

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, NOVEMBER 25, 2002

SESSION OF 2002

186TH OF THE GENERAL ASSEMBLY

No. 78

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN)

PRESIDING

PRAYER

REV. JULIANN V. WHIPPLE, Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

God of all that is and was and ever will be, we come here this afternoon and ask that You would guide us through the journey of our week. Fill us here, we pray, so that we may be filled with an enthusiasm beyond our imaginations that only comes through the assurance of Your power. As we watch fall give way to winter, we are again amazed at Your creation. Help us to remember that when the falls in our lives turn to cold, hard winters, "there is a season and a time for every purpose under heaven." Remind us that even though winter is difficult, spring is always on its heels.

Almighty and loving God, we pray for those who sit here at the desks of decision. Save them alike from hardness of heart and from softness of head. Let not brittle chores make brittle those who do them, and on all entrusted with the order of the Commonwealth's life, bestow the light to be wise, the doggedness to persevere, and the grace to judge as those who know that they themselves are being judged.

We also pray for those who hold in stewardship the humbler tasks of this House and the land: those who plow the roads and cut the grass and plant the flowers, those who sweep the floors and dust the rooms, those who type the letters and make ready the mailings. In tribulation, keep them calm; in need, make them willing; and in work well done, grant to them the joy of faithful colleagues. Deny them not the dignity of those whom You have called to share Your purposes, and so quicken the consciences of all whose work they further that not needless burden may be laid upon them.

To Your favor and grace, O God, we commend this place and all of its people. Let Your benediction rest upon it, we pray, and bring forth from its halls fruits fit for Your kingdom.

Hear this our common prayer. Amen.

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 Thursday, November 21, 2002, will be postponed until printed. The Chair hears no objection.

JOURNAL APPROVED

The SPEAKER. The Journal for Thursday, June 27, 2002, will stand approved as printed, unless objected to. The Chair hears no objections.

HOUSE BILL INTRODUCED AND REFERRED

No. 3006 By Representatives FREEMAN, M. WRIGHT, FRANKEL, CURRY, BELFANTI, D. EVANS, HORSEY, JOSEPHS, LAUGHLIN, LESCOVITZ, MELIO, PISTELLA, J. WILLIAMS and YOUNGBLOOD

An Act amending Titles 18 (Crimes and Offenses) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for the offense of possession of firearm or other dangerous weapon in municipal facility; and authorizing ordinances to prohibit possession of firearms or other dangerous weapons in municipal facilities.

Referred to Committee on JUDICIARY, November 25, 2002.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that the following bills be taken from the table:

SB 315;
SB 1554;
SB 1576;
HB 1661;
HB 1662; and
HB 1663.

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

BILLS ON SECOND CONSIDERATION

The following bills, having been called up, were considered for the second time and agreed to, and ordered transcribed for third consideration:

SB 315, PN 320; SB 1554, PN 2394; SB 1576, PN 2365; HB 1661, PN 4658; HB 1662, PN 4659; and HB 1663, PN 4660.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the gentleman, Mr. Argall, the chairman of the Appropriations Committee.

Mr. ARGALL. Mr. Speaker, I move that the following bills be recommitted to the Committee on Appropriations:

SB 315;
SB 1554;
SB 1576;
HB 1661;
HB 1662; and
HB 1663.

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. Mr. PERZEL. Mr. Speaker, I move that HB 8 be removed from the table.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 8 be put back upon the table.

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

**COMMUNICATION FROM
DEPARTMENT OF AGRICULTURE**

The SPEAKER. The Chair acknowledges receipt of the Biennial Report of the Pennsylvania Hardwoods Development Council pursuant to Act 116 of 1988.

(Copy of communication is on file with the Journal clerk.)

ACTUARIAL NOTES

The SPEAKER. The Chair acknowledges receipt of actuarial notes for amendment 6002 to SB 315, PN 320, and amendment No. 5955 to SB 315, PN 320; also, amendment 6001 to SB 315, PN 320, and amendment 5935 to SB 315, PN 320.

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

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman, Mr. Smith, who requests a leave of absence for the gentleman, Mr. PHILLIPS, for today's session; the gentleman, Mr. JADLOWIEC, for today's session; and the gentleman, Mr. ZIMMERMAN, for the week. The leaves will be granted, without objection. The Chair hears no objection.

The gentleman, Mr. Veon, is recognized. He requests leave for the lady, Mrs. LAUGHLIN, for the week. Without objection, leave will be granted. The Chair hears no objection.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take today's master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT—199

Adolph	Egolf	Maitland	Scavello
Allen	Evans, D.	Major	Schroder
Argall	Evans, J.	Manderino	Schuler
Armstrong, G.	Fairchild	Mann	Scrimenti
Armstrong, T.	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Buxton	Harhai	Nickol	Taylor, J.
Caltagirone	Harhart	O'Brien	Thomas
Cappelli	Harper	Oliver	Tigue
Casorio	Hasay	Pallone	Travaglio
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrarca	Trich
Clark	Hershey	Petrone	Tulli
Clymer	Hess	Pickett	Turzai
Cohen, L. I.	Horseby	Pippy	Vance
Cohen, M.	Hutchinson	Pistella	Veon
Colafella	James	Preston	Vitali
Coleman	Josephs	Raymond	Walko
Cornell	Kaiser	Readshaw	Wansacz
Corrigan	Keller	Reinard	Washington

Costa	Kenney	Rieger	Waters
Coy	Kirkland	Roberts	Watson
Creighton	Krebs	Robinson	Williams, J.
Cruz	LaGrotta	Roebuck	Wilt
Curry	Lawless	Rohrer	Wojnarowski
Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rubley	Yewcic
DeLuca	Levdansky	Ruffing	Youngblood
Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zug
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker
Eachus			

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Jadlowiec	Laughlin	Phillips	Zimmerman
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LEAVES ADDED—3

Grucela	Horse	Metcalf
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GUESTS INTRODUCED

The SPEAKER. The gentleman, Mr. McNaughton, has a number of guests here today. As I looked to the rear of the House, I thought the Flyers were in town, but instead, it is the midget team of the Lykens Tigers Football Association, here today as the guests of Mr. McNaughton. They are being honored today for capturing the 2002 AMFL (American Midget Football League) Super Bowl. This is the Lykens Tigers' third consecutive Super Bowl first-place finish. Would the team please rise.

FRANK FORMICA PRESENTED

The SPEAKER. Mr. DiGirolamo.

The Chair at this time recognizes the gentleman, Mr. DiGirolamo, who is going to introduce to us a very special guest. Mr. DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

And if I might have everybody's attention just for a couple of brief minutes. I thank everyone.

This is a very special day not only for me personally but also for my family, and we are all very, very proud of our heritage and our family members.

With me up here today, I have my great-uncle, Mr. Frank Formica, who is the brother of my grandmom, Theresa DiGirolamo, who passed away 20 years ago today; also the constituent of John Perzel, and Representative Perzel has a House citation that he is going to present to my Uncle Frank in a couple of minutes.

But until we get to that citation, I will tell you why he is getting the citation. I would just like to share a couple of thoughts with you.

We are surrounded here in Harrisburg, in our beautiful Capitol, by reminders of people who throughout the course of the history of our nation and of our great Commonwealth have

made a significant impact and a difference in the lives of the people of their generation and their era. Certainly their place in history is well documented. Behind me we have paintings of the reading of the Declaration of Independence, William Penn, Benjamin Franklin, Daniel Boone. Out in our beautiful rotunda in 1906, October of 1906, President Theodore Roosevelt came here and dedicated our Capitol Building.

But I am sure, in my mind – and I am sure many of you would agree with me – much of what we enjoy here in America and in our great Commonwealth of Pennsylvania, much of the credit for living in the greatest, the freest, the strongest, most prosperous nation that this world has ever known, much of that credit belongs to the millions of men and women who journeyed here to this country, immigrated here, at the turn of our last century. Their hard work, determination, and courage laid the foundation for what our great nation has become.

My uncle, Frank Formica, as I am sure many of your parents, grandparents, and great-grandparents, is one of those individuals. He came here at the age of 10 years old, raised his family. He has two daughters. He started a small business in the Holmesburg section of Philadelphia, which he owned and operated for almost 50 years, till he retired. Always remembered and kept focused on what was important to him: his family, his friends, his faith, being a good citizen, and most importantly, as all the immigrants did, they respected and loved their adopted country.

But that is not the real reason we are here today, because, my friends, you see, in 1906, when President Roosevelt was here in Harrisburg in October, Frank Formica, although he was still in his native country of Italy, was getting ready to celebrate his fourth birthday. When he arrived here in 1912 – that was the year the Titanic sank, by the way – he was, as I already mentioned, 10 years old.

My friends in the House, please join with me as we celebrate and welcome my uncle, Frank Formica, who, in a couple of days, December 4, will be celebrating his 100th birthday. Thank you.

This past Saturday, a week ago, my brother-in-law, Mike, went down to visit him, and when he got to the house, he found him outside in the yard raking leaves. He had already raked up five bags of leaves.

And I would also like to thank the Speaker, Mr. Ryan, and I would also like to point out, Matt, that when you first came up here some 40 years ago, my uncle, Frank Formica, was already 60 years old.

The SPEAKER. I am more interested in the story of raking leaves right now.

Mr. DiGIROLAMO. I would also at this time, before Representative Perzel comes up, I would like to introduce some of the family members who have come up to Harrisburg with him today.

First – and I might ask them to stand – his daughter, Rita, and her husband, Ed Latini; his other son-in-law, Al Herman; granddaughter, Susan. My mother, Helen DiGirolamo, is with us today. Mom, stand up. As you can see, she does not look a day over 50, and she told me, if I told everybody her age, that I would lose my invitation for Thanksgiving dinner on Thursday.

Also with us is my Uncle Joe and his wife, Mary, and my Uncle Joe is the mayor of Bensalem Township.

Now I would like to ask Representative Perzel to come down and present the citation.

Mr. PERZEL. Ladies and gentlemen, as Representative DiGirolamo just mentioned, Mr. Formica is a resident of Holmesburg, which is the area of the city of Philadelphia which I have the privilege of representing, along with Rita Latini and her husband.

But you have got to remember that Frank has been around before airplanes, before dishwashers, before basically all of the things that you and I have come to know and expect in our lives to make our lives that much better.

But it is just very, very interesting, and I want to say, Frank, thank you very much for supporting me 2 years ago. I mean, I needed it a lot more, and you were kind enough to be with me then, so thank you, Frank.

With that, I am not going to read the House of Representatives citation, but we would like to just say, Frank, congratulations, happy birthday, and we hope that you have 100 more.

With that, good luck, Frank.

LIQUOR CONTROL COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Reinard.

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, a committee announcement.

At the break of the House, the House Liquor Control Committee will meet in the rear of the House. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The House Liquor Control Committee will meet in the rear of the House at the break.

AGRICULTURE AND RURAL AFFAIRS COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Bunt, announces an Ag Committee meeting on the declaration of the recess.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

The SPEAKER. Mr. Semmel.

Mr. SEMMEL. Thank you, Mr. Speaker.

Also, at the call of the recess, the Veterans Affairs and Emergency Preparedness Committee will have a meeting at the rear.

The SPEAKER. The Veterans Affairs and Emergency Preparedness Committee will meet in the rear of the House at the call of the recess.

EDUCATION COMMITTEE MEETING

The SPEAKER. Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

At the call of the recess, there will be an Education Committee meeting in room 205 of the Ryan Office Building. Thank you.

The SPEAKER. There will be an Education Committee meeting in room 205 of the Ryan Office Building at the call of the recess.

URBAN AFFAIRS COMMITTEE MEETING

The SPEAKER. Mr. Raymond.

Mr. RAYMOND. Thank you, Mr. Speaker.

Mr. Speaker, at the call of recess, the House Urban Affairs Committee will have a meeting in the rear of the House.

The SPEAKER. The House Urban Affairs Committee will meet in the rear of the House at the call of recess.

FINANCE COMMITTEE MEETING

The SPEAKER. Mr. Boyes.

Mr. BOYES. Thank you, Mr. Speaker.

The House Finance Committee will meet at the rear of the House at the call of the recess.

The SPEAKER. At the call of the recess, the House Finance Committee will meet at the rear of the House.

HOUSE SCHEDULE

The SPEAKER. For the benefit of the Republican Caucus, there will be a Republican caucus on the declaration of the recess, until 2:30.

May I have your attention, please.

I have sent a memorandum out to all of the members – they should have been delivered to your desks – essentially saying that we have a jammed schedule if we are going to get out of here and have a turkey dinner someplace other than on the turnpike.

I am going to ask you, and I have consulted with the Democrat leaders as well as the Republican leaders and asked them for their cooperation on debate, limiting debate on a voluntary basis; debate on amendments, limited, please, on a voluntary basis. We have some 40 to 50 bills plus amendments to many of those bills, and you know what that can be like if we get into extended debate.

We have every intention of cleaning up this calendar, and if we do not get to it tomorrow or Wednesday, we may get to it Friday or Saturday. Now, that is not something that any one of us, I think, particularly is looking forward to.

The Republicans have a meeting offsite at 6 o'clock tonight. The Democrat Caucus has a leadership meeting tomorrow. So there are interruptions that are going to take place that we really cannot do anything about because of timing.

So I am simply going to ask for your cooperation once we get back and get started. I would ask that both caucuses do their very best to be back here by 2:30.

Mr. Cohen, is that satisfactory to you at this point? I did not mean to preempt you on that without asking.

Mr. COHEN. Yes, Mr. Speaker, but I am not sure how many bills we will do. But we will do whatever we can by 2:30 and let you know what we have done.

The SPEAKER. Very good. Thank you.

RULES COMMITTEE MEETING

The SPEAKER. There will be an immediate meeting of the Rules Committee.

**GAME AND FISHERIES
COMMITTEE MEETING**

The SPEAKER. Mr. Smith.

Mr. B. SMITH. Thank you, Mr. Speaker.

There will be an immediate meeting of the Game and Fisheries Committee at the rear of the House. We have two Senate bills to consider. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Game and Fisheries Committee will have an immediate meeting at the rear of the House.

VOTE CORRECTION

The SPEAKER. Ms. Bishop.

Ms. BISHOP. Thank you, Mr. Speaker.

I would like to correct the record, please, for Monday, November 18.

On HB 2574 my switch malfunctioned. I was voted in the positive. I wish to correct the record and be voted in the negative on that.

The SPEAKER. The remarks of the lady will be spread upon the record.

Ms. BISHOP. Thank you.

The SPEAKER. The Chair thanks the lady.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

The House Appropriations Committee will be prepared to meet at 2 o'clock.

The SPEAKER. Where?

Mr. ARGALL. Room 245.

The SPEAKER. Very good.

The Appropriations Committee will be meeting at 2 p.m. in room 245.

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 152, PN 4644

By Rep. PERZEL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding and amending definitions; further providing for certificates of title; providing for salvage, theft and reconstructed vehicles; further providing for registration of vehicles, for licensing of drivers, for commercial driver's license, for disqualification, for drivers prohibited from operating with any alcohol in system, for license fees, for annual hauling permits, for passing school buses, for stopping, standing and parking, for pedalcycle use on freeways, for abandonment and stripping of vehicles, for driving under influence of alcohol or controlled substance and for rear wheel shields; providing for restitution of property owners; further providing for inspection requirements; providing for application to tow trucks; further providing for permit for moving of wooden structures, for permit for movement of waste coal and beneficial combustion ash, for official inspection stations, for authority to issue special size and weight permits, for abandoned vehicles and cargos and for messenger service; and providing for the messenger and agent advisory committee.

RULES.

HB 235, PN 4677 (Amended)

By Rep. PERZEL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for unauthorized publication of name or likeness; and establishing a right of action.

RULES.

HB 1686, PN 4603

By Rep. PERZEL

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, further providing for local library use of incentive for excellence funds.

RULES.

RECESS

The SPEAKER. Does the majority leader or minority leader or any of the members have any further announcements?

Hearing none, this House stands in recess until 2:30.

RECESS EXTENDED

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

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(PATRICIA H. VANCE) PRESIDING**

CONFERENCE COMMITTEE MEETING

The SPEAKER pro tempore. The gentleman from Bucks County, Mr. Clymer, calls for a meeting of the conference committee on HB 590 at 3:10 p.m. in room 245.

RECESS

The SPEAKER pro tempore. This House now stands in recess to the call of the Chair.

AFTER RECESS

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

**THE SPEAKER (MATTHEW J. RYAN)
PRESIDING**

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman, Mr. Veon, who requests that the gentleman, Mr. HORSEY, be placed on leave for the balance of the day. Without objection, leave will be granted. The Chair hears no objection.

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED**

HB 2588, PN 4687 (Amended) By Rep. BUNT

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for purchase of agricultural conservation easements; and abrogating a regulation.

AGRICULTURE AND RURAL AFFAIRS.

SB 514, PN 532 By Rep. KENNEY

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

URBAN AFFAIRS.

SB 958, PN 1139 By Rep. BOYES

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for exclusions from sales and use tax.

FINANCE.

SB 1365, PN 2412 By Rep. REINARD

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, defining "arts council," "eligible entity" and "pecuniary interest"; and further providing for the definitions of "eating place" and "restaurant," for bonds required of members and secretary, for board and enforcement bureau subject to State ethics and adverse interest acts, for wine marketing, for when sales may be made at Pennsylvania liquor stores, for sales by Pennsylvania liquor stores, for applications for hotel, restaurant and club liquor licenses, for issuance of hotel, restaurant and club liquor licenses, for sales by liquor licensees, for secondary service area, for special occasion permits, for sacramental wine licenses, for liquor importers' licenses, for malt and brewed beverages (excluding manufacturers), for malt and brewed beverages retail licenses, for application for distributors', importing distributors' and retail dispensers' licenses, for prohibitions against the grant of licenses, for retail dispensers' restrictions on purchases and sales, for hearings upon refusal of licenses, renewals or transfers, for renewal of licenses, for revocation and suspension of licenses, for local option and for exchange of certain licenses; providing for surrender of restaurant, eating place retail dispenser, hotel, importing distributor and distributor license for benefit of licensee; further providing for renewal of amusement permit, for unlawful acts relative to liquor, alcohol and liquor licensees, for unlawful acts relative to malt or brewed beverages and licensees, for unlawful acts relative to liquor, malt and brewed beverages and licensees, for unlawful advertising, for limited wineries and for business hours.

LIQUOR CONTROL.

SB 1569, PN 2393 By Rep. SEMMEL

An Act providing for counterterrorism planning, preparedness and response; imposing powers and duties on the Pennsylvania Emergency Management Agency, the Department of Health, counties and municipalities; and providing for the organization of various response teams.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

BILLS REREPORTED FROM COMMITTEE

SB 14, PN 2379 By Rep. ARGALL

An Act relating to the satisfaction of residential and other mortgages; providing for certain forms; and making repeals.

APPROPRIATIONS.

SB 82, PN 923 By Rep. ARGALL

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

APPROPRIATIONS.

SB 253, PN 2417 (Amended) By Rep. ARGALL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for international commercial arbitration; further providing for attachment of personal earnings; and making a repeal.

APPROPRIATIONS.

SB 460, PN 2321 By Rep. ARGALL

An Act amending the act of February 18, 1998 (P.L.146, No.22), known as the Check Casher Licensing Act, further providing for license terms and fees, for fees and charges and for applicability.

APPROPRIATIONS.

SB 596, PN 2418 (Amended) By Rep. ARGALL

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for election and eligibility of supervisors and for acquisition of lands and buildings.

APPROPRIATIONS.

SB 831, PN 2289 By Rep. ARGALL

An Act amending the act of June 6, 1980 (P.L.197, No.57), known as the Optometric Practice and Licensure Act, further defining "examination and diagnosis" and "practice of optometry"; and providing for requirements concerning pharmaceutical agents for the treatment of glaucoma and for approval of drugs.

APPROPRIATIONS.

SB 1204, PN 1547 By Rep. ARGALL

An Act amending the act of May 9, 1949 (P.L.908, No.250), entitled, as amended, "An act relating to public records of political subdivisions other than cities and counties of the first class; authorizing the recording and copying of documents, plats, papers and instruments of writing by photostatic, photographic, microfilm or other mechanical process, and the admissibility thereof and enlargements thereof in evidence; providing for the storage of duplicates and sale of microfilm copies of official records and for the destruction of other records deemed valueless; and providing for the services of the Pennsylvania

Historical and Museum Commission to political subdivisions," further providing for methods for the copying of certain records.

APPROPRIATIONS.

SB 1208, PN 2388

By Rep. ARGALL

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, further defining "practice of professional nursing"; further providing for the duties of the State Board of Nursing; providing for certified registered nurse practitioners and for their scope of practice and prescriptive authority; establishing the Drug Review Committee; and making a repeal.

APPROPRIATIONS.

SB 1222, PN 2158

By Rep. ARGALL

An Act amending Title 17 (Credit Unions) of the Pennsylvania Consolidated Statutes, relating to credit unions; making revisions, corrections and additions; providing for parity with Federal credit unions and for involuntary dissolution; and making editorial changes.

APPROPRIATIONS.

SB 1258, PN 2053

By Rep. ARGALL

An Act amending the act of May 15, 1933 (P.L.565, No.111), known as the Department of Banking Code, making extensive changes to modernize and update the law in the general areas of preliminary provisions; jurisdiction and maintenance of the Department of Banking; restrictions upon department and employees; examinations by and reports to the department; action by department after offenses by, or changes in, condition of institutions; taking of possession by the Secretary of Banking as receiver and surrender of possession; rights, powers and duties of secretary as receiver; secretary in possession of trust department; proof of claims, accounting and distribution; and special criminal history record information provisions.

APPROPRIATIONS.

SB 1396, PN 1914

By Rep. ARGALL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for length of vehicles.

APPROPRIATIONS.

SB 1402, PN 2419 (Amended)

By Rep. ARGALL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of forgery; and providing for computer offenses and for penalties.

APPROPRIATIONS.

SB 1439, PN 2359

By Rep. ARGALL

An Act relating to alternative fuels; establishing the Alternative Fuels Incentive Grant Fund; authorizing grants to promote the use of alternative fuels; providing for annual report; imposing duties on the Department of Environmental Protection, the Department of Transportation, the Department of Revenue and the Environmental Quality Board; making an appropriation; and making a repeal.

APPROPRIATIONS.

SB 1465, PN 2406

By Rep. ARGALL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for superintendent compliance with board of school directors action; establishing criteria and authority for school districts to include character education in curriculum planning and the Character Education Grant Program; and further providing for high school certificates.

APPROPRIATIONS.

SB 1528, PN 2244

By Rep. ARGALL

An Act providing for a deposit into the Agricultural Conservation Easement Purchase Fund.

APPROPRIATIONS.

SB 1554, PN 2394

By Rep. ARGALL

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for composition of commission, its membership and removal of commission members, for proposed regulations, procedures and criteria for review, and for final-form regulations and final-omitted regulations, procedures and criteria for review; providing for criteria for review of regulations; and further providing for procedures for disapproval of final-form and final-omitted regulations and emergency-certified regulations, for procedures for subsequent review of disapproved final-form or final-omitted regulations and for existing regulations.

APPROPRIATIONS.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 805, PN 895**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for electricity supplied to certain organizations.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 805 be recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **HB 2765, PN 4400**, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further defining “dispensing machine” and “games of chance.”

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 2765 be recommitted to the Committee on Rules.

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

* * *

The House proceeded to third consideration of **SB 1242, PN 2391**, entitled:

An Act providing for the adoption of capital projects to be financed from the incurring of debt or from current revenue of the Fish Fund and the Boat Fund; and making a repeal.

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

Mr. **SOLOBAY** offered the following amendment No. **A6004**:

Amend Sec. 2, page 2, line 29, by striking out “\$49,960,000” and inserting

\$54,460,000

Amend Sec. 3, page 6, by inserting between lines 13 and 14
(xiii) Washington County

(A) Dredging of Canonsburg Lake 4,500,000

Amend Sec. 4, page 6, line 20, by striking out “\$49,960,000” and inserting

\$54,460,000

Amend Sec. 7, page 7, line 13, by striking out “\$49,960,000” and inserting

\$54,460,000

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

The following roll call was recorded:

YEAS—196

Adolph	Eachus	Major	Schroder
Allen	Egolf	Manderino	Schuler
Argall	Evans, D.	Mann	Scrimenti
Armstrong, G.	Evans, J.	Markosek	Semmel
Armstrong, T.	Fairchild	Marsico	Shaner
Baker, J.	Feese	Mayernik	Smith, B.
Baker, M.	Fichter	McCall	Smith, S. H.
Bard	Fleagle	McGeehan	Solobay

Barrar	Flick	McGill	Staback
Bastian	Forcier	McIlhattan	Stairs
Bebko-Jones	Frankel	McIlhinney	Steelman
Belardi	Freeman	McNaughton	Steil
Belfanti	Gabig	Melio	Stern
Benninghoff	Geist	Metcalfe	Stetler
Birmelin	George	Michlovic	Stevenson, R.
Bishop	Godshall	Micozzie	Stevenson, T.
Blaum	Gordner	Miller, R.	Strittmatter
Boyes	Grucela	Miller, S.	Sturla
Brooks	Gruitza	Mundy	Surra
Browne	Habay	Myers	Tangretti
Bunt	Haluska	Nailor	Taylor, E. Z.
Butkovitz	Hanna	Nickol	Taylor, J.
Buxton	Harhai	O’Brien	Thomas
Caltagirone	Harhart	Oliver	Tigue
Cappelli	Harper	Perzel	Travaglio
Casorio	Hasay	Petrarca	Trello
Cawley	Hennessey	Petrone	Trich
Civera	Herman	Pickett	Tulli
Clark	Hershey	Pippy	Turzai
Clymer	Hess	Pistella	Vance
Cohen, L. I.	Hutchinson	Preston	Veon
Cohen, M.	James	Raymond	Vitali
Colafella	Josephs	Readshaw	Walko
Coleman	Kaiser	Reinard	Wansacz
Cornell	Keller	Rieger	Washington
Corrigan	Kenney	Roberts	Waters
Costa	Kirkland	Robinson	Watson
Coy	Krebs	Roebuck	Williams, J.
Creighton	LaGrotta	Rohrer	Wilt
Cruz	Lawless	Rooney	Wojnaroski
Curry	Lederer	Ross	Wright, G.
Dailey	Leh	Rubley	Wright, M.
Daley	Lescovitz	Ruffing	Yewcic
Dally	Levdansky	Sainato	Youngblood
DeLuca	Lewis	Samuelson	Yudichak
Dermody	Lucyk	Santoni	Zug
DeWeese	Lynch	Sather	
DiGirolamo	Mackereth	Saylor	
Diven	Maher	Scavello	Ryan,
Donatucci	Maitland		Speaker

NAYS—0

NOT VOTING—2

Gannon Pallone

EXCUSED—5

Horsley Laughlin Phillips Zimmerman
Jadlowiec

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

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—197

Adolph	Egolf	Major	Schroder
Allen	Evans, D.	Manderino	Schuler
Argall	Evans, J.	Mann	Scrimenti
Armstrong, G.	Fairchild	Markosek	Semmel
Armstrong, T.	Feese	Marsico	Shaner
Baker, J.	Fichter	Mayernik	Smith, B.
Baker, M.	Fleagle	McCall	Smith, S. H.
Bard	Flick	McGeehan	Solobay
Barrar	Forcier	McGill	Staback
Bastian	Frankel	McIlhattan	Stairs
Bebko-Jones	Freeman	McIlhinney	Steelman
Belardi	Gabig	McNaughton	Steil
Belfanti	Gannon	Melio	Stern
Benninghoff	Geist	Metcalfe	Stetler
Birmelin	George	Michlovic	Stevenson, R.
Bishop	Godshall	Micozzie	Stevenson, T.
Blaum	Gordner	Miller, R.	Strittmatter
Boyes	Grucela	Miller, S.	Sturla
Brooks	Gruitza	Mundy	Surra
Browne	Habay	Myers	Tangretti
Bunt	Haluska	Nailor	Taylor, E. Z.
Butkovitz	Hanna	Nickol	Taylor, J.
Buxton	Harhai	O'Brien	Thomas
Caltagirone	Harhart	Oliver	Tigue
Cappelli	Harper	Pallone	Travaglio
Casorio	Hasay	Perzel	Trello
Cawley	Hennessey	Petrarca	Trich
Civera	Herman	Petrone	Tulli
Clark	Hershey	Pickett	Turzai
Clymer	Hess	Pippy	Vance
Cohen, L. I.	Hutchinson	Pistella	Veon
Cohen, M.	James	Preston	Vitali
Colafella	Josephs	Raymond	Walko
Coleman	Kaiser	Readshaw	Wansacz
Cornell	Keller	Reinard	Washington
Corrigan	Kenney	Rieger	Waters
Costa	Kirkland	Roberts	Watson
Coy	Krebs	Robinson	Williams, J.
Creighton	LaGrotta	Roebuck	Wilt
Cruz	Lawless	Rohrer	Wojnaroski
Curry	Lederer	Rooney	Wright, G.
Dailey	Leh	Ross	Wright, M.
Daley	Lescovitz	Rubley	Yewcic
Dally	Levdansky	Ruffing	Youngblood
DeLuca	Lewis	Sainato	Yudichak
Dermody	Lucyk	Samuelson	Zug
DeWeese	Lynch	Santoni	
Diven	Mackereth	Sather	
Donatucci	Maher	Saylor	Ryan,
Eachus	Maitland	Scavello	Speaker

NAYS—0

NOT VOTING—1

DiGirolamo

EXCUSED—5

Horsely	Laughlin	Phillips	Zimmerman
Jadlowiec			

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2410, PN 4453**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, of the Pennsylvania Consolidated Statutes, further providing for definitions, for grounds for refusing registration and for renewal of registration; providing for motor carrier vehicles; further providing for operation following suspension of registration and for suspension of registration; providing for suspension of motor carrier vehicle registration; further providing for suspension of operating privilege, for schedule of convictions and points, for occupational limited license, for duty of driver in construction and maintenance areas, for special speed limitations, for availability of benefits, for trucks and truck tractors and for speed timing devices; providing for accidents involving certain vehicles; further providing for unlawful activities; providing for lighted head lamps in work zones; further providing for restraint systems, for operation of vehicle without official certificate of inspection and for inspection by police or Commonwealth personnel; providing for designation of highway safety corridors; further providing for erection of traffic-control devices while working; requiring certain traffic-control devices in highway work zones; and requiring a study by the Legislative Budget and Finance Committee.

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—194

Adolph	Donatucci	Maher	Saylor
Allen	Eachus	Maitland	Scavello
Argall	Egolf	Major	Schroder
Armstrong, G.	Evans, D.	Manderino	Schuler
Armstrong, T.	Evans, J.	Mann	Scrimenti
Baker, J.	Fairchild	Markosek	Semmel
Baker, M.	Feese	Marsico	Shaner
Bard	Fichter	Mayernik	Smith, B.
Barrar	Fleagle	McCall	Smith, S. H.
Bastian	Flick	McGeehan	Solobay
Bebko-Jones	Forcier	McGill	Staback
Belardi	Frankel	McIlhattan	Stairs
Belfanti	Freeman	McIlhinney	Steelman
Benninghoff	Gabig	McNaughton	Steil
Birmelin	Gannon	Melio	Stern
Bishop	Geist	Metcalfe	Stetler
Blaum	George	Michlovic	Stevenson, R.
Boyes	Godshall	Micozzie	Stevenson, T.
Brooks	Gordner	Miller, R.	Strittmatter
Browne	Grucela	Miller, S.	Sturla
Bunt	Gruitza	Mundy	Surra
Butkovitz	Habay	Myers	Tangretti
Buxton	Hanna	Nailor	Taylor, E. Z.
Caltagirone	Harhai	O'Brien	Taylor, J.
Cappelli	Harhart	Oliver	Thomas
Casorio	Harper	Pallone	Tigue
Cawley	Hasay	Perzel	Travaglio
Civera	Hennessey	Petrarca	Trello
Clark	Herman	Petrone	Trich
Clymer	Hershey	Pickett	Tulli
Cohen, L. I.	Hess	Pippy	Turzai
Cohen, M.	Hutchinson	Pistella	Vance
Colafella	James	Preston	Veon
Coleman	Josephs	Raymond	Walko
Cornell	Kaiser	Readshaw	Wansacz
Corrigan	Keller	Reinard	Washington
Costa	Kenney	Rieger	Waters

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.

Coy	Kirkland	Roberts	Watson
Creighton	Krebs	Robinson	Williams, J.
Cruz	LaGrotta	Roebuck	Wilt
Curry	Lawless	Rohrer	Wojnaroski
Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rubley	Youngblood
DeLuca	Levdansky	Ruffing	Yudichak
Dermody	Lewis	Sainato	Zug
DeWeese	Lucyk	Samuelson	
DiGirolamo	Lynch	Santoni	Ryan,
Diven	Mackereth	Sather	Speaker

NAYS—4

Haluska	Nickol	Vitali	Yewcic
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NOT VOTING—0

EXCUSED—5

Horsley	Laughlin	Phillips	Zimmerman
Jadlowiec			

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.

RESOLUTION

Mr. T. ARMSTRONG called up **HR 730, PN 4643**, entitled:

A Resolution establishing the Information Technology and Electronic Commerce Advisory Council and Committee on Information Technology and Electronic Commerce and providing for their powers and duties.

On the question,
Will the House adopt the resolution?

RESOLUTION RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HR 730 be recommitted to Rules.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2962, PN 4565**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for official records of coroner.

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

Mr. **GODSHALL** offered the following amendment No. **A5620**:

Amend Title, page 1, line 9, by removing the period after “coroner” and inserting
and for authorization of hotel tax.

Amend Bill, page 2, by inserting between lines 6 and 7
Section 2. Section 1770.6(c) of the act, added December 22, 2000 (P.L.1019, No.142), is amended to read:

Section 1770.6. Authorization of Hotel Tax.—* * *

(c) The treasurer of each county electing to impose the tax authorized under this section shall collect the tax and deposit the revenues received from the tax in a special fund established for that purpose. Subsequent to the deduction for administrative costs established in subsection (e), the county shall distribute to the recognized tourist promotion agency all revenues received from the tax not later than sixty days after receipt of the tax revenues. The revenues from the special fund shall be used by the recognized tourist promotion agency for [the purposes of tourism, convention promotion and tourism development.] any or all of the following purposes:

- (1) Convention promotion.
- (2) Tourism development.
- (3) Marketing the area served by the agency as a leisure travel destination.
- (4) Marketing the area served by the agency as a business travel destination.
- (5) Using all appropriate marketing tools to accomplish these purposes, including, but not limited to, advertising, publicity, publications, direct marketing, direct sales and participation in travel trade shows.

Amend Sec. 2, page 2, line 9, by striking out “2. THIS” and inserting

3. The amendment to section 1251 of the

Amend Sec. 3, page 2, line 11, by striking out “3. THIS” and inserting

4. The amendment to section 1251 of the

Amend Sec. 4, page 2, line 15, by striking out “4” and inserting
5

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

The SPEAKER. On the question of the adoption of the Godshall amendment, Mr. Vitali.

Mr. Godshall, would you briefly describe your amendment.
Mr. Godshall, briefly describe your amendment, please.

Mr. Godshall, you have been requested to briefly describe your amendment.

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 2410, PN 4453

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, of the Pennsylvania Consolidated Statutes, further providing for definitions, for grounds for refusing registration and for renewal of registration; providing for motor carrier vehicles; further providing for operation following suspension of registration and for suspension of registration; providing for suspension of motor carrier vehicle registration; further providing for suspension of operating privilege, for schedule of convictions and points, for occupational limited license, for duty of driver in construction and maintenance areas, for special speed limitations, for availability of

benefits, for trucks and truck tractors and for speed timing devices; providing for accidents involving certain vehicles; further providing for unlawful activities; providing for lighted head lamps in work zones; further providing for restraint systems, for operation of vehicle without official certificate of inspection and for inspection by police or Commonwealth personnel; providing for designation of highway safety corridors; further providing for erection of traffic-control devices while working; requiring certain traffic-control devices in highway work zones; and requiring a study by the Legislative Budget and Finance Committee.

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

CONSIDERATION OF HB 2962 CONTINUED

The SPEAKER. Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

I was not sure which amendment was coming up.

That amendment reaffirms what we did the last session as to what, exactly what, the hotel tax or room tax could be used for, and the purpose of the room tax when we passed it last year specifically dealt with tourism purposes. This reaffirms that and specifically outlines what kinds of tourism activities the moneys can be used for.

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

The following roll call was recorded:

YEAS—163

Adolph	Donatucci	Major	Samuelson
Allen	Eachus	Manderino	Santoni
Argall	Egolf	Markosek	Sather
Armstrong, G.	Evans, D.	Marsico	Saylor
Armstrong, T.	Fairchild	Mayernik	Schuler
Baker, J.	Feese	McCall	Semmel
Baker, M.	Fichter	McGeehan	Shaner
Bard	Fleagle	McGill	Smith, B.
Barrar	Flick	McIlhattan	Smith, S. H.
Bastian	Forcier	McIlhinney	Solobay
Bebko-Jones	Frankel	McNaughton	Staback
Belardi	Freeman	Melio	Stairs
Belfanti	Gabig	Metcalfe	Steelman
Birmelin	Gannon	Michlovic	Steil
Bishop	George	Micozzie	Stetler
Blaum	Godshall	Miller, R.	Stevenson, R.
Brooks	Gordner	Miller, S.	Stevenson, T.
Bunt	Grucela	Mundy	Strittmatter
Butkovitz	Gruitza	Myers	Surra
Buxton	Haluska	Nailor	Tangretti
Caltagirone	Hanna	Nickol	Taylor, J.
Cappelli	Harhai	O'Brien	Thomas
Casorio	Harper	Oliver	Travaglio
Cawley	Herman	Pallone	Trello
Civera	Hutchinson	Perzel	Trich
Clark	James	Petrarca	Tulli
Clymer	Josephs	Petrone	Vance
Cohen, L. I.	Kaiser	Pickett	Veon
Cohen, M.	Keller	Pistella	Walko
Colafella	Kenney	Preston	Wansacz
Cornell	Kirkland	Raymond	Washington
Corrigan	LaGrotta	Readshaw	Waters
Costa	Lawless	Reinard	Watson
Coy	Lederer	Rieger	Williams, J.
Cruz	Leh	Roberts	Wojnarowski
Curry	Lescovitz	Robinson	Wright, G.
Daley	Levdansky	Roebuck	Wright, M.
DeLuca	Lucyk	Rohrer	Youngblood

Dermody	Lynch	Rooney	
DeWeese	Mackereth	Ruffing	Ryan,
DiGirolamo	Maitland	Sainato	Speaker
Diven			

NAYS—34

Boyes	Harhart	Pippy	Taylor, E. Z.
Browne	Hasay	Ross	Tigue
Coleman	Hennessey	Rubley	Turzai
Creighton	Hershey	Scavello	Vitali
Dailey	Hess	Schroder	Wilt
Dally	Krebs	Scrimenti	Yewcic
Evans, J.	Lewis	Stern	Yudichak
Geist	Maher	Sturla	Zug
Habay	Mann		

NOT VOTING—1

Benninghoff

EXCUSED—5

Horsey	Laughlin	Phillips	Zimmerman
Jadlowiec			

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

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

Mr. GODSHALL offered the following amendment No. **A5622**:

Amend Title, page 1, line 9, by removing the period after “coroner” and inserting

and for the definition of “permanent resident” regarding the hotel tax authorization.

Amend Bill, page 2, by inserting between lines 8 and 9

Section 2. The definition of “permanent resident” in section 1770.6(f) of the act, added December 22, 2000 (P.L.1019, No.142), is amended to read:

Section 1770.6. Authorization of Hotel Tax.—* * *

(f) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

* * *

“Permanent resident.” A person who has occupied or has the right to occupancy of a room or rooms in a hotel as a patron or otherwise for a period exceeding [sixty] thirty consecutive days.

* * *

Amend Sec. 2, page 2, line 9, by striking out “2. THIS” and inserting

3. The amendment of section 1251 of the

Amend Sec. 3, page 2, line 11, by striking out “3. THIS” and inserting

4. The amendment of section 1251 of the

Amend Sec. 4, page 2, line 15, by striking out “4” and inserting

5

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

The SPEAKER. On the question of the adoption of the amendment, the Chair would ask the gentleman, Mr. Godshall, to briefly explain his amendment.

Mr. GODSHALL. This is a technical change. It changes the definition of “permanent resident” to mean a person staying in a hotel for more than 30 consecutive days instead of 60. This brings the law into conformity with the other room tax laws that we have in the State of Pennsylvania. It just changes from 60 to 30 what is a permanent resident.

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

The following roll call was recorded:

YEAS—187

Adolph	Egolf	Mann	Schroder
Allen	Evans, D.	Markosek	Schuler
Argall	Evans, J.	Marsico	Scrimenti
Armstrong, G.	Fairchild	Mayernik	Semmel
Armstrong, T.	Feese	McCall	Shaner
Baker, J.	Fichter	McGeehan	Smith, B.
Baker, M.	Fleagle	McGill	Smith, S. H.
Bard	Flick	McIlhattan	Solobay
Barrar	Forcier	McIlhinney	Staback
Bastian	Frankel	McNaughton	Stairs
Bebko-Jones	Freeman	Melio	Steelman
Belardi	Gabig	Metcalfe	Steil
Belfanti	Gannon	Michlovic	Stern
Benninghoff	Geist	Micozzie	Stetler
Birmelin	George	Miller, R.	Stevenson, R.
Bishop	Godshall	Miller, S.	Stevenson, T.
Blaum	Gordner	Mundy	Strittmatter
Boyes	Grucela	Myers	Sturla
Brooks	Gruitza	Nailor	Surra
Bunt	Haluska	Nickol	Tangretti
Butkovitz	Hanna	O'Brien	Taylor, E. Z.
Buxton	Harhai	Oliver	Taylor, J.
Caltagirone	Harper	Pallone	Thomas
Cappelli	Hennessey	Perzel	Travaglio
Casorio	Herman	Petrarca	Trello
Cawley	Hershey	Petrone	Trich
Civera	Hess	Pickett	Tulli
Clark	Hutchinson	Pistella	Vance
Clymer	James	Preston	Veon
Cohen, L. I.	Josephs	Raymond	Vitali
Cohen, M.	Kaiser	Readshaw	Walko
Colafella	Keller	Reinard	Wansacz
Coleman	Kenney	Rieger	Washington
Cornell	Kirkland	Roberts	Waters
Corrigan	Krebs	Robinson	Watson
Costa	LaGrotta	Roebuck	Williams, J.
Coy	Lawless	Rohrer	Wilt
Cruz	Lederer	Rooney	Wojnaroski
Curry	Leh	Ross	Wright, G.
Dailey	Lescovitz	Rubley	Wright, M.
Daley	Levdansky	Ruffing	Yewcic
DeLuca	Lucyk	Sainato	Youngblood
Dermody	Lynch	Samuelson	Yudichak
DeWeese	Mackereth	Santoni	Zug
DiGirolamo	Maitland	Sather	
Diven	Major	Saylor	Ryan,
Donatucci	Manderino	Scavello	Speaker
Eachus			

NAYS—11

Browne	Habay	Lewis	Tigue
Creighton	Harhart	Maher	Turzai
Dally	Hasay	Pippy	

NOT VOTING—0

EXCUSED—5

Horsely Laughlin Phillips Zimmerman
Jadlowiec

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 third consideration as amended?

Mr. GODSHALL offered the following amendment No. **A5808**:

Amend Title, page 1, line 9, by removing the period after “coroner” and inserting

and for the definition of “recognized tourist promotion agency.”

Amend Bill, page 2, by inserting between lines 6 and 7

Section 2. The definition of “recognized tourist promotion agency” in section 1770.6 of the act, added December 22, 2000 (P.L.1019, No.142), is amended to read:

Section 1770.6. Authorization of Hotel Tax.—* * *

(f) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

* * *

“Recognized tourist promotion agency.” The nonprofit corporation, organization, association or agency designated to be such by the board of commissioners as of January 1, 2002, or which succeeds such nonprofit corporation, organization, association or agency which was decertified by reason of malfeasance or fraud, which is engaged in planning and promoting programs designed to stimulate and increase the volume of tourist, visitor and vacation business within counties served by the agency as that term is defined in the act of April 28, 1961 (P.L.111, No.50), known as the “Tourist Promotion Law.”

* * *

Amend Sec. 2, page 2, line 9, by striking out “2. THIS ACT” and inserting

3. The amendment of section 1251 of the act

Amend Sec. 3, page 2, line 11, by striking out “3. THIS ACT” and inserting

4. The amendment of section 1251 of the act

Amend Sec. 4, page 2, line 15, by striking out “4” and inserting
5

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

The SPEAKER. Will the gentleman explain it briefly.

Mr. GODSHALL. Thank you, Mr. Speaker.

This amendment 5808 clarifies the definition of “recognized tourist promotion agency” to be those TPAs recognized as of January 1, 2002. This applies only to the 45 counties that are covered under Act 142 of 2000.

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

The following roll call was recorded:

YEAS—188

Adolph	Diven	Manderino	Schroder
Allen	Donatucci	Mann	Schuler
Argall	Eachus	Markosek	Scrimenti
Armstrong, G.	Egolf	Marsico	Semmel
Armstrong, T.	Evans, D.	Mayermik	Shaner
Baker, J.	Evans, J.	McCall	Smith, B.
Baker, M.	Fairchild	McGeehan	Smith, S. H.
Bard	Feese	McGill	Solobay
Barrar	Fichter	McIlhattan	Staback
Bastian	Fleagle	McIlhinney	Stairs
Bebko-Jones	Flick	McNaughton	Steelman
Belardi	Forcier	Melio	Steil
Belfanti	Frankel	Metcalfe	Stetler
Benninghoff	Freeman	Michlovic	Stevenson, R.
Birmelin	Gabig	Micozzie	Stevenson, T.
Bishop	Gannon	Miller, R.	Strittmatter
Blaum	George	Miller, S.	Sturla
Boyes	Godshall	Mundy	Surra
Brooks	Gordner	Myers	Tangretti
Browne	Grucela	Nailor	Taylor, E. Z.
Bunt	Gruitza	Nickol	Taylor, J.
Butkovitz	Haluska	O'Brien	Thomas
Buxton	Hanna	Oliver	Tigue
Caltagirone	Harhai	Pallone	Travaglio
Cappelli	Harhart	Perzel	Trello
Casorio	Harper	Petrarca	Trich
Cawley	Hennessey	Petrone	Tulli
Civera	Herman	Pickett	Vance
Clark	Hershey	Pistella	Veon
Clymer	Hutchinson	Preston	Vitali
Cohen, L. I.	James	Raymond	Walko
Cohen, M.	Josephs	Readshaw	Wansacz
Colafella	Kaiser	Reinard	Washington
Coleman	Keller	Rieger	Waters
Cornell	Kenney	Roberts	Watson
Corrigan	Kirkland	Robinson	Williams, J.
Costa	Krebs	Roebuck	Wilt
Coy	LaGrotta	Rohrer	Wojnaroski
Creighton	Lawless	Rooney	Wright, G.
Cruz	Lederer	Ross	Wright, M.
Curry	Leh	Rubley	Yewcic
Dailey	Lescovitz	Ruffing	Youngblood
Daley	Levdansky	Sainato	Yudichak
Dally	Lucyk	Samuelson	Zug
DeLuca	Lynch	Santoni	
Dermody	Mackereth	Saylor	
DeWeese	Maitland	Scavello	Ryan,
DiGirolamo	Major		Speaker

NAYS—10

Geist	Hess	Pippy	Stern
Habay	Lewis	Sather	Turzai
Hasay	Maier		

NOT VOTING—0

EXCUSED—5

Horsely	Laughlin	Phillips	Zimmerman
Jadlowiec			

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 third consideration as amended?

Mr. MAHER offered the following amendment No. A5752:

Amend Sec. 1 (Sec. 1251), page 2, lines 3 through 6, by striking out “provided that the coroner may not” in line 3, all of lines 4 through 6 and inserting

provided that the coroner may request information relating to an ongoing criminal law enforcement investigation or prosecution be sealed upon good cause shown, pursuant to section 2.

Amend Bill, page 2, lines 9 through 14, by striking out all of said lines and inserting

Section 2. The act is amended by adding a section to read:

Section 1251.1. Sealing Information.—(a) When the coroner finds that disclosure of records will be prejudicial to an ongoing criminal investigation, such records may be sealed, as follows:

(1) Upon motion and hearing, the records relating to the investigation shall be presented by the coroner to a judge of the court of common pleas or an appellate court justice or judge.

(2) The coroner will include the facts and circumstances which are alleged to establish good cause for the sealing and the court at its discretion may require an in camera review of the record.

(3) The judge seals the coroner’s record then the judge will certify that the court weighed the right to public disclosure against the threat to an ongoing investigation and shall state the length of time the information will be sealed.

(b) The record will be sealed for a period of not more than thirty (30) days, unless the time period is extended as provided in subsection (c).

(c) Upon motion of the coroner for good cause shown, the justice or judge who sealed the coroner’s records may extend the period of time that the record will remain sealed. If the judge is not available, another justice or judge shall be assigned to decide the motion.

Amend Sec. 4, page 2, line 15, by striking out “4” and inserting

3

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the amendment, Mr. Maher.

Mr. Smith, on the amendment.

Mr. S. SMITH. Mr. Speaker, I would defer to the sponsor of the amendment. He is now on the floor.

The SPEAKER. Mr. Maher, would you please explain your amendment to this bill.

Mr. MAHER. Thank you, Mr. Speaker.

This amendment accomplishes two goals to strengthen the bill. The first goal is to restore discretion with the coroner’s office. The second is to permit for the permanent seal of unsavory photographs and such so that they do not ultimately wind up circulated by the Internet or by other means.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. Benninghoff.

Mr. BENNINGHOFF. If I could.

For whatever it is worth, I just want to bring to the members’ attention, I did speak with the Coroners Association just a couple minutes ago, and I respectfully respect the member’s wanting to offer this amendment, but they oppose this. They want the bill to run without this amendment. They are concerned that it will take away their discretionary ability and put it in the hands of the courts, and I think that you ought to consider that. Thank you.

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

The following roll call was recorded:

YEAS—145

Adolph	Flick	McGeehan	Smith, S. H.
Allen	Frankel	McGill	Solobay
Baker, J.	Freeman	McIlhinney	Staback
Bard	Gannon	Melio	Stairs
Bebko-Jones	George	Metcalfe	Steelman
Belardi	Gordner	Michlovic	Stetler
Bishop	Gruitza	Micozzie	Stevenson, T.
Blaum	Habay	Miller, R.	Sturla
Brooks	Haluska	Mundy	Surra
Bunt	Hanna	Myers	Tangretti
Butkovitz	Harhai	Nailor	Taylor, J.
Buxton	Harper	Nickol	Thomas
Caltagirone	Hennessey	O'Brien	Tigue
Casorio	Hershey	Oliver	Travaglio
Cawley	James	Pallone	Trello
Clark	Josephs	Perzel	Trich
Clymer	Kaiser	Petrarca	Tulli
Cohen, L. I.	Keller	Petrone	Turzai
Cohen, M.	Kenney	Pippy	Vance
Colafella	Kirkland	Pistella	Veon
Cornell	LaGrotta	Preston	Vitali
Corrigan	Lawless	Readshaw	Walko
Costa	Lederer	Reinard	Wansacz
Cruz	Leh	Rieger	Washington
Dailey	Lescovitz	Roberts	Waters
Daley	Levdansky	Robinson	Watson
DeLuca	Lucy	Roebuck	Williams, J.
Dermody	Lynch	Rooney	Wilt
DeWeese	Mackereth	Rubley	Wojnaroski
DiGirolamo	Maher	Ruffing	Wright, G.
Diven	Maitland	Sainato	Wright, M.
Donatucci	Manderino	Samuelson	Youngblood
Eachus	Mann	Santoni	Yudichak
Evans, D.	Markosek	Saylor	
Fairchild	Marsico	Schroder	
Feese	Mayernik	Semmel	Ryan,
Fichter	McCall	Smith, B.	Speaker

NAYS—53

Argall	Coy	Hasay	Ross
Armstrong, G.	Creighton	Herman	Sather
Armstrong, T.	Curry	Hess	Scavello
Baker, M.	Dally	Hutchinson	Schuler
Barrar	Egolf	Krebs	Scrimenti
Bastian	Evans, J.	Lewis	Shaner
Belfanti	Fleagle	Major	Steil
Benninghoff	Forcier	McIlhattan	Stern
Birmelin	Gabig	McNaughton	Stevenson, R.
Boyes	Geist	Miller, S.	Strittmatter
Browne	Godshall	Pickett	Taylor, E. Z.
Cappelli	Grucela	Raymond	Yewcic
Civera	Harhart	Rohrer	Zug
Coleman			

NOT VOTING—0

EXCUSED—5

Horsley	Laughlin	Phillips	Zimmerman
Jadlowiec			

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 third consideration as amended?

The SPEAKER. Mr. Samuelson, do you desire recognition?

Mr. SAMUELSON. Yes. Thank you, Mr. Speaker.

We have a reconsideration motion coming to the desk on amendment 5620, the first amendment.

The SPEAKER. That is not before the House right now. You are not recognized for that purpose.

Mr. Samuelson, send that to the desk. I apologize. I did not realize it was an amendment to the bill we were taking. I thought it was to some other bill.

AMENDMENT A5620 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Samuelson, who moves that the vote by which amendment 5620 passed in the House to HB 2962, PN 4565, today be reconsidered.

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

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Maitland	Scavello
Allen	Egolf	Major	Schroder
Argall	Evans, D.	Manderino	Schuler
Armstrong, G.	Evans, J.	Mann	Scrimenti
Armstrong, T.	Fairchild	Markosek	Semmel
Baker, J.	Feese	Marsico	Shaner
Baker, M.	Fichter	Mayernik	Smith, B.
Bard	Fleagle	McCall	Smith, S. H.
Barrar	Flick	McGeehan	Solobay
Bastian	Forcier	McGill	Staback
Bebko-Jones	Frankel	McIlhattan	Stairs
Belardi	Freeman	McIlhinney	Steelman
Belfanti	Gabig	McNaughton	Steil
Benninghoff	Gannon	Melio	Stern
Birmelin	Geist	Metcalfe	Stetler
Bishop	George	Michlovic	Stevenson, R.
Blaum	Godshall	Micozzie	Stevenson, T.
Boyes	Gordner	Miller, R.	Strittmatter
Brooks	Grucela	Miller, S.	Sturla
Browne	Gruitza	Mundy	Surra
Bunt	Habay	Myers	Tangretti
Butkovitz	Haluska	Nailor	Taylor, E. Z.
Buxton	Hanna	Nickol	Taylor, J.
Caltagirone	Harhai	O'Brien	Thomas
Cappelli	Harhart	Oliver	Tigue
Casorio	Harper	Pallone	Travaglio
Cawley	Hasay	Perzel	Trello
Civera	Hennessey	Petrarca	Trich
Clark	Herman	Petrone	Tulli
Clymer	Hershey	Pickett	Turzai
Cohen, L. I.	Hess	Pippy	Vance
Cohen, M.	Hutchinson	Pistella	Veon
Colafella	James	Preston	Vitali
Coleman	Josephs	Raymond	Walko
Cornell	Kaiser	Readshaw	Wansacz
Corrigan	Keller	Reinard	Washington
Costa	Kenney	Rieger	Waters
Coy	Kirkland	Roberts	Watson
Creighton	Krebs	Robinson	Williams, J.
Cruz	LaGrotta	Roebuck	Wilt
Curry	Lawless	Rohrer	Wojnaroski
Dailey	Lederer	Rooney	Wright, G.

Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rubley	Yewcic
DeLuca	Levdansky	Ruffing	Youngblood
Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zug
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Laughlin	Phillips	Zimmerman
Jadlowiec			

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 amendment?

The clerk read the following amendment No. **A5620**:

Amend Title, page 1, line 9, by removing the period after “coroner” and inserting

and for authorization of hotel tax.

Amend Bill, page 2, by inserting between lines 6 and 7

Section 2. Section 1770.6(c) of the act, added December 22, 2000 (P.L.1019, No.142), is amended to read:

Section 1770.6. Authorization of Hotel Tax.—* * *

(c) The treasurer of each county electing to impose the tax authorized under this section shall collect the tax and deposit the revenues received from the tax in a special fund established for that purpose. Subsequent to the deduction for administrative costs established in subsection (e), the county shall distribute to the recognized tourist promotion agency all revenues received from the tax not later than sixty days after receipt of the tax revenues. The revenues from the special fund shall be used by the recognized tourist promotion agency for [the purposes of tourism, convention promotion and tourism development.] any or all of the following purposes:

(1) Convention promotion.

(2) Tourism development.

(3) Marketing the area served by the agency as a leisure travel destination.

(4) Marketing the area served by the agency as a business travel destination.

(5) Using all appropriate marketing tools to accomplish these purposes, including, but not limited to, advertising, publicity, publications, direct marketing, direct sales and participation in travel trade shows.

Amend Sec. 2, page 2, line 9, by striking out “2. THIS” and inserting

3. The amendment to section 1251 of the

Amend Sec. 3, page 2, line 11, by striking out “3. THIS” and inserting

4. The amendment to section 1251 of the

Amend Sec. 4, page 2, line 15, by striking out “4” and inserting
5

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

The SPEAKER. On the question of the adoption of the Godshall amendment, Mr. Samuelson, do you desire recognition? The gentleman, Mr. Samuelson, is recognized.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment.

The SPEAKER. The gentleman indicates he will stand for interrogation. You may begin.

Mr. SAMUELSON. Thank you.

My question is, the amendment before us would seem to broaden the number of different activities a tourism or convention bureau could spend hotel tax revenue on, but the amendment does not speak to counties that currently use some of this revenue for economic development purposes. Would this language that you are inserting prohibit counties from using hotel tax revenues to promote economic development?

Mr. GODSHALL. The answer to that is, when we passed this bill last session, the hotel tax moneys were to be used specifically for tourism purposes. If economic development falls in line with tourism, if it falls in one of these categories, the answer is yes. If it is to build a plant downtown, the answer is no. Economic development can be tourism, the same as your building and manufacturing plant can be nontourism.

Mr. SAMUELSON. Under your language, could a county choose to designate some of this revenue to an economic development corporation rather than a convention and visitors bureau?

Mr. GODSHALL. The law is specific as it stands now that it goes to the TPA. Less 10 percent for administrative purposes, all the money that is presently in the law today, this does not change that. Whatever is legal, really legal today, is legal with this bill, but the law must go to the TPA; it must. It is in the legislation that we passed last session.

Mr. SAMUELSON. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—163

Adolph	Donatucci	Manderino	Sather
Allen	Eachus	Markosek	Saylor
Argall	Egolf	Marsico	Schuler
Armstrong, G.	Evans, D.	Mayernik	Shaner
Armstrong, T.	Fairchild	McCall	Smith, B.
Baker, J.	Feese	McGeehan	Smith, S. H.
Baker, M.	Fichter	McGill	Solobay
Bard	Fleagle	McIlhattan	Staback
Barrar	Flick	McIlhinney	Stairs
Bebko-Jones	Forcier	McNaughton	Steelman
Belardi	Frankel	Melio	Steil
Belfanti	Gabig	Metcalfe	Stetler
Benninghoff	Gannon	Michlovic	Stevenson, R.
Birmelin	George	Micozzie	Stevenson, T.
Bishop	Godshall	Miller, R.	Strittmatter
Blaum	Gordner	Mundy	Sturla
Brooks	Gruitza	Myers	Surra
Bunt	Haluska	Nailor	Tangretti
Butkovitz	Hanna	Nickol	Taylor, J.
Buxton	Harhai	O’Brien	Thomas
Caltagirone	Harper	Oliver	Travaglio
Cappelli	Hennessey	Pallone	Trello
Casorio	Herman	Perzel	Trich
Cawley	Hershey	Petrarca	Tulli
Civera	Hutchinson	Petrone	Vance
Clymer	James	Pickett	Veon

Cohen, L. I.	Josephs	Pistella	Vitali
Cohen, M.	Kaiser	Preston	Walko
Colafrella	Keller	Raymond	Wansacz
Coleman	Kenney	Readshaw	Washington
Cornell	Kirkland	Reinard	Waters
Corrigan	LaGrotta	Rieger	Watson
Costa	Lawless	Roberts	Williams, J.
Coy	Lederer	Robinson	Wilt
Cruz	Lescovitz	Roebuck	Wojnaroski
Curry	Levdansky	Rohrer	Wright, G.
Daley	Lucyk	Rooney	Wright, M.
DeLuca	Lynch	Ross	Youngblood
Dermody	Mackereth	Ruffing	
DeWeese	Maitland	Sainato	Ryan,
DiGirolamo	Major	Santoni	Speaker
Diven			

NAYS—35

Bastian	Geist	Maher	Semmel
Boyes	Grucela	Mann	Stern
Browne	Habay	Miller, S.	Taylor, E. Z.
Clark	Harhart	Pippy	Tigue
Creighton	Hasay	Rubley	Turzai
Dailey	Hess	Samuelson	Yewcic
Dally	Krebs	Scavello	Yudichak
Evans, J.	Leh	Schroder	Zug
Freeman	Lewis	Scrimenti	

NOT VOTING—0

EXCUSED—5

Horsley	Laughlin	Phillips	Zimmerman
Jadlowiec			

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 third consideration as amended?
Bill as amended was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
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	Donatucci	Maitland	Saylor
Allen	Eachus	Major	Schroder
Argall	Egolf	Manderino	Schuler
Armstrong, G.	Evans, D.	Mann	Semmel
Armstrong, T.	Evans, J.	Markosek	Shaner
Baker, J.	Fairchild	Marsico	Smith, B.
Baker, M.	Feese	Mayernik	Smith, S. H.
Bard	Fichter	McCall	Solobay
Barrar	Fleagle	McGeehan	Staback
Bastian	Flick	McGill	Stairs
Bebko-Jones	Forcier	McIlhattan	Steelman
Belardi	Frankel	McIlhinney	Steil
Belfanti	Freeman	McNaughton	Stern
Benninghoff	Gabig	Melio	Stetler

Birmelin	Gannon	Metcalfe	Stevenson, R.
Bishop	Geist	Michlovic	Stevenson, T.
Blaum	George	Micozzie	Strittmatter
Boyes	Godshall	Miller, R.	Sturla
Brooks	Gordner	Mundy	Surra
Browne	Grucela	Myers	Tangretti
Bunt	Gruitza	Nailor	Taylor, E. Z.
Butkovitz	Haluska	Nickol	Taylor, J.
Buxton	Hanna	O'Brien	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Pickett	Vance
Clymer	Hershey	Pippy	Veon
Cohen, L. I.	Hess	Pistella	Vitali
Cohen, M.	Hutchinson	Preston	Walko
Colafrella	James	Raymond	Wansacz
Coleman	Josephs	Readshaw	Washington
Cornell	Kaiser	Reinard	Waters
Corrigan	Keller	Rieger	Watson
Costa	Kenney	Roberts	Williams, J.
Coy	Kirkland	Robinson	Wilt
Creighton	Krebs	Roebuck	Wojnaroski
Cruz	LaGrotta	Rohrer	Wright, G.
Curry	Lawless	Rooney	Wright, M.
Dailey	Lederer	Ross	Yewcic
Daley	Leh	Rubley	Youngblood
Dally	Lescovitz	Ruffing	Yudichak
DeLuca	Levdansky	Sainato	Zug
Dermody	Lucyk	Samuelson	
DeWeese	Lynch	Santoni	
DiGirolamo	Mackereth	Sather	Ryan,
Diven	Maher		Speaker

NAYS—6

Habay	Miller, S.	Scrimenti	Turzai
Lewis	Scavello		

NOT VOTING—0

EXCUSED—5

Horsley	Laughlin	Phillips	Zimmerman
Jadlowiec			

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.

**FAREWELL ADDRESS
BY MR. TRICH**

The SPEAKER. At this time I am not introducing to the House but asking the House to pay attention for a short while on the departure of one of its nicest members, truly nicest members. Mr. Trich has been with us for quite a while, and I know he will be sorely missed. He is a very distinguished gentleman, and I think I speak for all when I say that. Mr. Trich.
Mr. TRICH. Thank you, Mr. Speaker.
Realizing we have a very full schedule today, I promise to keep my remarks very brief. I will, however, later today submit written remarks for the record.

In 1989 I entered these chambers very much in awe of the remarkable and historically rich surroundings that we enjoy. Now, nearly a decade and a half later, I have to admit to you, in many ways I am still in awe.

I will tell you, though, I have been here now long enough, as the Speaker indicated, that I am actually understanding what Representative DeWeese says from time to time, and that is quite an accomplishment, but I also find that a little bit scary, I think, that I can understand this guy.

In addition to my respect for the traditions and grandeur of this House, the people's House, I have found that my colleagues on both sides of the aisle are hardworking and very dedicated public servants, and I consider myself to be extremely fortunate to have had the opportunity to work with you.

I have attempted to represent my district and the people of my district fairly and honorably. With the help of many, including the Speaker, the leadership on both sides of the House, to an army of very talented staff people who work with us and for us every day, and with the help and the support of a wonderful family, I believe many of my goals have been achieved.

And speaking of my family, if I may, Mr. Speaker, I would like to ask that my family please stand. With me today is my wife, Adele; my daughters, Britney and Courtney; and my son, Christian. If you would please stand.

Second only to the pride I have in those people I just introduced to you, second only to the pride of my family and in being a father, is my pride in having served in the Pennsylvania House of Representatives with each of you.

God bless the Commonwealth, and God bless each of you. Thank you.

The SPEAKER. I just told your father, as I handed him a memorial gavel, I said, here, keep this around the house in case the kids get out of order. He will not dare do that. I know him too well.

Thank you, Leo.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2535, PN 3613**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, requiring the Department of Labor and Industry to mail information concerning the adult basic coverage health insurance program to all those who apply for unemployment compensation benefits.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 2535 be recommitted to Rules.

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

* * *

The House proceeded to third consideration of **HB 2939, PN 4526**, entitled:

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, providing assistance to self-employed individuals; and making a repeal.

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

Mr. **GEORGE** offered the following amendment No. **A5675**:

Amend Title, page 1, line 9, by inserting after "individuals;" requiring the Department of Labor and Industry to file a certain report;

Amend Bill, page 7, by inserting between lines 8 and 9

Section 5. By March 31, 2003, the Department of Labor and Industry shall report to the General Assembly and the Governor about potential problems and suggested solutions in regard to unemployment benefits for people who are in job training programs authorized by the Federal Government through the Trade Act of 1974 (Public Law 93-618, 19 U.S.C. § 2101 et seq.), the North American Free Trade Agreement and the Workforce Investment Act of 1998 (Public Law 105-220, 112 Stat. 936).

Amend Sec. 5, page 7, line 9, by striking out "5" and inserting 6

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

The following roll call was recorded:

YEAS—197

Adolph	Eachus	Maitland	Scavello
Allen	Egolf	Major	Schroder
Argall	Evans, D.	Manderino	Schuler
Armstrong, G.	Evans, J.	Mann	Semmel
Armstrong, T.	Fairchild	Markosek	Shaner
Baker, J.	Feese	Marsico	Smith, B.
Baker, M.	Fichter	Mayernik	Smith, S. H.
Bard	Fleagle	McCall	Solobay
Barrar	Flick	McGeehan	Staback
Bastian	Forcier	McGill	Stairs
Bebko-Jones	Frankel	McIlhattan	Steelman
Belardi	Freeman	McIlhinney	Steil
Belfanti	Gabig	McNaughton	Stern
Benninghoff	Gannon	Melio	Stetler
Birmelin	Geist	Metcalfe	Stevenson, R.
Bishop	George	Michlovic	Stevenson, T.
Blaum	Godshall	Micozzie	Strittmatter
Boyes	Gordner	Miller, R.	Sturla
Brooks	Grucela	Miller, S.	Surra
Browne	Gruitza	Mundy	Tangretti
Bunt	Habay	Myers	Taylor, E. Z.
Butkovitz	Haluska	Nailor	Taylor, J.
Buxton	Hanna	Nickol	Thomas
Caltagirone	Harhai	O'Brien	Tigue
Cappelli	Harhart	Oliver	Travaglio
Casorio	Harper	Pallone	Trello
Cawley	Hasay	Perzel	Trich
Civera	Hennessey	Petrarca	Tulli
Clark	Herman	Petrone	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	James	Preston	Walko

Coleman	Josephs	Raymond	Wansacz
Cornell	Kaiser	Readshaw	Washington
Corrigan	Keller	Reinard	Waters
Costa	Kenney	Rieger	Watson
Coy	Kirkland	Roberts	Williams, J.
Creighton	Krebs	Robinson	Wilt
Cruz	LaGrotta	Roebuck	Wojnaroski
Curry	Lawless	Rohrer	Wright, G.
Dailey	Lederer	Rooney	Wright, M.
Daley	Leh	Ross	Yewcic
Dally	Lescovitz	Rubley	Youngblood
DeLuca	Levdansky	Ruffing	Yudichak
Dermody	Lewis	Sainato	Zug
DeWeese	Lucyk	Samuelson	
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker

NAYS-1

Scrimenti

NOT VOTING-0

EXCUSED-5

Horsley	Laughlin	Phillips	Zimmerman
Jadlowiec			

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

On the question,

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

Bill as amended was agreed to.

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

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-198

Adolph	Eachus	Maitland	Scavello
Allen	Egolf	Major	Schroder
Argall	Evans, D.	Manderino	Schuler
Armstrong, G.	Evans, J.	Mann	Scrimenti
Armstrong, T.	Fairchild	Markosek	Semmel
Baker, J.	Feese	Marsico	Shaner
Baker, M.	Fichter	Mayermik	Smith, B.
Bard	Fleagle	McCall	Smith, S. H.
Barrar	Flick	McGeehan	Solobay
Bastian	Forcier	McGill	Staback
Bebko-Jones	Frankel	McIlhattan	Stairs
Belardi	Freeman	McIlhinney	Steelman
Belfanti	Gabig	McNaughton	Steil
Benninghoff	Gannon	Melio	Stern
Birmelin	Geist	Metcalfe	Stetler
Bishop	George	Michlovic	Stevenson, R.
Blaum	Godshall	Micozzie	Stevenson, T.
Boyes	Gordner	Miller, R.	Strittmatter
Brooks	Grucela	Miller, S.	Sturla
Browne	Gruitza	Mundy	Surra
Bunt	Habay	Myers	Tangretti

Butkovitz	Haluska	Nailor	Taylor, E. Z.
Buxton	Hanna	Nickol	Taylor, J.
Caltagirone	Harhai	O'Brien	Thomas
Cappelli	Harhart	Oliver	Tigue
Casorio	Harper	Pallone	Travaglio
Cawley	Hasay	Perzel	Trello
Civera	Hennessey	Petrarca	Trich
Clark	Herman	Petrone	Tulli
Clymer	Hershey	Pickett	Turzai
Cohen, L. I.	Hess	Pippy	Vance
Cohen, M.	Hutchinson	Pistella	Veon
Colafella	James	Preston	Vitali
Coleman	Josephs	Raymond	Walko
Cornell	Kaiser	Readshaw	Wansacz
Corrigan	Keller	Reinard	Washington
Costa	Kenney	Rieger	Waters
Coy	Kirkland	Roberts	Watson
Creighton	Krebs	Robinson	Williams, J.
Cruz	LaGrotta	Roebuck	Wilt
Curry	Lawless	Rohrer	Wojnaroski
Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rubley	Yewcic
DeLuca	Levdansky	Ruffing	Youngblood
Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zug
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Horsley	Laughlin	Phillips	Zimmerman
Jadlowiec			

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

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

* * *

The House proceeded to third consideration of **SB 813, PN 2390**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for the schedule of compensation and for the discount rate on workers' compensation insurance policies.

On the question,

Will the House agree to the bill on third consideration?

BILL REVERTED TO PRIOR PRINTER'S NUMBER

The SPEAKER. The Chair recognizes the majority leader, Mr. Perzel, for the purpose of making a motion. This is SB 813.

Mr. PERZEL. Mr. Speaker, with the agreement of the respective chairmen on the bill, I would like to revert back to PN 2358.

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

The SPEAKER. Mr. Vitali, for what purpose does the gentleman rise?

Mr. VITALI. Would it be in order now to ask the differences between the two printer's numbers or would that be when the motion is approved?

The SPEAKER. This would be the appropriate time, yes.

Mr. VITALI. If the maker of the motion would just explain the differences between the two printer's numbers.

The SPEAKER. The gentleman, Mr. Flick, will respond to you.

Mr. Flick.

Mr. FLICK. Thank you, Mr. Speaker.

In the Appropriations Committee an amendment was inserted, which was not agreed to by either chair, dealing with individuals on workers' compensation receiving benefits and the insurer being able to request that they be reviewed to see if there is a further type of work that they might be able to do. We thought that at this late date in the session it was inappropriate to run that by the members, so we are just reverting to the 5-percent safety committee.

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

The following roll call was recorded:

YEAS—196

Adolph	Eachus	Major	Schroder
Allen	Egolf	Manderino	Schuler
Argall	Evans, D.	Mann	Scrimenti
Armstrong, G.	Evans, J.	Markosek	Semmel
Armstrong, T.	Fairchild	Marsico	Shaner
Baker, J.	Feese	Mayernik	Smith, B.
Baker, M.	Fichter	McCall	Smith, S. H.
Bard	Fleagle	McGeehan	Solobay
Barrar	Flick	McGill	Staback
Bastian	Forcier	McIlhatten	Stairs
Bebko-Jones	Frankel	McIlhinney	Steelman
Belardi	Freeman	McNaughton	Steil
Belfanti	Gabig	Melio	Stern
Benninghoff	Gannon	Metcalfe	Stetler
Birmelin	Geist	Michlovic	Stevenson, R.
Bishop	George	Micozzie	Stevenson, T.
Blaum	Godshall	Miller, R.	Strittmatter
Boyes	Gordner	Miller, S.	Sturla
Brooks	Grucela	Mundy	Surra
Browne	Gruitza	Myers	Tangretti
Bunt	Habay	Nailor	Taylor, E. Z.
Butkovitz	Haluska	Nickol	Taylor, J.
Buxton	Hanna	O'Brien	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Pickett	Turzai
Clymer	Hershey	Pippy	Vance
Cohen, L. I.	Hess	Pistella	Veon
Cohen, M.	Hutchinson	Preston	Vitali
Colafella	James	Raymond	Walko
Coleman	Josephs	Readshaw	Wansacz
Cornell	Kaiser	Reinard	Washington
Corrigan	Keller	Rieger	Waters
Costa	Kenney	Roberts	Watson
Coy	Kirkland	Robinson	Williams, J.

Creighton	Krebs	Roebuck	Wilt
Cruz	LaGrotta	Rohrer	Wojnaroski
Curry	Lawless	Rooney	Wright, G.
Dailley	Lederer	Ross	Wright, M.
Daley	Leh	Rubley	Yewcic
Dally	Lescovitz	Ruffing	Youngblood
DeLuca	Levdansky	Sainato	Yudichak
Dermody	Lewis	Samuelson	Zug
DeWeese	Lucyk	Santoni	
DiGirolamo	Lynch	Sather	
Diven	Mackereth	Scavello	Ryan,
Donatucci	Maitland		Speaker

NAYS—2

Maher	Saylor
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NOT VOTING—0

EXCUSED—5

Horsley	Laughlin	Phillips	Zimmerman
Jadlowiec			

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

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
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—198

Adolph	Eachus	Maitland	Scavello
Allen	Egolf	Major	Schroder
Argall	Evans, D.	Manderino	Schuler
Armstrong, G.	Evans, J.	Mann	Scrimenti
Armstrong, T.	Fairchild	Markosek	Semmel
Baker, J.	Feese	Marsico	Shaner
Baker, M.	Fichter	Mayernik	Smith, B.
Bard	Fleagle	McCall	Smith, S. H.
Barrar	Flick	McGeehan	Solobay
Bastian	Forcier	McGill	Staback
Bebko-Jones	Frankel	McIlhatten	Stairs
Belardi	Freeman	McIlhinney	Steelman
Belfanti	Gabig	McNaughton	Steil
Benninghoff	Gannon	Melio	Stern
Birmelin	Geist	Metcalfe	Stetler
Bishop	George	Michlovic	Stevenson, R.
Blaum	Godshall	Micozzie	Stevenson, T.
Boyes	Gordner	Miller, R.	Strittmatter
Brooks	Grucela	Miller, S.	Sturla
Browne	Gruitza	Mundy	Surra
Bunt	Habay	Myers	Tangretti
Butkovitz	Haluska	Nailor	Taylor, E. Z.
Buxton	Hanna	Nickol	Taylor, J.
Caltagirone	Harhai	O'Brien	Thomas
Cappelli	Harhart	Oliver	Tigue
Casorio	Harper	Pallone	Travaglio
Cawley	Hasay	Perzel	Trello
Civera	Hennessey	Petrarca	Trich

Clark	Herman	Petrone	Tulli
Clymer	Hershey	Pickett	Turzai
Cohen, L. I.	Hess	Pippy	Vance
Cohen, M.	Hutchinson	Pistella	Veon
Colafella	James	Preston	Vitali
Coleman	Josephs	Raymond	Walko
Cornell	Kaiser	Readshaw	Wansacz
Corrigan	Keller	Reinard	Washington
Costa	Kenney	Rieger	Waters
Coy	Kirkland	Roberts	Watson
Creighton	Krebs	Robinson	Williams, J.
Cruz	LaGrotta	Roebuck	Wilt
Curry	Lawless	Rohrer	Wojnaroski
Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rubley	Yewcic
DeLuca	Levdansky	Ruffing	Youngblood
Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zug
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Horsey	Laughlin	Phillips	Zimmerman
Jadlowiec			

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.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 883, PN 994 By Rep. FLICK

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, further providing for definitions; and providing for school district options.

LABOR RELATIONS.

SB 133, PN 2354 By Rep. B. SMITH

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further defining "passenger-carrying boat."

GAME AND FISHERIES.

SB 463, PN 2355 By Rep. B. SMITH

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, requiring the establishment of a mandatory boater education program; and fixing additional fees.

GAME AND FISHERIES.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SBs 463 and 133 be taken from the table.

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

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move these two bills, SBs 463 and 133, be recommitted to the Committee on Appropriations.

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

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 460, PN 2321**, entitled:

An Act amending the act of February 18, 1998 (P.L.146, No.22), known as the Check Casher Licensing Act, further providing for license terms and fees, for fees and charges and for applicability.

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.

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-198

Adolph	Eachus	Maitland	Scavello
Allen	Egolf	Major	Schroder
Argall	Evans, D.	Manderino	Schuler
Armstrong, G.	Evans, J.	Mann	Scrimenti
Armstrong, T.	Fairchild	Markosek	Semmel
Baker, J.	Feese	Marsico	Shaner
Baker, M.	Fichter	Mayernik	Smith, B.
Bard	Fleagle	McCall	Smith, S. H.
Barrar	Flick	McGeehan	Solobay
Bastian	Forcier	McGill	Staback
Bebko-Jones	Frankel	McIlhattan	Stairs
Belardi	Freeman	McIlhinney	Stelman
Belfanti	Gabig	McNaughton	Steil
Benninghoff	Gannon	Melio	Stern
Birmelin	Geist	Metcalfe	Stetler
Bishop	George	Michlovic	Stevenson, R.
Blaum	Godshall	Micozzie	Stevenson, T.
Boyes	Gordner	Miller, R.	Strittmatter
Brooks	Grucela	Miller, S.	Sturla
Browne	Gruitza	Mundy	Surra
Bunt	Habay	Myers	Tangretti

Butkovitz	Haluska	Nailor	Taylor, E. Z.
Buxton	Hanna	Nickol	Taylor, J.
Caltagirone	Harhai	O'Brien	Thomas
Cappelli	Harhart	Oliver	Tigue
Casorio	Harper	Pallone	Travaglio
Cawley	Hasay	Perzel	Trello
Civera	Hennessey	Petrarca	Trich
Clark	Herman	Petrone	Tulli
Clymer	Hershey	Pickett	Turzai
Cohen, L. I.	Hess	Pippy	Vance
Cohen, M.	Hutchinson	Pistella	Veon
Colafella	James	Preston	Vitali
Coleman	Josephs	Raymond	Walko
Cornell	Kaiser	Readshaw	Wansacz
Corrigan	Keller	Reinard	Washington
Costa	Kenney	Rieger	Waters
Coy	Kirkland	Roberts	Watson
Creighton	Krebs	Robinson	Williams, J.
Cruz	LaGrotta	Roebuck	Wilt
Curry	Lawless	Rohrer	Wojnaroski
Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rublely	Yewcic
DeLuca	Levdansky	Ruffing	Youngblood
Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zug
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Horsley	Laughlin	Phillips	Zimmerman
Jadlowiec			

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 1222, PN 2158**, entitled:

An Act amending Title 17 (Credit Unions) of the Pennsylvania Consolidated Statutes, relating to credit unions; making revisions, corrections and additions; providing for parity with Federal credit unions and for involuntary dissolution; and making editorial changes.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-197

Adolph	Eachus	Maitland	Schroder
Allen	Egolf	Major	Schuler
Argall	Evans, D.	Manderino	Scrimenti
Armstrong, G.	Evans, J.	Mann	Semmel
Armstrong, T.	Fairchild	Markosek	Shaner
Baker, J.	Feese	Marsico	Smith, B.
Baker, M.	Fichter	Mayernik	Smith, S. H.
Bard	Fleagle	McCall	Solobay
Barrar	Flick	McGeehan	Staback
Bastian	Forcier	McGill	Stairs
Bebko-Jones	Frankel	McIlhatten	Steelman
Belardi	Freeman	McIlhinney	Steil
Belfanti	Gabig	McNaughton	Stern
Benninghoff	Gannon	Melio	Stetler
Birmelin	Geist	Metcalfe	Stevenson, R.
Bishop	George	Michlovic	Stevenson, T.
Blaum	Godshall	Micozzie	Strittmatter
Boyes	Gordner	Miller, R.	Sturla
Brooks	Grucela	Miller, S.	Surra
Browne	Gruitza	Mundy	Tangretti
Bunt	Habay	Myers	Taylor, E. Z.
Butkovitz	Haluska	Nailor	Taylor, J.
Buxton	Hanna	Nickol	Thomas
Caltagirone	Harhai	O'Brien	Tigue
Cappelli	Harhart	Oliver	Travaglio
Casorio	Harper	Pallone	Trello
Cawley	Hasay	Perzel	Trich
Civera	Hennessey	Petrarca	Tulli
Clark	Herman	Petrone	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	James	Preston	Walko
Coleman	Josephs	Raymond	Wansacz
Cornell	Kaiser	Readshaw	Washington
Corrigan	Keller	Reinard	Waters
Costa	Kenney	Rieger	Watson
Coy	Kirkland	Roberts	Williams, J.
Creighton	Krebs	Robinson	Wilt
Cruz	LaGrotta	Roebuck	Wojnaroski
Curry	Lawless	Rohrer	Wright, G.
Dailey	Lederer	Rooney	Wright, M.
Daley	Leh	Ross	Yewcic
Dally	Lescovitz	Rublely	Youngblood
DeLuca	Levdansky	Ruffing	Yudichak
Dermody	Lewis	Sainato	Zug
DeWeese	Lucyk	Samuelson	
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker

NAYS-0

NOT VOTING-1

Scavello

EXCUSED-5

Horsley	Laughlin	Phillips	Zimmerman
Jadlowiec			

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 1258, PN 2053**, entitled:

An Act amending the act of May 15, 1933 (P.L.565, No.111), known as the Department of Banking Code, making extensive changes to modernize and update the law in the general areas of preliminary provisions; jurisdiction and maintenance of the Department of Banking; restrictions upon department and employees; examinations by and reports to the department; action by department after offenses by, or changes in, condition of institutions; taking of possession by the Secretary of Banking as receiver and surrender of possession; rights, powers and duties of secretary as receiver; secretary in possession of trust department; proof of claims, accounting and distribution; and special criminal history record information provisions.

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

Mr. **GEORGE** offered the following amendment No. **A6116**:

Amend Bill, page 78, by inserting between lines 12 and 13 Section 34. The act is amended by adding a section to read:

Section 1104. Protection of Employees.—A. No licensee may discharge, threaten or otherwise discriminate or retaliate against an employe regarding the employe’s compensation, terms, conditions, location or privileges of employment because the employe or a person acting on behalf of the employe makes a good faith report or is about to report, verbally or in writing, to the employer or appropriate authority a violation of this act.

B. No licensee may discharge, threaten or otherwise discriminate or retaliate against an employe regarding the employe’s compensation, terms, conditions, location or privileges of employment because the employe is requested by an appropriate authority to participate in an investigation, hearing or inquiry held by an appropriate authority or in a court action relating to a violation of this act.

Amend Sec. 34, page 78, line 13, by striking out “34” and inserting

36

Amend Sec. 35, page 78, line 18, by striking out “35” and inserting

37

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

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Maitland	Scavello
Allen	Egolf	Major	Schroder
Argall	Evans, D.	Manderino	Schuler
Armstrong, G.	Evans, J.	Mann	Scrimenti
Armstrong, T.	Fairchild	Markosek	Semmel
Baker, J.	Feese	Marsico	Shaner
Baker, M.	Fichter	Mayernik	Smith, B.
Bard	Fleagle	McCall	Smith, S. H.
Barrar	Flick	McGeehan	Solobay
Bastian	Forcier	McGill	Staback
Bebko-Jones	Frankel	McIlhattan	Stairs
Belardi	Freeman	McIlhinney	Steelman
Belfanti	Gabig	McNaughton	Steil
Benninghoff	Gannon	Melio	Stern
Birmelin	Geist	Metcalfe	Stetler
Bishop	George	Michlovic	Stevenson, R.
Blaum	Godshall	Micozzie	Stevenson, T.

Boyes	Gordner	Miller, R.	Strittmatter
Brooks	Grucela	Miller, S.	Sturla
Browne	Gruitza	Mundy	Surra
Bunt	Habay	Myers	Tangretti
Butkovitz	Haluska	Nailor	Taylor, E. Z.
Buxton	Hanna	Nickol	Taylor, J.
Caltagirone	Harhai	O’Brien	Thomas
Cappelli	Harhart	Oliver	Tigue
Casorio	Harper	Pallone	Travaglio
Cawley	Hasay	Perzel	Trello
Civera	Hennessey	Petrarca	Trich
Clark	Herman	Petrone	Tulli
Clymer	Hershey	Pickett	Turzai
Cohen, L. I.	Hess	Pippy	Vance
Cohen, M.	Hutchinson	Pistella	Veon
Colafella	James	Preston	Vitali
Coleman	Josephs	Raymond	Walko
Cornell	Kaiser	Readshaw	Wansacz
Corrigan	Keller	Reinard	Washington
Costa	Kenney	Rieger	Waters
Coy	Kirkland	Roberts	Watson
Creighton	Krebs	Robinson	Williams, J.
Cruz	LaGrotta	Roebuck	Wilt
Curry	Lawless	Rohrer	Wojnaroski
Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rublely	Yewcic
DeLuca	Levdansky	Ruffing	Youngblood
Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zug
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Laughlin	Phillips	Zimmerman
Jadlowiec			

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

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage. 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—198

Adolph	Eachus	Maitland	Scavello
Allen	Egolf	Major	Schroder
Argall	Evans, D.	Manderino	Schuler
Armstrong, G.	Evans, J.	Mann	Scrimenti
Armstrong, T.	Fairchild	Markosek	Semmel
Baker, J.	Feese	Marsico	Shaner
Baker, M.	Fichter	Mayernik	Smith, B.

Bard	Fleagle	McCall	Smith, S. H.
Barrar	Flick	McGeehan	Solobay
Bastian	Forcier	McGill	Staback
Bebko-Jones	Frankel	McIlhattan	Stairs
Belardi	Freeman	McIlhinney	Steelman
Belfanti	Gabig	McNaughton	Steil
Benninghoff	Gannon	Melio	Stern
Birmelin	Geist	Metcalfe	Stetler
Bishop	George	Michlovic	Stevenson, R.
Blaum	Godshall	Micozzie	Stevenson, T.
Boyes	Gordner	Miller, R.	Strittmatter
Brooks	Grucela	Miller, S.	Sturla
Browne	Gruitza	Mundy	Surra
Bunt	Habay	Myers	Tangretti
Butkovitz	Haluska	Nailor	Taylor, E. Z.
Buxton	Hanna	Nickol	Taylor, J.
Caltagirone	Harhai	O'Brien	Thomas
Cappelli	Harhart	Oliver	Tigue
Casorio	Harper	Pallone	Travaglio
Cawley	Hasay	Perzel	Trello
Civera	Hennessey	Petrarca	Trich
Clark	Herman	Petrone	Tulli
Clymer	Hershey	Pickett	Turzai
Cohen, L. I.	Hess	Pippy	Vance
Cohen, M.	Hutchinson	Pistella	Veon
Colafella	James	Preston	Vitali
Coleman	Josephs	Raymond	Walko
Cornell	Kaiser	Readshaw	Wansacz
Corrigan	Keller	Reinard	Washington
Costa	Kenney	Rieger	Waters
Coy	Kirkland	Roberts	Watson
Creighton	Krebs	Robinson	Williams, J.
Cruz	LaGrotta	Roebuck	Wilt
Curry	Lawless	Rohrer	Wojnaroski
Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rubley	Yewcic
DeLuca	Levdansky	Ruffing	Youngblood
Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zug
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsley	Laughlin	Phillips	Zimmerman
Jadlowiec			

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.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House, as guest pages of Representatives Birmelin and Scavello, Shea Balinski, Matthew Roseti, Michele Buzzelli, and Andrea Gotchel. They are welcomed to the hall of the House, together with Andrea's family – her mother, Regina, and siblings, Leah and Ben. They are seated in the gallery. Would the guests please rise.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1204, PN 1547**, entitled:

An Act amending the act of May 9, 1949 (P.L.908, No.250), entitled, as amended, "An act relating to public records of political subdivisions other than cities and counties of the first class; authorizing the recording and copying of documents, plats, papers and instruments of writing by photostatic, photographic, microfilm or other mechanical process, and the admissibility thereof and enlargements thereof in evidence; providing for the storage of duplicates and sale of microfilm copies of official records and for the destruction of other records deemed valueless; and providing for the services of the Pennsylvania Historical and Museum Commission to political subdivisions," further providing for methods for the copying of certain records.

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.

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—198

Adolph	Eachus	Maitland	Scavello
Allen	Egolf	Major	Schroder
Argall	Evans, D.	Manderino	Schuler
Armstrong, G.	Evans, J.	Mann	Scrimenti
Armstrong, T.	Fairchild	Markosek	Semmel
Baker, J.	Feese	Marsico	Shaner
Baker, M.	Fichter	Mayernik	Smith, B.
Bard	Fleagle	McCall	Smith, S. H.
Barrar	Flick	McGeehan	Solobay
Bastian	Forcier	McGill	Staback
Bebko-Jones	Frankel	McIlhattan	Stairs
Belardi	Freeman	McIlhinney	Steelman
Belfanti	Gabig	McNaughton	Steil
Benninghoff	Gannon	Melio	Stern
Birmelin	Geist	Metcalfe	Stetler
Bishop	George	Michlovic	Stevenson, R.
Blaum	Godshall	Micozzie	Stevenson, T.
Boyes	Gordner	Miller, R.	Strittmatter
Brooks	Grucela	Miller, S.	Sturla
Browne	Gruitza	Mundy	Surra
Bunt	Habay	Myers	Tangretti
Butkovitz	Haluska	Nailor	Taylor, E. Z.
Buxton	Hanna	Nickol	Taylor, J.
Caltagirone	Harhai	O'Brien	Thomas
Cappelli	Harhart	Oliver	Tigue
Casorio	Harper	Pallone	Travaglio
Cawley	Hasay	Perzel	Trello
Civera	Hennessey	Petrarca	Trich
Clark	Herman	Petrone	Tulli
Clymer	Hershey	Pickett	Turzai
Cohen, L. I.	Hess	Pippy	Vance
Cohen, M.	Hutchinson	Pistella	Veon
Colafella	James	Preston	Vitali
Coleman	Josephs	Raymond	Walko
Cornell	Kaiser	Readshaw	Wansacz
Corrigan	Keller	Reinard	Washington
Costa	Kenney	Rieger	Waters
Coy	Kirkland	Roberts	Watson
Creighton	Krebs	Robinson	Williams, J.
Cruz	LaGrotta	Roebuck	Wilt
Curry	Lawless	Rohrer	Wojnaroski

Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rublely	Yewcic
DeLuca	Levdansky	Ruffing	Youngblood
Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zug
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Horsey	Laughlin	Phillips	Zimmerman
Jadlowiec			

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.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1416, PN 2353**, entitled:

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, providing for licensing and regulation of insurance producers, managers and exclusive general agents; conferring powers and imposing duties on the insurance commissioner and Insurance Department; permitting the payment of referral fees; imposing penalties; and making repeals.

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

The SPEAKER. May I have your attention, please.
It is the understanding of the Chair that the amendments that were listed as being offered to this bill have been withdrawn. If I am mistaken, please advise me now. Thank you.
Mr. Preski, would you meet with Mr. Bedwick for a moment.

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

The following roll call was recorded:

YEAS-198

Adolph	Eachus	Maitland	Scavello
Allen	Egolf	Major	Schroder
Argall	Evans, D.	Manderino	Schuler
Armstrong, G.	Evans, J.	Mann	Scrimenti
Armstrong, T.	Fairchild	Markosek	Semmel
Baker, J.	Feese	Marsico	Shaner
Baker, M.	Fichter	Mayernik	Smith, B.
Bard	Fleagle	McCall	Smith, S. H.
Barrar	Flick	McGeehan	Solobay
Bastian	Forcier	McGill	Staback
Bebko-Jones	Frankel	McIlhattan	Stairs
Belardi	Freeman	McIlhinney	Steelman
Belfanti	Gabig	McNaughton	Steil
Benninghoff	Gannon	Melio	Stern
Birmelin	Geist	Metcalfe	Stetler
Bishop	George	Michlovic	Stevenson, R.
Blaum	Godshall	Micozzie	Stevenson, T.
Boyes	Gordner	Miller, R.	Strittmatter
Brooks	Grucela	Miller, S.	Sturla
Browne	Gruitza	Mundy	Surra
Bunt	Habay	Myers	Tangretti
Butkovitz	Haluska	Nailor	Taylor, E. Z.
Buxton	Hanna	Nickol	Taylor, J.
Caltagirone	Harhai	O'Brien	Thomas
Cappelli	Harhart	Oliver	Tigue
Casorio	Harper	Pallone	Travaglio
Cawley	Hasay	Perzel	Trello
Civera	Hennessey	Petrarca	Trich
Clark	Herman	Petrone	Tulli
Clymer	Hershey	Pickett	Turzai
Cohen, L. I.	Hess	Pippy	Vance
Cohen, M.	Hutchinson	Pistella	Veon
Colafella	James	Preston	Vitali
Coleman	Josephs	Raymond	Walko
Cornell	Kaiser	Readshaw	Wansacz
Corrigan	Keller	Reinard	Washington
Costa	Kenney	Rieger	Waters
Coy	Kirkland	Roberts	Watson
Creighton	Krebs	Robinson	Williams, J.
Cruz	LaGrotta	Roebuck	Wilt
Curry	Lawless	Rohrer	Wojnaroski
Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rublely	Yewcic
DeLuca	Levdansky	Ruffing	Youngblood
Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zug
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Horsey	Laughlin	Phillips	Zimmerman
Jadlowiec			

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.

STATEMENT BY MR. FLEAGLE

The SPEAKER. The Chair at this time recognizes, under unanimous consent, the gentleman, Mr. Fleagle, for a few brief remarks on this.

Mr. FLEAGLE. Thank you, Mr. Speaker.

Mr. Speaker, I had originally prepared amendment 6085 to this bill, and that amendment dealt with out-of-State physicians who practice in Pennsylvania. Those of you that live in the peripheral areas of the Commonwealth like I do and particularly in those counties contiguous with Maryland, which has a substantially lower medical malpractice insurance rate, depend heavily on out-of-State physicians, particularly in specialty areas.

Now, these physicians are currently allowed to have 25 percent of their practice in Pennsylvania hospitals without paying into the CAT Fund (Medical Professional Liability Catastrophe Loss Fund). Due to the dramatic increase in this fund's rates, these physicians are dropping their Pennsylvania practice, leaving hospitals like my hometown hospital in Waynesboro in a precarious and threatening position that brings its very existence into question. My amendment would have raised the practice percentage threshold to 50 percent to make it viable for those out-of-State physicians to practice in our Commonwealth hospitals, as I said, in the contiguous areas.

That issue is very important to me, Mr. Speaker, but I also understand that Senator Mowery and many of our colleagues in here have worked on this bill, SB 1416, for a long time, and I do not want to jeopardize that. So I will be coming back on this issue, Mr. Speaker, and I thank you for the privilege of speaking on the issue.

The SPEAKER. The Chair thanks the gentleman.

FAREWELL ADDRESS BY MR. T. ARMSTRONG

The SPEAKER. The Chair at this time requests the gentleman, Mr. Armstrong, to preside temporarily in accordance with our custom of asking departing members to assume the role of Speaker pro tem.

Mr. Armstrong.

Mr. T. ARMSTRONG. Well, 12 years, it is quite an experience for me.

The SPEAKER. Conferences on the floor, please break up. Conferences on the floor, please break up now.

Mr. T. ARMSTRONG. Thank you, Mr. Speaker.

Twelve years is coming to an end for me, and I want to take this time to thank all of my campaign supporters who have worked with me through the years – helping to raise money, helping to knock on doors, walk the campaign trails.

I thank my staff here in Harrisburg who have done a terrific job, Joy Yingst, and then my staff in the district – Sally Germer, and Jeanene Hill, Jeanmarie Hahn, and Julie Hetrich – for being such great servants, public servants, to the Commonwealth in helping to represent me in their constituent needs. They have been great, great supporters. And then, of course, all the staff that have been here to help me to see a number of my bills and projects go forward. I want to express my great gratitude for that also.

I want to thank my family – my wife and my two children – who are not able to be here today, but for their continuing support for helping me to be the Representative for these past 12 years.

It has been a great opportunity to serve my district and in this Commonwealth for these years. To think of all of the opportunities that we have had to help our constituents and to be able to make their lives a little better, it is very gratifying to know that we can do that, and I have had many good blessings along those lines.

I made a lot of friends here in the House on both sides of the aisle. When I first came here, I looked on the other side here and was wondering if I could ever agree with some of you with some issues, but I was very pleased to find that we can. There are many things that we can work together and see a furtherance of particular goals and issues together.

I have had a couple highlights being here for 12 years. Chairing the Commonwealth Prayer Breakfast, it was a big highlight when we had Meadowlark Lemon come in and working with a number of folks across the State to make that a success. The work on the Pennsylvania digital blueprint, which is something that many of you can pick up and work on, and my good, good, good friend, Curtis Thomas, who helped work with me on that project. He truly has proven to be a good friend of mine, and, Curtis, I will always remember you, and I look forward to continuing to work with you in the future. You are a good man. God bless you.

Working on organizations like NCSL (National Conference of State Legislatures), CSG (Council of State Governments); I did not have a chance of working with ALEC (American Legislative Exchange Council), but there is one thing I want to say about those kinds of organizations: they are only as good as you make them, and they are bodies that represent us, and if you get in there and you work those organizations, they are as strong as what you can make them. So I would encourage those of you who are involved with those organizations, especially NCSL, which is near and dear to my heart, that you would just continue to do your best for the State. I appreciate the ability of serving those organizations by my Speaker, who has appointed me there, Speaker Matt, and for John's support for all of those endeavors that we have been able to work together.

In fact, through CSG and NCSL, I played some very critical roles in bringing some conventions to Pennsylvania. The NCSL convention is going to be here in Philadelphia in the year 2009. I helped coordinate the selection of that city. Pittsburgh, the CSG national convention is going to be in Pittsburgh in the year 2003. So that is just next year. I played a role in making sure that we got that vote. In fact, that vote only passed by one. So I was glad to play that role.

Also, the Local and State Government Advisory Committee of the FCC (Federal Communications Commission), for the past 4 years I have had the opportunity of serving there, and most recently, on the National Task Force on Interoperability.

These particular organizations and the ability to make friends nationwide have opened up some wonderful doors for me, which, you know, I leave this with some mixed emotions, but I will tell you that I am going to be doing some very exciting things nationwide, and I am very happy for that. To work with Commonwealth and State and local governments dealing with homeland security issues, with interoperability opportunities,

working with some companies nationally that are technology companies is what is, basically, the doors that are opening for me, but I could not have done that without your help, especially with, you know, the digital blueprint that we were able to pull together and work on the information technology committee.

There is one other major point that I would like to raise, and that is of prison and judicial reform. In this particular area, I have had an eye-opening experience for the past, I would say, 4 to 5 years, and we need to wake up to what we are doing in this area. If we do not, we are just going to continue to increase our budgets in this area. There are States and there are communities beginning to deal with these issues in a more humane way and being able to actually reduce some of the cost.

I ask for you to take a look at mandatory minimums. Mandatory minimums began as a social attempt in trying to be tough on crime, but what they have done is they have tied the hands of judges and have not allowed for judges to be able to mete out justice at the particular person level. We need to do those kinds of things, because we end up putting people in jail and being harder and meaner on them. In our attempt to be tough – and I have no problem with being tough – but sometimes we get too mean with that. We need to get back to the heart and soul, because people themselves can repent; they can turn around. We need to give them that hope that that can happen. If we will do that, we will see these men and women come out, because a lot of them are coming out. They are serving about 4 1/2 years and they are coming out, and do you want a neighbor who is going to be meaner, harder, crueler, more bitter, or do you want them to be better citizens?

We have the ability to be able to deal with some of these issues, and I would encourage you to work with faith-based organizations to help do those kinds of things. Look at holistic approaches in this area, and I know this particular area has gotten me in trouble, but if we do not wake up and realize what we are doing to our Commonwealth and to our communities, we are going to continue to exacerbate that problem.

I will be working in this field also, and I look forward to working with many of you to try to resolve some of the issues that we are realizing, and I want to commend the Department of Corrections for being open to some organizations that I am working with to create some mentoring programs and to provide a better access for some faith-based opportunities within our prisons. But we need all of your help to realize that there are things that we can do to help turn some of this situation around so that ultimately we have safer communities all around.

With all of that, again, I am truly blessed to know so many of you, get to know so many of you personally. It has been great to work with you, and God bless you richly, and I look forward to crossing paths with you in the future. God bless.

The SPEAKER. You know, it is very difficult presiding on a day when we are rushed, and there is no question that we are rushed. A number of our members are giving retirement speeches, and you almost want the leaders to get up and say something; you want to say something yourself, but you know you would be stoned if you take more than a couple of minutes. So I hope the remaining members who are going to speak today understand this problem. They have been here long enough that they should.

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 831, PN 2289**, entitled:

An Act amending the act of June 6, 1980 (P.L.197, No.57), known as the Optometric Practice and Licensure Act, further defining “examination and diagnosis” and “practice of optometry”; and providing for requirements concerning pharmaceutical agents for the treatment of glaucoma and for approval of drugs.

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.

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—198

Adolph	Eachus	Maitland	Scavello
Allen	Egolf	Major	Schroder
Argall	Evans, D.	Schuler	Schuler
Armstrong, G.	Evans, J.	Mann	Scrimenti
Armstrong, T.	Fairchild	Markosek	Semmel
Baker, J.	Feese	Marsico	Shaner
Baker, M.	Fichter	Mayernik	Smith, B.
Bard	Fleagle	McCall	Smith, S. H.
Barrar	Flick	McGeehan	Solobay
Bastian	Forcier	McGill	Staback
Bebko-Jones	Frankel	McIlhattan	Stairs
Belardi	Freeman	McIlhinney	Steelman
Belfanti	Gabig	McNaughton	Steil
Benninghoff	Gannon	Melio	Stern
Birmelin	Geist	Metcalfe	Stetler
Bishop	George	Michlovic	Stevenson, R.
Blaum	Godshall	Micozzie	Stevenson, T.
Boyes	Gordner	Miller, R.	Strittmatter
Brooks	Grucela	Miller, S.	Sturla
Browne	Gruitza	Mundy	Surra
Bunt	Habay	Myers	Tangretti
Butkovitz	Haluska	Nailor	Taylor, E. Z.
Buxton	Hanna	Nickol	Taylor, J.
Caltagirone	Harhai	O'Brien	Thomas
Cappelli	Harhart	Oliver	Tigue
Casorio	Harper	Pallone	Travaglio
Cawley	Hasay	Perzel	Trello
Civera	Hennessey	Petrarca	Trich
Clark	Herman	Petrone	Tulli
Clymer	Hershey	Pickett	Turzai
Cohen, L. I.	Hess	Pippy	Vance
Cohen, M.	Hutchinson	Pistella	Veon
Colafella	James	Preston	Vitali
Coleman	Josephs	Raymond	Walko
Cornell	Kaiser	Readshaw	Wansacz
Corrigan	Keller	Reinard	Washington
Costa	Kenney	Rieger	Waters
Coy	Kirkland	Roberts	Watson
Creighton	Krebs	Robinson	Williams, J.
Cruz	LaGrotta	Roebuck	Wilt
Curry	Lawless	Rohrer	Wojnaroski
Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rubley	Yewcic

DeLuca	Levdansky	Ruffing	Youngblood
Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zug
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsely	Laughlin	Phillips	Zimmerman
Jadlowiec			

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.

SUPPLEMENTAL CALENDAR C

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 235, PN 4677**, as further amended by the House Rules Committee:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for unauthorized publication of name or likeness; and establishing a right of action.

On the question,

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

The SPEAKER. On the question of concurrence, Mr. Scrimenti.

Mr. SCRIMENTI. Thank you, Mr. Speaker.

If we could please be provided with a brief explanation of the amendments, I would appreciate that.

The SPEAKER. Mr. Stairs. The gentleman, Mr. Stairs, are you able to provide the information the gentleman seeks?

Mr. STAIRS. Yes.

I am sorry, Mr. Speaker. Thank you for recognizing me, but I did not hear the question. So, I mean, if I can hear the question, I can respond.

The SPEAKER. A brief explanation of what the Senate did that requires concurrence.

Mr. STAIRS. Okay. The Senate made some changes to the bill from what we originally had. Nothing real significant, but they made some minor changes, which I would hope that we could agree with. Okay? And it was simply they defined a natural person. Now, I am not a lawyer, so I will beg forgiveness there.

The SPEAKER. Mr. Scrimenti, does that take care of your problem?

Mr. SCRIMENTI. Mr. Speaker, that does not take care of the problem; no, it does not, and it is not a problem. I just sort of think we should be afforded a brief explanation, particularly for those people who are watching this chamber so that they can appreciate what we are voting on.

The SPEAKER. Mr. Scrimenti, the people who are watching are going to have to listen the same way everyone else is listening, and they are going to have to put up with our speed today or we are going to be asking them to have us in for turkey dinners on Thursday up in this area.

The people who are watching do not have the benefit of the computers; they do not have the benefit of the prepared analysis that is available to all of our members. So we are not a source of entertainment plus education.

Mr. SCRIMENTI. Mr. Speaker, one thing that could be helpful though is, with the speed of these bills and these Senate bills with amendments, it does not allow us to follow that because of the chronology. We do not have a clear idea of when these are going to be running, these Senate bills on concurrence.

The SPEAKER. I am not trying to argue with you or prolong it—

Mr. SCRIMENTI. Oh, no.

The SPEAKER. —but it is my understanding that there is an analysis available. It is on our systems, and we have got to rely on our system to do our job, and the people are going to have to forgive us if they do not have a computer that is hooked into our system.

Mr. SCRIMENTI. Mr. Speaker, excuse me, please.

Even for my benefit and other members' benefits, I am sure with the speed that we are running these Senate bills on concurrence, it does not provide us a good opportune time to review them even briefly.

The SPEAKER. Again, I am not trying to prolong an argument, nor is this an argument but rather a brief discussion.

Mr. SCRIMENTI. Right.

The SPEAKER. You had a caucus; we all had a caucus for some 2 or 3 hours earlier today. These things should have been covered at the caucus. There are written materials prepared, and we are going to do the best we can. Thank you very much.

Mr. SCRIMENTI. Mr. Speaker?

The SPEAKER. Mr. Cohen, we are not going to debate this now.

Mr. Scrimenti, I am sorry. Have you completed, Mr. Scrimenti?

Mr. SCRIMENTI. Mr. Speaker, how about when these bills are being amended in Rules? This was just amended in Rules.

The SPEAKER. All right. We will do the best we can. You stand up when something is bothering you that you do not understand; that is fine. Let us keep going the way we were.

Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I just read this bill, and it seems to me that the amended version that we are going on goes awfully far. Originally this bill was to protect the image of a natural person, so that if somebody wanted to make Matthew Ryan or Mark Cohen or Mike Hanna or Bill DeWeese or John Perzel baseball cards or something and sell them, they would have to pay us, or any other citizen of Pennsylvania, and that seemed to me to be a reasonable thing.

This bill, though, is now extended. The definition of "natural person," whose likeness is protected by this bill, is now

extended to people who are no longer living, and it does not seem, in my quick reading of it, it does not seem to extend any deadline on that. So somebody who lived a couple hundred years ago, somebody would be unable to use their natural likeness or I believe their name in any commercial matter without paying off their heirs, and often, in many cases, it may be pretty difficult to locate their heirs.

My thoughts on this are influenced by my daughter, who loves to collect little bears, and yesterday she got a gift at her Sunday school of a little bear with Roger Maris's name, and she had never heard of Roger Maris. She is 9 1/2 years old, but she was told Roger Maris was a famous baseball player, and that made her happy that she now has a bear with the name of a famous baseball player.

I am not sure, Mr. Speaker, that under the law, under this proposed law, anybody could make bears with famous baseball players' names who are deceased, and I think they would be prohibited unless they located Roger Maris's heirs and worked out an agreement with them.

I think this bill unduly restricts commerce in Pennsylvania and throughout the United States. It may be unconstitutional, but I am not confident about that, but whether or not it is constitutional, it seems to me it is unwise, and I would urge a "no" vote on this bill.

BILL PASSED OVER TEMPORARILY

The SPEAKER. Without objection, the Speaker suggests this bill and the amendment go over temporarily. I would like an opportunity to get someone to look at it and review these questions.

SUPPLEMENTAL CALENDAR B CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 1528, PN 2244, entitled:

An Act providing for a deposit into the Agricultural Conservation Easement Purchase Fund.

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.

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

Table with 4 columns of names: Adolph, Allen, Argall, Armstrong, G., Armstrong, T., Baker, J., Baker, M., Eachus, Egolf, Evans, D., Evans, J., Fairchild, Feese, Fichter, Major, Manderino, Mann, Markosek, Marsico, Mayernik, McCall, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H.

Table with 4 columns of names: Bard, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Brooks, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Cawley, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Coleman, Cornell, Corrigan, Costa, Coy, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Hasay, Hennessey, Herman, Hershey, Hess, Hutchinson, James, Josephs, Kaiser, Keller, Kenney, Kirkland, Krebs, LaGrotta, Lawless, Leh, Lescovitz, Levdansky, Lewis, Lucyk, Lynch, Mackereth, Maher, Maitland, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Myers, Nailor, Nickol, O'Brien, Oliver, Pallone, Perzel, Petrarca, Petrone, Pickett, Pistella, Preston, Raymond, Readshaw, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Scavello, Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigie, Travaglio, Trello, Trich, Tulli, Turzai, Vance, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Williams, J., Wilt, Wojnaroski, Wright, G., Wright, M., Yewcic, Youngblood, Yudichak, Zug, Ryan, Speaker

NAYS-0

NOT VOTING-2

Lederer Pippy

EXCUSED-5

Horsey Laughlin Phillips Zimmerman Jadlowiec

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 1465, PN 2406, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for superintendent compliance with board of school directors action; establishing criteria and authority for school districts to include

character education in curriculum planning and the Character Education Grant Program; and further providing for high school certificates.

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

Mr. **HALUSKA** offered the following amendment No. **A6036**:

Amend Title, page 1, line 9, by inserting after “Program;” providing for firefighter and emergency service training as creditable high school courses;

Amend Bill, page 9, by inserting between lines 24 and 25 Section 3. The act is amended by adding a section to read:

Section 1550. Firefighter and Emergency Service Training.—
(a) Firefighter and emergency service training may be added to high school curricula as credit-earning courses.

(b) The courses may be made available only to students sixteen (16) years of age or older and may include:

(1) Training as a firefighter I from the National Board of Professional Qualifications.

(2) Training as an emergency medical technician by the Department of Health under the act of July 3, 1985 (P.L.164, No.45), known as the “Emergency Medical Services Act.”

(c) If the school district adds firefighter and emergency service training as credit-earning courses, the school district shall provide transportation and supervision for firefighter and emergency service training that takes place off school grounds.

Amend Sec. 3, page 9, line 25, by striking out “3” and inserting 4

Amend Sec. 4, page 10, line 5, by striking out “4” and inserting 5

Amend Sec. 5, page 10, line 8, by striking out “5” and inserting 6

Amend Sec. 5, page 10, line 11, by striking out “4” and inserting 5

Amend Sec. 5, page 10, line 13, by striking out “AND” and inserting a comma

Amend Sec. 5, page 10, line 13, by inserting after “XV-D” and section 1550

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

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman, Mr. Haluska, withdraws his amendment.

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

Mr. **BELFANTI** offered the following amendment No. **A6060**:

Amend Title, page 1, line 10, by removing the period after “CERTIFICATES” and inserting and for mandate waiver program.

Amend Bill, page 10, by inserting between lines 4 and 5

Section 4. Section 1714-B(g) of the act, added May 10, 2000 (P.L.44, No.16), is amended to read:

Section 1714-B. Mandate Waiver Program.* * *

(g) The following provisions of this act shall not be subject to waiver pursuant to this section: sections 108, 110, 111, 321, 322, 323, 324, 325, 326, 327, 431, 436, 437, 440.1, 443, 510, 513, 518, 527,

701.1, 708, 736, 737, 738, 739, 740, 741, 751, 751.1, 752, 753, 755, 771, 776, 777, 808, 809, 810, 1303(a), 1310, 1317, 1317.1, 1317.2, 1318, 1327, 1327.1, 1330, 1332, 1361, 1366, 1501, 1502, 1513, 1517, 1518, 1521, 1523, 1546 and 1547; provisions prohibiting discrimination; Articles VI, XI, XI-A, XII, XIII-A, XIV and XVII-A and this article.

* * *

Amend Sec. 4, page 10, line 5, by striking out “4” and inserting 5

Amend Sec. 5, page 10, line 8, by striking out “5” and inserting 6

Amend Sec. 5, page 10, line 9, by striking out “ADDITION OF SECTION 1503-D(1), (3) AND (7)” and inserting amendment or addition of sections 1503-D(1), (3) and (7) and 1714-B(g)

Amend Sec. 5, page 10, line 11, by striking out “4” and inserting 5

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Belfanti, for a brief explanation of the amendment.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, the amendment inserted by the Senate would allow the Separations Act to be waived on school construction projects. My amendment would—

The SPEAKER. Mr. Belfanti, I think you are on the wrong bill. This is a straight Senate bill; it is not on concurrence. SB 1465.

Mr. BELFANTI. I am sorry, Mr. Speaker.

The SPEAKER. On the question of the adoption of the amendment, Mr. Belfanti.

Mr. BELFANTI. Again, Mr. Speaker, I was a bit confused about which amendment.

This amendment still does speak to the Separations Act, and it would simply not allow the act be waived on school district projects.

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

The following roll call was recorded:

YEAS—149

Allen	Eachus	Mackereth	Scrimenti
Argall	Evans, D.	Manderino	Semmel
Armstrong, T.	Evans, J.	Mann	Shaner
Baker, J.	Feese	Markosek	Smith, B.
Barrar	Flick	Mayernik	Smith, S. H.
Bebko-Jones	Forcier	McCall	Solobay
Belardi	Frankel	McGeehan	Staback
Belfanti	Freeman	McGill	Stairs
Birmelin	Gannon	McIlhattan	Steelman
Bishop	Geist	Melio	Stern
Blaum	George	Metcalfe	Stetler
Boyes	Godshall	Michlovic	Stevenson, R.
Brooks	Gordner	Mundy	Stevenson, T.
Browne	Grucela	Myers	Strittmatter
Bunt	Gruitza	O’Brien	Sturla
Butkovitz	Habay	Oliver	Surra
Buxton	Haluska	Pallone	Tangretti
Caltagirone	Hanna	Perzel	Taylor, J.
Cappelli	Harhai	Petrarca	Thomas
Casorio	Hasay	Petrone	Tigue
Cawley	Herman	Pippy	Travaglio
Civera	Hess	Pistella	Trello

Cohen, L. I.	Hutchinson	Preston	Trich
Cohen, M.	James	Raymond	Tulli
Colafella	Josephs	Readshaw	Veon
Corrigan	Kaiser	Reinard	Vitali
Costa	Keller	Rieger	Walko
Coy	Kenney	Roberts	Wansacz
Cruz	Kirkland	Robinson	Washington
Curry	Krebs	Roebuck	Waters
Dailey	LaGrotta	Rohrer	Williams, J.
Daley	Lawless	Rooney	Wojnaroski
DeLuca	Leh	Rubley	Wright, G.
Dermody	Lescovitz	Ruffing	Yewcic
DeWeese	Levdansky	Sainato	Youngblood
DiGirolamo	Lucyk	Samuelson	Yudichak
Diven	Lynch	Santoni	Zug
Donatucci			

NAYS-47

Adolph	Fairchild	Marsico	Scavello
Armstrong, G.	Fichter	McIlhinney	Schroder
Baker, M.	Fleagle	McNaughton	Schuler
Bard	Gabig	Micozzie	Steil
Bastian	Harhart	Miller, R.	Taylor, E. Z.
Benninghoff	Harper	Miller, S.	Turzai
Clark	Hennessey	Nailor	Watson
Clymer	Hershey	Nickol	Wilt
Coleman	Lewis	Pickett	Wright, M.
Cornell	Maher	Ross	
Creighton	Maitland	Sather	Ryan,
Dally	Major	Saylor	Speaker
Egolf			

NOT VOTING-2

Lederer	Vance
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EXCUSED-5

Horsey	Laughlin	Phillips	Zimmerman
Jadlowiec			

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

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
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-176

Adolph	Donatucci	Mackereth	Schuler
Allen	Eachus	Maitland	Scrimenti
Argall	Egolf	Major	Semmel
Armstrong, G.	Evans, D.	Manderino	Shaner

Baker, J.	Evans, J.	Mann	Smith, B.
Baker, M.	Fairchild	Markosek	Smith, S. H.
Bard	Feece	Marsico	Solobay
Bebko-Jones	Fichter	Mayernik	Staback
Belardi	Fleagle	McCall	Stairs
Belfanti	Flick	McGeehan	Steelman
Benninghoff	Forcier	McGill	Stern
Birmelin	Frankel	McIlhattan	Stetler
Bishop	Freeman	Melio	Stevenson, R.
Blaum	Gannon	Metcalfe	Stevenson, T.
Boyes	Geist	Michlovic	Strittmatter
Brooks	George	Micozzie	Sturla
Browne	Godshall	Mundy	Surra
Bunt	Gordner	Myers	Tangretti
Butkovitz	Grucela	Nailor	Taylor, E. Z.
Buxton	Gruitza	O'Brien	Taylor, J.
Caltagirone	Habay	Oliver	Thomas
Cappelli	Haluska	Pallone	Tigue
Casorio	Hanna	Perzel	Travaglio
Cawley	Harhai	Petrarca	Trello
Civera	Harhart	Petrone	Trich
Clark	Harper	Pickett	Tulli
Clymer	Hasay	Pippy	Turzai
Cohen, L. I.	Herman	Pistella	Veon
Cohen, M.	Hershey	Preston	Vitali
Colafella	Hess	Raymond	Walko
Coleman	Hutchinson	Readshaw	Wansacz
Cornell	James	Reinard	Washington
Corrigan	Josephs	Rieger	Waters
Costa	Kaiser	Roberts	Williams, J.
Coy	Keller	Robinson	Wilt
Creighton	Kenney	Roebuck	Wojnaroski
Cruz	Kirkland	Rooney	Wright, G.
Curry	Krebs	Rubley	Wright, M.
Daley	LaGrotta	Ruffing	Youngblood
Dally	Lawless	Sainato	Yudichak
DeLuca	Leh	Samuelson	Zug
Dermody	Lescovitz	Santoni	
DeWeese	Levdansky	Sather	
DiGirolamo	Lucyk	Scavello	Ryan,
Diven	Lynch		Speaker

NAYS-21

Armstrong, T.	Lewis	Miller, S.	Schroder
Barrar	Maher	Nickol	Steil
Bastian	McIlhinney	Rohrer	Vance
Dailey	McNaughton	Ross	Watson
Gabig	Miller, R.	Saylor	Yewcic
Hennessey			

NOT VOTING-1

Lederer

EXCUSED-5

Horsey	Laughlin	Phillips	Zimmerman
Jadlowiec			

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

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

SUPPLEMENTAL CALENDAR A

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 152, PN 4644**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding and amending definitions; further providing for certificates of title; providing for salvage, theft and reconstructed vehicles; further providing for registration of vehicles, for licensing of drivers, for commercial driver's license, for disqualification, for drivers prohibited from operating with any alcohol in system, for license fees, for annual hauling permits, for passing school buses, for stopping, standing and parking, for pedalcycle use on freeways, for abandonment and stripping of vehicles, for driving under influence of alcohol or controlled substance and for rear wheel shields; providing for restitution of property owners; further providing for inspection requirements; providing for application to tow trucks; further providing for permit for moving of wooden structures, for permit for movement of waste coal and beneficial combustion ash, for official inspection stations, for authority to issue special size and weight permits, for abandoned vehicles and cargos and for messenger service; and providing for the messenger and agent advisory committee.

On the question,

Will the House concur in Senate amendments?

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike this vote. Some of the machines have malfunctioned.

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. The House will please come to order.

The Chair invites the gentleman, Mr. Michlovic, to preside temporarily. Mr. Michlovic.

**THE SPEAKER PRO TEMPORE
(THOMAS A. MICHLOVIC) PRESIDING**

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. HB 152 will go over temporarily.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1686, PN 4603**, entitled:

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, further providing for local library use of incentive for excellence funds.

On the question,

Will the House concur in Senate amendments?

The SPEAKER pro tempore. Moved by the gentleman, Mr. T. Stevenson, that the House concur in amendments inserted by the Senate.

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—198

Adolph	Eachus	Maitland	Scavello
Allen	Egolf	Major	Schroder
Argall	Evans, D.	Manderino	Schuler
Armstrong, G.	Evans, J.	Mann	Scrimenti
Armstrong, T.	Fairchild	Markosek	Semmel
Baker, J.	Feese	Marsico	Shaner
Baker, M.	Fichter	Mayernik	Smith, B.
Bard	Fleagle	McCall	Smith, S. H.
Barrar	Flick	McGeehan	Solobay
Bastian	Forcier	McGill	Staback
Bebko-Jones	Frankel	McIlhattan	Stairs
Belardi	Freeman	McIlhinney	Steelman
Belfanti	Gabig	McNaughton	Steil
Benninghoff	Gannon	Melio	Stern
Birmelin	Geist	Metcalfe	Stetler
Bishop	George	Michlovic	Stevenson, R.
Blaum	Godshall	Micozzie	Stevenson, T.
Boyes	Gordner	Miller, R.	Strittmatter
Brooks	Grucela	Miller, S.	Sturla
Browne	Gruitza	Mundy	Surra
Bunt	Habay	Myers	Tangretti
Butkovitz	Haluska	Nailor	Taylor, E. Z.
Buxton	Hanna	Nickol	Taylor, J.
Caltagirone	Harhai	O'Brien	Thomas
Cappelli	Harhart	Oliver	Tigue
Casorio	Harper	Pallone	Travaglio
Cawley	Hasay	Perzel	Trello
Civera	Hennessey	Petrarca	Trich
Clark	Herman	Petrone	Tulli
Clymer	Hershey	Pickett	Turzai
Cohen, L. I.	Hess	Pippy	Vance
Cohen, M.	Hutchinson	Pistella	Veon
Colafella	James	Preston	Vitali
Coleman	Josephs	Raymond	Walko
Cornell	Kaiser	Readshaw	Wansacz
Corrigan	Keller	Reinard	Washington
Costa	Kenney	Rieger	Waters
Coy	Kirkland	Roberts	Watson
Creighton	Krebs	Robinson	Williams, J.
Cruz	LaGrotta	Roebuck	Wilt
Curry	Lawless	Rohrer	Wojnaroski
Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rubley	Yewcic
DeLuca	Levdansky	Ruffing	Youngblood
Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zug
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Laughlin	Phillips	Zimmerman
Jadlowiec			

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.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 1448, PN 2167, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Pennsylvania Suburban Water Company (as successor to Philadelphia Suburban Water Company by merger), certain lands situate in Canaan Township, Wayne County, and Carbondale and Fell Townships in Lackawanna County.

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

RULES SUSPENDED

The SPEAKER pro tempore. The gentleman, Mr. Clymer, has amendment 6090.

Mr. CLYMER. Mr. Speaker, on my amendment I would need suspension of the rules, and I would ask for a suspension of the rules.

I am withdrawing 6090 since we had to reprint the amendment, and I am submitting amendment 6390; withdrawing 6090 in place of 6390.

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

The following roll call was recorded:

YEAS—198

Table listing names of members who voted 'YEAS' (198 total). Includes names like Adolph, Allen, Argall, etc.

Table listing names of members who were present or absent during the vote. Includes names like Clark, Clymer, Cohen, etc.

NAYS—0

NOT VOTING—0

EXCUSED—5

Table listing names of members who were excused from the vote. Includes names like Horsey, Laughlin, Phillips, Zimmerman.

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

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

Mr. CLYMER offered the following amendment No. A6390:

Amend Title, page 1, lines 1 through 6, by striking out all of said lines and inserting Authorizing the Department of General Services, with the approval of the Governor and the Department of Corrections, to grant and convey a 50-year easement of certain lands situate in Canaan Township, Wayne County, to Waymart Wind Farm L.P.; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Leon Dwinga and Patricia Dwinga, his wife, certain land situate in the Township of Collier, Allegheny County; authorizing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to grant and convey to the Society for the Prevention of Cruelty to Animals of Chester County, Inc., certain land situate in West Bradford Township, Chester County; authorizing the Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, to grant and convey an access road right-of-way over certain State land to Sanford J. and Doris M. Henry, Paul L. and Deborah K. Baker, Michael R. and Jeanne M. Henry, Lynn A. and Kimberly R. Henry, Leland W. Henry, Sr., and Leland W. Henry, Jr., all of Middlecreek Township, Somerset County, Pennsylvania, and their heirs and assigns; authorizing the release of Project 500 restrictions imposed on certain land owned by the Borough of Royalton, Dauphin County, and imposing Project 500 restrictions on other land owned by the Borough of Royalton,

Dauphin County; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey certain lands situate in Latrobe Borough, Westmoreland County, to the Borough of Latrobe; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey, at a price determined through competitive bidding, certain lands situate in Scottdale Borough, Westmoreland County; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey certain lands situate in Blairsville Borough, Indiana County, to the Borough of Blairsville; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey certain lands situate in Kutztown Borough, Berks County, to the Borough of Kutztown; authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey a certain tract of land situate in the Borough of Media, Delaware County, to the Borough of Media; authorizing the release of Project 70 restrictions on certain land owned by the Lehigh Water Authority, Township of Penn Forest, Carbon County, to provide access right-of-way to John A. Wargo, et al. "Apollo Associates"; and making a repeal.

Amend Bill, page 1, lines 9 through 18; pages 2 through 25, lines 1 through 30; page 26, lines 1 through 3, by striking out all of said lines on said pages and inserting

Section 1. Conveyance in Canaan Township, Wayne County.

(a) Authorization.—The Department of General Services, with the approval of the Governor and the Department of Corrections, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Waymart Wind Farm L.P., 405 14th Street, Suite 712, Oakland, California, 94612, for an annual consideration of \$400; a 50-year easement for an electric transmission line on a parcel of land situate in Canaan Township, Wayne County, on the grounds of the State Correctional Institution at Waymart, south of State Route 0006 as described in subsection (b), all in accordance with a proposed easement agreement with the Department of General Services.

(b) Property description.—The property to be conveyed pursuant to subsection (a) consists of approximately 1.9482 acres of land bounded and described according to a metes and bounds description prepared by Alfred K. Bucconear, Registered Professional Land Surveyor, more particularly described as follows:

ALL that certain piece, parcel or tract of land lying, situate and being in the Township of Canaan, County of Wayne and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point, located in the center of the right of way of U.S. Traffic Route 6/State Route 0006/Roosevelt Highway, said point being further distinguished as being located, the following curvilinear course and distance (measured along the center of the aforesaid right of way), namely, along the arc of a curve to the left, in a southeasterly direction, having a central angle of 03 degrees 38 minutes 13 seconds, with the radius of 1432.690 feet, a distance or arc length of 90.937 feet, from the southeasterly corner of a certain lot, containing 2.7580 acres of land, excepted and reserved, to the Commonwealth of Pennsylvania, in a certain proposed DEED/INDENTURE of conveyance to Pennsylvania/Philadelphia Suburban Water Company;

thence, along the center of the right of way of the aforesaid U.S. Traffic Route 6, the following two curvilinear courses and distances; along the arc of a curve to the left, in a southeasterly direction, having a central angle of 00 degrees 39 minutes 26 seconds, with a radius of 1432.690 feet, a distance or arc length of 16.437 feet to a point, being the center of the subject easement herein, and

thence, continuing along the arc of a curve to the left, in a southeasterly direction, having a central angle of 00 degrees 39 minutes 15 seconds, with a radius of 1432.690 feet, a distance or arc length of 16.354 feet to a point,

thence, departing from the aforesaid U.S. Traffic Route 6 and through lands of the Commonwealth of Pennsylvania, South 11 degrees 11 minutes 06 seconds East (crossing a certain drainage and, also, crossing a certain private access roadway) 746.076 feet to a point;

thence, continuing through lands of the aforesaid Commonwealth of Pennsylvania, South 36 degrees 49 minutes 49 seconds West (crossing a certain public highway, designated as PA L.R.63086/State Route 3030/Carbondale Road) 2243.806 feet to a point, located on common bounds of lands of Catherine Ann Harding et vir, et al (Record Book 537, Page 280), said point being further distinguished as being located, North 31 degrees 16 minutes 31 seconds East (measured along common bounds of lands of the aforesaid Harding et al) 3058.541 feet, from a spike set at the base of a wood stake found in stones corner, being the southeasterly corner of land of the aforesaid Harding et al;

thence, along common bounds of lands of the aforesaid Harding et al, North 31 degrees 16 minutes 31 seconds East 154.953 feet to a point, being the center of the subject easement herein; thence, continuing along common bounds of lands of the aforesaid Harding et al, North 31 degrees 16 minutes 31 seconds East 154.953 feet to a point;

thence, through lands of the aforesaid Commonwealth of Pennsylvania, North 36 degrees 49 minutes 49 seconds East (crossing the aforesaid PA L.R.63086) 1921.995 feet to a point;

thence, continuing through lands of the aforesaid Commonwealth of Pennsylvania, North 11 degrees 11 minutes 06 seconds West (crossing the aforesaid private access roadway and drainage) 745.951 feet to the place of BEGINNING.

CONTAINING, within bounds, 1.9482 acres of land.

(c) Conditions.—The easement conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any lawful interest, enforceable estates or tenancies vested in third persons whether or not appearing of record, for any portion of the land or improvements erected thereon.

(d) Approval.—The easement conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(e) Proceeds.—The proceeds of this 50-year easement shall be paid into the General Fund.

(f) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 2. Conveyance in Collier Township, Allegheny County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Leon Dwinga and Patricia Dwinga certain land as described in subsection (b) for fair market value as determined by an independent appraisal.

(b) Property description.—The tract to be conveyed is situate in the Township of Collier, Allegheny County, Pennsylvania, bounded and described as follows:

ALL THAT CERTAIN tract of land situate in the Township of Collier, County of Allegheny and Commonwealth of Pennsylvania, being parts of Lot Nos. 53 and 54 in A. W. Mellon's Plan of Ewing Farm, recorded in the Recorder's Office of Allegheny County in Plan Book Volume 22, pages 194 and 195, bounded and described as follows:

BEGINNING at a point in the center of Dorrington Road and the Easterly line of Lot 54 as laid out in said plan; thence along the centerline of Dorrington Road to a point on the Westerly line of Lot 53 as laid out in said plan; thence along the Westerly line of Lot 53 to a point; thence along the Southerly line of Lot Nos. 53 and 54 to the

centerline of Hill Top Road, S.R. 3052; thence along the centerline of Hill Top Road, S.R. 3052 to a point on the Easterly line of Lot 54 as laid out in said plan; thence along the Easterly side of Lot 54 to a point in the center of Dorrington Road, at the place of beginning.

CONTAINING: .33 acres of land more or less.

(c) Conditions.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, cable, water, electric, sewer, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Deed.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(e) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 3. West Bradford Township, Chester County Conveyance.

(a) Conveyance authorized.—The Department of General Services, with the approval of the Department of Public Welfare and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Society for the Prevention of Cruelty to Animals of Chester County, Inc. certain land as described in subsection (b) for fair market value as determined by an independent appraisal.

(b) Property description.—The tract to be conveyed is situate in the Township of West Bradford, Chester County, Pennsylvania, bounded and described as follows:

ALL THAT CERTAIN tract or parcel of land situate in West Bradford Township, Chester County, PA, described according to a plan prepared by Register Associates, Inc., dated March 12, 2002, and last revised May 13, 2002, being Drawing Number C-915, to wit:

BEGINNING at a point in the title line of Public Road S.R. 3062 known as Strasburg Road, marking a corner of the herein described tract and a corner of lands of the Tattersall Golf Community; thence leaving the said point of beginning, leaving Strasburg Road and along lands of the Tattersall Golf Community the following three courses and distances to wit: South 02 degrees 58 minutes 05 seconds East 243.59 feet to a re-rod; South 43 degrees 29 minutes 16 seconds East 248.53 feet to an iron pin; South 28 degrees 12 minutes 17 seconds East 437.96 feet to an iron pin marking a corner of lands of the Commonwealth of Pennsylvania; thence along the same the following two courses and distances to wit; South 44 degrees 28 minutes 27 seconds West 1050.95 feet to an iron pin; North 09 degrees 27 minutes 18 seconds West 1523.20 feet to a point in the title line of Strasburg Road, aforementioned; thence along the same, North 84 degrees 32 minutes 27 seconds East 598.58 feet to the first mentioned point and place of BEGINNING.

CONTAINING: 20.000 acres of land be the same more or less.

(c) Conditions.—The conveyance shall be made under the subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of telephone, telegraph, cable, water, electric, sewer, gas or pipeline companies, as well as under the subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Deed of conveyance.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(e) Special condition.—The conveyance shall be subject to a condition that the lands conveyed under this section shall be used for the principal use of programs and services associated with the prevention of cruelty to animals and enforcement of the animal cruelty laws of the Commonwealth, by the grantee, or its successor in interest. This condition may be removed by the Commonwealth but only if the grantee demonstrates good reason to do so and pays the Commonwealth an amount which represents the difference in real dollars between the consideration paid by grantee to the

Commonwealth for the purchase of lands conveyed in this section with the restrictive covenant and the then current fair market appraised value the property would have had without the restrictive covenant. Should the grantee, while this condition remains in effect, either allow the property to be used for a principal use other than that described above or attempt to convey the premises, title shall immediately revert to and rest in the Commonwealth.

(f) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 4. Conveyance in Middlecreek Township, Somerset County.

(a) Authorization and description.—The Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to Sanford J. and Doris M. Henry (Tax Parcel No. 27-0-002970 and Tax Parcel No. 27-0-002960), Paul L. and Deborah K. Baker (Tax Parcel No. 27-0-012850), Michael R. and Jeanne M. Henry (Tax Parcel No. 27-0-016690), Lynn A. and Kimberly R. Henry (Tax Parcel No. 27-0-019820), Leland W. Henry, Sr. (Tax Parcel No. 27-0-002940) and Leland W. Henry, Jr. (Tax Parcel No. 27-0-0-002830), all of Middlecreek Township, Somerset County, their heirs and assigns, for a consideration of \$1, an access road right-of-way having a width of thirty-three (33') feet across a parcel of the Laurel Hill State Park in Middlecreek Township, Somerset County, the center line of said access road describing also the center line of an existing gravel road and being more particularly bounded and described as follows:

Beginning at a point on the western side of SR 3029 at the junction of an existing gravel road, said point of beginning being located approximately 3,375 feet south from the intersection of SR 3029 and Jones Mill Road, thence from said point of beginning and by the centerline of said existing gravel road and thirty-three (33') foot wide right of way the following three (3) courses: North 77 degrees 40 minutes 10 seconds East for a distance of 208.76 feet to a point, thence North 81 degrees 34 minutes 43 seconds East for a distance of 220.46 feet to a point, and thence North 75 degrees 28 minutes 03 seconds East for a distance of 109.88 feet to a point on the common boundary of said lands of Laurel Hill State Park and lands now or formerly of Leland W. Henry et. ux.

(b) Easement.—The conveyance shall be made under and subject to all easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

(c) Proceeds.—The proceeds of the sale shall be paid into the General Fund.

(d) Deed.—The deed of easement or right-of-way shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(e) Costs.—Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 5. Conveyance in Borough of Royalton, Dauphin County.

(a) Authorization to release restrictions.—The land described in subsection (b) is hereby released from any restrictions or encumbrances on the title resulting from the provisions of the act of January 19, 1968 (1967 P.L.996, No.443), known as The Land and Water Conservation and Reclamation Act, in exchange for the imposition of the Land and Water Conservation and Reclamation Act provisions on land owned by the Borough of Royalton and described in subsection (c).

(b) Description of land to be released of restrictions.—All that certain parcel of land located in the Borough of Royalton, Dauphin County, Pennsylvania, bounded and described as follows: Beginning at a monument on the southerly side of Canal Street; thence south 10 degrees 03 minutes west along the easterly side of a private road, 123.55 feet to a spike; thence south 79 degrees 50 minutes west 100 feet to a spike in the easterly line of lands, now or late, of

Margaret Ellen Kerr Beckley; thence north 12 degrees 42 minutes east 97.46 feet to a spike in the southerly line of Canal Street; thence along the southern line of said Canal Street, north 75 degrees 50 minutes east 45.51 feet to a spike; thence still along the southerly line of said Canal Street, south 07 degrees 40 minutes east, 54.50 feet to a monument, the place of beginning.

Being the same premises which Kenneth P. Dudley and Doris M. Dudley, his wife, by Deed dated August 7, 1984, and recorded in the Office of Recorder of Deeds, Dauphin County, Pennsylvania, in Record Book 526, at page 252, granted and conveyed to the Borough of Royalton. And being also Tract 2 upon which the Borough of Royalton by deed dated September 26, 1988, and recorded in the Office of Recorder of Deeds, Dauphin County, Pennsylvania, in Record Book 1179, at page 363, previously imposed the restriction that the said Tract 2 be used for municipal park, recreation and open space purposes as defined in the Land and Water Conservation and Reclamation Act.

(c) Description of land to be restricted.—All of that certain portion of land in the Borough of Royalton, Dauphin County, Pennsylvania, bounded and described as follows:

Beginning at a point at the intersection of the northern right-of-way line of Burd Street (50' wide) with the eastern line of lands now or formerly of Amtrak, said point also being at the southwest corner of the herein described Lot No. 2; thence, along the aforementioned lands of Amtrak, and along the western side of a 10 feet wide drainage easement, North 19 degrees 32 minutes 24 seconds West, 143.21 feet to a concrete monument (set); thence, along Lot No. 1, as shown on the above referenced plan, South 84 degrees 30 minutes 00 seconds East, 142.39 feet to a concrete monument (set); thence, continuing along the aforementioned Lot No. 1, along the western side of a 25 feet wide access and utility easement, South 05 degrees 30 minutes 00 seconds West, 129.75 feet to a 3/4 inch rebar with cap (set) at the northern right-of-way line of the aforementioned Burd Street; thence, along said right-of-way line and along the southern side of the aforementioned drainage easement, North 84 degrees 30 minutes 00 seconds West, 81.77 feet to the Point of Beginning, containing 14,542.6 square feet or 0.3339 acres. Identified as "Lot No. 2", on a plan titled, "Final Subdivision Plan for Borough of Royalton", prepared by Light-Heigel & Associates, Inc., dated July 26, 2002, Job Number 02-0372, recorded in the Office of Recorder of Deeds, Dauphin County, Pennsylvania, in Plan Book I, Volume 8, at Page 95, and being a portion of the piece or parcel of land which the Middletown Area School District by deed dated June 25, 2001, and recorded in the Office of Recorder of Deeds, Dauphin County, Pennsylvania, in Record Book 4042, at page 492 granted and conveyed to the Borough of Royalton. Together with the right of ingress, egress, and regress, from Burd Street, over and across a 25 feet wide access and utility easement over lands granted and conveyed to the Borough of Royalton by the aforesaid deed of June 25, 2001, said easement being set forth on the aforesaid Final Subdivision Plan, and said easement being further described as follows: Beginning at a 3/4 inch rebar with cap (set) on the northern right-of-way line of Burd Street (50' wide) in the Borough of Royalton, Dauphin County, Pennsylvania, said rebar being at the southeast corner of Lot No. 2, at a corner common to lands now or formerly of the Borough of Royalton (Lot No. 1) as shown on the above referenced plan, said point also being at the southwest corner of the herein described Proposed 25 feet Wide Access and Utility Easement on the above referenced plan; thence, along the aforementioned Lot No. 2, North 05 degrees 30 minutes 00 seconds East, 129.75 feet to a concrete monument (set); thence, through the aforementioned lands of the Borough of Royalton, South 84 degrees, 30 minutes, 00 seconds East, 25.00 feet to a point, thence, along lands now or formerly of Michael S. Richards, described in Deed Book 2429, at Page 110, South 05 degrees 30 minutes 00 seconds West, 129.75 to a pin (found) on the northern right-of-way line of the aforementioned Burd Street; thence, along said right-of-way line, North 84 degrees 30 minutes 00 seconds West, 25.00 feet to the Point of the Beginning.

(d) Authorization to impose restrictions.—The following restriction shall be added to the deed for the land described in subsection (c):

"This land is to be used for municipal park, recreation and open space purposes as defined in the Land and Water Conservation and Reclamation Act."

(e) Special account.—Further, in consideration for releasing the restrictions on the property described in subsection (b), the borough shall place in a special account of the borough an amount of money equal to the fair market value of this property. For purposes of this legislation the fair market value has been determined to be \$16,500. Within five years of the effective date of this act, this money shall be used exclusively to make improvements to existing borough-owned parks and playgrounds in accordance with a plan approved by the Department of Conservation and Natural Resources, Bureau of Recreation and Conservation.

Section 6. Latrobe Borough, Westmoreland County.

(a) Authorization.—The Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the Borough of Latrobe, for fair market value as determined by independent appraisal, the National Guard Armory situate in Latrobe Borough, Westmoreland County, Pennsylvania, described in subsection (b).

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of approximately 0.32 acres and an armory building bounded and more particularly described as follows:

Tract 1

BEING Lot No. 8 in Block 9 of the Brinker Plan of Lots as recorded in Westmoreland County Deed Book 82, Page 225.

Said lot having a frontage of fifty (50) feet on the Northerly side of Spring Street, and extending back, of even width, between Lot No. 7 on the East and Lot No. 9 on the West, a distance of one hundred thirty-eight and eighty-six hundredths (138.86) feet to an alley.

BEING the same land conveyed to the Commonwealth of Pennsylvania by deed of Effie B. Whiteman, Thomas M. Whiteman, Rachel L. Whiteman, and Harry J. Whiteman, dated November 24, 1922, and recorded in the Office of Recorder of Deeds in and for Westmoreland County, Pennsylvania, in Deed Book 720, Page 130.

Tract 2

BEING Lot No. 7 in Block 9 of the Brinker Plan of Lots in said Borough of Latrobe as recorded in Westmoreland County Deed Book 82, Page 225.

Having a frontage of fifty (50) feet on the Northerly side of Spring Street, and extending back of even width, between Ridge Avenue on the East and Lot No. 7 in said block on the West, a distance of one hundred thirty-eight and eighty-six hundredths (138.86) feet to an alley.

AND BEING the same land conveyed to the Commonwealth of Pennsylvania by deed of James B. Weaver and Fannie F. Weaver, dated November 24, 1922, and recorded in the Office of Recorder of Deeds in and for Westmoreland County, Pennsylvania, in Deed Book 720, Page 131.

(c) Proceeds.—The proceeds from the sale of the land and armory shall be deposited in the State Treasury Armory Fund.

(d) Easements.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including but not confined to streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(e) Execution.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Alternate disposition.—In the event the conveyance is not executed within three (3) months of the effective date of this act, the Department of General Services may dispose of the property in

accordance with section 2406-A of act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 7. Scottsdale Borough, Westmoreland County.

(a) Authorization.—The Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey, at a price to be determined through competitive bidding, the following tract of land together with any buildings, structures or improvements thereon, situate in Scottsdale Borough, Westmoreland County, Pennsylvania.

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of approximately 0.719-acres and an armory building bounded and more particularly described as follows:

BEGINNING at a point on the Northeasterly corner of the intersection of Edwin Avenue and Everson Street; thence along Everson Street North 23 degrees 35 minutes East 177.03 feet to a point, at the intersection of Everson Street and Park Street; thence along Park Street South 50 degrees 37 minutes East 193.05 feet to a point at the intersection of Park Street and North Broadway; thence along North Broadway South 4 degrees 58 minutes West 136.76 feet to a point at the intersection of North Broadway and Edwin Avenue; thence along Edwin Avenue North 65 degrees 08 minutes West 229.49 feet to the place of BEGINNING.

CONTAINING 0.719-acres, more or less.

(c) Proceeds.—The proceeds from the sale of the land and armory shall be deposited in the State Treasury Armory Fund.

(d) Easements.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including but not confined to streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(e) Execution.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

Section 8. Blairsville Borough, Indiana County.

(a) Authorization.—The Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the Borough of Blairsville, for fair market value as determined by independent appraisal, the Blairsville Armory situate in Blairsville Borough, Indiana County, Pennsylvania, described in subsection (b).

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of approximately 10,370 square feet and an armory building bounded and more particularly described as follows:

Tract 1

BEING a certain lot or piece of ground together with the two (2) story building situate in the Borough of Blairsville, County of Indiana and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING on the westerly side of Walnut Street at a point distant seventy (70) feet northwardly from the north west corner of Walnut and Campbell streets, said point of beginning being on the dividing line of property now or late of Mrs. Sarah E. Lyda and premises herein described: thence northwardly along the westerly side of said Walnut Street eighty-six and five tenths (86.5) feet more or less to the southerly line of North Alley; thence extending westwardly along the southerly line of North Alley one hundred twenty two (122) feet more or less to the line of property now or late of St. Peter's Episcopal Church; thence southwardly along the line of said church property a distance of eighty five and four tenths (85.4) feet more or less to the line of land now or late of Mrs. Sarah E. Lyda; thence eastwardly by line of said property now or late of Mrs. Sarah E. Lyda one hundred twenty one and one tenth (121.1) feet more or less to the westerly line of Walnut street aforesaid, the place of beginning.

BEING the same land conveyed to the Commonwealth of Pennsylvania by deed of Samuel W. Miller and Wilma F.G. Miller,

dated March 25th, 1909 and recorded in the Recorder's Office of Indiana County, Pennsylvania, May 5th, 1909.

(c) Proceeds.—The proceeds from the sale of the land and armory shall be deposited in the State Treasury Armory Fund.

(d) Easement.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including but not confined to streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(e) Execution.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Alternate disposition.—In the event the conveyance is not executed within six (6) months of the effective date of this act, the Department of General Services may dispose of the property in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 9. Kutztown Borough, Berks County.

(a) Authorization.—The Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the Borough of Kutztown, for fair consideration as determined by independent appraisal, the Apple Alley Garage situate in Kutztown Borough, Berks County, Pennsylvania, described in subsection (b).

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of approximately 1 acre seven and fourteen one hundredths (7.14) perches and a maintenance building bounded and more particularly described as follows:

Tract 1

BEING a certain lot or piece of ground together with the one (1) story frame garage erected thereon, situate on the western side of Pennsylvania Avenue between Normal Avenue and Sander Alley, in the Borough of Kutztown, County of Berks and State of Pennsylvania, bounded on the north by property belonging to the Estate of David Adam, deceased, on the east by residue portion of Pennsylvania Avenue (unopened), on the south by property belonging to George T. Deibert, and on the west by a twenty (20) feet wide alley known as Apple Alley, and being more fully bounded and described as follows, to wit:

BEGINNING at a corner marked by an iron pin in Pennsylvania Avenue, a distance of one hundred sixty feet (160') northwardly from the northern topographical building line of Normal Avenue, thence leaving the aforesaid Pennsylvania Avenue, passing through a marble stone on the western topographical building line of same, thirty two feet one eighth inch (32' 0-1/8") from the last described corner and making an interior angle of ninety degrees eight minutes (90 degrees 08') with the aforesaid Pennsylvania Avenue, a distance of one hundred ninety two feet (192') to a corner marked by a marble stone on the eastern side of a twenty (20) feet wide alley known as Apple Alley; thence in a northerly direction location same, making an interior angle of eighty nine degrees fifty two minutes (89 degrees 52') with the last described line, a distance of two hundred thirty seven feet (237') to a corner marked by a marble stone; thence leaving and making an interior angle of ninety degrees eight minutes (90 degrees 08') with aforesaid Apple Alley and in an easterly direction along property belonging to the Estate of David Adam, deceased, passing through a marble stone on the western topographical building line of the aforesaid Pennsylvania Avenue, thirty two feet one eighth inch (32' 0-1/8th") from the next described corner, a distance of one hundred ninety two feet (192') to a corner marked by an iron pin in the aforesaid Pennsylvania Avenue; thence in and along same in a southerly direction, making an interior angle of eighty nine degrees fifty two minutes (89 degrees 52') with the last described line, a distance of two hundred thirty seven feet (237') to the place of

Beginning. CONTAINING one (1) acre seven and fourteen one hundredths (7.14) perches.

BEING the same premises which Percy H. Keodinger, Singleman, by his deed dated September 13, 1948, and about to be recorded in the office of the Recorder of Deeds of Berks County, Pennsylvania, granted and conveyed unto Borough of Kutztown, party hereto, and BEING DELINEATED on blue print attached to this deed and made a part hereof.

(c) Proceeds.—The proceeds from the sale of the land and armory shall be deposited in the State Treasury Armory Fund.

(d) Easements.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including but not confined to streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(e) Execution.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Alternate disposition.—In the event the conveyance is not executed within three (3) months of the effective date of this act, the Department of General Services may dispose of the property in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 10. Media Borough, Delaware County.

(a) Authorization.—The Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Borough of Media, certain land and improvements thereon known as the National Guard Armory described in subsection (b) for fair consideration as determined by independent appraisal.

(b) Description.—The property to be conveyed is a tract of land together with improvements thereon situate in the Borough of Media, Delaware County, Pennsylvania, bounded and described as follows:

All that certain tract of land situate on the Southwestern corner of State and Church Streets, containing in front or breadth on the said State Street, one hundred (100) feet and extending of that width in length or depth Southwardly one hundred and fifty (150) feet to the Northerly side of Baker Street (thirty feet wide) together with the right and use of said Baker Street in common with the owners of the other land abutting thereon.

This property being identified as Tax Map No. 26-04-560.00

Being the same property that James A. McDowell Et. Al. as trustees of the First Methodist Episcopal Church of Media, by their deed dated November 7, 1907, and recorded in the Delaware County Recorder of Deeds Office in Deed Book S-12, Page 31, granted and conveyed unto the Commonwealth of Pennsylvania.

(c) Easements.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including but not confined to streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Execution.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(e) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the Grantee.

(f) Proceeds.—The proceeds from the sale shall be deposited in the State Treasury Armory Fund.

(g) Alternate disposition.—In the event the conveyance is not executed within six (6) months of the effective date of this act, the Department of General Services may dispose of the property in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 11. Penn Forest Township, Carbon 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 release of Project 70 restrictions on a portion of lands owned by the Lehigh Water Authority, which are more particularly described in subsection (c). This release of Project 70 restrictions is in consideration of the fact that records indicate that the land described in subsection (c) is to provide a right-of-way access that was inadvertently not provided at the time of the Project 70 acquisition.

(b) Freedom of restrictions.—The lands described in subsection (c) shall be free of restrictions on use and alienation imposed by the Project 70 Land Acquisition and Borrowing Act.

(c) Land to be released from restrictions.—The section of the land to be released from Project 70 restrictions is situated in the Township of Penn Forest, Carbon County and more particularly described as follows:

All that certain access right-of-way situated in the Township of Penn Forest, County of Carbon, Commonwealth of Pennsylvania, bound and described as follows to wit:

Beginning at a point in the centerline of S.R. 903, said point being a common corner of lands of the Lehigh Water Authority; thence leaving said centerline of S.R. 903 and through said lands of the Lehigh Water Authority, South 49 degrees 37 minutes 28 seconds East (passing through a pin at 27.58 feet and 1008.94 feet) to a set pin; thence continuing through said lands of the Lehigh Water Authority, South 29 degrees 49 minutes 10 seconds East 53.49 feet to a set pin; thence continuing through said lands of the Lehigh Water Authority, South 60 degrees 10 minutes 50 seconds West 20.00 feet to a set pin in line of lands of John A. Wargo, et al. "Apollo Associates"; thence by said lands of John A. Wargo et al. "Apollo Associates"; North 29 degrees 49 minutes 10 seconds West 50.00 feet to a concrete monument, said corner being a common corner with lands of Thomas Hiller; thence partly by said lands of Thomas Hiller and partly by lands of George D. Hiller, North 49 degrees 37 minutes 28 seconds West (passing through a concrete monument at 988.15 feet) 1019.33 feet to a point in the aforementioned centerline of S.R. 903; thence along said centerline of S.R. 903, North 50 degrees 34 minutes 27 seconds East 20.32 feet to the place of beginning.

Containing 0.4917 acres (21,420.45 s.f.) of land. Being that 20 feet wide access right-of-way, as shown hereon, dated May 27, 2002.

Said described access right-of-way is to provide access to the "Apollo" property and would replace and correct the description recorded in Deed Book Volume 333, page 782.

Section 12. Repeal.

Section 3 of the act of June 22, 2000 (P.L.447, No.60), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey oil, gas and mineral rights, including coal, that the Commonwealth possesses in a certain parcel of land situate in Canaan Township, Wayne County, Pennsylvania, to the United States of America and releasing certain restrictions on that land; authorizing and directing the Department of General Services, with the approval of the Governor, to sell and convey to Warren County Conservation District a certain tract of land situate in the Township of Glade, Warren County, Pennsylvania; and authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to sell and convey to Media Borough a certain tract of land situate in Media Borough, Delaware County, Pennsylvania," is repealed.

Section 13. Effective date.

This act shall take effect immediately.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, we had to withdraw the previous amendment because there was an error in the amendment itself.

All the provisions in this amendment were in the same amendment, and the House has voted on all these land transfers except one, either in straight bills or amendments to bills. So we are kind of duplicating what we have done over the past several weeks with these land transfers.

However, there is one additional land transfer in this particular amendment, and that is Senator Piccola has put in an amendment that releases Project 500 restrictions from a .28, .28-acre parcel of land in the borough of Royaltown, Dauphin County, in exchange for the placement of the same restrictions on a .33-acre parcel within the borough. So what we are doing is lifting restrictions on .28 acres and putting new restrictions on .33 acres. This meets the requirements by the Department of General Services.

I would ask support for this provision in the amendment and for all the other land transfers in amendment 6390.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes, from Berks County, Mrs. Miller, on the amendment.

Mrs. MILLER. Thank you, Mr. Speaker.

May I interrogate the maker of the amendment, please?

The SPEAKER pro tempore. The member agrees to interrogation. You may proceed.

Mrs. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, my question is, are there any provisions in this amendment that would have the Commonwealth converting State farmland to a nonagricultural use?

Mr. CLYMER. Mr. Speaker, in response to the gentlelady's question, that provision is not in this amendment.

Mrs. MILLER. Thank you, Mr. Speaker.

And one final question, Mr. Speaker. When you talk about adding a change of a restriction, could you please provide us with more information about what kind of restrictions we are talking about.

Mr. CLYMER. Mr. Speaker, this releases Project 500 restrictions, which is very similar to Project 70 restrictions, and so we need authorization to make the change, and that is the reason for the amendment, the change in this particular amendment, why we are adding this amendment.

Mrs. MILLER. Thank you, Mr. Speaker.

That ends my interrogation.

The SPEAKER pro tempore. The gentleman from Northampton, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, would the gentleman, Mr. Clymer, stand for a brief period of interrogation?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. FREEMAN. Mr. Speaker, the original language in SB 1448 had a reversionary clause pertaining to some land in Wayne County, specifically in Canaan or New Canaan Township, if my memory serves me correctly. Can the gentleman please tell me whether or not his amendment removes that reversionary language? I realize that the issue at stake in that particular transfer has already been dealt with by another land transfer bill that was signed into law, but I just

want to clarify for the record whether the gentleman's amendment takes out my reversionary language.

Mr. CLYMER. Mr. Speaker, this amendment strips out all the language in SB 1448 including the reversionary clause.

Mr. FREEMAN. Thank you, Mr. Speaker.

That concludes my interrogation.

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

The following roll call was recorded:

YEAS—197

Adolph	Eachus	Major	Schroder
Allen	Egolf	Manderino	Schuler
Argall	Evans, D.	Mann	Scrimenti
Armstrong, G.	Evans, J.	Markosek	Semmel
Armstrong, T.	Fairchild	Marsico	Shaner
Baker, J.	Feese	Mayernik	Smith, B.
Baker, M.	Fichter	McCall	Smith, S. H.
Bard	Fleagle	McGeehan	Solobay
Barrar	Flick	McGill	Staback
Bastian	Forcier	McIlhattan	Stairs
Bebko-Jones	Frankel	McIlhinney	Steelman
Belardi	Gabig	McNaughton	Steil
Belfanti	Gannon	Melio	Stern
Benninghoff	Geist	Metcalfe	Stetter
Birmelin	George	Michlovic	Stevenson, R.
Bishop	Godshall	Micozzie	Stevenson, T.
Blaum	Gordner	Miller, R.	Strittmatter
Boyes	Grucela	Miller, S.	Sturla
Brooks	Gruitza	Mundy	Surra
Browne	Habay	Myers	Tangretti
Bunt	Haluska	Nailor	Taylor, E. Z.
Butkovitz	Hanna	Nickol	Taylor, J.
Buxton	Harhai	O'Brien	Thomas
Caltagirone	Harhart	Oliver	Tigue
Cappelli	Harper	Pallone	Travaglio
Casorio	Hasay	Perzel	Trello
Cawley	Hennessey	Petrarca	Trich
Civera	Herman	Petrone	Tulli
Clark	Hershey	Pickett	Turzai
Clymer	Hess	Pippy	Vance
Cohen, L. I.	Hutchinson	Pistella	Veon
Cohen, M.	James	Preston	Vitali
Colafella	Josephs	Raymond	Walko
Coleman	Kaiser	Readshaw	Wansacz
Cornell	Keller	Reinard	Washington
Corrigan	Kenney	Rieger	Waters
Costa	Kirkland	Roberts	Watson
Coy	Krebs	Robinson	Williams, J.
Creighton	LaGrotta	Roebuck	Wilt
Cruz	Lawless	Rohrer	Wojnaroski
Curry	Lederer	Rooney	Wright, G.
Dailey	Leh	Ross	Wright, M.
Daley	Lescovitz	Rubley	Yewcic
Dally	Levdansky	Ruffing	Youngblood
DeLuca	Lewis	Sainato	Yudichak
Dermody	Lucyk	Samuelson	Zug
DeWeese	Lynch	Santoni	
DiGirolamo	Mackereth	Sather	
Diven	Maher	Saylor	Ryan,
Donatucci	Maitland	Scavello	Speaker

NAYS—1

Freeman

NOT VOTING—0

EXCUSED—5

Horshey	Laughlin	Phillips	Zimmerman
Jadlowiec			

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

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

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

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Maitland	Scavello
Allen	Egolf	Major	Schroder
Argall	Evans, D.	Manderino	Schuler
Armstrong, G.	Evans, J.	Mann	Scrimenti
Armstrong, T.	Fairchild	Markosek	Semmel
Baker, J.	Feese	Marsico	Shaner
Baker, M.	Fichter	Mayernik	Smith, B.
Bard	Fleagle	McCall	Smith, S. H.
Barrar	Flick	McGeehan	Solobay
Bastian	Forcier	McGill	Staback
Bebko-Jones	Frankel	McIlhattan	Stairs
Belardi	Freeman	McIlhinney	Steelman
Belfanti	Gabig	McNaughton	Steil
Benninghoff	Gannon	Melio	Stern
Birmelin	Geist	Metcalfe	Stetler
Bishop	George	Michlovic	Stevenson, R.
Blaum	Godshall	Micozzie	Stevenson, T.
Boyes	Gordner	Miller, R.	Strittmatter
Brooks	Grucela	Miller, S.	Sturla
Browne	Gruitza	Mundy	Surra
Bunt	Habay	Myers	Tangretti
Butkovitz	Haluska	Nailor	Taylor, E. Z.
Buxton	Hanna	Nickol	Taylor, J.
Caltagirone	Harhai	O'Brien	Thomas
Cappelli	Harhart	Oliver	Tigue
Casorio	Harper	Pallone	Travaglio
Cawley	Hasay	Perzel	Trello
Civera	Hennessey	Petrarca	Trich
Clark	Herman	Petrone	Tulli
Clymer	Hershey	Pickett	Turzai
Cohen, L. I.	Hess	Pippy	Vance
Cohen, M.	Hutchinson	Pistella	Veon
Colafella	James	Preston	Vitali
Coleman	Josephs	Raymond	Walko
Cornell	Kaiser	Readshaw	Wansacz
Corrigan	Keller	Reinard	Washington
Costa	Kenney	Rieger	Waters
Coy	Kirkland	Roberts	Watson
Creighton	Krebs	Robinson	Williams, J.
Cruz	LaGrotta	Roebuck	Wilt
Curry	Lawless	Rohrer	Wojnaroski
Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rubley	Yewic
DeLuca	Levdansky	Ruffing	Youngblood

Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zug
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Horshey	Laughlin	Phillips	Zimmerman
Jadlowiec			

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

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

SUPPLEMENTAL CALENDAR D

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1402, PN 2419**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of forgery; and providing for computer offenses and for penalties.

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

The SPEAKER pro tempore. The gentleman, Mr. Marsico, has filed an amendment and is recognized for a motion to suspend the rules. Mr. Marsico.

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair interrupts the proceedings to recognize a guest. State Representative Camille George has a special guest in the audience today. Clearfield County Commissioner John Sughrue is here today in the balcony. Mr. Sughrue, please stand. Welcome to the House.

CONSIDERATION OF SB 1402 CONTINUED

RULES SUSPENDED

The SPEAKER pro tempore. The gentleman, Mr. Marsico, is recognized.

Mr. MARSICO. Thank you, Mr. Speaker.

I ask for a suspension of the rules to consider the amendment to SB 1402. It is amendment 6141.

This amendment would increase the maximum penalties for rape—

The SPEAKER pro tempore. Will the gentleman suspend. We need to suspend the rules to run the bill as well.

The Chair recognizes the gentleman, Mr. Marsico, who moves to suspend the rules, that the rules of the House be suspended for the immediate consideration of SB 1402.

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

The following roll call was recorded:

YEAS—195

Adolph	Egolf	Maitland	Scavello
Allen	Evans, D.	Major	Schroder
Argall	Evans, J.	Manderino	Schuler
Armstrong, G.	Fairchild	Mann	Scrimenti
Armstrong, T.	Feese	Markosek	Semmel
Baker, J.	Fichter	Marsico	Shaner
Baker, M.	Fleagle	Mayernik	Smith, B.
Bard	Flick	McCall	Smith, S. H.
Barrar	Forcier	McGeehan	Solobay
Bastian	Frankel	McGill	Staback
Bebko-Jones	Freeman	McIlhattan	Stairs
Belardi	Gabig	McIlhinney	Steelman
Belfanti	Gannon	McNaughton	Steil
Benninghoff	Geist	Melio	Stern
Birmelin	George	Metcalfe	Stetler
Bishop	Godshall	Michlovic	Stevenson, R.
Blaum	Gordner	Micozzie	Stevenson, T.
Boyes	Grucela	Miller, R.	Strittmatter
Brooks	Gruitza	Miller, S.	Sturla
Browne	Habay	Mundy	Surra
Bunt	Haluska	Myers	Tangretti
Butkovitz	Hanna	Nailor	Taylor, J.
Buxton	Harhai	Nickol	Thomas
Caltagirone	Harhart	O'Brien	Tigue
Cappelli	Harper	Oliver	Travaglio
Casorio	Hasay	Perzel	Trello
Cawley	Hennessey	Petrarca	Trich
Civera	Herman	Petrone	Tulli
Clark	Hershey	Pickett	Turzai
Clymer	Hess	Pippy	Vance
Cohen, L. I.	Hutchinson	Pistella	Veon
Cohen, M.	James	Preston	Vitali
Colafella	Josephs	Raymond	Walko
Coleman	Kaiser	Readshaw	Wansacz
Cornell	Keller	Reinard	Washington
Corrigan	Kenney	Rieger	Waters
Costa	Kirkland	Roberts	Watson
Coy	Krebs	Robinson	Williams, J.
Cruz	LaGrotta	Roebuck	Wilt
Curry	Lawless	Rohrer	Wojnaroski
Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rubley	Yewcic
DeLuca	Levdansky	Ruffing	Youngblood
Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zug
DiGirolo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker
Eachus			

NAYS—0

NOT VOTING—3

Creighton	Pallone	Taylor, E. Z.
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EXCUSED—5

Horsley	Laughlin	Phillips	Zimmerman
Jadlowiec			

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

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

Mr. MARSICO offered the following amendment No. A6141:

Amend Title, page 1, line 2, by striking out “offense of” and inserting

offenses of rape, involuntary deviate sexual intercourse, aggravated indecent assault and

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

Section 1. Section 3101 of Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a definition to read: § 3101. Definitions.

Subject to additional definitions contained in subsequent provisions of this chapter which are applicable to specific provisions of this chapter, the following words and phrases when used in this chapter shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

“Serious bodily injury.” As defined in section 2301 (relating to definitions).

Section 2. Sections 3121, 3123, 3125 and 4101(b) of Title 18 are amended to read:

§ 3121. Rape.

(a) Offense defined.—A person commits a felony of the first degree when [he or she] the person engages in sexual intercourse with a complainant:

- (1) By forcible compulsion.
- (2) By threat of forcible compulsion that would prevent resistance by a person of reasonable resolution.

(3) Who is unconscious or where the person knows that the complainant is unaware that the sexual intercourse is occurring.

(4) Where the person has substantially impaired the complainant’s power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance.

(5) Who suffers from a mental disability which renders the complainant incapable of consent.

(6) Who is less than 13 years of age.

(b) Additional penalties.—In addition to the penalty provided for by subsection (a), a person may be sentenced to an additional term not to exceed ten years’ confinement and an additional amount not to exceed \$100,000 where the person engages in sexual intercourse with a complainant and has substantially impaired the complainant’s power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, any substance for the purpose of preventing resistance through the inducement of euphoria, memory loss and any other effect of this substance.

(c) Rape of a child.—A person commits the offense of rape of a child when the person engages in sexual intercourse with a complainant who is less than 13 years of age.

(d) Rape of a child with serious bodily injury.—A person commits the offense of rape of a child resulting in serious bodily injury when the person violates this section and the complainant is under 13 years of age and suffers serious bodily injury in the course of the offense.

(e) Sentences.—Notwithstanding the provisions of section 1103 (relating to sentence of imprisonment for felony), a person convicted of an offense under:

(1) Subsection (c) shall be sentenced to a term of imprisonment which shall be fixed by the court at not more than 40 years.

(2) Subsection (d) shall be sentenced up to a maximum term of life imprisonment.

§ 3123. Involuntary deviate sexual intercourse.

(a) Offense defined.—A person commits a felony of the first degree when [he or she] the person engages in deviate sexual intercourse with a complainant:

(1) by forcible compulsion;

(2) by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;

(3) who is unconscious or where the person knows that the complainant is unaware that the sexual intercourse is occurring;

(4) where the person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance;

(5) who suffers from a mental disability which renders him or her incapable of consent;

(6) who is less than 13 years of age; or

(7) who is less than 16 years of age and the person is four or more years older than the complainant and the complainant and person are not married to each other.

(b) Involuntary deviate sexual intercourse with a child.—A person commits involuntary deviate sexual intercourse with a child when the person engages in deviate sexual intercourse with a complainant who is less than 13 years of age.

(c) Involuntary deviate sexual intercourse with a child with serious bodily injury.—A person commits an offense under this section with a child resulting in serious bodily injury when the person violates this section and the complainant is less than 13 years of age and the complainant suffers serious bodily injury in the course of the offense.

(d) Sentences.—Notwithstanding the provisions of section 1103 (relating to sentence of imprisonment for felony), a person convicted of an offense under:

(1) Subsection (b) shall be sentenced to a term of imprisonment which shall be fixed by the court at not more than 40 years.

(2) Subsection (c) shall be sentenced up to a maximum term of life imprisonment.

[(b)] (e) Definition.—As used in this section, the term “forcible compulsion” includes, but is not limited to, compulsion resulting in another person's death, whether the death occurred before, during or after the sexual intercourse.

§ 3125. Aggravated indecent assault.

(a) Offenses defined.—Except as provided in sections 3121 (relating to rape), 3122.1 (relating to statutory sexual assault), 3123 (relating to involuntary deviate sexual intercourse) and 3124.1 (relating to sexual assault), a person who engages in penetration, however slight, of the genitals or anus of a complainant with a part of the person's body for any purpose other than good faith medical, hygienic or law enforcement procedures commits aggravated indecent assault, [a felony of the second degree,] if:

(1) the person does so without the complainant's consent;

(2) the person does so by forcible compulsion;

(3) the person does so by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;

(4) the complainant is unconscious or the person knows that the complainant is unaware that the penetration is occurring;

(5) the person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance;

(6) the complainant suffers from a mental disability which renders him or her incapable of consent;

(7) the complainant is less than 13 years of age; or

(8) the complainant is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other.

(b) Aggravated indecent assault of a child.—A person commits aggravated indecent assault of a child when the person violates subsection (a)(1), (2), (3), (4), (5) or (6) and the complainant is less than 13 years of age.

(c) Grading and sentences.—

(1) An offense under subsection (a) is a felony of the second degree.

(2) An offense under subsection (b) is a felony of the first degree.

Amend Sec. 2, page 1, line 16, by striking out “2” and inserting

3

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The gentleman, Mr. Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

May I have the attention of the members.

I ask that the members support this amendment, which would increase the maximum penalties for rape from 20 years in prison to 40 years when the victim is a child and from 20 years in prison to life imprisonment when the victim is a child and suffers serious bodily injury.

As we know, rape is always a heinous crime, but it is never more horrific than when the victim is a young child. We have had a number of situations and cases here in Pennsylvania and a local case here in Dauphin County where a 5-year-old girl was raped by her mother's boyfriend. You may recall this legislation that was discussed in this past year. In addition to the emotional scars that will haunt this girl for the rest of her life, she also suffered severe physical injuries as a result of the rape. Yet the monster who did this to her was sentenced to just 25 years in prison; just 25 years. That punishment hardly fits the crime. Unfortunately, that is all the judge was able to do in this case. His hands were tied by laws that limited the maximum sentence for rape to 20 years.

My amendment would ensure that justice is served in rape cases like these by increasing the maximum penalties for rape up to 40 years in prison when the victim is a child. Offenders could face life in prison if the victim is a child and the child suffers serious bodily injury. It also establishes longer maximum sentences for the crimes of involuntary deviate sexual intercourse and aggravated indecent assault in cases where the victim is a child under 13 years of age or where the child suffers serious bodily injury.

The members of this House voted unanimously this spring to support the passage of this measure, but despite my best efforts and your best efforts working with the Senate, they have failed to act on this bill. We cannot afford to allow their complacency on this issue to leave young rape victims without any hope for real justice.

Two Senators did not think the legislation was necessary, and they persuaded their colleagues to table the bill. I know that

this House will not vote to table this bill or to defeat it. I think it is our responsibility to ensure that criminals who prey on our most vulnerable citizens are adequately punished.

I would appreciate an affirmative vote on this amendment, and I know that this House knows that this legislation is necessary, and I thank you for your time.

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. We have just learned that we have technical difficulties. The amendment is not on the screen, so the bill, SB 1402, is temporarily passed over.

FAREWELL ADDRESS BY MR. MICHLOVIC

The SPEAKER pro tempore. Will the members please be seated.

I want to thank Speaker Ryan – he is not here at the moment – but I want to thank him for providing me the opportunity to wield the gavel today, and I want to thank him also for upholding the traditions of this august body and for preserving our Capitol. He has done much over a great career, and I know you join me in wishing him the best of health and long life.

I want to thank my constituents, family, friends and supporters, and the voters of the 35th Legislative District for returning me to this body for 12 terms. It has been indeed a privilege to serve here.

I want to thank my lovely wife Gwen, Gwen Thomas, for her love, loyalty, understanding, and her many sacrifices over those 24 years.

I want to thank my staff – Len, Pat, Louise in Harrisburg; and those in my home office, Trish Gillespie, Sherry Butler, Gerry Fitzgibbon, and Bev Clanagan, who made me, who really in many ways got me reelected for all those years. And I want to especially thank Denise Milus, my secretary here for 22 years. It is indeed more than a friendship. She has made me look a lot more organized, a lot more effective, than I could have ever done in my career. Thank you, Denise.

I want to thank all the staff in Harrisburg who respond to seemingly every need we have, at the whim, without hesitation, everybody from the Chief Clerk to the various people who help us do our jobs – the pages; I want to especially mention Buster and Tony, our friends in the lounge – all of them, and the staff that work on the various committees for their untiring work and respect in providing the services to us.

I want to thank the members for your friendship, your courtesy, and the memories, especially my brothers in the Allegheny delegation and my one sister, Sue Laughlin – I always want to mention her, too – for your many, many good times and memories and your support over the many years. And I also want to thank the committee members of my Veterans and Emergency Preparedness Committee for their support and diligence in working on legislation. I want to thank my chairman, Mr. Semmel, and before him, Mr. Hershey, and before him, Mr. Godshall. All of them have treated me with respect and professionalism, and I really truly appreciate working with you. It has indeed been my honor.

Anyone who has been in this House who has lost a family member – a parent, a spouse – can really attest to what we have here. In your deepest hour of trial, you get this overwhelming

outpouring of love and support in cards and letters and prayer cards and fruit baskets and all sorts of notes, and you really at that time come to appreciate what we have here in this House.

Several weeks ago I had the privilege of escorting some Vietnam veterans from the Ia Drang Valley up into this wonderful hall, and like many others before them, they were awestruck at the beauty and the majesty of this hall – the gilded gold furnishings, the chandeliers, the priceless paintings. These are things that each and every one of us never tire of showing off when we bring guests here or bragging about. Indeed I have often said myself that this hall is one of the five most glamorous rooms in America, right up there with the Oval Office, the Supreme Court hearing room, the Capitol rotunda in Washington, the Thomas Jefferson Room, and the Library of Congress.

But invariably our guests, as did the Vietnam veterans that day, they become involved in the process, and they are not quite so impressed with what goes on here, either because we are talking or they are confused or they are not paying attention. But to me, what goes on here is what is awesome about this place, that men and women come together here to do war, to battle with words, and then miraculously and nonchalantly, they leave as friends. They come to declare their beliefs and challenge those in the opposition, to maneuver and outwit and outvote the other side, to be ferocious without rancor, to be righteous without hatred, to be victorious without bloodshed, and when the gavel sounds adjournment, we all pile out of those doors like kids going off on summer vacation, laughing, chatting, happy, as friends. Someone standing back there watching us could not determine which of us are Democrats or Republicans, liberals or conservatives. It is as though we strip off our armor and we lay down our weapons at our desks and at these microphones and leave together as friends. That to me, my friends, is the real magic of this place, and the longer you are here, the more you will recognize it.

There has been a long tradition of retiring members leaving their colleagues with a few words of advice, and here are mine. First, do not spend your entire career running for reelection. If you do, you will accomplish little. Better than 98 percent of incumbents who run win, so be confident, be bold, be different. Do what makes you proud.

Second, Pennsylvania is a big State. Go out and see it. When a committee meeting is called in another part of the State, go. Spend your time learning about Pennsylvania, its people, their problems, their aspirations, and their suggestions. See where your colleagues are from and who they represent. You will not be sorry you did that.

And finally, my last word of advice is never, ever shrink from who you are. You are not some statesman negotiating a peace treaty. You are not a diplomat representing a faraway constituency. You are not a renegade off on a crusade. No, you are more than that. You are all of them. You are a politician. You are a public official, a representative of the people arguing fairness, seeking justice, making law. Without you politicians, the Pledge of Allegiance that we utter here today and that children recite in schools all across America is but a hollow promise. Without your work, the oath of truthfulness taken even as I speak somewhere in the Commonwealth of Pennsylvania simply does not work. Without you politicians, the hopes and dreams and aspirations of every soldier who ever served this country, who shed a drop of blood for this nation, who died

under the flag, those dreams could not be realized. Yours is important work; it is a noble undertaking, and do not let any yellow journalist, irate citizen, cartoonist, or even some pink pig out in the back way convince you otherwise. Be proud of your profession – public servant, politician, practitioner of the noble work of democracy – and then someday when you are standing here, you can say with the conviction as I do today, I was proud to be a member of the Pennsylvania House of Representatives.

Fare thee well, Godspeed, and God bless Pennsylvania. Thank you.

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

The SPEAKER. I am presenting our good friend with a ceremonial gavel in hopes that from time to time he will pick it up, feel its thump, and say, I ought to get back there and get them in line. Having listened to Tom these past 5, 10 minutes, it is easy to understand how term after term after term after term he was elected and loved as we love him, and I mean that sincerely. He is a great guy.

Mr. MICHLOVIC. Thank you, Matt.

SUPPLEMENTAL CALENDAR C CONTINUED

CONSIDERATION OF HB 235 CONTINUED

On the question recurring,

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

The SPEAKER. It is the understanding of the Chair that the gentleman, Mr. Cohen, together with members from the Republican side, have discussed the contents of the concurrence and all are satisfied to run the vote. So the question before the House is, will the House concur in the Senate amendments, as amended, placed in HB 235?

On the question of concurrence, the gentleman, Mr. Cohen.

The House will please come to order.

Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, in reading the bill hurriedly, I said something that was not true. I said that people could be sued in perpetuity for using likeness, and that is not true. This bill does set forth a 30-year statute of repose, and so, you know, for 30 years after someone's death, you cannot use another person's likeness. So I was wrong on that.

I think, though, upon further study, that I was right on the basic point, that this bill is still, with Senate amendments, is still overbroad. You know, if Roger Maris died in Pennsylvania, my daughter could not have her Roger Maris bear unless they got the permission of Roger Maris's estate. I went by the Mandela Apartments in Dwight Evans's district on the way to a funeral on Sunday, and, you know, under this bill, you cannot have Mandela Apartments unless the family of Nelson Mandela approves it.

The world will not come to an end if this bill passes and is signed into law, but I believe it is overly broad. It does restrain trade. It is clearly constitutional in terms of the First Amendment to the Constitution because it does contain all sorts of exemptions for expression under the First Amendment,

but it may not be fully legal in accordance with Federal law in terms of restraint of trade. But whether it is legal or not, whether it is constitutional in all respects or not, it does seem unwise; it does seem this bill restrains trade. It sets forth to others— Only several States in the country, I am told, ban the use of someone's name or likeness in this fashion. Only a percentage of those ban the license, ban the name or likeness of a deceased person. I think this is a barrier towards doing business in Pennsylvania. It may be an incentive for prominent people to move to Pennsylvania in order to guarantee their heirs for 30 years revenue from their likeness or their name if anybody wants to negotiate with their heirs to reduce that.

But I think it does restrain trade in Pennsylvania; it discourages certain businesses in Pennsylvania. I think that is the opposite of the direction we want to go in, and for whatever it is worth, I urge a "no" vote on this bill.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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—193

Adolph	Egolf	Manderino	Schroder
Allen	Evans, D.	Mann	Schuler
Argall	Evans, J.	Markosek	Scrimenti
Armstrong, G.	Fairchild	Marsico	Semmel
Armstrong, T.	Feese	Mayernik	Shaner
Baker, J.	Fichter	McCall	Smith, B.
Baker, M.	Fleagle	McGeehan	Smith, S. H.
Bard	Flick	McGill	Solobay
Barrar	Forcier	McIlhattan	Staback
Bastian	Frankel	McIlhinney	Stairs
Bebko-Jones	Gabig	McNaughton	Steelman
Belardi	Gannon	Melio	Steil
Belfanti	Geist	Metcalfe	Stern
Benninghoff	George	Michlovic	Stetler
Birmelin	Godshall	Micozzie	Stevenson, R.
Bishop	Gordner	Miller, R.	Stevenson, T.
Blaum	Grucela	Miller, S.	Strittmatter
Boyes	Gruitza	Mundy	Sturla
Brooks	Habay	Myers	Surra
Browne	Haluska	Nailor	Tangretti
Bunt	Hanna	Nickol	Taylor, E. Z.
Butkovitz	Harhai	O'Brien	Taylor, J.
Buxton	Harhart	Oliver	Thomas
Caltagirone	Harper	Pallone	Tigue
Cappelli	Hasay	Perzel	Travaglio
Casorio	Hennessey	Petrarca	Trello
Cawley	Herman	Petrone	Trich
Civera	Hershey	Pickett	Tulli
Clark	Hess	Pippy	Turzai
Clymer	Hutchinson	Pistella	Vance
Cohen, L. I.	James	Preston	Veon
Colafella	Kaiser	Raymond	Walko
Coleman	Keller	Readshaw	Wansacz
Cornell	Kenney	Reinard	Washington
Corrigan	Kirkland	Rieger	Waters
Costa	Krebs	Roberts	Watson
Coy	LaGrotta	Robinson	Williams, J.
Creighton	Lawless	Roebuck	Wilt
Cruz	Lederer	Rohrer	Wojnaroski
Dailey	Leh	Rooney	Wright, G.
Daley	Lescovitz	Ross	Wright, M.
Dally	Levdansky	Rubley	Yewcic

DeLuca	Lewis	Ruffing	Youngblood
Dermody	Lucyk	Sainato	Yudichak
DeWeese	Lynch	Samuelson	Zug
DiGirolamo	Mackereth	Santoni	
Diven	Maher	Sather	
Donatucci	Maitland	Saylor	Ryan,
Eachus	Major	Scavello	Speaker

NAYS-5

Cohen, M.	Freeman	Josephs	Vitali
Curry			

NOT VOTING-0

EXCUSED-5

Horsey	Laughlin	Phillips	Zimmerman
Jadlowiec			

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.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1911, PN 2476**, entitled:

An Act authorizing the incurring of indebtedness, with the approval of the electors, of \$150,000,000 to provide additional funding for the preservation of land for open space uses, including the mitigation of flood hazards.

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

Mr. **GEORGE** offered the following amendment No. **A5849**:

- Amend Title, page 1, line 3, by inserting after "preservation" and cleanup
- Amend Sec. 1, page 1, line 9, by inserting after "preservation" and cleanup
- Amend Sec. 3, page 2, line 3, by inserting after "preservation" and cleanup
- Amend Sec. 5, page 2, line 12, by inserting after "preservation" and cleanup

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

The following roll call was recorded:

YEAS-197

Adolph	Eachus	Major	Schroder
Allen	Egolf	Manderino	Schuler
Argall	Evans, D.	Mann	Scrimenti
Armstrong, G.	Evans, J.	Markosek	Semmel

Armstrong, T.	Fairchild	Marsico	Shaner
Baker, J.	Feese	Mayernik	Smith, B.
Baker, M.	Fichter	McCall	Smith, S. H.
Bard	Fleagle	McGeehan	Solobay
Barrar	Flick	McGill	Staback
Bastian	Forcier	McIlhattan	Stairs
Bebko-Jones	Frankel	McIlhinney	Steelman
Belardi	Freeman	McNaughton	Steil
Belfanti	Gabig	Melio	Stern
Benninghoff	Gannon	Metcalfe	Stetler
Birmelin	Geist	Michlovic	Stevenson, R.
Bishop	George	Micozzie	Stevenson, T.
Blaum	Godshall	Miller, R.	Strittmatter
Boyes	Gordner	Miller, S.	Sturla
Brooks	Grucela	Mundy	Surra
Browne	Gruitza	Myers	Tangretti
Bunt	Habay	Nailor	Taylor, E. Z.
Butkovitz	Haluska	Nickol	Taylor, J.
Buxton	Hanna	O'Brien	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Pickett	Turzai
Clymer	Hershey	Pippy	Vance
Cohen, L. I.	Hess	Pistella	Veon
Cohen, M.	James	Preston	Vitali
Colafella	Josephs	Raymond	Walko
Coleman	Kaiser	Readshaw	Wansacz
Cornell	Keller	Reinard	Washington
Corrigan	Kenney	Rieger	Waters
Costa	Kirkland	Roberts	Watson
Coy	Krebs	Robinson	Williams, J.
Creighton	LaGrotta	Roebuck	Wilt
Cruz	Lawless	Rohrer	Wojnaroski
Curry	Lederer	Rooney	Wright, G.
Dailey	Leh	Ross	Wright, M.
Daley	Lescovitz	Rublely	Yewcic
Dally	Levdansky	Ruffing	Youngblood
DeLuca	Lewis	Sainato	Yudichak
Dermody	Lucyk	Samuelson	Zug
DeWeese	Lynch	Santoni	
DiGirolamo	Mackereth	Sather	
Diven	Maher	Saylor	Ryan,
Donatucci	Maitland	Scavello	Speaker

NAYS-1

Hutchinson

NOT VOTING-0

EXCUSED-5

Horsey	Laughlin	Phillips	Zimmerman
Jadlowiec			

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

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and adds the gentleman, Mr. GRUCELA, on leave for the balance of today's session.

CONSIDERATION OF HB 1911 CONTINUED

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—187

Adolph	Eachus	Manderino	Schroder
Allen	Egolf	Mann	Schuler
Argall	Evans, D.	Markosek	Scrimenti
Armstrong, G.	Fairchild	Marsico	Semmel
Armstrong, T.	Feese	Mayernik	Shaner
Baker, J.	Fichter	McCall	Smith, B.
Baker, M.	Fleagle	McGeehan	Smith, S. H.
Bard	Flick	McGill	Solobay
Barrar	Frankel	McIlhinney	Staback
Bastian	Freeman	McNaughton	Stairs
Bebko-Jones	Gabig	Melio	Steelman
Belardi	Gannon	Metcalfe	Steil
Belfanti	Geist	Michlovic	Stern
Benninghoff	George	Micozzie	Stetler
Birmelin	Godshall	Miller, R.	Stevenson, T.
Bishop	Gordner	Miller, S.	Strittmatter
Blaum	Gruitza	Mundy	Sturla
Brooks	Habay	Myers	Surra
Browne	Haluska	Nailor	Tangretti
Bunt	Hanna	Nickol	Taylor, E. Z.
Butkovitz	Harhai	O'Brien	Taylor, J.
Buxton	Harhart	Oliver	Thomas
Caltagirone	Harper	Pallone	Tigue
Cappelli	Hasay	Perzel	Travaglio
Casorio	Hennessey	Petrarca	Trello
Cawley	Herman	Petrone	Trich
Civera	Hershey	Pickett	Tulli
Clymer	Hess	Pippy	Turzai
Cohen, L. I.	James	Pistella	Vance
Cohen, M.	Josephs	Preston	Veon
Colafella	Kaiser	Raymond	Vitali
Coleman	Keller	Readshaw	Walko
Cornell	Kenney	Reinard	Wansacz
Corrigan	Kirkland	Rieger	Washington
Costa	Krebs	Roberts	Waters
Coy	LaGrotta	Robinson	Watson
Creighton	Lawless	Roebuck	Williams, J.
Cruz	Lederer	Rooney	Wilt
Curry	Leh	Ross	Wojnaroski
Dailey	Lescovitz	Rublely	Wright, G.
Daley	Levdansky	Ruffing	Wright, M.
Dally	Lucyk	Sainato	Youngblood
DeLuca	Lynch	Samuelson	Yudichak
Dermody	Mackereth	Santoni	Zug
DeWeese	Maher	Sather	
DiGirolamo	Maitland	Saylor	Ryan,
Diven	Major	Scavello	Speaker
Donatucci			

NAYS—10

Boyes	Forcier	McIlhattan	Stevenson, R.
Clark	Hutchinson	Rohrer	Yewice
Evans, J.	Lewis		

NOT VOTING—0

EXCUSED—6

Grucela	Jadlowiec	Phillips	Zimmerman
Horsey	Laughlin		

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 1910, PN 2475**, entitled:

An Act amending the act of January 19, 1968 (1967 P.L.992, No.442), entitled, as amended "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," adding provisions relating to mitigation of flood hazards.

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

The SPEAKER. The Chair recognizes the lady, Ms. Harper. Ms. Harper, I have – one, two, three, four – four amendments in your name. Would you advise me the order in which you wish to offer them? No, you just announce it before you do it. May I have the number of the first amendment?

Ms. HARPER. 4420, Mr. Speaker.
The SPEAKER. The clerk will read the amendment.

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

Ms. **HARPER** offered the following amendment No. **A4420**:

Amend Title, page 1, line 5, by removing the period after "hazards" and inserting

; and repealing planning requirements.

Amend Sec. 1 (Sec. 3), page 5, lines 8 through 30, by striking out all of said lines and inserting

[Section 3. Planning Requirements.—The Department of Conservation and Natural Resources and the Department of Agriculture shall not acquire any interest in real property under the provisions of this act, unless said real property has been designated for open space uses in a resource, recreation, or land use plan submitted to and approved by the State Planning Board. A local government unit shall not acquire any interest in real property under the provisions of this act unless said real property has been designated for open space uses in a resource, recreation or land use plan recommended by the planning commission of the municipality in which the real property is located and adopted by the governing body of that municipality. Where the municipality in which the real property to be acquired is located has no planning commission, a local government unit shall not acquire any interest in real property under the provisions of this act unless said real property has been designated for open space uses in a resource, recreation or land use plan approved by the planning commission of the county in which the real property is located and adopted by the

governing body of the municipality wherein the real property is located.]

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

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the lady for a brief description of the amendment.

Ms. HARPER. Mr. Speaker, the amendment merely cleans up the existing law which makes a reference to a requirement that the State Planning Board approve acquisitions of open space. Since the State Planning Board has not met in 7 years, we are taking it out. That would be the intent of the amendment.

The SPEAKER. The Chair thanks the lady.

On the question, the Chair recognizes the lady, Ms. Bard.

Ms. BARD. Thank you, Mr. Speaker.

I would respectfully request that the members oppose this amendment.

Whereas HB 1910 extends existing law, the amendment which I am opposing repeals existing law. On numerous occasions the provisions of existing law have been successfully utilized for the authorized purposes of the legislation, the existing legislation. Local government organizations and environmental organizations are not asking for these proposed repeals. In committee, the gentlelady's motion to suspend committee rules for consideration of these amendments failed, and her subsequent motion to recommit the bill also failed. I would request that the gentlelady submit repealer legislation next session for the proper consideration without jeopardizing HB 1910, which has been virtually universally supported in public hearings.

I thank the members for their consideration, and I ask for a "no" vote.

The SPEAKER. The Chair thanks the lady.

Ms. Harper.

Ms. HARPER. Thank you, Mr. Speaker.

We have set up a series of hurdles to the purchase of open space that cannot be met because the State Planning Board has not met. I would just ask the members to vote "yes" on the amendment and clean up an existing problem in the law.

Thank you.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and puts the gentleman, Mr. METCALFE, on for the balance of the day. Without objection, leave is granted. The Chair hears no objection.

CONSIDERATION OF HB 1910 CONTINUED

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

The following roll call was recorded:

YEAS—166

Adolph	Diven	Markosek	Scrimenti
Allen	Donatucci	Marsico	Semmel

Argall	Eachus	Mayernik	Shaner
Armstrong, G.	Egolf	McGeehan	Smith, B.
Armstrong, T.	Evans, D.	McGill	Smith, S. H.
Baker, J.	Feese	McIlhattan	Stairs
Baker, M.	Fichter	McIlhinney	Steelman
Barrar	Fleagle	McNaughton	Steil
Bastian	Flick	Melio	Stern
Bebko-Jones	Forcier	Micozzie	Stetler
Belardi	Frankel	Miller, R.	Stevenson, R.
Belfanti	Freeman	Miller, S.	Stevenson, T.
Benninghoff	Gabig	Mundy	Strittmatter
Birmelin	Gannon	Myers	Sturla
Bishop	Gordner	Nailor	Taylor, E. Z.
Blaum	Habay	Nickol	Thomas
Brooks	Haluska	O'Brien	Tigue
Bunt	Hanna	Oliver	Travaglio
Butkovitz	Harhai	Pallone	Trello
Buxton	Harper	Perzel	Trich
Caltagirone	Hasay	Petrarca	Tulli
Cappelli	Hennessey	Petrone	Turzai
Cawley	Hershey	Pickett	Vance
Civera	Hutchinson	Pippy	Veon
Clark	James	Pistella	Vitali
Clymer	Josephs	Preston	Walko
Cohen, L. I.	Kaiser	Raymond	Wansacz
Cohen, M.	Keller	Readshaw	Washington
Colafella	Kirkland	Reinard	Waters
Coleman	Krebs	Rieger	Watson
Cornell	LaGrotta	Roberts	Williams, J.
Corrigan	Lawless	Robinson	Wilt
Costa	Lederer	Roebuck	Wojnaroski
Cruz	Leh	Rohrer	Wright, G.
Curry	Levdansky	Ross	Wright, M.
Dailey	Lucyk	Rubley	Yewcic
Daley	Lynch	Ruffing	Youngblood
Dally	Mackereth	Sainato	Yudichak
DeLuca	Maher	Samuelson	Zug
Dermody	Maitland	Santoni	
DeWeese	Major	Saylor	Ryan,
DiGirolamo	Manderino	Schuler	Speaker

NAYS—30

Bard	Geist	Lescovitz	Scavello
Boyes	George	Lewis	Schroder
Browne	Godshall	Mann	Solobay
Casorio	Gruitza	McCall	Staback
Coy	Harhart	Michlovic	Surra
Creighton	Herman	Rooney	Tangretti
Evans, J.	Hess	Sather	Taylor, J.
Fairchild	Kenney		

NOT VOTING—0

EXCUSED—7

Grucela	Jadlowiec	Metcalfe	Zimmerman
Horsey	Laughlin	Phillips	

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

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

The SPEAKER. The Chair requests the lady to identify her second amendment.

Ms. HARPER. The other amendments are withdrawn, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.
Ms. HARPER. Thank you, Mr. Speaker.

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

Mr. GEORGE offered the following amendment No. **A5848**:

Amend Sec. 1 (Sec. 1), page 1, line 17, by inserting brackets before and after “in or” and inserting an underscored comma

Amend Sec. 1 (Sec. 1), page 1, line 17, by inserting after “land”
or clean up land

Amend Sec. 1 (Sec. 1), page 2, line 14, by inserting after “areas.”
The General Assembly further finds that it is in the public interest to encourage the cleanup of land polluted by mining and to convert this land into open space for public use.

Amend Sec. 1 (Sec. 2), page 5, by inserting between lines 7 and 8
(11) “Cleanup.” To clean up, mitigate, correct, abate, minimize, eliminate, control or prevent a release of a regulated substance into the environment in order to protect the present or future public health, safety, welfare or the environment. The term includes preliminary actions to study or assess such a release.

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

The following roll call was recorded:

YEAS—196

Adolph	Eachus	Major	Schroder
Allen	Egolf	Manderino	Schuler
Argall	Evans, D.	Mann	Scrimenti
Armstrong, G.	Evans, J.	Markosek	Semmel
Armstrong, T.	Fairchild	Marsico	Shaner
Baker, J.	Feese	Mayernik	Smith, B.
Baker, M.	Fichter	McCall	Smith, S. H.
Bard	Fleagle	McGeehan	Solobay
Barrar	Flick	McGill	Staback
Bastian	Forcier	McIlhattan	Stairs
Bebko-Jones	Frankel	McIlhinney	Steelman
Belardi	Freeman	McNaughton	Steil
Belfanti	Gabig	Melio	Stern
Benninghoff	Gannon	Michlovic	Stetler
Birmelin	Geist	Micozzie	Stevenson, R.
Bishop	George	Miller, R.	Stevenson, T.
Blaum	Godshall	Miller, S.	Strittmatter
Boyes	Gordner	Mundy	Sturla
Brooks	Gruitza	Myers	Surra
Browne	Habay	Nailor	Tangretti
Bunt	Haluska	Nickol	Taylor, E. Z.
Butkovitz	Hanna	O’Brien	Taylor, J.
Buxton	Harhai	Oliver	Thomas
Caltagirone	Harhart	Pallone	Tigue
Cappelli	Harper	Perzel	Travaglio
Casorio	Hasay	Petrarca	Trello
Cawley	Hennessey	Petrone	Trich
Civera	Herman	Pickett	Tulli
Clark	Hershey	Pippy	Turzai
Clymer	Hess	Pistella	Vance
Cohen, L. I.	Hutchinson	Preston	Veon
Cohen, M.	James	Raymond	Vitali
Colafella	Josephs	Readshaw	Walko
Coleman	Kaiser	Reinard	Wansacz
Cornell	Keller	Rieger	Washington
Corrigan	Kenney	Roberts	Waters
Costa	Kirkland	Robinson	Watson
Coy	Krebs	Roebuck	Williams, J.
Creighton	LaGrotta	Rohrer	Wilt

Cruz	Lawless	Rooney	Wojnaroski
Curry	Lederer	Ross	Wright, G.
Dailey	Leh	Rublely	Wright, M.
Daley	Lescovitz	Ruffing	Yewcic
Dally	Levdansky	Sainato	Youngblood
DeLuca	Lewis	Samuelson	Yudichak
Dermody	Lucyk	Santoni	Zug
DeWeese	Lynch	Sather	
DiGirolamo	Mackereth	Saylor	
Diven	Maher	Scavello	Ryan,
Donatucci	Maitland		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Grucela	Jadlowiec	Metcalfe	Zimmerman
Horsey	Laughlin	Phillips	

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 third consideration as amended?
Bill as amended was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
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	Eachus	Major	Schroder
Allen	Egolf	Manderino	Schuler
Argall	Evans, D.	Mann	Scrimenti
Armstrong, G.	Evans, J.	Markosek	Semmel
Armstrong, T.	Fairchild	Marsico	Shaner
Baker, J.	Feese	Mayernik	Smith, B.
Baker, M.	Fichter	McCall	Smith, S. H.
Bard	Fleagle	McGeehan	Solobay
Barrar	Flick	McGill	Staback
Bastian	Forcier	McIlhattan	Stairs
Bebko-Jones	Frankel	McIlhinney	Steelman
Belardi	Freeman	McNaughton	Steil
Belfanti	Gabig	Melio	Stern
Benninghoff	Gannon	Michlovic	Stetler
Birmelin	Geist	Micozzie	Stevenson, R.
Bishop	George	Miller, R.	Stevenson, T.
Blaum	Godshall	Miller, S.	Strittmatter
Boyes	Gordner	Mundy	Sturla
Brooks	Gruitza	Myers	Surra
Browne	Habay	Nailor	Tangretti
Bunt	Haluska	Nickol	Taylor, E. Z.
Butkovitz	Hanna	O’Brien	Taylor, J.
Buxton	Harhai	Oliver	Thomas
Caltagirone	Harhart	Pallone	Tigue
Cappelli	Harper	Perzel	Travaglio
Casorio	Hasay	Petrarca	Trello
Cawley	Hennessey	Petrone	Trich
Civera	Herman	Pickett	Tulli
Clark	Hershey	Pippy	Turzai

Clymer	Hess	Pistella	Vance
Cohen, L. I.	Hutchinson	Preston	Veon
Cohen, M.	James	Raymond	Vitali
Colafella	Josephs	Readshaw	Walko
Coleman	Kaiser	Reinard	Wansacz
Cornell	Keller	Rieger	Washington
Corrigan	Kenney	Roberts	Waters
Costa	Kirkland	Robinson	Watson
Coy	Krebs	Roebuck	Williams, J.
Creighton	LaGrotta	Rohrer	Wilt
Cruz	Lawless	Rooney	Wojnaroski
Curry	Lederer	Ross	Wright, G.
Dailey	Leh	Rublely	Wright, M.
Daley	Lescovitz	Ruffing	Yewcic
Dally	Levdansky	Sainato	Youngblood
DeLuca	Lewis	Samuelson	Yudichak
Dermody	Lucyk	Santoni	Zug
DeWeese	Lynch	Sather	
DiGirolamo	Mackereth	Saylor	
Diven	Maher	Scavello	Ryan,
Donatucci	Maitland		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-7

Grucela	Jadlowiec	Metcalfe	Zimmerman
Horsey	Laughlin	Phillips	

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.

SUPPLEMENTAL CALENDAR A CONTINUED

CONSIDERATION OF HB 152 CONTINUED

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

RULES SUSPENDED

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

Mr. McCALL. Mr. Speaker, I move that the rules of the House be suspended to permit me to offer amendment 6445.

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

The following roll call was recorded:

YEAS-196

Adolph	Eachus	Major	Schroder
Allen	Egolf	Manderino	Schuler
Argall	Evans, D.	Mann	Scrimenti
Armstrong, G.	Evans, J.	Markosek	Semmel
Armstrong, T.	Fairchild	Marsico	Shaner
Baker, J.	Feese	Mayernik	Smith, B.
Baker, M.	Fichter	McCall	Smith, S. H.
Bard	Fleagle	McGeehan	Solobay

Barrar	Flick	McGill	Staback
Bastian	Forcier	McIlhattan	Stairs
Bebko-Jones	Frankel	McIlhinney	Steelman
Belardi	Freeman	McNaughton	Steil
Belfanti	Gabig	Melio	Stern
Benninghoff	Gannon	Michlovic	Stetler
Birmelin	Geist	Micozzie	Stevenson, R.
Bishop	George	Miller, R.	Stevenson, T.
Blaum	Godshall	Miller, S.	Strittmatter
Boyes	Gordner	Mundy	Sturla
Brooks	Gruitza	Myers	Surra
Browne	Habay	Nailor	Tangretti
Bunt	Haluska	Nickol	Taylor, E. Z.
Butkovitz	Hanna	O'Brien	Taylor, J.
Buxton	Harhai	Oliver	Thomas
Caltagirone	Harhart	Pallone	Tigue
Cappelli	Harper	Perzel	Travaglio
Casorio	Hasay	Petrarca	Trello
Cawley	Hennessey	Petrone	Trich
Civera	Herman	Pickett	Tulli
Clark	Hershey	Pippy	Turzai
Clymer	Hess	Pistella	Vance
Cohen, L. I.	Hutchinson	Preston	Veon
Cohen, M.	James	Raymond	Vitali
Colafella	Josephs	Readshaw	Walko
Coleman	Kaiser	Reinard	Wansacz
Cornell	Keller	Rieger	Washington
Corrigan	Kenney	Roberts	Waters
Costa	Kirkland	Robinson	Watson
Coy	Krebs	Roebuck	Williams, J.
Creighton	LaGrotta	Rohrer	Wilt
Cruz	Lawless	Rooney	Wojnaroski
Curry	Lederer	Ross	Wright, G.
Dailey	Leh	Rublely	Wright, M.
Daley	Lescovitz	Ruffing	Yewcic
Dally	Levdansky	Sainato	Youngblood
DeLuca	Lewis	Samuelson	Yudichak
Dermody	Lucyk	Santoni	Zug
DeWeese	Lynch	Sather	
DiGirolamo	Mackereth	Saylor	
Diven	Maher	Scavello	Ryan,
Donatucci	Maitland		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-7

Grucela	Jadlowiec	Metcalfe	Zimmerman
Horsey	Laughlin	Phillips	

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

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

Mr. McCALL offered the following amendment No. A6445:

Amend Title, page 1, lines 1 through 22, by striking out all of said lines and inserting
Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding and amending definitions; further providing for certificates of title; providing for salvage, theft, reconstructed and flood vehicles; further providing for registration of vehicles, for judicial review, for licensing of drivers, for commercial driver's license, for disqualification, for commercial and school vehicle drivers prohibited from operating with any alcohol in system,

for license fees, for required financial responsibility, for annual hauling permits, for automated red light enforcement systems in first class cities, for removal of vehicle by or at direction of police, for prohibitions in specified places, for pedalcycle use on freeways and for footrests and handlebars on motorcycles; providing for lighted lamp requirements for motorcycles; further providing for abandonment and stripping of vehicles; providing for restitution of property owners and for stripping abandoned vehicles; further providing for driving under influence of alcohol or controlled substance, for periods for requiring lighted lamps, for rear wheel shields, for inspection requirements and for scope and application of provisions relating to size, weight and load; providing for application to tow trucks; further providing for authority to issue permits, for permit for movement of waste coal and beneficial combustion ash, for salvors; providing for duties of police and salvors; further providing for abandoned vehicles and cargos and for messenger service; and providing for the messenger and agent advisory committee.

Amend Sec. 5 (Subchapter Heading), page 11, line 9, by striking out “AND” and inserting a comma

Amend Sec. 5 (Subchapter Heading), page 11, line 9, by inserting after “VEHICLES” where it appears the third time

AND FLOOD VEHICLES

Amend Sec. 5 (Subchapter Analysis), page 11, line 16, by striking out all of said line and inserting

1166. Flood vehicles.

1167. Penalty.

Amend Sec. 5 (Sec. 1164), page 17, lines 18 through 30; page 18, lines 1 through 14, by striking out all of said lines on said pages and inserting

(a) General rule.—Upon payment to the insured of the replacement value for a theft vehicle, the owner or insurer shall apply for a certificate of salvage branded as a theft vehicle.

(b) Assessing damage on recovered theft vehicles.—If a theft vehicle has been recovered, the vehicle shall be assessed as to the level of damage at the time of recovery by an insurer or licensed physical damage appraiser:

(1) If the cost of repairs exceeds the replacement value of the vehicle, the theft-branded certificate of salvage shall serve as an ownership document. If the vehicle thereafter passes the reconstructed salvage vehicle inspection requirements under section 1165 (relating to reconstructed vehicles), it shall receive a certificate of title branded reconstructed and recovered-theft vehicle.

(2) If the cost of repairs is less than the replacement value of the vehicle, the owner shall apply for a certificate of title branded recovered-theft vehicle. A legible copy of the vehicle damage appraisal report completed by an insurer or licensed physical damage appraiser must accompany an application under this paragraph. The damage appraisal report shall include the replacement value of the vehicle.

Amend Sec. 5, page 18, line 26, by striking out all of said line and inserting

§ 1166. Flood vehicles.

(a) General rule.—Upon payment to the insured of the replacement value for a flood vehicle, the owner or insurer shall apply for a certificate of salvage branded as a flood vehicle.

(b) Assessing damage of flood vehicles.—A flood vehicle shall be assessed as to the level of damage by an insurer or licensed physical damage appraiser:

(1) If the cost of repairs exceeds the replacement value of the vehicle, the flood-branded certificate of salvage shall serve as an ownership document. If the vehicle thereafter passes the reconstructed salvage vehicle inspection requirements under section 1165 (relating to reconstructed vehicles), it shall receive a certificate of title branded reconstructed and flood vehicle.

(2) If the cost of repairs does not exceed the replacement value of the vehicle, the owner shall apply for a certificate of title

branded flood vehicle. A legible copy of the vehicle damage appraisal report completed by an insurer or licensed physical damage appraiser must accompany an application under this paragraph. The damage appraisal report shall include the replacement cash value of the vehicle.

§ 1167. Penalty.

Amend Bill, page 19, by inserting between lines 16 and 17

Section 6.1. Section 1377(b) of Title 75 is amended to read:

§ 1377. Judicial review.

* * *

(b) Documentation.—

(1) In any proceeding under this section, documents received by the department from a court or from an insurance company shall be admissible into evidence to support the department’s case. In addition, if the department receives information from a court by means of electronic transmission or from an insurance company which is complying with its obligation under Subchapter H of Chapter 17 (relating to proof of financial responsibility) by means of electronic transmission, it may certify that it has received the information by means of electronic transmission, and that certification shall be prima facie proof of the adjudication and facts contained in such an electronic transmission.

(2) In a proceeding relating to the suspension of the registration of a motor vehicle imposed under section 1786 (relating to required financial responsibility), the department’s certification of its receipt of documents or electronic transmission from an insurance company informing the department that the person’s coverage has lapsed, been canceled or terminated shall also constitute prima facie proof that the lapse, cancellation or termination of the policy of insurance described in the electronic transmission was effective under the laws of this Commonwealth.

Amend Sec. 6.1, page 19, line 17, by striking out “6.1” and inserting

6.2

Amend Sec. 6.2, page 20, line 1, by striking out “6.2” and inserting

6.3

Amend Sec. 6.3, page 21, lines 16 through 30; page 22, lines 1 through 8, by striking out all of said lines on said pages and inserting

Section 6.4. Sections 1515, 1607(d), 1610(c) and 1611 of Title 75 are amended to read:

§ 1515. Notice of change of name or address.

(a) Driver’s license.—Whenever any person after applying for or receiving a driver’s license moves from the address named in the application or in the driver’s license issued or when the name of a licensee is changed such person shall, within 15 days thereafter, notify the department [in writing] of the old and new addresses or of such former and new names and of the number of any license then held by the person. The department shall be notified of a change of name in writing.

(b) Identification card.—Whenever any person after applying for or receiving a department-issued identification card moves from the address named in the application or identification card issued or when the name of a cardholder is changed such person shall, within 15 days thereafter, notify the department of the old and new addresses or of such former and new names and of the number of any identification card then held by the person. The department shall be notified of a change of name in writing.

(c) Nonresident.—

(1) After notification from another state that the driver is licensed in that state, the department shall invalidate the Pennsylvania driver’s license.

(2) Upon notice of a change of address from a driver to an out-of-State address, the department shall not renew the driver’s license of the person until the person reestablishes residency in this Commonwealth. This paragraph shall not apply

to a person who is an employee of Federal or State Government whose workplace is located out-of-State or the employee's immediate family, or to a person in the service of the armed forces of the United States or the person's immediate family.

§ 1607. Commercial driver's license qualification standards.

* * *

(d) Commercial driver learner's permit.—

(1) The department shall issue a commercial driver learner's permit in accordance with section 1505 (relating to learners' permits).

(2) A commercial driver learner's permit is required for the addition of endorsements and the removal of restrictions established under this chapter, including those established by regulation.

(3) Before a person may take the examination for a commercial driver's license, the person must have held a learner's permit for 30 days for the class of vehicle the person intends to drive and the requisite endorsements.

Amend Sec. 6.4, page 25, line 25, by striking out "6.4" and inserting

6.5

Amend Sec. 6.5, page 26, line 25, by striking out "6.5" and inserting

6.6

Amend Bill, page 27, by inserting between lines 7 and 8

Section 6.7. Section 1786(d) and (e)(2) of Title 75 are amended

to read:

§ 1786. Required financial responsibility.

* * *

(d) Suspension of registration and operating privilege.—

(1) The Department of Transportation shall suspend the registration of a vehicle for a period of three months if it determines the required financial responsibility was not secured as required by this chapter and shall suspend the operating privilege of the owner or registrant for a period of three months if the department determines that the owner or registrant has operated or permitted the operation of the vehicle without the required financial responsibility. The operating privilege shall not be restored until the restoration fee for operating privilege provided by section 1960 (relating to reinstatement of operating privilege or vehicle registration) is paid.

(2) Whenever the department revokes or suspends the registration of any vehicle under this chapter, the department shall not restore the registration until the vehicle owner furnishes proof of financial responsibility in a manner determined by the department and submits an application for registration to the department, accompanied by the fee for restoration of registration provided by section 1960. This subsection shall not apply in the following circumstances:

[(1)] (i) The owner or registrant proves to the satisfaction of the department that the lapse in financial responsibility coverage was for a period of less than 31 days and that the owner or registrant did not operate or permit the operation of the vehicle during the period of lapse in financial responsibility.

[(2)] (ii) The owner or registrant is a member of the armed services of the United States, the owner or registrant has previously had the financial responsibility required by this chapter, financial responsibility had lapsed while the owner or registrant was on temporary, emergency duty and the vehicle was not operated during the period of lapse in financial responsibility. The exemption granted by this paragraph shall continue for 30 days after the owner or registrant returns from duty as long as the vehicle is not operated until the required financial responsibility has been established.

[(3)] (iii) The insurance coverage has terminated or financial responsibility has lapsed simultaneously with or

subsequent to expiration of a seasonal registration, as provided in section 1307(a.1) (relating to period of registration).

(3) An owner whose vehicle registration has been suspended under this subsection shall have the same right of appeal under section 1377 (relating to judicial review) as provided for in cases of the suspension of vehicle registration for other purposes. The filing of the appeal shall act as a supersedeas, and the suspension shall not be imposed until determination of the matter as provided in section 1377. The court's scope of review in an appeal from a vehicle registration suspension shall be limited to determining whether:

(i) the vehicle is registered or of a type that is required to be registered under this title; and

(ii) there has been either notice to the department of a lapse, termination or cancellation in the financial responsibility coverage as required by law for that vehicle or that the owner, registrant or driver was requested to provide proof of financial responsibility to the department, a police officer or another driver and failed to do so. Notice to the department of the lapse, termination or cancellation or the failure to provide the requested proof of financial responsibility shall create a presumption that the vehicle lacked the requisite financial responsibility. This presumption may be overcome by producing clear and convincing evidence that the vehicle was insured at all relevant times.

(4) Where an owner or registrant's operating privilege has been suspended under this subsection, the owner or registrant shall have the same right of appeal under section 1550 (relating to judicial review) as provided for in cases of suspension for other reason. The court's scope of review in an appeal from an operating privilege suspension shall be limited to determining whether:

(i) the vehicle was registered or of a type required to be registered under this title; and

(ii) the owner or registrant operated or permitted the operation of the same vehicle when it was not covered by financial responsibility. The fact that an owner, registrant or operator of the motor vehicle failed to provide competent evidence of insurance, or the fact that the department received notice of a lapse, termination or cancellation of insurance for the vehicle, shall create a presumption that the vehicle lacked the requisite financial responsibility. This presumption may be overcome by producing clear and convincing evidence that the vehicle was insured at the time that it was driven.

(5) An alleged lapse, cancellation or termination of a policy of insurance by an insurer may only be challenged by requesting review by the Insurance Commissioner pursuant to Article XX of the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921. Proof that a timely request has been made to the Insurance Commissioner for such a review shall act as a supersedeas, staying the suspension of registration or operating privilege under this section pending a determination pursuant to section 2009(a) of The Insurance Company Law of 1921, or, in the event that further review at a hearing is requested by either party, a final order pursuant to section 2009(i) of The Insurance Company Law of 1921.

(e) Obligations upon lapse, termination or cancellation of financial responsibility.—

* * *

(2) An insurer who has issued a contract of motor vehicle liability insurance, or any approved self-insurance entity, shall notify the department in a timely manner and in a method prescribed by the department's regulations. Upon request of an owner or registrant in the case of an appeal brought by an owner or registrant for suspension under this section, an insurer shall provide a copy of the notice of cancellation or a copy of the

insurer's filing procedures with proof that the notice was written in the normal course of business and placed in the normal course of mailing. The department shall not be required to produce such copy or any other proof that notice of termination, lapse or cancellation was provided to the owner or registrant in order to satisfy the burden of proof in a proceeding under this section.

* * *

Amend Sec. 6.6, page 27, line 8, by striking out "6.6" and inserting

6.8

Amend Sec. 6.7, page 27, line 17, by striking out "6.7" and inserting

6.9

Amend Bill, page 27, by inserting between lines 24 and 25 Section 6.10. Section 3116(q) of Title 75, added October 4, 2002 (P.L.845, No.123), is amended to read:

§ 3116. Automated red light enforcement systems in first class cities.

* * *

(q) Expiration—This section shall expire December 31, [2005] 2006.

Amend Sec. 7, page 27, line 25, by striking out "3345(j),"

Amend Sec. 7 (Sec. 3345), page 27, lines 27 through 30; page 28, lines 1 and 2, by striking out all of said lines on said pages

Amend Bill, page 31, by inserting between lines 25 and 26 § 3524. Footrests and [handlebars] handhold.

[(a) Passengers.—]Any motorcycle carrying a passenger, other than in a sidecar or enclosed cab, shall be equipped with footrests and handhold for the passenger.

[(b) Height of handlebars.—]No person shall operate any motorcycle with handlebars above shoulder-height of the operator while properly seated upon the motorcycle.]

Section 7.1. Title 75 is amended by adding a section to read:

§ 3526. Lighted lamp requirements for motorcycles.

Notwithstanding the provisions of section 4302 (relating to periods for requiring lighted lamps), the operator of a motorcycle, manufactured during or after 1973, upon a highway shall display the lighted head lamps and other lamps and illuminating devices required under Chapter 43 (relating to lighting equipment) at all times.

Section 7.2. Section 3712 of Title 75 is amended to read:

Amend Bill, page 36, by inserting between lines 4 and 5

Section 8.2. Section 4302 of Title 75 is amended by adding a subsection to read:

§ 4302. Periods for requiring lighted lamps.

* * *

(c) Applicability—This section shall not apply to motorcycles.

Amend Bill, page 39, by inserting between lines 8 and 9

Section 10.1. Section 4901(c) of Title 75 is amended and the section is amended by adding a subsection to read:

§ 4901. Scope and application of chapter.

* * *

(c) Permit authorizing prohibited movement.—If an overweight or oversize movement cannot be made in any other feasible manner, the permit may authorize the movement to be made in contravention to any provision of this title provided that:

(1) the department or local authority determines that the movement is in the public interest; and

(2) the movement is escorted by the Pennsylvania State Police, extra-duty Pennsylvania State Police or department personnel [while any provision of this title is being contravened]. When the movement is escorted by extra-duty Pennsylvania State Police or department personnel, the following shall apply:

(i) Approval must be obtained from the Pennsylvania State Police or the department for the use of their respective personnel.

(ii) The permittee shall bear the total costs of escorting the movement.

* * *

(e) Definition—As used in this section, the term "extra-duty Pennsylvania State Police" means sworn members of the Pennsylvania State Police performing escort duty outside of their regularly scheduled shift on an overtime basis.

Amend Sec. 10.1, page 39, line 9, by striking out "10.1" and inserting

10.2

Amend Sec. 10.2, page 39, line 19, by striking out "10.2" and inserting

10.3

Amend Sec. 10.2, page 39, line 19, by striking out "4977,"

Amend Sec. 10.2 (Sec. 4977), page 41, lines 23 through 30; page 42, lines 1 through 13, by striking out all of said lines on said pages

Amend Sec. 24.1, page 63, lines 1 through 3, by striking out all of said lines

Amend Sec. 25, page 64, line 1, by striking out "(2.1)" and inserting

(3)

Amend Sec. 25, page 64, lines 6 through 9, by striking out all of said lines

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the McCall amendment, Mr. McCall, would you briefly explain your amendment.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, the amendment that we are asking to insert into HB 152, a lot of the language has been passed by this House already. It precludes PENNDOT from suspending the registration of persons whose insurance lapsed unless PENNDOT has in its possession a receipt of the notice from the insurance company sent to the customer indicating the cancellation.

It changes how we brand titles for theft and flood vehicles. The department, the way they handle flood and theft vehicles, they do not brand it with a flood brand, and that is what we are asking, that with flood vehicles they get branded with a flood brand; a 30-day waiting period between the time you apply for a CDL license (commercial driver's license) and actually take the test; eliminates the specifications for height of handlebars on motorcycles; requires all motorcycles manufactured during or after 1973 to display lighted headlamps; allows off-duty police officers to do escorting of heavy equipment. It also changes the expiration date for the automated red light enforcement systems program, the expiration date from 2005 to 2006.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Adolph	Egolf	Major	Schroder
Allen	Evans, D.	Manderino	Schuler
Argall	Evans, J.	Mann	Scrimenti
Armstrong, G.	Fairchild	Markosek	Semmel
Armstrong, T.	Feese	Marsico	Shaner
Baker, J.	Fichter	Mayernik	Smith, B.

Baker, M.	Fleagle	McCall	Smith, S. H.
Bard	Flick	McGeehan	Solobay
Barrar	Forcier	McGill	Staback
Bastian	Frankel	McIlhattan	Stairs
Bebko-Jones	Freeman	McIlhinney	Steelman
Belardi	Gabig	McNaughton	Steil
Belfanti	Gannon	Melio	Stern
Benninghoff	Geist	Michlovic	Stetler
Birmelin	George	Micozzie	Stevenson, R.
Bishop	Godshall	Miller, R.	Stevenson, T.
Blaum	Gordner	Miller, S.	Strittmatter
Boyes	Gruitza	Mundy	Sturla
Brooks	Habay	Myers	Surra
Browne	Haluska	Nailor	Tangretti
Bunt	Hanna	Nickol	Taylor, E. Z.
Butkovitz	Harhai	O'Brien	Taylor, J.
Buxton	Harhart	Oliver	Thomas
Caltagirone	Harper	Pallone	Tigue
Cappelli	Hasay	Perzel	Travaglio
Cawley	Hennessey	Petrarca	Trello
Civera	Herman	Petrone	Trich
Clark	Hershey	Pickett	Tulli
Clymer	Hess	Pippy	Turzai
Cohen, L. I.	Hutchinson	Pistella	Vance
Cohen, M.	James	Preston	Veon
Colafella	Josephs	Raymond	Vitali
Coleman	Kaiser	Readshaw	Walko
Cornell	Keller	Reinard	Wansacz
Corrigan	Kenney	Rieger	Washington
Costa	Kirkland	Roberts	Waters
Coy	Krebs	Robinson	Watson
Creighton	LaGrotta	Roebuck	Williams, J.
Cruz	Lawless	Rohrer	Wilt
Curry	Lederer	Rooney	Wojnaroski
Dailey	Leh	Ross	Wright, G.
Daley	Lescovitz	Rublely	Wright, M.
Dally	Levdansky	Ruffing	Yewcic
DeLuca	Lewis	Sainato	Youngblood
Dermody	Lucyk	Samuelson	Yudichak
DeWeese	Lynch	Santoni	Zug
DiGirolamo	Mackereth	Sather	
Diven	Maher	Saylor	Ryan,
Donatucci	Maitland	Scavello	Speaker
Eachus			

NAYS-1

Casorio

NOT VOTING-0

EXCUSED-7

Grucela	Jadlowiec	Metcalfe	Zimmerman
Horsely	Laughlin	Phillips	

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?

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	Egolf	Major	Schroder
Allen	Evans, D.	Manderino	Schuler
Argall	Evans, J.	Mann	Scrimenti
Armstrong, G.	Fairchild	Markosek	Semmel
Armstrong, T.	Feese	Marsico	Shaner
Baker, J.	Fichter	Mayernik	Smith, B.
Baker, M.	Fleagle	McCall	Smith, S. H.
Bard	Flick	McGeehan	Solobay
Barrar	Forcier	McGill	Staback
Bastian	Frankel	McIlhattan	Stairs
Bebko-Jones	Freeman	McIlhinney	Steelman
Belardi	Gabig	McNaughton	Steil
Belfanti	Gannon	Melio	Stern
Benninghoff	Geist	Michlovic	Stetler
Birmelin	George	Micozzie	Stevenson, R.
Bishop	Godshall	Miller, R.	Stevenson, T.
Blaum	Gordner	Miller, S.	Strittmatter
Boyes	Gruitza	Mundy	Sturla
Brooks	Habay	Myers	Surra
Browne	Haluska	Nailor	Tangretti
Bunt	Hanna	Nickol	Taylor, E. Z.
Butkovitz	Harhai	O'Brien	Taylor, J.
Buxton	Harhart	Oliver	Thomas
Caltagirone	Harper	Pallone	Tigue
Cappelli	Hasay	Perzel	Travaglio
Cawley	Hennessey	Petrarca	Trello
Civera	Herman	Petrone	Trich
Clark	Hershey	Pickett	Tulli
Clymer	Hess	Pippy	Turzai
Cohen, L. I.	Hutchinson	Pistella	Vance
Cohen, M.	James	Preston	Veon
Colafella	Josephs	Raymond	Vitali
Coleman	Kaiser	Readshaw	Walko
Cornell	Keller	Reinard	Wansacz
Corrigan	Kenney	Rieger	Washington
Costa	Kirkland	Roberts	Waters
Coy	Krebs	Robinson	Watson
Creighton	LaGrotta	Roebuck	Williams, J.
Cruz	Lawless	Rohrer	Wilt
Curry	Lederer	Rooney	Wojnaroski
Dailey	Leh	Ross	Wright, G.
Daley	Lescovitz	Rublely	Wright, M.
Dally	Levdansky	Ruffing	Yewcic
DeLuca	Lewis	Sainato	Youngblood
Dermody	Lucyk	Samuelson	Yudichak
DeWeese	Lynch	Santoni	Zug
DiGirolamo	Mackereth	Sather	
Diven	Maher	Saylor	Ryan,
Donatucci	Maitland	Scavello	Speaker
Eachus			

NAYS-1

Casorio

NOT VOTING-0

EXCUSED-7

Grucela	Jadlowiec	Metcalfe	Zimmerman
Horsely	Laughlin	Phillips	

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

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

The SPEAKER. Tomorrow morning— May I have your attention? May I have your attention, please? Conferences on the floor, please break up for a moment.

Tomorrow morning we will start session at 9 a.m.; 9 a.m. There will be— Hold on. There will be two committees announced for meetings at this time.

JUDICIARY COMMITTEE MEETING

The SPEAKER. Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

At the recess, the House Judiciary Committee will meet in room 39, East Wing, in the Capitol annex.

The SPEAKER. The Judiciary Committee will meet at the recess in room 39 of the East Wing.

REPUBLICAN CAUCUS

The SPEAKER. The gentleman, Mr. Feese.

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, the House Republicans will begin with informal discussions tomorrow morning at 7:30 a.m., and at 8 o'clock we will begin our formal discussions.

The SPEAKER. They will really be informal at 7:30.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Mr. Argall.

Mr. ARGALL. Mr. Speaker, the House Appropriations Committee will meet at 6:30.

The SPEAKER. Tomorrow morning?

Mr. ARGALL. Tonight, in room 245.

The SPEAKER. The Chair thanks the gentleman.

The Appropriations Committee will meet at 6:30 in room 245.

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen.

Mr. COHEN. Mr. Speaker, there will be a Democratic caucus tomorrow at 8:30 in the morning.

The SPEAKER. The Chair thanks the gentleman.

Mr. Preston.

Mr. PRESTON. Thank you.

Mr. Speaker, as you know, every time about this time of the year a lot of us start wondering as we try to make adjustments for family and traveling over the weekend and dealing with the weather reports. Can you give us any idea of what the Wednesday schedule will be?

The SPEAKER. I really cannot. I made an announcement of a sort earlier saying that we have about 40 – this was early this morning now – we have about 40, 45 bills to do with the amendments. I am not sure how many of them we have completed. I expect tomorrow will be a long day. We recognize that the Democrat Caucus will meet at noon. We are going to stay in until we finish up. It is my hope that we finish up in daylight hours on Wednesday. If we do not, we might be here Friday.

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

The SPEAKER. That is why we asked for brief debate – brief debate.

Mr. Cohen.

Mr. COHEN. Thank you.

Mr. Speaker, after talking to my staff, there are certain feasibility problems about having an 8:30 caucus, and therefore, I rescind that call.

The SPEAKER. It was just brought to the attention of the Chair that one of the local – Mr. Preston, this is for your benefit – that one of the local weathermen, Mr. Rhodes, a Mr. Rhodes, will be on the floor of the House tomorrow to answer your question as to what is going to happen on Wednesday with respect to the weather. We will check on him.

EDUCATION COMMITTEE MEETING

The SPEAKER. Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

As we leave today, I want to reconvene the Education Committee meeting in the back of the hall, please.

The SPEAKER. The Education Committee will meet in the rear of the hall at the recess.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. CLYMER presented the report of the committee of conference on **HB 590, PN 4686**.

VOTE CORRECTIONS

The SPEAKER. The Chair recognizes the lady, Mrs. Rubley. Mrs. RUBLEY. Thank you, Mr. Speaker.

I would like to correct the record.

On SB 1465, amendment 6060, I voted in the affirmative and would like to be voted in the negative.

The SPEAKER. The remarks of the lady will be spread upon the record.

Mrs. Mackereth.

Mrs. MACKERETH. Thank you, Mr. Speaker.

Mr. Speaker, on SB 1465, amendment 6060, I was recorded in the affirmative and wish to be recorded in the negative. Thank you.

The SPEAKER. The remarks of the lady will be spread upon the record.

Any further announcements? The Chair is holding the desk open to take reports of committees.

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 1686, PN 4603

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, further providing for local library use of incentive for excellence funds.

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

RECESS

The SPEAKER. Any further announcements?
The House will stand in recess.

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(PATRICIA H. VANCE) PRESIDING****BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED**

SB 1421, PN 2382 By Rep. GANNON

An Act protecting the free exercise of religion; and prescribing the conditions under which government may substantially burden a person's free exercise of religion.

JUDICIARY.

SB 1486, PN 2142 By Rep. GANNON

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, adding definitions; providing for State System of Higher Education campus police powers and duties; and making a repeal.

JUDICIARY.

SB 1515, PN 2399 By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of harassment and stalking; and making conforming amendments to Titles 5, 18, 23 and 42.

JUDICIARY.

BILLS REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. PERZEL. Madam Speaker, I move that the following bills be taken off the table:

SB 1421;
SB 1486; and
SB 1515.

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

BILLS RECOMMITTED

The SPEAKER pro tempore. The Chair again recognizes the majority leader.

Mr. PERZEL. Madam Speaker, I move that the following bills be recommitted to the Appropriations Committee:

SB 1421;
SB 1486; and
SB 1515.

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

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. PERZEL. Madam Speaker, I move that SB 958 be taken off the table.

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

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair again recognizes the majority leader.

Mr. PERZEL. Madam Speaker, I move that SB 958 be recommitted to Appropriations.

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

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

SB 137, PN 2424 (Amended) By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for superintendent compliance with board of school directors action; further providing for high school certificates; and providing for regulation of credit card marketing on a college or university campus.

EDUCATION.

BILLS REREPORTED FROM COMMITTEE**SB 133, PN 2354** By Rep. ARGALL

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further defining “passenger-carrying boat.”

APPROPRIATIONS.

SB 463, PN 2355 By Rep. ARGALL

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, requiring the establishment of a mandatory boater education program; and fixing additional fees.

APPROPRIATIONS.

SB 879, PN 2426 (Amended) By Rep. ARGALL

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for surcharge recoverability and offset; and further providing for electricity supplied to certain organizations.

APPROPRIATIONS.

SB 1421, PN 2382 By Rep. ARGALL

An Act protecting the free exercise of religion; and prescribing the conditions under which government may substantially burden a person’s free exercise of religion.

APPROPRIATIONS.

SB 1452, PN 2427 (Amended) By Rep. ARGALL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the number of judges of the courts of common pleas; further defining “health care provider”; further providing for limitations of appeals, for the powers and duties of probation officers concerning juveniles, for inspection of court files and records, for taking child into custody, for informal hearings, for notice and hearing, for adjudication and for disposition of dependent child; providing for immunity of State parole officers and county probation officers; conferring powers and duties on the Juvenile Court Judges’ Commission; providing for liability for violations of general and specific criminal statutes and for merger of sentences; and providing a technical correction to, confirmation of the scope of and clarification of existing law regarding the Rental-Purchase Agreement Act.

APPROPRIATIONS.

SB 1486, PN 2142 By Rep. ARGALL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, adding definitions; providing for State System of Higher Education campus police powers and duties; and making a repeal.

APPROPRIATIONS.

SB 1515, PN 2399

By Rep. ARGALL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of harassment and stalking; and making conforming amendments to Titles 5, 18, 23 and 42.

APPROPRIATIONS.

RECESS

The SPEAKER pro tempore. This House will now stand in recess until the call of the Chair.

AFTER RECESS

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

**THE SPEAKER (MATTHEW J. RYAN)
PRESIDING****SENATE BILL FOR CONCURRENCE**

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

SB 806, PN 2425

Referred to Committee on STATE GOVERNMENT, November 25, 2002.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Does the majority leader have any business left in Monday’s session?

Hearing none, the Chair recognizes the lady, Ms. Pickett.

Ms. PICKETT. Mr. Speaker, I move that this House do now adjourn until Tuesday, November 26, 2002, at 9:45 a.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 11:59 p.m., e.s.t., the House adjourned.