

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, SEPTEMBER 24, 2008

SESSION OF 2008

192D OF THE GENERAL ASSEMBLY

No. 62

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

PRAYER

HON. MATTHEW E. BAKER, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

The prayer is taken from the Old Testament Scripture of Isaiah 40:31: "...Those who hope in the LORD will renew their strength. They will soar on wings like eagles; they will run and not grow weary, they will walk and not be faint."

Let us bow our heads and humble our hearts as we go before the throne of God.

Heavenly Father, we thank You for hearing our prayer and for the opportunity to collectively represent the concerns of 12 million citizens here in Pennsylvania. May we conduct our business today with great diligence and be forthright and honorable with our responsibility in serving others with honesty and integrity. Father, help us to work together in the spirit of unity to accomplish Your will and purpose in this chamber that will benefit altruistically the residents of Pennsylvania.

Sometimes, Lord, criticism can consume our lives to the point of emotional and intellectual paralysis. Help us and our staff as well as all House employees to set our hearts and minds on serving You, O God, faithfully and undeterred. Renew a right spirit within us. May all that we say and do exemplify a godly life wholly and acceptable unto You, Lord, giving us a purpose-driven life of servant leadership of, for, and by the people ordained and blessed by You.

In the name of our Lord we pray. Amen.

PLEDGE OF ALLEGIANCE

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

MOMENT OF SILENCE FOR OFFICER PATRICK McDONALD

The SPEAKER. If I could have the attention of the members.

I would like to ask all members to please rise and observe a moment of silence for Philadelphia Highway Patrol Officer Patrick McDonald. He was an 8-year veteran of the Philadelphia

Police Department. He was a constituent of mine in the 169th Legislative District in Northeast Philly. He was a 1996 graduate of Archbishop Ryan High School.

He was taking night and weekend classes. He earned a bachelor's degree in criminal justice from St. Joseph's University. He is the beloved son of Patricia and Larry, a retired captain of the Philadelphia Fire Department.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of Officer Patrick McDonald.)

REMARKS BY MR. MCGEEHAN

The SPEAKER. I would like to recognize Representative Michael McGeehan, who is a close friend of the family, for some brief remarks.

Members may take their seats.

Mr. MCGEEHAN. Thank you for your indulgence, Mr. Speaker.

I know that your reputation among your constituents and all the members of the House is a champion for police and firefighters, particularly in the city of Philadelphia, and my condolences to you, Pat being a constituent of yours. I did not know Officer McDonald, but I have known his father and mother, Larry and Patsy McDonald, for more than 40 years, and I consider them close friends.

They have had their share, certainly, of personal tragedy, but this latest incident, this terrible, terrible incident, is not just a personal tragedy for them but for the city of Philadelphia. Anytime a police officer is killed, it affects us all because it really does go to the heart of who we are as a society.

I do not think any of us have an answer to this wanton violence that plagues not just Philadelphia but the country. Officer McDonald, in reading much of the news coverage today, is the kind of person that you and I strive to be every day, and I know that the members of this House and the 12 million Pennsylvanians join with you, Mr. Speaker, and the people of Philadelphia and the people of the Commonwealth in keeping Larry and Patsy McDonald and Officer Patrick McDonald and his fellow officer, Richard Bowes, who was also wounded in this incident, in their thoughts and prayers.

And, Mr. Speaker, the attack and assault on a police officer I think goes to the heart of who we are as a society, and it is particularly tragic that this brave, beautiful young man has lost his life in the defense of the values and principles we all believe in.

I just want to extend my personal condolences to my dear friends, Larry and Patsy, and to Pat's sister, Megan, and ask that,

again, as you had suggested, to remember them in their thoughts and prayers today. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Members and guests may be seated.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Tuesday, September 23, 2008, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to requests for leaves of absence. The Chair recognizes the majority whip, who requests that Representative BENNINGTON of Allegheny County be placed on leave for today. The Chair hears no objection. The leave will be granted.

The Chair recognizes the minority whip, who requests that Representative ROSS of Chester County be placed on leave for today. The Chair hears no objection. That leave will also 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	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McI. Smith	Santoni
Benninghoff	Gillespie	McIlhattan	Saylor
Beyer	Gingrich	Melio	Scavello
Biancucci	Godshall	Mensch	Schroder
Bishop	Goodman	Metcalf	Seip
Blackwell	Grell	Micozzie	Shapiro
Boback	Grucela	Millard	Shimkus
Boyd	Haluska	Miller	Siptroth
Brennan	Hanna	Milne	Smith, K.
Brooks	Harhai	Moul	Smith, M.
Buxton	Harhart	Moyer	Smith, S.
Caltagirone	Harkins	Mundy	Solobay
Cappelli	Harper	Murt	Sonney
Carroll	Harris	Mustio	Staback
Casorio	Helm	Myers	Stairs
Causar	Hennessey	Nailor	Steil
Civera	Hershey	Nickol	Stern
Clymer	Hess	O'Brien, M.	Stevenson
Cohen	Hickernell	O'Neill	Sturla
Conklin	Hornaman	Oliver	Surra
Costa	Hutchinson	Pallone	Swanger
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			

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Bennington	Payton	Ross	Youngblood
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LEAVES ADDED—1

Benninghoff

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1019, PN 1711

By Rep. STURLA

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, further providing for definitions, for grounds for disciplinary proceedings for vehicle shows, off-premise sales and exhibitions; providing for recreational vehicle shows, recreational vehicle off-premise sales, recreational vehicle exhibitions and recreational vehicle rallies; and further providing for vehicle shows, off-premise sales and exhibitions on Sundays.

PROFESSIONAL LICENSURE.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 1019 be removed from the tabled bill calendar.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 1019 be recommitted to the Committee on Appropriations.

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

BILL SIGNED BY SPEAKER

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

SB 1103, PN 1427

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.

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

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Ms. PICKETT called up **HR 678, PN 3504**, entitled:

A Resolution designating September 28, 2008, as "Gold Star Mother's Day" 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	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McI. Smith	Santoni
Benninghoff	Gillespie	McIlhatten	Saylor
Beyer	Gingrich	Melio	Scavello
Biancucci	Godshall	Mensch	Schroder
Bishop	Goodman	Metcalfe	Seip
Blackwell	Grell	Micozzie	Shapiro
Boback	Grucela	Millard	Shimkus
Boyd	Haluska	Miller	Siptroth
Brennan	Hanna	Milne	Smith, K.
Brooks	Harhai	Moul	Smith, M.
Buxton	Harhart	Moyer	Smith, S.
Caltagirone	Harkins	Mundy	Solobay
Cappelli	Harper	Murt	Sonney
Carroll	Harris	Mustio	Staback
Casorio	Helm	Myers	Stairs
Causar	Hennessey	Nailor	Steil
Civera	Hershey	Nickol	Stern
Clymer	Hess	O'Brien, M.	Stevenson
Cohen	Hickernell	O'Neill	Sturla
Conklin	Hornaman	Oliver	Surra
Costa	Hutchinson	Pallone	Swanger
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			

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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Mr. M. SMITH called up **HR 873, PN 4293**, entitled:

A Resolution recognizing September 24, 2008, as "Parental Alienation Syndrome Awareness Day" in Pennsylvania as a means to draw attention to this growing problem that endangers the mental and emotional health of a child.

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	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McI. Smith	Santoni
Benninghoff	Gillespie	McIlhatten	Saylor
Beyer	Gingrich	Melio	Scavello
Biancucci	Godshall	Mensch	Schroder
Bishop	Goodman	Metcalfe	Seip
Blackwell	Grell	Micozzie	Shapiro
Boback	Grucela	Millard	Shimkus
Boyd	Haluska	Miller	Siptroth
Brennan	Hanna	Milne	Smith, K.
Brooks	Harhai	Moul	Smith, M.
Buxton	Harhart	Moyer	Smith, S.
Caltagirone	Harkins	Mundy	Solobay
Cappelli	Harper	Murt	Sonney
Carroll	Harris	Mustio	Staback
Casorio	Helm	Myers	Stairs
Causar	Hennessey	Nailor	Steil
Civera	Hershey	Nickol	Stern

Clymer	Hess	O'Brien, M.	Stevenson
Cohen	Hickernell	O'Neill	Sturla
Conklin	Hornaman	Oliver	Surra
Costa	Hutchinson	Pallone	Swanger
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

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

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Mr. LEACH called up **HR 892, PN 4381**, entitled:

A Resolution designating the week of September 21 through 27, 2008, as "Mitochondrial Disease Awareness Week" 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	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McI. Smith	Santoni
Benninghoff	Gillespie	McIlhattan	Saylor
Beyer	Gingrich	Melio	Scavello
Bianucci	Godshall	Mensch	Schroder
Bishop	Goodman	Metcalfe	Seip
Blackwell	Grell	Micozzie	Shapiro
Boback	Grucela	Millard	Shimkus
Boyd	Haluska	Miller	Siptroth
Brennan	Hanna	Milne	Smith, K.
Brooks	Harhai	Moul	Smith, M.

Buxton	Harhart	Moyer	Smith, S.
Caltagirone	Harkins	Mundy	Solobay
Cappelli	Harper	Murt	Sonney
Carroll	Harris	Mustio	Staback
Casorio	Helm	Myers	Stairs
Causer	Hennessey	Nailor	Steil
Civera	Hershey	Nickol	Stern
Clymer	Hess	O'Brien, M.	Stevenson
Cohen	Hickernell	O'Neill	Sturla
Conklin	Hornaman	Oliver	Surra
Costa	Hutchinson	Pallone	Swanger
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

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

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Mr. KESSLER called up **HR 888, PN 4360**, entitled:

A Resolution honoring Gold Star Mother Mollie Snyder of Berks County.

On the question,
Will the House adopt the resolution?

MOLLIE SNYDER INTRODUCED

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

Mr. KESSLER. Thank you, Mr. Speaker.

Today is a very exciting day. We have today with us Mollie Snyder, who is a Gold Star Mother, who represented

Berks County for 50 years, and I would like to read you a little bit about Mollie.

Today we are here to honor Gold Star Mother Mollie Snyder of Berks County.

"...A Gold Star Mother from Pennsylvania, Mollie Snyder, has been selected as a model for a relief that is part of the monument honoring Gold Star Mothers from all armed services in all wars in which the United States has been engaged since World War I;...

"...Mrs. Snyder, of Berks County, is the mother of Pfc. Walter H. Snyder, Jr., deceased, who served in the Korean Conflict and died" in 1950 "from wounds suffered during action;...

"...Mrs. Snyder served as president of the Berks County Chapter of Gold Star Mothers from the late 1950s until May 2008 and, upon her retirement, was made Honorary President of the chapter at that time;...

"...Mrs. Snyder, 99" years young, "is honored that sculptor Andrew L. Chernak has chosen Walter and her as models for a bronze relief that will be mounted along the pathway to the centerpiece statue at the proposed Gold Star Mothers Monument in Washington, D.C.;...

"...The artist, who met Mrs. Snyder in 2004 at a Gold Star Mothers function, selected her for her dignity and her inner strength;...

"...Not only is she the first Gold Star Mother to be chosen by the artist but the bronze relief of her son and her is the first to be completed;...

"...The bronze relief of Mollie and her son will be displayed at the Gold Star Mothers banquet on Saturday, September 27, 2008, in Washington, DC as part of the events of the Gold Star Mothers Weekend;...

"...Gold Star Mothers is a term that arose during World War I that embraces those mothers whose sons or daughters died from injury or illness while serving in...World War I; World War II; the Korean Conflict;...the Middle East, including Operation Desert Storm, Operation Enduring Freedom and Operation Iraqi Freedom;...

"...American Gold Star Mothers, Inc., is the official national service organization of Gold Star Mothers that was begun in 1928 and continues because of the bond of mutual love, sympathy and support of the many loyal, capable and patriotic mothers who, while sharing their grief and their pride, have channeled their time, efforts and gifts to lessening the pain of others by honoring our deceased servicemen and servicewomen, assisting our veterans, supporting our nation and helping each other to heal;...

"...In 1936, President Franklin Roosevelt recognized Gold Star Mothers for their strength and inspiration to this country;...

"...Mrs. Snyder, who volunteers at the local veterans hospital and who rides annually in the Berks County 'Ride for Freedom' motorcycle rally, hopes to go to the unveiling of the bronze relief at the monument, but her greater hope is that the nations of the world learn to live in peace so that there will be no more Gold Star Mothers;...

"...It is fitting to pay tribute to this amazing mother who nobly represents Gold Star Mothers throughout Pennsylvania and our nation...."

The House of Representatives takes great pride in recognizing Gold Star Mother Mollie Snyder of Berks County. Would you please stand.

GUESTS INTRODUCED

Mr. KESSLER. I would like to introduce two other people, two other people that I consider as fond friends whom I met just a year and a half ago, Bernie Bingham and Diane Simmons, who take Mollie everywhere and have introduced me and are taking her down to DC. Bernie and Diane, would you please stand.

Also we have here today Andrew Chernak, who designed the monument, and, Andrew, do you want to come say a few words here?

Mr. CHERNAK. The reason for designing a monument honoring Gold Star Mothers is twofold. Number one, since they were brought into being in 1928— By the way, they are also congressionally chartered and considered by the Defense Department as a veterans service organization. Since that time, they have literally put in millions of hours of volunteer service, their own time, carrying their grief and turning it into a positive force in helping veterans in the hospitals whereas they come back into the community. So they deserve the honor just on the basis of what they have done for this country and their sacrifice of their child.

The other purpose of what we are doing with plaques and the national monument is we hope to get these all across the country to educate people. Wherever I go I ask the question, do you know what a Gold Star Mother is? Sadly, most people do not. I think if this was the 1950s or late forties, most people would know, but it is being forgotten, yet the mothers continue to give service to this country and to their communities. So we are also trying to educate the public with this program of plaques. We hope to see them all across the United States.

All the bronze work for the national monument and these plaques are made in Pennsylvania, in Delaware County and in Lancaster County, and it will stay that way.

Thank you.

Mr. KESSLER. And as you can see, it is right over here on the tripod.

Mollie, thank you again. We appreciate everything you have done and the example that you have set.

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	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McI. Smith	Santoni
Benninghoff	Gillespie	McIlhattan	Saylor
Beyer	Gingrich	Melio	Scavello
Biancucci	Godshall	Mensch	Schroder
Bishop	Goodman	Metcalfe	Seip
Blackwell	Grell	Micozzie	Shapiro
Boback	Grucela	Millard	Shimkus
Boyd	Haluska	Miller	Siptroth
Brennan	Hanna	Milne	Smith, K.
Brooks	Harhai	Moul	Smith, M.
Buxton	Harhart	Moyer	Smith, S.
Caltagirone	Harkins	Mundy	Solobay

Cappelli	Harper	Murt	Sonney
Carroll	Harris	Mustio	Staback
Casorio	Helm	Myers	Stairs
Causer	Hennessey	Nailor	Steil
Civera	Hershey	Nickol	Stern
Clymer	Hess	O'Brien, M.	Stevenson
Cohen	Hickernell	O'Neill	Sturla
Conklin	Hornaman	Oliver	Surra
Costa	Hutchinson	Pallone	Swanger
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

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

The SPEAKER. Members will take their seats. We are about to take up a condolence resolution. The Sergeants at Arms will close the doors of the House. Conversations will cease. Members and guests will take their seats.

* * *

Mr. HARKINS called up **HR 902, PN 4421**, entitled:

A Resolution honoring the service to his country and extending condolences to the family and friends of Staff Sergeant Victor Manuel Cortes III, who lost his life in Iraq on May 29, 2005.

On the question,
Will the House adopt the resolution?

The SPEAKER. Members and guests will please rise as a sign of respect for our fallen hero, S. Sgt. Victor Manuel Cortes III.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of S. Sgt. Victor Manuel Cortes III.)

The SPEAKER. Members and guests may be seated.

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

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

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

GUESTS INTRODUCED

The SPEAKER. The Chair would like to recognize, as the guests of Representative Glen Grell, Mason DeFilippo of Hampden Township. He is here today as a guest page. His mother, Kathi, and two brothers, Marco and Max, are seated in the gallery. Would you all please stand and be recognized.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

I wish to announce an immediate Democratic caucus to go over several bills. We should be back on the floor at noon.

REPUBLICAN CAUCUS

The SPEAKER. Representative Major.

Miss MAJOR. Thank you, Mr. Speaker.

I also would like to announce a Republican caucus immediately at the call of the recess. I would like all Republican members to please report immediately to caucus.

Thank you.

The SPEAKER. The Chair thanks the lady.

Are there any other announcements?

The Chair sees no one requesting recognition.

RECESS

The SPEAKER. This House will stand in recess until 12 noon, unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 12:30 p.m.

AFTER RECESS

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 153, PN 4435 (Amended) By Rep. ROEBUCK

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

EDUCATION.

SB 219, PN 388

By Rep. ROEBUCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for background checks of prospective employees and for disqualifications relating to teacher's certificate.

EDUCATION.

SB 263, PN 2453 (Amended)

By Rep. BELFANTI

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

LABOR RELATIONS.

SB 731, PN 2010

By Rep. ROEBUCK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for possession and use of asthma inhalers and epinephrine auto-injectors.

EDUCATION.

BILLS REMOVED FROM TABLE

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

HB 153;
SB 219;
SB 731; and
SB 263.

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:

HB 153;
SB 219;
SB 731; and
SB 263.

On the question,

Will the House agree to the motion?

Motion was agreed to.

HOUSE BILLS INTRODUCED AND REFERRED

No. 9 By Representatives M. KELLER, BAKER, BOYD, CLYMER, EVERETT, GEIST, GINGRICH, GOODMAN, HESS, HORNAMAN, KAUFFMAN, KORTZ, KOTIK, MARSICO, MENSCH, MILLARD, MURT, PAYNE, PHILLIPS, PYLE, RAPP, REICHLEY, ROCK, SAYLOR,

SIPTROTH, SONNEY, STABACK, STERN, SWANGER, VULAKOVICH, WATSON and WOJNAROSKI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentences for offenses against infant persons.

Referred to Committee on JUDICIARY, September 24, 2008.

No. 2791 By Representatives GEORGE, BELFANTI, CALTAGIRONE, GOODMAN, GRUCELA, HARKINS, JOSEPHS, KOTIK, MAHER, MAHONEY, MANDERINO, READSHAW, SURRA, WALKO and MYERS

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for Commonwealth Energy Advocate and for energy development authority.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, September 24, 2008.

No. 2792 By Representatives GEORGE, CONKLIN, GOODMAN, GRUCELA, HALUSKA, MUNDY, PETRONE, READSHAW, SIPTROTH and SURRA

An Act 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.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, September 24, 2008.

SENATE BILLS FOR CONCURRENCE

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

SB 461, PN 2380

Referred to Committee on LOCAL GOVERNMENT, September 24, 2008.

SB 462, PN 2381

Referred to Committee on LOCAL GOVERNMENT, September 24, 2008.

SB 463, PN 2382

Referred to Committee on LOCAL GOVERNMENT, September 24, 2008.

LEAVE OF ABSENCE

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

The House will be at ease.

The House will come to order.

It is the intention of the Chair to recess regular session at 1:03 and go into special session.

RECESS

The SPEAKER. The regular session of the House will now stand in recess.

AFTER RECESS

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

The SPEAKER. The House will be at ease.

The House will come to order.

CALENDAR CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mr. HARHAI called up **HR 897, PN 4397**, entitled:

A Resolution recognizing and honoring Paul D. Halliwell for his many years of service to this Commonwealth and to the Public Employee Retirement Commission.

On the question,
Will the House adopt the resolution?

PAUL D. HALLIWELL INTRODUCED

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

Mr. HARHAI. Thank you, Mr. Speaker.

Mr. Speaker, it gives me great pleasure to introduce this resolution today that recognizes Mr. Paul D. Halliwell of Upper St. Clair for more than a quarter century of vital service to the people of Pennsylvania.

It has been my pleasure to serve as a member of the Public Employee Retirement Commission, but the time I spent on the panel is minuscule compared to that of Mr. Halliwell.

Paul was appointed as a charter member of the commission back in 1981 and then elected chairman in 1995, serving in that position until his retirement this year. An actuary by profession, his dedication to that calling is borne out by what the commission did during his tenure, in addition to the everyday business.

The commission developed the Municipal Pension Fund Plan Standard and Recovery Act, issued 548 actuarial notes on proposed public employee retirement legislation, 17 policy development reports, 25 annual reports, 12 biennial status

reports on local government pension plans to the Governor and to the General Assembly, and if you would like to have a verification of those statistics, I am sure Paul could provide you one very quickly.

In addition to his service to the Commonwealth and with numerous professional organizations, Paul found time to work with several boards and community associations, including time on the boards of the Pittsburgh Ballet Theatre and the St. Clair Memorial Hospital. Somehow Paul and his wife, the former Susan Romano, found the time to raise six children.

Again, it is with great pleasure that I, also on behalf of Representative John Maher, who represents Upper St. Clair, and Representative Steve Cappelli, who also serves on the Public Employee Retirement Commission, sponsor this resolution in appreciation on behalf of Paul D. Halliwell, who now gets to experience himself what he so diligently worked on for 27 years for many thousands of other State employees, and we wish him Godspeed in his retirement. Good luck and God bless.

I want to thank you, Mr. Speaker, and to my left is Mr. Paul D. Halliwell. Would you please stand and be recognized for your 27 years of service to the Commonwealth of Pennsylvania. Thank you again, and God bless.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—198

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

DeWeese	Kortz	Pickett	Walko
DiGirolamo	Kotik	Preston	Wansacz
Donatucci	Kula	Pyle	Waters
Eachus	Leach	Quigley	Watson
Ellis	Lentz	Quinn	Wheatley
Evans, D.	Levdansky	Ramaley	White
Evans, J.	Longiatti	Rapp	Williams
Everett	Mackereth	Raymond	Wojnaroski
Fabrizio	Maher	Readshaw	Yewcic
Fairchild	Mahoney	Reed	Yudichak
Fleck	Major	Reichley	
Frankel	Manderino	Roae	O'Brien, D.,
Freeman	Mann	Rock	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

The SPEAKER. The House will come to order.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2275, PN 4334**, entitled:

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

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

RESOLUTION PURSUANT TO RULE 35

Mr. GRUCELA called up **HR 606, PN 3258**, entitled:

A Resolution designating the month of October 2008 as "Polish-American Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Gabig	Mantz	Roebuck
Argall	Galloway	Markosek	Rohrer
Baker	Geist	Marshall	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McI. Smith	Santoni
Beyer	Gillespie	McIlhattan	Saylor
Biancucci	Gingrich	Melio	Scavello
Bishop	Godshall	Mensch	Schroder
Blackwell	Goodman	Metcalfe	Seip

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1503, PN 2411**, entitled:

A Supplement to the act of December 8, 1982 (P.L.848, No.235), known as the Highway-Railroad and Highway Bridge Capital Budget Supplemental Act for 2008-2009, itemizing additional State and local bridge projects.

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

* * *

The House proceeded to second consideration of **SB 1504, PN 2412**, entitled:

An Act providing for the highway capital budget project itemization for the fiscal year 2008-2009.

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

Mr. **D. EVANS** offered the following amendment No. **A09334**:

Amend Title, page 1, line 2, by removing the period after "2008-2009" and inserting

to be financed from current revenue or by the incurring of debt.

Amend Sec. 102, page 1, line 13, by inserting after "financed" by the incurring of debt or

Amend Sec. 102, page 1, line 15, by striking out "\$4,655,654,000" and inserting

\$4,716,904,000

Amend Sec. 103, page 2, line 3, by inserting after "financed" by the incurring of debt or

Amend Sec. 306, page 42, by inserting between lines 5 and 6

(20) South 9th Street Extension,

New Construction and

Intersection, 1.5 Miles,

SR 0422 to Laurel Street,

City of Reading, Cumru

Township and Exeter

Township

61,250,000

(Base Project Allocation -

\$46,250,000)

(Land Allocation -

\$11,000,000)

(Design and Contingencies

- \$4,000,000)

Amend Bill, page 126, line 30; page 127, lines 1 through 14, by striking out all of said lines on said pages and inserting Section 701. Debt authorization.

The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow from time to time, in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the current capital budget, money not exceeding in the aggregate the sum of \$4,716,904,000 as may be found necessary to carry out the acquisition and construction of the State projects specifically itemized in this act.

Section 702. Issue of bonds.

The indebtedness authorized in this act shall be incurred from time to time and shall be evidenced by one or more series of general obligation bonds of the Commonwealth in such aggregate principal amount for each series as the Governor, Auditor General and State Treasurer shall determine, but the latest stated maturity date shall not exceed 30 years from the date of the bond first issued for each series.

Section 703. Estimated useful life of projects.

The General Assembly states the estimated useful life of the projects itemized in this act as 30 years.

Section 704. Appropriation.

The net proceeds of the sale of the obligations authorized in this act are hereby appropriated from the Capital Facilities Fund to the department in the maximum amount of \$4,716,904,000 to be used by it exclusively to defray the financial costs of the State projects specifically itemized in this capital budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay

out to the department the moneys as required and certified by it to be legally due and payable.

Section 705. Federal funds.

In addition to those funds appropriated in Chapter 3, all moneys received from the Federal Government for the projects specifically itemized in this act are also hereby appropriated for those projects.

Section 706. Allocation of funds.

Whenever as determined by the Department of Transportation that the full estimated financial costs of the projects itemized in this act are not necessary for the proper design, acquisition or construction of such projects, the excess funds no longer required may be allocated by the Department of Transportation to increase the estimated costs of any one or more of the projects specifically itemized in a capital budget.

Amend Sec. 704, page 127, line 15, by striking out "704" and inserting

707

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

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

Mr. D. EVANS. Mr. Speaker, this is basically putting a project back into the bill. I hope that it is a "yes" vote, please.

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

The following roll call was recorded:

YEAS—183

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

Ellis	Maher	Readshaw	Williams
Evans, D.	Mahoney	Reed	Wojnarowski
Evans, J.	Major	Reichley	Yewcic
Everett	Manderino	Roae	Yudichak
Fabrizio	Mann	Roebuck	
Fairchild	Mantz	Rohrer	O'Brien, D., Speaker
Fleck	Markosek	Rubley	
Frankel			

NAYS—15

Cox	Gingrich	Keller, M.K.	Perry
Creighton	Grell	Marsico	Rock
Gabig	Helm	Moul	Swanger
Gillespie	Kauffman	Nailor	

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

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

Mr. D. EVANS offered the following amendment No. **A09335**:

Amend Title, page 1, line 2, by removing the period after "2008-2009" and inserting

to be financed from current revenue or by the incurring of debt.

Amend Sec. 102, page 1, line 13, by inserting after "financed" by the incurring of debt or

Amend Sec. 103, page 2, line 3, by inserting after "financed" by the incurring of debt or

Amend Bill, page 126, line 30; page 127, lines 1 through 14, by striking out all of said lines on said pages and inserting
Section 701. Debt authorization.

The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow from time to time, in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the current capital budget, money not exceeding in the aggregate the sum of \$4,655,654,000 as may be found necessary to carry out the acquisition and construction of the State projects specifically itemized in this act.

Section 702. Issue of bonds.

The indebtedness authorized in this act shall be incurred from time to time and shall be evidenced by one or more series of general obligation bonds of the Commonwealth in such aggregate principal amount for each series as the Governor, Auditor General and State Treasurer shall determine, but the latest stated maturity date shall not exceed 30 years from the date of the bond first issued for each series.

Section 703. Estimated useful life of projects.

The General Assembly states the estimated useful life of the projects itemized in this act as 30 years.

Section 704. Appropriation.

The net proceeds of the sale of the obligations authorized in this act are hereby appropriated from the Capital Facilities Fund to the department in the maximum amount of \$4,655,654,000 to be used by it exclusively to defray the financial costs of the State projects

specifically itemized in this capital budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay out to the department the moneys as required and certified by it to be legally due and payable.

Section 705. Federal funds.

In addition to those funds appropriated in Chapter 3, all moneys received from the Federal Government for the projects specifically itemized in this act are also hereby appropriated for those projects.

Section 706. Allocation of funds.

Whenever as determined by the Department of Transportation that the full estimated financial costs of the projects itemized in this act are not necessary for the proper design, acquisition or construction of such projects, the excess funds no longer required may be allocated by the Department of Transportation to increase the estimated costs of any one or more of the projects specifically itemized in a capital budget.

Amend Sec. 704, page 127, line 15, by striking out "704" and inserting

707

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

AMENDMENT WITHDRAWN

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

Mr. D. EVANS. Withdrawn, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman. The amendment is withdrawn.

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

Mr. D. EVANS offered the following amendment No. **A09336**:

Amend Sec. 102, page 1, line 15, by striking out "\$4,655,654,000" and inserting
\$4,716,904,000

Amend Sec. 306, page 42, by inserting between lines 5 and 6
(20) South 9th Street Extension,
New Construction and
Intersection, 1.5 Miles,
SR 0422 to Laurel Street,
City of Reading, Cumru
Township and Exeter
Township 61,250,000
(Base Project Allocation -
\$46,250,000)
(Land Allocation -
\$11,000,000)
(Design and Contingencies
- \$4,000,000)

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

AMENDMENT WITHDRAWN

The SPEAKER. Representative Evans.
Mr. D. EVANS. Withdrawn, Mr. Speaker.
The SPEAKER. The Chair thanks the gentleman.

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

APPROPRIATIONS COMMITTEE MEETING

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

Mr. D. EVANS. I would like to call a House Appropriations Committee meeting in the majority caucus room at 1:30, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. D. EVANS. I have a correction, Mr. Speaker. I would like to make that immediately, the House Appropriations Committee, in the majority caucus room. Thank you.

The SPEAKER. The Chair thanks the gentleman.

There will be an immediate meeting of the House Appropriations Committee in the majority caucus room.

RECESS

The SPEAKER. For the information of the members, we will probably be in recess approximately 15 minutes.

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

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 61, PN 86

By Rep. D. EVANS

An Act amending the act of December 5, 1972 (P.L.1280, No.284), known as the Pennsylvania Securities Act of 1972, further providing for exempt transactions and for burden of proof.

APPROPRIATIONS.

HB 2011, PN 3760

By Rep. D. EVANS

An Act amending the act of May 2, 1947 (P.L.143, No.62), entitled "An act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement; providing for the licensing of persons reselling such tickets for profit; providing for the suspension and revocation of such licenses; imposing duties on licensees and owners or operators of places of amusement; imposing powers and duties on the Department of Revenue, county treasurers, district attorneys, and the receiver of taxes, and city solicitors in cities of the first class; making disposition of moneys collected and providing penalties," further providing for definitions; and providing for ticket purchasing software and for penalties.

APPROPRIATIONS.

HB 2043, PN 2864

By Rep. D. EVANS

An Act amending Titles 32 (Forests, Waters and State Parks), 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, re consolidating provisions on

snowmobiles and all-terrain vehicles; further providing for the definition of "all-terrain vehicle"; and making editorial changes.

APPROPRIATIONS.

HB 2176, PN 4391 By Rep. D. EVANS

An Act designating the bridge on State Route 259 dividing Bolivar Borough and Fairfield Township, Westmoreland County, as the Glenn McMaster Memorial Bridge.

APPROPRIATIONS.

HB 2600, PN 4349 By Rep. D. EVANS

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

APPROPRIATIONS.

HB 2722, PN 4224 By Rep. D. EVANS

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

APPROPRIATIONS.

SB 73, PN 92 By Rep. D. EVANS

An Act amending Title 42 (Judiciary and Judicial Procedure) and codifying Title 61 (Penal and Correctional Institutions) of the Pennsylvania Consolidated Statutes, providing for temporary release from county correctional institutions, for parole without board supervision, for judicial power to release inmates and for transfers of inmates needing medical care; further providing for State intermediate punishment; providing for other criminal provisions; amending the heading of Title 61; adding definitions, provisions relating to general administration of correctional institutions, State correctional institutions, county correctional institutions, the Philadelphia County Prison, house of detention for untried inmates and witnesses, inmate labor, medical services, visitation, motivational boot camp, execution procedure and method, miscellaneous matters relating thereto, probation and parole generally, the Pennsylvania Board of Probation and Parole, County Probation and Parole Officers' Firearm Education and Training, and correctional institution interstate compacts; and making repeals relating to codification.

APPROPRIATIONS.

SB 684, PN 2009 By Rep. D. EVANS

An Act providing for child death review.

APPROPRIATIONS.

SB 1023, PN 1350 By Rep. D. EVANS

An Act amending the act of February 14, 1986 (P.L.2, No.2), known as the Acupuncture Registration Act, redesignating registration as licensure.

APPROPRIATIONS.

SB 1225, PN 2413 By Rep. D. EVANS

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for mutual aid.

APPROPRIATIONS.

SB 1376, PN 1962 By Rep. D. EVANS

An Act repealing the act of March 1, 1799 (16 Sm.L.181, No.221), entitled "An act to incorporate and endow an academy or public school in the town of York, and for other purposes therein mentioned."

APPROPRIATIONS.

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

BILL REREPORTED FROM COMMITTEE

HB 2518, PN 4440 (Amended) By Rep. D. EVANS

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

APPROPRIATIONS.

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

The House will be at ease.

The House will come to order.

RESOLUTIONS PURSUANT TO RULE 35

Mr. HORNAMAN called up **HR 872, PN 4292**, entitled:

A Resolution recognizing the week of October 5 through 11, 2008, as "National Newspaper Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

* * *

Mr. SCAVELLO called up **HR 875, PN 4295**, entitled:

A Resolution recognizing the week of October 5 through 11, 2008, as "Trichotillomania Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

* * *

Mr. PAYNE called up **HR 877, PN 4310**, entitled:

A Resolution observing the week of October 5 through 11, 2008, as "Fire Prevention Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

* * *

Mr. KING called up **HR 880, PN 4308**, entitled:

A Resolution designating the month of October 2008 as "Agent Orange Recognition Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

* * *

Mr. ROEBUCK called up **HR 884, PN 4356**, entitled:

A Resolution designating the month of October 2008 as "Parent Involvement Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

* * *

Miss MANN called up **HR 889, PN 4361**, entitled:

A Resolution commemorating Turning Point of Lehigh Valley, Inc., for its dedication to eliminating domestic violence and its support for victims of domestic violence for the past 30 years.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff Payton Ross Youngblood
Bennington

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

* * *

Miss MANN called up **HR 890, PN 4362**, entitled:

A Resolution commemorating the 100th anniversary of West Park, located in Allentown, Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

Frankel Manderino Roae O'Brien, D.,
Freeman Mann Rock Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff Payton Ross Youngblood
Bennington

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

* * *

Mr. ROEBUCK called up **HR 894, PN 4383**, entitled:

A Resolution honoring Alan V. Sokolow upon his retirement as executive director of the Eastern Regional Conference of the Council of State Governments.

On the question,
Will the House adopt the resolution?

RESOLUTION PASSED OVER TEMPORARILY

The SPEAKER. The resolution will be over temporarily.

* * *

Mr. MYERS called up **HR 896, PN 4396**, entitled:

A Resolution expressing support for "National Food Safety Education Month" in September 2008.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. TURZAI called up **HR 901, PN 4432**, entitled:

A Resolution recognizing October 4, 2008, as "Delta Queen Day" in Pennsylvania to honor her contributions to the nation and this Commonwealth.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Gabig	Mantz	Roebuck
Argall	Galloway	Markosek	Rohrer
Baker	Geist	Marshall	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McI. Smith	Santoni
Beyer	Gillespie	McIlhattan	Saylor
Bianucci	Gingrich	Melio	Scavello
Bishop	Godshall	Mensch	Schroder

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

CALENDAR CONTINUED

RESOLUTION

Mr. WATERS called up **HR 848, PN 4230**, entitled:

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

On the question,
Will the House adopt the resolution?

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

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

Mr. **CUTLER** offered the following amendment No. **A09104**:

Amend First Whereas Clause, page 1, line 4, by striking out "Low Income" and inserting

Low-Income

Amend Resolution, page 3, by inserting between lines 13 and 14
WHEREAS, Recent rising energy costs and slow economic conditions render it crucial that any potential for fraud within the Low-Income Home Energy Assistance Program be eliminated; and

Amend Resolution, page 3, by inserting between lines 20 and 21
RESOLVED, That the Federal Government put in place measures to prevent fraud within the program or direct the states to enact fraud prevention measures that could include establishing verification and/or photo identification systems for those receiving assistance under the Low-Income Home Energy Assistance Program; and be it further

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

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

Mr. **CUTLER**. Thank you, Mr. Speaker.

I would like to rise to offer this amendment because of the report that the Auditor General recently released on LIHEAP (Low-Income Home Energy Assistance Program) fraud. As many of you know, a little over a year ago the Auditor General released a report detailing what he described a system that was ripe for fraud in regards to our LIHEAP heating system here in this Commonwealth. And I recognize the importance of this program and sincerely believe if we truly want to help individuals with their heating costs, we should effectively use the money that we already have in the system.

I have here in my hand that very report, and it is not, if you will, located in just one area. This is a statewide problem. It goes from Philadelphia to Pittsburgh and even includes Lancaster City, which is near me, and I would like to just highlight a few of the points, if I may.

Page 16 indicated a 30-percent loss of records in the city of Philadelphia. Page 18 detailed the fact that no income verification is utilized to determine if individuals are eligible for this program. Pages 15 through 18 found that 429 individuals out of 982 were using Social Security numbers of individuals who had been deceased more than 5 years. Page 16 indicates a misfiling rate of almost 70 percent. Of the 105 records out of the 348 that they were able to find, 23 of them were potential fraud cases, as identified by the Auditor General. That is a 21.9 percent fraud rate.

Page 43 said that there is no monitoring of the external crisis centers that we have in this Commonwealth. There are nine of them that handled these very same claims. Page 43 also documented a serious flaw in the audit process. Audit centers that handle these claims that the constituents bring forward are allowed to select the very records that they get audited. There is no random sampling in this program as it currently stands, and

the Auditor General said that that was a glaring flaw. Page 43 also noted that there are numerous missing files, and page 16, they cited concerns of identity theft and the fact that there was open access to many of these records in these centers.

And finally, there is not a standardization of the process or the forms that these individuals use in collecting the information to release millions and hundreds of millions of dollars in this Commonwealth for this program.

I agree that LIHEAP funding is necessary, and I agree that it is a great program and have individuals in the 100th District that benefit from this program. However, I believe that this need for our constituents will only increase in these troubling economic times. If this need is going to increase and we are going to ask for additional funding, I strongly believe that we should also urge Congress to put in oversight measures and recommend that the States do a better job of managing the money that we have so that we can most effectively serve and help the constituents that we all seek to serve.

So I humbly request your support of this amendment, A09104. I would also like to point out that this amendment is urging precisely what we have already passed in HB 83. It passed this House 197 to 1 on 7/12/07. That was a welfare reform bill that we passed. It is currently sitting in the Senate. Unfortunately, the safeguards that we put in for the welfare programs in HB 83 would not – please hear me – would not currently cover LIHEAP, because LIHEAP falls under DPW (Department of Public Welfare) as well as the DCED (Department of Community and Economic Development) Weatherization Program.

I have introduced two separate bills, HB 2193 and HB 2194, of which I am proud to call many of you cosponsors and supporters of that legislation, and those are the kinds of oversight measures that we need in this Commonwealth for this program. So I humbly request your support for my amendment, and help us to bring this attention up to the public as well as the Federal government that we need more oversight in this program. Thank you.

The SPEAKER. Representative Waters, on the amendment.

Mr. **WATERS**. Thank you, Mr. Speaker.

I spoke with the gentleman that just spoke before me about his amendment that he wanted to offer today, and I do not have any problem at all with any program that is sound and a program that is fraud-free. So I do not have a problem with anything that would act as a deterrent or a way of catching people who are fraudulently making claims.

I only want to add to his list of things which he failed to mention, that why does the gas keep going up and fuel keep going up? To me, that is where the fraud is, and we need to address that problem, too, while we are talking about fraud. He is picking on the small people who are being punished with the increase of fuel oil. We need to do everything we can to increase the poverty level. We need to do everything we can to make sure that the programs that will be designed to help people who keep facing higher and higher fuel costs at a time when unemployment is at an all-time high.

So I do not have a problem with dealing with fraud at any level of government or any agency, but right now, I am more concerned about how we are going to help the people in need in the Commonwealth of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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 adopt the resolution as amended?

The following roll call was recorded:

YEAS—197

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

NAYS—1

Metcalfe

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

SUPPLEMENTAL CALENDAR B

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 61, PN 86**, entitled:

An Act amending the act of December 5, 1972 (P.L.1280, No.284), known as the Pennsylvania Securities Act of 1972, further providing for exempt transactions and for burden of proof.

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

* * *

The House proceeded to second consideration of **HB 2011, PN 3760**, entitled:

An Act amending the act of May 2, 1947 (P.L.143, No.62), entitled "An act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement; providing for the licensing of persons reselling such tickets for profit; providing for the suspension and revocation of such licenses; imposing duties on licensees and owners or operators of places of amusement; imposing powers and duties on the Department of Revenue, county treasurers, district attorneys, and the receiver of taxes, and city solicitors in cities of the first class; making disposition of moneys collected and providing penalties," further providing for definitions; and providing for ticket purchasing software and for penalties.

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

* * *

The House proceeded to second consideration of **HB 2043, PN 2864**, entitled:

An Act amending Titles 32 (Forests, Waters and State Parks), 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, reconsolidating provisions on snowmobiles and all-terrain vehicles; further providing for the definition of "all-terrain vehicle"; and making editorial changes.

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

Mr. **HALUSKA** offered the following amendment No. **A09015**:

Amend Title, page 1, lines 1 through 6, by striking out all of said lines and inserting

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the definition of "all-terrain vehicle."

Amend Bill, page 1, lines 9 through 18; pages 2 through 93, lines 1 through 30, by striking out all of said lines on said pages and inserting

Section 1. The definition of "all-terrain vehicle" or "ATV" in section 7702 of Title 75 of the Pennsylvania Consolidated Statutes is amended to read:

§ 7702. Definitions.

The following words and phrases when used in this chapter shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

"All-terrain vehicle" or "ATV." A motorized off-highway vehicle which travels on three or more inflatable tires and which has:

(1) a maximum width of 50 inches and a maximum dry weight of [800] 1,000 pounds; or

(2) a width which exceeds 50 inches or a dry weight which exceeds [800] 1,000 pounds.

ATV's described in paragraph (1) may be referred to as Class I ATV's, and ATV's described in paragraph (2) may be referred to as Class II ATV's. This term does not include snowmobiles, trail bikes, motorboats, golf carts, aircraft, dune buggies, automobiles, construction machines, trucks or home utility machines; military, fire, emergency and law enforcement vehicles; implements of husbandry; multipurpose agricultural vehicles; vehicles used by the department; or any vehicle that is or is required to be registered under Chapter 13 (relating to registration of vehicles). In addition, this term does not include off-road motor vehicles used exclusively as utility vehicles for agricultural or business operations and incidentally operated or moved upon the highway.

* * *

Section 2. This act shall take effect in 60 days.

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

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

Mr. **HALUSKA**. Thank you, Mr. Speaker.

Mr. Speaker, what this amendment does is guts the bill and just replaces it with the original language to raise the weight limit on ATVs (all-terrain vehicles) from 800 to 1,000 pounds.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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.)

* * *

The House proceeded to second consideration of **SB 1023, PN 1350**, entitled:

An Act amending the act of February 14, 1986 (P.L.2, No.2), known as the Acupuncture Registration Act, redesignating registration as licensure.

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

* * *

The House proceeded to second consideration of **SB 1225, PN 2413**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for mutual aid.

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

The SPEAKER. Does the gentleman, Representative Curry, wish to offer an amendment to this bill? The gentleman withdraws.

Representative Costa.

Mr. COSTA. Thank you, Mr. Speaker.

SB 1225 has been a collaboration between Senator Pippy and me, and we have been working on this for over 3 years and we are this close to getting it to the Governor's desk, and I want to thank Representative Curry for pulling his amendment so that we can get this back over to the Senate and hopefully to the Governor's desk. So thank you, Representative Curry.

The SPEAKER. The Chair thanks the gentleman.

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

* * *

The House proceeded to second consideration of **SB 1376, PN 1962**, entitled:

An Act repealing the act of March 1, 1799 (16 Sm.L.181, No.221), entitled "An act to incorporate and endow an academy or public school in the town of York, and for other purposes therein mentioned."

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

* * *

The House proceeded to second consideration of **SB 684, PN 2009**, entitled:

An Act providing for child death review.

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

Mr. **SHIMKUS** offered the following amendment No. **A09085**:

Amend Sec. 2, page 1, lines 16 and 17, by striking out "county or regional team" and inserting

team representing a county or two or more counties

Amend Sec. 2, page 2, by inserting between lines 5 and 6 "Program." The Public Health Child Death Review Program established in section 3.

Amend Sec. 2, page 2, line 6, by inserting after "State" multidisciplinary

Amend Sec. 2, page 2, line 7, by striking out "multidisciplinary" and inserting

local

Amend Sec. 2, page 2, line 9, by striking out "to" and inserting a comma

Amend Sec. 2, page 2, line 9, by inserting after "and" develop

Amend Sec. 3, page 2, line 17, by striking out "program" and inserting

department, in cooperation with the State public health child death review team,

Amend Sec. 3, page 2, line 18, by inserting after "duties" in relation to the program

Amend Sec. 3, page 2, line 27, by inserting after "deaths."
These protocols shall not conflict with requirements set forth in 23 Pa.C.S. Ch. 63 (relating to child protective services), including, but not limited to, provisions relating to the review of child fatalities and near fatalities.

Amend Sec. 4, page 3, line 29, by striking out "The program shall be advised by a" and inserting

A

Amend Sec. 4, page 3, line 30, by inserting after "team" where it appears the first time

shall be established by the department

Amend Sec. 4, page 4, by inserting between lines 4 and 5

(ii) The Secretary of Public Welfare.

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

Amend Sec. 4, page 4, line 7, by striking out "(iii)" and inserting (iv)

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

Amend Sec. 4, page 4, line 10, by striking out "(v)" and inserting (vi)

Amend Sec. 4, page 4, line 11, by striking out "(VI)" and inserting

(vii)

Amend Sec. 4, page 4, by inserting between lines 25 and 26

(b) Powers and duties of the State public health child death review team.—The State public health child death review team shall:

(1) Review data submitted by local child death review teams.

(2) Develop protocols for child death reviews.

(3) Develop child death prevention strategies.

(4) Assist the department in implementing the program.

Amend Sec. 4, page 4, line 26, by striking out "(b)" and inserting (c)

Amend Sec. 4, page 4, by inserting between lines 28 and 29

(d) Additional meetings.—The department, in conjunction with the team, shall arrange for additional meetings to fulfill the duties of the team and goals of the program.

Amend Sec. 5, page 5, line 3, by inserting after "team" to operate

Amend Sec. 5, page 5, line 7, by striking out "child protective services" and inserting

children and youth agency

Amend Sec. 5, page 5, line 20, by striking out "the" and inserting a

Amend Sec. 6, page 6, line 3, by inserting after "officials" as long as the release of such records will not jeopardize an ongoing criminal investigation or proceeding

Amend Sec. 6, page 6, line 7, by striking out all of said line and inserting

children and youth agency in accordance with 23 Pa.C.S. Ch. 63 (relating to child protective services).

Amend Sec. 6, page 6, line 10, by inserting after "court" to the extent permitted by law or court rule

Amend Sec. 6, page 6, line 22, by striking out "biennial" and inserting

annual

Amend Sec. 7, page 7, lines 9 and 10, by striking out "Notwithstanding any other provision of law," and inserting

When deemed necessary for its review, a State or local public health child death review team may review and inspect

Amend Sec. 7, page 7, line 11, by striking out "under review in" and inserting

pursuant to

Amend Sec. 7, page 7, lines 12 and 13, by striking out "shall be open to inspection by a State or local public health child death review team under" and inserting

in accordance with

Amend Sec. 7, page 7, line 14, by inserting after "records)."

However, this subsection shall not apply to files and records of the court subject to a child fatality or near fatality review pursuant to 63 Pa.C.S. Ch. 63.

Amend Sec. 7, page 7, line 16, by inserting after "law"

and consistent with the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191, 110 Stat. 1936),

Amend Sec. 8, page 8, line 26, by inserting after "misdemeanor" of the third degree

On the question,

Will the House agree to the amendment?

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

Mr. SHIMKUS. Thank you, Mr. Speaker.

This is an agreed-to amendment. Basically it just brings this into compliance with Act 33, and I also want to make sure that there is no conflict with HIPAA (Health Insurance Portability and Accountability Act).

But it is, again, an agreed-to amendment, and I would ask for approval. Thank you, sir.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

On the question,

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

Mr. **CURRY** offered the following amendment No. **A09350**:

Amend Title, page 1, line 1, by striking out "Providing" and inserting

Amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for education for parents relating to sudden infant death syndrome and sudden unexpected death of infants; establishing the Sudden Infant Death Syndrome Education and Prevention Program; and providing for duties of the Department of Health and

Amend Bill, page 1, lines 4 through 17; pages 2 through 8, lines 1 through 30; page 9, line 1, by striking out all of said lines on said pages and inserting

Section 1. Title 35 of the Pennsylvania Consolidated Statutes is amended by adding a part to read:

PART II PROGRAMS

Chapter

11. Sudden Infant Death Syndrome Education and Prevention Program

13. Public Health Child Death Review

CHAPTER 11

SUDDEN INFANT DEATH SYNDROME EDUCATION AND PREVENTION PROGRAM

Sec.

1101. Legislative findings.

1102. Definitions.

1103. Establishment of program.

1104. Materials.

1105. Scope of chapter.

1106. Regulations.

§ 1101. Legislative findings.

The General Assembly hereby finds and declares as follows:

(1) The sudden, unexpected death of a newborn is the third most common cause of death among newborns and is only

exceeded in the first year of life by congenital malformations and prematurity.

(2) Most sudden infant deaths occur when a baby is between two and four months old, and 90% of all sudden infant deaths occur before six months of age.

(3) Most babies that die of sudden infant death syndrome (SIDS) or sudden unexpected death in infants (SUDI) appear to be healthy prior to death.

(4) Sixty percent of SIDS victims are male and 40% are female.

(5) While SIDS occurs in all socioeconomic, racial and ethnic groups, African-American and Native-American babies are two to three times more likely to die of SIDS than Caucasian babies.

(6) In 1994, the American Academy of Pediatrics, in conjunction with other major health organizations in the United States, launched the national "Back to Sleep" campaign, which endorsed and promoted the placement of infants on their backs both for sleeping and napping.

(7) The incidence of sudden infant death in the United States decreased by more than 50% since the inception of this campaign.

(8) In 2005, the American Academy of Pediatrics issued a new recommendation to further reduce the risk of SIDS that defined and promoted the use of a safe sleeping environment for infants.

(9) At this time there is no known way to prevent SIDS or SUDI, but the risk can be minimized. Parents should learn risk factors associated with SIDS and SUDI and share with others information on how to create a safe sleeping environment for an infant to reduce the risk of sudden and unexpected death.

§ 1102. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Birth center." A facility not part of a hospital which provides maternity care to childbearing families not requiring hospitalization. As used in this definition, the term "maternity care" includes prenatal, labor, delivery and postpartum care related to medically uncomplicated pregnancies.

"Commitment statement." A form which may be voluntarily signed by a parent, acknowledging that the parent has received, read and has an understanding of the educational and instructional materials provided on sudden infant death syndrome and sudden unexpected death in infants.

"Department." The Department of Health of the Commonwealth.

"Hospital." A for-profit or nonprofit hospital providing clinically related health services for obstetrical and newborn care, including those operated by the State, local government or an agency. The term shall not include an office used primarily for private or group practice by health care practitioners where no reviewable clinically related health services are offered.

"Infant." A child 30 days of age or older and younger than 24 months of age.

"Midwife." An individual who is licensed as a midwife by the State Board of Medicine.

"Newborn." A child 29 days of age or younger.

"Parent." A natural parent, stepparent, adoptive parent, legal guardian or legal custodian of a child.

"Program." The Sudden Infant Death Syndrome Education and Prevention Program.

"Sudden infant death syndrome" or "SIDS." The sudden, unexpected death of an apparently healthy infant that remains unexplained after the performance of a complete postmortem investigation, including an autopsy, an examination of the scene of death and a review of the medical history.

"Sudden unexpected death in infants" or "SUDI." The sudden, unexpected death of an apparently healthy infant.

§ 1103. Establishment of program.

(a) Establishment.—The department shall establish a Sudden Infant Death Syndrome Education and Prevention Program to promote awareness and education relating to SIDS and SUDI with the focus on the risk factors of SIDS and SUDI and safe sleeping practices for newborns and infants.

(b) Public awareness.—The department shall design and implement strategies for raising public awareness concerning SIDS and SUDI, including, but not limited to, the following:

(1) Risk factors for sudden infant death, including infant sleep position, exposure to smoke, overheating, inappropriate infant bedding and bed sharing.

(2) Suggestions for reducing the risk of SIDS and SUDI.

§ 1104. Materials.

(a) Educational and instructional materials.—The program shall include the distribution of readily understandable information and educational and instructional materials regarding SIDS and SUDI. The materials shall explain the risk factors associated with SIDS and SUDI and emphasize safe sleeping practices. The materials shall be provided to parents prior to discharge from a hospital or birth center or by a midwife for births that take place in settings other than a hospital or birth center.

(b) Commitment statement.—The commitment statement may be signed by a parent prior to discharge from a hospital or birth center or after births performed by a midwife in settings other than a hospital or birth center. One copy of the commitment statement shall be given to a parent, and one copy shall remain on file in the hospital or birth center. Copies of commitment statements signed by parents in settings other than a hospital or birth center shall be kept on file by the health care practitioner or midwife performing the birth. The commitment statement shall be set forth in a form to be prescribed by the department.

(c) Distribution of materials.—The information and educational and instructional materials described in subsection (a) shall be provided without cost by each hospital, birth center or midwife to a parent of each newborn upon discharge from a hospital or birth center.

§ 1105. Scope of chapter.

The department shall do the following:

(1) Work to improve the capacity of community-based services available to parents regarding the risk factors involved with SIDS and SUDI and safe sleeping practices for newborns and infants.

(2) Work with other State and local governmental agencies, community and business leaders, community organizations, health care and human service providers and national organizations to coordinate efforts and maximize State and private resources in the areas of education about SIDS and SUDI, including the risk factors and safe sleeping practices.

(3) Identify and, when appropriate, replicate or use successful SIDS and SUDI programs and procure related materials and services from organizations with appropriate experience and knowledge of SIDS and SUDI.

§ 1106. Regulations.

The department may promulgate regulations necessary to implement the provisions of this chapter.

CHAPTER 13PUBLIC HEALTH CHILD DEATH REVIEWSec.1301. Definitions.1302. Public Health Child Death Review Program.1303. State public health child death review team.1304. Local public health child death review teams.1305. Powers and duties of local public health child death review teams.1306. Access to records.1307. Confidentiality.1308. Regulations.§ 1301. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Child." An individual 21 years of age and under.

"Child death review data collection system." A data collection system approved by the National MCH Center for Child Death Review or a similar national organization.

"Department." The Department of Health of the Commonwealth.

"Local public health child death review team." A county or regional team comprised of professionals from organizations and local agencies who review cases of child deaths in accordance with protocols established by the State public health child death review team.

"Person in interest." A person authorized to permit the release of the medical records of a deceased child.

"State public health child death review team." A State team comprised of multidisciplinary professionals and representatives of State agencies who review data submitted by local child death review teams to develop protocols for child death reviews and child death prevention strategies.

§ 1302. Public Health Child Death Review Program.

(a) Establishment.—The department shall establish the Public Health Child Death Review Program which shall facilitate State and local multiagency, multidisciplinary teams to examine the circumstances surrounding deaths in this Commonwealth for the purpose of promoting safety and reducing child fatalities.

(b) Powers and duties.—The program shall have the following powers and duties:

(1) Assist in the establishment and coordination of local public health child death review teams.

(2) Coordinate the collection of child death data including the development and distribution of a form to be used by local public health child death review teams to report information and procedures for sharing the data with State and local agencies as appropriate.

(3) Develop protocols to be used in the review of child deaths.

(4) Provide training and technical assistance to local public health child death review teams, local agencies and individuals relating to the child deaths.

(5) Review reports from local public health child death review teams.

(6) Identify best prevention strategies and activities, including an assessment of the following:

(i) Effectiveness.

(ii) Ease of implementation.

(iii) Cost.

(iv) Sustainability.

(v) Potential community support.

(vi) Unintended consequences.

(7) Adopt programs, policies, recommendations and strategies based on collected data to prevent child deaths.

(8) Review statutes and regulations relating to confidentiality and access to information relating to children from agencies responsible for the health and safety of children and propose recommended changes to appropriate Commonwealth agencies and the General Assembly.

(9) Provide public information and education regarding the incidence and causes of child injury and death and the reduction of risks to children to agencies, health care professionals, child care professionals and the public.

(10) Submit an annual report to the Governor and the General Assembly by September of each year relating to the activities of the State child death review team, a summary of reports received from local child death review teams and recommendations relating to the reduction of risk of child injury or death.

§ 1303. State public health child death review team.

(a) Composition.—The program shall be advised by a State public health child death review team. The team shall consist of:

(1) The following individuals or their designees:

(i) The Secretary of Health, who shall serve as chairman.

(ii) The Director of the Office of Children, Youth and Families within the Department of Public Welfare.

(iii) The Commissioner of the Pennsylvania State Police.

(iv) The Attorney General.

(v) The Pennsylvania State Fire Commissioner.

(vi) The Director of the Bureau of Emergency Medical Services of the Department of Health.

(2) The following individuals who shall be appointed by the Secretary of Health:

(i) A physician who specializes in pediatric medicine.

(ii) A physician who specializes in family medicine.

(iii) A representative of local law enforcement.

(iv) A medical examiner.

(v) A district attorney.

(vi) A coroner.

(3) Representatives from local public health child death review teams.

(4) Any other individual deemed appropriate by the Secretary of Health.

(b) Initial meeting.—The initial meeting of the State public health child death review team shall be held within 90 days of the effective date of this section.

§ 1304. Local public health child death review teams.

(a) Establishment.—Each county in the Commonwealth shall establish a local public health child death review team. Two or more counties may establish a local public health child death review team on a regional basis to satisfy the requirements of this section.

(b) Local public health child death review team.—Local teams shall be comprised of the following:

(1) The director of the county child protective services agency or a designee.

(2) The district attorney or a designee.

(3) A representative of local law enforcement appointed by the county commissioners.

(4) A representative of the court of common pleas appointed by the president judge.

(5) A physician who specializes in pediatric or family medicine appointed by the county commissioners.

(6) The county coroner or medical examiner.

(7) A representative of emergency medical services selected jointly by the supervisors of all emergency medical organizations in the county.

(8) The director of the local public health agency or a designee.

(9) Any other person deemed appropriate by a majority of the local child death review team.

(c) Chairman.—The members of the local public health child death review team shall elect a chairman annually.

§ 1305. Powers and duties of local public health child death review teams.

(a) Review.—A local child death review team shall review all deaths of children and may review the following information:

(1) Coroner's reports or postmortem examination records.

(2) Death certificates and birth certificates.

(3) Law enforcement records and interviews with law enforcement officials.

(4) Medical records from hospitals and other health care providers.

(5) Information and reports made available by the county child protection services agency.

(6) Information made available by firefighters or emergency services personnel.

(7) Reports and records made available by the court.

(8) Reports to animal control.

(9) EMS records.

(10) Traffic fatality reports.

(11) Any other records necessary to conduct the review.

(b) Data collection.—The local public health child death review team shall utilize the child death review data collection system to report its findings in accordance with protocols established by the State public health child death review team. The name and home address of the deceased child shall not be reported to the child death review data collection system.

(c) Reports.—A local public health child death review team shall submit biennial reports on deaths reviewed to the State public health child death review team. The report shall include the following:

(1) Identification of factors which cause a risk for injury and death, including modifiable risk factors.

(2) Recommendations regarding the following:

(i) The improvement of health and safety policies in this Commonwealth.

(ii) The coordination of services and investigations by child welfare agencies, medical officials, law enforcement and other agencies.

(3) Any other information required by the department.

(d) Recommendations.—A local public health child death review team shall make recommendations to local agencies relating to the procedures and other actions to reduce injury and death of children.

§ 1306. Access to records.

(a) Juvenile records.—Notwithstanding any other provision of law, all files and records of the court relating to a child under review in a proceeding under 42 Pa.C.S. Ch. 63 (relating to juvenile matters) shall be open to inspection by a State or local public health child death review team under 42 Pa.C.S. § 6307 (relating to inspection of court files and records).

(b) Medical records.—Notwithstanding any other provision of law, health care facilities and health care providers shall provide medical records of a child under review without the authorization of a person in interest to the State public health child death review team and to a local public health child death review team for purposes of review under this chapter.

(c) Other records.—Other records pertaining to the child under review for the purposes of this chapter shall be open to inspection as permitted by law.

§ 1307. Confidentiality.

(a) Maintenance.—State and local public health child death review teams shall maintain the confidentiality of any identifying information obtained relating to the death of a child, including the name of the child, guardians, family members, caretakers or alleged or suspected perpetrators of abuse, neglect or a criminal act.

(b) Agreement.—Each member of the State and local public health child death review team and any person appearing before the team shall sign a confidentiality agreement applicable to all proceedings and reviews conducted by the State or local public health child death review team.

(c) Liability.—An individual or agency that in good faith provides information or records to a State or local public health child death review team shall not be subject to civil or criminal liability as a result of providing the information or record.

(d) Discovery.—The proceedings, deliberations and records of a State or local public health child death review team are privileged and confidential and shall not be subject to discovery, subpoena or introduction into evidence in any civil or criminal action.

(e) Meetings.—Meetings of the State or local public health child death review team at which a specific child death is discussed shall be closed to the public and shall not be subject to the provisions of 65 Pa.C.S. Ch. 7 (relating to open meetings).

(f) Attendance.—Nothing in this chapter shall prevent a State or local public health child death review team from allowing the attendance of a person, including a parent, with information relevant to a review, at a child death review meeting.

(g) Penalty.—A person who violates the provisions of this section commits a misdemeanor.

§ 1308. Regulations.

The department shall promulgate regulations as necessary to carry out the purposes of this chapter.

Section 2. This act shall take effect in 90 days.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

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

Is it the information of the Chair the gentleman is withdrawing the amendment? The Chair thanks the gentleman.

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1471, PN 1818

By Rep. TANGRETTI

An Act establishing the Historic Barn Grant Program to provide for the partial costs of rehabilitation or restoration of historic barns; conferring powers and duties on the Pennsylvania Historical and Museum Commission; and providing for funding.

TOURISM AND RECREATIONAL DEVELOPMENT.

The SPEAKER. The House will be at ease.

The House will come to order.

CALENDAR CONTINUED

RESOLUTIONS PURSUANT TO RULE 35

Ms. HELM called up **HR 905, PN 4424**, entitled:

A Resolution designating September 25, 2008, as "Ataxia Awareness Day" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

* * *

Mr. HARRIS called up **HR 906, PN 4425**, entitled:

A Resolution honoring the Ben Franklin Technology Partners on the occurrence of the 25th anniversary of its founding.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—1

Harris

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair would like to direct the members' attention to the well of the House and congratulate Ed Haines on his birthday. Happy birthday.

SENATE BILLS FOR CONCURRENCE

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

SB 884, PN 2433

Referred to Committee on LOCAL GOVERNMENT, September 24, 2008.

SB 908, PN 2374

Referred to Committee on PROFESSIONAL LICENSURE, September 24, 2008.

SB 1258, PN 2410

Referred to Committee on FINANCE, September 24, 2008.

The SPEAKER. The House will come to order.

SUPPLEMENTAL CALENDAR B CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2176, PN 4391**, entitled:

An Act designating the bridge on State Route 259 dividing Bolivar Borough and Fairfield Township, Westmoreland County, as the Glenn McMaster Memorial Bridge.

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

The SPEAKER. The House will be at ease.

The House will come to order.

* * *

The House proceeded to second consideration of **HB 2600, PN 4349**, entitled:

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

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

Mr. **SURRA** offered the following amendment No. **A09161**:

Amend Sec. 1 (Sec. 407-D), page 8, line 28, by striking out "not"

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

AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes Representative Surra.
The gentleman withdraws his amendment? The Chair thanks the gentleman.

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

Mr. **DALEY** offered the following amendment No. **A09275**:

Amend Sec. 1 (Sec. 407-D), page 8, lines 28 through 30; page 9, line 1, by striking out all of lines 28 through 30, page 8 and "(b)" in line 1, page 9

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

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

Mr. **DALEY**. Thank you, Mr. Speaker.

Amendment 9275 strikes out, on page 8, lines 28 through 30. These lines explain that "...this article shall not be subject to the act of August 15, 1961...known as the Pennsylvania Prevailing Wage Act." What we are doing with this amendment is fundamentally making the status quo, and we are just maintaining things as they would normally be with PHFA (Pennsylvania Housing Finance Agency), and I ask for support for this amendment.

The SPEAKER. Representative Boyd.

Mr. **BOYD**. Thank you, Mr. Speaker.

I was wondering if the maker of the amendment would stand for brief interrogation?

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

Mr. **BOYD**. Thank you, Mr. Speaker.

Mr. Speaker, in terms of this amendment, trying to establish legislative intent/current practice, projects that are funded currently by PHFA loans and those programs, are they currently subject to prevailing wage, to your knowledge?

Mr. **DALEY**. There are some that are that are funded through State funding, Davis-Bacon through Federal funding, and there are some that are not.

Mr. **BOYD**. All right. So the purpose of this amendment is actually to really maintain the status quo under what projects through PHFA receive prevailing wage or have prevailing wage applied to them, and those that do not would not have prevailing wage apply. Is that a correct statement?

Mr. **DALEY**. That is absolutely correct. What we are doing is maintaining the status quo. Those projects that are funded through Federal funds will still be applicable to Davis-Bacon, those funded through State funds under State current law will be under prevailing wage, and those that do not have that particular

mantle attached to those, other than DCED moneys, will not be under the Prevailing Wage Act.

Mr. **BOYD**. Thank you, Mr. Speaker. That ends my interrogation.

The SPEAKER. Representative Maher.

Mr. **MAHER**. Thank you, Mr. Speaker.

I am hoping that the sponsor of the amendment will stand for interrogation?

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

Mr. **MAHER**. Thank you, Mr. Speaker.

I am a bit confused. The current statute provides that funds in this program are subject or are not subject to the prevailing wage? I thought the current law said that this program was not subject to prevailing wage. Is that correct?

Mr. **DALEY**. Are you talking about current law, or are you talking about the language of this particular bill?

Mr. **MAHER**. Well, I am trying to understand your amendment based upon the conversation you just had with another member. Your amendment, as I understand it, removes the stipulation that funds under this program are not subject to prevailing wage. Is that correct?

Mr. **DALEY**. That is correct. What we are doing, Mr. Speaker, we are removing this paragraph that will maintain, as other bills and other acts under PHFA, where applicable to prevailing wage, they will be applied; where applicable to Davis-Bacon through Federal funds, they will be applied. What this fundamentally does, by removing this paragraph, it maintains the status quo.

Mr. **MAHER**. Well, I am again confused, Mr. Speaker, because it seems to me that maintaining the status quo would not be removing a provision. If you are maintaining the status quo, you would not need this amendment, it would seem to me.

Mr. **DALEY**. Mr. Speaker, I do not understand your question.

Mr. **MAHER**. Well, I guess, and genuinely, I am just plain old confused about what your amendment does. If I understand your amendment, your amendment repeals the existing provision that these funds are not subject to prevailing wage. Is that correct?

Mr. **DALEY**. Mr. Speaker, you are confused, because quite honestly, what this amendment does is just takes that language out of this bill. It does not change any other law.

Mr. **MAHER**. My understanding was existing law provided that these funds were not subject to prevailing wage.

Mr. **DALEY**. Mr. Speaker—

Mr. **MAHER**. Is that correct, or—

Mr. **DALEY**. One second, Mr. Speaker.

Mr. Speaker, could we have a sidebar to discuss this issue?

Mr. **MAHER**. That would probably help.

The SPEAKER. The House will be at ease.

(Conference held.)

The SPEAKER. The House will come to order.

Representative Maher.

Mr. **MAHER**. Thank you, Mr. Speaker, and that was a most productive sidebar. I thank the gentleman.

Just to enunciate my understanding that came from that, the result of this amendment coupled with the bill to which it is attached would not alter the existing trigger in any way for

whether or not funds from the Commonwealth entailed applicability of prevailing wage. Is that correct?

Could the desk assist the gentleman with his microphone?

Mr. DALEY. Yes; that is correct.

Mr. MAHER. Thank you. That concludes my inquiry.

Thank you, Mr. Speaker.

Mr. DALEY. Thank you, Mr. Speaker.

The SPEAKER. Representative Belfanti. The gentleman waives off. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—168

Adolph	Freeman	Mann	Sabatina
Argall	Galloway	Markosek	Sainato
Baker	Geist	Marshall	Samuelson
Barrar	George	McCall	Santoni
Bastian	Gerber	McGeehan	Scavello
Belfanti	Gergely	McI. Smith	Seip
Beyer	Gibbons	Melio	Shapiro
Biancucci	Godshall	Mensch	Shimkus
Bishop	Goodman	Micozzie	Siptroth
Blackwell	Grell	Millard	Smith, K.
Boback	Grucela	Milne	Smith, M.
Boyd	Haluska	Moyer	Smith, S.
Brennan	Hanna	Mundy	Solobay
Brooks	Harhai	Murt	Sonney
Buxton	Harhart	Mustio	Staback
Caltagirone	Harkins	Myers	Stairs
Cappelli	Harper	O'Brien, M.	Stevenson
Carroll	Harris	O'Neill	Sturla
Casorio	Helm	Oliver	Surra
Causar	Hennessey	Pallone	Swanger
Civera	Hershey	Parker	Tangretti
Clymer	Hess	Pashinski	Taylor, J.
Cohen	Hornaman	Payne	Taylor, R.
Conklin	Hutchinson	Peifer	Thomas
Costa	James	Perzel	Turzai
Cruz	Josephs	Petrarca	Verab
Curry	Keller, W.	Petri	Vitali
Daley	Kenney	Petrone	Vulakovich
Dally	Kessler	Phillips	Wagner
DeLuca	Killion	Pickett	Walko
DePasquale	King	Preston	Wansacz
Dermody	Kirkland	Pyle	Waters
DeWeese	Kortz	Quigley	Watson
DiGirolo	Kotik	Quinn	Wheatley
Donatucci	Kula	Ramaley	White
Eachus	Leach	Rapp	Williams
Ellis	Lentz	Raymond	Wojnarowski
Evans, D.	Levdansky	Readshaw	Yewcic
Evans, J.	Longietti	Reed	Yudichak
Fabrizio	Maher	Reichley	
Fairchild	Mahoney	Roae	O'Brien, D.,
Fleck	Major	Roebuck	Speaker
Frankel	Manderino		

NAYS—29

Bear	Gingrich	Metcalf	Rohrer
Cox	Hickernell	Miller	Rubley
Creighton	Kauffman	Moul	Saylor
Cutler	Keller, M.K.	Nailor	Schroder
Denlinger	Mackereth	Nickol	Steil
Everett	Mantz	Perry	Stern
Gabig	Marsico	Rock	True
Gillespie			

NOT VOTING—1

McIlhattan

EXCUSED—5

Benninghoff
Bennington

Payton

Ross

Youngblood

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?

RULES SUSPENDED

The SPEAKER. The Chair recognizes Representative Daley, who moves to suspend the rules for the immediate consideration of amendment A09429, which the clerk will read.

The clerk read the following amendment No. **A09429**:

Amend Sec. 1 (Sec. 402-D), page 2, line 36, by inserting after "agency."

The program is dependent upon funds available in the account.

Amend Sec. 1 (Sec. 403-D), page 3, line 5, by striking out "shall" and inserting

may

Amend Sec. 1 (Sec. 403-D), page 3, line 24, by striking out "(b)" and inserting

(a)

Amend Sec. 1 (Sec. 403-D), page 4, lines 28 and 29, by striking out "A HOUSING PROGRAM" and inserting

housing programs

Amend Sec. 1 (Sec. 406-D), page 8, line 23, by removing the period after "account" and inserting
known as the Housing Affordability and Rehabilitation Enhancement Account. Interest and any other earnings in the account shall remain in the account.

Amend Sec. 1 (Sec. 406-D), page 8, line 24, by inserting after "account"

and shall be appropriated to the agency on a continuing basis

Amend Sec. 1 (Sec. 406-D), page 8, lines 25 and 26, by striking out all of said lines

Amend Sec. 1 (Sec. 407-D), page 8, line 28, by striking out "(a)"

Amend Sec. 1 (Sec. 407-D), page 9, lines 1 and 2, by striking out all of said lines

On the question,

Will the House agree to the motion?

The SPEAKER. On the motion to suspend, the Chair recognizes Representative Daley.

Mr. DALEY. Mr. Speaker, we ask for a suspension of the rules.

This is a technical amendment that we picked up. Some things in the bill just need to be tinkered with and fixed, and we found it yesterday, and what we are asking is to suspend the rules so we can adopt this amendment.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—183

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

NAYS—15

Cox	Gillespie	Metcalfe	Seip
Creighton	Grell	Nailor	Steil
Cutler	Kauffman	Perry	Swanger
Gabig	Keller, M.K.	Roae	

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

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

Mr. DALEY offered the following amendment No. **A09429**:

Amend Sec. 1 (Sec. 402-D), page 2, line 36, by inserting after "agency."

The program is dependent upon funds available in the account.

Amend Sec. 1 (Sec. 403-D), page 3, line 5, by striking out "shall" and inserting

may

Amend Sec. 1 (Sec. 403-D), page 3, line 24, by striking out "(b)" and inserting

(a)

Amend Sec. 1 (Sec. 403-D), page 4, lines 28 and 29, by striking out "A HOUSING PROGRAM" and inserting

housing programs

Amend Sec. 1 (Sec. 406-D), page 8, line 23, by removing the period after "account" and inserting

known as the Housing Affordability and Rehabilitation Enhancement Account. Interest and any other earnings in the account shall remain in the account.

Amend Sec. 1 (Sec. 406-D), page 8, line 24, by inserting after "account"

and shall be appropriated to the agency on a continuing basis

Amend Sec. 1 (Sec. 406-D), page 8, lines 25 and 26, by striking out all of said lines

Amend Sec. 1 (Sec. 407-D), page 8, line 28, by striking out "(a)"

Amend Sec. 1 (Sec. 407-D), page 9, lines 1 and 2, by striking out all of said lines

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 2722, PN 4224**, entitled:

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

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 923, PN 4418**, 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 third consideration?

Bill was agreed to.

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—155

Adolph	Galloway	Markosek	Rubley
Argall	Geist	Marshall	Sabatina
Barrar	George	McCall	Sainato
Bastian	Gerber	McGeehan	Samuelson
Belfanti	Gergely	McI. Smith	Santoni
Beyer	Gibbons	McIlhattan	Scavello
Biancucci	Godshall	Melio	Seip
Bishop	Goodman	Mensch	Shapiro
Blackwell	Gruclera	Micozzie	Shimkus
Boback	Haluska	Milne	Siptroth
Brennan	Hanna	Moul	Smith, K.
Brooks	Harhai	Moyer	Smith, M.
Buxton	Harhart	Mundy	Solobay
Caltagirone	Harkins	Murt	Staback
Cappelli	Harper	Mustio	Stairs
Carroll	Harris	Myers	Steil
Casorio	Helm	O'Brien, M.	Sturla
Civera	Hennessey	O'Neill	Surra
Cohen	Hershey	Oliver	Tangretti
Conklin	Hess	Pallone	Taylor, J.
Costa	Hornaman	Parker	Taylor, R.
Cruz	James	Pashinski	Thomas
Curry	Josephs	Payne	Turzai
Daley	Keller, W.	Peifer	Vereb
Dally	Kenney	Perzel	Vitali
DeLuca	Kessler	Petrarca	Wagner
DePasquale	Killion	Petri	Walko
Dermody	King	Petrone	Wansacz
DeWeese	Kirkland	Phillips	Waters
DiGirolamo	Kortz	Preston	Watson
Donatucci	Kotik	Pyle	Wheatley
Eachus	Kula	Quigley	White
Ellis	Leach	Quinn	Williams
Evans, D.	Lentz	Ramaley	Wojnaroski
Evans, J.	Levdansky	Raymond	Yewcic
Fabrizio	Longietti	Readshaw	Yudichak
Fairchild	Mahoney	Reed	
Fleck	Manderino	Roae	O'Brien, D.,
Frankel	Mann	Roebuck	Speaker
Freeman			

NAYS—43

Baker	Gillespie	Marsico	Rohrer
Bear	Gingrich	Metcalfe	Saylor
Boyd	Grell	Millard	Schroder
Causer	Hickernell	Miller	Smith, S.
Clymer	Hutchinson	Nailor	Sonney
Cox	Kauffman	Nickol	Stern
Creighton	Keller, M.K.	Perry	Stevenson
Cutler	Mackereth	Pickett	Swanger
Denlinger	Maher	Rapp	True
Everett	Major	Reichley	Vulakovich
Gabig	Mantz	Rock	

NOT VOTING—0

EXCUSED—5

Benninghoff Payton Ross Youngblood
Bennington

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 2466, PN 4419**, entitled:

Providing 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 third consideration?
Bill was agreed to.

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—150

Adolph	Freeman	Mann	Sabatina
Argall	Galloway	Markosek	Sainato
Barrar	Geist	Marshall	Samuelson
Bastian	George	McCall	Santoni
Belfanti	Gerber	McGeehan	Scavello
Beyer	Gergely	McI. Smith	Seip
Biancucci	Gibbons	Melio	Shapiro
Bishop	Gingrich	Mensch	Shimkus
Blackwell	Goodman	Micozzie	Siptroth
Boback	Grucela	Milne	Smith, K.
Brennan	Haluska	Moul	Smith, M.
Buxton	Hanna	Moyer	Solobay
Caltagirone	Harhai	Mundy	Staback
Cappelli	Harkins	Murt	Stairs
Carroll	Harper	Mustio	Steil
Casorio	Harris	Myers	Sturla
Causser	Hennessey	Nickol	Surra
Civera	Hershey	O'Brien, M.	Tangretti
Cohen	Hess	O'Neill	Taylor, J.
Conklin	Hornaman	Oliver	Taylor, R.
Costa	James	Pallone	Thomas
Cruz	Josephs	Parker	Turzai
Curry	Keller, W.	Pashinski	Vereb
Daley	Kenney	Peifer	Vitali
DeLuca	Kessler	Perzel	Wagner
DePasquale	Killion	Petrarca	Walko
Dermody	King	Petri	Wansacz
DeWeese	Kirkland	Petrone	Waters
DiGirolamo	Kortz	Phillips	Watson

Donatucci	Kotik	Preston	Wheatley
Eachus	Kula	Quigley	White
Ellis	Leach	Quinn	Williams
Evans, D.	Lentz	Ramaley	Wojnarowski
Evans, J.	Levdansky	Rapp	Yewcic
Fabrizio	Longietti	Raymond	Yudichak
Fairchild	Mackereth	Readshaw	
Fleck	Mahoney	Reed	O'Brien, D., Speaker
Frankel	Manderino	Roebuck	

NAYS—48

Baker	Gillespie	Marsico	Rock
Bear	Godshall	McIlhattan	Rohrer
Boyd	Grell	Metcalfe	Rubley
Brooks	Harhart	Millard	Saylor
Clymer	Helm	Miller	Schroder
Cox	Hickernell	Nailor	Smith, S.
Creighton	Hutchinson	Payne	Sonney
Cutler	Kauffman	Perry	Stern
Dally	Keller, M.K.	Pickett	Stevenson
Denlinger	Maher	Pyle	Swanger
Everett	Major	Reichley	True
Gabig	Mantz	Roae	Vulakovich

NOT VOTING—0

EXCUSED—5

Benninghoff Payton Ross Youngblood
Bennington

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.

QUESTION OF PERSONAL PRIVILEGE

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

Mr. S. SMITH. Mr. Speaker, I rise on a point of personal privilege.

The SPEAKER. Without objection, the gentleman is recognized under the provision of unanimous consent.

Mr. S. SMITH. Mr. Speaker, I rise today as a member – and I moved purposely from the leader's podium to put a mild emphasis on that point – because there is something that is taking place that I find offensive and I think it affects each and every one of us as members of this House.

Our House rules are generally established to regulate the procedures and the process of this House, but some of them deal with other actions of this House and of the members of this House, and within those rules it allows for a process for either members or people in the general public to file a complaint with the House Ethics Committee and make a complaint.

If you or I, anyone sitting here, were to file a complaint with the House Ethics Committee, by rule, we are prohibited from talking about that in public or to talk about it with anybody else. The person who is the subject of the complaint is, by rule, not allowed to talk about that complaint. The members of the Ethics Committee, by rule, are prohibited from talking about that complaint.

However, Mr. Speaker, if a member of the general public files a complaint, they would be informed of a duty of confidentiality, but there is no law to bind them to that. That is in difference to if someone filed a complaint with the Ethics Commission that oversees all of us in government, not just us as legislators. If someone files a complaint with the Ethics Commission, they are required to sign, under penalties of perjury, number one, that their complaint is accurate to the best of their knowledge, that they are not fabricating or trumping up a charge. They are also bound, once they file a complaint, an ethical complaint with the Ethics Commission, they are bound to confidentiality under law, and if they then went out and talked about that, they would be in violation of the law.

I want to point out that distinct difference between someone filing a complaint relative to the House Ethics Committee and the State Ethics Commission, and why I raise that question, Mr. Speaker, is because just recently, last night, I received a copy of a news release that was sent out in which a third party, a political operative, alleged or filed a complaint against a member of this House to the House Ethics Committee and then proceeded to initiate the political charge of so-and-so is under investigation by the House Ethics Committee.

Now, Mr. Speaker, why I find this insulting and I find it concerning for the integrity of this House is simply this, Mr. Speaker: Anyone could go out and trump up some kind of charge that they want to file against anyone in this room, and if they file it with the Ethics Committee, there is no law that can keep them from making something up and there is no law to keep them from talking about it in the media and there is no law to keep them from putting it into their campaign literature that would say, so-and-so is under investigation by the Ethics Committee, and I find that behavior particularly appalling. I find it almost questioning an ethics in and of itself, Mr. Speaker, because it is abusing the rules of this House that we have established to try to maintain a level of integrity and balance, a uniformity to govern ourselves, and for someone to step outside of that to use these rules to impugn the integrity of an individual is, I think, questionable in itself and that that action is of questionable ethics, plain and simple.

So, Mr. Speaker, I am going to send a memo around to the members with a little more information relative to this, and I appreciate the House's indulgence of me at this moment. My message primarily is that while I found this particular action insulting, what concerns me more, Mr. Speaker, is that if this House is going to function in an honorable and respectable way, then it is up to each one of us as individual members and as we engage in our respective political campaigns to operate in an honorable and respectable manner ourselves. We cannot constantly pass it off to a third party and say, well, I did not have anything to do with that or I did not know about that. We need to stay focused on what we are doing as individuals and live up to that honorable title and live up to that respect that we all purport to afford each other.

Thank you, Mr. Speaker.

STATEMENT BY MAJORITY LEADER

The SPEAKER. Does Representative DeWeese seek recognition?

Mr. DeWEESE. Thank you, Mr. Speaker.

Mr. Smith is categorically correct. I embrace every syllable of his pronouncement. There are no ands, ifs, or buts relative to his declarations.

We are guardians of the sacred flame, so to speak, if we can elicit a metaphor from antiquity. This Assembly, and especially our House chamber, has to maintain a fundamental sense of integrity that cannot be compromised, and the gentleman's references seem to assert that that dynamic may have taken place. It cannot, must not, and will not be countenanced.

The institutional dynamics of this room and the personal friendships and the political relationships when personal relationships seem frayed must be guarded, must be respected, and the preeminent noun that should guide us is "integrity," and this seems to be a breach of integrity.

So let me repeat, as I relinquish the microphone, that the honorable gentleman from Jefferson County, the minority leader, is correct in what he says, and Mr. McCall and the rest of our leadership team embrace not only the letter but the spirit of his remarks. Thank you.

The SPEAKER. The Chair thanks the gentleman.

THE SPEAKER PRO TEMPORE (JENNIFER L. MANN) PRESIDING

BILL ON FINAL PASSAGE

The House proceeded to final passage of **HB 1737, PN 2315**, entitled:

An Act prohibiting any municipal pension or retirement system in a city of the first or second 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 recurring,
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. Without objection, the Chair rescinds its announcement that the bill was previously agreed to on third consideration.

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair now recognizes the gentleman, Representative Geist, who, I believe, moves to suspend the rules for the purpose of offering an amendment.

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

I would be delighted to move to suspend the rules at this time. Thank you.

The SPEAKER pro tempore. On the motion to suspend the rules to offer amendment— Could the gentleman specify which amendment? I am sorry. Is it A09450?

Mr. GEIST. A09450.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman moves that the rules of the House be suspended for the immediate consideration of amendment A09450.

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

The following roll call was recorded:

YEAS—189

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

NAYS—9

Cox	Kauffman	Murt	Seip
Cutler	Kessler	Roae	Swanger
Grell			

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

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

Mr. **GEIST** offered the following amendment No. **A09450**:

Amend Title, page 1, line 2, by inserting after "first" or second

Amend Sec. 1, page 1, line 10, by inserting after "first" or second

Amend Sec. 1, page 1, line 12, by inserting a comma after "benefits"

Amend Sec. 2, page 1, line 17, by striking out all of said line and inserting

(a) Specific.—

(1) The act of May 20, 1915 (P.L.566, No.242),

Amend Sec. 2, page 2, line 13, by striking out all of said line and inserting

(2) Section 9.2(d) of the act of May 25, 1933 (P.L.1050, No.242), referred to as the Second Class City Firemen Relief Law.

(b) Inconsistent.—

(1) The act of April 21, 1949 (P.L.665,

Amend Bill, page 2, by inserting between lines 15 and 16

(2) All acts and parts of acts are repealed insofar as they are inconsistent with this act.

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

The **SPEAKER** pro tempore. On the amendment, the Chair recognizes the gentleman, Representative Geist.

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

This amendment would rectify the situation that was brought forward with a piece of legislation that would only address the city of Philadelphia. This would pass that same benefit on to all companies and all municipalities across the State of Pennsylvania.

I would urge a "yes" vote on it.

The **SPEAKER** pro tempore. Will the House agree to the amendment? For what purpose does the gentleman, Representative Samuelson, rise?

Mr. **SAMUELSON**. To interrogate Representative Geist.

The **SPEAKER** pro tempore. The gentleman indicates he will agree to an interrogation. The gentleman is in order and may proceed.

Mr. **SAMUELSON**. My question is, you just talked about how this would make it a statewide applicability. When I am looking at the language of the bill, it looks like it only refers to second-class cities. Are the other municipalities in the State covered in some other way?

Mr. **GEIST**. The other municipalities have already been taken care of. This will complete the loop. And actuarially, it is sound.

Mr. **SAMUELSON**. Thank you, Madam Speaker.

The **SPEAKER** pro tempore. Is there anyone else seeking recognition?

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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 third consideration as amended?

Bill as amended 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?

The Chair recognizes the Speaker, Representative O'Brien, on the bill.

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

At present, widows and widowers of firefighters and other fire department employees in Philadelphia who are receiving pension payments are subject to what is called a remarriage penalty. Should these widows and widowers choose to remarry, they must forfeit any pension payments, service-connected death benefits, and service-connected health-care benefits.

My bill eliminates this remarriage penalty in Philadelphia, just as it has already been eliminated in other municipalities across Pennsylvania. The only other place where this penalty applies to firefighters is Pittsburgh, and that issue was addressed by Representative Geist's amendment, and I thank him for that collaboration.

HB 1737 prohibits Philadelphia from denying certain benefits to surviving spouses of firefighters upon subsequent remarriage. The bill is essentially identical to Act 184 of 2004, which eliminated the remarriage penalty for surviving spouses of Philadelphia police.

For the information of the members, this has been an issue that I have dealt with for a number of years. It was first brought to my attention and I called it the Maureen Faulkner bill, because as you recall, Maureen's husband, Danny Faulkner, was killed in the line of duty. And at that very funeral of Danny Faulkner, another widow approached her and said, I lost my spouse in the line of duty, as you did, and I never thought I would find happiness or a lifelong companion, and then 2 years afterwards someone came into my life. And what happened after that was the most horrific injury upon that loss. That individual then proceeded to rifle that spouse's bank accounts, run up the credit cards, and leave her family and the surviving children destitute. Maureen promised at her husband's wake that she would never remarry until these issues were resolved.

That is why we are doing it for police, that is why we are doing it for firefighters, and there is no member of the uniformed force in Pennsylvania that we should leave uncovered. And I thank Representative Geist for his collaboration, and I ask for an affirmative vote.

RULE 24 SUSPENDED

Mr. D. O'BRIEN. I believe, Madam Speaker, that I have to suspend the rules for the 24-hour rule, so at this moment I move to suspend that rule.

The SPEAKER pro tempore. The gentleman has asked for a rules suspension for the immediate consideration of HB 1737 on final passage.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—191

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

NAYS—7

Cox	Grell	Roae	Seip
Cutler	Perry	Samuelson	

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

On the question recurring,
Shall the bill pass finally?

The SPEAKER pro tempore. Returning to the bill on final passage, the Chair once again recognizes the Speaker, Representative O'Brien.

Mr. D. O'BRIEN. I just ask for an affirmative vote.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Geist, on final passage.

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

The amendment that we suspended the rules to pass took care of firemen now across the board with everything. We failed to take care of policemen. I have an amendment, 9441, that would accomplish that.

Normally I would ask to suspend the rules so that we could address that, but we do not have the actuarial note attached to this amendment, so it would really have us wait probably another day to get it. This will be offered the next time that we possibly can offer it to a piece of legislation so that we can address policemen across the State.

So therefore, I will withdraw this amendment so that we can move to final passage and have a chance of getting this passed before the term ends. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Is there anyone else seeking recognition on final passage?

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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.

CONSIDERATION OF HR 894 CONTINUED

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Benninghoff	Payton	Ross	Youngblood
Bennington			

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

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1177, PN 4345**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that the following bill be removed from the tabled bill calendar: HB 1471.

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

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that the following bill be recommitted to the Committee on Appropriations: HB 1471.

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 1422, PN 2414

Referred to Committee on INSURANCE, September 24, 2008.

SB 1453, PN 2415

Referred to Committee on INSURANCE, September 24, 2008.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1935, PN 2700**, entitled:

An Act amending the act of June 5, 1941 (P.L.84, No.45), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns and townships of the first class maintaining a police force of not less than three members; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expense on boroughs, incorporated towns and townships of the first class; imposing penalties, and repealing inconsistent laws," further providing for removals, suspensions or reductions in rank of police officers.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 1935 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 1935 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **HB 1936, PN 2701**, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for removals from the police or fire force.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 1936 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 1936 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **HB 1937, PN 2702**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for removals, suspensions or reductions in rank of police officers.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 1937 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 1937 be removed from the tabled bill calendar and placed on the active calendar.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1902, PN 2621**, entitled:

An Act designating the bridge carrying U.S. Route 522 over the Aughwick Creek in Shirley Township, Huntingdon County, as the Queen Aliquippa Bridge.

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

BILL TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 1902 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 1902 be removed from the tabled bill calendar and placed on the active calendar.

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

RESOLUTIONS

Mr. DeWEESE called up **HR 719, PN 3646**, entitled:

A Resolution endorsing the request for Federal funding to address vitally important water resource needs.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 719 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 719 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. DeWEESE called up **HR 809, PN 4079**, entitled:

A Resolution recognizing the celebration of the 60th Annual Convention of the Ahmadiyya Muslim Community.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 809 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 809 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. DeWEESE called up **HR 712, PN 3598**, entitled:

A Concurrent Resolution establishing a forestry task force to study issues concerning the renewal and management of this Commonwealth's forests; providing for an advisory committee; and directing the Joint Legislative Air and Water Pollution Control and Conservation Committee to provide administrative support to the task force.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 712 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 712 be removed from the tabled bill calendar and placed on the active calendar.

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

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

The House will come to order.

PROFESSIONAL LICENSURE COMMITTEE MEETING

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

Mr. STURLA. Thank you, Madam Speaker.

The House Professional Licensure Committee will meet immediately in room 39 of the East Wing to continue its meeting from this morning. I urge all members to attend since we have a bill to report out that we just received from the Senate. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Professional Licensure Committee will continue their meeting in room 39, East Wing, immediately.

LOCAL GOVERNMENT COMMITTEE MEETING

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

Mr. FREEMAN. Thank you, Madam Speaker.

A question first, if I may.

Are we breaking temporarily, or are we coming to the conclusion of our voting session?

The SPEAKER pro tempore. If the question is, will we be at ease for a long period of time, we do not anticipate that.

Mr. FREEMAN. Well, I would like to call a meeting of the House Local Government Committee, but I was not sure whether we should do that immediately or at the conclusion of the voting session.

The SPEAKER pro tempore. Our suggestion is at the conclusion of session for today.

Mr. FREEMAN. And the desk will remain open, is that correct? To receive reports of committee?

The SPEAKER pro tempore. Yes, the desk will be held open for the purposes of reports of committees.

Mr. FREEMAN. Thank you, Madam Speaker.

In that case, I would like to call a meeting of the House Local Government Committee in room 50G of the Irvis Building at the appropriate time.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Local Government Committee will meet in G-50 of the Irvis Building at the end of session.

The House will be at ease.

The House will come to order.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1989, PN 3783**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, providing for the Pennsylvania Flood Grant and Assistance Program.

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

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HB 1989 be recommitted to the Committee on Rules.

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

FINANCE COMMITTEE MEETING

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

Mr. LEVDANSKY. Madam Speaker, I just want to remind all the members of the House Finance Committee that upon adjournment, we are going to meet immediately in room 205 of the Ryan Office Building. We have one bill to consider. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Finance Committee will meet in room 205 of the Ryan Office Building at the adjournment.

For the purpose of the members, there will be no further votes today. The desk will remain open for reports of committees.

At this time the Chair recognizes the gentleman from Philadelphia, Representative Williams, under unanimous consent.

Mr. WILLIAMS. Thank you, Madam Speaker.

If we could get just a moment of order, just for one minute.

The SPEAKER pro tempore. Will the gentleman please wait. Can we suspend.

LOCAL GOVERNMENT COMMITTEE MEETING

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

Mr. FREEMAN. Since we have concluded our voting session, I would like to call an immediate meeting of the House Local Government Committee in room 50G of the Irvis Building. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Local Government Committee will meet immediately in room G-50 of the Irvis Building.

STATEMENT BY MR. WILLIAMS

The SPEAKER pro tempore. The Chair asks for order in the House so the gentleman, Representative Williams, can be heard.

Mr. WILLIAMS. Thank you, Madam Speaker.

I rise today, Madam Speaker, because of a tragic incident that happened in my district. Actually, about within 50 to 100 feet of where I was born and raised and about a block and a half of where I live, a police officer—

Mr. DeWEESE. Madam Speaker, could we have order in the House, please?

The SPEAKER pro tempore. The majority leader is entirely correct. The subject matter is of a very serious nature, and Representative Williams deserves our attention.

Mr. DeWEESE. Will the members please take their seats.

Mr. WILLIAMS. Thank you, Madam Speaker, and the majority leader.

As I said, a police officer was shot and killed in my district about 50 to 100 feet from where I was born and raised and about a block and a half from where I reside today, and I just want to say that the people of my district offer their deepest sympathy and Godspeed on the other officer who is in the hospital who is going through recovery.

Madam Speaker, today I got phone calls from my district where people were organizing and trying to resolve some of the social problems that we have in my district, but I do not want it to be said that the people in my district do not care about police officers, do not care about people who provide a service to the public, that we do not go unnoticed.

So let me just say, Madam Speaker, again, the people of the 197th District, I am getting their phone calls. Our hearts go out to the family of Officer McDonald and certainly a speedy recovery for the officer. And, Madam Speaker, I would only hope that we do the business here, Madam Speaker, do the business of the people to make sure we have more police officers and support our police officers in our district as well as social programs so we do not create these kinds of scenes in our districts across the Commonwealth of Pennsylvania.

Thank you, Madam Speaker.

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

The SPEAKER. The Chair thanks the gentleman.

Are there any further announcements?

RECESS

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

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (MARK B. COHEN) PRESIDING

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

SB 884, PN 2433

By Rep. FREEMAN

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, restricting municipalities from regulating amateur radio service communications.

LOCAL GOVERNMENT.

SB 908, PN 2374

By Rep. STURLA

An Act amending the act of December 22, 1983 (P.L.327, No.85), known as the Auctioneer and Auction Licensing Act, further providing for auctioneer and apprentice auctioneer licenses.

PROFESSIONAL LICENSURE.

BILLS REMOVED FROM TABLE

The SPEAKER pro tempore. The majority leader moves that the following bills be removed from the tabled bill calendar: SB 884 and SB 908.

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

BILLS RECOMMITTED

The SPEAKER pro tempore. The majority leader moves that the following bills be recommitted to the Committee on Appropriations: SB 884 and SB 908.

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

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

COMMUNICATION

The SPEAKER pro tempore. The Speaker acknowledges receipt of the following communication, which the clerk will read.

The following communication was read:

September 24, 2008, from the Public Employee Retirement Commission, an actuarial note for HB 1737, PN 2315, amendment No. 09450.

(Copy of communication is on file with the Journal clerk.)

The SPEAKER pro tempore. Any further business?

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.

RECESS

The SPEAKER pro tempore. The Chair recognizes the lady from Fayette, Representative Kula, who moves that the House do now recess until Monday, October 6, 2008, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:21 p.m., e.d.t., the House recessed.