

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, JUNE 15, 2009

SESSION OF 2009

193D OF THE GENERAL ASSEMBLY

No. 47

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (KEITH R. McCALL)
PRESIDING

PRAYER

HON. RICHARD T. GRUCELA, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Good afternoon.

Please bow your heads in prayer as we begin our session today, asking God's power to guide us, God's might to uphold us, God's wisdom to teach us, God's eye to watch over us, God's ear to hear us, God's Word to give us speech, God's hand to hold us, and God's shield to shelter us.

We pray for the health of our members, especially Representative Bob Belfanti, and for the health of our members' families and particularly those with special needs at this time.

We ask that You watch over and safeguard the men and women of our Armed Forces as they defend our precious freedoms, including our own members, Scott Perry and Nick Miccarelli, that they will be out of harm's way and rejoin us soon.

Dear God, may we see You more clearly, love You more dearly, and follow You more closely day by day. Amen.

PLEDGE OF ALLEGIANCE

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

RULES COMMITTEE MEETING

The SPEAKER. There will be an immediate meeting of the House Rules Committee – an immediate meeting of the House Rules Committee in the majority caucus room.

Will all members of the Rules Committee report to the caucus room, the majority caucus room, immediately. All members of the House Rules Committee, report to the majority caucus room immediately.

Members, please report to the floor. We are about to take up the master roll and today's calendar.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 350 By Representatives SIPTROTH, SCAVELLO, BARRAR, BRADFORD, CALTAGIRONE, CARROLL, COHEN, DONATUCCI, HENNESSEY, MURT, O'NEILL, PEIFER, READSHAW, SANTONI, WATERS, WATSON and YOUNGBLOOD

A Resolution directing the Joint State Government Commission to conduct a study on the impact of common interest ownership communities on local governments and the Commonwealth, the challenges facing the residents and governing bodies of these common interest ownership communities and opportunities for the Commonwealth to assist local governments and common interest ownership communities to deliver adequate services to their residents at an affordable cost.

Referred to Committee on URBAN AFFAIRS, June 12, 2009.

No. 351 By Representatives CLYMER, BAKER, BARRAR, BEYER, CREIGHTON, CUTLER, DENLINGER, FAIRCHILD, FLECK, GEORGE, HARHAI, HENNESSEY, HUTCHINSON, KAUFFMAN, O'NEILL, RAPP, READSHAW, ROAE, ROHRER, SCAVELLO, SIPTROTH, SOLOBAY, STERN, SWANGER, TALLMAN, VULAKOVICH and YOUNGBLOOD

A Resolution opposing all actions by the Federal Government to replace the dollar as the official United States currency with any other type of multinational or global currency or any creation of a global reserve currency, including, but not limited to, the expansion of the scope of the International Monetary Funds' Special Drawing Rights and any delegation of the United States sovereignty to a coordinated international monetary regulatory body.

Referred to Committee on COMMERCE, June 12, 2009.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1144 By Representatives MENSCH, DeLUCA, BAKER, BARRAR, BEAR, BELFANTI, BEYER, BOBACK, BOYD, BRENNAN, BRIGGS, CALTAGIRONE, CHRISTIANA, D. COSTA, CREIGHTON, DALLY, DENLINGER, FABRIZIO, FAIRCHILD, GINGRICH, GROVE, HARHAI, HARKINS, HARPER, HELM, HENNESSEY, HESS, HORNAMAN, HOUGHTON, W. KELLER, KORTZ, MATZIE, MELIO, MICOZZIE, MILLARD, MILLER, MILNE, MURT, O'NEILL, PALLONE, PASHINSKI,

PHILLIPS, PICKETT, QUINN, READSHAW, REICHLEY, SANTONI, SAYLOR, SIPTROTH, SOLOBAY, STABACK, STERN, SWANGER, J. TAYLOR, THOMAS, TURZAI, VEREB, VULAKOVICH, WATSON, YOUNGBLOOD and GEIST

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for theft of prescriptions or prescription order forms.

Referred to Committee on JUDICIARY, June 12, 2009.

No. 1663 By Representative D. EVANS

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2009, to June 30, 2010, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2009.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1664 By Representatives OBERLANDER, DRUCKER, CUTLER, BOYD, BRADFORD, CHRISTIANA, DALLY, DENLINGER, FREEMAN, GABLER, GEIST, GROVE, HARHART, HENNESSEY, HICKERNELL, HUTCHINSON, KAUFFMAN, KORTZ, MARSHALL, MENSCH, MURT, PASHINSKI, PICKETT, PYLE, QUINN, RAPP, REICHLEY, ROHRER, ROSS, SANTARSIERO, SONNEY, STERN, TURZAI, VULAKOVICH and WATSON

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

Referred to Committee on JUDICIARY, June 12, 2009.

No. 1665 By Representatives ROEBUCK, CLYMER, HARKINS, LONGIETTI, McILVAINE SMITH, M. O'BRIEN, RAPP, WAGNER, YOUNGBLOOD, BELFANTI, BISHOP, BROWN, CALTAGIRONE, P. COSTA, DONATUCCI, HOUGHTON, JOHNSON, JOSEPHS, MAHER, MICOZZIE and SIPTROTH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for cost of tuition and maintenance of certain exceptional children in approved institutions and in the four chartered schools for the education of the deaf and blind.

Referred to Committee on EDUCATION, June 12, 2009.

No. 1666 By Representatives HANNA, CALTAGIRONE, FREEMAN, LENTZ, MAHONEY, OLIVER, YOUNGBLOOD, HESS and GEIST

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in service and facilities, further providing for billing procedures.

Referred to Committee on CONSUMER AFFAIRS, June 12, 2009.

No. 1667 By Representatives HANNA, BAKER, BRENNAN, CARROLL, D. COSTA, CUTLER, FABRIZIO, FLECK, JOSEPHS, MENSCH, MUNDY, MURPHY, OLIVER, PHILLIPS, PYLE, REICHLEY, SIPTROTH, SWANGER, YOUNGBLOOD and GEIST

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in procedure, further providing for exceptions for public records.

Referred to Committee on STATE GOVERNMENT, June 12, 2009.

No. 1668 By Representatives HANNA, BRENNAN, DONATUCCI, MAHER, MAHONEY, MURPHY, PASHINSKI, SIPTROTH, SWANGER and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for duty of driver in construction and maintenance areas or on highway safety corridors.

Referred to Committee on TRANSPORTATION, June 12, 2009.

No. 1669 By Representatives HANNA, GRUCELA, MAHONEY, READSHAW, STABACK, YOUNGBLOOD 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 duties and powers of boards of school directors, providing for assault leave of absence.

Referred to Committee on EDUCATION, June 12, 2009.

No. 1670 By Representatives ROSS, KESSLER, FREEMAN, GINGRICH and GRUCELA

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for form of permanent recordation and for copies of destroyed records.

Referred to Committee on JUDICIARY, June 12, 2009.

No. 1671 By Representatives GRUCELA, ROSS, FREEMAN, GINGRICH and KESSLER

An Act amending the act of August 14, 1963 (P.L.839, No.407), entitled, as amended, "An act creating a county records committee; imposing powers and duties upon it; authorizing the Pennsylvania Historical and Museum Commission to assist and cooperate with it; defining county records; and authorizing the disposition of certain county records by county officers in counties of the second to eighth class," increasing the membership of the committee.

Referred to Committee on LOCAL GOVERNMENT, June 12, 2009.

No. 1672 By Representatives DePASQUALE, BRENNAN, CARROLL, McILVAINE SMITH, PAYTON, SCAVELLO, DALEY, SIPTROTH, SONNEY, GIBBONS and GOODMAN

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for qualifications of electors at primaries, for primary voting and party officers and for voting procedure.

Referred to Committee on STATE GOVERNMENT, June 12, 2009.

No. 1673 By Representatives CASORIO, CALTAGIRONE, BELFANTI, BEYER, BOYD, BRENNAN, CREIGHTON, DALEY, FREEMAN, GIBBONS, HARKINS, HORNAMAN, KIRKLAND, LONGIETTI, MURT, SIPTROTH, J. TAYLOR, VULAKOVICH, WATERS and YOUNGBLOOD

An Act providing for a tax credit for certain employers who employ at least five additional full-time employees during the tax year.

Referred to Committee on FINANCE, June 12, 2009.

No. 1674 By Representatives SEIP, HICKERNELL, BRENNAN, CUTLER, FREEMAN, GOODMAN, HARHAI, JOHNSON, PETRARCA, PHILLIPS, REICHLEY, ROAE, SAYLOR, SIPTROTH, SOLOBAY, KESSLER, CLYMER, MOUL, SWANGER, GIBBONS, EVERETT, BOYD, FLECK, M. KELLER, CONKLIN, CARROLL, TRUE, HALUSKA, HANNA, MIRABITO, MAHONEY, PEIFER, BROOKS, YOUNGBLOOD, HUTCHINSON, ROCK, DENLINGER, KULA, BAKER and PICKETT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for vehicles exempt from registration, for use of farm vehicle plates, for general lighting requirements, for requirement for periodic inspection of vehicles, for operation of vehicle without official certificate of inspection, for securing loads in vehicles, for safety requirements for towed vehicles, for width of vehicles and for registered gross weight.

Referred to Committee on TRANSPORTATION, June 12, 2009.

No. 1675 By Representatives SEIP, BARRAR, BELFANTI, CARROLL, CREIGHTON, DONATUCCI, GIBBONS, GOODMAN, GRUCELA, HALUSKA, MIRABITO, MURPHY, READSHAW, SCAVELLO, SIPTROTH, K. SMITH, SWANGER, TALLMAN, HORNAMAN, PASHINSKI, KORTZ and MAHONEY

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 returns for deceased persons.

Referred to Committee on FINANCE, June 12, 2009.

No. 1676 By Representatives EACHUS, DeWEESE, STURLA, McCALL, BROWN, K. SMITH, MUNDY, KORTZ, GRUCELA, BISHOP, M. O'BRIEN, SANTONI, HARHAI, DEASY, READSHAW, HARKINS, BOYLE, PASHINSKI, CARROLL, CALTAGIRONE, GEORGE, MELIO, McILVAINE SMITH, BRIGGS, DONATUCCI, LONGIETTI, McGEEHAN, MANN, KULA, STABACK, YOUNGBLOOD, FREEMAN, BELFANTI, SAINATO, SABATINA and GIBBONS

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, providing for the definitions of "acquisition cost," "Federal upper payment limits" and "usual charge" or "usual and customary charge"; further providing for program generally, for generic drugs, for indication of price, for the Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier and for penalties; providing for the Medication

Therapy Management Program; and further providing for terms of rebate agreement, for amount of rebate and for excessive pharmaceutical price inflation discount.

Referred to Committee on AGING AND OLDER ADULT SERVICES, June 12, 2009.

No. 1677 By Representatives DeLUCA, BARBIN, BELFANTI, BRENNAN, BROWN, CALTAGIRONE, CASORIO, COHEN, CONKLIN, D. COSTA, P. COSTA, DEASY, DERMODY, FABRIZIO, FRANKEL, GIBBONS, GRUCELA, HARHAI, HARKINS, HORNAMAN, KORTZ, KOTIK, KULA, MAHONEY, MATZIE, MOUL, MURT, M. O'BRIEN, O'NEILL, PALLONE, PARKER, PASHINSKI, PETRARCA, READSHAW, SAINATO, SAYLOR, J. TAYLOR, VULAKOVICH, YOUNGBLOOD and YUDICHAK

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for motor vehicle service contracts.

Referred to Committee on INSURANCE, June 12, 2009.

No. 1678 By Representatives DeLUCA, BELFANTI, D. COSTA, GEORGE, HARKINS, HORNAMAN, JOHNSON, JOSEPHS, KOTIK, SOLOBAY, STABACK, J. TAYLOR, SIPTROTH, CALTAGIRONE, BRENNAN, KULA, MURT and KORTZ

An Act amending the act of December 2, 1992 (P.L.741, No.113), known as the Children's Health Care Act, making editorial changes.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 12, 2009.

No. 1679 By Representatives GERBER, EACHUS, PAYTON, BELFANTI, BEYER, BOYLE, BRENNAN, BRIGGS, DALEY, FRANKEL, FREEMAN, GEIST, GIBBONS, GOODMAN, GRELL, GROVE, HARPER, HARRIS, HENNESSEY, HORNAMAN, JOSEPHS, KILLION, KIRKLAND, KORTZ, KULA, LENTZ, LONGIETTI, MAHONEY, MANDERINO, MANN, McGEEHAN, MELIO, MILNE, MOUL, MUNDY, MURT, MUSTIO, M. O'BRIEN, PALLONE, PASHINSKI, QUINN, SANTARSIERO, SIPTROTH, K. SMITH, M. SMITH, SOLOBAY, J. TAYLOR, VULAKOVICH, WALKO, WATSON, WHITE and DERMODY

An Act providing for liability for false claims, for adoption of congressional intent of the Federal False Claims Act, for treble damages, costs and civil penalties, for powers of the Attorney General and for qui tam actions.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 12, 2009.

No. 1680 By Representatives GEIST, J. EVANS, HESS, M. KELLER, MILLER, PICKETT, PYLE, BEYER, CALTAGIRONE, CARROLL, D. COSTA, CUTLER, DENLINGER, EVERETT, GINGRICH, GROVE, HALUSKA, MELIO, MILLARD, MOUL, MURT, READSHAW, ROSS, SAYLOR, SIPTROTH, SONNEY and VULAKOVICH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for applicability and uniformity of law and for disposition and use of liquid fuels and fuels tax.

Referred to Committee on TRANSPORTATION, June 12, 2009.

No. 1681 By Representatives TALLMAN, DePASQUALE, CUTLER, BROWN, GROVE, MENSCH, MUNDY, PASHINSKI, PAYNE, ROCK, SIPTROTH, VULAKOVICH, WATSON and BEYER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for nonreciprocity of operational limitations.

Referred to Committee on TRANSPORTATION, June 12, 2009.

No. 1682 By Representatives STURLA, FREEMAN, BEYER, CALTAGIRONE, DePASQUALE, HARHAI, HARKINS, McILVAINE SMITH, MICOZZIE, MOUL, MUNDY, SANTONI, K. SMITH and WHITE

An Act authorizing counties to impose sales, use and occupancy taxes; and providing for the levying, assessment and collection of taxes and for the powers and duties of the Department of Community and Economic Development or any successor agency, the Department of Revenue and the State Treasurer.

Referred to Committee on LOCAL GOVERNMENT, June 12, 2009.

No. 1683 By Representative D. EVANS

An Act making an appropriation to the Beacon Lodge Camp.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1684 By Representatives D. EVANS, KIRKLAND and MAHONEY

An Act making appropriations to the Carnegie Museums of Pittsburgh for operations and maintenance expenses and the purchase of apparatus, supplies and equipment.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1685 By Representative D. EVANS

An Act making an appropriation to the Everhart Museum in Scranton for operating expenses.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1686 By Representative D. EVANS

An Act making an appropriation to the African-American Museum in Philadelphia for operating expenses.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1687 By Representative D. EVANS

An Act making an appropriation to the Academy of Natural Sciences for maintenance expenses.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1689 By Representative D. EVANS

An Act making an appropriation to the Franklin Institute Science Museum for maintenance expenses.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1690 By Representative D. EVANS

An Act making an appropriation to the Mercer Museum in Doylestown, Pennsylvania, for operating expenses.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1691 By Representative D. EVANS

An Act making an appropriation to the Whitaker Center for Science and the Arts in Harrisburg, Pennsylvania, for operating expenses.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1692 By Representative D. EVANS

An Act making an appropriation to the Burn Foundation, Philadelphia, for outpatient and inpatient treatment.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1693 By Representative D. EVANS

An Act making an appropriation to the Central Penn Oncology Group.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1694 By Representative D. EVANS

An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1695 By Representative D. EVANS

An Act making an appropriation to Lancaster Cleft Palate for outpatient-inpatient treatment.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1696 By Representative D. EVANS

An Act making an appropriation to The Children's Institute, Pittsburgh, for treatment and rehabilitation of certain persons with disabling diseases.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1697 By Representative D. EVANS

An Act making an appropriation to The Children's Hospital of Philadelphia for comprehensive patient care and general maintenance and operation of the hospital.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1698 By Representative D. EVANS

An Act making appropriations to the Wistar Institute, Philadelphia, for operation and maintenance expenses and for AIDS research.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1699 By Representative D. EVANS

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1700 By Representative D. EVANS

An Act making an appropriation to the Philadelphia Health and Education Corporation for the Colleges of Medicine, Public Health, Nursing and Health Professions for continuation of pediatric services.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1701 By Representative D. EVANS

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1702 By Representative D. EVANS

An Act making an appropriation to the Lake Erie College of Osteopathic Medicine, Erie.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1703 By Representative D. EVANS

An Act making an appropriation to the University of the Arts, Philadelphia, for instruction and student aid.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1704 By Representative D. EVANS

An Act making appropriations to the Trustees of the University of Pennsylvania.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1705 By Representative D. EVANS

An Act making an appropriation to Salus University, Philadelphia.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1706 By Representative D. EVANS

An Act making an appropriation to the Johnson Technical Institute of Scranton for operation and maintenance expenses.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

No. 1707 By Representative D. EVANS

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County for operation and maintenance expenses.

Referred to Committee on APPROPRIATIONS, June 12, 2009.

SENATE BILLS FOR CONCURRENCE

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

SB 240, PN 1071

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 12, 2009.

SB 241, PN 246

Referred to Committee on PROFESSIONAL LICENSURE, June 12, 2009.

SB 281, PN 1074

Referred to Committee on EDUCATION, June 12, 2009.

SB 380, PN 378

Referred to Committee on TRANSPORTATION, June 12, 2009.

SB 598, PN 888

Referred to Committee on EDUCATION, June 12, 2009.

SB 736, PN 1145

Referred to Committee on EDUCATION, June 12, 2009.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Thursday, June 11, 2009, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip, Representative DeWeese, who requests the following leaves of absence: Representative BELFANTI from Northumberland County for the week; Representative DERMODY from Allegheny County for the week; Representative LENTZ from Delaware County for the week; Representative WAGNER from Allegheny County for the week; Representative PALLONE from Westmoreland County for the day. Without objection, those leaves will be granted.

The Chair recognizes the minority whip, Representative Turzai, who indicates there are no leaves of absence requested.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—196

Adolph	Everett	Longiotti	Reese
Baker	Fabrizio	Maher	Reichley
Barbin	Fairchild	Mahoney	Roae
Barrar	Farry	Major	Rock
Bear	Fleck	Manderino	Roebuck
Benninghoff	Frankel	Mann	Rohrer
Beyer	Freeman	Markosek	Ross
Bishop	Gabig	Marshall	Sabatina
Boback	Gabler	Marsico	Sainato
Boyd	Galloway	Matzie	Samuelson
Boyle	Geist	McGeehan	Santarsiero
Bradford	George	McI. Smith	Santoni
Brennan	Gerber	Melio	Saylor
Briggs	Gergely	Mensch	Scavello
Brooks	Gibbons	Metcalfe	Schroder
Brown	Gillespie	Metzgar	Seip
Burns	Gingrich	Micozzie	Shapiro
Buxton	Godshall	Millard	Siptroth
Caltagirone	Goodman	Miller	Smith, K.
Carroll	Grell	Milne	Smith, M.
Casorio	Grove	Mirabito	Smith, S.
Causser	Grucela	Moul	Solobay
Christiana	Haluska	Mundy	Sonney
Civera	Hanna	Murphy	Staback
Clymer	Harhai	Murt	Stern
Cohen	Harhart	Mustio	Stevenson
Conklin	Harkins	Myers	Sturla
Costa, D.	Harper	O'Brien, D.	Swanger
Costa, P.	Harris	O'Brien, M.	Tallman
Cox	Helm	O'Neill	Taylor, J.
Creighton	Hennessey	Oberlander	Taylor, R.
Cruz	Hess	Oliver	Thomas
Curry	Hickernell	Parker	True
Cutler	Hornaman	Pashinski	Turzai
Daley	Houghton	Payne	Vereb
Dally	Hutchinson	Payton	Vitali
Day	Johnson	Peifer	Vulakovich
Deasy	Josephs	Perzel	Walko
Delozier	Kauffman	Petrarca	Wansacz

DeLuca	Keller, M.K.	Petri	Waters
Denlinger	Keller, W.	Phillips	Watson
DePasquale	Kessler	Pickett	Wheatley
DeWeese	Killion	Preston	White
DiGirolamo	Kirkland	Pyle	Williams
Donatucci	Knowles	Quigley	Youngblood
Drucker	Kortz	Quinn	Yudichak
Eachus	Kotik	Rapp	
Ellis	Krieger	Readshaw	McCall,
Evans, D.	Kula	Reed	Speaker
Evans, J.	Levdansky		

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Lentz	Pallone	Wagner
Dermody	Miccarelli	Perry	

LEAVES ADDED—1

Donatucci

LEAVES CANCELED—1

Pallone

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

BILLS REREPORTED FROM COMMITTEE

HB 271, PN 290 By Rep. EACHUS

An Act providing for earned income tax credit notification.

RULES.

HB 984, PN 2054 By Rep. EACHUS

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for split-off, separation or transfer; and providing for removal of land from preferential assessment.

RULES.

HB 1394, PN 2055 By Rep. EACHUS

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for definitions, for responsibilities of the county assessor in general, for split-off, separation or transfer of land and for roll-back taxes and special circumstances; and providing for removal of land from preferential assessment.

RULES.

HB 1481, PN 1843 By Rep. EACHUS

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

RULES.

HB 1515, PN 2061

By Rep. EACHUS

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for general provisions relating to examinations, for rejection of applicant and hearing, for manner of filling appointments, for probation period and for physical examinations.

RULES.

HB 1516, PN 2062

By Rep. EACHUS

An Act amending the act of May 31, 1933 (P.L.1108, No.272), entitled, as amended, "An act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the third class; defining the powers and duties of civil service commissions for such purposes; and fixing penalties," further providing for civil service examinations and eligibility lists.

RULES.

HB 1517, PN 1884

By Rep. EACHUS

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, in civil service, further providing for rules and regulations and examinations and for selection of appointee from a certified list of applicants.

RULES.

HB 1518, PN 2063

By Rep. EACHUS

An Act amending the act of June 5, 1941 (P.L.84, No.45), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns and townships of the first class maintaining a police force of not less than three members; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expense on boroughs, incorporated towns and townships of the first class; imposing penalties, and repealing inconsistent laws," further providing for general provisions relating to examinations, for rejection of applicant and hearing, for manner of filling appointments, for probationary period and for physical examinations.

RULES.

HB 1519, PN 2064

By Rep. EACHUS

An Act amending the act of June 1, 1945 (P.L.1232, No.427), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs, incorporated towns and townships of the first class; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expenses on boroughs, incorporated towns and townships of the first class; imposing penalties; and repealing inconsistent laws," further providing for general provisions relating to examinations, for rejection of applicant and hearing, for manner of filling appointments, for probationary period and for physical examinations.

RULES.

HB 1520, PN 2065

By Rep. EACHUS

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, as to civil service for police

and firemen, further providing for general provisions relating to examinations, rejection of applicant and hearing, manner of filling appointments, probationary period and physical examination.

RULES.

HB 1614, PN 2012

By Rep. EACHUS

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, repealing sunset provisions relating to State Workers' Insurance Fund investment authority.

RULES.

BILLS RECOMMITTED

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

HB 271;
 HB 984;
 HB 1394;
 HB 1481;
 HB 1515;
 HB 1516;
 HB 1518;
 HB 1519;
 HB 1520; and
 HB 1614.

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

**RADNOR HIGH SCHOOL GIRLS
LACROSSE TEAM PRESENTED**

The SPEAKER. The Chair recognizes the gentleman from Delaware County, Representative Adolph, for the purpose of a presentation.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, it is certainly my honor, I am very pleased to welcome to the hall of the House the 2009 Radnor High School Girls Lacrosse Team, who on June 6 became the first-ever PIAA State champions in girls lacrosse.

The Red Raiders rose to victory after defeating Strath Haven, 20 to 10, in the first PIAA-sanctioned girls State lacrosse championship, ending the season with an impressive 25-and-1 record. The team also holds the Central League championship title this year following a 17-and-0 season.

The Red Raiders were led by the head coach, the legendary Phyllis Kilgour, who has guided the Radnor girls lacrosse team to 547 game victories and 6 district titles during her tenure.

Taking the State championship is no surprise to those of us who have followed the athletic achievements of Radnor's lacrosse team over the years. This outstanding program has had numerous former players recruited by Division I colleges, play on NCAA (National Collegiate Athletic Association) championship teams, coach at Division I schools, and even play internationally for the USA team.

This year's team is comprised of an outstanding group of athletes who have demonstrated a high level of dedication, perseverance, and teamwork. In addition, they were also committed to academic excellence.

There are three seniors on this year's team, and they will be attending Princeton, Colgate, and William & Mary. And they already have a junior that has been accepted, an academic and athletic scholarship, to Georgetown in the fall. These are indeed an impressive group of young women.

Joining me here at the rostrum today are coach Phyllis Kilgour and senior captains Sam Ellis, Kelyn Freedman, and Allie Martin. The rest of the team, along with assistant coach Brooke Fritz, the principal, and athletic director, are sitting in the back of the House.

Please join me in giving these fine athletes a round of applause. Girls, would you please rise.

The Radnor High School 2009 State Championship Lacrosse Team. Thank you very much.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. EVERETT called up **HR 331, PN 1982**, entitled:

A Resolution honoring Michael C. Mussina for his outstanding career in athletics on the occasion of his retirement.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Lycoming County, Representative Everett.

The House will come to order. Members will please take their seats.

The Chair recognizes the gentleman from Lycoming County, Representative Everett.

Mr. EVERETT. Thank you, Mr. Speaker.

Mr. Speaker, I am proud and honored to stand here before you this afternoon as the prime sponsor of HR 331, which honors Michael C. Mussina, our hometown hero in Montoursville, Pennsylvania, upon his retirement from Major League Baseball and for his many achievements during his long and distinguished athletic career.

Before we get started, I just want to say that Mike and I do have a few things in common. We were both raised in Montoursville, we both graduated from Montoursville High School, and we both played sports. However, as you are about to hear, that is definitely where the similarities stop.

Mike was born December 8, 1968, and he has made Montoursville proud throughout his life and his career. He was not only an exceptional three-sport athlete at Montoursville, but he also had an excellent scholastic record which resulted in his selection as salutatorian from his class in 1987.

As an athlete in high school, Mike was a 10-time varsity letter winner, garnering four letters in baseball, three in basketball, and three in football.

In high school football, Mike was named an All-Conference performer eight times at four different positions – three times as a place kicker, two times as a receiver, two times as a defensive back, and once as a punter.

In basketball, Mike scored a total of 1,382 points during his high school career, making him the number two in Montoursville High School history. As a senior, he was named the 1987 West Branch Conference Player of the Year.

I would also like to point out that throughout his career as a baseball player, Mike has still continued his love of basketball, and the pickup games at his court at home at his house are legend in the Montoursville area and I believe continue to this day.

And then, of course, he played a little baseball, too. Mike pitched on the 1985 PIAA AAA State championship team and the 1986 PIAA AAA State championship runner-up team.

In his senior year in 1987, Mike was named Pennsylvania Player of the Year and selected as a Gatorade All-American, and his overall record in high school was 24 wins and only 4 losses.

GUESTS INTRODUCED

Mr. EVERETT. Before we leave Mike's high school career and move on into the rest of his career, I want to introduce two folks who came here today with me from Montoursville to honor Mike, and that is Fred and Janice Springman, who are here to my left.

Fred and Janice are dear friends of mine. Fred and I graduated, went through every grade in school together and graduated from high school together and are best friends to this day. And Fred was Mike's coach in high school, and Janice, Janice followed the team wherever they went, both the high school team and the legion team, and I just wanted to recognize Fred and Janice on this occasion. If they would stand up, please.

And there is one more thing about Mike's athletic career in high school that is kind of a little bit of a local legend. I guess Mike could have been a four-sport athlete. He was out at the track messing around in the jumping pits one day before baseball practice, and they discovered that he could have qualified for the district meet in both the triple jump and the long jump and in fact could long jump farther than anybody at our school had ever done.

And he presented that idea to Fred and Carter Giles, the baseball coach, and they were less than excited about the idea of having their ace pitcher out jumping around. And all Mike said, Mike's proposition was simply this: just one meet, just the district meet. Just at home, no travel and no practicing. And they said, well, Mike, if you think that your future is in track and field, God bless you; you can just leave your uniform here on the desk, and you can forgo that scholarship, 90-mile-an-hour fastball, et cetera, et cetera. So Mike's track career came to a quick end, and he stuck with baseball.

Mike was drafted by the Baltimore Orioles following his graduation in '87 but instead decided to attend Stanford University, where he graduated with a degree in economics in 1991.

While he was at Stanford, Mike pitched on the 1988 NCAA National College World Championship Team and compiled a record of 25 wins and 12 losses and had 14 wins in his last season in 1990.

And the world being a small place, when Mike pitched at the College World Series in 1988, I just happened to be in the Air Force and stationed at Offutt Air Force base in Omaha, and we

got tickets to go to the game. In fact, we still have season tickets. And my two little daughters, who were about 9 and 6 at the time, I think, walked up to Mike, who was just in his first year at Stanford, and they had on their Montoursville High School State championship team shirts from 1985 that Fred and Janice had gotten for us. And he looked a little surprised to see two little girls come wandering up to get a picture taken with him. I do not know how often anybody had asked to have their picture taken with him at that point in his career. But we still have that picture and treasure that.

And after Stanford, Mike was again drafted by the Baltimore Orioles, and this time in the first round, and I am just going to try to run quickly through so I do not take up your whole day with some of the things that Mike has done in professional baseball.

He played for the Orioles from 1991 to 2000 and the Yankees from 2001 to 2008. Which one are you cheering for there, Stan?

Mr. SAYLOR. Yankees.

Mr. EVERETT. The Yankees. Okay.

I thought you were saying "Moose." Does anybody know what that means by any chance here?

We will do that at the end, okay? We will do the "Moose" cheer at the end.

By the way, his nickname, for those of you who are not baseball aficionados, Yankees fans or Orioles fans, Mike's nickname belovedly throughout his career, because of his last name Mussina, was "Moose." So when he would do well, the "Moose" cheer would go up throughout the stadium. Not in Boston, I do not think, though.

Mike spent his entire career in the American League, and he won at least 11 games in 17 straight seasons from '92 to 2008 and had a .638 win-loss percentage.

He had a brief stint in the Minors, had an ERA (earned run average) of about 2.38, so they pulled him up pretty quick, and in his first season with the Orioles, he had a record of 18 and 5 with a 2.54 ERA.

Mike is the ninth player to win 100 games with two different teams. When Mike hung it up last year, he had won 147 games with Baltimore and 123 with the Yankees, leaving him at 270, which puts him pretty far up the list, and we all think that he is well qualified with his other statistics to head up to Cooperstown here in the not too distant future.

And I think the crowning thing for Mike was he had already decided that he was going to retire last year, and on September 28, 2008, at 39 years of age, Mike won his 20th game in a 6-to-2 win over the Boston Red Sox at Fenway Park and became the oldest first-time 20-game winner in Major League Baseball history.

Among other achievements, Mike was named to the All-Star team 5 times, a 7-time Golden Glove winner, nominated Cy Young 7 times, most valuable player 3 times, won 15 games in a season 11 times, pitched in 2 World Series with the Yankees.

And on November 28, 2008, after a great athletic career, Mike officially announced his retirement from baseball. And Mike is here today with his mother, Ellie; his wife, Jana. If you guys would stand up real quick. I know you did not want to stand up.

And I can tell you that along with all the things that Mike has done in his athletic career, he has always been loyal to Montoursville, he has always lived in Montoursville. He has put

lights up on athletic fields. He has put scoreboards on athletic fields. He has donated land for our YMCA. He has been a great citizen.

And he said the one thing that he was worried about today was, A, he does not like to do things in public that much, and B, if I did not get him home in time – he is coaching Little League Baseball now – if I did not get him home in time to coach Brycen's game tonight, that I was going to be in big trouble.

So I would ask you for a big round of applause and a positive vote on HR 331 honoring the career of Mike Mussina.

"Moose."

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

The following roll call was recorded:

YEAS—196

Adolph	Everett	Longietti	Reese
Baker	Fabrizio	Maher	Reichley
Barbin	Fairchild	Mahoney	Roae
Barrar	Farry	Major	Rock
Bear	Fleck	Manderingo	Roebuck
Benninghoff	Frankel	Mann	Rohrer
Beyer	Freeman	Markosek	Ross
Bishop	Gabig	Marshall	Sabatina
Boback	Gabler	Marsico	Sainato
Boyd	Galloway	Matzie	Samuelson
Boyle	Geist	McGeehan	Santarsiero
Bradford	George	McI. Smith	Santoni
Brennan	Gerber	Melio	Saylor
Briggs	Gergely	Mensch	Scavello
Brooks	Gibbons	Metcalfe	Schroder
Brown	Gillespie	Metzgar	Seip
Burns	Gingrich	Micozzie	Shapiro
Buxton	Godshall	Millard	Siproth
Caltagirone	Goodman	Miller	Smith, K.
Carroll	Grell	Milne	Smith, M.
Casorio	Grove	Mirabito	Smith, S.
Causer	Grucela	Moul	Solobay
Christiana	Haluska	Mundy	Sonney
Civera	Hanna	Murphy	Staback
Clymer	Harhai	Murt	Stern
Cohen	Harhart	Mustio	Stevenson
Conklin	Harkins	Myers	Sturla
Costa, D.	Harper	O'Brien, D.	Swanger
Costa, P.	Harris	O'Brien, M.	Tallman
Cox	Helm	O'Neill	Taylor, J.
Creighton	Hennessey	Oberlander	Taylor, R.
Cruz	Hess	Oliver	Thomas
Curry	Hickernell	Parker	True
Cutler	Hornaman	Pashinski	Turzai
Daley	Houghton	Payne	Vereb
Dally	Hutchinson	Payton	Vitali
Day	Johnson	Peifer	Vulakovich
Deasy	Josephs	Perzel	Walko
DeLozier	Kauffman	Petrarca	Wansacz
DeLuca	Keller, M.K.	Petri	Waters
Denlinger	Keller, W.	Phillips	Watson
DePasquale	Kessler	Pickett	Wheatley
DeWeese	Killion	Preston	White
DiGirolamo	Kirkland	Pyle	Williams
Donatucci	Knowles	Quigley	Youngblood
Drucker	Kortz	Quinn	Yudichak
Eachus	Kotik	Rapp	
Ellis	Krieger	Readshaw	McCall,
Evans, D.	Kula	Reed	Speaker
Evans, J.	Levdansky		

NAYS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Lentz	Pallone	Wagner
Dermody	Miccarelli	Perry	

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

GUESTS INTRODUCED

The SPEAKER. Joining us today as guest pages in the well of the House are Andrew Turzai, Stephen Turzai, and Matthew Turzai. They are the sons of Representative Michael Turzai. Will the guests please rise. Welcome to the hall of the House.

In the well of the House, the Chair welcomes Leah Brown. She is the granddaughter of Representative Ron Marsico. Leah is serving as a guest page as well. Will Leah please rise? Oh, she is back with her grandfather. Welcome to the hall of the House, Leah.

To the left of the Speaker, Dr. Lidia Turzai and Becky Hildebrand, the wife of Representative Mike Turzai and the sister of Mike Turzai. Will the guests please rise. Welcome to the hall of the House.

In the well of the House, the Chair welcomes Stephanie Conrad as a guest page. Stephanie is a political science major at West Chester State University and a summer intern in the district office of Representative Keith Gillespie. Will Stephanie please rise. Welcome to the hall of the House, Stephanie.

In the back of the House, the Chair welcomes six members of the Modernette Baton Corps who have just captured their sixth world title at the National Baton Twirling Association's world competition held in Belgium. They are Brittany Marcolini, Taylor Meckley, Darcy Maurtino, Kristy Miller, and Miranda Vignoli. They are the guests of Representatives Bill DeWeese, Levdansky, and Maher. Will the guests please rise. Welcome to the hall of the House.

DUSTIN KNIGHT WELCOMED

The SPEAKER. Do you notice the gentleman standing to my right, the Sergeant at Arms, Dustin Knight? He is just returning from Marine basic and intelligence training. Welcome back to the hall of the House, Dustin. To the right of the Speaker.

APPROPRIATIONS COMMITTEE MEETING**DEMOCRATIC CAUCUS**

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Representative Cohen, the majority caucus chairman, for an announcement.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, immediately at the call of the break, there will be a meeting of the House Appropriations Committee in the majority caucus room. At such time as the Appropriations

Committee completes its business, the Democrats will immediately follow with our caucus. Our goal is to return to the floor at 3 p.m.

The SPEAKER. The Chair thanks the gentleman. Appropriations will meet immediately at the break.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentlelady from Susquehanna County, the minority caucus chairman, 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 all Republicans to please report to caucus. Thank you.

The SPEAKER. The Chair thanks the lady.

RECESS

The SPEAKER. Are there any further announcements?

Hearing none, this House will now stand in recess until 3 p.m., unless sooner recalled by the Speaker.

AFTER RECESS

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

**HOUSE BILLS
INTRODUCED AND REFERRED****No. 1708** By Representative D. EVANS

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making Federal and State appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Referred to Committee on APPROPRIATIONS, June 15, 2009.

No. 1709 By Representative D. EVANS

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University-Commonwealth Act, making Federal and State appropriations for carrying the same into effect; and providing for a basis for payments of the appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Referred to Committee on APPROPRIATIONS, June 15, 2009.

No. 1710 By Representative D. EVANS

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University-Commonwealth Act, making Federal and State appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Referred to Committee on APPROPRIATIONS, June 15, 2009.

No. 1711 By Representative D. EVANS

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh—Commonwealth Act, making Federal and State appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Referred to Committee on APPROPRIATIONS, June 15, 2009.

No. 1712 By Representatives MARSICO, BAKER, BELFANTI, BEYER, BOBACK, BOYD, BRADFORD, CIVERA, D. COSTA, CUTLER, DALEY, DALLY, EVERETT, FAIRCHILD, FLECK, GEIST, GINGRICH, GOODMAN, GRELL, HARHART, HELM, HESS, HICKERNELL, HORNAMAN, KAUFFMAN, M. KELLER, KORTZ, KOTIK, MAJOR, MARSHALL, MENSCH, METZGAR, MILLARD, MILLER, MILNE, MOUL, MURT, OBERLANDER, PHILLIPS, PICKETT, PYLE, READSHAW, REICHLEY, ROCK, SCAVELLO, SIPTROTH, K. SMITH, STEVENSON, SWANGER, J. TAYLOR, TRUE, TURZAI, VEREB and VULAKOVICH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of drug delivery resulting in death.

Referred to Committee on JUDICIARY, June 15, 2009.

No. 1713 By Representatives BARBIN, KORTZ, WATERS, OLIVER, MELIO, FAIRCHILD, KAUFFMAN, GEORGE, BROWN, MURPHY, DONATUCCI, PETRARCA, BOBACK, GOODMAN, GRUCELA, HESS, HORNAMAN, PARKER, PASHINSKI, PHILLIPS, SWANGER, WATSON, BEAR, MURT, SIPTROTH, MENSCH and BRADFORD

An Act imposing additional requirements for closure or sale of any State veterans home, center or school.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 15, 2009.

No. 1718 By Representatives D. EVANS, W. KELLER, CALTAGIRONE, LEVDANSKY, MILLER, PARKER, PAYTON, SHAPIRO, SOLOBAY, STURLA, McILVAINE SMITH, PASHINSKI, MAHONEY, FRANKEL, HOUGHTON, SIPTROTH, MANN, GODSHALL, KIRKLAND, JOSEPHS, PALLONE and WHEATLEY

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

Referred to Committee on EDUCATION, June 15, 2009.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence of the gentleman from Westmoreland County, Representative Pallone,

on the floor of the House. His name will be added to the master roll.

BILLS REREPORTED FROM COMMITTEE

HB 155, PN 2040 By Rep. D. EVANS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for speed timing devices and for weighing and measurement of vehicles.

APPROPRIATIONS.

HB 271, PN 290 By Rep. D. EVANS

An Act providing for earned income tax credit notification.

APPROPRIATIONS.

HB 1119, PN 1322 By Rep. D. EVANS

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for suitability of annuity transactions.

APPROPRIATIONS.

HB 1481, PN 1843 By Rep. D. EVANS

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

APPROPRIATIONS.

SB 170, PN 140 By Rep. D. EVANS

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, further providing for mortgage loan business prohibitions.

APPROPRIATIONS.

SB 731, PN 826 By Rep. D. EVANS

An Act designating Bushkill Drive, State Route 2019, Northampton County, as the Victor W. Anckaitis Memorial Highway.

APPROPRIATIONS.

The SPEAKER. Those bills will go to the House supplemental calendar.

BILL REREPORTED FROM COMMITTEE

HB 786, PN 2148 (Amended) By Rep. D. EVANS

An Act establishing the State Energy Office; and imposing duties on the State Energy Office.

APPROPRIATIONS.

The SPEAKER. HB 786 will go to the House calendar.

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, returning to leaves of absence, who requests the following leave for Representative DONATUCCI from Philadelphia for the day. Without objection, the leave will be granted.

CALENDAR CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mr. M. SMITH called up **HR 290, PN 1754**, entitled:

A Resolution congratulating the 2009 Mt. Lebanon High School Girls' Basketball Team for its perfect season and for winning the 2009 Pennsylvania Interscholastic Athletic Association (PIAA) Class AAAA Championship.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Boyle	George	McI. Smith	Santarsiero
Bradford	Gerber	Melio	Santoni
Brennan	Gergely	Mensch	Saylor
Briggs	Gibbons	Metcalfe	Scavello
Brooks	Gillespie	Metzgar	Schroder
Brown	Gingrich	Micozzie	Seip
Burns	Godshall	Millard	Shapiro
Buxton	Goodman	Miller	Siptroth
Caltagirone	Grell	Milne	Smith, K.
Carroll	Grove	Mirabito	Smith, M.
Casorio	Grucela	Moul	Smith, S.
Causer	Haluska	Mundy	Solobay
Christiana	Hanna	Murphy	Sonney
Civera	Harhai	Murt	Staback
Clymer	Harhart	Mustio	Stern
Cohen	Harkins	Myers	Stevenson
Conklin	Harper	O'Brien, D.	Sturla
Costa, D.	Harris	O'Brien, M.	Swanger
Costa, P.	Helm	O'Neill	Tallman
Cox	Hennessey	Oberlander	Taylor, J.
Creighton	Hess	Oliver	Taylor, R.
Cruz	Hickernell	Pallone	Thomas
Curry	Hornaman	Parker	True
Cutler	Houghton	Pashinski	Turzai
Daley	Hutchinson	Payne	Verb
Dally	Johnson	Payton	Vitali
Day	Josephs	Peifer	Vulakovich
Deasy	Kauffman	Perzel	Walko
Delozier	Keller, M.K.	Petrarca	Wansacz
DeLuca	Keller, W.	Petri	Waters
Denlinger	Kessler	Phillips	Watson
DePasquale	Killion	Pickett	Wheatley
DeWeese	Kirkland	Preston	White
DiGirolando	Knowles	Pyle	Williams

Drucker	Kortz	Quigley	Youngblood
Eachus	Kotik	Quinn	Yudichak
Ellis	Krieger	Rapp	
Evans, D.	Kula	Readshaw	McCall,
Evans, J.	Levdansky	Reed	Speaker
Everett	Longiotti		

NAYS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Donatucci	Miccarelli	Wagner
Dermody	Lentz	Perry	

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

SUPPLEMENTAL CALENDAR A

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1481, PN 1843**, entitled:

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

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

Mrs. **BROOKS** offered the following amendment No. **A01515**:

- Amend Bill, page 3, by inserting between lines 13 and 14
 - (3) (i) Notwithstanding any other provision of this act to the contrary, persons who, as of December 31, 2008, are eligible for the property tax or rent rebate shall remain eligible if the household income limit is exceeded due solely to a Social Security cost-of-living adjustment.
 - (ii) Eligibility in the property tax and rent rebate program pursuant to subparagraph (i) shall expire on December 31, 2012.

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

The SPEAKER. On the amendment, the Chair recognizes the gentledady from Mercer County, Representative Brooks.

Mrs. BROOKS. Thank you, Mr. Speaker.

What this amendment does is it allows senior citizens to remain eligible in the property rebate program if they do receive a small cost-of-living increase with their Social Security. Right now we do have seniors that may receive \$150 Social Security cost-of-living increase. It knocks them off this program, and then they may lose \$500, \$600 in the property rebate.

So this amendment is to support our senior citizens, and I would ask my colleagues for an affirmative vote. Thank you very much.

The SPEAKER. The Chair thanks the gentledady.

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

The following roll call was recorded:

YEAS—196

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Boyle	George	McI. Smith	Santarsiero
Bradford	Gerber	Melio	Santoni
Brennan	Gergely	Mensch	Saylor
Briggs	Gibbons	Metcalfe	Scavello
Brooks	Gillespie	Metzgar	Schroder
Brown	Gingrich	Micozzie	Seip
Burns	Godshall	Millard	Shapiro
Buxton	Goodman	Miller	Siptroth
Caltagirone	Grell	Milne	Smith, K.
Carroll	Grove	Mirabito	Smith, M.
Casorio	Grucela	Moul	Smith, S.
Causar	Haluska	Mundy	Solobay
Christiana	Hanna	Murphy	Sonney
Civera	Harhai	Murt	Staback
Clymer	Harhart	Mustio	Stern
Cohen	Harkins	Myers	Stevenson
Conklin	Harper	O'Brien, D.	Sturla
Costa, D.	Harris	O'Brien, M.	Swanger
Costa, P.	Helm	O'Neill	Tallman
Cox	Hennessey	Oberlander	Taylor, J.
Creighton	Hess	Oliver	Taylor, R.
Cruz	Hickernell	Pallone	Thomas
Curry	Hornaman	Parker	True
Cutler	Houghton	Pashinski	Turzai
Daley	Hutchinson	Payne	Vereb
Dally	Johnson	Payton	Vitali
Day	Josephs	Peifer	Vulakovich
Deasy	Kauffman	Perzel	Walko
Delozier	Keller, M.K.	Petrarca	Wansacz
DeLuca	Keller, W.	Petri	Waters
Denlinger	Kessler	Phillips	Watson
DePasquale	Killion	Pickett	Wheatley
DeWeese	Kirkland	Preston	White
DiGiolamo	Knowles	Pyle	Williams
Drucker	Kortz	Quigley	Youngblood
Eachus	Kotik	Quinn	Yudichak
Ellis	Krieger	Rapp	
Evans, D.	Kula	Readshaw	McCall,
Evans, J.	Levdansky	Reed	Speaker
Everett	Longietti		

NAYS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Donatucci	Miccarelli	Wagner
Dermody	Lentz	Perry	

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

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

The SPEAKER. There was a late-filed amendment to this legislation that will require a suspension of the rules. Does the gentleman from Philadelphia, Representative Perzel, want to be recognized to make a motion to suspend the rules for the immediate consideration of amendment A01756? The gentleman has withdrawn the amendment. The Chair thanks the gentleman.

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 271, PN 290**, entitled:

An Act providing for earned income tax credit notification.

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

Mr. **ELLIS** offered the following amendment No. **A01687**:

Amend Bill, page 2, line 15, by striking out "include written" and inserting
do one of the following:

(i) Send written

Amend Bill, page 2, by inserting between lines 19 and 20

(ii) Send notification of an employee's potential eligibility for the EITC by electronic means to an employee's work e-mail address.

Amend Bill, page 2, line 22, by striking out "that" and inserting
. The notification shall be posted on the department's Internet website in a downloadable format and

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Butler County, Representative Ellis.

Mr. **ELLIS**. Thank you very much, Mr. Speaker.

This amendment simply states that in addition to providing the employers with the opportunity to present this information via mail, we can also do it over the Internet using e-mail if the company provides work e-mails, and also, it incorporates the use of the form that is going to be created by the department and makes sure that that is a downloadable form so that the small businesses will not incur an additional cost of paying for new forms to use just for this purpose.

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

The following roll call was recorded:

YEAS—196

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Boyle	George	McI. Smith	Santarsiero
Bradford	Gerber	Melio	Santoni
Brennan	Gergely	Mensch	Saylor
Briggs	Gibbons	Metcalfe	Scavello
Brooks	Gillespie	Metzgar	Schroder
Brown	Gingrich	Micozzie	Seip
Burns	Godshall	Millard	Shapiro
Buxton	Goodman	Miller	Siptroth
Caltagirone	Grell	Milne	Smith, K.
Carroll	Grove	Mirabito	Smith, M.
Casorio	Grucela	Moul	Smith, S.
Causar	Haluska	Mundy	Solobay
Christiana	Hanna	Murphy	Sonney
Civera	Harhai	Murt	Staback
Clymer	Harhart	Mustio	Stern
Cohen	Harkins	Myers	Stevenson
Conklin	Harper	O'Brien, D.	Sturla
Costa, D.	Harris	O'Brien, M.	Swanger
Costa, P.	Helm	O'Neill	Tallman
Cox	Hennessey	Oberlander	Taylor, J.
Creighton	Hess	Oliver	Taylor, R.
Cruz	Hickernell	Pallone	Thomas
Curry	Hornaman	Parker	True
Cutler	Houghton	Pashinski	Turzai
Daley	Hutchinson	Payne	Vereb
Dally	Johnson	Payton	Vitali
Day	Josephs	Peifer	Vulakovich
Deasy	Kauffman	Perzel	Walko
Delozier	Keller, M.K.	Petrarca	Wansacz
DeLuca	Keller, W.	Petri	Waters
Denlinger	Kessler	Phillips	Watson
DePasquale	Killion	Pickett	Wheatley
DeWeese	Kirkland	Preston	White
DiGirolamo	Knowles	Pyle	Williams
Drucker	Kortz	Quigley	Youngblood
Eachus	Kotik	Quinn	Yudichak
Ellis	Krieger	Rapp	
Evans, D.	Kula	Readshaw	McCall,
Evans, J.	Levdansky	Reed	Speaker
Everett	Longiotti		

NAYS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Donatucci	Miccarelli	Wagner
Dermody	Lentz	Perry	

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

On the question,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 68, PN 2039**, entitled:

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

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. It is the Chair's understanding that the gentelady from Mercer, Representative Brooks, is withdrawing amendment A01674. The Chair thanks the gentelady.

Also, the gentelady from Lebanon County, Representative Gingrich, withdraws amendment A01681. The Chair thanks the gentelady.

On the question recurring,

Will the House agree to the bill on second consideration?

Bill was agreed to.

SUPPLEMENTAL CALENDAR A CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1119, PN 1322**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for suitability of annuity transactions.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. On the question, does the gentleman, Representative Mustio, withdraw amendment A00614? The Chair thanks the gentleman.

The Chair recognizes the gentleman from Delaware County, Representative Barrar, who offers amendment— The gentleman withdraws the amendment. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **KILLION** offered the following amendment No. **A00751**:

Amend Bill, page 6, by inserting between lines 18 and 19

(5) An insurer that contracts with a third party under paragraph (3) that complies with the requirements to supervise under paragraph (4) shall have fulfilled its responsibilities under paragraph (1).

Amend Bill, page 6, line 19, by striking out "(5)" and inserting (6)
 Amend Bill, page 6, line 27, by striking out "(6)" and inserting (7)
 Amend Bill, page 7, line 3, by striking out "(7)" and inserting (8)

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

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman withdraws the amendment.
 The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny County, Representative DeLuca, who offers amendment – who withdraws the amendment. The Chair thanks the gentleman.

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

Mr. **KILLION** offered the following amendment
 No. **A00867**:

Amend Bill, page 6, line 19, by inserting after "(5)"
An insurer that contracts with a third party under paragraph (3) that complies with the requirements to supervise under paragraph (4) shall have fulfilled its responsibilities under paragraph (1).

(6)
 Amend Bill, page 6, line 27, by striking out "(6)" and inserting (7)
 Amend Bill, page 7, line 3, by striking out "(7)" and inserting (8)
 Amend Bill, page 9, line 14, by striking out "60" and inserting 180

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Delaware County, Representative Killion.

Mr. **KILLION**. Thank you, Mr. Speaker.

It is my understanding, in speaking with the majority chairman, that this is an agreed-to amendment and I appreciate that. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Allegheny County, Representative DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

First of all, I want to thank Representative Killion for this amendment. It goes a long way in making this bill a better bill, and I support the amendment. So I would ask for an affirmative vote on the amendment.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley

Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Rockbuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Boyle	George	McI. Smith	Santarsiero
Bradford	Gerber	Melio	Santoni
Brennan	Gergely	Mensch	Saylor
Briggs	Gibbons	Metcalfe	Scavello
Brooks	Gillespie	Metzgar	Schroder
Brown	Gingrich	Micozzie	Seip
Burns	Godshall	Millard	Shapiro
Buxton	Goodman	Miller	Sipthroth
Caltagirone	Grell	Milne	Smith, K.
Carroll	Grove	Mirabito	Smith, M.
Casorio	Grucela	Moul	Smith, S.
Causer	Haluska	Mundy	Solobay
Christiana	Hanna	Murphy	Sonney
Civera	Harhai	Murt	Staback
Clymer	Harhart	Mustio	Stern
Cohen	Harkins	Myers	Stevenson
Conklin	Harper	O'Brien, D.	Sturla
Costa, D.	Harris	O'Brien, M.	Swanger
Costa, P.	Helm	O'Neill	Tallman
Cox	Hennessey	Oberlander	Taylor, J.
Creighton	Hess	Oliver	Taylor, R.
Cruz	Hickernell	Pallone	Thomas
Curry	Hornaman	Parker	True
Cutler	Houghton	Pashinski	Turzai
Daley	Hutchinson	Payne	Vereb
Dally	Johnson	Payton	Vitali
Day	Josephs	Peifer	Vulakovich
Deasy	Kauffman	Perzel	Walko
Delozier	Keller, M.K.	Petrarca	Wansacz
DeLuca	Keller, W.	Petri	Waters
Denlinger	Kessler	Phillips	Watson
DePasquale	Killion	Pickett	Wheatley
DeWeese	Kirkland	Preston	White
DiGirolamo	Knowles	Pyle	Williams
Drucker	Kortz	Quigley	Youngblood
Eachus	Kotik	Quinn	Yudichak
Ellis	Krieger	Rapp	
Evans, D.	Kula	Readshaw	McCall,
Evans, J.	Levdansky	Reed	Speaker
Everett	Longiatti		

NAYS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Donatucci	Miccarelli	Wagner
Dermody	Lentz	Perry	

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

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

The SPEAKER. The gentleman, Mr. Killion, are you withdrawing amendment A0— The Chair thanks the gentleman.

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **SB 170, PN 140**, entitled:

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, further providing for mortgage loan business prohibitions.

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

* * *

The House proceeded to second consideration of **SB 731, PN 826**, entitled:

An Act designating Bushkill Drive, State Route 2019, Northampton County, as the Victor W. Anckaitis Memorial Highway.

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

Mr. **REICHLEY** offered the following amendment No. **A01694**:

Amend Bill, page 1, line 2, by inserting after "Highway"
; and designating a portion of State Route 2017 in Lower Macungie Township, Lehigh County, as the Sgt. Ashly L. Moyer Memorial Road

Amend Bill, page 2, by inserting between lines 12 and 13 Section 2. Sgt. Ashly L. Moyer Memorial Road.

(a) Declaration of policy.—The General Assembly finds and declares as follows:

(1) Sgt. Ashly L. Moyer was born in Allentown, Lehigh County, and graduated from Emmaus High School in 2003.

(2) In 2004 Sgt. Moyer graduated from the Army Military Police School in Missouri and served at Guantanamo Bay, Cuba, and Bamberg, Germany, before being assigned to Iraq in the 630th Military Police Company, 793rd Military Police Battalion, of the United States Army.

(3) Sgt. Moyer made the supreme sacrifice on March 3, 2007, when the 21-year-old was killed while on routine patrol and driving an armored patrol vehicle. She was driving the second vehicle in a convoy of four. As the lead vehicle drove over a buried bomb, insurgents detonated it by remote control. The occupants of the lead vehicle survived, but the explosion detonated the fuel tank on Moyer's vehicle, creating a fireball that killed her and the two sergeants with her.

(4) Inspired by her family's military lineage, her Marine grandfather having served in World War II, Korea and Vietnam, Moyer joined the Army Reserve through the delayed enlistment program while still attending Emmaus High School.

(5) At the time of her death she was survived by her parents, Jane Drumheller of Pike County and Michael Moyer of Lower Macungie, brothers Tyler, 12, and Kyle, 10, a sister, Teagan, 8, and a stepsister, Karissa, 21. She was also survived by her stepparents, grandfather and great-grandmother.

(b) Designation.—State Route 2017, Brookside Road in Lower Macungie Township, Lehigh County, from the intersection with State Route 2021, Buckeye Road, to the intersection with State Route 222 is hereby designated as the Sgt. Ashly L. Moyer Memorial Road.

(c) Signs.—The Department of Transportation shall erect and maintain appropriate signs to indicate the designation under subsection (b).

Amend Bill, page 2, line 13, by striking out "2" and inserting
3

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

The **SPEAKER**. On the question, the Chair recognizes the gentleman from Lehigh County, Representative Reichley.

Mr. **REICHLEY**. Thank you, Mr. Speaker.

This amendment would designate a portion of a State road in Lower Macungie Township, Lehigh County, as the Ashly L. Moyer Memorial Road. Miss Moyer, as the members may recall, was a female sergeant in the Army who was killed in Iraq on March 3, 2007, I believe. So I would appreciate the unanimous support of the members for this amendment. Thank you.

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

The following roll call was recorded:

YEAS—196

Adolph	Fabrizio	Maher	Reese
Baker	Fairchild	Mahoney	Reichley
Barbin	Farry	Major	Roae
Barrar	Fleck	Manderino	Rock
Bear	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	Geist	McGeehan	Samuelson
Boyle	George	McI. Smith	Santarsiero
Bradford	Gerber	Melio	Santoni
Brennan	Gergely	Mensch	Saylor
Briggs	Gibbons	Metcalfe	Scavello
Brooks	Gillespie	Metzgar	Schroder
Brown	Gingrich	Micozzie	Seip
Burns	Godshall	Millard	Shapiro
Buxton	Goodman	Miller	Siptroth
Caltagirone	Grell	Milne	Smith, K.
Carroll	Grove	Mirabito	Smith, M.
Casorio	Grucela	Moul	Smith, S.
Causer	Haluska	Mundy	Solobay
Christiana	Hanna	Murphy	Sonney
Civera	Harhai	Murt	Staback
Clymer	Harhart	Mustio	Stern
Cohen	Harkins	Myers	Stevenson
Conklin	Harper	O'Brien, D.	Sturla
Costa, D.	Harris	O'Brien, M.	Swanger
Costa, P.	Helm	O'Neill	Tallman
Cox	Hennessey	Oberlander	Taylor, J.
Creighton	Hess	Oliver	Taylor, R.
Cruz	Hickernell	Pallone	Thomas
Curry	Hornaman	Parker	True
Cutler	Houghton	Pashinski	Turzai
Daley	Hutchinson	Payne	Vereb
Dally	Johnson	Payton	Vitali
Day	Josephs	Peifer	Vulakovich
Deasy	Kauffman	Perzel	Walko
Delozier	Keller, M.K.	Petrarca	Wansacz

DeLuca	Keller, W.	Petri	Waters
Denlinger	Kessler	Phillips	Watson
DePasquale	Killion	Pickett	Wheatley
DeWeese	Kirkland	Preston	White
DiGirolamo	Knowles	Pyle	Williams
Drucker	Kortz	Quigley	Youngblood
Eachus	Kotik	Quinn	Yudichak
Ellis	Krieger	Rapp	
Evans, D.	Kula	Readshaw	McCall,
Evans, J.	Levdansky	Reed	Speaker
Everett	Longietti		

NAYS—0

NOT VOTING—0

EXCUSED—7

Belfanti	Donatucci	Miccarelli	Wagner
Dermody	Lentz	Perry	

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

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

(Bill as amended will be reprinted.)

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 155, PN 2040**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for speed timing devices and for weighing and measurement of vehicles.

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

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

(Bill analysis was read.)

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

On that question, the Chair recognizes the gentleman from Montgomery County, Representative Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker. I had amendment No. 01693, which I believe the—

The SPEAKER. Will the gentleman yield. The House will come to order. The House will come to order.

The Chair recognizes the gentleman, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

HB 155 changes the certification requirements for portable weigh scales from 90 days to 1 year and also for speed timing

devices from 60 days to 6 months. I was particularly concerned about the portable weigh scales, which go from 90 days to 1 year for certification, which is annually. Weigh scales are not only used by the State Police, they are used by municipalities and in some instances in local municipalities, which I am aware of, for weighing even pickup trucks. And trash trucks are targets specifically because a canister that they are picking up at one location may one day be 200 pounds and one day may be 2 tons, depending on what is in it. The overweight problem with trucks is not only overweight for the full weight of the truck, but also overweight on each particular axle. Therefore, trash trucks become a real, real target for this, and these fines are not in the hundreds of dollars, they are actually in the thousands of dollars in many cases. And if somebody gets fined on this weight business, on an overweight basis, they should be sure that the scale that is weighing them is accurate, and when you have a certification that lasts for a year, that scale could weigh hundreds, literally hundreds of weighings over that course of a year that are out of whack and are really not legitimate.

So what I was doing with my amendment, I was changing the portable weigh scales from 90 days to a year, I was changing that down from 90 days to 6 months, but I understand I have to ask for suspension of the rules to offer this, which I know I cannot get. So with that, I will be withdrawing the amendment, and hopefully we will do something over in the Senate. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—158

Adolph	Eachus	Kotik	Reed
Baker	Ellis	Levdansky	Reichley
Barbin	Evans, D.	Maher	Roebuck
Barrar	Fabrizio	Mahoney	Rohrer
Bear	Farry	Major	Ross
Beyer	Fleck	Manderino	Sabatina
Bishop	Frankel	Mann	Sainato
Boback	Freeman	Markosek	Samuelson
Boyd	Galloway	Marshall	Santarsiero
Boyle	Geist	Marsico	Santoni
Bradford	Gerber	Matzie	Scavello
Brennan	Gergely	McGeehan	Schroder
Briggs	Gibbons	McI. Smith	Seip
Brown	Gillespie	Melio	Shapiro
Burns	Gingrich	Mensch	Siproth
Buxton	Goodman	Metzgar	Smith, K.
Caltagirone	Grove	Micozzie	Smith, M.
Casorio	Grucela	Millard	Solobay
Christiana	Haluska	Miller	Staback
Civera	Harhai	Moul	Stern
Clymer	Harhart	Mundy	Sturla
Cohen	Harkins	Murphy	Taylor, J.
Conklin	Harper	Murt	Taylor, R.
Costa, D.	Harris	Mustio	Thomas
Costa, P.	Helm	Myers	True
Cruz	Hennessey	O'Brien, D.	Turzai
Curry	Hess	O'Brien, M.	Vereb
Cutler	Hickernell	Oliver	Vulakovich
Daley	Hornaman	Pallone	Walko
Dally	Houghton	Parker	Wansacz
	Hutchinson	Pashinski	Waters

Day	Johnson	Payne	Watson
Deasy	Josephs	Payton	Wheatley
DeLozier	Keller, M.K.	Peifer	White
DeLuca	Keller, W.	Perzel	Williams
Denlinger	Kessler	Petrarca	Youngblood
DePasquale	Killion	Pickett	Yudichak
DeWeese	Kirkland	Preston	
DiGirolamo	Knowles	Quinn	McCall,
Drucker	Kortz	Readshaw	Speaker

NAYS—37

Benninghoff	Godshall	Mirabito	Roae
Brooks	Grell	O'Neill	Rock
Causar	Hanna	Oberlander	Saylor
Cox	Kauffman	Petri	Smith, S.
Creighton	Krieger	Phillips	Sonney
Everett	Kula	Pyle	Stevenson
Fairchild	Longietti	Quigley	Swanger
Gabig	Metcalfe	Rapp	Tallman
Gabler	Milne	Reese	Vitali
George			

NOT VOTING—1

Evans, J.

EXCUSED—7

Belfanti	Donatucci	Miccarelli	Wagner
Dermody	Lentz	Perry	

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

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

STATEMENT BY MR. WILLIAMS

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Representative Williams, under unanimous consent.

Will the House come to order. The House will come to order. The gentleman is recognized under unanimous consent. The gentleman will yield. The House will come to order. Members will please take their seats.

The Chair recognizes the gentleman from Philadelphia county, Representative Williams.

Mr. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, we are asking for a moment of remembrance for the late Stephen Tyrone Johns. On Wednesday, June 10, in the year of Obama 2009, at one of America's valued institutions, the Holocaust Memorial Museum in Washington DC, Officer Tyrone Johns was shot and killed in the line of duty, where he served as a security person. Officer Johns was well respected. He was a tall, built man, about 6 foot. He was referred to as a gentle giant. Other people gave tribute, echoing his heroic way of showing his love and his kind way and his kind acts. He was an American. He was an American. He loved people and he loved his job. Officer Johns was a graduate of Crossland High School in Temple Hills, Maryland. He was survived by his wife and his son, Stephen Tyrone Johns, Jr.

Thus, along with Representative Josh Shapiro, I ask this body to pause to remember the life of Officer Stephen Tyrone

Johns for sacrificing his life for others and preventing a great tragedy, the Holocaust Memorial Museum that receives thousands and thousands of visitors daily. This was a plain, simple, old gentleman who just worked as a security person and lost his life, and I believe this House and all houses across this country deserve to recognize this hero, Stephen Tyrone Johns.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MR. SHAPIRO

The SPEAKER. The Chair recognizes the gentleman from Montgomery County, Representative Shapiro.

Mr. SHAPIRO. I rise today to join with Representative Williams, who has been a tireless leader in promoting tolerance, bringing people together, and in his important message that he issued today. The lesson of the Holocaust Memorial Museum, put succinctly, is that we must never forget, we must never forget, because when we fail to commemorate, when we fail to recognize, when we fail to remember, we allow racism, we allow intolerance, we allow ethnic intimidation, and in the worst of circumstances, we allow a genocide or a holocaust to occur.

So it is important that the Pennsylvania House, it is important that Pennsylvanians, it is important that just members of society speak up and speak out so that we must never forget. Officer Stephen Tyrone Johns gave his life, gave his life, in defense of an institution that begged us never to forget. So let us never forget him. Let us always remember what he did for us, and let us always remember the lessons and the legacy of the Holocaust and strive to never ever forget.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

MOMENT OF SILENCE FOR OFFICER STEPHEN TYRONE JOHNS

The SPEAKER. Members and all guests will rise as a sign of respect for the fallen officer, Stephen Tyrone Johns.

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

The SPEAKER. Members and all guests may please be seated.

STATEMENT BY MINORITY LEADER

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. The Chair recognizes the gentleman from Jefferson County, the minority leader, Representative Smith.

Mr. S. SMITH. Under unanimous consent, relative to the comments that were just made.

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

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

I certainly agree with the sentiment and the attention that was just brought to this legislature relative to those recent events and absolutely agree with the concerns and the relative statements made about the history of the Holocaust and what precipitates that kind of a behavior among people that are all a part of this worldwide community.

I did have one concern with something that was said, Mr. Speaker, and perhaps the gentleman just misspoke. When he referred to 2009, I think the accurate representation of this year is 2009 Anno Domini, which means in the year of our Lord, and I think the record should reflect that 2009 is Anno Domini.

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

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1431, PN 1977**, entitled:

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for definitions and for unlawful acts or practices and exclusions; and providing for unsafe children's products.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1431 be removed from the active calendar and recommitted to the Committee on Appropriations.

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

* * *

The House proceeded to second consideration of **HB 1321, PN 1980**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring compliance with Federal Selective Service requirements as part of application for learners' permits or drivers' licenses.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1321 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.

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. Are there any further announcements?

Hearing none, the Chair has in its possession a motion by the gentleman from Chester County, Representative Houghton, who moves that this House do now adjourn until Tuesday, June 16, 2009, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 5:17 p.m., e.d.t., the House adjourned.