

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, NOVEMBER 9, 2009

SESSION OF 2009

193D OF THE GENERAL ASSEMBLY

No. 108

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (KEITH R. McCALL)
PRESIDING**

PRAYER

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

Thank you, Mr. Speaker.
Let us pray together.

Gracious and holy God, the men and women assembled here to serve our Commonwealth ask You humbly for a blessing and help. We pray that through Your grace they gain the vision to see clearly, the courage to act rightly, the humility to consider all sides of the issues, the discernment to accept disagreement, and the faith to persevere through discouragement and adversity. May we have the wisdom to see our Commonwealth's destiny as linked to Your will. We thank You, Lord, for the opportunity to serve and to grow in that service.

Bless our staff in doing well and protect our military serving in harm's way. May our motives, words, actions, and, indeed, love define us in these, our challenging moments, by Your grace and according to Your will.

It is in the name of our Lord and savior we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNALS APPROVED

The SPEAKER. The Journals of Wednesday, July 15; Thursday, July 16; Friday, July 17; Monday, July 20; Tuesday, July 21; Wednesday, July 22; Thursday, July 23; Monday, July 27; Tuesday, July 28; Wednesday, July 29; Thursday, July 30; and Friday, July 31 of 2009 are now in print. Will the House approve those Journals?

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Friday, October 9, 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, the gentleman from Greene County, Representative DeWeese, who requests the following leaves of absence for: Representative PALLONE from Westmoreland County for the day, Representative Ken SMITH from Lackawanna County for the day, Representative Matt SMITH from Allegheny County for the day, Representative THOMAS from Philadelphia County for the day. Without objection, the leaves will be granted.

The Chair recognizes the minority whip, the gentleman from Allegheny County, Representative Turzai, who requests a leave for the gentleman, Representative KILLION, from Delaware County for the day. Without objection, the leave will be granted.

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—195

Adolph	Evans, D.	Kula	Readshaw
Baker	Evans, J.	Lentz	Reed
Barbin	Everett	Levdansky	Reese
Barrar	Fabrizio	Longietti	Reichley
Bear	Fairchild	Maher	Roae
Belfanti	Farry	Mahoney	Rock
Benninghoff	Fleck	Major	Roebuck
Beyer	Frankel	Manderino	Rohrer
Bishop	Freeman	Mann	Ross
Boback	Gabig	Markosek	Sabatina
Boyd	Gabler	Marshall	Sainato
Boyle	Galloway	Marsico	Samuelson
Bradford	Geist	Matzie	Santarsiero
Brennan	George	McGeehan	Santoni
Briggs	Gerber	McI. Smith	Saylor
Brooks	Gergely	Melio	Scavello
Brown	Gibbons	Metcalfe	Schroder
Burns	Gillespie	Metzgar	Seip
Buxton	Gingrich	Micozzie	Shapiro
Caltagirone	Godshall	Millard	Siptroth
Carroll	Goodman	Miller	Smith, S.
Casorio	Grell	Milne	Solobay

Causer	Grove	Mirabito	Sonney
Christiana	Grucela	Moul	Staback
Civera	Haluska	Mundy	Stern
Clymer	Hanna	Murphy	Stevenson
Cohen	Harhai	Murt	Sturla
Conklin	Harhart	Mustio	Swanger
Costa, D.	Harkins	Myers	Tallman
Costa, P.	Harper	O'Brien, D.	Taylor, J.
Cox	Harris	O'Brien, M.	Taylor, R.
Creighton	Helm	O'Neill	True
Cruz	Hennessey	Oberlander	Turzai
Curry	Hess	Oliver	Veréb
Cutler	Hickernell	Parker	Vitali
Daley	Hornaman	Pashinski	Vulakovich
Dally	Houghton	Payne	Wagner
Day	Hutchinson	Payton	Walko
Deasy	Johnson	Peifer	Wansacz
Delozier	Josephs	Perzel	Waters
DeLuca	Kauffman	Petrarca	Watson
Denlinger	Keller, M.K.	Petri	Wheatley
DePasquale	Keller, W.	Phillips	White
Dermody	Kessler	Pickett	Williams
DeWeese	Kirkland	Preston	Youngblood
DiGirolamo	Knowles	Pyle	Yudichak
Donatucci	Kortz	Quigley	
Drucker	Kotik	Quinn	McCall,
Eachus	Krieger	Rapp	Speaker
Ellis			

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Killion	Pallone	Smith, K.	Thomas
Miccarelli	Perry	Smith, M.	

LEAVES ADDED—2

Donatucci	Lentz
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LEAVES CANCELED—2

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

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 504 By Representatives REICHLEY, BARRAR, BENNINGHOFF, BOYD, CLYMER, CREIGHTON, CUTLER, EVERETT, FARRY, FLECK, GINGRICH, GRELL, GROVE, HORNAMAN, MARSHALL, METCALFE, MURT, MUSTIO, QUINN, RAPP, ROSS, STEVENSON, SWANGER, J. TAYLOR, TRUE, WATSON, LEVDANSKY and TURZAI

A Resolution directing the Bipartisan Management Committee to establish a process by which members and employees of the House of Representatives make employee contributions for health care benefits.

Referred to Committee on RULES, October 14, 2009.

No. 505 By Representatives REICHLEY, BARRAR, BENNINGHOFF, BOYD, CLYMER, CREIGHTON, CUTLER, EVERETT, FAIRCHILD, GEIST, GILLESPIE, GINGRICH, GRELL, GROVE, HESS, HORNAMAN,

KAUFFMAN, KOTIK, MURT, MUSTIO, PETRI, PICKETT, QUINN, RAPP, ROCK, ROSS, SAYLOR, SONNEY, STEVENSON, SWANGER, TALLMAN, J. TAYLOR, TRUE, YUDICHAK and BEAR

A Concurrent Resolution petitioning the Honorable Edward G. Rendell, Governor of the Commonwealth, to call a special session of the General Assembly relating to the resolution of the underfunding of public pension funds.

Referred to Committee on FINANCE, October 14, 2009.

No. 510 By Representatives HARHART, GEIST, RAPP, PICKETT, MILLER, CREIGHTON, CUTLER, FAIRCHILD, GINGRICH, HENNESSEY, MAJOR, MILLARD, MURT, PHILLIPS, READSHAW, REICHLEY, ROCK, STEVENSON and SWANGER

A Resolution requesting the Department of Transportation to conduct a study of the slate industry for the purpose of devising the best means of utilizing the slate waste by-product as a component in highway construction and civil engineering projects.

Referred to Committee on TRANSPORTATION, October 16, 2009.

No. 511 By Representatives TALLMAN, BROOKS, CUTLER, GABLER, MOUL, ROCK, STERN, SWANGER and VULAKOVICH

A Resolution amending House Rule 45, to further provide for powers and duties of standing committees and subcommittees.

Referred to Committee on RULES, October 16, 2009.

No. 515 By Representatives RAPP, GRUCELA, DIGIROLAMO, KAUFFMAN, CAUSER, BAKER, BEAR, BELFANTI, BENNINGHOFF, BEYER, BISHOP, BOBACK, BROOKS, CALTAGIRONE, CHRISTIANA, COHEN, CREIGHTON, CUTLER, DONATUCCI, D. EVANS, FLECK, GEIST, GEORGE, GIBBONS, GINGRICH, GOODMAN, GRELL, HARHART, HELM, HENNESSEY, HESS, HORNAMAN, KORTZ, KULA, LONGIETTI, MAHER, MAHONEY, MAJOR, MANN, MARSICO, MCGEEHAN, METZGAR, MILLARD, MILLER, MOUL, MUSTIO, OBERLANDER, O'NEILL, PALLONE, PASHINSKI, PAYNE, PHILLIPS, PICKETT, QUINN, READSHAW, REESE, REICHLEY, ROAE, ROCK, ROHRER, SAINATO, SANTONI, SCAVELLO, SIPTROTH, SONNEY, STERN, STEVENSON, SWANGER, TRUE, VEREB, VULAKOVICH, WATSON and WHITE

A Resolution recognizing December 2, 2009, as "The Order of the Silver Rose Day" in Pennsylvania.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 26, 2009.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1275 By Representatives ROHRER, BOBACK, BENNINGHOFF, CALTAGIRONE, COX, CREIGHTON, DAY, DENLINGER, FAIRCHILD, GIBBONS, GILLESPIE, GOODMAN, GROVE, HARRIS, HENNESSEY,

KAUFFMAN, M. KELLER, KNOWLES, MAHONEY, MILLER, MOUL, MUSTIO, PHILLIPS, QUIGLEY, ROCK, SANTONI, SAYLOR, SCHRODER, SEIP, SWANGER and TALLMAN

An Act providing for tax levies and information related to taxes; authorizing the imposition of a personal income tax or an earned income tax by a school district subject to voter approval; providing for imposition of and exclusions from a sales and use tax for education; establishing the Public Transportation Reserve Fund; providing for increase to the personal income tax and realty transfer tax, for certain licenses, for hotel occupancy tax, for procedure and administration of the tax, for expiration of authority to issue certain debt, for reporting by local government units of debt outstanding and for assumption of certain debt by the Commonwealth; establishing the Education Operating Fund and the School District Grant and Incentive Programs Fund; providing for disbursements from these funds and for transfers from the Property Tax Relief Fund to the Education Operating Fund; establishing the School Financing Authority and providing for its powers and duties; providing for certain rebates and assistance to senior citizens; adding provisions relating to school district fiscal efficiency; establishing the School Equity Capital Construction Fund and the School Equity Distribution Task Force; and repealing certain provisions of The Local Tax Enabling Act, sales and use tax provisions of the Tax Reform Code of 1971 and provisions relating to senior citizens property tax and rent rebate assistance in the Taxpayer Relief Act.

Referred to Committee on FINANCE, October 30, 2009.

No. 2033 By Representatives METCALFE, CREIGHTON, MUSTIO, BARRAR, BEAR, CIVERA, CLYMER, COX, CUTLER, DeLUCA, DENLINGER, ELLIS, EVERETT, FLECK, GEIST, GOODMAN, HARHART, HUTCHINSON, KILLION, KRIEGER, MAHER, MOUL, OBERLANDER, O'NEILL, PHILLIPS, PYLE, RAPP, READSHAW, REICHLEY, ROAE, ROCK, SCHRODER, SONNEY, STEVENSON, SWANGER, VULAKOVICH and WATSON

An Act prohibiting employment of illegal aliens; requiring participation in the E-verify Program as a condition for Commonwealth contracts or grants; prohibiting business tax deductions for certain compensation; requiring suspension of licenses, registrations and certificates of incorporation under certain circumstances; and authorizing a private cause of action.

Referred to Committee on STATE GOVERNMENT, October 14, 2009.

No. 2038 By Representatives PAYNE, D. COSTA, EVERETT, FLECK, HELM, MAJOR, MILLARD, MOUL, MURT, O'NEILL, READSHAW, REICHLEY, SIPTROTH, SONNEY, J. TAYLOR, VULAKOVICH and K. SMITH

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for general powers of the board.

Referred to Committee on LIQUOR CONTROL, October 14, 2009.

No. 2039 By Representatives PAYNE, BENNINGHOFF, BURNS, D. COSTA, J. EVANS, EVERETT, FLECK, GINGRICH, GODSHALL, GOODMAN, HARPER, HELM, HESS, HUTCHINSON, KAUFFMAN, M. KELLER, KRIEGER, MAJOR, MARSICO, MURT, O'NEILL, QUINN, READSHAW, ROAE, ROHRER, SONNEY, STEVENSON, SWANGER, TURZAI and HORNAMAN

An Act amending the act of June 9, 1936 (Sp.Sess., P.L.13, No.4), entitled, as reenacted and amended, "An act imposing an emergency State tax on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," further providing for rate of tax.

Referred to Committee on LIQUOR CONTROL, October 14, 2009.

No. 2040 By Representative SCHRODER

An Act authorizing the release of Project 70 restrictions on certain land owned by the Borough of Downingtown, Chester County, in return for the development of park and open space lands within the Borough of Downingtown and East Caln Township, Chester County.

Referred to Committee on STATE GOVERNMENT, October 14, 2009.

No. 2041 By Representatives DeLUCA, MICOZZIE, BELFANTI, COHEN, D. COSTA, DEASY, GILLESPIE, JOSEPHS, MURT, SABATINA, SIPTROTH, THOMAS and WATERS

An Act providing for standards for towing and for violations.

Referred to Committee on INSURANCE, October 16, 2009.

No. 2042 By Representatives DeLUCA, CALTAGIRONE, D. COSTA, FRANKEL, JOSEPHS, MURT, MYERS, O'NEILL, READSHAW, SIPTROTH, THOMAS and WALKO

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

Referred to Committee on LOCAL GOVERNMENT, October 14, 2009.

No. 2043 By Representatives DeLUCA, BEAR, BENNINGHOFF, BEYER, BRADFORD, BRIGGS, D. COSTA, CREIGHTON, CUTLER, DEASY, HORNAMAN, MAHONEY, MELIO, MILLER, MUNDY, MURT, M. O'BRIEN, O'NEILL, READSHAW, SIPTROTH, SOLOBAY, SWANGER, VULAKOVICH and FARRY

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, further providing for statement of financial interests.

Referred to Committee on STATE GOVERNMENT, October 14, 2009.

No. 2044 By Representatives DeLUCA, BELFANTI, BOBACK, CALTAGIRONE, CLYMER, D. COSTA, EVERETT, FRANKEL, HARPER, JOSEPHS, KOTIK, LONGIETTI, MILLER, MURT, MYERS, PHILLIPS, QUINN, SIPTROTH, THOMAS, WALKO and WATERS

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 private actions.

Referred to Committee on CONSUMER AFFAIRS, October 14, 2009.

No. 2045 By Representatives COHEN, BELFANTI, BUXTON, BISHOP, BRENNAN, DeLUCA, DONATUCCI, FRANKEL, GOODMAN, JOSEPHS, KORTZ, MANDERINO, McGEEHAN, MURPHY, MUSTIO, M. O'BRIEN, SIPTROTH, SWANGER, THOMAS and WATERS

An Act amending the act of July 14, 1961 (P.L.637, No.329), known as the Wage Payment and Collection Law, further providing for liquidated damages and for criminal penalties.

Referred to Committee on LABOR RELATIONS, October 14, 2009.

No. 2046 By Representatives BAKER, PICKETT, CLYMER, GINGRICH, FARRY, FLECK, GEIST, GRUCELA, HARHART, M. KELLER, KILLION, KORTZ, MICOZZIE, MILLER, MURT, PHILLIPS, ROCK, ROHRER, SIPTROTH, SWANGER and WATSON

An Act amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for procedures in domestic relations and litigation; repealing provisions relating to hearing by master, jury trial, mediation programs, fees and costs, review of programs, existing programs and consolidation of proceedings; conferring powers and duties on the unified judicial system, the Secretary of the Commonwealth and the Legislative Reference Bureau; establishing the Family Justice Account; and making editorial changes.

Referred to Committee on JUDICIARY, October 14, 2009.

No. 2047 By Representatives DePASQUALE, KOTIK, CALTAGIRONE, D. COSTA, BELFANTI, SIPTROTH and MURT

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for compensation of treasurers in first class townships.

Referred to Committee on LOCAL GOVERNMENT, October 14, 2009.

No. 2048 By Representatives McGEEHAN, BRADFORD, BRIGGS, D. COSTA, DeLUCA, DONATUCCI, FRANKEL, JOSEPHS, KORTZ, MANN, McILVAINE SMITH, PASHINSKI, SIPTROTH, SOLOBAY, SWANGER, YOUNGBLOOD and HORNAMAN

An Act providing for the regulation of indoor tanning facilities and for powers and duties of the Department of Health; and prescribing penalties.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 14, 2009.

No. 2049 By Representatives PYLE, BAKER, BEAR, BENNINGHOFF, BOBACK, BOYD, BROOKS, CAUSER, CHRISTIANA, CLYMER, COX, CREIGHTON, DAY, DENLINGER, ELLIS, EVERETT, FAIRCHILD, FLECK, GABLER, GEIST, GERGELY, GIBBONS, GILLESPIE, GROVE, GRUCELA, HALUSKA, HARHAI, HARRIS, HESS, HICKERNELL, HUTCHINSON, KAUFFMAN, M. KELLER, KORTZ, KOTIK, KRIEGER, MAHER, MAJOR, MARSHALL, MENSCH, METCALFE, METZGAR, MOUL, MUSTIO, OBERLANDER, PAYNE, PETRARCA, PHILLIPS, PICKETT, RAPP, READSHAW, REED, REESE, REICHLEY,

ROAE, ROCK, ROHRER, SAYLOR, SIPTROTH, S. H. SMITH, SOLOBAY, SONNEY, STERN, STEVENSON, SWANGER, TALLMAN, TRUE, TURZAI, VULAKOVICH and WHITE

An Act providing for the possession of firearms in motor vehicles; prohibiting certain acts; imposing duties on employers; and providing for civil immunity under certain circumstances and for enforcement.

Referred to Committee on JUDICIARY, October 14, 2009.

No. 2050 By Representatives REICHLEY, CREIGHTON, GEIST, GILLESPIE, GINGRICH, HALUSKA, HORNAMAN, MOUL, MURT, SIPTROTH and SONNEY

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in preemptions, providing for municipal franchise agreements.

Referred to Committee on CONSUMER AFFAIRS, October 14, 2009.

No. 2051 By Representatives HANNA, CONKLIN, CUTLER, DeLUCA, ELLIS, EVERETT, KORTZ, READSHAW, SHAPIRO, SIPTROTH, STEVENSON, SWANGER and MIRABITO

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for submission of budget recommendations by standing committees.

Referred to Committee on RULES, October 16, 2009.

No. 2052 By Representatives HANNA, CONKLIN, CUTLER, DeLUCA, ELLIS, EVERETT, KORTZ, READSHAW, SHAPIRO, SIPTROTH, STEVENSON, SWANGER and MIRABITO

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for election and terms of members of the General Assembly and for terms of office of Governor.

Referred to Committee on STATE GOVERNMENT, October 16, 2009.

No. 2053 By Representatives BAKER, CUTLER, WATSON, CLYMER, BARRAR, BENNINGHOFF, BOYD, CAUSER, CREIGHTON, EVERETT, GABLER, GEIST, GINGRICH, GRELL, GROVE, HESS, HUTCHINSON, KAUFFMAN, M. KELLER, KRIEGER, MAHER, MAJOR, MARSHALL, METZGAR, MILLER, MOUL, MURT, PICKETT, QUINN, RAPP, ROCK, ROHRER, SAYLOR, STERN, STEVENSON, SWANGER, TALLMAN and TRUE

An Act providing for the rights of individuals to purchase private health care insurance; and prohibiting certain governmental action.

Referred to Committee on INSURANCE, October 21, 2009.

No. 2054 By Representatives GOODMAN, SEIP, BARBIN, BELFANTI, DALEY, FLECK, KOTIK, KULA, MURT, PHILLIPS, SCAVELLO, SIPTROTH and YOUNGBLOOD

An Act amending the act of September 18, 1961 (P.L.1389, No.615), referred to as the County and Municipal State Highway Law,

further providing for township roads to be taken over as State highways; and providing for an appropriation.

Referred to Committee on TRANSPORTATION, October 21, 2009.

No. 2056 By Representatives DALLY, BENNINGHOFF, BOBACK, BOYD, BROOKS, CARROLL, CUTLER, ELLIS, FAIRCHILD, FARRY, GEIST, GINGRICH, GODSHALL, GOODMAN, GRELL, GRUCELA, HARRIS, HELM, HESS, HUTCHINSON, KAUFFMAN, M. KELLER, KILLION, MARSICO, MICOZZIE, MILLER, MOUL, MURT, O'NEILL, PEIFER, QUINN, REED, REICHLEY, ROAE, STERN, STEVENSON, SWANGER, J. TAYLOR, VULAKOVICH, WATSON and BEYER

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for General Assembly general appropriation procedure; and further providing for revenue estimates.

Referred to Committee on APPROPRIATIONS, October 26, 2009.

No. 2057 By Representatives DALLY, BEYER, D. COSTA, DeLUCA, J. EVANS, GEIST, GROVE, GRUCELA, HORNAMAN, MOUL, MURT, MYERS, PHILLIPS, PICKETT, QUINN, RAPP, READSHAW, REICHLEY, SONNEY, STERN and SWANGER

An Act requiring pharmacies to enter certain transactions into a real-time electronic logbook and for the Pennsylvania State Police to maintain and control access to the real-time electronic logbook.

Referred to Committee on JUDICIARY, October 26, 2009.

No. 2058 By Representatives DALLY, D. COSTA, CREIGHTON, FAIRCHILD, GABLER, GRELL, GRUCELA, O'NEILL, PHILLIPS, QUINN, READSHAW, REICHLEY, ROHRER, SIPTROTH, STERN, SWANGER and VULAKOVICH

An Act prohibiting municipal ordinances and regulations relating to dissemination of nutritional information by eating establishments.

Referred to Committee on COMMERCE, October 26, 2009.

No. 2059 By Representatives GROVE, GILLESPIE, MILLER, TALLMAN, BENNINGHOFF, CLYMER, D. COSTA, CREIGHTON, CUTLER, EVERETT, GEIST, GINGRICH, HARHAI, HARRIS, MILLARD, MOUL, MURT, MUSTIO, OBERLANDER, PYLE, RAPP, REICHLEY, ROHRER, K. SMITH, SWANGER, TRUE and VULAKOVICH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for personal earnings exempt from process.

Referred to Committee on LABOR RELATIONS, October 26, 2009.

No. 2060 By Representatives BRIGGS, CURRY, DeLUCA, DONATUCCI, FRANKEL, FREEMAN, GROVE, HOUGHTON, KORTZ, MAHONEY, McGEEHAN, M. O'BRIEN, SWANGER and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for management of concussions and head injuries.

Referred to Committee on EDUCATION, October 26, 2009.

No. 2061 By Representatives BRIGGS, BELFANTI, BRADFORD, BRENNAN, DONATUCCI, FRANKEL, HOUGHTON, JOSEPHS, KORTZ, MAHONEY, MANDERINO, McILVAINE SMITH, MUNDY, M. O'BRIEN, PASHINSKI, SHAPIRO, SIPTROTH, K. SMITH, STURLA and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for disclosure by school entities of certain interscholastic athletic opportunity information.

Referred to Committee on EDUCATION, October 26, 2009.

No. 2062 By Representatives WATSON, MUSTIO, MUNDY, HENNESSEY, BOBACK, BELFANTI, REICHLEY, CLYMER, D. COSTA, FARRY, FLECK, FRANKEL, GEIST, GINGRICH, HARPER, HELM, HORNAMAN, KOTIK, KULA, MAJOR, MILLER, MOUL, MURT, MYERS, PETRI, PHILLIPS, QUINN, RAPP, READSHAW, SCHRODER, SIPTROTH, K. SMITH, SOLOBAY, SONNEY, SWANGER, THOMAS, WATERS and BEYER

An Act requiring carbon monoxide alarms in facilities serving care-dependent persons; imposing powers and duties on the Departments of Aging, Health and Public Welfare; and imposing penalties.

Referred to Committee on AGING AND OLDER ADULT SERVICES, October 29, 2009.

No. 2063 By Representatives REICHLEY, BEAR, BOYD, CHRISTIANA, FAIRCHILD, GIBBONS, GOODMAN, GRELL, GROVE, HARRIS, HICKERNELL, METZGAR, MOUL, PEIFER, PYLE, QUINN, REESE, ROCK, STERN, SWANGER, TALLMAN, TRUE, VULAKOVICH, WATSON, GEIST, BEYER and MICOZZIE

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for general appropriation bill time line.

Referred to Committee on APPROPRIATIONS, October 29, 2009.

No. 2064 By Representatives BEYER, ADOLPH, BAKER, BOBACK, BOYD, BRADFORD, BRENNAN, CARROLL, COHEN, D. COSTA, J. EVANS, FAIRCHILD, FARRY, FLECK, FREEMAN, GEIST, GEORGE, GOODMAN, HARKINS, HORNAMAN, JOSEPHS, KORTZ, KULA, LONGIETTI, MELIO, MILLARD, MOUL, MURT, MYERS, O'NEILL, PALLONE, PHILLIPS, PICKETT, QUINN, READSHAW, ROCK, SIPTROTH, SWANGER, TALLMAN, VULAKOVICH, WATSON and YOUNGBLOOD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of false caller identification information display; and imposing penalties.

Referred to Committee on CONSUMER AFFAIRS, October 29, 2009.

No. 2065 By Representatives GIBBONS, SEIP, BRADFORD, FRANKEL, MELIO, MUNDY, PASHINSKI, PAYTON, SIPTROTH, STERN, STURLA and YOUNGBLOOD

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for legislative intent, for definitions, for licensure, for the licensing agency and its functions, for licensure qualifications and procedure, for reciprocity and for license reinstatement; providing for restrictions on use of title "Licensed Bachelor Social Worker"; and further proscribing unlawful practice.

Referred to Committee on PROFESSIONAL LICENSURE, October 29, 2009.

No. 2066 By Representatives DeLUCA, LEVDANSKY, BELFANTI, BEYER, CALTAGIRONE, CARROLL, D. COSTA, GIBBONS, GINGRICH, GOODMAN, GRUCELA, HARKINS, HESS, HORNAMAN, KOTIK, MANDERINO, MELIO, MILLER, QUINN, READSHAW, SANTONI, SIPTROTH, SOLOBAY, STURLA, WATERS and FRANKEL

An Act establishing the Sales and Use Tax Commission; and providing for study and report on sales and use tax.

Referred to Committee on FINANCE, October 29, 2009.

No. 2067 By Representatives MANDERINO, DENLINGER, BELFANTI, BEYER, BOYD, CARROLL, CUTLER, FREEMAN, GODSHALL, GRUCELA, JOSEPHS, LEVDANSKY, LONGIETTI, MANN, McILVAINE SMITH, MUNDY, MURPHY, MUSTIO, ROSS, SIPTROTH, MILLER, FRANKEL, MICOZZIE and HESS

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 excluded transactions.

Referred to Committee on FINANCE, October 29, 2009.

No. 2068 By Representatives CASORIO, BELFANTI, BEYER, BOYD, BRIGGS, CALTAGIRONE, CARROLL, CLYMER, COHEN, D. COSTA, DeLUCA, DONATUCCI, EVERETT, FRANKEL, GEIST, GEORGE, GIBBONS, GODSHALL, GOODMAN, GRELL, GRUCELA, HALUSKA, HARHAI, HENNESSEY, HESS, HORNAMAN, JOSEPHS, KOTIK, KULA, LONGIETTI, MAHONEY, MANN, MICOZZIE, MILLER, MILNE, MOUL, MURPHY, M. O'BRIEN, O'NEILL, PAYNE, PETRARCA, PRESTON, READSHAW, REICHLEY, SIPTROTH, SWANGER, TALLMAN, VULAKOVICH, WATERS and WATSON

An Act amending the act of July 3, 1985 (P.L.164, No.45), known as the Emergency Medical Services Act, further providing for emergency medical services personnel.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, November 5, 2009.

No. 2069 By Representatives MILLER, CREIGHTON, GEIST, GILLESPIE, GINGRICH, GRELL, HORNAMAN, MURT, PICKETT, PYLE, QUINN, RAPP and ROSS

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, providing for immunity from prosecution.

Referred to Committee on JUDICIARY, November 5, 2009.

SENATE BILLS FOR CONCURRENCE

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

SB 1033, PN 1481

Referred to Committee on GAMING OVERSIGHT, October 14, 2009.

SB 1088, PN 1482

Referred to Committee on GAMING OVERSIGHT, October 14, 2009.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1303, PN 2859 (Amended) By Rep. BISHOP

An Act amending the act of July 8, 2007 (P.L.90, No.28), known as the Freedom to Breastfeed Act, further providing for declaration of policy; and providing for definitions, for workplace protection, for violations and for information.

CHILDREN AND YOUTH.

HB 1907, PN 2860 (Amended) By Rep. BISHOP

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for disposition of agency records upon closure.

CHILDREN AND YOUTH.

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise the members that he has given permission to Kendall Cross from WTAE-TV to videotape with audio for the next 10 minutes.

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

REMARKS BY SPEAKER

The SPEAKER. In a memorial located on the east side of the Capitol, Pennsylvania records the names of the Commonwealth's Medal of Honor recipients. This morning in that place, Soldiers' and Sailors' Grove, a very special ceremony

marked the recognition of the recipient of this highest symbol of unselfish loyalty and sacrifice. Today we honored a young man from Knox, Pennsylvania, who at the age of 19 gave his life to protect the lives of fellow soldiers in his battalion.

Spc. Ross A. McGinnis served in Iraq. He threw his body on a live grenade to protect his comrades, and while he never lived to know what he did was heroic, we hope to correct that in some small way through today's ceremony and by dedicating a place in Soldiers' and Sailors' Grove to the ultimate sacrifice and uncommon courage exhibited by Specialist McGinnis.

Today we salute his bravery and fearless devotion to duty and we honor his service, we honor his patriotism, and we honor his sacrifice.

GUESTS INTRODUCED

The SPEAKER. It is my honor to introduce his family and to say, on behalf of the Pennsylvania House of Representatives, thank you for raising such an extraordinary young man. We mourn with you the loss of this hero who was taken from us far too soon, and we celebrate the outstanding gallantry and the valiant service that will be the legacy of Specialist McGinnis.

I would like to recognize Thomas and Romaine McGinnis, who are seated to the left of the Speaker, and would ask them to join me and Representative Oberlander at the rostrum. Please join us.

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Ms. OBERLANDER called up **HR 517, PN 2840**, entitled:

A Resolution recognizing and honoring Specialist Ross A. McGinnis, recipient of the Medal of Honor.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentlelady from Clarion County, Representative Oberlander.

Ms. OBERLANDER. Thank you, Mr. Speaker.

Mr. Speaker, I humbly stand before you today to offer this resolution honoring the service and sacrifice of a brave young soldier. He is from my legislative district, and he is Army Spc. Ross Andrew McGinnis.

Ross Andrew McGinnis was born on Flag Day 1987. His parents, Tom and Romaine, who are with us on the floor, named him Ross in honor of Betsy Ross, the seamstress of the first American flag.

Growing up in the small-town community of Knox, Clarion County, Ross knew at an early age, as early as kindergarten, that when he grew up he wanted to be an Army man. Even then it seems Ross was destined to be a soldier, a patriot, and an American hero. When Ross turned 17, he signed up for the early enlistment program in the United States Army. He left Clarion County for basic training a week after receiving his high school diploma. When his basic training was completed, Army Spc. Ross McGinnis, the youngest soldier in his unit, was sent

to fight in Iraq. Divine providence called for Ross soon after to fulfill his destiny and become part of his country's enduring roll call of fallen military heroes.

On December 4, 2006, while serving in Baghdad, 19 1/2-year-old Ross McGinnis was manning the machine gun atop a Humvee with four other soldiers stationed below in the belly of the vehicle. They were the last truck in a convoy. An enemy insurgent tossed a grenade from a rooftop into the vehicle. The Army's official account of what happened next states, and I quote:

"An average man would have leapt out of the gunner's cupola to safety.

"However, Army Specialist Ross McGinnis decided to stay with his crew.

"Without hesitation, and with complete disregard for his own life, he threw his back over the grenade to pin it between his body and the truck's radio mount.

"It detonated seconds later piercing Army Specialist Ross McGinnis' body armor and killing him instantly.

"He turned himself into a human shield and sacrificed his own life to save the lives of his four crew members," end of quote.

For his bravery, courage, and selfless sacrifice, Army Specialist McGinnis was awarded the Purple Heart and the Silver Star. His captain, who describes Ross as one of the bravest men he ever knew, immediately nominated him for the Medal of Honor, America's highest award for combat valor. Since that time, this small-town American hero from Knox, Clarion County, remains one of only six U.S. servicemen to receive the Medal of Honor for fighting in the war against terrorism in Iraq and Afghanistan.

Mr. Speaker, it is for all of these reasons that I ask for your unanimous support of this resolution honoring the life and sacrifice of Army Spc. Ross McGinnis. Thank you.

The SPEAKER. The Chair thanks the lady.

Will the Sergeants at Arms close the doors of the House.

Members and all guests will please rise as a sign of respect for the fallen soldier.

(Whereupon, the members of the House of Representatives and all visitors stood in a moment of silence in solemn respect to the memory of Spc. Ross Andrew McGinnis.)

The SPEAKER. Members and guests may please be seated.
The Sergeants at Arms will open the doors of the House.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence of the gentleman from Allegheny County, Representative Matt Smith, on the floor of the House. His name will be added to the master roll.

CONSIDERATION OF HR 517 CONTINUED

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Killion	Pallone	Smith, K.	Thomas
Miccarelli	Perry		

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

ST. MARYS SENIOR LITTLE LEAGUE ALL-STAR BASEBALL TEAM PRESENTED

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

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

Please join me in welcoming to the House floor the St. Marys Senior Little League All-Star Team from Elk County.

This group of 15- and 16-year-olds, managed by Mike Wendel and coaches Joe Dagher, Jeff Uhl, and Jim Dagher, is celebrating a very successful season. They finished with a record of 15-3 and along the way capturing the District 10, Section One, and Pennsylvania State Championships.

These young men are a great source of pride for the city of St. Marys, whose Little League program has seen more than 8,000 participants since its inception in 1987. That is an average of 425 participants per season.

Any coach will tell you that it helps to have a little bit of luck along the way to win a State championship, but that same coach will tell you that a true champion, more than anything, displays incredible ability, thinks team before self, and exemplifies the ideals of sportsmanship. These St. Marys Senior Little League All-Stars, by all definition, are true champions.

Please join me in welcoming them to the State Capitol and congratulating them on their accomplishments. It is with great pride that I offer them this citation from the House of Representatives.

I would like to ask the team in the back to stand up, and I would like to share with you everybody's names. Please stand. I would just like to share with you, on the team we have manager Mike Wendel; coaches Joe Dagher and Jeff Uhl; coach and scorekeeper Jim Dagher; and the team members, Jake Cortina, Ben Dagher, Luke Dagher, Nate Geist, Tyler Herzing, Kevin Hoy, Scott Krellner, Luke Nicklas, Ricky Pearsall, Kyle Schneider, Ryan Uhl, Jordan Weinzierl, Corey Wendel – true champions.

Thank you very much and congratulations.

The SPEAKER. The Chair thanks the gentleman.

MISS PENNSYLVANIA PRESENTED

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

The Chair recognizes the gentleman from York County, Representative Saylor, as well. They will do a joint presentation to the House.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

It gives me great pleasure to welcome to the House chamber today Maria Sciorillo, who was recently crowned Miss Pennsylvania 2009 in the National American Miss pageant.

I am honored to have Miss Sciorillo as a constituent, and I am happy that she can represent the Commonwealth on the national level.

Maria grew up in Yardley, Pennsylvania. She attended Pennsbury High School and Mercer County Performing Arts High School in New Jersey. She is a Pennsbury graduate and is a member of the National Honor Roll Society.

In December 2008 Miss Sciorillo graduated from the American Musical and Dramatic Academy in New York City. She is a Screen Actors Guild certified actress. She won the talent competition in the National American Miss pageant and was runner-up for the acting component of the pageant. She was the third runner-up in the casual wear event and fourth runner-up for her patriotic speech.

Community involvement is one of the criteria for winning the title. Since becoming Miss Pennsylvania, Maria volunteers with the Yardley-Makefield Fire Company in Lower Makefield Township in Yardley Borough. She is also an ambassador to the Save the Whales Foundation and has adopted three orca whales.

Maria is accompanied today by her mother, Angela Sciorillo. Mrs. Sciorillo, welcome to the House. You must be very proud of Maria, as I know we all are.

So I want to today congratulate Maria and ask all of the House to please welcome her here today and wish her the best in the national competition coming up. Thank you.

The SPEAKER. The Chair thanks the gentleman.

NATIONAL AMERICAN MISS PENNSYLVANIA PRE-TEEN PRESENTED

The SPEAKER. The Chair recognizes the gentleman from York County, Representative Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, it is my pleasure to welcome Devyn Goldstein and her parents, Jay and Misty Goldstein, who are seated in the back of the House chamber, to the House floor today and to congratulate Devyn on her winning the 2009 National American Miss Pennsylvania Pre-Teen pageant. Devyn participated in the pageant two previous times, once in 2006 and again in 2007, and finished as first runner-up both times. After a year away from the pageant, she returned this year to win her division.

In addition to participating in the National American Miss pageants, Devyn is on the distinguished honor roll at the Red Lion Junior High School, where she attends eighth grade. She is active in her school and her community, volunteering at the Bell Family Shelter and has helped raise funds for Olivia's House, a grief counseling program, as well as Access York and the National Alliance for Mental Illness.

Also, Devyn has expressed to me an interest in seeking political office someday in her future. I wish her every success in achieving that goal, provided she runs in another legislative district or waits for my retirement.

Mr. Speaker, Devyn is to be commended for her involvement in her community and her school as well as her commitment to her education. Her achievements should serve as a positive example to her peers and to all of us.

Over the upcoming Thanksgiving holiday, Devyn will compete against pageant winners from all over the States in the National American Miss Pre-Teen pageant.

Today again I congratulate Devyn on her accomplishments and wish her good luck at the national pageant.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome the mother of Maria Sciorillo, Angela Sciorillo, who is in the back of the hall of the House. Will the guest please rise. Welcome to the hall of the House.

Also in the back of the House are Misty and Jay Goldstein, who are the parents of Devyn Goldstein. Will they please rise. Welcome to the hall of the House.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. SIPTROTH called up **HR 378, PN 2298**, entitled:

A Resolution recognizing October 15, 2009, as "White Cane Safety Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

DeWeese	Kirkland	Pyle	Youngblood
DiGirolamo	Knowles	Quigley	Yudichak
Donatucci	Kortz	Quinn	
Drucker	Kotik	Rapp	McCall,
Eachus	Krieger	Readshaw	Speaker
Ellis	Kula		

NAYS—0

NOT VOTING—0

EXCUSED—6

Killion	Pallone	Smith, K.	Thomas
Miccarelli	Perry		

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

* * *

Mr. SIPTROTH called up **HR 379, PN 2299**, entitled:

A Resolution designating the month of October 2009 as "Meet the Blind Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

Dally	Houghton	Payton	Wagner
Day	Hutchinson	Peifer	Walko
Deasy	Johnson	Perzel	Wansacz
DeLozier	Josephs	Petrarca	Waters
DeLuca	Kauffman	Petri	Watson
Denlinger	Keller, M.K.	Phillips	Wheatley
DePasquale	Keller, W.	Pickett	White
Dermody	Kessler	Preston	Williams
DeWeese	Kirkland	Pyle	Youngblood
DiGirolamo	Knowles	Quigley	Yudichak
Donatucci	Kortz	Quinn	
Drucker	Kotik	Rapp	McCall,
Eachus	Krieger	Readshaw	Speaker
Ellis	Kula		

NAYS—0

NOT VOTING—0

EXCUSED—6

Killion	Pallone	Smith, K.	Thomas
Miccarelli	Perry		

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

SUPPLEMENTAL CALENDAR A CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mr. DePASQUALE called up **HR 500, PN 2802**, entitled:

A Resolution designating the month of November 2009 as "Hydrocephalus Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

GUESTS INTRODUCED

The SPEAKER. On the question, the Chair recognizes the gentleman from York County, Representative DePasquale.

Mr. DePASQUALE. Thank you, Mr. Speaker.

First of all, I would like to recognize the people that are here with me – that are actually to the left of the Speaker – that have helped bring this issue of awareness to myself and other members of the York County delegation as well as the Senate: the Manthey family, Ashley and Rick, and also their children, Drake and Ben – will they please stand – Larry and Mary Homsher; and Marybeth Godlewski, who is the national advocacy director for the Hydrocephalus Association. If they could please stand.

On this resolution, I ask for a unanimous vote for this. This will recognize November as Hydrocephalus Month. There was a companion resolution that has been passed in the Senate.

Again, I want to commend the Manthey family, specifically Ashley, who is so dogged in her determination to raise awareness of hydrocephalus. As we know, we see so many causes. Hydrocephalus does not get nearly the attention it deserves, and I want to specifically thank them for their work in bringing this to my attention and, again, other members of the

York County delegation and Senator Waugh over in the Senate.

Again, I would ask the members for a unanimous vote.
Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Killion	Pallone	Smith, K.	Thomas
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. In the well of the House, the Chair welcomes Francisca Sepulveda, a seventh grader and National Honor Society and honors choir member at Lehman Intermediate School, who is serving as a guest page today. Today is Francisca's 13th birthday. Also in the balcony, welcome her family, Aristides and Wanda Sepulveda and their son. Will the guests please rise. Welcome to the hall of the House.

The members will take their seats. We are about to take up a condolence resolution.

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

CALENDAR CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mr. MARSHALL called up **HR 445, PN 2592**, entitled:

A Resolution recognizing with sadness the supreme sacrifice of Sergeant Joshua Rimer, who died on July 29, 2009, from wounds sustained when his vehicle was struck by an improvised explosive device while he was courageously serving our nation in Afghanistan, and extending condolences.

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Beaver County, Representative Marshall.

Mr. MARSHALL. Thank you, Mr. Speaker.

Today is a solemn day. As we approach Veterans Day, we honor all of our veterans, especially the two fine soldiers recognized today, Medal of Honor recipient Spc. Ross McGinnis and Sgt. Joshua Rimer.

Joshua graduated from Freedom High School in 2003 and immediately joined the military. During his first tour of duty, Joshua earned the Purple Heart after receiving shrapnel wounds to his neck. Sergeant Rimer reinstated for a second tour in 2006 when his entire battalion was transferred to Afghanistan, where as a gunner in an escort vehicle he was mortally wounded. Sergeant Rimer is a hero not because he died, but because he lived. He lived to serve God and country. He lived to protect freedom at home and abroad.

My deepest sympathy and respect go to Sergeant Rimer's wife, Annalisa; his parents, Donna and Jim Rimer; and all of his family and friends.

Mr. Speaker, I respectfully request an affirmative vote on HR 445. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Members and all guests will please rise as a sign of respect for the fallen soldier.

(Whereupon, the members of the House of Representatives and all visitors stood in a moment of silence in solemn respect to the memory of Sgt. Joshua Rimer.)

The SPEAKER. Members and guests may be seated.
The Sergeants at Arms will open the doors of the House.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Killion	Pallone	Smith, K.	Thomas
Miccarelli	Perry		

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

APPROPRIATIONS COMMITTEE MEETING

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Representative Cohen, for the purpose of an announcement.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the Appropriations Committee will meet immediately at the call of the recess in the majority caucus room.

The Democratic caucus will follow in the majority caucus room at 2:15, and we are due to return to the floor of the House at 2:45.

The SPEAKER. The Chair thanks the gentleman.

There will be an Appropriations Committee meeting immediately at the call of the recess in the majority caucus room.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentlelady from Susquehanna County, Representative Major.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus at 2:15. I would ask Republicans to please report to our caucus room at that time, 2:15. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

CHILDREN AND YOUTH COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentlelady from Philadelphia County, Representative Bishop, for the purpose of an announcement.

Ms. BISHOP. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce that the Children and Youth Committee will meet immediately following this break in room 39, East Wing, at the call of recess. Thank you.

The SPEAKER. The Chair thanks the gentlelady.

The Children and Youth Committee will meet immediately following the break in room 39, East Wing, at the call of recess.

Are there any further announcements?

RECESS

The SPEAKER. This House stands in recess until 2:45 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 3 p.m.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 479, PN 531 By Rep. D. EVANS

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for prohibitions against the grant of licenses.

APPROPRIATIONS.

HB 1670, PN 2347 By Rep. D. EVANS

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.

APPROPRIATIONS.

The SPEAKER. Both bills will be placed on the House supplemental calendar.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence and recognizes the majority whip, the gentleman from Greene County, Representative DeWeese, who requests the following leaves of absence for: Representative LENTZ from Delaware County for the day, Representative DONATUCCI from Philadelphia County for the day. Without objection, the leaves will be granted.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence of the gentleman from Delaware County, Representative Killion, on the House floor. His name will be added to the master roll.

CALENDAR CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mr. MURT called up **HR 268, PN 1657**, entitled:

A Resolution recognizing the week of October 25 through 31, 2009, as "Magic Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Adolph	Evans, J.	Kula	Reed
Baker	Everett	Levdansky	Reese
Barbin	Fabrizio	Longiatti	Reichley
Barrar	Fairchild	Maher	Roae
Bear	Farry	Mahoney	Rock
Belfanti	Fleck	Major	Roebuck

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Donatucci	Miccarelli	Perry	Thomas
Lentz	Pallone	Smith, K.	

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

SUPPLEMENTAL CALENDAR A CONTINUED

RESOLUTIONS PURSUANT TO RULE 35

Mr. MYERS called up **HR 509, PN 2821**, entitled:

A Resolution expressing support for the prevention of influenza during the 2009-2010 influenza season, specifically the H1N1 virus strain.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Donatucci	Miccarelli	Perry	Thomas
Lentz	Pallone	Smith, K.	

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

* * *

Ms. MANDERINO called up **HR 512, PN 2827**, entitled:

A Resolution designating the month of October 2009 as "Italian-American Heritage Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Donatucci	Miccarelli	Perry	Thomas
Lentz	Pallone	Smith, K.	

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

* * *

Mr. MURPHY called up **HR 499, PN 2801**, entitled:

A Resolution declaring the month of November 2009 as "Pancreatic Cancer Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Lackawanna County, Representative Murphy.

Mr. MURPHY. Thank you, Mr. Speaker.

This resolution was introduced to bring awareness about pancreatic cancer. Sadly, it is estimated that over 37,000 Americans will suffer from this insidious disease and over 34,000 will lose their battle with this disease.

This is one of the deadliest types of cancer and the fourth leading cause of cancer deaths in the United States. It is estimated approximately 1,920 deaths will occur in Pennsylvania alone. There is no cure for pancreatic cancer, and there have been no significant improvements in early detection, treatment methods, or survival rates in the past 25 years.

Additionally, Mr. Speaker, the Pancreatic Cancer Action Network is the first and only national patient advocacy organization that serves the pancreatic cancer community in Pennsylvania and nationwide by focusing its efforts on public policy.

Mr. Speaker, the good health and well-being of the residents of the Commonwealth are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments.

This disease touches many and it knows no bounds. Many will have known someone affected or diagnosed with this form of cancer.

I would sincerely appreciate, Mr. Speaker, an affirmative vote on HR 499 from my colleagues on both sides.

Thank you very much, Mr. Speaker.

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

Mr. SHAPIRO. Thank you, Mr. Speaker.

Mr. Speaker, I rise with a very heavy heart today with regard to HR 499 that Representative Murphy just spoke on.

Mr. Speaker, we will formally and properly acknowledge my friend and the chamber's friend, former Representative Ellen Bard, next week. But Ellen Bard, a very young woman, succumbed to pancreatic cancer just last week. She was taken from us at too young of an age. She was truly a leader in our community and here in Harrisburg, and I think it is appropriate just to acknowledge her, acknowledge the great work she has done in concert with HR 499.

And again, thanks to the Speaker and his staff, we will be formally recognizing her passing next week.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Donatucci	Miccarelli	Perry	Thomas
Lentz	Pallone	Smith, K.	

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

* * *

Mr. MURT called up **HR 520, PN 2850**, entitled:

A Resolution designating the week of November 8 through 14, 2009, as "Post-Traumatic Stress Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Montgomery County, Representative Murt.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, this resolution is very relevant and very appropriate, especially in light of the fact that we recognized some fallen heroes and some young men who died in service to our nation earlier today in this session.

Mr. Speaker, today I rise to urge my colleagues to support HR 520, which would designate the week of November 8 through 14, 2009, as "Post-Traumatic Stress Disorder Awareness Week" in the Commonwealth of Pennsylvania.

Mr. Speaker, posttraumatic stress disorder is an emotional and psychological reaction to a traumatic experience such as being in combat.

Mr. Speaker, may I have order in the House, please?

The SPEAKER. The gentleman is entitled to be heard. The House will come to order.

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, while traumatic events such as a violent crime can result in posttraumatic stress disorder, those military personnel who have experienced combat are especially at risk. The symptoms and severity of posttraumatic stress disorder vary. Sometimes symptoms include reliving the trauma through nightmares. Symptoms also include irritability, sensitivity to being touched or to loud noises, an aloofness from family and friends, and the desire to simply be left alone. Jumpiness, insomnia, or physical symptoms such as headaches or nausea are also included, Mr. Speaker. Sadly, some individuals suffering from posttraumatic stress turn to drugs and alcohol to deal with their pain.

Fortunately, Mr. Speaker, much progress has been made as it relates to treating posttraumatic stress disorder. Thankfully, society is also much kinder and understanding of individuals who are suffering in this manner than it was years ago. Caring and compassionate mental health professionals do an outstanding job in helping patients with posttraumatic stress disorder recover and get back on track with their jobs, their families, and their lives.

Mr. Speaker, survivors of posttraumatic stress disorder, including our combat veterans, can and do recover all the time. Perhaps their lives will never be exactly the same as they were before they were sent into combat, but survivors can become healthy again and live full, productive, and happy lives.

We should all do all we can to increase awareness of posttraumatic stress disorder and to encourage family members or friends who might be suffering from posttraumatic stress to seek the care of a mental health professional.

With that in mind, Mr. Speaker, I ask my colleagues to join me in supporting this resolution.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Donatucci	Miccarelli	Perry	Thomas
Lentz	Pallone	Smith, K.	

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

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 843, PN 1545**, entitled:

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

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

The SPEAKER. It is the Chair's understanding that the gentleman from Montgomery County, Representative Rick Taylor, is withdrawing amendments A03497, A03492, 3495, 3496, 3498, and 3499. Is that correct? The Chair thanks the gentleman.

It is the Chair's understanding the gentleman from Philadelphia, Representative Waters, is withdrawing amendment A03502. Is the gentleman withdrawing the amendment?

Mr. WATERS. Yes, Mr. Speaker. I am going to withdraw the amendment, and we are introducing something similar in an independent bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Representative Cruz. It is the Chair's understanding the gentleman is withdrawing amendments A3490 and A3491?

Mr. CRUZ. Yes, Mr. Speaker. I am withdrawing my amendments.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentelady from Philadelphia County, Representative Bishop. It is the Chair's information she is withdrawing amendments A03489 and A03504.

It is the Chair's understanding the gentleman, Representative Thomas, is withdrawing amendments A03493 and A03503. He has indicated that in writing to the Speaker. The Chair thanks the gentleman.

Is the gentleman, Mr. Metcalfe, withdrawing amendments A03843, 3845, and 3982? The Chair thanks the gentleman.

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

Mr. WANSACZ offered the following amendment No. **A03511**:

Amend Bill, page 1, line 2, by inserting after "for"
sale of tobacco and for

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 6305(a.1), (b) and (f)(3) of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:

§ 6305. Sale of tobacco.

(a.1) Purchase.—A minor is guilty of a summary offense if the minor:

(1) purchases or attempts to purchase a tobacco product;

[or]

(1.1) possesses a tobacco product; or

(2) knowingly falsely represents himself to be at least 18 years of age to a person for the purpose of purchasing or receiving a tobacco product.

(b) Penalty.—

(1) Except as set forth in paragraph (2), a person that violates subsection (a) shall be sentenced as follows:

(i) for a first offense, to pay a fine of not less than \$100 nor more than \$250;

(ii) for a second offense, to pay a fine of not less than \$250 nor more than \$500; or

(iii) for a third or subsequent offense, to pay a fine of not less than \$500 nor more than \$1,000.

(2) A retailer that violates subsection (a) shall be sentenced as follows:

(i) for a first offense, to pay a fine of not less than \$100 nor more than \$500;

(ii) for a second offense, to pay a fine of not less than \$500 nor more than \$1,000;

(iii) for a third offense, to pay a fine of not less than \$1,000 nor more than \$3,000; or

(iv) for a fourth or subsequent offense, to pay a fine of not less than \$3,000 nor more than \$5,000.

(3) A minor who violates subsection (a.1)(1) or (2) shall be sentenced to any or all of the following:

(i) not more than 75 hours of community service;

(ii) complete a tobacco use prevention and cessation program approved by the Department of Health;

(iii) a fine not to exceed \$200; or

(iv) a 30-day suspension of motor vehicle operating privileges.

(4) A minor who violates subsection (a.1)(1.1) shall:

(i) for a first offense, be issued a written warning by a police officer who shall file a copy of the warning with the appropriate issuing authority;

(ii) for a second offense, be sentenced to not more than 75 hours of community service;

(iii) for a third offense, be sentenced to complete a tobacco use prevention and cessation program approved by the Department of Health; or

(iv) for a fourth or subsequent offense, be sentenced to pay a fine of not more than \$100.

(f) Exceptions.—

(3) It is not a violation of subsection (a.1)(1) or (1.1) for a minor to purchase [or], attempt to purchase or possess a tobacco product if all of the following apply:

(i) The minor is at least 14 years of age.

(ii) The minor is an employee, volunteer or an intern with:

(A) a State or local law enforcement agency;

(B) the Department of Health or a primary contractor pursuant to Chapter 7 of the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act;

(C) a single county authority created pursuant to the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act;

(D) a county or municipal health department; or

(E) a retailer.

(iii) The minor is acting within the scope of assigned duties as part of an authorized investigation, compliance check under subsection (g) or retailer-

organized self-compliance check.
(iv) A minor shall not use or consume a tobacco product.

* * *

Section 2. Section 6312 of Title 18 is amended by adding a subsection to read:

Amend Bill, page 2, line 19, by striking out "2" and inserting
3

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Lackawanna County, Representative Wansacz. The gentleman is withdrawing his amendment?

The Chair recognizes the gentleman from Lackawanna County, Representative Wansacz.

Mr. WANSACZ. Thank you, Mr. Speaker.

My amendment, just briefly, quickly fixes a flaw in the law. The law currently says that it is illegal for children to purchase tobacco. What mine says now, my language, it also says it is illegal to possess tobacco.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—168

Adolph	Evans, D.	Kotik	Readshaw
Baker	Evans, J.	Kula	Reed
Barrar	Everett	Levdansky	Reichley
Bear	Fabrizio	Longiotti	Roae
Belfanti	Fairchild	Maher	Rock
Benninghoff	Farry	Mahoney	Roebuck
Beyer	Fleck	Major	Rohrer
Bishop	Frankel	Mann	Ross
Boback	Gabler	Markosek	Sainato
Boyd	Galloway	Marshall	Santarsiero
Boyle	Geist	Matzie	Santoni
Bradford	George	McGeehan	Saylor
Brennan	Gerber	McI. Smith	Scavello
Briggs	Gergely	Melio	Schroder
Brooks	Gibbons	Micozzie	Seip
Burns	Gillespie	Millard	Shapiro
Buxton	Gingrich	Miller	Siptroth
Caltagirone	Godshall	Milne	Smith, M.
Carroll	Goodman	Mirabito	Smith, S.
Casorio	Grell	Moul	Solobay
Causar	Grove	Murt	Sonney
Christiana	Grucela	Mustio	Staback
Civera	Haluska	Myers	Stern
Clymer	Hanna	O'Brien, D.	Stevenson
Cohen	Harhai	O'Brien, M.	Sturla
Conklin	Harhart	O'Neill	Taylor, J.
Costa, D.	Harkins	Oberlander	Taylor, R.
Costa, P.	Harper	Oliver	True
Cox	Harris	Parker	Turzai
Curry	Helm	Pashinski	Verbe
Daley	Hennessey	Payne	Vulakovich
Dally	Hess	Peifer	Wagner
Day	Hickernell	Perzel	Walko
Deasy	Hornaman	Petrarca	Wansacz
Delozier	Houghton	Petri	Watson
DeLuca	Hutchinson	Phillips	Wheatley
DePasquale	Kauffman	Pickett	White
Dermody	Keller, W.	Preston	Williams

DeWeese	Kessler	Pyle	Yudichak
DiGirolamo	Killion	Quigley	
Drucker	Kirkland	Quinn	McCall,
Eachus	Knowles	Rapp	Speaker
Ellis	Kortz		

NAYS—27

Barbin	Gabig	Metcalfe	Samuelson
Brown	Johnson	Metzgar	Swanger
Creighton	Josephs	Mundy	Tallman
Cruz	Keller, M.K.	Murphy	Vitali
Cutler	Krieger	Payton	Waters
Denlinger	Manderino	Reese	Youngblood
Freeman	Marsico	Sabatina	

NOT VOTING—0

EXCUSED—7

Donatucci	Miccarelli	Perry	Thomas
Lentz	Pallone	Smith, K.	

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

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

Mr. BEAR offered the following amendment No. **A03439**:

Amend Bill, page 1, line 3, by inserting after "children"
and for the offense of invasion of privacy
Amend Bill, page 2, line 1, by striking out "(G)" and inserting
(e.2)

Amend Bill, page 2, by inserting between lines 18 and 19
Section 1.1. Section 7507.1(b) of Title 18 is amended and the
section is amended by adding a subsection to read:
§ 7507.1. Invasion of privacy.

* * *

(b) Grading.—Invasion of privacy is a misdemeanor of the
second degree if there is more than one violation or if the victim is a
minor. Otherwise, a violation of this section is a misdemeanor of the
third degree.

(b.1) Mistake as to age.—It is no defense to prosecution under
this section that the defendant did not know the age of the child.
Neither a misrepresentation of age by the child nor a bona fide belief
that the person is over the specified age shall be a defense.

* * *

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Lancaster County, Representative Bear.

Mr. BEAR. Thank you, Mr. Speaker.

This amendment simply changes the grading for invasion of
privacy for minors from a third-degree misdemeanor to a
second-degree misdemeanor.

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—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Donatucci	Miccarelli	Perry	Thomas
Lentz	Pallone	Smith, K.	

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

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

The SPEAKER. It is the Chair's information that Representative Bishop is withdrawing amendments A03489 and A03504. The Chair thanks the gentlelady.

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.)

SUPPLEMENTAL CALENDAR B

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 479, PN 531**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for prohibitions against the grant of licenses.

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

Mr. **GILLESPIE** offered the following amendment **No. A01872**:

Amend Bill, page 1, line 18, by inserting after "licenses"
and for distributors' and importing distributors' restrictions
on sales, storage, etc

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

Section 2. Section 441(d) of the act is amended and the section is amended by adding a subsection to read:

Section 441. Distributors' and Importing Distributors' Restrictions on Sales, Storage, Etc.—* * *

(d) (1) No distributor [or importing distributor] shall maintain any place for the storage of malt or brewed beverages except in the same municipality in which the licensed premises is located and unless the same has been approved by the board. In the event there is no place of cold storage in the same municipality, the board may approve a place of cold storage in the nearest municipality.

(2) No importing distributor shall maintain any place for the storage of malt or brewed beverages except in the franchise territory in which the licensed premises is located and unless the same has been approved by the board. The board shall issue no more than two storage facility licenses to an importing distributor. The importing distributor shall designate to the board one storage location where they may make retail sales. The other storage location shall be designated solely as a storage facility, from which only sales to other licensees are permitted.

* * *

(h) As used in this section, the term "franchise territory" shall mean the geographically contiguous area in which an importing distributor has been given rights for the sale or resale of malt or brewed beverages.

Amend Bill, page 2, line 20, by striking out "2" and inserting

3

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

The SPEAKER. The Chair recognizes the gentleman from York County, Representative Gillespie, on the amendment.

Mr. GILLESPIE. Thank you, Mr. Speaker.

Due to the consolidation of multiple franchises, areas have gotten much larger. This amendment will provide for greater efficiency for these much larger operations.

I appreciate an affirmative vote. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Donatucci	Miccarelli	Perry	Thomas
Lentz	Pallone	Smith, K.	

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 is a second amendment filed to this bill that requires a suspension of the rules. The gentleman, Representative Grove, is withdrawing the amendment? The Chair thanks the gentleman.

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

(Bill as amended will be reprinted.)

CALENDAR CONTINUED

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 687, PN 760**, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in guaranteed energy savings contracts, further providing for definitions, for contracting procedures and for contract provisions.

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Cumberland County, Representative Grell, who offers amendment— Is the gentleman withdrawing the amendment? The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Reichley. Mr. Reichley is waiving off. The Chair thanks the gentleman. Both amendments? The Chair thanks the gentleman.

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

* * *

The House proceeded to second consideration of **HB 933, PN 1057**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the offense of violation of Fort Indiantown Gap regulations and for the powers and duties of police officers employed at State military installations.

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

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1670, PN 2347**, entitled:

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.

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 196, PN 195**, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for prohibited acts and penalties.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—195

Adolph	Evans, J.	Kula	Reed
Baker	Everett	Levdansky	Reese
Barbin	Fabrizio	Longietti	Reichley
Barrar	Fairchild	Maher	Roe
Bear	Farry	Mahoney	Rock
Belfanti	Fleck	Major	Roebuck
Benninghoff	Frankel	Manderino	Rohrer
Beyer	Freeman	Mann	Ross
Bishop	Gabig	Markosek	Sabatina
Boback	Gabler	Marshall	Sainato
Boyd	Galloway	Marsico	Samuelson
Boyle	Geist	Matzie	Santarsiero
Bradford	George	McGeehan	Santoni
Brennan	Gerber	McI. Smith	Saylor
Briggs	Gergely	Melio	Scavello
Brooks	Gibbons	Metcalfe	Schroder
Brown	Gillespie	Metzgar	Seip
Burns	Gingrich	Micozzie	Shapiro
Buxton	Godshall	Millard	Siptroth
Caltagirone	Goodman	Miller	Smith, M.
Carroll	Grell	Milne	Smith, S.
Casorio	Grove	Mirabito	Solobay
Causser	Grucela	Moul	Sonney
Christiana	Haluska	Mundy	Staback

Civera	Hanna	Murphy	Stern
Clymer	Harhai	Murt	Stevenson
Cohen	Harhart	Mustio	Sturla
Conklin	Harkins	Myers	Swanger
Costa, D.	Harper	O'Brien, D.	Tallman
Costa, P.	Harris	O'Brien, M.	Taylor, J.
Cox	Helm	O'Neill	Taylor, R.
Creighton	Hennessey	Oberlander	True
Cruz	Hess	Oliver	Turzai
Curry	Hickernell	Parker	Vereb
Cutler	Hornaman	Pashinski	Vitali
Daley	Houghton	Payne	Vulakovich
Dally	Hutchinson	Payton	Wagner
Day	Johnson	Peifer	Walko
Deasy	Josephs	Perzel	Wansacz
DeLozier	Kauffman	Petrarca	Waters
DeLuca	Keller, M.K.	Petri	Watson
Denlinger	Keller, W.	Phillips	Wheatley
DePasquale	Kessler	Pickett	White
Dermody	Killion	Preston	Williams
DeWeese	Kirkland	Pyle	Youngblood
DiGirolo	Knowles	Quigley	Yudichak
Drucker	Kortz	Quinn	
Eachus	Kotik	Rapp	McCall,
Ellis	Krieger	Readshaw	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—7

Donatucci	Miccarelli	Perry	Thomas
Lentz	Pallone	Smith, K.	

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

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

* * *

The House proceeded to third consideration of **SB 973, PN 1447**, entitled:

An Act amending the act of October 17, 2008 (P.L.1645, No.132), known as the Home Improvement Consumer Protection Act, providing for the definition of "home improvement retailer"; and further providing for procedures for registration as a contractor and for prohibited acts.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—185

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

NAYS—10

Buxton	George	McI. Smith	Shapiro
Carroll	Kortz	Mundy	Vitali
Freeman	Manderino		

NOT VOTING—0

EXCUSED—7

Donatucci	Miccarelli	Perry	Thomas
Lentz	Pallone	Smith, K.	

RESOLUTIONS

Mr. BURNS called up **HR 398, PN 2390**, entitled:

A Resolution memorializing the Congress of the United States to work with Chrysler LLC to ensure that Chrysler brand dealership owners are treated justly and compensated fairly.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

EXCUSED—7

Donatucci Lentz	Miccarelli Pallone	Perry Smith, K.	Thomas
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

* * *

Mr. BURNS called up **HR 399, PN 2391**, entitled:

A Resolution memorializing the Congress of the United States to work with General Motors Corporation to ensure that the General Motors brand dealership owners are treated justly and compensated fairly.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

Drucker	Kortz	Quinn	
Eachus	Kotik	Rapp	McCall,
Ellis	Krieger	Readshaw	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—7

Donatucci Lentz	Miccarelli Pallone	Perry Smith, K.	Thomas
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

REMARKS SUBMITTED FOR THE RECORD

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

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

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of James J. McCarron V.

Whereas, James J. McCarron V has earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. He is a member of Troop 240.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of James J. McCarron V.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND Tabled

HB 1977, PN 2861 (Amended) By Rep. BISHOP

An Act providing for a comprehensive interagency plan for child day-care services and early childhood development services and for the powers and duties of the Department of Public Welfare.

CHILDREN AND YOUTH.

HOUSE BILL INTRODUCED AND REFERRED

No. 2070 By Representatives MARKOSEK, GEIST, CALTAGIRONE, CARROLL, P. COSTA, DePASQUALE, D. EVANS, J. EVANS, GINGRICH, GROVE, HARHAI, HARPER, LENTZ, MARSICO, MILLER, PICKETT, PYLE, REICHLLEY, SHAPIRO, SIPTROTH, SOLOBAY, SWANGER, WATSON and KORTZ

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for Commonwealth portion of fines, etc. and for municipal corporation portion of fines, etc.; defining "interactive wireless communication device"; prohibiting use of interactive wireless communication device; and further providing for duty of driver in construction and maintenance areas or on highway safety corridors, for

duty of driver in emergency response areas, for accident report forms, for department to compile, tabulate and analyze accident reports and for applicability and uniformity of title.

Referred to Committee on TRANSPORTATION, November 9, 2009.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1196 be removed from the tabled calendar.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1196 be recommitted to the Committee on Appropriations.

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

COMMERCE COMMITTEE MEETING

The SPEAKER. For what purpose does the gentleman from Washington County, Representative Daley, rise?

Mr. DALEY. Mr. Speaker, to make an announcement.

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

Mr. DALEY. Thank you, Mr. Speaker.

The House Commerce Committee will meet tomorrow morning at 9:30 in room 60E.

The SPEAKER. The Chair thanks the gentleman.

The Commerce Committee will meet tomorrow morning at 9:30 in room 60E.

STATEMENT BY MR. M. O'BRIEN

The SPEAKER. For what purpose does the gentleman from Philadelphia County, Representative Mike O'Brien, rise?

Mr. M. O'BRIEN. Mr. Speaker, to seek unanimous consent.

The SPEAKER. Without objection, the gentleman is recognized.

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

When I walked into the cafeteria this morning, I was immediately nauseated, which is an uncommon occurrence. It normally does not happen until after I have had a meal. When I walked into the Capitol, the Capitol, the Capitol cafeteria today, I saw the Pennsylvania Lottery being offered for sale. Now, mind you, Mr. Speaker, as a newly minted member of AARP, I support programs that support senior citizens, but somehow, Mr. Speaker, it seems to me to be inappropriate that in the Capitol cafeteria we are gambling. Simply, simply put, is the next step, is the next step, is the next step slot machines in the members' lounge?

Thank you, Mr. Speaker.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Representative Cohen, for the purpose of an announcement.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, it is my pleasure to announce that there will be a meeting of the House Democratic Caucus tomorrow at 10 a.m.

The SPEAKER. The Chair thanks the gentleman.

Are there any further announcements?

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentlelady from Susquehanna County, Representative Major.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus Tuesday at 10 a.m. I would ask Republicans to please report to our caucus room. Thank you.

The SPEAKER. The Chair thanks the lady.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Representative Markosek, for the purpose of an announcement.

Mr. MARKOSEK. Thank you, Mr. Speaker.

There will be a Transportation Committee meeting tomorrow at 9 a.m. in room G-50, Irvis Building.

The SPEAKER. The Chair thanks the gentleman.

There will be a Transportation Committee meeting tomorrow at 9 a.m. in room G-50, Irvis Building.

Are there any further announcements?

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.

RECESS

The SPEAKER. This House stands in recess to the call of the Chair.