

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JANUARY 26, 2010

SESSION OF 2010

194TH OF THE GENERAL ASSEMBLY

No. 5

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (KEITH R. McCALL) PRESIDING

PRAYER

HON. KAREN BOBACK, member of the House of Representatives, offered the following the prayer:

O God of all creation, provider of all things, look down upon us in Your kindness and Your mercy.

As members of this great House, we thank You for the abilities You have given us and the opportunity to contribute our skills, our attributes, and our values toward the good of society. Help us to further the cause of justice in our districts, in our State, our nation, our world.

May we remember those who are in need, particularly the victims of the Haitian catastrophe. We lift up in prayer all those who suffer and ask Your kindness and mercy in humble supplication.

Protect our troops at home and abroad and encourage the efforts of all who profess peace. Bless us who gather here and those we represent.

In our capacity as leaders, guide us in all that we do. Empower us to do Your work among Your people, and enable us to follow our convictions, doing what is right in the name of the common good. May we return all honor and glory unto You as we offer our thanks and our praise. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, January 25, 2010, will be postponed until printed. The Chair hears no objection.

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 the gentleman, Representative DeLUCA,

from Allegheny County for the day. Without objection, the leave will be granted.

There are no requests for leaves from the minority party.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—196

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

Eachus	Krieger	Quinn	
Ellis	Kula	Rapp	McCall,
Evans, D.	Lentz	Readshaw	Speaker
Evans, J.	Levdansky		

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

DeLuca	Geist	Perry	Watson
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LEAVES ADDED—2

Cutler	Daley
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LEAVES CANCELED—1

Cutler

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

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 603 By Representatives BARRAR, CUTLER, BAKER, D. COSTA, GRELL, GROVE, KORTZ, MILLER, SAYLOR, STERN, STEVENSON, SWANGER and TRUE

A Resolution appointing a committee and empowering it to make investigation.

Referred to Committee on JUDICIARY, January 26, 2010.

No. 605 By Representatives KESSLER, BEAR, BELFANTI, BEYER, BISHOP, BROOKS, CALTAGIRONE, CLYMER, COHEN, DIGIROLAMO, DONATUCCI, EVERETT, FABRIZIO, FAIRCHILD, FLECK, FREEMAN, GEORGE, GOODMAN, GRELL, GROVE, GRUCELA, HANNA, HARHAI, HARHART, HARKINS, HARPER, HENNESSEY, HORNAMAN, HOUGHTON, W. KELLER, KORTZ, KOTIK, LENTZ, MAHER, MAJOR, MARKOSEK, MARSHALL, MATZIE, McCALL, McGEEHAN, MELIO, MILLARD, MIRABITO, MUSTIO, M. O'BRIEN, O'NEILL, PALLONE, PASHINSKI, PAYNE, PICKETT, QUIGLEY, READSHAW, REICHLEY, SAYLOR, SCAVELLO, SEIP, SIPTROTH, SOLOBAY, SWANGER, TALLMAN, VULAKOVICH, YUDICHAK, DENLINGER, HESS, GEIST, MOUL, PHILLIPS, MANN, BOYD, MILLER, SANTONI, MICOZZIE and BRIGGS

A Resolution memorializing Congress to pass House Resolution 4197, the Gold Star Mothers National Monument Act of 2009.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, January 26, 2010.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2224 By Representatives REICHLEY, MURT, BAKER, BEAR, BELFANTI, BROOKS, CALTAGIRONE, CARROLL, CAUSER, CLYMER, ELLIS, GEIST, GEORGE, GIBBONS, GOODMAN, GROVE, HARHART, HARKINS, HARRIS, HESS, HUTCHINSON, KOTIK, MARSICO, METZGAR, MICCARELLI, MICOZZIE, MOUL, PHILLIPS, PYLE, QUINN, READSHAW, SANTARSIERO, SIPTROTH, SOLOBAY, SONNEY, STERN, STEVENSON, SWANGER, J. TAYLOR, VULAKOVICH, WATSON and KILLION

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for exemptions and special provisions relating to taxation.

Referred to Committee on STATE GOVERNMENT, January 26, 2010.

No. 2225 By Representatives MURT, REICHLEY, BAKER, BEAR, BELFANTI, CALTAGIRONE, CARROLL, CAUSER, CLYMER, ELLIS, GEIST, GEORGE, GIBBONS, GOODMAN, GROVE, HARHART, HARKINS, HARRIS, HESS, HUTCHINSON, KOTIK, MARSICO, METZGAR, MICCARELLI, MICOZZIE, MOUL, PHILLIPS, PYLE, QUINN, READSHAW, SANTARSIERO, SIPTROTH, SOLOBAY, SONNEY, STERN, STEVENSON, SWANGER, J. TAYLOR, VULAKOVICH, WATSON, BROOKS and KILLION

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for disabled veterans property tax rebate; establishing the Disabled Veterans' Rebate Account; imposing penalties; and providing for appeals.

Referred to Committee on FINANCE, January 26, 2010.

No. 2226 By Representatives REICHLEY, BEAR, BELFANTI, BOBACK, CARROLL, CAUSER, CLYMER, D. COSTA, CREIGHTON, ELLIS, FLECK, GEORGE, GERGELY, GILLESPIE, GOODMAN, GROVE, HARHART, HARRIS, HESS, HORNAMAN, M. KELLER, KILLION, KOTIK, LONGIETTI, MAHONEY, MAJOR, MICOZZIE, MOUL, OBERLANDER, PAYNE, PHILLIPS, PICKETT, QUIGLEY, QUINN, READSHAW, ROCK, SIPTROTH, SONNEY, STEVENSON, SWANGER, TALLMAN and VULAKOVICH

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for resident license and fee exemptions.

Referred to Committee on GAME AND FISHERIES, January 26, 2010.

No. 2227 By Representatives P. COSTA, BEYER, BRENNAN, CALTAGIRONE, ELLIS, FABRIZIO, GABLER, GROVE, GRUCELA, HESS, MOUL, REED, S. H. SMITH and SWANGER

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, providing for vote required for tax increase at certain times.

Referred to Committee on FINANCE, January 26, 2010.

No. 2228 By Representatives P. COSTA, BEYER, BRENNAN, ELLIS, FABRIZIO, GABLER, GROVE, GRUCELA, HESS, HORNAMAN, MOUL, REED, S. H. SMITH and SWANGER

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for consideration of bills to increase taxes.

Referred to Committee on STATE GOVERNMENT, January 26, 2010.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1250, PN 3135 (Amended) By Rep. McGEEHAN

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for definitions, for qualifications of license, for reciprocity, for restrictions on the use of title "licensed social worker," for restrictions on the use of title "licensed clinical social worker," for restrictions on the use of title "licensed marriage and family therapist" and for restrictions on the use of title "licensed professional counselor"; prohibiting unlicensed practice; further providing for penalties; and further prohibiting unlawful practice.

PROFESSIONAL LICENSURE.

DIGGORY GEORGE BAILEY INTRODUCED

The SPEAKER. To the left of the Speaker, we have a special guest, Mr. Diggory George Bailey. He is an attorney who drafts legislation for the United Kingdom Parliamentary Counsel Office.

Mr. Bailey was called to the bar of England and Wales in 2000. After qualifying, he spent a year working as a research assistant to the Law Commission of England and Wales. The commission is a statutory body whose function is to keep the law under review and recommend reform where it is needed.

In 2002 he joined the Parliamentary Counsel Office. That office is comprised of about 60 attorneys who are responsible for drafting primary legislation on behalf of the United Kingdom government and also advises government on procedural matters relating to the passage of bills through Parliament.

Currently Mr. Bailey is in Washington, DC, as part of a 6-month fellowship with the Legislative Counsel of the United States House of Representatives. He is visiting Pennsylvania this week to gain firsthand knowledge of how laws are made in

Pennsylvania, and I hope all of you will join me in giving Mr. Bailey a warm House welcome and also making yourselves available to answer any questions he may have.

Diggory, welcome to the hall of the House.

LEHIGHTON HIGH SCHOOL FIELD HOCKEY TEAM PRESENTED

The SPEAKER. If I could have the attention of the members, the Speaker has the honor of having some guests here today, and I would like to present them all to the House.

I have 25 outstanding student athletes here from the heart of Carbon County. They are joined by coaches and administrators who also should be commended for their dedication to helping student athletes excel not just on the playing field but for the rest of their lives.

They are also joined by their proud parents who are in the back of the hall with their other teammates, and those parents have also sacrificed and helped to mold these student athletes for the success that they have experienced on the field and off the field.

These 25 young women have reached the absolute pinnacle of Pennsylvania scholastic sport, and it was not easy. In 2006, 2007, and 2008 they worked hard and practiced just as diligently, but they watched another team take home the State title. The fact of the matter is, they did not quit. They just worked harder and became a closer-knit team, and this year has made all the difference.

This year this team had no defeats. The team charged to a perfect 26-and-0 record and was named "The Best Field Hockey Team in America" – let me repeat that – was named "The Best Field Hockey Team in America." They ended their season with six straight shutout wins and defeated Selinsgrove 1 to nothing to bring the State championship home to Lehigh, Pennsylvania.

For the seniors here, this is the end of their school careers that began back in their junior high days, but what careers. Over the last 4 years the team has earned three Mountain Valley Conference titles, three District 11 titles, and posted an unbelievable record of 88 wins, with only 8 losses and 1 tie.

The seniors, joining head coach Shawn Hindy who is here to my left, are National All-American Corrine McConville, Abby Frey, Vanessa Rimbey, Sarah Snyder, Katrina Reppert – Katrina was in an accident on the way down here, but she looks pretty good for all the wear – Tiffany Harleman, and Kelcie Smith. They are leaving behind teammates, seated at the rear of the House, who are ready to build on the legacy, I know. They always do Carbon County proud.

Please join me in celebrating the 2009 State champions, PIAA Field Hockey State Champion Lehigh Lady Indians. Congratulations, ladies.

Will the rest of the team please rise.

The team is presenting me with one of the State medals, which I will cherish.

We also have the superintendent of schools, Jim Kraky, and the school principal, Tim Tkach, here with us as well. Thank you very much.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. KRIEGER called up **HR 546, PN 2942**, entitled:

A Resolution honoring the Lost Boys of Sudan for their tireless courage and pioneering efforts in raising awareness and working toward ending 21st century slavery in their homeland of Sudan and around the world.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Westmoreland County, Representative Krieger.

Mr. KRIEGER. Thank you, Mr. Speaker.

Today I have the privilege, along with Representative Youngblood, to sponsor a resolution recognizing the extraordinary group of individuals collectively known as the Lost Boys of Sudan, who can truly attest that freedom is never free. Each of these courageous men risked their lives time and time again to earn their freedom.

Named by international aid workers after the fictional characters in "Peter Pan," the Lost Boys of Sudan were forced to flee their homes as children after witnessing the murder of their parents, the destruction of their villages, and the capture and sale of their family members into slavery by their government and other Islamic forces during the second Sudanese civil war between 1983 and 2005.

Orphaned with no support, many as young as 5 years old, the Lost Boys of Sudan walked thousands of miles in large groups for approximately 3 months before finally reaching the safety of a refugee camp in Ethiopia. Many of them died along the way due to starvation, disease, and wild animal attacks. Four years later the Lost Boys were uprooted once again due to civil war in Ethiopia and had no choice but to flee back to the war-torn country of Sudan. Many died on that journey as well when they crossed the deadly Gilo River. Those unable to swim were swept away in turbulent currents. Still others were eaten by crocodiles, attacked by hippos, or fell prey to enemy gunfire. The survivors remained in the bush of Sudan, hiding for another year and a half before making their way to another refugee camp in Kenya. All totaled, only 10,000 of the estimated original 30,000 Lost Boys survived this death-defying pilgrimage to freedom.

In 2001 the United States government awarded refugee status to approximately 3,800 of the Lost Boys. Despite knowing little English, having never flown on an airplane, or having even flipped on a light switch, the Lost Boys of Sudan are now thriving in their new nation.

Featured on "60 Minutes" about 10 years ago, "Good Morning America," and in several award-winning books and films, the individuals joining us on the House floor today continue their tireless and pioneering efforts to raise awareness and to end all 21st-century slavery by establishing a nonprofit organization known as the Lost Boys Rebuilding Southern Sudan, and later on today we will put some information in your mailboxes to tell you some more about that organization.

GUESTS INTRODUCED

Mr. KRIEGER. But now that I have told you their story, I would like to take this opportunity to recognize each of the Lost Boys joining us on the House floor today. They are standing at the back of the House. They are Samuel Anei, William Mou, James Ajuong, and Abraham Nhial, and I would ask you to join me for applause for these Lost Boys.

As you can tell, they have an incredible story to tell. And to honor the Lost Boys of Sudan, to remember the many who died along the way, and to add our voices to their call to end human slavery in Sudan and around the world, I would respectfully request unanimous support for HR 546. Thank you all and thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

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

Donatucci	Kortz	Pyle	Youngblood
Drucker	Kotik	Quigley	Yudichak
Eachus	Krieger	Quinn	
Ellis	Kula	Rapp	McCall,
Evans, D.	Lentz	Readshaw	Speaker
Evans, J.	Levdansky		

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca	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.

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Mr. M. O'BRIEN called up **HR 591, PN 3100**, entitled:

A Resolution commending the work and efforts of Breaking Barriers.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Philadelphia County, Representative Michael O'Brien.

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

I rise today to offer HR 591. Perhaps one of the greatest questions asked by mankind is, why do bad things happen to good people? And perhaps an even greater question is, when that bad thing happens, what do you do with it?

On July 19, 1998, Dwayne Adams was a victim of a drive-by shooting, a senseless crime which left him near blind, and he took that adversity in his life and turned it towards rowing. But that was not good enough to him even though he distinguished himself as a champion. He turned to the youth of inner-city Philadelphia to bring a sport to them that is very seldomly offered – rowing, perhaps one of the most challenging sports both physically and mentally that there is. It has been said that rowing in a 1500-meter competitive race expends the same energy as playing two full-court basketball games back to back without stopping.

GUESTS INTRODUCED

Mr. M. O'BRIEN. I would ask the House today to extend a welcome to the young men and women who have dedicated themselves to this rowing program, to invigorating themselves physically and mentally, and to their chaperones that have joined them today. Mr. Speaker, if you would join me, please.

I would ask for an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca	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.

GUESTS INTRODUCED

The SPEAKER. To the left of the Speaker, the Chair welcomes Shanisha Smith and Garlandria Johnson, who are both interns from Lincoln University. They are the guests of Representative Houghton. Will the guests please rise. Welcome to the hall of the House.

In the well of the House, Cathy Mannon, Nicholas Ingraham, Kaitlyn Ingraham, and Christina Durick. They are serving as guest pages today. Also seated to the left of the Speaker is Maj. Mark Durick, who is from the Civil Air Patrol 307th Squadron. They are the guests of Representative Tim Seip. Welcome to the hall of the House.

Also to the left of the Speaker is Nick Soccio from Lewistown, Mifflin County. Nick is a student at Penn State Harrisburg studying politics and government and is a guest of Representative Adam Harris. Welcome to the hall of the House, Nick.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the names of Stephen Zapisek and Shawn Speeney, who have recently been awarded Scouting's highest honor – Eagle Scout.

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

Whereas, Stephen Zapisek and Shawn Speeney have 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 these young men. Stephen is a member of Troop 280 and Shawn is a member of Troop 74.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the names of Stephen Zapisek and Shawn Speeney.

CONDOLENCE RESOLUTION

The SPEAKER. Members will please take their seats. We are about to take up a condolence resolution for the death of a former member.

The Sergeants at Arms will close the doors of the House. Members will please take their seats. The Sergeants at Arms will clear the aisles.

The clerk will read the resolution.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

CONDOLENCE RESOLUTION

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of the Honorable Hardy Williams, a former member of the Senate of Pennsylvania serving the 8th Senatorial District, who passed away at the age of seventy-eight on January 7, 2010; and

WHEREAS, Born on April 14, 1931, in Philadelphia, Mr. Williams was a graduate of West Philadelphia High School, The Pennsylvania State University and the University of Pennsylvania Law School. While serving as an attorney, Mr. Williams was appointed to the City Solicitor's office and resigned in 1965 to run for City Council. He was elected to the Pennsylvania State Legislature in 1968 and began his first term as a State Representative in 1969. He was re-elected to the House of Representatives of Pennsylvania for six terms and became a State Senator in 1982. While serving in the Senate of Pennsylvania, he served as the Minority Chair of the Senate Public Health and Welfare Committee and was Chairman of a taskforce on violence as a public health concern. Mr. Williams founded and became Executive Director of Black Family Services in 1994, founded the Organized Anti-Crime Community Network and worked with Blacks Networking for Progress and the Delaware Valley Ecumenical Council. The Hardy Williams Award for Excellence was established in his honor by the Black Law School Association of the University of Pennsylvania, and he was its first recipient. He retired from the State Senate in 1998; and

WHEREAS, Throughout his personal life and professional career, Mr. Williams consistently maintained the highest standards of excellence which earned him the respect and admiration of his many colleagues and friends; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania proclaims with enduring sorrow the passing of the Honorable Hardy Williams; and extends heartfelt condolences to his wife, Carole Chew Williams; sons Senator Anthony Hardy and Clifford Kelley; daughters, Lisa Dawn and Lanna Amia; several grandchildren; and many other family members and friends; and be it further

RESOLVED, That a copy of this resolution, sponsored by Representatives Kenyatta Johnson and Ronald G. Waters on January 7, 2010, be transmitted to Carole Chew Williams.

Kenyatta Johnson, Sponsor
Ronald G. Waters, Sponsor

Keith R. McCall, Speaker of the House
ATTEST:

Anthony Frank Barbush, Chief Clerk of the House

On the question,
Will the House adopt the resolution?

The SPEAKER. Those in favor of the resolution will rise and remain standing as a sign of respect for the deceased former member. Guests will also please rise.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable Hardy Williams.)

The SPEAKER. The resolution has been unanimously adopted.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, we are having a problem with our computer systems in the Reference Bureau, so the amendments that we will be voting today, we are going to do it the old-fashioned way. They are going to distribute the amendments to the members, so just bear with us. We will probably break sometime very shortly, but it looks like we are going to have to hand-deliver the amendments to all the members' desks.

ANNOUNCEMENT BY MAJORITY LEADER

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

Mr. EACHUS. Thank you, Mr. Speaker.

For the information of the members, to give the staff the time to get the amendments distributed, we are going to break until 1:30. We will be back on the floor at 1:30.

The SPEAKER. The Chair thanks the gentleman.

He jumped in front of Representative Hanna.

**AGRICULTURE AND RURAL AFFAIRS
COMMITTEE MEETING**

The SPEAKER. The gentleman is recognized.

Mr. HANNA. Thank you, Mr. Speaker.

The House Ag Committee will meet at 12:30 in room 205 of the Ryan Office Building; the House Ag Committee in 10 minutes in room 205, Ryan Office Building.

The SPEAKER. The Chair thanks the gentleman.

The House Ag Committee will meet at 12:30 in room 205, Ryan Office Building.

EDUCATION COMMITTEE MEETING

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

Mr. ROEBUCK. Thank you, Mr. Speaker.

The House Education Committee will meet at 1 o'clock in room 205 of the Ryan Office Building.

The SPEAKER. The Chair thanks the gentleman.

The House Education Committee will meet at 1 p.m. in room 205 of the Ryan Office Building.

ANNOUNCEMENT BY MR. WATERS

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

Mr. WATERS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to invite the members of this caucus on both sides of the aisle to attend a meeting in the Media Center that is going to take place. It is a press conference dealing with the problems that are taking place in Haiti, and we would like to invite all the members to come and participate, to show their support in a humanitarian way with an effort and a drive that we are going to undertake here in the Capitol. It is a Capitol project that we are going to undertake jointly. We are inviting both staff, we are inviting— The administration is in support of this, and we want bipartisan support on both sides of the aisle – that is what we are seeking – and in both chambers to show our support for the people in need.

Thank you, Mr. Speaker. It is going to take place in the Media Center at 12:45.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY MR. CLYMER

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, let me just reiterate what Representative Ron Waters has said, and that is a bipartisan effort, a collective effort to get important funding for the people of Haiti, not only the dollars but supplies as well, and this indeed would be a very wonderful bipartisan effort.

As he had mentioned, there is going to be a 12:30 meeting at the Media Center, and we encourage members from both sides of the aisle to attend, staff as well. So we are excited about this effort to help a group of very needy and deserving people. Thank you.

The SPEAKER. The Chair thanks the gentleman.

**LOCAL GOVERNMENT
COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Northampton County, Representative Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, do we know how long we anticipate being in this afternoon? The Local Government Committee met this morning and had to recess. We want to reconvene, but I know there are other meetings going on, and I will be more than happy to move our meeting back to after session if we do not anticipate being in too long.

The SPEAKER. It is a difficult question to answer, Representative Freeman. It all depends on the debate on the bills. One of the bills cannot be voted until 4 o'clock or 4:30, so that should give you some time line on when to schedule your meeting.

Mr. FREEMAN. In that case, I would like to reconvene the Local Government Committee meeting that was recessed earlier this morning. We will meet at 12:30 in room 39, East Wing. I do not anticipate we will be in that meeting long, but we will reconvene at 12:30, 39 East Wing.

The SPEAKER. The Chair thanks the gentleman.

The Local Government Committee will meet at 12:30 in room 39, East Wing.

JUDICIARY COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Berks County, Representative Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I would like to call for an immediate meeting of the House Judiciary Committee in the majority caucus room since that room, evidently, is available, and we will reconvene, if we do not complete our business, after session in the majority caucus room. So all members of the House Judiciary, if you would please come to the majority caucus room. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Judiciary Committee will meet immediately in the majority caucus room.

Are there any further announcements?

RECESS

The SPEAKER. This House stands in recess until 1:30 p.m., unless sooner recalled by the Speaker.

AFTER RECESS

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

COMMUNICATIONS

The SPEAKER. The Speaker is in receipt of communications, which the clerk will read.

The following communications were read:

A communication dated January 14, 2010, from the Honorable Jack Wagner, Auditor General of the Commonwealth, providing his certification in connection with the general obligation bond sale of January 13, 2010.

A communication dated January 15, 2010, from the Honorable Pedro Cortés, Secretary of the Commonwealth, recommending a procedure to be followed to archive bills that have been vetoed by the Governor.

(Copies of communications are on file with the Journal clerk.)

LEAVE OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence and recognizes the gentleman from Allegheny County, Representative Turzai, the minority whip, who requests a leave for the gentleman, Representative CUTLER, from Lancaster County for the day. Without objection, the leave will be granted.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1095, PN 1292 By Rep. CALTAGIRONE

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

JUDICIARY.

HB 1444, PN 1773 By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for permissible argument as to damages at trial.

JUDICIARY.

HB 1990, PN 2692

By Rep. FREEMAN

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for other meeting expenses paid by counties.

LOCAL GOVERNMENT.

HB 2123, PN 2960

By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for validity of agreement to arbitrate.

JUDICIARY.

HB 2133, PN 2967

By Rep. CALTAGIRONE

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

JUDICIARY.

HB 2139, PN 3147 (Amended)

By Rep. HANNA

An Act providing for the Pennsylvania Agricultural Surplus System, for powers and duties of the Department of Agriculture and for the distribution and utilization of wildlife; and preempting certain municipal ordinances.

AGRICULTURE AND RURAL AFFAIRS.

HB 2202, PN 3071

By Rep. CALTAGIRONE

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

JUDICIARY.

SENATE MESSAGE

RECESS RESOLUTION FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate,
January 25, 2010

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, February 1, 2010, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses the week of February 1st, it reconvene on Monday, February 8, 2010, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, February 8, 2010, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

CALENDAR CONTINUED

RESOLUTIONS PURSUANT TO RULE 35

Mr. MILNE called up **HR 563, PN 3114**, entitled:

A Resolution commending the Chester County Food Bank for its ongoing effort to feed the hungry of Chester County.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

Eachus	Krieger	Quigley	Yudichak
Ellis	Kula	Quinn	
Evans, D.	Lentz	Rapp	McCall,
Evans, J.	Levdansky	Readshaw	Speaker
Everett			

NAYS—0

NOT VOTING—0

EXCUSED—5

Cutler	Geist	Perry	Watson
DeLuca			

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

* * *

Mr. M. SMITH called up **HR 579, PN 3061**, entitled:

A Resolution recognizing January 25 and 26, 2010, as "Sudden Arrhythmia Death Syndromes Days" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

Deasy	Kauffman	Payton	Vitali
Delozier	Keller, M.K.	Peifer	Vulakovich
Denlinger	Keller, W.	Perzel	Wagner
DePasquale	Kessler	Petrarca	Wansacz
Dermody	Killion	Petri	Waters
DeWeese	Kirkland	Phillips	Wheatley
DiGirolamo	Knowles	Pickett	White
Donatucci	Kortz	Preston	Williams
Drucker	Kotik	Pyle	Youngblood
Eachus	Krieger	Quigley	Yudichak
Ellis	Kula	Quinn	
Evans, D.	Lentz	Rapp	McCall,
Evans, J.	Levdansky	Readshaw	Speaker
Everett			

NAYS—0

NOT VOTING—0

EXCUSED—5

Cutler	Geist	Perry	Watson
DeLuca			

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

* * *

Mr. FRANKEL called up **HR 583, PN 3072**, entitled:

A Resolution designating the month of February 2010 as "American Heart Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

Costa, P.	Hess	O'Neill	Tallman
Cox	Hickernell	Oberlander	Taylor, J.
Creighton	Hornaman	Oliver	Taylor, R.
Cruz	Houghton	Pallone	Thomas
Curry	Hutchinson	Parker	True
Daley	Johnson	Pashinski	Turzai
Day	Josephs	Payne	Vereb
Deasy	Kauffman	Payton	Vitali
Delozier	Keller, M.K.	Peifer	Vulakovich
Denlinger	Keller, W.	Perzel	Wagner
DePasquale	Kessler	Petrarca	Wansacz
Dermody	Killion	Petri	Waters
DeWeese	Kirkland	Phillips	Wheatley
DiGirolamo	Knowles	Pickett	White
Donatucci	Kortz	Preston	Williams
Drucker	Kotik	Pyle	Youngblood
Eachus	Krieger	Quigley	Yudichak
Ellis	Kula	Quinn	
Evans, D.	Lentz	Rapp	McCall,
Evans, J.	Levdansky	Readshaw	Speaker
Everett			

NAYS—0

NOT VOTING—0

EXCUSED—5

Cutler	Geist	Perry	Watson
DeLuca			

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

* * *

Mr. FRANKEL called up **HR 584, PN 3073**, entitled:

A Resolution designating the week of February 1 through 5, 2010, as "Teen Dating Violence Awareness and Prevention Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cutler	Geist	Perry	Watson
DeLuca			

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

* * *

Mr. GERGELY called up **HR 585, PN 3074**, entitled:

A Resolution designating the week of January 24 through 30, 2010, as "National Nurse Anesthetists Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Adolph	Fabrizio	Longiatti	Reed
Baker	Fairchild	Maher	Reese
Barbin	Farry	Mahoney	Reichley
Barrar	Fleck	Major	Roae
Bear	Frankel	Manderino	Rock
Belfanti	Freeman	Mann	Roebuck
Benninghoff	Gabig	Markosek	Rohrer
Beyer	Gabler	Marshall	Ross
Bishop	Galloway	Marsico	Sabatina
Boback	George	Matzie	Sainato
Boyd	Gerber	McGeehan	Samuelson
Boyle	Gergely	McI. Smith	Santarsiero
Bradford	Gibbons	Melio	Santoni
Brennan	Gillespie	Metcalfe	Saylor

Briggs	Gingrich	Metzgar	Scavello
Brooks	Godshall	Miccarelli	Schroder
Brown	Goodman	Micozzie	Seip
Burns	Grell	Millard	Shapiro
Buxton	Grove	Miller	Siptroth
Caltagirone	Grucela	Milne	Smith, K.
Carroll	Haluska	Mirabito	Smith, M.
Casorio	Hanna	Moul	Smith, S.
Causer	Harhai	Mundy	Solobay
Christiana	Harhart	Murphy	Sonney
Civera	Harkins	Murt	Staback
Clymer	Harper	Mustio	Stern
Cohen	Harris	Myers	Stevenson
Conklin	Helm	O'Brien, D.	Sturla
Costa, D.	Hennessey	O'Brien, M.	Swanger
Costa, P.	Hess	O'Neill	Tallman
Cox	Hickernell	Oberlander	Taylor, J.
Creighton	Hornaman	Oliver	Taylor, R.
Cruz	Houghton	Pallone	Thomas
Curry	Hutchinson	Parker	True
Daley	Johnson	Pashinski	Turzai
Day	Josephs	Payne	Vereb
Deasy	Kauffman	Payton	Vitali
DeLozier	Keller, M.K.	Peifer	Vulakovich
Denlinger	Keller, W.	Perzel	Wagner
DePasquale	Kessler	Petrarca	Wansacz
Dermody	Killion	Petri	Waters
DeWeese	Kirkland	Phillips	Wheatley
DiGirolamo	Knowles	Pickett	White
Donatucci	Kortz	Preston	Williams
Drucker	Kotik	Pyle	Youngblood
Eachus	Krieger	Quigley	Yudichak
Ellis	Kula	Quinn	
Evans, D.	Lentz	Rapp	McCall,
Evans, J.	Levdansky	Readshaw	Speaker
Everett			

NAYS—0

NOT VOTING—0

EXCUSED—5

Cutler	Geist	Perry	Watson
DeLuca			

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

* * *

Mr. BURNS called up **HR 590, PN 3099**, entitled:

A Resolution expressing condolences upon the passing of the Honorable Arthur R. Palumbo, mayor of Windber, Somerset County.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Adolph	Fabrizio	Longiatti	Reed
Baker	Fairchild	Maher	Reese
Barbin	Farry	Mahoney	Reichley
Barrar	Fleck	Major	Roae
Bear	Frankel	Manderino	Rock
Belfanti	Freeman	Mann	Roebuck
Benninghoff	Gabig	Markosek	Rohrer

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cutler	Geist	Perry	Watson
DeLuca			

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

* * *

Mr. ROEBUCK called up **HR 597, PN 3117**, entitled:

A Resolution designating the month of January 2010 as "Financial Aid Awareness Month" and commending the work of the Pennsylvania Higher Education Assistance Agency and the Pennsylvania Association of Student Financial Aid Administrators.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cutler	Geist	Perry	Watson
DeLuca			

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

* * *

Mrs. HARHART called up **HR 598, PN 3118**, entitled:

A Resolution recognizing February 5, 2010, as "Wear Red Day" in Pennsylvania to raise awareness about the risks to women from cardiovascular disease.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Cutler	Geist	Perry	Watson
DeLuca			

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

* * *

Mr. BRIGGS called up **HR 599, PN 3119**, entitled:

A Resolution commemorating "National Girls and Women in Sports Day," February 3, 2010.

On the question,
Will the House adopt the resolution?

REMARKS SUBMITTED FOR THE RECORD

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

Mr. BRIGGS. Mr. Speaker, I would like to submit these remarks for the record.

The SPEAKER. The gentleman is in order.

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

Thank you, Mr. Speaker.

I rise today in support of HR 599, which seeks to recognize February 3, 2010, as "National Girls and Women in Sports Day."

This important national recognition day has been celebrated every year since 1987 on the first Wednesday in February. The goal is to honor the achievements and encourage participation of girls and women in sports. The theme for this year's recognition event is "Stay Strong, Play On," and I think that is most fitting.

So many amazing women have made such great strides in the world of sports. Athletes like Martina Navratilova, Candace Parker, and Jessica Mendoza, who played or are still playing, have made a difference, overcome difficult circumstances, broken records, and most importantly, blazed a trail for our young girls today to reach for the stars.

However, despite the stunning advances made in the 38 years since Title 9 was enacted – which sought to level the playing field, so to speak, between male and female student athletes – high school girls still receive 1.3 million fewer participation opportunities than do boys, and evidence suggests that the money spent on girls' sports programs lags significantly behind the money spent on boys' programs.

So on February 3 I hope all Pennsylvanians will acknowledge the past and recognize current sports achievements, the positive influence of sports participation for young girls, and the continuing struggle for equality and access for women in sports.

Thank you, and I ask for your support of HR 599.

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

The following roll call was recorded:

YEAS—195

Adolph	Fabrizio	Longiotti	Reed
Baker	Fairchild	Maher	Reese
Barbin	Farry	Mahoney	Reichley
Barrar	Fleck	Major	Roae
Bear	Frankel	Manderino	Rock
Belfanti	Freeman	Mann	Roebuck
Benninghoff	Gabig	Markosek	Rohrer
Beyer	Gabler	Marshall	Ross

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Cutler	Geist	Perry	Watson
DeLuca			

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

* * *

Mr. HANNA called up **HR 600, PN 3120**, entitled:

A Resolution designating February 1, 2010, as "Peripartum Cardiomyopathy Awareness Day" in Pennsylvania; and urging the National Institutes of Health to recognize "Peripartum Cardiomyopathy Awareness Day" and to advance research relating to peripartum cardiomyopathy.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Cutler	Geist	Perry	Watson
DeLuca			

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentleman from Clinton County, Representative Hanna, who has remarks for the record.

Mr. HANNA. Thank you, Mr. Speaker.

I just want to thank the members for the unanimous vote and submit these remarks for the record.

The SPEAKER. The Chair thanks the gentleman.

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

Thank you, Mr. Speaker.

HR 600 designates February 1, 2010, as "Peripartum Cardiomyopathy Awareness Day" in Pennsylvania. Peripartum cardiomyopathy is a form of heart failure during pregnancy or postpregnancy.

I introduced this resolution on behalf of Heather Moore, a constituent who developed the disease when she became pregnant with her son at the age of 29.

By the time doctors realized what was happening, her son, named "Ty Steven," did not survive because of the late diagnosis. She suffered multiorgan failure and a stroke and spent 3 months in the hospital on a heart pump. She was even the first name on the area's heart transplant list for weeks.

Luckily, Heather has recovered, but she can never get her son back. Heather's doctors told her she cannot have more children, even though she is otherwise healthy, because the risk of peripartum cardiomyopathy grows with each pregnancy.

The exact cause of this disease is unknown. Diagnosis is not always made right away, as some conditions associated with pregnancy – like fatigue, swelling of the ankles, and shortness of breath – are also symptoms of peripartum cardiomyopathy and can mask its presence.

In the United States, peripartum cardiomyopathy complicates one in every 1,300 to 4,000 deliveries and has a fatality rate of 18 to 56 percent.

I wanted to sponsor this resolution because it is important that the public, health-care professionals, and patients learn more about the disease so that we can protect mothers and their babies.

I urge my colleagues to support this resolution. Thank you.

* * *

Mr. STERN called up **HR 601, PN 3133**, entitled:

A Resolution designating January 2010 as "School Director Recognition Month" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

Adolph	Fabrizio	Longiotti	Reed
Baker	Fairchild	Maher	Reese
Barbin	Farry	Mahoney	Reichley
Barrar	Fleck	Major	Roae
Bear	Frankel	Manderino	Rock
Belfanti	Freeman	Mann	Roebuck
Benninghoff	Gabig	Markosek	Rohrer
Beyer	Gabler	Marshall	Ross
Bishop	Galloway	Marsico	Sabatina
Boback	George	Matzie	Sainato
Boyd	Gerber	McGeehan	Samuelson
Boyle	Gergely	McI. Smith	Santarsiero

Bradford	Gibbons	Melio	Santoni
Brennan	Gillespie	Metcalfe	Saylor
Briggs	Gingrich	Metzgar	Scavello
Brooks	Godshall	Miccarelli	Schroder
Brown	Goodman	Micozzie	Seip
Burns	Grell	Millard	Shapiro
Buxton	Grove	Miller	Siptroth
Caltagirone	Grucela	Milne	Smith, K.
Carroll	Haluska	Mirabito	Smith, M.
Casorio	Hanna	Moul	Smith, S.
Causar	Harhai	Mundy	Solobay
Christiana	Harhart	Murphy	Sonney
Civera	Harkins	Murt	Staback
Clymer	Harper	Mustio	Stern
Cohen	Harris	Myers	Stevenson
Conklin	Helm	O'Brien, D.	Sturla
Costa, D.	Hennessey	O'Brien, M.	Swanger
Costa, P.	Hess	O'Neill	Tallman
Cox	Hickernell	Oberlander	Taylor, J.
Creighton	Hornaman	Oliver	Taylor, R.
Cruz	Houghton	Pallone	Thomas
Curry	Hutchinson	Parker	True
Daley	Johnson	Pashinski	Turzai
Day	Josephs	Payne	Vereb
Deasy	Kauffman	Payton	Vitali
Delozier	Keller, M.K.	Peifer	Vulakovich
Denlinger	Keller, W.	Perzel	Wagner
DePasquale	Kessler	Petrarca	Wansacz
Dermody	Killion	Petri	Waters
DeWeese	Kirkland	Phillips	Wheatley
DiGirolamo	Knowles	Pickett	White
Donatucci	Kortz	Preston	Williams
Drucker	Kotik	Pyle	Youngblood
Eachus	Krieger	Quigley	Yudichak
Ellis	Kula	Quinn	
Evans, D.	Lentz	Rapp	McCall,
Evans, J.	Levdansky	Readshaw	Speaker
Everett			

NAYS—0**NOT VOTING—0****EXCUSED—5**

Cutler	Geist	Perry	Watson
DeLuca			

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentleman from Blair County, Representative Stern.

Mr. STERN. Thank you, Mr. Speaker.

I would like to submit the remarks for the record.

The SPEAKER. The gentleman is in order to present his remarks to the clerk.

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

This resolution recognizes the role of school directors as role models for future generations to become productive citizens and leaders. As local elected officials, school directors have the responsibility to operate and maintain an educational system that will ensure all children have the opportunity to learn the skills they need to lead productive, fulfilling lives. Because they are members of the

community themselves, they are in a position to truly understand local needs and the impact of the school system on students, parents, educators, and the community at large.

School directors bring a variety of backgrounds and experiences to board governance, where they are charged with improving student performance, reducing the number of dropouts, and improving graduation rates. Most school directors devote 16-20 hours per month to school board business, all for no compensation. With the support of the PA School Boards Association, I encourage the Commonwealth and all those who benefit from the operations of the public school system to recognize and appreciate the efforts of school directors in meeting the needs of the children and the community, as they perform a vital role in influencing the lives of students and assisting future generations to become productive citizens and excellent leaders.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair recognizes the gentleman from Lancaster County, Representative Cutler, on the House floor. His name will be added to the master roll.

RESOLUTION PURSUANT TO RULE 35

Mr. ELLIS called up **HR 602, PN 3125**, entitled:

A Resolution supporting the goals and ideals of "National Mentoring Month 2010" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

Daley	Johnson	Payne	Vereb
Day	Josephs	Payton	Vitali
Deasy	Kauffman	Peifer	Vulakovich
DeLozier	Keller, M.K.	Perzel	Wagner
Denlinger	Keller, W.	Petrarca	Wansacz
DePasquale	Kessler	Petri	Waters
Dermody	Killion	Phillips	Wheatley
DeWeese	Kirkland	Pickett	White
DiGirolamo	Knowles	Preston	Williams
Donatucci	Kortz	Pyle	Youngblood
Drucker	Kotik	Quigley	Yudichak
Eachus	Krieger	Quinn	
Ellis	Kula	Rapp	McCall,
Evans, D.	Lentz	Readshaw	Speaker
Evans, J.	Levdansky		

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca	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.

RESOLUTION REPORTED FROM COMMITTEE

HR 592, PN 3101

By Rep. ROEBUCK

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.

EDUCATION.

The SPEAKER. The resolution will go to the House calendar.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 297, PN 982**, entitled:

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.

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

The SPEAKER. On that question, the Chair has a number of amendments filed that we have been informed have been withdrawn.

The gentleman, Mr. Reed, are you withdrawing amendments A02621 and A02842? The Chair thanks the gentleman.

Is the gentleman, Mr. Hornaman, withdrawing amendment—The Chair thanks the gentleman.

Is the gentleman, Representative Solobay, withdrawing his amendment? The Chair thanks the gentleman. The amendment is withdrawn.

The Chair recognizes the gentleman from Clearfield County, Representative George. The Chair's understanding is you are withdrawing amendment A03222 and offering amendment A05484. Is that correct?

Mr. GEORGE. That is correct.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **GEORGE** offered the following amendment No. **A05484**:

Amend Bill, page 2, line 18, by inserting after "AVAILABLE." The initial report required under this subsection shall be filed with the department on or before August 15, 2010, and shall include production data from the preceding calendar year. Initial reports shall also specify the status of each well; however, in subsequent reports, only changes in the status must be reported. Subsequent semi-annual reports shall be filed with the department on or before February 15 and August 15 of each year and shall include production data from the preceding reporting period.

Amend Bill, page 2, line 22, by striking out "THE" and inserting Beginning November 1, 2010, the

Amend Bill, page 4, line 10, by striking out "immediately" and inserting
in 60 days

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Clearfield County, Representative George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, all this amendment does is provides due dates for the well operators' reports mandated by the bill and by the DEP (Department of Environmental Protection) to publish these reports. This is an agreed-to amendment. In fact, there is one – it is already in the bill – but it was for February, and unfortunately, that day is soon on us. So all this does is take it to August. This is an agreed-to amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—196

Adolph	Everett	Longiatti	Reed
Baker	Fabrizio	Maher	Reese
Barbin	Fairchild	Mahoney	Reichley
Barrar	Farry	Major	Roae
Bear	Fleck	Mandirino	Rock
Belfanti	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	George	McGeehan	Samuelson
Boyle	Gerber	McI. Smith	Santarsiero
Bradford	Gergely	Melio	Santoni
Brennan	Gibbons	Metcalfe	Saylor
Briggs	Gillespie	Metzgar	Scavello
Brooks	Gingrich	Miccarelli	Schroder
Brown	Godshall	Micozzie	Seip

Burns	Goodman	Millard	Shapiro
Buxton	Grell	Miller	Siptroth
Caltagirone	Grove	Milne	Smith, K.
Carroll	Grucela	Mirabito	Smith, M.
Casorio	Haluska	Moul	Smith, S.
Causar	Hanna	Mundy	Solobay
Christiana	Harhai	Murphy	Sonney
Civera	Harhart	Murt	Staback
Clymer	Harkins	Mustio	Stern
Cohen	Harper	Myers	Stevenson
Conklin	Harris	O'Brien, D.	Sturla
Costa, D.	Helm	O'Brien, M.	Swanger
Costa, P.	Hennessey	O'Neill	Tallman
Cox	Hess	Oberlander	Taylor, J.
Creighton	Hickernell	Oliver	Taylor, R.
Cruz	Hornaman	Pallone	Thomas
Curry	Houghton	Parker	True
Cutler	Hutchinson	Pashinski	Turzai
Daley	Johnson	Payne	Vereb
Day	Josephs	Payton	Vitali
Deasy	Kauffman	Peifer	Vulakovich
Delozier	Keller, M.K.	Perzel	Wagner
Denlinger	Keller, W.	Petrarca	Wansacz
DePasquale	Kessler	Petri	Waters
Dermody	Killion	Phillips	Wheatley
DeWeese	Kirkland	Pickett	White
DiGirolamo	Knowles	Preston	Williams
Donatucci	Kortz	Pyle	Youngblood
Drucker	Kotik	Quigley	Yudichak
Eachus	Krieger	Quinn	
Ellis	Kula	Rapp	McCall,
Evans, D.	Lentz	Readshaw	Speaker
Evans, J.	Levdansky		

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca	Geist	Perry	Watson
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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?

Bill as amended was agreed to.

(Bill as amended 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. The Chair recognizes the gentleman from Clearfield County, Representative Gabler. The gentleman waives off. He is withdrawing the amendment? The Chair thanks the gentleman.

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

Mr. **WHEATLEY** offered the following amendment
No. **A05458**:

Amend Bill, page 1, line 6, by striking out "Section" where it occurs the second time and inserting

Sections 1553(d)(10) and (d.1) and

Amend Bill, page 1, line 7, by striking out "is" and inserting
are

Amend Bill, page 1, by inserting between lines 7 and 8
§ 1553. Occupational limited license.

* * *

(d) Unauthorized issuance.—The department shall prohibit issuance of an occupational limited license to:

* * *

(10) [Any] Except as set forth in subsection (d.1) or (d.2), any person whose operating privilege has been suspended pursuant to [either section 13(m) of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, or] section 1532(c) (relating to suspension of operating privilege) unless the suspension imposed has been fully served.

* * *

(d.1) Adjudication eligibility.—[An individual who has been convicted of an offense under section 3802 (relating to driving under influence of alcohol or controlled substance) and does not have a prior offense as defined in section 3806(a) (relating to prior offenses)] The following individuals shall be eligible for an occupational limited license only if the individual has served 60 days of the suspension imposed for the offense[.];

(1) An individual who has been convicted of an offense under section 3802 and does not have a prior offense as defined in section 3806(a).

(2) An individual whose operating privilege has been suspended under section 1532(c) for a conviction of an offense involving the possession, sale, delivery, offering for sale, holding for sale or giving away of any controlled substance under the laws of the United States, this Commonwealth or any other state and does not have a prior offense. For purposes of this paragraph, any conviction under any Federal or state law relating to any controlled substance or other drug shall constitute a prior offense if it related to the type of conduct against which a subsequent offense is directed.

* * *

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

AMENDMENT WITHDRAWN

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

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is one that I think is very overdue and necessary. However, in talking with the sponsor of this bill, out of respect for the issue that he is trying to address, I respectfully will pull this amendment.

But I did, Mr. Speaker, want to make a request to this chamber that we seriously look at bringing parity to our current situation as it relates to occupational limited licensing, where we allow for first-time offenders of alcohol-related offenses to still apply and receive an occupational limited license, where we explicitly state in our law that those first-time offenders convicted of drug-related offenses, even if they are not related

to automobile usage, cannot apply for an occupational limited license. I want to say as we talk about job creation and making sure people have the ability to go to work, not having the ability to have a license to allow you to get to and from work is very devastating to many.

And so I would hope that we would have an opportunity to really seriously consider taking this issue on and passing it and having parity in our law. So thank you, Mr. Speaker.

I respectfully withdraw my amendment.

The SPEAKER. The Chair thanks the gentleman.

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

The SPEAKER. The gentleman, Representative Scavello, has a late-filed amendment that would require a suspension of the rules. The gentleman is waiving off? The Chair thanks the gentleman.

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third 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 third consideration?
Bill was agreed to.

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

(Bill analysis was read.)

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

On that question, the Chair recognizes the gentleman from Chester County, Representative Houghton.

Mr. HOUGHTON. Thank you, Mr. Speaker.

HB 1616 simply adds one substance to the existing noncontrolled substance list, becoming No. 35 on that list. The substance is dextromethorphan, otherwise known as DXM. DXM is a cough suppressant common in Robitussin and other medicines. In its pure form, DXM is a white powder which is sold primarily via the Internet. DXM has euphoric, psychedelic, and dissociative properties when administered in doses well above those which are considered therapeutic medically for cough suppression. Kids call it Robo tripping.

There was a little bit of confusion in the Health and Human Services Committee, and hopefully, I can answer some of those questions right here. The intent here is to simply stop the purchase of DXM in its raw, bulk powder form over the Internet to kids and other abusers.

Doctors, pharmacies, and veterinarians are exempt from having to report and register here under this act.

Also, there is a catchall provision. Any over-the-counter medications are also exempt. This legislation specifically deals with DXM in its raw powder form, and pharmacies can choose to lock it up, but they do not have to. It is totally voluntary.

I ask for an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—4

DeLuca

Geist

Perry

Watson

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

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

* * *

The House proceeded to third consideration of **HB 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 third consideration?

Bill was agreed to.

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

(Bill analysis was read.)

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

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

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

Mr. Speaker, I rise to urge my colleagues to support HB 2003, which will designate the bridge spanning Pennypack Creek on South York Road in the Borough of Hatboro, Montgomery County, as the "PFC Joseph J. Lannon, Jr., USMC Memorial Bridge."

Mr. Speaker, Private First Class Lannon was killed in action in Quang Nam, Vietnam, on October 1, 1968, while serving in the United States Marine Corps. With so many of our young men and women currently serving in combat overseas in the war on terror, it is very fitting that we show our appreciation to those who have gone before them, particularly those who did not make it home.

By designating this bridge in Private First Class Lannon's honor, we are not only creating a lasting memorial to him but also a constant reminder to all who see it of the service of every brave American who sacrifices so much in the defense of our nation.

I ask my colleagues to please join me in supporting HB 2003. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

* * *

The House proceeded to third consideration of **SB 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 third consideration?

Bill was agreed to.

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

(Bill analysis was read.)

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

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

The following roll call was recorded:

YEAS—196

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

DeWeese	Kirkland	Pickett	White
DiGirolamo	Knowles	Preston	Williams
Donatucci	Kortz	Pyle	Youngblood
Drucker	Kotik	Quigley	Yudichak
Eachus	Krieger	Quinn	
Ellis	Kula	Rapp	McCall,
Evans, D.	Lentz	Readshaw	Speaker
Evans, J.	Levdansky		

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

* * *

The House proceeded to third consideration of **SB 380, PN 378**, entitled:

An Act designating a bridge on that portion of Route 219 over the Little Toby Creek, Brockway Borough, Jefferson County, as the Christopher E. Loudon Memorial Bridge.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

YEAS—196

Adolph	Everett	Longietti	Reed
Baker	Fabrizio	Maher	Reese
Barbin	Fairchild	Mahoney	Reichley
Barrar	Farry	Major	Roae
Bear	Fleck	Manderino	Rock
Belfanti	Frankel	Mann	Roebuck
Benninghoff	Freeman	Markosek	Rohrer
Beyer	Gabig	Marshall	Ross
Bishop	Gabler	Marsico	Sabatina
Boback	Galloway	Matzie	Sainato
Boyd	George	McGeehan	Samuelson
Boyle	Gerber	McI. Smith	Santarsiero
Bradford	Gergely	Melio	Santoni
Brennan	Gibbons	Metcalfe	Saylor
Briggs	Gillespie	Metzgar	Scavello
Brooks	Gingrich	Miccarelli	Schroder
Brown	Godshall	Micozzie	Seip
Burns	Goodman	Millard	Shapiro

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

NAYS—0

NOT VOTING—0

EXCUSED—4

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

CONDOLENCE RESOLUTION

The SPEAKER. Members will please take their seats. We are about to take up a condolence resolution for the death of a former member.

The Sergeants at Arms will close the doors of the House.
The clerk will read the resolution.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

CONDOLENCE RESOLUTION

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of the Honorable Terry Punt, a former member of the Senate of Pennsylvania who served the 33rd Senatorial District with distinction and passed away at the age of sixty on December 28, 2009; and

WHEREAS, Born in Waynesboro on August 13, 1949, Senator Punt was a graduate of Waynesboro Area Senior High School. He served this country with honor and distinction as a member of the United States Army in southeast Asia from 1967 to 1970. He was elected to the House of Representatives of Pennsylvania in 1979 and represented the 90th Legislative District until 1988, when he was elected to the Senate of Pennsylvania to represent the 33rd Senatorial District. As a Senator, he served on the Transportation, Veteran's Affairs and Community, Economic and Recreational Development Committees and brought substantial money to his district to benefit economic development, highways, education and agriculture. Lauded as the longest-serving member to hold the 33rd District Senate seat, Senator Punt retired from public service in 2008. A former member of the Board of Directors of the Waynesboro YMCA and past Chairman of the Waynesboro Bicentennial Committee and the Waynesboro Youth Activities Association, Senator Punt was a member of the Trinity United Church of Christ; and

WHEREAS, An outstanding citizen, Senator Punt demonstrated unrivaled dedication to his constituents, and he truly epitomized the role of legislator; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania proclaims with enduring sorrow the passing of the Honorable Terry Punt; and extends heartfelt condolences to his son, Christian A.; daughter, Erin E. Barlup; one grandchild; and many other family members, friends and colleagues; and be it further

RESOLVED, That a copy of this resolution, sponsored by Representatives Daniel P. Moul, Will Tallman, Mark K. Keller, Rob Kauffman, Todd A. Rock and Seth M. Grove on January 4, 2010, be transmitted to the family of the Honorable Terry Punt.

Daniel P. Moul, Sponsor
Will Tallman, Sponsor
Mark K. Keller, Sponsor
Rob Kauffman, Sponsor
Todd A. Rock, Sponsor
Seth M. Grove, Sponsor

(Seal) Keith R. McCall, Speaker of the House
ATTEST:
Anthony Frank Barbush, Chief Clerk of the House

The SPEAKER. Those in favor of the resolution will rise and remain standing as a mark of respect for the deceased former member. Guests will also rise.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable Terry Punt.)

The SPEAKER. The resolution has been unanimously adopted.

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 22, PN 21**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Tad W. Hippensteel a pedestrian and vehicular access easement over certain lands of the Commonwealth of Pennsylvania situate in Mount Joy Township, Lancaster County.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 22 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 22 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **HB 80, PN 2413**, entitled:

An Act amending the act of November 30, 2004 (P.L.1672, No.213), known as the Alternative Energy Portfolio Standards Act, further providing for definitions and for alternative energy portfolio standards; and providing for sequestration facility permitting and for title to carbon dioxide, immunity and transfer of liability; establishing the Carbon Dioxide Indemnification Fund; providing for carbon dioxide sequestration facility and transportation pipeline on Commonwealth State forest lands; and providing for application of the Public Utility Code to transporters of carbon dioxide.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 80 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 80 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **HB 590, PN 2070**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for traffic-control signals.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 590 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 590 be removed from the tabled bill calendar and placed on the active calendar.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1051, PN 2002**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for background checks of prospective employees and specific convictions of employees; and amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for release of information in confidential reports and for investigation of reports of suspected child abuse by county agencies.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1051 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1051 be removed from the tabled bill calendar and placed on the active calendar.

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

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1189, PN 2072**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for motorcycle safety education program.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1189 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1189 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

The House proceeded to second consideration of **HB 1858, PN 2533**, entitled:

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

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1858 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1858 be removed from the tabled bill calendar and placed on the active calendar.

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1874, PN 2522**, entitled:

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, in municipal pension plan actuarial reporting, further providing for contents of actuarial valuation report and providing for actuarial asset valuation and for revised actuarial valuation report; in financially distressed municipal pension plan determination procedure, further providing for initiation of distress determination, for pension plans to be included in determination and for determination procedure; in financially distressed municipal pension system recovery program, further providing for application, for election determination procedure, for recovery program level I, for recovery program level II, for recovery program level III, for remedies applicable to various recovery program levels, for supplemental State assistance program and fund and for municipal employee retirement program; in financially distressed municipal pension system recovery program, establishing programs for municipal pension recovery and municipal employee retirement; in financially distressed municipal pension system recovery program, further providing for rules and regulations; adding special provisions for amortization of unfunded actuarial accrued liability and minimum municipal obligation in cities of the first class; further providing for alternative funding mechanism; and providing for special taxing authority for cities of the first class.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1874 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1874 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

The House proceeded to third consideration of **HB 1884, PN 2523**, entitled:

An Act amending the act of February 1, 1974 (P.L.34, No.15), known as the Pennsylvania Municipal Retirement Law, further providing for general provisions, for provisions relating to municipal employees, for provisions relating to municipal firemen and municipal police officers and for optional retirement plans; providing for the Municipal Pension Recovery Program and for the Cooperative Municipal Pension and Security Program; and making editorial changes.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1884 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1884 be removed from the tabled bill calendar and placed on the active calendar.

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

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1902, PN 2537**, entitled:

An Act amending the act of December 6, 1972 (P.L.1383, No.293), entitled "An act requiring municipal pension systems to have an actuarial investigation of the fund made by an actuary who shall report his findings to the Department of Community Affairs," providing for actuarial assumptions and methodologies.

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

BILL TABLED

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

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

BILL REMOVED FROM TABLE

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

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 958, PN 1161**, entitled:

An Act authorizing the turn back from the Commonwealth to Ward Township, Tioga County, of the road known as Old Possessions Road in Ward Township, Tioga County; and providing for the powers and duties of the Secretary of Conservation and Natural Resources.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 958 be removed from the active calendar and placed on the tabled bill calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 958 be removed from the tabled bill calendar and placed on the active calendar.

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

RESOLUTIONS

Mr. EACHUS called up **HR 34, PN 162**, entitled:

A Resolution establishing a select committee to investigate and review the policies, procedures and practices in place by the various Commonwealth agencies, authorities, boards, commissions, councils, departments and offices and the entities they license or regulate to protect the personal health, financial and other sensitive data of the citizens of this Commonwealth.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 34 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 34 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. EACHUS called up **HR 145, PN 1037**, entitled:

A Concurrent Resolution directing the Joint State Government Commission to conduct an in-depth study focusing on creating a nonpartisan interbranch institute to assist policymakers, particularly in the legislature, in making informed judgments about significant, long-term criminal justice issues facing this Commonwealth; and requiring a report.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 145 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 145 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. EACHUS called up **HR 333, PN 2006**, entitled:

A Resolution memorializing the President and the Congress of the United States to extend the time frame for assessment of Medicaid managed care organizations.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 333 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 333 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. EACHUS called up **HR 343, PN 2043**, entitled:

A Resolution memorializing the United States Congress to not impose tax on employer-paid health insurance benefits.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 343 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 343 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. EACHUS called up **HR 360, PN 2185**, entitled:

A Resolution urging the Bureau of Professional and Occupational Affairs to conduct an in-depth review of the Commonwealth's approved professional nursing programs to determine each program's effectiveness in producing well-prepared licensed practical nurse candidates.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 360 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 360 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. EACHUS called up **HR 387, PN 2329**, entitled:

A Resolution urging the Commonwealth of Pennsylvania to refuse to comply with the REAL ID Act of 2005 until such time as adequate funding is provided by the Federal Government to cover the cost of implementation and until amendments are made to the act providing for decreased administrative burdens on the states.

On the question,
Will the adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 387 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 387 be removed from the tabled bill calendar and placed on the active calendar.

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

* * *

Mr. EACHUS called up **HR 408, PN 2439**, entitled:

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

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 408 be removed from the active calendar and placed on the tabled bill calendar.

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

RESOLUTION REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 408 be removed from the tabled bill calendar and placed on the active calendar.

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

BILLS REMOVED FROM TABLE

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

HB 1251;
HB 1953;
HB 2041; and
HB 2185.

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

BILLS RECOMMITTED

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

HB 1251;
HB 1953;
HB 2041; and
HB 2185.

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

LEAVE 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 the gentleman from Washington County, Representative DALEY, for the remainder of the day. Without objection, the leave will be granted.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, we are going to start debate on HB 2070, with the understanding that the final vote cannot occur until 4:47 unless the House takes action otherwise.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2070, PN 3134**, 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 third consideration?

The SPEAKER. On that question, the gentleman, Representative Markosek, has an amendment, which is a technical fix to the bill.

The gentleman, Mr. Markosek, from Allegheny County is recognized and offers amendment—

Mr. MARKOSEK. Thank you, Mr. Speaker.

The SPEAKER. The gentleman will yield.

This amendment should have been distributed on the floor, but the number that we have is XA00005. That is the amendment that the gentleman, Mr. Markosek, will be offering.

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

Mr. **MARKOSEK** offered the following amendment
No. **XA00005**:

Amend Bill, page 5, line 17, by inserting after "for"
voice communication.

Amend Bill, page 5, lines 18 and 19, by striking out "but" and inserting

. The term

Amend Bill, page 5, line 20, by striking out the comma after "system"

Amend Bill, page 6, line 5, by striking out "making a telephone call" and inserting

voice communication

Amend Bill, page 6, lines 18 and 19, by striking out "traffic being obstructed and the driver has" and inserting

a traffic obstruction and

Amend Bill, page 6, line 19, by inserting after “transmission”
is
Amend Bill, page 12, line 16, by inserting after “submitted”
by the department

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

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I rise to offer this amendment. It is a technical amendment, necessary to make the language of HB 2070 internally consistent, to clear up an ambiguity, and to correct grammar.

It is my understanding that this amendment has bipartisan support, and I ask my colleagues for a “yes” vote. Thank you.

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

The following roll call was recorded:

YEAS—194

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

Eachus	Kotik	Pyle	Yudichak
Ellis	Krieger	Quigley	
Evans, D.	Kula	Quinn	McCall,
Evans, J.	Lentz	Rapp	Speaker

NAYS—1

Seip

NOT VOTING—0

EXCUSED—5

Daley	Geist	Perry	Watson
DeLuca			

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

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

Bill as amended was agreed to.

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

(Bill analysis was read.)

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

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

We are all one text from eternity, but perhaps through the wisdom of the House of Representatives we can forestall that and be a lot more safe and have a lot of our constituents be a lot more safe while they are driving their vehicles.

HB 2070, as we know, will ban texting while operating a motor vehicle, and according to the amendment that we passed yesterday, it will also ban handheld cell phone use while operating a motor vehicle.

This is a big step for us here. As you recall, about 10 months ago we had a similar issue before us, and it actually failed to be passed. But yet as we move forward, in the last year we have seen a dramatic change, a dramatic change in public opinion relative to operating vehicles and being distracted through the use of interactive electronic devices.

I certainly appreciate the members in their support of HB 2070. We cannot and should not allow folks to be distracted, and at some point, at some point, for those who think that this does not go far enough or for those who think perhaps it goes too far, we need to also encourage people to the fact that they have responsibility while operating a 4,000-pound battering ram. When you are behind the wheel, you have a great responsibility. And we can only legislate up to a certain point. At some point, the public has to accept responsibility and use common sense when operating motor vehicles in the fashion that they do.

We have all had anecdotal input from our constituents. I cannot go anywhere in my district without somebody asking me or telling me about a story that they have recently had of

almost being run off the road or in fact being run off the road, or somebody ahead of them at a traffic light and the light changes and the car ahead of them does not move because the person ahead of them is on the phone.

We have a situation today where folks want to answer that phone, and for whatever reason, we are all in the habit, when the phone rings, we answer it, regardless of anything else that we are doing, which is wrong.

None of this legislation will work without really a three-pronged attack. If we are going to change the behavior of drivers in Pennsylvania, three things have to happen. We have to have legislation, but we also have to have education and technology. Those are the three things that have to go into changing the behavior of Pennsylvania drivers to get them to be responsible.

A lot of people have said, why are you doing this? Should not folks be responsible on their own? And yes, they should, but we all know that does not always happen. So this is a great, great effort as we move forward here to get folks to be responsible while they are driving, and I certainly ask you, my colleagues, for an affirmative vote on HB 2070.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DePASQUALE. Thank you, Mr. Speaker.

I want to start off by thanking Chairman Markosek for his leadership in getting this legislation through the Transportation Committee, and with Chairman Geist and their bipartisan cooperation in getting this bill to where it is today.

As most of you know, 3 years ago I introduced the original banning-texting-while-driving legislation, and this legislation is a significant improvement from that original drafting.

And we often do not do this enough, but I specifically want to thank the staff of Transportation today, Stacie Ritter in particular, who had the idea of using money from the fine to go specifically for education of our youth as they are learning how to drive and the dangers of texting while driving.

I am sure there is a big relief today from Laura Kuller, who works with Majority Leader Eachus, that she will stop getting the e-mails from me on all the tragedies that are happening, not just in Pennsylvania but nationally on this issue, as I continue to try to ensure that we would come to this day.

But I also want to remind everyone that we are not done, if this vote goes as I believe it will go, and that is, we need to fight to make sure that this bill comes back from the Senate as strong as possible, that we keep it not only as just a texting ban but a handheld cell phone ban, and that we fight for it to be a primary offense as well, because that will make sure that it is the best public safety bill that you could have in Pennsylvania, and it will make Pennsylvania a leader.

And I will only close with this, that this is probably the one issue that President Obama and former Governor Sarah Palin agree on. This is an issue that Republicans and Democrats agree on, liberals, moderates, conservatives. This is something that over 90 percent of the people of this State want, and I am proud of this House that we are doing the people's work and doing exactly what they want, and that is fighting for safer public roads in Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Monroe County, Representative Siptroth.

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

Mr. Speaker, I rise in support of HB 2070.

Certainly, as the chairman alluded to, a 4,000-pound ram is nothing that you would like to see coming towards your vehicle or a vehicle of a loved one or relative. But think for a moment of a 26,000-pound-plus vehicle, of which there are many operating on our roads every day.

And I would like to remind the members that through regulation, the Federal government has just imposed restrictions on commercial driver's license individuals that are driving commercial vehicles from texting, and I think it is extremely important that we support that piece of legislation by passing HB 2070 here in the House today so that each and every one of our friends, relatives, loved ones, can be protected from the distracted-driving portion of texting and cell phone use.

Again, I ask you for your support of HB 2070. Thank you, Mr. Speaker.

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 today in support of HB 2070. It has been a long time in coming, Mr. Speaker, to reach this day where the House could be on the verge of putting up what I hope will be broad bipartisan numbers to save lives on the roadways in Pennsylvania.

Mr. Speaker, back when you were a chairman of the Transportation Committee, I first introduced legislation to ban the handheld cell phones and texting while driving, and we had about a dozen cosponsors and got a little bit of attention, but the bill went nowhere.

A couple of years ago when we reintroduced the bill, between 30 and 40 percent of this chamber, Democrats and Republicans, came together to cosponsor this measure, but still the bill went nowhere. Today we stand on the precipice of broad bipartisan support for a bill that will no doubt save lives for the people of Pennsylvania.

Mr. Speaker, I will simply say to Oprah Winfrey, who dedicated a show about this just last week: Oprah, we hear you. Pennsylvania is about to become a no-phone zone on our roadways, the result of which will save lives.

Now, we know, Mr. Speaker, that this is the first but an important step on the road to getting this bill passed. It still needs to go over and pass in the Senate, and I am hopeful that it will. But there are four key components in this legislation that I believe should be included in any final bill.

Number one – and this House has done it in the underlying bill – is, we need to have a strict ban for teenage drivers. We know that we need to make our teens safer and our roads safer, and we need that language to stay put. We know that we need a tough law on texting, and the Representative from York spoke ably for many years in trying to bring this about.

We know – and we saw this yesterday with the broad bipartisan support we had – that we need to have a ban on the handheld cell phones. The science shows it and the studies show it, that the combination of those handhelds and the texting together will save lives on Pennsylvania roadways.

And we know, Mr. Speaker, that this needs to be a primary offense – a primary offense. We know that if it is a primary offense, we will save lives on our roadways. It is not about just simply adding fines to motorists; it is about stopping accidents from occurring in the first place. That is what this legislation does.

Mr. Speaker, on a personal note, throughout this process, throughout this roughly 5-year process, I have received more than a thousand e-mails, phone calls, letters, from people all across Pennsylvania supporting our efforts to get this done.

And, Mr. Speaker, I cannot help but think today, on the eve of this vote, of the horror stories that have been shared by so many Pennsylvanians who have been the victims of accidents or who have seen a loved one get hurt or who have barely missed an accident themselves.

I think about Jacy Good, who came and sat in the Speaker's chairs, who had graduated from Lancaster, who had graduated from Muhlenberg, and was driving home the day after graduation, driving home the day after graduation with her family in her car, when they were struck by a motorist who swerved as a result of one of those drivers being on one of those cell phones. Jacy's family in that car died that day, and Jacy was left in a coma.

Today we hopefully will pass this legislation for the Jacy Goods and the so many Pennsylvanians who have been unfortunate victims of people talking on their handheld cell phones and texting while driving. This is a major progressive step forward. This will save lives on our roadways.

And, Mr. Speaker, I thank you, I thank the leader, I thank the chairman of the Transportation Committee, and members on both sides of the aisle for staying committed to this issue, for driving it through, and for ensuring its passage and ensuring safety on Pennsylvania's roadways going forward.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman from Somerset, Representative Metzgar, wish to be recognized? The gentleman from Somerset County, Representative Metzgar, is recognized on the question.

Mr. METZGAR. Would the maker of the bill please stand for brief interrogation?

The SPEAKER. Will the gentleman, Representative Markosek, stand for interrogation? The gentleman indicates he will stand for interrogation. The gentleman from Somerset, Representative Metzgar, is in order and may proceed.

Mr. METZGAR. Mr. Speaker, I note that the bill as proposed amends section 3752 to state that a report shall be filed by the law enforcement officer that includes "...whether the driver of the vehicle was using an interactive wireless communication device when the accident occurred, and such other information as the department may require...."

I notice the bill does not say precisely how that is supposed to occur, but could you tell me, is the officer supposed to look at the cell phone, or how is that supposed to occur?

Mr. MARKOSEK. Mr. Speaker, the police officer would observe fact-finding rules, the same rules that he would observe in any other accident.

If there was a serious enough accident where they thought they needed to get the records, they could do that. If that were not warranted or not necessary, they would not have to do that, necessarily.

Mr. METZGAR. Would they use the phone itself, the actual device?

Mr. MARKOSEK. It would require a warrant to get the records, if they needed to get the records of the cell phone.

Mr. METZGAR. Okay. So there could be a seizure of the phone.

Mr. MARKOSEK. The bill does not permit the seizure.

Mr. METZGAR. But would not this section permit the seizure?

Mr. MARKOSEK. No. The section is merely a reporting requirement that they would fill out at the scene of the accident.

Mr. METZGAR. But the information derived from that would be?

Mr. MARKOSEK. The information derived by that would be whether or not there was a phone present during the accident.

Mr. METZGAR. So if there is a phone present, they would have presumed to be texting or calling or—

Mr. MARKOSEK. It would be recorded that there was a phone at the scene.

Mr. METZGAR. Okay.

Mr. MARKOSEK. If they got a warrant, they could check the records.

Mr. METZGAR. But it says "...including whether the driver of the vehicle was using an interactive wireless communication device...."

Mr. MARKOSEK. Would you repeat the question, please?

Mr. METZGAR. It says, on page 11, lines 26 through 29, it says, and specifically line 27, it says "...was using an interactive...." So what you said before would not be quite right?

Mr. MARKOSEK. Any constitutional protections against search and seizure would still remain.

Mr. METZGAR. Okay. Very good.

On the bill, Mr. Speaker?

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

Mr. METZGAR. Mr. Speaker, while this bill is a well-intentioned bill, intentions do not get us very far here in the Capitol, and as we all well know, results are the only thing that matter.

And this bill has some internal inconsistencies. It probably has some seizure problems; it has some proof problems. But I find that we might be in a State, if we pass this bill, where any officer on one of our fine roadways could conceivably say, "License, registration, and cell phone, please."

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Does anyone else seek recognition? The Chair recognizes the gentleman from Delaware County, Representative Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

First, I want to publicly thank Representative Markosek for meeting with the families of a tragedy that happened in Delaware County. There was a young lady who was using an electronic device, crossed over the highway, and two young ladies were walking on a sidewalk where this car came from the other side of the highway, killing instantly a 19-year-old and sending another to the hospital with all kinds of injuries. And the families, one of the girls was my neighbor, Christine Bochanski. And I want to thank the Representative for taking the time out of his busy schedule to meet with them and to kind of comfort them in their tragedy.

I support this bill. I think it is needed. Anyone living in Delaware County knows about the amount of traffic we have in the county, and no matter where you go, there is someone on a cell phone in high-traffic areas.

So I support this piece of legislation and, again, thank Representative Markosek. You know, they get your name and my name mixed up. Thank you.

PARLIAMENTARY INQUIRY

The SPEAKER. On the question, the Chair recognizes the gentleman from Northumberland County, Representative Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

A point of parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, as a result of the rule on 24 hours between second and third consideration, I believe that unless we suspend the rules, we would have to wait until 4 o'clock or thereabouts to vote this. Is that correct?

The SPEAKER. Technically, we do not have to suspend the rules. We could offer a motion to proceed. But without that motion to proceed, the vote cannot occur until 4:47 this evening.

MOTION TO PROCEED TO CONSIDERATION UNDER RULE 24

Mr. BELFANTI. Well, okay. I am not sure I understand the answer, but may I make the motion to proceed?

The SPEAKER. The gentleman would be in order.

He would have to invoke rule 24 indicating that the members have had sufficient time to understand and review the legislation. Is the gentleman so moving?

Mr. BELFANTI. Yes, Mr. Speaker. I believe the members have had enough time not only to read, but through extensive debate, understand the parameters of the bill, and I would like to make a motion that we vote the legislation.

The SPEAKER. The gentleman from Northumberland County, Representative Belfanti, moves, pursuant to rule 24, that members have had sufficient time to review the language and that the House proceed with consideration of HB 2070, PN 3134.

On the motion to proceed, those voting in favor of the motion to proceed will vote "aye"; those opposed, "nay."

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—168

Adolph	Everett	Mahoney	Reed
Baker	Fabrizio	Major	Reese
Barbin	Fairchild	Manderino	Reichley
Barrar	Farry	Mann	Roebuck
Bear	Fleck	Markosek	Ross
Belfanti	Frankel	Marshall	Sabatina
Beyer	Galloway	Marsico	Sainato
Bishop	George	Matzie	Santarsiero
Boback	Gerber	McGeehan	Santoni

Boyd	Gergely	McI. Smith	Saylor
Boyle	Gibbons	Melio	Scavello
Bradford	Gillespie	Miccarelli	Shapiro
Brennan	Godshall	Micozzie	Siptroth
Briggs	Goodman	Millard	Smith, K.
Brown	Grove	Miller	Smith, M.
Burns	Gruclera	Milne	Smith, S.
Buxton	Haluska	Mirabito	Solobay
Caltagirone	Hanna	Moul	Sonney
Carroll	Harhai	Mundy	Staback
Casorio	Harhart	Murphy	Stern
Causser	Harkins	Mustio	Stevenson
Christiana	Harris	Myers	Sturla
Civera	Helm	O'Brien, D.	Tallman
Clymer	Hennessey	O'Brien, M.	Taylor, J.
Cohen	Hess	O'Neill	Taylor, R.
Conklin	Hickernell	Oberlander	Thomas
Costa, D.	Hornaman	Oliver	True
Costa, P.	Houghton	Pallone	Turzai
Cox	Johnson	Parker	Vereb
Creighton	Josephs	Pashinski	Vitali
Cruz	Keller, W.	Payne	Vulakovich
Curry	Kessler	Payton	Wagner
Deasy	Killion	Peifer	Wansacz
DePasquale	Kirkland	Perzel	Waters
Dermody	Knowles	Petrarca	Wheatley
DeWeese	Kortz	Petri	White
DiGirolamo	Kotik	Phillips	Williams
Donatucci	Krieger	Pickett	Youngblood
Drucker	Kula	Preston	Yudichak
Eachus	Lentz	Pyle	
Ellis	Levdansky	Quinn	McCall,
Evans, D.	Longietti	Readshaw	Speaker
Evans, J.	Maier		

NAYS—27

Benninghoff	Gabig	Keller, M.K.	Rock
Brooks	Gabler	Metcalfe	Rohrer
Cutler	Gingrich	Metzgar	Samuelson
Day	Grell	Murt	Schroder
Delozier	Harper	Quigley	Seip
Denlinger	Hutchinson	Rapp	Swanger
Freeman	Kauffman	Roae	

NOT VOTING—0

EXCUSED—5

Daley	Geist	Perry	Watson
DeLuca			

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

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—189

Adolph	Evans, J.	Levdansky	Readshaw
Baker	Everett	Longietti	Reed
Barbin	Fabrizio	Maher	Reese
Barrar	Fairchild	Mahoney	Reichley
Bear	Farry	Major	Rock
Belfanti	Fleck	Manderino	Roebuck
Benninghoff	Frankel	Mann	Rohrer

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

NAYS—6

Gabler	Metcalfe	Seip	Smith, S.
Hutchinson	Roae		

NOT VOTING—0**EXCUSED—5**

Daley	Geist	Perry	Watson
DeLuca			

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

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

The SPEAKER. There will be no further votes.

PROFESSIONAL LICENSURE COMMITTEE MEETING

The SPEAKER. Announcements?

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

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

Mr. Speaker, the House Professional Licensure Committee will be conducting a hearing in room G-50, the Irvis Office Building, immediately upon the adjournment.

The SPEAKER. Professional Licensure will meet immediately at the adjournment in room G-50 of the Irvis Office Building.

Any further announcements?

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, tomorrow will be a nonvoting session day.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair has in his possession an adjournment motion from Representative Miccarelli from Delaware County, who moves that this House do now adjourn until Wednesday, January 27, 2010, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:08 p.m., e.s.t., the House adjourned.