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

THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING

PRAYER

The SPEAKER pro tempore. The prayer will be offered by our Guest Chaplain, Rabbi Solomon Isaacson.

RABBI ISAACSON. Good afternoon.

I would just like to take a personal moment to convey my condolences to the family of Councilman Cohen in Philadelphia. He was a staunch adversary on behalf of the people of Philadelphia as a councilman at large, and I would just like to take the opportunity and ask all of us if we can just have a brief moment of silence in his memory.

Since all of you are also champions of your subjects where you serve, those people, therefore I think it is just proper that we should just pay our respects for a moment.

Thank you.

(A moment of silence was observed.)

RABBI ISAACSON. Thank you very much.

RABBI SOLOMON ISAACSON, Guest Chaplain of the House of Representatives, offered the following prayer:

(Prayer in Hebrew.)

For those of you that did not understand Hebrew, may He who grants salvation to the kings and dominion to rulers, whose kingdom is a kingdom spanning all eternities, His servant from all the evil swords, who places a road in the sea and a path in the mighty waters, may He bless, safeguard, preserve, help, exalt, make great, extol, and raise high our beloved President and Vice President, our Governor, and the Speaker of the House of Representatives, and all the Representatives here today, and even those that are not here with us.

The King who reigns over kings, in His mercy, may He sustain them and protect them from every trouble, woe, and injury; may He rescue them; may He gather peoples under their sway and cause their enemies to fall before them. Wherever they turn, may they succeed.

The King who reigns over kings, in His mercy, may He put into their heart and into the heart of all their counselors and officials compassion to do good with us and with all the people of our land in their days and in ours. So may it be the will of the Almighty, and let us say amen.

STATEMENT BY RABBI ISAACSON

RABBI ISAACSON. On a personal note, I would like to take the opportunity to wish all of you a happy and healthy Thanksgiving. We have a lot to be thankful for. Thank God many of us that were here last year are here again this year. We have a lot to appreciate from the Almighty – our beloved families, our children, our grandchildren – and we have a lot to be thankful for that the Almighty has allowed us to live in a land such as we do and this great State that we live in now. It is up to us to make this a better place for all of us, each one of us in their position, and as Representatives of the esteemed House of Representatives for the State of Pennsylvania, I know that is a tremendous responsibility, but obviously your constituents felt that you were the best qualified and the most qualified, and I believe that all of you will do the best you can. So we have a lot to be thankful for and have the Thanksgiving.

I wish and pray that all of you will enjoy the holiday and that you will all go and have a good time and come back in good health and happiness and continue to serve and take good care of your constituents.

Thank you and God bless.

PLEDGE OF ALLEGIANCE

(Prayer in Hebrew.)

The Pledge of Allegiance was recited by members and visitors.)
JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Thursday, November 17, 2005, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS
INTRODUCED AND REFERRED

No. 2247 By Representatives MANDERINO, HASAY, THOMAS, ARMSTRONG, BEBKO-JONES, BELARDI, BIANCUCCI, BISHOP, BLACKWELL, BUXTON, CALTAGIRONE, COHEN, COSTA, CRAHALLA, CREIGHTON, CURRY, DALLY, DeLUCA, DIVEN, DONATUCCI, D. EVANS, FABRIZIO, FRANKEL, FREEMAN, GEIST, GEORGE, GREGELY, GOODMAN, GRUCELA, HANNA, HARHART, HARPER, HERMAN, HESS, HICKERNELL, JAMES, JOSEPHS, LaGROTTA, LEACH, LEREDER, LEVDANSKY, MccALL, MUNDY, O'NEILL, PALLONE, PETRONE, PISTELLA, PRESTON, REED, ROEBUCK, SAMUELSON, SCAVELLO, SHAPIRO, SOLOBAY, SURRA, TANGRETTI, E. Z. TAYLOR, TIGUE, TRUE, VITALI, WALKO, WATERS, WILLIAMS, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of April 8, 1937 (P.L.262, No.66), known as the Consumer Discount Company Act, further providing for definitions and for licensure; and prohibiting payday loans.

Referred to Committee on CONSUMER AFFAIRS, November 21, 2005.

No. 2248 By Representatives DALLY, ADOLPH, CALTAGIRONE, GINGRICH, HARPER, HARRIS, MUSTIO, REICHLEY, WILT and YUDICHAK

An Act amending the act of March 28, 2000 (P.L.23, No.7), known as the Fair Credit Extension Uniformity Act, further providing for the definition of “debt.”

Referred to Committee on CONSUMER AFFAIRS, November 21, 2005.

No. 2249 By Representatives DALLY, ADOLPH, ARMSTRONG, CALTAGIRONE, GINGRICH, GODSHALL, HARPER, HARRIS, HENNESSEY, MUSTIO, REICHLEY, SCAVELLO, E. Z. TAYLOR, THOMAS, WILT, YOUNGBLOOD and YUDICHAK

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, changing the date from which, and the rate of which, interest is charged on certain delinquent taxes and other municipal claims; and modernizing the law relating to collection of such taxes and claims.

Referred to Committee on FINANCE, November 21, 2005.

No. 2250 By Representatives TIGUE, BEBKO-JONES, BELFANTI, BOYD, CALTAGIRONE, CAWLEY, CORRIGAN, COSTA, CREIGHTON, DeLUCA, EACHUS, FRANKEL, FREEMAN, GEORGE, GOODMAN, GRUCELA, HARPER, HENNESSEY, HERSHEY, W. KELLER, KIRKLAND, KOTIK, LEREDER, McGEEHAN, O'NEILL, PETRONE, PISTELLA, RAPP, RUBLEY, SCAVELLO, SCHRODER, SOLOBAY, STABACK, TANGRETTI, E. Z. TAYLOR, THOMAS, WATERS, YOUNGBLOOD and YUDICHAK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for notice publication by recognizing the Internet and for emergency certification to overcome teacher shortages.

Referred to Committee on EDUCATION, November 21, 2005.

No. 2251 By Representatives T. STEVENSON, BARRAR, BOYD, CALTAGIRONE, CAPPELLI, CAUSER, CREIGHTON, GEIST, GOODMAN, HERSHEY, KAUFFMAN, KILLION, LEH, MARKOSEK, MARSICO, McILHATTAN, MUSTIO, O'NEILL, PETRI, REICHLEY, ROHRER, ROSS, SCHRODER, R. STEVENSON, E. Z. TAYLOR, THOMAS, TURZAI, WILT, YOUNGBLOOD and BENNINGHOFF

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, repealing annual registration requirements for registered limited liability partnerships and limited liability companies; and making an editorial change.

Referred to Committee on COMMERCE, November 21, 2005.

No. 2252 By Representatives O'NEILL, ARMSTRONG, BARRAR, BENNINGHOFF, BEYER, BIANCUCCI, BUNT, CALTAGIRONE, CAUSER, CAWLEY, CLYMER, COHEN, CRAHALLA, DeWEES, FICHTER, FRANKEL, FREEMAN, GEORGE, GREGELY, GINGRICH, GOOD, GOODMAN, GRUCELA, HALUSKA, HARPER, HENNESSEY, HERMAN, HUTCHINSON, JAMES, MACKERETH, MANDERINO, MANN, MARKOSEK, McGEEHAN, McILHATTAN, McILHINNEY, MELIO, R. MILLER, MUNDY, PHILLIPS, PYLE, READSHAW, REED, REICHLEY, SATHER, SCAVELLO, SHANER, SIPPROTH, SOLOBAY, SONNEY, STABACK, R. STEVENSON, SURRA, TANGRETTI, E. Z. TAYLOR, J. TAYLOR, THOMAS, TRUE, WATSON, WILT, WRIGHT and YOUNGBLOOD

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, prohibiting discrimination against volunteer ambulance services.

Referred to Committee on INSURANCE, November 21, 2005.

No. 2253 By Representatives GEORGE, ADOLPH, BEBKO-JONES, BELARDI, BUNT, CALTAGIRONE, COHEN, CRAHALLA, CURRY, DeLUCA, DeWEES, FRANKEL, FREEMAN, GREGELY, Good, GOODMAN, GRUCELA, HERMAN, JAMES, KOTIK, LEVDANSKY, MARKOSEK, McGEEHAN, PETRARCA, PETRONE, PISTELLA, READSHAW, RUBLEY, STABACK, STURLA, SURRA, THOMAS, TIGUE, WALKO, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, prohibiting discrimination against volunteer ambulance services.
An Act establishing the State Energy Office and an advisory council; and imposing duties on the State Energy Office.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, November 21, 2005.

No. 2254 By Representatives NICKOL, BUNT, CALTAGIRONE, COHEN, CRAWALLA, DeWESE, FRANKEL, FREEMAN, GEARL, GILLESPIE, GRUCELA, HENNESSEY, KILLION, MAITLAND, MANN, R. MILLER, MUNDY, MUSTIO, PAYNE, REICHLEY, RUBLEY, B. SMITH, STETLER, E. Z. TAYLOR and TIGUE

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for the definition of "eligible entity" and for special occasion permits.

Referred to Committee on LIQUOR CONTROL, November 21, 2005.

No. 2255 By Representatives BEYER, CALTAGIRONE, CRAWALLA, CREIGHTON, DALLY, HENNESSEY, METCALFE, REICHLEY and E. Z. TAYLOR

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for term of district superintendents and assistant district superintendents, for removal of district superintendents and assistant district superintendents and for compensation plans for school administrators.

Referred to Committee on EDUCATION, November 21, 2005.

No. 2256 By Representatives HALUSKA, PHILLIPS, STABACK, B. SMITH, ARMSTRONG, BEBKO-JONES, CLYMER, DEWESE, EACHUS, FABRIZIO, FREEMAN, GEIST, GODSHALL, GOODMAN, GRUCELA, HARHAI, HERSHEY, KOTIK, MARKOSEK, McILHATTAN, PYLE, QUIGLEY, READSHAW, REICHLEY, SAINATO, SCAVELLO, SOLOBAY, TIGUE, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, establishing a beginner hunting license.

Referred to Committee on GAME AND FISHERIES, November 21, 2005.

No. 2257 By Representatives HALUSKA, CURRY, DALEY, DEWESE, FABRIZIO, GEIST, GEORGE, GILLESPIE, GOODMAN, GRUCELA, HARRI, HERSHEY, HENNESSEY, KIRKLAND, KOTIK, LEACH, MARKOSEK, PETRARCA, READSHAW, THOMAS, WATERS, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for contributions for the purchase of credit for creditable nonstate service by certain mine workers.

Referred to Committee on STATE GOVERNMENT, November 21, 2005.

No. 2258 By Representatives HALUSKA, BEBEK-JONES, BELARDI, CALTAGIRONE, COSTA, DALEY, DEWESE, FABRIZIO, FICHTER, FREEMAN, GEIST, GILLESPIE, GOODMAN, GRUCELA, HANNA, HARRI, HARRI, HERMAN, HESS, KILLION, KOTIK, LEVDANSKY, MARKOSEK, WOJNAROSKI, YOUNGBLOOD, YUDICHAK, WALKO, McGEETHAN, McILHATTAN, MICOZZIE, MUNDY, MUSTIO, NAILOR, O’NEILL, PETRARCA, RAMELEY, RAPP, READSHAW, REED, REICHLEY, RUBLEY, SAINATO, SAVELLO, STABACK, SURRA, TANGRETTI, THOMAS, TIGUE, TURZAI and GEIST

An Act establishing the Fire and Emergency Service Grant Program; providing for powers and duties of the Pennsylvania Fire and Emergency Service Advisory Board and Pennsylvania Emergency Management Agency; establishing the Fire and Emergency Service Grant Fund and Fire and Emergency Service Fund; and providing for a grant program and for an annual report.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, November 21, 2005.

No. 2259 By Representative KENNEY

An Act providing for maintenance of the Benjamin Rush State Park in Philadelphia County.

Referred to Committee on STATE GOVERNMENT, November 21, 2005.

No. 2260 By Representatives SURRA, THOMAS, DEWESE, BELARDI, BIANCUCCI, CALTAGIRONE, CREIGHTON, GRUCELA, HALUSKA, KIRKLAND, KOTIK, MUNDY, PISTELLA, READSHAW, SIPTROTH, STABACK, TIGUE and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for reports by police.

Referred to Committee on TRANSPORTATION, November 21, 2005.

No. 2261 By Representatives DIVEN, CAWLEY and DELLUCA

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for Category 2 slot machine license.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, November 21, 2005.

HOUSE RESOLUTION
INTRODUCED AND REFERRED

No. 521 By Representatives PISTELLA, BALDWIN, BASTIAN, BEBKO-JONES, BAYER, CALTAGIRONE, CAPPELLI, CORRIGAN, CREIGHTON, DALEY, FICHTER, FRANK, GEIST, GILLESPIE, HARRI, HERSHEY, HESS, LEH, MUNDY, PETRARCA, PHILLIPS, RAPP, READSHAW, RUBLEY, SATHER, SOLOBAY, STERN, THOMAS, WATERS, YOUNGBLOOD and KIRKLAND
A Resolution condemning the merchandising and marketing practices of Abercrombie & Fitch.

Referred to Committee on CONSUMER AFFAIRS, November 21, 2005.

SENATE BILLS FOR CONCURRENCE

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

SB 629, PN 1371

Referred to Committee on JUDICIARY, November 21, 2005.

SB 868, PN 1332

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, November 21, 2005.

BILLS REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the following bills be taken from the table:

HB 194; HB 348; HB 487; HB 544; HB 611; HB 731; HB 1085; HB 1326; HB 1632; HB 1770; HB 1879; HB 2017; HB 2139; HB 2157; HB 2191; and HB 138.

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

BILLS REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 1920 and SB 18 be taken off the table.

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

BILLS TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 1920 and SB 18 be placed on the table.

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:

HB 194, PN 202; HB 348, PN 2999; HB 487, PN 526; HB 544, PN 2957; HB 611, PN 684; HB 731, PN 3054; HB 1085, PN 3051; HB 1326, PN 3105; HB 1632, PN 2017; HB 1770, PN 2265; HB 1879, PN 3056; HB 2017, PN 2778; HB 2139, PN 2943; HB 2157, PN 2980; HB 2191, PN 3026; and HB 138, PN 139.

BILLS RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

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

HB 194; HB 348; HB 487; HB 544; HB 611; HB 731; HB 1085; HB 1326; HB 1632; HB 1770; HB 1879; HB 2017; HB 2139; HB 2157; HB 2191; and HB 138.

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

BILLS REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 1920 and SB 18 be placed on the table.

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

BILLS TABLED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 1920 and SB 18 be placed on the table.

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 565, PN 3150 (Amended) By Rep. FLICK

An Act amending the act of May 21, 1992 (P.L.241, No.36), referred to as the Credit Card Information Act, prohibiting certain credit card information on receipts.

CONSUMER AFFAIRS.
LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip, who requests a leave of absence for the day for the gentleman from Allegheny County, Mr. MAHER, and the gentleman from Philadelphia County, Mr. O’BRIEN. Without objection, the leaves of absence are granted.

And the Chair recognizes the minority whip, who requests a leave of absence for the week for the gentleman from Fayette County, Mr. SHANER; and for the day, from Lackawanna County, Mr. STABACK; the gentleman from Philadelphia County, Mr. RIEGER; the gentleman from Northampton County, Mr. ROONEY; the gentleman from Philadelphia County, Mr. KELLER; the gentleman, Mr. CRUZ, from Philadelphia County; the gentleman from York County, Mr. STETLER; the gentleman from Northampton County, Mr. SAMUELSON; and the gentleman from Lackawanna County, Mr. WANSACZ. Without objection, the leaves of absence are granted.

MASTER ROLL CALL

The SPEAKER pro tempore. The Chair is about to take the master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT–192

Adolph  Fabrizio  Lescovitz  Rohrer
Allen  Fensight  Levdansky  Ross
Argall  Fieche  Mackerek  Rubley
Armstrong  Fichter  Maitland  Ruffing
Baker  Fleagle  Major  Sainato
Baldwin  Flick  Manderino  Santoni
Barrar  Forcier  Mann  Sather
Bastian  Frankel  Markosek  Saylor
Bebko-Jones  Freeman  Marsico  Scavello
Belardi  Gabig  McCall  Schroder
Belfanti  Gannon  McGeehan  Semmel
Benninghoff  Geist  McGill  Shapiro
Beyer  George  McIlhanney  Smith, B.
Biancucci  Gerber  McIlhattan  Smith, S.
Birmelin  Gergely  McNaughton  Smith, S. H.
Bishop  Gillespie  Melio  Solobay
Blackwell  Gingrich  Metcalfe  Sonney
Blaum  Godshall  Miccozie  Stairs
Boyd  Good  Millard  Steil
Bunt  Goodman  Miller, R.  Stern
Butkovitz  Grell  Miller, S.  Stevenson, R.
Buxtun  Grucella  Mundy  Stevenson, T.
Caltagirone  Grutta  Mustio  Sturla
Cappelli  Habay  Myers  Surra
Casorio  Halaska  Nalor  Tangreti
Cauzer  Hanna  Nickol  Taylor, E. Z.
Cawley  Harhai  Oliver  Taylor, J.
Civera  Harhart  O’Neill  Thomas
Clymer  Harper  Pallone  Tigue
Cohen  Harris  Parker  True
Cornell  Hasay  Payne  Turzai
Corrigan  Hennessey  Petarca  Veon
Costa  Herman  Petri  Vitali
Crahallo  Hershey  Petrone  Walko
Creighton  Hess  Phillips  Waters
Curry  Hickernell  Pickett  Watson
Daley  Hutchinson  Pistella  Wheatley
Dally  James  Preston  Williams
DeLuca  Josephs  Pyle  Wilt
Denlinger  Kaufman  Quigley  Wojnaroski
Dermody  Keller, M.  Ramaley  Wright

ADDITIONS–0
NOT VOTING–0
EXCUSED–11

Cruz  O’Brien  Samuelson  Stetler
Keller, W.  Rieger  Shaner  Wansacz
Maher  Rooney  Staback

LEAVES ADDED–2

Clymer  Pallone

LEAVES CANCELED–4

Keller, W.  Pallone  Samuelson  Stetler

REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of John G. Swearer III, who has recently been awarded Scouting’s highest honor – Eagle Scout.

Whereas, John G. Swearer III earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. John is a member of Troop 29.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of John G. Swearer III.

REMARKS SUBMITTED FOR THE RECORD

Mr. M. KELLER submitted the following remarks for the Legislative Journal:

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Sean Patrick Day, who has recently been awarded Scouting’s highest honor – Eagle Scout.

Whereas, Sean Patrick Day earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. John is a member of Troop 29.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Sean Patrick Day.
ACTUARIAL NOTE

The SPEAKER pro tempore. The Chair is in receipt of an actuarial note to HB 1599, PN 2147.

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

MISS PRE-TEEN PENNSYLVANIA PRESENTED

The SPEAKER pro tempore. The gentleman, Mr. Bastian, is recognized to come to the podium and make a citation presentation.

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

It gives me pleasure and a real honor to introduce this young lady to this Assembly today. Pre-Teen America is a scholarship and recognition program that recognizes the brightest and top female honor students ages 7 through 12.

On August 21 of this year, Cassandra was selected from 97 young ladies to represent Pennsylvania. She was evaluated in seven judging categories that included academic achievement, volunteer service to community, school honors and activities, development of personal abilities, general knowledgeability, communicative ability, and on-stage expressiveness.

In addition to receiving the overall award, she had the highest score in the communicative interview portion of the program. She also competed in the optional speech and talent events, receiving first runner-up honors in talent and the top award for speech presentation.

She will represent Pennsylvania over the next year in many, many events and will represent the nation in the national event with other States. This young lady has been very involved in many, many programs in her community and in Somerset County. She lives just 3 miles from where September 11th occurred, with the crash of Flight 93. She was in school that day and remembers that very well. The school is about a mile from where Flight 93 crashed.

If you would please give her a true welcome from this body to Miss Pre-Teen Pennsylvania, Cassandra Petrilla.

To my left also are some of her family members, if they would stand as I mention their names – Georgiann and Christopher Petrilla, her parents; Nicholas Petrilla, her brother; and George and Mary Ann Jock, her maternal grandparents. Give them a welcome also, if you would.

LEGISLATIVE FELLOWS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to announce the 2005 fall semester Legislative Fellows. The Legislative Fellowship Program, which is sponsored by the House of Representatives through the Bipartisan Management Committee, has a bright class this year. Six students have been assigned to either a committee chairman or leadership office for a 13-week fellowship.

I am pleased to welcome to the hall of the House today the six Legislative Fellows who began their internship in September. They are seated in the rear of the House, and as I mention your name and a brief description, please rise, and then we will recognize you at the end.

Mary Barnhart, an interdisciplinary humanities major from Penn State Harrisburg, assigned to Representative Keith McCall.

Laura Harding, a public policy major from Penn State Harrisburg, assigned to Representative Paul Semmel.

Lisa Kubeika, an American studies major from Penn State Schuylkill, assigned to Representative Mark Cohen.

Randy Laughlin, a public administration major from Kutztown University, assigned to Representative Mike Veon.

David Toth, a political science major from King’s College, assigned to Representative Ron Raymond.

Paul Vezzetti, a political science major from California University, assigned to Dr. Paula Hess.

The students are here today with Susan Cohen and Peter Wambach. Please welcome them.

ARCHIVAL INTERN INTRODUCED

The SPEAKER pro tempore. Also recognizing the fall 2005 Bipartisan Management Committee’s archival intern, one student was selected this semester to participate in the Archival Internship Program. The internship began on September 19 and will be here until December 16, and we are pleased to welcome to the House today David Poleto, a graduate student at Shippensburg University, working toward a degree in applied history. David is working on the historical records of the House Judiciary Committee. David is the constituent of Representative Mark McNaughton. Please rise and be recognized.

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Sarah Morbeto, a sophomore at Big Spring High School, Newville, Pennsylvania, who is shadowing Representative Tim Hennessey to learn more about the legislative process for class credit, and Sarah is located in the balcony. Please rise and be recognized.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. BELFANTI called up HR 389, PN 2414, entitled:

A Resolution recognizing the 50th anniversary of the AFL-CIO.

On the question,
Will the House adopt the resolution?

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair notes for the record the presence of the gentleman, Mr. Samuelson, and he will be added to the master roll call.
CONSIDERATION OF HR 389 CONTINUED

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

The following roll call was recorded:

YEAS–193

Adolph Fabrizio Lescovitz Ross
Allen Fairchild Levdansky Rubley
Argall Feese Mackereth Ruffing
Armstrong Fichter Maitland Sainato
Baker Fleagle Major Samuelson
Baldwin Flick Manderino Santoni
Barrar Forcier Mann Saylor
Bastian Frankel Markosek Scavello
Bebko-Jones Freeman Marsico DerW。
Belardi Gabig McCall Schroeder
Belfanti Gannon McGehee Semmel
Benninghoff Geist McGill Shapiro
Beyer George Mcllhatan Siptroth
Biancucci Gerber McIlinney Smith, B.
Birmelin Gergely McNaughton Smith, S. H.
Bishop Gillespie Melio Solobay
Blackwell Gingrich Micolafe Sonney
Blau Godshall Micozzie Stairs
Boyd Good Millard Steil
Bunt Goodman Miller, R. Stern
Butkovitz Grell Miller, S. Stevenson, R.
Buxton Grucela Mundy Stevenson, T.
Caltagirone Gruitza Mustio Sturla
Cappelli Habay Myers Surra
Casorio Haluska Nairor Tangretti
Causer Hanna Nickol Taylor, E. Z.
Cawley Harhai Oliver Taylor, J.
Civera Harhart O’NeIl Thomas
Clymer Harper Pallone Tigue
Cohen Harris Parker True
Cornell Hasay Payne Turzai
Corrigan Hennessey Petarca Veon
Costa Herman Petri Vitali
Crahalia Hershey Petrone Walko
Creighton Hess Phillips Waters
Curry Hickernell Picket Watson
Daley Hutchinson Pistella Wheatley
Dally James Preston Williams
DeLuca Josephs Pyle Wilt
Denlinger Kaufman Quigley Wojnaroski
Dermody Keller, M. Ramaley Wright
DeWeese Kenan Rapp Yewcic
DiGirolamo Killion Raymon Youngblood
Diven Kirkland Readshaw Yudichak
Donatucci Kotik Reed Zug
Eachus LaGrotta Rechley
Ellis Leach Roberts
Evans, D. Lederer Roebuck Perzel,
Evans, J. Leh Rohrer Speaker

NAYS–0

NOT VOTING–0

EXCUSED–10

Cruz O’Brien Shaner Setstler
Keller, W. Rieger Staback Wansac
Maher Rooney

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

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the minority leader, who asks for a leave of absence for the gentleman, Mr. PALLONE. Without objection, the leave of absence is granted.

RESOLUTIONS PURSUANT TO RULE 35

Mr. STEIL called up HR 478, PN 2861, entitled:

A Resolution honoring the life and extending condolences for the supreme sacrifice of Private First Class Nathaniel DeTample, Pennsylvania National Guard Company A, 1st Battalion, 111th Infantry, who tragically lost his life while in the service of his country when his vehicle hit a roadside bomb near Beiji, Iraq, on August 9, 2005.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. The gentleman may proceed.

Mr. STEIL. Thank you, Mr. Speaker.

Representative Corrigan and I are here today to honor another of our native sons.

There are many callings in this world; there are many careers that our young men and women choose. None of those is a higher calling than the service of their country. Today we honor a young man who gave his life in that service and in that calling.

Pfc. Nathaniel DeTample of Falls Township graduated in 2004 from Pennsbury High School. He wanted to be a cop, just like his dad, and in that endeavor, he enrolled at Shippensburg University but saw the need of his country and left Shippensburg to join the Pennsylvania National Guard with the hope of continuing his education after his service.

Private First Class DeTample's unit was deployed to Iraq in March 2005 for the purpose of performing stability and support operations in the Beiji area north of Baghdad.

On August 9, 2005, the Humvee in which he was riding was hit by a roadside bomb. Private First Class DeTample succumbed to his injuries along with four other of Pennsylvania’s sons and two who were injured.

So today Representative Corrigan and I are asking you to honor Pfc. Nathaniel DeTample, who died in the service of this Commonwealth and in the service of this country.

I ask for an affirmative vote on HR 478, and I want to introduce Private First Class DeTample’s family who are with us today, if they would please stand – Glenn DeTample, father; Kim DeTample, mother; Vicky DeTample, sister; Staten DeTample, brother; and Kristin Farina, a very close family friend.

We thank you for being here. We thank you for the honor that this House can bestow upon your son. It is very little, but it is something that we feel very heartfelt.

Thank you, Mr. Speaker.

On the question recurring,
Will the House adopt the resolution?
The following roll call was recorded:

**YEAS–192**

Adolph Fabrizio Lescovitz Ross
Allen Fairchild Levansky Rubley
Argall Feese Mackereth Ruffing
Armstrong Fichter Maitland Sainato
Baker Fleagle Major Samuelson
Baldwin Flick Manderino Santoni
Barrar Forcier Mann Sather
Bastian Frankel Markosek Saylor
Bebko-Jones Freeman Marsico Scavello
Belardi Gabig McCall Schroder
Belfanti Gannon McGeehan Semmel
Benninghoff Geist McGill Shapiro
Beyer George McIlhatten Siptroth
Biancucci Gerber McIlhinney Smith, B.
Birmelin Gergely McNaughton Smith, S. H.
Bishop Gillespie Mello Solobay
Blackwell Gingrich Metcalfe Sonney
Blau Godshall Miccozie Stairs
Boyd Good Millard Steil
Bunt Goodman Miller, R. Stern
Butkovitz Grell Miller, S. Stevenson, R.
Buxton Grucela Mundy Stevenson, T.
Caltagirone Gruitza Mustio Sturma
Cappelli Habay Myers Surra
Casorio Habay Petrarca Tuzai
Corrigan Hennessey Petri Veon
Costa Herman Petrone Vitali
Crahalia Hershey Phillips Walko
Creighton Hess Pickett Waters
Curry Hickernell Pistella Watson
Daley Hutchinson Preston Wheatley
Daly James Pyle Williams
DeLuca James Josephs Quigley Witt
Denlinger Kauffman Ramaley Wojnaroski
Dermody Keller, M. Rapp Wright
DeWeese Kenney Raymond Yewcic
DiGirolamo Kilion Readshaw Youngblood
Diven Kirkland Reed Yudichak
Donatucci Kotik Reichley Zieg
Echols LaGrotta Roberts
Ellis Leach Roebuck
Evans, D. Lederer Rohrer Perzel,
Evans, J. Leh Speaker

**NAYS–0**

**NOT VOTING–0**

**EXCUSED–11**

Cruz O’Brien Rooney Stetler
Keller, W. Pallone Shaner Wansac
Maher Riegler Staback

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

Mr. R. STEVENSON called up **HR 508, PN 3077**, entitled:

A Resolution paying tribute to and honoring the memory of Staff Sgt. Shawn A. Graham, a member of the 56th Brigade Combat Team, 36th Infantry Division, 124th Armored Cavalry Regiment of the Texas Army National Guard, who tragically lost his life while on active duty in Iraq.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Stevenson.

Mr. R. STEVENSON. Thank you, Mr. Speaker.

With sorrow and deep respect, I rise today to honor the life and service of S. Sgt. Shawn Graham, who made the ultimate sacrifice for his fellow citizens when he gave his life in the line of duty in Baghdad, Iraq, on September 25, 2005.

Sergeant Graham was the third member of his family to serve in harm’s way during the past several years. His father, Thomas, a Vietnam war veteran, returned several months ago from duty in Afghanistan. His brother, Nicholas, has served two tours in Iraq with the Marine Corps.

Sergeant Graham, a native of Grove City, Pennsylvania, served in the Marine Corps for 10 years, from 1990 to 2000. He then enlisted in the Army, where most recently he served in the Army National Guard’s 124th Calvary Regiment, 36th Infantry Division.

In conversations this past summer, Shawn told his mother, Kathleen Graham, that he believed we were doing the right thing. He was very impressed with the resiliency of the Iraqi people. He talked with her about “…oil wells being blown up, water pipes being blown up, and the Iraqis” who were “out there, the next day, fixing them. The Iraqis are tired of the insurgents…. The hotline is active 24 hours a day with people calling in tips and we need to be there.” In those conversations Sergeant Graham further reassured his mother by saying, “If anything happens to me, Mom, I was doing what I wanted to be doing. Be happy for me.”

Mrs. Graham promised her son that she would tell people about those conversations if she ever got the chance. With his death, she believes this is her opportunity to speak. “We support the military 100 percent,” she said. “We need to continue to think” about them “and pray for them.”

Today we honor Sergeant Graham for his service and for his sacrifice. I would like to also thank Mrs. Graham for sharing those conversations with us.

I ask for unanimous support for this resolution.
Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

**YEAS–192**

Adolph Fabrizio Lescovitz Ross
Allen Fairchild Levansky Rubley
Argall Feese Mackereth Ruffing
Armstrong Fichter Maitland Sainato
Baker Fleagle Major Samuelson
Baldwin Flick Manderino Santoni
Barrar Forcier Mann Sather
Bastian Frankel Markosek Saylor
Bebko-Jones Freeman Marsico Scavello
Belardi Gabig McCall Schroder
Belfanti Gannon McGeehan Semmel
Benninghoff Geist McGill Shapiro
Beyer George McIlhatten Siptroth
Biancucci Gerber McIlhinney Smith, B.
Birmelin Gergely McNaughton Smith, S. H.
Bishop Gillespie Mello Solobay
Blackwell Gingrich Metcalfe Sonney
Blau Godshall Miccozie Stairs
Boyd Good Millard Steil
Bunt Goodman Miller, R. Stern
Butkovitz Grell Miller, S. Stevenson, R.
Buxton Grucela Mundy Stevenson, T.
Caltagirone Gruitza Mustio Sturma
Cappelli Habay Myers Surra
Casorio Habay Petrarca Tuzai
Corrigan Hennessey Petri Veon
Costa Herman Petrone Vitali
Crahalia Hershey Phillips Walko
Creighton Hess Pickett Waters
Curry Hickernell Pistella Watson
Daley Hutchinson Preston Wheatley
Daly James Pyle Williams
DeLuca James Josephs Quigley Witt
Denlinger Kauffman Ramaley Wojnaroski
Dermody Keller, M. Rapp Wright
DeWeese Kenney Raymond Yewcic
DiGirolamo Kilion Readshaw Youngblood
Diven Kirkland Reed Yudichak
Donatucci Kotik Reichley Zieg
Echols LaGrotta Roberts
Ellis Leach Roebuck
Evans, D. Lederer Rohrer Perzel,
Evans, J. Leh Speaker
The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

** * * *

Mr. GEIST called up HR 512, PN 3106, entitled:

A Resolution honoring Pennsylvania Advocates for Nutrition and Activity (PANA) for its dedication and commitment to creating healthier schools and communities in this Commonwealth and working to promote policies and environments that support healthy eating and activity.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS–192

Adolph                Fabrizio                   Lescovitz                   Ross
Allen                 Fairchild                  Levandsky                   Rubley
Argall                Fabre                      Mackreth                   Ruffing
Armstrong             Fichter                    Maier                      Sainato
Baker                 Fleagle                    Major                      Samuelson
Baldwin               Flick                      Manderino                  Santoni
Barrar                Forcier                    Mann                       Sather
Bastian               Frankel                    Markosek                   Saylor
Bebko-Jones           Freeman                    Marsico                    Scavello
Belardi               Gabig                      McCull                      Schroeder
Belfanti              Gannon                    McGeehan                   Semmel
Benninghoff           Geist                      McGill                    Shawpo
Beyer                 George                     McElhatten                 Siptroth
Bianucci              Gerber                     McHlhinney                 Smith, B.
Birmelin              Gergely                    McNaughton                 Smith, S. H.
Bishop                Gillespie                  Melo                       Solobay
Blackwell             Gingrich                   Metcalfe                   Sonney
Blum                  Godshall                   Micorzie                   Stairs
Boyd                  Good                       Millard                    Steil
Bunt                  Goodman                    Miller, R.                  Stern
Butkovitz             Grell                      Miller, S.                 Stevenson, R.
Buxton                Grucela                    Mundy                     Stevenson, T.
Caltagirone           Gruitza                    Mustio                    Sturla
Cappelli              Habay                      Myers                     Surra
Casorio               Haluska                    Naizor                    Tangretti
Cauler                Hanna                      Nickol                    Taylor, E. Z.
Cawley                Harhai                     Oliver                    Taylor, J.
Civera                Harhart                    O’Neill                   Thomas
Clymer                Harper                     Parker                    Tigue
Cohen                 Harris                     Payne                     True
Cornell               Hasay                      Petarca                   Tuzrai
Corrigan             Hennessey                   Petroi                    Veon
Costa                 Herman                     Petrono                   Vitali
Crahalia              Hershey                    Phillips                  Walko
Creighton             Hess                       Pickett                   Waters
Curry                 Hickernell                Picsta                      Watson
Daley                 Hutchinson                Preston                   Wheatley
Dally                 James                      Pyle                      Williams
DeLuca                Josephs                   Quigley                   Wilt
Denlinger             Kaufman                    Ramaley                   Wojnaroski
Dermody               Keller, M.                 Rapp                      Wright
DeWeese               Kenney                     Raymond                   Yewcic
DiGirolamo            Kilion                     Readshaw                  Youngblood
Diven                 Kirkland                   Reed                      Yudichak
Donatucci             Kotik                      Reichley                  Zug
Eachus                LaGrotta                   Roberts                   Stetler
Ellis                 Leach                      Roebuck                   Wansacz
Evans, D.             Lederer                    Rohrer                    Perzel, E.
Evans, J.             Leh                        Speaker

NAYS–0

NOT VOTING–0

EXCUSED–11

Cruz                 O’Brien                    Rooney                    Stetler
Keller, W.           Pallone                    Shaner                    Wansacz
Maher                Rieger                     Staback

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

NAYS–0

NOT VOTING–0

EXCUSED–11

Cruz                 O’Brien                    Rooney                    Stetler
Keller, W.           Pallone                    Shaner                    Wansacz
Maher                Rieger                     Staback

The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.
Mr. KENNEY called up **HR 515, PN 3120**, entitled:

A Resolution designating the month of November 2005 as “Pennsylvania Hospice Month.”

On the question, Will the House adopt the resolution?

The following roll call was recorded:

**YEAS–192**

Adolph Fabrizio Lescovitz Ross
Allen Fairchild Levdansky Rubley
Argall Feese Mackereth Ruffing
Armstrong Fichter Maitland Sainato
Baker Feagley Major Samuelson
Baldwin Flick Manderino Santoni
Barrar Forcier Mann Sather
Bastian Frankel Markosek Saylor
Bebko-Jones Freeman Marsico Scavullo
Belardi Gabig McCall Schroder
Belfanti Gannon McGeehan Semmel
Benninghoff Geist McGill Shapiro
Beyer George McIlhatten Siptroth
Biancucci Gerber Mclinhinney Smith, B.
Birmelin Gergely McNaughton Smith, S. H.
Bishop Gillespie Milio Solobay
Blackwell Gingrich Metcalfe Sonney
Blau Goodhall Micozzie Stairs
Boyd Good Millard Steil
Bunt Goodman Millar, R. Stern
Butkovitz Grel Miller, S. Stevenson, R.
Buxton Grucela Mundy Stevenson, T.
Caltagirone Gruitz Mustio Sturla
Cappelli Habay Myers Surra
Casorio Haluska Narlor Tangretti
Cauer Hanna Nickol Taylor, E. Z.
Cawley Harhai Oliver Taylor, J.
Civera Harhart O’Neill Thomas
Clymer Harper Parker Tigue
Cohen Harris Payne True
Cornell Hasay Petrarca Turzai
Corrigan Hennessy Petri Veon
Costa Herman Petrone Vitali
Crahalia Hershey Phillips Walko
Creighton Hess Pickett Waters
Curry Hickernell Pistella Watson
Daley Hutchinson Preston Wheatley
Dally James Pyle Williams
DeLuca Josephs Quigley Wilt
Denlinger Kauffman Ramaley Wojnaroski
Demody Keller, M. Rapf Wright
DeWeese Kenney Raymond Yewcic
DiGirolamo Killion Readshaw Youngblood
Diven Kirkland Reed Yudichak
Donatucci Kotik Reichley Zug
Eachus LaGrotta Roberts
Ellis Leach Roebuck
Evans, D. Lederer Rohrer Perzel, Speaker
Evans, J. Leh

**NAYS–0**

**NOT VOTING–0**

**EXCUSED–11**

Cruz O’Brien Rooney Stebler
Keller, W. Pallone Shaner Wansacz
Maher Rieger Staback

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

Mr. REED called up **HR 516, PN 3121**, entitled:

A Resolution extending the deadline under House Resolution No. 161, Printer’s No. 2744, for reporting by the Public Employee Retirement Commission.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

**YEAS–192**

Adolph Fabrizio Lescovitz Ross
Allen Fairchild Levdansky Rubley
Argall Feese Mackereth Ruffing
Armstrong Fichter Maitland Sainato
Baker Feagley Major Samuelson
Baldwin Flick Manderino Santoni
Barrar Forcier Mann Sather
Bastian Frankel Markosek Saylor
Bebko-Jones Freeman Marsico Scavullo
Belardi Gabig McCall Schroder
Belfanti Gannon McGeehan Semmel
Benninghoff Geist McGill Shapiro
Beyer George McIlhatten Siptroth
Biancucci Gerber Mclinhinney Smith, B.
Birmelin Gergely McNaughton Smith, S. H.
Bishop Gillespie Milio Solobay
Blackwell Gingrich Metcalfe Sonney
Blau Goodhall Micozzie Stairs
Boyd Good Millard Steil
Bunt Goodman Millar, R. Stern
Butkovitz Grel Miller, S. Stevenson, R.
Buxton Grucela Mundy Stevenson, T.
Caltagirone Gruitz Mustio Sturla
Cappelli Habay Myers Surra
Casorio Haluska Narlor Tangretti
Cauer Hanna Nickol Taylor, E. Z.
Cawley Harhai Oliver Taylor, J.
Civera Harhart O’Neill Thomas
Clymer Harper Parker Tigue
Cohen Harris Payne True
Cornell Hasay Petrarca Turzai
Corrigan Hennessy Petri Veon
Costa Herman Petrone Vitali
Crahalia Hershey Phillips Walko
Creighton Hess Pickett Waters
Curry Hickernell Pistella Watson
Daley Hutchinson Preston Wheatley
Dally James Pyle Williams
DeLuca Josephs Quigley Wilt
Denlinger Kauffman Ramaley Wojnaroski
Demody Keller, M. Rapf Wright
DeWeese Kenney Raymond Yewcic
DiGirolamo Killion Readshaw Youngblood
Diven Kirkland Reed Yudichak
Donatucci Kotik Reichley Zug
Eachus LaGrotta Roberts
Ellis Leach Roebuck
Evans, D. Lederer Rohrer Perzel, Speaker
Evans, J. Leh

**NAYS–0**

**NOT VOTING–0**
The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

* * *

Mr. WHEATLEY called up HR 517, PN 3122, entitled:


On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS–192

Adolph  Fabrizio  Lescovitz  Ross
Allen  Fairchild  Levinsky  Rubley
Argall  Feese  Mackereth  Ruffing
Armstrong  Fichter  Maitland  Sainato
Baker  Feagle  Major  Samuelson
Baldwin  Flick  Manderino  Santoni
Barrar  Forcier  Mann  Sather
Bastian  Frankel  Markosek  Saylor
Beko-Jones  Freeman  Marsico  Scavullo
Belardi  Gabig  McCullough  Schroder
Belfanti  Gannon  McGeehan  Semmel
Benninghoff  Geist  McGill  Shapiro
Beyer  George  Mcllhannah  Siptoth
Bianucci  Gerber  McIlhinney  Shattuck
Birmelin  Gergely  McGaughy  Smith, S. H.
Blackwell  Gregg  McNaughton  Solobay
Blum  Godshall  McCozzi  Sonneb"erg
Boyd  Good  Millard  Steil
Bunt  Goodman  Miller, R.  Steng
Butkovitz  Grell  Miller, S.  Stevenson, R.
Buxton  Grucela  Mundy  Stevenson, T.
Caliguirone  Gritza  Mustio  Sturla
Cappelli  Habay  Myers  Surra
Casario  Haluska  Naior  Tangeri
Caiser  Hanna  Nickol  Taylor, E. Z.
Cawley  Harhai  Oliver  Taylor, J.
Civera  Harhart  O’Neill  Thomas
Clymer  Harper  Parker  Tigue
Cohen  Harris  Payne  True
Cornell  Hasay  Petarca  Turzi
Corrigan  Hennessy  Petri  Veon
Costa  Hernandez  Petronio  Vitali
Crahallo  Hess  Phillips  Walko
Creighton  Hess  Pickett  Waters
Curry  Hickernell  Pitella  Watson
Daley  Hutchinson  Presto  Wheatley
Daily  James  Pyle  Williams
DeLuca  Josephs  Quigley  Wilt
Denlinger  Kaufman  Ramaley  Wojnarowski
DeMody  Keller, M.  Rapp  Wright
DeWeese  Kenney  Raymond  Yewick
DiGirolamo  Killion  Redshaw  Youngblood
Diven  Kirklane  Reed  Yudichak
Donatucci  Kotik  Reichley  Zug
Eachus  LaGrotta  Roberts  Roebuck
Evans, D.  Lederer  Rohrer  Perzel  Speaker
Evans, J.  Leh  NAYS–0
Keller, W.  Pallone  Rooney  Stetler  Perzel
Maher  Rieger  Staback  Speaker
Maher  Rieger  Stetler  Waters
Mancuso  Markosek  Mardin  Saylor
Mazzilli  Freeman  Marsico  Scavullo
McCullough  Gabig  McCluggage  Schroder
McGeehan  Gannon  McGeehan  Semmel
Migliorisi  Geist  McGill  Shapiro
Beyer  George  Mcllhannah  Siptoth
Bianucci  Gerber  McIlhinney  Shattuck
Birmelin  Gergely  McGaughy  Smith, S. H.
Blackwell  Gregg  McNaughton  Solobay
Blum  Godshall  McCozzi  Sonneb"erg
Boyd  Good  Millard  Steil
Bunt  Goodman  Miller, R.  Steng
Butkovitz  Grell  Miller, S.  Stevenson, R.
Buxton  Grucela  Mundy  Stevenson, T.
Caliguirone  Gritza  Mustio  Sturla
Cappelli  Habay  Myers  Surra
Casario  Haluska  Naior  Tangeri
Caiser  Hanna  Nickol  Taylor, E. Z.
Cawley  Harhai  Oliver  Taylor, J.
Civera  Harhart  O’Neill  Thomas
Clymer  Harper  Parker  Tigue
Cohen  Harris  Payne  True
Cornell  Hasay  Petarca  Turzi
Corrigan  Hennessy  Petri  Veon
Costa  Herman  Petrone  Vitali
Crahallo  Hess  Phillips  Walko
Creighton  Hess  Pickett  Waters

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. SEMMEL called up HR 520, PN 3132, entitled:

A Resolution commemorating the 250th anniversary of Pennsylvania’s first militia law and designating Friday, November 25, 2005, as “National Guard Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS–192

Adolph  Fabrizio  Lescovitz  Ross
Allen  Fairchild  Levinsky  Rubley
Argall  Feese  Mackereth  Ruffing
Armstrong  Fichter  Maitland  Sainato
Baker  Feagle  Major  Samuelson
Baldwin  Flick  Manderino  Santoni
Barrar  Forcier  Mann  Sather
Bastian  Frankel  Markosek  Saylor
Beko-Jones  Freeman  Marsico  Scavullo
Belardi  Gabig  McCullough  Schroder
Belfanti  Gannon  McGeehan  Semmel
Benninghoff  Geist  McGill  Shapiro
Beyer  George  Mcllhannah  Siptoth
Bianucci  Gerber  McIlhinney  Shattuck
Birmelin  Gergely  McGaughy  Smith, S. H.
Blackwell  Gregg  McNaughton  Solobay
Blum  Godshall  McCozzi  Sonneb"erg
Boyd  Good  Millard  Steil
Bunt  Goodman  Miller, R.  Steng
Butkovitz  Grell  Miller, S.  Stevenson, R.
Buxton  Grucela  Mundy  Stevenson, T.
Caliguirone  Gritza  Mustio  Sturla
Cappelli  Habay  Myers  Surra
Casario  Haluska  Naior  Tangeri
Caiser  Hanna  Nickol  Taylor, E. Z.
Cawley  Harhai  Oliver  Taylor, J.
Civera  Harhart  O’Neill  Thomas
Clymer  Harper  Parker  Tigue
Cohen  Harris  Payne  True
Corrigan  Hennessy  Petri  Veon
Costa  Herman  Petrone  Vitali
Crahallo  Hess  Phillips  Walko
Creighton  Hess  Pickett  Waters

NAYS–0
NOT VOTING–0
EXCUSED–11
The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

* * *

Miss MANN called up HR 522, PN 3134, entitled:

A Resolution declaring December 5 through 9, 2005, as “Dream Come True Week” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS–192

Adolph  Fabrizio  Lescovitz  Ross
Allen  Fairchild  Levdansky  Rubley
Argall  Feese  Mackereth  Ruffing
Armstrong  Fichter  Maitland  Sainato
Baker  Fleagle  Major  Samuelson
Baldwin  Flick  Manderino  Santoni
Barrar  Forcier  Mann  Sather
Bastian  Frankel  Markosek  Taylor
Bebko-Jones  Freeman  Marsico  Scavello
Belardi  Gabig  McCall  Schroder
Belfanti  Gannon  McGeehan  Semmel
Benninghoff  Geist  McGill  Shapiro
Beyer  George  McIlhattan  Siptroth
Biancucci  Gerber  McIlhinney  Smith, B.
Birmelin  Gergely  McNaughton  Smith, S. H.
Bishop  Gillespie  Melo  Solobay
Blackwell  Gingrich  Metcalf  Sonney
Blaum  Godshall  Micozzi  Stairs
Boyd  Good  Millard  Steil
Bunt  Goodman  Miller, R.  Stern
Butkowitz  Gehr  Miller, S.  Stevenson, R.
Buxton  Grucela  Mundy  Stevenson, T.
Caltagirone  Gruita  Mustio  Sturla
Cappelli  Habay  Myers  Surra
Casorio  Haluska  Nikol  Tanguerti
Causier  Hanna  Nickol  Taylor, E. Z.
Cawley  Harhai  Oliver  Taylor, J.

NAYS–0

NOT VOTING–0

EXCUSED–11

Cruz  O’Brien  Rooney  Stetler
Keller, W.  Pallone  Shaner  Wansacz
Maher  Rieger  Staback

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

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentlelady, Mrs. Elinor Taylor, for a caucus announcement.

Mrs. TAYLOR. Thank you very much, Mr. Speaker.

The Republican Caucus will meet at 2:15 and return to the floor by 5.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Cohen, for a caucus announcement.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the Democrats will also caucus at 2:15, and we will endeavor to be back on the floor by 5 o’clock.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair thanks the gentleman.

INTERGOVERNMENTAL AFFAIRS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Fairchild, for a committee announcement.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

There will be a very brief meeting of the Intergovernmental Affairs Committee at the rear of the House immediately after the announcement to recess.

Thank you very much, Mr. Speaker.
The SPEAKER pro tempore. The Intergovernmental Affairs Committee will meet at the rear of the House immediately.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair is pleased to recognize the gentleman, Mr. Fleagle, who has an Appropriations Committee announcement.

Mr. FLEAGLE. Thank you, Mr. Speaker.

There will be a House Appropriations Committee meeting immediately upon the call of recess in room 245, Appropriations complex.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Appropriations Committee will meet immediately at the recess.

Are there any other announcements?

**RECESS**

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

**AFTER RECESS**

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

**THE SPEAKER (JOHN M. PERZEL) PRESIDING**

**LEAVE OF ABSENCE**

The SPEAKER. The Chair returns to leaves of absence.

The Chair recognizes the majority whip, who moves for a leave of absence for the remainder of the day for the gentleman from Bucks, Mr. CLYMER. Without objection, that leave will be granted.

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Chair notes the presence on the floor of the hall of the House of the gentleman, Mr. Pallone. His name will be added to the master roll.

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

**HB 2216, PN 3090** By Rep. FEESE

An Act providing for State funding for the Low Income Home Energy Assistance Program.

**APPROPRIATIONS.**

**BILL REREPORTEd FROM COMMITTEE**

**HB 338, PN 2209** By Rep. FEESE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in gross receipts tax, for the imposition of tax; and making a related repeal.

**APPROPRIATIONS.**

**HB 344, PN 365** By Rep. FEESE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, excluding smoke detectors, fire extinguishers and other fire prevention and fire safety equipment from the sales and use tax.

**APPROPRIATIONS.**

**HB 496, PN 535** By Rep. FEESE

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the offense of the destruction of a survey monument; further providing for actions relating to land surveying; and making an editorial change.

**APPROPRIATIONS.**

**HB 808, PN 2990** By Rep. FEESE

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, providing for a study to make recommendations for redesigning the contribution rate notice form and related documents.

**APPROPRIATIONS.**

**HB 1350, PN 1608** By Rep. FEESE

An Act designating State Route 291 in Delaware County as the Willie Mae James Leake Memorial Highway.

**APPROPRIATIONS.**

**HB 1427, PN 2883** By Rep. FEESE

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for collection of taxes, for audits of earned income taxes, for earned income taxes, for suits for tax collection, for penalties and for delinquent tax collection costs.

**APPROPRIATIONS.**

**HB 1484, PN 2991** By Rep. FEESE

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers’ Compensation Act, providing for appeals concerning the State Workers’ Insurance Fund; and establishing the State Workers’ Insurance Appeal Board.

**APPROPRIATIONS.**
HB 1528, PN 1877  By Rep. FEESE
An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for licenses and fees relating to taxidermists.

APPROPRIATIONS.

HB 1549, PN 1906  By Rep. FEESE
An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers’ Compensation Act, further providing for the Workers’ Compensation Advisory Council.

APPROPRIATIONS.

HB 1554, PN 3151 (Amended)  By Rep. FEESE
An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, prohibiting third-party guarantees of payment for admission; imposing powers and duties upon the Department of Health; and imposing penalties for violation.

APPROPRIATIONS.

HB 1834, PN 2448  By Rep. FEESE
An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for electronic access to driver records to confirm organ donor status.

APPROPRIATIONS.

HB 1928, PN 2882  By Rep. FEESE
An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for permits for movement of a mobile home or a modular housing unit and modular housing undercarriage.

APPROPRIATIONS.

HB 2041, PN 3027  By Rep. FEESE
An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for the Health Care Provider Retention Program.

APPROPRIATIONS.

SB 260, PN 264  By Rep. FEESE
An Act joining with other states in an effort to establish an interstate compact to regulate designated insurance products.

APPROPRIATIONS.

SB 573, PN 623  By Rep. FEESE
An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, further providing for valuation of persons and property.

APPROPRIATIONS.

SB 599, PN 1322  By Rep. FEESE
An Act designating State Route 132 in Bucks County as the Armed Forces and Veterans Memorial Highway; designating a bridge on State Route 150 crossing the Beech Creek in Clinton and Centre Counties as the Beech Creek Veterans Memorial Bridge; and designating State Route 291 in Delaware County as the Willie Mae James Leake Memorial Highway.

APPROPRIATIONS.

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 344, PN 365, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, excluding smoke detectors, fire extinguishers and other fire prevention and fire safety equipment from the sales and use tax.

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–192

Adolph Fairchild Levdansky Ross
Allen Feese Mackereth Rubley
Argall Fichter Maitland Ruffing
Armstrong Fleagle Major Sainato
Baker Flick Manderino Samuelson
Baldwin Forcier Mann Santoni
Barrar Frankel Marsico Taylor
Bastian Freeman McCall Scavello
Belko-Jones Gabig Nunnally Saylor
Belardi Gannon McGeehan Schroeder
Belfanti Geist McGill Semmel
Benninghoff George Mcllhattan Shapiro
Beyer Gerber McIlhinney Siptroth
Biancucci Gergely McNaughton Smith, B.
Birmelin Gillespie Melo Smith, S. H.
Bishop Gingrich Metcalfe Soloby
Blackwell Godshall Micozzi Sonney
Blaum Good Millard Stairs
Boyd Goodman Miller, R. Stil
Bunt Greel Miller, S. Stern
Butkovitz Grucela Mundy Stevenson, R.
Baxton Gruitzu Mustio Stevenson, T.
Caltagirone Habay Myers Sturla
Cappelli Halaska Nailor Surra
Casorio Hanna Nickol Tangretti
Causier Harhai Oliver Taylor, E. Z.
Cawley Harhart O’Neill Taylor, J.
Civera Harper Pallone Thomas
Cohen Harris Parker Tigue
Cornell Hasay Payne True
Corrigan Hennessey Peirarca Turzai
Costa Herman Petri Veon
Craithalla Hershey Petrone Vitali
(a) Every employer having an office, factory, workshop, branch, warehouse, or other place of business within the taxing jurisdiction imposing a tax on earned income or net profits within the taxing district who employs one or more persons, other than domestic servants, for a salary, wage, commission or other compensation, who has not previously registered, shall, within fifteen days after becoming an employer, register with the officer his name and address and such other information as the officer may require.

(b) Every employer having an office, factory, workshop, branch, warehouse, or other place of business within the taxing jurisdiction imposing a tax on earned income or net profits within the taxing district who employs one or more persons, other than domestic servants, for a salary, wage, commission, or other compensation, shall deduct at the time of payment thereof, the tax imposed by ordinance or resolution on the earned income due to his employe or employees, and shall, on or before April 30, of the current year, July 31, of the current year, October 31, of the current year, and January 31, of the succeeding year, file a return and pay to the officer the amount of taxes deducted during the preceding three-month periods ending March 31, of the current year, June 30, of the current year, September 30, of the current year, and December 31, of the current year, respectively. Such return unless otherwise agreed upon between the officer and employer shall show the name and social security number of each such employe, the earned income of such employe during such preceding three-month period, the tax deducted therefrom, the political subdivisions imposing the tax upon such employe, the total earned income of all such employes during such preceding three-month period, and the total tax deducted therefrom and paid with the return.

Any employer who for two of the preceding four quarterly periods has failed to deduct the proper tax, or any part thereof, or has failed to pay over the proper amount of tax to the taxing authority, may be required by the officer to file his return and pay the tax monthly. In such cases, payments of tax shall be made to the officer on or before the last day of the month succeeding the month for which the tax was withheld.

(c) On or before February 28, of the succeeding year, every employer shall file with the officer:

(1) An annual return showing the total amount of earned income paid, the total amount of tax deducted, and the total amount of tax paid to the officer for the period beginning January 1, of the current year, and ending December 31, of the current year.

(2) A return withholding statement for each employe employed during all or any part of the period beginning January 1, of the current year, and ending December 31, of the current year, setting forth the earned income due to his employe or employes, and shall, on or before the last day of the month succeeding the month for which the tax was withheld.

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

Mr. DENLINGER offered the following amendment No. A03208:

Amend Sec. 3, page 6, line 3, by inserting after “III”, Division IV
Amend Sec. 3 (Sec. 13), page 7, line 23, by inserting after “income.”
In determining earned income, the taxpayer may not offset business expenses.
Amend Sec. 3 (Sec. 13), page 8, line 8, by inserting after “tax).”
In determining net profits, the taxpayer may offset business net losses.
Amend Sec. 3 (Sec. 13), page 9, line 3, by inserting after “association”
business, corporation, limited liability company
Amend Sec. 3 (Sec. 13), page 11, by inserting between lines 14 and 15
IV. Collection at Source

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

The SPEAKER. It is the information of the Chair— On that question, the Chair recognizes the gentleman, Mr. Denlinger.

Mr. DENLINGER. Mr. Speaker, I will be making a motion to suspend the rules, but this amendment can be withdrawn. The SPEAKER. The amendment is withdrawn.

On the question recurring,

Will the House agree to the motion?

RULES SUSPENDED

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

Mr. DENLINGER. Mr. Speaker, I move for an immediate suspension of the rules in order to vote amendment No. 4360.

On the question,

Will the House agree to the bill on third consideration?

The following roll call was recorded:

YEAS–192

Adolph--Fairchild--Levdansky--Ross
Allen--Feese--MackereTh--Rubley
Argall--Fichter--Maitland--Ruffing
Armstrong--Feagle--Major--Sainato
Baker--Flick--Manderino--Samuelson
Baldwin--Forcier--Mann--Santonio
Barrar--Frankel--Markosek--Sather
Bastian--Freeman--Massico--Taylor
Bebko-Jones--Gabig--McCall--Scavello
Belardi--Gannon--McGeesan--Schrader
Belfanti--Geist--McGil--Semmel
Benninghoff--George--McHlattan--Shapiro
Beyer--Gerber--McKinney--Siptroth
Bianucci--Gergely--McNaughton--Smith, B.
Birmelin--Gillespie--Melio--Smith, S. H.
Bishop--Gingrich--Metcalfe--Solobay
Blackwell--Godshall--Micozzie--Sonney
Blau--Good--Millard--Stairs
Boyd--Goodman--Miller, R.--Stei
Bunt--Grell--Miller, S.--Stem
Butkovitz--Grucela--Mundy--Stevenson, R.
Buxton--Grucca--Muro--Stevenson, T.
Caltagirone--Habay--Myers--Sturla
Cappelli--Haluska--Nailor--Surra
Casorso--Hanna--Nickol--Tangretti
Causor--Hathai--Oliver--Taylor, E. Z.
Cawley--Harhart--O'Neill--Taylor, J.
Civera--Harper--Pallone--Thomass
Cohen--Harris--Parker--Tigue
Cornell--Hasay--Payne--True
Corrigan--Hennessey--Petraea--Turzai
Costa--Herman--Petrie--Von
Crahall--Hershey--Petron--Vitali
Creighton--Hess--Phllips--Walako
Currie--Hickernell--Picket--Waters
Daley--Hutchison--Pistella--Watson
Daily--James--Preston--Wheatley
DeLuca--Josephs--Pyle--Williams
Denlinger--Kauffman--Quigley--Wilt
Demody--Keller, M.--Ramaley--Wojnaroski
DeWeese--Kenney--Rapp--Wright
DiGirolamo--Killion--Raymond--Yewcin
Diven--Kirkland--Readshaw--Youngblood
Donatucci--Kotik--Reed--Yudichak
Eachus--LaGrotta--Reichley--Zug
Ellis--Leach--Roberts--

Evans, D. Lederer--Roebuck
Evans, J. --Leh--Rohrer--Perzel,
Fabrizio--Lescovitz--Speaker

NAYS--0

NOT VOTING--0

EXCUSED--11

Clyner--Maher--Rooney--Stetler
Cruz--O'Brien--Shaner--Wansacz
Keller, W. --Rieger--Staback

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. DENLINGER offered the following amendment No. A04360:

Amend Sec. 1 (Sec. 10), page 3, line 25, by striking out "on the basis of voting; voting" and inserting [on the basis of voting] at least ninety days prior to the end of the appointment or the expiration of a contract for earned income tax collection of all political subdivisions within the school district and including the school district, the board of school directors shall convene a meeting with at least ten days' notice by first class mail. The meeting shall be convened no less than sixty days prior to the end of the appointment or the expiration of a contract for earned income tax collection of all political subdivisions. Voting

Amend Sec. 3, page 6, line 3, by inserting after "III"

AFTER DIVISION IV

Amend Sec. 3 (Sec. 13), page 7, line 23, by inserting after "income."

In determining earned income, the taxpayer may not offset business losses.

Amend Sec. 3 (Sec. 13), page 8, line 8, by inserting after "tax."

In determining net profits, the taxpayer may offset business losses from one business, profession or activity against profits from another business, profession or activity.

Amend Sec. 3 (Sec. 13), page 11, by inserting between lines 14 and 15

IV. Collection at Source

(a) Every employer having an office, factory, workshop, branch, warehouse, or other place of business within the taxing jurisdiction imposing a tax on earned income or net profits within the taxing district who employs one or more persons, other than domestic servants, for a salary, wage, commission or other compensation, who has not previously registered, shall, within fifteen days after becoming an employer, register with the officer his name and address and such other information as the officer may require.

(b) Every employer having an office, factory, workshop, branch, warehouse, or other place of business within the taxing jurisdiction imposing a tax on earned income or net profits within the taxing district who employs one or more persons, other than domestic servants, for a salary, wage, commission, or other compensation, shall deduct at the time of payment thereof, the tax imposed by ordinance or resolution on the earned income due to his employe or employes, and shall, on or before April 30, of the current year, July 31, of the current year, October 31, of the current year, and January 31, of the succeeding year, file a return and pay to the officer the amount of taxes deducted during the preceding three-month periods ending March 31, of the current
year, June 30, of the current year, September 30, of the current year, and December 31, of the current year, respectively. Such return unless otherwise agreed upon between the officer and employer shall show the name and social security number of each such employee, the earned income of such employee during such preceding three-month period, the tax deducted therefrom, the political subdivisions imposing the tax upon such employee, the total earned income of all such employees during such preceding three-month period, and the total tax deducted therefrom and paid with the return.

Any employer who for two of the preceding four quarterly periods has failed to deduct the proper tax, or any part thereof, or has failed to pay over the proper amount of tax to the taxing authority, may be required by the officer to file his return and pay the tax monthly. In such cases, payments of tax shall be made to the officer on or before the last day of the month succeeding the month for which the tax was withheld.

(c) On or before February 28, of the succeeding year, every employer shall file with the officer:

1. An annual return showing the total amount of earned income paid, the total amount of tax deducted, and the total amount of tax paid to the officer for the period beginning January 1, of the current year, and ending December 31, of the current year.

2. A return withholding statement for each employee employed during all or any part of the period beginning January 1, of the current year, and ending December 31, of the current year, setting forth the employee's name, address and social security number, the amount of earned income paid to the employee during said period, the amount of tax deducted, the political subdivisions imposing the tax upon such employee, and the amount of tax paid to the officer. Every employer shall furnish two copies of the individual return to the employee for whom it is filed.

(d) Every employer who discontinues business prior to December 31, of the current year, shall, within thirty days after the discontinuance of business, file the returns and withholding statements hereinabove required and pay the tax due.

(e) Except as otherwise provided in section 9, every employer who willfully or negligently fails or omits to make the deductions required by this section shall be liable for payment of the taxes which he was required to withhold to the extent that such taxes have not been recovered from the employee.

(f) The failure or omission of any employer to make the deductions required by this section shall not relieve any employee from the payment of the tax or from complying with the requirements of the ordinance or resolution relating to the filing of declarations and returns.

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Denlinger.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence on the floor of the House of the gentleman, Mr. Stetler. His name will also be added to the master roll.

CONSIDERATION OF HB 1427 CONTINUED

The SPEAKER. Mr. Denlinger.

Mr. DENLINGER. Thank you, Mr. Speaker.

Mr. Speaker, this is just a correcting amendment in which schools and municipalities would establish a timeline for the selection of an EIT, earned income tax, collector.

It is a noncontroversial amendment and enhances the bill. Thank you.

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

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence on the floor of the House of the gentleman, Mr. Keller. His name will also be added to the master roll.

CONSIDERATION OF HB 1427 CONTINUED

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

The following roll call was recorded:

YEAS—194

Adolph
Allen
Argall
Armstrong
Baker
Baldwin
Barrar
Bastian
Bouchac-Jones
Belardi
Belfanti
Benninghoff
Beyer
Bianucci
Birmelin
Bishop
Blackwell
Blau
Boyd
Bunt
Butkovitz
Buxton
Caltagirone
Cappelli
Casorio
Causer
Cawley
Civera
Cohen
Cornell
Corrigan
Costa
Crahallla
Creighton
Curry
Daley
Dally
DeLuca
Denlinger
Dermody
DeWeese
DiGrolamo
Diven
Donatucci
Eauclus
Ellis
Evans, D.
Fairchild
Freese
Fichter
Fleagle
Flick
Forcier
Frankel
Freeman
Gabig
Gannon
Geist
George
Gerber
Gergely
Gillespie
Gingrich
Godshall
Good
Golembetz
Habay
Habusha
Hanna
Harhai
Hershey
Hess
Hickernell
Hutchinson
James
Joesphs
Kauffman
Keller, M.
Keller, W.
Kenney
Kirkland
Kotik
LaGrotta
Leach
Lescovitz
Levdansky
Mackereth
Maitland
Major
Mandero
Mann
Markoske
Marlco
McCall
McGehee
McGill
McHillman
McNaughton
Melio
Metcalfe
Micozze
Millard
Miller, R.
Miller, S.
Mundy
Mustio
Myers
Nailor
Nickol
Oliver
O’Neill
Pallone
Parker
Payne
Petarca
Petri
Petrole
Phillips
Pickett
Pistella
Preston
Pyle
Quigley
Ramaley
Rapp
Raymond
Readshaw
Reed
Reichley
Roberts
Ross
Rubley
Ruffing
Sainato
Samuelson
Sather
Santoni
Saylor
Scarvelos
Schroeder
Seminel
Shapiro
Siptroth
Smith, B.
Smith, S. H.
Stefeller
Stevenson, R.
Stevenson, T.
Sturba
Surra
Tangretti
Taylor, E. Z.
Taylor, J.
Thomas
Tigue
True
Walko
Waters
Watson
Wheatley
Williams
Wilt
Wojnaroski
Wright
Yewcic
Youngblood
Yurchak
Zug
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–193
Adolph  Fairchild  Lescovitz  Ross
Allen    Feese     Levandsky  Rubley
Argall   Fichter   Mackereth  Ruffing
Armstrong Fleagle  Maitland  Sainato
Baker    Flick     Major    Samuelson
Baldwin  Forcier  Manderino  Santoni
Barrar   Frankel   Mann     Sather
Bastian  Freeman  Markske  Saylor
Bebkos-Jones Gabig  Marsico  Scavello
Belardi  Gannon   McCall    Schroder
Belfanti  Geist    McGeehan  Semmel
Benninghoff George  McGill  Shapiro
Beyer    Gerber    McIlhatten  Siptroth
Biancucci Gergely  McHinney  Smith, B.
Birmelin  Gillespie McNaughton  Smith, S. H.
Bishop  Gingrich  Melo     Solobay
Blackwell Godshall  Metcalfe  Sonney
Blaum    Good     Miccozie  Stairs
Boyd    Goodman  Millard    Steil
Bunt    Grell  Miller, R.  Stern
Butkovitz  Grucela  Miller, S.  Stebler
Buxton  Gruzza  Mundy     Stevenson, R.
Caltagione Habay  Mustio   Stevenson, T.
Cappelli  Haluska  Myers    Sturla
Casorio  Hanna    Nailor   Surra
Causer  Harhai  Nickol    Tangretti
Cawley  Harhart  Oliver  Taylor, E. Z.
Civera  Harper  O’Neill   Taylor, J.
Cohen   Harris  Palone    Thomas
Cornell  Hasay   Parker    Tigue
Corrigan Hennessey Payne  True
Costa  Herman  Petracca  Turzai
Crawalla  Hershey  Petri    Vitali
Creighton Hess  Petrone  Walko
Curry  Hickernell Phillips  Waters
Daley  Hutchinson  Pickett  Watson
Dally  James    Pistella  Wheatley
DeLuca  Josephs  Preston  Williams

NAYS–1
Veon

NOT VOTING–0
EXCUSED–9
Clymer  O’Brien  Rooney  Staback
Cruz    Rieger    Shaner   Wansacz
Maher

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.

HARRISBURG LEGISLATIVE LEAVE

The SPEAKER. The Chair recognizes the majority leader, who moves for a Capitol leave for the gentleman, Mr. SEMMEL. Without objection, that leave will be granted.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 1528, PN 1877, entitled:
An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for licenses and fees relating to taxidermists.

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

Mr. GEORGE offered the following amendment No. A03919:
Amend Sec. 1, page 1, line 7, by inserting after “amended”
and section 2904 is amended by adding a
subsection
Amend Sec. 1 (Sec. 2904), page 2, by inserting between lines 26 and 27
(d) Limitation on fees.—The commission shall charge no more than $1 for any permit provided for under this title to any person otherwise eligible for said permit in this Commonwealth who provides documentation that within the previous 24 months the person was;
(1) deployed overseas as a member of the Pennsylvania Army National Guard or Air National Guard on active Federal service for a period of 180 consecutive days or more or was released early from such service because of an injury or disease incurred in the line of duty; or
On the question,
Will the House agree to the amendment?

The SPEAKER. On that question, does the gentleman, Mr. George, wish to be recognized? The Chair recognizes the gentleman, Mr. George.
The House will be at ease.

AMENDMENT WITHDRAWN

Mr. GEORGE. Mr. Speaker?
The SPEAKER. Mr. George.
Mr. GEORGE. Thank you for your patience. We have decided to withdraw this. We are going to put it in, hopefully in the Game Committee, and run it out as a bill.
Thank you for your patience, Mr. Speaker.
The SPEAKER. The Chair thanks the gentleman.

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–192

Adolph Fairchild Mackereth Rubley
Allen Freese Maitland Ruffing
Argall Fichter Major Sainato
Armstrong Fleagle Manderino Samuelson
Baker Flick Mann Santoni
Baldwin Forcier Marsico Saylor
Bebko-Jones Gannon McGeehan Schroder
Belenardi Geist McGill Semmel
Belfanti George Mcllhattan Shapiro
Benninghoff Gerber Mclhinney Siptroth
Beyer Gergely McNaughton Smith, B.
Biancucci Gillespie Melo Smith, S. H.
Birmelin Gingrich Metcalfe Solobay
Bishop Godshall Micozzi Sonney
Blackwell Good Millard Stairs
Blauw Goodman Miller, R. Steil
Boyd Grell Miller, S. Stern
Bunt Grucela Mundy Stetler
Butkovitz Gruitzka Mustio Stevenson, R.
Buxton Habay Myers Stevenson, T.
Caltagione Haluska Nailor Sturfa
Cappelli Hanna Nickol Surra
Casorio Harhai Oliver Tangretti
Cauer Harhart O’Neill Taylor, E. Z.
Cawley Harper Pallone Taylor, J.
Civera Harris Parker Thomas
Cohen Hasay Payne Tigue
Cornell Hennessey Petracca True

Corrigan Herman Petri Turzai
Costa Hershey Petrone Veon
Crahalia Hess Phillips Vitali
Creighton Hickernell Pickett Walko
Curry Hutchinson Pistella Waters
Daley James Preston Watson
Daily Josephs Pyle Wheatley
DeLuca Kaufman Quigley Williams
Denlinger Keller, M. Ramaley Wilt
Dermody Keller, W. Rapp Wojnaroski
DeWeese Kenney Raymond Wright
DiGiorlando Killion Readshaw Yewic
Diven Kirkland Reed Youngblood
Donatucci Kotik Reichley Yudichak
Eachus LaGrotta Roberts Zug
Ellis Leach Roeuck Rohrer
Evans, D. Lederer Rohrer
Evans, J. Leh Ross Perzel,
Fabrizio Lescoitz Speaker

NAYS–2
Freeman Levdansky

NOT VOTING–0

EXCUSED–9

Clymer O’Brien Rooney Staback
Cruz Rieger Shaner Wansacz
Maher

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 2041, PN 3027, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for the Health Care Provider Retention Program.

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

Mr. CURRY offered the following amendment No. A04358:

Amend Title, page 1, line 4, by removing the period after “Program” and inserting “and for reporting.”

Amend Sec. 1, page 1, lines 7 through 9, by striking out all of said lines and inserting
"Section 1. Section 1302-A of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, amended November 29, 2004 (P.L.1272, No.154), is amended to read:
"Amend Bill, page 2, by inserting between lines 4 and 5
"Section 2. Section 1306-A of the act, added December 23, 2003,(P.L.237, No.44), is amended to read:
"Section 1306-A. Reporting.
(a) Report.—By May 15, 2004, the Insurance Department shall submit a report to the Governor, the chairperson and the minority chairperson of the Banking and Insurance Committee of the Senate and the chairperson and the minority chairperson of the Insurance
Committee of the House of Representatives regarding the program. The Insurance Department shall submit a second report by May 15, 2006. The [report] shall include all of the following:

1. The number of health care providers who applied for abatement under the program.

2. The number of health care providers granted 100% abatement under the program.

3. The number of health care providers granted 50% abatement under the program.

4. Based upon available information, the number of health care providers who have left this Commonwealth after receiving abatement under the program.

5. The number of and reason for any unapproved applications.

6. Any other information relevant to assessing the success of the program.

(b) Exception.--The report shall not release information which could reasonably be expected to reveal the individual identity of a health care provider.

Section 3. Section 1310-A of the act, amended November 29, 2004 (P.L.1272, No.154), is amended to read:

Amend Sec. 2, page 2, line 8, by striking out “2” and inserting 4

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Curry.

Mr. CURRY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment simply seeks to insert language requiring a follow-up report to detail the status of the program, and I request your support.

The SPEAKER. The Chair thanks the gentleman.

The House will be at ease.

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

The following roll call was recorded:

YEAS–194

Adolph Fairchild Lescovitz Ross
Allen Feece Levandsky Rubley
Argall Fichter Mackereth Ruffing
Armstrong Fleagle Maitland Sainato
Baker Flick Major Samuelson
Baldwin Forcier Manderino Santoni
Barrar Frankel Mann Sather
Bastian Freeman Markosek Saylor
Bekko-Jones Gabig Marsico Scavello
Belardi Gannon McCall Schroder
Belfanti Geist McGeehan Semmel
Beyer Gerber McIlhanney Siptroth
Biancucci Gergely McNaughton Smith, B.
Birmelin Gillespie McNaughton Smith, S. H.
Bishop Gingrich Melio Solobay
Blackwell Godshall Metcalfe Sonney
Blanch Good Micozzie Stairs
Boyd Goodman Millard Stern
Bunt Grell Miller, R. Stetler
Butkovitz Grucela Miller, S. Stevenson, R.
Buxton Gruza Mundy Stevenson, T.
Caltagirone Habay Mustio Surra
Cappelli Habuska Myers Tangretti
Casorino Hanna Naior Taylor, E. Z.
Causer Harhai Nickol Taylor, J.
Cawley Harhart Oliver Thomas
Civella Harper O’Neill Tigue
Cohen Harris Pallone True
Cornell Hasay Parker Turzai
Corrygan Hennessey Payne Veon
Costa Herman Petracca Vitali
Crahalia Hershey Petri Walko
Creighton Hess Petrone Watters
Curry Hickernell Phillips Watson
Daley Hutchinson Pickett Wheatley
Dally James Pistella Williams
DeLauro Josephs Preston Wilt
Denlinger Kauffman Ray Pyle Wojnarowski
Dermody Keller, M. Quigley Wright
DeWeese Keller, W. Ramaley Wright
DeCarloano Kenney Rapp Youngblood
Diven Killion Raymond Yudichak
Donatucci Kirkland Readshaw Zag
Echus Kotik Reed Yedichak
Ellis LaGrotta Reichley Zug
Evans, D. Leach Roberts
Evans, J. Lederer Roebuck Perzel,
Fabricio Leh Roter Speaker

NAYS–0

NOT VOTING–0

EXCUSED–9

Clymer O’Brien Rooney Staback
Cruz Rieger Shaner Wansacz
Maher

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–194

Adolph Fairchild Lescovitz Ross
Allen Feece Levandsky Rubley
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Baker Flick Major Samuelson
Baldwin Forcier Manderino Santoni
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Ellis LaGrotta Reichley Zug
Evans, D. Leach Roberts
Evans, J. Lederer Roebuck Perzel,
Fabricio Leh Roter Speaker
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 496, PN 535, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the offense of the destruction of a survey monument; further providing for actions relating to land surveying; and making an editorial change.

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

* * *

The following roll call was recorded:

YEAS–194

Adolph  Fairchild  Lescovitz  Ross
Allen    Feese           Levandsky  Rubley
Argall   Fichter         Mackereth  Ruffing
Armstrong Fleagle         Maitland  Sanatio
Baker    Fick            Major      Samuelson
Baldwin  Forcier         Manderino  Santoni
Barrar   Frankel         Mann       Sather
Bastian  Freeman         Markosek  Saylor
Bebko-Jones Gabig         Marsico  Scavello
Belardi  Gannon          McCall     Schroder
Belfanti Geist           McGeehan  Semmel
Benninghoff George        McGill    Shapiro
Beyer    Gerber          McIlhattan  Siptroth
Biancucci Gergely        McIlhinney  Smith, B.
Birmelin Gillespie       McNaughton  Smith, S. H.
Bishop   Gingrich         Melio      Solobay
Blackwell Godshall       Metcalf    Sonney
Blaum    Good            Miccozie   Stairs
Boyd     Goodman         Millard    Stern
Bunt     Grell           Miller, R.  Stern
Burkowitz Grucela        Miller, S.  Steil
Buxton   Gruitzka        Mundy      Stevenson, R.
Caltagirone Habay        Mustio     Stevenson, T.
Cappelli Haluska         Myers      Sturla
Casorio  Hanna           Nailor     Surra
Causier  Harhai          Nickel     Tangretti
Cawley   Harhart         Oliver     Taylor, E. Z.
Cevera   Harper          O’Neill    Taylor, J.
Cohen    Harris           Pallone   Thomas
Cornell  Hasay           Parker     Tigue
Corrigan Hennessey       Payne      True
Costa    Herman           Petrarca   Turzai
Crahalaa Hershey         Petri      Veon
Creighton Hess           Petrone    Vitali
Curry    Hickernell      Phillips   Walko
Daley    Hutchinson      Pickett    Waters
Dally    James           Pistella   Watson
DeLuca   Josephs         Preston    Wheatley
Denlinger Kaufman        Pyle       Williams
Dermody  Keller, M.      Quigley    Wilt

NAYS–0

NOT VOTING–0

EXCUSED–9

The SPEAKER. The Chair returns to leaves of absence. The gentleman, Mr. JAMES, requests a Capitol leave. Without objection, that leave will also be granted.

CONSIDERATION OF HB 496 CONTINUED

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

Mrs. MILLER offered the following amendment No. A04230:

Amend Sec. 1 (Sec. 3311), page 2, by inserting between lines 4 and 5

(c) Affirmative defense.–It is an affirmative defense to any prosecution for an offense under this section that the survey monument or marker was improperly placed by a professional land surveyor.

Amend Sec. 1 (Sec. 3311), page 2, line 5, by striking out “(c)” and inserting

(d)

On the question,
Will the House agree to the amendment?
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—194**

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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 1350, PN 1608, entitled:

An Act designating State Route 291 in Delaware County as the Willie Mae James Leake Memorial Highway.

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—194**

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Mr. DALLY offered the following amendment No. A02831:

Amend Preamble, page 3, line 1, by striking out “the handicapped” and inserting persons with disabilities

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. The Chair rescinds. That bill is over temporarily.

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 1509, PN 1843

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to F & L Group, Inc., an access and utility easement across certain lands situate in the Hempfield Township, Westmoreland County.

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

HOUSE BILL INTRODUCED AND REFERRED

No. 2100 By Representatives T. STEVENSON, FLICK, RUBLEY, BAKER, BASTIAN, CAPPELLI, KILLION, McILHATTAN, METCALFE, MUSTIO, PYLE, RAPP, REICHLIEY, ROSS, SAYLOR, SCHRODER, STEIL, R. STEVENSON, E. Z. TAYLOR, THOMAS, TURZAI and WILT

An Act amending the May 1, 1913 (P.L.155, No.104), entitled, “An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings,” restricting the scope of the act.

Referred to Committee on STATE GOVERNMENT, November 21, 2005.

BILLS REPORTED AND REREFERRED TO COMMITTEE ON LOCAL GOVERNMENT

HB 2063, PN 2839 By Rep. FAIRCHILD


INTERGOVERNMENTAL AFFAIRS.

HB 2064, PN 2840 By Rep. FAIRCHILD

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for intergovernmental cooperation, joint ownership and maintenance.

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.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 1260, PN 1486, entitled:

An Act designating polka music as the official folk music of the Commonwealth of Pennsylvania; and designating the American square dance as the official folk dance of the Commonwealth of Pennsylvania.

On the question,
Will the House agree to the bill on third consideration?
HB 2065, PN 2841
By Rep. FAIRCHILD

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for intergovernmental cooperation, joint ownership and maintenance.

HB 2066, PN 2842
By Rep. FAIRCHILD

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for intergovernmental cooperation, joint ownership and maintenance.

RECESS
The SPEAKER. This House stands in recess in regular session to the call of the Chair.

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

COMMITTEE MEETING CANCELED
The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, tomorrow morning at 9 o’clock we were going to have an Environmental Resources and Energy Committee meeting. That meeting is now canceled. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Are there any further announcements in regular session? There will be no further votes.

REPUBLICAN CAUCUS
The SPEAKER. The Chair recognizes the gentlelady from Chester, Mrs. Taylor.

Mrs. TAYLOR. Mr. Speaker, there will be a Republican caucus tomorrow at 10.

The SPEAKER. The Chair thanks the gentlelady.

Mrs. TAYLOR. At 10 o’clock a Republican caucus. No breakfast.

DEMOCRATIC CAUCUS
The SPEAKER. Mr. Veon.

Mr. VEON. The Democrats will caucus at 10 o’clock, too, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

We will begin voting session tomorrow at 11.