

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, JANUARY 25, 2010

SESSION OF 2010

194TH OF THE GENERAL ASSEMBLY

No. 4

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

HON. MICHAEL K. HANNA, member of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker. Good afternoon.

Please bow your heads in prayer:

God, send us into our work this week with new resolve. Help us to solve the problems that have perplexed us and to serve the people we meet. May we see our work as part of Your great plan and find significance in what we do. We do not know what any day will bring us, but we do know the hour for serving You is always present. We dedicate our hearts, minds, and wills to Your glory. We ask this through You, Father. Amen.

#### PLEDGE OF ALLEGIANCE

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

The SPEAKER. Members, please report to the floor of the House.

#### JOURNALS APPROVED

The SPEAKER. The Journals of Friday, October 2; Saturday, October 3; Sunday, October 4; and Monday, October 5 of 2009 are now in print. Will the House approve the Journals?

On the question,

Will the House agree to the motion?

Motion was agreed to.

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Thursday, January 7, 2010, will be postponed until printed. The Chair hears no objection.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 581** By Representatives O'NEILL, BRENNAN, CALTAGIRONE, CREIGHTON, DePASQUALE, GRELL, GROVE, GRUCELA, HESS, HORNAMAN, KORTZ, KOTIK, MICCARELLI, PYLE, ROAE, ROSS, SIPTROTH, STABACK, STEVENSON and VULAKOVICH

A Resolution directing the State Government Committee of the House of Representatives to conduct a comprehensive study and review of the compensation provisions of the Constitution of Pennsylvania and to make recommendations.

Referred to Committee on STATE GOVERNMENT, January 11, 2010.

**No. 586** By Representatives K. SMITH, SCAVELLO, CARROLL, PASHINSKI, HALUSKA, HUTCHINSON, KORTZ, MAHONEY, MILNE, O'NEILL, GIBBONS, SABATINA and VULAKOVICH

A Resolution directing the Legislative Budget and Finance Committee to study the proliferation of methadone clinics in this Commonwealth and calling for a moratorium on the establishment of additional methadone clinics pending completion of the study.

Referred to Committee on HEALTH AND HUMAN SERVICES, January 19, 2010.

**No. 592** By Representatives O'NEILL, ROEBUCK, ADOLPH, DIGIROLAMO, GRUCELA, MARKOSEK, MURT, READSHAW, SAYLOR, STEVENSON, LONGIETTI, McILVAINE SMITH, VULAKOVICH, PASHINSKI, HESS, BELFANTI, BROOKS, HENNESSEY and ROCK

A Resolution directing the Legislative Budget and Finance Committee to study the costs associated with the State establishing the Pennsylvania Virtual Learning Program and conducting a study of the funding models used by other states with comparable programs.

Referred to Committee on EDUCATION, January 20, 2010.

**No. 593** By Representatives CRUZ, YOUNGBLOOD, PARKER and SIPTROTH

A Resolution urging the United States Census Bureau to change its policy of recording the residence of incarcerated persons from the location of the correctional facilities to the last known home address of such persons.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, January 20, 2010.

**No. 596** By Representatives MATZIE, D. COSTA, BELFANTI, BOYLE, BEYER, BISHOP, BRENNAN, CALTAGIRONE, CLYMER, DePASQUALE, DONATUCCI, EVERETT, FABRIZIO, FAIRCHILD, FRANKEL, FREEMAN, GEORGE, GERGELY, GINGRICH, GODSHALL, GOODMAN, GRUCELA, HARPER, HENNESSEY, HORNAMAN, KIRKLAND, KORTZ, LONGIETTI, MARKOSEK, MICOZZIE, MUNDY, MURPHY, O'NEILL, PALLONE, PASHINSKI, READSHAW, ROEBUCK, SANTONI, SAYLOR, SIPTROTH, SOLOBAY, SONNEY, STABACK, SWANGER, VULAKOVICH, WANSACZ, PHILLIPS, GIBBONS, MANN, BROOKS, STEVENSON, M. O'BRIEN and FLECK

A Resolution urging the Governor to issue a proclamation to observe January 30, 2010, as "Pennsylvanians with Disabilities Day" in Pennsylvania, and requesting the Governor to appoint a committee to investigate and recommend how the Commonwealth can best commemorate "Pennsylvanians with Disabilities Day" on an annual basis to recognize residents with disabilities who have distinguished themselves and this Commonwealth in the spirit of the late President Franklin Delano Roosevelt.

Referred to Committee on STATE GOVERNMENT, January 25, 2010.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2140** By Representatives WHEATLEY, JOSEPHS, MUSTIO, THOMAS, BUXTON, PAYTON, PRESTON, SIPTROTH, STURLA, WATERS, BROWN, McCALL, MIRABITO and ROEBUCK

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in small and disadvantaged businesses, further defining "small business," further providing for bonding and progress payments and providing for mentor-protege program, for small business reserve, for reciprocity of certifications, for agency oversight and responsibility and for prime contractors' performance; in contracts for public works, further providing for contractors' and subcontractors' payment obligations; and making an appropriation.

Referred to Committee on STATE GOVERNMENT, January 19, 2010.

**No. 2141** By Representatives BUXTON, WHEATLEY, JOSEPHS, SONNEY, THOMAS, CALTAGIRONE, CREIGHTON, GEIST, HARRIS, HORNAMAN, KOTIK, McCALL, MOUL, MURT, PAYTON, SIPTROTH, STURLA, SWANGER and WATERS

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in small and disadvantaged businesses, further defining "small business."

Referred to Committee on STATE GOVERNMENT, January 19, 2010.

**No. 2142** By Representatives THOMAS, WHEATLEY, MUSTIO, BUXTON, JOSEPHS, BEYER, SONNEY, BELFANTI, CALTAGIRONE, CREIGHTON, FRANKEL,

HORNAMAN, McCALL, PARKER, PAYTON, PRESTON, ROEBUCK, SIPTROTH, STURLA, WATERS and YOUNGBLOOD

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in small and disadvantaged businesses, further providing for bonding and progress payments; and making an appropriation.

Referred to Committee on STATE GOVERNMENT, January 19, 2010.

**No. 2143** By Representatives PARKER, WHEATLEY, BUXTON, JOSEPHS, THOMAS, BEYER, BELFANTI, HENNESSEY, HORNAMAN, McCALL, PAYTON, ROEBUCK, SIPTROTH, STURLA, WATERS and YOUNGBLOOD

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in small and disadvantaged businesses, providing for agency oversight and responsibility; and making an appropriation.

Referred to Committee on STATE GOVERNMENT, January 19, 2010.

**No. 2144** By Representatives JOSEPHS, WHEATLEY, BUXTON, THOMAS, BEYER, MUSTIO, CALTAGIRONE, FRANKEL, HORNAMAN, McCALL, D. O'BRIEN, PARKER, PAYTON, ROEBUCK, SIPTROTH, STURLA, WATERS and YOUNGBLOOD

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Department of Minority and Women Business Development; and making editorial changes.

Referred to Committee on STATE GOVERNMENT, January 19, 2010.

**No. 2145** By Representatives JOHNSON, WHEATLEY, BUXTON, JOSEPHS, THOMAS, CALTAGIRONE, LEVDANSKY, MIRABITO, MURPHY, REICHLEY, SIPTROTH, K. SMITH, STURLA, WATERS, YOUNGBLOOD, PAYTON and McCALL

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in small and disadvantaged businesses, providing for mentor-protege program.

Referred to Committee on STATE GOVERNMENT, January 19, 2010.

**No. 2146** By Representatives BROWN, WHEATLEY, BUXTON, JOSEPHS, THOMAS, BISHOP, CALTAGIRONE, HENNESSEY, KIRKLAND, McCALL, PARKER, ROEBUCK, SIPTROTH, STURLA, WATERS and YOUNGBLOOD

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in small and disadvantaged businesses, providing for reciprocity of certifications.

Referred to Committee on STATE GOVERNMENT, January 19, 2010.

**No. 2147** By Representatives PAYTON, WHEATLEY, BUXTON, JOSEPHS, THOMAS, BROWN, CALTAGIRONE, GOODMAN, HARKINS, JOHNSON, McCALL, PRESTON, SHAPIRO, SIPTROTH, STEVENSON, STURLA, WATERS and YOUNGBLOOD

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in small and disadvantaged businesses, providing for small business reserve.

Referred to Committee on STATE GOVERNMENT, January 19, 2010.

**No. 2148** By Representatives BEYER, WHEATLEY, BUXTON, JOSEPHS, THOMAS, MUSTIO, BISHOP, McCALL, PAYTON, PRESTON, REICHLEY, SIPTROTH, STURLA, WATERS and WATSON

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in small and disadvantaged businesses, providing for prime contractors' performance.

Referred to Committee on STATE GOVERNMENT, January 19, 2010.

**No. 2149** By Representatives MUSTIO, WHEATLEY, BUXTON, JOSEPHS, THOMAS, SONNEY, BEYER, WATERS, D. COSTA, FRANKEL, GEORGE, GINGRICH, GROVE, HENNESSEY, HORNAMAN, KNOWLES, KOTIK, LONGIETTI, MARSICO, McCALL, MOUL, MURT, O'NEILL, PAYTON, SOLOBAY, STURLA, J. TAYLOR, VULAKOVICH and YOUNGBLOOD

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for contractors' and subcontractors' payment obligations.

Referred to Committee on STATE GOVERNMENT, January 19, 2010.

**No. 2160** By Representatives BRADFORD, REICHLEY, BELFANTI, GERGELY, BURNS, BROWN, COHEN, DePASQUALE, DONATUCCI, FRANKEL, FREEMAN, GALLOWAY, GIBBONS, GOODMAN, HARKINS, KORTZ, MATZIE, McGEEHAN, MELIO, MURPHY, READSHAW, K. SMITH, SWANGER, R. TAYLOR, YOUNGBLOOD and MANN

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for shared work program.

Referred to Committee on LABOR RELATIONS, January 25, 2010.

**No. 2187** By Representatives DeLUCA, VULAKOVICH, D. COSTA, VEREB, EACHUS, CALTAGIRONE, BAKER, BOYD, BRADFORD, BRENNAN, BUXTON, CASORIO, CONKLIN, P. COSTA, CURRY, DERMODY, DeWEESE, DONATUCCI, FABRIZIO, FRANKEL, GABIG, GALLOWAY, GEORGE, GOODMAN, GRELL, GRUCELA, HALUSKA, HANNA, HARHAI, HARKINS, HESS, HORNAMAN, W. KELLER, KORTZ, KOTIK, KULA, LENTZ, LEVDANSKY, MAHONEY, MARKOSEK,

MARSHALL, MATZIE, McILVAINE SMITH, MELIO, METCALFE, MICCARELLI, MILLER, MILNE, MOUL, MURT, MUSTIO, PASHINSKI, PAYNE, PEIFER, PETRARCA, PYLE, READSHAW, SAINATO, SANTARSIERO, SCAVELLO, SIPTROTH, K. SMITH, M. SMITH, SOLOBAY, SONNEY, STABACK, STERN, THOMAS, TRUE, TURZAI, WATERS, WATSON, WHITE, WILLIAMS, GINGRICH and SWANGER

An Act amending Title 61 (Penal and Correctional Institutions) of the Pennsylvania Consolidated Statutes, further providing for parole power and for violation of terms of parole.

Referred to Committee on JUDICIARY, January 19, 2010.

**No. 2197** By Representatives BENNINGHOFF, BARRAR, BEAR, BELFANTI, CREIGHTON, CUTLER, DENLINGER, FAIRCHILD, GABLER, GIBBONS, GINGRICH, GOODMAN, GRELL, GROVE, HARHART, HARRIS, HORNAMAN, MIRABITO, MOUL, MURT, READSHAW, REICHLEY, ROAE, STERN, SWANGER, TURZAI and VULAKOVICH

An Act amending the act of July 14, 1961 (P.L.637, No.329), known as the Wage Payment and Collection Law, expanding the scope of the act.

Referred to Committee on LABOR RELATIONS, January 11, 2010.

**No. 2198** By Representatives D. COSTA, CRUZ, DeLUCA, BARBIN, BOBACK, CALTAGIRONE, CARROLL, P. COSTA, DEASY, DENLINGER, EVERETT, FARRY, GEIST, GRUCELA, HARHAI, HENNESSEY, HORNAMAN, HOUGHTON, KIRKLAND, KNOWLES, KORTZ, KOTIK, MARKOSEK, MARSHALL, MATZIE, MELIO, MILNE, MIRABITO, MURT, M. O'BRIEN, PALLONE, PASHINSKI, READSHAW, SAYLOR, SIPTROTH, SWANGER, TRUE, VULAKOVICH, WAGNER, WATERS and GROVE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for issuance of inspection certificates.

Referred to Committee on TRANSPORTATION, January 11, 2010.

**No. 2199** By Representatives McGEEHAN, MATZIE, BARBIN, BELFANTI, BISHOP, BOYLE, BRENNAN, BURNS, CARROLL, D. COSTA, DiGIROLAMO, DONATUCCI, ELLIS, J. EVANS, FABRIZIO, FARRY, GIBBONS, GOODMAN, HORNAMAN, HOUGHTON, JOSEPHS, W. KELLER, KOTIK, KULA, MAHONEY, MARSHALL, MURPHY, SABATINA, SEIP, THOMAS, YUDICHAK, EACHUS and McCALL

An Act establishing general requirements for mobile railroad camps; and providing for safety, health, emergency information and food handling standards for maintenance of way employees and contractors, for regulation of camp cars and remote worksites and for duties of the Department of Labor and Industry.

Referred to Committee on LABOR RELATIONS, January 11, 2010.

**No. 2200** By Representatives McGEEHAN, BELFANTI, BRIGGS, HESS, JOSEPHS, KESSLER, KORTZ, McILVAINE SMITH, M. O'BRIEN and SIPTROTH

An Act prohibiting grocery stores from providing to purchasers paper and plastic bags for goods purchased at grocery stores.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, January 11, 2010.

**No. 2201** By Representatives SONNEY, CREIGHTON, J. EVANS, EVERETT, GINGRICH, GODSHALL, GRELL, HARRIS, HORNAMAN, KIRKLAND, MARSHALL, MILLARD, MOUL, PYLE, REICHLEY and SIPTROTH

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for shipment of wine into Commonwealth.

Referred to Committee on LIQUOR CONTROL, January 11, 2010.

**No. 2202** By Representatives GERBER, BELFANTI, BOYLE, BRADFORD, BRIGGS, BUXTON, CALTAGIRONE, COHEN, D. COSTA, P. COSTA, DePASQUALE, DERMODY, DeWEESE, DONATUCCI, DRUCKER, EACHUS, FRANKEL, GERGELY, GIBBONS, HARHAI, HARPER, JOSEPHS, W. KELLER, KIRKLAND, LENTZ, LONGIETTI, MANDERINO, MELIO, MUNDY, MURT, M. O'BRIEN, PALLONE, PARKER, PASHINSKI, PAYTON, PETRARCA, SAINATO, SANTONI, SHAPIRO, SIPTROTH, M. SMITH, STABACK, J. TAYLOR, R. TAYLOR, VEREB, WANSACZ, WATERS, WHITE and WILLIAMS

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

Referred to Committee on JUDICIARY, January 11, 2010.

**No. 2203** By Representatives BEYER, SOLOBAY, BELFANTI, BRENNAN, BUXTON, EVERETT, GABLER, GOODMAN, GRELL, HARHAI, HARKINS, KULA, LEVDANSKY, MAJOR, MANN, MARSHALL, MOUL, MURT, PASHINSKI, SANTARSIERO, TALLMAN, WATERS, WATSON, SWANGER, MELIO, QUINN and DALEY

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further defining "case."

Referred to Committee on LIQUOR CONTROL, January 19, 2010.

**No. 2204** By Representatives MARSICO, ADOLPH, BAKER, BARRAR, BELFANTI, BISHOP, BOYD, BRADFORD, BRENNAN, BROOKS, BROWN, CALTAGIRONE, CARROLL, CAUSER, CLYMER, DENLINGER, EVERETT, FLECK, GEORGE, GINGRICH, GOODMAN, GROVE, GRUCELA, HARHART, HARKINS, HARRIS, HENNESSEY, HESS, HORNAMAN, M. KELLER,

W. KELLER, KNOWLES, KORTZ, KOTIK, LONGIETTI, MANN, McGEEHAN, MICOZZIE, MILLER, MOUL, MUNDY, MURPHY, MURT, O'NEILL, PALLONE, PAYNE, PAYTON, PHILLIPS, PICKETT, PYLE, RAPP, READSHAW, REICHLEY, SAYLOR, SIPTROTH, K. SMITH, SOLOBAY, STEVENSON, SWANGER, VULAKOVICH, WATERS and YOUNGBLOOD

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, establishing the Military Child-Care Assistance Program and its operation.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, January 19, 2010.

**No. 2205** By Representatives CLYMER, S. H. SMITH, BRENNAN, DENLINGER, FLECK, GINGRICH, GROVE, HENNESSEY, KAUFFMAN, MAJOR, McILVAINE SMITH, MILLER, MILNE, MOUL, MURT, O'NEILL, PHILLIPS, QUIGLEY, RAPP, REESE, REICHLEY, ROCK, SAYLOR, STERN, TALLMAN, TURZAI and VULAKOVICH

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in early learning programs, further providing for establishment of program, for duties of department, for grant awards and for duties of approved providers; and providing for study.

Referred to Committee on EDUCATION, January 19, 2010.

**No. 2206** By Representatives DeLUCA, BISHOP, CALTAGIRONE, D. COSTA, HARKINS, HORNAMAN, JOSEPHS, MAHONEY, READSHAW, REICHLEY, SIPTROTH, SOLOBAY, WATSON and WHITE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in support of the indigent, repealing provisions relating to relatives' liability.

Referred to Committee on INSURANCE, January 19, 2010.

**No. 2207** By Representatives SAYLOR, LEVDANSKY, BARRAR, CREIGHTON, CUTLER, GIBBONS, GINGRICH and TALLMAN

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for the definition of "governmental entity" and for the Public School Employees' Retirement Board; and providing for a lump sum payment to employees of the Pennsylvania School Boards Association of the accrued value of their retirement benefits.

Referred to Committee on FINANCE, January 19, 2010.

**No. 2208** By Representatives M. SMITH, SWANGER, BRIGGS, GRUCELA, HORNAMAN, HOUGHTON, KESSLER, MAHONEY, McILVAINE SMITH, SANTARSIERO, SIPTROTH and DALEY

An Act providing for powers of local authorities to establish maximum speed limits on roadways and State-designated highways within their physical boundaries.

Referred to Committee on TRANSPORTATION, January 19, 2010.

**No. 2209** By Representatives GROVE, MILLER, MOUL, CLYMER, D. COSTA, DENLINGER, GINGRICH, HARRIS, HORNAMAN, MURT, READSHAW, REICHLEY, SONNEY, WATSON and M. KELLER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for learners' permits.

Referred to Committee on TRANSPORTATION, January 19, 2010.

**No. 2210** By Representatives BOYLE, BELFANTI, BARBIN, BROWN, DeLUCA, FRANKEL, FREEMAN, GOODMAN, LONGIETTI, MANDERINO, MANN, MUNDY, MURPHY, PAYTON, SHAPIRO, R. TAYLOR, WHEATLEY, JOSEPHS, PARKER and BRADFORD

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, providing for the same day registration of a qualified elector.

Referred to Committee on STATE GOVERNMENT, January 19, 2010.

**No. 2211** By Representatives WANSACZ, STABACK, SIPTROTH, KOTIK, GRUCELA, HORNAMAN, CALTAGIRONE, BRADFORD, WATERS and FAIRCHILD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for transfer of ownership of vehicles used for human habitation.

Referred to Committee on TRANSPORTATION, January 20, 2010.

**No. 2212** By Representatives R. TAYLOR, HARPER, BISHOP, BRADFORD, BRENNAN, D. COSTA, GRUCELA, HENNESSEY, KAUFFMAN, KORTZ, MURT, SIPTROTH, SWANGER, WATERS and YOUNGBLOOD

An Act amending the act of November 24, 1976 (P.L.1176, No.261), known as the Mobile Home Park Rights Act, further providing for short title, for definitions and for disclosure of fees; and making editorial changes.

Referred to Committee on URBAN AFFAIRS, January 20, 2010.

**No. 2213** By Representatives GEORGE, McILVAINE SMITH, BELFANTI, BRADFORD, CALTAGIRONE, CARROLL, COHEN, CONKLIN, D. COSTA, DeWEESE, GOODMAN, GRUCELA, HORNAMAN, JOHNSON, JOSEPHS, LEVDANSKY, MAHONEY, MUNDY, M. O'BRIEN, SCHRODER, SIPTROTH, K. SMITH, STURLA, THOMAS, YOUNGBLOOD, YUDICHAK, SEIP and VITALI

An Act amending the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, further providing for the definition of "department," for protection of fresh groundwater, for casing requirements and for protection of water supplies; providing for hydraulic fracturing chemicals disclosure; further providing for bonding and for well plugging funds; preempting certain local ordinances; and further providing for local ordinances.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, January 20, 2010.

**No. 2214** By Representatives GEORGE, BELFANTI, BRADFORD, CALTAGIRONE, CARROLL, COHEN, CONKLIN, DeWEESE, FAIRCHILD, GOODMAN, GRUCELA, HALUSKA, HESS, HORNAMAN, LEVDANSKY, MAHONEY, METZGAR, MOUL, MUNDY, MURT, SEIP, SIPTROTH, K. SMITH, SOLOBAY, STURLA, THOMAS and YOUNGBLOOD

An Act amending the act of July 20, 1979 (P.L.183, No.60), entitled "An act regulating the terms and conditions of certain leases regarding natural gas and oil," further providing for guarantee of minimum royalties and for escalation of royalties.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, January 20, 2010.

**No. 2215** By Representatives CRUZ, YOUNGBLOOD and SIPTROTH

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for provisional ballots.

Referred to Committee on STATE GOVERNMENT, January 20, 2010.

**No. 2216** By Representatives CRUZ, YOUNGBLOOD, SABATINA and JOSEPHS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for automated red light enforcement systems in first class cities.

Referred to Committee on TRANSPORTATION, January 20, 2010.

**No. 2217** By Representatives CRUZ, YOUNGBLOOD and SIPTROTH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for applicability of traffic laws to pedalcycles in cities of the first class and for penalty for violation of subchapter.

Referred to Committee on TRANSPORTATION, January 20, 2010.

**No. 2218** By Representatives HARPER, BELFANTI, BRIGGS, FAIRCHILD, FREEMAN, GEORGE, GIBBONS, GODSHALL, GROVE, HENNESSEY, HORNAMAN, M. KELLER, LONGIETTI, MAHER, MAJOR, MILLARD, PICKETT, QUINN, READSHAW, REICHLEY, ROEBUCK, SIPTROTH, SONNEY, SWANGER, R. TAYLOR, VITALI, VULAKOVICH, WATSON, YOUNGBLOOD, MILLER, HELM and ADOLPH

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further providing for recycling fee for municipal waste landfills and resource recovery facilities.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, January 20, 2010.

**No. 2219** By Representatives SONNEY, EVERETT, M. KELLER, BARRAR, BOYD, CAUSER, CLYMER, CUTLER, DAY, DENLINGER, FABRIZIO, FAIRCHILD, GABLER, GIBBONS, GODSHALL, GROVE, HARKINS, HARRIS, HORNAMAN, HUTCHINSON, KRIEGER, LONGIETTI, MARSICO, OBERLANDER, PYLE, REICHLEY, ROAE, ROHRER, SAYLOR, SEIP, STERN, STEVENSON, SWANGER, TALLMAN, TURZAI, VULAKOVICH, FLECK, GEIST, MOUL, RAPP, METCALFE, DALEY, SABATINA, SOLOBAY, SANTONI, CREIGHTON and BENNINGHOFF

An Act prohibiting the regulation of certain alternative energy technologies.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, January 20, 2010.

**No. 2220** By Representatives METZGAR, CUTLER, EVERETT, FAIRCHILD, GABLER, GIBBONS, GROVE, HARRIS, HICKERNELL, HUTCHINSON, KAUFFMAN, M. KELLER, METCALFE, MILLER, O'NEILL, PYLE, READSHAW, REED, ROAE, SAYLOR, S. H. SMITH, SONNEY, STEVENSON, TALLMAN, TURZAI, VULAKOVICH, BAKER, MOUL, MILLARD, HESS, GEIST, CAUSER, GINGRICH, SIPTROTH, MURT, SWANGER, KRIEGER, DENLINGER, ROCK and HORNAMAN

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, further providing for administration.

Referred to Committee on HEALTH AND HUMAN SERVICES, January 20, 2010.

**No. 2221** By Representatives GABIG, SAYLOR, CLYMER, METZGAR, MILLER, SIPTROTH, ROAE, KORTZ, CREIGHTON, WATSON, PICKETT, READSHAW, SWANGER and VULAKOVICH

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for exemptions from jury duty.

Referred to Committee on JUDICIARY, January 25, 2010.

**No. 2222** By Representatives K. SMITH, SCAVELLO, CARROLL, PASHINSKI, HALUSKA, HUTCHINSON, KORTZ, MAHONEY, MILNE, O'NEILL, GIBBONS, SABATINA and VULAKOVICH

An Act imposing a moratorium on the establishment of new or expanded methadone clinics and requiring the Legislative Budget and Finance Committee to conduct a study to determine the impact of these clinics on the communities in which they are located.

Referred to Committee on HEALTH AND HUMAN SERVICES, January 25, 2010.

**No. 2223** By Representatives HARHART, REICHLEY, STEVENSON, BAKER, BRENNAN, CALTAGIRONE, D. COSTA, FLECK, GEIST, MURT, OBERLANDER, PICKETT, SIPTROTH, SONNEY, SWANGER and TRUE

An Act providing for requirements relating to administration of obstetrical ultrasound procedures.

Referred to Committee on HEALTH AND HUMAN SERVICES, January 25, 2010.

## GUESTS INTRODUCED

The SPEAKER. The Chair has some visitors he would like to welcome to the hall of the House. In the back of the House, the Chair welcomes Joseph and Claudia Rudderow. Joe is a township supervisor in Maidencreek Township. They are the guests of Representative Jerry Knowles. Will the guests please rise. Welcome to the hall of the House.

Also in the back of the House, the Chair welcomes Jonathan Chapman, Susan Chapman, Jonah Chapman, Paul Lamicello, and Andrew Lamicello, who are visiting the Capitol today. They are the guests of Representative Tom Creighton. Will the guests please rise. Welcome to the hall of the House.

To the left of the Speaker, the Chair welcomes Robert "Bo" Gormley III, a student at Cranberry High School, Venango County, who is job shadowing today with Representative Scott Hutchinson. Will the guest please rise. Welcome to the hall of the House.

In the well of the House, the Chair recognizes Joshua Griner, who attends Mechanicsburg Area High School. He is here today serving as a guest page. Will the guest please rise. He is the guest of Representative Sheryl Delozier. Welcome to the hall of the House.

In the back of the hall of the House, the Chair welcomes Anthony DeLuca. He is the grandson of Representative Tony DeLuca and a guest of Representative Tony DeLuca. Will the guest please rise. Welcome to the hall of the House.

## SARA SARGENT PRESENTED

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

Mr. SANTARSIERO. Thank you, Mr. Speaker.

I rise today to recognize Sara Sargent, an outstanding athlete from Lower Makefield Township and Pennsbury High School. Mr. Speaker, in only her freshman year, Sara was able to win the State District One and Suburban One League girls cross country titles. On Saturday, November 7, 2009, Sara became just the third freshman to win the PIAA Girls Class AAA State Cross Country Championship. Her time of 18:35 at the Milton Hershey School set a new course record by 12 seconds.

In addition to becoming the first freshman to win the State title since 1992, Sara's wire-to-wire victory helped Pennsbury to a third place finish in the team standings. Sara also won the District One title with a time of 17:39. At the Suburban One League National Conference championship meet, Sara won the race in 17:57, which helped Pennsbury win its first league title in the 34-year history of the program.

On November 28 Sara finished eighth at the Foot Locker Northeast Regional Cross Country Championship in Sunken Meadow Park, New York, with a time of 18:42.2 and qualified for the Foot Locker National Championships on December 12.

On December 12 Sara finished 21st out of 40 competitors at the Foot Locker National Cross Country Championship held in San Diego. She was recently named "Gatorade Pennsylvania Girls Cross Country Runner of the Year."

Accompanying Sara to Harrisburg are her parents, Kay and Greg Sargent. Pennsbury coach Don Little was unable to attend today. It is my great honor and privilege to welcome to the House today Sara and her family, and I ask all of you to rise and congratulate her on this terrific achievement, particularly as a freshman in this sport.

Thank you very much.

### **CENTRAL DAUPHIN HIGH SCHOOL BOYS SOCCER TEAM PRESENTED**

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

The Chair recognizes the gentleman from Dauphin County, Representative Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

Members of the House, I would like to welcome the Central Dauphin High School Boys Varsity Soccer Team to the House chamber. They are here with us today so we can honor them for capturing the 2009 Mid-Penn Commonwealth Boys Soccer Championship and the 2009 PIAA District III Class AAA Boys Soccer Championship and being named cochampions of the 2009 PIAA State Class AAA Boys Soccer Championship.

The Rams finished their season with an overall record of 22 wins, 5 losses, and 1 tie. The Central Dauphin Rams were ranked third in the region of Pennsylvania and New Jersey and 25th in the nation. Head coach Gregg Davis and assistant coach Scott Singer, Scott Orner, Dan Brixius, and Garfield DeSilva guided them to victory. Also providing assistance and support for the team were John Confer, the athletic director; Carol Johnson, the principal; and Craig Kemmlein, the trainer.

With us today at the rostrum is head coach Gregg Davis, who in fact coaches all the soccer programs at Central Dauphin, the boys and the girls, and this is not his first State championship win. He led the girls teams to back-to-back State championships in 2007 and 2008. Also at the rostrum are captains, Harry Snyder, Eric McGinnis, Jonathan Lutz, and Mike Jones. Please help us to recognize them, and the rest of the soccer team in the back of the hall of the House, please stand to be recognized.

We in the House of Representatives would like to take this opportunity to congratulate the Central Dauphin Boys Soccer Team and wish you the best of luck in the future. I present this citation from the Pennsylvania House of Representatives. Thank you. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### **DR. AMY SICHEL PRESENTED**

The SPEAKER. The Chair recognizes the gentleman from Montgomery County, Representative Shapiro, for the purpose of a presentation. The Chair also recognizes the gentleman from Montgomery County, Representative Taylor.

Mr. SHAPIRO. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to brag about the Abington School District in Montgomery County, and specifically, to brag about our superintendent, Dr. Amy Sichel, who stands behind me today as the Superintendent of the Year in Pennsylvania. Mr. Speaker, I rise today with Representative Taylor, as well as on behalf of Representative Boyle. Each of us is pleased to represent the great Abington community. The Abington School District is defined by its diversity and by its high level of achievement. In our school district in Montgomery County, 29 percent of the students are minority students; 14 percent of them are on reduced or free lunch. We have so many AP (advanced placement) honor students and so many students getting into the greatest colleges in this nation.

Mr. Speaker, we have top-notch students, we have committed parents, we have excellent teachers, and we have administrators who think outside the box. But as the saying goes, Mr. Speaker, speed of the leader, speed of the group. And anyone who knows Dr. Sichel knows that, boy, she moves speedy, and she moves speedy with great compassion and a deep commitment to progress for our children. No issue is unresolvable and no challenge is insurmountable in Amy Sichel's school district.

Today we honor Amy as the Superintendent of the Year, one awardee out of 500 in our State by the Pennsylvania Association of School Administrators. It is not just great academic achievement that marks the success story of the Abington School District. See, Amy understands that we are not just trying to make students who are book smart; she understands that we are trying to raise respectful young adults in ways that they can go out in this great Commonwealth of ours, in this great country of ours, and make a difference. That is why it is so important to Amy and to me and Rick and Brendan and all others who are involved in the Abington School District that our students be involved in community, and 90,000 hours of community service last year were conducted in our Commonwealth by the students of the Abington School District. Amy's efforts, both as superintendent as well as an adjunct professor at the University of Pennsylvania to train the next generation of school administrators, ensures, ensures the strength of our community for years to come, the strength of our Commonwealth for years to come.

So, Mr. Speaker, I will close where I began, by just simply having the pleasure to brag about Dr. Amy Sichel and the Abington School District. She is not only a wonderful superintendent, educator, and community leader, I am so pleased to be able to call her a dear personal and close friend, and it is my honor to have her here in this august chamber in front of our colleagues to signal her great accomplishment and achievement on behalf of the students of Abington and the people of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### **JEANNE SCHMEDLEN PRESENTED**

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Representative Denny O'Brien, for the purpose of a presentation.

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

Mr. Speaker, I ask for the attention of my colleagues and each one present in this hall. It is fitting and it is right for us to pause in the privilege of our service to the people of Pennsylvania and this great institution, the Pennsylvania House of Representatives, to offer gratitude to an individual who has served this Commonwealth exceedingly well.

My purpose in asking us to do this is twofold. First, those who serve the people through this body – past, present, and to come – serve best when forever reminded of the ideals and the foundational tenets that gave it birth and which continue to moor it in a meaning that transcends all time. The Pennsylvania House is the oldest representative assembly in the land. We who serve here are but privileged participants in a movement, a grand experiment set in motion by William Penn nearly 400 years ago. Great movements in the course of a democratic republic require that there be persons along the way who tether us to this great tradition and a founding truth that most assuredly delivers us through any sea of challenge and onto the shores of a better and brighter future. Indeed, we serve best when reminded of these things.

And so, Mr. Speaker, that moves me to the second reason for asking us to pause to remember. Today I ask on behalf of those we represent across this great Commonwealth that we recognize and thank a public servant whose work and passion over the last 15 years has been centered upon the great heritage and hope of this institution. I will yield to the detail of the House citation to appropriately recount this individual's avenues of service in State government over the years. Instead, I will devote my remaining remarks in recognition and deep appreciation of Jeanne Schmedlen, who so many of us have come to know as one who represents the finer attributes of this great institution.

Jeanne Schmedlen has served four Speakers since 1995. This is a factual statement. The greater truth is that Jeanne Schmedlen has served the Office of the Speaker of the House since 1995. Four individuals have had the privilege of passing through that great office over those 15 years. It is the office and not the person in whom power is invested and entrusted for a time and a season. Jeanne always knew that.

Anyone who knows Jeanne knows just how relationally gifted she is – kind, caring, intelligent, witty, spirited, energetic, creative, loyal, trustworthy, and much more. These are great qualities in friendship, and this explains Jeanne's great penchant for working across and beyond party lines and political division, but it only explains that penchant in part. Jeanne is always the consummate professional in her decorum and the execution of her duties in fulfilling the public trust, whether in her work in two gubernatorial administrations – yes, one an "R" and another a "D" – or in her work as director of special projects or chief of protocol for the Speaker. Regardless of the person or party passing through that office, Jeanne remained the consummate professional. But again, that only explains her exemplary service and success in part. Jeanne's outstanding qualities of friendship and professionalism abound and they served this body well throughout the years.

The key ingredient, however, remains Jeanne's unyielding commitment to the ideals that set this grand experiment in motion and which transcend all time. Jeanne has served the common wealth by connecting those ideals with the heritage and hope that William Penn and our forebearers envisioned for this Assembly. Whether it involved the history of the speakership, once held by Benjamin Franklin, or the evolving

role of women in elected office, Jeanne Schmedlen worked tirelessly to communicate a heritage that heralded an increasingly promising future. Whether it involved her work on behalf of the Speaker in the areas of music and the arts or breast cancer awareness or autism education and advocacy, Jeanne Schmedlen engaged her talents and passion as a catalyst toward a better and brighter Pennsylvania. Whether it involved her work in raising awareness and appreciation of the great palace of art and history that is this Capitol Building or her behind-the-scenes work with legislative bodies in other States or the foreign delegations visiting our Commonwealth, Jeanne worked faithfully as a connector of peoples on behalf of the people of Pennsylvania. I could go on and on, and I know and encourage many of you to add to this story.

Perhaps the truest tribute comes simply by observing Jeanne's investment in young Pennsylvanians throughout the Speaker's internship program. Hundreds of young adults have served as interns through the Speaker's Office because of Jeanne's advocacy for this program. They have benefited immensely under her tutelage and encouragement. This is the story of a person who repeatedly and with great energy invested in the lives of young Pennsylvanians who desired to explore and test their interests and skills in the area of government and public service. Through this program, which she launched and guided, Jeanne leaned her life, her position, and her talents into the lives of others, and that, Mr. Speaker, speaks volumes more than words could convey.

So, Mr. Speaker, I ask my House colleagues to join me in a unanimous roll call of affirmation to our friend, to an outstanding professional colleague, and to a public servant who over the years clearly understood that she was part of something far greater than herself. Jeanne Schmedlen concluded her employment with the House last month, December 2009. Her daily movement among us is already missed. Her presence, however, continues with us and with those who have yet to come to this hallowed chamber. Jeanne's work will continue to unfold among us as a gift, tethering us to the greater truth, tradition, and founding ideals of this General Assembly.

Jeanne, on behalf of the people of this Commonwealth, please receive our gratitude. Thank you, Mr. Speaker.

## REMARKS BY MR. PAUL COSTA

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Representative Costa.

Mr. P. COSTA. Thank you, Mr. Speaker.

When I got here about 12 years ago, I did not know who Jeanne Schmedlen was. I just knew that she was that lady that worked for Speaker Ryan. But a couple of years after that, I had the good fortune of working with Jeanne on a project with myself, Representative Billy Keller, and former Representative Mike Diven. We worked on this project – I should not say we worked on it because we just showed up. We would go see Jeanne every Monday and Jeanne and her interns would be in the office and they would give us a list of items that we needed to approve, and then the next week we would come back and they would say, we did this, this, this, this, and this, we need you to approve that, and everything was done. We just sat there. And Representative Keller will tell you, we really did not have to do much except come up with the idea, and that idea was to have the Speaker's scholarship fund that Jeanne has been



running. Most of you may know this already, there is a scholarship out there that is called the House of Representatives' Speaker's scholarship fund and there are two children from Pennsylvania that go to college on us every year. We raise private funds – I should, again, not say we – Jeanne raised private funds to have that scholarship.

Jeanne, I think the world of you. I am going to miss you. You are a great ambassador for this House of Representatives, and I wish you well and wish you best of health and good luck in your retirement. God bless you, Jeanne.

The SPEAKER. The Chair thanks the gentleman.

### REMARKS BY SPEAKER

The SPEAKER. If the Speaker can add just some comments to what has already been said. You know, I reflect back to Teddy Roosevelt, when he dedicated this Capitol Building in 1906, and one of the things that he said is that this is "the handsomest building I ever saw." I think many of us as we walk the halls of this grand building take so much of it for granted, especially the artwork contained in it, especially in this room, by Edwin Austin Abbey and then Violet Oakley and Henry Chapman Mercer. They are artists that maybe we do not realize the significance of their talent, but as we walk through these halls, it is more than just the art that we can enjoy; this is truly the seat of our democracy. No one loves the beauty of this building more and the art and provenance of this building than Jeanne Schmedlen. Yes, she worked with many Speakers, Matt Ryan having the keen eye and sense to put her on his staff, and she worked diligently to enhance the workings of this Capitol Building and to showcase its provenance and its art and its culture.

When I became Speaker of the House, Denny O'Brien called me into his office and said, you have to keep Jeanne Schmedlen on your staff and part of your team. There is not a single person in this room that probably could recite or talk about Emily Post's rules of etiquette to memory, and certainly, Jeanne Schmedlen can do that. And not only that, but as you know, many dignitaries come walking through the hall of the House, and Jeanne is the one who tells me what the protocol is on meeting with those executives and dignitaries from around the world. It is with her knowledge and knowledge of etiquette that helps guide me through the jobs and the duties that I have as Speaker of the House. But when you think that she has worked under so many different Speakers, from Matt Ryan to John Perzel to Bill DeWeese, Denny O'Brien, and now myself; chief of staff and press secretary to former First Lady Ellen Casey, and she is still a family friend of the Casey family; Deputy Press Secretary to Gov. Dick Thornburgh; legislative liaison to the Pennsylvania Council on the Arts; and even a newspaper reporter.

We certainly wish our best to Jeanne. She is right now in the midst of a pretty significant health battle, and she has taken that health battle on nose-to-nose and she is going to beat it and she is going to win. So I myself would like to wish Jeanne many, many happy days ahead filled with family and friends as well as opportunities to continue her passionate love of the arts here in Pennsylvania. Jeanne, I wish you Godspeed in everything that you do, and you know that that door is always open to the Speaker's Office.

Congratulations and Godspeed on your retirement.

### CITATION PRESENTED

The SPEAKER. Will the clerk please read the citation for Mrs. Schmedlen.

The following citation was read:

#### COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

#### CITATION

WHEREAS, Jeanne Schmedlen is being honored upon her December 2009 retirement from the Office of the Speaker of the House of Representatives of Pennsylvania after thirty-six years of dedicated State service; and

WHEREAS, Mrs. Schmedlen has concluded an extensive career in State service that includes service as a newspaper editor and reporter, Deputy Press Secretary to the Governor of Pennsylvania, Press Secretary and Chief of Staff to the First Lady of Pennsylvania and as Director of Special Projects and Chief of Protocol for the Speaker of the House of Representatives of Pennsylvania. From 1995 to 2009, she served as the Speaker's advisor and administrator for a variety of projects, including speech writing and delivery, publications, script and citation writing and video and audio educational program production. Prior to serving in the Speaker's office, Mrs. Schmedlen served as spokesperson for former Pennsylvania Governor Dick Thornburgh for four years and completed elaborate publications and videos. She is responsible for many books and magazines illustrating the history and facts of the Commonwealth, including *Wisdom, Vision and Diplomacy: Speakers of the Pennsylvania House, 104 Years of Leadership: Pennsylvania House of Representatives' Caucus Officers 1990 until Today, The Capitol and Welcome to the Governor's Residence*. In addition, she is the founder and editor of a scholars' journal, *A Speaker's Journal of Essays on the Future of Pennsylvania*. Mrs. Schmedlen has also served as a member of the Boards of Directors of the Pennsylvania Breast Cancer Coalition, the Central Pennsylvania Youth Ballet, the Art Association of Harrisburg and the Susquehanna Art Museum. Throughout her years of service, Mrs. Schmedlen demonstrated remarkable knowledge, ability and integrity in carrying out her many responsibilities, thus earning the respect and gratitude of all those who received the benefit of her tireless devotion to duty.

NOW THEREFORE, the House of Representatives of the Commonwealth of Pennsylvania congratulates Jeanne Schmedlen upon her well-deserved retirement; heartily recognizes her exemplary record of service, in keeping with the highest ideals and traditions of this Commonwealth; offers best wishes for a happy and fulfilling future;

AND DIRECTS that a copy of this citation, sponsored by the Honorable Dennis M. O'Brien on January 12, 2010, be transmitted to Jeanne Schmedlen, 913 Woodland Drive, Lemoyne, Pennsylvania 17043.

Dennis M. O'Brien, Sponsor

Keith R. McCall, Speaker of the House

ATTEST:

Anthony Frank Barbush, Chief Clerk of the House

### REMARKS SUBMITTED FOR THE RECORD

Mr. FARRY 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 Zachary William Jenkins, who has 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 merit honoring Zachary William Jenkins.

Whereas, Zachary William Jenkins 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. Zachary is a member of Troop 19.

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 Zachary William Jenkins.

### LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the gentleman from Allegheny County, Representative Dermody, the majority whip, who requests a leave of absence for: Representative WAGNER from Allegheny County for the day; Representative MURPHY from Lackawanna County for the day; Representative BRADFORD from Montgomery County for the day; Representative GERBER from Montgomery County for the day. Without objection, the leaves will be granted.

The Chair recognizes the gentleman from Allegheny County, Representative Turzai, the minority whip, who requests leave of absence for: Representative WATSON from Bucks County for the week and Representative GEIST from Blair County for the week. Without objection, the leaves will be granted.

### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—193

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

Curry	Hornaman	Pallone	Thomas
Cutler	Houghton	Parker	True
Daley	Hutchinson	Pashinski	Turzai
Day	Johnson	Payne	Vereb
Deasy	Josephs	Payton	Vitali
Delozier	Kauffman	Peifer	Vulakovich
DeLuca	Keller, M.K.	Perzel	Wansacz
Denlinger	Keller, W.	Petrarca	Waters
DePasquale	Kessler	Petri	Wheatley
Dermody	Killion	Phillips	White
DeWeese	Kirkland	Pickett	Williams
DiGirolamo	Knowles	Preston	Youngblood
Donatucci	Kortz	Pyle	Yudichak
Drucker	Kotik	Quigley	
Eachus	Krieger	Quinn	McCall,
Ellis	Kula	Rapp	Speaker
Evans, D.	Lentz	Readshaw	

#### ADDITIONS—0

#### NOT VOTING—0

#### EXCUSED—7

Bradford	Gerber	Perry	Watson
Geist	Murphy	Wagner	

#### LEAVES ADDED—2

Belfanti	Youngblood
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#### LEAVES CANCELED—5

Bradford	Murphy	Youngblood
Gerber	Wagner	

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

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

#### HB 1186, PN 1414

By Rep. OLIVER

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Department of Drug and Alcohol Programs; repealing related provisions of the Pennsylvania Drug and Alcohol Abuse and Control Act; and making editorial changes.

#### HEALTH AND HUMAN SERVICES.

#### HB 1251, PN 3126 (Amended)

By Rep. DeLUCA

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in long-term care, further providing for definitions; and providing for appealing an insurer's determination the benefit trigger is not met, for prompt payment of clean claims and for applicability.

#### INSURANCE.

#### HB 1953, PN 2618

By Rep. OLIVER

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for the membership of the advisory committee of The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund.

#### HEALTH AND HUMAN SERVICES.

**HB 2041, PN 3127 (Amended)**

By Rep. DeLUCA

An Act providing for standards for towing and for violations.

INSURANCE.

**HB 2185, PN 3047**

By Rep. DeLUCA

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in children's health care, repealing expiration of certain provisions.

INSURANCE.

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1186 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 1186 be recommitted to the Committee on Appropriations.

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

**RULES AND APPROPRIATIONS  
COMMITTEE MEETINGS****DEMOCRATIC CAUCUS**

The SPEAKER. The Chair recognizes the majority leader, Representative Eachus, for the purpose of an announcement.

Mr. EACHUS. Thank you.

For the information of the members, Mr. Speaker – if I could just get some order so people know what is going to happen today.

The SPEAKER. The House will come to order.

The gentleman may proceed.

Mr. EACHUS. Thank you, Mr. Speaker.

For the information of the members, there will be an immediate Rules Committee meeting as soon as we break in the majority caucus room. At 2:15, in the same room, there will be an Appropriations Committee meeting. There will be a Democratic Caucus meeting at 2:30, and we will be back on the floor right around 3 o'clock. We will try and shoot for 3.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

There will be an immediate Rules Committee meeting in the majority caucus room, followed by an Appropriations Committee meeting at 2:15.

**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 2:30. I would ask our Republican members to please report to our caucus room at 2:30.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

**PROFESSIONAL LICENSURE  
COMMITTEE MEETING**

The SPEAKER. For what purpose does the gentleman from Philadelphia, Representative McGeehan, rise?

Mr. MCGEEHAN. To announce a committee meeting, Mr. Speaker.

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

Mr. MCGEEHAN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce a Professional Licensure Committee meeting at the call of the Chair, and that will be held in room G-50 of the Irvis Office Building at the call of the Chair and depending on the House schedule – today. Thank you.

The SPEAKER. There will be a Professional Licensure Committee meeting at the call of the Chair in room G-50, Irvis.

Any further announcements?

**RECESS**

The SPEAKER. This House does stand in recess until 3 p.m., unless sooner recalled by the Speaker.

**AFTER RECESS**

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

**BILL ON CONCURRENCE  
REPORTED FROM COMMITTEE****HB 1847, PN 2794**

By Rep. EACHUS

An Act amending the act of September 24, 1968 (P.L.1040, No.318), known as the Coal Refuse Disposal Control Act, further providing for findings and declaration of policy, for definitions and for site selection; and establishing the Coal Bed Methane Review Board to resolve disputes between property owners over the location of coal bed methane wells and access roads.

RULES.

The SPEAKER. That bill will be placed on the House supplemental calendar.

**BILLS REREPORTED FROM COMMITTEE****HB 60, PN 3128** (Amended) By Rep. D. EVANS

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

## APPROPRIATIONS.

**HB 101, PN 3129** (Amended) By Rep. D. EVANS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for development of economic education and personal financial literacy programs; and establishing the Economic Education and Personal Financial Literacy Fund.

## APPROPRIATIONS.

**HB 1186, PN 3130** (Amended) By Rep. D. EVANS

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Department of Drug and Alcohol Programs; repealing related provisions of the Pennsylvania Drug and Alcohol Abuse and Control Act; and making editorial changes.

## APPROPRIATIONS.

**HB 1445, PN 3131** (Amended) By Rep. D. EVANS

An Act providing standards for carbon monoxide alarms and for powers and duties of the Department of Labor and Industry; and imposing penalties.

## APPROPRIATIONS.

**HB 1789, PN 3132** (Amended) By Rep. D. EVANS

An Act amending the act of July 9, 1990 (P.L.340, No.78), known as the Public Safety Emergency Telephone Act, further providing for definitions and for Wireless E-911 Emergency Services Fund; and imposing a prepaid wireless E-911 surcharge.

## APPROPRIATIONS.

**SB 383, PN 1608** (Amended) By Rep. D. EVANS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in organization and jurisdiction of courts of common pleas, authorizing the establishment of problem solving courts.

## APPROPRIATIONS.

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

**BILLS REREPORTED FROM COMMITTEE****HB 1616, PN 2014** By Rep. D. EVANS

An Act amending the act of February 14, 1990 (P.L.62, No.11), known as the Noncontrolled Substances Reporting and Registration Act, further providing for chemicals subject to registration.

## APPROPRIATIONS.

**HB 1800, PN 2336**

By Rep. D. EVANS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for exemption of persons, entities and vehicles from fees.

## APPROPRIATIONS.

**HB 2003, PN 2882**

By Rep. D. EVANS

An Act designating the bridge in the Borough of Hatboro (now designated as Bridge Management I.D. No. 46/0263/0050/0057) over Pennypack Creek as the PFC Joseph J. Lannon, Jr., USMC Memorial Bridge.

## APPROPRIATIONS.

**HB 2070, PN 2883**

By Rep. D. EVANS

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.

## APPROPRIATIONS.

**SB 125, PN 1333**

By Rep. D. EVANS

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; and providing for methamphetamine production, for the offenses of operating a methamphetamine laboratory and illegal dumping of methamphetamine waste and for environmental costs.

## APPROPRIATIONS.

**SB 297, PN 982**

By Rep. D. EVANS

An Act amending the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, further providing for well reporting requirements.

## APPROPRIATIONS.

**SB 464, PN 1306**

By Rep. D. EVANS

An Act providing for use of volunteer time by health care professionals in meeting continuing education requirements.

## APPROPRIATIONS.

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

**LEAVES OF ABSENCE CANCELED**

The SPEAKER. Turning to leaves of absence, the Chair notes the presence of the gentleman from Montgomery County, Representative Bradford, and the gentleman from Montgomery County, Representative Gerber. Both men are on the House floor. Their names will be added to the master roll.

**LEAVE OF ABSENCE**

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, the majority whip, Representative Dermody, who requests a leave of absence for the gentelady from Philadelphia County, Representative YOUNGBLOOD, for the day. Without objection, the leave will be granted.

**CALENDAR****RESOLUTION PURSUANT TO RULE 35**

Mr. BURNS called up **HR 573, PN 3037**, entitled:

A Resolution designating the week of January 31 through February 6, 2010, as "Catholic Schools Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—194**

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

Donatucci	Knowles	Preston	Yudichak
Drucker	Kortz	Pyle	
Eachus	Kotik	Quigley	McCall,
Ellis	Krieger	Quinn	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Geist	Perry	Watson	Youngblood
Murphy	Wagner		

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

**SUPPLEMENTAL CALENDAR C****BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1847, PN 2794**, entitled:

An Act amending the act of September 24, 1968 (P.L.1040, No.318), known as the Coal Refuse Disposal Control Act, further providing for findings and declaration of policy, for definitions and for site selection; and establishing the Coal Bed Methane Review Board to resolve disputes between property owners over the location of coal bed methane wells and access roads.

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

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

(Members proceeded to vote.)

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. Turning to leaves of absence, the Chair notes the presence of the gentelady from Allegheny County, Representative Wagner, on the floor. Her name will be added to the master roll.

**CONSIDERATION OF HB 1847 CONTINUED**

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

The following roll call was recorded:

**YEAS—183**

Adolph	Evans, D.	Kula	Rapp
Baker	Evans, J.	Levdansky	Readshaw
Barbin	Everett	Longietti	Reed
Barrar	Fabrizio	Maher	Reese
Bear	Fairchild	Mahoney	Reichley
Belfanti	Farry	Major	Roae
Benninghoff	Fleck	Manderino	Rock
Beyer	Frankel	Mann	Roebuck
Bishop	Gabig	Markosek	Rohrer

Boback	Gabler	Marshall	Ross
Boyd	Galloway	Marsico	Sabatina
Brennan	George	Matzie	Sainato
Briggs	Gerber	McGeehan	Santoni
Brooks	Gergely	Melio	Saylor
Brown	Gibbons	Metcalfe	Scavello
Burns	Gillespie	Metzgar	Schroder
Buxton	Gingrich	Miccarelli	Seip
Caltagirone	Godshall	Micozzie	Shapiro
Carroll	Goodman	Millard	Siptroth
Casorio	Grell	Miller	Smith, K.
Causser	Grove	Milne	Smith, M.
Christiana	Grucela	Mirabito	Smith, S.
Civera	Haluska	Moul	Solobay
Clymer	Hanna	Mundy	Sonney
Cohen	Harhai	Murt	Staback
Conklin	Harhart	Mustio	Stern
Costa, D.	Harkins	Myers	Stevenson
Costa, P.	Harper	O'Brien, D.	Sturla
Cox	Harris	O'Brien, M.	Swanger
Creighton	Helm	O'Neill	Tallman
Cruz	Hennessey	Oberlander	Taylor, J.
Curry	Hess	Oliver	Thomas
Cutler	Hickernell	Pallone	True
Daley	Houghton	Parker	Turzai
Day	Hutchinson	Pashinski	Veréb
Deasy	Johnson	Payne	Vulakovich
Delozier	Josephs	Peifer	Wagner
DeLuca	Kauffman	Perzel	Wansacz
Denlinger	Keller, M.K.	Petrarca	Waters
DePasquale	Keller, W.	Petri	Wheatley
Dermody	Killion	Phillips	White
DeWeese	Kirkland	Pickett	Williams
DiGirolamo	Knowles	Preston	Yudichak
Donatucci	Kortz	Pyle	
Drucker	Kotik	Quigley	McCall,
Eachus	Krieger	Quinn	Speaker
Ellis			

## NAYS-12

Boyle	Hornaman	McI. Smith	Santarsiero
Bradford	Kessler	Payton	Taylor, R.
Freeman	Lentz	Samuelson	Vitali

## NOT VOTING-0

## EXCUSED-5

Geist	Perry	Watson	Youngblood
Murphy			

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

Ordered, That the clerk inform the Senate accordingly.

**BILL SIGNED BY SPEAKER**

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

**HB 1847, PN 2794**

An Act amending the act of September 24, 1968 (P.L.1040, No.318), known as the Coal Refuse Disposal Control Act, further providing for findings and declaration of policy, for definitions and for site selection; and establishing the Coal Bed Methane Review Board to resolve disputes between property owners over the location of coal bed methane wells and access roads.

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

**GUEST INTRODUCED**

The SPEAKER. To the left of the Speaker, the Chair welcomes Alison Zellis. She is the guest of Representative Barrar. Will the guest please rise. Welcome to the hall of the House.

**VOTE CORRECTIONS**

The SPEAKER. For what purpose does the gentleman from Chester County, Representative Houghton, rise?

Mr. HOUGHTON. Mr. Speaker, I had a button malfunction. I would like the last vote – I was recorded as a "yes" – to be changed to a "no" vote.

The SPEAKER. The gentleman's remarks will be spread upon the record.

The gentleman, Mr. Houghton, that was on concurrence on HB 1847. You would like the record to reflect that you would have voted in the negative?

Mr. HOUGHTON. Yes, sir, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

For what purpose does the gentelady from Montgomery County, Representative Harper, rise?

Ms. HARPER. For the same reason as the previous gentleman, Mr. Speaker.

The SPEAKER. To correct the record? The gentelady is in order.

Ms. HARPER. I would like my vote to be recorded in the negative. Thank you.

The SPEAKER. The Chair thanks the gentelady.

**SUPPLEMENTAL CALENDAR B****BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 2070, PN 2883**, entitled:

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.

On the question,

Will the House agree to the bill on second consideration?

Mr. **SHAPIRO** offered the following amendment No. **A04813**:

Amend Bill, page 5, line 27, by inserting after "communication"  
through the use of an interactive wireless communications  
device while in hands-free mode

Amend Bill, page 7, by inserting between lines 20 and 21

(i) Definitions.—As used in this section, the following words and

phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Hands-free mode." The use of an interactive wireless communications device that allows the user to engage in communication without the use of either hand by means of an internal feature or function or an attachment or device.

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

#### AMENDMENT WITHDRAWN

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

Mr. SHAPIRO. Thank you, Mr. Speaker.

Mr. Speaker, I intended to offer amendment 412, not 413.

The SPEAKER. So you are withdrawing amendment A04813 and offering amendment 4812.

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

Mr. **SHAPIRO** offered the following amendment No. **A04812**:

Amend Bill, page 5, line 27, by inserting after "communication"  
through the use of an interactive wireless communications  
device while in hands-free mode

Amend Bill, page 6, by inserting between lines 15 and 16

(3) Operators of emergency vehicles who use an  
interactive wireless communications device for voice  
communication for the purpose of responding to an emergency  
while engaged in the performance of their official duties.

(4) Volunteer emergency responders who use an  
interactive wireless communications device for voice  
communication for the purpose of responding to an emergency  
while engaged in the performance of their official duties.

Amend Bill, page 7, by inserting between lines 20 and 21

(i) Definitions.—As used in this section, the following words and  
phrases shall have the meanings given to them in this subsection unless  
the context clearly indicates otherwise:

"Hands-free mode." The use of an interactive wireless  
communications device that allows the user to engage in  
communication without the use of either hand by means of an internal  
feature or function or an attachment or device.

"Volunteer emergency responder." Any of the following:

(1) A member of a volunteer ambulance service as  
defined in section 102 of the act of July 31, 2003 (P.L.73, No.17),  
known as the Volunteer Fire Company and Volunteer Ambulance  
Service Grant Act.

(2) A member of a volunteer fire company as defined in  
section 102 of the Volunteer Fire Company and Volunteer  
Ambulance Service Grant Act.

(3) A member of a volunteer rescue company as defined  
in section 102 of the Volunteer Fire Company and Volunteer  
Ambulance Service Grant Act.

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

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

Mr. SHAPIRO. Thank you, Mr. Speaker.

Just briefly, Mr. Speaker, this amendment is the result of a bipartisan effort led by Chairman Markosek, with folks on both

sides of the aisle, to limit distracted driving in Pennsylvania, Mr. Speaker. I rise to offer this amendment on behalf of myself and the gentleman from Lehigh County to just simply add to the underlying bill an amendment that would require voice communication on our roads in Pennsylvania be hands-free with exceptions made for first responders.

Thank you, Mr. Speaker.

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

The gentleman, Mr. Vitali, is recognized on the question.

Mr. VITALI. Thank you, Mr. Speaker.

First of all, I want to commend the maker of this amendment because I think he is really tackling a problem which is very serious and has very serious consequences, and I want to commend him for working on this. It sort of pains me to get up because I just want to differ with him in his approach to this a bit. I fully support the underlying bill which deals with criminalizing the texting while driving, but with regard to holding a cell phone in one's hand and having that as a primary offense, I think I would be a hypocrite if I supported that because I do it on a daily basis, and I also am cognizant of the fact that there are many other distractions which occur in a vehicle – drinking coffee, changing CDs (compact disks), using your MapQuest directions to find locations. There are many items we engage in while driving that make us less than a 100-percent safe driver.

I fear that if the Shapiro amendment becomes law, we will be criminalizing conduct that almost the majority of us engage in right now and in fact many of us will continue to engage in even after it becomes law. There is another amendment out there on the board today which I feel offers maybe an alternative, more in conformance with my view of how this should be approached, which basically is being offered by the Representative from Chester County, that makes it a crime if in fact one engages in cell phone use or any other activity which causes one to engage in a less-than-safe manner of driving.

So it pains me to be unable to get up and support this approach. I know on an intellectual level it makes sense, but in the real world of driving, I fear it is going to make us all into criminals. So I think I would be a hypocrite if I supported this.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Chester County, Representative Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I want to remind the chamber that we have debated these issues previously. We had an extensive discussion about distracted driving; it was a good debate. And we previously had voted down something quite similar to this amendment, and I want to remind the members why. We had a discussion that if you were dialing a cell phone with your hands and not looking at the road, that that would be legal under this. That is something that is taking your attention away from the road. That is exactly when accidents happen. It is a serious form of distracted driving. This amendment would let it continue to be legal and it would put our citizens at risk.

I believe that instead of using this particular language that we should get serious about distracted driving in general. Anything that takes your attention away from the road, away from driving safely, is a risk for the general public. It is a risk for you and those that are in your car. We got it right last time. We voted this amendment, or one similar to it, down. We should again.

You are going to have an opportunity to criminalize distracted driving, all forms of distracted driving, anything that takes your mind or your attention away from the road. And quite frankly, if you are killed by someone who is reading, if you are killed by someone who is doing their makeup or shaving or eating, you are just as dead.

It is wrong to text. It is wrong to dial a cell phone using your hands. It is wrong to do anything that takes your attention away from the road, and we should not pretend that it is okay. We should defeat this amendment and approve the one that will be coming up later that will address the problem comprehensively and effectively. We got it right before; let us get it right again.

Thank you, Mr. Speaker.

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

Mr. MILLER. Thank you, Mr. Speaker.

Would the maker of the amendment stand for a brief interrogation?

The SPEAKER. The gentleman, Representative Shapiro, indicates he will stand for interrogation. The gentleman, Mr. Miller, is in order and may proceed.

Mr. MILLER. Mr. Speaker, as we discuss this issue, the debate centers a little bit around, would I be allowed to dial a phone number if I had a Bluetooth, hands-free device inserted in my ear? Would I be able to dial a number as I drove down the road?

Mr. SHAPIRO. Thank you, Mr. Speaker.

Mr. Speaker, the question that the gentleman asks relates to the underlying bill, and in the underlying bill, it does permit for the dialing of the telephone.

Thank you, Mr. Speaker.

Mr. MILLER. So your amendment would not change that in any way?

Mr. SHAPIRO. Mr. Speaker, my amendment would have no impact on the underlying bill as it relates to the dialing issue that the gentleman asks about.

Mr. MILLER. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Representative Reichley, wish to be recognized? The Chair recognizes the gentleman from Lehigh County, Representative Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

Mr. Speaker, I think you may recall when we debated a similar kind of amendment last April, I had some quandary about the nature of language that had been used in the drafting of the amendment which would have factually allowed a police officer to cite a person parked with an engine off who was using a cell phone to call another person, and that problem has been removed with the language that is currently in the amendment, A04812. There are a whole host of reasons why we can assert that this is not an empirically perfect amendment, but I think this does get to the heart of what we have most concerns about, which is distracted driving through the use of electronic devices. Just recently, I think, the Federal Department of Transportation or the National Highway Transportation Safety Administration cited, 28 percent of motor vehicle accidents are caused by the use of cell phones or from texting.

So I think it is time that Pennsylvania recognizes that we need to join the other States in banning what is a dangerous practice. Some folks have said, well, you do not prevent people from drinking alcohol before they drive. Well, this is somewhat equivalent to allowing people to have an open beer while they

are driving, and I think we need to end this. Certainly in the Lehigh Valley it is a matter of great concern. So I would urge the members to support the Shapiro amendment.

Thank you, Mr. Speaker.

The SPEAKER. On the question, the Chair recognizes the gentleman from Schuylkill County, Representative Seip.

Mr. SEIP. Thank you, Mr. Speaker.

Mr. Speaker, I rise to share some of the comments that were made by my colleague from Delaware County and my colleague from Chester County. I think there are many distractions out there. I think this is a matter that requires a lot of public education. Drivers need to be able to make safe decisions commensurate with their own abilities and the driving conditions that they are facing when they are operating the vehicle. I believe that there is a better amendment out there that I will be supporting, and I would encourage the gentleman from Chester to offer that amendment.

Thank you, Mr. Speaker.

The SPEAKER. On the question, the Chair recognizes the gentleman from Allegheny County, Representative Maher.

Mr. MAHER. Thank you, Mr. Speaker.

There is no science that I have seen that evidences that driving a vehicle with a handheld device or hands-free device has any different impact on driver safety. In fact, to the extent that it has been studied, the New England Journal of Medicine has concluded that they are entirely the same. So we have an amendment here that is, for the sake of a slogan, ignoring the science when we have the opportunity to make a scientifically based decision. Now, I understand that some people have gotten a lot of PR value out of banning handheld cell phones, but I would rather stand up, and as my colleague across the aisle just said, there is a far better proposal that would get at distracted driving and punish distracted driving that we have the opportunity to embrace and that I am going to recommend.

AAA (American Automobile Association) has studied traffic safety; cell phones are down on the list of distractions. The number one distraction is someone, an object, or an event outside of the vehicle. That is 29 percent of all distractions. Would we ever propose to forbid people from operating cars when there are people outside of their own vehicle? No; that does not make a lot of sense. Adjusting the radio is 10 times as distracting. Another occupant is six times as distracting. Moving something around in the car or moving something else in the vehicle is more than twice as distracting. But the bottom line is, there is no difference – from a driver's experience, when we look at the science – between using a handheld or a hands-free device, and I would suggest that it is foolish to advance legislation that is exactly opposite what all scientific studies, independent scientific studies, have supported.

So I am going to oppose this amendment because I do not favor slogans over science.

The SPEAKER. The Chair recognizes the gentleman from Lackawanna County, Representative Ken Smith.

Mr. K. SMITH. Thank you, Mr. Speaker.

Mr. Speaker, I rise today in support of amendment 4812, the Shapiro amendment, and I do so for personal reasons. Several years ago, 2 years ago, while driving in the city of Scranton, to which I represent, I was involved in a major accident. In the middle of a major intersection, I was struck by a woman, by an individual, that went through a traffic signal. I had the right-of-way and she did not, the individual did not. When my car stopped, I was 50 feet to the east on a sidewalk, and this



individual admitted to the fact that she was distracted because she was on a cell phone, a handheld cell phone, and she failed to see the traffic signal.

Mr. Speaker, I think it is time for this body to do the right thing for the sake of the people of this Commonwealth and to make sure that we have the right legislation. I ask my peers to support this amendment and to support the bill itself and to make sure that it is a primary offense so that we are able to enforce this legislation and bring it to law.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman. Does the gentleman from Allegheny County, Representative Turzai, wish to be recognized on this issue?

The Chair recognizes the gentleman from Allegheny County, Representative Turzai.

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

Mr. Speaker, on the amendment, I would just ask the members to vote against the amendment today not because I do not think it is an issue that needs to be addressed and looked at further, but I think that the underlying bill, which specifically bans texting and makes sure that for younger drivers that all usage of cell phones or texting is banned. There is a consensus that has developed amongst this body, and I think with the public in general, that we should address texting specifically and that we should address younger drivers specifically, but I do not think that there is a general consensus on how to deal with cell phones for adult drivers. It is not that I am not open or that others are not open to continuing that discussion, but what we have seen between the chairmen, Majority Chairman Markosek from the Democratic side and from the minority chair, Representative Geist, from our side, is a consensus that we ought to address texting first and younger drivers first and see how that works out in terms of safety and get a track record and then we can decide whether or not we should build upon that or not.

I do not have any doubt that a ban with respect to texting is needed. I see it every day and I know of the tragedies every day. I think that Chairman Markosek and Chairman Geist have it right; we have to address it. And I hope it gets to the Governor's desk. In addition, the whole issue of younger drivers and their ability to use cell phones or their ability to text, there have just been too many tragedies out my way in western Pennsylvania as well as across the State. I think everybody agrees, or many of us agree, that that has to get addressed. I think that the two chairmen have worked through a deliberative process whereby they know that a near unanimous group wants to address texting, wants to address younger drivers, and then they want to see what the results of those actions are.

The reason I oppose the gentleman's amendment is I think it could subvert the whole process of building upon this level of safety, killing it by making it too expansive when most of us are not there yet. We want additional data and we think that by getting to the heart of texting and to the heart of the safety of younger drivers that it is a very tailored approach. I will tell you this, many people are afraid that if it is just about doing a handheld that it is going to have negative results like some people have argued that New York State has done. I think that we would better off taking a very targeted approach that has reached consensus with Chairman Markosek and his staff's work and his committee's work and Chairman Geist and his staff and his committee's work. I think really it is the approach to go. I personally think that this amendment is a problem in

making sure that the bill gets to the Governor's desk, and we want this bill to get to the Governor's desk.

Thank you very much.

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

Mr. VEREB. Thank you, Mr. Speaker. On the bill.

The SPEAKER. The gentleman would like to interrogate the maker of the amendment?

Mr. VEREB. No, just comment on the bill, Mr. Speaker.

The SPEAKER. On the amendment.

Mr. VEREB. I am sorry, on the amendment; yes.

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

Mr. VEREB. Mr. Speaker, either earlier this session or in a previous session, the gentleman offered a bill or an amendment which reflected his intent, but there were some wording issues and I commend him and Representative Reichley for working together to not just clear up the language, but to make this a primary offense. I caution any committee from trying to work into a particular technology that exists today. By the time we pass it into legislation, that technology could be long gone. The gentleman has inserted language, which is reflective in the Vehicle and Crimes Code with communication device, to ban that use, and I think not only was the effort, bipartisan effort, worth it, but I think it is due time and we should not be delaying anymore to enact this type of legislation for the safety of all motorists, regardless of age.

So I commend the gentleman from Montgomery County and Representative Reichley for their efforts, and I actively support this amendment.

Thank you, Mr. Speaker.

The SPEAKER. On the question, the Chair recognizes the gentleman from Allegheny County, Representative Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

I rise in support of amendment A4812, and I commend the maker of the amendment from Montgomery County and counterpart, Representative Reichley, for bringing this to the body. We have had too many accidents in this State and too many fatalities; I have had them in my own district. It is time to move forward, and I would ask all my colleagues for a positive vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Representative Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the Shapiro amendment. There has been some commentary here about the process, and of course, like any other legislative process, there is a lot of give-and-take. It is certainly something that— I voted for this particular amendment in April when we did the teen driving bill, and there have been changes to this amendment since that time that only have improved it. At the time that we voted this bill last April, there were some comments made by members on the floor, and they were good comments and they were comments that made sense, and some of that amendment has been changed to reflect those comments and make it a much, much better amendment. So I would ask all the members— And just one other thing: I know since last April, and I do not know if your district is anything like mine, but I have never seen such a dramatic change in public support for an issue than the whole idea of cell phones and texting and distracted driving since that time.

I think if you were somewhat supportive in April and perhaps on the fence or maybe even nonsupportive in April, at least in my district – and I had been supportive – but I know in my district, I would have changed my mind by now because I have heard nothing but anecdotes and e-mails and input from my constituents about the dangers of distracted driving – people on cell phones, almost getting run off the road, almost being hit with somebody, sitting at a light and the person ahead of them does not move because they are on their cell phone, et cetera, et cetera, et cetera.

This amendment is not perfect. It is not going to solve all of the issues relative to distracted driving or even to cell phones, but I think it is a strong, strong indication that we here in the legislature, and particularly in the House, do listen to our constituents back home. I know we get a lot of criticism that we do not listen, and maybe we do not listen quick enough for a lot of them, but ultimately, we do. I have not seen as large a change in or as dramatic a change in public opinion on almost any other issue that I can think of in my 28 years here than the way people feel about us doing something in a strong and concise way about dealing with the cell phones and text messaging while driving, and I urge everyone here to support the Shapiro amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

### LEAVE OF ABSENCE CANCELED

The SPEAKER. Turning to leaves of absence, the Chair notes the presence of the gentleman from Lackawanna County, Representative Murphy, on the House floor. His name will be added to the master roll.

### CONSIDERATION OF HB 2070 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—156

Adolph	Evans, D.	Kula	Quinn
Barbin	Evans, J.	Lentz	Readshaw
Barrar	Fabrizio	Levdansky	Reed
Bear	Farry	Mahoney	Reichley
Belfanti	Fleck	Manderino	Rock
Benninghoff	Frankel	Mann	Roebuck
Beyer	Freeman	Markosek	Sabatina
Bishop	Galloway	Marshall	Samuelson
Boback	George	Marsico	Santarsiero
Boyle	Gerber	Matzie	Santoni
Bradford	Gergely	McGeehan	Scavello
Brennan	Gibbons	McI. Smith	Schroder
Briggs	Gillespie	Melio	Shapiro
Brown	Gingrich	Miccarelli	Siptroth
Burns	Godshall	Micozzie	Smith, K.
Buxton	Goodman	Miller	Smith, M.
Caltagirone	Grell	Milne	Solobay
Carroll	Grove	Mirabito	Sonney

Casorio	Grucela	Moul	Staback
Civera	Haluska	Mundy	Stern
Clymer	Hanna	Murphy	Stevenson
Cohen	Harhai	Murt	Sturla
Conklin	Harhart	Mustio	Swanger
Costa, D.	Harkins	Myers	Taylor, J.
Costa, P.	Harper	O'Brien, D.	Taylor, R.
Cruz	Hennessey	O'Brien, M.	Thomas
Curry	Hess	O'Neill	True
Daley	Hickernell	Oliver	Vereb
Day	Hornaman	Parker	Vulakovich
Deasy	Houghton	Pashinski	Wagner
Delozier	Johnson	Payne	Wansacz
DeLuca	Josephs	Payton	Waters
DePasquale	Kauffman	Peifer	Wheatley
Dermody	Keller, M.K.	Perzel	White
DeWeese	Keller, W.	Petrarca	Williams
DiGirolamo	Kessler	Petri	Yudichak
Donatucci	Killion	Phillips	
Druker	Kirkland	Preston	McCall,
Eachus	Kortz	Quigley	Speaker
Ellis	Kotik		

#### NAYS—40

Baker	Fairchild	Major	Roae
Boyd	Gabig	Metcalfe	Rohrer
Brooks	Gabler	Metzgar	Ross
Causar	Harris	Millard	Sainato
Christiana	Helm	Oberlander	Saylor
Cox	Hutchinson	Pallone	Seip
Creighton	Knowles	Pickett	Smith, S.
Cutler	Krieger	Pyle	Tallman
Denlinger	Longietti	Rapp	Turzai
Everett	Maher	Reese	Vitali

#### NOT VOTING—0

#### EXCUSED—4

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

On the question,

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

The SPEAKER. It is the Chair's understanding that the gentleman, Representative DeLuca, is withdrawing amendment A04772.

The Chair recognizes the gentleman. The gentleman will yield. The Chair recognizes the gentleman from Allegheny County, Representative DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I had an amendment that would prohibit a junior driver from driving with more than one passenger under the age of 18, absent parental guidance approval, at which time they would be permitted to drive siblings under 18 or relatives who live in the same dwelling as the junior drivers. Now, I had discussed this with Chairman Markosek and he has assured me that the Senate— As you know, we passed HB 67 that had this in there. He has assured me that the Senate is finally going to be acting responsible in letting this bill out. If anybody remembers, we passed HB 67 in April of last year. This legislation is too important. We have been messing around with this legislation

for too long. Let me just give you a little quote from a Johns Hopkins University study that found that "...the chances of a 16-year-old's dying in a car with a teen driver increased 39 percent with a single passenger, 86 percent with two passengers, and 182 percent with three or more passengers." Although I would have loved to put this amendment in to make this a stronger bill, but because the chairman has assured me that the Senate will pass HB 67 before June, I am withdrawing this amendment. But this bill is too important to be playing games with it.

Now, one thing I want to say to both sides of the aisle, whether we are Democrats or we are Republicans, the public is sick and tired of the partisanship going on in this chamber, up in here in the Capitol, and throughout the country. It is time that we work for the citizens of Pennsylvania bipartisanship, and let us move this legislation that will save children's lives.

Thank you, Mr. Speaker.

The SPEAKER. Is the gentleman from Erie County, Representative Hornaman, withdrawing amendment A04767? The Chair thanks the gentleman. Withdrawing amendment A04771 as well? The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lawrence County, Representative Gibbons. Is he withdrawing his amendments, amendment A05332 and amendment A05335? The Chair thanks the gentleman.

It is the Chair's understanding that the gentleman, Representative Geist, will not be offering amendment A04795. The Chair thanks the gentleman.

On the question recurring,

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

Mr. ROSS offered the following amendment No. **A04738**:

Amend Bill, page 1, line 9, by inserting after "areas,"  
for the offense of careless driving.

Amend Bill, page 7, line 21, by inserting after "3327(e)"  
, 3714

Amend Bill, page 10, by inserting between lines 15 and 16  
§ 3714. Careless driving.

(a) General rule.—Any person who drives a vehicle in careless disregard for the safety of persons or property is guilty of careless driving, a summary offense.

(b) Unintentional death.—If the person who violates this section unintentionally causes the death of another person as a result of the violation, the person shall, upon conviction, be sentenced to pay a fine of \$500.

(c) Serious bodily injury.—If the person who violates this section unintentionally causes the serious bodily injury of another person as a result of the violation, the person shall, upon conviction, be sentenced to pay a fine of \$250.

(c.1) Additional penalty for distracted driver.—

(1) Any person who violates this section and at the time of the violation is distracted by the use of any device, including, but not limited to, an electronic, electrical, mechanical or personal grooming device, food, drink, book or printed material shall, in addition to any other penalty imposed, upon conviction, be sentenced to pay a fine of \$50.

(2) No person shall be convicted under paragraph (1) unless the person is also convicted under subsection (a) for a violation which occurred at the same time. No costs as described under 42 Pa.C.S. § 1725.1 (relating to costs) shall be imposed for a conviction under this subsection. Conviction under this subsection shall not constitute a moving violation.

(c.2) Civil actions.—

(1) In no event shall a violation or alleged violation under subsection (c.1) be:

(i) used as evidence in a trial of any civil action, nor shall any jury in a civil action be instructed that any conduct constitutes or may be interpreted by them to constitute a violation under subsection (c.1);

(ii) considered as contributory negligence; or

(iii) admissible as evidence in the trial of any civil action.

(2) This section shall not be construed to impose any legal obligation upon or impute any civil liability whatsoever to an owner, employer, manufacturer, dealer or person engaged in the business of renting or leasing vehicles to the public to inform the public about the provisions of subsection (c.1).

(c.3) Criminal proceedings.—Evidence of a violation under subsection (c.1) is not admissible as evidence in a criminal proceeding except in a proceeding for a violation of subsection (c.1). No criminal proceeding for the crime of homicide by vehicle shall be brought on the basis of a violation under subsection (c.1).

(c.4) Insurance.—An insurer may not charge an insured who has been convicted under subsection (c.1) a higher premium for a policy of insurance in whole or in part by reason of that conviction.

(d) [Definition.—As used in this section, "serious bodily injury" means any] Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Distracted." Having a person's attention diverted from operating a vehicle by the use of any device, including, but not limited to, an electronic, electrical, mechanical or personal grooming device, food, drink, book or printed material.

"Serious bodily injury." Any bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Chester County, Representative Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I want to remind members that distracted driving is dangerous. Things that take your attention away from the road cause serious accidents. It does not matter what it is that takes your attention away, whether it is a cell phone, whether it is text messaging, whether it is reading. If someone is inattentive to the road, we need to send the message that that is dangerous. We need to send the message that it is not right to read while you are driving. If a serious accident occurs, as some have already been brought up in other situations about cell phone use or text messaging, where a child or a dear family member is killed, I would not want to have a member of that person's family come into my office and ask me why we had voted down criminalizing reading or doing makeup while driving. I would not want to have to explain to them that that was not considered serious enough activity. I would not want to have to explain to them that their child's death was any less serious than another child's death who was killed because of cell phone use.

So I urge my colleagues, if you are worried about distracted driving, to add all of these forms of distraction to the criminal code, to the Vehicle Code, to specifically say they must be stopped as well. Let us send a clear message that all forms of distracted driving are bad, not just some.

Thank you, Mr. Speaker.

The SPEAKER. On the question, the Chair recognizes the gentleman from Allegheny County, Representative Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman, Mr. Ross, and I have stood shoulder to shoulder many times here in this chamber, several times, certainly not only on transportation bills but on some banking issues that we had an agreement on and worked very well together. Last April when we did the teen driving bill, HB 67, he had a similar amendment that I supported at that time. Now, that amendment has since been changed so it is not exactly the same amendment, and I rise today to respectfully ask that we not support the Ross amendment today.

Keep in mind that the Ross amendment would make any distraction an offense but it would make it a secondary offense. I think our constituents out there want a strong, strong bill relative to distracted driving.

The other thing that this bill will do – it is very broad, and you could be drinking a bottle of water or you could be looking at your speedometer, and the D.A., the prosecutors, it would put a burden on them to tell you or to figure out or to tell the courts or to prosecute you in the courts that this was a distraction that caused an accident, and you could have somebody in the accident that we recently had on the bridge here in Harrisburg, where somebody was texting and ran into another vehicle and killed two people. The fine for that under the Ross amendment would be 50 bucks, which certainly I do not think the families of those victims would be happy with that.

I might also point out that I think we have a copy of a letter from the District Attorneys Association of Pennsylvania that opposes the Ross amendment. And basically, and I will quote, it says, "However, the proposed amendments defining a 'distracted' motorist are overbroad and will be onerous when proving causation." I think what they mean by that is this is simply too broad.

And I will just add one other thing. I think there is only so much that we as legislators can be expected to do. At some point in time the public and motorists have to take responsibility for themselves. We can only legislate so much. If we are going to start getting into legislating talking to somebody in your vehicle or drinking a bottle of water or looking at your speedometer or your GPS (global positioning system) and determining that somehow that is a distractible offense, I think we have gone too far. At some point in time drivers have to understand and take responsibility and use common sense while they are operating that 4,000-pound weapon that they are driving. At some point in time we have to say, look, we can legislate up to a certain point, but the rest of you, the public, have to take some responsibility.

And I will add one other thing, that we need, in order to have any successful legislation when we are trying to change behavior, we have to have three basic things: one is legislation, one is technology, and the third is education; the third is education. And I think the bill will be plenty strong enough as it is. Adding the Ross amendment will only, I think, cloud the issue, make it way more difficult to enforce, and will ultimately, not be what we really are intending to do here today – to have a strong bill that deals with distracted driving via operating electronic intermodal devices, interactive devices.

I think this would defeat the purpose of that, so I respectfully ask for a "no" vote on the Ross amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Schuylkill County, Representative Seip.

Mr. SEIP. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the Ross amendment. I believe the comments of the Transportation chairman are on target. We do need education.

When I approach an intersection, I turn the radio down so that I have a heightened awareness of what is going on before I make my next driving decision.

We cannot legislate every detail of the operation of the vehicle. I think the amendment offered by the gentleman from Chester is on target. We need to allow law enforcement the opportunity to interpret and use their best judgment as they are enforcing the law and following drivers. Are they doing something that they should not be doing? Is this distracted driving or not?

And again, we cannot micromanage; we cannot legislate every detail of the operation of the vehicle. It just is not possible. I think that the gentleman from Chester has offered a very good amendment and something that is very viable and makes the bill better. So I urge my colleagues to support the gentleman from Chester.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia County, Representative Johnson.

Mr. JOHNSON. Thank you, Mr. Speaker.

I get up and I rise in support of this bill from a public safety standpoint. In the Philadelphia area in which this law has already been enacted, we have seen a significant decrease in accidents and also a heightened awareness as it relates to individuals texting on the telephone and talking on the telephone.

And so I stand in support of this bill primarily from a public safety standpoint, and we want to give as many people as possible a reason not to be doing anything other than paying attention while they are driving on the road.

Thank you very much, Mr. Speaker.

The SPEAKER. On the question, the Chair recognizes the gentleman from Chester County, Representative Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I have the greatest respect for the chairman of the Transportation Committee, and he is correct that we have worked together, but I do not agree with him today. He has made several arguments, one of which is that my language is too restrictive, that it is going to criminalize all sorts of behavior, and then he has turned around and said that it is not really strong enough because it is only a secondary offense and it might actually minimize death by vehicular homicide. Neither of these arguments is correct.

And with all due respect to the District Attorneys Association, I think that they also need to look a little deeper in what we are doing here, because you get to this penalty by way of careless driving. "Careless driving" is clearly defined. It is an offense that the police are used to enforcing and it is rather clear. Careless driving will mean, at the least, that you are behaving in some way that is neutrally observable by the police so that your car is not in full control.

And by way of careless driving, we are then going to get to the distracted driving. So if you are drinking a bottle of water and you are paying attention and you are keeping your eyes on the road, there is no offense because there is no careless driving. If as you are drinking the bottle of water you wind up being distracted and you take your attention away from the road and you start veering, then we have the venue and the way to get at careless driving. And I really do not care what it is that takes your attention away from the road; whatever it is is dangerous and it is going to put people's lives at risk. So the driver must be distracted first.

Now, the other question, that this is too easy, it is not firm enough, is based on the argument of the secondary offense, but in fact, all the other penalties that would accrue to the driving behavior, whether it is merely careless driving and nobody got hurt or you went through a red light or you had an accident where someone got hurt or somebody got killed, all of the other penalties still apply.

So what are we really trying to do here? We are trying to send a message about distracted driving, and many have said that at the end of the day, this is a question of education, and I agree with that. We have to first say it is wrong to drive distractedly, and if you do it, you are liable for a penalty. Then we have to follow it up with proper education. We have to reinforce that message.

You are right: A \$50 fine is not going to stop a lot of people nor will a \$100 fine nor, in many cases, will a \$1,000 fine. A primary offense is not going to stop some people. You have to educate people, and once you have made this a criminal offense, then you have sent the message that it is wrong and then we have to follow up with education.

I want to remind everybody here that seatbelts are a secondary offense, having your seatbelt clicked is a secondary offense. We now have a very high rate of use of seatbelts throughout the Commonwealth, and that is despite the fact that it is a secondary offense, because we coupled the fact of making it illegal to drive without your seatbelt to an education program. That is what we have to do with distracted driving.

So let us not let off the guy who is reading a magazine. Let us say, that is wrong too. Let us make all forms of distracted driving wrong and let us make the citizens of Pennsylvania safer. Let us not have to apologize later for saying, oh, gee; yeah, we really probably should have not let that guy read a book on the highway, and I am sorry that your family wound up suffering because of that.

Let us send a clear message to everyone that this is wrong and give the police the tool they need to penalize it and give us the entry point to make the education program to back it up. Thank you.

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

Mr. SHAPIRO. Thank you, Mr. Speaker.

Mr. Speaker, I rise to join the chairman of the Transportation Committee in opposition to the Ross amendment for, I think, five simple reasons. Number one, this amendment is reactive; the underlying bill is a proactive bill.

Number two, this amendment, even if it is adopted, will not save lives. The underlying bill, Mr. Speaker, would.

Number three, this amendment, if adopted, will yield unintended consequences. Do not take my word for it. Read the letter from the District Attorneys Association and other organizations in opposition to this amendment. The underlying

bill offered by the chairman of the Transportation Committee is specific and I believe clear, Mr. Speaker.

Number four, there are already on the books careless driving statutes that I believe adequately address the issues that the gentleman, the maker of the amendment, is discussing.

And finally, number five, Mr. Speaker, the goal of this legislation, the goal of this legislation is to make our roadways safer and to save lives, not to just simply increase penalties on our constituents, Mr. Speaker. That is the effect of the Ross amendment.

We should defeat the Ross amendment. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

### LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence of the gentlelady from Philadelphia County, Representative Youngblood, on the House floor. Her name will be added to the master roll.

### CONSIDERATION OF HB 2070 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—98

Adolph	Fleck	Metcalfe	Reed
Baker	Gabig	Metzgar	Reese
Barrar	Gabler	Miccarelli	Reichley
Bear	Gillespie	Micozzie	Roae
Benninghoff	Gingrich	Millard	Rock
Beyer	Godshall	Miller	Rohrer
Boback	Grell	Milne	Ross
Boyd	Grove	Moul	Sainato
Brooks	Harhart	Murt	Saylor
Causar	Harper	Mustio	Scavello
Christiana	Harris	O'Brien, D.	Schroder
Civera	Helm	O'Neill	Seip
Clymer	Hennessey	Oberlander	Smith, S.
Cox	Hess	Pallone	Sonney
Creighton	Hickernell	Payne	Stern
Cutler	Hutchinson	Peifer	Stevenson
Day	Kauffman	Perzel	Swanger
Delozier	Keller, M.K.	Petri	Tallman
Denlinger	Killion	Phillips	Taylor, J.
DiGirolamo	Knowles	Pickett	True
Ellis	Krieger	Pyle	Turzai
Evans, J.	Maher	Quigley	Vereb
Everett	Major	Quinn	Vitali
Fairchild	Marshall	Rapp	Vulakovich
Farry	Marsico		

#### NAYS—99

Barbin	Drucker	Kotik	Roebuck
Belfanti	Eachus	Kula	Sabatina
Bishop	Evans, D.	Lentz	Samuelson
Boyle	Fabrizio	Levdansky	Santarsiero
Bradford	Frankel	Longietti	Santoni
Brennan	Freeman	Mahoney	Shapiro

Briggs	Galloway	Manderino	Siptroth
Brown	George	Mann	Smith, K.
Burns	Gerber	Markosek	Smith, M.
Buxton	Gergely	Matzie	Solobay
Caltagirone	Gibbons	McGeehan	Staback
Carroll	Goodman	McI. Smith	Sturla
Casorio	Grucela	Melio	Taylor, R.
Cohen	Haluska	Mirabito	Thomas
Conklin	Hanna	Mundy	Wagner
Costa, D.	Harhai	Murphy	Wansacz
Costa, P.	Harkins	Myers	Waters
Cruz	Hornaman	O'Brien, M.	Wheatley
Curry	Houghton	Oliver	White
Daley	Johnson	Parker	Williams
Deasy	Josephs	Pashinski	Youngblood
DeLuca	Keller, W.	Payton	Yudichak
DePasquale	Kessler	Petrarca	
Dermody	Kirkland	Preston	McCall,
DeWeese	Kortz	Readshaw	Speaker
Donatucci			

NOT VOTING—0

EXCUSED—3

Geist Perry Watson

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

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

Mr. **CLYMER** offered the following amendment  
No. **A05169**:

Amend Bill, page 1, by inserting before line 1 (A04812)

Amend Bill, page 3, line 18, by inserting after "driving"  
and driving under the influence

Amend Bill, page 4, line 30, by inserting after "combat"  
driving under the influence and

Amend Bill, page 1, by inserting between lines 13 and 14  
(A04812)

Amend Bill, page 7, line 4, by inserting after "driving"  
and driving under the influence

Amend Bill, page 7, line 19, by inserting after "driving"  
and driving under the influence

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Bucks County, Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, as we know, there are going to be hundreds of thousands of dollars coming into PENNDOT to teach the educational aspects of this program. In fact, the majority chair of the Transportation Committee acknowledged that.

What my amendment does is we say that driving under the influence has to be part of that educational program. We all recognize the seriousness of this program, the need for it, the underage drinking that is occurring consistently, and so this part

of teaching driving under the influence certainly is going to benefit our fellow citizens. It is not going to be an increase in cost, but it will provide very timely teaching of this very important issue.

I would ask the members for support. Thank you.

The SPEAKER. On the question, the Chair recognizes the gentleman from Allegheny County, Representative Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I am happy to stand and agree with my very learned colleague, Representative Clymer, and support his amendment, and I would ask all members to support the Clymer amendment. Thank you.

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—197

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Geist

Perry

Watson

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. The remainder of the amendments have been withdrawn.

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.)

### GUEST INTRODUCED

The SPEAKER. The Chair would like to welcome David Leslie-Hughes, Ph.D., Esq., and member of the Bucks County Bar Association, who is the guest of Representative Marguerite Quinn and Representative Bernie O'Neill from Bucks County.

### FORMER MEMBER WELCOMED

The SPEAKER. The Chair would also like to welcome to the hall of the House a former member, Representative Sean Ramaley. Welcome to the House, Sean.

### PARLIAMENTARY INQUIRY

Mr. S. SMITH. Mr. Speaker?

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

Mr. S. SMITH. Mr. Speaker, I have a parliamentary inquiry regarding a piece of legislation that was passed earlier this afternoon.

The SPEAKER. The gentleman may state his parliamentary inquiry.

Mr. S. SMITH. HB 1847 that appeared on a supplemental calendar just moments before we came back to the floor from caucus was voted, and my question, Mr. Speaker, is our caucus was not notified that this bill was going to be running this afternoon. We were not afforded the opportunity to caucus on it, and that point was missed by several people along the way. And, Mr. Speaker, I would like to know if that bill is in order for a reconsideration motion?

The SPEAKER. The bill was signed by the Speaker in the presence of the House and sent to the Senate for their signature in the Senate.

Mr. S. SMITH. Mr. Speaker, a further parliamentary inquiry.

Is it possible for us to ask that that bill be returned in order that our members can be afforded the courtesy, the custom of actually caucusing on a bill knowing that it was coming up for a vote?

The SPEAKER. That is possible; however, it would have to be done by House resolution asking for the recall of the bill before it is signed by the Senate. It would be under rule 36. You would have to adopt the resolution according to that rule.

Mr. S. SMITH. Yes, Mr. Speaker. I am having someone look into that rule, No. 36, as we are talking, and if a resolution of that nature is brought to the House, is that something that we can consider immediately?

The SPEAKER. It would be a privileged resolution for immediate consideration.

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

If those are the only options I have, I do want to just make note that while we try to work together on such things, it is problematic whenever we are not informed of what bills to caucus on and then to find us voting on them, and I would, almost immediately upon returning to the House – and several members were not even back on the floor yet from caucus, including myself – and I would just ask that we might possibly consider that. We are in the process of preparing that privileged resolution and ask if the House would be willing to consider that this afternoon.

### LEAVE OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the gentleman from Allegheny County, the majority whip, Representative Dermody, who requests a leave of absence for the gentleman from Northumberland County, Representative BELFANTI, for the remainder of the day. Without objection, the leave will be granted.

### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1616, PN 2014**, entitled:

An Act amending the act of February 14, 1990 (P.L.62, No.11), known as the Noncontrolled Substances Reporting and Registration Act, further providing for chemicals subject to registration.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **HB 1800, PN 2336**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for exemption of persons, entities and vehicles from fees.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. On that question, the Chair recognizes the gentleman from Bucks County, Representative Clymer. Is the gentleman withdrawing the amendment? The gentleman is recognized.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, my amendment, which I will withdraw, deals with the ignition interlock system. As many of you know, you have been cosponsors of legislation that says on the first DUI (driving under the influence) that the interlock would be placed into the vehicle, and this is important because this is not the first time that person has been DUI. It is probably the second, third, and fourth time. They have only been caught this first time.

And the chairman of the House Transportation Committee has had a public hearing on this issue, which I appreciate, and I am sure that he will continue to observe and to give this proposal serious consideration in the weeks ahead. But this legislation really is important if we are going to get serious about keeping people off the highways who are driving while under the influence.

I wanted to share these thoughts with the members of the House, Mr. Speaker, and in order to expedite movement of this legislation, I am withdrawing this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **GABLER** offered the following amendment No. **A04587**:

Amend Bill, page 1, line 3, by inserting after "fees"

; repealing provisions relating to conversion of Interstate 80; and further providing for application to United States Department of Transportation

Amend Bill, page 2, by inserting between lines 10 and 11

Section 2. Section 8915.1 of Title 75 is repealed:

[§ 8915.1. Conversion of Interstate 80.

In order to facilitate vehicular traffic across this Commonwealth, the commission is authorized and empowered to do all of the following:

(1) Convert Interstate 80 to a toll road and maintain and operate it as a toll road.

(2) Construct, reconstruct, widen, expand, extend, maintain and operate Interstate 80 from a point at or near the Ohio border to a point at or near the New Jersey border, together with connecting roads, interchanges, slip ramps, tunnels and bridges.

(3) Issue turnpike revenue bonds, notes or other obligations, payable solely from revenues of the commission, including tolls, or from funds as may be available to the commission for that purpose, to pay the cost of constructing, reconstructing, widening, expanding or extending Interstate 80 or any other costs of Interstate 80 and the Pennsylvania Turnpike.

(4) Provide quarterly reports and periodic updates regarding significant developments with respect to the conversion of Interstate 80 to the chairman and minority chairman of the Transportation Committee of the Senate and the chairman and minority chairman of the Transportation Committee of the House of Representatives. These reports shall include, at a minimum, the status of outstanding discussions with the United States Department of Transportation regarding Interstate 80, the location and construction of tolling-related equipment for Interstate 80, planned capital improvements for Interstate 80 and other information important to implementation of this section.]

Section 3. Section 8915.2 of Title 75 is amended to read:

§ 8915.2. Application to United States Department of Transportation.

(a) Application.—The commission[, in consultation with the department and at its own expense, is authorized to prepare and submit an application to the United States Department of Transportation for the conversion of Interstate 80 to a toll road. The secretary shall ensure that all information required for the application is made available to the commission as soon as practicable after the effective date of this section] is prohibited from proceeding with any application to the United States Department of Transportation seeking Federal authorization to toll Interstate 80.

[(b) Open system.—A toll system shall consist of what is commonly referred to as an open system with no more than ten toll collection points.

(c) Other agreements.—The commission and the department may enter into any other agreements as may be necessary to effectuate the execution of the application filed under this section.]

Amend Bill, page 2, line 11, by striking out "2" and inserting

4

On the question,

Will the House agree to the amendment?

#### BILL PASSED OVER TEMPORARILY

The SPEAKER. On the amendment, is the gentleman offering the amendment?

We will go over HB 1800 temporarily.

\* \* \*

The House proceeded to second consideration of **SB 125, PN 1333**, 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; and providing for methamphetamine production, for the offenses of operating a methamphetamine laboratory and illegal dumping of methamphetamine waste and for environmental costs.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

\* \* \*

The House proceeded to second consideration of **HB 2003, PN 2882**, entitled:

An Act designating the bridge in the Borough of Hatboro (now designated as Bridge Management I.D. No. 46/0263/0050/0057) over Pennypack Creek as the PFC Joseph J. Lannon, Jr., USMC Memorial Bridge.

On the question,

Will the House agree to the bill on second consideration?

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

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

Just a brief explanation. Mr. Speaker, this bill names a bridge in the Borough of Hatboro for Pfc. Joseph J. Lannon, Jr., who died in service to our nation in the Vietnam war.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.



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

## CALENDAR CONTINUED

### RESOLUTION

Mr. CRUZ called up **HR 406, PN 2736**, entitled:

A Resolution urging the House of Representatives of the Congress of the United States to immediately consider House Resolution No. 2499, which authorizes the Commonwealth of Puerto Rico to conduct a referendum for political self-determination.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

#### YEAS—172

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

#### NAYS—24

Benninghoff	Gabig	Metzgar	Roae
Brooks	Gabler	Moul	Rock
Cox	Grell	Oberlander	Rohrer
Delozier	Kauffman	Petri	Schroder
Evans, J.	Keller, M.K.	Pyle	Sonney
Farry	Krieger	Reese	Swanger

#### NOT VOTING—0

#### EXCUSED—4

Belfanti	Geist	Perry	Watson
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

## SENATE MESSAGE

### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 458, PN 1377**, and **HB 1801, PN 2404**, with information that the Senate has passed the same without amendment.

### BILLS SIGNED BY SPEAKER

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

#### HB 458, PN 1377

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

#### HB 1801, PN 2404

An Act designating the bridge in the Borough of White Oak, Allegheny County, carrying State Route 2033 over Jack's Run Stream as the Milton L. Lebowitz Memorial Bridge.

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

The SPEAKER. There will be no further votes.

### PROFESSIONAL LICENSURE COMMITTEE MEETING

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

Mr. MCGEEHAN. Thank you, Mr. Speaker.  
I would like to make a committee announcement.

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

Mr. McGEEHAN. Immediately at the conclusion of today's session, the House Professional Licensure Committee will have a very brief – and I want to emphasize that – a very brief meeting in G-50 of the Irvis Office Building. Thank you, Mr. Speaker.

The SPEAKER. The Professional Licensure Committee will meet at the conclusion of today's session in room G-50, Irvis Office Building.

### **VOTE CORRECTION**

The SPEAKER. For what purpose does the gentleman from Montgomery County, Representative Murt, rise?

Mr. MURT. Thank you, Mr. Speaker.

Mr. Speaker, I make reference to HB 1847. Due to a switch malfunction, Mr. Speaker, I would like to be recorded in the negative.

The SPEAKER. The gentleman's remarks will be spread across the record.

Mr. MURT. Thank you, Mr. Speaker.

### **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.