

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 5, 2010

SESSION OF 2010

194TH OF THE GENERAL ASSEMBLY

No. 57

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

The SPEAKER. The prayer will be offered by Father Jim Drucker, who is a guest of Representative Grucela, but a very good friend of the Speaker and a very good friend of the majority leader, Representative Eachus.

REV. JAMES N. DRUCKER, Guest Chaplain of the House of Representatives, offered the following prayer:

I like that. Very good. We should use this in church, Keith.

It is absolutely wonderful to be here. Last time I was here I was very nervous with all the wonderful people working for our government of my home State, Pennsylvania, my hometown of Philadelphia, and truly, to be here it is wonderful. It is wonderful to be here to recognize Richard Grucela. As well, Richard shared with me just moments ago that not only he is retiring but also Keith McCall and Anthony Melio, so I would like to recognize them as well.

And a tad nervous, but I told a joke coming in about a woman, her mommy had just died, a lovely lady, and she was walking by a pet store and she heard this bird sing. I mean, this bird sang everything. This bird sang classical. Forget about it, you know. And the bird sang rock and roll, "At the Hop" by Danny & The Juniors. Forget about it, you know. So she goes in the store and she says, "Sir, that bird, I am very depressed and I am extremely lonely. What about this bird?" He said, "Lady, if you buy this bird, this bird will make you happy. Take my word, the bird will make"— So she buys the bird and she takes it home. Well, needless to say, the bird is singing up a storm incredibly, but she pulls up the curtain and she sees the bird has one leg, Todd, one leg. So she runs back – pardon the pun – she takes the bird back and she says, "Sir, you sold me a one-legged bird." He said, "Lady, what do you want, a singer or a dancer?"

I do not want to make you laugh too much; this is the House of Representatives.

I am Father Jim Drucker, Catholic priest retired; prior military; disabled vet from Iraq, 1991, proudly; served our country and our State in the Pennsylvania National Guard 1964 to '70 at the 111th in Philadelphia, Broad and Wharton, which is now torn down; ended up becoming a priest, 1978; in 1981, commissioned an officer of the U.S. Air Force and

eventually was activated to active duty in 1987 to '92, and I was in the combat zone taking care of our men and women in Iraq, southern Turkey and northern Iraq. So continue, please, each of you to work for our veterans and to pray for them as well.

So I would like to offer the prayer in the House of Representatives.

First, I am honored to be here, to be, as we say in the military chaplaincy, to offer a ministry of the presence of God, for any chaplain: Catholic, Protestant, Jewish, Hindu, Buddhist.

Secondly, I thank Representative Richard Grucela, retiring this day, for his kindness to bestow this honor on me to offer the prayer for all of you, for all of us, and for the people of Pennsylvania.

Thirdly, and most importantly, I am grateful to be here to honor Representative Richard Grucela, whose many years of dedicated service to our State of Pennsylvania and our country leaves his personal shadow of love – you know him – of integrity, of dedication, of devoted public service to his office and his constituents as well as to all Pennsylvanians.

Let us all please bow our heads in prayer:

Heavenly Father, let us pray that the men and women of this sanctuary, this sacred chamber, are blessed with Your divine presence in their lives, as our elected officials representing us – their constituents – of this hallowed State of the Commonwealth of Pennsylvania.

May they reflect You as a presence of the sacred and holy in their daily actions here in this sacred chamber and in their lives, Lord, in their respective homes and areas of responsibility; reflect You, Almighty God, and reflect us, Pennsylvanians, whom they represent. May they be concerned with righteousness and justice, compassion, love and respect for themselves and their families and each and every citizen of our blessed area of Your universe, known as the Commonwealth of the State of the founder, William Penn, Pennsylvania. May their decisions boast of the integrity of the Founding Fathers and mothers of our nation and country of America.

We pray, Almighty Father, that in their decisions they would reflect us in their daily making of legislative bills and articles and decisions, which will bind us to legislation for all the people of Pennsylvania; that it will be Your holy guidance that will direct them as an austere body of men and women; that they will legislate good and upright and holy decisions to free us from injustices and to protect us from the lack of concern for each and every Pennsylvanian; that the sovereign integrity of us, their children, may be in all of their paternal concern. We further pray that they may have a specific and distinct camaraderie of purpose, even in their differences, and that it

may be Your sanctifying grace that will bring to fruition a proper and divine interpretation of Your holy presence, in all their work that they may enact for us and on our behalf.

We pray as well for all who are reflected here in this chamber of years past who have gone on to the return of rewards. We especially remember Your devoted servant, a close and dear friend to myself, Catherine Baker Knoll. Eternal memory be granted unto her, our beloved Lieutenant Governor, and they who have done the good work here and have entered eternity.

We pray for all the men and women of our Armed Forces throughout the world fighting and dying for the freedoms and democracy that we profess of and that we so readily and sometimes conveniently forget. Remembering those who have gone before us giving their lives as an honor for our freedoms and democracy, for they who have fought for these blessed privileges we so cherish and wish others to gain, we especially remember our Pennsylvania guardspersons and ask You to assign to each of them a special angel in Turkish melic, a messenger to keep them from harm's way.

Lastly, and with great direction, we honor Your humble servant, Pennsylvania State Representative Richard Grucela. I would include as well Keith McCall, and also, wonderful Anthony Melio. We ask that our Lord Jesus Christ, whom Richard's devotion lies therein, to especially bless him in his future years to come with wonderful, good health and God's abundant blessings for himself, for Richard, his wife and children, and his children's children. Richard's daily life of humility and dedication to service here in this hallowed chamber and at home has cast a shadow of love of God and deep humility and respect for his cochamber Representatives and for all humanity. As a daily communicant, God has lifted him higher and higher. May the mirror of his love of God and others continue always to be reflected in the halls and corridors of our Capitol and in those with whom he shared these awesome responsibilities of caring for so many others. God bless and love you, Richard. I love you, we love you, you as well, Keith McCall and Anthony Melio.

And let us thank You, Almighty Father, for the gift of life for each of us, for the gift of freedom, for the privilege to believe in You as we each may in our own way, in our wonderful country of the United States of America. Amen.

Thank you.

### **PLEDGE OF ALLEGIANCE**

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

### **JOURNAL APPROVAL POSTPONED**

The SPEAKER. Without objection, approval of the Journal of Monday, October 4, 2010, will be postponed until printed. The Chair hears no objection.

### **GUESTS INTRODUCED**

The SPEAKER. To the left of the Speaker, the Chair welcomes David and Sandra Grunfeld. They are the guests of Representative Gerber. Will the guests please rise. Welcome to the hall of the House.

In the back of the floor of the House, the Chair would like to welcome Aaron Price, the director of the movie "Gas Odyssey," production assistant Carolyn Price, and John Conrad and Jennifer DePersis. They are the guests of Garth Everett. Will the guests please rise. Welcome to the hall of the House.

The House will come to order.

In the balcony, the Chair would like to welcome nine young women from West Chester Area School District Growing Leaders Program, which aims to expose young women to elected office in the Commonwealth by shadowing a Representative for the day. The Chair welcomes Jasmine Cottman, Indigo Davis, Brittany Flynn, Marissa Guarnere, Shruti Iyer, Emma Powton, Rebecca Teter, Megan Thompson, Melissa Walsh, and faculty chaperone Elisha K. Ozer. They are the guests of Representatives McIlvaine Smith, Bishop, Delozier, Manderino, Quinn, Wagner, and Youngblood. Will the guests please rise. Welcome to the hall of the House.

Also in the balcony, the Chair would like to welcome the young women participating in the fall 2010 Girl Governor. Girl Governor is a 1-day legislative shadowing program for girls in grades 8 through 12 from western Pennsylvania. They are the guests of the legislators from western Pennsylvania. Will the guests please rise. Welcome to the hall of the House.

Members, please report to the floor. The House will come to order. Members will please take their seats. The House will come to order. The House will come to order.

### **UNDERGRADUATE RESEARCH POSTER CONFERENCE PARTICIPANTS INTRODUCED**

The SPEAKER. Today seated in the back of the chamber, we have 47 very special guests. Our guests are some of the brightest and most talented college and university undergraduates from 22 higher education institutions across this State. Visiting us, along with the students, are the faculty advisers and administrators who not only mentor the students but help make this research possible. Today marks the seventh semiannual Undergraduate Research at the Capitol event in Pennsylvania. This conference offers our students the opportunity to demonstrate their intellectual ability to the members and staff of the General Assembly. Each of these students has put in a tremendous number of hours of work to create and refine the knowledge they share with us today.

The students' posters are located in the East Wing Rotunda and Atrium, and the students will be available throughout the day to explain their research and answer any questions regarding their projects. I encourage the members to take some time to speak with these students who represent the future leaders of our State and our country. Please join me in extending a very warm welcome to our guests. Will the guests please rise in the back of the hall of the House.

### **MISS PENNSYLVANIA PRESENTED**

The SPEAKER. The Chair would now like to welcome the minority leader, Representative Sam Smith, to the dais for the purpose of a presentation.

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

Mr. Speaker and the members, it is my honor and pleasure to welcome to the floor of the House Miss Courtney Thomas, who

is Miss Pennsylvania. Courtney is here today with her parents, Rodney and Kim Thomas, and her cousin, Jim VanSteenberg, who also happens to be the treasurer in Jefferson County. Would you folks please rise and be recognized. Thank you.

Brief introduction. Courtney graduated from Brookville Area High School in 2007 and is now a senior at Drexel University, where she is majoring in biology, and I believe is hoping to go into medicine. As a student at Drexel, Courtney serves her local community through various organizations. She volunteers at the Inglis House of Philadelphia, which provides programs and services to people with disabilities. She is also currently serving as a Big Sister with Big Brothers and Big Sisters of Southeastern Pennsylvania.

During her year of service, Courtney will utilize her title as Miss Pennsylvania to promote her platform, which is "Don't C.O.P.P. Out!" C.O.P.P. is C-O-P-P, and she will explain that a little more in a brief comment from Courtney.

She has accomplished a lot. She is a very accomplished violinist and also takes lessons in piano, voice, guitar, and percussion. And I believe I can speak confidently for not only the residents of my legislative district but on behalf of each of you that when you hear from and see her, you will be proud that she represents Pennsylvania as Miss Pennsylvania and she will be going on to compete for the title of Miss America. So I have a citation for her I am going to present and then she is going to make a little presentation and entertain us for a minute. I want to congratulate her and have you all give her a warm, warm, welcome again. Thank you.

Miss THOMAS. Thank you all very much.

I just wanted to briefly comment on not only the Miss America Organization, but what it is about.

Miss America is a scholarship organization, and it is through those scholarships that I am able to even think about pursuing medical school. They have provided me with thousands of dollars to pursue my education. And the other facet of the Miss America Organization that is very important is its community service. Every woman that competes in the organization is required to have a platform, something that they stand for and advocate during their year of service, and mine is entitled "Don't C.O.P.P. Out!" – C.O.P.P. being an acronym for Consequences of Peer Pressure. When I was 14 years old, I gave into peer pressure and got into a car with a driver who was under the influence of alcohol, and we hit a tree at 85 miles an hour and I broke both of my arms and both of my legs and was in a wheelchair for 3 months. I have turned that into something positive, and through my year of service thus far, I have spoken to over 1500 students in the past 4 months about the consequences of peer pressure and encouraging children and teens to make better decisions when they are faced with peer pressure.

And I guess the other area of Miss America that is very important is its talent portion. I have played the violin since I was 4 years old, and I am really excited to perform for you today my talent that I will be performing at the Miss America pageant, which is live from Las Vegas, Nevada, at Planet Hollywood Resort and Casino on ABC, January 15. So the song is entitled "Orange Blossom Special with a Techno Twist."

(Courtney Thomas performed "Orange Blossom Special with a Techno Twist" on violin.)

## LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the gentleman from Allegheny County, the majority whip, Representative Dermody, who requests leaves of absence for: Representative DONATUCCI from Philadelphia County for the day; Representative McGEEHAN from Philadelphia County for the day; Representative GALLOWAY from Bucks County for the day. Without objection, the leaves will be granted.

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

## MASTER ROLL CALL

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

The following roll call was recorded:

### PRESENT—197

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Donatucci	McGeehan	Parker	True
Galloway			

LEAVES ADDED—8

Ellis	Hornaman	Perzel	Pyle
Gerber	Manderino	Preston	True

LEAVES CANCELED—7

Ellis	Gerber	Preston	True
Donatucci	McGeehan	Pyle	

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

**BILL REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND TABLED**

**HB 2089, PN 2908** By Rep. PRESTON

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for definitions.

CONSUMER AFFAIRS.

**CALENDAR**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third 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 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.

(Members proceeded to vote.)

**LEAVE 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 the gentleman from Montgomery County, Representative GERBER, for the remainder of the day. Without objection, the leave will be granted.

**CONSIDERATION OF SB 53 CONTINUED**

On the question recurring,  
Shall the bill pass finally?

The following roll call was recorded:

YEAS—195

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

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

NAYS-1

Grucela

NOT VOTING-0

EXCUSED-6

Donatucci	Gerber	Parker	True
Galloway	McGeehan		

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 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 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?

The gentleman from Northampton County, Representative Grucela, has a substantive amendment to the legislation, which would require a suspension of the rules.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that the bill has been agreed to on third consideration.

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

The SPEAKER. Does the gentleman wish to make a motion to suspend the rules?

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask for a suspension of the rules so that I might offer an omnibus amendment, amendment A09078, an omnibus amendment that has three sections to it.

The SPEAKER. The gentleman, we will get back to you on the call for suspension. You want to explain the amendment?

Mr. GRUCELA. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. GRUCELA. Part of the amendment is my HB 592, which passed this House June 3 of 2009 unanimously. It was a House bill that was recommended to me by a student of mine at East Stroudsburg University who suggested that when a soldier is deployed and his or her spouse had to leave the classroom, that they would be entitled, the spouse would be entitled to the same rights and privileges at the school as the soldier. That was a House bill that passed; for whatever reasons, never made it out of the Senate. We also have in this bill an amendment dealing with the cemetery at Indiantown Gap, and also an amendment that was a bill that had been introduced by my friend, Representative Bear.

MOTION TO SUSPEND RULES

Mr. GRUCELA. I would ask for a suspension of the rules, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

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

Mr. EACHUS. Thank you, Mr. Speaker.

I regrettably rise to oppose the gentleman's motion. I oppose suspension. Thank you.

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

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

Without getting into a major debate on it, I think the members of our caucus would certainly support this motion to suspend the rules for a very good amendment.

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-132

Adolph	Fairchild	Maher	Ravenstahl
Baker	Farry	Major	Readshaw
Barrar	Fleck	Marshall	Reed
Bear	Freeman	Marsico	Reese

Benninghoff	Gabig	Matzie	Reichley
Beyer	Gabler	Melio	Roae
Boback	Geist	Metcalfe	Rock
Boyd	George	Metzgar	Rohrer
Bradford	Gillespie	Miccarelli	Ross
Brooks	Gingrich	Micozzie	Sabatina
Caltagirone	Godshall	Millard	Sainato
Causer	Grell	Miller	Samuelson
Christiana	Grove	Milne	Santarsiero
Clymer	Grucela	Moul	Saylor
Cohen	Hahn	Mundy	Scavello
Conklin	Harhart	Murt	Schroder
Costa, D.	Harkins	Mustio	Siptroth
Costa, P.	Harper	O'Brien, D.	Smith, S.
Cox	Harris	O'Neill	Solobay
Creighton	Helm	Oberlander	Sonney
Cruz	Hennessey	Pallone	Staback
Cutler	Hess	Payne	Stern
Daley	Hickernell	Peifer	Stevenson
Day	Hornaman	Perry	Swanger
Deasy	Hutchinson	Perzel	Tallman
Delozier	Kauffman	Petrarca	Taylor, J.
Denlinger	Keller, M.K.	Petri	Toepel
DiGirolo	Killion	Phillips	Turzai
Drucker	Knowles	Pickett	Verbe
Ellis	Kortz	Pyle	Vulakovich
Evans, J.	Kotik	Quigley	Watson
Everett	Krieger	Quinn	Youngblood
Fabrizio	Lentz	Rapp	Yudichak

NAYS—64

Barbin	Evans, D.	Mahoney	Shapiro
Belfanti	Frankel	Manderino	Smith, K.
Bishop	Gergely	Mann	Smith, M.
Boyle	Gibbons	Markosek	Sturla
Brennan	Goodman	McI. Smith	Taylor, R.
Briggs	Haluska	Mirabito	Thomas
Brown	Hanna	Murphy	Vitali
Burns	Harhai	Myers	Wagner
Buxton	Houghton	O'Brien, M.	Wansacz
Carroll	Johnson	Oliver	Waters
Casorio	Josephs	Pashinski	Wheatley
Curry	Keller, W.	Payton	White
DeLuca	Kessler	Preston	Williams
DePasquale	Kirkland	Roebuck	
Dermody	Kula	Santoni	McCall,
DeWeese	Levdansky	Seip	Speaker
Eachus	Longiatti		

NOT VOTING—0

EXCUSED—6

Donatucci	Gerber	Parker	True
Galloway	McGeehan		

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.

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Bill was agreed to.

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

NAYS—1

Grucela

NOT VOTING—0

EXCUSED—6

Donatucci	Gerber	Parker	True
Galloway	McGeehan		

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.

\* \* \*

The House proceeded to third 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 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—195

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

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

NAYS—1

Grucela

NOT VOTING—0

EXCUSED—6

Donatucci	Gerber	Parker	True
Galloway	McGeehan		

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.

LEAVE OF ABSENCE CANCELED

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 125, PN 4410**, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for definitions; and providing for regulation of genetic counselors.

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—192

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

NAYS—5

Creighton	Metcalf	Perry	Tallman
Grove			

NOT VOTING—0

EXCUSED—5

Donatucci	Gerber	Parker	True
Galloway			

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 127, PN 4411**, entitled:

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for definitions; and providing for regulation of genetic counselors.

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—191

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



Drucker	Kotik	Quinn	Youngblood
Eachus	Krieger	Ravenstahl	Yudichak
Ellis	Kula	Readshaw	
Evans, D.	Lentz	Reed	McCall,
Evans, J.	Levdansky	Reese	Speaker
Everett			

NAYS—6

Creighton	Metcalf	Perry	Rapp
Grove	Metzgar		

NOT VOTING—0

EXCUSED—5

Donatucci	Gerber	Parker	True
Galloway			

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

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

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

Mr. MAHER. Thank you, Mr. Speaker.

Appreciating the length of our schedule and the number of subjects that we will be covering today and tomorrow, I would just ask that to avoid any unnecessary confusion, that the Chair refrain from calling for a vote until at least the board is posted, because with the level of sound that is often in the chambers, we cannot often be certain of what subject you are calling up until it is on the board. So I would appreciate that.

The SPEAKER. The Chair thanks the gentleman.

**VOTE CORRECTION**

The SPEAKER. For what purpose does the gentlelady from Warren County, Representative Rapp, rise?

Ms. RAPP. Thank you, Mr. Speaker.

On HB 125, I was recorded as a "yes" vote and I would like to be recorded as a "no" vote.

The SPEAKER. The Chair thanks the gentlelady.

Ms. RAPP. Thank you, Mr. Speaker.

The SPEAKER. Her remarks will be spread upon the record.

**BILL ON THIRD CONSIDERATION**

The House proceeded to third 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 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.

(Members proceeded to vote.)

**LEAVE OF ABSENCE CANCELED**

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

**CONSIDERATION OF SB 1280 CONTINUED**

On the question recurring,  
Shall the bill pass finally?

The following roll call was recorded:

YEAS—117

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

NAYS—81

Baker	Gabig	Major	Rapp
Barrar	Gabler	Marshall	Reed
Bear	Geist	Marsico	Reese
Benninghoff	Gillespie	Metcalf	Reichley
Boback	Gingrich	Metzgar	Roae
Boyd	Grell	Millard	Rock
Brooks	Grove	Miller	Rohrer
Causar	Grucela	Milne	Ross

Christiana	Hahn	Moul	Saylor
Clymer	Harhart	Mustio	Schroder
Cox	Harris	O'Neill	Sonney
Creighton	Helm	Oberlander	Stern
Cutler	Hess	Payne	Stevenson
Day	Hickernell	Peifer	Swanger
Delozier	Hutchinson	Perry	Tallman
Denlinger	Kauffman	Petri	Toepel
Ellis	Keller, M.K.	Phillips	True
Everett	Knowles	Pickett	Turzai
Fairchild	Krieger	Pyle	Vulakovich
Farry	Maher	Quinn	Watson
Fleck			

## NOT VOTING—0

## EXCUSED—4

Donatucci            Galloway            Gerber            Parker

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.

The SPEAKER. The House will come to order. The House will come to order.

### FAREWELL ADDRESS BY MR. GRUCELA

The SPEAKER. The Chair would like to welcome to the rostrum Representative Richard Grucela. Rich has served the people of Northampton County since 1999, but his service to the people of the area goes back even further than that. He was a history and social studies teacher for 31 years at Easton Area High School.

So he cannot only tell me if Father was correct or incorrect, he can give me some tips on how to get this room quiet when needed. It is a pleasure to bring a good friend and confidant, Representative Grucela, to the rostrum.

Mr. GRUCELA. Thank you. Thank you very much. And thank you, Mr. Speaker.

I will center my remarks today on three things: faith, family, and friends. And there will be a test afterwards, and that is probably going to be the first question.

NFL (National Football League) great Gale Sayers once said, "God is first, my family is second, and I am third." It is a motto I have tried to follow in my life. God has blessed me with two great careers. I hope you will always have and keep your faith in God. Remember when all else fails, try a prayer. And it is true that when God closes a door, He opens a window. I have seen that many, many times in my lifetime. I also would like to thank Father Drucker this morning for the kind remarks. He said them just the way I wrote them. No, seriously, Father has been a very good friend and I am very humbled by what he had to say this morning in his prayer.

When it comes to family, I am very pleased that my wife, Gina, was able to – if you would stand, Gina, please stand. I think Ted Harhai led that applause. I will tell you a story. We stayed in the same hotel and one time, Gina calls me all the time

in the morning and she got the wrong room one time. And on the floor, Ted said to me, hey, Rich, some woman called me about 5 o'clock this morning, and I had to tell Ted it was my wife. So, please stop calling Ted.

She is the rock of our family. She has made many, many, many sacrifices as all of you out here know. Every speaker before me that is retiring has mentioned the sacrifices our families make, and for us, especially in our family over the years. I would not be here today if she had not said yes when I asked her if I could run for this job. Of course, she has had a tendency to say yes to too many things maybe for me. Most importantly, I was happy when she said yes when I asked her to marry me, and most recently she said yes when I asked her if I could buy a Corvette as a retirement pleasure. So, Honey, thanks for everything.

Our son, Patrick, could not be here today. He is a graduate of Boston College. He lives and teaches and coaches in Massachusetts. For you Notre Dame grads, when he calls every Sunday night, last Sunday when he called, I said, all the money we sent there, you cannot get better players to beat Notre Dame. But he is up there and could not be with us today.

Our daughter, Salomea, also could not be here today, a graduate of Penn State. She may be watching on TV. She works at the Nittany Lion Inn on the Penn State campus.

And of course, what we consider our extended family, also here on the floor today, my staff here in Harrisburg, is Dina Vernet. Dina, if you would please stand. Dina has been a tremendous assistant, legislative assistant for me, has given me a lot of good advice and guidance over the years. Also, Ellie O'Donnell. Ellie, if you would please stand. Ellie is from my district office, has been with me from the beginning, and I do not know what I would have done without her back home. Together, over the years we have accomplished a lot.

In the rear of the House floor, if he would please stand, is Chuck Lewis. I have known Chuck for over 40 years. Chuck and I taught together at Easton High School, where he served as my department chairman and joined us a few years back as a part-time assistant. And I thank Chuck for his friendship and assistance over the years. He was the finest American government teacher at Easton Area High School that I know.

Also, Adriane Golden is with us. Adriane, many of you may know Adriane from her time working here in Harrisburg. She was a summer intern for us, a recent graduate, and an education major. She will soon be an outstanding teacher in some school district.

Also in the back, Diane O'Conner. Diane has been our part-time substitute, filled in so capably in the office whenever we needed someone to fill in. She replaced Kathryn Schott, who had retired and could not be here today. So I thank both of them and Diane especially for filling in and keeping the office open on those days when we did not have staff.

Two staff members who also could not be here today: Kathy Melnick and Al Capecci. Both have served me since 2000 and have provided excellent constituent service, and we all know how important that is back home. And Jaime Whalen, who also worked with me from the beginning with Ellie, recently took a job with Northampton County. And last, but not least, the late Wayne Grube. Wayne was the first person I hired on a part-time basis. Wayne was a hall of fame, Big 33 football coach at Easton Area High School, a great mentor of mine in the classroom, and also in public service, he served as a great mentor for State Representative Joe Brennan.

To all of these individuals as well as our summer interns – and you can learn a lot from young people, believe me; when you get your summer interns, talk to them; you can learn an awful lot from these young people – and needless to say, the outstanding support staff we have here in Harrisburg who work so hard for us and all the people of Pennsylvania on a daily basis, we all know how important the support staff is to us, and I would ask just to take a minute, that you give a round of applause for that support staff here in Harrisburg. I owe a great deal of thanks for their help and support for the past 12 years.

Finally, to all of you my friends, I hesitate to start naming any more names because I would have to name well over 200. I would cite a specific region, though, and that region is western Pennsylvania. When I was at Easton, we had somewhat, as Chuck Lewis can tell you, a little bit of a dislike for the western part of the State; you used to win all the athletic competitions. Notice I said "used to." Then I got here and found out what great people they are and how much we had in common, and I am very proud to number them among my best friends, those individuals that I have served with from the western part of our State.

And I assure all of you, when I leave this great institution, whether I am in the classroom teaching about the benefits of unicameralism – there is no need for any State to have a Senate; study the Nebraska example – or wherever I am, you can be assured that I will always speak highly and positively about this job. All of us know you cannot explain this job to anybody. No one knows this job unless they have had it. I will always, always be positive. In fact, I am thinking about starting a blog, "They're all good legislators and great people.com."

One of my favorite John F. Kennedy quotes, "Bullfight critics row on row line the enormous plaza full, but there is only one who knows and that's the one who fights the bull." Above all, continue to serve the people of your district and this great Commonwealth well as I know you will; keep your debates and differences here in the hall and respect each other, respect each other's districts; and most of all, let us have a little sense of humor, let us have some fun. Mark Twain once said, "Against the assault of laughter nothing can stand."

Finally, a big thank-you to the voters of the 137th Legislative District for giving me the opportunity to serve. Oh, and I almost forgot, Tom Tighe and Gaynor Cawley wanted me to remind you that we need a COLA (cost-of-living adjustment). Since I have always been bipartisan— By the way, Kathy Melnick, my assistant back home is a registered Republican, and since I have always been bipartisan, I have asked Scott Boyd to carry the COLA forward. When I told him that, he said, "Rich, do you want Pepsi or Coke?"

May God bless all of you today and every day, and may God bless our great Commonwealth and country. Thank you.

### REMARKS BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I would be remiss if I did not say just a few quick words about Rich's service to the people of Northampton County. He has had a sense of dedication and flair about his work here that all of us will remember. Even during the years that my sons, Nate and Ben, were competing with kids in the Lehigh Valley,

directly with Easton and the schools down there, Rich always kept an eye on my children and their progress. That part of Rich's personality, as it relates to his personal caring and the individual way he made a connection with people, have made him the kind of public servant that we know so well.

So I just wanted to offer Rich a fond farewell from his colleagues here in the House, on both sides of the aisle, and we have been honored to serve with you, Rich. Thank you.

### REMARKS BY MR. FREEMAN

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

Mr. FREEMAN. Thank you, Mr. Speaker.

I would like to join with the majority leader in thanking Rich Grucela for his service in this chamber. I, too, would be remiss if I did not make a few brief comments on behalf of his service.

I am very fortunate to call Rich not only a colleague but a good friend of many years standing.

As some members of this chamber may know, but I am sure many do not, Rich Grucela was my teacher in high school. He was an outstanding teacher and he proved to be an outstanding State Representative in the Pennsylvania House. We were very fortunate to have his service here as a colleague. He always brought a good perspective to the study of legislation, to how we deal with our issues, a very pragmatic approach, which served him and his district very well over the years.

Rich has always cared about serving the people of the 137th District, his district, and did a stellar job in representing their interests and concerns in this chamber and throughout State government. We are going to miss him in our delegation. To me, he was always a mentor, a good source of advice and guidance, and that was true, I think, to most of our delegation. This House will be a little poorer for his absence, but I want to wish him well in retirement, he and his wife, Gina. It is a well-deserved retirement, and please come back and visit us at any time. We will miss your presence.

Thank you.

### BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 900, PN 2239**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for neighborhood blight reclamation and revitalization.

On the question,

Will the House agree to the bill on second consideration?

The SPEAKER. On that question, the gentleman from Philadelphia County, Representative John Taylor, has a couple of amendments, two amendments, filed to the bill.

Mr. J. TAYLOR. Thank you, Mr. Speaker.

Because of some recent developments where we hope that the contents of this amendment, which is HB 712, which we passed out of this House back in the spring, will actually come over from the Senate, so as a result of that agreement, I will be withdrawing this amendment at this time – all of them that are under my name.

The SPEAKER. The Chair thanks the gentleman.

On the question, will the House agree to the bill, the Chair recognizes the gentleman from Schuylkill County, Representative Goodman, who has two amendments. Is the gentleman withdrawing the amendments?

Mr. GOODMAN. Yes, Mr. Speaker. Which amendment would be first, sir?

The SPEAKER. Amendment 09359.

Mr. GOODMAN. Mr. Speaker, I believe that this is an agreed-to amendment that is technical in nature.

The SPEAKER. Let me get the question before the House.

Mr. GOODMAN. Sure. Go ahead.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. GOODMAN offered the following amendment No. **A09359**:

Amend Bill, page 1, line 1, by striking out "Title" and inserting  
Titles 42 (Judiciary and Judicial Procedure) and

Amend Bill, page 1, line 2, by inserting after "Statutes,"  
in organization and jurisdiction of courts of common pleas, authorizing housing courts; in Administrative Office of Pennsylvania Courts, providing for deteriorated real property education and training program for judges; and

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Title 42 of the Pennsylvania Consolidated Statutes is amended by adding sections to read:

§ 918. Housing courts.

(a) Establishment.—The court of common pleas of a judicial district may establish, from available funds, a housing court which shall have jurisdiction as provided under subsection (d). The court may adopt local rules for the administration of housing courts and their related services such as housing clinics to counsel code violators on their responsibilities and procedures to bring properties into code compliance. The local rules may not be inconsistent with this section or any rules established by the Supreme Court.

(b) Statewide housing courts coordinator.—To the extent that funds are available, the Supreme Court may appoint a Statewide housing courts coordinator who may be assigned other responsibilities by the Supreme Court. The coordinator may:

(1) Encourage and assist in the establishment of housing courts in each judicial district where the caseload justifies the establishment of such courts.

(2) Identify sources of funding for housing courts and their related services, including the availability of grants.

(3) Provide coordination and technical assistance for grant applications.

(4) Develop model guidelines for the administration of housing courts and their related services.

(5) Establish procedures for monitoring housing courts and their related services and for evaluating the effectiveness of housing courts and their related services.

(c) Advisory committee.—The Supreme Court may establish, from available funds, an interdisciplinary and interbranch advisory committee to advise and assist the Statewide housing courts coordinator in monitoring and administering housing courts Statewide.

(d) Jurisdiction of housing court.—In a court of common pleas which has established a housing court pursuant to this section, the exclusive jurisdiction of the following matters may be vested in the housing court:

(1) Criminal and civil actions arising within the county under any other general or special law, ordinance, rule or regulation concerned with the health, safety or welfare of an

occupant of a place used, or intended for use, as a place of human habitation.

(2) Land use decisions appealed to the court of common pleas in accordance with Article X-A of the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, provided they relate to single-family and multifamily properties, or proceedings appealed to court in accordance with the act of June 13, 1961 (P.L.282, No.167), relating to the establishment of historic districts.

(3) Appeals from government agencies under the former act of December 2, 1968 (P.L.1133, No.353), known as the Local Agency Law, or otherwise, relating to the housing, building, safety, plumbing, mechanical, electrical, health or fire ordinances and regulations of a municipal corporation within the county or of the county itself.

(4) Matters arising under the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, which involve a place used, or intended for use, as a place of human habitation.

(5) Matters arising under the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, which involve a place used, or intended for use, as a place of human habitation.

§ 1907. Deteriorated real property education and training program for judges.

The Administrative Office of Pennsylvania Courts may develop and implement annual and ongoing education and training programs for judges, including magisterial district judges, regarding the laws of this Commonwealth relating to deteriorated real property and the economic impact that such properties have upon municipalities. The education and training program shall include, but not be limited to:

(1) The importance and connection of code violations and crime.

(2) Time-in-fact violations as they relate to code violations.

(3) Conduct of witnesses in prosecuting code violations.

(4) Limiting continuances in code violations.

(5) Use of indigency hearings in the prosecution of code violations.

Section 2. Title 53 is amended by adding a chapter to read:

Amend Bill, page 15, line 29, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

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

Mr. GOODMAN. Mr. Speaker, this is an agreed-to amendment that straightens out some of the language that was raised in committee. It is more technical in nature, and I would ask the members for their support.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—193

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

Bishop	Geist	Marsico	Samuelson
Boback	George	Matzie	Santarsiero
Boyd	Gergely	McGeehan	Santoni
Boyle	Gibbons	McI. Smith	Saylor
Bradford	Gillespie	Melio	Scavello
Brennan	Gingrich	Metzgar	Seip
Briggs	Godshall	Miccarelli	Shapiro
Brown	Goodman	Micozzie	Siptroth
Burns	Grell	Millard	Smith, K.
Buxton	Grove	Miller	Smith, M.
Caltagirone	Grucela	Milne	Smith, S.
Carroll	Hahn	Mirabito	Solobay
Casorio	Haluska	Moul	Sonney
Causser	Hanna	Mundy	Staback
Christiana	Harhai	Murphy	Stern
Clymer	Harhart	Murt	Stevenson
Cohen	Harkins	Mustio	Sturla
Conklin	Harper	Myers	Swanger
Costa, D.	Harris	O'Brien, D.	Tallman
Costa, P.	Helm	O'Brien, M.	Taylor, J.
Cox	Hennessey	O'Neill	Taylor, R.
Creighton	Hess	Oberlander	Thomas
Cruz	Hickernell	Oliver	Toepel
Curry	Hornaman	Pallone	True
Cutler	Houghton	Pashinski	Turzai
Daley	Hutchinson	Payne	Vereb
Day	Johnson	Payton	Vitali
Deasy	Josephs	Peifer	Vulakovich
DeLozier	Kauffman	Perry	Wagner
DeLuca	Keller, M.K.	Perzel	Wansacz
Denlinger	Keller, W.	Petrarca	Waters
DePasquale	Kessler	Phillips	Watson
Dermody	Killion	Pickett	Wheatley
DeWeese	Kirkland	Preston	White
DiGirolamo	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-5

Brooks	Petri	Reichley	Schroder
Metcalf			

NOT VOTING-0

EXCUSED-4

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

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

The SPEAKER. Does the gentleman wish to offer amendment A09414?

Mr. GOODMAN. Yes. Thank you, Mr. Speaker.

This is also a technical amendment that basically—

The SPEAKER. The gentleman will yield. Let me put the question before the House. I was not sure if the gentleman was withdrawing the amendment.

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

Mr. GOODMAN offered the following amendment No. A09414:

Amend Bill, page 8, lines 29 and 30; page 9, line 1, by striking out all of said lines on said pages

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

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

Mr. GOODMAN. Mr. Speaker, this is also a technical amendment that I believe is agreed to by all parties. It basically removes an inaccurate reference that was found late in the bill, and the fastest way that we could do it was simply by adding another amendment, technical in nature. I would ask the members for their support.

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

The following roll call was recorded:

YEAS-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

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

On the question recurring,

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

**MOTION TO SUSPEND RULES**

The SPEAKER. The gentleman from Bucks County, Representative Petri, has a late-filed amendment. Does the gentleman wish to suspend the rules?

Mr. PETRI. Thank you, Mr. Speaker.

I do request the members suspend the rules in order to offer the amendment. The amendment generally provides for additional time for property owners to respond to certain issues that are raised in the bill so that they have a fair opportunity to correct deficiencies.

The SPEAKER. The gentleman from Bucks County, Representative Petri, moves that this House do now suspend its rules for the immediate consideration of amendment A09544.

On the question,

Will the House agree to the motion?

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

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

While I respect the gentleman, I rise to oppose the Petri suspension. Thank you.

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

Mr. TURZAI. I just rise in support of my colleague from Bucks County's suspension motion. It is an amendment that would improve consumer protection and we would like to have an opportunity for it to be voted on so that everybody in the House could entertain the substance of the amendment.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-96

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

NAYS-102

Barbin	Drucker	Levdansky	Sainato
Belfanti	Eachus	Longietti	Samuelson
Bishop	Evans, D.	Mahoney	Santarsiero
Boyle	Fabrizio	Manderino	Santoni
Bradford	Frankel	Mann	Seip
Brennan	Freeman	Markosek	Shapiro
Briggs	Gergely	Matzie	Sipthroth
Brown	Gibbons	McGeehan	Smith, K.
Burns	Goodman	McI. Smith	Smith, M.
Buxton	Grell	Melio	Solobay
Caltagirone	Grucela	Mirabito	Staback
Carroll	Haluska	Mundy	Sturla
Casorio	Hanna	Murphy	Taylor, R.
Cohen	Harhai	Myers	Thomas
Conklin	Harkins	O'Brien, M.	Vitali
Costa, D.	Hornaman	Oliver	Wagner
Costa, P.	Houghton	Pallone	Wansacz
Cruz	Johnson	Pashinski	Waters
Curry	Josephs	Payton	Wheatley
Cutler	Keller, W.	Petrarca	White
Daley	Kessler	Preston	Williams
Deasy	Kirkland	Ravenstahl	Youngblood
DeLuca	Kortz	Readshaw	Yudichak
DePasquale	Kotik	Roebuck	
Dermody	Kula	Ross	McCall,
DeWeese	Lentz	Sabatina	Speaker

NOT VOTING-0

EXCUSED-4

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

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

**FAREWELL ADDRESS  
BY MR. MELIO**

The SPEAKER. The Speaker is going to invite Tony Melio to the rostrum. He has served the people of Bucks County since 1987 here in the House of Representatives. All of us know about his outstanding work in fighting for veterans and senior citizens across this Commonwealth, and certainly as chairman of the Veterans Affairs and Emergency Preparedness Committee. He has helped give us legislation to make Pennsylvanians of every age safer in this Commonwealth. But of course, most people remember Tony for the one record that will never be broken, most hugs by a lawmaker in the history of Pennsylvania, but in all actuality, he does hold one record and I think it is a very special record, Tony has not missed a session day since being elected.

Tony Melio.

Mr. MELIO. Thank you, Mr. Speaker.

You know, it is awesome. I look out at this Assembly and all these wonderful colleagues that I have worked with over the years who have always, always been generous and kind and helpful. I really appreciate that. And I know there is no way that I could thank all of you personally, but I will try. I also want to thank Father Drucker for his wonderful sermon today. It is nice to have somebody like Father Drucker here. It is a privilege.

And I also would like my wife, Anna May, to stand up, please; my daughter, Sheri; my son, Joseph. As you can see, looking at Anna May, who got the best of the deal, not me. She has been a wonderful inspiration and helps me. You know, it is funny, I have to tell you this, but when we have session, my phone, I sit in the back, rings off the hook, and Anna May is saying, "Why did you vote for that? You have to vote this way. You know, they said that it was not for the good of the Commonwealth. You have to vote this way." And I do.

But, you know, there is just not enough praise to go around for everybody that has been so great. It has been a distinct honor to serve in the Pennsylvania House of Representatives since 1987. I consider it a privilege to work with the members of this body. Oh, and by the way, before I forget, I want to say, where is Saint Grucela? He should be a Saint. I am sorry.

I was proud to be here in this Assembly; I never missed a day. As I sat in my office last week wondering what I would say, I remembered back when my predecessor, Jim Gallagher, first brought me to Harrisburg to meet then Majority Leader Jim Manderino, whose daughter, Kathy, serves the Commonwealth so well. We went into Jim's office and Gallagher told the majority leader, "This is Tony Melio, the guy who is going to replace me," and Jim Gallagher said, "Don't get used to this office, Tony. We'll be sending you to the basement with a few others when you get here." And he was right. I started in the basement of the Capitol with three other members.

So as I thought about what I would say today, the first thing that came to my mind was, "Wow, if only Jim Manderino and Jim Gallagher could see how far I've come, looking out of my big glass East Wing office windows onto the Capitol fountain."

Anyway, I never would have made it here this long if not for my dedicated staff, starting with Marge Cross, who is now

retired but who was my legislative assistant for many years and who was here before I got here. She worked for Jim Gallagher, my predecessor. She indoctrinated me into what could and could not be done in Harrisburg, and she had no problem letting me know the difference. Marge was invaluable to me and to the Commonwealth for her knowledge and hard work.

In addition to Marge, I have been fortunate to work with some of the most professional staff in Harrisburg. I have a great deal of respect for my executive committee director Pat Cusick, whose dedication and commitment to his job are exceptional. His work ethic is superior. Harry Bucher and Debbie Brady are the hardworking staff of the committee and keep things rolling and have always kept me on point. We have worked in a cooperative manner with my colleagues and fellow Veterans Affairs and Emergency Preparedness chairman, Russ Fairchild, who also is leaving this year. It was a pleasure working with Russ because we understood that our committee is not about politics or party. It is about issues that matter to those who put country and public safety first. Thank you, Russell.

Along the same lines, I want to thank Maj. Gen. Jessica Wright, who served our Commonwealth with pride and distinction as State Adjutant General, who is leaving us later this month to work at the Pentagon. Our loss is Washington, DC's gain. Thank you, General.

And a special thank-you for those who serve our Commonwealth of the armed services or as emergency responders.

Very importantly, the staff in my district office were crucial to helping me serve the constituents of the 141st Legislative District. Anne Titus, who is the consummate professional and ran the office; Bryan Allen; Joanna Burgess; Barbara Hoffman. The constituents love them for all the services they provided and for any help they needed. Thank you, Anne, Barbara, Bryan, and Joanna for your dedication in meeting these needs each and every day. Without them, it would not have been possible for me to be here working in Harrisburg, because I know that I left my district in good hands each week that I traveled to Harrisburg for session.

I want to recognize Steve Santarsiero and John Galloway, my fellow colleagues. It is also important for me to laud my other Bucks County colleagues, both here and in the Senate, even though they are mostly Republicans. Again, we learned that we must work together and respect both sides of the aisle, and we did. Tommy Tomlinson will verify this.

I want to recognize Jack Monahan, whom many of you know as Sergeant at Arms, but who also is mayor of Bristol Township in my district. Jack, as you know, is very dedicated to his job and works very hard. You have been a great friend and fellow public servant. Thanks, Jack.

Also, thanks to my other great friends: my buddy Rich Grucela, Tony DeLuca, and my next door neighbor, Bud George. I would be remiss if I did not mention my morning mass crew, who joined me through the years: Tom Tangretti; Rich Grucela; Ed Wojnaroski; Jack Monahan; Gene DiGirolamo, who is always at mass. Thanks, guys.

Finally, I want to thank my wonderful, loving family: my children, Mark and Diane, who are in Chicago; Jay, Karen, and Sheri; my eight grandchildren; and of course, the boss, my wife of 53 years, Anna May. Anna May. You put up with me not being home for a variety of events and dinners during the past 23 years. You have also put up with me being there.

And for those I did not mention by name, both here and back in the 141st Legislative District, a final hug and kiss to each of you. God bless you all.

### REMARKS BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

As the Melio family exits the rostrum, I would just like to say that Tony's service to the people of Bucks County, for the new Democratic members of the southeast who have just arrived, Tony should be a role model for you as you approach your service to southeastern Pennsylvania. He was there before all others, except for maybe Mr. Curry from Montgomery. So I just want to say to the people of Bucks County, you could not have sent us a finer man.

Tony, you may be one of the few men in the world that I feel comfortable kissing. I say that with a sense of manly love between us. And I also want to just say to Anna May, as she is here on the floor today, during the budget crisis of last year – this is the kind of family the Melio family is – during the budget crisis of last year, at a time when my son broke his leg in Costa Rica and I could not get there, Anna May called me with Tony in the car and they prayed for me and my family. I cannot thank them enough for their prayers. The people of Bucks County should be proud of that kind of man that they sent us. We will pray for you, too, in your service after you leave us today.

Thank you to the Melio family, and thank you to Tony for his sense of honor and respect for the institution.

### LEAVE OF ABSENCE CANCELED

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

### DEMOCRATIC CAUCUS

### APPROPRIATIONS AND RULES COMMITTEE MEETINGS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be an immediate caucus at the break in the majority caucus room. The Appropriations Committee will meet in the majority caucus room at 1:30 p.m. There will be a Rules Committee meeting in the majority caucus room at 1:45, and our goal is to be back on the floor at 2 p.m.

The SPEAKER. The Appropriations Committee will meet in the majority caucus room at 1:30, and the Rules Committee will meet in the majority caucus room at 1:45.

### REPUBLICAN CAUCUS

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

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce an immediate Republican caucus. I would ask all our Republican members to immediately report to our caucus room.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

### ANNOUNCEMENT BY MR. MAHER

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

Mr. MAHER. Thank you, Mr. Speaker.

This is Pork Producers Month in Pennsylvania, and the Pork Producers Council of Pennsylvania is kind enough, in connection with PennAg Industries, to have pulled pork sandwiches out by the fountain for everyone until 1 o'clock. So on your way to session, enjoy it. It is a Pennsylvania product, and the baked potatoes are awfully good, too.

The SPEAKER. Any further announcements?

### RECESS

The SPEAKER. This House stands in recess until 2 p.m., unless sooner recalled by the Speaker.

### RECESS EXTENDED

The time of recess was extended until 2:30 p.m.; further extended until 2:45 p.m.; further extended until 3:15 p.m.

### AFTER RECESS

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

The SPEAKER. The members will please report to the floor.

### COMMUNICATIONS

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

The following communications were read:

A communication dated May 2010 from the Legislative Budget and Finance Committee, pursuant to Act 2004-159, providing a copy of a performance audit of the Pennsylvania Fish and Boat Commission.

A communication dated September 10, 2010, from the Public Employee Retirement Commission transmitting an actuarial note for amendment No. 08034 to SB 566, PN 577.

A communication dated September 15, 2010, from the Pennsylvania One Call System, Inc., providing a copy of its 2009 annual report.

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



**HOUSE RESOLUTION  
INTRODUCED AND REFERRED**

**No. 982** By Representatives BARRAR, BOYD, CUTLER, FARRY, KAUFFMAN, KRIEGER, METCALFE, MOUL, OBERLANDER, SAYLOR, SONNEY, TALLMAN, VULAKOVICH and GRELL

A Concurrent Resolution memorializing Congress to direct the United States Department of Justice to pursue legal redress against persons and groups who engage in voter intimidation.

Referred to Committee on STATE GOVERNMENT, October 5, 2010.

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 2503** By Representatives MILNE, FLECK, GROVE, GRUCELA, KILLION, REICHLEY, ROSS, SIPTROTH, STEVENSON and GINGRICH

An Act establishing a hydrogen fuel cell collaboration program; providing for powers and duties of the Department of Environmental Protection and for grants; requiring a report by the department; and making an appropriation.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 5, 2010.

**No. 2668** By Representatives SAYLOR, GILLESPIE, GROVE, MILLER, PERRY, TALLMAN and MURT

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, further providing for adoption of further referendum.

Referred to Committee on FINANCE, October 5, 2010.

**BILL REREPORTED FROM COMMITTEE**

**SB 168, PN 2179** By Rep. D. EVANS

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for regulation of contracts; and providing for additional contracting authority for electric power and energy.

APPROPRIATIONS.

The SPEAKER. That bill will go to the House supplemental calendar.

**BILLS REREPORTED FROM COMMITTEE**

**HB 2517, PN 4281** By Rep. D. EVANS

An Act amending the act of April 6, 1937 (P.L.200, No.51), known as the Pawnbrokers License Act, further providing for definitions, for identity of pledger and for pawn ticket; providing for hold orders and related procedures; and further providing for sale of pledge and for penalties.

APPROPRIATIONS.

**HB 2685, PN 4399** By Rep. D. EVANS

An Act establishing the Pennsylvania Mature Worker Task Force, and providing for its powers and duties.

APPROPRIATIONS.

**HB 2693, PN 4444** (Amended) By Rep. D. EVANS

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in restructuring of electric utility industry, further providing for definitions; providing for solar energy portfolio standards and for regulation of certain operators of pipelines; in violations and penalties, further providing for civil penalties for gas pipeline safety violations; and making a related repeal.

APPROPRIATIONS.

**SB 298, PN 2255** (Amended) By Rep. D. EVANS

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.

APPROPRIATIONS.

**SB 922, PN 2256** (Amended) By Rep. D. EVANS

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers and duties of the Department of Public Welfare, providing for determining whether applicants are veterans; in public assistance, further providing for establishment of county boards and expenses and for lifetime limit; further defining "general acute care hospital"; providing for a definition; further providing for authorization, for administration, for no hold harmless, for tax exemption and for cessation; providing for the availability of and access to a comprehensive trauma care system; imposing powers and duties upon the Department of Public Welfare; and making a related repeal.

APPROPRIATIONS.

**SB 976, PN 2064** By Rep. D. EVANS

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.

APPROPRIATIONS.

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

**CALENDAR CONTINUED**

**RESOLUTIONS PURSUANT TO RULE 35**

Mrs. BEYER called up **HR 337, PN 4241**, entitled:

A Resolution congratulating best-selling author and award-winning journalist John Grogan for his recognition by the Allentown Arts Commission as a Special Award Recipient at its 21st annual Arts Ovation Awards luncheon on May 7, 2009.

On the question,  
Will the House adopt the resolution?

(Members proceeded to vote.)

**LEAVE OF ABSENCE CANCELED**

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

**CONSIDERATION OF HR 337 CONTINUED**

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

The following roll call was recorded:

**YEAS—197**

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

**NAYS—1**

Schroder

**NOT VOTING—2**

Gabig Harper

**EXCUSED—2**

Galloway Parker

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

\* \* \*

Mr. FRANKEL called up **HR 721, PN 4400**, entitled:

A Resolution recognizing the week of October 11 through 15, 2010, as "No Place for Hate Week" in Pennsylvania and commending the Anti-Defamation League for its outstanding efforts to promote peace, brotherhood and goodwill through its "No Place for Hate" program.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—200**

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Galloway            Parker

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

\* \* \*

Mr. STERN called up **HR 960, PN 4413**, entitled:

A Resolution designating the week of October 10 through 16, 2010, as "White Cane Week" in Pennsylvania and the month of October 2010 as "Blindness Awareness Month" in Pennsylvania; and congratulating the Pennsylvania Association of the Blind on its 100th anniversary.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Galloway            Parker

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

\* \* \*

Mr. SIPTROTH called up **HR 961, PN 4333**, entitled:

A Resolution recognizing October 15, 2010, as "White Cane Safety Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

(Members proceeded to vote.)

**LEAVE OF ABSENCE**

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

**CONSIDERATION OF HR 961 CONTINUED**

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

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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Mr. SIPTROTH called up **HR 962, PN 4334**, entitled:

A Resolution designating the month of October 2010 as "Meet the Blind Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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Ms. WAGNER called up **HR 964, PN 4414**, entitled:

A Resolution honoring the Pittsburgh organization Riverlife for its mission to reclaim, restore and promote Pittsburgh's riverfronts as the environmental, recreational, cultural and economic hub for the people of this region and our visitors.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Galloway                      Hornaman                      Parker

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

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS  
AS AMENDED**

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 2172, PN 4432**, as further amended by the House Rules Committee:

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.

On the question,  
Will the House concur in Senate amendments as amended by the Rules Committee?

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

The following roll call was recorded:

YEAS—192

Adolph	Fabrizio	Maher	Reichley
Baker	Fairchild	Mahoney	Roae
Barbin	Farry	Major	Rock
Barrar	Fleck	Manderino	Roebuck
Bear	Frankel	Mann	Rohrer
Belfanti	Freeman	Markosek	Ross
Benninghoff	Gabig	Marshall	Sabatina
Beyer	Gabler	Marsico	Sainato
Bishop	Geist	Matzie	Samuelson
Boback	George	McGeehan	Santarsiero
Boyd	Gerber	McI. Smith	Santoni
Boyle	Gergely	Melio	Saylor
Bradford	Gibbons	Metzgar	Scavello
Brennan	Gillespie	Miccarelli	Schroder
Briggs	Gingrich	Micozzie	Seip
Brown	Godshall	Millard	Shapiro
Burns	Goodman	Miller	Siptroth
Buxton	Grell	Milne	Smith, K.
Caltagirone	Grove	Mirabito	Smith, M.
Carroll	Grucela	Moul	Smith, S.
Casorio	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.	Tallman
Cox	Harris	O'Neill	Taylor, J.
Creighton	Helm	Oliver	Taylor, R.
Cruz	Hennessey	Pallone	Thomas
Curry	Hess	Pashinski	Toepel

Cutler	Hickernell	Payne	True
Daley	Houghton	Payton	Turzai
Day	Johnson	Peifer	Vereb
Deasy	Josephs	Perry	Vitali
Delozier	Kauffman	Perzel	Vulakovich
DeLuca	Keller, M.K.	Petrarca	Wagner
Denlinger	Keller, W.	Petri	Wansacz
DePasquale	Kessler	Phillips	Waters
Dermody	Killion	Pickett	Watson
DeWeese	Kirkland	Preston	Wheatley
DiGirolamo	Knowles	Pyle	White
Donatucci	Kortz	Quigley	Williams
Drucker	Kotik	Quinn	Youngblood
Eachus	Krieger	Ravenstahl	Yudichak
Ellis	Kula	Readshaw	
Evans, D.	Lentz	Reed	McCall,
Evans, J.	Levdansky	Reese	Speaker
Everett	Longietti		

NAYS—7

Brooks	Hutchinson	Oberlander	Swanger
Causer	Metcalfe	Rapp	

NOT VOTING—0

EXCUSED—3

Galloway	Hornaman	Parker
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments as amended by the Rules Committee were concurred in.

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

**GUESTS INTRODUCED**

The SPEAKER. To the left of the Speaker, the Chair would like to welcome the just-named Pennsylvania Teacher of the Year for 2011, Jeffrey Chou, teacher at the Abington School District, accompanied by its superintendent, Amy Sichel; his wife and teacher, Nary Chou; Ann Bacon; and Principal Marianne Kaemmer. They are the guests of Representative Shapiro. Will all the guests please rise. Congratulations and welcome to the hall of the House.

**RULES COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

For the members of the Rules Committee, there will be an immediate Rules Committee meeting in the majority caucus room. Once again, all Rules Committee members, please report to the majority caucus room immediately. Thank you.

The SPEAKER. There will be an immediate Rules Committee meeting in the majority caucus room.

The Speaker will put the House at ease for about 10 minutes. The House will be at ease.

The House will come to order.

**BILLS ON CONCURRENCE  
REPORTED FROM COMMITTEE**

**HB 101, PN 4389**

By Rep. EACHUS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school districts, further providing for reports to Department of Education and providing for value-added assessment system and for drop-out data collection; in intermediate units, further providing for financial reports; providing for payment of fees associated with certification by the National Board for Professional Teaching Standards; in certification of teachers, further providing for disqualifications relating to teacher's certificate; in pupils and attendance, further providing for residence and right to free school privileges and providing for emergency permits at approved private schools and chartered schools for the deaf and blind; in provisions relating to safe schools, further providing for definitions and for the Office for Safe Schools; providing for regulations; and further providing for reporting by school entities; in school health services, further providing for possession and use of asthma inhalers and epinephrine auto-injectors, for medical examinations of teachers and other persons and for duties of Department of Education; in terms and courses of study, providing for economic education and personal financial literacy programs, for State standards for business, computer and information technology courses and for dating violence education; establishing the Science Technology Partnership Program; in high schools, further providing for academic degrees; in charter schools, further providing for facilities; providing for the Older Pennsylvanian Higher Education Program, for course materials at institutions of higher education and for sexual violence education at institutions of higher education; in reimbursements by Commonwealth and between school districts, further providing for effect of failure to file reports; and making editorial changes and related repeals.

RULES.

**HB 727, PN 3144**

By Rep. EACHUS

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

RULES.

**HB 2246, PN 4397**

By Rep. EACHUS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for vehicles exempt from registration, for annual hauling permits, for permit for movement during course of manufacture, for general requirement for other vehicles transporting school children, for conditions of permits and security for damages and for permit for movement of bulk refined oil; providing for permit for movement of nonhazardous liquid glue and for permit for movement of waste tires; further providing for duty of driver in emergency response areas, for careless driving, for snow and ice dislodged or falling from moving vehicle and for sentencing for homicide by vehicle; providing for the offense of aggravated assault by vehicle; further providing for aggravated assault by vehicle while driving under the influence, for accident involving death or personal injury while not properly licensed, for accident scene clearance, for weighing and measurement of vehicles and for promulgation of rules and regulations by department; and imposing penalties.

RULES.

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

**BILL ON CONCURRENCE  
REPORTED FROM COMMITTEE**

**HB 1800, PN 2336** (Amended) By Rep. EACHUS

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

**RULES.**

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

**SUPPLEMENTAL CALENDAR B**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2246, PN 4397**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for vehicles exempt from registration, for annual hauling permits, for permit for movement during course of manufacture, for general requirement for other vehicles transporting school children, for conditions of permits and security for damages and for permit for movement of bulk refined oil; providing for permit for movement of nonhazardous liquid glue and for permit for movement of waste tires; further providing for duty of driver in emergency response areas, for careless driving, for snow and ice dislodged or falling from moving vehicle and for sentencing for homicide by vehicle; providing for the offense of aggravated assault by vehicle; further providing for aggravated assault by vehicle while driving under the influence, for accident involving death or personal injury while not properly licensed, for accident scene clearance, for weighing and measurement of vehicles and for promulgation of rules and regulations by department; and imposing penalties.

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

The SPEAKER. It is the Chair's understanding the gentleman from Blair County, Representative Geist, has an amendment filed to the bill, which would require a suspension of the rules.

The Chair thanks the gentleman. The gentleman is withdrawing the amendment.

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—199**

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

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

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—3**

Galloway	Hornaman	Parker
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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 SPEAKER. The House will come to order.  
The members will please take their seats.

**FAREWELL ADDRESS  
BY MS. MANDERINO**

The SPEAKER. The gentelady from Philadelphia, Kathy Manderino, came here with the name of a legend in this institution, her father, the former Speaker of the House, Jim Manderino. Since 1992 she has more than lived up to that legacy serving the people of Philadelphia and Montgomery Counties and has written her own legacy to inspire others. Her time here has been spent fighting for those without a voice, for those less fortunate, for victims' rights, and for laws that help families.

My good friend and confidante, Kathy Manderino.

Ms. MANDERINO. I never got to be here. I never knew how to turn the mike on.

I know my staff does not believe me that I am nervous. They say, "You never get nervous when you speak," and I do. But this is really nerve-racking, because your head is so filled with thoughts and your heart is so filled with emotion and it is really hard to figure out, how do you say goodbye? How do you say goodbye after 18 years of adventure? And so the trial lawyer in me remembered that technique that they taught us way back when: Tell a story. So if you will indulge me for just a little bit, I would like to tell you how this journey got started and some things I learned along the way.

It was a little more than 19 years ago now, and I got a telephone call from my predecessor that I remember almost word for word, and he said, "I'm not running for reelection. I'd like you to think about running for my seat." There was a pregnant pause, and then I laughed at him and I said, "I know what that's all about. I'm not interested." Famous last words. I did know a little bit about what it was all like, but as I know all of you know, you really do not know what being an elected member of your community is until you serve. It took a lot of prayerful consideration about what to do, and it was kind of like I just decided I am going to put it in God's hands. If it was meant to be, it will happen. If it was not meant to be, that only means He has a better plan for my life. And I guess He and I decided together that 18 years was to be spent doing the people's business. And during that time I have learned a lot of lessons, but there are just a few that I want to share that I know that you will relate to, and I think it is so important that we acknowledge them, because a lot of folks do not acknowledge what it is that we experience.

One of the first things I learned early on, even when still a candidate, was that when you put yourself out to the public to be voted for or not voted for, people do not know the true you. They know a caricature of you, right? Like a caricature artist looks at you and the first thing they see is big ears or a prominent nose, and that is how they draw your picture. That is really how most voters see us. They see us as a caricature of ourselves. They know three things about us. If they like those three things, we are the best thing since sliced bread. If they do not like those three things, we are the devil incarnate. But until they get to know us, to them we are a caricature of ourselves, and there are two risks in that. One is it is really hard to see other people seeing you in a different way than you see yourself, and you have to learn to get over that if you want to do the right thing and do the people's business, and you have all gotten over that because you are here. But the other potential risk in that is sometimes if we are not careful, we can lose ourselves in that caricature, and it is so important to try to stay grounded. Whether it is your family that keeps you grounded, your friends that keep you grounded, your voters that keep you grounded, your God that keeps you grounded, or all of the above, it is so important for us to find a way to stay true to ourselves.

I have this poem that hangs on my wall in the office. It is really not very prominent. It is kind of tucked in a corner, but I know it is there. It is a hand-lettered, framed poem that my mom gave me one year for Christmas just a couple of years before she died, and I am not going to read the poem, but there is this one line in it, and it says, "Don't let the world change who you are...I couldn't stand it." I really think about that a lot in

what we do, how important it is to not let the world and all the buzz around us change who we are and change our true essence. I have tried to stay true to that. I know that you have, too. For those of you who are newer, please, it is such an important lesson to try to stay true to who you are, because the buzz around you can pull you in so many different directions.

The second lesson that I learned and I think we all have learned, and sometimes we practice it, is you can disagree without being disagreeable. And for those of you who have been in this chamber as long as I have or longer, a little bit sadly we do that a little bit less today than we used to. We used to be a lot more cordial and a lot more agreeable and friendly and collegial even when we disagreed. We have not lost all that, but we do have a little bit of an edge to us, and I think it is an edge that exists in society, and it is not a factor of our chamber. But do you know what? It is a factor that we ought to fight against, because we know we are all here for the right reasons, to do the people's business, and we can do that and we can disagree and we do not have to be disagreeable. And again, that is something that I see us all trying to do, and please do not lose sight of how important that is to getting our work done.

Lesson number three. If you follow your heart, you may still have some regrets, but they will not keep you up at night. I have sometimes not followed my heart. I have sometimes followed my heart. I have had regrets both times, but in the end the ones that really troubled me were the ones where I knew I did not follow my heart and I followed my head and maybe some pragmatic compromise that I thought I was accomplishing, and those pragmatic compromises are so important to reaching consensus and getting things done. But in the end, if you follow your heart, you will sleep well at night, and we all need to do that.

And I guess the most important lesson that I learned and I wish more folks who were observers of this process really understood, but you have heard each colleague up here say this: This is not a job. This is, in many ways, a calling. It is all-consuming. It is something that takes every bit of your blood, sweat, and tears, every bit of passion. I have looked at my colleagues whose personal situations are a lot more complex than mine. You know, as a single woman, I have never had to say, "Gee, do I go to this Eagle Scout ceremony or my own child's ballet recital?" But many of you have had to make those choices every weekend, and you make those choices in concert with your family, but you make those choices of service and calling because you know that this is not just a job but this is about doing the people's business and serving the public. And being out among your constituents and at those football games and Eagle Scout award ceremonies is an avenue through which your constituents communicate with you and let you know what is on their minds, and that is why you do what you do and that is the great sacrifice that your family makes. I experienced that as a child. That may have been one of the reasons that I said to Dick Hayden, "I know what that's all about. I'm not interested in doing that." I remember many nights when my dad was not there. I remember waking up in the morning and wondering what horrible thing was going to be written about my dad, whom I loved, in the newspaper the next day, but that was a sacrifice that he made not just for us but for all of Pennsylvania, and that is a sacrifice that you make not just for yourselves and your family but for all of Pennsylvania, and I hope that all of Pennsylvania appreciates that as much as I do.



Being an elected official is a testament to that great saying that "No man is an island...." It takes a lot of people to make us a success. I have mentioned our families and our constituents, and quite frankly, it starts with the voters. It starts with the family being willing to allow you or enable you to do this. It takes our voters and particularly our loyal supporters who hang with us on every campaign and every election to get that done. And so my thank-you goes out to the voters of the 194th and particularly my loyal committee men and women and volunteers.

#### GUESTS INTRODUCED

Ms. MANDERINO. It takes really dedicated staff to make sure that you are doing the people's business well and well representing them, and I have had few staff in 18 years, because they have all been so good and so dedicated – Lois Braxton, Patti Brennan, Merle Zucker in the district. The people love them and so therefore they love me. It is not they love me so therefore they love my staff. I know you guys know that. They love our staff because our staff is serving them, and through that good will, they like what we do. And so thank you to the district office staff.

In Harrisburg I have had only two L.A.s (legislative assistants) in my tenure. Barb Tomaschik, she retired from me after 8 years, and then I got Candy Kornotto, and she was another fireball, who retired on me a couple of months ago, but Candy served for 10 years as my L.A.; and then when I got the Ethics Committee chair, I had Mary McDaniel and Sharon DePalma McKee, and then after Mary left for the Governor, Eric Fillman. That staff has been so dedicated. My Harrisburg staff is here on the floor, and I ask them to stand. On behalf of both them and the staff in the district, thank you for your service.

And to you, my colleagues, I have so many friends in both the Republican and the Democratic Caucuses that when I started thinking about telling stories and listing names, I decided if I started, I would not know where to stop. So except for the mention of the roommate who put up with me for 18 years, Representative Phyllis Mundy, with whom I have shared an apartment, I love you all. It has been such a journey. I am so glad you have been with me.

And that brings me back full circle to that phone call I got 19 years ago. I thought I knew what this was all about, but I knew in only the most superficial way what kind of journey I would be on when I said yes to running for public office.

As I leave it is kind of the same feeling I had when I started. I was not at first sure whether it was time to move on or not. I cannot really still today tell you which part of me figured it out first, whether my head figured it out and it just took a little bit longer for my heart to come along, and I really think that that is the order, that in my head I knew it was time for new journeys and new challenges on my front, but it just took a little bit longer for my heart to come along, and mainly it is because of the collegiality and the camaraderie that we have as members of this chamber.

So my dear friends, thank you so much. My future, both mine and yours, is in God's hands. Godspeed to all of you, my dear friends.

#### REMARKS BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Thank you so much, Mr. Speaker.

As Kathy hugs her friends and leaves the dais, I would be remiss if I did not say that she has been a fixture of respect here in this chamber for over two decades. Her work on the Ethics Committee in this session has undeniably put together the work of Representative Harper, the Republican chairman, and the Democratic chairman, Kathy Manderino, into a situation where we have now bipartisan ethics training that has catapulted the spirit of ethics beyond any other session. So her leadership forged along these lines has made a clearer issue for members as it relates to training, and I respectfully say that all of us, 100 percent of us, took that training.

The truth is that Kathy has blazed her own trail here in the House. She has been an undeniable leader on behalf of working families, women's issues, and average Pennsylvanians, and that is what she will be remembered for, but she will also be remembered for her close kinship with many of us. And as she leaves us, as many of our colleagues, we will have a tang of regret, but we will also have the highest respect for her work here and her time here.

So, Mr. Speaker, I rise to honor Representative Manderino on her body of work here in the General Assembly, and I just wanted to say farewell and adieu.

The SPEAKER. The Chair thanks the gentleman.

#### REMARKS BY MR. JOHNSON

The SPEAKER. Does the gentleman from Philadelphia, Representative Johnson, wish to be recognized under unanimous consent?

Mr. JOHNSON. Yes.

The SPEAKER. The gentleman is recognized.

Mr. JOHNSON. Mr. Speaker, I would also like to commend my colleague, State Representative Kathy Manderino, for 18 years of service.

As a freshman legislator, I had the opportunity to bend her ear on numerous occasions regarding the process of being a legislator here in Harrisburg. And so I just want to publicly acknowledge her for her hard work, and more importantly, more importantly, the work that she has done back in her district in which some of my family members reside. She has always had a reputation of being an outstanding, and more importantly, an independent-minded legislator who cares about the constituents in her district, and so we wish her the best and God bless.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

#### BILL SIGNED BY SPEAKER

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

**HB 2246, PN 4397**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for vehicles exempt from registration, for annual hauling permits, for permit for movement during course of manufacture, for general requirement for other vehicles transporting school children, for conditions of permits and security for damages and for permit for movement of bulk refined oil; providing for permit for movement of nonhazardous liquid glue and for permit for movement of waste tires; further providing for duty of driver in emergency response areas, for careless driving, for snow and ice dislodged or falling from moving vehicle and for sentencing for homicide by vehicle; providing for the offense of aggravated assault by vehicle; further providing for aggravated assault by vehicle while driving under the influence, for accident involving death or personal injury while not properly licensed, for accident scene clearance, for weighing and measurement of vehicles and for promulgation of rules and regulations by department; and imposing penalties.

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

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 101, PN 4389**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school districts, further providing for reports to Department of Education and providing for value-added assessment system and for drop-out data collection; in intermediate units, further providing for financial reports; providing for payment of fees associated with certification by the National Board for Professional Teaching Standards; in certification of teachers, further providing for disqualifications relating to teacher's certificate; in pupils and attendance, further providing for residence and right to free school privileges and providing for emergency permits at approved private schools and chartered schools for the deaf and blind; in provisions relating to safe schools, further providing for definitions and for the Office for Safe Schools; providing for regulations; and further providing for reporting by school entities; in school health services, further providing for possession and use of asthma inhalers and epinephrine auto-injectors, for medical examinations of teachers and other persons and for duties of Department of Education; in terms and courses of study, providing for economic education and personal financial literacy programs, for State standards for business, computer and information technology courses and for dating violence education; establishing the Science Technology Partnership Program; in high schools, further providing for academic degrees; in charter schools, further providing for facilities; providing for the Older Pennsylvanian Higher Education Program, for course materials at institutions of higher education and for sexual violence education at institutions of higher education; in reimbursements by Commonwealth and between school districts, further providing for effect of failure to file reports; and making editorial changes and related repeals.

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

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

Mr. SHAPIRO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to HB 101.

Mr. Speaker, I recognize that HB 101, also known here as the Education Code bill, is the product of many, many, many months by many members in this chamber and in the other chamber to try and strike a very delicate balance to address some critical education needs here in the Commonwealth, and

I appreciate Chairman Roebuck's effort, Representative Longietti's efforts, and others. Mr. Speaker, unfortunately, though, I cannot support this legislation.

Mr. Speaker, if I could just have order, please.

The SPEAKER. The House will come to order.

The gentleman, the Parliamentarian just informed me that you have an amendment filed to this legislation that would require a suspension of the rules. Is the gentleman withdrawing the amendment?

Mr. SHAPIRO. Mr. Speaker, I just sought recognition to speak on the legislation.

The SPEAKER. The gentleman is in order.

Mr. SHAPIRO. Thank you.

Tucked away in this Education Code bill, Mr. Speaker, is a provision that, in my estimation – and this appears on page 50 in the copy that I have – a provision that I think gives an unfair tax advantage to only a specific small handful of charter schools in this Commonwealth. At the same time, Mr. Speaker, by offering a tax abatement to at least one school and potentially more in this Commonwealth, it punishes the people in those particular school districts who, once that abatement goes into effect, will be forced to pay more in property taxes to cover the potential loss from the entity seeking abatement. Mr. Speaker, I believe this practice is questionable from a constitutional standpoint and, most importantly, is bad practice.

Mr. Speaker, I would urge that we not concur in this legislation and vote it down. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Is the gentleman withdrawing his amendment? The Chair thanks the gentleman.

The gentleman from Northampton County, Representative Grucela, also has a— He is withdrawing his amendment? The Chair thanks the gentleman.

On the question of concurrence, the Chair recognizes the gentleman from Bucks County, Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I would urge members to concur with the Senate amendments. This is an important piece of legislation as it deals with the Education Code. There is nothing in the bill that increases the financial responsibility on the taxpayer. I understand the gentleman from Montgomery County who does have a problem with charter schools being exempt from property taxes, but at the same time, Mr. Speaker, this is the standard. This is nothing new that the bill is putting into the code. This is a standard that already exists. We are just codifying what is the standard.

And so, Mr. Speaker, I would ask members on this omnibus School Code bill to vote in the affirmative. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Philadelphia County, Representative Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

This omnibus education bill represents a concerted effort of both Democrats and Republicans, House and Senate, to put together a package of bills that reflect the interests of the members of this legislature. We have worked very hard to address a number of issues, to resolve a number of conflicts within the legislation, and, Mr. Speaker, I would ask my colleagues on both sides of the aisle to concur in this proposal. I would ask for a "yes" vote on HB 101. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Monroe County, Representative Scavello.

Mr. SCAVELLO. Mr. Speaker, I had a certificate filed, an amendment. I know you have not received it yet, but I am being told that you are going to run HB 2733 that would take care of the amendment that I was going to have filed, which has to do with the AED (automatic external defibrillator) legislation. So I am told that HB 2733 is going to run. So I am going to not ask for a suspension.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Delaware County, Representative Kirkland.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, let me first start off by saying I have all the respect in the world for Chairman Roebuck and the work that they do in the Education Committee. I at one point in time was a member of that committee, and I understand the rigorous work that they do and the commitment that they have towards education.

However, Mr. Speaker, I must rise today and ask for a nonconcurrency on HB 101, and I do so for these reasons, Mr. Speaker: Number one, Mr. Speaker, there is a provision, a portion of this bill inserted by the Senate that, quite frankly, scares me. It scares me on two fronts, the first front being the sponsor of that portion of the legislation or that portion inserted from the Senate and also the possible recipient. Mr. Speaker, in having conversations and working with both of them in the past and shaking hands in a gentlemanly manner and making a commitment from both sides to work together and then having to turn around and find out that that commitment was nothing more than a cold, hard slap in the face, it scares me to actually have to think that we would believe that the persons that inserted this legislation, inserted this language in this bill are going to be up front and honest about working with this legislature or up front and honest about making sure that the recipient of one of these charters does not become even more financially wealthy.

Now, let me be real clear, Mr. Speaker. I support charters that work. I support charters that reach out to our schools that are innovative and creative. I have in the past and I continue to do so, but I am, quite frankly, Mr. Speaker, afraid of what is going on in this HB 101.

The second thing is, Mr. Speaker, my concern is if this legislation is passed, I am concerned about the future. Knowing the character of one of these sponsors over in the Senate and the character of the recipient of this legislation, I am frightened, because knowing them and knowing their past and their present, I am concerned about what might happen in the future when it comes to changing this legislation once again.

Mr. Speaker, if this legislation is changed once again, what we will be doing is providing a tax break for a millionaire and we will be providing a greater tax increase on poor persons; in particular, the ones within my district, the Chester-Upland School District.

So, Mr. Speaker, I rise and ask for a nonconcurrency on HB 101. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question of concurrence, the Chair recognizes the gentleman from Huntingdon County, Representative Fleck.

Mr. FLECK. Thank you, Mr. Speaker.

I rise in support of concurrence and ask my colleagues to vote in the affirmative.

In the past 4 years we have worked long and hard for Science in Motion, to get that into the School Code bill. It is included, and prior predecessors have worked very long and hard for this great program – Representative Fred McIlhattan and Senator Robbins, our counterpart in the Senate.

So it is a great program. It has taken us a long time to get this included, and I would ask for an affirmative vote. 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—180

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

NAYS—19

Barbin	Gerber	Metcalf	Thomas
Briggs	Kirkland	Payton	Waters
Carroll	Lentz	Sabatina	Wheatley
Cutler	Levdansky	Samuelson	White
DePasquale	Mahoney	Shapiro	

NOT VOTING—0

EXCUSED—3

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

Ordered, That the clerk inform the Senate accordingly.

**BILL SIGNED BY SPEAKER**

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

**HB 101, PN 4389**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school districts, further providing for reports to Department of Education and providing for value-added assessment system and for drop-out data collection; in intermediate units, further providing for financial reports; providing for payment of fees associated with certification by the National Board for Professional Teaching Standards; in certification of teachers, further providing for disqualifications relating to teacher's certificate; in pupils and attendance, further providing for residence and right to free school privileges and providing for emergency permits at approved private schools and chartered schools for the deaf and blind; in provisions relating to safe schools, further providing for definitions and for the Office for Safe Schools; providing for regulations; and further providing for reporting by school entities; in school health services, further providing for possession and use of asthma inhalers and epinephrine auto-injectors, for medical examinations of teachers and other persons and for duties of Department of Education; in terms and courses of study, providing for economic education and personal financial literacy programs, for State standards for business, computer and information technology courses and for dating violence education; establishing the Science Technology Partnership Program; in high schools, further providing for academic degrees; in charter schools, further providing for facilities; providing for the Older Pennsylvanian Higher Education Program, for course materials at institutions of higher education and for sexual violence education at institutions of higher education; in reimbursements by Commonwealth and between school districts, further providing for effect of failure to file reports; and making editorial changes and related repeals.

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

**CALENDAR CONTINUED**

**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the gentleman from Bucks County, Representative DiGirolamo, for the purpose of making a motion.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I would like to make a motion.

Mr. Speaker, I would like to suspend the rules of the House for immediate consideration of HB 2372, which creates a Methadone Death and Incident Review Team in the Department of Health.

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

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

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to support the gentleman's motion for a suspension. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—193

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

NAYS—6

Cutler	Hutchinson	Rapp	Samuelson
Grell	Metcalf		

NOT VOTING—0

EXCUSED—3

Galloway	Hornaman	Parker
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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.

The SPEAKER. The rules are suspended, which allows for the immediate consideration on second consideration of HB 2372, PN 4229.

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 2372, PN 4229**, entitled:

An Act establishing the Methadone Death and Incident Review Team and providing for its powers and duties; and imposing a penalty.

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

**GUESTS INTRODUCED**

The SPEAKER. The Speaker would also like to welcome to the gallery a group of constituents from the 33d Legislative District, here on a bus tour from the western part of the State. They are the guests of our majority whip, Representative Frank Dermody. Will the guests please rise. Welcome to the hall of the House.

**RULE 30 SUSPENDED**

**MOTION TO PROCEED TO CONSIDERATION UNDER RULE 21(E)**

The SPEAKER. The Speaker recognizes the majority leader, who moves that rule 30 be suspended so that he can offer amendment 09578 to the gentleman from Pike County, Representative Peifer's HB 2275, PN 4433, and that the bill be voted immediately on concurrence pursuant to rule 21(e), if the House adopts that amendment.

Those in favor of the motion to suspend and to suspend or enforce rule 21(e) will vote "aye"; those opposed will vote "nay."

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

(Members proceeded to vote.)

The SPEAKER. The motion is to suspend rule 30 as well as pursuant to rule 21(e) to proceed on concurrence in the legislation.

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

The following roll call was recorded:

YEAS—191

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

NAYS—7

Cutler	Hutchinson	Murphy	Samuelson
Grell	Metcalf	Rapp	

NOT VOTING—1

Mustio

EXCUSED—3

Galloway	Hornaman	Parker
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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 CONCURRENCE  
IN SENATE AMENDMENTS  
AS AMENDED**

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 2275, PN 4433**, as further amended by the House Rules Committee:

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 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.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. On that question, the Chair recognizes the majority leader, Representative Eachus, who calls up amendment A09578, which the clerk will read.

Is the gentleman, Representative Goodman, offering the amendment?

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

Mr. **GOODMAN** offered the following amendment  
No. **A09578**:

Amend Bill, page 1, lines 29 and 30, by striking out "to the Philadelphia Authority for Industrial " in line 29 and "Development," in line 30

Amend Bill, page 2, line 17, by striking out "AND"

Amend Bill, page 2, line 23, by inserting after "COUNTY"

; and authorizing the sale and transfer of title for Project 70 lands owned by Erie County to Harborcreek Township, Erie County

Amend Bill, page 100, line 4, by striking out "APPROXIMATELY 400 LINEAR FEET OF"

Amend Bill, page 101, by inserting between lines 23 and 24 Section 10. Harborcreek Township, Erie County.

(a) Authorization.—Pursuant to the requirements of section 20(b) of the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act, the General Assembly hereby authorizes the sale and transfer of title for the Project 70 lands owned by Erie County, known as the Six Mile Creek Park, which are more particularly described under subsection (c), to Harborcreek Township, Erie County, in accordance with an agreement between Erie County and Harborcreek Township entitled "Agreement for the Transfer of Parcels Comprising Six Mile Creek Park" which was approved by Harborcreek Township by Resolution 09-87 adopted on August 5, 2009, and subsequently signed by the township supervisors.

(b) Project 70 restrictions.—The lands described under subsection (c) shall be transferred with all existing restrictions currently imposed by the Project 70 Land Acquisition and Borrowing Act upon conveyance of the lands to Harborcreek Township.

(c) Property description.—The parcels of land to be sold with existing Project 70 restrictions are situate in Harborcreek Township, Erie County, and more particularly bounded and described as follows:

Parcel 1

All that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point, said point being the intersection of the centerline of Lavison Road and the centerline of Backus Road; thence south 61° 57' 10" West, Two Hundred Forty (240.) feet to a point, said point being the northeast corner of the within described piece;

thence south 61° 57' 10" West, One Hundred Twenty-six (126.) feet to a point;

thence south 75° 12' 10" West, Two Hundred Eighty-six (286.) feet to a point;

thence south 55° 42' 10" West, Five Hundred Twenty-eight (528.) feet to a point;

thence south 78° 43' 30" West, One Hundred Six (160.) feet to a point;

thence south 63° 53' 10" West, Two Hundred Ninety-seven (297.) feet to a point;

thence north 1° 53' 10" East, Six Hundred Eighty-two and thirty hundredths (682.30) feet to a point;

thence south 77° 27' 50" East, Eight Hundred Ninety-seven and ninety hundredths (897.90) feet to a point;

thence north 70° 04' 45" East, Four Hundred Fifty-two and ninety hundredths (452.90) feet to a point;

thence south 5° 27' 10" West, Thirty (30.) feet to the place of beginning containing approximately 7.9 acres of land more or less.

Being the same parcel conveyed by Oscar Nelson and Alice D. Nelson to the County of Erie, identified in Deed Book 945, Page 536, on the 4th day of August, 1966.

## Parcel 2

All that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

The beginning point of the within piece of property is the following calls and distances:

Beginning at the intersection of the centerline of Station Road and Peck Road; thence along the centerline of Peck Road north one degree, twenty minutes, thirty seconds ( $1^{\circ} 20' 30''$ ) west, One Thousand Eight Hundred Thirty-eight and ten hundredths (1838.10) feet to a point; thence north eighty-eight degrees, fifty-five minutes, forty seconds ( $88^{\circ} 55' 40''$ ) west, One Thousand Three Hundred Twelve and sixty hundredths (1312.60) feet to a point; thence north Zero degrees, thirty-four minutes, ten seconds ( $0^{\circ} 34' 10''$ ) east, One Thousand sixty-three and seventy hundredths (1063.70) feet to a point; thence north eighty-seven degrees, twenty-three minutes, ten seconds ( $87^{\circ} 23' 10''$ ) east, Nine Hundred Seventy-seven and twenty-six hundredths (977.26) feet to a point; thence north eighty-seven degrees, thirty-eight minutes, ten seconds ( $87^{\circ} 38' 10''$ ) east, Three Hundred Forty-two (342.00) feet to a point; thence south forty-four degrees, forty-seven minutes, forty seconds ( $44^{\circ} 47' 40''$ ) east, Three Hundred Nine and Ninety hundredths (309.90) feet to a point; thence south nine degrees, zero minutes, zero seconds ( $9^{\circ} 0' 0''$ ) east, Two Hundred Thirty-one (231.00) Feet to a point; thence south sixty-nine degrees, zero minutes, zero seconds ( $69^{\circ} 0' 0''$ ) east, Two Hundred Thirty-one (231.00) feet to a point; thence north fifty-four degrees, zero minutes, zero seconds ( $54^{\circ} 0' 0''$ ) east, Two Hundred Sixty-four (264.00) feet to a point; thence due east, One Hundred Eighty-one and fifty-hundredths (181.50) feet to a point; thence south fourteen degrees, zero minutes, zero seconds ( $14^{\circ} 0' 0''$ ) east, sixty-six (66.) feet to a point; thence south fifty-five degrees, zero minutes, zero seconds, east, Four Hundred Ninety-five (495.00) feet to a point; thence north fifty-seven degrees, zero minutes, zero seconds ( $57^{\circ} 0' 0''$ ) east, Two Hundred Thirty-one (231.) feet to a point; thence south one degree, three minutes, thirty seconds ( $1^{\circ} 3' 30''$ ) west, Five Hundred Ninety-four (594.) feet to an iron pipe; thence north eighty-eight degrees, fifty-five minutes forty seconds ( $88^{\circ} 55' 40''$ ) west, One Thousand Four Hundred Eighty-five (1485.00) feet to the centerline of Peck Road and the place of beginning, containing 58.4 acres of land more or less. Being the same parcel conveyed by Laird E. Orton and Helen M. Orton and Mildred K. Dobson Brown and Walter W. Brown to the County of Erie, identified in Deed Book 942, Page 203, on the 14th day of June, 1966.

## Parcel 3

All that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

The beginning point of the within piece of property is the following calls and distances:

Beginning at the point where the centerline of Lunger Road intersects with the centerline of Station Road; thence south, eighty-nine degrees, twelve minutes, zero seconds ( $89^{\circ} 12' 0''$ ) East, Three Hundred Sixty-six and thirty hundredths (366.30) feet (a cord distance) to a point; thence continuing along the centerline of Station Road, south eighty-eight degrees, four minutes, thirty seconds ( $88^{\circ} 04' 30''$ ) east, One Thousand Five Hundred Sixty-nine and thirty hundredths (1569.30) feet to a point; thence north, Zero degrees, eight minutes, twenty seconds ( $0^{\circ} 8' 20''$ ) east Two Thousand Four Hundred Seventy-nine and forty-five hundredths (2479.45) feet to an iron pipe. thence north zero degrees, eight minutes, twenty seconds ( $0^{\circ} 08' 20''$ ) east, Seven Hundred Seventy-six and twenty-eight hundredths (776.28) feet to a point;

thence south seventy-nine degrees, thirty-seven minutes, fifty seconds ( $79^{\circ} 37' 50''$ ) east, Three Hundred Twenty and ten hundredths (320.10) feet to a point;

thence south, zero degrees, twenty-five minutes, forty seconds ( $0^{\circ} 25' 40''$ ) west, Seven Hundred Twenty-nine and fourteen hundredths (729.14) feet to a point;

thence north, eighty-eight degrees, four minutes, thirty seconds ( $88^{\circ} 04' 30''$ ) west, Three Hundred Eleven and fifty hundredths (311.50) feet to the place of beginning, containing 6.6 acres of land more or less.

Being the same parcel conveyed by Charles A. Costello and Joyce Ann Costello to the County of Erie, identified in Deed Book 950, Page 290, on the 24th day of October, 1966.

## Parcel 4

All that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

Beginning at the intersection of the Centerline of Backus Road and the centerline of Davison Road, thence south five degrees, twenty-seven minutes, ten seconds ( $5^{\circ} 27' 10''$ ) west, thirty feet (30) to a point;

thence south sixty-one degrees, fifty-seven minutes, ten seconds, ( $61^{\circ} 57' 10''$ ) west, Four Hundred Forty and eighty-two hundredths (440.82) feet to a point;

thence south seventy-two degrees, fifty-seven minutes, ten seconds ( $72^{\circ} 57' 10''$ ) west, Two Hundred Seven (207) feet to a point;

thence south two degrees, twenty-five minutes, fifty seconds ( $2^{\circ} 25' 50''$ ) east, One Hundred Seventeen and eighty hundredths (117.80) feet to a point;

thence south, forty-four degrees, thirty-one minutes, ten seconds, ( $44^{\circ} 31' 10''$ ) west, sixty-seven and forty hundredths (67.40) feet to a point;

thence south seventy-one degrees, two minutes, fifty seconds, ( $71^{\circ} 2' 50''$ ) west, forty-eight and fifty-five hundredths (48.55) feet to a point;

thence south eighty-one degrees, thirty-seven minutes, fifty seconds ( $81^{\circ} 37' 50''$ ) west, Eighty-six and eighty-six hundredths (86.86) feet to a point;

thence south sixteen degrees, thirty-seven minutes, fifty seconds ( $16^{\circ} 37' 50''$ ) west, One hundred nine and thirty-hundredths (109.30) feet to a point;

thence south eighty-eight degrees, twelve minutes, ten seconds ( $88^{\circ} 12' 10''$ ) east, One Hundred Twenty-nine and thirty-six hundredths (129.36) feet to a point;

thence south fifty-seven degrees, twenty-five minutes, ten seconds, ( $57^{\circ} 25' 10''$ ) east, One Hundred Twenty-five and sixty hundredths (125.60) feet to a point.

thence south forty-seven degrees, nineteen minutes, fifty seconds ( $47^{\circ} 19' 50''$ ) east, One Hundred Forty-three and seventy-seven hundredths (143.77) feet to a point;

thence south sixty-seven degrees, nineteen minutes, fifty seconds ( $67^{\circ} 19' 50''$ ) east, Three Hundred Forty-two and eighty-five hundredths (342.85) feet to a point;

thence north twenty-seven degrees, forty minutes, ten seconds ( $27^{\circ} 40' 10''$ ) east, One Hundred Five and eighteen (105.18) hundredths feet to a point;

thence north forty-seven degrees, ten minutes, ten seconds ( $47^{\circ} 10' 10''$ ) east, One Hundred Fourteen and thirty-one hundredths (114.31) feet to a point;

thence north eighty-two degrees, twelve minutes, ten seconds ( $82^{\circ} 12' 10''$ ) east, One Hundred Eighty-five and ten hundredths (185.10) feet to the centerline of Davison Road, thence along the centerline of Davison Road the following calls and distances. South fifty degrees, thirty-six minutes, thirty seconds ( $50^{\circ} 36' 30''$ ) east One Hundred (100) feet to a point;

thence south forty degrees, forty-seven minutes, thirty seconds ( $40^{\circ} 47' 30''$ ) east, One Hundred (100) feet to a point;

thence south thirty degrees, thirty minutes, ten seconds ( $30^{\circ} 30' 10''$ ) east, One Hundred (100) feet to a point;

thence south twenty-one degrees, eighty-eight minutes, ten seconds ( $21^{\circ} 88' 10''$ ) east, One Hundred (100) feet to a point;

thence south eight degrees, thirty-three minutes, ten seconds ( $8^{\circ} 33'$

10") east, One Hundred Forty and seventy-five (140.75) hundredths feet to a point;

thence south seventy-seven degrees, thirty-six minutes, fifty seconds (77° 36' 50") west, Two Hundred Sixty-five and fifty-five hundredths (265.55) feet traversing the centerline of a bridge;

thence south sixty-five degrees, six minutes, fifty seconds (65° 6' 50") east Sixteen and nineteen hundredths (16.19) feet to a point;

thence north seventy-three degrees, thirty-four minutes, zero seconds (77° 34' 0") west, Two Hundred Forty-eight and eighteen hundredths feet (248.18) to a point;

thence south one degree, three minutes, thirty seconds (1° 03' 30") west, One Hundred Eighty-six and twelve hundredths (186.12) feet to a point;

thence south fifty-seven degrees, zero minutes, zero seconds (57° 0' 0") west, Two Hundred Thirty-one (231) feet to a point;

thence north fifty-five degrees, zero minutes, zero seconds (55° 0' 0") west, Four Hundred Ninety-five (495) feet to a point;

thence north Fourteen degrees, zero minutes, zero seconds (14° 0' 0") west, sixty-six (66) feet to a point;

thence due west One Hundred Eighty-one and fifty hundredths (181.50) feet to a point;

thence south fifty-four degrees, zero minutes, zero seconds (54° 0' 0") west, Two Hundred Sixty-four feet (264) to a point;

thence north sixty-nine degrees, zero minutes, zero seconds (69° 0' 0") west, Two Hundred Thirty-one (231) feet to a point;

thence north nine degrees, zero minutes, zero seconds (9° 0' 0") west, Two Hundred Thirty-one (231) feet to a point;

thence north forty-four degrees, forty-seven minutes, forty seconds (44° 47' 40") west, Three Hundred and nine and ninety hundredths (309.90) feet to a point;

thence sixty-three degrees, fifty-three minutes, ten seconds (63° 53' 10") east, Three Hundred thirty-seven (337) feet to a point;

thence north seventy-eight degrees, forty-three minutes, thirty seconds (78° 43' 30") east, One Hundred Sixty (160) feet to a point;

thence north fifty-five degrees, forty-two minutes, ten seconds (55° 42' 10") east, Five Hundred Twenty-eight (528) feet to a point;

thence north seventy-five degrees, twelve minutes, ten seconds, (75° 12' 10") east Three Hundred Sixty-three (363) feet to a point;

thence north sixty-one degrees, fifty-seven minutes, ten seconds (61° 57' 10") east, Three Hundred Sixty-six (366) feet to the centerline of Davison Road and the place of beginning, containing twenty-five (25) acres of land more or less.

Being the same parcel conveyed by Samuel H. Gross and Dorothy R. Gross to the County of Erie, identified in Deed Book 951, Page 193, on the 15th day of June, 1966.

#### Parcel 5

All that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point of intersection of the centerline of Lungar Road and Station Road, thence south 89° 12' 0" East, Three Hundred and Sixty-six and thirty hundredths (366.30) feet to a point (a cord distance);

thence south 88° 04' 30" East, Five Hundred Forty-nine and eighty hundredths (549.80) feet along the centerline of said Station Road;

thence north 1° 55' 30" East, One Thousand One Hundred Eighty-one and ninety-two hundredths (1181.92) feet to the beginning of the piece; THENCE north 1° 55' 30" East One Thousand Five Hundred Thirty-two and eight hundredths (1532.08) feet to a point;

thence south 53° 58' 00" East, Six Hundred Seventeen and seventy-four hundredths (617.74) feet to a point;

thence south 0° 08' 20" West, One Thousand One Hundred eighty-six and fifty-one hundredths (1186.51) feet to a point;

thence north 88° 04' 30" West, Five Hundred Forty-eight and fourteen hundredths (548.14) feet to the place of beginning, containing approximately 16.50 acres of land more or less.

Being the same parcel conveyed by Floyd D. Gowans and Rachel H. Gowans to the County of Erie, identified in Deed Book 945, Page 538,

on the 4th day of August, 1966.

#### Parcel 6

All that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at the northeasterly corner of the piece, said point being in the southerly line of Right of way of Interstate Route 90; said point being Nine Hundred Thirty-three and seventy-six hundredths (933.76) feet, south fifty-five degrees, thirty-four minutes, ten seconds (55° 34' 10") west from the centerline of the intersection of Clark Road and Interstate Route 90 to said point; thence south zero degrees, thirty minutes, fifty seconds (0° 30' 50") East, One Thousand Four Hundred Two and fifty-two hundredths (1402.52) feet to a point; thence south eighty-eight degrees twenty-three minutes ten seconds (88° 23' 10") west, Six Hundred Fifty-one (651) feet to a point; thence south zero degrees twenty-eight minutes ten seconds (0° 28' 10") west, Nine Hundred Eighty-five (985) feet to a point; thence south eighty-nine degrees seven minutes ten seconds (89° 7' 10") west, six Hundred sixty (660) feet to a point; thence north zero degrees twenty-eight minutes ten seconds (0° 28' 10") east, One Thousand Five Hundred Twenty-nine (1529) feet to a point, said point being the Right of Way line of Interstate Route 90; thence north fifty-five degrees thirty-four minutes, ten seconds (55° 34' 10") east along the southerly Right of Way line of Interstate Route 90 One Thousand Five Hundred Sixty-eight and sixty hundredths (1568.60) feet to the place of beginning, containing forty-four (44) acres of land more or less.

Being the same parcel conveyed by Lloyd T. Dennee and Gladys I. Dennee to the County of Erie, identified in Deed Book 935, Page 406, on the 9th day of March, 1966.

#### Parcel 7

All that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at the northwesterly corner of the piece, said beginning point being the following courses and distances: beginning at a point of the centerline of Station Road and the southern Right of Way line of Interstate Route 90; thence north forty-eight degrees, forty-one minutes, fifteen seconds (48° 41' 15") east, One Thousand Seven Hundred Seventy-five and eighty hundredths (1775.80) feet to a point; thence north fifty degrees, fifty-four minutes, zero seconds (50° 54' 0") east along a cord Eight Hundred Seventy-eight and zero hundredths (878.00) feet to a point; said point being the beginning place of the piece herein conveyed;

Thence north fifty-four degrees, five minutes, zero seconds (54° 05' 0") east, Four Hundred Three and ninety-five hundredths (403.95) feet to a point; thence north fifty-five degrees, thirty-four minutes, ten seconds (55° 34' 10") east, One Thousand Four Hundred Fifteen and thirty-five hundredths (1415.35) feet to a point; the preceding two (2) courses being the southern Right of Way line of Interstate Route 90. Thence south thirty-nine degrees, eighteen minutes fifty seconds (39° 18' 50") east, Ten and fifty hundredths (10.50) feet to a point; thence south nine degrees, eighteen minutes, fifty seconds (9° 18' 50") east, Two Hundred Sixty-four (264) feet to a point; thence south Ten degrees, forty-one minutes, ten seconds (10° 41' 10") west, Seventy-four and twenty-five hundredths (74.25) feet to a point; thence south forty-one degrees, forty-one minutes, ten seconds (41° 41' 10"), west, Six Hundred Sixty (660) feet to a point; thence south fifteen degrees, eighteen minutes, fifty seconds (15° 18' 50") east Four Hundred sixty-two (462) feet to a point; thence north eighty-one degrees, eighteen minutes fifty seconds (81° 18' 50") west, Four Hundred Sixty-two (462) feet to a point; thence south seventy-one degrees, forty-one minutes, ten seconds (71° 41' 10") west, Four Hundred twenty-nine (429) feet to a point; thence north nine degrees, eighteen minutes, fifty seconds (9° 18' 50") west, One Hundred Sixty-five (165) feet to a point; thence north zero degrees, forty-one minutes, ten seconds (0° 41' 10") east, One Hundred Forty-one and fifty-eight hundredths (141.58) feet to a point; thence north eighty-nine degrees, eighteen minutes, forty-five seconds (89° 18' 45") west, Three Hundred Twenty-four and thirty-one hundredths



(324.31) feet to the place of beginning containing eighteen and eight tenths (18.8) acres of land more or less.

Being the same parcel conveyed by Dale F. Willats and Dora Mae Willats to the County of Erie, identified in Deed Book 935, Page 410, on the 9th day of March, 1966.

#### Parcel 8

All that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at the northwesterly corner of the piece, said point being the following course and distance, to-wit: beginning at the point of the intersection of the centerline of Station Road and the southerly Right of Way line of Interstate Route 90; thence north forty-eight degrees, forty-one minutes, fifteen seconds (48° 41' 15") east, One Thousand One Hundred Twenty and twenty hundredths (1120.20) feet.

Thence north forty-eight degrees, forty-one minutes, fifteen seconds (48° 41' 15") east, Six Hundred fifty-five and sixty hundredths (655.60) feet to a point; thence along a cord north fifty degrees, fifty-four minutes, zero seconds (50° 54' 0") east, Eight Hundred Seventy-eight (878) feet to a point; (the previous two (2) calls being the southerly Right of Way line of Interstate Route 90) thence south eighty-nine degrees eighteen minutes, forty-five seconds (89° 18' 45") east, Three Hundred twenty-four and thirty hundredths (324.30) feet to a point; thence south zero degrees, forty-one minutes, ten seconds (0° 41' 10") west, Six Hundred Seventy-six and fifty hundredths (676.50) feet to a point; thence north eighty-nine degrees, eighteen minutes, forty-five seconds (89° 18' 45") west, Six Hundred forty-two and ten hundredths (642.10) feet to a point; thence south twenty-three degrees, eighteen minutes, forty-five seconds (23° 18' 45") east, Three Hundred Fifty-five and ten hundredths (355.10) feet to a point; thence north eighty-nine degrees, eighteen minutes forty-five seconds (89° 18' 45") west, Nine Hundred Eighty-eight and fifty hundredths (988.50) feet to the place of beginning, containing seventeen (17) acres of land more or less.

Being the same parcel conveyed by Kenneth Evans and Helen King Evans to the County of Erie, identified in Deed Book 935, Page 408, on the 9th day of March, 1966.

#### Parcel 9

All that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at the centerline of the intersection of Lunger Road and the centerline of Station Road thence 89° 12' 00" East, Three Hundred Sixty-six and thirty hundredths (366.30) feet to a point (a chord distance);

thence south 88° 04' 30" East, Three Hundred Nineteen and eight hundredths (319.80) feet along the centerline of Station Road to the beginning of the within piece;

THENCE north 1° 55' 30" East, One Thousand One Hundred Eighty-one and ninety-two hundredths (1181.92) feet to a point;

thence north 88° 04' 30" West, Two Hundred Twenty-eight (228.) feet to a point;

thence north 1° 55' 30" East, Six Hundred Seventy-four and fifty-eight hundredths (674.58) feet to a point;

thence south 88° 04' 30" East, Ninety-nine and Five tenths (99.5) feet to a point;

thence north 1° 55' 30" East, Nine Hundred Sixty-four (964.) feet to a point;

thence south 71° 31' 30" East, Three Hundred and seventy-four (374) feet to a point;

thence south 1° 55' 30" West, One Thousand Five Hundred Thirty-two and six hundredths (1532.06) feet to a point;

thence north 88° 04' 30" West, One Hundred Seventy (170) feet to a point;

thence south 1° 55' 30" West, One Thousand One Hundred Eighty-one and ninety-two hundredths (1181.92) feet to the centerline of Station Road;

thence north 88° 04' 30" West along the centerline of said Station Road, sixty (60.) feet to the place of beginning, containing approximately

14.6 acres of land more or less.

Being the same parcel conveyed by Albert V. Paradise and Shirley A. Paradise to the County of Erie, identified in Deed Book 945, Page 540, on the 4th day of August, 1966.

#### Parcel 10

All that certain piece or parcel of land situate in Harborcreek Township, Erie County, Pennsylvania, being part of Tract No. 192, bounded and described as follows:

Commencing at the intersection of the Clark and Mill Roads, the northeast corner of the farm or lands described in deed recorded in the Recorder's Office of Erie County, Pennsylvania, in Deed Book 83, Page 45; thence southwardly along said Mill Road one hundred and six (106) perches to a point, the southeast corner of said farm; thence westwardly along the southern boundary of said farm forty (40) perches to a point; thence northwardly one hundred and six (106) perches to the said Clark Road; thence eastwardly along said Clark Road forty (40) perches to the place of beginning; being the eastern one-half of said farm or premises described in Deed Book 83, at Page 45, and containing twenty-five (25) acres of land, more or less.

Also all that certain piece or parcel of land situate in the Township, County and State aforesaid, being part of Tract 192, bounded and described as follows: Beginning at a point in the Tract line between Tracts 213 and 192, thence eastwardly twenty-eight (28) perches to a point thence southwardly along land formerly owned by Peter McGraw one hundred six and one-half (106 ½) perches to the line of Tract No. 191; thence westwardly along land formerly of D. Sewel thirty (30) perches to the southwest corner of Tract 192; thence northwardly along land formerly of James Williams one hundred six and One-half (106 ½) perches to the place of beginning, containing eighteen (18) acres and thirty-four (34) perches of land, more or less, and being the same land conveyed to Emeline Pierce by deed of William H. and Sarah M. Crabb, dated April 4, 1900, recorded in the Recorder's Office of Erie County, Pennsylvania, in Deed Book 117, Page 790, and by deed of Jonathan Pierce, dated November 26, 1898, recorded in Deed Book 126, Page 385.

Also all that certain piece or parcel of land situate in the Township, County and State aforesaid, being a part of Tract 192, bounded and described as follows: Beginning at the northwest corner of this piece of land at a post; thence by part of same Tract formerly in possession of Truman Orton and Joseph Charles east one hundred thirty-three (133), more or less, to a post; thence south to the south bank of Six Mile Creek; thence by said south bank of Six Mile Creek west one hundred thirty-three (133) perches, more or less, to a point; thence by a so-called gore north to the place of beginning; supposed to contain twenty (20) acres. Excepting and reserving all those certain premises conveyed by Emeline Pierce to Harry E. Warner, by deed dated May 3, 1932, recorded in Deed Book 350, Page 12. Also, all right, title and interest in and to a certain private roadway fifty (50) feet wide, more fully described in a deed from John C. Pierce to Emeline Pierce, dated January 6, 1905, recorded in Deed Book 151, Page 294.

Being the same premises conveyed to parties of the first party Grantor by Emma C. Pierce, by deed dated May 26, 1944, recorded in the Recorder's Office of Erie County, in Deed Book 447, Page 38.

Excepting and reserving the following parcels conveyed there from by first parties, to-wit:

1 acre to Everett Mattern and Margaret Mattern, his wife, by deed dated September 14, 1948, recorded in Deed Book 545, Page 262.

12 1/2 acres to Oliver Whaley and Gertrude Whaley, his wife, by deed dated November 26, 1949, recorded in Deed Book 552, page 358.

5 acres to L.H. Bonnell and Audrey J. Bonnell, his wife, by deed dated November 22, 1950, recorded in Deed Book 581, Page 418.

Excepting and reserving also the entire remaining frontage on the Clark Road extending from the northeast corner of the above-mentioned property of L.H. and Audrey J. Bonnell eastwardly along said Clark Road to its intersection with Mill Road; thence southwardly along said Mill Road three hundred (300) feet; thence westwardly in a line at right angles with Mill Road to the said Bonnell's eastern line; and thence northwardly along said line to the place of beginning, containing

approximately 3 acres.

Also all that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie, and State of Pennsylvania, being more particularly bounded and described as follows, to-wit: Being part of Tracts Nos. 212, 213 and 214 of Harborcreek Township, Erie County, Pennsylvania, bounded and described as follows: Beginning in the tract line between Tracts Nos. 213 and 192 of Harborcreek Township at a point thirty-three hundred and sixty-six (3366.00') feet south of the intersection of said tract line with the center line of the Clark Road, the said beginning point being the southeast corner of land formerly of Dr. G.C. Boughton; thence South along the west line of Tract No. 192; sixty-nine (69) rods to the southeast corner of a tract of land known as Gore "F" and shown on Erie County Atlas of 1875 in the name of George Tatham; thence West along the south line of Gore "F" and land formerly of W.M. Barton and Sidney Sewell to Mitchells Gulf Run at the southeast corner of land formerly of W.A. Brown; thence North by land formerly of W.A. Brown, thence East along the south line of Tract No. 213 to a point one hundred and sixty (160) rods more or less West of the west line of Tract No. 192 marking the southeast corner of land of Bort; thence North along the east line of land formerly of Bort, Chapin Foster and William Delaney to the south line of a new road known as Interstate 90; thence along said south line of Interstate 90 westerly to the west line of the piece; thence south 1° 21' west to a point where this south line intersects with a line extending easterly from the beginning point as mentioned above; thence west 600 feet to the place of beginning.

Being the same parcel conveyed by Howard M. Turben and Evelyn L. Turben to the County of Erie, identified in Deed Book 927, Page 586, on the 27th day of October, 1965.

#### Parcel 11

All that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, being more particularly bounded and described as follows, to-wit:

BEGINNING, at an iron pipe, said iron pipe being the Park north boundary line located in the centerline of Mill Road;

thence south 1° 41' 00" west Six hundred and five (605) feet to a point, said point being the beginning of the within described piece and the northeastern boundary of the said piece;

thence south 79° 37' 50" east, Nine Hundred and Twenty-seven (927) feet to a point;

thence south 1° 41' 00" west, Four Hundred and Eighty (480) feet to a point;

thence north 79° 37' 50" west, Nine Hundred (900) feet to a point;

thence north 15° 03' 15" east, One Hundred Thirty-nine and six hundredths (139.60) feet to a point;

thence due west fifty-nine feet (59) to the centerline of Mill Road;

thence along the centerline of Mill Road north 1° 41' 0" east Three Hundred and Fifty (350) feet to the place of beginning, containing approximately ten (10) acres more or less.

Being the same parcel conveyed by Howard F. Kirsch and Agnes Marie Kirsch to the County of Erie, identified in Deed Book 949, Page 207, on the 27th day of September, 1966.

#### Parcel 12

All that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

The beginning point of the said piece is the following courses and distances:

Beginning at the centerline of the intersection of Lungler Road and the centerline of Station Road; thence south eighty-nine degrees, twelve minutes, zero seconds (89° 12' 0") east, Three Hundred Sixty-six and thirty hundredths (366.30) feet (a cord distance) to a point; thence continuing along the centerline of Station Road south eighty-eight degrees, four minutes, thirty seconds (88° 04' 30") east, One Thousand Eight Hundred Thirty-five and fifty-one hundredths (1835.51) feet to an iron pipe, the beginning point of the within parcel.

Thence north zero degrees, twenty-five minutes, forty seconds (0° 25' 40") east, One Thousand Three Hundred Seventy-two and seventy-six

hundredths) 1372.76) feet to a point;

thence south seventy-nine degrees, thirty-seven minutes, fifty seconds (79° 37' 50") east, fifty-two and thirty-three hundreds (52.33) feet to a point;

thence south eighteen degrees, thirty-nine minutes, zero seconds (18° 39' 0") east Three Hundred Thirty-five and forty-two hundreds (335.42) feet to a point;

thence north eighty-six degrees, twenty-three minutes, ten seconds (86° 23' 10") east, Two Hundred Ninety-four and eighty-hundredths (294.80) feet to a point;

thence south zero degrees, thirty-four minutes, forty seconds, (0° 34' 40") west, One Thousand Sixty-three and seventy hundredths (1063.70) feet to a point;

thence south, eighty-nine degrees, fifty-six minutes, forty seconds (89° 56' 40") west, Four Hundred Fifty-two and sixty hundreds (452.60) feet to the place of beginning, containing twelve (12) acres of land more or less.

Being the same parcel conveyed by Mary DiNicola to the County of Erie, identified in Deed Book 943, Page 102, on the 22nd day of June, 1966.

#### Parcel 13

All that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at the northeasterly corner of the piece at a point in the centerline of Clark Road; said point being the following five (5) courses and distances, to-wit:

Beginning at a point in the centerline of Clark Road where said Road intersects with the centerline of Interstate Route 90; thence south seventy-nine degrees, thirty-seven minutes, fifty seconds (79° 37' 50") east, One Thousand Three Hundred Eighty-six (1386) feet to a point;

thence south fifty-nine degrees, fifty-two minutes, fifty seconds (59° 52' 50") east, Four Hundred Sixty-five and thirty-six hundredths (465.36) feet to a point; thence south fifty-six degrees, six minutes, fifty seconds (56° 6' 50") east, Four Hundred twenty-six and forty hundredths (426.40) feet to a point;

thence south sixty degrees, nineteen minutes, fifty seconds (60° 19' 50") east, Three hundred Ninety and seventy-one hundredths (390.71) feet to a point; thence south sixty-nine degrees, nine minutes fifty seconds (69° 9' 50") east, Two Hundred Sixty (260) feet to a point.

Thence north one degree, fifty-three minutes, ten seconds (1° 53' 10") east, Five Hundred Sixty and sixty-two hundredths (560.62) feet to a point; thence south seventy-two degrees, twenty-one minutes, thirty seconds (72° 21' 30") east, One Thousand Three Hundred Sixty-five and eighty hundredths (1365.80) feet to a point; thence north one degree, forty-one minutes, zero seconds (1° 41' 0") east, Eight Hundred Seventy-One and ten hundredths (871.10) feet to a point; thence south seventy-nine degrees, thirty-seven minutes fifty seconds (79° 37' 50") east, Four Hundred Five and zero hundredths (405.00) feet to a point;

thence north one degree, forty-one minutes, zero seconds (1° 41' 0") east, Four Hundred Eighty (480.) feet to a point; thence north eighteen degrees, thirty-nine minutes, zero seconds (18° 39' 0") west, Three Hundred Thirty-five and forty hundredths (335.40) feet to a point;

thence south eighty-six degrees, twenty-three minutes, ten seconds (86° 23' 10") west, One Thousand Two Hundred Seventy-two degrees and ten hundredths (1272.10) feet to a point; thence south eighty-seven degrees, thirty-eight minutes, ten seconds (87° 38' 10") west, Three Hundred Forty-two (342) feet to a point;

thence south sixty-three degrees, fifty-three minutes, ten seconds (63° 53' 10") west, Forty (40) feet to a point; thence south one degree, fifty-three minutes, ten seconds (1° 53' 10") west, One Thousand Six Hundred Seventeen and zero hundredths (1617.00) feet to the centerline of Clark Road;

thence south seventy-four degrees, twenty-six minutes, zero seconds (74° 26' 0") east along the centerline of Clark Road Fifty-one and forty-six (51.46) feet to the place of beginning containing approximately 48.4 acres of land more or less.

Being the same parcel conveyed by Sheridan R. Buterbaugh and Evelyn D. Buterbaugh to the County of Erie, identified in Deed Book

935, Page 403, on the 9th day of March, 1966.

Parcel 14

All that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie, and State of Pennsylvania, bounded and described as follows, to wit: the beginning point of the within piece is the following calls and distances, to-wit: BEGINNING at the intersection of the center line of Lunger Road and Station Road, thence South 89° 12' 00" East, three hundred sixty six and thirty hundredths (366.30) feet (a chord distance).

Thence along the center line of Station Road South 88° 04' 30" East, one thousand two hundred and thirty four and eighty hundredths (1,234.80) feet to a point; thence North 00° 08' 20" East, one thousand one hundred eighty two and fifty hundredths (1,182.50) feet, to a point; thence North 88° 04' 30" West one hundred (100) feet, to a point; said point being southwesterly corner of the piece herein described.

Thence North 0° 08' 20" East two thousand two hundred thirty two and thirty hundredths (2,232.30) feet, to a point; thence South 79° 37' 50" East, four hundred forty one and thirty hundredths (441.30) feet, to a point; thence South 0° 8' 20" West, two thousand one hundred sixty seven and fifty hundredths (2,167.50) feet, to a point; thence North 88° 04' 30" West, four hundred thirty four and fifty hundredths (434.50) feet to a place of beginning containing 21.9 acres of land more or less. Being the same parcel conveyed by James R. Holmes and Ruth D. Holmes to the County of Erie, identified in Deed Book 938, Page 302, on the 19th day of April, 1966.

(d) Existing restrictions.—The following restriction shall remain in the deeds for the land described under subsection (c):

This indenture is given to provide land for recreation, conservation and historical purposes as defined in the act of June 22, 1964 (Special Session, P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act.

Amend Bill, page 101, line 24, by striking out "10" and inserting 11

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

The SPEAKER. The gentleman may proceed.

Mr. GOODMAN. Mr. Speaker, this is an agreed-to amendment that corrects some language that was inserted in the Rules Committee yesterday. It also contains a Project 70 land conveyance. That is also an agreed-to part of this bill. I would ask the members for their support.

The SPEAKER. The Chair thanks the gentleman.

The clerk is instructed, the message on the board should be— We already voted on the suspension of the rules. This should be on the Goodman amendment, A09578.

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

(Members proceeded to vote.)

**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 Armstrong County, Representative PYLE, and the gentleman from Butler County, Representative ELLIS, for the remainder of the day. Without objection, those leaves will be granted.

**CONSIDERATION OF HB 2275 CONTINUED**

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

The following roll call was recorded:

**YEAS—195**

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

**NAYS—1**

Hutchinson

**NOT VOTING—1**

Mustio

**EXCUSED—5**

Ellis	Hornaman	Parker	Pyle
Galloway			

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

On the question,  
Will the House concur in Senate amendments as amended by the Rules Committee as further amended by the House?

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

The following roll call was recorded:

YEAS—193

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

NAYS—3

Boback	Maher	Murphy
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NOT VOTING—1

Mustio

EXCUSED—5

Ellis                      Hornaman              Parker              Pyle  
Galloway

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments as amended by the Rules Committee as further amended by the House were concurred in.

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

STATEMENT BY MR. MURPHY

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentleman from Lackawanna County, Representative Murphy, under unanimous consent, without objection.

Mr. MURPHY. Thank you, Mr. Speaker.

I had a late-filed amendment to HB 2275 on concurrence, and I wanted to withdraw that amendment.

But I do have some comments to be spread on the record, and I want to be on the record, not only on the board as voting "no" on concurrence, but I certainly think one of these properties in particular, we should have gotten fair market value. But I will have these comments spread on the record.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

I rise today to oppose HB 2275 as amended by the Senate and oppose its passage on concurrence.

Amended by A08081, my primary concern is the conveyance of State land, formerly known as the Scranton State School for the Deaf property; in particular, 10 acres of land and nine buildings on said land located in one of the more affluent areas of my district, North Washington Avenue in Scranton, Pennsylvania.

The property in question was appraised at a significantly higher value, and I feel nothing less than fair market value as determined by a transparent and public bidding process be accepted on behalf of the citizens of the Commonwealth of Pennsylvania.

However, the language in the bill as amended sells this property at a significantly lower price, and I feel that is unacceptable. That being said, I have no doubt that the entity buying the property will be good stewards and will commit the property to good use and could possibly be the best option for maintaining the property and neighborhood.

I have always had a great respect for and have and will continue to support this institution and its mission, but unfortunately, having said that, I feel that I have a fiduciary responsibility as a Representative of the people of the 113th Legislative District and this Commonwealth to obtain a fair and equitable price for the State's property and land.

While this bill simultaneously creates great opportunities for one academic institution and closes the chapter for another, I feel that this issue could have been resolved in a more transparent and equitable manner.

I believe the problem with this bill as amended lies with the Departments of Education and General Services with respect to the closure and subsequent sales agreement and land conveyance for the former Scranton State School for the Deaf.

This is just the final straw in an unfortunate series of events for a once very prominent and historic institution.

With all due respect, I must and will oppose HB 2275 as amended.  
Thank you, Mr. Speaker.

**SUPPLEMENTAL CALENDAR B CONTINUED**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 727, PN 3144**, entitled:

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

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

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

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—5**

Ellis	Hornaman	Parker	Pyle
Galloway			

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

Ordered, That the clerk inform the Senate accordingly.

**BILL SIGNED BY SPEAKER**

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

**HB 727, PN 3144**

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

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

**CALENDAR CONTINUED**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 400, PN 4289**, entitled:

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.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The gentleman, Representative Boyd, from Lancaster County has three amendments that would require the suspension of the rules. Is the gentleman offering the amendments? Is the gentleman yielding to the gentleman from Erie County?

**MOTION TO POSTPONE**

The SPEAKER. The gentleman from Erie County, Representative Harkins, is recognized.

Mr. HARKINS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to make a motion to move to table to a time certain, Monday, November 8, at 1 o'clock.

The SPEAKER. The gentleman from Erie, just for the purpose of the record, the gentleman would like to postpone consideration of HB 400 until November 8, 2010, at 11 a.m.

Mr. HARKINS. That is correct, Mr. Speaker. Thirty days for all parties to negotiate something that works for all parties involved.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question, the Chair recognizes the majority leader on the question of postponing.

Mr. EACHUS. Mr. Speaker, I respectfully rise to oppose the gentleman's motion to table. Thank you.

The SPEAKER. On the question of postponing, the Chair recognizes the gentleman from Allegheny County, Representative Turzai.

Mr. TURZAI. Mr. Speaker, we support the motion to postpone.

The SPEAKER. On the question, those voting to postpone consideration of HB 400 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—98**

Adolph	Fabrizio	Knowles	Rapp
Baker	Fairchild	Krieger	Reed
Bear	Fleck	Kula	Reese
Benninghoff	Gabig	Levdansky	Reichley
Beyer	Gabler	Maher	Roae
Boback	Geist	Mahoney	Rock
Boyd	Gillespie	Major	Rohrer
Boyle	Gingrich	Marsico	Ross
Brooks	Grell	Metcalfe	Saylor
Causar	Grove	Metzgar	Scavello
Christiana	Grucela	Millard	Schroder
Clymer	Hahn	Miller	Smith, S.
Costa, D.	Hanna	Milne	Sonney
Costa, P.	Harhart	Mirabito	Stern
Cox	Harkins	Moul	Stevenson
Creighton	Harper	O'Brien, M.	Swanger
Cutler	Harris	Oberlander	Tallman
Day	Helm	Pallone	Taylor, J.
Delozier	Hennessey	Payne	Toepel
DeLuca	Hess	Peifer	True
Denlinger	Hickernell	Perry	Turzai
DeWeese	Hutchinson	Phillips	Vulakovich
Drucker	Kauffman	Pickett	Watson
Evans, J.	Keller, M.K.	Quinn	Yudichak
Everett	Kirkland		

**NAYS—99**

Barbin	Frankel	McGeehan	Samuelson
Barrar	Freeman	McI. Smith	Santarsiero
Belfanti	George	Melio	Santoni
Bishop	Gerber	Miccarelli	Seip
Bradford	Gergely	Micozzie	Shapiro
Brennan	Gibbons	Mundy	Siptroth
Briggs	Godshall	Murphy	Smith, K.
Brown	Goodman	Murt	Smith, M.
Burns	Haluska	Mustio	Solobay
Buxton	Harhai	Myers	Staback
Caltagirone	Houghton	O'Brien, D.	Sturla
Carroll	Johnson	O'Neill	Taylor, R.
Casorio	Josephs	Oliver	Thomas
Cohen	Keller, W.	Pashinski	Vereb
Conklin	Kessler	Payton	Vitali
Cruz	Killion	Perzel	Wagner
Curry	Kortz	Petrarca	Wansacz
Daley	Kotik	Petri	Waters
Deasy	Lentz	Preston	Wheatley
DePasquale	Longiatti	Quigley	White
Dermody	Manderino	Ravenstahl	Williams
DiGirolamo	Mann	Readshaw	Youngblood
Donatucci	Markosek	Roebuck	
Eachus	Marshall	Sabatina	McCall,
Evans, D.	Matzie	Sainato	Speaker
Farry			

**NOT VOTING—0**

**EXCUSED—5**

Ellis	Hornaman	Parker	Pyle
Galloway			

Less than the majority 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 concur in Senate amendments?

**MOTION TO SUSPEND RULES**

The SPEAKER. Does the gentleman from Lancaster County, Representative Boyd, wish to suspend the rules?

The Chair recognizes the gentleman from Lancaster County, Representative Boyd, who moves that the House do suspend its rules for the immediate consideration of amendment 09284.

Mr. BOYD. Thank you, Mr. Speaker.

Real briefly, I would like to make a motion to suspend the rules to consider 09284.

As many people will remember, when HB 400 was considered in this chamber a few months ago, I, along with the Representative on the other side of the aisle, worked very hard at a whole series of compromise language in this bill to get bipartisan support to try and get business and labor together on an issue. I felt like we did a very good job. Unfortunately, our colleagues on the other side of the building took a number of the provisions out that Representative Lentz and I worked on

together to get into this bill. One of those provisions is an order to show cause. This amendment would remove some language that has a presumption of guilt as opposed to innocence if somebody violates provisions of this act.

So I would ask for the members' suspension of the rules.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question,

Will the House agree to the motion?

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

Mr. EACHUS. Thank you, Mr. Speaker.

I rise to oppose the gentleman's motion for suspension. Thank you.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—91

Adolph	Geist	Marshall	Reed
Baker	Gillespie	Marsico	Reese
Barrar	Gingrich	Metcalf	Reichley
Bear	Grove	Metzgar	Roae
Benninghoff	Grucela	Miccarelli	Rock
Beyer	Hahn	Micozzie	Rohrer
Boback	Hanna	Millard	Ross
Boyd	Harhart	Miller	Saylor
Brooks	Harkins	Milne	Scavello
Causar	Harper	Moul	Schroder
Christiana	Harris	Mustio	Smith, S.
Clymer	Helm	O'Brien, M.	Sonney
Cox	Hennessey	Oberlander	Stern
Creighton	Hess	Pallone	Stevenson
Day	Hickernell	Payne	Swanger
Delozier	Hutchinson	Peifer	Tallman
Denlinger	Kauffman	Perry	Taylor, J.
Evans, J.	Keller, M.K.	Perzel	Toepel
Everett	Killion	Phillips	True
Fairchild	Knowles	Pickett	Turzai
Fleck	Krieger	Quigley	Vulakovich
Gabig	Maher	Quinn	Watson
Gabler	Major	Rapp	

NAYS—106

Barbin	Donatucci	Levdansky	Sainato
Belfanti	Drucker	Longiotti	Samuelson
Bishop	Eachus	Mahoney	Santarsiero
Boyle	Evans, D.	Manderino	Santoni
Bradford	Fabrizio	Mann	Seip
Brennan	Farry	Markosek	Shapiro
Briggs	Frankel	Matzie	Siptroth
Brown	Freeman	McGeehan	Smith, K.
Burns	George	McI. Smith	Smith, M.
Buxton	Gerber	Melio	Solobay
Caltagirone	Gergely	Mirabito	Staback
Carroll	Gibbons	Mundy	Sturla
Casorio	Godshall	Murphy	Taylor, R.
Cohen	Goodman	Murt	Thomas
Conklin	Grell	Myers	Vereb
Costa, D.	Haluska	O'Brien, D.	Vitali
Costa, P.	Harhai	O'Neill	Wagner
Cruz	Houghton	Oliver	Wansacz
Curry	Johnson	Pashinski	Waters
Cutler	Josephs	Payton	Wheatley

Daley	Keller, W.	Petrarca	White
Deasy	Kessler	Petri	Williams
DeLuca	Kirkland	Preston	Youngblood
DePasquale	Kortz	Ravenstahl	Yudichak
Dermody	Kotik	Readshaw	
DeWeese	Kula	Roebuck	McCall,
DiGirolamo	Lentz	Sabatina	Speaker

NOT VOTING—0

EXCUSED—5

Ellis	Hornaman	Parker	Pyle
Galloway			

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 concur in Senate amendments?

MOTION TO SUSPEND RULES

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

Mr. BOYD. Thank you, Mr. Speaker.

I rise and ask if we could suspend the rules to consider amendment A09395.

This was another provision that was worked on months ago. This is an extremely important provision. This provides a rebuttable presumption for employers that if they follow certain procedures defined by the Department of Labor, the Secretary of Labor and Industry, that would show that it is a good-faith effort at meeting the provisions of this act. It seems only reasonable that if we are going to hold employers to account, which I agree with and have supported in the past, that we give them the tools to be able to know clearly that they are adhering to the rules of this act. So that is what the provisions of 09395 provide, and I would ask for a rules suspension.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question, is the majority leader seeking recognition? The Chair recognizes the majority leader, Representative Eachus, on the question of suspension of the rules.

Mr. EACHUS. Thank you, Mr. Speaker.

I respectfully rise to oppose the gentleman's motion.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—92

Adolph	Geist	Marshall	Rapp
Baker	Gillespie	Marsico	Reed
Barrar	Gingrich	Metcalf	Reese
Bear	Grove	Metzgar	Reichley
Benninghoff	Grucela	Miccarelli	Roae
Beyer	Hahn	Micozzie	Rock

Boback	Hanna	Millard	Rohrer
Boyd	Harhart	Miller	Ross
Brooks	Harkins	Milne	Saylor
Causar	Harper	Mirabito	Scavello
Christiana	Harris	Moul	Schroder
Clymer	Helm	Mustio	Smith, S.
Cox	Hennessey	Oberlander	Sonney
Creighton	Hess	Pallone	Stern
Day	Hickernell	Payne	Stevenson
Delozier	Hutchinson	Peifer	Swanger
Denlinger	Kauffman	Perry	Tallman
Evans, J.	Keller, M.K.	Perzel	Taylor, J.
Everett	Killion	Petrarca	Toepel
Fairchild	Knowles	Phillips	True
Fleck	Krieger	Pickett	Turzai
Gabig	Maher	Quigley	Vulakovich
Gabler	Major	Quinn	Watson

## NAYS—105

Barbin	Donatucci	Levdansky	Samuelson
Belfanti	Drucker	Longiotti	Santarsiero
Bishop	Eachus	Mahoney	Santoni
Boyle	Evans, D.	Manderino	Seip
Bradford	Fabrizio	Mann	Shapiro
Brennan	Farry	Markosek	Siptroth
Briggs	Frankel	Matzie	Smith, K.
Brown	Freeman	McGeehan	Smith, M.
Burns	George	McI. Smith	Solobay
Buxton	Gerber	Melio	Staback
Caltagirone	Gergely	Mundy	Sturla
Carroll	Gibbons	Murphy	Taylor, R.
Casorio	Godshall	Murt	Thomas
Cohen	Goodman	Myers	Vereb
Conklin	Grell	O'Brien, D.	Vitali
Costa, D.	Haluska	O'Brien, M.	Wagner
Costa, P.	Harhai	O'Neill	Wansacz
Cruz	Houghton	Oliver	Waters
Curry	Johnson	Pashinski	Wheatley
Cutler	Josephs	Payton	White
Daley	Keller, W.	Petri	Williams
Deasy	Kessler	Preston	Youngblood
DeLuca	Kirkland	Ravenstahl	Yudichak
DePasquale	Kortz	Readshaw	
Dermody	Kotik	Roebuck	McCall,
DeWeese	Kula	Sabatina	Speaker
DiGirolamo	Lentz	Sainato	

## NOT VOTING—0

## EXCUSED—5

Ellis	Hornaman	Parker	Pyle
Galloway			

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 concur in Senate amendments?

**MOTION TO SUSPEND RULES**

The SPEAKER. Is the gentleman going to go three for three? The Chair recognizes—

Mr. BOYD. I would, Mr. Speaker.

I am still feeling pretty good about myself. I have not endured enough rejection today. So I would ask the body if they would consider suspending the rules to consider A09479.

This is a really good amendment that you all can support, and what it does is it simply takes the factors that are absolutely required to meet an independent contractor and it says that they must be considered.

Again, it is simply something that we had worked on as a compromise before and that for some reason my Republican pals across the building decided to take out. So I am asking that maybe we could consider putting it back in. I am feeling lucky.

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

The following roll call was recorded:

## YEAS—91

Adolph	Gillespie	Marshall	Reed
Baker	Gingrich	Marsico	Reese
Barrar	Godshall	Metcalfe	Reichley
Bea	Grove	Metzgar	Roae
Benninghoff	Grucela	Miccarelli	Rock
Beyer	Hahn	Micozzie	Rohrer
Boback	Hanna	Millard	Ross
Boyd	Harhart	Miller	Saylor
Brooks	Harkins	Milne	Scavello
Causar	Harper	Mirabito	Schroder
Christiana	Harris	Moul	Smith, S.
Clymer	Helm	Mustio	Sonney
Cox	Hennessey	Oberlander	Stern
Creighton	Hess	Pallone	Stevenson
Delozier	Hickernell	Payne	Swanger
Denlinger	Hutchinson	Peifer	Tallman
Evans, J.	Kauffman	Perry	Taylor, J.
Everett	Keller, M.K.	Perzel	Toepel
Fairchild	Killion	Phillips	True
Fleck	Knowles	Pickett	Turzai
Gabig	Krieger	Quigley	Vulakovich
Gabler	Maher	Quinn	Watson
Geist	Major	Rapp	

## NAYS—106

Barbin	DiGirolamo	Levdansky	Sainato
Belfanti	Donatucci	Longiotti	Samuelson
Bishop	Drucker	Mahoney	Santarsiero
Boyle	Eachus	Manderino	Santoni
Bradford	Evans, D.	Mann	Seip
Brennan	Fabrizio	Markosek	Shapiro
Briggs	Farry	Matzie	Siptroth
Brown	Frankel	McGeehan	Smith, K.
Burns	Freeman	McI. Smith	Smith, M.
Buxton	George	Melio	Solobay
Caltagirone	Gerber	Mundy	Staback
Carroll	Gergely	Murphy	Sturla
Casorio	Gibbons	Murt	Taylor, R.
Cohen	Goodman	Myers	Thomas
Conklin	Grell	O'Brien, D.	Vereb
Costa, D.	Haluska	O'Brien, M.	Vitali
Costa, P.	Harhai	O'Neill	Wagner
Cruz	Houghton	Oliver	Wansacz
Curry	Johnson	Pashinski	Waters
Cutler	Josephs	Payton	Wheatley
Daley	Keller, W.	Petrarca	White
Day	Kessler	Petri	Williams
Deasy	Kirkland	Preston	Youngblood
DeLuca	Kortz	Ravenstahl	Yudichak
DePasquale	Kotik	Readshaw	
Dermody	Kula	Roebuck	McCall,
DeWeese	Lentz	Sabatina	Speaker

## NOT VOTING—0



EXCUSED—5

Ellis                      Hornaman                      Parker                      Pyle  
 Galloway

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 concur in Senate amendments?

**MOTION TO SUSPEND RULES**

The SPEAKER. The gentleman from Allegheny County, Representative Mustio, has an amendment. The gentleman needs to make a motion to suspend the rules to offer the amendment.

The Chair recognizes the gentleman.

Mr. MUSTIO. Thank you, Mr. Speaker.

I would like to make a motion to suspend the rules to offer amendment A09481.

The SPEAKER. The gentleman from Allegheny County, Representative Mustio, makes a motion to suspend the rules for the immediate consideration of amendment A09481.

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

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

Mr. EACHUS. Thank you, Mr. Speaker.

Once again, I respectfully rise to oppose the gentleman's motion. Thank you, Mr. Speaker.

The SPEAKER. On the question, does the gentleman, Representative Mustio, wish to be recognized?

Mr. MUSTIO. Yes, Mr. Speaker.

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

Mr. MUSTIO. Thank you.

Briefly, the amendment language is a Representative Frankel bill that really solves 90 percent of the problems that many of us see in this legislation, and I would encourage members to suspend the rules so we can have that debate. Thank you.

The SPEAKER. The Chair thanks the gentleman.

**LEAVE OF ABSENCE CANCELED**

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

**CONSIDERATION OF HB 400 CONTINUED**

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

The following roll call was recorded:

YEAS—100

Adolph	Gabig	Major	Readshaw
Baker	Gabler	Marshall	Reed
Barrar	Geist	Marsico	Reese
Bear	Gillespie	Metcalfe	Reichley
Benninghoff	Gingrich	Metzgar	Roae
Beyer	Godshall	Miccarelli	Rock
Boback	Grove	Micozzie	Rohrer
Boyd	Grucela	Millard	Ross
Briggs	Hahn	Miller	Saylor
Brooks	Hanna	Milne	Scavello
Carroll	Harhart	Mirabito	Schroder
Causar	Harkins	Moul	Smith, M.
Christiana	Harper	Mustio	Smith, S.
Clymer	Harris	Oberlander	Solobay
Cox	Helm	Pallone	Sonney
Creighton	Hennessey	Payne	Stern
Day	Hess	Peifer	Stevenson
Delozier	Hickernell	Perry	Swanger
Denlinger	Hutchinson	Perzel	Tallman
Ellis	Kauffman	Petrarca	Taylor, J.
Evans, J.	Keller, M.K.	Phillips	Toepel
Everett	Killion	Pickett	True
Fairchild	Knowles	Quigley	Turzai
Fleck	Krieger	Quinn	Vulakovich
Frankel	Maher	Rapp	Watson

NAYS—98

Barbin	Donatucci	Levdansky	Sainato
Belfanti	Drucker	Longietti	Samuelson
Bishop	Eachus	Mahoney	Santarsiero
Boyle	Evans, D.	Manderino	Santoni
Bradford	Fabrizio	Mann	Seip
Brennan	Farry	Markosek	Shapiro
Brown	Freeman	Matzie	Siptroth
Burns	George	McGeehan	Smith, K.
Buxton	Gerber	McI. Smith	Staback
Caltagirone	Gergely	Melio	Sturla
Casorio	Gibbons	Mundy	Taylor, R.
Cohen	Goodman	Murphy	Thomas
Conklin	Grell	Murt	Vereb
Costa, D.	Haluska	Myers	Vitali
Costa, P.	Harhai	O'Brien, D.	Wagner
Cruz	Houghton	O'Brien, M.	Wansacz
Curry	Johnson	O'Neill	Waters
Cutler	Josephs	Oliver	Wheatley
Daley	Keller, W.	Pashinski	White
Deasy	Kessler	Payton	Williams
DeLuca	Kirkland	Petri	Youngblood
DePasquale	Kortz	Preston	Yudichak
Dermody	Kotik	Ravenstahl	
DeWeese	Kula	Roebuck	McCall,
DiGirolamo	Lentz	Sabatina	Speaker

NOT VOTING—0

EXCUSED—4

Galloway                      Hornaman                      Parker                      Pyle

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 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, thank you very much.

I rise in opposition to HB 400. HB 400 is significant in its expansion and subjects employers to workers' compensation and unemployment compensation laws at the outset, just so that everybody understands that.

Secondly, the bill ostensibly is supposed to help delineate the differences between independent contractors and employees. The fact of the matter is, lots of individuals like being independent contractors. They do not want to be employees. And also, sometimes employers would like to have an independent contractor relationship with individuals and not an employer-employee relationship.

Now, I realize that there are sometimes scofflaws that are pushing the envelope, but this is not about dealing with that issue. This is about forcing everyone, I contend, into an employee definition and not an independent contractor definition so that they are subject to workers' compensation laws and unemployment compensation laws amongst other definitions. The fact of the matter is, it is interrupting the relationship of entities to hire or persons to hire individuals or to engage individuals or for those individuals to be engaged for work or to be hired for work.

This is also a draconian measure in the sense that the penalties are so significant, but the main point about why it is not just a clarification bill is if it was, then the definition of "independent contractor" would be the same definition that you see for revenue purposes, particularly with the Internal Revenue Service, which already has a long history in defining what an independent contractor versus an employee relationship is. This is, without a doubt, designed to force individuals – I believe the original idea behind some of this legislation has been hijacked – to force individuals into an employee designation even though an independent contractor relationship was what was at play in this construction arena.

Now, without a doubt, this bill, unfortunately, creates new problems for individuals who are legitimate independent contractors and those who want to use them.

The other fact is, the penalties – a civil action, criminal penalties, a cease-and-desist stop-work order – I mean, you would think that significant crimes were being committed.

And I think that this is completely overbroad and does not address the intentions that were originally at play. Given that, I would ask that everybody please oppose HB 400.

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

Mr. BOYD. Mr. Speaker, I was wondering if somebody might stand for brief interrogation on this piece of legislation on the Senate amendments.

The SPEAKER. The gentleman from Delaware County, Representative Lentz, indicates he will stand for interrogation. The gentleman, Mr. Boyd, is in order and may proceed.

Mr. BOYD. Thank you, Mr. Speaker.

There are a couple of provisions in the amendments that the Senate put in that I at least would like some clarification on. One of the provisions in this piece of legislation requires that independent contractors would have a \$50,000 insurance policy. So my question is— The area that I represent, I have quite a lot of Amish in the Amish community and they self-insure. The

recent independent contractor or contractor registration act that we passed in this body has created tremendous problems for that community because the State will not recognize their self-insurance as meeting the provisions in that act.

Within this act, an independent contractor who is Amish, who is self-insured, will he or will he not adhere to, will he not fall under a requirement to need insurance under this act and as such be, basically, put out of business and not be able to function?

Mr. LENTZ. I think the answer to that, obviously, would be decided on a case-by-case basis, but I think the answer to that is if they have the equivalent in self-insurance of a liability policy. You remember when we discussed this bill when it went through the House last session and this session that this was talked about as sort of a threshold level to exclude fly-by-night contractors that did not have the equipment and the other things that are indicative of an actual legitimate subcontractor. So that was the purpose of it. I do not know that they even issue liability policies for \$50,000. Most would be in excess of that, but if a self-insured individual had evidence that they had an equivalent, I think that that would be fine.

Mr. BOYD. Thank you, Mr. Speaker.

And I, honestly, am not trying to be argumentative or difficult. This is a big issue in my area.

Do you have or does counsel behind you have specific language that would show that insurance equivalency would work, because this was the exact issue under, as I said, the contractor registration act, and right now those individuals who self-insure are basically not being able to get licenses and are not being able to practice in the State of Pennsylvania, Mr. Speaker, and as such are out of work because of a language oversight in a bill that we had passed in this chamber not too long ago. If we cannot point to the specific language, it might be something we need to correct. I am just asking if there is language that says that.

Mr. LENTZ. I think just the plain language of this act says that you need to have liability insurance, and I do not see any reason why a fair interpretation of that would not be if you had self-insurance which was an equivalent you would be okay.

Mr. BOYD. Okay. So the very least, for legislative intent, your intent is that if an independent contractor is self-insured and can document that with some kind of a letter, it would meet the principles of this act?

Mr. LENTZ. I would think so; yes.

Mr. BOYD. Okay. Thank you, Mr. Speaker.

Another question on another subject. If I can, I just want to read in section 3 the general rule. It says, "FOR PURPOSES OF WORKERS' COMPENSATION, UNEMPLOYMENT COMPENSATION AND IMPROPER CLASSIFICATION OF EMPLOYEES PROVIDED HEREIN, AN INDIVIDUAL WHO PERFORMS SERVICES IN THE CONSTRUCTION INDUSTRY FOR REMUNERATION IS AN INDEPENDENT CONTRACTOR ONLY IF..." and then there is a series of criteria that they have to meet, "...HAS A WRITTEN CONTRACT...THE INDIVIDUAL IS FREE FROM CONTROL OR DIRECTION...AS TO SUCH SERVICES..." et cetera, et cetera down through.

Here is my question. At my home I am going to add a deck on the back of my house. A guy that I know, a buddy of mine who works at the local factory, also is pretty handy, and I ask him to build the deck for me. I buy the materials, have them delivered, and he comes and he does the deck. There is no

contract. I tell him, "As long as it takes you, I am going to give you 15 bucks an hour and all the beer you can drink." So the question becomes, is he my employee at that point or is he working on his own as an independent contractor? The way I read this, he becomes my employee, and I am subject to withholding FICA (Federal Insurance Contributions Act), UC, and taking out a workers' comp policy on me. Can you please tell me why that is not so with these definitions?

Mr. LENTZ. You would not as a homeowner hiring somebody to work on your home—

Mr. BOYD. Go ahead, Mr. Speaker.

Mr. LENTZ. —as a homeowner hiring somebody to work on your home, you would not meet the definition of "employer," and that individual that you described would not meet the definition of "employee." So therefore, the act would not apply.

Mr. BOYD. Okay. Thank you, Mr. Speaker.

I have had some counsel that that may not be necessarily accurate, and so I have some concerns about that.

**MOTION TO POSTPONE**

Mr. BOYD. Mr. Speaker, I was wondering if it would be appropriate if I would make a motion at this point in time.

The SPEAKER. The gentleman would be in order to state his motion.

Mr. BOYD. Thank you, Mr. Speaker.

As the gentleman so patiently answered my question knows, we worked long and hard on this piece of legislation and we hashed through a number of these issues that I just brought up. Unfortunately, as I suggested, our colleagues across the building may have made some changes that inadvertently created some problems for those of us who supported HB 400.

And I want to emphasize, I voted this bill out of committee and I voted this bill out of this chamber. I thought we did a great job. I am really concerned with the language changes. I personally believe that it would be prudent on our behalf to table this bill until November 9 and reconsider. That gives us time to work on some of these language issues.

So the motion that I am making is to table HB 400 until November 9 at 11 a.m. Thank you, Mr. Speaker.

The SPEAKER. The gentleman's motion is to postpone. The gentleman from Lancaster, Representative Boyd, your motion would be to postpone if you are delaying the vote to a time certain.

So the gentleman from Lancaster County, Representative Boyd, moves that the House do now postpone consideration of HB 400 to November 9 at 11 a.m.

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

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

Mr. EACHUS. Thank you, Mr. Speaker.

I, once again, rise to oppose postponement. Once again, I rise to oppose postponement and ask the members to support my action. Thank you.

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

Mr. TURZAI. We support the motion to postpone.

The SPEAKER. On the question, those voting to postpone HB 400 to November 9 at 11 a.m. will vote "aye"; those opposing postponement will vote "nay."

On the question recurring,  
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 Armstrong County, Representative Pyle, on the House floor. His name will be added to the master roll.

**CONSIDERATION OF HB 400 CONTINUED**

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

The following roll call was recorded:

**YEAS—97**

Adolph	Fairchild	Krieger	Rapp
Baker	Fleck	Kula	Reed
Bear	Gabig	Levdansky	Reese
Benninghoff	Gabler	Maher	Reichley
Beyer	Geist	Mahoney	Roae
Boback	Gillespie	Major	Rock
Boyd	Gingrich	Marsico	Rohrer
Boyle	Grell	Metcalf	Ross
Brooks	Grove	Metzgar	Saylor
Causer	Grucela	Millard	Scavello
Christiana	Hahn	Miller	Schroder
Clymer	Hanna	Milne	Smith, S.
Cohen	Harhart	Mirabito	Sonney
Costa, P.	Harkins	Moul	Stern
Cox	Harper	O'Brien, M.	Stevenson
Creighton	Harris	Oberlander	Swanger
Cutler	Helm	Pallone	Tallman
Daley	Hennessey	Payne	Taylor, J.
Day	Hess	Peifer	Toepel
Delozier	Hickernell	Perry	True
Denlinger	Hutchinson	Phillips	Turzai
DeWeese	Kauffman	Pickett	Vulakovich
Ellis	Keller, M.K.	Pyle	Watson
Evans, J.	Knowles	Quinn	Yudichak
Everett			

**NAYS—102**

Barbin	Fabrizio	Marshall	Sainato
Barrar	Farry	Matzie	Samuelson
Belfanti	Frankel	McGeehan	Santarsiero
Bishop	Freeman	McI. Smith	Santoni
Bradford	George	Melio	Seip
Brennan	Gerber	Miccarelli	Shapiro
Briggs	Gergely	Micozzie	Siptroth
Brown	Gibbons	Mundy	Smith, K.
Burns	Godshall	Murphy	Smith, M.
Buxton	Goodman	Murt	Solobay
Caltagirone	Haluska	Mustio	Staback
Carroll	Harhai	Myers	Sturla
Casorio	Houghton	O'Brien, D.	Taylor, R.
Conklin	Johnson	O'Neill	Thomas

Costa, D.	Josephs	Oliver	Vereb
Cruz	Keller, W.	Pashinski	Vitali
Curry	Kessler	Payton	Wagner
Deasy	Killion	Perzel	Wansacz
DeLuca	Kirkland	Petrarca	Waters
DePasquale	Kortz	Petri	Wheatley
Dermody	Kotik	Preston	White
DiGirolamo	Lentz	Quigley	Williams
Donatucci	Longietti	Ravenstahl	Youngblood
Drucker	Manderino	Readshaw	
Eachus	Mann	Roebuck	McCall,
Evans, D.	Markosek	Sabatina	Speaker

NOT VOTING—0

EXCUSED—3

Galloway	Hornaman	Parker
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Less than the majority 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 concur in Senate amendments?

The SPEAKER. The Chair recognizes the gentleman from Delaware County, Representative Lentz.

Mr. LENTZ. Thank you, Mr. Speaker.

I just want to thank the staff that worked in two sessions of the House very hard on this bill. I thank Representative Boyd and the other members that weighed in on it. I would ask you to approve it. It does address a real problem in the construction industry, and I think that this legislation is a major step in the right direction to protect workers in Pennsylvania in the construction trades. 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—109

Adolph	Eachus	Mann	Sabatina
Barbin	Evans, D.	Markosek	Sainato
Barrar	Fabrizio	Marshall	Samuelson
Belfanti	Farry	Matzie	Santarsiero
Bishop	Frankel	McGeehan	Santoni
Boyle	Freeman	McI. Smith	Seip
Bradford	George	Melio	Shapiro
Brennan	Gerber	Miccarelli	Siptroth
Briggs	Gergely	Micozzie	Smith, K.
Brown	Gibbons	Mundy	Smith, M.
Burns	Godshall	Murphy	Solobay
Buxton	Goodman	Murt	Staback
Caltagirone	Grucela	Mustio	Sturla
Carroll	Haluska	Myers	Taylor, R.
Casorio	Harhai	O'Brien, D.	Thomas
Cohen	Houghton	O'Brien, M.	Vereb
Conklin	Johnson	O'Neill	Vitali
Costa, D.	Josephs	Oliver	Wagner
Costa, P.	Keller, W.	Pashinski	Wansacz
Cruz	Kessler	Payton	Waters
Curry	Killion	Perzel	Wheatley

Daley	Kirkland	Petrarca	White
Deasy	Kortz	Petri	Williams
DeLuca	Kotik	Preston	Youngblood
DePasquale	Lentz	Quigley	
DiGirolamo	Levdansky	Ravenstahl	McCall,
Donatucci	Longietti	Readshaw	Speaker
Drucker	Manderino	Roebuck	

NAYS—90

Baker	Gabig	Maher	Reese
Bear	Gabler	Mahoney	Reichley
Benninghoff	Geist	Major	Roae
Beyer	Gillespie	Marsico	Rock
Boback	Gingrich	Metcalfe	Rohrer
Boyd	Grell	Metzgar	Ross
Brooks	Grove	Millard	Saylor
Causar	Hahn	Miller	Scavello
Christiana	Hanna	Milne	Schroder
Clymer	Harhart	Mirabito	Smith, S.
Cox	Harkins	Moul	Sonney
Creighton	Harper	Oberlander	Stern
Cutler	Harris	Pallone	Stevenson
Day	Helm	Payne	Swanger
Delozier	Hennessey	Peifer	Tallman
Denlinger	Hess	Perry	Taylor, J.
Dermody	Hickernell	Phillips	Toepel
DeWeese	Hutchinson	Pickett	True
Ellis	Kauffman	Pyle	Turzai
Evans, J.	Keller, M.K.	Quinn	Vulakovich
Everett	Knowles	Rapp	Watson
Fairchild	Krieger	Reed	Yudichak
Fleck	Kula		

NOT VOTING—0

EXCUSED—3

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

Ordered, That the clerk inform the Senate accordingly.

**BILL SIGNED BY SPEAKER**

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

**HB 400, PN 4289**

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.

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

**BILL ON THIRD CONSIDERATION**

The House proceeded to third 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 third consideration?

The SPEAKER. There are amendments filed on third consideration that would require a suspension of the rules.

The gentleman from Delaware County, Representative Lentz—

**PARLIAMENTARY INQUIRY**

Mr. S. SMITH. Mr. Speaker?

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

Mr. S. SMITH. To be recognized on final passage.

The SPEAKER. We are not there yet.

Mr. S. SMITH. Well, let me be clear. I guess I might want to say a parliamentary inquiry. It gets a little confusing when you say third and final.

The SPEAKER. Well, the fact that there are a number of amendments filed on third, before I say, will the House agree to the bill, I ask whether or not the members are withdrawing their amendments to the bill, because if I put it on final passage, I have to revert back to say the bill was not agreed to on final passage; it is on third. So the bill is on third. The gentleman, Representative Lentz, would have the ability to suspend the rules of the House to offer his amendment. So he would need a motion to suspend to offer his amendment, and the gentleman, Mr. Lentz, was recognized for that purpose.

**MOTION TO SUSPEND RULES**

Mr. LENTZ. Thank you, Mr. Speaker.

Yesterday this chamber voted to shut down debate and avoid a discussion on an amendment to HB 40. Today I rise and move to suspend the rules so that we can have that debate as to whether or not to amend HB 40 with a six-word amendment to close the Florida loophole and prevent violent criminals from using permits from other States here in the State of Pennsylvania.

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

**MOTION FOR PREVIOUS QUESTION**

Mr. S. SMITH. Mr. Speaker?

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

Mr. S. SMITH. Mr. Speaker, I would like to be recognized to make a privileged motion.

The SPEAKER. Will the gentleman state his privileged motion.

Mr. S. SMITH. Mr. Speaker, as we discussed yesterday, the substance of HB 40, I believe, is unrelated to the amendments that we all agreed, with overwhelming support, we agreed we

were not going to consider in conjunction with this bill. I believe the same holds true today, and I would move for the previous question pursuant to rule 61. I request that we proceed immediately to third consideration and final passage.

The SPEAKER. The motion of previous question is a nondebatable motion. Twenty seconds would be required to end debate immediately, and it would require a vote of the simple majority.

The imposing of rule No. 61, the previous question, will require 20 seconds.

The gentleman, Mr. Clymer; the gentleman, Mr. Turzai; the gentleman, Mr. Saylor; the gentleman, Mr. Knowles; the gentleman, Mr. Phillips; the gentleman, Mr. Hess; the gentleman, Mr. Miller; the gentleman, Mr. Krieger; the gentelady, Mrs. Gingrich; the gentleman, Mr. Kauffman; the gentleman, Mr. Tallman; the gentleman, Mr. Mark Keller; the gentleman, Mr. Marsico; the gentleman, Mr. Day; the gentelady, Mrs. Swanger; the gentelady, Ms. Rapp; the gentleman, Mr. Christiana; the gentleman, Mr. Cutler; the gentelady, Ms. Helm; the gentelady, Mrs. Brooks; the gentleman, Mr. Sonney.

Twenty seconds have been properly made. So the motion for previous question has been properly 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?

The following roll call was recorded:

**YEAS—143**

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

DiGirolamo	Kessler	Phillips	Wansacz
Ellis	Killion	Pickett	Watson
Evans, J.	Knowles	Pyle	White
Everett	Kortz	Quigley	Yudichak
Fabrizio	Kotik	Quinn	

## NAYS—56

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

## NOT VOTING—0

## EXCUSED—3

Galloway	Hornaman	Parker
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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 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.  
The question is, shall the bill pass finally?

Mr. D. EVANS. Mr. Speaker?

(Bill analysis was read.)

The SPEAKER. The gentleman, Representative Evans, is rising for a point of parliamentary inquiry?

Mr. D. EVANS. Yes, Mr. Speaker. I would like to comment on HB 40.

The SPEAKER. That is not a parliamentary inquiry.

### PARLIAMENTARY INQUIRIES

Mr. D. EVANS. Then can you tell me exactly how I can go about making some type of comment relating to the process and what is taking place here, Mr. Speaker?

The SPEAKER. The gentleman, Representative Smith, the minority leader, in his motion requested that we proceed immediately to third consideration and final passage of the bill and impose rule 61, which would immediately end debate and discussion on all amendments and immediately call the question to the House, final passage of HB 40, without debate.

Mr. D. EVANS. Then you mean, at no point do we get the opportunity to comment on this process or what is taking place here with HB 40?

The SPEAKER. That is correct. The previous question shuts off debate entirely.

Mr. D. EVANS. If I were to make a motion, Mr. Speaker, relating to what I think would be the direction of this bill, would I get a chance to comment on that motion?

The SPEAKER. No debate would be in order. The bill is on final passage and a vote should be called on final passage.

Mr. D. EVANS. How about if a motion is made for reconsideration of that vote that just took place, Mr. Speaker?

The SPEAKER. Just for the information of the members, I am going to read rule 61, just so you know what the actual language of the rule is: "A motion for the previous question, seconded by 20 members and sustained by a majority of the members present, shall put an end to all debate and bring the House to an immediate vote on the question then pending, or the questions on which it has been ordered."

### PARLIAMENTARY INQUIRY

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

Mr. THOMAS. Mr. Speaker, parliamentary inquiry.

The SPEAKER. The gentleman may state his parliamentary inquiry.

Mr. THOMAS. I need some clarification, Mr. Speaker. What the chairman of the Appropriations Committee just received and what I thought I just heard is that the minority leader has imposed a rule to shut the people up on this bill, allowing—

The SPEAKER. The gentleman—

Mr. S. SMITH. Mr. Speaker?

Mr. THOMAS. —allowing for no conversation.

Mr. S. SMITH. Mr. Speaker?

Mr. THOMAS. And if that is the case—

The SPEAKER. The House will come to order.

### MOTION TO ADJOURN

Mr. THOMAS. I would like to move that the House adjourn.

The SPEAKER. An adjournment motion takes precedence over all motions.

Mr. THOMAS. Pardon me?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Representative Thomas, who makes a motion that this House do now adjourn until Wednesday, October 6, 2010, at 11 a.m.

On the question,

Will the House agree to the motion?

### POINT OF ORDER

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Mr. Maher, on a point of order.

Mr. MAHER. Thank you, Mr. Speaker.

With all due respect, the gentleman from Philadelphia did not make the motion that you just recited. The gentleman from Philadelphia made the motion that we do now adjourn. He moved that we adjourn sine die, which would conclude our legislative session, and I would encourage that—

The SPEAKER. The gentleman will yield.

Mr. MAHER. —that matter, his actual motion, be the motion that is in fact before us and not some alteration of the gentleman's motion.

The SPEAKER. The gentleman, Mr. Thomas, did not make a motion sine die. He just made a simple motion to adjourn the House.

Mr. MAHER. And a motion to adjourn without setting a date to reconvene is a motion to adjourn sine die.

The SPEAKER. To adjourn—

Mr. MAHER. That is exactly what—

The SPEAKER. The gentleman will yield.

Mr. MAHER. —sine die means, without day.

The SPEAKER. The gentleman will yield. The gentleman will yield.

A motion sine die has to be made by a member explicitly enumerating that type of adjournment. The gentleman did not adjourn sine die. He was just asking to adjourn the House. The House is sunshined for session tomorrow at 11 a.m.

Mr. MAHER. Well, if the gentleman wishes to make that motion, I am open to it.

The SPEAKER. The gentleman will not speak over the Speaker.

Mr. MAHER. I apologize, Mr. Speaker. I apologize.

The SPEAKER. The gentleman's motion to adjourn is a motion that is in order and takes precedence over all other motions. The gentleman did not make a motion to sine die. He made a motion to adjourn, and he was recognized for that purpose. The question before the House is whether or not we adjourn till tomorrow.

### PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman rise, Mr. Vereb from Montgomery County?

Mr. VEREB. Mr. Speaker, I have an inquiry, parliamentary inquiry, and then if we go to motion to adjourn, I would like to make a comment on that motion, Mr. Speaker.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. VEREB. Mr. Speaker, it was apparent that the gentleman had been recognized and you had terminated that recognition, and I guess his mike was left on, to make the motion to adjourn. He was making some comments about the gentleman from Philadelphia's previous comments, but in fact, the Speaker, in my understanding, was done recognizing him. So I question with the record whether or not if I just yell "motion to adjourn" without being recognized, Mr. Speaker, do you recognize that or must I be recognized? Because when you called on the gentleman and asked for him to be recognized, for what purpose did he rise, he began actually interrogating you, Mr. Speaker, which I believe you do not – a debate involving the Speaker is not in order.

So you in fact allowed this gentleman to go on and on and on against our motion to proceed, Mr. Speaker, and I am questioning why that was allowed to happen and if in fact he was recognized by the Speaker or if you were finishing his recognition, Mr. Speaker.

The SPEAKER. The gentleman, Representative Thomas, was recognized under point of order and parliamentary inquiry and in that recognition made a motion that the House adjourn.

Mr. VEREB. Mr. Speaker, I challenge that decision, based on the fact that I believe what I heard— Never mind, Mr. Speaker; I will withdraw that.

The SPEAKER. On the motion to adjourn.

Mr. D. EVANS. Mr. Speaker?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Representative Evans.

Mr. D. EVANS. I would like to speak to the motion of adjournment.

The SPEAKER. The gentleman is in order.

Mr. D. EVANS. Mr. Speaker, I heard someone just say earlier, when she was standing right from that podium, she talked about telling a story, and it seems to me, we did not listen to what she said. She talked about the issue of agreeing, but not being disagreeable. And I think what she was saying was even though we may have a disagreement here about adjournment, we should have the freedom of speech and to speak to each other. We can easily solve this if we allow people to speak, even if we disagree with them. And I understand there is disagreement, and I recognize that, but what I heard her say up on that podium, and if we ever really listen to each other, was the element that we can disagree, but we do not have to be disagreeable. The reason that the gentleman is making that motion is because somebody cannot be heard. So in that case, we might as well adjourn.

Whenever anybody cannot be heard, they will find a way to communicate. You may not like it, you may not agree with it, but they are going to find a way to communicate. Now, we can vote either for that adjournment or against that adjournment, because there is still more work to do, but the only reason you take a desperate step like adjournment is when you shut down somebody's right to communicate. That is when you shut somebody's right down to communicate. So even though you may not like what someone is saying, what the gentleman is saying is out of frustration that he wants to be heard. That is what he is saying.

So I am only asking, I am only asking, I would ask the gentleman to withdraw his motion for adjournment if people could have a right to express their feelings about HB 40, but if you do not give them a right to speak on HB 40, then he should not withdraw his amendment.

Now, you may say, "we got the votes," and let me say this to you, you may win this today, you may win this today, but mark my words, if you are around here long enough, there will be a day when there is something that you want to express, there will be a day, and somebody will do the same thing to you. Now, I do not agree with this process. I do not agree with this process. I will be the first one to say it here, that is not my preference, Mr. Speaker, to be for adjournment. That is not my preference, but you give people no choice. Now, I know some people get arrogant about that, but I am telling you, I am just giving you some advice: The easiest thing to do is to allow people to have some say.

So I would say to the Republican leader, if we can reach some kind of accommodation, and you could probably win this issue, you could probably win this issue on a motion of adjournment, but at the end of the day, that is not the way this process should be conducted, because obviously, we did not listen to the young lady who stood up there. If people want to have a right to say something, they should have an opportunity to say it.

So I would appeal, I would appeal to the Republican leader. I would appeal to the Republican leader for us to find a way to have people make comments on this particular issue and not just have this be voted out. If not, Mr. Speaker, then I am going to support the gentleman's motion to adjourn and do whatever you want to do. I will support that motion, but at the end of the day, that is not my preference. My preference is we give people a chance to say what they have to say, get it over, you have the votes, so when you have the votes, you do not have to worry about saying anything. I think there can be a little flexibility. I think the gentleman, when you did the discharge resolution, I stood up at this mike. You did not have to discharge. What I said to you, the bill would be brought up. I did it in the committee.

Now, some of you may say, well, it was the threat of discharge. Whatever it was, I came down here and I said to the gentleman, I would move the bill. We are losing trust in this process. Do not lose the trust in the process. Now, I know some of you are not listening to what I am saying. I am telling you, the name of this game is for us to find ways of how to function together.

So I would ask the Republican leader, in my view, if he can find some way for us to not get into this, you know, this vote versus that vote, this procedure, Ping-Pong, to go through. There has to be a middle ground. That is all I want to say on that adjournment, Mr. Speaker.

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

Mr. EACHUS. I want to echo the comments of the chairman. There is no fear in debate. In having a debate, there should be no fear. The gentleman's motion from Philadelphia is out of desperation. Whether you are for this or against it, there should be no fear in having a thorough discussion of the issues. Using this motion as a way of silencing all debate is not healthy for the collision of differences in the Commonwealth. This motion is—Frankly, I am used to this motion. Over 40 percent of this body are fairly new over a couple of sessions. I remember these kinds of motions in my long-term memory when the Republicans were in the majority. You had the rules cooked your way. This motion stops debate. Let us have the debate, let us have the vote, or the gentleman's motion should be sustained.

Mr. S. SMITH. Mr. Speaker?

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

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

On the motion to adjourn, I would rise to urge the members to defeat this motion. As we were told last night when I made a similar motion that we need to finish the business of the people, and I think this House has some additional work that at least some members would like to get done, so I would certainly urge the members to oppose the motion to adjourn.

I would like to expand just a little bit with the same discretion that was afforded the majority chairman of the Appropriations Committee. The amendments that we basically moved the previous question to dispense debate on last night, yesterday afternoon, were amendments that were not directly related to the substance of the Castle Doctrine, the underlying bill. In my opinion, they were not in order. As I said yesterday, my opinion is not really relevant at that point; it is the Speaker's opinion subject to the majority of the House. The majority of the House always has the say in what we are going to do, regardless of what the Speaker may say, the majority leader or

the minority leader. So when we make a motion to move the previous question, and let us not be demagogic about this. I mean, it was just less than a year ago, December 14, 2009, the majority moved the previous question when we were seeking to debate an issue, and it happens. Sometimes it is a viable rule. It is in Mason's Manual. It is in our rules. It is a privileged motion. It is a privileged motion in the rules. It is not something conjured up. It is not something that is evil inherently. It is part of the process. And in fact, that motion I made just a few minutes ago was supported by 143 members of this House, including 46 members of the majority party. So it is not the minority leader doing something; it is the House. It is a majority of the House that is doing something.

And I would want to make one other comment in that regard, and I appreciate your latitude, Mr. Speaker. These other issues that were unrelated to the Castle Doctrine, that some would like to have heard out before this House, the one thing the majority does have is the power to bring issues to the floor of the House. Those bills could have been kicked out of committee, put on the calendar, and brought before the hall of the House. I cannot control that, other than to persuade the majority to say, we do not want to do that, and that is exactly what happened yesterday and it is exactly what is happening today.

The fact is, Mr. Speaker, if the members of this House would have been inclined to debate the merits, the pros and cons of HB 40 and not get into other issues that are unrelated to the simple Castle Doctrine, then I would have gladly sat here and listened to debate on the Castle Doctrine as long as members wanted to. That was not my druthers, to cut off debate. It was to say, pointedly, that other issues need to be debated separately, a stricter interpretation of that is what I would advocate.

The majority can bring those bills up at what point in time they want. At this point in time, we were debating HB 40, which was pure and simple, the Castle Doctrine. We afforded that opportunity, if there wanted to be debate on it, but no, some insisted on moving for suspension of rules to debate other issues. The majority of this House, 143, just a few minutes ago said that is not what we are here to do. Yesterday it was in the same ballpark, 140-some members moved the previous question and 150-some members voted, I think it was 157 members, voted to move the bill to give it second consideration, to bring it to third.

So this is not something the minority leader is doing, this is something the body is doing, and I would urge the members to defeat the motion to adjourn so that we can vote HB 40 on final passage.

Thank you, Mr. Speaker.

The SPEAKER. On the question, the Chair recognizes the gentleman from Cambria County, Representative Barbin.

Mr. BARBIN. Thank you, Mr. Speaker.

I have sat here and listened to all the privileges that each side claims to have, and the only privilege that no one has decided to talk about is the privilege for the people of Pennsylvania who elected us to hear both sides of the issue. Now, I voted for this motion to call the previous question, but it was not for the reason to stifle anybody's free speech right. If we decide in this body that we are going to stop, we are only going to enforce some rights. I believe strongly in the right of a person to be able to defend themselves without interference, and that is a constitutional provision.

We have the same issue with freedom of speech. I will be voting "no" on the motion, or I will be voting for the motion to



adjourn because every citizen has the right to hear both sides of this issue. And if you are going to preclude that, then what you are basically saying is, the right to bear arms is not as important as the right to free speech. Well, the right to free speech is what we all tell people we believe in.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Representative Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I have listened to both sides, and I think it was an excellent articulation of my frustration in moving to adjourn until tomorrow, because in essence, what I was feeling and what the people of Pennsylvania are feeling is that when you tell me to shut up and no more conversation, then what you are saying is, is that you are going to have your way regardless of who else might disagree with you. And in response to that, I said move to adjourn until tomorrow, hoping that between now and tomorrow when we come into session, that you will consider, you will reconsider taking a position, and I understand that there is some precedent for cutting debate off, but because you slapped me does not mean that you just keep slapping me.

At some point, the dignity of every member needs to be honored and needs to be respected. So just because something happened in December and because something happened last month does not mean – I mean, what are we really saying to young people? You do wrong, but keep on doing the wrong. At some point, you have to draw a line in the sand.

And so to that end, Mr. Speaker, you know, and I would say that moving to adjourn is really doing the same thing that you have done, the same thing that you have done, what you have just said, that there will be no debate, there will be no discussion. And out of my frustration, I stood and moved to adjourn. What that is really doing is what you already started, but I am going to be bigger than doing that to you by moving to adjourn.

So to that end, I withdraw the motion to adjourn and I move to lay it on the table until tomorrow.

The SPEAKER. On the motion to adjourn, the Chair recognizes the gentleman from Delaware County, Representative Lentz.

Will the gentleman restate his motion?

Mr. THOMAS. Thank you, Mr. Speaker.

My motion was to withdraw the motion to adjourn and avoid doing to the minority party the same thing that they have done to the majority party, and I would like to move that we table the conversation, just table the bill until—

The SPEAKER. The gentleman, Mr. Thomas, the question before the House—

Mr. THOMAS. Move to table HB 40.

The SPEAKER. That move to table would be out of order. The previous question was moved on the legislation, so we would either call the vote, the immediate vote on that legislation, or adjourn the House.

Mr. THOMAS. Mr. Speaker, clarification.

The SPEAKER. Does the gentleman have a—

Mr. THOMAS. Is it the rule of the Speaker that a motion to table is out of order when next to a previous question, to a motion to—

The SPEAKER. Nothing else would be in order other than taking the roll on HB 40. So your motion would be out of order.

Mr. THOMAS. But, Mr. Speaker, then the motion to adjourn is still on the table. It is still on the table.

The SPEAKER. The Chair recognizes the gentleman from Delaware County, Representative Lentz, on the motion to adjourn.

### PARLIAMENTARY INQUIRIES

Mr. LENTZ. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. LENTZ. The motion to move the previous question, as I understand it, cuts off any discussion or debate on the merits of both amendments and the underlying bill. Is that correct?

The SPEAKER. That is correct.

Mr. LENTZ. And that would include whether or not amendments are germane or relevant to the underlying bill?

The SPEAKER. That is correct.

Mr. LENTZ. Does the fact that the minority leader spoke on the merits of the amendments and made an argument on the floor that they were not relevant, that things like closing the Florida loophole which allows criminals to get permits to carry, is not relevant—

Mr. S. SMITH. Mr. Speaker?

Mr. LENTZ. —does that invite a response, the opportunity to respond?

The SPEAKER. Well, I do not think the gentleman, Mr. Smith, referred specifically to your amendment as being out of order. He did refer to various amendments being out of order. And the Speaker, if they would have been considered yesterday on this floor, would have ruled on an individual basis on each one of those amendments as to whether or not they were in order or out of order. We never got to that point. But his characterization is somewhat correct. It was a ruling that the Speaker had made on a dual-title bill on single subjects just 2 weeks ago, and that same issue could have been raised on a number of amendments that were filed to HB 40 yesterday. So his general characterization was correct. I do not think he said anything specific to any specific amendment.

Mr. LENTZ. Well, does the fact that he, in essence, made an argument, is that not engaging in debate after he made a motion to shut off debate?

The SPEAKER. That is true, but I granted latitude to the two leaders to make their arguments to the House.

Mr. LENTZ. Just briefly on the motion.

The SPEAKER. On the motion to adjourn, the gentleman is recognized.

Mr. LENTZ. It seems to me that as a result of this decision to shut off all discussion, all debate, any argument whatsoever of the merit of what is before the House, we have now, in essence, just gotten one side of the story, and therefore, I think the motion to adjourn is appropriate and I support it.

The SPEAKER. The Chair thanks the gentleman.

On the motion to adjourn, the Chair recognizes the gentleman from Montgomery County, Representative Shapiro.

Mr. SHAPIRO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in favor of this motion to adjourn. Mr. Speaker, yesterday the gentleman across the aisle from Lancaster, supported by the gentleman, the minority leader from Jefferson who made the motion today, asked this House to take a procedural step to allow the voice of all members to be heard through the amendment process, and I joined the minority in

their effort to ensure that their voice would be heard. Later that evening, and then today, the minority party stands up and leads an effort to shut off debate over an issue that may or may not have the votes to pass but is certainly something that this House ought to be able to consider.

Now, Mr. Speaker, for what it is worth, I am for the underlying bill. I have voted for it several times and I would vote for it again, but it is unfair, Mr. Speaker. In fact, I believe it has got a tinge of hypocrisy from the minority leader to suggest in one night we should debate and the next night we should not debate. Mr. Speaker, we were sent here to debate, and I agree with the previous speaker from Delaware County, if we are not afforded the opportunity to debate tonight, this House should adjourn, we should debate it tomorrow, and every point of view should be aired on this House floor. We should support the gentleman from Philadelphia's motion and we should adjourn this House and have a full and fair debate tomorrow.

Thank you, Mr. Speaker.

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. The Chair recognizes the minority leader.

Mr. S. SMITH. Mr. Speaker, on this motion and the underlying question, I think if people want to talk about hypocrisy, look, that is just foolish talk. Both sides of the aisle have used this well-known, well-established procedure over and over. I mentioned earlier, the last time that the majority party used it was just last December on SB 11, the table games legislation, and the majority moved the previous question, shutting off debate of our members who were wanting to debate it. And if you would like, I could read the names of the members who voted "yes" to move the previous question on that particular subject. And guess what, you can just look at that side of the board and those are the names. Now, I can read them off if you want to know. So let us not talk about hypocrisy, Mr. Speaker.

Furthermore, Mr. Speaker, I would urge the members to vote against this motion to adjourn for a practical matter, and that practical matter is, Mr. Speaker, that if you move to adjourn, it is my interpretation that when we come back tomorrow, we are right where we are today. The motion to move the previous question has still been established; the debate has been cut off.

Mr. Speaker, as I said earlier, it was not my desire to cut off debate on the specific issue of HB 40. It was my desire, Mr. Speaker, for us to move forward with this.

I would ask the members to vote "no" on the motion to adjourn and to allow this House to proceed to the action that 143 members just supported doing 20 minutes, 30 minutes ago.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

And for the information of the members, the characterization made by the minority leader is true. If this House adjourns and HB 40 is taken up tomorrow, rule 61, the motion to move the previous question carries with HB 40 and debate will not be allowed on the bill when it is called up tomorrow, or the next day, or the next.

On the question to adjourn, the Chair recognizes the gentleman from Butler County, Representative Metcalfe, on adjournment.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, on the motion to adjourn. The motion is being made, Mr. Speaker, by the gentleman from Philadelphia, who will ultimately vote against this legislation, and as someone who is going to vote against the legislation, the gentleman from

Philadelphia who made this motion, there were previous communications from people across the State, Second Amendment supporters who are watching these votes. Procedural votes will be noticed by those supporters as votes against the Castle Doctrine, Mr. Speaker.

The SPEAKER. The gentleman, Representative Metcalfe, will keep his remarks to the adjournment motion.

Mr. METCALFE. Thank you, Mr. Speaker.

With reference to the motion to adjourn, I oppose the motion to adjourn as the majority of Second Amendment supporters across this State would. We support the Castle Doctrine and want to vote on that tonight. We are against the motion to adjourn.

Thank you, Mr. Speaker.

The SPEAKER. On the question, the Chair recognizes the gentleman from Bucks County, Representative Clymer, on the motion to adjourn.

Mr. CLYMER. Mr. Speaker, our minority leader, Sam Smith, has really talked about the issue on the table games, and so he has hit that right on target, that debate was cut off—

The SPEAKER. The gentleman will yield.

Mr. CLYMER. —and we could not continue on that very important issue.

The SPEAKER. The gentleman, Mr. Clymer—

Mr. CLYMER. So, Mr. Speaker, I do oppose the move to adjourn at this time. Thank you.

The SPEAKER. On the motion to adjourn, the Chair recognizes the gentlelady from Luzerne County, Representative Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I rise in support of the motion to adjourn. I share the gentleman's frustration. My recollection of every motion to move the previous question has been that it occurred after hours and hours of debate. This motion to call the previous question occurred after not one minute of debate, and I share the gentleman's frustration that those in the minority on this issue have not had one minute to express their point of view and to tell the people of Pennsylvania why they might oppose HB 40. And so I feel very strongly that perhaps overnight, cooler heads will prevail; that even though the majority would have its way, that the minority might have its say on this issue. I support the motion to adjourn as a matter of fairness to all of us who want to put our ideas and thoughts about HB 40 on the record for our constituents to hear and to know why we support or oppose HB 40.

I would urge an affirmative vote on the motion to adjourn.

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

Mr. WANSACZ. Thank you, Mr. Speaker.

Mr. Speaker, I am going to support HB 40, but my question is, on the Senate bill last year, how many hours of debate or days of debate were there before we cut off the motion to debate? Because I—

The SPEAKER. The gentleman's question is out of order. The question before the House is whether or not the House will adjourn or not adjourn.

Mr. WANSACZ. Thank you, Mr. Speaker.

I am just trying to realize if we did debate that bill, which I recommend for — I cannot remember how long, but it was countless hours, maybe even days—

The SPEAKER. The gentleman—

Mr. WANSACZ. —on the bill before cutting it off. Thank you.

The SPEAKER. On the question, those voting to adjourn will vote "aye"; those voting to not adjourn will vote "nay."

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

(Members proceeded to vote.)

**LEAVE OF ABSENCE**

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

**MOTION TO ADJOURN  
CONTINUED**

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

The following roll call was recorded:

**YEAS—51**

Barbin	Frankel	Mundy	Shapiro
Bishop	Freeman	Murphy	Sturla
Boyle	Gerber	Myers	Taylor, R.
Bradford	Johnson	O'Brien, M.	Thomas
Briggs	Josephs	Oliver	Wagner
Brown	Keller, W.	Pashinski	Wansacz
Burns	Kirkland	Payton	Waters
Cohen	Lentz	Preston	Wheatley
Cruz	Levdansky	Roebuck	Williams
Curry	Manderino	Sabatina	Youngblood
Donatucci	McGeehan	Samuelson	
Drucker	McI. Smith	Santarsiero	McCall,
Eachus	Melio	Santoni	Speaker
Evans, D.			

**NAYS—147**

Adolph	Fabrizio	Kotik	Rapp
Baker	Fairchild	Krieger	Ravenstahl
Barrar	Farry	Kula	Readshaw
Bear	Fleck	Longietti	Reed
Belfanti	Gabig	Maher	Reese
Benninghoff	Gabler	Mahoney	Reichley
Beyer	Geist	Major	Roae
Boback	George	Mann	Rock
Boyd	Gergely	Markosek	Rohrer
Brennan	Gibbons	Marshall	Ross
Brooks	Gillespie	Marsico	Sainato
Buxton	Gingrich	Matzie	Saylor
Caltagirone	Godshall	Metcalfe	Scavello
Carroll	Goodman	Metzgar	Schroder
Casorio	Grell	Miccarelli	Seip
Causar	Grove	Micozzie	Siptroth
Christiana	Grucela	Millard	Smith, K.
Clymer	Hahn	Miller	Smith, M.
Conklin	Haluska	Milne	Smith, S.
Costa, D.	Hanna	Mirabito	Solobay
Costa, P.	Harhai	Moul	Sonney
Cox	Harhart	Murt	Staback
Crichton	Harkins	Mustio	Stern

Cutler	Harper	O'Brien, D.	Stevenson
Daley	Harris	O'Neill	Swanger
Day	Helm	Oberlander	Tallman
Deasy	Hennessey	Pallone	Taylor, J.
DeLozier	Hess	Payne	Toepel
DeLuca	Hickernell	Peifer	True
Denlinger	Houghton	Perry	Turzai
DePasquale	Hutchinson	Petrarca	Vereb
Dermody	Kauffman	Petri	Vitali
DeWeese	Keller, M.K.	Phillips	Vulakovich
DiGirolamo	Kessler	Pickett	Watson
Ellis	Killion	Pyle	White
Evans, J.	Knowles	Quigley	Yudichak
Everett	Kortz	Quinn	

**NOT VOTING—0**

**EXCUSED—4**

Galloway	Hornaman	Parker	Perzel
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Less than the majority having voted in the affirmative, the question was determined in the negative and the motion was not 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.

(Members proceeded to vote.)

**LEAVE OF ABSENCE**

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

**CONSIDERATION OF HB 40 CONTINUED**

On the question recurring,  
Shall the bill pass finally?

The following roll call was recorded:

**YEAS—159**

Adolph	Evans, J.	Krieger	Reese
Baker	Everett	Kula	Reichley
Barbin	Fabrizio	Longietti	Roae
Barrar	Fairchild	Maher	Rock
Bear	Farry	Mahoney	Rohrer
Belfanti	Fleck	Major	Ross
Benninghoff	Gabig	Markosek	Sainato
Beyer	Gabler	Marshall	Santoni
Boback	Geist	Marsico	Saylor
Boyd	George	Matzie	Scavello
Boyle	Gergely	Metcalfe	Schroder
Bradford	Gibbons	Metzgar	Seip
Brennan	Gillespie	Miccarelli	Shapiro
Brooks	Gingrich	Micozzie	Siptroth
Burns	Godshall	Millard	Smith, K.
Buxton	Goodman	Miller	Smith, M.
Caltagirone	Grell	Milne	Smith, S.
Carroll	Grove	Mirabito	Solobay
Casorio	Grucela	Moul	Sonney

Causer	Hahn	Murphy	Staback
Christiana	Haluska	Murt	Stern
Clymer	Hanna	Mustio	Stevenson
Conklin	Harhai	O'Neill	Sturla
Costa, D.	Harhart	Oberlander	Swanger
Costa, P.	Harkins	Pallone	Tallman
Cox	Harper	Pashinski	Taylor, J.
Creighton	Harris	Payne	Toepel
Curry	Helm	Peifer	True
Cutler	Hennessey	Perry	Turzai
Daley	Hess	Petrarca	Vereb
Day	Hickernell	Petri	Vulakovich
Deasy	Houghton	Phillips	Wagner
Delozier	Hutchinson	Pickett	Wansacz
DeLuca	Kauffman	Pyle	Watson
Denlinger	Keller, M.K.	Quigley	Wheatley
DePasquale	Kessler	Quinn	White
Dermody	Killion	Rapp	Yudichak
DeWeese	Knowles	Ravenstahl	
DiGirolamo	Kortz	Readshaw	McCall,
Eachus	Kotik	Reed	Speaker
Ellis			

## NAYS—38

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

## NOT VOTING—0

## EXCUSED—5

Galloway	Parker	Perzel	Preston
Hornaman			

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.

## PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentlelady from Luzerne County rise?

Ms. MUNDY. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentlelady will state her parliamentary inquiry.

Ms. MUNDY. Will those of us who want to put our reasons for voting the way we did on the record, will we have an opportunity to submit remarks for the record?

The SPEAKER. Yes. The answer to that question is any member that would like to submit remarks for the record, they would be in order and appropriate.

Ms. MUNDY. And what time, if they are not prepared as of this moment, because we were caught unawares the debate would be stifled and cut off, what is the deadline for submitting those comments?

The SPEAKER. Any day that the House is in session.

Ms. MUNDY. So tomorrow or November?

The SPEAKER. Tomorrow or November.

Ms. MUNDY. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

## STATEMENT BY MR. PERRY

The SPEAKER. For what purpose does the gentleman from York County, Representative Perry, rise?

Mr. PERRY. Thank you, Mr. Speaker. Personal privilege.

The SPEAKER. Unanimous consent?

Mr. PERRY. Yes, Mr. Speaker.

The SPEAKER. Without objection.

Mr. PERRY. Mr. Speaker, I just wanted to, for the record, state that I have never been disagreeable and have no intention to be disagreeable or acrimonious. I would like to thank and commend the majority for their indulgence. I would like to thank the members for your consideration of the bill, and I would like to thank the Republican members and the leadership as well for the assistance. I think that the folks of the Commonwealth of Pennsylvania, whether you voted for or against it, are appreciative of your vote on this issue today.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

## VOTE CORRECTIONS

The SPEAKER. For what purpose does the gentleman from Lancaster County, Representative Sturla, rise?

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I was recorded in the affirmative and I would like to be recorded in the negative on HB 40. Thank you.

The SPEAKER. The Chair thanks the gentleman. His remarks will be spread upon the record.

For what purpose does the gentleman from Delaware County, Representative Kirkland, rise?

Mr. KIRKLAND. Thank you, Mr. Speaker. To correct the record.

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

Mr. KIRKLAND. Thank you, Mr. Speaker.

On HB 400, motion to postpone, I was recorded in the affirmative. I would like to be recorded in the negative.

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

## STATEMENT BY MR. THOMAS

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I want to thank those members who spoke out or spoke in response to moving the previous question and cutting off debate on HB 40, but the majority has spoken and the majority of members of this House voted to expand the doctrine of "shoot them first and ask questions later." And, Mr. Speaker, I am convinced that we will visit HB 40 and the legislative prescription provided in that bill. We have not finished conversation on this whole issue of expanding the Castle Doctrine.

Thank you.

**SUPPLEMENTAL CALENDAR A**

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 168, PN 2179**, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for regulation of contracts; and providing for additional contracting authority for electric power and energy.

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

The SPEAKER. On that question, there are a number of amendments filed to the bill. The gentleman, Representative Vitali.

Mr. VITALI. I am going to be withdrawing those amendments, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.  
Is the gentleman, Mr. Solobay, withdrawing his amendment?

Mr. SOLOBAY. Yes, Mr. Speaker. That amendment will also be pulled.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman from Luzerne, Representative Pashinski, have an amendment filed? The gentleman is withdrawing his amendment. The Chair thanks the gentleman.

No other amendments?

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

**CALENDAR CONTINUED**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 123, PN 884**, entitled:

An Act providing for the protection of consumers from having spyware deceptively installed on their computers and for criminal and civil enforcement.

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

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

(Bill analysis was read.)

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

The following roll call was recorded:

**YEAS—196**

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

**NAYS—1**

Grucela

**NOT VOTING—0**

**EXCUSED—5**

Galloway	Parker	Perzel	Preston
Hornaman			

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.

### BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2733, PN 4275**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for temporary special aid to school districts suffering loss of tax revenue due to bankruptcy of businesses in the school district; and providing for temporary special aid to school districts suffering loss of payment in lieu of taxes from local sources.

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

The SPEAKER. On that question, the gentleman from York County, Representative Saylor, withdrawing his amendments or amendment? The Chair thanks the gentleman.

The gentleman from York, Representative Miller, withdrawing his amendments? Just one amendment.

The gentleman, Mr. Clymer, from Bucks, withdrawing his amendment?

Mr. CLYMER. Mr. Speaker, could we have a sidebar for just a moment before I run my amendment?

The SPEAKER. The gentleman from Monroe County, Representative Scavello, withdrawing his amendments?

Mr. SCAVELLO. Mr. Speaker, will you be running Representative Siptroth from Monroe's amendment? If you run his, I will withdraw mine.

The SPEAKER. We are running the Siptroth amendment.

Mr. SCAVELLO. Fine. Thank you, Mr. Speaker. Then I will withdraw mine.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from York County, Representative Miller. Will the gentleman tell the Speaker what amendment he is withdrawing and which one he is offering?

Mr. MILLER. Thank you, Mr. Speaker.

I would like to offer amendment A09260 and withdraw the others.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. **MILLER** offered the following amendment No. **A09260**:

Amend Bill, page 2, line 10, by striking out "experiencing" and inserting  
that:

(1) experiences

Amend Bill, page 2, line 15, by striking out "district shall" and inserting  
district; and

(2) has less than five percent (5%) of the district's total operating budget in the estimated ending unreserved, undesignated fund balance shall

Amend Bill, page 2, line 27, by inserting after "year"

Payments shall only be made to school districts when the total amount payable under this section is greater than five thousand dollars (\$5,000).

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

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

Mr. MILLER. Thank you, Mr. Speaker.

This amendment was drafted to address a few concerns that I had with HB 2733, and those concerns had to do with school districts that might have a large balance that they are sitting on and then yet be eligible to apply for this money. I have worked with the prime sponsor of this legislation, and I am hopeful that we can get an affirmative vote on this. It will help to make the bill a better bill.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Westmoreland County, Representative Harhai.

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

The SPEAKER. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

### LEAVE OF ABSENCE

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

### CONSIDERATION OF HB 2733 CONTINUED

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

The following roll call was recorded:

#### YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Galloway	Manderino	Perzel	Preston
Hornaman	Parker		

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

On the question,

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

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

Mr. CLYMER. Thank you, Mr. Speaker.

Since there are agreed amendments and they are moving through the system, I am withdrawing my amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. **SIPTROTH** offered the following amendment  
No. **A09362**:

Amend Bill, page 1, line 5, by inserting after "thereto," repealing provisions relating to CPR instruction and automatic external defibrillation; providing for CPR and use of automated external defibrillation instruction, for procedures regarding response to cardiac arrest, for donations for use related to CPR and automated external defibrillator instruction and for availability of automated external defibrillator;

Amend Bill, page 1, lines 13 through 15, by striking out all of said lines and inserting

Section 1. Section 1205.4 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, added November 22, 2000 (P.L.672, No.91), is repealed:

[Section 1205.4. CPR Instruction.—(a) School entities shall be required to offer a cardiopulmonary resuscitation training (CPR) class on school premises at least once every three years. The course shall be offered as an option to all employes of the school entity.

(b) Completion of training, including testing of skills and knowledge, shall be documented by the signature and title of a representative of the training entity and shall include the date training was completed. Documentation shall be retained in the facility in that employe's file. Training shall be conducted by:

- (1) the American Red Cross;
- (2) the American Heart Association;
- (3) an individual certified to conduct CPR training by the American Red Cross, American Heart Association or other certifying agency approved by the Department of Health; or
- (4) other certifying agency approved by the Department of Health.

(c) School districts may include this training in the continuing education plan submitted by the district to the Department of Education under section 1205.1.

(d) For purposes of this section, a school entity shall be defined as a local school district, intermediate unit or area vocational-technical school.]

Section 2. Section 1423 of the act, added May 17, 2001 (P.L.4, No.4), is repealed:

[Section 1423. Automatic External Defibrillators.—(a) For the fiscal year 2001-2002, the department shall establish a one-time automatic external defibrillator program to assist school entities in acquiring automatic external defibrillators.

(b) The department, in consultation with the Department of General Services, shall issue an invitation to bid for the cost of automatic external defibrillators. The department shall accept the bid of the lowest responsible bidder and permit any school entity to purchase the devices at the contract bid price.

(c) To be eligible to obtain or purchase automatic external defibrillators under the program a school entity must:

- (1) Assure that two (2) or more persons assigned to the location where the automatic external defibrillator will be primarily housed are trained as required in subsection (d).
- (2) Ensure that the device will be secured in a safe and readily accessible location and agree to properly maintain and test the device according to the manufacturer's operational guidelines.
- (3) Submit a valid prescription for the device from a licensed medical practitioner in this Commonwealth.
- (4) Agree to provide the training required by subsection (d).

(d) School personnel who are expected to use the automatic external defibrillator shall complete training in cardiopulmonary resuscitation and in the use of an automatic external defibrillator provided by the American Heart Association, the American Red Cross or through an equivalent course of instruction approved by the Department of Health.

(e) A school entity may include the training required by subsection (d) in its continuing professional education plan submitted to the department under section 1205.1.

(f) The provisions of 42 Pa.C.S. § 8331.2 (relating to good Samaritan civil immunity for use of automated external defibrillator) shall apply to school employees who render care with an automatic external defibrillator.

(g) From funds appropriated for this purpose, the department, upon request, shall provide: up to two (2) automatic external defibrillators to each school district; one (1) automatic external defibrillator to each intermediate unit; and one (1) automatic external defibrillator to each area vocational-technical school.

(h) No school entity shall be required to participate in the automatic external defibrillator program.

(i) No later than June 30, 2002, the secretary shall submit a report to the General Assembly describing the effectiveness of this section in outfitting the Commonwealth's school entities with automatic external defibrillators.

(j) The department may adopt guidelines as necessary to administer this section.

(k) As used in this section—

"Automatic external defibrillator" means a portable device that uses electric shock to restore a stable heart rhythm to an individual in cardiac arrest.

"Department" means the Department of Education of the Commonwealth.

"School entity" means an area vocational-technical school, a charter school, an intermediate unit, a nonpublic school or a school district.

"Secretary" means the Secretary of Education of the Commonwealth.]

Section 3. The act is amended by adding an article to read:

#### ARTICLE XIV-A

#### CPR AND AED INSTRUCTION AND PROCEDURES

##### Section 1401-A. Definitions.

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Automated external defibrillator" or "AED." A portable device that uses electric shock to restore a stable heart rhythm to an individual in cardiac arrest.

"CPR." Cardiopulmonary resuscitation.

"Department." The Department of Education of the Commonwealth.

"School entity." An area vocational-technical school, a charter school, a cyber charter school, an intermediate unit, a nonpublic school or a school district.

##### Section 1402-A. CPR and use of automated external defibrillator instruction.

(a) Instruction to be offered.—

(1) Each school entity shall make available to employees of the school entity and volunteers instruction in the principles and techniques of CPR and the use of an AED on school premises at least once every three years. The course shall be offered as an option to all employees and volunteers of the school entity.

(2) For employees and volunteers who are required to receive and maintain CPR and AED instruction under the provisions of this article, the school entity shall make training available as necessary to ensure continuous certification.

(b) Documentation of training.—Completion of training, including testing of skills and knowledge, shall be documented by the signature and title of a representative of the training entity and shall include the date training was completed. Documentation shall be retained by the school entity in that employee's or volunteer's file. Training shall be conducted by one of the following:

(1) The American Red Cross.

(2) The American Heart Association.

(3) An individual certified to conduct CPR training by the American Red Cross, American Heart Association or other certifying agency approved by the Department of Health.

(4) Other certifying agency approved by the Department of Health.

(c) Continuing education.—A school entity may include this training in the continuing education plan submitted by the school entity to the department under section 1205.1.

(d) Persons to be trained.—

(1) A school entity shall have at each school under its jurisdiction at least five persons certified in the use of an AED during regular school hours when school is in session, who may include the individuals required to be certified under paragraph (2).

(2) Each school nurse, assistant school nurse, athletic coach, marching band director, physical education teacher, athletic trainer, athletic training student aide, cheerleading coach and any other school employee specified by the school entity must receive and maintain certification in the use of an AED.

(3) A school entity shall assure that at least one person certified in the use of an AED would be immediately available to access the AED during regular school hours when school is in session.

(4) A school entity shall have at each school under its jurisdiction one person certified in CPR during regular school hours when school is in session.

(5) All certifications required under this subsection shall be obtained from one of the organizations listed under subsection (b).

(6) A school entity may use a person who is certified in CPR and/or the use of an AED to meet the requirements of more than one paragraph under this subsection.

(e) Nonpublic schools.—A nonpublic school that receives an AED from the department or receives funding from a certifying agency to purchase or lease an AED under section 1404-A shall adopt a policy under which the school makes available to school employees and volunteers instruction in the principles and techniques of CPR and the use of an AED. The policy must comply with the requirements prescribed by this article and rules adopted by the department.

##### Section 1403-A. Cardiac arrest procedures.

(a) Procedures regarding response to cardiac arrest.—Each school entity shall develop safety procedures to follow in responding to a medical emergency involving cardiac arrest, including the appropriate response time in administering CPR, using an AED or calling a local emergency medical services provider, provided that no school entity shall be required to establish new procedures under this section if procedures currently exist and reasonably fulfill the requirements of this section.

(b) Compliance.—A nonpublic school that receives an AED from the department or receives funding from the department to purchase or lease an AED shall comply with this section.

##### Section 1404-A. Donations for use related to CPR and AED instruction.

(a) Donations to the department.—The department may review and provide coordination strategies for public and private sector efforts and agencies to raise and appropriate funds and may enter into agreements with State departments or agencies and private sector organizations and persons as it deems necessary to ensure the implementation of the purposes of this article. The department may further establish accounts and accept and administer grants, donations and other funds received by the department to achieve the purposes of this article.

(b) Disbursement of gifts and donations.—The department shall develop procedures for determining the disbursement of any gifts and donations among school entities. The department may use no more than 1% of the donations for administrative expenses related to the implementation of this subsection.

(c) Donations to school entities.—A school entity may accept



grants, donations, gifts and other funds from the department or other public and private sector agencies to achieve the purposes of this article.

(d) Student instruction.—

(1) To the extent that resources are available to a school entity under this article, the school entity shall make available instruction to students in the principles and techniques of CPR and operating an AED.

(2) A school entity may use resources other than those made available under this section to make available instruction to students in the principles and techniques of CPR and operating an AED.

(e) Rules.—The department may adopt rules as necessary to implement this section.

Section 1405-A. Availability and specifications of automated external defibrillators.

(a) Availability.—A school entity shall have at each school under its jurisdiction at least one AED.

(b) Athletic events.—Whenever a school entity uses its facility for its own school-sponsored or school-approved interscholastic athletics, the school entity shall, in cooperation with the Pennsylvania Interscholastic Athletic Association (PIAA), ensure that an AED and at least one school employee, athletic coach, athletic trainer or other individual, who is certified pursuant to section 1402-A, or local emergency services personnel, are reasonably available at those interscholastic athletic events.

(c) Administrative regulations.—The board of school directors shall adopt administrative regulations or procedures regarding the placement and use of AEDs under subsections (a) and (b) and the number of personnel who must receive training as required by section 1402-A, provided that no school entity shall be required to establish new regulations or procedures under this subsection if they currently exist and reasonably fulfill the requirements of this subsection.

(d) Liability.—This section does not:

(1) waive any liability or immunity of a school entity or its officers or employees; or

(2) create any liability for or a cause of action against a school entity or its officers or employees.

(e) Civil immunity.—The provisions of 42 Pa.C.S. § 8331.2 (relating to good Samaritan civil immunity for use of automated external defibrillator) shall apply to school employees who render care with an AED.

(f) Testing and maintenance.—Each school entity shall ensure that every AED on the school's premises or campus is properly tested and maintained in accordance with the manufacturer's operational guidelines. Each AED in a school entity shall meet the most recent minimum specifications as required by the Department of Health.

Section 4. Section 2502.16(f) of the act, added October 20, 1988 (P.L.827, No.110), is amended to read:

Amend Bill, page 2, line 6, by striking out "2" and inserting  
5

Amend Bill, page 4, line 8, by striking out all of said line and inserting

Section 6. This act shall take effect as follows:

(1) The amendment or addition of sections 2502.16(f) and 2502.50 of the act shall take effect immediately.

(2) This section shall take effect immediately.

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

On the question,

Will the House agree to the amendment?

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

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

Mr. Speaker, this bill, this amendment, is nothing more than HB 1803, which would provide for AEDs to be in occupied

school buildings across the State of Pennsylvania, and I would certainly hope that I can count on each and every member's vote to save a possible life in the future.

Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Lancaster County, Representative Cutler.

Mr. CUTLER. Mr. Speaker, I would like to speak on the amendment if I am in order.

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

Mr. CUTLER. Thank you, Mr. Speaker.

It is somewhat ironic that we had a long discussion earlier tonight regarding squelching debate and going over some of the other issues that we had here before the House. As the prior speaker said and the maker of the amendment indicated, this is HB 1803 in a different form. HB 1803, as many of you might realize, has a multitude of amendments on it that we were looking to discuss and debate to fix some of the potential shortcomings on this bill.

Do not get me wrong, the cause of this bill is very noble, to save the lives of individuals in school buildings. However, Mr. Speaker, throughout the course of the committee meeting that we had on this issue, it became apparent that it would require an AED in each and every building. Mr. Speaker, my own school that I graduated from not so long ago had multiple temporary classrooms on the campus, a multitude of trailers, if you will, spread out while they were refurbishing the insides of the schools. By definition, the school would have to buy an AED for each and every mobile trailer that was on the lot.

Additionally, Mr. Speaker, we also have a sports complex in and around the school, a multitude of playing fields. Mr. Speaker, to the best of my knowledge, this also would require an AED to be in the area of each sporting event and the school to have individuals trained to use those in those areas. Mr. Speaker, I do not believe that these problems have been fixed, because while I think having AEDs available is a wonderful goal, Mr. Speaker, I do not believe that we should get in the micromanaging on which fields they should be in, which rooms, and the different areas, Mr. Speaker. That is a decision best left to the school boards.

Mr. Speaker, in regard to this amendment, I think if we could have worked through the amendment process and the proper bill process, the problems could have been fixed. Mr. Speaker, without the opportunity to file an amendment to an amendment and squelch the debate that we would have otherwise had on this bill, which seems to be the theme for this evening, Mr. Speaker, I am going to have to respectfully oppose this amendment as it is currently drafted and ask the gentleman to take another crack at 1803, and perhaps, we can fix it through the proper process.

For that reason, Mr. Speaker, I will be a "no" and urge my colleagues to do likewise.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Westmoreland County, Representative Harhai.

Mr. HARHAI. Mr. Speaker, this was an agreed-to amendment also, and I would appreciate an affirmative vote. Thank you.

The SPEAKER. On the amendment, the gentleman from Monroe seeking recognition for a second time?

Mr. SIPTROTH. I would like to speak on the gentleman's previous discussion regarding the—

The SPEAKER. On the amendment, the gentleman is recognized.

Mr. SIPTROTH. On the amendment, Mr. Speaker, it clearly states in the bill that the board of education, the school board, has the latitude where to place the AEDs, and therefore, I feel it satisfies the question of the speaker, previous speaker.

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

The following roll call was recorded:

YEAS—133

Barbin	Eachus	Levdansky	Sabatina
Barrar	Evans, D.	Longiatti	Sainato
Belfanti	Evans, J.	Maher	Samuelson
Beyer	Fabrizio	Mahoney	Santarsiero
Bishop	Farry	Mann	Santoni
Boback	Fleck	Markosek	Saylor
Boyle	Frankel	Matzie	Scavello
Bradford	Freeman	McGeehan	Seip
Brennan	Geist	McI. Smith	Shapiro
Briggs	George	Melio	Siptroth
Brown	Gerber	Miccarelli	Smith, K.
Burns	Gergely	Micozzie	Smith, M.
Buxton	Gibbons	Milne	Solobay
Caltagirone	Goodman	Mirabito	Staback
Carroll	Grucela	Mundy	Stern
Casorio	Haluska	Murphy	Sturla
Causer	Hanna	Myers	Taylor, J.
Clymer	Harhai	O'Brien, D.	Taylor, R.
Cohen	Harhart	O'Brien, M.	Thomas
Conklin	Harkins	O'Neill	Turzai
Costa, D.	Helm	Oliver	Vitali
Costa, P.	Hess	Pallone	Wagner
Cruz	Houghton	Pashinski	Wansacz
Curry	Hutchinson	Payton	Waters
Daley	Johnson	Peifer	Watson
Day	Josephs	Petrarca	Wheatley
Deasy	Keller, W.	Petri	White
DeLuca	Kessler	Phillips	Williams
DePasquale	Killion	Quinn	Youngblood
Dermody	Kirkland	Ravenstahl	Yudichak
DeWeese	Kortz	Readshaw	
DiGirolamo	Kotik	Reed	McCall,
Donatucci	Kula	Reichley	Speaker
Drucker	Lentz	Roebuck	

NAYS—63

Adolph	Gabler	Marshall	Reese
Baker	Gillespie	Marsico	Roae
Bear	Gingrich	Metcalf	Rock
Benninghoff	Godshall	Metzgar	Rohrer
Boyd	Grell	Millard	Ross
Brooks	Grove	Miller	Schroder
Christiana	Hahn	Moul	Smith, S.
Cox	Harper	Murt	Sonney
Creighton	Harris	Mustio	Stevenson
Cutler	Hennessey	Oberlander	Swanger
Delozier	Hickernell	Payne	Tallman
Denlinger	Kauffman	Perry	Toepel
Ellis	Keller, M.K.	Pickett	True
Everett	Knowles	Pyle	Verb
Fairchild	Krieger	Quigley	Vulakovich
Gabig	Major	Rapp	

NOT VOTING—0

EXCUSED—6

Galloway	Manderino	Perzel	Preston
Hornaman	Parker		

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

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

Mr. MILNE offered the following amendment No. **A08953**:

- Amend Bill, page 2, line 22, by striking out "Such" and inserting such
- Amend Bill, page 3, line 24, by striking out "a" and inserting the
- Amend Bill, page 3, line 25, by striking out the comma after "account"
- Amend Bill, page 3, line 28, by inserting after "2502.16." If insufficient funds exist in the restricted revenue account, payments shall be made on a pro rata basis.

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

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

Mr. MILNE. Thank you, Mr. Speaker.

This amendment simply stipulates that any of the funds available through this piece of legislation will be apportioned on a pro rata basis. I think it is a matter of equity and a way to make sure the funds are used fairly. It is my understanding this is an agreed-to amendment.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Westmoreland County, Representative Harhai.

Mr. HARHAI. Thank you, Mr. Speaker.

Mr. Speaker, it is an agreed-to amendment and I would appreciate an affirmative vote on this amendment. Thank you.

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

(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 gentlelady from Lancaster County, Representative TRUE, for the remainder of the day. Without objection, the leave will be granted.

CONSIDERATION OF HB 2733 CONTINUED

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

The following roll call was recorded:

YEAS—195

Adolph	Everett	Levdansky	Reese
Baker	Fabrizio	Longiatti	Reichley
Barbin	Fairchild	Maher	Roae

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Galloway	Manderino	Perzel	True
Hornaman	Parker	Preston	

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

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

(Bill as amended will be reprinted.)

\* \* \*

The House proceeded to second consideration of **HB 2686, PN 4196**, entitled:

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.

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

The SPEAKER. On that question, it is the information of the Chair, the gentleman from Cambria County, Representative Haluska, is withdrawing his amendment to this bill? The Chair thanks the gentleman.

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

**BILLS ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1515, PN 4283**, entitled:

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.

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

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Galloway	Manderino	Perzel	True
Hornaman	Parker	Preston	

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 1518, PN 4286**, entitled:

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.

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Galloway	Manderino	Perzel	True
Hornaman	Parker	Preston	

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 1515, PN 4283**

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.

**HB 1518, PN 4286**

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.

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

**SUPPLEMENTAL CALENDAR C**

**RESOLUTION PURSUANT TO RULE 35**

Mr. LONGIETTI called up **HR 987, PN 4440**, entitled:

A Resolution urging the State Board of Education with the Department of Education to conduct a study of the Commonwealth's public school library services for students in kindergarten through grade 12, measuring and comparing access to print and electronic resources, professional support and instruction in the use of information and research among this Commonwealth's public school entities and evaluating how funding and resources are allocated for school library services in relation to student and community circumstances.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—195**

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Galloway	Manderino	Perzel	True
Hornaman	Parker	Preston	

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

**CALENDAR CONTINUED**

**BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 1429, PN 2204**, entitled:

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

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

Mr. **CREIGHTON** offered the following amendment  
No. **A09405**:

Amend Bill, page 7, line 18, by inserting after "municipalities" including not more than one of whom may be a member of the governing body of each municipality.

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

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Lancaster County, Representative Creighton.

Mr. CREIGHTON. Thank you, Mr. Speaker.

This bill, 1429, facilitates the merger of municipalities. When two or more municipalities meet the requirements to merge, a committee, a transition committee is formed. That committee blends employees, it blends ordinances, and it makes the transition better. This amendment, 9405, stipulates that only one member from each governing body may be a member on the transition committee.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Northampton County, Representative Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to amendment and I urge a "yes" vote.

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Galloway	Manderino	Perzel	True
Hornaman	Parker	Preston	

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

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

Mr. CREIGHTON offered the following amendment No. **A09406**:

Amend Bill, page 8, line 11, by inserting after "municipalities" and school districts

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Lancaster County, Representative Creighton.

Mr. CREIGHTON. Amendment 9406 is an agreed-to amendment. It adds notification to the school districts that would be affected by this merger but does not give them any authority or influence on the issue.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Northampton County, Representative Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

This, too, is an agreed-to amendment, and I urge the House to vote "yes."

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

The following roll call was recorded:

YEAS—195

Adolph	Everett	Levdansky	Reese
Baker	Fabrizio	Longietti	Reichley
Barbin	Fairchild	Maher	Roae
Barrar	Farry	Mahoney	Rock
Bear	Fleck	Major	Roebuck
Belfanti	Frankel	Mann	Rohrer
Benninghoff	Freeman	Markosek	Ross
Beyer	Gabig	Marshall	Sabatina
Bishop	Gabler	Marsico	Sainato
Boback	Geist	Matzie	Samuelson

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Galloway	Manderino	Perzel	True
Hornaman	Parker	Preston	

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

On the question recurring,

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

The SPEAKER. The gentleman, Mr. Creighton, withdrawing amendment 9407?

Mr. CREIGHTON. I would like to speak on the amendment, but I am withdrawing it.

The SPEAKER. The gentleman may proceed.

Mr. CREIGHTON. Thank you, Mr. Speaker.

Amendment 9407 eliminates the financial assistance part of the bill. It is pages 27, 28. We found some problematic problems with this. It creates a program called the Commonwealth Municipalities Consolidation and Merger

Program, and its purpose is to administer loans and grants, which we have little money to spend and so we do not need another spend program.

The real problem with this bill is the presumption of priority, giving the merged municipalities priority in being able to get grants and loans, and it creates an unfairness in the grant and loan assignments. Therefore, we have this broken into two parts in two subsequent amendments.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. CREIGHTON offered the following amendment No. A09408:

Amend Bill, page 27, lines 4 through 22, by striking out all of said lines and inserting

(a) Priority under existing programs.—

(1) A consolidated or merged

Amend Bill, page 27, line 27, by striking out "(1)" and inserting

(2)

Amend Bill, page 28, line 1, by striking out "(2)" and inserting

(3)

Amend Bill, page 28, line 7, by striking out "(3) Nothing in this section shall be construed to alter" and inserting

(b) Construction.—Nothing in this section shall be construed to alter

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman from Lancaster County, Representative Creighton.

Mr. CREIGHTON. Thank you, Mr. Speaker.

Amendment 9408 removes the new financial assistance program, but it retains the priority funding language.

Thank you, Mr. Speaker.

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

Mr. FREEMAN. Thank you, Mr. Speaker.

This, too, is an agreed-to amendment, and I urge a "yes" vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Adolph	Everett	Levdansky	Reese
Baker	Fabrizio	Longiatti	Reichley
Barbin	Fairchild	Maher	Roae
Barrar	Farry	Mahoney	Rock
Bear	Fleck	Major	Roebuck
Belfanti	Frankel	Mann	Rohrer
Benninghoff	Freeman	Markosek	Ross
Beyer	Gabig	Marshall	Sabatina
Bishop	Gabler	Marsico	Sainato
Boback	Geist	Matzie	Samuelson

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Galloway	Manderino	Perzel	True
Hornaman	Parker	Preston	

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

On the question recurring,

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

Mr. **SANTARSIERO** offered the following amendment No. **A09502**:

Amend Bill, page 4, by inserting after line 30

(d) Study of home rule charter or optional plan.—Except as provided in sections 734 (relating to joint agreement of governing bodies) and 735.1 (relating to initiative of electors seeking consolidation or merger with new home rule charter), the procedure provided for in subsection (c) shall not be utilized unless the same home rule charter or optional plan has been recommended by a government study commission elected in accordance with Ch. 29 Subch. B (relating to procedure for adoption of home rule charter or optional plan of government) in each of the municipalities to be

merged or consolidated. Notwithstanding any limitations on the powers and duties of government study commissions provided in Ch. 29 Subch. B, the commissions may study and recommend a home rule charter or optional plan that would be adopted by the consolidated or merged municipalities concurrently with the study of the issue of consolidation or merger of the municipalities.

On the question,

Will the House agree to the amendment?

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

Mr. **SANTARSIERO**. Thank you, Mr. Speaker.

This is a technical amendment that merely clarifies that the full government study process must occur before any change of government question can be considered simultaneously with a proposed consolidation of municipalities.

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

Mr. **FREEMAN**. Thank you, Mr. Speaker.

Mr. Speaker, this is a very good amendment. It addresses a concern that was raised in our committee, and I thank the gentleman for offering it and urge a "yes" vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-195

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



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

NAYS—0

NOT VOTING—0

EXCUSED—7

Galloway	Manderino	Perzel	True
Hornaman	Parker	Preston	

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

On the question recurring,

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

The SPEAKER. The Chair recognizes the gentelady from Mercer County, Representative Brooks. The gentelady is offering amendment A09499. Is that correct?

On the question recurring,

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

Mrs. **BROOKS** offered the following amendment No. **A09499**:

Amend Bill, page 27, lines 4 and 5, by striking out all of line 4 and "Program.—" in line 5

Amend Bill, page 27, lines 21 through 30; page 28, lines 1 through 13, by striking out all of said lines on said pages

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes the gentelady from Mercer County, Representative Brooks.

Mrs. **BROOKS**. Thank you, Mr. Speaker.

In this piece of legislation that is being touted as a voluntary consolidation bill, there is a very important clause that gives priority funding to any municipality or township that has consolidated, and I would like to read that to you: "Priority under existing programs.—In addition to any funding provided under subsection (a), a consolidated or merged municipality shall receive priority for economic and community development assistance under existing Commonwealth programs FOR A PERIOD NOT TO EXCEED FIVE YEARS...."

Mr. Speaker, what this does is all of our local governments that are already sharing services, sharing police departments, sharing maintenance people, sharing maintenance equipment, they have cooperative agreements, it puts them at the bottom of

the grant pile, below any township or municipality or borough that has consolidated. This is an anti-local-government clause in this piece of legislation.

Some will argue that the townships and boroughs that are already sharing services have some priority funds given to them. However, many of us know that the lifeline to many of our small governments is DCED (Department of Community and Economic Development) funding. What this language does, it penalizes every local government that is working cooperatively together through this language.

The Pennsylvania Township Association supports this amendment. I am asking my colleagues, let us support all local governments.

This bill is about the concept of consolidation, and again I am going to say, many are touting this as voluntary consolidation, but when you dry up and hold over people's heads that they are going to, perhaps, lose grant money because they have not officially consolidated, that is the wrong approach. So I am asking my colleagues for support in the spirit of supporting our local governments that are already sharing services, cooperating together, for your support of this amendment.

Thank you very much.

The SPEAKER. The Chair thanks the gentelady.

On the amendment, the Chair recognizes the gentleman from Northampton County, Representative Freeman.

Mr. **FREEMAN**. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose amendment 9499, offered by the lady, Mrs. Brooks. The priority funding is an important criterion within this legislation. And I should note for the members' knowledge that the language contained in the bill currently is a compromise, a step back from a broader priority language that was originally in the bill. Initially the bill would have had priority funding for these communities that voluntarily merge or consolidate for a much longer period of time, but Senator Eichelberger, the prime sponsor of the bill in the Senate, pared that back to 5 years. Here is why it is a very important criterion: A few minutes ago we adopted the Creighton amendment, which took out the language that would have set up a separate financial assistance fund to help those communities that have agreed to merge to come together under a consolidation plan. So we have already removed that one incentive and that one form of assistance that can aid those communities that had the arduous task of merging their two communities.

This is no easy feat, Mr. Speaker. To have two communities come together and voluntarily, because this proposal only deals with voluntary mergers and consolidations, have a daunting task ahead of them in terms of providing the kind of resources – they are getting the kind of resources they need to make that merger a success. They have to be able to deal with a whole array of issues, from zoning ordinances to comprehensive plans to pension systems, and that will cost money.

In the long term, this legislation will save money because those communities that wish to consolidate or merge will save money for their local taxpayers within those two communities. However, they need some incentive and some means to make it through that transition period. As Senator Eichelberger pointed out to me in a conversation we had earlier in the day, although it stipulates a 5-year priority, in many respects it is only going to be a 4-year period, because the first year is going to be dealing

with a lot of other factors in the consolidation or merger process. So it is a small window.

One other factor to keep in mind on this issue and why this is an important provision to keep in the bill and why we have to defeat the Brooks amendment, it is a fact that since this law was first passed providing for the voluntary mergers and consolidations back in the mid-1990s only nine communities have availed themselves of this language. It is an infinitesimal number of communities out of the 2500 municipalities that make up the municipalities of Pennsylvania who have made the effort to go through the merger and consolidation process. It is not going to affect the vast majority of other communities that seek grants. It merely gives these communities which will have a real and genuine need to have funding to deal with the merger process to be at the top of the list.

I urge the members to retain this language that the Brooks amendment would take out. All the other coalition members favor this legislation, favor keeping this priority funding provision, including the Pennsylvania Chamber, including 10,000 Friends of Pennsylvania, and all the array of other coalition members who have come out in favor of this legislation. So with that in mind, I urge the members to please defeat the Brooks amendment and allow us to keep this one meager means to assist those communities who voluntarily come together in mergers and consolidations and need a little bit of assistance through that transition process.

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

Mr. EACHUS. Thank you, Mr. Speaker.

I would like to support the chairman's action to defeat the Brooks amendment. It is simple enough. The stakeholders on this process have met. They are all in agreement. This would be corruptible to the process and do damage to the ability to get this important priority done.

So I support the chairman and regrettably oppose the gentelady's motion for amendment A9499.

The SPEAKER. On the question, the Chair recognizes the gentelady from Mercer County, Representative Brooks, for the second time.

Mrs. BROOKS. Mr. Speaker, I would just like to speak lastly on the amendment if that is possible.

The SPEAKER. It is.

Mrs. BROOKS. Thank you.

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

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

Mr. Speaker, I would rise in support of the amendment. I realize that the people that are vested in this bill, that have put a lot of effort into it, rank this element that the Brooks amendment addresses. I realize they value that component of providing an incentive to merge communities, and generally speaking, I support the concept of encouraging municipalities to merge. I think forcing them is the wrong way to go. So I certainly appreciate the general direction of this legislation.

I guess the one thing that I find problematic about the way the amendment is drafted, and I apologize if someone addressed this and I just did not catch it, when it says a "priority," I am not sure how you define "priority." Does that mean, and I will ask this rhetorically – perhaps someone would choose to answer it for me – but when you say that a merged community has priority over these program dollars, does that mean that two competing communities that are in line for these moneys and

say the DCED grades this one an A or by a point system of some sort and another community ranks it with a C or a D, does that mean that if that C or D project, it is not nearly the quality of one, does that mean that that project gets priority because they are in a merged community and they fit into this niche, or does it simply mean that two projects that have been graded and are basically equal in terms of their credibility, their value, the qualities of it that are equal, that then the merged community gets the priority?

To me, that is really the question I see when I look at the particular language in the bill. I think it is a little bit vague. It is not necessarily clear enough in my mind what the word "priority," how it is addressed or defined. So I would rise in support of the amendment, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from York County, Representative Saylor.

Mr. SAYLOR. Thank you, Mr. Speaker.

I stand to support the Brooks amendment. I come from York County, and in York County, we lead all 67 counties in the State in mergers and consolidations of fire companies, police, and municipalities over the years, and what this amendment does is protect those and starts the process. If we are starting to say, as I have seen in my municipalities in my district who start sharing recreation, start sharing police departments, fire departments, and everything else through a merger, that we are not going to give them the same treatment as a municipality that merges, you are never going to have mergers in this State.

People have to learn to work together first and not be fearful of what a merger means to one municipality versus another. That is what I have seen. When people have turned down merging in the State, and particularly, when I have seen it in York County, I have seen it not because of the money, but because of the voters themselves who are afraid of what mergers mean to them individually.

I encourage and hope that we have more mergers and make municipalities, whether it is boroughs and townships, whatever it is, to merge. We even have the city of York, who is looking at merging their fire departments possibly with two townships who have gone together and merged their departments. We are looking in York County and we are the record for success in merging recreational departments, fire departments, and other agencies, fire and police. I tell you, the success in getting municipalities to merge is to get the taxpayers over the fear of what merging means. Many times they feel that if they merge their municipalities together, they are going to lose their power of knowing the next door neighbor who is now a township supervisor or borough councilman or the mayor.

We need people to feel comfortable if they are going to vote to merge municipalities together, and I do not believe the Brooks amendment in any way harms our merger. I believe it helps the merger process. Those who merge services as well as those who merge municipalities should have the same treatment, not one over the other. They both lead eventually to good mergers in our Commonwealth.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentelady from Mercer County, Representative Brooks.

Mrs. BROOKS. Thank you, Mr. Speaker.

All of those in this chamber who have small local governments, what this priority language will do is if your

community has a stellar, pristine project but yet there is a small community that has consolidated and they have a C-plus or a D project, their project is going to be funded over your pristine, stellar local project. Where is the fairness in that?

What it also does is it penalizes our local governments that are already working together, that already have cooperative agreements. This priority language does not address or reward any of those cooperative agreements or working together.

One of the prior speakers talked about how this disappears in 5 years. I have only been here 3 1/2 years and I have watched many things that were supposed to disappear not disappear. But with that being said, 5 years is an eternity to a local government that needs grant money now, and they are doing all the right things by working effectively and efficiently.

The prior speaker also mentioned that this could only, perhaps, put three or four local governments ahead of our local governments. Well, if there are four local governments consolidating and your local government is project five and they are only funding four projects, our local governments are going to lose.

So again, I just ask my colleagues for fairness and also recognizing that there are many local governments that are already working well together and they should not be penalized by this language.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—97

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

NAYS—98

Barbin	Donatucci	Kula	Sainato
Belfanti	Drucker	Lentz	Samuelson
Bishop	Eachus	Levdansky	Santarsiero
Boyle	Evans, D.	Longietti	Santoni
Bradford	Fabrizio	Mahoney	Seip
Brennan	Frankel	Mann	Shapiro
Briggs	Freeman	Markosek	Siptroth

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

NOT VOTING—0

EXCUSED—7

Galloway	Manderino	Perzel	True
Hornaman	Parker	Preston	

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

On the question recurring,

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

The SPEAKER. The gentlelady from Mercer County withdrawing her other two amendments?

Mrs. BROOKS. I am withdrawing amendment A09498.

The SPEAKER. And you are offering 9497?

Mrs. BROOKS. Yes.

On the question recurring,

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

Mrs. **BROOKS** offered the following amendment  
No. **A09497**:

Amend Bill, page 1, line 6, by striking out "732,"  
Amend Bill, page 1, lines 9 through 17; page 2, lines 1 through 30; page 3, lines 1 through 28, by striking out all of said lines on said pages

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Adolph	Everett	Levdansky	Reese
Baker	Fabrizio	Longietti	Reichley
Barbin	Fairchild	Maher	Roae
Barrar	Farry	Mahoney	Rock
Bear	Fleck	Major	Roebuck
Belfanti	Frankel	Mann	Rohrer
Benninghoff	Freeman	Markosek	Ross
Beyer	Gabig	Marshall	Sabatina
Bishop	Gabler	Marsico	Sainato

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Galloway	Manderino	Perzel	True
Hornaman	Parker	Preston	

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

On the question recurring,

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the majority leader, who moves that the House suspend the rules for the immediate consideration of SB 1288, PN 1805. The motion to suspend, the bill was not posted on the voting schedule.

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

The following roll call was recorded:

YEAS-177

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

NAYS-18

Brooks	Grell	Murt	Rock
Cutler	Kauffman	Oberlander	Samuelson
DeLozier	Metcalfe	Perry	Schroder
Gabig	Metzgar	Roae	Swanger
Gingrich	Moul		

NOT VOTING-0

EXCUSED-7

Galloway	Manderino	Perzel	True
Hornaman	Parker	Preston	

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.

## BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **SB 1288, PN 1805**, entitled:

An Act designating the replacement bridge for the bridge carrying 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.

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

The SPEAKER. It is the Chair's understanding that all the amendments are withdrawn to this bill except for the gentleman from Allegheny County, Representative Maher.

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

Mr. **MAHER** offered the following amendment No. **A08856**:

Amend Bill, page 1, line 1, by inserting after "the" where it occurs the first time

replacement

Amend Bill, page 1, line 1, by striking out "that carries" and inserting

for the bridge carrying

Amend Bill, page 1, lines 10 through 17, by striking out all of said lines and inserting

(1) John Kinley Tener, 1863-1946, a former congressman, was the second of three governors elected from Washington County. He has the distinction of being the only foreign-born governor since the office was formed in 1790. He was born in County Tyrone, Ireland, on July 25, 1863. He moved to Charleroi, Washington County, on April 20, 1891, and became the president of the First National Bank of Charleroi by 1898. He organized the Charleroi Savings & Trust Company and served as its secretary/treasurer, was president of the Mercantile Bridge Company and director of the Webster-Monessen, Belle Vernon, Fayette City Street Railway Company (Trolleys) and of the Westside Street Railway Company.

Amend Bill, page 1, line 18, by striking out "John K."

Amend Bill, page 2, lines 2 through 4, by striking out "He was" in line 2 and all of lines 3 and 4 and inserting

(3) Among his other accomplishments, Tener, who stood 6 feet 4 inches, was a former major league baseball player. He started out briefly as an outfielder with the Baltimore Orioles in 1885. He later played for the Chicago White Stockings, now the Cubs, as a pitcher and outfielder. He had a 7-5 record with a 2.74 ERA in 1888 and went 15-15 with a 3.64 ERA in 1889. Tener maintained his interest in baseball after retiring as a player. In 1912, Governor Tener spoke out against gambling in baseball and informed district attorneys around the State that he believed existing laws could be used against illegal betting. In 1913, Philadelphia Phillies owner William Baker proposed that Governor Tener become National League president. Tener accepted the offer at a contract of \$25,000 per year but was not paid until April 1915, when his term as Governor expired.

(4) The Charleroi-Monessen Bridge was constructed by Tener's Mercantile Bridge Company as an early example of a public-private partnership. The bridge was purchased by the Commonwealth in 1949, but tolls were continued until it became free to the public in 1956.

(5) The Charleroi-Monessen Bridge was rehabilitated

shortly after World War II and again in 1986. The bridge was closed in mid-February 2009 after a routine inspection revealed deterioration of a vertical panel that supports the middle of the bridge. A new bridge will replace the current structure. The 24-month project will include replacing the three truss spans and rehabilitating the approach spans at a cost of \$25,000,000 to \$35,000,000.

Amend Bill, page 2, line 5, by striking out "carries" and inserting will replace the bridge carrying

Amend Bill, page 2, line 14, by striking out "in 60 days" and inserting immediately

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

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

Mr. MAHER. Thank you, Mr. Speaker.

This is a technical amendment because our good friend, Senator Barry Stout, who is retiring, saw fit to name a bridge after former Gov. John Tener of Washington County, and this technical amendment ensures that instead of naming the bridge that is about to be demolished, we are going to be naming the bridge which is about to be built. So the legacy will continue.

And I will not carry on at length, although this John Tener was a very fascinating guy, one of the Governors to hail from Washington County, a good Republican, who also wound up as president of the National League, and I wish he were around today, because maybe he could help us do something about the Pirates.

I urge your support. This is a bipartisan, good-natured amendment in the spirit of assisting Senator Stout with a valedictory piece of legislation.

The SPEAKER. On the amendment, the Chair recognizes the majority leader, Representative Eachus.

Mr. EACHUS. Mr. Speaker, this is an agreed-to amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Westmoreland County, Representative Harhai.

Mr. HARHAI. Mr. Speaker, I also would like to reiterate what Representative Maher said that this is on behalf of State Senator Stout. It is the former Charleroi-Monessen Bridge that will be razed, and when it is brought back to a new design-built bridge, it will be the John K. Tener Bridge, and he did have an illustrious career and also a Governor of Pennsylvania from Washington County.

Thank you. An affirmative vote is appreciated.

The SPEAKER. The Chair thanks the gentleman.

Is the gentleman, Representative Geist, seeking recognition?

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

The following roll call was recorded:

### YEAS—195

Adolph	Everett	Levdansky	Reese
Baker	Fabrizio	Longiatti	Reichley
Barbin	Fairchild	Maher	Roae
Barrar	Farry	Mahoney	Rock
Bear	Fleck	Major	Roebuck

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Galloway	Manderino	Perzel	True
Hornaman	Parker	Preston	

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

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Blair County, Representative Geist.

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

Mr. Speaker, you and I and Representative Markosek and many others have spent many, many hours working with Senator Barry Stout on transportation projects. For me, he is a

true lion of this business and a warrior of the transportation trade. I would be very remiss if I did not stand up and make remarks about what a great guy he is and what a great career he has had and what a legacy that he has not only in western Pennsylvania, in his senatorial district, but all over the State.

I would also like to say that we are going to end up this term with 28 naming bills that will not run, and I would hope that we could work very closely at the very beginning of next term to get each one of those bills out as a separate bill and run them early. This is probably the only term I can ever remember where we have not had a highway bill or a bridge bill for the whole term. So there is a lot of work to be done and an awful lot of work to be done early on in the next term. But today is the day to celebrate Barry's good works in the State of Pennsylvania, and I am so glad that we related to run this bill. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

The SPEAKER. There will be no further votes.

\* \* \*

The House proceeded to second consideration of **HB 255, PN 2059**, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, adding definitions; and providing for licensure of prosthetists, orthotists, pedorthists and orthotic fitters.

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 255 be removed from the active calendar and placed on the tabled bill calendar.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 255 be removed from the tabled bill calendar and placed on the active calendar.

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

\* \* \*

The House proceeded to second consideration of **HB 575, PN 3196**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a special license plate for recipients of the Silver Star, Bronze Star and Bronze Star for Valor.

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 575 be removed from the active calendar and placed on the tabled bill calendar.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 575 be removed from the tabled bill calendar and placed on the active calendar.

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

\* \* \*

The House proceeded to second consideration of **HB 1072, PN 3779**, entitled:

An Act providing inmates released from State correctional institutions with access to voter registration materials; and imposing duties on the Department of Corrections.

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1072 be removed from the active calendar and placed on the tabled bill calendar.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1072 be removed from the tabled bill calendar and placed on the active calendar.

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

\* \* \*

The House proceeded to second consideration of **HB 1280, PN 3780**, entitled:

An Act establishing an emergency medical services memorial flag; and imposing duties on the Pennsylvania Emergency Health Services Council and the Bureau of Emergency Medical Services in the Department of Health.

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1280 be removed from the active calendar and placed on the tabled bill calendar.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 1280 be removed from the tabled bill calendar and placed on the active calendar.

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

\* \* \*

The House proceeded to second consideration of **HB 2576, PN 3993**, entitled:

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

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 2576 be removed from the active calendar and placed on the tabled bill calendar.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 2576 be removed from the tabled bill calendar and placed on the active calendar.

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

\* \* \*

The House proceeded to second consideration of **SB 488, PN 1269**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in provisions relating to minors, further providing for the offense of purchase, consumption, possession or transportation of liquor or malt or brewed beverages.

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

### **BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 488 be removed from the active calendar and placed on the tabled bill calendar.

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

### **BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 488 be removed from the tabled bill calendar and placed on the active calendar.

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

\* \* \*

The House proceeded to second consideration of **SB 1115, PN 1484**, entitled:

An Act designating the Donora-Monessen Bridge in Washington and Westmoreland Counties as the Stan Musial Bridge.

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

### **BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 1115 be removed from the active calendar and placed on the tabled bill calendar.

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

### **BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 1115 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.

### **RESOLUTION**

Mr. EACHUS called up **SR 357, PN 2053**, entitled:

A Concurrent Resolution congratulating the Local Government Commission on its 75th anniversary.

On the question,  
Will the House concur in the resolution of the Senate?

### **RESOLUTION TABLED**

The SPEAKER. The Chair recognizes the majority leader, who moves that SR 357 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 SR 357 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 REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 2089 be removed from the tabled bill calendar.

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

### **BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 2089 be recommitted to the Committee on Appropriations.



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

### LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence of the gentleman from Allegheny County, Representative Preston, on the floor of the House.

Are there any announcements?

### REMARKS SUBMITTED FOR THE RECORD

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

Ms. MUNDY. It is not an announcement, Mr. Speaker.

I would like to submit my remarks for the record on HB 40.

The SPEAKER. The gentelady is in order.

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

Had the minority leader not called the previous question cutting off any and all debate about the merits of HB 40, I would have said the following:

Mr. Speaker, I rise in support of the Castle Doctrine. The Castle Doctrine is current law. But I rise to stand with the law enforcement community, with police men and women and police chiefs and district attorneys, in opposition to HB 40. HB 40, this expansion of the Castle Doctrine, is bad public policy. The Pennsylvania Law Enforcement Gun Violence Policy Group says it best: "HB 40 is a defense attorney's dream." They say it will make the job of prosecuting criminals more difficult. It will provide another creative defense for violent criminals. The Pennsylvania District Attorneys Association agrees. They say that this bill "...is a ready-made defense for violent criminals...."

Mr. Speaker, I stand with the district attorneys and the police in opposition to any legislation that makes it more difficult to successfully prosecute violent criminals and therefore makes our communities less safe. I stand in opposition to HB 40 because that is what it does.

I submit copies of the two letters I received from the District Attorneys Association and the Pennsylvania Law Enforcement Gun Violence Policy Group along with these remarks which I was prevented from offering on the House floor.

(For letters, see Appendix.)

### DEMOCRATIC CAUCUS

The SPEAKER. The Democrats will caucus at 10 a.m. tomorrow.

### REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentelady from Susquehanna County, Representative Major, for the purpose of an announcement.

Ms. MAJOR. Thank you, Mr. Speaker.

I would like to announce a Republican caucus tomorrow morning at 10 a.m. I would ask our Republican members to please report to our caucus room at 10. Thank you.

The SPEAKER. The Chair thanks the lady.

Again, the Democrats will caucus at 10 a.m. tomorrow in the majority caucus room.

Any further announcements?

### 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 Somerset County, Representative Metzgar, who moves that this House do now adjourn until Wednesday, October 6, 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 7:44 p.m., e.d.t., the House adjourned.