

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, NOVEMBER 12, 2008

SESSION OF 2008

192D OF THE GENERAL ASSEMBLY

No. 66

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (MATTHEW E. BAKER) PRESIDING

PRAYER

The SPEAKER pro tempore. The prayer will be offered by Inam Kauser, guest of Representative Jewell Williams.

IMAM INAMUL HAQ KAUSER, Guest Chaplain of the House of Representatives, offered the following prayer:

Good afternoon. Peace and blessings of God be upon you.

Thank you very much for inviting me to be with you this afternoon. My name is Inam Kauser. I am the Imam of the Ahmadiyya Muslim Community, a very loving, very peaceful, and law-abiding community.

I would like to recite the first portion, the first chapter of the Holy Koran, which consists of a very special prayer which applies to every person in the world. That will be in Arabic, and I will give you the translation afterward.

(Prayer in Arabic.)

In the name of Almighty God, the gracious, the merciful, all praise belongs to Almighty God, Lord of all of us. You are gracious; You are merciful; You are the master of the Day of Judgment. Thee alone do we worship; thee alone do we implore for help. Guide us to the right path, the path of those on whom You have pleased and bestowed Your blessings.

O our Lord, our Master, the Lord of the seen and unseen, the sovereign, the maker, and the master of all, shower Your blessings on all of us individually and collectively – on our homes, our families, our businesses, our schools, our courts, and our places of worship.

O our Lord, shower Your blessings on the three branches of our government that work in the Capitol. O our beloved God, bless our dear, our beloved Edward Rendell, the Governor, and his Cabinet. O God, bless our respected Lieutenant Governor, Catherine Baker Knoll, with complete health and a speedy recovery; our beloved, the Speaker of the House, Mr. Dennis O'Brien. O Almighty God, support, favor, and bless our Governor's Cabinet, all State Senators, and Assemblymen. O our beloved God, bless them with extraordinary knowledge, wisdom, and understanding.

O our Lord, bless the General Assembly, judiciary, justices, and the judges of all courts. Give them the wisdom and the

guidance so that they may serve the State of Pennsylvania in the best of their abilities and manner. O our Lord, their collective wisdom and leadership has made the State of Pennsylvania very strong among the States. May their good work on behalf of the 12 million Pennsylvanians continue through the year to come. O our beloved God, guide them with Your love, mercy, and kindness so that they may be very successful in fulfilling their duties and responsibilities.

O our Almighty God, make our country and the State of Pennsylvania a place of love, harmony, peace, and respect, a model for all of the States. O our Lord, enlighten our hearts and minds with Your Holy Spirit. O our Lord, by Your grace, the State of Pennsylvania has made tremendous progress. People of different colors, faiths, and races are living together with love, respect, brotherhood, and harmony in this great State. Bless them all and reward them the best.

O our beloved God, grant our President-elect, Barack Hussein Obama, with strength and power. O God, support him, help him, guide him, and enlighten his heart and mind for the challenges he would be facing in regard to the security of our country and the economy of the United States and the State of Pennsylvania.

We pray to You this day. O our beloved God, bless this State in the coming years with extraordinary progress and prosperity. O our beloved God, You are the most gracious, ever merciful. We all belong to You. We all are Your children and humble servants. Bless this great country and the great State of Pennsylvania.

O our Lord, accept our humble and endless prayer with Your graciousness. God bless America. God bless the State of Pennsylvania.

Thank you very much. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNALS APPROVED

The SPEAKER pro tempore. The following Journals are now in print, regular session Journals approved:

Tuesday, April 1;
Wednesday, April 2;
Monday, April 7;
Tuesday, April 8;
Wednesday, April 9; and
Monday, May 5, 2008.

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

The SPEAKER pro tempore. The Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal of Wednesday, October 8, 2008, will be postponed until printed. The Chair hears no objection.

FILMING PERMISSION

The SPEAKER pro tempore. The gentleman, Mr. Mike Rashid of House Republican Video, is hereby authorized to have access to designated areas of the House for still photography, videotaping, and/or recording audio of the House of Representatives for the purpose of recognition of American Legion visitors from Representative John Evans's district.

AMERICAN LEGION POST 439 MEMBERS INTRODUCED

The SPEAKER pro tempore. With respect to recognizing the American Legion visitors, the gentleman, Mr. John Evans, is so recognized.

Mr. J. EVANS. Thank you, Mr. Speaker.

It is my pleasure to welcome some members of the American Legion Post 439 from Edinboro, Pennsylvania, who are with us in the hall of the House today.

These individuals, along with other members of this post, assisted the borough of Edinboro in saving the community pool there by putting together the resources and making the needed repairs to the swimming pool, which today is a self-sufficient operation and making a profit due to the hard work of the members of Post 439, their wives, and volunteers.

Here representing the American Legion Post 439 are Comdr. Ray Glaser, Adj. Clark Morris, member Harry Glunt, and member Frederick Langill and his wife, Bonnie. If they could please rise and be recognized by the hall of the House.

Thank you very much for your service and what you are doing for the community.

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

GUESTS INTRODUCED

The SPEAKER. Today we have with us Judy D'Angelo and her husband, Arthur Klein; their son, David Klein; grandson, Evan Klein; and granddaughter, Isabelle Hunt. They are seated on the House floor. They are the guests of Representative Carole Rubley from the 157th Legislative District. Please join me in welcoming them to the floor of the House. Would you please stand and be recognized.

The Chair would like to recognize the presence, to the left of the Speaker, of Mr. Kenny Lee Lewis, who is the guest of

Representative Bryan Cutler. Would you please stand and be recognized.

Please welcome the following guest of Representative Mario Scavello and Representative Jennifer Mann: Jennifer Poole, who is a senior at East Stroudsburg University and is shadowing Representative Scavello today. Jennifer's hometown is in Representative Mann's district. She is sitting to the left of the Speaker. Would you please stand and be recognized.

KENNY LEE LEWIS INTRODUCED

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

Mr. CUTLER. Thank you, Mr. Speaker.

I wanted to add a brief piece of information, if I could, to Mr. Lewis's introduction.

The SPEAKER. The gentleman is in order.

The gentleman, Mr. Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

I rise today to welcome to the Pennsylvania House of Representatives Mr. Kenny Lee Lewis, a well-known professional guitarist and vocalist who has spent 27 years playing in a band many of us are familiar with, the classic rock group the Steve Miller Band. He has also released several solo albums.

Recently, in an effort to address voter apathy, something that I myself am also very upset about, Kenny Lee released a song and a corresponding public service announcement and video entitled "Wake Up! Get Out and Vote." The PSA (public service announcement) offered the viewers an opportunity to remember several important times in American history when elections determined the future of our nation, ending with the important message that our citizen government only works when people participate in the electoral process.

Unlike many popular musicians and artists, Kenny Lee's efforts had no political affiliation, no agenda, and did not suggest support for any particular candidate; it was simply an effort to get voters to participate. His goal was simple: tackle the voter apathy that plagues the greatest nation on our planet, which is America, and get people involved.

While he is here today in preparation for a concert tonight in Reading, one of the reasons I am proud to make this introduction is that Kenny Lee's family has a history of civic responsibility, and it all began here in Pennsylvania.

Considered a Penn State legacy musician and songwriter, Kenny Lee has deep roots in the Commonwealth, dating back nearly 100 years. His great-grandfather, Harvey, along with a great-uncle, Auburn Lamb, owned and operated the California Sentinel, a newspaper located in California, Pennsylvania.

Harvey was a political prohibitionist and wrote many columns decrying alcohol and tobacco and worked closely with the Woman's Christian Temperance Union. His daughter, Mildred, who is Lewis's grandmother, was a public school teacher in a one-room schoolhouse in the early 1900s, and her brother, Levi, became a football star and wrestler at Penn State University from 1913 to 1915, where he is honored with a plaque that is displayed in the campus gymnasium today.

I would like to take this opportunity to commend Kenny Lee for his efforts to use his music and his talents to encourage people to vote, which is really the foundation of our

representative democracy. His willingness to lend his talents in ways that promote a people's government is something that he should be very proud of and we should all be willing to support.

Please join me in welcoming Kenny Lee Lewis to the House floor today.

GUESTS INTRODUCED

The SPEAKER. The Chair also welcomes Thomas Dexter-Rice of Bethlehem, who is serving as a guest page today. He is a sophomore at Liberty High School, and he is the guest of Representative Steve Samuelson. Would you please stand and be recognized.

The Chair would like to recognize, as the guests of Representative Gordon Denlinger, Robert and Lois McGill, Grace Detwiler, and Peggy Lang. They are seated in the balcony. Would you please stand and be recognized.

Members will please take their seats. Members will please take their seats. Conferences will break up immediately. Sergeants at Arms will clear the aisles. Conferences in the side aisles will break up immediately.

STATEMENT BY MR. PHILLIPS

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

Mr. PHILLIPS. For unanimous consent, Mr. Speaker.

The SPEAKER. The Chair hears no objection. The gentleman is recognized.

Mr. PHILLIPS. Thank you, Mr. Speaker, and thank you for the opportunity to offer my best wishes to the Marine Corps on its 233d birthday.

Representatives DeWeese, Goodman, Readshaw, Wheatley, Belfanti, and I, along with some House staff here, are proud to belong to the United States Marine Corps. Mr. Speaker, Marines have served all over the globe. We know that our job is to protect our country and to live by our motto, "Semper Fidelis" – "Always Faithful."

The history of the Corps is long and varied, with battles throughout our nation's struggle for independence, the war to keep our country together, and the wars to bring world peace.

In every battle and skirmish since the birth of our beloved Corps, Marines have distinguished themselves with the greatest honor, winning new accolades on each occasion until the term "Marine" has come to signify all that is highest in military efficiency and soldierly virtue.

With it, we also received from them the eternal spirit which has animated our Corps from generation to generation and has been the distinguishing mark of the Marines in every age. So long as that spirit continues to flourish, Marines will be found equal to every emergency in the future as they have been in the past, and the men and women of our country will regard us as worthy successors to the long line of Marines who have served as "Soldiers of the Sea" since the founding of the Corps.

It comes as no surprise, Mr. Speaker, that we share a very special and unique bond. That is why we so proudly celebrate its birthday on November 10. Albeit, we are a couple of days late to honor the birthday today, but our heartfelt wishes still ring true.

This birthday reminder was to be conducted by every command to all Marines throughout the globe on the birthday of the Corps. Since that day, Marines have continued to distinguish themselves on many battlefields and foreign shores in war and peace.

In celebration of its birthday, I want to take a moment to share with you a favorite motto of Marines around the world, "Good night, Chesty, wherever you are," and he was my commander at one time. This motto is an often-used tribute to the supreme respect to the late and legendary Lt. Gen. Lewis B. "Chesty" Puller. Without a doubt, he was the most outspoken Marine, the most famous Marine, the Marine who really loved to fight, and the most decorated Marine in the history of the Corps.

Although enlisting as a private, through incredible fortitude and tenacity, Chesty became a living legend. He shouted battle orders in a bellow and stalked battlefields as though impervious to the enemy fire. Chesty rose to the rank of lieutenant general. He displayed an abiding love for the magnificent "grunts," especially the junior enlisted men who did the majority of the sacrificing and dying. During his four wars, he became the only Marine to be awarded the Navy Cross five times. He was by no doubt the Marine's Marine.

I want to say happy birthday to the United States Marine Corps. Congratulations on 233 years of proud service, and may you and your comrades stay strong for another 233 years.

Thank you, Mr. Speaker.

GUEST INTRODUCED

The SPEAKER. As the guest of Representative Seip, we have in the gallery Korey Nush, who is staff from Representative Seip's legislative district. Would you please stand and be recognized.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes Representative Preston.

Mr. PRESTON. Mr. Speaker, the Democrats will caucus immediately. We will return at 2:15.

REPUBLICAN CAUCUS

The SPEAKER. Representative Major.

Miss MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus immediately at the call of the recess. I would ask Republicans to please report to the caucus room. Thank you.

The SPEAKER. The Chair thanks the lady.

FINANCE COMMITTEE MEETING

The SPEAKER. Representative Levdansky.

Mr. LEVDANSKY. Mr. Speaker, I would like to call an immediate meeting of the House Finance Committee in room G-50 of the Irvis Office Building to consider SB 1112. Again, immediately at the call of the recess. Thank you.

The SPEAKER. Finance will meet immediately at the call of the recess in room G-50 of the Irvis Office Building.

RECESS

The SPEAKER. Are there any other announcements? Are there any further announcements?

Seeing none, this House will stand in recess until 2:15 p.m., unless sooner recalled by the Chair.

AFTER RECESS

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

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

LEAVES OF ABSENCE

The SPEAKER pro tempore. Turning to leaves of absence, the Chair recognizes the majority whip, who requests a leave of absence for the gentlelady from Allegheny County, Ms. BENNINGTON; the gentleman from Lawrence County, Mr. GIBBONS; and the gentleman from Westmoreland County, Mr. TANGRETTI. Without objection, the leaves will be so granted.

The Chair recognizes the minority whip, who requests a leave of absence for the gentleman from Lancaster County, Mr. BEAR, and the gentleman from York County, Mr. NICKOL. Without objection, the leaves of absence will be so granted.

Members will report to the floor.

MASTER ROLL CALL

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER pro tempore. Returning to leaves of absence, the Chair recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. SHIMKUS. Without objection, the leave will be so granted.

MASTER ROLL CALL CONTINUED

The following roll call was recorded:

PRESENT—197

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Bear	Gibbons	Shimkus	Tangretti
Bennington	Nickol		

LEAVES ADDED—5

Josephs	Siptroth	Stairs	Yewcic
Maher			

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

**HOUSE RESOLUTIONS
INTRODUCED AND REFERRED**

No. 936 By Representatives MACKERETH, R. MILLER, NICKOL, SAYLOR, DePASQUALE, BENNINGHOFF, BOYD, BRENNAN, CALTAGIRONE, CREIGHTON, FLECK, GEORGE, GINGRICH, GRELL, HARHART, HARKINS, HENNESSEY, JAMES, KENNEY, KILLION, KORTZ, KOTIK, MAJOR, MARSHALL, McILVAINE SMITH, MELIO, PETRI, PETRONE, RAPP, REICHLEY, ROCK, SIPTROTH, SOLOBAY, SONNEY, R. STEVENSON, SWANGER, WATSON, WOJNAROSKI, O'NEILL and MURT

A Resolution directing the Legislative Budget and Finance Committee to conduct a comprehensive study on the funding formulary for community-based mental health and mental retardation services and to recommend a formulary to fund community-based programs that is based on the number of individuals served by a county mental health and mental retardation office.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 15, 2008.

No. 950 By Representatives WATERS, BISHOP, JAMES, CALTAGIRONE, DONATUCCI, COHEN, BELFANTI, BRENNAN, GEORGE, GIBBONS, HARKINS, HERSHEY, JOSEPHS, KORTZ, KOTIK, KULA, LEVDANSKY, MURT, M. O'BRIEN, RAMALEY, SIPTROTH, VEREB and WOJNAROSKI

A Resolution memorializing the Congress of the United States to pass legislation that increases the poverty level in tandem with the rate of inflation.

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

No. 957 By Representatives BARRAR, BEAR, BEYER, CALTAGIRONE, CIVERA, COHEN, COSTA, CREIGHTON, DALEY, DONATUCCI, FLECK, FRANKEL, GEORGE, GIBBONS, GILLESPIE, GINGRICH, N. P. GOODMAN, GRUCELA, HARRIS, HELM, HENNESSEY, HERSHEY, HESS, JAMES, KULA, MAJOR, MANN, MANTZ, McILHATTAN, MELIO, MENSCH, MICOZZIE, MILLARD, MOUL, MOYER, MURT, MUSTIO, D. O'BRIEN, PALLONE, PAYNE, PERZEL, PETRONE, QUINN, ROCK, ROEBUCK, ROSS, SAINATO, SAYLOR, SCAVELLO, SIPTROTH, S. H. SMITH, SONNEY, STABACK, STERN, VEREB, VULAKOVICH and WOJNAROSKI

A Resolution memorializing the National Baseball Hall of Fame to induct James Barton "Mickey" Vernon.

Referred to Committee on RULES, November 12, 2008.

No. 958 By Representatives BARRAR, BAKER, BEYER, CLYMER, GRELL, KIRKLAND, MOYER, MURT, ROCK, SAYLOR and SCAVELLO

A Resolution urging the Pennsylvania Supreme Court to appoint a committee to investigate the actions of Philadelphia Municipal Court Judge Jacquelyn Frazier-Lyde, both inside and outside of the courtroom, related to the Police Officer Mark Johnson felony aggravated assault case.

Referred to Committee on JUDICIARY, November 12, 2008.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2 By Representatives SEIP, SCAVELLO, N. P. GOODMAN, ARGALL, BRENNAN, BUXTON, CALTAGIRONE, DALEY, DONATUCCI, KORTZ, MANN, McCALL, McILVAINE SMITH, MENSCH, MURT, PHILLIPS, REICHLEY, SIPTROTH and HORNAMAN

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class and Selective County Assessment

Law, expanding scope of act; and further providing for application of act and for appeals by municipalities.

Referred to Committee on LOCAL GOVERNMENT, November 12, 2008.

No. 2377 By Representatives WHEATLEY, COHEN, FRANKEL, N. P. GOODMAN, HORNAMAN, JAMES, JOSEPHS, KIRKLAND, KORTZ, MAHONEY, MARSHALL, McGEEHAN, PAYTON, SAINATO, SIPTROTH, WAGNER, WATERS, MYERS, LONGIETTI and K. SMITH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the period of limitation in the doctrine of adverse possession under certain circumstances; and making related repeals.

Referred to Committee on URBAN AFFAIRS, October 15, 2008.

No. 2795 By Representatives REICHLEY, BENNINGHOFF, BENNINGTON, BOYD, CAUSER, CLYMER, COX, CUTLER, DALLY, EVERETT, FAIRCHILD, GIBBONS, HARRIS, HENNESSEY, HICKERNELL, HORNAMAN, HUTCHINSON, KORTZ, MARSICO, McILHATTAN, MENSCH, MILLARD, R. MILLER, MURT, MUSTIO, PAYNE, PERZEL, PETRI, PYLE, QUINN, RAPP, REED, ROAE, ROCK, SAYLOR, STERN, R. STEVENSON, SWANGER, J. TAYLOR, TRUE, TURZAI, WATSON, BEAR and GEIST

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for special audit of State programs.

Referred to Committee on FINANCE, October 15, 2008.

No. 2820 By Representatives KILLION, MICOZZIE, ADOLPH, BAKER, BARRAR, FLECK, GODSHALL, HARRIS, McILVAINE SMITH, R. MILLER, PALLONE, REICHLEY, ROCK, SAYLOR, STERN, BEYER, O'NEILL, CLYMER, SWANGER and HESS

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, repealing certain provisions relating to county liability for nursing home care for persons at county-owned facilities.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 15, 2008.

No. 2821 By Representatives GERGELY, VEREB, BENNINGHOFF, BELFANTI, BRENNAN, DONATUCCI, FRANKEL, N. P. GOODMAN, JOSEPHS, LENTZ, MAHONEY, PALLONE, ROCK, VULAKOVICH, GIBBONS, MENSCH, HARHAI and GALLOWAY

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, providing for confidential communications to a critical incident stress management team member by law enforcement officers.

Referred to Committee on JUDICIARY, October 15, 2008.

No. 2822 By Representatives MANDERINO, REED, BAKER, BEAR, BENNINGHOFF, BOBACK, BOYD,

BRENNAN, CARROLL, CAUSER, CLYMER, CUTLER, DeWEESE, DONATUCCI, ELLIS, J. EVANS, EVERETT, FAIRCHILD, FLECK, FRANKEL, GEORGE, GIBBONS, GINGRICH, N. P. GOODMAN, GRELL, HARHAI, HARHART, HARKINS, HARRIS, HENNESSEY, HUTCHINSON, JOSEPHS, M. KELLER, KILLION, KORTZ, KOTIK, LEVDANSKY, LONGIETTI, MAHER, MAHONEY, MAJOR, MANN, MARSHALL, McGEEHAN, McILHATTAN, MENSCH, MOYER, MUNDY, MUSTIO, OLIVER, PAYTON, PETRI, PETRONE, PHILLIPS, PICKETT, PYLE, RAPP, READSHAW, REICHLEY, ROAE, ROCK, ROSS, SAYLOR, SCAVELLO, SEIP, SIPTROTH, K. SMITH, SOLOBAY, STABACK, R. STEVENSON, SURRA, SWANGER, J. TAYLOR, TRUE, VULAKOVICH, WOJNAROSKI, DALLY, GALLOWAY, GRUCELA, MELIO, PERZEL, HANNA, HESS, ADOLPH, BENNINGTON, BISHOP, CASORIO, COSTA, CRUZ, CURRY, DeLUCA, DePASQUALE, FREEMAN, HARPER, KESSLER, KULA, MACKERETH, McILVAINE SMITH, MICOZZIE, PARKER, PASHINSKI, QUIGLEY, ROEBUCK, SAMUELSON, SANTONI, VEREB, WALKO, WATERS, WHEATLEY, WILLIAMS, YOUNGBLOOD, YUDICHAK, SHAPIRO, CONKLIN and MURT

An Act providing for quarterly interim payments to certain providers of community mental retardation services; and providing for powers and duties of the Department of Public Welfare.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 15, 2008.

No. 2823 By Representatives PHILLIPS, FAIRCHILD, CALTAGIRONE, HARRIS, FLECK, GRUCELA, HENNESSEY, HERSHEY, HESS, MAJOR, PICKETT, ROCK, SIPTROTH, WOJNAROSKI, BRENNAN, MYERS and MURT

An Act amending the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, further providing for examinations requisite for appointment and promotion.

Referred to Committee on STATE GOVERNMENT, October 15, 2008.

No. 2824 By Representatives WATSON, BENNINGHOFF, PETRI, QUINN, ADOLPH, CLYMER, O'NEILL, BOYD, CREIGHTON, J. EVANS, FAIRCHILD, FLECK, GRUCELA, HARRIS, HESS, HUTCHINSON, JAMES, KAUFFMAN, MARSICO, MELIO, MUSTIO, RUBLEY, SAYLOR, SIPTROTH, SOLOBAY, R. STEVENSON, VULAKOVICH, GIBBONS, BEYER, CAUSER, BRENNAN, MYERS, HARHAI, LONGIETTI, GALLOWAY, MURT and GEIST

An Act establishing the Volunteer First Responder Loan Forgiveness Program; and providing for the powers and duties of the Pennsylvania Higher Education Assistance Agency, the State Fire Commissioner and the Director of the Emergency Medical Services Office in the Department of Health.

Referred to Committee on EDUCATION, October 15, 2008.

No. 2825 By Representatives FREEMAN, ARGALL, BENNINGTON, BOYD, BRENNAN, GEORGE, MAHONEY, MELIO, MOUL, NAILOR, M. O'BRIEN, ROCK, SIPTROTH,

K. SMITH, GIBBONS, SONNEY, GINGRICH, BENNINGHOFF and MURT

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, defining "mass mailing," "public communication," "electioneering communication" and "targeting to relevant electorate"; providing for disclosure of electioneering communications; and further providing for contributions or expenditures by national banks, corporations or unincorporated associations.

Referred to Committee on STATE GOVERNMENT, October 15, 2008.

No. 2826 By Representatives HANNA, BENNINGHOFF, BRENNAN, CARROLL, FABRIZIO, GALLOWAY, GIBBONS, KORTZ, MAHONEY, SIPTROTH, SOLOBAY and SURRA

An Act amending the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, further providing for political activity.

Referred to Committee on STATE GOVERNMENT, October 15, 2008.

No. 2827 By Representatives NICKOL, BASTIAN, BELFANTI, BOYD, BROOKS, CARROLL, CLYMER, CUTLER, DALLY, DeLUCA, EVERETT, FAIRCHILD, GEORGE, GILLESPIE, GINGRICH, HENNESSEY, HESS, HORNAMAN, KORTZ, LONGIETTI, MILLARD, R. MILLER, MOUL, MURT, MUSTIO, PETRI, PICKETT, PYLE, RAPP, ROCK, SAYLOR, SCAVELLO, SCHRODER, SIPTROTH, SONNEY, STERN, SWANGER and GEIST

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

Referred to Committee on JUDICIARY, October 15, 2008.

No. 2828 By Representatives BASTIAN, ROHRER, BAKER, BENNINGHOFF, BOYD, CAUSER, CLYMER, EVERETT, FLECK, GEORGE, GIBBONS, GRUCELA, HERSHEY, HESS, KENNEY, KORTZ, McILHATTAN, METCALFE, RAPP, READSHAW, REICHLEY, ROAE, ROCK, SIPTROTH, SONNEY, STERN, R. STEVENSON, SWANGER and GEIST

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for academic study of the Bible.

Referred to Committee on EDUCATION, October 15, 2008.

No. 2829 By Representatives MENSCH, ADOLPH, BAKER, BEYER, BOYD, CALTAGIRONE, CAUSER, CONKLIN, CUTLER, DePASQUALE, EVERETT, FLECK, GEORGE, GILLESPIE, GINGRICH, N. P. GOODMAN, HANNA, HARHAI, HARRIS, HERSHEY, KOTIK, MANN, MARSICO, MELIO, R. MILLER, MOUL, MURT, MUSTIO, MYERS, QUINN, REED, REICHLEY, ROCK, SAYLOR, M. SMITH, SOLOBAY, STABACK, STERN, R. STEVENSON, VEREB, VULAKOVICH, WATSON, YUDICHAK, J. WHITE, LONGIETTI, KENNEY, SIPTROTH, SONNEY, MOYER, MARSHALL, SWANGER, GIBBONS, GEIST, HESS, ROAE, HARHART and GALLOWAY

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for taxpayer eligibility; and making a related repeal.

Referred to Committee on FINANCE, October 15, 2008.

No. 2830 By Representatives MOUL, BEYER, BIANCUCCI, GIBBONS, GINGRICH, HARHART, HARPER, HARRIS, KAUFFMAN, MURT, NICKOL, PICKETT, ROCK, SAYLOR, SIPTROTH, VULAKOVICH, GEIST, MYERS, J. WHITE and SONNEY

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for indirect criminal contempt for violation of support order.

Referred to Committee on JUDICIARY, October 15, 2008.

No. 2831 By Representatives REICHLEY, BENNINGHOFF, BRENNAN, CAUSER, DALLY, EVERETT, GODSHALL, HARHART, HARRIS, HENNESSEY, HORNAMAN, KORTZ, MARSHALL, MELIO, MURT, M. O'BRIEN, PETRI, RAPP, READSHAW, ROCK, SAYLOR, SIPTROTH, STABACK, SWANGER and J. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in liquid fuels and fuels tax, further providing for definitions and for imposition of tax, exemptions and deductions.

Referred to Committee on FINANCE, October 15, 2008.

No. 2832 By Representative HICKERNELL

An Act designating the bridge on State Route 462 in the Borough of Columbia, Lancaster County, as the Herbert "Cubby" Spiese Bridge.

Referred to Committee on TRANSPORTATION, October 15, 2008.

No. 2833 By Representatives DERMODY, McCALL, BELFANTI, EACHUS, PALLONE, M. SMITH, PASHINSKI, SOLOBAY, BRENNAN, FRANKEL, M. O'BRIEN, SIPTROTH, HORNAMAN, MARSHALL, MELIO, MOYER, J. WHITE, PETRARCA, VULAKOVICH, MENSCH, DONATUCCI, KORTZ, GIBBONS, GEIST, MURT and STABACK

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

Referred to Committee on JUDICIARY, October 29, 2008.

No. 2834 By Representatives DERMODY, McGEEHAN, KORTZ, HARHAI, WALKO, FRANKEL, J. WHITE, M. SMITH and PETRONE

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, providing for video gaming in counties of the second class.

Referred to Committee on URBAN AFFAIRS, October 29, 2008.

No. 2835 By Representatives M. SMITH, BENNINGTON, CALTAGIRONE, FRANKEL, HARHAI, HORNAMAN, JOSEPHS, KORTZ, KULA, LEACH, LENTZ, LONGIETTI,

MAHONEY, MANN, McCALL, McGEEHAN, McILVAINE SMITH, MUNDY, MURT, MUSTIO, MYERS, M. O'BRIEN, PAYTON, PETRI, READSHAW, REICHLEY, SIPTROTH, K. SMITH, STURLA, SWANGER, WAGNER, WALKO and J. WHITE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, authorizing the green roof tax credit.

Referred to Committee on FINANCE, October 29, 2008.

No. 2836 By Representatives PERRY, BAKER, BOYD, CLYMER, CREIGHTON, EVERETT, FAIRCHILD, FLECK, GEIST, HALUSKA, HERSHEY, HUTCHINSON, M. KELLER, MARSHALL, METCALFE, R. MILLER, MURT, MUSTIO, PAYNE, RAPP, ROAE, ROCK, ROHRER, SAYLOR, K. SMITH, SOLOBAY, SONNEY, STERN, R. STEVENSON and SWANGER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for commercial driver's license qualification standards.

Referred to Committee on TRANSPORTATION, October 29, 2008.

No. 2838 By Representatives WATERS, BISHOP, BLACKWELL, OLIVER, KIRKLAND, DONATUCCI, FABRIZIO, KORTZ, SIPTROTH and JOSEPHS

An Act providing released prisoners with access to voter registration materials; imposing duties on the Department of Corrections; and making an appropriation.

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

No. 2839 By Representatives BARRAR, BEAR, BEYER, DENLINGER, FLECK, HENNESSEY, HESS, HUTCHINSON, MURT, MUSTIO, PETRARCA, PICKETT, ROCK, SCAVELLO and WOJNAROSKI

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

SENATE BILL FOR CONCURRENCE

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

SB 1413, PN 2476

Referred to Committee on TRANSPORTATION, October 15, 2008.

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 347, PN 4509

By Rep. DeWEESE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in registration of vehicles, further providing for issuance and reissuance of registration plates and for lost, stolen, damaged or

illegible registration plate; in licensing of drivers, further providing for issuance and content of driver's license; in commercial drivers, further providing for definitions for requirement for commercial driver's license, for commercial driver's license qualification standards and for disqualification; in fees, further providing for exemptions from other fees; in rules of the road in general, further providing for speed timing devices; in inspection of vehicles, further providing for inspection by police or Commonwealth personnel; in size, weight and load, further providing for securing loads in vehicles, for height of vehicles and for permit for movement during course of manufacture; in powers of department and local authorities, further providing for promulgation of rules and regulations by department; and in snowmobiles and all-terrain vehicles, further providing for definitions.

RULES.

HB 1543, PN 4489

By Rep. DeWEESE

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

RULES.

HB 2188, PN 4521

By Rep. DeWEESE

An Act providing for court-appointed conservators to bring residential, commercial and industrial buildings into municipal code compliance when owners fail to comply.

RULES.

SB 1114, PN 2489

By Rep. DeWEESE

An Act designating the scenic view adjacent to State Route 40 in Wharton Township, Fayette County, as the "Blue Star Point Lookout"; designating the portion of US Route 20, known as West 26th Street, in Millcreek Township, Erie County, from Peninsula Drive to Powell Avenue as the John W. Groters Memorial Highway; designating a portion of Cottman Avenue (Route 73), Burholme section, City of Philadelphia, as the Police Sergeant Stephen Liczbinski Memorial Highway; and designating the bridge on State Route 259 dividing Bolivar Borough and Fairfield Township, Westmoreland County, as the Glenn McMaster Memorial Bridge.

RULES.

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

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 347, PN 4509**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in registration of vehicles, further providing for issuance and reissuance of registration plates and for lost, stolen, damaged or illegible registration plate; in licensing of drivers, further providing for issuance and content of driver's license; in commercial drivers, further providing for definitions for requirement for commercial driver's license, for commercial driver's license qualification standards and for disqualification; in fees, further providing for exemptions from other fees; in rules of the road in general, further providing for speed timing devices; in inspection of vehicles, further providing for inspection by police or Commonwealth personnel; in size, weight and load, further

providing for securing loads in vehicles, for height of vehicles and for permit for movement during course of manufacture; in powers of department and local authorities, further providing for promulgation of rules and regulations by department; and in snowmobiles and all-terrain vehicles, further providing for definitions.

On the question,

Will the House concur in Senate amendments?

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The amendments that we have require suspension of the rules.

On suspension of the rules, the Chair recognizes the gentleman from Clarion County, Representative McIlhattan, who makes a motion to suspend the rules for the purpose of offering amendment A09746, which the clerk will read.

The clerk read the following amendment No. **A09746**:

Amend Title, page 1, line 19, by striking out "AND" where it appears the second time

Amend Title, page 1, line 20, by removing the period after "DEFINITIONS" and inserting

; and, in Pennsylvania Turnpike, further providing for lease of Interstate 80 and related agreements.

Amend Bill, page 20, by inserting after line 30

Section 11. Section 8915.3 of Title 75 is amended by adding a paragraph to read:

§ 8915.3. Lease of Interstate 80; related agreements.

The department and the commission shall enter into a lease agreement relating to Interstate 80 prior to October 15, 2007. The lease agreement shall include provisions setting forth the terms and conditions of the conversion of Interstate 80 to a toll road. The lease agreement and any related agreement, at a minimum, shall include the following:

* * *

(8) As an addendum or amendment to the lease agreement, the department and the commission shall agree that the commission upon approval of the General Assembly is authorized to charge and collect tolls; to contract with any person, partnership, association or corporation desiring the use of any part thereof, including the right-of-way adjoining the paved portion, gasoline and other types of fuel stations, garages, stores, hotels, restaurants and advertising signs or for any other purpose; and to fix the terms, conditions, rents and rates of charges for use. The approval of the General Assembly for any of the items in this paragraph shall be by statute approved by a two-thirds vote of the members elected to the Senate and to the House of Representatives.

Amend Sec. 11, page 21, line 1, by striking out "11" and inserting

12

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On suspension of the rules, the Chair recognizes the gentleman, Mr. McIlhattan.

Mr. McILHATTAN. Thank you, Mr. Speaker.

I am going to ask for a motion to suspend the rules on amendment A09746.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On suspension, the Chair recognizes the gentleman, Mr. McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, I would ask the members to oppose this amendment. As the gentleman knows, the Senate is not in session. HB 347 has some significant changes contained within it that were the result of a Federal audit that requires the Commonwealth of Pennsylvania to implement the results of that audit. If we do not, we lose Federal highway money as well as the potential loss of issuing commercial driver's licenses. We need to send this bill directly to the Governor, and I would ask that we not suspend the rules.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. McIlhattan.

Mr. McILHATTAN. Thank you, Mr. Speaker.

Mr. Speaker, I have been notified that though that could happen – maybe a loss of Federal funds – that would not be for some time in the new session. We would be starting a new year and a new session, so this is not what the objector says. We could go ahead and add these and do it again next year and we would not lose any Federal dollars.

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

The following roll call was recorded:

YEAS—88

Adolph	Fairchild	Marsico	Reed
Argall	Fleck	McIlhattan	Reichley
Baker	Gabig	Mensch	Roae
Barrar	Geist	Metcalfe	Rock
Bastian	Gingrich	Micozzie	Rohrer
Benninghoff	Godshall	Millard	Ross
Beyer	Harhart	Miller	Rublely
Boback	Harris	Moul	Saylor
Boyd	Helm	Mustio	Scavello
Brooks	Hennessey	Nailor	Schroder
Cappelli	Hershey	O'Neill	Smith, S.
Causar	Hess	Payne	Sonney
Civera	Hickernell	Peifer	Stairs
Clymer	Hutchinson	Perzel	Steil
Cox	Keller, M.K.	Petri	Stern
Creighton	Kenney	Phillips	Stevenson
Dally	Killion	Pickett	Swanger
Denlinger	Mackereth	Pyle	Taylor, J.
DiGirolo	Maher	Quigley	True
Ellis	Major	Quinn	Turzai
Evans, J.	Mantz	Rapp	Vulakovich
Everett	Marshall	Raymond	Watson

NAYS—109

Belfanti	Gerber	Mann	Seip
Biancucci	Gergely	Markosek	Shapiro
Bishop	Gillespie	McCall	Siptroth
Blackwell	Goodman	McGeehan	Smith, K.
Brennan	Grell	McI. Smith	Smith, M.
Buxton	Grucela	Melio	Solobay
Caltagirone	Haluska	Milne	Staback
Carroll	Hanna	Moyer	Sturla
Casorio	Harhai	Mundy	Surra
Cohen	Harkins	Murt	Taylor, R.
Conklin	Harper	Myers	Thomas
Costa	Hornaman	O'Brien, M.	Vereb
Cruz	James	Oliver	Vitali
Curry	Josephs	Pallone	Wagner
Cutler	Kauffman	Parker	Walko

Daley	Keller, W.	Pashinski	Wansacz
DeLuca	Kessler	Payton	Waters
DePasquale	King	Perry	Wheatley
Dermody	Kirkland	Petrarca	White
DeWeese	Kortz	Petrone	Williams
Donatucci	Kotik	Preston	Wojnaroski
Eachus	Kula	Ramaley	Yewcic
Evans, D.	Leach	Readshaw	Youngblood
Fabrizio	Lentz	Roebuck	Yudichak
Frankel	Levdansky	Sabatina	
Freeman	Longietti	Sainato	O'Brien, D., Speaker
Galloway	Mahoney	Samuelson	
George	Manderino	Santoni	

NOT VOTING—0

EXCUSED—6

Bear	Gibbons	Shimkus	Tangretti
Bennington	Nickol		

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clarion County, Representative McIlhattan, who makes a motion to suspend the rules for the purpose of offering amendment A09747, which the clerk will read.

The clerk read the following amendment No. **A09747**:

Amend Title, page 1, line 19, by striking out "AND" where it appears the second time

Amend Title, page 1, line 20, by removing the period after "DEFINITIONS" and inserting

; and in Pennsylvania Turnpike, further providing for lease of Interstate 80 and related agreements.

Amend Bill, page 20, by inserting after line 30

Section 11. Section 8915.3 of Title 75 is amended by adding a paragraph to read:

§ 8915.3 Lease of Interstate 80; related agreements.

The department and the commission shall enter into a lease agreement relating to Interstate 80 prior to October 15, 2007. The lease agreement shall include provisions setting forth the terms and conditions of the conversion of Interstate 80 to a toll road. The lease agreement and any related agreement, at a minimum, shall include the following:

(8) As an addendum or amendment to the lease agreement, the department and the commission shall agree that the commission upon approval of the General Assembly is authorized to charge and collect tolls; to contract with any person, partnership, association or corporation desiring the use of any part thereof, including the right-of-way adjoining the paved portion, gasoline and other types of fuel stations, garages, stores, hotels, restaurants and advertising signs or for any other purpose; and to fix the terms, conditions, rents and rates of charges for use. The approval of the General Assembly for any of the items in this paragraph shall be by statute.

Amend Sec. 11, page 21, line 1, by striking out "11" and inserting

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

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

Mr. McILHATTAN. Thank you, Mr. Speaker.

I rise and ask for a vote to suspend on A09747. The reason for that, Mr. Speaker, is that Act 44, which allowed the tolling of Interstate 80— The Turnpike Commission did submit their plan to the Federal government and that was turned down. What this would do, if they would submit another plan and if the Feds would approve that plan, what this amendment would say is that before that plan could be implemented, the majority of members of the General Assembly would have to approve the plan that they did submit. We never had an opportunity to see that plan, so therefore, Mr. Speaker, I think it is the right way to go. It gives us one more look before anything would happen, if it did happen.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. McCall, on suspension of the rules.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, for the same reasons that were enumerated before, not just the result of the FMCSA (Federal Motor Carrier Safety Administration) audit and the loss of the Federal funds, I think the members should also know that there is also a State reissuance issue. When we did our reissuance law 10 years ago – for license plates, that is – in that law or part of that law said that the State will reissue license plates every 10 years regardless of their condition. That price tag is about \$60 million over 2 or 3 years. That will have a direct impact by year's end as well. So for all of those reasons, as a result of the FMCSA audit as well as the State implications to the Motor License Fund, which is already down a significant amount of money, we need to send this bill directly to the Governor's Office. The Senate is not in session. It would serve no purpose to amend this bill. We need to get it to the Governor's desk.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. McIlhattan, for the second time on suspension of the rules.

Mr. McILHATTAN. Thank you, Mr. Speaker.

Mr. Speaker, we would be back in session 3 or 4 months before that would happen, and I think it is extremely important that we protect our right to look and have any final plan that could possibly be approved to toll Interstate 80. I think it far supersedes the other problem, and I would ask for an affirmative vote on the motion.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—87

Argall	Fleck	Marshall	Reichley
Baker	Gabig	Marsico	Roae
Barrar	Geist	McIlhattan	Rock
Bastian	George	Mensch	Rohrer
Benninghoff	Gingrich	Metcalfe	Ross
Beyer	Hanna	Micozzie	Rubley

Boback	Harhart	Millard	Saylor
Boyd	Harris	Miller	Scavello
Brooks	Helm	Moul	Schroder
Cappelli	Hennessey	Mustio	Smith, S.
Causar	Hershey	Nailor	Sonney
Civera	Hess	Peifer	Stairs
Clymer	Hickernell	Perry	Steil
Conklin	Hutchinson	Perzel	Stern
Cox	Keller, M.K.	Phillips	Stevenson
Creighton	Kenney	Pickett	Swanger
Dally	Killion	Pyle	Taylor, J.
Denlinger	Longiotti	Quigley	True
Ellis	Mackereth	Quinn	Turzai
Evans, J.	Maher	Rapp	Vulakovich
Everett	Major	Raymond	Yewcic
Fairchild	Mantz	Reed	

NAYS—110

Adolph	Gerber	Markosek	Santoni
Belfanti	Gergely	McCall	Seip
Bianucci	Gillespie	McGeehan	Shapiro
Bishop	Godshall	McI. Smith	Siproth
Blackwell	Goodman	Melio	Smith, K.
Brennan	Grell	Milne	Smith, M.
Buxton	Grucela	Moyer	Solobay
Caltagirone	Haluska	Mundy	Staback
Carroll	Harhai	Murt	Sturla
Casorio	Harkins	Myers	Surra
Cohen	Harper	O'Brien, M.	Taylor, R.
Costa	Hornaman	O'Neill	Thomas
Cruz	James	Oliver	Vereb
Curry	Josephs	Pallone	Vitali
Cutler	Kauffman	Parker	Wagner
Daley	Keller, W.	Pashinski	Walko
DeLuca	Kessler	Payne	Wansacz
DePasquale	King	Payton	Waters
Dermody	Kirkland	Petrarca	Watson
DeWeese	Kortz	Petri	Wheatley
DiGirolamo	Kotik	Petrone	White
Donatucci	Kula	Preston	Williams
Eachus	Leach	Ramaley	Wojnaroski
Evans, D.	Lentz	Readshaw	Youngblood
Fabrizio	Levdansky	Roebuck	Yudichak
Frankel	Mahoney	Sabatina	
Freeman	Manderino	Sainato	O'Brien, D., Speaker
Galloway	Mann	Samuelson	

NOT VOTING—0

EXCUSED—6

Bear	Gibbons	Shimkus	Tangretti
Bennington	Nickol		

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clarion County, Representative McIlhattan, who makes a motion to suspend the rules for the purpose of offering amendment A09748, which the clerk will read.

The clerk read the following amendment No. **A09748**:

Amend Title, page 1, line 11, by inserting after "FEES;"
in operation of vehicles general provisions,
further providing for red light enforcement
systems in first class cities;

Amend Sec. 9, page 14, line 20, by inserting after "SECTIONS"
3116(l),

Amend Sec. 9, page 14, by inserting between lines 21 and 22
§ 3116. Automated red light enforcement systems in first class cities.

* * *

(l) Payment of fine.—

(1) An owner to whom a notice of violation has been issued may admit responsibility for the violation and pay the fine provided in the notice.

(2) Payment must be made personally, through an authorized agent or by mailing both payment and the notice of violation to the system administrator. Payment by mail must be made only by money order, credit card or check made payable to the system administrator. The system administrator shall remit the fine, less the system administrator's operation and maintenance costs necessitated by this section, to [the department for deposit into the Motor License Fund. Fines deposited in the fund under this paragraph shall be used by the department to develop, by regulation, a Transportation Enhancements Grant Program.] be used exclusively for a small community and rural Pennsylvania municipal bridge local match grant program administered by the department's Bureau of Municipal Services.
The following apply:

(i) The program shall make grants to municipalities, including townships of the first and second class, boroughs, towns and cities of the second and third class, of up to 50% of the local match required for bridge construction projects under the act of December 8, 1982 (P.L.848, No.235), known as the Highway-Railroad and Highway Bridge Capital Budget Act for 1982-1983, and subsequent capital budget acts. Municipalities categorized as distressed by the Department of Community and Economic Development under the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act, shall be eligible for grants of up to 100% of the local match required for bridge construction projects under the Highway-Railroad and Highway Bridge Capital Budget Act for 1982-1983, and subsequent capital budget acts. Municipalities awarded a grant under this section may obtain any additional match required through a zero interest loan issued by the department through the Pennsylvania Infrastructure Bank.

(ii) The department shall adopt and use guidelines, in consultation with the chairman and minority chairman of the Transportation Committee of the Senate and the chairman and minority chairman of the Transportation Committee of the House of Representatives, which shall be published in the Pennsylvania Bulletin. The guidelines shall not be subject to review under section 205 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law, and the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act.

(iii) By July 1, 2009, the department shall in accordance with law promulgate regulations to replace the guidelines under subparagraph (ii).

(iv) The guidelines under subparagraph (ii) shall take effect immediately, and expire on the effective date of regulations under subparagraph (iii).

* * *

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

MOTION WITHDRAWN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clarion County, Representative McIlhattan, who offers amendment A09748.

Mr. McILHATTAN. Thank you, Mr. Speaker.

Mr. Speaker, I am going to withdraw that amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. McIlhattan, it is my understanding that you have one more amendment; are you wishing to offer that or withdraw?

Mr. McILHATTAN. I am going to offer that amendment, Mr. Speaker, 9763.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative McIlhattan, who makes a motion to suspend the rules for the purpose of offering amendment A09763, which the clerk will read.

The clerk read the following amendment No. **A09763**:

Amend Title, page 1, line 19, by striking out "AND" where it appears the second time

Amend Title, page 1, line 20, by removing the period after "DEFINITIONS" and inserting

; and, in Pennsylvania Turnpike, providing for the Pennsylvania Turnpike Commission; and making a related repeal.

Amend Bill, page 20, by inserting after line 30

Section 11. Title 75 is amended by adding a section to read:
§ 8902. Commission.

(a) Members.—

(1) Notwithstanding any other law to the contrary, vacancies in the membership of the commission on or after the effective date of this subsection shall be filled as follows:

(i) The first vacancy shall be filled by a member to be appointed by the Majority Leader of the Senate.

(ii) The second vacancy shall be filled by a member to be appointed by the Minority Leader of the Senate.

(iii) The succeeding two vacancies shall be filled by members to be appointed by the Governor.

(2) Paragraph (1) shall apply to a vacancy on the commission which has occurred for any reason, but only as to a member serving on the effective date of this subsection.

(3) Notwithstanding any other law to the contrary, the Majority Leader of the House of Representatives and the Minority Leader of the House of Representatives shall each appoint one additional member to serve on the commission.

(4) A vacancy occurring during the term of a member appointed in accordance with this subsection shall be filled in a like manner only for the unexpired appointive term of the member whose office has become vacant.

(5) Members appointed under the provisions of this subsection shall serve for a term of four years. Upon the

expiration of this term, an appointed member may continue to hold office for 90 days or until a successor shall be duly appointed and qualified, whichever period is shorter, but shall not continue to hold office thereafter unless reappointed in accordance with law.

(6) Vacancies filled under paragraph (1) and subsequent appointments made to the commission shall be without the advice and consent of the Senate.

(a.1) Advisory committee.—

(1) There is hereby established a Pennsylvania Turnpike Advisory Committee, which shall be composed of the following members:

(i) The Secretary of Community and Economic Development.

(ii) The Secretary of Revenue.

(iii) The State Treasurer.

(iv) The chairman and minority chairman of the Transportation Committee of the Senate.

(v) The chairman and minority chairman of the Transportation Committee of the House of Representatives.

(vi) Eight members of the public representing the area of concern specified who shall have extensive experience and knowledge of transportation activities throughout this Commonwealth to be appointed by the Governor as follows:

(A) Two representatives of the engineering community who are licensed and registered pursuant to the act of May 23, 1945 (P.L.913, No.367), known as the Engineer, Land Surveyor and Geologist Registration Law.

(B) Two representatives from the highway construction industry who have at least five years of highway construction and planning experience.

(C) Two representatives from organized labor unions.

(D) One member who shall be a certified public accountant.

(E) One member from the general public with at least five years of experience in transportation finance and infrastructure.

(2) Each of the members of the committee may designate a representative to serve in his stead. A member who designates a representative shall notify the chairman in writing of the designation.

(3) The term of all members of the committee appointed by the Governor shall be for three years. Any member of the committee may be reappointed for no more than two full successive terms. Any person appointed to fill a vacancy occurring prior to the expiration of the term to which his predecessor was appointed shall serve only for the unexpired term. Each member shall serve until the appointment of a successor.

(4) (i) The committee shall meet at least four times every 12 months, but may hold such additional meetings as are called by the chairman. The chairman shall provide notice at least 14 days in advance for regular meetings and provide a minimum of three days' notice for special meetings. A majority of the appointed members shall constitute a quorum for the conduct of business.

(ii) Minutes of meetings shall be prepared by the secretary and filed with the committee and distributed to all members. All records shall be a matter of public record.

(iii) The public members of the committee shall be allowed reasonable per diem expenses as established and paid for by the commission. The commission shall

provide appropriate staff support to enable the committee to properly carry out its functions.

(5) The committee shall have the power and duty to consult and advise the commission in assisting in developing, operating and financing tolled interstate systems within this Commonwealth in a timely, efficient and cost-effective manner. Specifically, the committee shall have the authority to conduct a study on the feasibility of instituting toll collections on major interstates that pass through the State.

(6) The committee shall submit an annual report of its deliberations and conclusions to the Governor and members of the General Assembly by November 30 of each year.

(7) The Governor shall appoint one member of the committee as chairperson. The members of the committee shall annually elect a vice chairperson, a secretary and a treasurer from among the members appointed to the committee.

(d) Secretary of Transportation.—The provisions of subsection (a.1) shall not apply to the appointment of the secretary who shall continue to be appointed and to serve as a member of the commission ex officio in accordance with law.

(e) Chairman.—A majority of the members of the commission shall elect a member of the commission to serve as chairman. Upon the appointment and qualification of any new member to serve on the commission, the office of chairman, and the positions of all other officers created by law, shall be deemed vacant and a new chairman and other officers shall be elected by a majority of the members of the commission.

(f) Actions by the commission.—Notwithstanding any other law, court decision, precedent or practice to the contrary, any and all actions by or on behalf of the commission shall be taken solely upon the approval of a majority of the members to the commission. A majority of the members of the commission shall mean five members of the commission. The term "actions by or on behalf of the commission" means any action whatsoever of the commission, including, but not limited to, the hiring, appointment, removal, transfer, promotion or demotion of any officers and employees; the retention, use or remuneration of any advisors, counsel, auditors, architects, engineers or consultants; the initiation of any legal action; the making of any contracts, leases, agreements, bonds, notes or covenants; the approval of requisitions, purchase orders, investments and reinvestments; and the adoption, amendment, revision or rescission of any rules and regulations, orders or other directives. The chairman, vice chairman or any other officer or employee of the commission may take no action by or on behalf of the commission except as expressly authorized by a majority of the members of the commission.

(g) Compensation.—The annual salary of the Chairman of the Pennsylvania Turnpike Commission shall be \$28,500, and the annual salary of the remaining members of the Pennsylvania Turnpike Commission shall be \$26,000. These salaries shall be paid in equal installments every other week.

Section 12. Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate the addition of 75 Pa.C.S. § 8902.

(2) The provisions of 74 Pa.C.S. § 8105 are repealed.

Amend Sec. 11, page 21, line 1, by striking out "11" and inserting

13

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

The SPEAKER pro tempore. On the motion for suspension of the rules, the Chair recognizes the gentleman, Mr. McIlhattan.

Mr. McILHATTAN. Thank you, Mr. Speaker.

Mr. Speaker, what this amendment does is it adds additional appointments, two members, to the Turnpike Commission, one appointed each by the House majority leader and one by the House minority leader. It would take the number from five to seven on the commission. Mr. Speaker, the Democrats and Mr. McCall offered this amendment some time ago. It was voted unanimously through, and I would offer this amendment at this time and ask my colleagues to approve 9763.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. McCall, on suspension of the rules.

Mr. McCALL. Mr. Speaker, I would simply ask that we not suspend the rules. It is important to get this bill to the Governor's desk. I would ask the members to vote accordingly.

The SPEAKER pro tempore. The Chair thanks the gentleman. The Chair recognizes the gentleman, Mr. McIlhattan, for the second time on suspension of the rules.

Mr. McILHATTAN. Mr. Speaker, this amendment passed the House previously, and therefore, I would ask our colleagues again to give it an affirmative vote – two-thirds majority, please – to move.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—95

Adolph	Fleck	Marsico	Reed
Argall	Gabig	McIlhattan	Reichley
Baker	Geist	Mensch	Roae
Barrar	George	Metcalfe	Rock
Bastian	Gingrich	Micozzie	Rohrer
Benninghoff	Godshall	Millard	Ross
Beyer	Hanna	Miller	Rubley
Boback	Harhart	Moul	Saylor
Boyd	Harper	Moyer	Scavello
Brooks	Harris	Mustio	Schroder
Cappelli	Helm	Nailor	Smith, S.
Causar	Hennessey	O'Neill	Sonney
Civera	Hershey	Payne	Stairs
Clymer	Hess	Peifer	Steil
Conklin	Hickernell	Perry	Stern
Cox	Hutchinson	Perzel	Stevenson
Creighton	Keller, M.K.	Petri	Swanger
Dally	Kenney	Phillips	Taylor, J.
Denlinger	Killion	Pickett	True
DiGiroalamo	Mackereth	Pyle	Turzai
Ellis	Maher	Quigley	Vereb
Evans, J.	Major	Quinn	Vulakovich
Everett	Mantz	Rapp	Watson
Fairchild	Marshall	Raymond	

NAYS—102

Belfanti	Gerber	Mann	Seip
Bianucci	Gergely	Markosek	Shapiro
Bishop	Gillespie	McCall	Siptroth
Blackwell	Goodman	McGeehan	Smith, K.
Brennan	Grell	McI. Smith	Smith, M.
Buxton	Grucela	Melio	Solobay
Caltagirone	Haluska	Milne	Staback
Carroll	Harhai	Mundy	Sturla

Casorio	Harkins	Murt	Surra
Cohen	Hornaman	Myers	Taylor, R.
Costa	James	O'Brien, M.	Thomas
Cruz	Josephs	Oliver	Vitali
Curry	Kauffman	Pallone	Wagner
Cutler	Keller, W.	Parker	Walko
Daley	Kessler	Pashinski	Wansacz
DeLuca	King	Payton	Waters
DePasquale	Kirkland	Petrarca	Wheatley
Dermody	Kortz	Petrone	White
DeWeese	Kotik	Preston	Williams
Donatucci	Kula	Ramaley	Wojnaroski
Eachus	Leach	Readshaw	Yewcic
Evans, D.	Lentz	Roebuck	Youngblood
Fabrizio	Levdansky	Sabatina	Yudichak
Frankel	Longietti	Sainato	
Freeman	Mahoney	Samuelson	O'Brien, D., Speaker
Galloway	Manderino	Santoni	

NOT VOTING—0

EXCUSED—6

Bear	Gibbons	Shimkus	Tangretti
Bennington	Nickol		

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the minority leader, Representative Smith, who makes a motion to suspend the rules for the purpose of offering amendment A09749, which the clerk will read.

The clerk read the following amendment No. **A09749**:

Amend Title, page 1, line 19, by striking out "AND" where it appears the second time

Amend Title, page 1, line 20, by removing the period after "DEFINITIONS" and inserting

; and, in Pennsylvania Turnpike, providing for the issuance of certain debt instruments.

Amend Bill, page 20, by inserting after line 30

Section 11. The act is amended by adding a section to read:

§ 8919. Issuance of certain debt instruments.

The issuance by the commission of any debt instrument on or after the effective date of this section for the purpose of lease payments as authorized under this chapter shall be subject to review and approval by the Governor, the Attorney General, the State Treasurer and the Secretary of Transportation.

Amend Sec. 11, page 21, line 1, by striking out "11" and inserting

12

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

The SPEAKER pro tempore. On the suspension of rules, the Chair recognizes the minority leader, Mr. Smith, on his amendment.

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

Mr. Speaker, I recognize where these are going, but I still thought it was worthy of making the point, and I will ask for a suspension of the rules on this amendment. Just a brief description of this amendment, Mr. Speaker: As you know, under Act 44, had the Federal government approved the tolling of Interstate 80, the Turnpike Commission was essentially marketing bonds on the basis of that prospective revenue from Interstate 80. In light of the fact that the tolling of 80 has not been approved by the Federal government, it would seem to me that the fiscally responsible thing to do would be for the Turnpike Commission to discontinue borrowing against that anticipated revenue since it is not in fact in place.

This amendment, Mr. Speaker, would not prohibit the Turnpike Commission from this activity; however, it would subject their actions to the scrutiny of the Attorney General's Office as well as the State Treasurer's Office. The amendment also speaks to the Governor and the Secretary of Transportation, but I think those are more obvious. The reason that we would add the Attorney General's Office, Mr. Speaker, is because in fact this is in essence a contract, and in general sense contracts are reviewed by the Attorney General's Office, and I think that that office should have some say over this. The State Treasurer's Office, obviously, Mr. Speaker, is the entity responsible for managing the Commonwealth's money and it would also be required to evaluate this financial arrangement. It would seem to me, Mr. Speaker, that it would be prudent if those additional agencies – the Attorney General and the State Treasurer, in particular – that they would have the opportunity, that they would be required legally to review the actions that are currently taking place between the Turnpike Commission and the Department of Transportation in essence.

I think that it makes the process more responsive, both on a contractual basis as well as on a financial basis and that it would better serve the people of this Commonwealth in terms of how that money is managed and whether or not the Turnpike Commission is in fact borrowing beyond the capacity to repay since they do not have the authority of the Federal government to toll Interstate 80. So I would ask the members to support the motion to suspend the rules.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the minority leader and recognizes the majority whip on suspension of the rules.

Mr. McCALL. Mr. Speaker, I would ask for a "no" vote on the suspension of the rules.

This conceivably would end Act 44 as we know it, and that is okay if you are not concerned about bridges that are falling apart and roads that are falling apart, because right now we have received over \$1.1 billion from Act 44; \$212 million just as of October 31 under Act 44. Without the revenues of Act 44, the \$69 million that we are under estimate in the Motor License Fund would be about \$200 million under estimate in revenues to the Motor License Fund.

Mr. Speaker, the money that we receive under Act 44 is essential to fixing the road and bridge problems that we have in this Commonwealth. We have until 2010 with existing toll revenues to make the payments—

The SPEAKER pro tempore. Will the gentleman, Mr. McCall, kindly suspend.

POINT OF ORDER

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

Mr. MAHER. Thank you, Mr. Speaker.

A brief point of order. It sounds like the gentleman is speaking on the merits of the controversy as opposed to the merits of suspension.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Latitude was given to the minority leader and latitude was also equally given to the majority whip, but the members are duly advised.

Thank you, Mr. Maher.

Mr. McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, for all of those reasons, I would ask that we not suspend the rules. I cannot tell you how important it is to get this bill to the Governor's desk. If we were going to have further debate and have the Senate even consider this, I am sure we could have a full day's debate on this issue, but HB 347 and the amendments contained therein are too important for us not to act on 347 without amendment to get it to the Governor's desk ASAP. So I would ask the members to vote "no" on suspension of the rules.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On suspension of the rules, the Chair recognizes the minority leader for the second time.

Mr. S. SMITH. Thank you, Mr. Speaker; just very briefly.

To suggest, Mr. Speaker, that this legislation has to get to the Governor's desk I think is a slight overstatement. I would also notice, Mr. Speaker, that in the course of the past 2 years— While in most 2-year sessions, we pass 4 or 5, maybe as many as 10 Title 75 bills that go to the Governor's desk, in this 2-year session, Mr. Speaker, we have not sent 1 Title 75 bill to the Governor's desk. And I would suggest, Mr. Speaker, that to wait for the last minute and say, well, now we have to is probably— At least I do not believe that is an accurate reflection.

The fact is, Mr. Speaker, the underlying bill here contains a myriad of Title 75 issues. I am informed that while many of them have merit and broad support within the legislature, there are no provisions that are proposed in the underlying legislation that are under some kind of time constraint or critical time line that they must be signed before the end of November. I would also suggest, Mr. Speaker, that it is worthy of us to suspend the rules for the consideration of this amendment because if you think that the Turnpike Commission was doing a questionable job in the past, the fact is, Mr. Speaker, if they continue to borrow money at the rate they are attempting to borrow it, they are digging a bigger and bigger hole. So our roads and bridges are a problem, and funding for that is a problem, but we are simply allowing the Turnpike Commission to dig themselves into a deeper hole and one that will certainly come back on the entire legislature and the people of this Commonwealth if they find themselves in significant financial distress because they are borrowing more money than they have revenues coming in to pay for.

So I would ask the members to consider the motion. Thank you.

The SPEAKER pro tempore. The Chair thanks the minority leader.

The Chair recognizes the majority whip for the second time on suspension of the rules.

Mr. McCALL. Mr. Speaker, again, I am going to ask the members to not suspend the rules. The reality is that there are a number of issues, dollar issues that are affected in this legislation. The omnibus amendments that were worked out in this bill were worked out before we broke in October with the Senate and the four Transportation chairs of the House and the Senate.

So this omnibus amendment is a result of the work of all the members in the House and the Senate that wanted changes made in Title 75. The second part of that is that there is economic impact as it relates to HB 347; \$60 million right off the top on the reissuance of license plates in this Commonwealth that they are required to start now; \$100 million in loss of Federal dollars as a result of the FMCSA audit that includes a number of changes to our CDL (commercial driver's license) law and who qualifies for that CDL license, as well as allowing veterans of this Commonwealth to apply for a waiver to receive their CDL license if they have 2 years of experience in the military driving trucks and heavy equipment that require CDL licenses. So for the veterans, for the sake of the loss of dollars, I would ask that our members vote not to suspend the rules on the Smith amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—86

Argall	Fleck	Marshall	Reed
Baker	Gabig	Marsico	Reichley
Barrar	Geist	McIlhattan	Roae
Bastian	George	Mensch	Rock
Benninghoff	Gingrich	Metcalfe	Rohrer
Beyer	Hanna	Millard	Ross
Boback	Harhart	Miller	Rubley
Boyd	Harris	Moul	Saylor
Brooks	Helm	Mustio	Scavello
Cappelli	Hennessey	Nailor	Schroder
Causar	Hershey	O'Neill	Smith, S.
Civera	Hess	Payne	Sonney
Clymer	Hickernell	Peifer	Stairs
Conklin	Hutchinson	Perzel	Steil
Cox	Kauffman	Phillips	Stern
Creighton	Keller, M.K.	Pickett	Stevenson
Dally	Kenney	Pyle	Swanger
Denlinger	Longietti	Quigley	Taylor, J.
Ellis	Mackereth	Quinn	True
Evans, J.	Maher	Rapp	Turzai
Everett	Major	Raymond	Vulakovich
Fairchild	Mantz		

NAYS—111

Adolph	Gergely	McCall	Seip
Belfanti	Gillespie	McGeehan	Shapiro
Bianucci	Godshall	McI. Smith	Siptroth
Bishop	Goodman	Melio	Smith, K.
Blackwell	Grell	Micozzie	Smith, M.
Brennan	Grucela	Milne	Solobay
Buxton	Haluska	Moyer	Staback

Caltagirone	Harhai	Mundy	Sturla
Carroll	Harkins	Murt	Surra
Casorio	Harper	Myers	Taylor, R.
Cohen	Hornaman	O'Brien, M.	Thomas
Costa	James	Oliver	Vereb
Cruz	Josephs	Pallone	Vitali
Curry	Keller, W.	Parker	Wagner
Cutler	Kessler	Pashinski	Walko
Daley	Killion	Payton	Wansacz
DeLuca	King	Perry	Waters
DePasquale	Kirkland	Petrarca	Watson
Dermody	Kortz	Petri	Wheatley
DeWeese	Kotik	Petrone	White
DiGirolamo	Kula	Preston	Williams
Donatucci	Leach	Ramaley	Wojnarowski
Eachus	Lentz	Readshaw	Yewcic
Evans, D.	Levdansky	Roebuck	Youngblood
Fabrizio	Mahoney	Sabatina	Yudichak
Frankel	Manderino	Sainato	
Freeman	Mann	Samuelson	O'Brien, D.,
Galloway	Markosek	Santoni	Speaker
Gerber			

NOT VOTING—0

EXCUSED—6

Bear	Gibbons	Shimkus	Tangretti
Bennington	Nickol		

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. Continuing on motions for suspension, rules suspension, the Chair recognizes the gentleman from Dauphin County, Representative Marsico, who makes a motion to suspend the rules for the purpose of offering amendment A09758, which the clerk will read.

The clerk read the following amendment No. **A09758**:

Amend Title, page 1, line 19, by striking out "AND" where it appears the second time

Amend Title, page 1, line 20, by removing the period after "DEFINITIONS" and inserting

; and, in Pennsylvania Turnpike, providing for certain payments to counties.

Amend Bill, page 20, by inserting after line 30

Section 11. Title 75 is amended by adding a section to read:

§ 8915.8. Payments to counties.

No less than \$10,000,000 annually for a minimum of five years shall be allocated to counties for a commuter and intercity rail project in the Capital Region from payments made to the department under section 8915.3(6) (relating to lease of Interstate 80; related agreements).

Amend Sec. 11, page 21, line 1, by striking out "11" and inserting

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

The SPEAKER pro tempore. On suspension, the Chair recognizes the gentleman from Dauphin County, Mr. Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

If I may have the attention of the members, this amendment is much less controversial than the amendment that was offered prior to this amendment. In fact, as I look across the aisle, I see bipartisan support for this amendment. Let me explain to you what it does. "No less than \$10,000,000 annually for a minimum of five years shall be allocated to counties for a commuter and intercity rail project in the Capital Region from payments made to the department under section 8915...."

Obviously, like I said before, this has bipartisan support. I know the other side has supported the commuter rail throughout the years, and it is about time we bring this project to the capital area. Not only does it have bipartisan support here in the State House and the State Senate, but it also has bipartisan support in Congress with our local legislators, local Congressmen providing the needed dollars to get this project jump-started.

So I would appreciate the support of the suspension of the rules for this amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the majority leader, Mr. DeWeese, on suspension of the rules.

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

Notwithstanding the honorable gentleman from Dauphin's perspective when he says that it is not controversial, his amendment would essentially murder this proposal, and this proposal would add between \$5 and \$10 million a year in sundry transportation projects over the next 5 years. So what we are trying to do in a time of very scarce fiscal resources is to inject approximately \$50 million into the funding stream for these various transportation projects. My honorable colleague's amendment on another day, in another setting, potentially in a committee, or earlier in a session would potentially be welcomed by all of us, but it would vitiate the momentum of this proposal. It would kill the bill, and I would ask for a negative vote in order that \$50 million could be injected into a variety of State transportation projects.

Thank you very much, sir.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Marsico, for the second time on suspension of the rules.

Mr. MARSICO. Mr. Speaker, just to follow up on the leader's statements; that simply is not true. PENNDOT has until the end of next year to begin that. Once again this project has been on the books for several years and it is about time we in the House – no matter what the Senate thinks or does or comes back – that we put this amendment in this bill and get it passed. It is about time we do what we need to do here in Dauphin County and Lancaster County especially. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—85

Argall	Fleck	McIlhattan	Reichley
Baker	Gabig	Mensch	Roae
Barrar	Geist	Metcalfe	Rock
Bastian	Gingrich	Micozzie	Rohrer
Benninghoff	Grell	Millard	Ross
Beyer	Harhart	Miller	Rublely
Boyd	Harris	Moul	Saylor
Brooks	Helm	Mustio	Scavello
Buxton	Hennessey	Nailor	Smith, S.
Cappelli	Hershey	O'Neill	Sonney
Causer	Hess	Payne	Stairs
Civera	Hickernell	Peifer	Steil
Clymer	Hutchinson	Perzel	Stern
Cox	Keller, M.K.	Phillips	Stevenson
Creighton	Kenney	Pickett	Swanger
Dally	Mackereth	Pyle	Taylor, J.
Denlinger	Maher	Quigley	True
DiGirolamo	Major	Quinn	Turzai
Ellis	Mantz	Rapp	Vereb
Evans, J.	Marshall	Raymond	Vulakovich
Everett	Marsico	Reed	Watson
Fairchild			

NAYS—112

Adolph	Gerber	Mann	Santoni
Belfanti	Gergely	Markosek	Schroder
Bianucci	Gillespie	McCall	Seip
Bishop	Godshall	McGeehan	Shapiro
Blackwell	Goodman	McI. Smith	Siptroth
Boback	Grucela	Melio	Smith, K.
Brennan	Haluska	Milne	Smith, M.
Caltagirone	Hanna	Moyer	Solobay
Carroll	Harhai	Mundy	Staback
Casorio	Harkins	Murt	Sturla
Cohen	Harper	Myers	Surra
Conklin	Hornaman	O'Brien, M.	Taylor, R.
Costa	James	Oliver	Thomas
Cruz	Josephs	Pallone	Vitali
Curry	Kauffman	Parker	Wagner
Cutler	Keller, W.	Pashinski	Walko
Daley	Kessler	Payton	Wansacz
DeLuca	Killion	Perry	Waters
DePasquale	King	Petrarca	Wheatley
Dermody	Kirkland	Petri	White
DeWeese	Kortz	Petrone	Williams
Donatucci	Kotik	Preston	Wojnaroski
Eachus	Kula	Ramaley	Yewcic
Evans, D.	Leach	Readshaw	Youngblood
Fabrizio	Lentz	Roebuck	Yudichak
Frankel	Levdansky	Sabatina	
Freeman	Longietti	Sainato	O'Brien, D., Speaker
Galloway	Mahoney	Samuelson	
George	Manderino		

NOT VOTING—0

EXCUSED—6

Bear	Gibbons	Shimkus	Tangretti
Bennington	Nickol		

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster County, Representative Denlinger, who makes a motion to suspend the rules for the purpose of offering amendment A09759, which the clerk will read.

The clerk read the following amendment No. A09759:

Amend Title, page 1, line 19, by striking out "AND" where it appears the second time

Amend Title, page 1, line 20, by removing the period after "DEFINITIONS" and inserting ; and, in motorbus road tax credits or refund, further providing for bus company reimbursement for motor fuel tax.

Amend Bill, page 20, by inserting after line 30

Section 11. Section 9805 of Title 75 is amended to read:

§ 9805. Bus company reimbursement for motor fuel tax.

(a) General rule.—Every bus company shall be reimbursed in an amount determined by the department to be equivalent to the additional tax imposed by section 9502(a)(4) (relating to imposition of tax) and paid directly or indirectly by the bus company on fuel consumed by the bus company in its operations of motorbuses within this Commonwealth. The bus company must, under regulations of the department, submit an application for reimbursement to the department on or before the last day of the month immediately following the close of each quarter. The reimbursements authorized by this [section] subsection shall not include nor be subject to the payment of interest by the Commonwealth.

(b) Intercity buses.—The following shall apply:

(1) A bus company shall be reimbursed for the tax imposed by section 9004(a) and (b) (relating to imposition of tax, exemptions and deductions) which it has paid on fuels used in the operation of the bus company of intercity buses on highways within this Commonwealth, as determined under section 9607 (relating to calculation of amount of fuel used in Commonwealth).

(2) No claim for reimbursement of taxes imposed under subsection (a) shall be allowed for intercity buses under this subsection.

(3) A bus company must submit an application for reimbursement to the department on or before the last day of the month immediately following the close of each quarter. The reimbursements authorized by this subsection shall not include nor be subject to the payment of interest by the Commonwealth.

(4) For the purposes of this subsection, the term "intercity bus" shall mean a motorbus which meets all of the following:

(i) Is used to furnish, for compensation, passenger land transportation which is available to the general public.

(ii) Is engaged in either scheduled or nonscheduled transportation.

Amend Sec. 11, page 21, line 1, by striking out "11" and inserting

12

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

The SPEAKER pro tempore. On suspension of the rules, the Chair recognizes the gentleman, Mr. Denlinger.

Mr. DENLINGER. Thank you, Mr. Speaker.

Mr. Speaker, I offer this amendment to give back to those who are in the tour bus industry, a credit that they lost under a

change in Federal law some time ago, and it has accrued to their detriment in a significant way. In previous times they received a credit back on moneys expended for the purchase of fuel; however, they no longer receive that credit back. In previous sessions Representative Leh and Representative Miller did significant work on this issue. The administration, the Rendell administration has held onto those dollars and that has resulted in economic harm to our tour bus companies. For that reason I bring this amendment forward and ask for an affirmative vote on the suspension of the rules.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On suspension of the rules, the Chair recognizes the majority whip, Mr. McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, I know we have been trying to reach out and work with the gentleman on this language. I again would ask for a "no" vote on suspension of the rules. This does not just affect school buses, it affects the motorcoach industry. But the reality is, it will have a \$10-million impact to our General Fund budget — \$10 million that we just cannot afford to lose. For those purposes I would ask that the members do not suspend the rules on this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Denlinger, for the second time on suspension of the rules.

Mr. DENLINGER. Thank you, Mr. Speaker.

I do appreciate those comments by the majority whip. I recognize that I may not prevail in today's vote but do hold out hope that in the future we can work together to provide some economic relief to our tour coach companies. I do, again, ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—84

Table with 4 columns of names: Argall, Baker, Barrar, Bastian, Benninghoff, Beyer, Boback, Boyd, Brooks, Cappelli, Causer, Civera, Clymer, Cox, Creighton, Dally, Denlinger, DiGirolamo, Ellis, Evans, J., Everett, Fairchild, Fleck, Gabig, Geist, Gingrich, Harhart, Harris, Helm, Hennessey, Hershey, Hess, Hickernell, Hutchinson, Keller, M.K., Kenney, Killion, Mackereth, Maher, Major, Mantz, Marshall, Marsico, McIlhatten, Mensch, Micozzie, Millard, Miller, Moul, Mustio, Nailor, O'Neill, Payne, Peifer, Perzel, Phillips, Pickett, Pyle, Quigley, Quinn, Rapp, Raymond, Reed, Reichley, Roae, Rock, Rohrer, Ross, Rubley, Saylor, Scavello, Schroder, Smith, S., Sonney, Stairs, Steil, Stern, Stevenson, Swanger, Taylor, J., True, Turzai, Vulakovich, Watson

NAYS—113

Adolph	Gerber	Mann	Santoni
Belfanti	Gergely	Markosek	Seip
Bianucci	Gillespie	McCall	Shapiro
Bishop	Godshall	McGeehan	Siptroth
Blackwell	Goodman	McI. Smith	Smith, K.
Brennan	Grell	Melio	Smith, M.
Buxton	Grucela	Metcalfe	Solobay
Caltagirone	Haluska	Milne	Staback
Carroll	Hanna	Moyer	Sturla
Casorio	Harhai	Mundy	Surra
Cohen	Harkins	Murt	Taylor, R.
Conklin	Harper	Myers	Thomas
Costa	Hornaman	O'Brien, M.	Vereb
Cruz	James	Oliver	Vitali
Curry	Josephs	Pallone	Wagner
Cutler	Kauffman	Parker	Walko
Daley	Keller, W.	Pashinski	Wansacz
DeLuca	Kessler	Payton	Waters
DePasquale	King	Perry	Wheatley
Dermody	Kirkland	Petrarca	White
DeWeese	Kortz	Petri	Williams
Donatucci	Kotik	Petrone	Wojnarowski
Eachus	Kula	Preston	Yewcic
Evans, D.	Leach	Ramaley	Youngblood
Fabrizio	Lentz	Readshaw	Yudichak
Frankel	Levdansky	Roebuck	
Freeman	Longietti	Sabatina	O'Brien, D., Speaker
Galloway	Mahoney	Sainato	
George	Manderino	Samuelson	

NOT VOTING—0

EXCUSED—6

Bear	Gibbons	Shimkus	Tangretti
Bennington	Nickol		

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Representative Clymer, who makes a motion to suspend the rules for the purpose of offering amendment A09794, which the clerk will read.

The clerk read the following amendment No. **A09794**:

Amend Title, page 1, line 13, by inserting after "DEVICES;" in driving after imbibing alcohol or utilizing drugs, further providing for definitions, for penalties for driving after imbibing alcohol or utilizing drugs, for ignition interlock, for accelerated rehabilitative disposition and for illegally operating a motor vehicle not equipped with ignition interlock;

Amend Title, page 1, line 19, by striking out "AND" where it appears the second time

Amend Title, page 1, line 20, by removing the period after "DEFINITIONS" and inserting ; and making an editorial change.

Amend Sec. 9, page 14, line 20, by striking out "AND 4704(G)" and inserting

, 3801 and 3804(a)(2) and (3), (b) and (c)

Amend Bill, page 15, by inserting between lines 27 and 28 § 3801. 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:

"Adult." An individual who is at least 21 years of age.

"Ignition interlock system." A system approved by the department which prevents a vehicle from being started [or operated] unless the operator first provides a breath sample indicating that the operator has an alcohol level less than 0.025%.

"Minor." An individual who is under 21 years of age.

§ 3804. Penalties.

(a) General impairment.—Except as set forth in subsection (b) or (c), an individual who violates section 3802(a) (relating to driving under influence of alcohol or controlled substance) shall be sentenced as follows:

* * *

(2) For a second offense, to:

(i) undergo imprisonment for not less than five days;

(ii) pay a fine of not less than \$300 nor more than \$2,500;

(iii) attend an alcohol highway safety school approved by the department; [and]

(iv) comply with all drug and alcohol treatment requirements imposed under sections 3814 and 3815[.]; and

(v) participate in and comply with the ignition interlock program under section 3805 (relating to ignition interlock).

(3) For a third or subsequent offense, to:

(i) undergo imprisonment of not less than ten days;

(ii) pay a fine of not less than \$500 nor more than \$5,000; [and]

(iii) comply with all drug and alcohol treatment requirements imposed under sections 3814 and 3815[.]; and

(iv) participate in and comply with the ignition interlock program under section 3805.

(b) High rate of blood alcohol; minors; commercial vehicles and school buses and school vehicles; accidents.—Except as set forth in subsection (c), an individual who violates section 3802(a)(1) where there was an accident resulting in bodily injury, serious bodily injury or death of any person or damage to a vehicle or other property or who violates section 3802(b), (e) or (f) shall be sentenced as follows:

(1) For a first offense, to:

(i) undergo imprisonment of not less than 48 consecutive hours;

(ii) pay a fine of not less than \$500 nor more than \$5,000;

(iii) attend an alcohol highway safety school approved by the department; [and]

(iv) comply with all drug and alcohol treatment requirements imposed under sections 3814 and 3815[.]; and

(v) participate in and comply with the ignition interlock program under section 3805.

(2) For a second offense, to:

(i) undergo imprisonment of not less than 30 days;

(ii) pay a fine of not less than \$750 nor more than \$5,000;

(iii) attend an alcohol highway safety school approved by the department; [and]

(iv) comply with all drug and alcohol treatment requirements imposed under sections 3814 and 3815[.]; and

(v) participate in and comply with the ignition interlock program under section 3805.

(3) For a third offense, to:

(i) undergo imprisonment of not less than 90 days;

(ii) pay a fine of not less than \$1,500 nor more than \$10,000; [and]

(iii) comply with all drug and alcohol treatment requirements imposed under sections 3814 and 3815[.]; and

(iv) participate in and comply with the ignition interlock program under section 3805.

(4) For a fourth or subsequent offense, to:

(i) undergo imprisonment of not less than one year;

(ii) pay a fine of not less than \$1,500 nor more than \$10,000; [and]

(iii) comply with all drug and alcohol treatment requirements imposed under sections 3814 and 3815[.]; and

(iv) participate in and comply with the ignition interlock program under section 3805.

(c) Incapacity; highest blood alcohol; controlled substances.—An individual who violates section 3802(a)(1) and refused testing of blood or breath or an individual who violates section 3802(c) or (d) shall be sentenced as follows:

(1) For a first offense, to:

(i) undergo imprisonment of not less than 72 consecutive hours;

(ii) pay a fine of not less than \$1,000 nor more than \$5,000;

(iii) attend an alcohol highway safety school approved by the department; [and]

(iv) comply with all drug and alcohol treatment requirements imposed under sections 3814 and 3815[.]; and

(v) participate in and comply with the ignition interlock program under section 3805.

(2) For a second offense, to:

(i) undergo imprisonment of not less than 90 days;

(ii) pay a fine of not less than \$1,500;

(iii) attend an alcohol highway safety school approved by the department; [and]

(iv) comply with all drug and alcohol treatment requirements imposed under sections 3814 and 3815[.]; and

(v) participate in and comply with the ignition interlock program under section 3805.

(3) For a third or subsequent offense, to:

(i) undergo imprisonment of not less than one year;

(ii) pay a fine of not less than \$2,500; [and]

(iii) comply with all drug and alcohol treatment requirements imposed under sections 3814 and 3815[.]; and

(iv) participate in and comply with the ignition interlock program under section 3805.

* * *

Section 10. Section 3805(a), (b) and (c) of Title 75 are amended and the section is amended by adding a subsection to read:
§ 3805. Ignition interlock.

(a) General rule.—If a person violates section 3802 (relating to driving under influence of alcohol or controlled substance) [and, within the past ten years, has a prior offense as defined in section 3806(a)

(relating to prior offenses)] or has had their operating privileges suspended pursuant to section 1547(b.1) (relating to chemical testing to determine amount of alcohol or controlled substance) or 3808(c) (relating to illegally operating a motor vehicle not equipped with ignition interlock) and the person seeks a restoration of operating privileges, the department shall require as a condition of issuing a restricted license pursuant to this section that [the following occur:

(1) Each each motor vehicle owned by the person or registered to the person has been equipped with an ignition interlock system and remains so for the duration of the restricted license period.

[(2) If there are no motor vehicles owned by the person or registered to the person that the person so certify to the department. A person so certifying shall be deemed to have satisfied the requirement that all motor vehicles owned by the person or registered to the person be equipped with an ignition interlock system as required by this subsection.]

(b) Application for a restricted license.—A person subject to this section shall apply to the department for an ignition interlock restricted license under section 1951 (relating to driver's license and learner's permit), which shall be clearly marked to restrict the person to only driving, operating or being in actual physical control of the movement of motor vehicles equipped with an ignition interlock system[.] and shall pay an application fee of \$50 to the department. The department shall:

(1) Upon issuance of an ignition interlock restricted license to any person, [the department shall] notify the person that until the person obtains an unrestricted license the person may not own, register, drive, operate or be in actual physical control of the movement of any motor vehicle which is not equipped with an ignition interlock system.

(2) Require that a person subject to the requirements of subsection (j) maintain an ignition interlock restricted license for the following periods:

(i) An individual sentenced under section 3804(b)(1) (relating to penalties) shall be required to maintain a restricted license for six months.

(ii) An individual sentenced under section 3804(a)(2) or (b)(2) shall be required to maintain a restricted license for 12 months.

(iii) An individual sentenced under section 3804(c)(1) shall be required to maintain a restricted license for 18 months.

(iv) An individual sentenced under section 3804(a)(3), (b)(3) or (4) or (c)(2) shall be required to maintain a restricted license for 24 months.

(v) An individual sentenced under section 3804(c)(3) shall be required to maintain a restricted license for 36 months.

(3) Take into consideration the requirements under 23 U.S.C. §§ 164 (relating to minimum penalties for repeat offenders for driving while intoxicated or driving under the influence) and 410 (relating to alcohol-impaired driving countermeasures) and, notwithstanding section 3804(e)(2), may reduce the suspension times from 12 and 18 months to 45 days and apply restrictions as to driving purposes.

(c) Issuance of unrestricted license.—[One year from the date of issuance of an ignition interlock restricted license] The department shall not issue an unrestricted license until a person has presented proof that the person has completed the ignition interlock restricted license period as specified in this section and fulfilled all obligations under the rental agreement with the company that provided the ignition interlock device. Upon completion of the restricted license requirements under this section, if otherwise eligible, a person may be issued a replacement license under section 1951(d) that does not contain the ignition interlock system restriction.

* * *

(j) Ignition interlock program compliance.—A person with an ignition interlock restricted license shall report to the company responsible for servicing the ignition interlock system no less frequently than every 60 days at which time the data recorded by the device will be downloaded and the device and vehicle will be inspected for tampering or circumvention. Program compliance shall be based on monitor reports from calendar months, or partial months in the case of the first or last month. A violation of the program shall include:

(1) Any single event of tampering or circumvention in a monitor report.

(2) Any missed running retest where the vehicle is still running five minutes after the period allotted for the test in a monitor report.

(3) Any failed running retest where the vehicle is still running five minutes after the period allotted for the test in a monitor report.

(4) Failure to report for service of the interlock device within five days after the scheduled service date.

(5) Three failed breath alcohol tests provided while attempting to start the vehicle in a monitor report.

An individual shall not be assigned more than one violation per monitor report. Each time an individual accumulates three violations in 12 or fewer months the individual shall be subject to a 90-day extension of the ignition interlock restricted license requirement. An individual whose interlock restricted license is extended by the department may petition the department for a hearing to reconsider the extension. The department shall develop rules defining necessary terms and procedures and may consider extenuating and mitigating circumstances in determining whether an extension to the ignition interlock restricted license period should be assessed.

Section 11. Sections 3807(d) and 3808(c)(1) of Title 75 are amended to read:

§ 3807. Accelerated Rehabilitative Disposition.

* * *

(d) Mandatory suspension of operating privileges and ignition interlock requirement.—As a condition of participation in an Accelerated Rehabilitative Disposition program, the court shall order the defendant's license suspended as follows:

(1) There shall be no license suspension if the defendant's blood alcohol concentration at the time of testing was less than 0.10%.

(2) For [30] 15 days if the defendant's blood alcohol concentration at the time of testing was at least 0.10% but less than 0.16%.

(3) For [60] 45 days after which the defendant shall participate in and comply with the ignition interlock program under section 3805 (relating to ignition interlock) for 12 months if:

(i) the defendant's blood alcohol concentration at the time of testing was 0.16% or higher;

(ii) the defendant's blood alcohol concentration is not known;

(iii) an accident which resulted in bodily injury or in damage to a vehicle or other property occurred in connection with the events surrounding the current offense; or

(iv) the defendant was charged pursuant to section 3802(d).

(4) For 90 days if the defendant was a minor at the time of the offense.

* * *

§ 3808. Illegally operating a motor vehicle not equipped with ignition interlock.

* * *

(c) Suspension of operating privilege.—Notwithstanding section 3805(c) and (i):

(1) If a person who is required to only drive, operate or be in actual physical control of the movement of a motor vehicle equipped with an ignition interlock system violates this section, upon receipt of a certified record of the conviction, the department shall not issue a replacement license to the person under section 1951(d) (relating to driver's license and learner's permit) [that does not contain an ignition interlock restriction for a period of one year from the date of conviction.] until the person has complied with the requirements of section 3805.

* * *

Section 12. Section 4704(g) of Title 75 is amended to read:

Amend Sec. 9.1, page 16, line 6, by striking out "9.1" and inserting

13

Amend Sec. 9.2, page 16, line 22, by striking out "9.2" and inserting

14

Amend Sec. 10, page 20, line 4, by striking out "10" and inserting

15

Amend Sec. 11, page 21, line 1, by striking out "11" and inserting

16

Amend Sec. 11, page 21, line 1, by striking out "in 60 days." and inserting

as follows:

(1) The addition of 75 Pa.C.S. § 3805(j) shall take effect in 365 days.

(2) The remainder of this act shall take effect in 60 days.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On suspension of the rules, the Chair recognizes the gentleman, Mr. Clymer, from Bucks County.

Mr. CLYMER. Thank you, Mr. Speaker.

Very briefly, my legislation would say that after the first DUI (driving under the influence), the ignition interlock system would be placed in the car; that is the essence of my amendment. Under current Pennsylvania law, the ignition interlock is not placed in the car of a person who is convicted of a DUI until the second conviction, so it just steps it up. All of us recognize how underage drinking and how people who are involved with a DUI are causing needless suffering and pain in our society. So this legislation, if enacted, would save lives, would remove serious injury and even the cost for insurance, car insurance. We would probably see a dent in that paid by Pennsylvania auto owners. However, Mr. Speaker, I recognize that none of these amendments are going through, so I wanted to make these comments.

MOTION WITHDRAWN

Mr. CYLMER. I am going to withdraw my amendment and introduce it again in the new session.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman, and he has withdrawn his amendment.

On the question recurring,

Will the House concur in Senate amendments?

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair County, Representative Geist, who makes a motion to suspend the rules for the purpose of offering amendment A09795, which the clerk will read.

The clerk read the following amendment No. **A09795**:

Amend Title, page 1, line 18, by inserting after "PROVIDING" for applicability and uniformity of law and

Amend Title, page 1, line 19, by striking out "AND" where it appears the second time

Amend Title, page 1, line 20, by removing the period after "DEFINITIONS" and inserting
; and in liquid fuels and fuels tax, further providing for disposition and use of liquid fuels and fuels tax.

Amend Sec. 9.2, page 16, line 22, by inserting after "4968(A)(3.7)"

, 6101

Amend Sec. 9.2, page 19, by inserting between lines 2 and 3 § 6101. Applicability and uniformity of title.

(a) Requirement.—The provisions of this title shall be applicable and uniform throughout this Commonwealth and in all political subdivisions in this Commonwealth, and no local authority shall enact or enforce any ordinance on a matter covered by the provisions of this title unless expressly authorized.

(b) Sanctions.—When a court of competent jurisdiction determines that an ordinance adopted by a local authority is in violation of subsection (a), the local authority is subject to the following sanctions until the local authority repeals or substantially amends the ordinance to remove the language that was found to be in violation of subsection (a):

(1) Suspension of capital expenditures for bridges and highways.

(2) Suspension of allocation under the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law.

(3) Suspension of allocation and apportionment under section 9010(c.1) (relating to disposition and use of tax).

(c) Suspended funds.—Upon notification that the local authority has repealed or substantially amended the ordinance to remove the language that was found to be in violation of subsection (a), the department shall immediately end all sanctions against the local authority and return all suspended funds to the local authority.

Amend Bill, page 21, line 1, by striking out all of said line and inserting

Section 11. Section 9010(c) introductory paragraph of Title 75 is amended and the section is amended by adding subsections to read: § 9010. Disposition and use of tax.

(c) Allocation of money.—[The] Except as set forth in subsection (c.1), the county commissioners may allocate and apportion money from the County Liquid Fuels Tax Fund to the political subdivisions within the county in the ratio as provided in this subsection. When the unencumbered balance in the County Liquid Fuels Tax Fund is greater than the receipts for the 12 months immediately preceding the date of either of the reports, the county commissioners shall notify the political subdivisions to make application within 90 days for participation in the redistribution of the unencumbered balance. Redistribution shall be effected within 120 days of the date of either of the reports. The county commissioners may distribute the unencumbered balance in excess of 50% of the receipts for the previous 12 months to the political subdivisions making application in the following manner:

(c.1) Forfeiture.—All money allocated under subsection (c) to a political subdivision which, under section 6109(a) (relating to specific powers of department and local authorities), violates section 6101(a) (relating to applicability and uniformity of title) shall be withheld by the county during the period of time in which the municipality is in violation of section 6101(a).

(c.2) Release funds.—Upon notification that the local authority has repealed or substantially amended the ordinance to remove the language that was found to be in violation of section 6101(a), the county shall release those funds withheld by the county and due the local agency.

Section 12. This act shall take effect as follows:

(1) The amendment or addition of 75 Pa.C.S. § 9010(c) and (c.1) shall take effect January 1, 2009.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect in 60 days.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On the motion to suspend, the Chair recognizes the gentleman, Mr. Geist.

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

I would like to do two things if I could here: First of all is talk about the reason that this amendment should run and then withdraw the amendment at the appropriate time. I have discussed this at length with Speaker McCall and others. We are in total agreement that this should be discussed. We do not want to interpret a vote by anybody voting against suspending as a vote to not support this. So if I would be free to do that, I would appreciate that with the advice and consent of the Chair.

The SPEAKER pro tempore. The gentleman is in order and he may proceed with a brief description.

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

Mr. Speaker, before I withdraw, I think you may want to recognize Representative McCall on this. We have a problem in Pennsylvania in the fact that certain municipalities believe that they can write their own motor vehicle code laws and that blows up the whole, whole idea of uniformity statewide. It would be ludicrous in Pennsylvania to have every municipality have their own law so that you would be responsible for knowing that law throughout the State; it just does not work.

The idea of this amendment is, yes, local governments can pass those laws and, yes, they can take a long while to be tested in the courts, but this is merely an amendment that says that they forfeit their liquid fuels if they do it. I believe in it heartedly. I think it is something that needs to be done, and before I withdraw, I would like to yield to Representative McCall.

The SPEAKER pro tempore. The Chair thanks the gentleman and the gentleman, Mr. McCall, has agreed to offer comments and is so recognized.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, I wholeheartedly agree with the gentleman. We passed this legislation last session as well as this session only to have the bill not move in the Senate for the last two sessions. But I certainly agree with the gentleman, and we will certainly work with you in the next session to move this language – as well as the gentleman, Mr. Clymer, on his legislation – to move both of those amendments forward.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

MOTION WITHDRAWN

The SPEAKER pro tempore. Mr. Geist.

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

The mechanics of Title 75 – and there are a lot of things that need to be done that have not gotten done this term – really need to be addressed early next term and finished up. This is one of them; there are many others, and at this time I would like to withdraw this amendment, try to address it early on at the very beginning of next term. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman, and he has withdrawn his amendment. Thank you.

There are no further amendments.

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman, Mr. Costa.

Mr. COSTA. Thank you, Mr. Speaker.

Before I start, I would like to thank all the members for holding the line on the suspension so that we actually can put this bill in position to send it to the Governor's Office. This bill started off as a simple bill to help our military men and women with CDL licenses so that when they do come home that they qualify for a Pennsylvania CDL license without going through all the aggravation. It started out that way. In addition to that, the Senate added several measures to it that save PENNDOT and our Commonwealth hundreds of millions of dollars. So I would hope that I can count on all of your support in getting this bill passed and getting it to the Governor's Office. If you do do that, I would like to thank you now. I would like to thank Representative Joe Markosek, chairman of Transportation; his staff, Bob Mustin and Stacey Ritter; and all the Senate staff members that helped us get it to this point.

And again, I hope you pass this bill. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

Mr. Speaker, just to thank PENNDOT for the one section in this bill. Many of us across the State, across this chamber had been looking for ways to do a better job of funding our road and bridge needs. I think at town meeting after town meeting, we have come back to this Assembly with the idea that yes, we need to find additional revenues, but I think we have also suggested to PENNDOT that if it can find a way to stretch existing dollars that that would be a very, very good idea indeed. Recently the Secretary of Transportation had contacted several of us on one of those suggestions that came up within the department – I believe Representative McCall had mentioned it – in that by encouraging and requiring people to hold onto their license plates longer, that will result in several years in over \$50 million in savings.

I am old enough to remember a huge battle in Berks County for many years to upgrade 222 between Reading and Lancaster at about a \$100 million cost, and it seemed to take forever to find that \$100 million. The very idea that for another highway like that, we could pay for it in the future just by encouraging

people to hold onto their license plates longer, I think that is the kind of forward thinking that we need within all the departments. I understand, yes, they need additional dollars, but certainly if we can go back home to the people we represent and show concrete methods, that we can stretch existing dollars, that will take us, I think, a big step forward to where we need to be on transportation funding in the future.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the minority whip.

The Chair recognizes the minority leader, Mr. Smith.

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

Mr. Speaker, I rise in support of this legislation, but I did want to express some concerns with the process by which it is before us at this point in time. Mr. Speaker, it is not uncommon for the House and the Senate to pass a Title 75 bill, send it to the Governor's desk – it is what we would refer to as an omnibus bill, one that contains several subissues under Title 75 – that is not uncommon; it is a practice that has gone on for as long as I have been around here. What is a little bit out of the ordinary with this legislation today, Mr. Speaker, is that in the past, all of those individual components have pretty much been considered as individual bills or amendments through the course of the process earlier on in the legislative cycle. You can take a look at any of these components that are in this bill, and you would have seen a vote by the House on the floor on an individual bill or perhaps an individual amendment. And while the differences between what the House or the Senate may have, at least there is a more direct sense and each of those individual components has been debated or considered on the floor of the House.

Mr. Speaker, this legislation, and while I say I do support it, it was crafted significantly by the Senate Transportation Committee, and the issues that were put into it, while they did speak to our staff about it – and I presume that the majority party had some input into what is compiled in this bill, and obviously, they have done a good job in that regard – the fact is, Mr. Speaker, each of these components has not been considered in and of themselves and here we are at this juncture with no virtual ability to amend or consider those components on their own merit. So, Mr. Speaker, while I rise in support of this legislation, I would hope that, particularly with Title 75's— I mean, there is something that everybody understands. The elements of this bill are things that are understandable and it is easy to pick apart.

So, Mr. Speaker, I would simply let the record reflect that I would hope in the future that the components of an omnibus Title 75 bill would be constrained to issues that have individually been considered either as bills or amendments on the floor of this House. And that, in the future, Mr. Speaker, I think, would speak to a better process of each of us having had our say, our moment to support or oppose or maybe tweak some of the elements that make up this omnibus Title 75 bill. Other than that, Mr. Speaker, I support the legislation. Thank you.

The SPEAKER pro tempore. The Chair thanks the minority leader.

Anyone else seeking recognition?

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Bear	Gibbons	Shimkus	Tangretti
Bennington	Nickol		

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

Ordered, That the clerk inform the Senate accordingly.

CALENDAR

RESOLUTION

Mr. COHEN called up **HR 107, PN 730**, entitled:

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

On the question,
Will the House adopt the resolution?

Mr. **GEORGE** offered the following amendment No. **A09268**:

Amend Second Resolve Clause, page 3, lines 23 through 25, by striking out all of said lines and inserting
technologies and develop consensus; and be it further

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

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

Mr. **GEORGE**. Mr. Speaker, I have introduced this amendment in an effort to gain bipartisan support for HR 107 by removing any reference to controversial issues such as nuclear power and the Arctic National Wildlife Refuge. I believe this resolution becomes noncontroversial and creates a spirit of cooperation in finding alternative energy, and I will ask all of you to support it.

Thank you, Mr. Speaker.

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

Anyone else seeking recognition on the amendment?

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

(Members proceeded to vote.)

VOTE STRICKEN

The **SPEAKER** pro tempore. The clerk will strike the vote on the amendment.

The Chair was signaled by the minority leader, Mr. Smith, to be recognized, who is now signaling.

The House will be at ease momentarily.

The House will come to order.

The Chair recognizes the gentleman, Mr. Pyle, on the amendment.

Mr. **PYLE**. Thank you, Mr. Speaker.

Will the maker of the amendment please submit for a question, maybe two?

The **SPEAKER** pro tempore. The gentleman has agreed and you may proceed, Mr. Pyle.

Mr. **PYLE**. Thank you, Mr. Speaker.

Mr. Speaker, there is a little bit of uncertainty as to the purpose of this amendment. We understand under the original

wording of the bill that discussion about the hybrid electric vehicles was to exclude talk of ANWR (Arctic National Wildlife Refuge) and also of drilling within the Commonwealth. Am I understanding your amendment correctly where at this conference of electric vehicles, you now want to include in that discussion drilling and ANWR and nuclear-power options? Am I understanding your amendment correctly, Mr. Speaker?

Mr. GEORGE. To my fine colleague from Armstrong, I am not opposed to the nuclear or the ANWR. I am simply trying to simplify the matter in going to the select reasoning that we have put together for new energy, that is all.

Mr. PYLE. Mr. Speaker, I am having trouble hearing the honorable gentleman from Clearfield.

The SPEAKER pro tempore. The gentleman is correct.

Members kindly take your seats, clear the aisles out of respect to the members seeking answers to interrogation.

Mr. PYLE. I just cannot hear him, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will repeat his question. The gentleman, Mr. George, may answer.

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

Mr. Speaker, am I understanding your amendment correctly where you wish to bring to this discussion of hybrid electric vehicles, domestic energy sources and domestic potential energy sources?

Mr. GEORGE. Mr. Speaker, we are just trying to eliminate the reference. The amendment is neither for nuclear or— It is neither pro-nuclear or anti-nuclear. It is just to simplify the matter, which I said to start with. It does not do anything of this kind.

Mr. PYLE. So at this conference – which I am very interested in being on both Energy and Transportation Committees – we will be able to discuss nuclear power options.

I understand your amendment also addresses drilling, Mr. Speaker?

Mr. GEORGE. Mr. Speaker, it will be up to the conference to discuss every issue and type of energy that they wish to put forth as their priorities.

Mr. PYLE. Okay.

Mr. GEORGE. There is nothing in the amendment that says you cannot or you should; it is just open so that all can come through, especially with those of us in the rural area that are going to really be happy about one thing but by the same token, not so happy about water losses and things with gas drilling in the Marcellus Shale. It does not make any reference to any of that. There is nothing to preclude it. You can be sure there will be nothing to preclude it.

Mr. PYLE. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Have you ended your interrogation, Mr. Pyle?

Mr. PYLE. Mr. Speaker, thank you very much; yes.

It was my concern, Mr. Speaker, that this amendment would preclude, negate, or cast negative dispersion on the tremendous economic boom that much of the western half of the mountains in this State is currently experiencing through Marcellus Shale exploration. Mr. Speaker, in some of the rural areas, this Marcellus Shale exploration, discovery, and drilling projects have brought new wealth into communities that have not seen such wealth in many, many years. Many have described it as a "boom." And as the maker of the amendment did point out, there is a converse effect as to water rights and usage of water. If this conference was to be about plug-in electric hybrid

vehicles, so be it; that is a great, great point for our future. However, I wish to know with the amendment, did that negate discussing the Marcellus Shale or did it facilitate? The gentleman from Clearfield answered my question, and I thank him.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks County, Mr. Clymer.

Mr. CLYMER. Mr. Speaker, would the gentleman stand for interrogation? I thought I understood the—

The SPEAKER pro tempore. Mr. George, would you be willing to stand for interrogation again?

The gentleman has agreed. You may proceed, Mr. Clymer.

Mr. CLYMER. Mr. Speaker, I thought I understood the issue in caucus, but after the interrogation by the previous gentleman, I need further clarification. So what you are saying when you say your amendment removes language related to nuclear power and drilling in the Arctic National Wildlife Refuge, you are saying those are off the table? You are not going to discuss those issues? Because that is what HR 107 says. So what you are saying, you do not want this to be on the table. Is that correct?

Mr. GEORGE. To my fine colleague, we were just simply trying to simplify the matter. It does not, as I said to the fine gentleman from Armstrong, pose the question of being in favor or disfavor of any other kind of energy. We are trying to simplify the thing as I know you, I, and every member here that is working very feverishly, that in the next session, hopefully, we can do something to release our dependence on energy that we do not possess. That is all I am trying to do, Mr. Speaker.

Mr. CLYMER. Well, I agree, we need to have those initiatives that would reduce our State and our national economy on dependence of foreign oil. That is something I think we are in agreement with, but I am not sure I understand your answer. Are you saying this is off the table? That is all I am saying – that this will not be discussed with your amendment. It is off the table.

Mr. GEORGE. Mr. Speaker, if the gentleman will, it removes all references to nuclear and ANWR from the resolution. That is all it does. It does not mean it cannot be taken up by the conference; it just removes the language to simplify it.

Mr. CLYMER. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Anyone else seeking recognition on the amendment?

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. SIPTROTH. Without objection, the leave will be so granted.

CONSIDERATION OF HR 107 CONTINUED

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bear	Gibbons	Shimkus	Tangretti
Bennington	Nickol	Siptroth	

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 SPEAKER pro tempore. On the question, the gentleman, Mr. Cohen, is recognized.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, a little more than 3 years ago I introduced a piece of legislation, which I believe was the first in the country, to promote the development and production of plug-in hybrid cars, cars that combine some of the best elements of both electric and gasoline vehicles and may achieve approximately 100 miles per gallon, offering a typical commuter a chance to drive 5 to 10 miles to work using little or no gasoline.

Mr. Speaker, a year and a half ago, before any car manufacturer had made any decisions to commit to plug-in hybrid vehicles, the General Assembly adopted unanimously HR 106 on June 12, 2007, asking American car makers to produce plug-in hybrids. Today we have hundreds, if not thousands, of engineers and scientists working on plug-in hybrids inside car companies, battery companies, universities, and government research labs. From President Bush to Senator McCain to President-elect Obama, we have a growing support for plug-in hybrids.

Our Commonwealth has a long and proud history of energy inventions starting with Benjamin Franklin, who while experimenting in electricity, actually coined the words "battery," "positive," "negative," and demonstrated the first practical use for an electric battery. It is, therefore, an honor for one of our Commonwealth's most renowned inventors and leaders that HR 107 calls upon leaders of today to have a conference on the topic of plug-in hybrids. Using plug-in hybrids could reduce our foreign dependence on petroleum, something both sides of the aisle can agree upon.

Mr. Speaker, I ask for support of this resolution.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the minority leader, Mr. Smith.

Mr. S. SMITH. Mr. Speaker, would the maker of the resolution stand for a couple of questions, please?

The SPEAKER pro tempore. The gentleman has agreed and you may proceed, Mr. Smith.

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

Mr. Speaker, when I am looking at the resolution, it basically says, the House is calling for the holding of a conference on the issues that you noted. The "RESOLVED" items say, "That the House of Representatives of the Commonwealth of Pennsylvania call for a conference...to be held..." The next "RESOLVED" says, "That the House of Representatives urge that the conference serve as a building block for the development of the...industry..."

What I am not clear of, Mr. Speaker, is who actually will be in charge of setting up this conference? Who will be invited to this conference, and what will be the makeup? It is not clear to me by the reading of the resolution, Mr. Speaker, who actually is involved in this.

Mr. COHEN. It is not mandating anybody to do anything. We think this is a good idea. If some private-sector organization wants to do it, it is fine with us. If the House Conservation Committee would want to do it, it is fine with us. We just want to get this idea out there and let the various communities that are very much interested in alternative energy development cogitate on whether they think it is a good idea or not, and if so, how the idea should be achieved.

Mr. S. SMITH. So, Mr. Speaker, you do not prescribe and nor do you have any particular entity identified that would actually physically hold this conference?

Mr. COHEN. That is correct, Mr. Speaker.

Mr. S. SMITH. Does this resolution authorize anybody in the House of Representatives – whether it be through the Office of Speaker or a respective committee – does it authorize them to expend money to put a conference like this together, because clearly, there would be expense with that. Does it authorize the expenditure from the House of Representatives?

Mr. COHEN. It gives no authorization to anybody to do anything. It is a generalized request. If anybody wanted to call a conference, they would have to go through the normal procedures. There is no authorization of any money in this resolution. There is no authorization of any authority in this resolution. There is no authorization of any power. Whatever power people have now, they would have after the resolution passes.

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

That concludes my interrogation.

Mr. Speaker, I think that it is a little bit vague in terms of just whom we are actually urging to undertake this task. I am not sure that I think that that is the best way to go about it. If it is that important, I think we should have probably identified a particular entity or organization to take on this task. I do express some concerns in that regard, Mr. Speaker, that it is a little bit vague as to just who is going to be doing this and how it would be paid for.

So thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Anyone else seeking recognition on the adoption of the resolution?

On the question recurring,

Will the House adopt the resolution as amended?

The following roll call was recorded:

YEAS—196

Adolph	Gabig	Markosek	Roebuck
Argall	Galloway	Marshall	Rohrer
Baker	Geist	Marsico	Ross
Barrar	George	McCall	Rubley
Bastian	Gerber	McGeehan	Sabatina
Belfanti	Gergely	McI. Smith	Sainato
Benninghoff	Gillespie	McIlhattan	Samuelson
Beyer	Gingrich	Melio	Santoni
Biancucci	Godshall	Mensch	Saylor
Bishop	Goodman	Metcalfe	Scavello
Blackwell	Grell	Micozzie	Schroder
Boback	Grucela	Millard	Seip
Boyd	Haluska	Miller	Shapiro
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	O'Brien, M.	Stern
Clymer	Hess	O'Neill	Stevenson
Cohen	Hickernell	Oliver	Sturla
Conklin	Hornaman	Pallone	Surra
Costa	Hutchinson	Parker	Swanger

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bear	Gibbons	Shimkus	Tangretti
Bennington	Nickol	Siptroth	

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

SUPPLEMENTAL CALENDAR B CONTINUED

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2188, PN 4521**, entitled:

An Act providing for court-appointed conservators to bring residential, commercial and industrial buildings into municipal code compliance when owners fail to comply.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bear	Gibbons	Shimkus	Tangretti
Bennington	Nickol	Siptroth	

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1543, PN 4489**, entitled:

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

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bear	Gibbons	Shimkus	Tangretti
Bennington	Nickol	Siptroth	

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

Ordered, That the clerk inform the Senate accordingly.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 1114, PN 2489**, entitled:

An Act designating the scenic view adjacent to State Route 40 in Wharton Township, Fayette County, as the "Blue Star Point Lookout"; designating the portion of US Route 20, known as West 26th Street, in Millcreek Township, Erie County, from Peninsula Drive to Powell Avenue as the John W. Groters Memorial Highway; designating a portion of Cottman Avenue (Route 73), Burholme section, City of Philadelphia, as the Police Sergeant Stephen Liczbinski Memorial Highway; and 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 concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—196

Adolph	Gabig	Markosek	Roebuck
Argall	Galloway	Marshall	Rohrer
Baker	Geist	Marsico	Ross
Barrar	George	McCall	Rubley
Bastian	Gerber	McGeehan	Sabatina
Belfanti	Gergely	McI. Smith	Sainato
Benninghoff	Gillespie	McIlhattan	Samuelson
Beyer	Gingrich	Melio	Santoni
Biancucci	Godshall	Mensch	Saylor
Bishop	Goodman	Metcalfe	Scavello
Blackwell	Grell	Micozzie	Schroder
Boback	Grucela	Millard	Seip
Boyd	Haluska	Miller	Shapiro
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
Causser	Hennessey	Nailor	Steil
Civera	Hershey	O'Brien, M.	Stern
Clymer	Hess	O'Neill	Stevenson
Cohen	Hickernell	Oliver	Sturla
Conklin	Hornaman	Pallone	Surra
Costa	Hutchinson	Parker	Swanger
Cox	James	Pashinski	Taylor, J.
Creighton	Josephs	Payne	Taylor, R.
Cruz	Kauffman	Payton	Thomas
Curry	Keller, M.K.	Peifer	True
Cutler	Keller, W.	Perry	Turzai
Daley	Kenney	Perzel	Vereb
Dally	Kessler	Petrarca	Vitali
DeLuca	Killion	Petri	Vulakovich
Denlinger	King	Petrone	Wagner
DePasquale	Kirkland	Phillips	Walko
Dermody	Kortz	Pickett	Wansacz
DeWeese	Kotik	Preston	Waters
DiGirolamo	Kula	Pyle	Watson
Donatucci	Leach	Quigley	Wheatley
Eachus	Lentz	Quinn	White
Ellis	Levdansky	Ramaley	Williams
Evans, D.	Longietti	Rapp	Wojnaroski

Evans, J.	Mackereth	Raymond	Yewcic
Everett	Maher	Readshaw	Youngblood
Fabrizio	Mahoney	Reed	Yudichak
Fairchild	Major	Reichley	
Fleck	Manderino	Roae	O'Brien, D., Speaker
Frankel	Mann	Rock	
Freeman	Mantz		

NAYS—0

NOT VOTING—0

EXCUSED—7

Bear	Gibbons	Shimkus	Tangretti
Bennington	Nickol	Siptroth	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in.
Ordered, That the clerk inform the Senate accordingly.

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

SB 1112, PN 2199

By Rep. LEVDANSKY

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for death benefit eligibility; and repealing certain provisions of the Municipal Police Pension Law and the Municipal Pension Plan Funding Standard and Recovery Act.

FINANCE.

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that SB 1112 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 pro tempore. The Chair recognizes the majority leader, who moves that SB 1112 be recommitted to the Committee on Appropriations.

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

CALENDAR CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mr. DeWEESE called up **HR 935, PN 4515**, entitled:

A Resolution designating the week of October 12 through 18, 2008, as "Credit Union Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

RESOLUTION RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader, who moves that HR 935 be removed from the active calendar and recommitted to the Committee on Rules.

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

BILL REMOVED FROM TABLE

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

Mr. SCHRODER. Thank you.

Mr. Speaker, I move that HB 489 be removed from the table, added to the calendar, and added to the voting schedule for consideration on November 17, 2008.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. Schroder, just for our clarification, it was HB 489?

Mr. SCHRODER. Correct.

The SPEAKER pro tempore. Thank you, Mr. Schroder.

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

The SPEAKER. The House will come to order.

The Chair recognizes Representative Schroder, and the Chair will ask Representative Schroder to restate his motion.

Mr. SCHRODER. Yes, Mr. Speaker. I move that HB 489 be removed from the table, added to the calendar, and added to the voting schedule for consideration on November 17, 2008.

The SPEAKER. The gentleman has combined several issues. If the Chair can restate the gentleman's motion.

The Chair will restate the motion with the concurrence of the gentleman, Representative Schroder, that the gentleman moves to remove HB 489 from the table and place it on the active calendar. Is that motion acceptable to the gentleman?

Mr. SCHRODER. Well, there was another part; adding it to the voting schedule for November 17.

The SPEAKER. They are different motions. That is why the Chair is stating one motion. The gentleman can only make one motion at a time.

Mr. SCHRODER. Thank you, Mr. Speaker.

I am agreeable to that statement of the motion.

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

The SPEAKER. The gentleman is recognized to speak on the motion. The Chair recognizes Representative Schroder to speak on the motion.

Mr. SCHRODER. Thank you, Mr. Speaker.

I desire to remove HB 489 from the table. Mr. Speaker, by doing so, this bill is in a position that we could enact the Mcare subsidy and keep our promise to the medical community to provide this funding for Mcare doctor recipients.

If we get this bill into position to vote next week, we can send it immediately to the Governor. It does not need to go back to the Senate. We will be able to accomplish this.

Mr. Speaker, I think it is time that we stop fooling around, stop linking it to other issues that in fact are not going to get done this year. Mr. Speaker, if there was still some chance that other health-care reform could be accomplished, I could understand the reluctance to politically delink it, but, Mr. Speaker, we all acknowledge that with the days we have left in session, the fact that I do not believe the Senate is in session, it is time to move on Mcare abatement.

So, Mr. Speaker, let us remove this bill from the table and begin the process to get this bill voted and to the Governor next week. Thank you.

The SPEAKER. The House will be at ease.

The House will come to order.

LEAVE OF ABSENCE

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

BILL REMOVED FROM TABLE CONTINUED

The SPEAKER. The Chair recognizes Representative McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, we would agree to the motion and will also add that we will have HB 489 added to the voting schedule for Monday.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE

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

BILL REMOVED FROM TABLE CONTINUED

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

The following roll call was recorded:

YEAS—194

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

Belfanti	Gerber	McGeehan	Sabatina
Benninghoff	Gergely	McI. Smith	Sainato
Beyer	Gillespie	McIlhattan	Samuelson
Bianucci	Gingrich	Melio	Santoni
Bishop	Godshall	Mensch	Saylor
Blackwell	Goodman	Metcalfe	Scavello
Boback	Grell	Micozzie	Schroder
Boyd	Grucela	Millard	Seip
Brennan	Haluska	Miller	Shapiro
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	O'Brien, M.	Stern
Cohen	Hess	O'Neill	Stevenson
Conklin	Hickernell	Oliver	Sturla
Costa	Hornaman	Pallone	Surra
Cox	Hutchinson	Parker	Swanger
Creighton	James	Pashinski	Taylor, J.
Cruz	Kauffman	Payne	Taylor, R.
Curry	Keller, M.K.	Payton	Thomas
Cutler	Keller, W.	Peifer	True
Daley	Kenney	Perry	Turzai
Dally	Kessler	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	Youngblood
Fabrizio	Mahoney	Readshaw	Yudichak
Fairchild	Major	Reed	
Fleck	Manderino	Reichley	O'Brien, D.,
Frankel	Mann	Roae	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Bear	Josephs	Shimkus	Tangretti
Bennington	Nickol	Siptroth	Yewcic
Gibbons			

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

RESOLUTION PURSUANT TO RULE 35

Mr. PYLE called up **HR 920, PN 4492**, entitled:

A Resolution honoring the Rosebud Miners Relay for Life Team upon becoming the first group in the nation to raise more than \$1 million for the American Cancer Society.

On the question,
Will the House adopt the resolution?

LEAVE OF ABSENCE

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

CONSIDERATION OF HR 920 CONTINUED

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

The following roll call was recorded:

YEAS-193

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

NAYS-0

NOT VOTING-0

EXCUSED—10

Bear	Josephs	Shimkus	Tangretti
Bennington	Maher	Siptroth	Yewcic
Gibbons	Nickol		

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

STATEMENT BY MR. PYLE

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

Mr. PYLE. Thank you, Mr. Speaker.

I just wanted to thank everybody who voted positively on HR 920. The Rosebud mining team is the first in the entire nation to break the \$1 million mark in research through the American Cancer Society's Relay for Life program, and we are very proud of them.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

RESOLUTIONS PURSUANT TO RULE 35

Mr. SEIP called up **HR 930, PN 4500**, entitled:

A Resolution designating the week of October 19 through 25, 2008, as "Schuylkill County Mining Recognition Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes Representative Seip.

Mr. SEIP. Thank you, Mr. Speaker.

I have some remarks I would like to submit for the record.

The SPEAKER. The Chair thanks the gentleman. His remarks will be spread upon the record.

Mr. SEIP. Thank you.

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

I have introduced this resolution to recognize the week of October 19 through 25, 2008, "Schuylkill County Mining Recognition Week" to support the efforts of the Schuylkill County Intermediate Unit and county school districts, as we will pause to recognize the hardworking miners and the captains of this important industry – past and present.

During the school week of October 20 through 24, school districts throughout the county will be exploring Schuylkill County's rich coal mining history, as well as its significance today.

The Schuylkill Intermediate Unit 29 and area school district teachers have worked hard to develop lesson plans to help students explore the role of anthracite coal in fueling the American Industrial Revolution, the lives of Schuylkill County miners and their contributions to America's labor movement, the role coal plays in energy today, how it is formed, how it is mined, and many other aspects of the anthracite coal industry in the region.

This week's focus on Schuylkill County's coal mining heritage is an important addition to the education of area students, and I am proud to support "Schuylkill County Mining Recognition Week."

I ask that you join me in supporting this effort by voting affirmatively on the resolution.

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Bear	Josephs	Shimkus	Tangretti
Bennington	Maher	Siptroth	Yewcic
Gibbons	Nickol		

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

* * *

Mr. WANSACZ called up **HR 931, PN 4501**, entitled:

A Resolution recognizing October 10, 2008, as "James H. Gray Day" in Pennsylvania and honoring the career and service of the Borough of Dalton Police Chief James H. Gray.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Bear	Josephs	Shimkus	Tangretti
Bennington	Maher	Sipthoth	Yewcic
Gibbons	Nickol		

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

* * *

Miss MANN called up **HR 934, PN 4512**, entitled:

A Resolution designating the month of November 2008 as "National Search and Rescue Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

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

Fairchild	Manderino	Reichley	O'Brien, D.,
Fleck	Mann	Roae	Speaker
Frankel	Mantz	Rock	

NAYS—0

NOT VOTING—0

EXCUSED—10

Bear	Josephs	Shimkus	Tangretti
Bennington	Maher	Siptroth	Yewcic
Gibbons	Nickol		

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

* * *

Mr. McGEEHAN called up **HR 938, PN 4529**, entitled:

A Resolution designating November 1, 2008, as "Random Acts of Kindness Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

Adolph	Freeman	Markosek	Roebuck
Argall	Gabig	Marshall	Rohrer
Baker	Galloway	Marsico	Ross
Barrar	Geist	McCall	Rubley
Bastian	George	McGeehan	Sabatina
Belfanti	Gerber	McI. Smith	Sainato
Benninghoff	Gergely	McIlhattan	Samuelson
Beyer	Gillespie	Melio	Santoni
Biancucci	Gingrich	Mensch	Saylor
Bishop	Godshall	Metcalfe	Scavello
Blackwell	Goodman	Micozzie	Schroder
Boback	Grell	Millard	Seip
Boyd	Grucela	Miller	Shapiro
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	O'Brien, M.	Stern
Clymer	Hershey	O'Neill	Stevenson
Cohen	Hess	Oliver	Sturla
Conklin	Hickernell	Pallone	Surra
Costa	Hornaman	Parker	Swanger
Cox	Hutchinson	Pashinski	Taylor, J.
Creighton	James	Payne	Taylor, R.
Cruz	Kauffman	Payton	Thomas
Curry	Keller, M.K.	Peifer	True
Cutler	Keller, W.	Perry	Turzai
Daley	Kenney	Perzel	Vereb
Dally	Kessler	Petrarca	Vitali
DeLuca	Killion	Petri	Vulakovich
Denlinger	King	Petrone	Wagner
DePasquale	Kirkland	Phillips	Walko
Dermody	Kortz	Pickett	Wansacz
DeWeese	Kotik	Preston	Waters
DiGirolamo	Kula	Pyle	Watson

Donatucci	Leach	Quigley	Wheatley
Eachus	Lentz	Quinn	White
Ellis	Levdansky	Ramaley	Williams
Evans, D.	Longiotti	Rapp	Wojnaroski
Evans, J.	Mackereth	Raymond	Youngblood
Everett	Mahoney	Readshaw	Yudichak
Fabrizio	Major	Reed	
Fairchild	Manderino	Reichley	O'Brien, D.,
Fleck	Mann	Roae	Speaker
Frankel	Mantz	Rock	

NAYS—0

NOT VOTING—0

EXCUSED—10

Bear	Josephs	Shimkus	Tangretti
Bennington	Maher	Siptroth	Yewcic
Gibbons	Nickol		

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

* * *

Mr. WHEATLEY called up **HR 941, PN 4530**, entitled:

A Resolution honoring the 12 public and private schools recognized by the Federal Department of Education's No Child Left Behind - Blue Ribbon Schools Program in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

Adolph	Freeman	Markosek	Roebuck
Argall	Gabig	Marshall	Rohrer
Baker	Galloway	Marsico	Ross
Barrar	Geist	McCall	Rubley
Bastian	George	McGeehan	Sabatina
Belfanti	Gerber	McI. Smith	Sainato
Benninghoff	Gergely	McIlhattan	Samuelson
Beyer	Gillespie	Melio	Santoni
Biancucci	Gingrich	Mensch	Saylor
Bishop	Godshall	Metcalfe	Scavello
Blackwell	Goodman	Micozzie	Schroder
Boback	Grell	Millard	Seip
Boyd	Grucela	Miller	Shapiro
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	O'Brien, M.	Stern
Clymer	Hershey	O'Neill	Stevenson
Cohen	Hess	Oliver	Sturla
Conklin	Hickernell	Pallone	Surra
Costa	Hornaman	Parker	Swanger
Cox	Hutchinson	Pashinski	Taylor, J.
Creighton	James	Payne	Taylor, R.
Cruz	Kauffman	Payton	Thomas
Curry	Keller, M.K.	Peifer	True
Cutler	Keller, W.	Perry	Turzai

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

NAYS-0

NOT VOTING-0

EXCUSED-10

Bear	Josephs	Shimkus	Tangretti
Bennington	Maher	Siptroth	Yewcic
Gibbons	Nickol		

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

* * *

Mr. HANNA called up **HR 942, PN 4531**, entitled:

A Resolution designating the week of January 11 through 17, 2009, as "Snowmobile Awareness Safety Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-193

Adolph	Freeman	Markosek	Roebuck
Argall	Gabig	Marshall	Rohrer
Baker	Galloway	Marsico	Ross
Barrar	Geist	McCall	Rubley
Bastian	George	McGeehan	Sabatina
Belfanti	Gerber	McI. Smith	Sainato
Benninghoff	Gergely	McIlhattan	Samuelson
Beyer	Gillespie	Melio	Santoni
Biancucci	Gingrich	Mensch	Saylor
Bishop	Godshall	Metcalfe	Scavello
Blackwell	Goodman	Micozzie	Schroder
Boback	Grell	Millard	Seip
Boyd	Grucela	Miller	Shapiro
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	O'Brien, M.	Stern
Clymer	Hershey	O'Neill	Stevenson
Cohen	Hess	Oliver	Sturla

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

NAYS-0

NOT VOTING-0

EXCUSED-10

Bear	Josephs	Shimkus	Tangretti
Bennington	Maher	Siptroth	Yewcic
Gibbons	Nickol		

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. LEVDANSKY called up **HR 944, PN 4537**, entitled:

A Resolution recognizing the week of October 12 through 18, 2008, as "Credit Union Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

LEAVE OF ABSENCE

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

CONSIDERATION OF HR 944 CONTINUED

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

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Bear	Josephs	Shimkus	Tangretti
Bennington	Maher	Siptroth	Yewcic
Gibbons	Nickol	Stairs	

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

The SPEAKER. If I could have the attention of the members. For the information of the members, there will be no more recorded votes today. There is some housekeeping the Chair has to take care of, bill signings, et cetera.

BILLS SIGNED BY SPEAKER

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

HB 347, PN 4509

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in registration of vehicles, further providing for issuance and reissuance of registration plates and for lost, stolen, damaged or illegible registration plate; in licensing of drivers, further providing for issuance and content of driver's license; in commercial drivers, further providing for definitions for requirement for commercial driver's license, for commercial driver's license qualification standards and for disqualification; in fees, further providing for exemptions from other fees; in rules of the road in general, further providing for speed timing devices; in inspection of vehicles, further providing for inspection by police or Commonwealth personnel; in size, weight and load, further providing for securing loads in vehicles, for height of vehicles and for permit for movement during course of manufacture; in powers of department and local authorities, further providing for promulgation of rules and regulations by department; and in snowmobiles and all-terrain vehicles, further providing for definitions.

HB 1543, PN 4489

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

HB 2188, PN 4521

An Act providing for court-appointed conservators to bring residential, commercial and industrial buildings into municipal code compliance when owners fail to comply.

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

ANNOUNCEMENT BY MR. PETRARCA

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

Mr. PETRARCA. To make an announcement, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. PETRARCA. At the conclusion of session, the Southwest Caucus will meet in my office, room 220, Irvis Office Building, to discuss leadership elections. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair will ask members to please stay on the floor for one moment.

The Chair announces its intention – members are free to leave the floor – the Chair announces its intention to recess regular session and go into special session at 4:38 p.m.

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.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair acknowledges the receipt of a request pursuant to House rule 62. The undersigned request a recorded roll-call vote on any action taken on HB 489, PN 1992. That is requested by Representatives Civera and Smith.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair recognizes Representative Quinn of Bucks County, who moves this House do now adjourn until Thursday, November 13, 2008, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:44 p.m., e.s.t., the House adjourned.