

So that would be my comment, and I would hope that as the Senate looks at this before it goes to the Governor, that we could address, in my mind, some shortcomings. Thank you, Madam Speaker.

The SPEAKER pro tempore. Is there anyone else seeking recognition on the amendment? The Chair recognizes Representative Roebuck for the second time.

Mr. ROEBUCK. Thank you, Madam Speaker.

Let me be very clear: This is not a bill that addresses one particular part of the Commonwealth; it addresses all school districts within this Commonwealth. And understand, it is not a problem of urban areas or rural areas; it is a problem across our entire Commonwealth, and it is not about benefiting one section versus another. So let us be clear, what this does is it tries to address the dropout rate, when 30 percent of the kids across the Commonwealth are not finishing high school – 30 percent. It is not an urban problem or a rural problem; it is a problem for all of us.

I ask for your support, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—142

Adolph	Fleck	Manderino	Sainato
Argall	Frankel	Mann	Samuelson
Baker	Freeman	Markosek	Santoni
Barrar	Galloway	Marshall	Seip
Bear	Geist	McCall	Shapiro

Bennington	George	McGeehan	Shimkus
Beyer	Gerber	McI. Smith	Siptroth
Biancucci	Gergely	Melio	Smith, K.
Bishop	Gibbons	Mensch	Smith, M.
Blackwell	Godshall	Micozzie	Solobay
Boback	Goodman	Miller	Staback
Brennan	Grucla	Milne	Stairs
Buxton	Haluska	Moyer	Steil
Caltagirone	Hanna	Mundy	Stern
Cappelli	Harhai	Murt	Sturla
Carroll	Harkins	Myers	Surra
Casorio	Hennessey	Nickol	Tangretti
Civera	Hess	O'Brien, M.	Taylor, J.
Cohen	Hornaman	O'Neill	Taylor, R.
Conklin	James	Oliver	Thomas
Costa	Josephs	Pallone	Vereb
Cruz	Keller, W.	Parker	Vitali
Curry	Kenney	Pashinski	Wagner
Daley	Kessler	Perzel	Walko
Dally	Killion	Petrarca	Wansacz
DeLuca	King	Petri	Waters
DePasquale	Kirkland	Petrone	Watson
Dermody	Kortz	Phillips	Wheatley
DeWeese	Kotik	Preston	White
DiGirolamo	Kula	Ramaley	Williams
Donatucci	Leach	Raymond	Wojnaroski
Eachus	Lentz	Readshaw	Yewcic
Evans, D.	Levdansky	Roebuck	Yudichak
Evans, J.	Longietti	Ross	
Fabrizio	Mackereth	Rubley	O'Brien, D., Speaker
Fairchild	Mahoney	Sabatina	

NAYS—57

Bastian	Grell	McIlhattan	Reed
Benninghoff	Harhart	Metcalfe	Reichley
Boyd	Harper	Millard	Roae
Brooks	Harris	Moul	Rock
Causar	Helm	Mustio	Rohrer
Clymer	Hershey	Nailor	Saylor
Cox	Hickernell	Payne	Scavello
Creighton	Hutchinson	Peifer	Schroder
Cutler	Kauffman	Perry	Smith, S.
Denlinger	Keller, M.K.	Pickett	Sonney
Ellis	Maher	Pyle	Stevenson
Everett	Major	Quigley	True
Gabig	Mantz	Quinn	Turzai
Gillespie	Marsico	Rapp	Vulakovich
Gingrich			

NOT VOTING—0

EXCUSED—4

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

On the question,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

RULES SUSPENDED

The SPEAKER pro tempore. For what purpose does the gentleman, Representative Caltagirone, rise?

Mr. CALTAGIRONE. Madam Speaker, I would like to make a motion to suspend the rules.

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

Mr. CALTAGIRONE. I would like to have HBs 1543 and 2216 and SB 1308 considered by the full House.

The SPEAKER pro tempore. The Chair understands the gentleman makes a motion that we suspend the rules for the immediate consideration of HB 1543, SB 1308, and HB 2216 on third consideration.

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

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman, Representative Marsico, on the suspension.

Mr. MARSICO. Thank you, Madam Speaker.

I rise to support the suspension of the rules to consider the bills that were previously mentioned. Thank you.

The SPEAKER pro tempore. For the information of the members, debate on the motion to suspend the rules is limited to the leaders, the prime sponsors of the bills to be considered, and the maker of the motion.

The Chair recognizes the gentleman, Representative Solobay.

Mr. SOLOBAY. Thank you, Madam Speaker.

I, too, as one of the prime sponsors of one of the bills being considered, would also ask for an affirmative vote to suspend the rules. These bills were all three debated yesterday, and basically it has been about 20, 21 hours – we would have to wait until near 4 or 4:30 to vote them – and I think all the questions and concerns were taken care of yesterday during second consideration.

So I would ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—180

Adolph	Frankel	Manderino	Roebuck
Argall	Freeman	Mann	Ross
Baker	Gabig	Mantz	Rubley
Barrar	Galloway	Markosek	Sabatina
Bastian	Geist	Marshall	Sainato
Bear	George	Marsico	Santoni
Benninghoff	Gerber	McCall	Saylor
Bennington	Gergely	McGeehan	Scavello
Beyer	Gibbons	McIlhattan	Shapiro
Biancucci	Gillespie	Melio	Shimkus
Bishop	Gingrich	Mensch	Siptroth
Blackwell	Godshall	Micozzie	Smith, K.
Boyd	Goodman	Millard	Smith, M.
Brennan	Grucela	Miller	Smith, S.
Brooks	Haluska	Moul	Solobay
Buxton	Hanna	Moyer	Sonney

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

NAYS—19

Boback	Kauffman	O'Neill	Samuelson
Cox	Kessler	Rapp	Schroder
Cutler	McI. Smith	Reichley	Seip
Grell	Metcalf	Roae	Steil
Hutchinson	Milne	Rohrer	

NOT VOTING—0**EXCUSED—4**

Belfanti	Payton	Swanger	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.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1543, PN 4392**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for expungement of criminal history record and for juvenile records.

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

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—198

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

NAYS—1

Gabig

NOT VOTING—0

EXCUSED—4

Belfanti	Payton	Swanger	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.

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The House proceeded to third consideration of **HB 2216, PN 4394**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—1

Thomas

NOT VOTING—0

EXCUSED—4

Belfanti	Payton	Swanger	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.

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The House proceeded to third consideration of **SB 1308, PN 2416**, entitled:

An Act authorizing the Pennsylvania Fish and Boat Commission to grant and convey to Solebury Township, certain lands situate in Solebury Township, Bucks County; and authorizing the Department of General Services, with the approval of the Governor, to convey a certain easement in the City of Philadelphia.

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

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Mantz	Roebuck
Argall	Galloway	Markosek	Rohrer
Baker	Geist	Marshall	Ross
Barrar	George	Marsico	Rubley
Bastian	Gerber	McCall	Sabatina
Bear	Gergely	McGeehan	Sainato
Benninghoff	Gibbons	McI. Smith	Samuelson
Bennington	Gillespie	McIlhattan	Santoni
Beyer	Gingrich	Melio	Saylor
Biancucci	Godshall	Mensch	Scavello
Bishop	Goodman	Metcalfe	Schroder
Blackwell	Grell	Micozzie	Seip
Boback	Grucela	Millard	Shapiro
Boyd	Haluska	Miller	Shimkus
Brennan	Hanna	Milne	Siptroth
Brooks	Harhai	Moul	Smith, K.
Buxton	Harhart	Moyer	Smith, M.
Caltagirone	Harkins	Mundy	Smith, S.
Cappelli	Harper	Murt	Solobay
Carroll	Harris	Mustio	Sonney
Casorio	Helm	Myers	Staback
Causer	Hennessey	Nailor	Stairs
Civera	Hershey	Nickol	Steil
Clymer	Hess	O'Brien, M.	Stern
Cohen	Hickernell	O'Neill	Stevenson
Conklin	Hornaman	Oliver	Sturla
Costa	Hutchinson	Pallone	Surra
Cox	James	Parker	Tangretti
Creighton	Josephs	Pashinski	Taylor, J.
Cruz	Kauffman	Payne	Taylor, R.
Curry	Keller, M.K.	Peifer	Thomas
Cutler	Keller, W.	Perry	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.	Longietti	Rapp	Williams
Evans, J.	Mackereth	Raymond	Wojnaroski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Yudichak
Fairchild	Major	Reichley	
Fleck	Manderino	Roae	O'Brien, D.,
Frankel	Mann	Rock	Speaker
Freeman			

NAYS—0

NOT VOTING—0

EXCUSED—4

Belfanti	Payton	Swanger	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 return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

RESOLUTIONS PURSUANT TO RULE 35

Mr. CURRY called up **HR 759, PN 4379**, entitled:

A Resolution designating the month of October 2008 as "Neuroblastoma Month" in Pennsylvania and highlighting a special event, Dance Philly! Every Step Counts!, to support the Susanna DeLaurentis Charitable Foundation's efforts to combat this deadly disease.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Mantz	Roebuck
Argall	Galloway	Markosek	Rohrer
Baker	Geist	Marshall	Ross
Barrar	George	Marsico	Rubley
Bastian	Gerber	McCall	Sabatina
Bear	Gergely	McGeehan	Sainato
Benninghoff	Gibbons	McI. Smith	Samuelson
Bennington	Gillespie	McIlhatten	Santoni
Beyer	Gingrich	Melio	Saylor
Biancucci	Godshall	Mensch	Scavello
Bishop	Goodman	Metcalfe	Schroder
Blackwell	Grell	Micozzie	Seip
Boback	Grucela	Millard	Shapiro
Boyd	Haluska	Miller	Shimkus
Brennan	Hanna	Milne	Siptroth
Brooks	Harhai	Moul	Smith, K.
Buxton	Harhart	Moyer	Smith, M.
Caltagirone	Harkins	Mundy	Smith, S.
Cappelli	Harper	Murt	Solobay
Carroll	Harris	Mustio	Sonney
Casorio	Helm	Myers	Staback
Causar	Hennessey	Nailor	Stairs
Civera	Hershey	Nickol	Steil
Clymer	Hess	O'Brien, M.	Stern
Cohen	Hickernell	O'Neill	Stevenson
Conklin	Hornaman	Oliver	Sturla
Costa	Hutchinson	Pallone	Surra
Cox	James	Parker	Tangretti
Creighton	Josephs	Pashinski	Taylor, J.
Cruz	Kauffman	Payne	Taylor, R.
Curry	Keller, M.K.	Peifer	Thomas
Cutler	Keller, W.	Perry	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.	Longietti	Rapp	Williams
Evans, J.	Mackereth	Raymond	Wojnaroski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Yudichak
Fairchild	Major	Reichley	
Fleck	Manderino	Roae	O'Brien, D.,
Frankel	Mann	Rock	Speaker
Freeman			

NAYS—0

NOT VOTING—0

EXCUSED—4

Belfanti Payton Swanger Youngblood

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

* * *

Mr. MELIO called up **HR 882, PN 4354**, entitled:

A Resolution recognizing the month of September 2008 as "Senior Center Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

Fleck
Frankel
Freeman

Manderino
Mann

Roae
Rock

O'Brien, D.,
Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Belfanti

Payton

Swanger

Youngblood

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

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

The House will come to order.

Members will take their seats. We are about to take up a condolence resolution. Sergeants at Arms will close the doors of the House.

* * *

Mr. DALLY called up **HR 857, PN 4260**, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice made by Private First Class Derek D. Holland of Company A, 228th Brigade Support Battalion of the Pennsylvania Army National Guard located in Bethlehem who lost his life in service to our country near the town of Zormat in Gardez Province, Afghanistan, on June 3, 2008.

On the question,

Will the House adopt the resolution?

The SPEAKER pro tempore. The Chair recognizes Representative Dally on the resolution.

Mr. DALLY. Thank you, Madam Speaker.

Today I am urging my colleagues to adopt a resolution honoring the life and extending condolences to the family of Pfc. Derek Holland, a graduate of Pen Argyl High School.

Pfc. Derek Holland tragically lost his life while serving our military in Afghanistan. Derek died near the town of Zormat. He was part of a detail providing security for a team that was helping with the humanitarian mission of rebuilding the infrastructure in Afghanistan.

On September 5 I joined with Derek's family, 700 Pen Argyl High School students, faculty, school officials, and members of the National Guard at a ceremony paying tribute to him held at Pen Argyl Area High School. We remember Derek not just as the first soldier from the Slate Belt to give his life for our country while serving in the Iraq and Afghanistan wars but as a creative young man with a great sense of humor.

We remember a young man described by his supervisor in Afghanistan, Sfc. Timothy Horner, as "one of the most dedicated soldiers I have known."

While this resolution chronicles Derek's military record, it tells only part of the story. Derek was a young man who wanted to do his part in serving his country and who found inspiration in the service of his country. He graduated from Pen Argyl High School and studied informational technology at the

Career Institute of Technology. He will always be remembered and he gave the ultimate sacrifice so that people half a world away can live with the freedom he enjoyed and protected.

Like many whom we have honored before in this chamber, Derek served so that our freedom could endure. We will forever remember Derek for the lives he touched at home, his bravery, and his commitment to our country, and I respectfully ask, Madam Speaker, that the members of the House support HR 857. Thank you.

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

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of Pfc. Derek D. Holland.)

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

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

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Adolph	Gabig	Mantz	Roebuck
Argall	Galloway	Markosek	Rohrer
Baker	Geist	Marshall	Ross
Barrar	George	Marsico	Rubley
Bastian	Gerber	McCall	Sabatina
Bear	Gergely	McGeehan	Sainato
Benninghoff	Gibbons	McI. Smith	Samuelson
Bennington	Gillespie	McIlhattan	Santoni
Beyer	Gingrich	Melio	Saylor
Biancucci	Godshall	Mensch	Scavello
Bishop	Goodman	Metcalfe	Schroder
Blackwell	Grell	Micozzie	Seip
Boback	Gruclera	Millard	Shapiro
Boyd	Haluska	Miller	Shimkus
Brennan	Hanna	Milne	Siptroth
Brooks	Harhai	Moul	Smith, K.
Buxton	Harhart	Moyer	Smith, M.
Caltagirone	Harkins	Mundy	Smith, S.
Cappelli	Harper	Murt	Solobay
Carroll	Harris	Mustio	Sonney
Casorio	Helm	Myers	Staback
Causar	Hennessey	Nailor	Stairs
Civera	Hershey	Nickol	Steil
Clymer	Hess	O'Brien, M.	Stern
Cohen	Hickernell	O'Neill	Stevenson
Conklin	Hornaman	Oliver	Sturla
Costa	Hutchinson	Pallone	Surra
Cox	James	Parker	Tangretti
Creighton	Josephs	Pashinski	Taylor, J.
Cruz	Kauffman	Payne	Taylor, R.
Curry	Keller, M.K.	Peifer	Thomas
Cutler	Keller, W.	Perry	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.	Longietti	Rapp	Williams
Evans, J.	Mackereth	Raymond	Wojnaroski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Yudichak
Fairchild	Major	Reichley	
Fleck	Manderino	Roae	O'Brien, D.,
Frankel	Mann	Rock	Speaker
Freeman			

NAYS—0

NOT VOTING—0

EXCUSED—4

Belfanti	Payton	Swanger	Youngblood
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 51, PN 76 By Rep. CALTAGIRONE

An Act establishing the Prevention of Hate Activity Fund; and making an appropriation.

JUDICIARY.

HB 2445, PN 4417 (Amended) By Rep. CASORIO

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for neighborhood blight reclamation and revitalization.

LABOR RELATIONS.

SB 306, PN 342 By Rep. CALTAGIRONE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for purchase, consumption, possession or transportation of liquor or malt or brewed beverages.

JUDICIARY.

SB 1107, PN 2430 (Amended) By Rep. CALTAGIRONE

An Act amending Titles 23 (Domestic Relations) and 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for modification of existing custody orders; and providing for protection of deployed members of the Pennsylvania National Guard and reserve components in child custody arrangements.

JUDICIARY.

SB 1203, PN 2293 By Rep. CALTAGIRONE

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for forfeiture, for modification of wills, for advertisement of grant of letters, for duty of personal representative, for enforcement of contribution or exoneration of Federal estate tax, for implementation of power of attorney, for applicability of rule against perpetuities, for modification of conveyance by divorce, for effect of divorce on designation of beneficiaries, for notice of representation, for creditor's claim against settlor, for actions contesting validity of revocable trusts,

for claims and distribution after settlor's death, for trustee's duty to inform and report, for illustrative powers of trustee, for limitation of action against trustee, for power to convert to unitrust and for retirement benefits, individual retirement accounts, deferred compensation, annuities and similar payments; and making conforming amendments to Title 15.

JUDICIARY.

BILLS REMOVED FROM TABLE

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

HB 2445;
HB 51;
SB 306;
SB 1203; and
SB 1107.

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

BILLS RECOMMITTED

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

HB 2445;
HB 51;
SB 306;
SB 1203; and
SB 1107.

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

SENATE BILLS FOR CONCURRENCE

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

SB 1496, PN 2384

Referred to Committee on LOCAL GOVERNMENT, September 23, 2008.

SB 1555, PN 2347

Referred to Committee on JUDICIARY, September 23, 2008.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes the presence of Representative Swanger on the House floor and asks that her name be added to the master roll.

CHILDREN AND YOUTH COMMITTEE MEETING

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

Ms. BISHOP. Thank you, Madam Speaker.

I would like to announce that the Children and Youth Committee will be having a voting meeting immediately following this break in room 60E – 60E.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

Children and Youth will meet in room 60E at the break.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes Representative Keller for the purpose of a committee announcement.

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

I would like to announce an Appropriations Committee hearing in the majority caucus room immediately following recess. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Appropriations Committee will meet in the majority caucus room at the recess.

AGRICULTURE AND RURAL AFFAIRS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes Representative Hanna for the purpose of a committee announcement.

Mr. HANNA. Thank you, Madam Speaker.

I rise to announce an Ag Committee meeting, a voting Ag Committee meeting, at the call of the recess in room G-50 of the Irvis Office Building.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

TRANSPORTATION COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes Representative Markosek for the purpose of a committee announcement.

Mr. MARKOSEK. Thank you, Madam Speaker.

Madam Speaker, the House Transportation Committee will meet at 2:30 in room 39, East Wing, for a voting meeting. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Transportation Committee will meet in room 39 of the East Wing at 2:30.

LABOR RELATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes Representative Casorio for the purpose of a committee announcement.

Mr. CASORIO. Thank you, Madam Speaker.

Madam Speaker, I rise to make an announcement for the House Labor Relations Committee. The House Labor Relations Committee will hold a voting meeting tomorrow, Wednesday, September 24, in room 39, East Wing. SB 263 will be the agenda, tomorrow, Wednesday, 10:30, Labor Relations, 39 East Wing.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Labor Relations Committee will be meeting tomorrow in room 39, East Wing.

The House will be at ease.

The House will come to order.

LOCAL GOVERNMENT COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Freeman, for the purpose of a committee announcement.

Mr. FREEMAN. Thank you, Madam Speaker.

Madam Speaker, for the information of the members of the House Local Government Committee, we had anticipated calling a meeting today. That meeting will actually be called tomorrow at 10:30 in 50G Irvis Building. So it will be 10:30 tomorrow, 50G Irvis Building. We only have, hopefully, only one bill on the agenda. So we should be able to move it quickly. So for the purpose of the Local Government Committee members, 50G Irvis, tomorrow at 10:30 a.m.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Local Government Committee will be meeting tomorrow at 10:30 in 50G Irvis Building.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the minority whip, who requests leave for the Speaker, Dennis O'BRIEN, for the remainder of the day. Seeing no objection, leave is granted.

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

The SPEAKER pro tempore. For the purpose of the members, there will be no further votes today. The House will be in recess until the call of the Chair, but it is the intention that we will not return for votes until 11 a.m. tomorrow.

RECESS

The SPEAKER pro tempore. The House stands in recess until the call of the Chair.

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING**

FINANCE COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. Levdansky.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Tomorrow, at the conclusion of session tomorrow, there will be a House Finance Committee meeting in room 205 of the Ryan Office Building. Again, after session tomorrow, a meeting of the House Finance Committee in 205 Ryan Office Building.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Finance Committee will be meeting in room 205 of the Ryan Office Building at the conclusion of session tomorrow.

RECESS

The SPEAKER pro tempore. The House stands in recess until the call of the Chair.

AFTER RECESS

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

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

BILLS REREPORTED FROM COMMITTEE

HB 2035, PN 4420 (Amended) By Rep. D. EVANS

An Act providing for a Heritage Area Program to identify, protect, enhance and promote the historic, recreational, cultural, natural and scenic resources of this Commonwealth and to stimulate community sustainability and economic development through heritage, outdoor recreation and ecotourism.

APPROPRIATIONS.

HB 2275, PN 4334 By Rep. D. EVANS

An Act amending the act of June 21, 1939 (P.L.566, No.284), known as The Pennsylvania Occupational Disease Act, providing further benefits.

APPROPRIATIONS.

SB 1114, PN 2061

By Rep. D. EVANS

An Act designating the scenic view adjacent to State Route 40 in Wharton Township, Fayette County, as the "Blue Star Point Lookout."

APPROPRIATIONS.

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

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

HB 2684, PN 4104

By Rep. MARKOSEK

An Act designating the portion of US Route 20, known as West 26th Street, in Millcreek Township, from Peninsula Drive to Powell Avenue as the John W. Groters Memorial Highway.

TRANSPORTATION.

HB 2699, PN 4145

By Rep. MARKOSEK

An Act designating the bridge carrying State Route 946 over the Lehigh River in the Borough of Walnutport, Northampton County, as the Ted S. Miller Memorial Bridge.

TRANSPORTATION.

SB 295, PN 2432 (Amended)

By Rep. MARKOSEK

An Act providing for idling restrictions on diesel-powered motor vehicles; and imposing a penalty.

TRANSPORTATION.

SB 684, PN 2009

By Rep. BISHOP

An Act providing for child death review.

CHILDREN AND YOUTH.

SB 768, PN 2431 (Amended)

By Rep. HANNA

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, further providing for the definitions of "commercial lending activities" and "commercial lending institutions" and for the First Industries Program.

AGRICULTURE AND RURAL AFFAIRS.**BILLS REMOVED FROM TABLE**

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

SB 684;
SB 768;
SB 295;
HB 2684; and
HB 2699.

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

BILLS RECOMMITTED

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

SB 684;
SB 768;
SB 295;
HB 2684; and
HB 2699.

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

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 903 By Representatives DePASQUALE, BAKER, BEAR, BENNINGTON, BEYER, BISHOP, BOBACK, BRENNAN, CALTAGIRONE, CAUSER, CLYMER, COHEN, CONKLIN, DALEY, DeLUCA, DiGIROLAMO, DONATUCCI, FLECK, FRANKEL, GEORGE, GIBBONS, GINGRICH, GOODMAN, GRUCELA, HARHART, HELM, HENNESSEY, HERSHEY, HESS, HORNAMAN, JAMES, KENNEY, KORTZ, MAHONEY, MAJOR, MANTZ, MARSICO, McCALL, McGEEHAN, MELIO, MILLARD, R. MILLER, MOYER, MUSTIO, MYERS, NAILOR, PALLONE, PARKER, PAYNE, PHILLIPS, QUINN, RAMALEY, RAPP, READSHAW, REICHLEY, ROCK, ROHRER, ROSS, SAINATO, SANTONI, SAYLOR, SCAVELLO, SIPTROTH, SOLOBAY, STABACK, SWANGER, TRUE, VULAKOVICH, WATERS, WOJNAROSKI and YOUNGBLOOD

A Resolution designating the month of November 2008 as "Hydrocephalus Awareness Month" in Pennsylvania.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, September 23, 2008.

**HOUSE BILL
INTRODUCED AND REFERRED**

No. 2790 By Representatives HUTCHINSON, ARGALL, CARROLL, CLYMER, CREIGHTON, DALLY, DENLINGER, EVERETT, GEIST, GEORGE, GINGRICH, GRUCELA, HALUSKA, HENNESSEY, HESS, JOSEPHS, MAJOR, McGEEHAN, McILHATTAN, R. MILLER, MOYER, MURT, MYERS, PETRONE, RAPP, REICHLEY, ROCK, SAYLOR, SIPTROTH, SONNEY, STERN, SURRA and McILVAINE SMITH

An Act establishing a program for the recycling of computer equipment of consumers in this Commonwealth; providing for the powers and duties of the Department of Environmental Protection; and prescribing administrative penalties.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Representative Brooks of Mercer County, who moves that the House do now adjourn until Wednesday, September 24, 2008, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 3:39 p.m., e.d.t., the House adjourned.