The SPEAKER (KEITH R. McCALL)   
PRESIDING

PRAYER

The SPEAKER. The prayer will be offered by Pastor Doug Hoglund. He is the guest of Representative Steve Santarsiero.

PASTOR DOUG HOGLUND, Guest Chaplain of the House of Representatives, offered the following prayer:

Please join me in prayer:

Almighty God, we know that when William Penn received the charter for this land, he wrote, "My God…will, I believe, bless and make it the seed of a nation." Lord, You answered his prayer and truly made Pennsylvania the seed of a great and free nation. Yet we know, O Lord, that William Penn's Holy Experiment must be performed and tested anew every day, so we pray for these Representatives who bear the high calling and the heavy burden of leading our people.

As they make their decisions and cast their votes, help them to see the faces of the farmers and factory workers; the teachers, businesspeople, and community leaders; the parents, children, teens, and elders who place their trust and hope in the members of this body. Remind Them to speak up for the needs of the poor, the unemployed, the homeless, and those who have no voice in our society. Give them Your vision to see beyond our present struggles and fears to a brighter future. Give them Your strength to make the right decisions even when they are difficult and unpopular. Give them the wisdom to listen first and above all to You. And give them Your peace in their minds and hearts. May they lead the way for all of us to do justice, to love mercy, and to walk humbly with You. We pray this in Your strong name. Amen.

PLEDGE OF ALLEGIANCE

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

The SPEAKER. Members, please report to the floor.
With me up here today is Representative Nick Micozzie, whose secretary's son also plays on the team, and that is Mitch Masi. So, ladies and gentlemen, if the team would stand up with their parents and coaches? Please give them a Pennsylvania House of Representatives welcome.

Thank you, Mr. Speaker.

WEST CHESTER HENDERSON HIGH SCHOOL BASEBALL TEAM PRESENTED

The SPEAKER. The Chair would like to welcome to the rostrum the gentlelady from Chester County, Representative Barb McIlvaine Smith, for the purpose of a presentation; Representative Milne as well.

The Chair recognizes the gentlelady from Chester County, Representative McIlvaine Smith.

Ms. McILVAINE SMITH. Thank you, Mr. Speaker.

This morning I have the great honor of introducing to you the State champions for the baseball team of West Chester Henderson High School, my alma mater. On June 18, 2010, in Altoona, PA, the West Chester Henderson High School Warriors won the PIAA AAAA State Championship, the first baseball State title win in our school's history. This close-knit group has played together since 2006 when they were 8th graders in middle school. The "team first" attitude and tremendous talent of the Warriors ensured that every player was an integral part of the team. The seven-player senior class provided great leadership and fostered team chemistry.

The team had two masterful pitchers: Sean McCormick, with a 12-0 during the season, including a perfect game; and Kyle Hooven, 10-1 record during the season. And Kyle is the one who pitched the winning game, along with his team beating Owen J. Roberts with a score of 7-0. With me today are head coach Luke McNichol – just raise your hand, say hi – assistant coach Steve Fitch, and our players up here are Sean McCormick; Scott Fenton; and Kyle Hooven, who actually came down from Penn State today. I am sorry; one Kutztown.

Mr. MILNE. Thank you, Mr. Speaker.

I also would like to add my congratulations to the Warriors of Henderson. It is very, very exciting for the whole community to watch this team march to the championship. I had a chance to spend a little bit of time with these young men, and I can tell you, they are an outstanding group of young citizens who are taking their responsibilities very seriously, both in the classroom and on the athletic field. And they are really some citizens I think are going to do very proud for us in Chester County and the Commonwealth of Pennsylvania in the future. It was mentioned that this was a very team-oriented group, and that was really my observation spending some time with them this morning.

And in that spirit, we want to make sure we recognize all members of this team because everybody contributed to this win and they all share the credit with each other.

In the back of the hall we have a number of members from the team. I will ask each one to rise as their name is called, and if we could just hold our applause until we go through the roster, I think we all would appreciate that. With us we have Cooper Redding — Rise and stay standing, please, until we get the whole team up. Mike Nugent, John Iezzi, Zach Norton, Pat Makowski, Zack Jones, Ryan Lucas, Brad McCollister, Chas McCormick, Ryan Stradley, Dan Hughes, Nate Gerard, and Zach Sullivan. If I could ask the House for a round of applause for the entire team.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the gentleman from Allegheny County, Representative Dermody, who requests a leave of absence for: Representative BELFANTI from Northumberland County for the day; Representative Matt SMITH from Allegheny County for the day; Representative BARBIN from Cambria County for the day; Representative PALLONE from Westmoreland County for the day; Representative PARKER from Philadelphia County for the week. Without objection, the leaves will be granted.

The Chair recognizes the minority whip, who indicates there are no leaves of absence for the Republican side.

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–197

Adolph  Fairchild  Longiotti  Reese
Adolph  Fairchild  Longiotti  Reese
Baker  Fairry  Maher  Reicheley
Barrar  Fleck  Mahoney  Roae
Bear  Frankel  Major  Rock
Benninghoff  Freeman  Manderino  Roebuck
Beyer  Gabig  Mann  Rohrer
Bishop  Gabler  Markosek  Ross
Boback  Galloway  Marshall  Sabatina
Boyd  Geist  Marsico  Sainato
Boyle  George  Matzie  Samuelson
Bradford  Gerber  McGeehan  Santarsiero
Brennan  Gregely  Mcl. Smith  Santoni
Briggs  Gibbons  Melio  Saylor
Brooks  Gillespie  Metcalfe  Scavello
Brown  Gingrich  Metzgar  Schroder
Burns  Godshall  Miccarelli  Seip
Burns  Godshall  Miccarelli  Seip
Buxton  Goodman  Micozzi  Shapiro
Caltagirone  Grell  Millard  Siptroth
Carroll  Grove  Miller  Smith, K.
Casorio  Grucela  Milne  Smith, S.
Causer  Hahn  Mirabito  Solobay
Christiania  Haluska  Moul  Sonney
Clymer  Hanna  Mundy  Staback
Cohen  Harhai  Murphy  Stern
Conklin  Harhart  Murt  Stevenson
Costa, D.  Harkins  Mustio  Sturla
Costa, P.  Harper  Myers  Swanger
Cox  Harris  O'Brien, D.  Tallman
Creighton  Helm  O'Brien, M.  Taylor, J.
Cruz  Hennessey  O'Neill  Taylor, R.
Curtis  Hess  Oberlander  Thomas
Cutter  Hickernell  Oliver  Toepel
Daley  Hornaman  Paskinski  True
Day  Houghton  Payne  Turriz
Deasy  Hutchinson  Payton  Veb
Delozier  Johnson  Peifer  Vitali
DeLuca  Josephs  Perry  Vukalovich
Denlinger  Kaufman  Perzel  Wagner
DePasquale  Keller, M.K.  Petrarca  Wansacz

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Brown  Gingrich  Metzgar  Schroder
Burns  Godshall  Miccarelli  Seip
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Buxton  Goodman  Micozzi  Shapiro
Caltagirone  Grell  Millard  Siptroth
Carroll  Grove  Miller  Smith, K.
Casorio  Grucela  Milne  Smith, S.
Causer  Hahn  Mirabito  Solobay
Christiania  Haluska  Moul  Sonney
Clymer  Hanna  Mundy  Staback
Cohen  Harhai  Murphy  Stern
Conklin  Harhart  Murt  Stevenson
Costa, D.  Harkins  Mustio  Sturla
Costa, P.  Harper  Myers  Swanger
Cox  Harris  O'Brien, D.  Tallman
Creighton  Helm  O'Brien, M.  Taylor, J.
Cruz  Hennessey  O'Neill  Taylor, R.
Curtis  Hess  Oberlander  Thomas
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DeLuca  Josephs  Perry  Vukalovich
Denlinger  Kaufman  Perzel  Wagner
DePasquale  Keller, M.K.  Petrarca  Wansacz
The SPEAKER. A quorum being present, the House will proceed to conduct business.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 973 By Representatives PRESTON, GODSHALL, CALTAGIRONE, HORNAMAN, KORTZ, KOTIK, MAHONEY, McILVAINE SMITH, READSHAW and YOUNGBLOOD

A Resolution urging the President of the United States, the Congress of the United States and the Federal Communications Commission to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 4, 2010.

No. 2237 By Representatives BISHOP, HARKINS, SIPTROTH, KOTIK, BELFANTI, McILVAINE SMITH, GINGRICH, JOHNSON and BROWN

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for uniform policy provisions.

Referred to Committee on INSURANCE, October 4, 2010.

No. 2238 By Representatives BISHOP, REICHELEY, COHEN, READSHAW, VULAKOVICH, HARKINS, MURPHY, BELFANTI, McGEEHAN, MURT, PARKER, THOMAS, BROWN, YOUNGBLOOD, SWANGER and JOHNSON

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for personal flotation device requirement.

Referred to Committee on GAME AND FISHERIES, October 4, 2010.

No. 2263 By Representatives BISHOP, HARKINS, SIPTROTH, KOTIK, THOMAS, BELFANTI, GINGRICH, JOHNSON and BROWN


Referred to Committee on HEALTH AND HUMAN SERVICES, October 4, 2010.

No. 2288 By Representatives KULA, MELIO, FAIRCHILD, MAHONEY, WHITE, WHEATLEY, STEVENSON, M. SMITH, K. SMITH, SIPTROTH, SHAPIRO, SEIP, SANTARSIERO, SAMUELSON, SAINATO, PASHINSKI, PALLONE, MUNDY, McILVAINE SMITH, MANN, LONGIETTI, KORTZ, HENNESSEY, GRUCELA, FREEMAN, DRUCKER, DEASY, CASORIO, BURNS, BROWN, BRIGGS, BRENNAN, BOBACK, STABACK, GOODMAN, CARROLL, YUDICHAK, HARRAH, HORNAMAN, MURPHY, VULAKOVICH, CALTAGIRONE, COHEN, HESS, HARKINS and TALLMAN

An Act providing for the disposition of cremated remains of veterans and veterans' spouses and dependent children by funeral directors and crematories and for certain immunities.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 4, 2010.

No. 2500 By Representatives PALLONE, CREIGHTON, GODSHALL, HORNAMAN, JOSEPHS, METZGAR, SAINATO and SEIP

An Act amending Titles 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, repealing provisions relating to sustainable mobility options and the Pennsylvania Turnpike in Title 74 and relating to the Pennsylvania Turnpike and taxes for highway maintenance and construction in Title 75.
Referred to Committee on TRANSPORTATION, October 4, 2010.

No. 2501 By Representatives PALLONE, CREIGHTON, GODSHALL, HORNAMAN, JOSEPHS and METZGAR

An Act amending Titles 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the conversion of Interstate 80 to a toll road; and making editorial changes.

Referred to Committee on TRANSPORTATION, October 4, 2010.

No. 2502 By Representatives PERRY, BEAR, BOYD, CREIGHTON, GINGRICH, SWANGER, TALLMAN and TRUE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for definitions.

Referred to Committee on FINANCE, October 4, 2010.

SENATE BILLS FOR CONCURRENCE

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

SB 162, PN 2229
Referred to Committee on STATE GOVERNMENT, October 4, 2010.

SB 976, PN 2064
Referred to Committee on AGING AND OLDER ADULT SERVICES, October 4, 2010.

SB 1272, PN 2220
Referred to Committee on GAME AND FISHERIES, October 4, 2010.

SB 1469, PN 2238
Referred to Committee on STATE GOVERNMENT, October 4, 2010.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1429, PN 2204 By Rep. FREEMAN

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for consolidations and mergers.

LOCAL GOVERNMENT.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 1429 be removed from the tabled bill calendar.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 1429 be recommitted to the Committee on Appropriations.

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

STATEMENT BY MR. CLYMER

The SPEAKER. The Chair recognizes the gentleman from Bucks County, Representative Clymer, under unanimous consent. The gentleman is welcome to either dais.

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, as chairman of the Pennsylvania Capitol Preservation Committee, I would like to take several moments to recognize Ruthann Hubbert-Kemper, the executive director of the Capitol Preservation Committee, who is retiring tomorrow, October 5, after 30 years of service to the Commonwealth.

Ms. Kemper began her career in 1980 as an intern with majority caucus chairman Fred Noye's office. She then served as the director of the Commonwealth's tercentenary celebration, which celebrated the 300th anniversary of the founding of the State of Pennsylvania.

In 1982 she was asked by former Speaker Matthew Ryan to head the new committee to preserve the art and history of our Capitol Building and its complex. She has served as executive director of the Capitol Preservation Committee since that time.

As director, Ruthann has supervised well over 100 individual projects to preserve the Capitol Building. Notable projects include the conservation of Pennsylvania's 400 Civil War flags, the restoration of the main rotunda murals, the restoration of the Senate chamber and Violet Oakley murals, the restoration of the House chamber and the Edwin Austin Abbey murals, the restoration of the Supreme Court chamber and Oakley murals, the restoration of the George Grey Barnard statues located at the main entrance to the Capitol. There has been ongoing maintenance of Henry Mercer's Moravian tile floor, marble and bronze statues, public light courts and corridors, historic clocks and furniture, and the highly visible removal and restoration of the statue, Commonwealth, from the Capitol dome some years ago.
The Capitol Preservation Committee has won over eight separate awards under Ms. Kemper's direction. The two most significant awards are the 1995 Preservation Honor Award from the National Trust for Historic Preservation and the prestigious F. Otto Haas award from Preservation Pennsylvania and the Pennsylvania Historical and Museum Commission, which is the highest award presented in the State for historic preservation. Additionally, while Ms. Kemper was executive director of the Capitol Building, it was designated a national historic landmark in time for its 100th anniversary on October 4, 2006, 4 years ago today.

GUESTS INTRODUCED

Mr. CLYMER. During her tenure, Ruthann has also put together a small, highly qualified staff of professionals in the field of historic preservation, and I would like to ask that the staff of the committee stand and be recognized as well for their remarkable work, and they will stand as I read their names: David Craig, preservation project director – and they are in the back of the hall of the House – Chris Ellis, senior preservation project manager; Sue Ellison, controller/personnel supervisor; Daniel Markle, computer systems administrator; Tara Pyle, executive project secretary; Brandon Stuck, graphic designer/photographer; Jason Wilson, research historian; Carla Wright, office administrator. Also present with us today is Ruthann's husband, Kenneth Kemper.

The Capitol Preservation Committee continues to direct programs to preserve and restore the art, architecture, and history of the Main Capitol and Complex Buildings. However, many of the reasons why visitors marvel at the grandeur of our Capitol are due to Ruthann's 28-year term as executive director. Our Capitol is routinely hailed as the most beautiful in the nation.

So please join me in honoring Ruthann and thanking her for preserving Pennsylvania's magnificent palace of art.

Thank you, Mr. Speaker.

Ruthann, please stand.

The SPEAKER. The Chair thanks the gentleman.

Will Ruthann and her husband please rise?

Congratulations, Ruthann, and thank you very much for your service to the Commonwealth.

I do not know if it was the chairman's intent, but today is the 104th anniversary of the Capitol Building, when President Theodore Roosevelt dedicated this building. And in his words, he said "this is the handsomest building I ever saw," and I think those words ring true very clearly today.

And it is a delight to see that the Capitol Preservation Committee has worked so diligently to maintain this treasure, and we all know that this building is an absolute treasure, that we often take it for granted. But thank you for the work of the Capitol Preservation Committee, and to you, Ruth, congratulations and thank you for all your efforts.
NAYS–0
NOT VOTING–0
EXCUSED–5
Barbin Pallone Parker Smith, M.
Belfanti

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 1360, PN 2188, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in adoption, further providing for hearing, for alternative procedure for relinquishment and for grounds for involuntary termination; providing for voluntary agreement for continuing contact; further providing for impounding of proceedings and access to records and for medical history information; providing for records and access to information; establishing an information registry; and making editorial changes.

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

The SPEAKER. Does the gentleman, Representative Reichley, have an amendment to this bill? It is a substantive amendment on third, so it would require a suspension of the rules; SB 1360.

Mr. REICHLEY. Mr. Speaker, could we just be at ease for one moment so I can consult with the staff of the Republican leader? One moment.

The SPEAKER. The House will be at ease.

The House will come to order.

BILL PASSED OVER TEMPORARILY

The SPEAKER. We will go over that bill temporarily.

* * *

The House proceeded to third consideration of HB 2629, PN 4328, entitled:

An Act providing for the Pennsylvania Officer Down Advisory; authorizing and directing the Pennsylvania State Police to establish and maintain the Pennsylvania Officer Down Advisory; assessing costs; and providing for immunity and penalties.

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

Bill was agreed to.

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

(Bill analysis was read.)

The 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 1769, PN 4395, entitled:

An Act amending the act of February 11, 1998 (P.L.58, No.15), known as the Combustible and Flammable Liquids Act, further providing for regulations and for prohibitions.

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–197

Donatucci, Kirkland, Preston, White
Drucker, Knowles, Pyle, Williams
Eachus, Kortz, Quigley, Youngblood
Ellis, Kotik, Quinn, Yudichak
Evans, D., Krieger, Rapp
Evans, J., Kula, Ravenstahl, McCall, Speaker
Everett, Lentz, Readshaw
Fabrizio, Levansky, Reed

NAYS–0

NOT VOTING–0

EXCUSED–5

Barbin, Pullone, Parker, Smith, M.
Belfanti

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.

CONSIDERATION OF SB 1360 CONTINUED

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

MOTION TO SUSPEND RULES

The SPEAKER. Does the gentleman from Lehigh County, Representative Reichley, wish to suspend the rules? The Chair recognizes the gentleman from Lehigh County, Representative Reichley, who makes a motion to suspend the rules for the immediate consideration of amendment A09457.

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

The SPEAKER. On the suspension of the rules, the Chair recognizes the gentleman from Lehigh County, Representative Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

If I could impose upon the indulgence of the members, this is an important amendment and I recognize this is on third consideration, but this amendment is identical to the original language that was introduced by our colleague, Representative Moul, from Adams County. However, it was amended over in the Senate when it became finally enacted.

As it stands right now, current law only provides for criminal prosecution against a support evader who intentionally leaves Pennsylvania to go to reside in another State to avoid their support obligations. This bill would put back in place the original intention of our colleague, Representative Moul, from Adams County. However, it was amended over in the Senate when it became finally enacted.

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As it stands right now, current law only provides for criminal prosecution against a support evader who intentionally leaves Pennsylvania to go to reside in another State to avoid their support obligations. This bill would put back in place the original intention of our colleague, Representative Moul, and make it easier for women who are the victim of deadbeat dads who still live in Pennsylvania to seek enforcement. By supporting suspension, we can help those women, particularly in this difficult economic time, in collecting the support which has been duly ordered by a court of law. I would ask the members for their indulgence for those women out there suffering from deadbeat fathers who are evading their support obligations.
Thank you, Mr. Speaker.

The SPEAKER. On suspension of the rules, the Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the Reichley amendment. I would ask the members to vote against the suspension. Thank you very much.

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

The following roll call was recorded:

**YEAS—110**

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**NAYS—87**

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Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring, 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**

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Mr. SPEAKER. The members will please take their seats. We are about to take up a condolence resolution. The Sergeants at Arms will close the doors of the House.

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. MIRABITO called up HR 968, PN 4415, entitled:

A Resolution honoring the life and expressing condolences upon the death of Lance Corporal Abram Howard, who paid the supreme sacrifice on July 27, 2010, while serving his country in Afghanistan.

On the question,
Will the House adopt the resolution?

The SPEAKER. On the resolution, the Chair recognizes the gentleman from Lycoming County, Representative Mirabito.

Mr. MIRABITO. Thank you, Mr. Speaker.

I rise today to celebrate the life of U.S. Marine LCpl. Abram Howard and to honor his service to our country and our Commonwealth. As you heard, Abe was killed while fighting terrorism in Afghanistan in July 2010 at the age of 21.

GUESTS INTRODUCED

Mr. MIRABITO. I would like to introduce his mother and father, Bart and Connie Howard, who are here to the left of the Speaker, along with Abe's grandparents, Bernard and Helen Dincher. I would ask the House to give our guests a warm welcome.

Abe's brother, Alex, and his sister, Olivia, were not able to be here today, but I know that they share many happy memories of playing with Abe in ways that only siblings can.

Abe was a Williamsport native. He came from a long line of Marines. As I came to know his family, I realized that Connie and Bart had raised Abe to be a truly amazing young man. So it was no surprise when he was old enough, Abe became the 12th member of his family to enlist in the Marines. Abe wanted to live by the tradition of serving as one of the few, the proud, a United States Marine.

Abe's life may not have been long, but it touched so many people so profoundly that we will never forget Abe Howard. The homecoming in Williamsport was befitting the American hero that Abe is. To give you an idea, more than 100 motorcycles escorted Abe and his family from the Wilkes-Barre/Scranton Airport to Williamsport. Thousands of people lined Interstate 80 – some holding small flags, some hugging one another for support, some saluting; all heartbroken.

The motorcade took Abe past his childhood home where he and his brother, Alex, and sister, Olivia, played; it went past Memorial Park where small American flags stuck in the grass stood at attention; it went through Williamsport where the city streets were lined with people who came to honor one of Williamsport's finest.
When the viewing was held at Williamsport High School, literally thousands of people came to say goodbye. There was a video playing that highlighted the life of this young man who was an avid hunter and who bagged a large buck when he was just 13 years old.

He was a defensive lineman and a wrestler for Williamsport High School, and if you see a photo of Abe, he had a contagious smile and a quick wit, and he was friends with almost everyone he met.

At the viewing they were playing a selection of music, and one of the songs was that of James Taylor, "Shower the People" you love with love, and as I looked out over the people, I thought, Abe really did shower the people he loved with love, and in return he will live forever in the hearts of his family, his friends, and the thousands of others who came to know him and who helped lay to rest one of Williamsport's most special sons.

In his short career, Abe was awarded the Sea Service Deployment Ribbon, the Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, and the National Defense Service Medal.

Abe was a young man of great faith, and despite all these medals, I think that deep in his heart what was most important to him was his faith. He knew that God was always watching over him, as he watches over his family now. And that is why, in closing, Mr. Speaker, I want to let Abe speak to us in his own words. This is a poem his mother shared with me that he wrote when he was just 12 years old, and this is why I say to you that despite all the medals, I think that in his heart of hearts, this was what was most important to him.

Our lives can be as calm as ocean waters,
Or as wavy as wheat fields.
Like hills, our lives seem to falter
But can always be rough like mountain trails.

Lives are like this all over the earth
But mine shines like the morning sun
Because there's someone special watching
Over me in the sky.

Mr. Speaker, I ask now that we take a moment to remember and honor LCpl. Abram Howard, one of the few, the proud, a United States Marine, a young man who loved to laugh, who lived his life to the fullest, who enriched all of us beyond measure, and who touched the lives of everyone he met.

God bless you, Abe. May God bless your family, your community, and your nation so that as you watch over us, we may strive to live our lives in the image and manner that you lived yours.

The SPEAKER. Members and guests will rise as a sign of respect for the fallen soldier.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of LCpl. Abram Howard.)

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

The SPEAKER. The Chair would like to welcome a guest in the gallery, Louis Bolling. He is a legislative consultant to Representative Roebuck and is a guest of Representative Roebuck, to the left of the Speaker. Will the guest please rise. Welcome to the hall of the House.

APPROPRIATIONS AND RULES COMMITTEE MEETINGS

DEMOCRATIC CAUCUS

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

Mr. COHEN. Mr. Speaker, the Appropriations Committee will meet immediately in the majority caucus room. We will have a Democratic caucus at 2:45, we will return to the floor at 3:45, and the Rules Committee will meet at 2:30. So Appropriations immediately; Rules Committee, 2:30; Democratic caucus, 2:45; return to the floor at 3:45.

The SPEAKER. The Appropriations Committee will meet immediately in the majority caucus room and the Rules Committee will meet in the majority caucus room at 2:30.

REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus at 2:45 this afternoon. I would ask our Republican members to please report to our caucus room at 2:45. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

GAME AND FISHERIES COMMITTEE MEETING

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

Mr. STABACK. Thank you, Mr. Speaker.

Mr. Speaker, the Game and Fisheries Committee will meet immediately in room G-50 to discuss SB 1272. Thank you.

The SPEAKER. The Chair thanks the gentleman.

There will be an immediate meeting of the Game and Fisheries Committee in room G-50.

RECESS

The SPEAKER. Any further announcements?

Seeing none, this House will stand in recess until 3:45 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 4 p.m.; further extended until 4:15 p.m.

AFTER RECESS

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

The SPEAKER. The members will report to the floor of the House.

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 Philadelphia County, Representative THOMAS, for the remainder of the day. Without objection, the leave will be granted.

LEAVES OF ABSENCE CANCELED

The SPEAKER. The Speaker notes the presence of the gentleman from Cambria County, Representative Barbin, on the House floor. His name will be added to the master roll.

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

BILLS REREPORTED FROM COMMITTEE

HB 2194, PN 3060 By Rep. D. EVANS

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for burial details for veterans.

APPROPRIATIONS.

HB 2686, PN 4196 By Rep. D. EVANS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for collection of court costs, restitution and fines by private collection agency.

APPROPRIATIONS.

SB 53, PN 2228 By Rep. D. EVANS

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in intestate succession, further providing for forfeiture; in wills, further providing for modification of wills; providing for formula clauses for Federal tax purposes; in grant of letters, further providing for advertisement of grant of letters; in administration and personal representatives, further providing for duty of personal representative; in apportionment of death taxes, further providing for enforcement of contribution or exoneration of Federal estate tax; in powers of attorney, further providing for implementation of power of attorney; in estates, further providing for applicability of rule against perpetuities and for modification of conveyance by divorce and for effect of divorce on designation of beneficiaries; in trusts, further providing for notice of representation, for creditor's claim against settlor, for actions contesting validity of revocable trusts, for claims and distribution after settlor's death, for removal of trustee, for trustee's duty to inform and report, for illustrative powers of trustee and for limitation of action against trustee; in principal and income, further providing for power to convert to unitrust and for retirement benefits, individual retirement accounts, deferred compensation, annuities and similar payments; and making conforming amendments.
APPROPRIATIONS.

SB 384, PN 382  By Rep. D. EVANS
An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the offense of violation of Fort Indiantown Gap regulations and providing for the powers and duties of police officers employed at State military installations.

APPROPRIATIONS.

SB 900, PN 2239  By Rep. D. EVANS
An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for neighborhood blight reclamation and revitalization.

APPROPRIATIONS.

SB 906, PN 2121  By Rep. D. EVANS
An Act amending Titles 3 (Agriculture) and 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the definitions of "agricultural biosecurity area" and for "posted notice"; and further providing for keeping and handling of domestic animals, for ecoterrorism and for criminal trespass.

APPROPRIATIONS.

SB 1181, PN 2187  By Rep. D. EVANS
An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for immunity from liability; and making a related repeal.

APPROPRIATIONS.

SB 1280, PN 2231  By Rep. D. EVANS
An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, further providing for medical professional liability insurance, for Medical Care Availability and Reduction of Error Fund and for actuarial data; and providing for conflict.

APPROPRIATIONS.

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

BILLS REREPORTED FROM COMMITTEE

HB 2213, PN 3821  By Rep. D. EVANS
An Act amending the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, further providing for definitions, for well permits, for well location restrictions, for protection of fresh groundwater and casing requirements and for protection of water supplies; providing for hydraulic fracturing chemicals and surface impoundments, for hydraulic fracture fluids monitoring and for use of surface impoundments for temporary flowback storage; and further providing for bonding, for enforcement orders, for penalties, for civil penalties, for well plugging funds and for local ordinances.

APPROPRIATIONS.

HB 2372, PN 4229  By Rep. D. EVANS
An Act establishing the Methadone Death and Incident Review Team and providing for its powers and duties; and imposing a penalty.

APPROPRIATIONS.

SB 1288, PN 1805  By Rep. D. EVANS
An Act designating the bridge that carries State Route 2018 over the Monongahela River from the Borough of North Charleroi, Washington County, to the City of Monessen, Westmoreland County, as the Governor John K. Tener Memorial Bridge.

APPROPRIATIONS.

SB 1429, PN 2204  By Rep. D. EVANS
An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for consolidations and mergers.

APPROPRIATIONS.

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

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 47, PN 3776  By Rep. EACHUS
An Act providing for education for parents relating to sudden infant death syndrome and sudden unexpected death of infants; establishing the Sudden Infant Death Syndrome Education and Prevention Program; and providing for duties of the Department of Health.

RULES.

HB 1516, PN 4284  By Rep. EACHUS
An Act amending the act of May 31, 1933 (P.L.1108, No.272), entitled, as amended, "An act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employees of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the third class; defining the powers and duties of civil service commissions for such purposes; and fixing penalties," further providing for examinations, for applications, for eligibility lists, for vacancies and promotions and for physical examinations.

RULES.

HB 1517, PN 4285  By Rep. EACHUS
An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, providing for physical and psychological medical examinations; further providing for grading for discharged servicemen and for selection of appointee; and providing for promotions of civil service applicants.

RULES.

HB 1799, PN 4384  By Rep. EACHUS
An Act designating the interchange at Exit 48 of Interstate 79 in Washington County as the Purple Heart Interchange; designating a bridge located on that portion of S.R. 3001 over the Chest Creek,
Mahaffey, Clearfield County, as the Sergeant Major Morton Shea Landy Memorial Bridge; designating the Donora-Webster Bridge in Donora, Washington County, as the Lieutenant Governor Ernest P. Kline Memorial Bridge; designating the bridge on that portion of S.R. 130 over the Norfolk Southern rail lines, Trafford Borough, Allegheny and Westmoreland Counties, as the Trafford Veterans Memorial Bridge; and designating the interchange of Business Route 60 with Thorn Run Road in Moon Township, Allegheny County, as the Robert E. Harper Interchange.

RULES.

HB 2212, PN 4391
By Rep. EACHUS
An Act amending the act of November 24, 1976 (P.L.1176, No.261), known as the Mobile Home Park Rights Act, further providing for short title and for definitions; providing for written leases; further providing for disclosure of fees; and making editorial changes.

RULES.

HB 2291, PN 4386
By Rep. EACHUS
An Act providing for the capital budget for the fiscal year 2010-2011; itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, State forestry bridge projects, General Fund current revenue projects, State ATV/Snowmobile Fund projects, State transportation enhancement funds projects and State Stores Fund current revenue projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, or the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection or the Department of Transportation; stating the estimated useful life of the projects; providing an exemption; providing for limitation on certain capital projects; making appropriations; and making a repeal.

RULES.

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

BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE

HB 400, PN 4289
By Rep. EACHUS
An Act providing for the criteria for independent contractors in the construction industry and for the powers and duties of the Department of Labor and Industry and the Secretary of Labor and Industry; and imposing penalties.

RULES.

HB 1515, PN 4283
By Rep. EACHUS
An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for general provisions relating to examinations, for rejection of applicant and hearing, for manner of filling appointments, for probation period, for promotions and for physical examinations.

RULES.

HB 1518, PN 4286
By Rep. EACHUS
An Act amending the act of June 5, 1941 (P.L.84, No.45), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns and townships of the first class maintaining a police force of not less than three members; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expense on boroughs, incorporated towns and townships of the first class; imposing penalties, and repealing inconsistent laws," further providing for general provisions relating to examinations, for rejection of applicant and hearing, for manner of filling appointments, for probationary period, for promotions and for physical examinations.

RULES.

HB 2172, PN 4432 (Amended)
By Rep. EACHUS
An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for courts of common pleas judges and for jurisdiction and venue of Philadelphia Municipal Court and of magisterial district judges.

RULES.

HB 2275, PN 4433 (Amended)
By Rep. EACHUS
An Act authorizing the Department of Conservation and Natural Resources, with the approval of the Governor, to grant and convey to the Canaan Bible Chapel certain lands situate in South Canaan Township, Wayne County, in exchange for certain property in South Canaan Township, Wayne County, to be conveyed by the Canaan Bible Chapel to the Commonwealth of Pennsylvania; authorizing the Department of General Services, with the approval of the Department of Education and the Governor, to grant and convey to Marywood University approximately ten acres including nine buildings and all improvements thereon, known as the Scranton State School for the Deaf, situate at 1800 N. Washington Avenue in the City of Scranton and Borough of Dunmore, Lackawanna County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Authority for Industrial Development, certain lands situate in the 38th Ward of the City of Philadelphia, Philadelphia County; authorizing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to grant and convey to Frenchcreek Township, Venango County, approximately 1.15-acres and improvements thereon, together with a 50' right-of-way, at Polk Center, situate in Polk Borough, Venango County; authorizing the Pennsylvania Game Commission to transfer, sell and convey certain Project 70 lands free of restrictions imposed by the Project 70 Land Acquisition and Borrowing Act; authorizing the release of Project 70 restrictions imposed on certain lands owned by the City of York, York County, under certain conditions; imposing Project 70 restrictions on certain lands being conveyed to the City of York; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Aloe Brothers LLC, certain lands situate in South Fayette Township, Allegheny County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Indiana University of Pennsylvania certain lands situate in White Township, Indiana County; and authorizing the Department of General Services, with the approval of the Department of Corrections and the Governor, to dedicate, grant and convey to the Frackville Area Municipal Authority, a waste water system and appurtenances, together with easements for public sewer purposes, situate in Ryan Township, Schuylkill County.

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1272, PN 2220
By Rep. STABACK

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for unlawful acts concerning licenses; and, in special licenses and permits, further providing for authority to issue permits, for permit fees and for falconry permits.

GAME AND FISHERIES.

LEAVE OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the minority whip, Representative Turzai, who requests a leave of absence for the gentleman from Chester County, Representative HENNESSEY, for the remainder of the day. Without objection, the leave will be granted.

CALENDAR CONTINUED

RESOLUTIONS PURSUANT TO RULE 35

Mr. GODSHALL called up HR 946, PN 4292, entitled:

A Resolution designating October 21, 2010, as "Biomedical Research Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS–197

Adolph  Fabrizio  Longietti  Reese
Baker  Fairchild  Maher  Reichley
Barbin  Farry  Mahoney  Roae
Barrar  Fleck  Major  Rock
Bear  Frankel  Manderino  Roebeck
Benninghoff  Freeman  Mann  Rohrer
Beyer  Gabig  Markosek  Ross
Bishop  Gabler  Marshall  Sabatina
Boback  Galloway  Marsico  Sainato
Boyd  Geist  Matzie  Samuelson
Boyle  George  McGeehan  Santonio
Bradford  Gerber  McI. Smith  Santoni
Brennan  Gergely  Melio  Saylor
Briggs  Gibbons  Metcalfe  Scavellio
Brooks  Gillespie  Metzgar  Schroder
Brown  Gingrich  Miccarelli  Seip
Burns  Godshall  Millard  Siproth
Buxton  Goodman  Millard  Siproth
Caltagirone  Grell  Miller  Smith, K.
Carroll  Grove  Milne  Smith, M.
Casorio  Grucela  Mirabito  Smith, S.
Caucer  Hahn  Moul  Solobay
Christian  Haluska  Mundy  Sonney
Climer  Hanna  Murphy  Staback
Cohen  Harhai  Murt  Stern
Conklin  Hartart  Muesto  Stevenson
Costa, D.  Hankins  Myers  Sturla
Costa, P.  Harper  O'Brien, D.  Swanger
Cox  Harris  O'Brien, M.  Tallman
Creighton  Helm  O'Neill  Taylor, J.
Cruz  Hess  Oberlander  Taylor, R.
Curry  Hickernell  Oliver  Toepel
Cutler  Hornaman  Pashinski  True
Daley  Houghton  Payne  Turzai
Day  Hutchinson  Payton  Vebel
Deasy  Johnson  Peifer  Vitali
Delozier  Josephs  Perry  Vulakovich
DeLuca  Kaufman  Perzel  Wagner
Denlinger  Keller, M.K.  Petrarea  Wansacz
DePasquale  Keller, W.  Petri  Waters
Dermody  Kessler  Phillips  Watson
DeWeese  Kilion  Pickett  Wheatley
DiGriolamo  Kirkland  Preston  White
Donatucci  Knowles  Pyle  Williams
Drucker  Kortz  Quigley  Youngblood
Eachus  Kotik  Quinn  Yudichak
Ellis  Krieger  Rapp
Evans, D.  Kula  Ravenstahl  McCall,
Evans, J.  Lentz  Readshaw  Speaker
Everett  Levodansky  Reed
NAYS–0
NOT VOTING–0
EXCUSED–5

Belfanti  Pallone  Parker  Thomas
Hennessey  Hennessey  Hennessey

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

* * *

Mr. GERBER called up HR 963, PN 4335, entitled:

A Resolution recognizing the National Museum of American Jewish History, an affiliate of the Smithsonian Institution, as the only museum in the United States dedicated exclusively to exploring and preserving the American Jewish experience.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS–197

Adolph  Fabrizio  Longietti  Reese
Baker  Fairchild  Maher  Reichley
Barbin  Farry  Mahoney  Roae
Barrar  Fleck  Major  Rock
Bear  Frankel  Manderino  Roebeck
Benninghoff  Freeman  Mann  Rohrer
Beyer  Gabig  Markosek  Ross
Bishop  Gabler  Marshall  Sabatina
Boback  Galloway  Marsico  Sainato
Boyd  Geist  Matzie  Samuelson
Boyle  George  McGeehan  Santonio
Bradford  Gerber  McI. Smith  Santoni
Brennan  Gergely  Melio  Saylor
Briggs  Gibbons  Metcalfe  Scavellio
Brooks  Gillespie  Metzgar  Schroder
Brown  Gingrich  Miccarelli  Seip
Burns  Godshall  Millard  Siproth
Buxton  Goodman  Millard  Siproth
Caltagirone  Grell  Miller  Smith, K.
Carroll  Grove  Milne  Smith, M.
Casorio  Grucela  Mirabito  Smith, S.
Caucer  Hahn  Moul  Solobay
Christian  Haluska  Mundy  Sonney
Climer  Hanna  Murphy  Staback
Cohen  Harhai  Murt  Stern
Conklin  Hartart  Muesto  Stevenson
Costa, D.  Hankins  Myers  Sturla
Costa, P.  Harper  O'Brien, D.  Swanger
Cox  Harris  O'Brien, M.  Tallman
Creighton  Helm  O'Neill  Taylor, J.
The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

SUPPLEMENTAL CALENDAR A CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mr. MAHER called up HR 977, PN 4419, entitled:

A Resolution designating the month of October 2010 as "Pork Producers Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

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<th>YEAS–197</th>
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NAYS–0

NOT VOTING–0

EXCUSED–5

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

LEAVE OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the gentleman from Allegheny County, the majority whip, Representative Dermody, who requests a leave of absence for the gentleman from Allegheny County, Representative WHEATLEY, for the remainder of the day. Without objection, the leave will be granted.
The House proceeded to second consideration of SB 1280, PN 2231, entitled:

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, further providing for medical professional liability insurance, for Medical Care Availability and Reduction of Error Fund and for actuarial data; and providing for conflict.

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

The SPEAKER. The gentleman from Lancaster County, Representative Boyd, has a late-filed amendment, which will require a suspension of the rules.

PARLIAMENTARY INQUIRIES

Mr. BOYD. A parliamentary inquiry, please?

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. BOYD. Mr. Speaker, I am a member of the Insurance Committee, and this bill was voted out of the Insurance Committee in the House last Wednesday late in the afternoon. At what time would amendments have been in order to be filed to this bill?

The SPEAKER. We have to refer to the posting time of the bill.

The bill was posted 9/28, Tuesday, at 4:15 p.m.; 9/29, the following day, Wednesday, at 2 p.m. would have been the appropriate time to file a timely amendment.

Mr. BOYD. Thank you, Mr. Speaker.

If I may ask another question?

The SPEAKER. The gentleman may proceed.

Mr. BOYD. Does that posting tell us what time the bill was—

The SPEAKER. The voting schedule just tells us what time the bill was being posted, and the notification is to the members to amend or have amendments filed to that bill 2 p.m. the following day.

Mr. BOYD. If I can, another parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. BOYD. My understanding is that this bill was not voted in the Senate until, I believe, Wednesday. So it was posted on the House calendar before the bill was voted in the Senate. Does that adhere to our rules, Mr. Speaker?

The SPEAKER. It does.

Mr. BOYD. Another parliamentary inquiry?

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. BOYD. I am assuming that you will know this, but is there a history that this has happened in the past? In my 8 years this is the first time I have known of a bill being posted on the House calendar before it has been considered, and it was attempted to be amended in the Senate, so we would not have known what printer's number to even file amendments to had it been amended.

The SPEAKER. It is a very common practice of the House and goes back a number of years.

Mr. BOYD. Thank you, Mr. Speaker.

The SPEAKER. The gentleman could suspend the rules if he would like us to consider the amendment.

Mr. BOYD. Well, Mr. Speaker, when the time is appropriate, I will probably make that motion, but I think it is unfortunate that bills are being posted prior to their vote in the Senate. That does not seem to bode for the era of reform and openness that we have been trying to accomplish here. I am disappointed in that, Mr. Speaker.

The SPEAKER. Does the gentleman wish to be recognized to suspend the rules for the consideration of his amendment?

BILLS ON SECOND CONSIDERATION

The SPEAKER. For what purpose does the gentleman from Allegheny, Representative Turzai, rise?

Mr. TURZAI. With respect to the gentleman from Lancaster's amendments, my understanding is, for the record, that SB 1280, the timeline was that the deadline to file amendments became Wednesday, September 29, at 2 p.m. However, the bill did not pass the Senate until that same day at 2:09 p.m. As a result, amendments like—

The SPEAKER. Is the gentleman stating a parliamentary inquiry?

Mr. TURZAI. Yes.

The SPEAKER. Will the gentleman state it.

Mr. TURZAI. I am going to file a motion to postpone to a date certain, which would be until tomorrow, October 5, 2010, after 2 p.m., to take up this underlying bill so that the amendments filed by my colleague from Lancaster County and an amendment filed by my colleague in Chester County would be timely.

The underlying facts, once again, are these: The deadline to file amendments in the House was posted at 2 p.m. on Wednesday, September 29, but the bill had not yet been passed by the Senate. That did not occur until 2:09 p.m. In addition, it was not reported from this House Insurance Committee until Wednesday, September 29, at approximately 3:30 p.m. It seems inappropriate on a procedural basis that you would have a deadline to file amendments when the bill had not yet been passed by the Senate and it had not been reported—

The SPEAKER. Will the gentleman yield.

Mr. TURZAI. —out of the House Insurance Committee.

The SPEAKER. The gentleman from Allegheny County, Representative Turzai, is making a motion that we postpone the immediate consideration of SB 1280, PN 2231, to October 5, 2010.

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

The SPEAKER. On the motion to postpone, the Chair recognizes the majority leader, Representative Eachus, on the question to postpone.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to oppose postponement. It has been the tradition of this body, as expressed by the Speaker's ruling, that the way we
have posted this bill is appropriate. So I ask the members to oppose postponement.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to appeal for a little common sense here on the vote on this motion to postpone. The facts have been recited and recited accurately several times now with regards to the timeline upon which this bill appeared. First of all, it was kicked out of the Senate with very little notice to us and we voted it in the House Insurance Committee, I would say roughly not even an hour and a half later. But that is not the real problem. The real problem is we did not have a bill in the House to amend until after the time, the deadline, to offer amendments. Mr. Speaker, that puts anyone in, really, an unconscionable position and a very difficult position to be able to offer and be effective in offering the amendments to bills which we all, all of us as House members, Democrats and Republicans, have a right to do. And today I am asking for all House members, and I am appealing to Democratic members especially, to say this procedure goes a bit too far.

Now, I am well aware that all session long there have been bills put on the voting schedule before they are reported out of House committee. I think that is a suspect process in and of itself, but I am not going to go on that today. But this takes the process and makes it just that much more egregious.

And, Mr. Speaker, I know that the Speaker and others said this was a common process, but in the discussions I have had with people around the building today, they cannot remember or tell me the last time a bill was posted and the deadline for filing amendments passed before it even left the Senate.

So, Mr. Speaker, this has just gone a few steps too far, and I think all members of good will and good faith should vote with us to postpone this bill until tomorrow. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question to postpone, the Chair recognizes the gentleman from Lancaster County, Representative Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

Obviously I think the members of the chamber know that I would stand up and like to support the motion.

And for the benefit of the members on both sides of the aisle, many of us in the Insurance Committee have worked bipartisanship very hard on this issue. In fact, right after the Insurance Committee meeting, there was discussion about some attempt to come up with some agreed-to amendments between the stakeholders on this issue – the Medical Society, the orthopedics, the Hospital Association – and the bottom line is, all of those efforts and all of those conversations were effectively ruled moot because of this procedure of posting a bill for a vote in the House before it moved in the Senate.

I want to emphasize, the only way to have offered an amendment or worked on any kind of compromise on this piece of legislation would have been – Mr. Speaker? Mr. Speaker, is it possible to get the attention of the members?

The SPEAKER. The gentleman has a right to be heard. The members will please take their seats. The House will come to order.

Mr. BOYD. Thank you, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. BOYD. I do not normally do that; I really am asking the members to consider the procedure here.

The only way we would have been able to amend this bill was to file amendments to a printer's number that is in the Senate. The Senate was considering amendments to that bill, which would have meant if the Senate amendments had gone in – and it was in doubt whether they would or not – that that amendment that we would have filed to that printer's number would have been out of order because it would have been to the wrong printer's number. So here is what we would have to do: We would have to file ghost amendments to bills in the Senate. Now, imagine what that does to our procedures if every time you even want to consider amending a bill in the Senate you have to file amendments to the bill and ghost amendments.

What does that do to LRB (Legislative Reference Bureau)?

This is clearly against the spirit of the rules of reform that we adopted in 2007. I have all due respect for the majority leader and due respect for the Speaker, but this is wrong, and this is the kind of action that I believe that all of our constituents, Democrats and Republicans alike, are sick of. And I, for one, am not going to sit by and just allow this procedure to go on without at least calling it out and saying this is not the way the people of our districts want us to function.

So I am asking for a simple postponement to support the gentleman from Allegheny County. All this would do is allow three amendments to go up for a vote tomorrow, and frankly, I do not think that is all that much to ask. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

And for the sake of the members and for the point of parliamentary inquiry, maybe the Speaker should have cleared the thoughts of the members even further, because the gentleman, Mr. Boyd, was not correct in his assertion of what happened. If this bill would have been amended in the Senate or amended in committee – the posting on this bill was to SB 1280, PN 2231, as it was in the Senate – if the Senate would have passed the bill with amendment or if it would have come to the House and was amended in the House, at that point the printer's number would have changed and the posting requirements for the bill would have changed as well. So every member of this General Assembly, we would have moved the posting requirement an additional day.

So it is incorrect to characterize that statement that you did not have the ability to amend the bill. If the bill's printer's number would have been changed through the amendment process, the posting requirements for this bill would have changed another day and you would have had an additional day to amend this bill. It would have had a new printer's number, and that could have happened either in committee or by vote of the Senate. The printer's number would have changed and the posting requirements would have changed as well.

Does the gentleman from Allegheny County, Representative Turzai, wish to be recognized on the motion to postpone?

Mr. TURZAI. Yes.

Two points; one is a clarification. The motion is to postpone to a date and time certain. As I originally stated, it is to postpone it until tomorrow, October 5, 2010, after 2 p.m. It is to
allow for our three amendments to be heard. As the gentleman from Lancaster indicated, that is not asking the vote—We are going to get a vote on the amendments then and on the underlying bill.

And in addition—just technically, I understand, and this is just a clarification—that if it was amended in the Senate, that would not have been the case given how the Speaker outlined it.

I do think it is fair to illuminate just three facts from a process perspective. The deadline to file amendments in the House was at 2 p.m. on the 29th of September. The bill did not get passed until 2:09 in the Senate on that same date, and it did not get reported from the House Insurance Committee until 3:30 p.m. on the 29th.

It is a simple motion to postpone to a date and time certain, October 5, 2010, after 2 p.m. Certainly the underlying bill will be heard this week. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Chester County, Representative Schroder, for the second time.

Mr. SCHRODER. Yes, for a second time, Mr. Speaker, and I thank you for recognition.

If I am not out of order, my argument here is going to be to respond to the Speaker's clarification that he just made in response to Representative Boyd, and that is this: As I understand what the Speaker is saying to us now, now House members will not only be required to be cognizant of bills being reported from House committees, if they are interested in filing amendments; House members are now going to have to watch the flow of the bills in the Senate and know before they come over what amendments we want to file to those bills. So I just ask that everyone understand the implications of the ruling of the Chair and the arguments here and what we are voting on.

Thank you, Mr. Speaker.

The SPEAKER. The fact of the matter is, we base our votes on the Chair and the arguments here and what we are voting on.

The SPEAKER. The Chair thanks the gentleman.

On the question to postpone to October 5, 2010, those voting to postpone consideration of SB 1280 will vote "aye"; those voting to not postpone will vote "nay."

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

The following roll call was recorded:

YEAS–108

Adolph Freeman Marshall Rapp
Baker Gabig Marsico Reed
Barrar Gabler McI. Smith Reese
Bear Galloway Metcalfe Reichley
Benninghoff Geist Metzgar Roe
Beyer Gillespie Miccarelli Rock
Boback Gingrich Miccizzie Rohrer
Boyd Godshall Millard Ross
Briggs Grell Miller Samuelson
Brooks Grove Milne Saylor
Causer Hahn Moul Scavello
Christiana Harhart Murt Schroder
Clymer Harper Mustio Shapiro
Cox Harris O'Neil Smith, S.
Creighton Helm Oberlander Sonney
Cutler Hess Payne Stern
Day Hickernell Payton Stevenson

NAYS–88

Barbin Drucker Kula Sabatina
Bishop Eachus Levandsky Sainato
Boyle Evans, D. Longietti Santarsiero
Bradford Fabrizio Mahoney Santoni
Brennan Frankel Manderino Seip
Brown George Mann Sipproth
Burns Gerber Markosek Smith, K.
Buxton Gergely Matzie Smith, M.
Caltagirone Gibbons McGeehan Solobay
Carroll Goodman Melio Staback
Casorpo Grucela Mirabito Sturla
Cohen Haluska Mundy Vitali
Conklin Hanna Murphy Wagner
Costa, D. Harhai Myers Wansacz
Costa, P. Harkins O'Brien, D. Waters
Cruz Hornaman O'Brien, M. White
Curry Houghton Oliver Williams
Daley Johnson Pashinski Youngblood
Deasy Josephs Preston Yudichak
DeLuca Keller, W. Ravenstahl
Dermody Kirkland Readshaw McCall,
DeWeese Kortz Roebuck Speaker
Donatucci Kotik

NOT VOTING–0

EXCUSED–6

Belfanti Pallone Thomas Wheatley
Hennessey Parker

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

***

The House proceeded to second consideration of SB 53, PN 2228, entitled:

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in intestate succession, further providing for forfeiture; in wills, further providing for modification of wills; providing for formula clauses for Federal tax purposes; in administration and personal representatives, further providing for duty of personal representatives; in apportionment of death taxes, further providing for enforcement of contribution or exoneration of Federal estate tax; in powers of attorney, further providing for implementation of power of attorney; in estates, further providing for applicability of rule against perpetuities and for modification of conveyance by divorce and for effect of divorce on designation of beneficiaries; in trusts, further providing for notice of representation, for creditor's claim against settlor, for actions contesting validity of revocable trusts, for claims and distribution after settlor's death, for removal of trustee, for trustee's duty to inform and report, for illustrative powers of trustee and for limitation of action against trustee; in principal and income, further providing for power to convert to unitrust and for retirement benefits, individual retirement accounts, deferred compensation, annuities and similar payments; and making conforming amendments.
On the question,  
Will the House agree to the bill on second consideration?  
Bill was agreed to.

* * *

The House proceeded to second consideration of SB 384, PN 382, entitled:

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

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

MOTION TO SUSPEND RULES

The SPEAKER. On that question, the gentleman from Bucks County has a late-filed amendment, the gentleman, Mr. Petri.

Mr. PETRI. Thank you, Mr. Speaker.

I offer this amendment, seek suspension of the rules in order to provide burial ceremonies for our Bucks County veterans. Please join me in supporting this.

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

The SPEAKER. The Chair recognizes the majority leader, Representative Eachus, on suspension of the rules.

Mr. EACHUS. I respectfully ask the members of the Democratic Caucus to vote "no" on the suspension. Thank you.

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

The following roll call was recorded:

YEAS–108

Adolph Fleck Major Rapp
Baker Gabig Marshall Readshaw
Barrar Gabler Marsico Reed
Bear Galloway Mcl. Smith Reese
Benninghoff Geist Metcalfe Reichley
Beyer Gillespie Metzgar Roae
Boback Gingrich Mccarelli Rock
Boyd Godshall Micozzi Rohrer
Brooks Grove Millard Ross
Causer Hahn Milne Santarsiero
Christiana Harhart Milne Saylor
Clymer Harper Moul Scavello
Conklin Harris Murt Schroder
Costa, D. Helm Muzio Smith, S.
Cox Hess O'Brien, D. Sonney
Creighton Hickernell O'Neill Staback
Cruz Homaman Oberlander Stern
Day Houghton Payne Stevenson
Delozier Hutchinson Peifer Swanger
DeLuca Kaufman Perry Tallman
Denlinger Keller, M.K. Perzel Taylor, J.
DiGirolamo Kessler Petri Toepel
Ellis Killion Phillips True
Evans, J. Knowles Pickett Turzai

NAYS–88

Barbin Eachus Levdansky Sainato
Bishop Evans, D. Longietti Samuelson
Boyle Fabrizio Mahoney Santoni
Bradford Frankel Manderino Seip
Brennan Freeman Mann Shapiro
Briggs George Markosek Siptroth
Burns Gergely McGeehan Smith, M.
Buxton Gibbons Melio Solobay
Caltagirone Goodman Mirabito Sturla
Carroll Grell Mundy Taylor, R.
Casorio Grucela Murphy Vitali
Cohen Haluska Myers Wagner
Costa, P. Hanna O'Brien, M. Wansacz
Curry Harhai Oliver Waters
Cutler Harkins Pashinski White
Daley Johnson Payton Williams
Deasy Josephs Petrarca Youngblood
DePasquale Keller, W. Preston Yudichak
Dermody Kirkland Ravenstahl
DeWeese Kortz Roebuck McClay, Speaker
Donatucci Kula Sabatina
Drucker Lentz

NOT VOTING–0

EXCUSED–6

Belfanti Pallone Thomas Wheatley
Hennessey Parker

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

MOTION TO SUSPEND RULES

The SPEAKER. Does the gentleman from Northampton County, Representative Grucela, wish to suspend the rules to offer an amendment?

The Chair recognizes the gentleman from Northampton County, Representative Grucela, who moves that the rules of the House be suspended for the purpose of offering amendment A09319.

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. Turning to leaves of absence, the Chair notes the presence of the gentleman from Westmoreland County, Representative Pallone, on the House floor. His name will be added to the master roll.
CONSIDERATION OF SB 384 CONTINUED

MOTION WITHDRAWN

The SPEAKER. The gentleman from Northampton County, Representative Grucela, indicates he will withdraw his motion and withdraw his amendment. The Chair thanks the gentleman.

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

MOTION TO SUSPEND RULES

The SPEAKER. The gentleman from Lancaster County, Representative Bear, has an amendment. Does the gentleman wish to suspend the rules?

The Chair recognizes the gentleman from Lancaster County, Representative Bear, who moves that this House do now suspend the rules for the purpose of offering amendment A09320, which the clerk will read.

The clerk read the following amendment No. A09320:

Amend Bill, page 1, line 3, by striking out " and providing" and inserting a comma
Amend Bill, page 1, line 5, by inserting after "installations" and for long-term care patient access to pharmaceuticals; and making a related repeal
Amend Bill, page 4, by inserting between lines 21 and 22 Section 2.1. Title 51 is amended by adding a chapter to read:

CHAPTER 95
LONG-TERM CARE PATIENT ACCESS TO PHARMACEUTICALS

Sec. 9501. Scope.
9502. Legislative intent.
9503. Definitions.
9504. State Board of Pharmacy.
9505. Third-party drugs in long-term care facilities.
9506. Recordkeeping.
9507. Fee.
9508. Civil liability and unprofessional conduct.
§ 9501. Scope.
This chapter relates to long-term care patient access to pharmaceuticals.
§ 9502. Legislative intent.
The General Assembly finds and declares as follows:
(1) A mechanism is to be provided whereby patients who have the ability to acquire lower cost drugs through the Veterans' Administration have access to those drugs if they reside in a long-term care facility.
(2) The mechanism is to be provided by permitting the pharmacy within the long-term care facility or which has a contract with the long-term care facility to:
   (i) receive the lower cost drugs directly from the Veterans' Administration drug benefit program in the patient's name; and
   (ii) repackage and relabel those drugs so they may be dispensed in unit doses in compliance with the Food and Drug Administration, the United States Pharmacopeia and the long-term care facility's policies and procedures to patients in a long-term care facility.
(3) This chapter shall be interpreted and construed to effectuate the following purposes:
   (i) To provide for the care, protection and treatment of patients in long-term care facilities by allowing them to utilize the drug benefit provided by the Veterans' Administration.
   (ii) Consistent with the care, protection and treatment of patients in long-term care facilities, to provide a means by which a long-term care pharmacy may:
      (A) accept, on behalf of the patient, drugs received directly from the Veterans' Administration; and
      (B) repackage and relabel those drugs so that the patient may receive them in a unit dose in compliance with the Food and Drug Administration, the United States Pharmacopeia and the long-term care facility's policies and procedures.
   (iii) To provide a means through which the provisions of this chapter are executed and enforced and in which long-term care facilities, pharmacists, drug source facilities and pharmaceutical providers may implement the provisions of this chapter.
(4) Only individuals eligible for benefits provided by the Veterans' Administration are eligible for the program under this chapter.
§ 9503. Definitions.
The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:
Board." The State Board of Pharmacy.
"Drug source facility." A facility:
(1) where drugs are lawfully manufactured, dispensed or distributed; and
   (2) which is:
      (i) operated by or under contract with the Veterans' Administration; or
      (ii) approved by the Veterans' Administration.
"Lockbox." A cabinet or safe to contain medications that shall be securely locked, substantially constructed and accessible only to the pharmacist or his representative as authorized by the regulations of the State Board of Pharmacy.
"Long-term care facility." A long-term care nursing facility as defined in section 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.
"Means." The placement of a lockbox at a secure drop-off location at the long-term care facility.
"Pharmaceutical provider." An entity that employs a pharmacist.
§ 9504. State Board of Pharmacy.
The board has the following powers and duties:
(1) Develop the form required by section 9505(b)(3) and (4) relating to third-party drugs in long-term care facilities.
(2) Publish a notice in the Pennsylvania Bulletin that the form has been developed.
§ 9505. Third-party drugs in long-term care facilities.
(a) Authority. Notwithstanding any other provision of law, all of the following may dispense a drug acquired from a drug source facility outside the long-term care facility to a patient of a long-term care facility:
(1) A pharmacist employed by a long-term care facility.
(2) A pharmacy who contracts with a long-term care facility to fill prescriptions for patients of the long-term care facility.
(b) Unit dose. A person authorized under subsection (a) to dispense a drug shall repackage, relabel and dispense the drug in a unit dose if all of the following conditions are met:
   (1) The drug is obtained from a drug source facility.
   (2) There is a prescription for the drug.
   (3) The prescriber has signed a form authorizing the long-term care facility to administer a drug from a drug source facility outside the long-term care facility.
(4) The patient has signed a form authorizing the long-term care facility to administer a drug from a drug source facility outside the long-term care facility and provided payment information for payment of the related fees to the pharmacy. In the case of a minor or a patient who is unable to sign the form, a parent, a guardian, an agent acting under a power of attorney or a family member is authorized to sign the form. The form must explain that a person authorized under subsection (a) to dispense a drug from a drug source facility outside the long-term care facility:

   (i) is required to go through the process of repackaging and relabeling the drug;
   (ii) may charge a fee for repackaging and relabeling the drug, including the amount of the fee and the frequency of its assessment; and
   (iii) has immunity from civil liability arising from dispensation of the drug if the person properly repackages and relabels the drug as set forth in section 8.

(5) The nursing facility attending physician has issued an order continuing the patient's medical regime.

(6) The repackaging is in compliance with the Food and Drug Administration, the United States Pharmacopeia and the long-term care facility's policies and procedures.

(7) The Veterans' Administration provides the drug by mailing it to a lockbox located at the long-term care facility in the patient's name and with the following information in preparation for the repackaging and relabeling:

   (i) The name and address of the dispensing pharmacy;
   (ii) A copy of the original prescription upon request;
   (iii) The date the drug was dispensed;
   (iv) Directions for use, contraindications and other materials required by law to be provided to the patient.

(8) A pharmacist shall be held responsible for his activity or activity performed under his supervision or authorization.

(9) The pharmacist manager of the long-term care pharmacy responsible for access to the lockbox shall be responsible for the following:

   (i) Reviewing and approving written policies and procedures for lockbox operation, safety, security, accuracy, access and patient confidentiality;
   (ii) Ensuring that medications received at the lockbox are inspected for expiration date, misbranding and physical integrity and ensuring that the lockbox is inspected for security and accountability every month;
   (iii) Inspecting medications received at the lockbox to determine if:

       (A) the original contents have deteriorated significantly due to heat, cold fermentation or prolonged agitation; or
       (B) the sensors indicate the integrity of the drug was compromised if the drugs were shipped in a manner that would preserve the integrity of the drug, such as cold packs or other temperature control devices;
   (iv) Assigning, discontinuing or changing authorized personnel access to the lockbox;
   (v) Ensuring that an accountability record is maintained in accordance with the written policies and procedures of operation;
   (vi) Ensuring compliance with the applicable provisions of Federal and State law.

§ 9506. Recordkeeping.

For each drug dispensed in accordance with section 9505(a), the person authorized to dispense the drug and the long-term care facility shall maintain a record for at least two years of all of the items specified in section 9505(b)(7) (relating to third-party drugs in long-term care facilities).

§ 9507. Fee.

A person authorized under section 9505(a) (relating to third-party drugs in long-term care facilities) to dispense a drug may charge no more than the maximum dispensing fee authorized by the Department of Public Welfare regulations under the Medical Assistance Program.

§ 9508. Civil liability and unprofessional conduct.

(a) Repackaging and relabeling.—A person authorized under section 9505(a) (relating to third-party drugs in long-term care facilities) to dispense a drug shall be immune from civil liability arising out of dispensation of the drug if the person properly repackages and relabels a drug based on the information received from the original drug source facility.

(b) Administration of drug.—A long-term care facility or an employee or agent of a long-term care facility that properly administers a drug from a person authorized under section 9505(a) to dispense the drug shall be immune from civil liability arising out of administration of the drug.

(c) Unprofessional conduct.—A pharmacist authorized under section 9505(a) to dispense a drug who properly relabels and repackages the drug shall not be deemed to have engaged in unprofessional conduct under section 5 of the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act.

Section 2.2. The act of October 9, 2008 (P.L.1413, No.114), known as the Long-Term Care Patient Access to Pharmaceuticals Act, is repealed.

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

The SPEAKER. On the question of suspension of the rules, the Chair recognizes the gentleman from Lancaster County, Representative Bear.

Mr. BEAR. Thank you, Mr. Speaker.

I am asking the members for a suspension of the rules so we can put in an amendment that fixes Act 114 of 2008 that was agreed to here by 203 to 0. This is an amendment we have been working on with the Governor's Office, the Veterans' Administration, and also the Pharmacy Board to make sure that veterans who get their prescription drugs from the VA may continue to get them once they go into long-term care, and right now we can only do it as a pilot because of some technical problems. This will fix it. The VA supports it, and this means all veterans in Pennsylvania can get this benefit of getting their discounted pharmacy drugs while they are in long-term care. Thank you.

The SPEAKER. On the question of suspension of the rules, the Chair recognizes the minority whip, the gentleman from Allegheny County, Representative Turzai.

Mr. TURZAI. Thank you very much.

The SPEAKER. Will the gentleman yield. Will the gentleman yield.

The leaders, the maker of the motion, the maker of the bill, the majority leader or minority leader.

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

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

I rise in support of my colleague from Lancaster County's motion to suspend the rules.

Look, I recognize that on certain issues there is disagreement across the aisles, but in terms of creating a new chapter concerning a veteran's access to pharmaceuticals when staying
in a long-term care facility, certainly everybody here wants to ensure that each and every one of our veterans – from World War II to today's Afghanistan and Iraq veterans – that they have access to needed pharmaceuticals when staying in a long-term care facility.

We would have been more than glad to support a motion to suspend on amendment 9319 from the gentleman from Northampton on the other side of the aisle because we understand it is a good thing, and these are veterans' proposals that have been discussed by the chairs of that committee on both sides of the aisle. We would ask that everybody please support this pro-veteran amendment offered by my – the motion to suspend so that we can in fact get a vote on this pro-veteran amendment.

Thank you very, very much.

The SPEAKER. On the question of suspension, the Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Mr. Speaker, I am always happy to work with the gentleman, Mr. Bear, on important issues. Today the underlying bill, SB 384, is an extremely important bill, and I am asking for the members of the General Assembly to vote "no" today in the House here, vote "no" on suspension. Thank you.

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

The following roll call was recorded:

YEAS–123

Adolph Gabig Marsico Readshaw
Baker Gabler Matzie Reed
Barbin Galloway McGeehan Reese
Barrar Geist Metcalfe Reichley
Bear Gillespie Metzgar Roae
Benninghoff Gingrich Micarelli Rock
Beyer Godshall Micozzie Rohrer
Boback Grove Millard Ross
Boyd Hahn Miller Sabatina
Boyle Harhart Milne Santarsiero
Brooks Harper Mirabito Saylor
Causer Harris Moul Scavillo
Christian Halm Murt Schroder
Clymer Hess Mustio Shapiro
Conklin Hickernell O'Brien, D. Smith, M.
Costa, D. Hornaman O'Brien, M. Smith, S.
Costa, P. Houghton O'Neill Sonney
Cox Hutchinson Oberlander Staback
Creighton Kauffman Pallone Stern
Day Keller, M.K. Payne Stevenson
Deasy Keller, W. Peifer Swanger
Deboier Kessler Perry Tallman
DeLuca Killion Perzel Taylor, J. Toepel
Denlinger Knowles Petri True
DiGirolamo Kortz Phillips Turzai
Ellis Kotik Pickett Vereb
Evans, J. Krieger Pyle Veb
Everett Lentz Quigley Vulakovich
Fairchild Maher Quinn Watson
Farry Major Rapp Yudichak
Fleck Marshall Ravenstahl

NAYS–72

Brown Freeman Manderino Smith, K.
Buxton Gerber Mann Solobay
Caltagirone Gergely Markosek Sturla
Carroll Gibbons McI. Smith Taylor, R.
Casorio Goodman Mundy Wagner
Cohen Grell Murphy Wansacz
Cruz Gruela Myers Waters
Curry Haluska Oliver White
Cutler Hanna Pashinski Williams
Daley Harhai Petraca Youngblood
DePasquale Harkins Preston
Dermody Johnson Roebuck McCall,
DeWeese Josephs Sainato Hennessey
Donatucci Kirkland

NOT VOTING–2

Drucker Payton

EXCUSED–5

Belfanti Parker Thomas Wheatley

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

* * *

The House proceeded to second consideration of SB 1181, PN 2187, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for immunity from liability; and making a related repeal.

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

MOTION TO SUSPEND RULES

The SPEAKER. On that question, the Chair recognizes the gentleman from Philadelphia County, Representative Cohen, who has a late-filed amendment. Does the gentleman wish to suspend the rules to offer the amendment?

The Chair recognizes the gentleman from Philadelphia County, Representative Cohen, who makes a motion to suspend the rules for the purpose of offering amendment A09293.

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

The SPEAKER. On the question of suspension of the rules, the Chair recognizes the gentleman from Philadelphia County, Representative Cohen, on the motion to suspend the rules.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I urge the suspension of the rules to clarify the rules for community pharmacies in meeting the definition of "fraud." The purpose of this is to help community pharmacies.
The SPEAKER. On the question of suspension of the rules, the Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker. This is not an agreed-to amendment. I would ask the members to vote "no" on suspension. Thank you.

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

The following roll call was recorded:

YEAS–82

<table>
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<th>Adolph</th>
<th>DiGirolamo</th>
<th>Kirkland</th>
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NAYS–115

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Not Voting–0

EXCUSED–5

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Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 910, PN 2242, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, as to civil service for police and firemen, further providing for general provisions relating to examinations, for rejection of applicant and hearing, for manner of filling appointments, for probationary period, for physical examination and for promotions.

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.

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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    Fabrizio    Maher    Reed
Baker     Fairchild    Mahoney    Reese
Barbin    Farry    Major    Reiheley
Barrar   Fleck    Manderino    Roe.
Bear      Frankel    Mann    Rock
Benninghoff    Freeman    Markosek    Roebuck
Beyor     Gribb    Marshall    Rohrer
Bishop    Gabler    Marsico    Ross
Boback    Galloway    Matzie    Sabatina
Boyd      Geist    McGeehan    Sainato
Boyle    George    McI.    Smith    Samuelson
Bradford   Gerber    Melo    Santarsiero
Brennan  Gergely    Metcalfe    Santoni
Briggs    Gibbons    Metzgar    Sayler
Brooks    Gillespie    Miccarelli    Scavello
Brown    Gingrich    Micozzie    Schroder
Burns    Godshall    Millard    Seip
Buxton    Goodman    Miller    Shapiro
Caltagirone    Grell    Milne    Siproth
Carroll  Grove    Mirabito    Smith, K.
Casorio  Hahn    Moui    Smith, M.
Causer    Haluska    Mundy    Smith, S.
Christiana    Hanna    Murphy    Solobay
Clymer   Harhai    Murt    Sonney
Deasy    Josephs    Peifer    Vereb
Delozier   Kaufman    Perry    Vitali
DeLuca    Keller, M.K.    Perzel    Vulakovich
Denlinger  Keller, W.    Petrarca    Wagner
DePasquale  Kessler    Petro    Warsac
Dermody   Kilion    Phillips    Waters
DeWeese  Kirkland    Pickett    Watson
DiGirolamo    Knowles    Preston    White
Donatucci  Kortz    Pyle    Williams
Drucker    Kotik    Quigley    Youngblood
Eachus    Krieger    Quinn    Yudichak
Ellis      Kula    Rapp
Evans, D.    Lentz    Ravenstahl    McCall,
Evans, J.    Levansky    Readshaw    Speaker
Everett    Longietti

**NAYS—1**

Grucela

NOT VOTING—0

**EXCUSED—5**

Belfanti    Parker    Thomas    Wheatley
Hennessey

The majoriy 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 912, PN 2243**, entitled:

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

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

CORRECTION OF THE RECORD

The SPEAKER. The Speaker would like to correct the record.

On SB 910, PN 2242, that bill also passed with amendment in which concurrence of the Senate would be requested.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 1161, PN 2241, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, further providing for adoption of guidelines for sentencing, for guidelines for State intermediate punishment; providing for adoption of risk assessment instrument; further providing for sentencing generally; for revocation of State intermediate punishment sentence; in general administration, providing for definitions and for powers and duties of department; in county jail oversight board in counties of the second class and second class A, further providing for scope, for definitions and for county jail oversight board; in inmate labor, further providing for disposition of proceeds of labor and providing for State correctional institutions; providing for evaluation in motivational boot camps; in State intermediate punishment, further providing for evaluation; further providing for recidivism reports; providing for confidentiality of victim information; in administration, further providing for board action, providing for offenders in group-based homes and further providing for general powers, parole power, terms of parole, victim participation in hearings and supervision of offenders; in interstate compacts, further providing for administration and providing for a compact application fee; making a related repeal; and making editorial changes.

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–113

Adolph        Euchus      Levdansky      Ravenstahl
Barrin        Evans, D.    Longietti      Readshaw
Bishop        Evans, J.     Mahoney       Roebuck
Boyle         Fabrizio      Manderino     Sabatina
Bradford      Frankel       Mann          Sainato
Brennan       Freeman       Markosek      Samuelson
Briggs        Galloway     Marsico       Santarsiero
Brown         George        Matzie        Santoni
Burns         Gerber        McGeehan      Seip
Buxton        Gergely       McI. Smith    Shapiro
Caltagirone   Gibbons      Melo          Siptroth
Carroll       Goodman       Micorzie      Smolits, K.
Casioirio     Grell         Mirabito      Staback
Cohen         Haluska       Moul          Sturla
Conklin       Hanna         Mundy         Taylor, J.
Costa, D.     Harhai        Murphy        Taylor, R.
Costa, P.     Harkins       Murt          Veb
Cruz          Harper        Myers         Vitali
Curry          Hornaman     O'Brien, D.   Wagner
Daley         Houghton      O'Brien, M.   Wansacz
Deasy         Johnson      O'Neill        Waters
Delozier      Josephs      Oliver         White
DeLuca        Keller, W.    Pallone       Williams
DePasquale    Kessler      Pashinski     Youngblood
Dermody       Kirkland      Payton        Yudichak
DeWeese       Kortz         Perzel        Yurgensen
DiGiroldamo   Kotz          Petraccia     McCall
Donatucci     Kula          Petri         Speaker
Drucker       Lentz         Preston

NAYS–84

Baker         Gabig         Major          Reichley
Barrar        Gabler        Marshall       Roae
Bear          Geist         Metcalfe       Rock
Benninghoff   Gillespie     Metzgar        Rohrer
Beyer         Gingrich      Micarelli     Ross
Boback        Godshall      Millard        Saylor
Boyd          Grove         Miller         Scavello
Brooks        Grucela       Milne         Schroeder
Causer        Hahn          Mustio        Smith, M.
Christiania   Harhart       Oberlander    Smith, S.
Claymer       Harris        Payne         Solobay
Cox           Helm          Peifer         Sonney
Creighton     Hess          Perry          Stern
Cutler        Hickernell    Phillips       Stevenson
Day           Hutchinson    Pickett        Swanger
Denlinger     Kauffmam      Pyle          Talkington
DeLiss        Keller, M. Querry     Toepel
Everett       Killion       Quinn          True
Fairchild     Knowles       Rapp          Turzai
Farry         Krieger       Reed          Vuklovich
Fleck         Maher         Reese          Watson

NOT VOTING–0

EXCUSED–5

Belfanti        Parker       Thomas       Wheatley
Hennessey

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 1328, PN 2078, entitled:

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, further providing for definitions and for unlawful acts by manufacturers or distributors.
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 Fabrizio Maher Reed
Baker Fairchild Mahoney Reese
Barbin Farry Major Reichley
Barrar Fleck Manderino Roae
Bear Frankel Mann Rock
Benninghoff Freeman Markosek Roebuck
Beyer Gabig Marshall Rohrer
Bishop Gabler Marsico Ross
Boback Galloway Matzie Sabatina
Boyd Geist McGeehan Sainato
Boyle George Mcl. Smith Samuelson
Bradford Gerber Melio Santarsiero
Brennan Gergely Metcalfe Santoni
Briggs Gibbons Metzgar Saylor
Brooks Gillespie Micarelli Scavello
Brown Gingrich Micciozje Schroder
Burns Godshall Millard Seip
Buxton Goodman Miller Shapiro
Caltagirone Grell Milne Siptroth
Carroll Grove Mirabito Smith, K.
Casorio Hahn Moul Smith, M.
Causer Haluska Mundy Smith, S.
Christiana Hanna Murphy Soloby
Clymer Harhai Murt Sonney
Cohen Harhart Mystio Staback
Conklin Harkins Myers Stern
Costa, D. Harper O'Brien, D. Stevenson
Costa, P. Harris O'Brien, M. Sturla
Cox Heln o'Neil Swanger
Creighton Hess Oberlander Tallman
Cruz Hickernell Oliver Taylor, J.
Curry Homann Pallone Taylor, R.
Cutler Houghton Pashinski Toepel
Daley Hutchinson Payne True
Day Johnson Payton Turzai
Deasy Josephs Peifer Vebk
Delozier Kaufman Perry Vitali
DeLuca Keller, M.K. Perzel Vukovich
Denlinger Keller, W. Petracca Wagner
DePasquale Kessler Petri Wansacz
Dermody Killion Phillips Waters
DeWeese Kirkland Pickett Watson
DeGirolamo Knowles Preston White
Donatucci Kortz Pyle Williams
Drucker Kotik Quigley Youngblood
Eachus Krieger Quinn Yudichak
Ellis Kula Ravenstahl McCall,
Evans, D. Lentz Readshaw McCall,
Evans, J. Levansky Readshaw McCall,
Everett Longietti
The majority 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–112

NAYS–85

Baker
Barbar
Bear
Benninghoff
Bobbak
Boyle
Brooks
Casorio
Causer
Christian
Clymer
Cox
Day
Denlinger
Ellis
Evans, D.
Evans, J.
Everett
Fairchild
Farry
Fleck
Gabig
Gabler

NAYS–0

NOT VOTING–0

EXCUSED–5

Belfanti
Parker
Hennessey

Baker
Geist
Marsico
Reese
Barbar
Gillespie
Metalffe
Reichley
Bear
Gingrich
Metzgar
Roae
Benninghoff
Godshall
Micarelli
Rock
Bobbak
Grell
Micozzie
Rohrer
Boyle
Grove
Millard
Ross
Brooks
Grucca
Miller
Saylor
Casorio
Hahn
Milne
Scavelllo
Causer
Harhart
Muxito
Schroder
Christian
Helm
Oberlander
Smith, M.
Clymer
Hess
Payne
Solobay
Cox
Hickernell
Peifer
Sonney
Day
Kauffman
Petri
Stern
Denlinger
Keller, M.K.
Phillips
Stevenson
Ellis
Killion
Pickett
Swanger
Everett
Knowles
Pyle
Tallman
Fairchild
Krieger
Quigley
Toepel
Farry
Maher
Quinn
Turzai
Fleck
Major
Rapp
Vulakovich
Gabig
Marshall
Reed
Watson

NOT VOTING–0

EXCUSED–5

Belfanti
Parker
Hennessey

Baker
Geist
Marsico
Reese
Barbar
Gillespie
Metalffe
Reichley
Bear
Gingrich
Metzgar
Roae
Benninghoff
Godshall
Micarelli
Rock
Bobbak
Grell
Micozzie
Rohrer
Boyle
Grove
Millard
Ross
Brooks
Grucca
Miller
Saylor
Casorio
Hahn
Milne
Scavelllo
Causer
Harhart
Muxito
Schroder
Christian
Helm
Oberlander
Smith, M.
Clymer
Hess
Payne
Solobay
Cox
Hickernell
Peifer
Sonney
Day
Kauffman
Petri
Stern
Denlinger
Keller, M.K.
Phillips
Stevenson
Ellis
Killion
Pickett
Swanger
Everett
Knowles
Pyle
Tallman
Fairchild
Krieger
Quigley
Toepel
Farry
Maher
Quinn
Turzai
Fleck
Major
Rapp
Vulakovich
Gabig
Marshall
Reed
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 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.

SUPPLEMENTAL CALENDAR C
BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to HB 47, PN 3776, entitled:

An Act providing for education for parents relating to sudden infant death syndrome and sudden unexpected death of infants; establishing the Sudden Infant Death Syndrome Education and Prevention Program; and providing for duties of the Department of Health.

On the question,
Will the House concur in Senate amendments?
The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS–195

Adolph
Barbin
Beyer
Bishop
Boyd
Bradford
Brennan
Briggs
Brown
Burns
Buxton
Caltagirone
Carroll
Cohen
Conklin
Costa, D.
Costa, P.
Creighton
Cruz
Curry
Daye
Deasy
Delozier
DeLuca
DePasquale
Dermody
DeWese
DiGirolamo
Donatucci

Adolph
Fabrizio
Levdansky
Reed
Baker
Fairchild
Longietti
Reese
Barbin
Farry
Maher
Reichley
Barrar
Fleck
Mahoney
Roae
Bear
Frankel
Major
Rock
The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.  

* * *

The House proceeded to consideration of concurrence in Senate amendments to HB 1516, PN 4284, entitled:

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

On the question, Will the House concur in Senate amendments?  
The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS–197
Adolph Fabrizio Longietti Reed  
Baker Fairchild Mahler Reese  
Barbin Farry Mahoney Reichley  
Barrar Fleck Major Roae  
Bear Frankel Manderino Rock  
Benninghoff Freeman Mann Roebeck  
Beyer Gabig Markosek Rohrer  
Bishop Gabler Marshall Ross  
Boback Galloway Marsico Sabatina  
Boyd Geraldo Moul Smith, M.  
Boyle George Matzie Santoni  
Bradford Gerber McI. Smith Santorsiero  
Brennan Gergely Melio Sainato  
Briggs Gibbons Metcalfe Scavello  
Brown Gingerich Mccarelli Schroder  
Burns Godshall Micozzie Seip  
Buxton Goodman Hillard Shapiro  
Caltagirone Grell Miller Siptroth  
Carroll Grove Milne Smith, K.  
Casorio Grucela Mirabito Smith, M.  
Causer Hahn Moul Smith, S.  
Christiania Halaska Mundy Solobay  
Clymer Hanna Murphy Sonney  
Cohen Harhai Murt Staback  
Conklin Harhart Mustio Stern  
Costa, D. Harkins Myers Stevenson  
Costa, P. Harper O'Brien, D. Sturla  
Creighton Helm O'Neill Tallman  
Cruz Hess Oliver Taylor, J.  
Curry Hickernell Pallone Taylor, R.  
Cutler Hornaman Pashinski Toepel  
Daley Houghton Payne True  
Day Hutchinson Payne Turzai  
Deasy Johnson Peifer Vebrel  
Delozier Josephs Perry Vitali  
DeLuca Kaufman Perzel Vulakovich  
Denlinger Keller, M.K. Petracca Wagner  
DenPasquale Keller, W. Shuster Wansac  
Dermody Kessler James Phillips Waters  
DeWeese Kilron Pickard White  
DiGirolamo Kirkland Preston Williams  
Donatucci Knowles Pyle Williams  
Drucker Kortz Quigley Youngblood  
Eachus Kotik Quinn Yudichak  
Ellis Krieger Rapp  
Evans, D. Kula Ravenstahl McCall,  
Evans, J. Lentz Readshaw Speaker  
Everett

NAYS–2
Metzgar Oberlander

NOT VOTING–0

EXCUSED–5

Belfanti Parker Thomas Wheatley
Hennessey

The House proceeded to consideration of concurrence in Senate amendments to HB 1516, PN 4284, entitled:

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

On the question, Will the House concur in Senate amendments?  
The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS–197
Adolph Fabrizio Longietti Reed  
Baker Fairchild Mahler Reese  
Barbin Farry Mahoney Reichley  
Barrar Fleck Major Roae  
Bear Frankel Manderino Rock  
Benninghoff Freeman Mann Roebeck  
Beyer Gabig Markosek Rohrer  
Bishop Gabler Marshall Ross  
Boback Galloway Marsico Sabatina  
Boyd Geist Matzie Santino  
Boyle George McGeehan Samuelsen  
Bradford Gerber McI. Smith Santorsiero  
Brennan Gergely Melio Sainato  
Briggs Gibbons Metcalfe Saylor  
Brown Gingerich Mccarelli Schroder  
Burns Godshall Micozzie Seip  
Buxton Goodman Hillard Shapiro  
Caltagirone Grell Miller Siptroth  
Carroll Grove Milne Smith, K.  
Casorio Grucela Mirabito Smith, M.  
Causer Hahn Moul Smith, S.  
Christiania Halaska Mundy Solobay  
Clymer Hanna Murphy Sonney  
Cohen Harhai Murt Staback  
Conklin Harhart Mustio Stern  
Costa, D. Harkins Myers Stevenson  
Costa, P. Harper O'Brien, D. Sturla  
Creighton Helm O'Neill Tallman  
Cruz Hess Oliver Taylor, J.  
Curry Hickernell Pallone Taylor, R.  
Cutler Hornaman Pashinski Toepel  
Daley Houghton Payne True  
Day Hutchinson Payne Turzai  
Deasy Johnson Peifer Vebrel  
Delozier Josephs Perry Vitali  
DeLuca Kaufman Perzel Vulakovich  
Denlinger Keller, M.K. Petracca Wagner  
DenPasquale Keller, W. Shuster Wansac  
Dermody Kessler James Phillips Waters  
DeWeese Kilron Pickard White  
DiGirolamo Kirkland Preston Williams  
Donatucci Knowles Pyle Williams  
Drucker Kortz Quigley Youngblood  
Eeachus Kotik Quinn Yudichak  
Ellis Krieger Rapp  
Evans, D. Kula Ravenstahl McCall,  
Evans, J. Lentz Readshaw Speaker  
Everett

NAYS–2
Metzgar Oberlander

NOT VOTING–0

EXCUSED–5

Belfanti Parker Thomas Wheatley
Hennessey
The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to HB 1517, PN 4285, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, providing for physical and psychological medical examinations; further providing for grading for discharged servicemen and for selection of appointee; and providing for promotions of civil service applicants.

On the question,
Will the House concur in Senate amendments?
The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

(Members proceeded to vote.)

** LEAVE OF ABSENCE **

The SPEAKER. Turning to leaves of absence, the Chair recognizes the minority whip, Representative Turzai, who requests a leave of absence for the gentleman from Berks County, Representative ROHRER, for the remainder of the day. Without objection, the leave will be granted.

** CONSIDERATION OF HB 1517 CONTINUED **

On the question recurring,
Will the House concur in Senate amendments?
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 Fabrizio Longietti Readshaw
Baker Fairchild Maher Reed
Barbin Farry Mahoney Reese
Barrar Fleck Major Reichley
Bear Frankel Manderino Roe
Benninghoff Freeman Mann Rock
Beyer Gabig Markosek Roebuck
Bishop Gabler Marshall Ross
Boback Galloway Marsico Sabatino
Boyd Geist Matzie Samato
Boyle George McGeehan Samuelson
Bradford Gerber McI. Smith Santarsiero
Brennan Gergely Melio Santoni
Briggs Gibbons Metcalfe Saylor
Brooks Gillespie Metzar Scavello
Brown Gingrich Mccarelli Schreder
Burns Godshall Micozzi Seip
Buxton Goodman Millard Shapiro
Caltagirone Grell Miller Siptroth
Carroll Grove Milne Smith, K.
Casorio Grucaela Mirabito Smith, M.
Causer Hahn Moul Smith, S.
Christian Halaska Mundy Solobay
Clymer Hanna Murphy Sonney
Cohen Harhai Mart Staback
Conklin Harhart Mustio Stern
Costa, D. Harkins Myers Stevenson
Costa, P. Harper O'Brien, D. Sturla
Cox Harris O'Brien, M. Swanger
Creighton Helm O'Neill Tallman
Cruz Hess Oberlander Taylor, J.
Curry Hickernell Oliver Taylor, R.
Cutler Horman Patrone Toepel
Daley Houghton Pashinski True
Day Hutchinson Payne Turzai
Deasy Johnson Payton Verek
Delozier Josephs Peifer Vitali
DeLuca Kauffman Perry Vulakhich
Denlinger Keller, M.K. Perzel Wagner
DePasquale Keller, W. Petrarca Wansacz
Dermody Kessler Petrini Waters
DeWeese Kilon Phillips Watson
DiGrolamo Kirkland Pickett White
Donatucci Knowles Preston Williams
Drucker Kortz Pyle Youngblood
Eabucks Kotik Quigley Yudichak
Ellis Krieger Quinn
Evans, D. Kula Rapp McCall,
Evans, J. Lentz Ravenstahl Speaker
Everett Levansky

NAYS–0
NOT VOTING–0
EXCUSED–6
Belfanti Parker Thomas Wheatley
Hennessey Rohrer

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to HB 1799, PN 4384, entitled:

An Act designating the interchange at Exit 48 of Interstate 79 in Washington County as the Purple Heart Interchange; designating a bridge located on that portion of S.R. 3001 over the Chest Creek, Mahaffey, Clearfield County, as the Sergeant Major Morton Shea Landy Memorial Bridge; designating the Donora-Webster Bridge in Donora, Washington County, as the Lieutenant Governor Ernest P. Kline Memorial Bridge; designating the bridge on that portion of S.R. 130 over the Norfolk Southern rail lines, Trafford Borough, Allegheny and Westmoreland Counties, as the Trafford Veterans Memorial Bridge; and designating the interchange of Business Route 60 with Thorn Run Road in Moon Township, Allegheny County, as the Robert E. Harper Interchange.

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

The SPEAKER. On the question, the gentleman from Washington County, Representative Daley, has an amendment. Does he wish to suspend the rules or withdraw? The gentleman is withdrawing the amendment? The Chair thanks the gentleman.
On the question recurring, Will the House concur in Senate amendments? 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 Fabrizio Longietti Readshaw
Baker Fairchild Maher Reed
Barbin Farry Mahoney Reese
Barrar Fleck Major Reichey
Bear Frankel Mandero Roae
Benninghoff Freeman Mann Rock
Beyer Gabig Markosek Roebeck
Bishop Gabler Marshall Ross
Boback Galloway Marisco Sabatina
Boyd Geist Matzje Sainato
Boyle George McGeehan Samuelson
Bradford Gerber McI. Smith Santarsiero
Brennan Gergency Melio Santoni
Briggs Gibbons Metcalfe Saylor
Brooks Gis Gillespie Metzgar Scavello
Brown Gingerich Mccarelli Schroder
Burns Godshall Miccozzie Seip
Buxton Goodman Millard Shapiro
Caltagirone Grell Miller Siptroth
Carroll Grove Milne Smith, K.
Casorio Grucela Mirabito Smith, M.
Causer Hahn Moul Smith, S.
Christiana Haluska Mundi Solobay
Clymer Hanna Murphy Sonney
Cohen Harhai Murt Staback
Conklin Hartland Murolo Stern
Costa, D. Harksins Myers Stevenson
Costa, P. Harper O’Brien, D. Sturla
Cox Harris O’Brien, M. Swiproth
Creighton Helm O’Neill Tallman
Cruz Hess Oberlander Taylor, J.
Curry Hickernell Oliver Taylor, R.
Cutler Horzaman Pallone Toepel
Daley Houghton Pashinski True
Day Hutchinson Payne Turzai
Deasy Johnson Payton Vreun
DeLozier Josephs Peifer Vitali
DeLuca Kaufman Perry Vulakovich
Denlinger Keller, M.K. Perzel Wagner
DePasquale Keller, W. Petrarca Wansacz
Dermody Kessler Petri Waters
DeWeese Killion Phillips Watson
DiGirolamo Kirkland Pickett White
Donatucci Knowles Preston Williams
Drucker Kortz Pyle Youngblood
Eachus Kotik Quigley Yudichak
Ellis Krieger Quinn
Evans, D. Kula Rapp McCall,
Evans, J. Lentz Ravenstahl Speaker
Everett Levinsky

NAYS–0

NOT VOTING–0

EXCUSED–6

Belfanti Parker Thomas Wheatley
Hennessey Rohrer

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

Ordered, That the clerk inform the Senate accordingly.

***

The House proceeded to consideration of concurrence in Senate amendments to HB 2212, PN 4391, entitled:

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

On the question, Will the House concur in Senate amendments? The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS–195

Adolph Fabrizio Levdansky Readshaw
Baker Fairchild Longietti Reed
Barbin Farry Maher Reese
Barrar Fleck Mahoney Reichey
Bear Frankel Mandero Rock
Benninghoff Freeman Manderino Roae
Beyer Gabig Mccarelli Sanato
Bishop Gabler Markosek Ross
Boback Galloway Marshall Sabatina
Boyd Geist Marsico Sainato
Boyle George Matzje Samuelson
Bradford Gerber McGeehan Santarsiero
Brennan Gergency Melio Santoni
Briggs Gibbons Metcalfe Saylor
Brooks Gis Gillespie Metzgar Scavello
Brown Gingerich Mccarelli Schroder
Burns Godshall Miccozzie Seip
Buxton Goodman Millard Shapiro
Caltagirone Grell Miller Siptroth
Carroll Grove Milne Smith, K.
Casorio Grucela Mirabito Smith, M.
Causer Hahn Moul Smith, S.
Christiana Haluska Mundi Solobay
Clymer Hanna Murphy Sonney
Cohen Harhai Murt Staback
Conklin Hartland Murolo Stern
Costa, D. Harksins Myers Stevenson
Costa, P. Harper O’Brien, D. Sturla
Cox Harris O’Brien, M. Swiproth
Creighton Helm O’Neill Tallman
Cruz Hess Oberlander Taylor, J.
Curry Hickernell Oliver Taylor, R.
Cutler Horzaman Pallone Toepel
Daley Houghton Pashinski True
Day Hutchinson Payne Turzai
Deasy Johnson Payton Vreun
DeLozier Josephs Peifer Vitali
DeLuca Kaufman Perry Vulakovich
Denlinger Keller, M.K. Perzel Wagner
DePasquale Keller, W. Petrarca Wansacz
Dermody Kessler Petri Waters
DeWeese Killion Phillips Watson
DiGirolamo Kirkland Pickett White
Donatucci Knowles Preston Williams
Drucker Kortz Pyle Youngblood
Eachus Kotik Quigley Yudichak
Ellis Krieger Quinn
Evans, D. Kula Rapp McCall,
Evans, J. Lentz Ravenstahl Speaker
Everett Levinsky

NAYS–0

NOT VOTING–0

EXCUSED–6

Belfanti Parker Thomas Wheatley
Hennessey Rohrer

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

Ordered, That the clerk inform the Senate accordingly.

***

The House proceeded to consideration of concurrence in Senate amendments to HB 2291, PN 4386, entitled:

An Act providing for the capital budget for the fiscal year 2010-2011; itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, State forestry bridge projects, General Fund current revenue projects, State ATV/Snowmobile Fund projects, State transportation enhancement funds projects and State Stores Fund current revenue projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, or the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection or the Department of Transportation; stating the estimated useful life of the projects; providing an exemption; providing for limitation on certain capital projects; making appropriations; and making a repeal.

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

The SPEAKER. The Chair thanks the gentleman. On the question recurring, Will the House concur in Senate amendments?

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

The following roll call was recorded:

**YEAS–128**

Adolph, Ellis, Levansky, Readshaw
Baker, Evans, D., Longietti, Reedshy
Barbin, Evans, J., Mahoney, Roebuck
Beyer, Everett, Marderino, Sabatina
Bishop, Fabrizio, Mann, Sainato
Boyle, Fairchild, Markoske, Samuelson
Bradford, Fleck, Marshall, Santarsiero
Brennan, Frankel, Marsico, Santoni
Briggs, Freeman, Matzie, Seip
Brown, Galloway, McGeehan, Shapiro
Burns, Geist, Melio, Siptroth
Buxton, George, Micozzie, Smith, K.
Caltagirone, Gerber, Mirabito, Smith, M.
Carroll, Gergely, Mundy, Smith, S.
Caucer, Gibbons, Murphy, Solobay
Christian, Godshall, Myers, Sonney
Cohen, Goodman, O'Brien, D., Staback
Conklin, Grucela, O'Brien, M., Sturla
Costa, D., Hanna, O'Neill, Taylor, J.
Costa, P., Harkins, Oberlander, Taylor, R.
Cruz, Helm, Oliver, Vitali
Curry, Hess, Paskinski, Wagner
Daley, Hornaman, Payne, Wansacz
Day, Houghton, Payton, Watson
Deasy, Johnson, Perzel, Watson
DeLuca, Josephs, Petracca, White
DePasquale, Keller, W., Petri, Williams
Dermody, Killion, Phillips, Youngblood
DeWeese, Kirkland, Pickett, Yudichak
DiGirolamo, Kortz, Preston
Donatucci, Kotik, Quinn, McCall
Drucker, Kula, Ravenstahl, Speaker
Eacius, Lentz

**NAYS–68**

Barrar, Gingrich, Major, Reed
Bear, Grell, McI. Smith, Reese
Benninghoff, Grove, Metcalfe, Roae
Boback, Hahn, Metzar, Rock
Boyd, Haluska, McCarelli, Ross
Brooks, Harhai, Millard, Saylor
Casorci, Harhart, Miller, Scavello
Clymer, Harper, Milne, Schroeder
Cox, Harris, Moul, Stern
Creighton, Hickernell, Murt, Stevenson
Cutler, Hutchinson, Mustio, Swanger
Delozier, Kaufman, Pallone, Tallman
Denlinger, Keller, M.K., Peifer, Toepel
Farry, Kessler, Perry, True
Gabig, Knowles, Pyle, Turzai
Gabler, Krieger, Quigley, Vereb
Gillespie, Maher, Rapp, Vulakovich

you are itemized in this does not mean that it will in fact become a debt-financed project. Ultimately, that is the Governor's prerogative; $12.53 billion are listed.

I recognize that members will be voting as they see fit. For myself, given that RCAP (Redevelopment Assistance Capital Program) is a subset of this debt financing, I will be voting "no," but I recognize that members will be looking at the entirety of the language in the bill. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

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

The following roll call was recorded:
HB 2291, PN 4386

An Act providing for the capital budget for the fiscal year 2010-2011; itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, State forestry bridge projects, General Fund current revenue projects, State ATV/Snowmobile Fund projects, State transportation enhancement funds projects and State Stores Fund current revenue projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, or the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection or the Department of Transportation; stating the estimated useful life of the projects; providing an exemption; providing for limitation on certain capital projects; making appropriations; and making a repeal.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Speaker is about to call up HB 40, which will require a suspension of the rules for its immediate consideration.

Will the gentleman, Mr. Eachus, approach the desk?

CALENDAR CONTINUED

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader, Representative Eachus, who moves that the rules of the House be suspended for the immediate consideration of HB 40.

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

YEAS–173

Adolph
Baker
Barbin
Barrar
Bear
Benninghoff
Beyer
Boback
Boyd
Boyle
Bradford
Brennan
Brooks
Burns
Buxton
Caltagirone
Carroll
Casario
Causar
Christian
Clymer

Fabrizio
Fairchild
Farr
Fleck
Freeman
Gabig
Gabler
Galloway
Geist
George
Gergely
Gibbons
Gillespie
Gingrich
Godshall
Goodman
Grell
Grove
Grucela
Hahn
Haluska

Lentz
Levdansky
Longietti
Maher
Mahoney
Major
Mann
Markosek
Marshall
Marsico
Matzie
McGehee
Melio
Metcalfe
Metzgar
Miccarelli
Micozzie
Millard
Miller
Milne
Mirabito

Ravenstahl
Readshaw
Reed
Reese
Reichley
Roae
Rock
Ross
Sainato
Samuelson
Santoni
Saylor
Scavello
Schroeder
Seip
Shapiro
Siptroth
Smith, K.
Smith, M.
Smith, S.
Solobay
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.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of HB 40, PN 3799, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing, in general principles of justification, for definitions, for use of force in self-protection, for use of force for the protection of other persons, for grading of theft offenses and for licenses to carry firearms; and providing for civil immunity for use of force.

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

Mr. S. SMITH. Mr. Speaker, on second consideration of HB 40?

The SPEAKER. Second consideration.

Mr. S. SMITH. On second consideration of HB 40, to be recognized.

The SPEAKER. Does the gentleman wish to be recognized?

Mr. S. SMITH. Yes.

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

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

On second consideration of HB 40, Mr. Speaker, I know that there was a discharge resolution that had been filed on this bill and—

The SPEAKER. Will the gentleman yield. Will the gentleman yield.

The House will come to order. The House will come to order. Members will please take their seats or take their conversations off the floor of the House. The House will come to order.

The Chair recognizes the minority leader, Representative Smith.

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

On second consideration of HB 40, I know that there had been a discharge resolution filed and of course there was consideration given to that, that it was withdrawn in order to have the bill brought out of committee and brought before the House for a vote in a fairly expeditious manner, and we are very appreciative of that action.

However, Mr. Speaker, it was the intention to have this bill considered within its rather strict subject of the Castle Doctrine, and I see that many of the amendments that, in my opinion – although the Speaker's opinion might count a little bit more – my opinion is that some of these bills are unrelated to the single subject. It is a dual-title bill which creates another level of controversy as to what amendments are in order and not in order.

MOTION FOR PREVIOUS QUESTION

Mr. S. SMITH. Therefore, Mr. Speaker, I move for the previous question pursuant to rule 61. My motion for the previous question concerning whether the House will agree to the bill on second consideration does not include any pending amendments.

Thank you, Mr. Speaker.

The SPEAKER. Representative Turzai, Representative Christiana, Representative Benninghoff, Representative Cox, Representative Major, Representative Everett, Representative Saylor, Representative Gabler, Representative Geist, Representative Hess, Representative Knowles, Representative Day, Representative Hutchinson, Representative True, Representative Reichley, Representative Reed, Representative Peifer, Representative Ellis, Representative Denlinger, Representative Barrar, Representative Rock, Representative Perry, Representative Moul, Representative Grove. We have the sufficient amount of seconds.

The gentleman, Representative Smith, has moved the previous question. The previous question has been made and properly seconded.

For the information of the members, an "aye" vote is a vote to end debate and to take an immediate vote on the question.

Those in favor of the motion will vote "aye"; those opposed, "nay."

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

(Members proceeded to vote.)
LEAVE OF ABSENCE CANCELED

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

CONSIDERATION OF HB 40 CONTINUED

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

The following roll call was recorded:

YEAS—148

Adolph  Adolph Fairchild  Kotik  Quinn
Baker   Baker Farry  Krieger  Rapp
Barbin  Barbin Fleck  Kula  Ravenstahl
Barrar  Barrar Gabig  Longietti  Readshaw
Bear   Bear Gabler  Maher  Reed
Benninghoff  Benninghoff Galloway  Mahoney  Reese
Beyer  Beyer Geist  Major  Reichey
Boback  Boback George  Markosek  Roae
Boyd  Boyd Gergely  Marshall  Rock
Brennan  Brennan Gibbons  Marsico  Ross
Brooks  Brooks Gillespie  Matzie  Sainato
Burns  Burns Gingrich  Metcalfe  Saylor
Caliguire  Caliguire Godshall  Metzgar  Scavello
Carroll  Carroll Goodman  Miccarelli  Schrod
Casorla  Casorla Grell  Miccozie  Seip
Causer  Causer Grove  Millard  Siptroth
Christiana  Christiana Grucela  Miller  Smith, K.
Clymer  Clymer Hahn  Milne  Smith, M.
Conklin  Conklin Haluska  Mirabito  Smith, S.
Costa, D.  Costa, D. Hanna  Moul  Solobay
Cox  Cox Harhai  Murphy  Sonney
Creighton  Creighton Harhart  Murt  Staback
Cutler  Cutler Harkins  Mustio  Stern
Daley  Daley Harper  O'Neill  Stevenson
Day  Day Harris  Oberlander  Swanger
Deasy  Deasy Helm  Pallone  Tallman
Delozier  Delozier Hennessey  Pashinski  Taylor, J.
DeLuca  DeLuca Hess  Payne  Topel
Denlinger  Denlinger Hickernell  Peifer  True
DePasquale  DePasquale Hornaman  Perry  Turzai
Dermody  Dermody Hutchinson  Perzel  Verch
DeWeese  DeWeese Kaufman  Petracca  Vukakovitch
DiGirolamo  DiGirolamo Keller, M.K.  Petri  Wagner
Ellis  Ellis Kessler  Phillips  Wasycz
Evans, J.  Evans, J. Killon  Picket  Watson
Everett  Everett Knowles  Pyle  White
Fabrizio  Fabrizio Kortz  Quigley  Yudichak

NAYS—49

Bishop  Bishop Evans, D.  McGeehan  Santarsiero
Boyle  Boyle Frankel  Mel. Smith  Santoni
Bradford  Bradford Freeman  Melio  Shapiro
Briggs  Briggs Gerber  Mundy  Sturla
Brown  Brown Houghton  Myers  Taylor, R.
Buxton  Buxton Johnson  O'Brien, D.  Vitali
Cohen  Cohen Josephs  O'Brien, M.  Waters
Costa, P.  Costa, P. Keller, W.  Oliver  Williams
Cruz  Cruz Kirkland  Payton  Youngblood
Curry  Curry Lentz  Preston
Donatucci  Donatucci Ledvansky  Roebuck  McCaill
Drucker  Drucker Manderino  Sabatina  Speaker
Eachus  Eachus Mann  Samuelson

NOT VOTING—0

EXCUSED—5

Belfanti  Belfanti Rohrer  Thomas  Wheatley
Parker

The majority 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 second consideration?

Mr. S. SMITH. Mr. Speaker?

Mr. S. SMITH. The SPEAKER. For what purpose does the gentleman, Representative Smith, rise?

Mr. S. SMITH. I might not have heard the Speaker correctly, but I believe that we were in line to have a vote on second consideration, a recorded vote, that would have been a function of that motion to move the previous question, and if that is not the case, we had submitted a letter asking for—

The SPEAKER. I was just informed that there was a written submission—

Mr. S. SMITH.—a roll-call vote.

The SPEAKER.—for a roll-call vote.

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

The SPEAKER. Those in favor of HB 40, second consideration, will vote "aye"; those opposed to second consideration of HB 40 will vote "nay."

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

The following roll call was recorded:

YEAS—156

Adolph  Adolph Everett  Kotik  Ravenstahl
Baker  Baker Fabrizio  Krieger  Readshaw
Barbin  Barbin Fairchild  Kula  Reed
Barrar  Barrar Farry  Longietti  Reese
Bear  Bear Fleck  Maher  Reichey
Benninghoff  Benninghoff Gabig  Mahoney  Roae
Beyer  Beyer Gabler  Major  Rock
Boback  Boback Galloway  Markosek  Ross
Boyd  Boyd Geist  Marshall  Sainato
Boyle  Boyle George  Marsico  Santoni
Bradford  Bradford Gergely  Matzie  Saylor
Brennan  Brennan Gibbons  Metcalfe  Scavello
Brooks  Brooks Gillespie  Metzgar  Schrod
Burns  Burns Gingrich  Miccarelli  Seip
Caliguire  Caliguire Godshall  Miccozie  Shapiro
Carroll  Carroll Goodman  Millard  Siptroth
Casorla  Casorla Grell  Miller  Smith, K.
Causer  Causer Grove  Milne  Smith, M.
Christiana  Christiana Grucela  Mirabito  Smith, S.
Clymer  Clymer Hahn  Moul  Solobay
Conklin  Conklin Haluska  Murphy  Sonney
Costa, D.  Costa, D. Hanna  Murt  Staback
Costa, P.  Costa, P. Harhai  Mustio  Stern
Cox  Cox Harhart  O'Neill  Stevenson
Creighton  Creighton Harkins  Oberlander  Swanger
Cutler  Cutler Harper  Pallone  Tallman
Daley  Daley Harris  Pashinski  Taylor, J.
Day  Day Helm  Payne  Topeel
Deasy  Deasy Hennessey  Peifer  True
Delozier  Delozier Hess  Perry  Turzai

NOT VOTING—0

EXCUSED—5

Belfanti  Belfanti Rohrer  Thomas  Wheatley
Parker

The majority 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 second consideration?
DeLuca  Hickernell  Perzel  Vereb
Denlinger  Hornaman  Petrarcia  Vulakovich
DePasquale  Houghton  Petri  Wansacz
Dermody  Hutchinson  Phillips  Watson
DeWeese  Kaufman  Pickett  White
DiGirolamo  Keller, M.K.  Pyle  Yudichak
Drucker  Kessler  Quigley  
Eachsus  Killion  Quinn  McCald
Ellis  Knowles  Rapp  Speaker
Evans, J.  Kortz

NAYS–41

Bishop  Gerber  McI. Smith  Sabatina
Briggs  Johnson  Melio  Samuelson
Brown  Josephs  Mundy  Santarsiero
Buxton  Keller, W.  Myers  Sturla
Cohen  Kirkland  O'Brien, D.  Taylor, R.
Cruz  Lentz  O'Brien, M.  Vitali
Curry  Lvdansky  Oliver  Wagner
Donatucci  Manderino  Payton  Waters
Evans, D.  Mann  Preston  Williams
Frankel  McGeehan  Roebuck  Youngblood
Freeman

NOT VOTING–0

EXCUSED–5

Belfanti  Rohrer  Thomas  Wheatley
Parker

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

RESCISSION OF POSTPONEMENT OF BILL

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

Mr. EACHUS. Mr. Speaker, I rise to make a motion.

The SPEAKER. The gentleman is in order to make a motion and will proceed.

Mr. EACHUS. Mr. Speaker, I move that the House rescind the decision to postpone consideration of SB 1280 until tomorrow, October 5, 2010, after 2 p.m.

The SPEAKER. On the motion, the gentleman from Luzerne County, Representative Eachus, moves that this House rescind its decision to postpone consideration of SB 1280, PN 2231, until tomorrow, October 5, 2010, after 2 p.m.

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

The SPEAKER. On the motion to rescind the House's decision, the Chair recognizes the gentleman from Allegheny County, Representative Turzai.

Mr. TURZAI. Yes, sir.

Mr. Speaker, can we, just to make sure that we have – and I am looking for a parliamentary inquiry for just the timing – have everybody in their seats so that we know that there is an adequate count, an accurate count.

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

On the motion to rescind, does the gentleman wish to be recognized?

On the motion to rescind, the Chair recognizes the gentleman from Allegheny County, Representative Turzai.

PARLIAMENTARY INQUIRY

Mr. TURZAI. Yes, sir.

First of all, on the parliamentary inquiry, and then I would also ask for permission to speak on the motion to rescind, but my understanding is that to cast a vote you have to be in your seat, and I just want to make sure that – I know a lot of folks thought we might be done, that in fact you do have to be in your seat to cast a vote on this motion to rescind. And then— Is that correct, Mr. Speaker?

The SPEAKER. The rules of the House.

Mr. TURZAI. And then on the motion to rescind, let me reiterate, this body has already voted on this to protect—

The SPEAKER. Is the gentleman speaking on the motion?

Mr. TURZAI. Yes, sir.

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

Mr. TURZAI. —protect the process by which we in fact deal with the filing of amendments to be voted on by the entire chamber. That is part of the legislative process. In this situation, once again the underlying facts are that amendments were shut off on September 29 at 2 p.m., yet the Senate had not yet passed the bill. They do not do that, the body does not do that until 2:09 p.m., after the shutoff on amendments, and the House Insurance Committee does not report the bill to the floor until approximately 3:30 p.m. on September 29. That is, I would argue, a flagrant abuse with respect to shutting off amendments.

We will have, under the original motion that passed this chamber, an opportunity to review those amendments tomorrow – it is just tomorrow – and in addition, we will then, after reviewing the amendments, have an opportunity to review the underlying bill this week. I would ask the members to vote against the motion to rescind and to stay the course with the original motion to postpone to a specific date and time, which would be tomorrow after 2 p.m.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The SPEAKER. The Chair thanks the gentleman from Lancaster County, Representative Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

Mr. Speaker, the last time I got up to speak on this issue I appreciated tremendously the respect of the members in supporting the motion on both sides of the aisle. And I would just remind everybody that one of the great things about our system, the way it is set up is we are divided not just by party, but we are divided by the majority and the minority. And the Founding Fathers were very clear in not wanting to have what I remember in my political science classes in school, what was affectionately called the tyranny of the majority. And they gave a voice to the minority; they gave a voice for the process. We played that out and now we are going to undo that. So I would just ask the members that voted to postpone SB 1280 until tomorrow to vote the same way and vote against the motion to rescind, if for nothing else for the integrity of the process.

Thank you, Mr. Speaker.
Mr. Speaker, let us be very clear what a vote on this motion to rescind is really all about. By voting "yes" on this motion to rescind, you are going to be voting against your hospitals, your doctors, and the medical community. Let us make no mistake about it that that is what this vote equates to and will be seen and viewed as.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the motion to rescind, the Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Let me give the gentleman the clarifying information to repeat what the Speaker said earlier about the process. No disrespect to the Founding Fathers; we all know the history. Benjamin Franklin also had the clerk's contract for printing for the building, so let us leave all of that out of it, right? We are in a new, transparent day, right? But my point back to you all is that as bills proceed from the Senate, on the House voting schedule they have a printer's number; when they proceed into committees, they have a printer's number; when they are amended in committees, the printer's number changes. As it relates to movements from the Senate to the House, it is amended in committees, the printer's number changes. As it relates to movements from the Senate to the House, it is incumbent on all of us as members to track the House voting schedule in an orderly fashion so that we can amend bills for consideration.

Now, let us set all the hypocrisy aside. Frankly, there were 24 hours that preceded from the Senate to the time we took this bill up. No rule was breached. No underhanded, heavy-handed majority rule that we used to know under the Republican majority, none of that. Let me say this again: When we want to do things around here, like the bill we did just before this one, we suspended the rules to avoid a constitutional day. We ejected 24 hours that preceded from the Senate to the time we took this bill up. No rule was breached. No underhanded, heavy-handed majority rule that we used to know under the Republican majority, none of that. Let me say this again: When we want to do things around here, like the bill we did just before this one, we suspended the rules to avoid a constitutional day. We ejected adjournment time. Without objection, his leave will be granted. He also requests a leave of absence for the gentleman from Perry County, Representative Mark Keller, for the remainder of the day. Without objection, the leave will be granted.

RESCISSION OF POSTPONEMENT OF BILL CONTINUED

The SPEAKER. On the motion to rescind, the Chair recognizes the minority whip, Representative Turzai, who requests a leave of absence for the gentleman from Northumberland County, Representative Phillips, for the remainder of the day. Without objection, his leave will be granted. He also requests a leave of absence for the gentleman from Perry County, Representative Mark Keller, for the remainder of the day. Without objection, the leave will be granted.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the minority whip, Representative Turzai, who requests a leave of absence for the gentleman from Northumberland County, Representative Phillips, for the remainder of the day. Without objection, his leave will be granted.

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

The following roll call was recorded:

YEAS–98

Barbin Drucker Kula Roebuck
Bishop Eachus Levdamsky Sabatini
Boyle Evans, D. Longietti Sainato
Bradford Fabrizio Mahoney Samuelson
Brennan Frankel Manderino Santarsiero
Briggs Freeman Mann Santoni
Brown Galloway Markosek Seip
Burns George Matzie Siptroth
Buxton Gerber McGeehan Smith, K.
Caltagirone Gergely Mci. Smith, M.
Carroll Gibbons Melio Solobay
Casorio Goodman Mirabito Staback
Cohen Grucela Mundy Sturla
Conklin Haluska Murphy Taylor, R.
Costa, D. Hanna Myers Vitali
Costa, P. Harhai O'Brien, D. Wagner
Cruz Harkins O'Brien, M. Wansacz
Curry Houghton Oliver Waters
Daley Johnson Pallone White
Deasy Josephs Pashinski Williams
DeLuca Keller, W. Payton Youngblood
DePasquale Kessler Petrarca Yudichak

The SPEAKER. The following roll call was recorded:

RESCISSION OF POSTPONEMENT OF BILL CONTINUED

The SPEAKER. On the motion to rescind, the Chair recognizes the minority whip, Representative Turzai, who requests a leave of absence for the gentleman from Northumberland County, Representative Phillips, for the remainder of the day. Without objection, his leave will be granted. He also requests a leave of absence for the gentleman from Perry County, Representative Mark Keller, for the remainder of the day. Without objection, the leave will be granted.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the minority whip, Representative Turzai, who requests a leave of absence for the gentleman from Northumberland County, Representative Phillips, for the remainder of the day. Without objection, his leave will be granted. He also requests a leave of absence for the gentleman from Perry County, Representative Mark Keller, for the remainder of the day. Without objection, the leave will be granted.

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

The following roll call was recorded:

YEAS–98

Barbin Drucker Kula Roebuck
Bishop Eachus Levdamsky Sabatini
Boyle Evans, D. Longietti Sainato
Bradford Fabrizio Mahoney Samuelson
Brennan Frankel Manderino Santarsiero
Briggs Freeman Mann Santoni
Brown Galloway Markosek Seip
Burns George Matzie Siptroth
Buxton Gerber McGeehan Smith, K.
Caltagirone Gergely Mci. Smith, M.
Carroll Gibbons Melio Solobay
Casorio Goodman Mirabito Staback
Cohen Grucela Mundy Sturla
Conklin Haluska Murphy Taylor, R.
Costa, D. Hanna Myers Vitali
Costa, P. Harhai O'Brien, D. Wagner
Cruz Harkins O'Brien, M. Wansacz
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Will the House agree to the motion?

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Costa, P. Harhai O'Brien, D. Wagner
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The majority having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

SUPPLEMENTAL CALENDAR B CONTINUED

CONSIDERATION OF SB 1280 CONTINUED

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

The SPEAKER. The gentleman from Chester County, Representative Schroder, has a late-filed amendment. Would the gentleman wish to suspend the rules for the immediate consideration of the amendment?

The gentleman, Mr. Schroder.

Mr. SCHRODER. Mr. Speaker, with your permission, I would like to yield the floor to the minority leader, Representative Smith, at this time.

The SPEAKER. Is the gentleman not offering his amendment?

Mr. SCHRODER. I would ask that the amendment be temporarily gone over so that I can yield the floor to the minority leader, Representative Smith, at this time.

The SPEAKER. The gentleman is not offering his amendment?

Mr. SCHRODER. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Mr. Smith.

MOTION TO ADJOURN

Mr. S. SMITH. Mr. Speaker, there is always more than one way to try to skin the cat – whether you can skin it this way or not I do not know – but I would move that we adjourn.

The SPEAKER. Until tomorrow at 11 a.m.?

Mr. S. SMITH. Yes, Mr. Speaker.

The SPEAKER. The gentleman, Representative Smith, moves that this House do now adjourn until Tuesday, October 5, 2010, at 11 a.m., unless sooner recalled by the Speaker.

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

The SPEAKER. On the motion to adjourn, the Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Respectfully, we are here to do the people's work tonight. I want to get it all done. So if we can please continue our work this evening? I ask for a "no" on adjournment.

Thank you very much, Mr. Speaker.

The SPEAKER. On the motion to adjourn, those voting to adjourn until October 5, 2010, at 11 a.m. will vote "aye"; those voting not to adjourn will vote "nay."

(Members proceeded to vote.)

Mr. S. SMITH. Mr. Speaker, are all the members in their seats?

The SPEAKER. It looks like it to me.

Mr. S. SMITH. I do not know, Mr. Speaker. I can lend you my glasses, Mr. Speaker.

The SPEAKER. The gentleman can challenge. Members will take their seats.

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

The following roll call was recorded:

YEAS—94

Adolph  Fleck  Marshall  Rapp
Baker  Gabig  Marsico  Reed
Barrar  Gabler  Metcalfe  Rehee
Bear  Geist  Metzgar  Reichley
Benninghoff  Gillespie  Mircarelli  Roae
Beyer  Godshall  Millard  Rock
Boback  Grell  Micozzie  Ross
Boyd  Grover  Millard  Saylor
Brooks  Hahn  Miller  Scavello
Causier  Harhart  Milne  Schroder
Christian  Harper  Moul  Shapiro
Clymer  Harris  Murt  Smith, S.
Cox  Helm  Mustio  Sonney
Creighton  Hennessey  O'Neill  Stern
Cutler  Hess  Oberlander  Stevenson
Day  Hickernell  Payne  Swanger
Delozier  Hornaman  Peifer  Tallman
Denlinger  Hutchinson  Perry  Taylor, J.
DiGirolamo  Kaufman  Perzel  Toepel
Ellis  Killion  Petri  True
Evans, J.  Knowles  Pickett  Turzai
Everett  Krieger  Pyle  Vereb
Fairchild  Lentz  Quigley  Vulakovich
Farry  Maher  Quinn  Watson
Fleck

NOT VOTING—0

EXCUSED—7

Belfanti  Parker  Rohrer  Wheatley
Keller, M.K.  Phillips  Thomas
The question was determined in the negative and the motion was not agreed to.

CONSIDERATION OF SB 1280 CONTINUED

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

The SPEAKER. Would the gentleman, Mr. Schroder, care to make a motion?

Mr. SCHRODER. Mr. Speaker, after further thought and consideration, because of the travesty upon which we have engaged in the procedure of the House today, and since I do not recognize the amendment as being late filed, I will be making no such motion to suspend.

MOTION TO SUSPEND RULES

The SPEAKER. Does the gentleman, Mr. Boyd, wish to offer a motion to suspend the rules?

Mr. BOYD. Yes, Mr. Speaker.

I believe I had two filed. In the interest of time, how about if we just do 9504 and go over 9465.

The SPEAKER. Is the gentleman withdrawing 9465?

Mr. BOYD. Yes, sir.

The SPEAKER. The gentleman, Mr. Boyd, moves that the House do now suspend its rules for the immediate consideration of amendment A09504.

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

The SPEAKER. On the question of suspension of the rules, the Chair recognizes the gentleman from Lancaster County, Representative Boyd.

Mr. BOYD. Thank you, Mr. Speaker.

Mr. Speaker, 9504 is a very simple amendment. It is a compromise amendment. In the language of the current bill, there is a 7-year moratorium on allowing the Insurance Commissioner to review the private lines marketplace and determine whether or not there is capacity for the private insurance industry to pick up a portion of the Mcare (Medical Care Availability and Reduction of Error Act), of medical liability. All this would do is bring that from 7 years back to 4 years. I would appreciate a suspension of the rules, Mr. Speaker. Thank you.

The SPEAKER. On the question of suspension of the rules, the Chair recognizes the majority leader, Representative Eachus.

The gentleman is recognized.

Mr. EACHUS. Thank you, Mr. Speaker.

I respectfully oppose the gentleman's motion to suspend.

Thank you, Mr. Speaker.

Mr. S. SMITH. Mr. Speaker, just briefly?

The SPEAKER. The Chair recognizes the minority leader, Representative Smith.

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

With all due respect to the process, I do believe that the gentleman from Lancaster has a valid amendment here. And for many of us who, frankly, can see this issue from both sides, this amendment, I believe, in my opinion, really does strike a valid and acceptable compromise. It does not undermine the intent of the bill, and it certainly does not aggrieve any party in any significant way. And I think, Mr. Speaker, despite some of the other wranglings that took place here over the last hour or so, for the House to move to suspend the rules for the consideration of amendment 9504 I think would be in the best interest of the people of Pennsylvania and for those in the medical community – the hospitals, doctors; all those worlds that are colliding here on this issue.

So I would simply urge the members to support the motion to suspend the rules and allow us to bring forward an amendment that truly does strike some reasonable middle balance to this issue.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS–100

Adolph Gabler Marsisco Quinn
Baker Geist Metcalfe Rapp
Barrar Gillespie Metzgar Reed
Bear Gingrich Miccarelli Reese
Benninghoff Godshall Micozzie Reichley
NAYS—95

Barbin Donatucci Kortz Sabatina
Bishop Drucker Kotik Sainato
Boyle Eachus Kula Samuelson
Bradford Evans, D. Levdansky Santarsiero
Brennan Fabrizio Longietti Santoni
Briggs Frankel Mahoney Seip
Brown Freeman Manderino Siptroth
Burns Galloway Mann Smith, K.
Buxton George Markosek Smith, M.
Caltagirone Gerber Matzie Solobay
Carroll Gergely McGeehan Staback
Casorio Gibbons McI. Smith Sturla
Cohen Goodman Melio Taylor, R.
Conklin Greli Mundy Vitali
Costa, D. Grucela Murphy Wagner
Costa, P. Halaska Myers Wansacz
Cruz Harhai O'Brien, M. Waters
Curry Harkins Oliver White
Cutler Houghton Pashinski Williams
Daley Johnson Payton Youngblood
Deasy Josephs Preston Yudichak
DeLuca Keller, W. Ravenstahl McCall,
DePasquale Kessler Readshaw Speaker
DeWeese

EXCUSED—7

Belfanti Parker Rohrer Wheatley
Keller, M.K. Phillips Thomas

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

CALENDAR CONTINUED

RESOLUTION

Mr. EACHUS called up HR 633, PN 3214, entitled:
A Resolution directing the Legislative Budget and Finance Committee to conduct a study and submit a report to the General Assembly on the issue of general and comprehensive liability insurance for family day care homes.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

The SPEAKER. The Chair recognizes the majority leader, who moves that HR 633 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 633 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 298, PN 2034, entitled:

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

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 298 be removed from the active calendar and recommitted to the Committee on Appropriations.

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

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 1272 be removed from the tabled bill calendar and recommitted to the Committee on Appropriations.

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

AGING AND OLDER ADULT SERVICES COMMITTEE MEETING

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

Ms. MUNDY. Thank you, Mr. Speaker.
I would like to remind the members of the Aging and Older Adult Services Committee that at the recess we will have a committee meeting. I am trying to figure out where. I believe it is in 60 East Wing. Again, Aging and Older Adult Services Committee will meet at the recess in 60 East Wing.
Thank you, Mr. Speaker.
The SPEAKER. The Chair thanks the lady.
There will be an Aging and Older Adult Services Committee meeting immediately at the recess in 60 East Wing.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. There will be no further votes taken today.
The Speaker will keep the desk open for the receipt of the Aging Committee report.
Any further announcements?

RECESS

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

AFTER RECESS

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 976, PN 2064

An Act amending the act of November 24, 2004 (P.L.1270, No.153), referred to as the Pennsylvania Amber Alert System Law, further providing for Pennsylvania Amber Alert System established, for prohibited use, for coordination with other jurisdictions and for immunity; and creating the Missing Endangered Person Advisory System.

AGING AND OLDER ADULT SERVICES.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 976 be removed from the tabled bill calendar and recommitted to the Committee on Appropriations.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Representative Johnson, who moves that this House do now adjourn until Tuesday, October 5, 2010, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 6:47 p.m., e.d.t., the House adjourned.