

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, APRIL 28, 2010

SESSION OF 2010

194TH OF THE GENERAL ASSEMBLY

No. 23

HOUSE OF REPRESENTATIVES

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

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

PRAYER

The SPEAKER. The prayer will be offered by Pastor Craig Bishop, who is the guest of Representative Bradford.

PASTOR CRAIG BISHOP, Guest Chaplain of the House of Representatives, offered the following prayer:

Shall we pray:

God, we thank You for this opportunity to request Your blessing on the activities conducted in this chamber for the good of the Commonwealth.

We request Your wisdom as we seek to understand the complicated affairs of such a diverse group of people comprising this great State. May what we do and say emulate Your desires for integrity, humility, and service, which are the expectations of those who have elected us to represent them.

Grant us the courage to stand for what is right, the fortitude to resist that which is wrong, and the passion to pursue the good of all.

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 Tuesday, April 27, 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: Representative Ken SMITH from Lackawanna County for the day, Representative Bill KELLER

from Philadelphia County for the day, and Representative CRUZ from Philadelphia County for the day. Without objection, the leaves will be granted.

The Chair recognizes the minority whip, Representative Turzai, who requests a leave of absence for Representative BEAR from Lancaster County for the day. Without objection, the leave will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—191

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

DiGirolamo	Kirkland	Phillips	Watson
Donatucci	Knowles	Pickett	Wheatley
Drucker	Kortz	Preston	White
Eachus	Kotik	Pyle	Williams
Ellis	Krieger	Quigley	Youngblood
Evans, D.	Kula	Quinn	Yudichak
Evans, J.	Lentz	Rapp	
Everett	Levdansky	Readshaw	McCall,
Fabrizio	Longietti	Reed	Speaker
Fairchild			

ADDITIONS—0

NOT VOTING—0

EXCUSED—9

Bear	Costa, D.	Keller, W.	Oliver
Belfanti	Cruz	McI. Smith	Smith, K.
Benninghoff			

LEAVES CANCELED—1

Bear

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

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. GOODMAN called up **HR 736, PN 3521**, entitled:

A Resolution designating April 28, 2010, as "Workers' Memorial Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bear	Costa, D.	Keller, W.	Oliver
Belfanti	Cruz	McI. Smith	Smith, K.
Benninghoff			

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

* * *

Mr. STERN called up **HR 757, PN 3583**, entitled:

A Resolution honoring the memory of law enforcement officers who gave their lives in the line of duty in this Commonwealth and recognizing the memorial service in their honor in Soldiers' Grove at the State Capitol Complex on May 3, 2010.

On the question,
Will the House adopt the resolution?

The SPEAKER. Does the gentleman wish to be recognized?
On the resolution, the Chair recognizes the gentleman from Blair County, Representative Stern.

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

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

Mr. STERN. Thank you, Mr. Speaker.

Ladies and gentlemen, the resolution before us today is presented to honor the memory of those brave police officers who gave their lives in the line of duty in this Commonwealth and to recognize the annual police memorial ceremony to be held in their honor across from Soldiers' Grove at noon this coming Monday, May 3, sponsored by the State Fraternal Order of Police. In 2009, a total of seven officers made the ultimate sacrifice.

Detective Chris Jones was struck and killed by a drunk driver while conducting a traffic stop. He succumbed to his injuries on January 29, 2009. He had served with the Middletown Township Police Department for 10 years and was posthumously promoted to the rank of detective. He is survived by his wife and three children.

Officer John Pawlowski was shot and killed after responding to a dispute between a cab driver and a male. Upon approaching the suspect, the officer was struck in the chest just above his bullet-resistant vest and died from his wounds on February 13, 2009. He had served with the Philadelphia Police Department for 5 1/2 years and is survived by his wife, who was expecting at the time.

Pittsburgh police officers Paul Sciuillo and Stephen Mayhle were shot and killed after responding to a domestic disturbance call. Officer Eric Kelly was shot and killed after responding to assist them. All three officers died in the line of duty on April 4, 2009. Both Officer Sciuillo and Officer Mayhle had served with the department for 2 years, and Officer Mayhle leaves behind his wife and two daughters, while Officer Kelly had served for 14 years with the Pittsburgh Police Department and is survived by his wife and three daughters.

Trooper Joshua Miller was shot and killed while attempting to apprehend a kidnapping suspect and died from his wounds on June 7, 2009. He had served with the Pennsylvania State Police for 6 years and was assigned to the Swiftwater State Police Barracks and had previously served with the United States Marine Corps. He is survived by his wife and three daughters.

Officer Michael Crawshaw was shot and killed in an ambush while responding to a call. The suspect exited the home and immediately opened fire with his weapon, fatally striking Officer Crawshaw several times as he was still sitting in his patrol car on December 6, 2009. He had served with the Penn Hills Police Department for 2 1/2 years and had previously served with the University of Pittsburgh Police Department for 4 years.

The deaths of these law enforcement officers make a total of 717 officers who, through the year 2009, made the ultimate sacrifice since organized law enforcement was established in the Commonwealth of Pennsylvania.

I ask for your support for HR 757, as you have in years past supported this resolution, as a symbol of our showing our gratitude and our appreciation for the hundreds of brave men and women who have given their lives in the line of duty in order to protect Pennsylvania communities and all the citizens that we all represent.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

Members and guests will please rise as a sign of respect for the fallen police officers.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memories of Detective Chris Jones, Officer John Pawlowski, Officer Paul Sciuillo, Officer Stephen Mayhle, Officer Eric Kelly, Trooper Joshua Miller, and Officer Michael Crawshaw.)

The SPEAKER. Members and guests may please be seated.

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

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bear	Costa, D.	Keller, W.	Oliver
Belfanti	Cruz	McI. Smith	Smith, K.
Benninghoff			

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

* * *

Mr. HESS called up **HR 770, PN 3620**, entitled:

A Resolution recognizing the Bedford County Young at Heart Games.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bear	Costa, D.	Keller, W.	Oliver
Belfanti	Cruz	McI. Smith	Smith, K.
Benninghoff			

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

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. REICHLEY called up **HR 782, PN 3654**, entitled:

A Resolution proclaiming the month of May 2010 as "American Stroke Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bear	Costa, D.	Keller, W.	Oliver
Belfanti	Cruz	McI. Smith	Smith, K.
Benninghoff			

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 would like to welcome Amber Schober, who is the guest of Representative Bryan Cutler. Will Amber please rise. Welcome to the hall of the House.

Also to the left of the Speaker, the Chair would like to welcome Judy Bush; Linda Barney; and Debby York, who is the district magistrate in Monroe County. They are the guests of Representative Mike Carroll. Will the guests please rise. Welcome to the hall of the House.

In the back of the hall of the House, we have students from the ITT Technical Institute of Bensalem. They are the guests of Representative Gene DiGirolamo. Welcome to the hall of the House.

In the balcony, the Chair would like to welcome Brian Baker from Susquehanna County, who is the guest of Representative Major and Representative Pickett. Will the guest please rise. Welcome to the hall of the House.

And in the well of the House, the Chair would like to welcome Jacob Hottenstein, Christopher Chong, and Katie Blaine. They are serving as guest pages for the day, and they are the guests of Representative Mike Carroll. Welcome to the hall of the House.

BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED

HB 2415, PN 3528 By Rep. MARKOSEK

An Act designating a portion of PA 191 in Washington Township, Northampton County, as the "World War II Homefront Heroes Highway."

TRANSPORTATION.

HB 2424, PN 3655 (Amended) By Rep. MARKOSEK

An Act designating a bridge to be constructed on that portion of SR 222 over the Amtrak rail lines in the City of Lancaster, Lancaster County, replacing the Lititz Pike Bridge, as the Thaddeus Stevens Bridge.

TRANSPORTATION.

HB 2428, PN 3552 By Rep. MARKOSEK

An Act designating the interchange of Business Route 60 with Thorn Run Road in Moon Township, Allegheny County, as the Robert E. Harper Interchange.

TRANSPORTATION.

SB 1157, PN 1909 (Amended) By Rep. MARKOSEK

An Act designating Traffic Route 283 (State Route 300), from the PA Turnpike Interchange in Lower Swatara Township, Dauphin County, to State Route 30 in Manheim Township, Lancaster County, as the 283rd Field Artillery Battalion Highway.

TRANSPORTATION.

SB 1180, PN 1910 (Amended) By Rep. MARKOSEK

An Act designating the Donora-Webster Bridge in Donora, Washington County, as the Lieutenant Governor Ernest P. Kline Memorial Bridge.

TRANSPORTATION.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, there will be an immediate meeting of the Appropriations Committee in the majority caucus room, and we will be back on the floor at 11:45.

The SPEAKER. The Chair thanks the gentleman.

Appropriations will meet in the majority caucus room immediately.

RECESS

The SPEAKER. This House stands in recess until 11:45, unless sooner recalled by the Speaker.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 1787, PN 2670 By Rep. D. EVANS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in fees, further providing for annual hauling permits; in size, weight and load, further providing for conditions of permits and security for damages and for permit for movement of bulk refined oil; and providing for permit for movement of nonhazardous liquid glue.

APPROPRIATIONS.

HB 2246, PN 3629 By Rep. D. EVANS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for duty of driver in emergency response areas, for careless driving, for snow and ice dislodged or falling from moving vehicle and for sentencing for homicide by vehicle; providing for the offense of aggravated assault by vehicle; further providing for aggravated assault by vehicle while driving under the influence, for accident involving death or personal injury while not properly licensed and for accident scene clearance; and imposing penalties.

APPROPRIATIONS.

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

RESOLUTION REPORTED FROM COMMITTEE

HR 427, PN 3656 (Amended) By Rep. KIRKLAND

A Resolution directing the Legislative Budget and Finance Committee to study local hotel room taxes that support county and regional tourism marketing and convention centers and to determine if revenues are being appropriated in accordance with applicable statutes.

TOURISM AND RECREATIONAL DEVELOPMENT.

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1878, PN 2995**, entitled:

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

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 Delaware County, Representative Killion.

Mr. KILLION. Thank you, Mr. Speaker.

I respectfully ask the members to consider suspending the rules so that I can offer amendment A06622. It is a technical amendment to HB 1878, and it is agreed to.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds his announcement that HB 1878, PN 2995, is on final passage.

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Delaware County, who moves that the House suspend the rules for the immediate consideration of amendment A06622.

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Luzerne County, the majority leader, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to technical amendment. I rise to support the suspension of the rules.

The SPEAKER. On the motion, those in favor of suspending the rules will vote "aye"; those opposed, "nay"— On the question, the Chair recognizes the gentleman from Butler County, Representative Metcalfe – on the question.

Mr. METCALFE. Mr. Speaker, I was trying to check out the language of the amendment and it did not have the language available on the laptop. Is it available for us?

The SPEAKER. The House will be at ease.

The House will come to order.

The gentleman, Mr. Metcalfe, if he goes to his computer, if you check on the PDF document, it should open.

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

The following roll call was recorded:

YEAS—183

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

Drucker	Knowles	Preston	Wheatley
Eachus	Kortz	Pyle	White
Ellis	Kotik	Quigley	Williams
Evans, D.	Kula	Quinn	Youngblood
Evans, J.	Lentz	Rapp	Yudichak
Everett	Levdansky	Readshaw	
Fabrizio	Longietti	Reed	McCall,
Fairchild	Maher	Reese	Speaker
Farry			

NAYS—8

Creighton	Day	Krieger	Murt
Cutler	Grell	Metcalfe	Samuelson

NOT VOTING—0

EXCUSED—9

Bear	Costa, D.	Keller, W.	Oliver
Belfanti	Cruz	McI. Smith	Smith, K.
Benninghoff			

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

Mr. **KILLION** offered the following amendment
No. **A06622**:

Amend Bill, page 2, line 21, by inserting a bracket before "he"

Amend Bill, page 2, lines 26 and 27, by striking out "or private residential rehabilitative" in line 26 and "institution" in line 27

Amend Bill, page 2, line 27, by inserting after "institution."
] he:

(1) possesses a weapon in the buildings of, on the grounds of or in any conveyance providing transportation to or from any elementary or secondary publicly funded educational institution, any elementary or secondary private school licensed by the Department of Education or any elementary or secondary parochial school; or

(2) intentionally and knowingly possesses a weapon in the buildings of, on the grounds of or in any conveyance providing transportation to or from any private residential rehabilitative institution.

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

The following roll call was recorded:

YEAS—191

Adolph	Farry	Maher	Reese
Baker	Fleck	Mahoney	Reichley
Barbin	Frankel	Major	Roae
Barrar	Freeman	Manderino	Rock
Beyer	Gabig	Mann	Roebuck
Bishop	Gabler	Markosek	Rohrer
Boback	Galloway	Marshall	Ross
Boyd	Geist	Marsico	Sabatina
Boyle	George	Matzie	Sainato
Bradford	Gerber	McGeehan	Samuelson
Brennan	Gergely	Melio	Santarsiero
Briggs	Gibbons	Metcalfe	Santoni
Brooks	Gillespie	Metzgar	Saylor

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Bear	Costa, D.	Keller, W.	Oliver
Belfanti	Cruz	McI. Smith	Smith, K.
Benninghoff			

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

LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 1878 CONTINUED

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

BILL PASSED OVER

The SPEAKER. HB 1878 will be over for the day.

SUPPLEMENTAL CALENDAR B

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2246, PN 3629**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for duty of driver in emergency response areas, for careless driving, for snow and ice dislodged or falling from moving vehicle and for sentencing for homicide by vehicle; providing for the offense of aggravated assault by vehicle; further providing for aggravated assault by vehicle while driving under the influence, for accident involving death or personal injury while not properly licensed and for accident scene clearance; and imposing penalties.

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

Mr. **TALLMAN** offered the following amendment
No. **A06601**:

Amend Bill, page 3, line 28, by inserting after "VEHICLES"
or controlling or directing traffic

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

The **SPEAKER**. On the amendment, the Chair recognizes the gentleman from Adams County, Representative Tallman.

Mr. **TALLMAN**. Thank you, Mr. Speaker.

The only thing that my amendment does is further clarifies the emergency response area, and I ask the members to vote in favor of that amendment.

The **SPEAKER**. Will the House adopt the amendment? On that question, the Chair recognizes the gentleman from Allegheny County, Representative Markosek.

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

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

Mr. **MARKOSEK**. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to amendment.

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

The following roll call was recorded:

YEAS—192

Adolph	Fairchild	Maher	Reese
Baker	Farry	Mahoney	Reichley
Barbin	Fleck	Major	Roae
Barrar	Frankel	Manderino	Rock
Bear	Freeman	Mann	Roebuck
Beyer	Gabig	Markosek	Rohrer
Bishop	Gabler	Marshall	Ross
Boback	Galloway	Marsico	Sabatina
Boyd	Geist	Matzie	Sainato
Boyle	George	McGeehan	Samuelson
Bradford	Gerber	Melio	Santarsiero
Brennan	Gergely	Metcalfe	Santoni

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Belfanti	Costa, D.	Keller, W.	Oliver
Benninghoff	Cruz	McI. Smith	Smith, K.

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

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

Mr. **SANTARSIERO** offered the following amendment
No. **A06570**:

Amend Bill, page 1, line 2, by striking out the comma after "definitions" and inserting
; providing for permissible argument as to amount of damages; further providing

Amend Bill, page 3, by inserting between lines 7 and 8

Section 1.1. Title 75 is amended by adding a section to read:

§ 1794.1. Permissible argument as to amount of damages.

(a) General rule.—In any action for damages against a tortfeasor, or in any uninsured or underinsured motorist proceeding, arising out of the maintenance or use of a motor vehicle and tried before a judge, jury or other tribunal, a party may make any of the following arguments during closing argument if the party complied with subsection (b) or if

the judge, jury or other tribunal has requested that the argument be made:

(1) Specifically argue in lump sums or by mathematical formula the amount the party deems to be the appropriate award for all past and future economic damages, noneconomic damages, or both, claimed to be recoverable.

(2) Argue that an award of zero damages is appropriate, even if there is a finding of liability against the defendant.

(b) Disclosure.—The following shall apply:

(1) Except as provided under paragraph (2), a party may not argue specific award amounts by lump sum or mathematical formula as provided under subsection (a), unless the party first discloses to the court and opposing counsel, prior to the presentation of closing arguments, that the party intends to argue specific award amounts under subsection (a).

(2) Notwithstanding paragraph (1), arguments as to an appropriate award amount for economic damages may be made without notice to opposing counsel or the court if evidence supporting an award for economic damages has been admitted into evidence at trial.

(c) Facts and evidence.—Nothing in this section shall be construed to prevent a defendant from arguing that the facts and evidence admitted at trial support a finding of no liability.

(d) Jury instruction.—In a civil action tried before a jury, if an appropriate award amount is specifically argued during closing arguments as provided for under subsection (a), the trial court shall instruct the jury that specific award amounts argued are not evidence but only the argument of a party and that the determination of the amount of damages to be awarded, if any, is solely for the jury's determination.

Amend Bill, page 8, line 9, by striking out "in 60 days." and inserting
as follows:

(1) The addition of 75 Pa.C.S. § 1794.1 shall take effect in 30 days.

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

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

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

Mr. SANTARSIERO. Thank you, Mr. Speaker.

I would like to begin by commending our colleague, the gentleman from Adams and York Counties, for offering HB 2246. I am aware of the incident that took place in his district, and I believe this is an appropriate response to address injury claims and to protect our emergency responders.

My amendment, amendment A06570, is a relatively simple, straightforward amendment. It would allow counsel in civil injury cases arising from motor vehicles to be able to argue damages in their closing arguments.

Every injury claim, Mr. Speaker, that involves a motor vehicle has two parts to it. The first part is the question of liability: Is the party that is alleged to have done something wrong responsible for what happened? The second question is, if there is liability, has the party that has been injured in fact suffered an injury and what is the extent of the injury, and is the responsible party responsible for what part of it? That damages piece is what we are talking about today.

Currently under Pennsylvania law, Mr. Speaker, when counsel summarizes their cases at the end of a trial, then they make arguments on the liability issue only, not on damages. In

37 other States of the Union, Mr. Speaker, counsel are able to provide arguments on both issues, both liability and damages. My bill very simply would follow what is done in many other States.

First of all, in order to avail themselves of the right to argue damages in the closing argument, counsel would have to notify opposing counsel and the court, or evidence on the issue of damages would have to have been presented at trial. If either of those two threshold matters are met, then counsel would be able to argue damages.

Now, when these arguments are made, the court would have to provide an instruction to the jury that these are in fact only arguments, not evidence, and that ultimately, the decision as to what damages, if any, are permissible or should be found is an issue that is up to the trier of fact – the jury or a judge if it is a bench trial.

It is also important to know that under my amendment, Mr. Speaker, not only would the lawyer for the injured party be able to argue what the appropriate level of damages should be, but the lawyer for the party that is alleged to have caused the injury would also have that right and in fact could argue, even if there was liability, that zero damages are appropriate.

So the idea here, Mr. Speaker, is to allow both sides to make arguments as to what the appropriate damages should be and ultimately to give the trier of fact, whether a judge or a jury, a framework in which to address that issue.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MAHER. Thank you, Mr. Speaker.

And I very much appreciate the expansive education on judicial procedure that was offered by the gentleman introducing this amendment in this session. However, what the gentleman may not be aware of is that we have an entire title of Pennsylvania statutes dedicated to judicial procedure. In fact, it is cleverly labeled "Judiciary and Judicial Procedure," and that is Title 42.

When our colleague, who is now a judge in my home county of Allegheny, Don Walko, introduced— Yeah. And I will tell you what: Judge Walko got it right, because he addressed his very same version of this language to Title 42, which is where it belongs. The discussion of judiciary procedure does not belong in the Vehicle Code, for heaven's sake.

GERMANENESS QUESTIONED

Mr. MAHER. So I am recognizing that the amendment as drafted is not germane to Title 75 and make a motion that we find it is not germane and applaud the good work of Judge Walko knowing the right place to put the right language.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Allegheny County, Representative Maher, raises the point of order that amendment No. A06570 to HB 2246 is not germane.

The Speaker, under rule 27, is required to submit the question of germaneness of an amendment to the House for decision.

On the question,
Will the House sustain the germaneness of the amendment?

The SPEAKER. On that point of order, the Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the gentleman's motion on germaneness. I can give other substantive arguments which will be made later in the debate, but for the moment I think opposition to this germaneness issue will move the debate on to the important facts within the amendment that the gentleman is going to offer.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

POINT OF ORDER

The SPEAKER. On the point of order on germaneness, the Chair recognizes the gentleman from Allegheny County, the minority whip, Representative Turzai.

Mr. TURZAI. Mr. Speaker, a point of order first.

To support the Representative from Allegheny County's motion, we would be voting, if we are in support that it is not germane, what would the vote be?

The SPEAKER. The Speaker will phrase the question that if you believe the amendment is germane to the bill, you will vote "aye." If you believe that the amendment is not germane to the bill, you will vote "nay."

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

If I might speak on the motion.

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

Mr. TURZAI. I would ask all of the members to please support the gentleman from Allegheny County's motion by voting "nay." This particular amendment is not germane to the bill.

The concept of being able to argue damages to a jury, you should not be able to cherry-pick the types of cases to which this concept applies. As the leader said, there are substantive arguments on the merits and faults; I think there are plenty of faults, and we do not want to do it. But at a minimum, you cannot cherry-pick auto cases to get a foothold. That is inappropriate.

The gentleman from Allegheny County is 100 percent correct. This is a discussion for Title 42 bills – period. And everybody, if you have any respect for the constitutional process and the single-subject rule, needs to vote that it is not germane. So we should be voting "no." Thank you.

The SPEAKER. On the question of germaneness, the Chair recognizes the gentleman from Bucks County, Representative Santarsiero.

Mr. SANTARSIERO. Thank you, Mr. Speaker.

First, I similarly want to thank the gentleman from Allegheny County and return the compliment for his overview of our legal statutes here in Pennsylvania. But let me address the comments that were just made.

Whether or not the ability to argue damages should be applied on a broader basis than motor vehicle cases seems to me to be irrelevant to the issue of germaneness. The issue on this motion is merely whether the amendment that I have proposed is germane to the underlying bill. That is the only issue that is

before the House right now, and that is the only relevant question that my colleagues should be considering in addressing this issue.

And I argue that it is germane. It is germane for a very simple reason. The underlying bill amends Title 75, the Motor Vehicle Code. It provides for additional remedies in the case of injury resulting from motor vehicle accidents. My amendment deals exactly with injuries arising from automobile accidents, albeit in a civil context, but it still deals with the same single-subject matter and, as a consequence, is consistent with House rule 20.

So, Mr. Speaker, I ask that the members vote that this is in fact a germane amendment and defeat the motion. Thank you, sir.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MAHER. Thank you, Mr. Speaker.

This amendment is rather brief and easy to read, and I would encourage the members to take a quick read through it. It is two pages.

This amendment that is being proposed to the Vehicle Code does not mention vehicles, does not mention drivers, does not mention roads, does not mention signs; it mentions nothing that has anything to do with the Vehicle Code. It is about civil procedure. We have an entire section of our statutes for civil procedure. That is where the appropriate consideration would be.

And again I ask, let us honor, let us honor the intentions of our good friend, Judge Walko, and insist that this matter be considered in Title 42 and not in the Vehicle Code. I think he would find it an embarrassment to have his good work dumped into the Vehicle Code when it belongs in the Judicial Code.

Thank you, Mr. Speaker.

The SPEAKER. On the question, the Chair recognizes the gentleman from Philadelphia County, Representative Cohen.

Mr. COHEN. Thank you.

Mr. Speaker, Mr. Santarsiero has very skillfully drawn a narrow, very easy-to-read amendment that will be read by lawyers and others who are interested in auto accident cases. People who are not lawyers are not going to be looking in great detail over Title 42. Some of them will be looking at Title 75.

This is an excellently worded amendment. Mr. Santarsiero has done a superb job in crafting it. I urge support of it.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. HENNESSEY. Thank you, Mr. Speaker.

While I generally agree with my colleagues on this side of the aisle, this time I find myself totally in disagreement.

In terms of the question of germaneness, the reason that this is directed toward a provision in the Vehicle Code is that there is a preclusion in the existing Vehicle Code that prevents comments on damages from being raised in any kind of a judicial proceeding. If we were to follow the advice of the gentleman from Allegheny and amend Title 42, that amendment, after it had taken effect, would still likely be precluded by the specific language in Title 75 dealing with automobile accident cases.

Because of that, we really have a two-pronged attack to lead or two prongs in the work ahead of us. One is to amend Title 42, as has been suggested, but also, we need to deal with this

existing preclusion in Title 75. I would suggest under the circumstances, since we are here seeking to amend a provision of Title 75, it obviously is germane to a Title 75 bill.

So I ask for a vote in favor of the germaneness of this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question, those voting to declare the amendment germane to the bill will vote "aye"; those voting to say the amendment is not germane will vote "nay."

On the question recurring,

Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

YEAS—112

Barbin	Fabrizio	Kula	Roebuck
Bishop	Farry	Lentz	Sabatina
Boyle	Frankel	Levdansky	Sainato
Bradford	Freeman	Longietti	Samuelson
Brennan	Galloway	Mahoney	Santarsiero
Briggs	Geist	Manderino	Santoni
Brown	George	Mann	Scavello
Burns	Gerber	Markosek	Seip
Buxton	Gergely	Matzie	Shapiro
Caltagirone	Gibbons	McGeehan	Siptroth
Carroll	Godshall	Melio	Smith, M.
Casorio	Goodman	Metzgar	Solobay
Civera	Grucela	Miccarelli	Staback
Cohen	Haluska	Micozzie	Sturla
Conklin	Hanna	Mirabito	Taylor, R.
Costa, P.	Harhai	Mundy	Thomas
Curry	Harkins	Murphy	Vitali
Daley	Harris	Murt	Wagner
Deasy	Hennessey	Myers	Wansacz
DeLuca	Hess	O'Brien, D.	Waters
DePasquale	Hornaman	O'Brien, M.	Wheatley
Dermody	Houghton	Pallone	White
DeWeese	Johnson	Parker	Williams
DiGirolamo	Josephs	Pashinski	Youngblood
Donatucci	Kessler	Payton	Yudichak
Drucker	Kirkland	Petrarca	
Eachus	Kortz	Preston	McCall,
Evans, D.	Kotik	Readshaw	Speaker
Evans, J.	Krieger		

NAYS—80

Adolph	Fleck	Metcalf	Reese
Baker	Gabig	Millard	Reichley
Barrar	Gabler	Miller	Roae
Bear	Gillespie	Milne	Rock
Beyer	Gingrich	Moul	Rohrer
Boback	Grell	Mustio	Ross
Boyd	Grove	O'Neill	Saylor
Brooks	Harhart	Oberlander	Schroder
Causar	Harper	Payne	Smith, S.
Christiana	Helm	Peifer	Sonney
Clymer	Hickernell	Perry	Stern
Cox	Hutchinson	Perzel	Stevenson
Creighton	Kauffman	Petri	Swanger
Cutler	Keller, M.K.	Phillips	Tallman
Day	Killion	Pickett	Taylor, J.
Delozier	Knowles	Pyle	True
Denlinger	Maher	Quigley	Turzai
Ellis	Major	Quinn	Vereb
Everett	Marshall	Rapp	Vulakovich
Fairchild	Marsico	Reed	Watson

NOT VOTING—0

EXCUSED—8

Belfanti	Costa, D.	Keller, W.	Oliver
Benninghoff	Cruz	McI. Smith	Smith, K.

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was declared germane.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—115

Barbin	Farry	Lentz	Sabatina
Bishop	Frankel	Levdansky	Sainato
Boyle	Freeman	Longietti	Samuelson
Bradford	Galloway	Maher	Santarsiero
Brennan	Geist	Mahoney	Santoni
Briggs	George	Manderino	Scavello
Brown	Gerber	Mann	Seip
Burns	Gergely	Markosek	Shapiro
Buxton	Gibbons	Matzie	Siptroth
Caltagirone	Godshall	McGeehan	Smith, M.
Carroll	Goodman	Melio	Solobay
Casorio	Grucela	Metzgar	Staback
Civera	Haluska	Miccarelli	Sturla
Cohen	Hanna	Micozzie	Taylor, J.
Conklin	Harhai	Mirabito	Taylor, R.
Costa, P.	Harkins	Mundy	Thomas
Curry	Harper	Murphy	Vereb
Daley	Harris	Murt	Vitali
Deasy	Hennessey	Myers	Wagner
DeLuca	Hess	O'Brien, D.	Wansacz
DePasquale	Hornaman	O'Brien, M.	Waters
Dermody	Houghton	Pallone	Wheatley
DeWeese	Johnson	Parker	White
DiGirolamo	Josephs	Pashinski	Williams
Donatucci	Kessler	Payton	Youngblood
Drucker	Kirkland	Petrarca	Yudichak
Eachus	Kortz	Preston	
Evans, D.	Kotik	Readshaw	McCall,
Evans, J.	Kula	Roebuck	Speaker
Fabrizio			

NAYS—77

Adolph	Fleck	Metcalf	Reed
Baker	Gabig	Millard	Reese
Barrar	Gabler	Miller	Reichley
Bear	Gillespie	Milne	Roae
Beyer	Gingrich	Moul	Rock
Boback	Grell	Mustio	Rohrer
Boyd	Grove	O'Neill	Ross
Brooks	Harhart	Oberlander	Saylor
Causar	Helm	Payne	Schroder
Christiana	Hickernell	Peifer	Smith, S.
Clymer	Hutchinson	Perry	Sonney
Cox	Kauffman	Perzel	Stern
Creighton	Keller, M.K.	Petri	Stevenson
Cutler	Killion	Phillips	Swanger
Day	Knowles	Pickett	Tallman
Delozier	Krieger	Pyle	True
Denlinger	Major	Quigley	Turzai
Ellis	Marshall	Quinn	Vulakovich
Everett	Marsico	Rapp	Watson
Fairchild			

NOT VOTING—0

EXCUSED—8

Belfanti	Costa, D.	Keller, W.	Oliver
Benninghoff	Cruz	McI. Smith	Smith, K.

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

On the question recurring,

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

The SPEAKER. It is the Chair's understanding that the gentleman from Allegheny County, Representative Wheatley, is withdrawing his amendment? The Chair thanks the gentleman.

Is the gentleman from York County, Representative DePasquale, withdrawing his amendment? The Chair thanks the gentleman.

The gentleman from Allegheny County, Representative Wheatley, you have a late-filed amendment. Are you withdrawing that as well? The Chair thanks the gentleman.

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 1787, PN 2670**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in fees, further providing for annual hauling permits; in size, weight and load, further providing for conditions of permits and security for damages and for permit for movement of bulk refined oil; and providing for permit for movement of nonhazardous liquid glue.

On the question,

Will the House agree to the bill on second consideration?

Mr. **MARKOSEK** offered the following amendment No. **A04005**:

Amend Bill, page 1, line 3, by inserting after "for"
permit for movement during course of manufacture, for

Amend Bill, page 2, line 10, by striking out "SECTIONS
4962(F) AND 4979.1 OF TITLE 75 ARE" and inserting

Section 4962(f) of Title 75 is

Amend Bill, page 3, by inserting between lines 19 and 20

Section 3. Section 4968(a) of Title 75 is amended and the section is amended by adding subsections to read:

§ 4968. Permit for movement during course of manufacture.

[(a) Annual permit.—An annual permit may be issued authorizing movement on specified highways of boats, trailers, mobile homes, modular housing units and undercarriages, helicopters, hot ingots, a hot box, basic oxygen furnace lances, railway equipment and rails or other

articles, vehicles or combinations which exceed the maximum height, width or length specified in Subchapter B (relating to width, height and length) or self-propelled cranes or combinations carrying raw milk, raw coal, flat-rolled steel coils, steel slabs, hot ingots, a hot box, pulpwood and wood chips or raw water which exceed the maximum weight specified in Subchapter C (relating to maximum weights of vehicles) while they are in the course of manufacture and under contract with or under the direct control of the manufacturer, subject to the following provisions:

(1) Except for articles and vehicles not exceeding 102 inches in width, no permit shall be issued under this section for movement of articles or vehicles while they are in transit from the manufacturer to a purchaser or dealer or for the movement of articles or vehicles upon a freeway.

(2) Overwidth articles and vehicles:

(i) Articles and vehicles not wider than 102 inches may be moved any distance on a permit.

(ii) Articles and vehicles wider than 102 inches but not wider than 108 inches may be moved up to seven miles on a permit 24 hours per day, seven days a week.

(iii) Articles and vehicles wider than 102 inches but not in excess of 12 feet in width may be moved up to 50 miles on a permit.

(iv) Wider articles and vehicles may be moved no farther than ten miles on a permit.

(3) A combination of vehicles which is hauling flat-rolled steel coils or steel slabs may be permitted by the department and local authorities to move upon highways within their respective jurisdiction a distance not exceeding 50 miles if the gross weight does not exceed 100,000 pounds and the weight of any nonsteering axle does not exceed 21,000 pounds. No permit may be issued for this type of movement upon an interstate highway.

(3.1) A combination of vehicles which is hauling raw milk to or from a manufacturer may be permitted by the department and local authorities to move upon highways within their respective jurisdiction 24 hours a day, seven days a week, except during inclement weather as defined in department regulations, if the gross weight does not exceed 95,000 pounds and if the weight of any nonsteering axle does not exceed 21,000 pounds. No permit may be issued for this type of movement upon an interstate highway.

(3.2) A combination of vehicles which is hauling a hot ingot or a hot box may be permitted by the department and local authorities to move upon highways within their respective jurisdiction a distance not exceeding 25 miles if the gross weight does not exceed 150,000 pounds and the weight of any nonsteering axle does not exceed 21,000 pounds. No permit may be issued for this type of movement upon an interstate highway.

(3.3) A combination of vehicles which is hauling basic oxygen furnace lances may be permitted by the department and local authorities to move upon highways within their respective jurisdictions if the overall length does not exceed 90 feet. A vehicle operating under a permit authorized under this section may be driven 24 hours a day, seven days a week, if the vehicle or combination is operated at prevailing speeds. Movement under this paragraph is not authorized during any of the following:

(i) A holiday period specified in department regulations or in the permit.

(ii) Inclement weather, as defined in department regulations.

(3.4) A self-propelled crane which is being road tested may be permitted by the department and local authorities to move upon highways within their respective jurisdictions a distance not exceeding 15 miles if the gross weight does not exceed 150,000 pounds and the weight on any axle does not exceed 27,000 pounds.

(3.5) A combination of vehicles which is hauling raw

coal from a mine to a processing or preparation facility may be permitted by the department and local authorities to move upon highways within their respective jurisdictions a distance not exceeding 30 miles if the gross weight does not exceed 95,000 pounds and if the weight of any nonsteering axle does not exceed 21,000 pounds. No permit may be issued for this type of movement upon an interstate highway.

(3.6) A combination of vehicles which is hauling raw water from a spring to a bottling facility may be permitted by the department and local authorities to move upon specified highways within their respective jurisdictions subject to the following conditions:

- (i) The vehicle must be a six axle combination - three axle truck tractor.
- (ii) Gross vehicular weight must not exceed 96,900 pounds.
- (iii) Maximum weight on steering axles shall be 11,000 pounds.
- (iv) Maximum weight on the truck-tractor tandem (axles two and three) shall be 38,000 pounds, with a maximum of 19,500 pounds on either axle in the group.
- (v) Maximum weight on the semitrailer tridem (axles four, five and six) shall be 47,700 pounds, with a maximum of 16,400 pounds on any axle in the group.
- (vi) Minimum spacing between axle one and axle two shall be 12 feet 11 inches.
- (vii) The center-to-center distance between the last drive axle of the truck tractor (axle three) and the first axle of semitrailer (axle 4) must be a minimum of 26 feet 7 inches.
- (viii) Minimum spacing between tandem and tridem axles shall be 4 feet 1 inch.

No permit may be issued for this type of movement upon an interstate highway.

(3.7) A combination of vehicles which is hauling pulpwood or wood chips from a specified source to a pulp mill may be permitted by the department and local authorities to move upon specified highways within their respective jurisdictions subject to the following conditions:

- (i) The vehicle must be a five axle combination - three axle truck tractor meeting the following characteristics:
 - (A) Gross vehicular weight must not exceed 95,000 pounds.
 - (B) Maximum weight on steering axles shall be 11,000 pounds.
 - (C) Maximum weight on the truck-trailer tandem (axles two and three) shall be 42,000 pounds, with a maximum of 21,000 pounds on either axle in the group.
 - (D) Maximum weight on the semitrailer tridem (axles four and five) shall be 42,000 pounds, with a maximum of 21,000 pounds on any axle in the group.
 - (E) Minimum spacing between axle one and axle two shall be 12 feet 6 inches.
 - (F) The center-to-center distance between the last drive axle of the truck tractor (axle three) and the first axle of the semitrailer (axle four) must be a minimum of 28 feet 0 inch.
 - (G) Minimum spacing between tandem and tridem axles shall be 4 feet 0 inch.
- (ii) The vehicle must be a six axle combination - three axle truck tractor meeting the following characteristics:
 - (A) Gross vehicular weight must not exceed 107,000 pounds.

(B) Maximum weight on steering axles shall be 12,000 pounds.

(C) Maximum weight on the truck-tractor tandem (axles two and three) shall be 42,000 pounds, with a maximum of 21,000 pounds on either axle in the group.

(D) Maximum weight on the semitrailer tridem (axles four, five and six) shall be 53,000 pounds, with a maximum of 17,670 pounds on any axle in the group.

(E) Minimum spacing between axle one and axle two shall be 12 feet 6 inches.

(F) The center-to-center distance between the last drive axle of the truck tractor (axle three) and the first axle of the semitrailer (axle four) must be a minimum of 45 feet 0 inch.

(G) Minimum spacing between tandem and tridem axles shall be 4 feet 0 inch.

No permit may be issued for this type of movement upon an interstate highway.

(4) A permit may be denied or revoked in order to preserve the safety of highway users or to protect the structural integrity of highways or bridges or as otherwise authorized by department regulations.]

(a.1) General rule.—An annual permit may be issued authorizing movement on specified highways of:

(1) boats, trailers, mobile homes, modular housing units and undercarriages, helicopters, hot ingots, a hot box, basic oxygen furnace lances, railway equipment and rails or other articles, vehicles or combinations which exceed the maximum height, width or length specified in Subchapter B (relating to width, height and length) while they are in the course of manufacture and under contract with or under the direct control of the manufacturer, provided that they do not exceed the maximum weight specified in Subchapter C (relating to maximum weights of vehicles) unless they also qualify under paragraph (3);

(2) self-propelled cranes while they are in the course of manufacture and under contract with or under the direct control of the manufacturer; or

(3) aircraft refueling vehicles or vehicles and combinations carrying raw milk, raw coal, flat-rolled steel coils, steel slabs, hot ingots, a hot box, pulpwood and wood chips or raw water which exceed the maximum weight specified in Subchapter C while they are in the course of manufacture and under contract with or under the direct control of the manufacturer, provided that they do not exceed the maximum height, width or length specified in Subchapter B unless they also qualify under paragraph (1), subject to the provisions in subsection (a.2).

(a.2) Specifications.—

(1) Except for articles and vehicles not exceeding 102 inches in width, no permit shall be issued under this section for movement of articles or vehicles while they are in transit from the manufacturer to a purchaser or dealer or for the movement of articles or vehicles upon a freeway.

(2) Overwidth articles and vehicles:

(i) Articles and vehicles not wider than 102 inches may be moved any distance on a permit.

(ii) Articles and vehicles wider than 102 inches but not wider than 108 inches may be moved up to seven miles on a permit 24 hours per day, seven days a week.

(iii) Articles and vehicles wider than 102 inches but not in excess of 12 feet in width may be moved up to 50 miles on a permit.

(iv) Wider articles and vehicles may be moved no farther than ten miles on a permit.

(3) A combination of vehicles which is hauling flat-

rolled steel coils or steel slabs may be permitted by the department and local authorities to move upon highways within their respective jurisdictions a distance not exceeding 50 miles if the gross weight does not exceed 100,000 pounds and the weight of any nonsteering axle does not exceed 21,000 pounds. No permit may be issued for this type of movement upon an interstate highway.

(4) A combination of vehicles which is hauling raw milk to or from a manufacturer may be permitted by the department and local authorities to move upon highways within their respective jurisdictions 24 hours a day, seven days a week, except during inclement weather as defined in department regulations, if the gross weight does not exceed 95,000 pounds and if the weight of any nonsteering axle does not exceed 21,000 pounds. No permit may be issued for this type of movement upon an interstate highway.

(5) A combination of vehicles which is hauling a hot ingot or a hot box may be permitted by the department and local authorities to move upon highways within their respective jurisdictions a distance not exceeding 25 miles if the gross weight does not exceed 150,000 pounds and the weight of any nonsteering axle does not exceed 21,000 pounds. No permit may be issued for this type of movement upon an interstate highway.

(6) A combination of vehicles which is hauling basic oxygen furnace lances may be permitted by the department and local authorities to move upon highways within their respective jurisdictions if the overall length does not exceed 90 feet. A vehicle operating under a permit authorized under this section may be driven 24 hours a day, seven days a week, if the vehicle or combination is operated at prevailing speeds. Movement under this paragraph is not authorized during any of the following:

(i) A holiday period specified in department regulations or in the permit.

(ii) Inclement weather, as defined in department regulations.

(7) A self-propelled crane which is being road tested may be permitted by the department and local authorities to move upon highways within their respective jurisdictions a distance not exceeding 15 miles if the gross weight does not exceed 150,000 pounds and the weight on any axle does not exceed 27,000 pounds.

(8) A combination of vehicles which is hauling raw coal from a mine to a processing or preparation facility may be permitted by the department and local authorities to move upon highways within their respective jurisdictions a distance not exceeding 30 miles if the gross weight does not exceed 95,000 pounds and if the weight of any nonsteering axle does not exceed 21,000 pounds. No permit may be issued for this type of movement upon an interstate highway.

(9) A combination of vehicles which is hauling raw water from a spring to a bottling facility may be permitted by the department and local authorities to move upon specified highways within their respective jurisdictions subject to the following conditions:

(i) The vehicle must be a six axle combination - three axle truck tractor.

(ii) Gross vehicular weight must not exceed 96,900 pounds.

(iii) Maximum weight on steering axles shall be 11,000 pounds.

(iv) Maximum weight on the truck-tractor tandem (axles two and three) shall be 38,000 pounds, with a maximum of 19,500 pounds on either axle in the group.

(v) Maximum weight on the semitrailer tridem (axles four, five and six) shall be 47,700 pounds, with a maximum of 16,400 pounds on any axle in the group.

(vi) Minimum spacing between axle one and

axle two shall be 12 feet 11 inches.

(vii) The center-to-center distance between the last drive axle of the truck tractor (axle three) and the first axle of semitrailer (axle four) must be a minimum of 26 feet 7 inches.

(viii) Minimum spacing between tandem and tridem axles shall be 4 feet 1 inch.

No permit may be issued for this type of movement upon an interstate highway.

(10) A combination of vehicles which is hauling pulpwood or wood chips from a specified source to a pulp mill may be permitted by the department and local authorities to move upon specified highways within their respective jurisdictions subject to the following conditions:

(i) The vehicle must be a five axle combination - three axle truck tractor meeting the following characteristics:

(A) Gross vehicular weight must not exceed 95,000 pounds.

(B) Maximum weight on steering axles shall be 11,000 pounds.

(C) Maximum weight on the truck-trailer tandem (axles two and three) shall be 42,000 pounds, with a maximum of 21,000 pounds on either axle in the group.

(D) Maximum weight on the semitrailer tridem (axles four and five) shall be 42,000 pounds, with a maximum of 21,000 pounds on any axle in the group.

(E) Minimum spacing between axle one and axle two shall be 12 feet 6 inches.

(F) The center-to-center distance between the last drive axle of the truck tractor (axle three) and the first axle of the semitrailer (axle four) must be a minimum of 28 feet 0 inch.

(G) Minimum spacing between tandem and tridem axles shall be 4 feet 0 inch.

(ii) The vehicle must be a six axle combination - three axle truck tractor meeting the following characteristics:

(A) Gross vehicular weight must not exceed 107,000 pounds.

(B) Maximum weight on steering axles shall be 12,000 pounds.

(C) Maximum weight on the truck-tractor tandem (axles two and three) shall be 42,000 pounds, with a maximum of 21,000 pounds on either axle in the group.

(D) Maximum weight on the semitrailer tridem (axles four, five and six) shall be 53,000 pounds, with a maximum of 17,670 pounds on any axle in the group.

(E) Minimum spacing between axle one and axle two shall be 12 feet 6 inches.

(F) The center-to-center distance between the last drive axle of the truck tractor (axle three) and the first axle of the semitrailer (axle four) must be a minimum of 45 feet 0 inch.

(G) Minimum spacing between tandem and tridem axles shall be 4 feet 0 inch.

No permit may be issued for this type of movement upon an interstate highway.

(11) An aircraft refueling vehicle manufactured for the United States Department of Defense which is being road tested and carrying a load required under contract with the Department of Defense as part of the road test procedure may be permitted by the department and local authorities to move upon highways within their respective jurisdictions a distance not exceeding 35

miles if, for a three axle vehicle, the gross weight does not exceed 70,000 pounds and the weight on any axle does not exceed 26,000 pounds. No permit may be issued for this type of movement upon an interstate highway.

(12) A permit may be denied or revoked in order to preserve the safety of highway users or to protect the structural integrity of highways or bridges or as otherwise authorized by department regulations.

* * *

Section 4. Section 4979.1 of Title 75 is amended to read:

Amend Bill, page 4, line 6, by striking out "3" and inserting
5

Amend Bill, page 4, line 25, by striking out "4" and inserting
6

On the question,

Will the House agree to the amendment?

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is a technical clarification to Title 75 ensuring that jet fuel tankers in the course of manufacture are issued permits by the Department of Transportation, specifically as a technical amendment which would allow tankers that are under construction to be tested relative to their weight and to have permits to allow them to have additional weight while they are being tested.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—192

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Belfanti	Costa, D.	Keller, W.	Oliver
Benninghoff	Cruz	McI. Smith	Smith, K.

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

On the question,

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

The SPEAKER. Is the gentleman from Bucks County, Representative Clymer, withdrawing his amendment? It is the Chair's understanding that the gentleman, Representative Clymer, is withdrawing his amendment to this bill. Is that true?

Mr. CLYMER. Mr. Speaker, could I have a sidebar with staff for just a minute, please? Just for a minute.

The SPEAKER. The House will be at ease.

(Conference held.)

The SPEAKER. The House will come to order.

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

Mr. CLYMER. Mr. Speaker, thank you very much.

Since this proposal that is in my amendment is already in language, HB 914 that will be introduced by Representative Houghton, I am withdrawing this amendment and feel that this bill can move forward, and it will do much to curb DUIs (driving under the influences) and the loss of innocent life and, of course, people that are involved in serious accidents and have serious injury. When HB 914 is moved forward, the DUIs will come down and the serious injuries will be negated as well.

So I am withdrawing my amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny County, Representative Maher. You have two amendments. I understand you are withdrawing one. Will you inform the Chair as to what number amendment you are offering?

Mr. MAHER. At the moment, Mr. Speaker, I am offering A06612, and if that amendment is adopted, I will be withdrawing the other.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. **MAHER** offered the following amendment
No. **A06612**:

Amend Bill, page 1, line 5, by striking out "and"
Amend Bill, page 1, line 6, by inserting after "glue"
; and further providing for promulgation of rules and
regulations by department

Amend Bill, page 4, line 25, by striking out all of said line and
inserting

Section 4. Section 6103(c) of Title 75 is amended to read:
§ 6103. Promulgation of rules and regulations by department.

* * *

(c) Adoption of Federal statute, regulation, standard or criteria.—
The department shall be authorized to adopt by reference any Federal
statute, regulation, standard or criteria or provision thereof relating to
vehicles or drivers, including, but not limited to, minimum driver
qualifications, maximum hours of service, loading, unloading,
hazardous materials, operation, equipment, records and inspection.

(1) The department shall be authorized to extend the
coverage of any Federal statute, regulation, standard or criteria
adopted under this subsection to vehicles and drivers operating
only in intrastate commerce, except as follows:

(ii) No Federal statute, regulation, standard or
criteria pertaining to drivers, including, but not limited
to, minimum driver qualifications, maximum hours of
service or driver records, shall be extended to cover farm
trucks, except farm trucks carrying hazardous materials
in an amount and type which require the vehicle to be
placarded under Chapter 83 (relating to hazardous
materials transportation).

(2) The regulations promulgated by the department
under paragraph (1) may be modified, but shall, to the maximum
extent possible, be consistent with safety and correspond to
Federal regulations, standards or criteria.

(3) The department shall promulgate regulations
adopting by reference all exemptions permitted for farm vehicles,
tractors and other implements of husbandry, and for drivers of
farm vehicles, tractors and other implements of husbandry under
any Federal statute, regulation, standard or criteria or provision
thereof.

* * *

Section 5. The provisions of 67 Pa. Code Ch. 231 are abrogated
with respect to vehicles for which drivers for whom the department is
required to exempt under 75 Pa.C.S. § 6103(c)(3).

Section 6. This act shall take effect as follows:

(1) This section shall take effect immediately.

(2) The amendment of 75 Pa.C.S. § 6103(c) shall take
effect immediately.

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

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

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

Mr. **MAHER**. Thank you, Mr. Speaker.

Why did the chicken cross the road? To get to the other side.
Exactly. We all know that. But now how does the farmer cross
the road? With great difficulty, because new regulations were
adopted in Pennsylvania at the behest of the Federal
government, which has imposed a variety of new restrictions on
the agricultural community. This amendment ensures that the

Pennsylvania regulations go not one inch of macadam further
than the Federal law demands, and I ask for your support for
Pennsylvania agriculture.

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

Mr. **MARKOSEK**. Thank you, Mr. Speaker.

Far be it from me to stand in the way of the chickens
crossing the road, so we are in agreement with this 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—192

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Belfanti	Costa, D.	Keller, W.	Oliver
Benninghoff	Cruz	McI. Smith	Smith, K.

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

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

The SPEAKER. The gentleman, Mr. Maher, is withdrawing amendment A06571? The Chair thanks the gentleman.

Is the gentleman, Representative Saylor from York County, withdrawing his amendment? The Chair thanks the gentleman.

Is the gentleman from Lehigh County, Representative Reichley, withdrawing? The Chair thanks the gentleman.

The gentleman, Representative Wheatley, has a late-filed amendment. He is withdrawing that? The Chair thanks the gentleman.

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

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 442;
HB 2131;
HB 2242;
SB 260;
SB 828; and
SB 916.

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 442;
HB 2131;
HB 2242;
SB 260;
SB 828; and
SB 916.

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

CALENDAR CONTINUED**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 371, PN 2735**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers and duties of Department of Public Welfare, providing for onsite complaint investigations and plans of correction and for determining whether applicants are veterans; in public assistance, further providing for establishment of county boards and expenses and for lifetime limit; and, in hospital assessment, further providing for definitions, for authorization, for administration, for no hold harmless, for tax exemption and for cessation.

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 371 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 371 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 1897, PN 2528**, entitled:

An Act designating the bridge that carries State Route 1008, known as Henry Road, over Bushkill Creek in Bushkill Township, Northampton County, as the William Henry Atherton Bridge.

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 1897 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 1897 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 285, PN 1724**, entitled:

A Resolution calling upon the Department of Health to conduct a study determining the accessibility and effectiveness of sickle cell services currently provided by the Department of Health and need for additional services to meet the needs of people afflicted with sickle cell disease in 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 285 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 285 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 401, PN 2405**, entitled:

A Resolution opposing any effort to implement a trinational political, governmental entity among the United States, Canada and Mexico; opposing the Security and Prosperity Partnership of North America and initiatives pursued in conjunction with the partnership that threaten the sovereignty of the United States; and opposing a North American Union.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 401 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 401 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 420, PN 2723**, entitled:

A Resolution calling on the United Nations to facilitate the immediate and unconditional release of National League for Democracy leader Dr. Aung San Suu Kyi and other political prisoners from continued detention by the Burmese military government; noting the release of John William Yettaw; and calling on the United States Department of State to impose strict economic sanctions against Burma (Myanmar).

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 420 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 420 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 441, PN 2584**, entitled:

A Resolution urging the Congress of the United States to take legislative action against the practice of international lottery scams and similar deceptive practices, and to work with the governments of those countries where these fraudulent activities originate.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 441 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 441 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 593, PN 3102**, entitled:

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

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 593 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 593 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 AND RESOLUTIONS PASSED OVER

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

RECESS

The SPEAKER. Any announcements?

Hearing none, the Chair has in its possession a motion to recess filed by the gentleman from Clearfield County, Representative Gabler, who moves that this House do now recess for today and reconvene on Monday, May 3, 2010, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 12:31 p.m., e.d.t., the House recessed.