

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, OCTOBER 4, 2010

SESSION OF 2010

194TH OF THE GENERAL ASSEMBLY

No. 56

HOUSE OF REPRESENTATIVES

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

**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.

JOURNAL APPROVED

The SPEAKER. The Journal of Tuesday, June 29, 2010, is now in print. Will the House approve the Journal?

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

SPRINGFIELD ATHLETIC ASSOCIATION BASEBALL TEAM PRESENTED

The SPEAKER. The Chair would like to recognize the gentleman from Delaware County, Representative Adolph, for the purpose of a presentation.

Mr. ADOLPH. Thank you, Mr. Speaker.

Ladies and gentlemen, today I would like to take some time to honor a group of young men from my home community whose cumulative efforts helped them gain recognition as one of the best under-12 baseball teams in the country. The Springfield Athletic Association 12U Blue Baseball Team recently represented the Mid-Atlantic region during the 2010 Cal Ripken Baseball World Series Championship, finishing 5th in the national tournament. The Springfield boys, led by coaches Joe Johnson, Jr., Tom Levasseur, Danny Crowe, and Michael Masi, first captured the State championship and then took the regional crown after hosting the tournament back home in Springfield.

When we consider the number of kids that play baseball in this country, I think we all can pretty clearly see how impressive this accomplishment is for these young men. During the World Series, the boys finished in 5th place, with a record of 2 and 2. To accent exactly how well they did, the only two losses came to the two teams that played for the World Series Championship. Across the board, these young men have a lot to be proud of and I am pleased that we can honor their hard work.

Ladies and gentlemen, please take some time to recognize the 2010 Mid-Atlantic Regional Champs from the Cal Ripken 12U League from the Springfield Athletic Association. In the back with us today are the team coaches and parents Joe Johnson, Jr., Tom Levasseur, Dan Crowe, and Michael Masi; along with players Jimmy Murray, Matt Conran, Andrew Astrino, Mitch Masi, Earl Kelly, Brett Sheeran, Seamus McCaffrey, Ben Thorpe, Charlie Carbin, Brian McCloskey, Matt Cella, Nick O'Shea, and Matt Methlie.

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 gentelady from Chester County, Representative Barb McIlvaine Smith, for the purpose of a presentation; Representative Milne as well.

The Chair recognizes the gentelady 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 and two Penn State. Could you please give them a warm round of applause.

The SPEAKER. The Chair recognizes the gentleman from Chester County, Representative Milne.

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 McCollester, 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	Longietti	Reese
Baker	Farry	Maher	Reichley
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	Gergely	McI. Smith	Santoni
Briggs	Gibbons	Melio	Saylor
Brooks	Gillespie	Metcalfe	Scavello
Brown	Gingrich	Metzgar	Schroder
Burns	Godshall	Miccarelli	Seip
Buxton	Goodman	Micozzie	Shapiro
Caltagirone	Grell	Millard	Sipthoth
Carroll	Grove	Miller	Smith, K.
Casorio	Grucela	Milne	Smith, S.
Causar	Hahn	Mirabito	Solobay
Christiana	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.
Curry	Hess	Oberlander	Thomas
Cutler	Hickernell	Oliver	Toepel
Daley	Hornaman	Pashinski	True
Day	Houghton	Payne	Turzai
Deasy	Hutchinson	Payton	Vereb
Delozier	Johnson	Peifer	Vitali
DeLuca	Josephs	Perry	Vulakovich
Denlinger	Kauffman	Perzel	Wagner
DePasquale	Keller, M.K.	Petrarca	Wansacz

Dermody	Keller, W.	Petri	Waters
DeWeese	Kessler	Phillips	Watson
DiGirolamo	Killion	Pickett	Wheatley
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,
Everett	Lentz	Readshaw	Speaker
Fabrizio	Levdansky	Reed	

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Barbin	Pallone	Parker	Smith, M.
Belfanti			

LEAVES ADDED—6

Hennessey	Phillips	Thomas	Wheatley
Keller, M.K.	Rohrer		

LEAVES CANCELED—4

Barbin	Hennessey	Pallone	Smith, M.
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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 CONSUMER AFFAIRS, October 4, 2010.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1060 By Representatives BISHOP, HARKINS, KOTIK, BELFANTI, THOMAS, McILVAINE SMITH and GINGRICH

An Act relating to burial accounts.

Referred to Committee on COMMERCE, October 4, 2010.

No. 2236 By Representatives BISHOP, HARKINS, KOTIK, BELFANTI, THOMAS and GINGRICH

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for the care of the body of a resident who dies while resident in a facility.

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, REICHLEY, 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

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, further providing for death certificates.

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, HARHAI, 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.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. GIBBONS called up **HR 894, PN 4163**, entitled:

A Resolution designating the month of October 2010 as "Agent Orange Recognition Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Fairchild	Longietti	Reese
Baker	Farry	Maher	Reichley
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	Gergely	McI. Smith	Santoni
Briggs	Gibbons	Melio	Saylor
Brooks	Gillespie	Metcalfe	Scavello
Brown	Gingrich	Metzgar	Schroder
Burns	Godshall	Miccarelli	Seip
Buxton	Goodman	Micozzie	Shapiro
Caltagirone	Grell	Millard	Sipthoth
Carroll	Grove	Miller	Smith, K.
Casorio	Grucela	Milne	Smith, S.
Causar	Hahn	Mirabito	Solobay
Christiana	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.
Curry	Hess	Oberlander	Thomas
Cutler	Hickernell	Oliver	Toepel
Daley	Hornaman	Pashinski	True
Day	Houghton	Payne	Turzai
Deasy	Hutchinson	Payton	Vereb
Delozier	Johnson	Peifer	Vitali
DeLuca	Josephs	Perry	Vulakovich
Denlinger	Kauffman	Perzel	Wagner
DePasquale	Keller, M.K.	Petrarca	Wansacz
Dermody	Keller, W.	Petri	Waters
DeWeese	Kessler	Phillips	Watson
DiGirolo	Killion	Pickett	Wheatley
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,
Everett	Lentz	Readshaw	Speaker
Fabrizio	Levdansky	Reed	

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 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

Adolph	Fairchild	Longietti	Reese
Baker	Farry	Maher	Reichley
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	Gergely	McI. Smith	Santoni
Briggs	Gibbons	Melio	Saylor
Brooks	Gillespie	Metcalfe	Scavello
Brown	Gingrich	Metzgar	Schroder
Burns	Godshall	Miccarelli	Seip
Buxton	Goodman	Micozzie	Shapiro
Caltagirone	Grell	Millard	Siptroth
Carroll	Grove	Miller	Smith, K.
Casorio	Grucela	Milne	Smith, S.
Causer	Hahn	Mirabito	Solobay
Christiana	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.
Curry	Hess	Oberlander	Thomas
Cutler	Hickernell	Oliver	Toepel
Daley	Hornaman	Pashinski	True
Day	Houghton	Payne	Turzai
Deasy	Hutchinson	Payton	Vereb
Delozier	Johnson	Peifer	Vitali
DeLuca	Josephs	Perry	Vulakovich
Denlinger	Kauffman	Perzel	Wagner
DePasquale	Keller, M.K.	Petrarca	Wansacz
Dermody	Keller, W.	Petri	Waters
DeWeese	Kessler	Phillips	Watson
DiGirolamo	Killion	Pickett	Wheatley
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,
Everett	Lentz	Readshaw	Speaker
Fabrizio	Levdansky	Reed	

NAYS—0

NOT VOTING—0

EXCUSED—5

Barbin Pallone 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.

* * *

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

Adolph	Fairchild	Longiotti	Reese
Baker	Farry	Maher	Reichley
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	Gergely	McI. Smith	Santoni
Briggs	Gibbons	Melio	Saylor
Brooks	Gillespie	Metcalfe	Scavello
Brown	Gingrich	Metzgar	Schroder
Burns	Godshall	Miccarelli	Seip
Buxton	Goodman	Micozzie	Shapiro
Caltagirone	Grell	Millard	Siptroth
Carroll	Grove	Miller	Smith, K.
Casorio	Grucela	Milne	Smith, S.
Causar	Hahn	Mirabito	Solobay
Christiana	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.
Curry	Hess	Oberlander	Thomas
Cutler	Hickernell	Oliver	Toepel
Daley	Hornaman	Pashinski	True
Day	Houghton	Payne	Turzai
Deasy	Hutchinson	Payton	Vereb
Delozier	Johnson	Peifer	Vitali
DeLuca	Josephs	Perry	Vulakovich
Denlinger	Kauffman	Perzel	Wagner
DePasquale	Keller, M.K.	Petrarca	Wansacz
Dermody	Keller, W.	Petri	Waters
DeWeese	Kessler	Phillips	Watson
DiGirolamo	Killion	Pickett	Wheatley

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,
Everett	Lentz	Readshaw	Speaker
Fabrizio	Levdansky	Reed	

NAYS—0

NOT VOTING—0

EXCUSED—5

Barbin	Pallone	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. REICHLLEY. 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, 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

Adolph	Geist	Marsico	Reed
Baker	George	Metcalfe	Reese
Barrar	Gillespie	Metzgar	Reichley
Bear	Gingrich	Miccarelli	Roae
Benninghoff	Godshall	Micozzie	Rock
Beyer	Grove	Millard	Rohrer
Boback	Hahn	Miller	Ross
Boyd	Haluska	Milne	Saylor
Brooks	Harhart	Mirabito	Scavello
Causar	Harper	Moul	Schroder
Christiana	Harris	Murt	Smith, S.
Clymer	Helm	Mustio	Solobay
Conklin	Hennessey	O'Brien, D.	Sonney
Cox	Hess	O'Neill	Staback
Creighton	Hickernell	Oberlander	Stern
Cruz	Hornaman	Payne	Stevenson
Day	Houghton	Peifer	Swanger
Delozier	Hutchinson	Perry	Tallman
Denlinger	Kauffman	Perzel	Taylor, J.
DiGirolo	Keller, M.K.	Petri	Thomas
Ellis	Killion	Phillips	Toepel
Evans, J.	Knowles	Pickett	True
Everett	Kortz	Pyle	Turzai
Fairchild	Kotik	Quigley	Vereb
Farry	Krieger	Quinn	Vulakovich
Fleck	Maher	Rapp	Watson
Gabig	Major	Readshaw	Youngblood
Gabler	Marshall		

NAYS—87

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

NOT VOTING—0

EXCUSED—5

Barbin	Pallone	Parker	Smith, M.
Belfanti			

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

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

DePasquale	Keller, W.	Petri	Wansacz
Dermody	Kessler	Phillips	Waters
DeWeese	Killion	Pickett	Watson
DiGirolamo	Kirkland	Preston	Wheatley
Donatucci	Knowles	Pyle	White
Drucker	Kortz	Quigley	Williams
Eachus	Kotik	Quinn	Youngblood
Ellis	Krieger	Rapp	Yudichak
Evans, D.	Kula	Ravenstahl	
Evans, J.	Lentz	Readshaw	McCall,
Everett	Levdansky	Reed	Speaker
Fabrizio	Longietti		

NAYS—1

Grucela

NOT VOTING—0

EXCUSED—5

Barbin	Pallone	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 return the same to the Senate with the information that the House has passed the same without amendment.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Speaker apologizes to the gentleday from Luzerne County, Representative Mundy, and recognizes the gentleday under unanimous consent, without objection.

Ms. MUNDY. Mr. Speaker, I have comments I would like to submit for the record on SB 1360.

The SPEAKER. The Chair thanks the lady. Provide copies to one of the pages.

Ms. MUNDY submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

Mr. Speaker, while nearly half of all children in foster care are at least 13 years old, only 19 percent of adoptions from foster care involve teens. One big reason for this disparity is that many older foster children realize the parental rights of their birth parents must be terminated in order for them to be adopted, meaning contact with their birth families could be completely severed. As a result, the process to legally free these older foster children for adoption often never takes place, and many, many teens remain in the foster care system until they age out.

SB 1360 seeks to address this problem by allowing our courts to approve voluntary post-contact agreements, between birth and adoptive families, that are legally enforceable. These agreements would give adopted children the ability to contact birth relatives after being adopted, therefore encouraging more children to consider adoption in place of long-term foster care. At the time of adoption finalization, the birth and adoptive families would be provided with the option to formally agree upon an appropriate amount of contact between children and their birth families. These agreements could be later modified or terminated if in the best interest of the child.

The U.S. Department of Health and Human Services recommended over 10 years ago that States should allow their courts to approve voluntary post-adoption agreements that are legally enforceable.

Twenty-three States have responded. It is my hope that Pennsylvania will seize this opportunity to become the 24th State to step up to the plate and pass this important piece of legislation.

I ask for your affirmative vote.

The 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.

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

The following roll call was recorded:

YEAS—197

Adolph	Fairchild	Longiatti	Reese
Baker	Farry	Maher	Reichley
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	Gergely	McI. Smith	Santoni
Briggs	Gibbons	Melio	Saylor
Brooks	Gillespie	Metcalfe	Scavello
Brown	Gingrich	Metzgar	Schroder
Burns	Godshall	Miccarelli	Seip
Buxton	Goodman	Micozzie	Shapiro
Caltagirone	Grell	Millard	Siptroth
Carroll	Grove	Miller	Smith, K.
Casorio	Grucela	Milne	Smith, S.
Causer	Hahn	Mirabito	Solobay
Christiana	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.
Curry	Hess	Oberlander	Thomas
Cutler	Hickernell	Oliver	Toepel
Daley	Hornaman	Pashinski	True
Day	Houghton	Payne	Turzai
Deasy	Hutchinson	Payton	Vereb
Delozier	Johnson	Peifer	Vitali
DeLuca	Josephs	Perry	Vulakovich
Denlinger	Kauffman	Perzel	Wagner
DePasquale	Keller, M.K.	Petrarca	Wansacz
Dermody	Keller, W.	Petri	Waters
DeWeese	Kessler	Phillips	Watson
DiGirolo	Killion	Pickett	Wheatley
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,
Everett	Lentz	Readshaw	Speaker
Fabrizio	Levdansky	Reed	

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.

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 employes 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	Longiotti	Reese
Baker	Fairchild	Maher	Reichley
Barbin	Farry	Mahoney	Roae
Barrar	Fleck	Major	Rock
Bear	Frankel	Manderino	Roebuck
Benninghoff	Freeman	Mann	Rohrer
Beyer	Gabig	Markosek	Ross
Bishop	Gabler	Marshall	Sabatina
Boback	Galloway	Marsico	Sainato
Boyd	Geist	Matzie	Samuelson
Boyle	George	McGeehan	Santarsiero
Bradford	Gerber	McI. Smith	Santoni
Brennan	Gergely	Melio	Saylor
Briggs	Gibbons	Metcalfe	Scavello
Brooks	Gillespie	Metzgar	Schroder
Brown	Gingrich	Miccarelli	Seip
Burns	Godshall	Micozzie	Shapiro
Buxton	Goodman	Millard	Siptroth
Caltagirone	Grell	Miller	Smith, K.
Carroll	Grove	Milne	Smith, M.
Casorio	Grucela	Mirabito	Smith, S.
Causar	Hahn	Moul	Solobay
Christiana	Haluska	Mundy	Sonney
Clymer	Hanna	Murphy	Staback
Cohen	Harhai	Murt	Stern
Conklin	Harhart	Mustio	Stevenson
Costa, D.	Harkins	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	Vereb
Deasy	Johnson	Peifer	Vitali
Delozier	Josephs	Perry	Vulakovich
DeLuca	Kauffman	Perzel	Wagner
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	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	Levdansky	Reed	

NAYS—0

NOT VOTING—0

EXCUSED—5

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

Casorio	Grucela	Mirabito	Smith, S.
Causar	Hahn	Moul	Solobay
Christiana	Haluska	Mundy	Sonney
Clymer	Hanna	Murphy	Staback
Cohen	Harhai	Murt	Stern
Conklin	Harhart	Mustio	Stevenson
Costa, D.	Harkins	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	Vereb
Deasy	Johnson	Peifer	Vitali
DeLozier	Josephs	Perry	Vulakovich
DeLuca	Kauffman	Perzel	Wagner
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	Wheatley
DiGirolamo	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	Levdansky	Reed	

NAYS-0

NOT VOTING-0

EXCUSED-5

Belfanti	Pallone	Parker	Thomas
Hennessey			

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:

YEAS-197

Adolph	Fabrizio	Longiotti	Reese
Baker	Fairchild	Maher	Reichley
Barbin	Farry	Mahoney	Roae
Barrar	Fleck	Major	Rock
Bear	Frankel	Manderino	Roebuck
Benninghoff	Freeman	Mann	Rohrer

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Belfanti	Pallone	Parker	Thomas
Hennessey			

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.

SUPPLEMENTAL CALENDAR B**BILLS ON SECOND CONSIDERATION**

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 – or when the bill was voted in the Senate? Was the bill posted here for a vote before it was voted in the Senate?

The SPEAKER. The voting schedule just tells us what time the bill is 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?

**BILL PLACED ON
SECOND CONSIDERATION
POSTPONED CALENDAR**

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 bipartisanly 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 by virtue of posting on the voting schedule – a very simple procedure. Review the voting schedule and review the posting. You have 24 hours to amend from that posting schedule.

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	Roae
Beyer	Gillespie	Miccarelli	Rock
Boback	Gingrich	Micozzie	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'Neill	Smith, S.
Creighton	Helm	Oberlander	Sonney
Cutler	Hess	Payne	Stern
Day	Hickernell	Payton	Stevenson

Delozier	Hutchinson	Peifer	Swanger
Denlinger	Kauffman	Perry	Tallman
DePasquale	Keller, M.K.	Perzel	Taylor, J.
DiGirolamo	Kessler	Petrarca	Taylor, R.
Ellis	Killion	Petri	Toepel
Evans, J.	Knowles	Phillips	True
Everett	Krieger	Pickett	Turzai
Fairchild	Lentz	Pyle	Vereb
Farry	Maher	Quigley	Vulakovich
Fleck	Major	Quinn	Watson

NAYS—88

Barbin	Drucker	Kula	Sabatina
Bishop	Eachus	Levdansky	Sainato
Boyle	Evans, D.	Longietti	Santarsiero
Bradford	Fabrizio	Mahoney	Santoni
Brennan	Frankel	Manderino	Seip
Brown	George	Mann	Siptroth
Burns	Gerber	Markosek	Smith, K.
Buxton	Gergely	Matzie	Smith, M.
Caltagirone	Gibbons	McGeehan	Solobay
Carroll	Goodman	Melio	Staback
Casorio	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 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.

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 | McI. Smith | Reese |
| Benninghoff | Geist | Metcalfe | Reichley |
| Beyer | Gillespie | Metzgar | Roae |
| Boback | Gingrich | Miccarelli | Rock |
| Boyd | Godshall | Micozzie | Rohrer |
| Brooks | Grove | Millard | Ross |
| Causer | Hahn | Miller | Santarsiero |
| Christiana | Harhart | Milne | Saylor |
| Clymer | Harper | Moul | Scavello |
| Conklin | Harris | Murt | Schroder |
| Costa, D. | Helm | Mustio | Smith, S. |
| Cox | Hess | O'Brien, D. | Sonney |
| Creighton | Hickernell | O'Neill | Staback |
| Cruz | Hornaman | Oberlander | Stern |
| Day | Houghton | Payne | Stevenson |
| Delozier | Hutchinson | Peifer | Swanger |
| DeLuca | Kauffman | Perry | Tallman |
| Denlinger | Keller, M.K. | Perzel | Taylor, J. |
| DiGirolamo | Kessler | Petri | Toepel |
| Ellis | Killion | Phillips | True |
| Evans, J. | Knowles | Pickett | Turzai |

- | | | | |
|-----------|---------|---------|------------|
| Everett | Kotik | Pyle | Vereb |
| Fairchild | Krieger | Quigley | Vulakovich |
| Farry | Maher | Quinn | Watson |

NAYS—88

- | | | | |
|-------------|------------|-------------|------------|
| Barbin | Eachus | Levdansky | Sainato |
| Bishop | Evans, D. | Longiatti | Samuelson |
| Boyle | Fabrizio | Mahoney | Santoni |
| Bradford | Frankel | Manderino | Seip |
| Brennan | Freeman | Mann | Shapiro |
| Briggs | George | Markosek | Sipiroth |
| Brown | Gerber | Matzie | Smith, K. |
| 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 | McCall, |
| Donatucci | Kula | Sabatina | Speaker |
| 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) repack 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) repack 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 repack, 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	Miccarelli	Rock
Beyer	Godshall	Micozzie	Rohrer
Boback	Grove	Millard	Ross
Boyd	Hahn	Miller	Sabatina
Boyle	Harhart	Milne	Santarsiero
Brooks	Harper	Mirabito	Saylor
Causar	Harris	Moul	Scavello
Christiana	Helm	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
Delozier	Kessler	Perry	Tallman
DeLuca	Killion	Perzel	Taylor, J.
Denlinger	Knowles	Petri	Toepel
DiGirolamo	Kortz	Phillips	True
Ellis	Kotik	Pickett	Turzai
Evans, J.	Krieger	Pyle	Vereb
Everett	Lentz	Quigley	Vulakovich
Fairchild	Maher	Quinn	Watson
Farry	Major	Rapp	Yudichak
Fleck	Marshall	Ravenstahl	

NAYS—72

Bishop	Eachus	Kula	Samuelson
Bradford	Evans, D.	Levdansky	Santoni
Brennan	Fabrizio	Longiotti	Seip
Briggs	Frankel	Mahoney	Siptroth

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

NOT VOTING—2

Drucker	Payton
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EXCUSED—5

Belfanti	Parker	Thomas	Wheatley
Hennessey			

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

Adolph	DiGirolamo	Kirkland	Quinn
Barbin	Donatucci	Marsico	Rapp
Barrar	Everett	Matzie	Ravenstahl
Bear	Farry	McGeehan	Readshaw
Beyer	Fleck	McI. Smith	Reed
Boyd	Gabig	Miccarelli	Reichley
Boyle	Gabler	Micozzie	Ross
Bradford	Geist	Miller	Sabatina
Brown	George	Milne	Saylor
Caltagirone	Godshall	Myers	Seip
Carroll	Grove	O'Brien, M.	Smith, S.
Casorio	Hahn	O'Neill	Stern
Causer	Harhart	Pallone	Stevenson
Christiana	Helm	Payne	Taylor, J.
Clymer	Hess	Payton	Toepel
Cohen	Hickernell	Peifer	Vitali
Conklin	Hornaman	Perzel	Watson
Costa, P.	Houghton	Petri	Williams
Cruz	Hutchinson	Phillips	Youngblood
Deasy	Keller, W.	Preston	Yudichak
DeLuca	Killion		

NAYS—115

Baker	Galloway	Mahoney	Rohrer
Benninghoff	Gerber	Major	Sainato
Bishop	Gergely	Manderino	Samuelson
Boback	Gibbons	Mann	Santarsiero
Brennan	Gillespie	Markosek	Santoni
Briggs	Gingrich	Marshall	Scavello
Brooks	Goodman	Melio	Schroder
Burns	Grell	Metcalfe	Shapiro
Buxton	Grucela	Metzgar	Siptroth
Costa, D.	Haluska	Millard	Smith, K.
Cox	Hanna	Mirabito	Smith, M.
Creighton	Harhai	Moul	Solobay
Curry	Harkins	Mundy	Sonney
Cutler	Harper	Murphy	Staback
Daley	Harris	Murt	Sturla
Day	Johnson	Mustio	Swanger
Delozier	Josephs	O'Brien, D.	Tallman
Denlinger	Kauffman	Oberlander	Taylor, R.
DePasquale	Keller, M.K.	Oliver	True
Dermody	Kessler	Pashinski	Turzai
DeWeese	Knowles	Perry	Vereb
Drucker	Kortz	Petrarca	Vulakovich
Eachus	Kotik	Pickett	Wagner
Ellis	Krieger	Pyle	Wansacz
Evans, D.	Kula	Quigley	Waters
Evans, J.	Lentz	Reese	White
Fabrizio	Levdansky	Roae	
Fairchild	Longietti	Rock	McCall,
Frankel	Maher	Roebuck	Speaker
Freeman			

NOT VOTING—0

EXCUSED—5

Belfanti	Parker	Thomas	Wheatley
Hennessey			

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

BILLS 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.

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	McI. Smith	Samuelson
Bradford	Gerber	Melio	Santarsiero
Brennan	Gergely	Metcalfe	Santoni
Briggs	Gibbons	Metzgar	Saylor
Brooks	Gillespie	Miccarelli	Scavello
Brown	Gingrich	Micozzie	Schroder
Burns	Godshall	Millard	Seip
Buxton	Goodman	Miller	Shapiro
Caltagirone	Grell	Milne	Siptroth
Carroll	Grove	Mirabito	Smith, K.

Casorio	Hahn	Moul	Smith, M.
Causer	Haluska	Mundy	Smith, S.
Christiana	Hanna	Murphy	Solobay
Clymer	Harhai	Murt	Sonney
Cohen	Harhart	Mustio	Staback
Conklin	Harkins	Myers	Stern
Costa, D.	Harper	O'Brien, D.	Stevenson
Costa, P.	Harris	O'Brien, M.	Sturla
Cox	Helm	O'Neill	Swanger
Creighton	Hess	Oberlander	Tallman
Cruz	Hickernell	Oliver	Taylor, J.
Curry	Hornaman	Pallone	Taylor, R.
Cutler	Houghton	Pashinski	Toepel
Daley	Hutchinson	Payne	True
Day	Johnson	Payton	Turzai
Deasy	Josephs	Peifer	Vereb
Delozier	Kauffman	Perry	Vitali
DeLuca	Keller, M.K.	Perzel	Vulakovich
Denlinger	Keller, W.	Petrarca	Wagner
DePasquale	Kessler	Petri	Wansacz
Dermody	Killion	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.	Levdansky	Readshaw	Speaker
Everett	Longiotti		

NAYS-1

Grucela

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 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 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	Goback	Galloway	Sabatina
Boyd	Geist	McGeehan	Sainato
Boyle	George	McI. Smith	Samuelson
Bradford	Gerber	Melio	Santarsiero
Brennan	Gergely	Metcalfe	Santoni
Briggs	Gibbons	Metzgar	Saylor
Brooks	Gillespie	Miccarelli	Scavello
Brown	Gingrich	Micozzie	Schroder
Burns	Godshall	Millard	Seip
Buxton	Goodman	Miller	Shapiro
Caltagirone	Grell	Milne	Siptroth
Carroll	Grove	Mirabito	Smith, K.
Casorio	Hahn	Moul	Smith, M.
Causer	Haluska	Mundy	Smith, S.
Christiana	Hanna	Murphy	Solobay
Clymer	Harhai	Murt	Sonney
Cohen	Harhart	Mustio	Staback
Conklin	Harkins	Myers	Stern
Costa, D.	Harper	O'Brien, D.	Stevenson
Costa, P.	Harris	O'Brien, M.	Sturla
Cox	Helm	O'Neill	Swanger
Creighton	Hess	Oberlander	Tallman
Cruz	Hickernell	Oliver	Taylor, J.
Curry	Hornaman	Pallone	Taylor, R.
Cutler	Houghton	Pashinski	Toepel
Daley	Hutchinson	Payne	True
Day	Johnson	Payton	Turzai
Deasy	Josephs	Peifer	Vereb
Delozier	Kauffman	Perry	Vitali
DeLuca	Keller, M.K.	Perzel	Vulakovich
Denlinger	Keller, W.	Petrarca	Wagner
DePasquale	Kessler	Petri	Wansacz
Dermody	Killion	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.	Levdansky	Readshaw	Speaker
Everett	Longiotti		

NAYS-1

Grucela

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.

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 Eachus Levdansky Ravenstahl
Barbin 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 Melio Siproth
Carroll Goodman Micozzie Smith, K.
Casorio Grell Mirabito Staback
Cohen Haluska Moul Sturla
Conklin Hanna Mundy Taylor, J.
Costa, D. Harhai Murphy Taylor, R.
Costa, P. Harkins Murt Vereb
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
DiGirolamo Kotik Petrarca 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 Miccarelli Ross
Boback Godshall Millard Saylor
Boyd Grove Miller Scavello
Brooks Grucela Milne Schroder
Causer Hahn Mustio Smith, M.
Christiana Harhart Oberlander Smith, S.
Clymer Harris Payne Solobay
Cox Helm Peifer Sonney
Creighton Hess Perry Stern
Cutler Hickernell Phillips Stevenson
Day Hutchinson Pickett Swanger
Denlinger Kauffman Pyle Tallman
Ellis Keller, M.K. Quigley Toepel
Everett Killion Quinn True
Fairchild Knowles Rapp Turzai
Farry Krieger Reed Vulakovich
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	McI. Smith	Samuelson
Bradford	Gerber	Melio	Santarsiero
Brennan	Gergely	Metcalfe	Santoni
Briggs	Gibbons	Metzgar	Saylor
Brooks	Gillespie	Miccarelli	Scavello
Brown	Gingrich	Micozzie	Schroder
Burns	Godshall	Millard	Seip
Buxton	Goodman	Miller	Shapiro
Caltagirone	Grell	Milne	Siptroth
Carroll	Grove	Mirabito	Smith, K.
Casorio	Hahn	Moul	Smith, M.
Causar	Haluska	Mundy	Smith, S.
Christiana	Hanna	Murphy	Solobay
Clymer	Harhai	Murt	Sonney
Cohen	Harhart	Mustio	Staback
Conklin	Harkins	Myers	Stern
Costa, D.	Harper	O'Brien, D.	Stevenson
Costa, P.	Harris	O'Brien, M.	Sturla
Cox	Helm	O'Neill	Swanger
Creighton	Hess	Oberlander	Tallman
Cruz	Hickernell	Oliver	Taylor, J.
Curry	Hornaman	Pallone	Taylor, R.
Cutler	Houghton	Pashinski	Toepel
Daley	Hutchinson	Payne	True
Day	Johnson	Payton	Turzai
Deasy	Josephs	Peifer	Verreb
Delozier	Kauffman	Perry	Vitali
DeLuca	Keller, M.K.	Perzel	Vulakovich
Denlinger	Keller, W.	Petrarca	Wagner
DePasquale	Kessler	Petri	Wansacz
Dermody	Killion	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.	Levdansky	Readshaw	Speaker
Everett	Longiatti		

NAYS—1

Grucela

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 without amendment.

SB 1161 RECONSIDERED

The SPEAKER. The Speaker has in his possession a reconsideration motion for the reconsideration of a vote on a bill filed by the minority leader, Representative Smith, and Representative Saylor, who move that the vote by which SB 1161, PN 2241, was passed on the 4th day of October be reconsidered.

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

The following roll call was recorded:

YEAS—197

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

Creighton	Helm	O'Neill	Tallman
Cruz	Hess	Oberlander	Taylor, J.
Curry	Hickernell	Oliver	Taylor, R.
Cutler	Hornaman	Pallone	Toepel
Daley	Houghton	Pashinski	True
Day	Hutchinson	Payne	Turzai
Deasy	Johnson	Payton	Vereb
Delozier	Josephs	Peifer	Vitali
DeLuca	Kauffman	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	Levdansky	Readshaw	

NAYS-0

NOT VOTING-0

EXCUSED-5

Belfanti	Parker	Thomas	Wheatley
Hennessey			

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

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

NAYS-85

Baker	Geist	Marsico	Reese
Barrar	Gillespie	Metcalfe	Reichley
Bear	Gingrich	Metzgar	Roae
Benninghoff	Godshall	Miccarelli	Rock
Boback	Grell	Micozzie	Rohrer
Boyle	Grove	Millard	Ross
Brooks	Grucela	Miller	Saylor
Casorio	Hahn	Milne	Scavello
Causer	Harhart	Mustio	Schroder
Christiana	Helm	Oberlander	Smith, M.
Clymer	Hess	Payne	Solobay
Cox	Hickernell	Peifer	Sonney
Cutler	Hutchinson	Perry	Stern
Day	Kauffman	Petri	Stevenson
Denlinger	Keller, M.K.	Phillips	Swanger
Ellis	Killion	Pickett	Tallman
Everett	Knowles	Pyle	Toepel
Fairchild	Krieger	Quigley	True
Farry	Maher	Quinn	Turzai
Fleck	Major	Rapp	Vulakovich
Gabig	Marshall	Reed	Watson
Gabler			

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.

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	Fabrizio	Levdansky	Reed
Baker	Fairchild	Longietti	Reese
Barbin	Farry	Maher	Reichley
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	Gergely	McI. Smith	Santoni
Briggs	Gibbons	Melio	Saylor
Brooks	Gillespie	Metcalfe	Scavello
Brown	Gingrich	Miccarelli	Schroder
Burns	Godshall	Micozzie	Seip
Buxton	Goodman	Millard	Shapiro
Caltagirone	Grell	Miller	Siptroth
Carroll	Grove	Milne	Smith, K.
Casorio	Grucela	Mirabito	Smith, M.
Causar	Hahn	Moul	Smith, S.
Christiana	Haluska	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
Cox	Harris	O'Brien, M.	Swanger
Creighton	Helm	O'Neill	Tallman
Cruz	Hess	Oliver	Taylor, J.
Curry	Hickernell	Pallone	Taylor, R.
Cutler	Hornaman	Pashinski	Toepel
Daley	Houghton	Payne	Turzai
Day	Hutchinson	Payton	Verreb
Deasy	Johnson	Peifer	Vitali
Delozier	Josephs	Perry	Vulakovich
DeLuca	Kauffman	Perzel	Wagner
Denlinger	Keller, M.K.	Petrarca	Wansacz
DePasquale	Keller, W.	Petri	Waters
Dermody	Kessler	Phillips	Watson
DeWeese	Killion	Pickett	White
DiGirolamo	Kirkland	Preston	Williams
Donatucci	Knowles	Pyle	Youngblood
Drucker	Kortz	Quigley	Yudichak
Eachus	Kotik	Quinn	
Ellis	Krieger	Rapp	
Evans, D.	Kula	Ravenstahl	McCall,
Evans, J.	Lentz	Readshaw	Speaker
Everett			

NAYS-2

Metzgar	Oberlander
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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 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 employes 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	Longiatti	Reed
Baker	Fairchild	Maher	Reese
Barbin	Farry	Mahoney	Reichley
Barrar	Fleck	Major	Roe
Bear	Frankel	Manderino	Rock
Benninghoff	Freeman	Mann	Roebuck
Beyer	Gabig	Markosek	Rohrer
Bishop	Gabler	Marshall	Ross
Boback	Galloway	Marsico	Sabatina
Boyd	Geist	Matzie	Sainato
Boyle	George	McGeehan	Samuelson
Bradford	Gerber	McI. Smith	Santarsiero
Brennan	Gergely	Melio	Santoni
Briggs	Gibbons	Metcalfe	Saylor
Brooks	Gillespie	Metzgar	Scavello
Brown	Gingrich	Miccarelli	Schroder
Burns	Godshall	Micozzie	Seip
Buxton	Goodman	Millard	Shapiro
Caltagirone	Grell	Miller	Siptroth
Carroll	Grove	Milne	Smith, K.
Casorio	Grucela	Mirabito	Smith, M.
Causar	Hahn	Moul	Smith, S.
Christiana	Haluska	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
Cox	Harris	O'Brien, M.	Swanger
Creighton	Helm	O'Neill	Tallman
Cruz	Hess	Oberlander	Taylor, J.
Curry	Hickernell	Oliver	Taylor, R.
Cutler	Hornaman	Pallone	Toepel
Daley	Houghton	Pashinski	True
Day	Hutchinson	Payne	Turzai
Deasy	Johnson	Payton	Verreb
Delozier	Josephs	Peifer	Vitali
DeLuca	Kauffman	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	Levdansky	Readshaw	

NAYS-0

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	Longiotti	Readshaw
Baker	Fairchild	Maher	Reed
Barbin	Farry	Mahoney	Reese
Barrar	Fleck	Major	Reichley
Bear	Frankel	Manderino	Roae
Benninghoff	Freeman	Mann	Rock
Beyer	Gabig	Markosek	Roebuck
Bishop	Gabler	Marshall	Ross
Boback	Galloway	Marsico	Sabatina
Boyd	Geist	Matzie	Sainato
Boyle	George	McGeehan	Samuelson
Bradford	Gerber	McI. Smith	Santarsiero
Brennan	Gergely	Melio	Santoni
Briggs	Gibbons	Metcalfe	Saylor
Brooks	Gillespie	Metzgar	Scavello
Brown	Gingrich	Miccarelli	Schroder
Burns	Godshall	Micozzie	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	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
Cox	Harris	O'Brien, M.	Swanger
Creighton	Helm	O'Neill	Tallman
Cruz	Hess	Oberlander	Taylor, J.
Curry	Hickernell	Oliver	Taylor, R.
Cutler	Hornaman	Pallone	Toepel
Daley	Houghton	Pashinski	True
Day	Hutchinson	Payne	Turzai
Deasy	Johnson	Payton	Vereb
Delozier	Josephs	Peifer	Vitali
DeLuca	Kauffman	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	Levdansky		

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	Longiotti	Readshaw
Baker	Fairchild	Maher	Reed
Barbin	Farry	Mahoney	Reese
Barrar	Fleck	Major	Reichley
Bear	Frankel	Manderino	Roae
Benninghoff	Freeman	Mann	Rock
Beyer	Gabig	Markosek	Roebuck
Bishop	Gabler	Marshall	Ross
Boback	Galloway	Marsico	Sabatina
Boyd	Geist	Matzie	Sainato
Boyle	George	McGeehan	Samuelson
Bradford	Gerber	McI. Smith	Santarsiero
Brennan	Gergely	Melio	Santoni
Briggs	Gibbons	Metcalfe	Saylor
Brooks	Gillespie	Metzgar	Scavello
Brown	Gingrich	Miccarelli	Schroder
Burns	Godshall	Micozzie	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	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
Cox	Harris	O'Brien, M.	Swanger
Creighton	Helm	O'Neill	Tallman
Cruz	Hess	Oberlander	Taylor, J.
Curry	Hickernell	Oliver	Taylor, R.
Cutler	Hornaman	Pallone	Toepel
Daley	Houghton	Pashinski	True
Day	Hutchinson	Payne	Turzai
Deasy	Johnson	Payton	Vereb
Delozier	Josephs	Peifer	Vitali
DeLuca	Kauffman	Perry	Vulakovich
Denlinger	Keller, M.K.	Perzel	Wagner
DePasquale	Keller, W.	Petrarca	Wansacz
Dermody	Kessler	Petri	Waters
DeWeese	Killion	Phillips	Watson
DiGiroloamo	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	Levdansky		

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	Longiotti	Reed
Barbin	Farry	Maher	Reese
Barrar	Fleck	Mahoney	Reichley
Bear	Frankel	Major	Roae
Benninghoff	Freeman	Manderino	Rock
Beyer	Gabig	Mann	Roebuck
Bishop	Gabler	Markosek	Ross
Boback	Galloway	Marshall	Sabatina
Boyd	Geist	Marsico	Sainato
Boyle	George	Matzie	Samuelson
Bradford	Gerber	McGeehan	Santarsiero
Brennan	Gergely	McI. Smith	Santoni
Briggs	Gibbons	Melio	Saylor
Brooks	Gillespie	Metcalfe	Scavello
Brown	Gingrich	Miccarelli	Schroder
Burns	Godshall	Micozzie	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	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
Cox	Harris	O'Brien, M.	Swanger
Creighton	Helm	O'Neill	Tallman
Cruz	Hess	Oberlander	Taylor, J.
Curry	Hickernell	Oliver	Taylor, R.
Cutler	Hornaman	Pallone	Toepel
Daley	Houghton	Pashinski	True
Day	Hutchinson	Payne	Turzai
Deasy	Johnson	Payton	Vereb
Delozier	Josephs	Peifer	Vitali
DeLuca	Kauffman	Perry	Vulakovich
Denlinger	Keller, M.K.	Perzel	Wagner
DePasquale	Keller, W.	Petrarca	Wansacz
Dermody	Kessler	Petri	Waters
DeWeese	Killion	Phillips	Watson
DiGiroloamo	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			

NAYS—1

Metzgar

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 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,
Will the House concur in Senate amendments?

The SPEAKER. On the question of concurrence in amendments inserted by the Senate, the Chair recognizes the gentleman from Allegheny County, Representative Turzai.

Mr. TURZAI. Mr. Speaker, I just want to point out to the members from a fact perspective what HB 2291 does. This is the capital budget itemization bill for 2010-2011. This bill in and of itself does not borrow money or provide authority for borrowing money, but it does authorize the capital projects in a wide variety of areas. Projects listed that would be debt financed in connection with other bills are listed in this particular bill. The total amount of those projects that are authorized – or listed or itemized; excuse me – itemized or listed in this particular bill amount to \$12.53 billion in projects that could be debt financed. Amongst those include the \$20 million for an upscale hotel and spa with a golf course in Chester County. I recognize that a number of these projects listed have various merits from district to district, but I do just want to point out, yes, it is true; this bill does not authorize the debt in and of itself. It does list those projects that would be subject to debt financing based on related bills. The fact that

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:

YEAS—128

Adolph	Ellis	Levdansky	Readshaw
Baker	Evans, D.	Longietti	Reichley
Barbin	Evans, J.	Mahoney	Roebuck
Beyer	Everett	Manderino	Sabatina
Bishop	Fabrizio	Mann	Sainato
Boyle	Fairchild	Markosek	Samuelson
Bradford	Fleck	Marshall	Santarsiero
Brennan	Frankel	Marsico	Santoni
Briggs	Freeman	Matzie	Seip
Brown	Galloway	McGeehan	Shapiro
Burns	Geist	Melio	Sipthoth
Buxton	George	Micozzie	Smith, K.
Caltagirone	Gerber	Mirabito	Smith, M.
Carroll	Gergely	Mundy	Smith, S.
Causer	Gibbons	Murphy	Solobay
Christiana	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	Pashinski	Wagner
Daley	Hornaman	Payne	Wansacz
Day	Houghton	Payton	Waters
Deasy	Johnson	Perzel	Watson
DeLuca	Josephs	Petrarca	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
Eachus	Lentz		

NAYS—68

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

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.

BILLS SIGNED BY SPEAKER

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

HB 47, PN 3776

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.

HB 1516, PN 4284

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 employes 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.

HB 1517, PN 4285

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.

HB 1799, PN 4384

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.

HB 2212, PN 4391

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.

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	Fabrizio	Lentz	Ravenstahl
Baker	Fairchild	Levdansky	Readshaw
Barbin	Farry	Longietti	Reed
Barrar	Fleck	Maher	Reese
Bear	Freeman	Mahoney	Reichley
Benninghoff	Gabig	Major	Roae
Beyer	Gabler	Mann	Rock
Boback	Galloway	Markosek	Ross
Boyd	Geist	Marshall	Sainato
Boyle	George	Marsico	Samuelson
Bradford	Gergely	Matzie	Santoni
Brennan	Gibbons	McGeehan	Saylor
Brooks	Gillespie	Melio	Scavello
Burns	Gingrich	Metcalfe	Schroder
Buxton	Godshall	Metzgar	Seip
Caltagirone	Goodman	Miccarelli	Shapiro
Carroll	Grell	Micozzie	Siptroth
Casorio	Grove	Millard	Smith, K.
Causser	Grucela	Miller	Smith, M.
Christiana	Hahn	Milne	Smith, S.
Clymer	Haluska	Mirabito	Solobay

Cohen	Hanna	Moul	Sonney
Conklin	Harhai	Murphy	Staback
Costa, D.	Harhart	Murt	Stern
Costa, P.	Harkins	Mustio	Stevenson
Cox	Harper	O'Brien, D.	Sturla
Creighton	Harris	O'Neill	Swanger
Cutler	Helm	Oberlander	Tallman
Daley	Hess	Oliver	Taylor, J.
Day	Hickernell	Pallone	Taylor, R.
Deasy	Hornaman	Pashinski	Toepel
Delozier	Houghton	Payne	True
DeLuca	Hutchinson	Peifer	Turzai
Denlinger	Kauffman	Perry	Vereb
DePasquale	Keller, M.K.	Perzel	Vulakovich
Dermody	Keller, W.	Petrarca	Wagner
DeWeese	Kessler	Petri	Wansacz
DiGirolamo	Killion	Phillips	Watson
Donatucci	Kirkland	Pickett	White
Eachus	Knowles	Preston	Yudichak
Ellis	Kortz	Pyle	
Evans, D.	Kotik	Quigley	McCall,
Evans, J.	Krieger	Quinn	Speaker
Everett	Kula	Rapp	

NAYS—23

Bishop	Frankel	Mundy	Santarsiero
Briggs	Gerber	Myers	Vitali
Brown	Johnson	O'Brien, M.	Waters
Cruz	Josephs	Payton	Williams
Curry	Manderino	Roebuck	Youngblood
Drucker	McI. Smith	Sabatina	

NOT VOTING—0

EXCUSED—6

Belfanti	Parker	Thomas	Wheatley
Hennessey	Rohrer		

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

NAYS—49

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

NOT VOTING—0

EXCUSED—5

Belfanti Parker	Rohrer	Thomas	Wheatley
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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?

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

DeLuca	Hickernell	Perzel	Vereb
Denlinger	Hornaman	Petrarca	Vulakovich
DePasquale	Houghton	Petri	Wansacz
Dermody	Hutchinson	Phillips	Watson
DeWeese	Kauffman	Pickett	White
DiGirolamo	Keller, M.K.	Pyle	Yudichak
Drucker	Kessler	Quigley	
Eachus	Killion	Quinn	McCall,
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	Levdansky	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.

On the motion to rescind, the Chair recognizes 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.

The SPEAKER. On the motion to rescind, the Chair recognizes the gentleman from Chester County, Representative Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Noticeably absent from the motion to rescind was any compelling or valid reason why we should rescind the decision that was made earlier by this House, and I would submit to you that there is good reason for that, because there is no valid reason, Mr. Speaker. There is no reason why we have to rush this bill through this evening, at this hour, a little after 6 p.m., when there is still plenty of time, that we can come back and vote the amendments tomorrow and move the bill through this week.

Mr. Speaker, but for the desire of certain leaders that continue to have a stranglehold in the process in this House, which I do not believe that we should countenance and allow, it seems to me that the House made the correct decision when we postponed until tomorrow for the purpose of allowing members' amendments to be heard. Those amendments will either be voted up or down, and the result will be what it is, as should be in our legislative process.

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 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 the process for amendments and thwarted debate from members on my side of the aisle who wanted the opportunity to debate that bill. You want to talk about heavy-handedness? That last action was as heavy as the hand gets in this legislature.

So let us not be hypocrites about this. What the Speaker has done and the action taken right here, this motion to rescind, is appropriate, and I am asking for the members of the Democratic Caucus to support me in that action.

Thank you very much.

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.

RESCISSION OF POSTPONEMENT OF BILL CONTINUED

The SPEAKER. On the motion to rescind, the Chair recognizes the minority whip, Representative Turzai, second time.

Mr. TURZAI. Thank you very much.

Just in reiterating our opposition to the motion to rescind, we would just like to, our colleague from the Hazleton area, we would just ask – look, this is not a personal thing, and disparaging any member over this particular procedural vote we do not think is appropriate. We have already had an underlying vote with respect to this. Substantively, the arguments have been made. We would ask everybody to please vote in favor of, really, keeping the process appropriate, and we would really make it clear that there is no reason ever to disparage a member by calling them out by name; it is not appropriate. We are in fact standing behind principle where we think that the process should be going. Thank you.

The SPEAKER. On the motion to rescind, those in favor of rescinding the decision to postpone consideration of SB 1280 until tomorrow, October 5, 2010, at 2 p.m. will vote "aye"; those opposing the motion will vote "nay."

A "yes" vote is to rescind the decision to postpone.

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	Levdansky	Sabatina
Boyle	Evans, D.	Longietti	Sainato
Bradford	Fabrizio	Mahoney	Samuelson
Brennan	Frankel	Manderino	Santarsiero
Briggs	Freeman	Mann	Santoni
Brown	Galloway	Markosek	Seip
Burns	George	Matzie	Sipthoth
Buxton	Gerber	McGeehan	Smith, K.
Caltagirone	Gergely	McI. Smith	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

Dermody	Kirkland	Preston	
DeWeese	Kortz	Ravenstahl	McCall,
Donatucci	Kotik	Readshaw	Speaker

NAYS—97

Adolph	Gabig	Major	Rapp
Baker	Gabler	Marshall	Reed
Barrar	Geist	Marsico	Reese
Bear	Gillespie	Metcalfe	Reichley
Benninghoff	Gingrich	Metzgar	Roae
Beyer	Godshall	Miccarelli	Rock
Boback	Grell	Micozzie	Ross
Boyd	Grove	Millard	Saylor
Brooks	Hahn	Miller	Scavello
Causer	Harhart	Milne	Schroder
Christiana	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	Kauffman	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 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.

The SPEAKER. Does the minority leader wish to be recognized?

Mr. S. SMITH. 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 to not 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	Reese
Bear	Geist	Metzgar	Reichley
Benninghoff	Gillespie	Miccarelli	Roae
Beyer	Gingrich	Micozzie	Rock
Boback	Godshall	Millard	Ross
Boyd	Grell	Miller	Saylor
Brooks	Grove	Milne	Scavello
Causer	Hahn	Moul	Schroder
Christiana	Harhart	Murt	Smith, S.
Clymer	Harper	Mustio	Sonney
Cox	Harris	O'Neill	Stern
Creighton	Helm	Oberlander	Stevenson
Cutler	Hennessey	Payne	Swanger
Day	Hess	Peifer	Tallman
Delozier	Hickernell	Perry	Taylor, J.
Denlinger	Hutchinson	Perzel	Toepel
DiGirolamo	Kauffman	Petri	True
Ellis	Killion	Pickett	Turzai
Evans, J.	Knowles	Pyle	Vereb
Everett	Krieger	Quigley	Vulakovich
Fairchild	Maher	Quinn	Watson
Farry	Major		

NAYS—101

Barbin	Eachus	Lentz	Sabatina
Bishop	Evans, D.	Levdansky	Sainato
Boyle	Fabrizio	Longietti	Samuelson
Bradford	Frankel	Mahoney	Santarsiero
Brennan	Freeman	Manderino	Santoni
Briggs	Galloway	Mann	Seip
Brown	George	Markosek	Shapiro
Burns	Gerber	Matzie	Siptroth
Buxton	Gergely	McGeehan	Smith, K.
Caltagirone	Gibbons	McI. Smith	Smith, M.
Carroll	Goodman	Melio	Solobay
Casorio	Grucela	Mirabito	Staback
Cohen	Haluska	Mundy	Sturla
Conklin	Hanna	Murphy	Taylor, R.
Costa, D.	Harhai	Myers	Vitali
Costa, P.	Harkins	O'Brien, D.	Wagner
Cruz	Hornaman	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
Dermody	Kirkland	Preston	
DeWeese	Kortz	Ravenstahl	McCall,
Donatucci	Kotik	Readshaw	Speaker
Drucker	Kula	Roebuck	

NOT VOTING—0

EXCUSED—7

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

Less than the majority having voted in the affirmative, 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	Marsico	Quinn
Baker	Geist	Metcalfe	Rapp
Barrar	Gillespie	Metzgar	Reed
Bear	Gingrich	Miccarelli	Reese
Benninghoff	Godshall	Micozzie	Reichley

Beyer	Grove	Millard	Roae
Boback	Hahn	Miller	Rock
Boyd	Hanna	Roy	Ross
Brooks	Harhart	Mirabito	Saylor
Causar	Harper	Moul	Scavello
Christiana	Harris	Murt	Schroder
Clymer	Helm	Mustio	Shapiro
Cox	Hennessey	O'Brien, D.	Smith, S.
Creighton	Hess	O'Neill	Sonney
Day	Hickernell	Oberlander	Stern
Delozier	Hornaman	Pallone	Stevenson
Denlinger	Hutchinson	Payne	Swanger
DiGirolamo	Kauffman	Peifer	Tallman
Ellis	Killion	Perry	Taylor, J.
Evans, J.	Knowles	Perzel	Toepel
Everett	Krieger	Petrarca	True
Fairchild	Lentz	Petri	Turzai
Farry	Maher	Pickett	Vereb
Fleck	Major	Pyle	Vulakovich
Gabig	Marshall	Quigley	Watson

NAYS—95

Barbin	Donatucci	Kortz	Sabatina
Bishop	Drucker	Kotik	Sainato
Boyle	Eachus	Kula	Samuelson
Bradford	Evans, D.	Levdansky	Santarsiero
Brennan	Fabrizio	Longiatti	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	Grell	Mundy	Vitali
Costa, D.	Grucela	Murphy	Wagner
Costa, P.	Haluska	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	
DePasquale	Kessler	Readshaw	McCall,
Dermody	Kirkland	Roebuck	Speaker
DeWeese			

NOT VOTING—0

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 RECOMMMITTED

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

By Rep. MUNDY

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.