

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, MAY 10, 1999

SESSION OF 1999

183D OF THE GENERAL ASSEMBLY

No. 32

HOUSE OF REPRESENTATIVES

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

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

PRAYER

REV. JOEL D. WINTERS, pastor of Chichester Baptist Church, Aston, Pennsylvania, guest Chaplain and guest of the gentleman from Delaware, Mr. Barrar, offered the following prayer:

I would like to just for a moment thank the Speaker of the House and my State Representative, Stephen Barrar, for this opportunity to come and be with you today. I want to thank you Representatives for your dedication, your commitment and service to this Commonwealth of Pennsylvania.

I am thankful also to my Heavenly Father for calling me to minister in this State of Pennsylvania. The laws of this State in many ways reflect the precepts, principles, and standards that I cherish as a servant of my God and a citizen of this State and country.

We continue to pray for a more united country under God, who has been the rock from whence this nation has been hewn.

The Bible instructs its readers that supplications, prayers, intercessions, and giving of thanks should be made for all men; then it says for kings and for all those that are in authority, that we may lead a quiet and peaceful life in all godliness and honesty.

So today I want to say we pray regularly for you back home. It is, however, today my joy to pray with you in assembly.

Let us pray:

Heavenly Father, we ask for Thy forgiveness where we have trespassed against Thee. We ask also, O God, that You would grant us forgiveness to those that have trespassed against us.

Heavenly Father, we honor Thee for Thy wisdom and Thy power and Thy protection. We honor Thee for Thy justice, judgment, and equity, for Thy mercy, love, and grace. All these virtues in their divine perfection remain in Thee alone. Yet Your word says, let him that is thirsty come to the fountain and drink freely. Without money and without price, we can drink. So we ask today, O Heavenly Father, that You would give wisdom and discretion to this Assembly, that You would grant faith, hope, charity, courage, and conviction to men and women in accomplishing that which is right in Thine eyes. Bless them for their faithful service to their communities and to this State as they pursue righteous laws, that we may lead quiet and peaceful lives in godliness and honesty.

Bless their families, O God. Watch over and protect them. May these Representatives accomplish in their families what they desire to accomplish for righteousness in all the families of this State.

Grant these servants safety in their travel back and forth across this State to and from their homes, and may the peace of God which passeth all understanding keep their hearts and minds, for it is in Thy name and in the name of Christ our Savior we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Thursday, May 6, 1999, will be postponed until printed. The Chair hears no objection.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House, as the guests of Representative Roberts, the seventh grade class from the Chestnut Christian Academy, who are currently studying State government. Would these students please rise or wave so we know that you are here? In the balcony.

COMMUNICATION FROM DEPARTMENT OF LABOR AND INDUSTRY

The SPEAKER. The Chair acknowledges receipt of the Workers' Compensation Advisory Council's Annual Report submitted by the Department of Labor and Industry pursuant to section 447(b)(4) of the Workers' Comp Act.

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

COMMUNICATION FROM GOVERNOR

APPROVAL OF HOUSE BILL

The Speaker laid before the House a communication in writing from the office of His Excellency, the Governor of the Commonwealth, advising that the following House bill had been approved and signed by the Governor:

HB 980.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Patricia Seltzer Wagoner, who is the daughter of former Speaker Jack Seltzer. She is here with the American Kang Duk Won junior rank demonstration team. The team is a martial-arts team composed of 15 students, ages 7 to 17. They have performed at Disney World in Florida and on the Capitol steps in Washington. Welcome to the House of Representatives.

Ms. Wagoner, wave for me; say hello to your father and grandfather.

The Chair is also pleased to welcome to the hall of the House Mike and Alex Gardner and their parents, Mike and Lynn Gardner. They are here as the guests of Representative Rod Wilt. Would these folks please rise or acknowledge their presence by waving. Oh, they are guest pages here, right in front of me.

DELAWARE COUNTY SPECIAL OLYMPICS SOCCER TEAM PRESENTED

The SPEAKER. Mr. Adolph.

Mr. ADOLPH. Mr. Speaker?

The SPEAKER. The gentleman, Mr. Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, it is my privilege today as well as other members of the Delaware County delegation to introduce to my colleagues of the Pennsylvania House of Representatives a very, very special team. This team is the Delaware County soccer team, which will be representing the United States of America in the 1999 World Games in Raleigh, North Carolina.

I would like to congratulate this team and its coach, head coach Jose Rodriguez, on this very, very significant accomplishment, and up here with me today are Representatives Vitali, Barrar, and Micozzie, as well as Representative Ryan.

The team members: Liz Smith, Anna Sioutis, George McDaniel, and Don Haffelfinger. I would like every one of you to congratulate this special team the way we do all the other teams up here.

Mr. Speaker, I would also like to recognize the other members of the team and their families that are sitting in the back of the House, and I hope you bring back the gold medal for us. Thank you.

PALISADES HIGH SCHOOL GIRLS TRACK TEAM PRESENTED

The SPEAKER. The gentleman, Mr. Clymer.

The House will come to order; the House will come to order.

Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

On behalf of Representative Chuck McIlhinney and members of the Bucks County delegation, I am very proud to introduce the 1999 Palisades girls track team to members of the House of Representatives.

Mr. Speaker, on April 21, 1981, the Palisades girls track team met undefeated Southern Lehigh in a meet to determine first place in the Colonial League. Southern Lehigh triumphed 85 to 46, relegating the Pirates to a second-place finish for the season. Three days later, in a contest that seemed meaningless, Palisades

defeated Salisbury 121 to 20. Little did anyone know that the victory over the Falcons was the first in an incredible run of 166 wins in a row – 166 wins in a row – a streak that would become a national record.

To put things in perspective, the week that the Pirates streak began was the end of President Ronald Reagan's third month of his first term in office. Since then, they have won 17 consecutive Colonial League championships and one State championship.

Mr. Speaker, as we all know, unfortunately, all good things have to come to an end. On April 26 of this year in a dual meet with Notre Dame, their record came to an end after they started the season with five victories. But I think it is important to note that wonderful record that was accomplished by these young ladies over these many years.

With me today in the balcony are Al Wilson, director of athletics; the principal of the school, Joseph Roy; head coach, sitting on the floor of the House, Glenn Johns; former coaches, who had a major role in the outstanding victories of the Palisades Pirates – Ed Ruisz, Steve Hohenstein, Jeanne Lee, and Dave Cook; and the team, the 1999 team of the Palisades Pirates girls track team, is on the floor of the House. Please extend a welcome. Thank you.

Mr. Speaker, the citation I will read later.

My final comment is that on the podium behind me are four members of the Palisades track team: two alumni, Karen Loubris and Joyce Halstead – Karen and Joyce – and two members of the present Palisades girls track team, Courtney Parris and Alison Metter – Alison and Courtney.

DELEGATION FROM KYRGYZSTAN INTRODUCED

The SPEAKER. The House will come to order. Members will please take their seats. Conversations on the floor, please cease.

We have some distinguished visitors with us from Russia that I would like to introduce to the members: the gentleman, Mr. Temirbek Kudaybergenovich Koshoev, vice president of the Congress of Local Communities of the Kyrgyz Republic; Mr. Bolotbek Jyparovick Assanakunov, an expert on communal property of the Congress of Local Communities of that same Republic; Mr. Aaili Azimovich Karashev, the deputy director, Department of Local Self-Government and Agrarian Policy in the Presidential Administration; Mr. Abdujapar Tagaevch Tagaev, the mayor of Osh City – Mr. Mayor – and with them today as an interpreter is Mr. Leonid Severnyak.

Two others of their members are with us, although not on the floor. One of the gentlemen with this delegation apparently had problems with his back and is down visiting our nursing quarters with the other interpreter that accompanied the group.

These visitors are visiting Pennsylvania through a State and Local Government in the United States Freedom Support Grant from the United States Information Agency. They have been assisted in this visit to Harrisburg by the International Visitors Council, by the Speaker's Office, and by the Chief Clerk of the House.

I would like to extend to them our warm welcome and hopes that they will come back to visit us again.

COMMUNICATION

LOBBYIST LIST PRESENTED

The SPEAKER. The Chair acknowledges receipt of a list of lobbyists who have registered under the Lobbying Registration and Regulation Act, which the clerk will file.

The following communication was submitted:

The General Assembly of Pennsylvania
Main Capitol Building
Harrisburg, Pennsylvania 17120

May 3, 1999

To the Honorable, the Senate
of the Commonwealth of Pennsylvania
To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from April 1, 1999 through April 30, 1999 inclusive, for the 183rd Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:
Mark R. Corrigan, Secretary
Senate of Pennsylvania

Ted Mazia, Chief Clerk
House of Representatives

(For list, see Appendix.)

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair acknowledges receipt of additions and deletions for sponsorships of bills, which the clerk will file.

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

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to today's leaves of absence and recognizes the majority whip, who requests a leave of absence for the gentleman, Mr. TAYLOR, for today's session. Without objection, leave will be granted. The Chair hears none.

The Chair recognizes the minority whip, who requests a leave of absence today for Ms. WILLIAMS of Montgomery County; Mr. GIGLIOTTI of Allegheny; Mr. TRAVAGLIO of Butler County— Pardon me. Those three are for the week. For today's session, the gentleman, Mr. EVANS; the gentleman, Mr. THOMAS; and the gentleman, Mr. OLIVER, all of the city of Philadelphia. Without objection, these leaves will be granted. The Chair hears none.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—195

Adolph	Egolf	Major	Santoni
Allen	Fairchild	Manderino	Sather
Argall	Fargo	Mann	Saylor
Armstrong	Feese	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fleagle	Masland	Scrimenti
Barley	Flick	Mayernik	Semmel
Barrar	Forcier	McCall	Serafini
Bastian	Frankel	McGeehan	Seyfert
Battisto	Freeman	McGill	Shaner
Bebko-Jones	Gannon	McIlhattan	Smith, B.
Belardi	Geist	McIlhinney	Smith, S. H.
Belfanti	George	McNaughton	Snyder
Benninghoff	Gladeck	Melio	Solobay
Birmelin	Godshall	Metcalfe	Staback
Bishop	Gordner	Michlovic	Stairs
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Miller, S.	Stem
Bunt	Haluska	Mundy	Stetler
Butkovitz	Hanna	Myers	Stevenson
Buxton	Harhai	Nailor	Strittmatter
Caltagirone	Harhart	Nickol	Sturla
Cappabianca	Hasay	O'Brien	Surra
Carn	Hennessey	Orie	Tangretti
Casorio	Herman	Perzel	Taylor, E. Z.
Cawley	Hershey	Pesci	Tigue
Chadwick	Hess	Petrarca	Trelo
Civera	Horsey	Petrone	Trich
Clark	Hutchinson	Phillips	True
Clymer	Jadlowiec	Pippy	Tulli
Cohen, L. I.	James	Pistella	Vance
Cohen, M.	Josephs	Platts	Van Horne
Colafella	Kaiser	Preston	Veon
Cornell	Keller	Ramos	Vitali
Corrigan	Kenney	Raymond	Walko
Costa	Kirkland	Readshaw	Washington
Coy	Krebs	Reinard	Wilt
Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright
Dally	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdansky	Ross	Zimmerman
DeWeese	Lucyk	Rubley	Zug
DiGirolamo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker
Eachus			

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Evans	Oliver	Thomas	Williams
Gigliotti	Taylor, J.	Travaglio	

LEAVES ADDED—4

Adolph	Feese	Horsey	Washington
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LEAVES CANCELED-1

Taylor, J.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 730**, **PN 917**, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An Act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 730 be recommended to the Appropriations Committee.

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

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The House proceeded to third consideration of **SB 733**, **PN 796**, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), entitled "An Act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth;...." making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 733 be recommended to the Appropriations Committee.

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

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The House proceeded to third consideration of **SB 734**, **PN 797**, entitled:

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 734 be recommended to the Appropriations Committee.

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

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The House proceeded to third consideration of **SB 735**, **PN 918**, entitled:

An Act making appropriations to the Philadelphia Health and Education Corporation for the MCP Hahnemann University.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 735 be recommended to the Appropriations Committee.

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

* * *

The House proceeded to third consideration of **SB 736**, **PN 800**, entitled:

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 736 be recommended to the Appropriations Committee.

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

* * *

The House proceeded to third consideration of **SB 744**,
PN 806, entitled:

An Act making an appropriation to the Burn Foundation,
Philadelphia.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 744 be recommitted
to the Appropriations Committee.

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

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The House proceeded to third consideration of **SB 745**,
PN 821, entitled:

An Act making an appropriation to the Trustees of the University of
Pennsylvania for cardiovascular studies.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 745 be recommitted
to the Appropriations Committee.

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

* * *

The House proceeded to third consideration of **SB 746**,
PN 807, entitled:

An Act making an appropriation to the Central Penn Oncology
Group.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 746 be recommitted
to the Appropriations Committee.

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

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The House proceeded to third consideration of **SB 747**,
PN 808, entitled:

An Act making an appropriation to the Fox Chase Institute for
Cancer Research, Philadelphia, for the operation and maintenance of the
cancer research program.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 747 be recommitted
to the Appropriations Committee.

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

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The House proceeded to third consideration of **SB 748**,
PN 809, entitled:

An Act making an appropriation to the Lancaster Cleft Palate.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 748 be recommitted
to the Appropriations Committee.

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

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The House proceeded to third consideration of **SB 749**,
PN 810, entitled:

An Act making an appropriation to the Pittsburgh Cleft Palate.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 749 be recommitted to the Appropriations Committee.

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

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The House proceeded to third consideration of **SB 750, PN 920**, entitled:

An Act making an appropriation to The Children's Institute, Pittsburgh.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 750 be recommitted to the Appropriations Committee.

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

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The House proceeded to third consideration of **SB 751, PN 812**, entitled:

An Act making appropriations to St. Christopher's Hospital, Philadelphia.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 751 be recommitted to the Appropriations Committee.

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

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The House proceeded to third consideration of **SB 752, PN 813**, entitled:

An Act making an appropriation to St. Francis Hospital, Pittsburgh.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 752 be recommitted to the Appropriations Committee.

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

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The House proceeded to third consideration of **SB 754, PN 814**, entitled:

An Act making appropriations to the Wistar Institute-Research, Philadelphia.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 754 be recommitted to the Appropriations Committee.

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

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee.

RESOLUTION REREPORTED FROM COMMITTEE

HR 156, PN 1755 (Amended) By Rep. PERZEL

A Concurrent Resolution establishing and directing a select committee to assess driver's education programs in public schools.

RULES.

RESOLUTION REPORTED FROM COMMITTEE

HR 169, PN 1671 By Rep. PERZEL

A Resolution establishing the Commission on Postsecondary Education for the Twenty-First Century.

RULES.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. BARLEY. Thank you, Mr. Speaker.

I would like to call for a meeting of the House Appropriations Committee in the Appropriations Committee room, 245, at the recess.

The SPEAKER. The Chair thanks the gentleman.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentleman, Mr. Fargo, for the purpose of making an announcement.

Mr. FARGO. Thank you, Mr. Speaker.

The Republican caucus members will caucus immediately upon the recess, and we will plan on being back at 3 o'clock for additional votes. An immediate caucus then upon recess. Thank you, Mr. Speaker.

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the Democrats will also caucus immediately upon the recess. The most important legislation that we will have is tax legislation to which there are a variety of amendments attached today. I urge the attendance of all members.

The SPEAKER. The Chair thanks the gentleman.

**INTERGOVERNMENTAL AFFAIRS
COMMITTEE MEETING**

The SPEAKER. Majority leader or minority leader, any further business? Any announcements or reports?

Mr. Flick.

Mr. FLICK. Mr. Speaker, I would like to call an immediate meeting of the Intergovernmental Affairs Committee in the rear of the chamber for consideration of a resolution.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. Any further announcements?

Hearing none, this House stands in recess until 3 p.m., unless sooner recalled or extended by the Chair.

RECESS EXTENDED

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

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(J. SCOT CHADWICK) PRESIDING****RESOLUTION REPORTED
FROM COMMITTEE**

HR 175, PN 1721

By Rep. FLICK

A Resolution memorializing Congress to require comprehensive coverage of diabetic treatment, supplies and self-management training in all Federal and federally regulated insurance programs.

INTERGOVERNMENTAL AFFAIRS.**BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED**

HB 174, PN 1764 (Amended)

By Rep. MICOZZIE

An Act amending the act of July 8, 1986 (P.L.408, No.89), known as the Health Care Cost Containment Act, further providing for data submission and collection and for data dissemination and publication; providing for fees; and establishing the Health Maintenance Organization Reports Restricted Account.

INSURANCE.

HB 854, PN 1765 (Amended)

By Rep. MICOZZIE

An Act amending the act of December 20, 1996 (P.L.1492, No.191), known as the Medical Foods Insurance Coverage Act, further defining "health insurance policy"; and providing for low protein modified food products.

INSURANCE.**BILLS REREPORTED FROM COMMITTEE**

HB 77, PN 987

By Rep. BARLEY

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for escape; and providing for escape from a detention facility.

APPROPRIATIONS.

HB 122, PN 1140

By Rep. BARLEY

An Act regulating the use of certain infant cribs; providing a cause of action; and imposing a penalty.

APPROPRIATIONS.

HB 157, PN 145

By Rep. BARLEY

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for auditor's compensation.

APPROPRIATIONS.

HB 172, PN 1748

By Rep. BARLEY

An Act requiring all school districts to develop a comprehensive school violence prevention plan.

APPROPRIATIONS.

HB 192, PN 981

By Rep. BARLEY

An Act authorizing the release of Project 500 restrictions on certain lands in the Borough of Dickson City, Lackawanna County, for residential development and extension of Jermyn Street under certain conditions.

APPROPRIATIONS.

HB 220, PN 211

By Rep. BARLEY

An Act providing for purchases of materials, supplies and equipment with the Department of General Services.

APPROPRIATIONS.

HB 950, PN 1583

By Rep. BARLEY

An Act requiring disclosure of new motor vehicle damage; and providing for enforcement.

APPROPRIATIONS.

HB 963, PN 1446

By Rep. BARLEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentencing procedure for murder of the first degree.

APPROPRIATIONS.

HB 1074, PN 1220

By Rep. BARLEY

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for attachment of income.

APPROPRIATIONS.

HB 1099, PN 1763 (Amended)

By Rep. BARLEY

An Act directing the Department of Aging and the Department of Public Welfare to develop a study and to submit a proposed course of action to address the issue of waiting lists for persons in need of home and community-based long-term care services.

APPROPRIATIONS.

HB 1276, PN 1752

By Rep. BARLEY

An Act amending the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, further providing for immunity from civil and criminal liability, for involuntary examinations and for involuntary emergency examinations and treatment authorized by a physician not to exceed 120 hours.

APPROPRIATIONS.

HB 1416, PN 1659

By Rep. BARLEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for civil immunity of school officers or employees relating to emergency care, first aid and rescue.

APPROPRIATIONS.

HB 1417, PN 1753

By Rep. BARLEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further defining "delinquent act"; and further providing for disposition of delinquent children.

APPROPRIATIONS.

SB 557, PN 910

By Rep. BARLEY

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, further providing for exclusions from sales and use tax; providing for a poverty credit; further defining "corporation" in relation to corporate net income tax; further providing for the apportionment of business income for corporate net income taxation; further defining "domestic entity" and "foreign entity" in relation to capital stock franchise tax; further providing for minimum tax and valuation of the capital stock-franchise tax; reducing the rate of capital stock and franchise tax and reducing the millage transferred to the Hazardous Sites Cleanup Fund; and further providing for transfers not subject to inheritance tax and the rate of inheritance tax.

APPROPRIATIONS.

SB 646, PN 1046

By Rep. BARLEY

An Act amending the act of April 6, 1956 (1955 P.L.1414, No.465), entitled, as amended, Second Class County Port Authority Act, further providing for eating and drinking in certain transit stations.

APPROPRIATIONS.

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 77, PN 987; HB 122, PN 1140; HB 157, PN 145; HB 172, PN 1748; HB 192, PN 981; HB 220, PN 211; HB 950, PN 1583; HB 963, PN 1446; HB 1074, PN 1220; HB 1099, PN 1763; HB 1276, PN 1752; HB 1416, PN 1659; HB 1417, PN 1753; and SB 646, PN 1046.

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that HB 877 be removed from the tabled calendar and placed on the active calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL TABLED

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

Mr. PERZEL. Mr. Speaker, I move that HB 877 be placed on the table.

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

**HOUSE BILL
INTRODUCED AND REFERRED**

No. 1473 By Representatives STERN, L. I. COHEN, GEIST, DALEY, LAUGHLIN, CLARK, HERSHEY, CORRIGAN, SEMMEL, E. Z. TAYLOR and YOUNGBLOOD

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

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 10, 1999.

SENATE MESSAGE

**HOUSE BILL
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 102, PN 84**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

**ADJOURNMENT RESOLUTION
FOR CONCURRENCE**

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate
May 10, 1999

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, June 7, 1999, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, June 7, 1999, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Veon, who requests a leave for the lady from Philadelphia County, Representative WASHINGTON. Without objection, the leave will be granted. The Chair hears no objection, and the leave is granted.

The Chair recognizes the gentleman, Mr. Snyder, who requests a leave of absence for the gentleman from Lycoming County, Mr. FEESE. Without objection, the leave will be granted. The Chair hears no objection, and the leave is granted.

CALENDAR CONTINUED

RESOLUTIONS PURSUANT TO RULE 35

Mr. SCHRODER called up **HR 80, PN 1132**, entitled:

A Resolution proclaiming June 5, 1999, as "Kids' Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

Adolph	Eachus	Major	Santoni
Allen	Egolf	Manderino	Sather
Argall	Fairchild	Mann	Saylor
Armstrong	Fargo	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fieagle	Masland	Scrimenti
Barley	Flick	Mayernik	Semmel
Barrar	Forcier	McCall	Serafini
Bastian	Frankel	McGeehan	Seyfert
Battisto	Freeman	McGill	Shaner
Bebko-Jones	Gannon	McIlhattan	Smith, B.
Belardi	Geist	McIlhinney	Smith, S. H.
Belfanti	George	McNaughton	Snyder
Benninghoff	Gladeck	Melio	Solobay
Birmelin	Godshall	Metcalfe	Staback
Bishop	Gordner	Michlovic	Stairs
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Miller, S.	Stern
Bunt	Haluska	Mundy	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Cam	Hennessey	Perzel	Tangretti
Casorio	Herman	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Tigue
Chadwick	Hess	Petrone	Trello
Civera	Horsey	Phillips	Trich
Clark	Hutchinson	Pippy	True
Clymer	Jadlowiec	Pistella	Tulli
Cohen, L. I.	Josephs	Platts	Vance
Cohen, M.	Kaiser	Preston	Van Horne
Colafrilla	Keller	Ramos	Veon
Cornell	Kenney	Raymond	Vitali
Corrigan	Kirkland	Readshaw	Walko
Costa	Krebs	Reinard	Wilt
Coy	LaGrotta	Rieger	Wogan
Curry	Laughlin	Roberts	Wojnaroski
Dailey	Lawless	Robinson	Wright
Daley	Lederer	Roebuck	Yewcic
Dally	Leh	Rohrer	Youngblood
DeLuca	Lescovitz	Rooney	Yudichak

Dempsey	Levdansky	Ross	Zimmerman
Dermody	Lucyk	Rubley	Zug
DeWeese	Lynch	Ruffing	
DiGirolamo	Maher	Sainato	Ryan,
Donatucci	Maitland	Samuelson	Speaker
Druce			

NAYS-0

NOT VOTING-2

James Myers

EXCUSED-9

Evans	Oliver	Thomas	Washington
Feese	Taylor, J.	Travaglio	Williams
Gigliotti			

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

Mr. READSHAW called up **HR 117, PN 1376**, entitled:

A Resolution proclaiming the week of June 6 through 12, 1999, as "Pennsylvania Small Business Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-190

Adolph	Eachus	Major	Santoni
Allen	Egolf	Manderino	Sather
Argall	Fairchild	Mann	Saylor
Armstrong	Fargo	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fleagle	Masland	Scrimenti
Barley	Flick	Mayernik	Semmel
Barrar	Forcier	McCall	Serafini
Bastian	Frankel	McGeehan	Seyfert
Battisto	Freeman	McGill	Shaner
Bebko-Jones	Gannon	McIlhatten	Smith, B.
Belardi	Geist	McIlhinney	Smith, S. H.
Belfanti	George	McNaughton	Snyder
Benninghoff	Gladeck	Melio	Solobay
Birmelin	Godshall	Metcalfe	Staback
Bishop	Gordner	Michlovic	Stairs
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Miller, S.	Stern
Bunt	Haluska	Mundy	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Casorio	Hennessey	Perzel	Tangretti
Cawley	Herman	Pesci	Taylor, E. Z.
Chadwick	Hershey	Petrarca	Tigue
Civera	Hess	Petrone	Trello
Clark	Horsy	Phillips	Trich
Clymer	Hutchinson	Pippy	True
Cohen, L. I.	Jadlowiec	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Preston	Van Horne
Cornell	Keller	Ramos	Veon
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Walko

Coy	Krebs	Reinard	Wilt
Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright
Daly	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdansky	Ross	Zimmerman
DeWeese	Lucyk	Rubley	Zug
DiGirolamo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker

NAYS-0

NOT VOTING-3

Carn James Myers

EXCUSED-9

Evans	Oliver	Thomas	Washington
Feese	Taylor, J.	Travaglio	Williams
Gigliotti			

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

Mr. HERSHEY called up **HR 124, PN 1383**, entitled:

A Resolution declaring June 1999 as "Leukemia Awareness Month" in Pennsylvania and urging all citizens of this Commonwealth to join in its observance.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-190

Adolph	Eachus	Major	Santoni
Allen	Egolf	Manderino	Sather
Argall	Fairchild	Mann	Saylor
Armstrong	Fargo	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fleagle	Masland	Scrimenti
Barley	Flick	Mayernik	Semmel
Barrar	Forcier	McCall	Serafini
Bastian	Frankel	McGeehan	Seyfert
Battisto	Freeman	McGill	Shaner
Bebko-Jones	Gannon	McIlhatten	Smith, B.
Belardi	Geist	McIlhinney	Smith, S. H.
Belfanti	George	McNaughton	Snyder
Benninghoff	Gladeck	Melio	Solobay
Birmelin	Godshall	Metcalfe	Staback
Bishop	Gordner	Michlovic	Stairs
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Miller, S.	Stern
Bunt	Haluska	Mundy	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Casorio	Hennessey	Perzel	Tangretti
Cawley	Herman	Pesci	Taylor, E. Z.
Chadwick	Hershey	Petrarca	Tigue
Civera	Hess	Petrone	Trello

Clark	Horsey	Phillips	Trich
Clymer	Hutchinson	Pippy	True
Cohen, L. I.	Jadlowiec	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Preston	Van Horne
Cornell	Keller	Ramos	Veon
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Walko
Coy	Krebs	Reinard	Wilt
Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnarowski
Daley	Lawless	Robinson	Wright
Dally	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdansky	Ross	Zimmerman
DeWeese	Lucyk	Rubley	Zug
DiGirolamo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker

NAYS-0

NOT VOTING-3

Corn	James	Myers
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EXCUSED-9

Evans	Oliver	Thomas	Washington
Feese	Taylor, J.	Travaglio	Williams
Gigliotti			

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

Mr. ALLEN called up **HR 137, PN 1516**, entitled:

A Resolution designating Saturday, June 5, 1999, as "Rivers Day" in this Commonwealth in recognition of the value of Pennsylvania's rivers and streams and the efforts of Pennsylvania citizens who are committed to preserving water resources.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-193

Adolph	Eachus	Major	Santoni
Allen	Egolf	Manderino	Sather
Argall	Fairchild	Mann	Saylor
Armstrong	Fargo	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fleagle	Masland	Scrimenti
Barley	Flick	Mayemik	Semmel
Barrar	Forcier	McCall	Serafini
Bastian	Frankel	McGeehan	Seyfert
Battisto	Freeman	McGill	Shaner
Bebko-Jones	Gannon	McIlhatten	Smith, B.
Belardi	Geist	McIlhinney	Smith, S. H.
Belfanti	George	McNaughton	Snyder
Benninghoff	Gladeck	Melio	Solobay
Birmelin	Godshall	Metcalfe	Staback
Bishop	Gordner	Michlovic	Stairs
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Miller, S.	Stern

Bunt	Haluska	Mundy	Stetler
Butkowitz	Hanna	Myers	Stevenson
Buxton	Harhai	Nailor	Strittmatter
Caltagirone	Harhart	Nickol	Sturla
Cappabianca	Hasay	O'Brien	Surra
Carn	Hennessey	Orie	Tangretti
Casorio	Herman	Perzel	Taylor, E. Z.
Cawley	Hershey	Pesci	Tigue
Chadwick	Hess	Petrarca	Trello
Civera	Horsey	Petrone	Trich
Clark	Hutchinson	Phillips	True
Clymer	Jadlowiec	Pippy	Tulli
Cohen, L. I.	James	Pistella	Vance
Cohen, M.	Josephs	Platts	Van Horne
Colafella	Kaiser	Preston	Veon
Cornell	Keller	Ramos	Vitali
Corrigan	Kenney	Raymond	Walko
Costa	Kirkland	Readshaw	Wilt
Coy	Krebs	Reinard	Wogan
Curry	LaGrotta	Rieger	Wojnarowski
Dailey	Laughlin	Roberts	Wright
Daley	Lawless	Robinson	Yewcic
Dally	Lederer	Roebuck	Youngblood
DeLuca	Leh	Rohrer	Yudichak
Dempsey	Lescovitz	Rooney	Zimmerman
Dermody	Levdansky	Ross	Zug
DeWeese	Lucyk	Rubley	
DiGirolamo	Lynch	Ruffing	Ryan,
Donatucci	Maher	Sainato	Speaker
Druce	Maitland	Samuelson	

NAYS-0

NOT VOTING-0

EXCUSED-9

Evans	Oliver	Thomas	Washington
Feese	Taylor, J.	Travaglio	Williams
Gigliotti			

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

Mr. GODSHALL called up **HR 147, PN 1544**, entitled:

A Resolution designating June 6, 1999, as "Cancer Survivors Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-193

Adolph	Eachus	Major	Santoni
Allen	Egolf	Manderino	Sather
Argall	Fairchild	Mann	Saylor
Armstrong	Fargo	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fleagle	Masland	Scrimenti
Barley	Flick	Mayemik	Semmel
Barrar	Forcier	McCall	Serafini
Bastian	Frankel	McGeehan	Seyfert
Battisto	Freeman	McGill	Shaner
Bebko-Jones	Gannon	McIlhatten	Smith, B.
Belardi	Geist	McIlhinney	Smith, S. H.
Belfanti	George	McNaughton	Snyder
Benninghoff	Gladeck	Melio	Solobay

Birmelin	Godshall	Metcalf	Staback
Bishop	Gordner	Michlovic	Stairs
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Miller, S.	Stern
Bunt	Haluska	Mundy	Stetler
Butkovitz	Hanna	Myers	Stevenson
Buxton	Harhai	Nailor	Strittmatter
Caltagirone	Harhart	Nickol	Sturla
Cappabianca	Hasay	O'Brien	Surra
Carn	Hennessey	Orie	Tangretti
Casorio	Herman	Perzel	Taylor, E. Z.
Cawley	Hershey	Pesci	Tigue
Chadwick	Hess	Petrarca	Trello
Civera	Horsey	Petrone	Trich
Clark	Hutchinson	Phillips	True
Clymer	Jadlowiec	Pippy	Tulli
Cohen, L. I.	James	Pistella	Vance
Cohen, M.	Josephs	Platts	Van Home
Colafella	Kaiser	Preston	Veon
Cornell	Keller	Ramos	Vitali
Corrigan	Kenney	Raymond	Walko
Costa	Kirkland	Readshaw	Wilt
Coy	Krebs	Reinard	Wogan
Curry	LaGrotta	Rieger	Wojnaroski
Dailey	Laughlin	Roberts	Wright
Daley	Lawless	Robinson	Yewcic
Daily	Lederer	Roebuck	Youngblood
DeLuca	Leh	Rohrer	Yudichak
Dempsey	Lescovitz	Rooney	Zimmerman
Dermody	Levdansky	Ross	Zug
DeWeese	Lucyk	Rubley	
DiGirolamo	Lynch	Ruffing	Ryan,
Donatucci	Maher	Sainato	Speaker
Druce	Maitland	Samuelson	

NAYS-0

NOT VOTING-0

EXCUSED-9

Evans	Oliver	Thomas	Washington
Feese	Taylor, J.	Travaglio	Williams
Gigliotti			

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

Mr. McILHATTAN called up **HR 158, PN 1613**, entitled:

A Resolution designating the week of May 23 through 29, 1999, as "Therapeutic Horseback Riding Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-193

Adolph	Eachus	Major	Santoni
Allen	Egolf	Manderino	Sather
Argall	Fairchild	Mann	Saylor
Armstrong	Fargo	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fleagle	Masland	Scrimenti
Barley	Flick	Mayemik	Semmel
Barrar	Forcier	McCall	Serafini
Bastian	Frankel	McGeehan	Seyfert

Battisto	Freeman	McGill	Shaner
Bebko-Jones	Gannon	McIlhatten	Smith, B.
Belardi	Geist	McIlhinney	Smith, S. H.
Belfanti	George	McNaughton	Snyder
Benninghoff	Gladeck	Melio	Solobay
Birmelin	Godshall	Metcalf	Staback
Bishop	Gordner	Michlovic	Stairs
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Miller, S.	Stern
Bunt	Haluska	Mundy	Stetler
Butkovitz	Hanna	Myers	Stevenson
Buxton	Harhai	Nailor	Strittmatter
Caltagirone	Harhart	Nickol	Sturla
Cappabianca	Hasay	O'Brien	Surra
Carn	Hennessey	Orie	Tangretti
Casorio	Herman	Perzel	Taylor, E. Z.
Cawley	Hershey	Pesci	Tigue
Chadwick	Hess	Petrarca	Trello
Civera	Horsey	Petrone	Trich
Clark	Hutchinson	Phillips	True
Clymer	Jadlowiec	Pippy	Tulli
Cohen, L. I.	James	Pistella	Vance
Cohen, M.	Josephs	Platts	Van Home
Colafella	Kaiser	Preston	Veon
Cornell	Keller	Ramos	Vitali
Corrigan	Kenney	Raymond	Walko
Costa	Kirkland	Readshaw	Wilt
Coy	Krebs	Reinard	Wogan
Curry	LaGrotta	Rieger	Wojnaroski
Dailey	Laughlin	Roberts	Wright
Daley	Lawless	Robinson	Yewcic
Daily	Lederer	Roebuck	Youngblood
DeLuca	Leh	Rohrer	Yudichak
Dempsey	Lescovitz	Rooney	Zimmerman
Dermody	Levdansky	Ross	Zug
DeWeese	Lucyk	Rubley	
DiGirolamo	Lynch	Ruffing	Ryan,
Donatucci	Maher	Sainato	Speaker
Druce	Maitland	Samuelson	

NAYS-0

NOT VOTING-0

EXCUSED-9

Evans	Oliver	Thomas	Washington
Feese	Taylor, J.	Travaglio	Williams
Gigliotti			

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

Mr. CIVERA called up **HR 170, PN 1704**, entitled:

A Resolution designating the week of May 10 through 16, 1999, as "Railroad Safety Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-192

Adolph	Eachus	Manderino	Santoni
Allen	Egolf	Mann	Sather
Argall	Fairchild	Markosek	Saylor
Armstrong	Fargo	Marsico	Schroder

Baker	Fichter	Masland	Schuler
Bard	Fleagle	Mayernik	Scrimenti
Barley	Flick	McCall	Semmel
Barrar	Forcier	McGeehan	Serafini
Bastian	Frankel	McGill	Seyfert
Battisto	Freeman	McIlhatten	Shaner
Bebko-Jones	Gannon	McIlhinney	Smith, B.
Belardi	Geist	McNaughton	Smith, S. H.
Belfanti	George	Melio	Snyder
Benninghoff	Gladeck	Metcalfe	Solobay
Birmelin	Godshall	Michlovic	Staback
Bishop	Grucela	Micozzie	Stairs
Blaum	Gruitza	Miller, R.	Steelman
Boyes	Habay	Miller, S.	Steil
Browne	Haluska	Mundy	Stern
Bunt	Hanna	Myers	Stetler
Butkovitz	Harhai	Nailor	Stevenson
Buxton	Harhart	Nickol	Strittmatter
Caltagirone	Hasay	O'Brien	Sturla
Cappabianca	Hennessey	Orie	Surra
Carn	Herman	Perzel	Tangretti
Casorio	Hershey	Pesci	Taylor, E. Z.
Cawley	Hess	Petrarca	Tigue
Chadwick	Horsey	Petrone	Trello
Civera	Hutchinson	Phillips	Trich
Clark	Jadlowiec	Pippy	True
Clymer	James	Pistella	Tulli
Cohen, L. I.	Josephs	Platts	Vance
Cohen, M.	Kaiser	Preston	Van Horne
Colafella	Keller	Ramos	Veon
Cornell	Kenney	Raymond	Vitali
Corrigan	Kirkland	Readshaw	Walko
Costa	Krebs	Reinard	Wilt
Coy	LaGrotta	Rieger	Wogan
Curry	Laughlin	Roberts	Wojnaroski
Dailey	Lawless	Robinson	Wright
Daley	Lederer	Roebuck	Yewcic
Dally	Leh	Rohrer	Youngblood
DeLuca	Lescovitz	Rooney	Yudichak
Dempsey	Levdansky	Ross	Zimmerman
Dermody	Lucyk	Rubley	Zug
DeWeese	Lynch	Ruffing	
DiGirolamo	Maher	Sainato	Ryan,
Donatucci	Maitland	Samuelson	Speaker
Druce	Major		

NAYS—0

NOT VOTING—1

Gordner

EXCUSED—9

Evans	Oliver	Thomas	Washington
Feeze	Taylor, J.	Travaglio	Williams
Gigliotti			

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

ANNOUNCEMENT BY MR. STABACK

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Staback, rise?

Mr. STABACK. An announcement, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is in order.

Mr. STABACK. The legislative sportsmen's caucus meeting which was scheduled for 3:30 this afternoon has been canceled. Members will be notified of another meeting date in the near future. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

RESOLUTIONS PURSUANT TO RULE 35

Mr. BROWNE called up HR 171, PN 1705, entitled:

A Resolution designating May 1999 as "Community Action Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

Adolph	Eachus	Manderino	Santoni
Allen	Egolf	Mann	Sather
Argall	Fairchild	Markosek	Saylor
Armstrong	Fargo	Marsico	Schroder
Baker	Fichter	Masland	Schuler
Bard	Fleagle	Mayernik	Scrimenti
Barley	Flick	McCall	Semmel
Barrar	Forcier	McGeehan	Serafini
Bastian	Freeman	McGill	Seyfert
Battisto	Gannon	McIlhatten	Shaner
Bebko-Jones	Geist	McIlhinney	Smith, B.
Belardi	George	McNaughton	Smith, S. H.
Belfanti	Gladeck	Melio	Snyder
Benninghoff	Godshall	Metcalfe	Solobay
Birmelin	Gordner	Michlovic	Staback
Bishop	Grucela	Micozzie	Stairs
Blaum	Gruitza	Miller, R.	Steelman
Boyes	Habay	Miller, S.	Steil
Browne	Haluska	Mundy	Stern
Bunt	Hanna	Myers	Stetler
Butkovitz	Harhai	Nailor	Stevenson
Buxton	Harhart	Nickol	Strittmatter
Caltagirone	Hasay	O'Brien	Sturla
Cappabianca	Hennessey	Orie	Surra
Carn	Herman	Perzel	Tangretti
Casorio	Hershey	Pesci	Taylor, E. Z.
Cawley	Hess	Petrarca	Tigue
Chadwick	Horsey	Petrone	Trello
Civera	Hutchinson	Phillips	Trich
Clark	Jadlowiec	Pippy	True
Clymer	James	Pistella	Tulli
Cohen, L. I.	Josephs	Platts	Vance
Cohen, M.	Kaiser	Preston	Van Horne
Colafella	Keller	Ramos	Veon
Cornell	Kenney	Raymond	Vitali
Corrigan	Kirkland	Readshaw	Walko
Costa	Krebs	Reinard	Wilt
Coy	LaGrotta	Rieger	Wogan
Curry	Laughlin	Roberts	Wojnaroski
Dailey	Lawless	Robinson	Wright
Daley	Lederer	Roebuck	Yewcic
Dally	Leh	Rohrer	Youngblood
DeLuca	Lescovitz	Rooney	Yudichak
Dempsey	Levdansky	Ross	Zimmerman
Dermody	Lucyk	Rubley	Zug
DeWeese	Lynch	Ruffing	
DiGirolamo	Maher	Sainato	Ryan,
Donatucci	Maitland	Samuelson	Speaker
Druce	Major		

NAYS—0

NOT VOTING—1

Frankel

EXCUSED—9

Evans	Oliver	Thomas	Washington
Feese	Taylor, J.	Travaglio	Williams
Gigliotti			

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

* * *

Mr. STERN called up **HR 173, PN 1707**, entitled:

A Resolution honoring the memory of police officers who gave their lives in the line of duty in this Commonwealth and recognizing the memorial services in their honor in Soldiers' Grove at the State Capitol on May 11, 1999, and in Martinsburg, Blair County, on June 5, 1999.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

Adolph	Eachus	Major	Santoni
Allen	Egolf	Manderino	Sather
Argall	Fairchild	Mann	Saylor
Armstrong	Fargo	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fleagle	Masland	Scrimenti
Barley	Flick	Mayernik	Semmel
Barrar	Forcier	McCall	Serafini
Bastian	Frankel	McGeehan	Seyfert
Battisto	Freeman	McGill	Shaner
Bebko-Jones	Gannon	McIlhatten	Smith, B.
Belardi	Geist	McIlhinney	Smith, S. H.
Belfanti	George	McNaughton	Snyder
Benninghoff	Gladeck	Melio	Solobay
Birmelin	Godshall	Metcalfe	Staback
Bishop	Gordner	Michlovic	Stairs
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Miller, S.	Stern
Bunt	Haluska	Mundy	Stetler
Butkovitz	Hanna	Myers	Stevenson
Buxton	Harhai	Nailor	Strittmatter
Callagirono	Harhart	Nickol	Sturla
Cappabianca	Hasay	O'Brien	Surra
Carn	Hennessey	Orie	Tangretti
Casorio	Herman	Perzel	Taylor, E. Z.
Cawley	Hershey	Pesci	Tigue
Chadwick	Hess	Petrarca	Trello
Civera	Horsey	Petrone	Trich
Clark	Hutchinson	Phillips	True
Clymer	Jadlowiec	Pippy	Tulli
Cohen, L. I.	James	Pistella	Vance
Cohen, M.	Josephs	Platts	Van Home
Colafrella	Kaiser	Preston	Veon
Cornell	Keller	Ramos	Vitali
Corrigan	Kenney	Raymond	Walko
Costa	Kirkland	Readshaw	Wilt
Coy	Krebs	Reinard	Wogan
Curry	LaGrotta	Rieger	Wojnaroski
Dailey	Laughlin	Roberts	Wright
Daley	Lawless	Robinson	Yewcic
Daily	Lederer	Roebuck	Youngblood
DeLuca	Leh	Rohrer	Yudichak

Dempsey	Lescovitz	Rooney	Zimmerman
Dermody	Levdansky	Ross	Zug
DeWeese	Lucyk	Rubley	
DiGirolamo	Lynch	Ruffing	Ryan,
Donatucci	Maher	Sainato	Speaker
Druce	Maitland	Samuelson	

NAYS—0

NOT VOTING—0

EXCUSED—9

Evans	Oliver	Thomas	Washington
Feese	Taylor, J.	Travaglio	Williams
Gigliotti			

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

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair notes the presence on the floor of the gentleman from Philadelphia, Mr. Taylor. The gentleman will be removed from leave and placed on the master roll call.

RESOLUTIONS PURSUANT TO RULE 35

Mr. McCALL called up **HR 174, PN 1720**, entitled:

A Resolution extending congratulations to the Jim Thorpe Area Senior High School for being named as one of "America's Top 100 Wired High Schools."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Eachus	Major	Santoni
Allen	Egolf	Manderino	Sather
Argall	Fairchild	Mann	Saylor
Armstrong	Fargo	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fleagle	Masland	Scrimenti
Barley	Flick	Mayernik	Semmel
Barrar	Forcier	McCall	Serafini
Bastian	Frankel	McGeehan	Seyfert
Battisto	Freeman	McGill	Shaner
Bebko-Jones	Gannon	McIlhatten	Smith, B.
Belardi	Geist	McIlhinney	Smith, S. H.
Belfanti	George	McNaughton	Snyder
Benninghoff	Gladeck	Melio	Solobay
Birmelin	Godshall	Metcalfe	Staback
Bishop	Gordner	Michlovic	Stairs
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Miller, S.	Stern
Bunt	Haluska	Mundy	Stetler
Butkovitz	Hanna	Myers	Stevenson
Buxton	Harhai	Nailor	Strittmatter
Callagirono	Harhart	Nickol	Sturla
Cappabianca	Hasay	O'Brien	Surra
Carn	Hennessey	Orie	Tangretti
Casorio	Herman	Perzel	Taylor, E. Z.
Cawley	Hershey	Pesci	Taylor, J.

Chadwick	Hess	Petrarca	Tigue
Civera	Horsey	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	True
Cohen, L. I.	James	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Preston	Van Horne
Cornell	Keller	Veon	Vitali
Corrigan	Kenney	Raymond	Walko
Costa	Kirkland	Readshaw	Walko
Coy	Krebs	Reinard	Wilt
Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright
Dally	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdansky	Ross	Zimmerman
DeWeese	Lucyk	Rubley	Zug
DiGirolamo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—8

Evans	Gigliotti	Thomas	Washington
Feese	Oliver	Travaglio	Williams

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

* * *

Mr. ALLEN called up **HR 178, PN 1724**, entitled:

A Resolution designating May 16 through 21, 1999, as "Salvation Army Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Eachus	Major	Santoni
Allen	Egolf	Manderino	Sather
Argall	Fairchild	Mann	Saylor
Armstrong	Fargo	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fleagle	Masland	Scrimenti
Barley	Flick	Mayernik	Semmel
Barrar	Forcier	McCall	Serafini
Bastian	Frankel	McGeehan	Seyfert
Battisto	Freeman	McGill	Shaner
Bebko-Jones	Gannon	McIlhattan	Smith, B.
Belardi	Geist	McIlhinney	Smith, S. H.
Belfanti	George	McNaughton	Snyder
Benninghoff	Gladeck	Melio	Solobay
Birmelin	Godshall	Metcalfe	Staback
Bishop	Gordner	Michlovic	Stairs
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Miller, S.	Stern
Bunt	Haluska	Mundy	Stetler
Butkovitz	Hanna	Myers	Stevenson
Buxton	Harhai	Nailor	Strittmatter
Caltagirone	Harhart	Nickol	Sturla

Cappabianca	Hasay	O'Brien	Surra
Carn	Hennessey	Orie	Tangretti
Casorio	Herman	Perzel	Taylor, E. Z.
Cawley	Hershey	Pesci	Taylor, J.
Chadwick	Hess	Petrarca	Tigue
Civera	Horsey	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	True
Cohen, L. I.	James	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Preston	Van Horne
Cornell	Keller	Ramos	Veon
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Walko
Coy	Krebs	Reinard	Wilt
Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright
Dally	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdansky	Ross	Zimmerman
DeWeese	Lucyk	Rubley	Zug
DiGirolamo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—8

Evans	Gigliotti	Thomas	Washington
Feese	Oliver	Travaglio	Williams

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

* * *

Mr. MASLAND called up **HR 179, PN 1725**, entitled:

A Resolution designating the week of May 9 through 15, 1999, as "Pennsylvania MADD Drunk Driving Awareness Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—191

Adolph	Eachus	Maitland	Santoni
Ailen	Egolf	Major	Sather
Argall	Fairchild	Manderino	Saylor
Armstrong	Fargo	Mann	Schroder
Baker	Fichter	Markosek	Schuler
Bard	Fleagle	Marsico	Scrimenti
Barley	Flick	Masland	Semmel
Barrar	Forcier	Mayernik	Serafini
Bastian	Frankel	McCall	Seyfert
Battisto	Freeman	McGeehan	Shaner
Bebko-Jones	Gannon	McGill	Smith, B.
Belardi	Geist	McIlhattan	Smith, S. H.
Belfanti	George	McIlhinney	Snyder
Benninghoff	Gladeck	McNaughton	Solobay
Birmelin	Godshall	Melio	Staback
Bishop	Gordner	Metcalfe	Stairs
Blaum	Grucela	Michlovic	Steelman
Boyes	Gruitza	Micozzie	Steil
Browne	Habay	Miller, R.	Stern

Bunt	Haluska	Miller, S.	Stetler
Butkovitz	Hanna	Mundy	Stevenson
Buxton	Harhai	Myers	Strittmatter
Caltagirone	Harhart	Nailor	Sturla
Cappabianca	Hasay	Nickol	Surra
Carn	Hennessey	O'Brien	Tangretti
Casorio	Herman	Orie	Taylor, E. Z.
Cawley	Hershey	Perzel	Taylor, J.
Chadwick	Hess	Pesci	Tigue
Civera	Horsey	Petrarca	Trello
Clark	Hutchinson	Petrone	Trich
Clymer	Jadlowiec	Phillips	True
Cohen, L. I.	James	Pippy	Tulli
Cohen, M.	Josephs	Pistella	Vance
Colafella	Kaiser	Platts	Van Horne
Cornell	Keller	Ramos	Veon
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Wilt
Coy	Krebs	Reinard	Wogan
Curry	LaGrotta	Rieger	Wojnaroski
Dailey	Laughlin	Roberts	Wright
Daley	Lawless	Robinson	Yewcic
Dally	Lederer	Roebuck	Youngblood
DeLuca	Leh	Rohrer	Yudichak
Dempsey	Lescovitz	Rooney	Zimmerman
Dermody	Levdansky	Ross	Zug
DeWeese	Lucyk	Rubley	
DiGirolamo	Lynch	Sainato	Ryan,
Donatucci	Maher	Samuelson	Speaker
Druce			

NAYS—0

NOT VOTING—3

Preston	Ruffing	Walko
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EXCUSED—8

Evans	Gigliotti	Thomas	Washington
Feece	Oliver	Travaglio	Williams

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

Mr. FAIRCHILD called up **HR 180, PN 1726**, entitled:

A Resolution recognizing the week of May 22 through 28, 1999, as "National Safe Boating Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Eachus	Major	Santoni
Allen	Egolf	Manderino	Sather
Argall	Fairchild	Mann	Saylor
Armstrong	Fargo	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fleagle	Masland	Scrimenti
Barley	Flick	Mayemik	Semmel
Barrar	Forcier	McCall	Serafini
Bastian	Frankel	McGeehan	Seyfert
Battisto	Freeman	McGill	Shaner
Bebko-Jones	Gannon	McIlhattan	Smith, B.
Belardi	Geist	McIlhinney	Smith, S. H.
Belfanti	George	McNaughton	Snyder

Benninghoff	Gladeck	Melio	Solobay
Birmelin	Godshail	Metcalfe	Staback
Bishop	Gordner	Michiovic	Stairs
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Miller, S.	Stern
Bunt	Haluska	Mundy	Stetler
Butkovitz	Hanna	Myers	Stevenson
Buxton	Harhai	Nailor	Strittmatter
Caltagirone	Harhart	Nickol	Sturla
Cappabianca	Hasay	O'Brien	Surra
Carn	Hennessey	Orie	Tangretti
Casorio	Herman	Perzel	Taylor, E. Z.
Cawley	Hershey	Pesci	Taylor, J.
Chadwick	Hess	Petrarca	Tigue
Civera	Horsey	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	True
Cohen, L. I.	James	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Preston	Van Horne
Cornell	Keller	Ramos	Veon
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Walko
Coy	Krebs	Reinard	Wilt
Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright
Dally	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdansky	Ross	Zimmerman
DeWeese	Lucyk	Rubley	Zug
DiGirolamo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—8

Evans	Gigliotti	Thomas	Washington
Feece	Oliver	Travaglio	Williams

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

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 557, PN 910**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, further providing for exclusions from sales and use tax; providing for a poverty credit; further defining "corporation" in relation to corporate net income tax; further providing for the apportionment of business income for corporate net income taxation; further defining "domestic entity" and "foreign entity" in relation to capital stock franchise tax; further providing for minimum tax and valuation of the capital stock-franchise tax; reducing the rate of capital stock and franchise tax and reducing the millage transferred to the Hazardous Sites Cleanup Fund; and further providing for transfers not subject to inheritance tax and the rate of inheritance tax.

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

Mr. NICKOL offered the following amendment No. A1640:

Amend Title, page 1, line 19, by inserting after "FUND;" further providing for the insurance premiums tax and for credits for assessments paid to the Pennsylvania Property and Casualty Insurance Guaranty Association;

Amend Bill, page 19, by inserting after line 30

Section 7. Section 901 of the act is amended by adding definitions to read:

Section 901. Definitions.—The following terms, when used in this act, shall have the meaning ascribed to them in this section: * * *

(3) "Assessment" means an assessment imposed by the Guaranty Association pursuant to section 1808 of the act of May 17, 1921 (P.L.682, No.284), known as "The Insurance Company Law of 1921."

(4) "Guaranty Association" means the Pennsylvania Property and Casualty Insurance Guaranty Association created pursuant to section 1803 of act of May 17, 1921 (P.L.682, No.284), known as "The Insurance Company Law of 1921."

(5) "Member insurer" means an insurance company which participates in the Pennsylvania Property and Casualty Insurance Guaranty Association.

Section 8. The act is amended by adding a section to read:

Section 902.1. (a) Calculation of Credit.—A member insurer which has paid assessments to the Guaranty Association shall be entitled to an offset against its premium tax liability calculated as follows:

(1) For the tax year in which assessments are paid, a member insurer may offset against its premium tax liability one hundred per cent of the amount of assessments paid which exceeds an amount equal to one per cent of the insurer's policyholder surplus for the year on which the assessment was based.

(2) For each of the five consecutive tax years beginning with the year in which assessments were paid, a member insurer may offset assessments against its premium tax liability to the extent of ten per cent of the amount of such assessments which does not exceed an amount equal to one per cent of the insurer's policyholder surplus for the year on which the assessment was based.

(3) If the insurer has paid more than one assessment in any tax year, the insurer's policyholder surplus for purposes of this section shall be the surplus for the year on which the most recent assessment was based.

(b) Refund of Assessments.—Any sums which are acquired by refund from the Guaranty Association by member insurers, and which have theretofore been offset against premium taxes as provided in this section and are not then needed for the purposes of the Guaranty Association, shall be paid by such insurers to the Commonwealth in such manner as the department may require. The Guaranty Association shall notify the Insurance Commissioner that such refunds have been made.

(c) Limitation on use of credits.—No offset against premium tax liability shall be permitted to the extent that a member insurer's rates and premiums have been adjusted as permitted in section 1810 of the act of May 17, 1921 (P.L.682, No.284), known as "The Insurance Company Law of 1921."

(d) Appropriation.—The credits allowed by this section shall not reduce the amounts which would otherwise be payable for firemen's relief pension or retirement purposes or for police pension, retirement or disability purposes. The General Assembly shall annually appropriate from the General Fund an amount equal to the credits taken under this section by foreign fire and casualty insurance companies.

Amend Sec. 7, page 20, line 1, by striking out "7" and inserting 9

Amend Sec. 8, page 20, line 8, by striking out "8" and inserting 10

Amend Sec. 9, page 21, line 2, by striking out "9" and inserting 11

Amend Sec. 9, page 21, by inserting between lines 8 and 9

(3) The amendment or addition of sections 901 and 902.1 of the act shall apply to assessments paid in calendar year 1999 and

each year thereafter and to taxes paid for tax year 1999 and each tax year thereafter.

Amend Sec. 9, page 21, line 9, by striking out "(3)" and inserting (4)

Amend Sec. 9, page 21, line 12, by striking out "(4)" and inserting (5)

Amend Sec. 10, page 21, line 17, by striking out "10" and inserting 12

Amend Sec. 10, page 21, line 20, by striking out "AMENDMENT OF SECTION 2116(A)(1)" and inserting amendment or addition of sections 901, 902.1 and 2116(a)(1)

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from York County, Mr. Nickol.

Mr. NICKOL. Thank you, Mr. Speaker.

In 1998, two major medical malpractice insurance carriers — one of them Pennsylvania based, one insolvent — estimated a near \$400 million in outstanding liabilities just here in the Commonwealth of Pennsylvania. That included everything from premium refunds to doctors to payments to injured Pennsylvanians.

Our State, fortunately, does not just say tough luck when an insurer goes bankrupt. The General Assembly created entities called "guaranty funds" to cover all outstanding claims. We have the Pennsylvania Property and Casualty Insurance Guaranty Association, or PIGA, and other funds to include workers' compensation, life, and health insurance.

PIGA itself is separated into two accounts: one covering automobile insurance, and the other covering all other property and casualty insurance. It is the "all other" account that is the focus of my amendment, and this account includes homeowners, fire, and general liability insurance including medical malpractice.

Following a bankruptcy, claims get settled by PIGA, and funding comes through assessments made against member insurance companies based on their share of the market in Pennsylvania. Assessments are limited to 2 percent of the covered premiums in any one year. Due to the size of this liability, PIGA assessments, which never before exceeded .63 percent, are now expected to go to 2 percent maximum for at least the next 5 years.

What are the options of a property and casualty insurer when hit with an assessment of this nature? They could dip into the company's operating surplus, or they could increase premiums paid by our constituents, or some combination. The way the assessments are structured and the number of years an insurer can expect to be hit with the maximum assessment is causing great concern among many smaller Pennsylvania-based insurance companies.

No doubt many of you have heard from some of the companies based in your districts. Why? Let us examine the impact of the assessments.

A multistate insurer doing 15 percent of their business in Pennsylvania will only have to pay the assessment on 15 percent of their business. A smaller insurer that only sells in Pennsylvania will have to pay the assessment on 100 percent of their business. Which insurer is better able to buffer the cost of their assessments by using their surplus? Of course, it is the larger, multistate insurance company.

Let us look again. A multiple-lines insurer with 50 percent of their business in auto insurance and 50 percent in other property and casualty coverages will only have to pay the assessment on one-half their book of business. A smaller insurer that only sells homeowner insurance will have to pay the assessment on 100 percent of their business. Which insurer is better able to buffer the cost of their assessments by using their surplus? Of course, it will be the larger, multiple-lines companies.

Let us look again. A larger insurance company can spread their risk by selling insurance all across the nation or by selling different lines of insurance. They can spread the risk internally—self-insure, so to speak—to a greater extent than a small, local insurance company. Small, local insurance companies must reinsure themselves to a much greater extent because of their narrower geographic base, and so they cede a portion of their premiums they collect to larger, national or international reinsurance companies.

So a small, locally based mutual insurance company may cede 30 percent of the premiums they collect from policyholders to a reinsurance company. However, the PIGA assessment is based on their total premium, so the company would be paying the full assessment on 100 percent of the premium when they only really insure 70 percent of the risk. The reinsurance companies that walk away with 30 percent of the premium do not pay the PIGA assessment. Our small, locally based insurers will actually be hit with proportionately higher assessments than many larger, national companies.

I understand full well this is very confusing, and we have not even begun to talk about the solutions. The administration and legislative leaders have tried to get all segments of the insurance industry to sit down together to agree on a solution. No progress was made, and so the tax offset proposed by my amendment was not agreed upon as part of the 1999-2000 State budget.

Perhaps expecting an agreement between the larger, multistate, multilines insurers and the small, local insurers was optimistic. After all, in a soft insurance market like we have today, where price competition is fierce, anything that handicaps your competitors and forces them to raise rates wins you market share. Maybe the administration and legislative leaders were asking the lions and the lambs to lie down together and agree on the menu. In any case, the problem caused by the PIGA assessments for small, local insurers will continue to mount each year they get hit with the maximum assessment. Most do not have surpluses large enough to take repeated hits over 5 years of this size.

The issue is not just the survival of small, local insurance companies in Pennsylvania. Do not mistake the focus of the amendment. Our constituents who are insured by these companies will be asked to pay the bill in higher premiums. They will be the victims. And people employed by these small, local insurance companies could find their jobs in jeopardy if we do not do something.

AMENDMENT WITHDRAWN

Mr. NICKOL. I am aware that even if I were successful in offering my amendment today, it will be removed by the Senate, so today is probably not the proper time to offer this amendment.

So, Mr. Speaker, I will withdraw it and thank the members for their kind attention on the subject. At least I have drawn attention to an issue that is not likely to go away soon. Pressure will

continue to build. Hopefully we can work toward moving HB 600 or some similar measure to address the situation. Thank you.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Snyder, who requests that the gentleman from Delaware County, Mr. ADOLPH, be granted a leave. The Chair hears no objection, and the leave is granted.

CONSIDERATION OF SB 557 CONTINUED

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Delaware—The Chair apologizes. The Chair understands the gentleman withdrew the amendment. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. TAYLOR offered the following amendment No. A1838:

Amend Title, page 1, line 20, by inserting after "FOR"

neighborhood assistance tax credit and for

Amend Bill, page 19, by inserting after line 30

Section 7. Section 1904-A(c) of the act, amended April 23, 1998 (P.L.239, No.45), is amended to read:

Section 1904-A. Tax Credit.—* * *

(c) The total amount of tax credit granted for programs approved under this act shall not exceed [eighteen million dollars (\$18,000,000)] twenty million seven hundred fifty thousand dollars (\$20,750,000) of tax credit in any fiscal year.

Section 8. Section 1905-A of the act, amended May 7, 1997 (P.L.85, No.7), is amended to read:

Section 1905-A. Grant of Tax Credit.—The Department of Revenue shall grant a tax credit against any tax due under Article IV, VI, VII, VII-A, VIII, VIII-A, IX, X or XV of this act, or any tax substituted in lieu thereof in an amount which shall not exceed fifty per cent of the total amount invested during the taxable year by the business firm or twenty per cent of qualified investments by a private company in programs approved pursuant to section 1904-A of this act: Provided, That a tax credit of up to seventy per cent of the total amount invested during the taxable year by a business firm or up to thirty per cent of the amount of qualified investments by a private company may be allowed for investment in programs where activities fall within the scope of special program priorities as defined with the approval of the Governor in regulations promulgated by the secretary. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two hundred fifty thousand dollars (\$250,000) annually, except in the case of comprehensive service projects which shall be allowed an additional credit equal to seventy per cent of the qualifying investments made in comprehensive service projects; however, such additional credit shall not exceed three hundred fifty thousand dollars (\$350,000) annually. No tax credit shall be granted to any bank, bank and trust company, insurance company, trust company, national bank, savings association, mutual savings bank or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the investment was made may be carried over for the next five succeeding calendar or fiscal years until the full credit has been allowed. The total amount of all tax credits allowed pursuant to this act shall not exceed [eighteen million dollars

(\$18,000,000)] twenty million seven hundred fifty thousand dollars (\$20,750,000) in any one fiscal year.

Amend Sec. 7, page 20, line 1, by striking out "7" and inserting 9

Amend Sec. 8, page 20, line 8, by striking out "8" and inserting 10

Amend Sec. 9, page 21, line 2, by striking out "9" and inserting 11

Amend Sec. 10, page 21, line 17, by striking out "10" and inserting 12

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Philadelphia County, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, this is a very straightforward amendment. It merely increases the amount of money that we are going to put into tax credits under the neighborhood assistance act, changes that funding from \$18 million to \$20,750,000.

As many of you know, these are programs in a lot of our counties where corporations partner with community development corporations and other community groups to assist in revitalizing some of our neighborhoods, and I ask for your approval of this amendment.

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

The following roll call was recorded:

YEAS—191

Allen	Egolf	Major	Santoni
Argall	Fairchild	Manderino	Sather
Armstrong	Fargo	Mann	Saylor
Baker	Fichter	Markosek	Schroder
Bard	Fleagle	Marsico	Schuler
Barley	Flick	Masland	Scrimenti
Barrar	Forcier	Mayemik	Semmel
Bastian	Frankel	McCall	Serafini
Battisto	Freeman	McGeehan	Seyfert
Bebko-Jones	Gannon	McGill	Shaner
Belardi	Geist	McIlhattan	Smith, B.
Belfanti	George	McIlhinney	Smith, S. H.
Benninghoff	Gladeck	McNaughton	Snyder
Birmelin	Godshall	Melio	Solobay
Bishop	Gordner	Metcalfe	Staback
Blaum	Grucela	Michlovic	Stairs
Boyes	Gruitza	Micozzie	Steelman
Browne	Habay	Miller, R.	Steil
Bunt	Haluska	Miller, S.	Stern
Butkovitz	Hanna	Mundy	Stetler
Buxton	Harhai	Myers	Stevenson
Caltagirone	Harhart	Nailor	Strittmatter
Cappabianca	Hasay	Nickol	Sturla
Carn	Hennessey	O'Brien	Surra
Casorio	Herman	Orie	Taylor, E. Z.
Cawley	Hershey	Perzel	Taylor, J.
Chadwick	Hess	Pesci	Tigue
Civera	Horsey	Petrone	Trelfo
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	True
Cohen, L. I.	James	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Preston	Van Home
Cornell	Keller	Ramos	Veon
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Walko
Coy	Krebs	Reinard	Wilt

Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright
Dally	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdansky	Ross	Zimmerman
DeWeese	Lucyk	Rubley	Zug
DiGirolamo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker
Eachus			

NAYS—0

NOT VOTING—2

Petrarca	Tangretti
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EXCUSED—9

Adolph	Gigliotti	Thomas	Washington
Evans	Oliver	Travaglio	Williams
Feese			

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?

Ms. STEELMAN offered the following amendment No. A1887:

Amend Sec. 5 (Sec. 602), page 19, line 2, by striking out all of said line and inserting
thereafter \$0 minimum tax

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

The SPEAKER pro tempore. On that question, the Chair recognizes the lady from Indiana County.

For the information of the members, this amendment is listed in your packet as a Travaglio amendment.

The lady is recognized.

Ms. STEELMAN. Thank you, Mr. Speaker.

I think everyone is already familiar with the issue of minimum payment of the capital stock and franchise tax. It is an unfair burden to impose on small businesses. Cutting the minimum payment is a step in the right direction, but in this amendment, I am proposing on behalf of Representative Travaglio that we cut that minimum payment to make it truly reflective of the property owned by small businesses; that is, that we cut the minimum payment to zero so that those businesses that would not otherwise be required to pay the capital stock and franchise tax can in fact not be held up for \$200.

This will help small businesses. It will probably help constituents in every single one of our districts, and I would appreciate your support.

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

The following roll call was recorded:

YEAS—191

Allen	Egolf	Major	Sather
Argall	Fairchild	Manderino	Saylor
Armstrong	Fargo	Mann	Schroder
Baker	Fichter	Markosek	Schuler
Bard	Fleagle	Marsico	Scrimenti
Barley	Flick	Masland	Semmel
Barrar	Forcier	Mayernik	Serafini
Bastian	Frankel	McCall	Seyfert
Battisto	Freeman	McGeehan	Shaner
Bebko-Jones	Gannon	McGill	Smith, B.
Belardi	Geist	McIlhattan	Smith, S. H.
Belfanti	George	McIlhinney	Snyder
Benninghoff	Gladeck	McNaughton	Solobay
Birmelin	Godshall	Melio	Staback
Bishop	Gordner	Metcalfe	Stairs
Blaum	Grucela	Michlovic	Steelman
Boyes	Gruitza	Micozzie	Steil
Browne	Habay	Miller, R.	Stern
Bunt	Haluska	Miller, S.	Stetler
Butkovitz	Hanna	Mundy	Stevenson
Buxton	Harhai	Myers	Strittmatter
Caltagirone	Harhart	Nailor	Sturla
Cappabianca	Hasay	Nickol	Surra
Carn	Hennessey	O'Brien	Tangretti
Casorio	Herman	Orie	Taylor, E. Z.
Cawley	Hershey	Perzel	Taylor, J.
Chadwick	Hess	Pesci	Tigue
Civera	Horsely	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	True
Cohen, L. I.	James	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Ramos	Van Home
Cornell	Keller	Raymond	Veon
Corrigan	Kenney	Readshaw	Vitali
Costa	Kirkland	Reinard	Walko
Coy	Krebs	Rieger	Wilt
Curry	LaGrotta	Roberts	Wogan
Dailey	Laughlin	Robinson	Wojnaroski
Daley	Lawless	Roebuck	Wright
Dally	Lederer	Rohrer	Yewcic
DeLuca	Leh	Rooney	Youngblood
Dempsey	Lescovitz	Ross	Yudichak
Dermody	Levdansky	Rubley	Zimmerman
DeWeese	Lucyk	Ruffing	Zug
DiGirolamo	Lynch	Sainato	
Donatucci	Maher	Samuelson	Ryan,
Druce	Maitland	Santoni	Speaker
Eachus			

NAYS—0

NOT VOTING—2

Petrarca	Preston
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EXCUSED—9

Adolph	Gigliotti	Thomas	Washington
Evans	Oliver	Travaglio	Williams
Feese			

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

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

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Lucyk, who offers the following amendment, which the clerk will now read.

It is the understanding of the Chair that the gentleman has withdrawn that amendment.

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

Miss MANN offered the following amendment No. A1889:

Amend Title, page 1, line 11, by inserting after "TAX;"
authorizing the offsetting of gains and losses among the various classes of income;

Amend Bill, page 2, by inserting between lines 11 and 12

Section 2. Section 303(a) introductory paragraph of the act, added August 31, 1971 (P.L.362, No.93), is amended and the section is amended by adding a subsection to read:

Section 303. Classes of Income.—(a) The classes of income [referred to above] are as follows:

(a.1) (1) Subject to the limitation under paragraph (2), for the tax year beginning January 1, 1999, and each tax year thereafter, a taxpayer may offset the gains or losses within one class of income with the gains or losses occurring within another class of income.

(2) Gains or losses under subsection (a)(7) shall be limited solely to that class of income. Losses within this particular class of income may not be used to offset any gain in any other class of income.

Amend Sec. 2, page 2, line 12, by striking out "2" and inserting 3

Amend Sec. 3, page 5, line 30, by striking out "3" and inserting 4

Amend Sec. 4, page 8, line 27, by striking out "4" and inserting 5

Amend Sec. 5, page 12, line 12, by striking out "5" and inserting 6

Amend Sec. 6, page 19, line 3, by striking out "6" and inserting 7

Amend Sec. 7, page 20, line 1, by striking out "7" and inserting 8

Amend Sec. 8, page 20, line 8, by striking out "8" and inserting 9

Amend Sec. 9, page 21, line 2, by striking out "9" and inserting 10

Amend Sec. 9, page 21, line 6, by striking out all of said line and inserting

(2) The amendment or addition of sections 303(a.1), 304, 401(3), 602 and 602.3

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

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the lady.

Miss MANN. Thank you, Mr. Speaker.

This amendment is very straightforward. It allows the offsetting of gains and losses in the various categories of income. What would not be included in this are any gains or losses for lottery or

gambling winnings or losses, and my main concern really is with small business people and to encourage entrepreneurship in that we know that most businesses will not break even until the first 3 to 5 years, and the ability to offset those losses against income in other categories would certainly encourage the small businessperson in the entrepreneurial spirit.

So I certainly ask for the support of the members. Thank you.
The SPEAKER. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—193

Allen	Egolf	Manderino	Sather
Argall	Fairchild	Mann	Saylor
Armstrong	Fargo	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fleagle	Masland	Scrimenti
Barley	Flick	Mayernik	Semmel
Barrar	Forcier	McCall	Serafini
Bastian	Frankel	McGeehan	Seyfert
Battisto	Freeman	McGill	Shaner
Bebko-Jones	Gannon	McIlhattan	Smith, B.
Belardi	Geist	McIlhinney	Smith, S. H.
Belfanti	George	McNaughton	Snyder
Benninghoff	Gladeck	Melio	Solobay
Bimmelin	Godshall	Metcalfe	Staback
Bishop	Gordner	Michlovic	Stairs
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Miller, S.	Stern
Bunt	Haluska	Mundy	Stetler
Butkovitz	Hanna	Myers	Stevenson
Buxton	Harhai	Nailor	Strittmatter
Caltagirone	Harhart	Nickol	Sturla
Cappabianca	Hasay	O'Brien	Surra
Carn	Hennessey	Orie	Tangretti
Casorio	Herman	Perzel	Taylor, E. Z.
Cawley	Hershey	Pesci	Taylor, J.
Chadwick	Hess	Petrarca	Tigue
Civera	Horsey	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	True
Cohen, L. I.	James	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Preston	Van Home
Cornell	Keller	Ramos	Veon
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Walko
Coy	Krebs	Reinard	Wilt
Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright
Dally	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdansky	Ross	Zimmerman
DeWeese	Lucyk	Rublely	Zug
DiGiroIamo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker
Eachus	Major	Santoni	

NAYS—0

NOT VOTING—0

EXCUSED—9

Adolph Evans Feese	Gigliotti Oliver	Thomas Travaglio	Washington Williams
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

The SPEAKER. The Chair recognizes the gentleman, Mr. DeWeese. The gentleman withdraws his amendment.

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

Mr. EACHUS offered the following amendment No. A1891:

Amend Sec. 8 (Sec. 2116), page 20, line 15, by inserting brackets before and after "OR"

Amend Sec. 8 (Sec. 2116), page 20, line 16, by inserting brackets before and after the period and inserting immediately thereafter

: or

(iii) brother and sister.

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

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman, Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

My amendment is also simple. It allows the brothers and sisters to have the same preferential tax status currently assigned in the transaction between a mother, a father, and a grandmother to the sons or daughters.

It is just that simple. It gives the same tax status to brothers and sisters under this current amendment. I would appreciate your support.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—190

Allen	Egolf	Major	Santoni
Argall	Fairchild	Manderino	Sather
Armstrong	Fargo	Mann	Saylor
Baker	Fichter	Markosek	Schroder
Bard	Fleagle	Marsico	Schuler
Barley	Flick	Masland	Scrimenti
Barrar	Forcier	Mayernik	Semmel
Bastian	Frankel	McCall	Serafini
Battisto	Freeman	McGeehan	Seyfert
Bebko-Jones	Gannon	McGill	Shaner
Belardi	Geist	McIlhattan	Smith, B.
Belfanti	George	McIlhinney	Smith, S. H.
Benninghoff	Gladeck	McNaughton	Snyder

Birmelin	Godshall	Melio	Solobay
Bishop	Gordner	Metcalfe	Staback
Blaum	Gruccia	Michlovic	Stairs
Boyes	Gruitza	Micozzie	Steelman
Browne	Habay	Miller, R.	Steil
Bunt	Haluska	Miller, S.	Stern
Butkovitz	Hanna	Mundy	Stetler
Buxton	Harhai	Myers	Stevenson
Caltagirone	Harhart	Nailor	Strittmatter
Cappabianca	Hasay	Nickol	Sturla
Carn	Hennessey	O'Brien	Surra
Casorio	Herman	Orie	Tangretti
Cawley	Hershey	Perzel	Taylor, E. Z.
Chadwick	Hess	Pesci	Taylor, J.
Civera	Horsey	Petrarca	Trello
Clark	Hutchinson	Petrone	Trich
Clymer	Jadlowiec	Phillips	True
Cohen, L. I.	James	Pippy	Tulli
Colafella	Josephs	Pistella	Vance
Cornell	Kaiser	Platts	Van Horne
Corrigan	Keller	Ramos	Veon
Costa	Kenney	Raymond	Vitali
Coy	Kirkland	Readshaw	Walko
Curry	Krebs	Reinard	Wilt
Dailey	LaGrotta	Rieger	Wogan
Daley	Laughlin	Roberts	Wojnarowski
Dally	Lawless	Robinson	Wright
DeLuca	Lederer	Roebuck	Yewcic
Dempsey	Leh	Rohrer	Youngblood
Dermody	Lescovitz	Rooney	Yudichak
DeWeese	Levdansky	Ross	Zimmerman
DiGirolamo	Lucyk	Rubley	Zug
Donatucci	Lynch	Ruffing	
Druce	Maher	Sainato	Ryan,
Eachus	Maitland	Samuelson	Speaker

NAYS-1

Tigue

NOT VOTING-2

Cohen, M. Preston

EXCUSED-9

Adolph	Gigliotti	Thomas	Washington
Evans	Oliver	Travaglio	Williams
Feese			

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

On the question recurring,

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

Mr. COHEN offered the following amendment No. A1892:

Amend Title, page 1, line 11, by inserting after "CREDIT" and for a child-care credit against personal income tax

Amend Bill, page 5, by inserting between lines 29 and 30 Section 3. The act is amended by adding a section to read:

Section 304.1. Credit for Child Care.—(a) A taxpayer is entitled to a credit against the tax imposed by this article in accordance with this section.

(b) A taxpayer is eligible for the credit under this section if all of the following apply:

(1) The taxpayer is the parent of a child who:

(i) is under the age of thirteen; and

(ii) resides with the taxpayer.
(2) The taxpayer and, if the taxpayer is married, the taxpayer's spouse work at least forty hours per week.
(3) The taxpayer pays for child care for the child referred to in clause (1).

(c) The amount of the credit under subsection (b) shall be the per cent specified in section 302(a)(2) or (b)(2) of the amount spent by the taxpayer on child care under subsection (b)(3).

Amend Sec. 3, page 5, line 30, by striking out "3" and inserting 4

Amend Sec. 4, page 8, line 27, by striking out "4" and inserting 5

Amend Sec. 5, page 12, line 12, by striking out "5" and inserting 6

Amend Sec. 6, page 19, line 3, by striking out "6" and inserting 7

Amend Sec. 7, page 20, line 1, by striking out "7" and inserting 8

Amend Sec. 8, page 20, line 8, by striking out "8" and inserting 9

Amend Sec. 9, page 21, line 2, by striking out "9" and inserting 10

Amend Sec. 9, page 21, line 6, by striking out "OF SECTIONS 304," and inserting

or addition of sections 304, 304.1,

Amend Sec. 10, page 21, line 17, by striking out "10" and inserting 11

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the amendment, the Chair would advise the members that this is shown as an amendment for Ms. Williams. However, because of her absence, Mr. Cohen is offering the amendment.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, as many of you know, Representative Williams is in New York today for the funeral of her father, Leon Hess.

This amendment is a child-care tax credit bill. We passed it before. It provides for a portion of child-care expenses for children under 13 who reside with working parents to be applied under State income taxes. It is a meritorious amendment which supports the cause of providing for child care.

I would urge support of it by all the members of the House as we have supported it in the past.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-192

Allen	Egolf	Manderino	Santoni
Argall	Fairchild	Mann	Sather
Armstrong	Fargo	Markosek	Saylor
Baker	Fichter	Marsico	Schroder
Bard	Fleagle	Masland	Schulier
Barley	Flick	Mayemik	Scrimenti
Barrar	Forcier	McCall	Semmel
Bastian	Frankel	McGeehan	Serafini
Battisto	Freeman	McGill	Seyfert
Bebko-Jones	Gannon	McIlhattan	Shaner
Belardi	Geist	McIlhinney	Smith, B.
Belfanti	George	McNaughton	Smith, S. H.

Benninghoff	Gladeck	Melio	Snyder
Birmelin	Godshall	Mercalfe	Solobay
Bishop	Gordner	Michlovic	Staback
Blaum	Grucela	Micozzie	Stairs
Boyes	Gruitza	Miller, R.	Steelman
Browne	Habay	Miller, S.	Steil
Bunt	Haluska	Mundy	Stern
Butkowitz	Hanna	Myers	Stetler
Buxton	Harhai	Nailor	Stevenson
Caltagirone	Harhart	Nickol	Strittmatter
Cappabianca	Hasay	O'Brien	Sturla
Cam	Hennessey	Orie	Surra
Casorio	Herman	Perzel	Tangretti
Cawley	Hershey	Pesci	Taylor, E. Z.
Chadwick	Hess	Petrarca	Tigue
Civera	Horsey	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	True
Cohen, L. I.	James	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Preston	Van Horne
Cornell	Keller	Ramos	Veon
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Walko
Coy	Krebs	Reinard	Wilt
Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright
Dally	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdansky	Ross	Zimmerman
DeWeese	Lucyk	Rubley	Zug
DiGirolo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker
Eachus	Major		

NAYS—0

NOT VOTING—1

Taylor, J.

EXCUSED—9

Adolph	Gigliotti	Thomas	Washington
Evans	Oliver	Travaglio	Williams
Feese			

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

On the question recurring,

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

Mr. CURRY offered the following amendment No. A1894:

Amend Title, page 1, line 10, by inserting after "penalties," " repealing certain provisions imposing sales and use tax on lawn care services;

Amend Bill, page 2, lines 2 through 4, by striking out all of said lines and inserting

Section 1. Section 201(b), (f), (g), (k), (o) and (jj) of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, amended or added August 4, 1991 (P.L.97, No.22), December 13, 1991 (P.L.373, No.40) and April 23, 1998 (P.L.239, No.45), are amended to read:

Section 201. Definitions.—The following words, terms and phrases when used in this Article II shall have the meaning ascribed to them in

this section, except where the context clearly indicates a different meaning:

(b) "Maintaining a place of business in this Commonwealth."

(1) Having or maintaining within this Commonwealth, directly or by a subsidiary, an office, distribution house, sales house, warehouse, service enterprise or other place of business, or any agent of general or restricted authority irrespective of whether the place of business or agent is located here permanently or temporarily or whether the person or subsidiary maintaining such place of business or agent is authorized to do business within this Commonwealth; or

(2) The engaging in any activity as a business within this Commonwealth by any person, directly or by a subsidiary, in connection with the lease, sale or delivery of tangible personal property or the performance of services thereon for use, storage or consumption or in connection with the sale or delivery for use of the services described in subclauses (11) through (16) and (18) of clause (k) of this section, including, but not limited to, having, maintaining or using any office, distribution house, sales house, warehouse or other place of business, any stock of goods or any solicitor, salesman, agent or representative under its authority, at its direction or with its permission, regardless of whether the person or subsidiary is authorized to do business in this Commonwealth.

(3) Regularly or substantially soliciting orders within this Commonwealth in connection with the lease, sale or delivery of tangible personal property to or the performance thereon of services or in connection with the sale or delivery of the services described in subclauses (11) through (16) and (18) of clause (k) of this section for residents of this Commonwealth by means of catalogues or other advertising, whether such orders are accepted within or without this Commonwealth.

(f) "Purchase at retail."

(1) The acquisition for a consideration of the ownership, custody or possession of tangible personal property other than for resale by the person acquiring the same when such acquisition is made for the purpose of consumption or use, whether such acquisition shall be absolute or conditional, and by whatsoever means the same shall have been effected.

(2) The acquisition of a license to use or consume, and the rental or lease of tangible personal property, other than for resale regardless of the period of time the lessee has possession or custody of the property.

(3) The obtaining for a consideration of those services described in subclauses (2), (3) and (4) of clause (k) of this section other than for resale.

(4) A retention after March 7, 1956, of possession, custody or a license to use or consume pursuant to a rental contract or other lease arrangement (other than as security), other than for resale.

(5) The obtaining for a consideration of those services described in subclauses (11) through (16) and (18) of clause (k) of this section.

The term "purchase at retail" with respect to "liquor" and "malt or brewed beverages" shall include the purchase of "liquor" from any "Pennsylvania Liquor Store" by any person for any purpose, and the purchase of "malt or brewed beverages" from a "manufacturer of malt or brewed beverages," "distributor" or "importing distributor" by any person for any purpose, except purchases from a "manufacturer of malt or brewed beverages" by a "distributor" or "importing distributor" or purchases from an "importing distributor" by a "distributor" within the meaning of the "Liquor Code." The term "purchase at retail" shall not include any purchase of "malt or brewed beverages" from a "retail dispenser" or any purchase of "liquor" or "malt or brewed beverages" from a person holding a "retail liquor license" within the meaning of and pursuant to the provisions of the "Liquor Code," but shall include any purchase or acquisition of "liquor" or "malt or brewed beverages" other than pursuant to the provisions of the "Liquor Code."

(g) "Purchase price."

(1) The total value of anything paid or delivered, or promised to be paid or delivered, whether it be money or otherwise, in complete performance of a sale at retail or purchase at retail, as herein defined,

without any deduction on account of the cost or value of the property sold, cost or value of transportation, cost or value of labor or service, interest or discount paid or allowed after the sale is consummated, any other taxes imposed by the Commonwealth of Pennsylvania or any other expense except that there shall be excluded any gratuity or separately stated deposit charge for returnable containers.

(2) There shall be deducted from the purchase price the value of any tangible personal property actually taken in trade or exchange in lieu of the whole or any part of the purchase price. For the purpose of this clause, the amount allowed by reason of tangible personal property actually taken in trade or exchange shall be considered the value of such property.

(3) In determining the purchase price on the sale or use of taxable tangible personal property or a service described in subclauses (11) through (16) and (18) of clause (k) of this section where, because of affiliation of interests between the vendor and purchaser, or irrespective of any such affiliation, if for any other reason the purchase price declared by the vendor or taxpayer on the taxable sale or use of such tangible personal property or service is, in the opinion of the department, not indicative of the true value of the article or service or the fair price thereof, the department shall, pursuant to uniform and equitable rules, determine the amount of constructive purchase price upon the basis of which the tax shall be computed and levied. Such rules shall provide for a constructive amount of purchase price for each such sale or use which would naturally and fairly be charged in an arms-length transaction in which the element of common interest between the vendor or purchaser is absent or if no common interest exists, any other element causing a distortion of the price or value is likewise absent. For the purpose of this clause where a taxable sale or purchase at retail transaction occurs between a parent and a subsidiary, affiliate or controlled corporation of such parent corporation, there shall be a rebuttable presumption, that because of such common interest such transaction was not at arms-length.

(4) Where there is a transfer or retention of possession or custody, whether it be termed a rental, lease, service or otherwise, of tangible personal property including, but not limited to linens, aprons, motor vehicles, trailers, tires, industrial office and construction equipment, and business machines the full consideration paid or delivered to the vendor or lessor shall be considered the purchase price, even though such consideration be separately stated and be designated as payment for processing, laundering, service, maintenance, insurance, repairs, depreciation or otherwise. Where the vendor or lessor supplies or provides an employe to operate such tangible personal property, the value of the labor thus supplied may be excluded and shall not be considered as part of the purchase price if separately stated. There shall also be included as part of the purchase price the value of anything paid or delivered, or promised to be paid or delivered by a lessee, whether it be money or otherwise, to any person other than the vendor or lessor by reason of the maintenance, insurance or repair of the tangible personal property which a lessee has the possession or custody of under a rental contract or lease arrangement.

(5) With respect to the tax imposed by subsection (b) of section 202 upon any tangible personal property originally purchased by the user of such property six months or longer prior to the first taxable use of such property within the Commonwealth, such user may elect to pay tax on a substituted base determined by considering the purchase price of such property for tax purposes to be equal to the prevailing market price of similar tangible personal property at the time and place of such first use within the Commonwealth. Such election must be made at the time of filing a tax return with the department and reporting such tax liability and paying the proper tax due plus all accrued penalties and interest, if there be any, within six months of the due date of such report and payment, as provided for by subsections (a) and (c) of section 217 of this article.

(6) The purchase price of employment agency services and help supply services shall be the service fee paid by the purchaser to the vendor or supplying entity. The term "service fee," as used in this subclause, shall be the total charge or fee of the vendor or supplying entity minus the costs of the supplied employe which costs are wages,

salaries, bonuses and commissions, employment benefits, expense reimbursements and payroll and withholding taxes, to the extent that these costs are specifically itemized or that these costs in aggregate are stated in billings from the vendor or supplying entity. To the extent that these costs are not itemized or stated on the billings, then the service fee shall be the total charge or fee of the vendor or supplying entity.

(7) Unless the vendor separately states that portion of the billing which applies to premium cable service as defined in clause (11) of this section, the total bill for the provision of all cable services shall be the purchase price.

(k) "Sale at retail."

(1) Any transfer, for a consideration, of the ownership, custody or possession of tangible personal property, including the grant of a license to use or consume whether such transfer be absolute or conditional and by whatsoever means the same shall have been effected.

(2) The rendition of the service of printing or imprinting of tangible personal property for a consideration for persons who furnish, either directly or indirectly the materials used in the printing or imprinting.

(3) The rendition for a consideration of the service of

(i) Washing, cleaning, waxing, polishing or lubricating of motor vehicles of another, whether or not any tangible personal property is transferred in conjunction therewith; and

(ii) Inspecting motor vehicles pursuant to the mandatory requirements of "The Vehicle Code."

(4) The rendition for a consideration of the service of repairing, altering, mending, pressing, fitting, dyeing, laundering, drycleaning or cleaning tangible personal property other than wearing apparel or shoes, or applying or installing tangible personal property as a repair or replacement part of other tangible personal property except wearing apparel or shoes for a consideration, whether or not the services are performed directly or by any means other than by coin-operated self-service laundry equipment for wearing apparel or household goods and whether or not any tangible personal property is transferred in conjunction therewith, except such services as are rendered in the construction, reconstruction, remodeling, repair or maintenance of real estate: Provided, however, That this subclause shall not be deemed to impose tax upon such services in the preparation for sale of new items which are excluded from the tax under clause (26) of section 204, or upon diaper service.

(8) Any retention of possession, custody or a license to use or consume tangible personal property or any further obtaining of services described in subclauses (2), (3) and (4) of this clause pursuant to a rental or service contract or other arrangement (other than as security).

The term "sale at retail" shall not include (i) any such transfer of tangible personal property or rendition of services for the purpose of resale, or (ii) such rendition of services or the transfer of tangible personal property including, but not limited to, machinery and equipment and parts therefor and supplies to be used or consumed by the purchaser directly in the operations of—

(A) The manufacture of tangible personal property.

(B) Farming, dairying, agriculture, horticulture or floriculture when engaged in as a business enterprise. The term "farming" shall include the propagation and raising of ranch raised fur-bearing animals and the propagation of game birds for commercial purposes by holders of propagation permits issued under 34 Pa.C.S. (relating to game) and the propagation and raising of horses to be used exclusively for commercial racing activities.

(C) The producing, delivering or rendering of a public utility service, or in constructing, reconstructing, remodeling, repairing or maintaining the facilities which are directly used in producing, delivering or rendering such service.

(D) Processing as defined in clause (d) of this section.

The exclusions provided in paragraphs (A), (B), (C) and (D) shall not apply to any vehicle required to be registered under The Vehicle Code, except those vehicles used directly by a public utility engaged in business as a common carrier; to maintenance facilities; or to

materials, supplies or equipment to be used or consumed in the construction, reconstruction, remodeling, repair or maintenance of real estate other than directly used machinery, equipment, parts or foundations therefor that may be affixed to such real estate.

The exclusions provided in paragraphs (A), (B), (C) and (D) shall not apply to tangible personal property or services to be used or consumed in managerial sales or other nonoperational activities, nor to the purchase or use of tangible personal property or services by any person other than the person directly using the same in the operations described in paragraphs (A), (B), (C) and (D) herein.

The exclusion provided in paragraph (C) shall not apply to (i) construction materials, supplies or equipment used to construct, reconstruct, remodel, repair or maintain facilities not used directly by the purchaser in the production, delivering or rendition of public utility service, (ii) construction materials, supplies or equipment used to construct, reconstruct, remodel, repair or maintain a building, road or similar structure, or (iii) tools and equipment used but not installed in the maintenance of facilities used directly in the production, delivering or rendition of a public utility service.

The exclusions provided in paragraphs (A), (B), (C) and (D) shall not apply to the services enumerated in clauses (k)(11) through (16) and (18) and (w) through (ii) and (kk), except that the exclusion provided in this subclause for farming, dairying and agriculture shall apply to the service enumerated in clause (z).

(9) Where tangible personal property or services are utilized for purposes constituting a "sale at retail" and for purposes excluded from the definition of "sale at retail," it shall be presumed that such tangible personal property or services are utilized for purposes constituting a "sale at retail" and subject to tax unless the user thereof proves to the department that the predominant purposes for which such tangible personal property or services are utilized do not constitute a "sale at retail."

(10) The term "sale at retail" with respect to "liquor" and "malt or brewed beverages" shall include the sale of "liquor" by any "Pennsylvania liquor store" to any person for any purpose, and the sale of "malt or brewed beverages" by a "manufacturer of malt or brewed beverages," "distributor" or "importing distributor" to any person for any purpose, except sales by a "manufacturer of malt or brewed beverages" to a "distributor" or "importing distributor" or sales by an "importing distributor" to a "distributor" within the meaning of the "Liquor Code." The term "sale at retail" shall not include any sale of "malt or brewed beverages" by a "retail dispenser" or any sale of "liquor" or "malt or brewed beverages" by a person holding a "retail liquor license" within the meaning of and pursuant to the provisions of the "Liquor Code," but shall include any sale of "liquor" or "malt or brewed beverages" other than pursuant to the provisions of the "Liquor Code."

(11) The rendition for a consideration of lobbying services.

(12) The rendition for a consideration of adjustment services, collection services or credit reporting services.

(13) The rendition for a consideration of secretarial or editing services.

(14) The rendition for a consideration of disinfecting or pest control services, building maintenance or cleaning services.

(15) The rendition for a consideration of employment agency services or help supply services.

(16) The rendition for a consideration of computer programming services; computer-integrated systems design services; computer processing, data preparation or processing services; information retrieval services; computer facilities management services; or other computer-related services. At a minimum, such services shall not include services that are part of electronic fund transfers, electronic financial transactions or services, banking or trust services, or management or administrative services, including transfer agency, shareholder, custodial and portfolio accounting services, provided directly to any entity that duly qualifies to be taxed as a regulated investment company or a real estate investment trust under the provisions of the Internal Revenue Code of

1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.) or to an entity that provides such services to an entity so qualifying.

[(17) The rendition for a consideration of lawn care service.]

(18) The rendition for a consideration of self-storage service.

(o) "Use."

(1) The exercise of any right or power incidental to the ownership, custody or possession of tangible personal property and shall include, but not be limited to transportation, storage or consumption.

(2) The obtaining by a purchaser of the service of printing or imprinting of tangible personal property when such purchaser furnishes, either directly or indirectly, the articles used in the printing or imprinting.

(3) The obtaining by a purchaser of the services of (i) washing, cleaning, waxing, polishing or lubricating of motor vehicles whether or not any tangible personal property is transferred to the purchaser in conjunction with such services, and (ii) inspecting motor vehicles pursuant to the mandatory requirements of "The Vehicle Code."

(4) The obtaining by a purchaser of the service of repairing, altering, mending, pressing, fitting, dyeing, laundering, drycleaning or cleaning tangible personal property other than wearing apparel or shoes or applying or installing tangible personal property as a repair or replacement part of other tangible personal property other than wearing apparel or shoes, whether or not the services are performed directly or by any means other than by means of coin-operated self-service laundry equipment for wearing apparel or household goods, and whether or not any tangible personal property is transferred to the purchaser in conjunction therewith, except such services as are obtained in the construction, reconstruction, remodeling, repair or maintenance of real estate: Provided, however, That this subclause shall not be deemed to impose tax upon such services in the preparation for sale of new items which are excluded from the tax under clause (26) of section 204, or upon diaper service: And provided further, That the term "use" shall not include—

(A) Any tangible personal property acquired and kept, retained or over which power is exercised within this Commonwealth on which the taxing of the storage, use or other consumption thereof is expressly prohibited by the Constitution of the United States or which is excluded from tax under other provisions of this article.

(B) The use or consumption of tangible personal property, including but not limited to machinery and equipment and parts therefor, and supplies or the obtaining of the services described in subclauses (2), (3) and (4) of this clause directly in the operations of—

(i) The manufacture of tangible personal property.

(ii) Farming, dairying, agriculture, horticulture or floriculture when engaged in as a business enterprise. The term "farming" shall include the propagation and raising of ranch-raised furbearing animals and the propagation of game birds for commercial purposes by holders of propagation permits issued under 34 Pa.C.S. (relating to game) and the propagation and raising of horses to be used exclusively for commercial racing activities.

(iii) The producing, delivering or rendering of a public utility service, or in constructing, reconstructing, remodeling, repairing or maintaining the facilities which are directly used in producing, delivering or rendering such service.

(iv) Processing as defined in subclause (d) of this section.

The exclusions provided in subparagraphs (i), (ii), (iii) and (iv) shall not apply to any vehicle required to be registered under The Vehicle Code except those vehicles directly used by a public utility engaged in the business as a common carrier; to maintenance facilities; or to materials, supplies or equipment to be used or consumed in the construction, reconstruction, remodeling, repair or maintenance of real estate other than directly used machinery, equipment, parts or foundations therefor that may be affixed to such real estate. The exclusions provided in subparagraphs (i), (ii), (iii) and (iv) shall not apply to tangible personal property or services to be used or consumed in managerial sales or other nonoperational activities, nor to the purchase or use of tangible personal

property or services by any person other than the person directly using the same in the operations described in subparagraphs (i), (ii), (iii) and (iv).

The exclusion provided in subparagraph (iii) shall not apply to (A) construction materials, supplies or equipment used to construct, reconstruct, remodel, repair or maintain facilities not used directly by the purchaser in the production, delivering or rendition of public utility service or (B) tools and equipment used but not installed in the maintenance of facilities used directly in the production, delivering or rendition of a public utility service.

The exclusion provided in subparagraphs (i), (ii), (iii) and (iv) shall not apply to the services enumerated in clauses (o)(9) through (14) and (16) and (w) through (ii) and (kk), except that the exclusion provided in subparagraph (ii) for farming, dairying and agriculture shall apply to the service enumerated in clause (z).

(5) Where tangible personal property or services are utilized for purposes constituting a "use," as herein defined, and for purposes excluded from the definition of "use," it shall be presumed that such property or services are utilized for purposes constituting a "sale at retail" and subject to tax unless the user thereof proves to the department that the predominant purposes for which such property or services are utilized do not constitute a "sale at retail."

(6) The term "use" with respect to "liquor" and "malt or brewed beverages" shall include the purchase of "liquor" from any "Pennsylvania liquor store" by any person for any purpose and the purchase of "malt or brewed beverages" from a "manufacturer of malt or brewed beverages," "distributor" or "importing distributor" by any person for any purpose, except purchases from a "manufacturer of malt or brewed beverages" by a "distributor" or "importing distributor," or purchases from an "importing distributor" by a "distributor" within the meaning of the "Liquor Code." The term "use" shall not include any purchase of "malt or brewed beverages" from a "retail dispenser" or any purchase of "liquor" or "malt or brewed beverages" from a person holding a "retail liquor license" within the meaning of and pursuant to the provisions of the "Liquor Code," but shall include the exercise of any right or power incidental to the ownership, custody or possession of "liquor" or "malt or brewed beverages" obtained by the person exercising such right or power in any manner other than pursuant to the provisions of the "Liquor Code."

(7) The use of tangible personal property purchased at retail upon which the services described in subclauses (2), (3) and (4) of this clause have been performed shall be deemed to be a use of said services by the person using said property.

(8) The term "use" shall not include the providing of a motor vehicle to a nonprofit private or public school to be used by such a school for the sole purpose of driver education.

(9) The obtaining by the purchaser of lobbying services.

(10) The obtaining by the purchaser of adjustment services, collection services or credit reporting services.

(11) The obtaining by the purchaser of secretarial or editing services.

(12) The obtaining by the purchaser of disinfecting or pest control services, building maintenance or cleaning services.

(13) The obtaining by the purchaser of employment agency services or help supply services.

(14) The obtaining by the purchaser of computer programming services; computer-integrated systems design services; computer processing, data preparation or processing services; information retrieval services; computer facilities management services; or other computer-related services. At a minimum, such services shall not include services that are part of electronic fund transfers, electronic financial transactions or services, banking or trust services, or management or administrative services, including transfer agency, shareholder, custodial and portfolio accounting services, provided directly to any entity that duly qualifies to be taxed as a regulated investment company or a real estate investment trust under the provisions of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.) or to an entity that provides such services to an entity so qualifying.

[(15) The obtaining by the purchaser of lawn care service.]

(16) The obtaining by the purchaser of self-storage service.

[(jj) "Lawn care service." Providing services for lawn upkeep, including, but not limited to, fertilizing, lawn mowing, shrubbery trimming or other lawn treatment services.]

Section 2. Section 204 of the act is amended by adding a clause to read:

Amend Sec. 2, page 2, line 12, by striking out "2" and inserting
3

Amend Sec. 3, page 5, line 30, by striking out "3" and inserting
4

Amend Sec. 4, page 8, line 27, by striking out "4" and inserting
5

Amend Sec. 5, page 12, line 12, by striking out "5" and inserting
6

Amend Sec. 6, page 19, line 3, by striking out "6" and inserting
7

Amend Sec. 7, page 20, line 1, by striking out "7" and inserting
8

Amend Sec. 8, page 20, line 8, by striking out "8" and inserting
9

Amend Sec. 9, page 21, line 2, by striking out "9" and inserting
10

Amend Sec. 10, page 21, line 17, by striking out "10" and inserting
11

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman, Mr. Curry.

Mr. CURRY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment removes the sales tax on lawn care. This is a tax which puts legitimate businessmen in unfair competition with part-time workers who do not even record their work. It is a tax that is hard to calculate, and we ought to remove it from the books. So I urge its adoption.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—193

Allen	Egolf	Manderino	Sather
Argall	Fairchild	Mann	Saylor
Armstrong	Fargo	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fleagle	Masland	Scrimenti
Barley	Flick	Mayernik	Semmel
Barrar	Forcier	McCall	Serafini
Bastian	Frankel	McGeehan	Seyfert
Battisto	Freeman	McGill	Shaner
Bebko-Jones	Gannon	McIlhattan	Smith, B.
Belardi	Geist	McIlhinney	Smith, S. H.
Belfanti	George	McNaughton	Snyder
Benninghoff	Gladeck	Melio	Solobay
Birmelin	Godshall	Metcalfe	Staback
Bishop	Gordner	Michlovic	Stairs
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Miller, S.	Stern
Bunt	Haluska	Mundy	Stetler
Butkovitz	Hanna	Myers	Stevenson
Buxton	Harhai	Nailor	Strittmatter

Caltagirone	Harhart	Nickol	Sturla
Cappabianca	Hasay	O'Brien	Surra
Carn	Hennessey	Orie	Tangretti
Casorio	Herman	Perzel	Taylor, E. Z.
Cawley	Hershey	Pesci	Taylor, J.
Chadwick	Hess	Petrarca	Tigue
Civera	Horsey	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	True
Cohen, L. I.	James	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Preston	Van Horne
Cornell	Keller	Ramos	Veon
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Walko
Coy	Krebs	Reinard	Wilt
Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright
Dally	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdanskyy	Ross	Zimmerman
DeWeese	Lucyk	Rubley	Zug
DiGirolamo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker
Eachus	Major	Santoni	

NAYS-0

NOT VOTING-0

EXCUSED-9

Adolph	Gigliotti	Thomas	Washington
Evans	Oliver	Travaglio	Williams
Heese			

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

On the question recurring,

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

Mr. GRUCELA offered the following amendment No. A1897:

Amend Title, page 1, line 19, by inserting after "FUND;" providing for the establishment of the School Real Property Tax Reduction Fund in the Treasury Department to be used for reducing school district real property taxes; imposing powers and duties on the Department of Education;

Amend Bill, page 19, by inserting after line 30

Section 7. The act is amended by adding an article to read:

ARTICLE XI-E

SCHOOL REAL PROPERTY TAX REDUCTION

Section 1101-E. Findings and Purpose.—(a) The General Assembly finds that:

(1) The Commonwealth's proportionate share of funding for public education has significantly declined over the last two decades.

(2) During the same period, the costs and demands of public education have substantially increased.

(3) This trend is causing escalation in the expenditure of local public funds, which are primarily derived from real property taxes.

(4) As a result, the average Commonwealth family has to shoulder an ever-increasing property tax burden.

(b) The General Assembly declares that:

(1) It is a valid and appropriate public purpose to reduce the school real property tax burden on homeowners.

(2) The goal of this reduction is to reduce residential school property taxes Statewide by fifty per cent over a five-year period.

Section 1102-E. Definitions.—The following words, terms and phrases when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Allowable inflation adjustment factor." The product of:

(1) the school real property tax equivalent for the immediate prior year; and

(2) the established growth factor.

"Base year tax." The total districtwide property tax billings in a school district for a school district fiscal year beginning after June 30, 1999, and before July 1, 2000.

"Department." The Department of Education of the Commonwealth.

"Domicile." The place where one lives and has his permanent home and to which he has the intention of returning whenever he is absent. Actual residence is not necessarily domicile, for domicile is the fixed place of abode which, in the intention of the taxpayer, is permanent rather than transitory. Domicile is the voluntarily fixed place of habitation of a person, not for a mere special or limited purpose, but with the present intention of making a permanent home, until some event occurs to induce him to adopt some other permanent home.

"Established growth factor." The lesser of:

(1) the annual percentage change in the Statewide average weekly wage as determined by the Department of Labor and Industry under section 105.1 of the act of June 2, 1915 (P.L.736, No.338), known as the "Workers' Compensation Act"; or

(2) five per cent.

"Farm residence." The structure on the farm that is used as a primary residence.

"Fund." The School Real Property Tax Reduction Fund established in section 1103-E.

"Homestead." Real property which meets one or more of the following:

(1) Is the parcel containing the structure used as the domicile of the owner.

(2) Is the portion of a multiple-use property which is used as the domicile of the owner.

(3) Is the parcel containing the farm residence which is used as the domicile of the owner or of an immediate family member.

(4) Is a unit in a condominium as the term is defined in 68 Pa.C.S. § 3103 (relating to definitions) and the unit is primarily used as the domicile of a natural person who is an owner of the unit; or is a unit in a cooperative as the term is defined in 68 Pa.C.S. § 4103 (relating to definitions) and the unit is primarily used as the domicile of a natural person who is an owner of the unit. The homestead for a unit in a condominium or a cooperative shall be limited to the assessed value of the unit, which shall be determined in a manner consistent with the assessment of real property taxes on those units under 68 Pa.C.S. (relating to real and personal property) or as otherwise provided by law. If the unit is not separately assessed for real property taxes, the homestead shall be a pro rata share of the real property.

"Property tax billings." The property tax liability at the flat rate for the school district's current year appearing on the tax notices mailed to the owners of real property who are listed on the assessment rolls of the school district. For purposes of this definition the term "flat rate" shall mean the amount of property tax billed before any penalty or discount is applied.

"School district." A school district as defined in section 102 of the act of March 10, 1949 (P.L.30, No.14), known as the "Public School Code of 1949."

"School real property tax equivalent." For any school district, the sum of:

(1) the districtwide school property tax billings; and
 (2) the amount which the Commonwealth distributes to that school district for real property tax reduction under section 1104-E.

Section 1103-E. School Real Property Tax Reduction Fund.—(a) There is hereby established in the State Treasury a special fund to be known as the School Real Property Tax Reduction Fund to be used solely to make annual payments to school districts which satisfy the requirements of this article.

(b) Funds appropriated to the fund shall be used solely for payments to school districts. School districts shall spend all payments from the fund for the sole purpose of reducing the property tax liability of homestead property owners. School districts shall not use any payments from the fund for expenses related to the administration of the real property tax system.

(c) (1) The State Treasurer shall transfer the sum of four hundred million dollars (\$400,000,000) from the General Fund into the fund.

(2) The fund shall receive such annual appropriations as may be made by the General Assembly. Any appropriation made to the fund shall not lapse.

(d) If in any year the amount of money in the fund is insufficient to provide full reimbursement to each filing school district, the department shall reduce the amount of payment to each school district on a pro rata basis.

Section 1104-E. Distribution and Reconciliation.—(a) (1) For school district fiscal years beginning after June 30, 1999, school districts may apply on a form to the department for reimbursement of the revenue lost from reducing property tax billings under this article. To qualify for the reimbursement, school districts shall timely apply by the last day of their fiscal year upon which the reimbursement is based. An application postmarked on the last day of the school district's fiscal year shall meet a timely application. The department shall reimburse school districts for the reduction in property tax billings permitted under this article by the last day of the second month after the beginning of the school district's immediately following fiscal year.

(2) School districts shall apply for annual distributions on forms to be provided by the department. The department shall promulgate regulations which set forth the information that school districts must provide on the forms in order to qualify under this article.

(b) (1) The department shall make disbursements to school districts from the fund for the purpose of reducing total districtwide property tax billings on homesteads by ten per cent of the base year tax on homesteads. The school district shall apply such disbursement as a credit against property tax billings on homesteads in the school district's immediately following fiscal year.

(2) Each year the Governor shall submit as part of the budget request to the General Assembly required under section 613 of the act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929," a maintenance proposal for the fund. The proposal shall reflect the cost necessary for school districts to reduce total districtwide property tax billings on homesteads by:

(i) twenty per cent of the base year tax for the first fiscal year beginning after the distribution under clause (1);

(ii) thirty per cent of the base year tax for the second fiscal year beginning after the distribution under clause (1);

(iii) forty per cent of the base year tax for the third fiscal year beginning after the distribution under clause (1); and

(iv) fifty per cent of the base year tax for the fourth fiscal year beginning after the distribution under clause (1) and for each fiscal year thereafter.

For each school district fiscal year, the department shall make disbursements to school districts from the fund for the purpose of reducing total districtwide property tax billings.

(c) (1) School districts shall reduce taxes as directed in subsection (b) by exempting from the property tax on homesteads an amount which does not exceed one-half of the median assessed value of all homestead property within the school district.

(2) The school district shall separately and clearly state the credit on homestead property tax bills and shall clearly state on such bill that: The Commonwealth of Pennsylvania has provided replacement revenue to your school district for purposes of reducing your school district property taxes.

Section 1105-E. Limitations.—(a) A school district shall forfeit the right to receive distributions from the fund in any fiscal year when the school district experiences an increase in property tax revenue which exceeds the allowable inflation adjustment factor because the school district:

(1) increases the real property tax rate; or

(2) levies taxes on newly established real property values following countywide reassessment.

(b) The limit on revenue increases under subsection (a) shall not apply to increases in the real property tax rate if the school district raises the tax rate for any of the following reasons:

(1) To respond to or recover from an emergency or disaster declared pursuant to 35 Pa.C.S. § 7301 (relating to general authority of Governor or 75 Pa.C.S. § 6108 (relating to power of Governor during emergency), only for the duration of the emergency or disaster and for the costs of the recovery from the emergency or disaster.

(2) To implement a court order or an administrative order from a Federal or State agency which requires the expenditure of funds in excess of current available revenues. The rate increase shall be rescinded following fulfillment of the court order or administrative order.

(3) To implement any increase in real property tax rates approved by the electorate.

Section 1106-E. Regulations.—The department shall promulgate regulations necessary to implement this article.

Amend Sec. 7, page 20, line 1, by striking out "7" and inserting
8

Amend Sec. 8, page 20, line 8, by striking out "8" and inserting
9

Amend Sec. 9, page 21, line 2, by striking out "9" and inserting
10

Amend Sec. 10, page 21, line 17, by striking out "10" and inserting
11

On the question,

Will the House agree to the amendment?

The SPEAKER. In the packets that you have on your desks, this is shown as an Evans amendment. The gentleman, Mr. Evans, is on leave. The gentleman, Mr. Grucela, is offering it in his stead.

On the question, the gentleman, Mr. Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I was extremely disappointed that the \$100-million property-tax-reduction amendment did not make the final version of the budget. So we offer once again a property-tax-reduction amendment, A1897.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—192

Allen	Egolf	Manderino	Santoni
Argall	Fairchild	Mann	Sather
Armstrong	Fargo	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fleagle	Masland	Scrimenti
Barley	Flick	Mayernik	Semmel
Barrar	Forcier	McCall	Serafini

Bastian	Frankel	McGeehan	Seyfert
Battisto	Freeman	McGill	Shaner
Bebko-Jones	Gannon	McLhattan	Smith, B.
Belardi	Geist	McLhinney	Smith, S. H.
3elfanti	George	McNaughton	Snyder
Benninghoff	Gladeck	Melio	Solobay
Birmelin	Godshall	Metcalfe	Staback
Bishop	Gordner	Michlovic	Stairs
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Miller, S.	Stern
Bunt	Haluska	Mundy	Stetler
Butkovitz	Hanna	Myers	Stevenson
Buxton	Harhai	Nailor	Strittmatter
Caltagirone	Harhart	Nickol	Sturla
Cappabianca	Hasay	O'Brien	Surra
Carn	Hennessey	Orie	Tangretti
Casorio	Herman	Perzel	Taylor, E. Z.
Cawley	Hershey	Pesci	Taylor, J.
Chadwick	Hess	Petrarca	Tigue
Civera	Horsey	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	True
Cohen, L. I.	James	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Preston	Van Horne
Cornell	Keller	Ramos	Veon
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Walko
Coy	Krebs	Reinard	Wilt
Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright
Dally	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdansky	Ross	Zimmerman
DeWeese	Lucyk	Rubley	Zug
DiGirolamo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker
Eachus	Major		

NAYS—1

Saylor

NOT VOTING—0

EXCUSED—9

Adolph	Gigliotti	Thomas	Washington
Evans	Oliver	Travaglio	Williams
Feese			

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

On the question recurring,

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

The SPEAKER. Mr. George, would you come to the rostrum, please, so we can schedule your amendments.

(Conference held at Speaker's podium.)

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. Mr. Geist, the Chair recognizes you.

Mr. GEIST. Thank you, Mr. Speaker.

While you are in counsel with Representative George, would it be appropriate to make an important committee announcement?

The SPEAKER. The gentleman may proceed.

Mr. GEIST. For the members of the Transportation Committee, our Wednesday meeting, because of the death of Representative Ed Johnson, has been changed to the Capitol Annex tomorrow morning at 10:30, room 205. We will move the capital highway budget and the bridge bill. So I would hope that all the Transportation Committee members could attend that very important meeting.

CONSIDERATION OF SB 557 CONTINUED

On the question recurring,

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

Mr. GEORGE offered the following amendment No. A1898:

Amend Title, page 1, line 19, by inserting after "FUND;" providing for exemptions from the utilities gross receipts tax;

Amend Bill, page 19, by inserting after line 30

Section 7. Section 1101(g) of the act, added June 23, 1982 (P.L.610, No.172), is amended to read:

Section 1101. Imposition of Tax.—* * *

(g) Certain Gross Receipts not Taxed.—The tax otherwise imposed pursuant to this section upon gross receipts derived from the sale of electricity shall not however be imposed upon those portions of the gross receipts of an electric light company attributable to the following sources:

(1) the net increase in its gross receipts resulting from recovery from its customers of the costs of purchases of additional energy necessitated by the physical or legal inability to operate a nuclear generating facility as a result of an accident or natural disaster causing material damage to that facility or to a similar associated facility located immediately adjacent, whereupon either the damaged facility, another located immediately adjacent, or both, have been removed from the company's rate base for a period exceeding twenty-five months. The Department of Revenue shall request the Public Utility Commission to determine, for each such facility, the net increase in the gross receipts of its electric company owner for the immediate prior twelve-month period. This determination shall reflect the difference between the increased gross receipts of the company attributable to recovery of costs for purchase of replacement energy which otherwise would have been normally generated by the inoperative facility in such twelve-month period less the reduction in the company's gross receipts attributable to removal of the capital costs of the facility from the company's rate base and less the reduction in the company's gross receipts attributable to reduction in operating expenses that would have otherwise been incurred by normal operation of the facility in such twelve-month period. The Public Utility Commission shall, immediately after supplying the requested data, proceed to make the appropriate revision in the State tax adjustment charge of the electric company;

(2) recovery from its customers of costs incurred in connection with the clean-up and decontamination of a nuclear generating facility which has experienced a major accident or natural disaster and has been removed from the electric light company's rate base; [and]

(3) recovery from its customers of costs for the amortization of investments in a nuclear generating facility whose removal from the rate

base of an electric light company has been approved by the Public Utility Commission on account of a major accident or natural disaster[.]; and
(4) accounts of customers who are residents of this Commonwealth and who are sixty-five years of age or older, provided that the electric light company reduces the rates of those customers proportionately to the amount of tax avoided by the application of this clause. Notwithstanding any other provision of law, an electric light company is authorized to reduce rates to such customers in order to comply with this clause.

Amend Sec. 7, page 20, line 1, by striking out "7" and inserting
8

Amend Sec. 8, page 20, line 8, by striking out "8" and inserting
9

Amend Bill, page 21, by inserting between lines 1 and 2
Section 10. All acts and parts of acts are repealed insofar as they are inconsistent with this act.

Amend Sec. 9, page 21, line 2, by striking out "9" and inserting
11

Amend Sec. 10, page 21, line 17, by striking out "10" and inserting
12

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the George amendment, the Chair recognizes the gentleman. The gentleman will yield.

The conferences in the vicinity of the gentleman, Mr. George, please break up. The bipartisan conference, please break it up.

The Chair recognizes the gentleman, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, amendment 1917 allows for the much-needed break for senior citizens in regard to their electric bills. It would amend the gross receipts—

The SPEAKER. Mr. George, Mr. George, we have amendment 1898 before the House right now.

Mr. GEORGE. My apology. We will go to 1898.

The SPEAKER. The gentleman is recognized on 1898.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, this very simply but most importantly would eliminate the gross receipts tax for 1.8 million senior citizens in the Commonwealth of Pennsylvania. We all thought that deregulation was going to save them money. They were told there would be 10 and 15 percent in the first year. The truth of the matter is, that is not factual, and it will not be, but we can still save it all, because everybody has been talking about the moneys in the Commonwealth, what we can do to help these senior citizens. There would be no better way than to vote this amendment affirmatively.

I thank you for your support.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—192

Allen	Egolf	Manderino	Santoni
Argall	Fairchild	Mann	Sather
Armstrong	Fargo	Markosek	Saylor
Baker	Fichter	Marsico	Schroder
Bard	Fleagle	Masland	Schuler
Barley	Flick	Mayernik	Scrimenti

Barrar	Forcier	McCall	Semmel
Bastian	Frankel	McGeehan	Serafini
Battisto	Freeman	McGill	Seyfert
Bebko-Jones	Gannon	McIlhatten	Shaner
Belardi	Geist	McIlhinney	Smith, B.
Belfanti	George	McNaughton	Smith, S. H.
Benninghoff	Gladeck	Melio	Snyder
Birmelin	Godshall	Metcalf	Solobay
Bishop	Gordner	Michlovic	Staback
Blaum	Grucela	Micozzie	Stairs
Boyes	Gruitza	Miller, R.	Steelman
Browne	Habay	Miller, S.	Steil
Bunt	Haluska	Mundy	Stern
Butkovitz	Hanna	Myers	Stetler
Buxton	Harhai	Nailor	Stevenson
Caltagirone	Harhart	Nickol	Strittmatter
Cappabianca	Hasay	O'Brien	Sturla
Carn	Hennessey	Orie	Surra
Casorio	Herman	Perzel	Tangretti
Cawley	Hershey	Pesci	Taylor, E. Z.
Chadwick	Hess	Petrarca	Taylor, J.
Civera	Horsey	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	True
Cohen, L. I.	James	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Preston	Van Home
Cornell	Keller	Ramos	Veon
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Walko
Coy	Krebs	Reinard	Wilt
Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnaroski
Daiey	Lawless	Robinson	Wright
Dally	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdansky	Ross	Zimmerman
DeWeese	Lucyk	Rubley	Zug
DiGirolo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker
Eachus	Major		

NAYS—1

Tigue

NOT VOTING—0

EXCUSED—9

Adolph	Gigliotti	Thomas	Washington
Evans	Oliver	Travaglio	Williams
Feese			

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

On the question recurring,

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

The SPEAKER. Mr. George, are you going to offer 1917 now?
 Mr. GEORGE. With your permission, I would like to go to 2051.

The SPEAKER. Very good.

On the question recurring,

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

Mr. GEORGE offered the following amendment No. A2051:

Amend Title, page 1, line 19, by inserting after "FUND;" providing for corresponding utility rate reduction for natural gas customers;

Amend Bill, page 19, by inserting after line 30

Section 7. The act is amended by adding a section to read:

Section 1101.2. Corresponding Utility Rate Reduction for Natural Gas Customers.—(a) Notwithstanding any other provision of this act or other law to the contrary, a public utility that meets all of the following criteria:

- (1) provides natural gas service to its customers;
(2) paid the tax previously imposed under this article in 1998; and
(3) does not pay the tax imposed under this article in any portion of 1999, or any year thereafter, for natural gas services to any group of customers in accordance with this amendatory act; shall reduce the utility rates charged to such group of customers by the percentage equal to the rate of the tax collected in 1998.

Amend Sec. 7, page 20, line 1, by striking out "7" and inserting 8

Amend Sec. 8, page 20, line 8, by striking out "8" and inserting 9

Amend Sec. 9, page 21, line 2, by striking out "9" and inserting 10

Amend Sec. 10, page 21, line 17, by striking out "10" and inserting 11

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

The SPEAKER. On the question of the adoption of that amendment, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, today this does not give any money back to the consumer. What it simply does in 2051 is it says, if in fact we do cut the gross receipts tax on natural gas, that it will go directly back to the consumer, not the utility.

I ask that we accept this amendment, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

It has been called to the Chair's attention that this was not marked down for a vote today. If that is the case, we would have to suspend—

Mr. GEORGE. This is a corrective reprint.

The SPEAKER. Oh.

On the question of the adoption of the amendment, which is replacing amendment 1908, those in favor will vote "aye"; opposed, "no."

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

The following roll call was recorded:

YEAS—193

Table listing names of those in favor: Allen, Argall, Armstrong, Baker, Bard, Barley, Barrar, Bastian, Battisto, Bebk-Jones, Egolf, Fairchild, Fargo, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gannon, Manderino, Mann, Markosek, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, McIlhattan, Sather, Saylor, Schroder, Schuler, Scrimenti, Semmel, Serafini, Seyfert, Shaner, Smith, B.

Table listing names of those not voting or excused: Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappabianca, Carn, Casorio, Cawley, Chadwick, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Cornell, Corrigan, Costa, Coy, Curry, Dailey, Daley, Dally, DeLuca, Dempsey, Dermody, DeWeese, DiGiroiamo, Donatucci, Druce, Eachus, Geist, George, Gladeck, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, James, Josephs, Kaiser, Keller, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lucyk, Lynch, Maher, Maitland, Major, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Myers, Nailor, Nickol, O'Brien, Orié, Perzel, Pesci, Petrarca, Petrone, Phillips, Pippy, Pistella, Platts, Preston, Ramos, Raymond, Readshaw, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Smith, S. H., Snyder, Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Tigue, Trello, Trich, True, Tulli, Vance, Van Home, Veon, Vitali, Walko, Wilt, Wogan, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Table listing names of those excused: Adolph, Evans, Feese, Gigliotti, Oliver, Thomas, Travaglio, Washington, Williams

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

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

Mr. GEORGE offered the following amendment No. A1913:

Amend Title, page 1, line 11, by inserting after "TAX" and for the rate of personal income tax

Amend Bill, page 2, by inserting between lines 11 and 12 Section 2. Section 302 of the act, added August 4, 1991 (P.L.97, No.22), is amended to read:

Section 302. Imposition of Tax.—(a) Every resident individual, estate or trust shall be subject to, and shall pay for the privilege of receiving each of the classes of income hereinafter enumerated in section 303, a tax upon each dollar of income received by that resident during that resident's taxable year at the following rates:

(1) Two and one-tenth per cent for taxable years commencing with or within calendar year 1987 through the first half of the taxable year commencing with or within calendar year 1991.

(2) Two and eight-tenths per cent for the second half of the taxable year commencing with or within calendar year 1991 [and each taxable year thereafter.] through the first half of the taxable year commencing with or within calendar year 1999.

(2.1) Two and sixth-tenths per cent for the second half of the taxable year commencing with or within calendar year 1999 and each taxable year thereafter.

(3) A temporary assessment equal to an additional three-tenths per cent for the second half of the taxable year commencing with or within calendar year 1991 through the first half of the taxable year commencing with or within calendar year 1992.

(b) Every nonresident individual, estate or trust shall be subject to, and shall pay for the privilege of receiving each of the classes of income hereinafter enumerated in section 303 from sources within this Commonwealth, a tax upon each dollar of income received by that nonresident during that nonresident's taxable year at the following rates:

(1) Two and one-tenth per cent for taxable years commencing with or within calendar year 1987 through the first half of the taxable year commencing with or within calendar year 1991.

(2) Two and eight-tenths per cent for the second half of the taxable year commencing with or within calendar year 1991 [and each taxable year thereafter.] through the first half of the taxable year commencing with or within calendar year 1999.

(2.1) Two and six-tenths per cent for the second half of the taxable year commencing with or within calendar year 1999 and each taxable year thereafter.

(3) A temporary assessment equal to an additional three-tenths per cent for the second half of the taxable year commencing with or within calendar year 1991 through the first half of the taxable year commencing with or within calendar year 1992.

Amend Sec. 2, page 2, line 12, by striking out "2" and inserting 3

Amend Sec. 3, page 5, line 30, by striking out "3" and inserting 4

Amend Sec. 4, page 8, line 27, by striking out "4" and inserting 5

Amend Sec. 5, page 12, line 12, by striking out "5" and inserting 6

Amend Sec. 6, page 19, line 3, by striking out "6" and inserting 7

Amend Sec. 7, page 20, line 1, by striking out "7" and inserting 8

Amend Sec. 8, page 20, line 8, by striking out "8" and inserting 9

Amend Sec. 9, page 21, line 2, by striking out "9" and inserting 10

Amend Sec. 10, page 21, line 17, by striking out "10" and inserting 11

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

The SPEAKER. On the question, the gentleman, Mr. George, is recognized.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, this reduces the PIT (personal income tax) to 2.6. It is a substantial savings, but we spend millions of dollars on tax breaks for business, and therefore, I believe that the people of Pennsylvania have been expecting legislation such as this, and I believe we should vote affirmatively on this amendment.

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

The following roll call was recorded:

YEAS—192

Allen	Egolf	Manderino	Santoni
Argall	Fairchild	Mann	Sather
Armstrong	Fargo	Markosek	Saylor
Baker	Fichter	Marsico	Schroder
Bard	Fleagle	Masland	Schuler
Barley	Flick	Mayernik	Scrimenti
Barrar	Forcier	McCall	Semmel
Bastian	Frankel	McGeehan	Serafini
Battisto	Freeman	McGill	Seyfert
Bebko-Jones	Gannon	McIlhattan	Shaner
Belardi	Geist	McIlhinney	Smith, B.
Belfanti	George	McNaughton	Smith, S. H.
Benninghoff	Gladeck	Melio	Snyder
Birmelin	Godshall	Metcalfe	Solobay
Bishop	Gordner	Michlovic	Staback
Biaum	Grucela	Micozzie	Stairs
Boyes	Gruitza	Miller, R.	Steelman
Browne	Habay	Miller, S.	Steil
Bunt	Haluska	Mundy	Stern
Butkovitz	Hanna	Myers	Stetler
Buxton	Harhai	Nailor	Stevenson
Caltagirone	Harhart	Nickol	Strittmatter
Cappabianca	Hasay	O'Brien	Sturla
Carn	Hennessey	Orie	Surra
Casorio	Herman	Perzel	Tangretti
Cawley	Hershey	Pesci	Taylor, E. Z.
Chadwick	Hess	Petrarca	Taylor, J.
Civera	Horsey	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	True
Cohen, L. I.	James	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Preston	Van Horne
Cornell	Keller	Ramos	Veon
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Walko
Coy	Krebs	Reinard	Wilt
Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright
Dally	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdansky	Ross	Zimmerman
DeWeese	Lucyk	Rubley	Zug
DiGirolamo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker
Eachus	Major		

NAYS—1

Tigue

NOT VOTING—0

EXCUSED—9

Adolph	Gigliotti	Thomas	Washington
Evans	Oliver	Travaglio	Williams
Feese			

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

Allen	Egolf	Manderino	Santoni
Argall	Fairchild	Mann	Sather
Armstrong	Fargo	Markosek	Saylor
Baker	Fichter	Marsico	Schroder
Bard	Fleagle	Masland	Schuler
Barley	Flick	Mayemik	Scrimenti
Barrar	Forcier	McCall	Semmel
Bastian	Frankel	McGeehan	Serafini
Battisto	Freeman	McGil	Seyfert
Bebko-Jones	Gannon	McIlhattan	Shaner
Belardi	Geist	McIlhinney	Smith, B.
Belfanti	George	McNaughton	Smith, S. H.
Benninghoff	Gladeck	Melio	Snyder
Birmelin	Godshall	Metcalfe	Solobay
Bishop	Gordner	Michlovic	Staback
Blaum	Grucela	Micozzie	Stairs
Boyes	Gruitza	Miller, R.	Steelman
Browne	Habay	Miller, S.	Steil
Bunt	Haluska	Mundy	Stern
Butkowitz	Hanna	Myers	Stetler
Buxton	Harhai	Nailor	Stevenson
Caltagirone	Harhart	Nickol	Strittmatter
Cappabianca	Hasay	O'Brien	Sturla
Carn	Hennessey	Orie	Surra
Casorio	Herman	Perzel	Tangretti
Cawley	Hershey	Pesci	Taylor, E. Z.
Chadwick	Hess	Petrarca	Taylor, J.
Civera	Horsey	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	True
Cohen, L. I.	James	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Preston	Van Home
Cornell	Keller	Ramos	Veon
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Walko
Coy	Krebs	Reinard	Wilt
Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright
Dally	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdansky	Ross	Zimmerman
DeWeese	Lucyk	Rubley	Zug
DiGirolamo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker
Eachus	Major		

NAYS—1

iguel

NOT VOTING—0

EXCUSED—9

Adolph	Gigliotti	Thomas	Washington
Evans	Oliver	Travaglio	Williams
Feese			

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

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 484, PN 499**, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 1999, to June 30, 2000, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1999.

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—193

Allen	Egolf	Manderino	Sather
Argall	Fairchild	Mann	Saylor
Armstrong	Fargo	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fleagle	Masland	Scrimenti
Barley	Flick	Mayemik	Semmel
Barrar	Forcier	McCall	Serafini
Bastian	Frankel	McGeehan	Seyfert
Battisto	Freeman	McGil	Shaner
Bebko-Jones	Gannon	McIlhattan	Smith, B.
Belardi	Geist	McIlhinney	Smith, S. H.
Belfanti	George	McNaughton	Snyder
Benninghoff	Gladeck	Melio	Solobay
Birmelin	Godshall	Metcalfe	Staback
Bishop	Gordner	Michlovic	Stairs
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Miller, S.	Stern
Bunt	Haluska	Mundy	Stetler
Butkowitz	Hanna	Myers	Stevenson
Buxton	Harhai	Nailor	Strittmatter
Caltagirone	Harhart	Nickol	Sturla
Cappabianca	Hasay	O'Brien	Surra
Carn	Hennessey	Orie	Tangretti
Casorio	Herman	Perzel	Taylor, E. Z.
Cawley	Hershey	Pesci	Taylor, J.
Chadwick	Hess	Petrarca	Tiguel
Civera	Horsey	Petrone	Trello

Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	True
Cohen, L. I.	James	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Preston	Van Horne
Cornell	Kelner	Ramos	Veon
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Walko
Coy	Krebs	Reinard	Wilt
Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright
Dally	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdansky	Ross	Zimmerman
DeWeese	Lucyk	Rubley	Zug
DiGirolamo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker
Eachus	Major	Santoni	

NAYS—0

NOT VOTING—0

EXCUSED—9

Adolph	Gigliotti	Thomas	Washington
Evans	Oliver	Travaglio	Williams
Feese			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

The House proceeded to third consideration of **SB 485, PN 500**, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 1999, to June 30, 2000, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1999.

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

Allen	Egolf	Manderino	Santoni
Argall	Fairchild	Mann	Sather
Armstrong	Fargo	Markosek	Saylor
Baker	Fichter	Marsico	Schroder
Bard	Fleagle	Masland	Schuler
Barley	Flick	Mayernik	Scrimenti
Barrar	Forcier	McCall	Semmel
Bastian	Frankel	McGeehan	Serafini
Battisto	Freeman	McGill	Seyfert
Bebko-Jones	Gannon	McIlhatten	Shaner
Belardi	Geist	McIlhinney	Smith, B.
Belfanti	George	McNaughton	Smith, S. H.
Benninghoff	Gladeck	Melio	Snyder
Birmelin	Godshall	Metcalfe	Solobay
Bishop	Gordner	Michlovic	Staback
Blaum	Grucela	Micozzie	Stairs
Boyes	Gruitza	Miller, R.	Steelman
Browne	Habay	Miller, S.	Steil
Bunt	Haluska	Mundy	Stern
Butkovitz	Hanna	Myers	Stetler
Buxton	Harhai	Nailor	Strittmatter
Caltagirone	Harhart	Nickol	Sturla
Cappabianca	Hasay	O'Brien	Surra
Cam	Hennessey	Orie	Tangretti
Casorio	Herman	Perzel	Taylor, E. Z.
Cawley	Hershey	Pesci	Taylor, J.
Chadwick	Hess	Petrarca	Tigue
Civera	Horsey	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
Clymer	Jadlowiec	Pippy	True
Cohen, L. I.	James	Pistella	Tulli
Cohen, M.	Josephs	Platts	Vance
Colafella	Kaiser	Preston	Van Horne
Cornell	Keller	Ramos	Veon
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Walko
Coy	Krebs	Reinard	Wilt
Curry	LaGrotta	Rieger	Wogan
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright
Dally	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz	Rooney	Yudichak
Dermody	Levdansky	Ross	Zimmerman
DeWeese	Lucyk	Rubley	Zug
DiGirolamo	Lynch	Ruffing	
Donatucci	Maher	Sainato	Ryan,
Druce	Maitland	Samuelson	Speaker
Eachus	Major		

NAYS—0

NOT VOTING—1

Stevenson

EXCUSED—9

Adolph	Gigliotti	Thomas	Washington
Evans	Oliver	Travaglio	Williams
Feese			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the minority whip, who asks that the Chair return to leaves of absence. The whip requests that the gentleman, Mr. HORSEY, be placed on leave for the balance of today's session. Without objection, leave will be granted. The Chair hears no objection.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 486, PN 501**, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

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

The SPEAKER. Mr. Vitali, it is my understanding you have withdrawn your amendment to that bill. Thank you.

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

Allen	Egolf	Mann	Sather
Argall	Fairchild	Markosek	Saylor
Armstrong	Fargo	Marsico	Schroder
Baker	Fichter	Masland	Schuler
Bard	Fleagle	Mayernik	Scrimenti
Barley	Flick	McCall	Semmel
Barrar	Forcier	McGeehan	Serafini
Bastian	Frankel	McGill	Seyfert
Battisto	Freeman	McIlhattan	Shaner
Bebko-Jones	Gannon	McIlhinney	Smith, B.
Belardi	Geist	McNaughton	Smith, S. H.
Belfanti	George	Melio	Snyder
Benninghoff	Gladeck	Metcalfe	Solobay
Birmelin	Godshall	Michlovic	Staback
Bishop	Gordner	Micozzie	Stairs
Blaum	Grucela	Miller, R.	Steelman
Boyes	Gruitza	Miller, S.	Steil
Browne	Habay	Mundy	Stern
Bunt	Haluska	Myers	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Carn	Hennessey	Perzel	Tangretti
Casorio	Herman	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Petrone	Tigue
Civera	Hutchinson	Phillips	Trello
Clark	Jadlowiec	Pippy	Trich
Clymer	James	Pistella	True

Cohen, L. I.	Josephs	Platts	Tullii
Cohen, M.	Kaiser	Preston	Vance
Colafella	Keller	Ramos	Van Horne
Cornell	Kenney	Raymond	Veon
Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Reinard	Waiko
Coy	LaGrotta	Rieger	Wilt
Curry	Laughlin	Roberts	Wogan
Dailey	Lawless	Robinson	Wojnaroski
Daley	Lederer	Roebuck	Wright
Dally	Leh	Rohrer	Yewcic
DeLuca	Lescovitz	Rooney	Youngblood
Dempsey	Levdansky	Ross	Yudichak
Dermody	Lucyk	Rubley	Zimmerman
DeWeese	Lynch	Ruffing	Zug
DiGirolamo	Maier	Sainato	
Donatucci	Maitland	Samuelson	Ryan,
Druce	Major	Santoni	Speaker
Eachus	Manderino		

NAYS—0

NOT VOTING—0

EXCUSED—10

Adolph	Gigliotti	Thomas	Washington
Evans	Horsey	Travaglio	Williams
Feece	Oliver		

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

The House proceeded to third consideration of **SB 502, PN 594**, entitled:

An Act making appropriations to the Philadelphia Health and Education Corporation for the MCP Hahnemann University.

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

Allen	Egolf	Mann	Sather
Argall	Fairchild	Markosek	Saylor
Armstrong	Fargo	Marsico	Schroder
Baker	Fichter	Masland	Schuler
Bard	Fleagle	Mayernik	Scrimenti
Barley	Flick	McCall	Semmel
Barrar	Forcier	McGeehan	Serafini
Bastian	Frankel	McGill	Seyfert
Battisto	Freeman	McIlhattan	Shaner

Bebko-Jones	Gannon	McIlhinney	Smith, B.
Belardi	Geist	McNaughton	Smith, S. H.
Belfanti	George	Melio	Snyder
Benninghoff	Gladeck	Metcalfe	Solobay
Birmelin	Godshall	Michlovic	Staback
Bishop	Gordner	Micozzie	Stairs
Blaum	Grucela	Miller, R.	Steelman
Boyes	Gruitza	Miller, S.	Steil
Browne	Habay	Mundy	Stern
Bunt	Haluska	Myers	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Carn	Hennessey	Perzel	Tangretti
Casorio	Herman	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Petrone	Tigue
Civera	Hutchinson	Phillips	Trelio
Clark	Jadlowiec	Pippy	Trich
Clymer	James	Pistella	True
Cohen, L. I.	Josephs	Platts	Tulli
Cohen, M.	Kaiser	Preston	Vance
Colafella	Keller	Ramos	Van Home
Cornell	Kenney	Raymond	Veon
Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Reinard	Walko
Coy	LaGrotta	Rieger	Wilt
Curry	Laughlin	Roberts	Wogan
Dailey	Lawless	Robinson	Wojnaroski
Daley	Lederer	Roebuck	Wright
Dally	Leh	Rohrer	Yewcic
DeLuca	Lescovitz	Rooney	Youngblood
Dempsey	Levdansky	Ross	Yudichak
Dermody	Lucyk	Rubley	Zimmerman
DeWeese	Lynch	Ruffing	Zug
DiGirolamo	Maher	Sainato	
Donatucci	Maitland	Samuelson	Ryan,
Druce	Major	Santoni	Speaker
Eachus	Manderino		

NAYS-0

NOT VOTING-0

EXCUSED-10

Adolph	Gigliotti	Thomas	Washington
Evans	Horsey	Travaglio	Williams
Feese	Oliver		

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

BILLS PASSED OVER

The SPEAKER. Without objection, the bills starting at SB 737 through SB 743, SB 753, and SB 755 through SB 763, on page 7, and HB 320 are over for the day. The Chair hears no objection.

The House proceeded to third consideration of **HB 219, PN 210**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County, Pennsylvania.

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

Mr. DALLY offered the following amendment No. A1675:

Amend Sec. 1, page 2, line 22, by inserting after "seconds"
East

Amend Sec. 1, page 3, line 2, by inserting after "seconds"
East

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

The following roll call was recorded:

YEAS-192

Allen	Egolf	Mann	Sather
Argall	Fairchild	Markosek	Saylor
Armstrong	Fargo	Marsico	Schroder
Baker	Fichter	Masland	Schulier
Bard	Fleagle	Mayernik	Scrimenti
Barley	Flick	McCall	Semmel
Barrar	Forcier	McGeehan	Serafini
Bastian	Frankel	McGill	Seyfert
Battisto	Freeman	McIlhattan	Shaner
Bebko-Jones	Gannon	McIlhinney	Smith, B.
Belardi	Geist	McNaughton	Smith, S. H.
Belfanti	George	Melio	Snyder
Benninghoff	Gladeck	Metcalfe	Solobay
Birmelin	Godshall	Michlovic	Staback
Bishop	Gordner	Micozzie	Stairs
Blaum	Grucela	Miller, R.	Steelman
Boyes	Gruitza	Miller, S.	Steil
Browne	Habay	Mundy	Stern
Bunt	Haluska	Myers	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Carn	Hennessey	Perzel	Tangretti
Casorio	Herman	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Petrone	Tigue
Civera	Hutchinson	Phillips	Trelio
Clark	Jadlowiec	Pippy	Trich
Clymer	James	Pistella	True
Cohen, L. I.	Josephs	Platts	Tulli
Cohen, M.	Kaiser	Preston	Vance
Colafella	Keller	Ramos	Van Home
Cornell	Kenney	Raymond	Veon
Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Reinard	Walko
Coy	LaGrotta	Rieger	Wilt
Curry	Laughlin	Roberts	Wogan
Dailey	Lawless	Robinson	Wojnaroski
Daley	Lederer	Roebuck	Wright
Dally	Leh	Rohrer	Yewcic
DeLuca	Lescovitz	Rooney	Youngblood
Dempsey	Levdansky	Ross	Yudichak
Dermody	Lucyk	Rubley	Zimmerman
DeWeese	Lynch	Ruffing	Zug
DiGirolamo	Maher	Sainato	

Donatucci	Maitland	Samuelson	Ryan,
Druce	Major	Santoni	Speaker
Eachus	Manderino		

NAYS—0

NOT VOTING—0

EXCUSED—10

Adolph	Gigliotti	Thomas	Washington
Evans	Horsley	Travaglio	Williams
Feese	Oliver		

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

On the question,

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

Mr. S. H. SMITH offered the following amendment No. A1861:

Amend Title, page 1, line 4, by removing the period after "Pennsylvania" and inserting ; and authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical Society of Indiana County a tract of land situated in the Borough of Indiana, County of Indiana, Pennsylvania.

Amend Bill, page 4, by inserting between lines 22 and 23

Section 2. (a) The State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, are hereby authorized and directed, on behalf of the Commonwealth, to grant and convey to the Historical and Genealogical Society of Indiana County, for consideration of the conveyance of land provided for in subsection (b), the following tract of land, together with the armory thereon erected, situated in the Borough of Indiana, County of Indiana, Pennsylvania, bounded and described as follows:

Beginning at a post at the intersection of Washington Street and Sixth Street; thence along the West side of Sixth Street, North 2 degrees 48 minutes East 75 feet to a post; thence along other land of or formerly of the County of Indiana of which the lot hereby conveyed is a part, North 89 degrees 33 minutes West 100.00 feet to a post on Wayne Avenue; thence along the eastern side of Wayne Avenue, South 35 degrees 11 minutes West 91.13 feet to a post corner of Wayne Avenue and Washington Street; thence along the North side of Washington Street, South 89 degrees 33 minutes East 184 feet to a post on Sixth Street the place of beginning containing .5 acres according to a survey of said lot made by Thomas Peslor on January 11, 1917.

(b) The conveyance authorized in subsection (a) is subject to the conveyance by the Indiana County Airport Authority to the Commonwealth of Pennsylvania by general warrant deed, good and marketable fee simple title, free and clear of all liens and encumbrances the following described tract of land:

The True Point of Beginning being a PT. IN CL GEESEY RD; thence S 28 degrees 53 minutes 36 seconds E for 46.7700 Feet to a PT. IN CL GEESEY RD; thence along a 244.2700 Feet radius curve to the Right (chord bears S 22 degrees 54 minutes 11 seconds E 66.3800 Feet) 66.5860 Feet to a PT. IN CL GEESEY RD; thence N 83 degrees 50 minutes 00 seconds W for 207.6100 Feet to a FOUND IRON PIN; thence S 10 degrees 41 minutes 00 seconds W for 198.9200 Feet to a FOUND IRON PIN; thence S 04 degrees 10 minutes 00 seconds

W for 594.7900 Feet to a PT. IN CL STORMER ROAD; thence N 86 degrees 17 minutes 26 seconds W for 252.8282 Feet to a PT. IN CL STORMER ROAD; thence N 3 degrees 58 minutes 12 seconds E for 307.0400 Feet to a FOUND IRON PIN; thence N 86 degrees 01 minutes 48 seconds W for 635.0000 Feet to a FENCE CORNER; thence N 03 degrees 58 minutes 12 seconds E for 574.7400 Feet to a SET IRON PIN; thence S 86 degrees 09 minutes 04 seconds E for 1065.1972 Feet to a PT. IN CL GEESEY RD, to the True Point of Beginning, the Area being 14.03 ACRES, all in White Township, Indiana County, Pennsylvania, end of description.

(c) The conveyance shall be made under and subject to easements, servitudes, rights, interests, estates or tenancies, whether or not appearing of record, for any portion of the land or improvements erected thereon.

(d) The deed of conveyance must be approved as provided by law and shall be executed by the Adjutant General for the State Armory Board of the Department of Military and Veterans Affairs and the Secretary of General Services in the name of the Commonwealth.

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

Amend Sec. 2, page 4, line 23, by striking out "2" and inserting
3

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the amendment, the gentleman, Mr. Staback; on the amendment.

Mr. STABACK. Thank you, Mr. Speaker.

I am standing to request a suspension of the rules so I might offer amendment 1903 to HB 219.

The SPEAKER. Will the gentleman yield.

I will recognize you at an appropriate time for that.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—192

Allen	Egolf	Mann	Sather
Argall	Fairchild	Markosek	Saylor
Armstrong	Fargo	Marsico	Schroder
Baker	Fichter	Masland	Schuler
Bard	Fleagle	Mayernik	Scrimenti
Barley	Flick	McCall	Semmel
Barrar	Forcier	McGeehan	Serafini
Bastian	Frankel	McGill	Seyfert
Battisto	Freeman	McIlhattan	Shaner
Bebko-Jones	Gannon	McIlhinney	Smith, B.
Belardi	Geist	McNaughton	Smith, S. H.
Belfanti	George	Melio	Snyder
Benninghoff	Gladeck	Metcalfe	Soibay
Birmelin	Godshall	Michlovic	Staback
Bishop	Gordner	Micozzie	Stairs
Blaum	Grucela	Miller, R.	Stelman
Boyes	Gruitza	Miller, S.	Steil
Browne	Habay	Mundy	Stern
Bunt	Haiuska	Myers	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Carn	Hennessey	Perzel	Tangretti
Casorio	Herman	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Petrone	Tigue
Civera	Hutchinson	Phillips	Trello
Clark	Jadlowiec	Pippy	Trich
Clymer	James	Pistella	True

Cohen, L. I.	Josephs	Platts	Tulli
Cohen, M.	Kaiser	Preston	Vance
Colafella	Keller	Ramos	Van Horne
Cornell	Kenney	Raymond	Veon
Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Reinard	Walko
Coy	LaGrotta	Rieger	Wilt
Curry	Laughlin	Roberts	Wogan
Dailey	Lawless	Robinson	Wojnaroski
Daley	Lederer	Roebuck	Wright
Dally	Leh	Rohrer	Yewcic
DeLuca	Lescovitz	Rooney	Youngblood
Dempsey	Levdansky	Ross	Yudichak
Dermody	Lucy	Rubley	Zimmerman
DeWeese	Lynch	Ruffing	Zug
DiGirolamo	Maher	Sainato	
Donatucci	Maitland	Samuelson	Ryan,
Druce	Major	Santoni	Speaker
Eachus	Manderino		

NAYS—0

NOT VOTING—0

EXCUSED—10

Adolph	Gigliotti	Thomas	Washington
Evans	Horsey	Travaglio	Williams
Feese	Oliver		

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

On the question recurring,

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

RULES SUSPENDED

The SPEAKER. The Chair at this time recognizes the gentleman, Mr. Staback.

Mr. STABACK. Mr. Speaker, I move that the rules of the House be suspended to permit me to offer an amendment at this time.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—188

Allen	Eachus	Mann	Santoni
Argall	Egolf	Markosek	Sather
Armstrong	Fairchild	Marsico	Saylor
Baker	Fargo	Masland	Schroder
Bard	Fichter	Mayernik	Schuler
Barley	Fleagle	McCall	Scrimenti
Barrar	Flick	McGeehan	Semmel
Bastian	Forcier	McGill	Serafini
Battisto	Frankel	McIlhattan	Seyfert
Bebko-Jones	Freeman	McIlhinney	Shaner
Belardi	Gannon	McNaughton	Smith, B.
Belfanti	Geist	Melio	Smith, S. H.
Benninghoff	George	Metcalfe	Snyder
Birmelin	Gladeck	Michovic	Solobay
Bishop	Godshall	Micozzie	Staback
Blaum	Gordner	Miller, R.	Stairs
Boyes	Grucela	Miller, S.	Stern

Browne	Gruitza	Mundy	Stetler
Bunt	Habay	Myers	Stevenson
Butkovitz	Haluska	Nailor	Strittmatter
Buxton	Harhai	Nickol	Surla
Caltagirone	Harhart	O'Brien	Surra
Cappabianca	Hasay	Orie	Tangretti
Carn	Hennessey	Perzei	Taylor, E. Z.
Casorio	Herman	Pesci	Taylor, J.
Cawley	Hershey	Petrarca	Tigue
Chadwick	Hess	Petrone	Trello
Civera	Hutchinson	Phillips	Trich
Clark	Jadlowiec	Pippy	True
Clymer	James	Pistella	Tulli
Cohen, L. I.	Josephs	Platts	Vance
Cohen, M.	Kaiser	Preston	Van Horne
Colafella	Keller	Ramos	Veon
Cornell	Kenney	Raymond	Vitali
Corrigan	Kirkland	Readshaw	Walko
Costa	LaGrotta	Reinard	Wilt
Coy	Laughlin	Rieger	Wogan
Curry	Lawless	Roberts	Wojnaroski
Dailey	Lederer	Robinson	Wright
Daley	Leh	Roebuck	Yewcic
Dally	Lescovitz	Rohrer	Youngblood
DeLuca	Levdansky	Rooney	Yudichak
Dempsey	Lucy	Ross	Zimmerman
Dermody	Lynch	Rubley	Zug
DeWeese	Maher	Ruffing	
DiGirolamo	Maitland	Sainato	Ryan,
Donatucci	Major	Samuelson	Speaker
Druce	Manderino		

NAYS—4

Hanna	Krebs	Steelman	Steil
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NOT VOTING—0

EXCUSED—10

Adolph	Gigliotti	Thomas	Washington
Evans	Horsey	Travaglio	Williams
Feese	Oliver		

The majority 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 as amended?

Mr. STABACK offered the following amendment No. A1903:

Amend Title, page 1, line 4, by removing the period after "Pennsylvania" and inserting ; and authorizing the release of Project 500 restrictions on certain lands in the Borough of Dickson City, Lackawanna County, for residential development and extension of Jermyn Street under certain conditions.

Amend Sec. 1, page 1, line 7, by striking out all of said line and inserting

Section 1. East Allen Township.

(a) Authorization.—The Department of General

Amend Bill, page 4, by inserting between lines 22 and 23

Section 2. Borough of Dickson County.

(a) Authorization.—The lands described in subsections (b) and (c) are hereby released from any restrictions or encumbrances on the title resulting from the provisions of the act of January 19, 1968 (1967 P.L.996, No.443), known as The Land and Water Conservation and

Reclamation Act, in exchange for use of a portion of the proceeds from sale of the lands described in subsection (b) to acquire replacement lands.

(b) Lands to be released from restrictions for residential development.—All that certain place of parcel of land situate in the Borough of Dickson City, County of Lackawanna and State of Pennsylvania, bounded and described as follows, to wit:

Beginning at an iron pin in line of lands of Sophie Rowker and Lawrence Rowker, said point being North 40 degrees 45 minutes 00 seconds West distant four hundred seventy-five (475.00) feet from a railroad spike marking the southeasterly corner of said lands of Rowker on the northwesterly line of Walker Court as shown on a plan title "Map of Lands of Dickson City Borough intended to be conveyed" dated May 8, 1996 and prepared by Acker Associates, Inc.; Thence along said lands of Rowker North 40 degrees 45 minutes 00 seconds West four hundred three and ninety-six hundredths (403.96) feet to an iron pin; Thence continuing along said lands of Rowker North 49 degrees 15 minutes 34 seconds East six hundred four and seventy-two hundredths (604.72) feet to an iron pin on the southwesterly line of an unnamed alley; Thence along the southwesterly line of said alley South 67 degrees 33 minutes 13 seconds East three hundred eighty five and thirty-nine hundredths (385.39) feet to a rebar on the northwesterly line of an unnamed alley; Thence along the northwesterly line of said alley South 56 degrees 18 minutes 15 seconds West one hundred twenty-one and five hundredths (121.05) feet to a rebar; Thence along the southwesterly terminus of said alley and along lands of Edmund and Jean Kishel, South 34 degrees 25 minutes 45 seconds East one hundred eighty and two hundredths (180.02) feet to an iron pin on the northwesterly line of Breaker Street; Thence through lands of the Borough of Dickson City along the extension of said line of Breaker Street South 56 degrees 18 minutes 15 seconds West forty-eight and ninety-five hundredths (48.95) feet to an iron pin in line of other lands of the Borough of Dickson City (Deed Book 710 Page 51) project 70 reservation; Thence along said lands North 40 degrees 45 minutes 00 seconds West ninety-eight and seventeen hundredths (98.17) feet to an iron pin; Thence continuing along said lands South 49 degrees 15 minutes 00 seconds West (passing an iron pin at 550.00) five hundred ninety (590.00) feet to the place of Beginning.

Containing 6.466 acres of land, being the same more or less.

(c) Lands to be released from restrictions for extension of Jermyn Street.—All that certain parcel of land lying and situate in the Borough of Dickson City, County of Lackawanna and Commonwealth of Pennsylvania, more specifically herein described as follows:

Beginning at a corner common to lands now of formerly Lawrence Rowker and Sophie Rowker and to lands of the Borough of Dickson City, said corner also being the point of intersection of the northwesterly side of Walker Court with the southwesterly side of Jermyn Street extended:

Thence along the line of lands common to Rowker and to the Borough of Dickson City in a North 40 degrees 45 minutes 00 seconds West direction for a distance of 474.96 feet to a corner;

Thence through lands of Dickson City Borough in a North 49 degrees 15 minutes 00 seconds East direction for a distance of 40.00 feet to a corner;

Thence through lands of Dickson City Borough in a South 40 degrees 45 minutes 00 seconds East direction for a distance of 474.96 feet to a corner;

Thence along the northwesterly side of Walker Court in a South 49 degrees 15 minutes 00 seconds West direction for a distance of 40.00 feet to the place of beginning.

Containing .4361 acres of land, being the same or less.

(d) Use of sale proceeds.—An amount of \$28,500 from the sale proceeds of the lands described in subsection (b) shall be deposited into a special account established by the Borough of Dickson City for acquisition of replacement lands. The replacement lands shall be acquired by the Borough of Dickson City within four years of the effective date of this act and any funds remaining in the special account after the four-year

period must be paid to the Commonwealth with 10% annual interest compounded four times annually.

(e) Approval of replacement land.—Lands acquired by the Borough of Dickson City in accordance with subsection (d) must be approved by the Department of Conservation and Natural Resources and include the following deed clause:

"This land was acquired for park, recreation, and conservation purposes as defined in the Land and Water Conservation and Reclamation Act."

Amend Bill, page 4, line 23, by striking out all of said line and inserting

Section 3. Effective date.

This act shall take effect immediately.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman, Mr. Staback.

Mr. STABACK. Thank you, Mr. Speaker.

Mr. Speaker, amendment 1903 will simply authorize the release of Project 500 restrictions on 6.9 acres of ground located in Dickson City, in Lackawanna County, for residential development.

All of the proceeds of the sale, I might add, Mr. Speaker, are going to be diverted into other public recreation projects within the borough. The bill has the support of not only the borough but DCNR (Department of Conservation and Natural Resources) and General Services as well.

With that being said, I would ask for an affirmative vote on the measure.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—192

Allen	Egolf	Mann	Sather
Argall	Fairchild	Markosek	Saylor
Armstrong	Fargo	Marsico	Schroder
Baker	Fichter	Masland	Schuler
Bard	Fleagle	Mayernik	Scrimenti
Barley	Flick	McCall	Semmel
Barrar	Forcier	McGeehan	Serafini
Bastian	Frankel	McGill	Seyfert
Battisto	Freeman	McIlhattan	Shaner
Bebko-Jones	Gannon	McIlhinney	Smith, B.
Belardi	Geist	McNaughton	Smith, S. H.
Belfanti	George	Melio	Snyder
Benninghoff	Gladeck	Metcalfe	Solobay
Birmelin	Godshall	Michlovic	Staback
Bishop	Gordner	Micozzie	Stairs
Blaum	Grucela	Miller, R.	Steelman
Boyes	Gruitza	Miller, S.	Steil
Browne	Habay	Mundy	Stem
Bunt	Haluska	Myers	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Carn	Hennessey	Perzel	Tangretti
Casorio	Herman	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Petrone	Tigue
Civera	Hutchinson	Phillips	Trello
Clark	Jadlowiec	Pippy	Trich
Clymer	James	Pistella	True

Cohen, L. I.	Josephs	Platts	Tulli
Cohen, M.	Kaiser	Preston	Vance
Colafella	Keller	Ramos	Van Home
Cornell	Kenney	Raymond	Veon
Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Reinard	Walko
Coy	LaGrotta	Rieger	Wilt
Curry	Laughlin	Roberts	Wogan
Dailey	Lawless	Robinson	Wojnaroski
Daley	Lederer	Roebuck	Wright
Dally	Leh	Rohrer	Yewcic
DeLuca	Lescovitz	Rooney	Youngblood
Dempsey	Levdansky	Ross	Yudichak
Dermody	Lucyk	Rubley	Zimmerman
DeWeese	Lynch	Ruffing	Zug
DiGirolamo	Maher	Sainato	
Donatucci	Maitland	Samuelson	Ryan,
Druce	Major	Santoni	Speaker
Eachus	Manderino		

NAYS—0

NOT VOTING—0

EXCUSED—10

Adolph	Gigliotti	Thomas	Washington
Evans	Horsey	Travaglio	Williams
Feese	Oliver		

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

Allen	Egolf	Mann	Sather
Argall	Fairchild	Markosek	Saylor
Armstrong	Fargo	Marsico	Schroder
Baker	Fichter	Masland	Schuler
Bard	Fleagle	Mayernik	Scrimenti
Barley	Flick	McCall	Semmel
Barrar	Forcier	McGeehan	Serafini
Bastian	Frankel	McGill	Seyfert
Battisto	Freeman	McIlhattan	Shaner
Bebko-Jones	Gannon	McIlhinney	Smith, B.
Belardi	Geist	McNaughton	Smith, S. H.
Belfanti	George	Melio	Snyder
Benninghoff	Gladeck	Metcalfe	Solobay
Birmelin	Godshall	Michlovic	Staback
Bishop	Gordner	Micozzie	Stairs
Blaum	Grucela	Miller, R.	Steelman
Boyes	Gruitza	Miller, S.	Steil
Browne	Habay	Mundy	Stern
Bunt	Haluska	Myers	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra

Cam	Hennessey	Perzel	Tangretti
Casorio	Herman	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Petrone	Tigue
Civera	Hutchinson	Phillips	Trello
Clark	Jadlowiec	Pippy	Trich
Clymer	James	Pistella	True
Cohen, L. I.	Josephs	Platts	Tulli
Cohen, M.	Kaiser	Preston	Vance
Colafella	Keller	Ramos	Van Home
Cornell	Kenney	Raymond	Veon
Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Reinard	Walko
Coy	LaGrotta	Rieger	Wilt
Curry	Laughlin	Roberts	Wogan
Dailey	Lawless	Robinson	Wojnaroski
Daley	Lederer	Roebuck	Wright
Dally	Leh	Rohrer	Yewcic
DeLuca	Lescovitz	Rooney	Youngblood
Dempsey	Levdansky	Ross	Yudichak
Dermody	Lucyk	Rubley	Zimmerman
DeWeese	Lynch	Ruffing	Zug
DiGirolamo	Maher	Sainato	
Donatucci	Maitland	Samuelson	Ryan,
Druce	Major	Santoni	Speaker
Eachus	Manderino		

NAYS—0

NOT VOTING—0

EXCUSED—10

Adolph	Gigliotti	Thomas	Washington
Evans	Horsey	Travaglio	Williams
Feese	Oliver		

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.

RESOLUTION

Mr. ARMSTRONG called up HR 126, PN 1385, entitled:

A Resolution establishing the Subcommittee on Information Technology.

On the question,

Will the House adopt the resolution?

The SPEAKER. The gentleman, Mr. Armstrong.

Mr. ARMSTRONG. May I approach your table, please?

The SPEAKER. Yes.

(Conference held at Speaker's podium.)

RESOLUTION PASSED OVER

The SPEAKER. Without objection, that resolution will be over for today. The Chair hears none.

ANNOUNCEMENT BY MR. MICOZZIE

The SPEAKER. The gentleman, Mr. Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

The Insurance Committee hearing scheduled for Thursday of this week is canceled. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY MR. STURLA

The SPEAKER. The gentleman, Mr. Sturla. Mr. Sturla, did you seek recognition?

Mr. STURLA. Yes. Thank you, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I would like to make an important announcement. There should have been a memo that went around that all members should have gotten, and if the legislative schedule permits, we intend to play softball this evening and tomorrow evening here on City Island at the Skyline Sports Complex. It is my understanding that there are more staff that have expressed interest than members, and that has led some staff to comment that perhaps members are getting old and lazy, and I will not make any arguments against that today but would just hope that members would show up and try and prove differently.

A great legislative tactic that has gone on, we are holding off the lobbyist game until we can get some contributions from the lobbyists. The media has responded overwhelmingly. Apparently it is not enough for them to whip us on a regular basis every day in the newspapers and in the media. And the administration has yet to respond to any of these challenges, and it is my understanding that they are afraid of reprisals from the Republican Caucus.

But all kidding aside, I would hope that members would come out and join us for some bipartisan softball. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

SUPPLEMENTAL CALENDAR A

RESOLUTION

Mr. DRUCE called up **HR 169, PN 1671**, entitled:

A Resolution establishing the Commission on Postsecondary Education for the Twenty-First Century.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

Allen	Egolf	Mann	Sather
Argall	Fairchild	Markosek	Saylor
Armstrong	Fargo	Marsico	Schroder
Jaker	Fichter	Masland	Schuler
Bard	Fleagle	Mayemik	Scrimenti
Barley	Flick	McCall	Scmmel
Barrar	Forcier	McGeehan	Serafini
Bastian	Frankel	McGill	Seyfert
Battisto	Freeman	McIlhattan	Shaner
Bebko-Jones	Gannon	McIlhinney	Smith, B.

Belardi	Geist	McNaughton	Smith, S. H.
Belfanti	George	Melio	Snyder
Benninghoff	Gladeck	Metcalfé	Soibobay
Birmelin	Godshall	Michlovic	Staback
Bishop	Gordner	Micozzie	Stairs
Blaum	Grucela	Miller, R.	Steelman
Boyes	Gruitza	Miller, S.	Steil
Browne	Habay	Mundy	Stern
Bunt	Haluska	Myers	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Carn	Hennessey	Perzel	Tangretti
Casorio	Herman	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Petrone	Tigue
Civera	Hutchinson	Phillips	Trello
Clark	Jadlowiec	Pippy	Trich
Clymer	James	Pistella	True
Cohen, L. I.	Josephs	Platts	Tulli
Cohen, M.	Kaiser	Preston	Vance
Colafella	Keller	Ramos	Van Home
Cornell	Kenney	Raymond	Veon
Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Reinard	Walko
Coy	LaGrotta	Rieger	Wilt
Curry	Laughlin	Roberts	Wogan
Dailey	Lawless	Robinson	Wojnaroski
Daley	Lederer	Roebuck	Wright
Dally	Leh	Rohrer	Yewcic
DeLuca	Lescovitz	Rooney	Youngblood
Dempsey	Levdansky	Ross	Yudichak
Dermody	Lucyk	Rublely	Zimmerman
DeWeese	Lynch	Ruffing	Zug
DiGirolamo	Maher	Sainato	
Donatucci	Maitland	Samuelson	Ryan.
Druce	Major	Santoni	Speaker
Eachus	Manderino		

NAYS—0

NOT VOTING—0

EXCUSED—10

Adolph	Gigliotti	Thomas	Washington
Evans	Horsey	Travaglio	Williams
Feese	Oliver		

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

SUPPLEMENTAL CALENDAR C

RESOLUTION

Mr. GEIST called up **HR 156, PN 1755**, entitled:

A Concurrent Resolution establishing and directing a select committee to assess driver's education programs in public schools.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

Allen	Egolf	Mann	Sather
Argall	Fairchild	Markosek	Saylor
Armstrong	Fargo	Marsico	Schroder
Baker	Fichter	Masland	Schuler
Bard	Fleagle	Mayernik	Scrimenti
Barley	Flick	McCall	Semmel
Barrar	Forcier	McGeehan	Serafini
Bastian	Frankel	McGill	Seyfert
Battisto	Freeman	McIlhattan	Shaner
Bebko-Jones	Gannon	McIlhinney	Smith, B.
Belardi	Geist	McNaughton	Smith, S. H.
Belfanti	George	Melio	Snyder
Benninghoff	Gladeck	Metcalfe	Solobay
Birmelin	Godshall	Michlovic	Staback
Bishop	Gordner	Micozzie	Stairs
Blaum	Grucela	Miller, R.	Steelman
Boyes	Gruitza	Miller, S.	Steil
Browne	Habay	Mundy	Stern
Bunt	Haluska	Myers	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Carn	Hennessey	Perzel	Tangretti
Casorio	Herman	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Petrone	Tigue
Civera	Hutchinson	Phillips	Trello
Clark	Jadlowiec	Pippy	Trich
Clymer	James	Pistella	True
Cohen, L. I.	Josephs	Platts	Tulli
Cohen, M.	Kaiser	Preston	Vance
Colafella	Keller	Ramos	Van Horne
Cornell	Kenney	Raymond	Veon
Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Reinard	Walko
Coy	LaGrotta	Rieger	Wilt
Curry	Laughlin	Roberts	Wogan
Dailey	Lawless	Robinson	Wojnaroski
Daley	Lederer	Roebuck	Wright
Dally	Leh	Rohrer	Yewcic
DeLuca	Lescovitz	Rooney	Youngblood
Dempsey	Levdansky	Ross	Yudichak
Dermody	Lucyk	Rubley	Zimmerman
DeWeese	Lynch	Ruffing	Zug
DiGirolamo	Maher	Sainato	
Donatucci	Maitland	Samuelson	Ryan,
Druce	Major	Santoni	Speaker
Eachus	Manderino		

NAYS—0

NOT VOTING—0

EXCUSED—10

Adolph	Gigliotti	Thomas	Washington
Evans	Horsy	Travaglio	Williams
Feese	Oliver		

The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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

HB 219 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Dally, who moves that the vote by which HB 219 was passed on the 10th day of May be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—192

Allen	Egolf	Mann	Sather
Argall	Fairchild	Markosek	Saylor
Armstrong	Fargo	Marsico	Schroder
Baker	Fichter	Masland	Schuler
Bard	Fleagle	Mayernik	Scrimenti
Barley	Flick	McCall	Semmel
Barrar	Forcier	McGeehan	Serafini
Bastian	Frankel	McGill	Seyfert
Battisto	Freeman	McIlhattan	Shaner
Bebko-Jones	Gannon	McIlhinney	Smith, B.
Belardi	Geist	McNaughton	Smith, S. H.
Belfanti	George	Melio	Snyder
Benninghoff	Gladeck	Metcalfe	Solobay
Birmelin	Godshall	Michlovic	Staback
Bishop	Gordner	Micozzie	Stairs
Blaum	Grucela	Miller, R.	Steelman
Boyes	Gruitza	Miller, S.	Steil
Browne	Habay	Mundy	Stern
Bunt	Haluska	Myers	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Carn	Hennessey	Perzel	Tangretti
Casorio	Herman	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Petrone	Tigue
Civera	Hutchinson	Phillips	Trello
Clark	Jadlowiec	Pippy	Trich
Clymer	James	Pistella	True
Cohen, L. I.	Josephs	Platts	Tulli
Cohen, M.	Kaiser	Preston	Vance
Colafella	Keller	Ramos	Van Horne
Cornell	Kenney	Raymond	Veon
Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Reinard	Walko
Coy	LaGrotta	Rieger	Wilt
Curry	Laughlin	Roberts	Wogan
Dailey	Lawless	Robinson	Wojnaroski
Daley	Lederer	Roebuck	Wright
Dally	Leh	Rohrer	Yewcic
DeLuca	Lescovitz	Rooney	Youngblood
Dempsey	Levdansky	Ross	Yudichak
Dermody	Lucyk	Rubley	Zimmerman
DeWeese	Lynch	Ruffing	Zug
DiGirolamo	Maher	Sainato	
Donatucci	Maitland	Samuelson	Ryan,
Druce	Major	Santoni	Speaker
Eachus	Manderino		

NAYS—0

NOT VOTING—0

EXCUSED—10

Adolph	Gigliotti	Thomas	Washington
Evans	Horsy	Travaglio	Williams
Feese	Oliver		

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

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that the bill was agreed to on third consideration as amended. The Chair hears no objection.

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

Mr. DALLY offered the following amendment No. A1065:

Amend Sec. 1, page 3, line 15, by inserting after "thereon."
For purposes of this act, the terms "easements" and "rights of others" shall include any avigation easements and aerial rights-of-way, whether or not appearing of record, currently in existence and used by the Lehigh-Northampton Airport Authority.

Amend Sec. 1, page 4, by inserting between lines 19 and 20

(e) Purpose.—Notwithstanding the provisions set forth in subsection (d), the deed of conveyance shall contain a clause that the land conveyed shall be used only for purposes which are compatible to the provisions under the Surplus Property Disposition Plan No. 1 of 1995.

Amend Sec. 1, page 4, line 20, by striking out "(e)" and inserting (f)

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

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. Dally.

Mr. DALLY. Thank you, Mr. Speaker.

I offer amendment 1065. This was inadvertently missed when we considered the bill the first time, and it provides for an avigation easement in favor of the Lehigh Valley International Airport over the property that is being conveyed in this bill. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—192

Allen	Egolf	Mann	Sather
Argall	Fairchild	Markosek	Saylor
Armstrong	Fargo	Marsico	Schroder
Baker	Fichter	Masland	Schuler
Bard	Fleagle	Mayernik	Scrimenti
Barley	Flick	McCall	Semmel
Barrar	Forcier	McGeehan	Serafini
Castian	Frankel	McGill	Seyfert
Cattisto	Freeman	McIlhattan	Shaner
Bebko-Jones	Gannon	McIlhinney	Smith, B.
Belardi	Geist	McNaughton	Smith, S. H.
Belfanti	George	Melio	Snyder
Benninghoff	Gladeck	Metcalfe	Solobay
Birmelin	Godshall	Michlovic	Staback

Bishop	Gordner	Micozzie	Stairs
Blaum	Grucela	Miller, R.	Steelman
Boyes	Gruitza	Miller, S.	Steil
Browne	Habay	Mundy	Stern
Bunt	Haluska	Myers	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caitagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Cam	Hennessey	Perzel	Tangretti
Casorio	Herman	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Petrone	Tigue
Civera	Hutchinson	Phillips	Trello
Clark	Jadlowiec	Pippy	Trich
Clymer	James	Pistella	True
Cohen, L. J.	Josephs	Platts	Tulli
Cohen, M.	Kaiser	Preston	Vance
Colafella	Keller	Ramos	Van Horne
Cornell	Kenney	Raymond	Veon
Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Reinard	Walko
Coy	LaGrotta	Rieger	Wilt
Curry	Laughlin	Roberts	Wogan
Dailey	Lawless	Robinson	Wojnaroski
Daley	Lederer	Roebuck	Wright
Dally	Leh	Rohrer	Yewcic
DeLuca	Lescovitz	Rooney	Youngblood
Dempsey	Levdansky	Ross	Yudichak
Dermody	Lucyk	Rubley	Zimmerman
DeWeese	Lynch	Ruffing	Zug
DiGirolamo	Maher	Sainato	
Donatucci	Maitland	Samuelson	Ryan,
Druce	Major	Santoni	Speaker
Eachus	Manderino		

NAYS—0

NOT VOTING—0

EXCUSED—10

Adolph	Gigliotti	Thomas	Washington
Evans	Horsley	Travaglio	Williams
Feese	Oliver		

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

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

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

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—192

Allen	Egolf	Mann	Sather
Argall	Fairchild	Markosek	Saylor
Armstrong	Fargo	Marsico	Schroder
Baker	Fichter	Masland	Schuler
Bard	Fleagle	Mayernik	Scrimenti
Barley	Flick	McCall	Semmel
Barrar	Forcier	McGeehan	Serafini

Bastian	Frankel	McGill	Seyfert
Battisto	Freeman	McIlhattan	Shaner
Bebko-Jones	Gannon	McIlhinney	Smith, B.
Belardi	Geist	McNaughton	Smith, S. H.
Belfanti	George	Melio	Snyder
Benninghoff	Gladeck	Metcalfe	Solobay
Birmelin	Godshall	Michlovic	Staback
Bishop	Gordner	Micozzie	Stairs
Blaum	Grucela	Miller, R.	Steelman
Boyes	Gruitza	Miller, S.	Steil
Browne	Habay	Mundy	Stern
Bunt	Haluska	Myers	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Carn	Hennessey	Perzel	Tangretti
Casorio	Herman	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Petrone	Tigue
Civera	Hutchinson	Phillips	Trello
Clark	Jadiowiec	Pippy	Trich
Clymer	James	Pistella	True
Cohen, L. I.	Josephs	Platts	Tulli
Cohen, M.	Kaiser	Preston	Vance
Colafella	Keller	Ramos	Van Home
Cornell	Kenney	Raymond	Veon
Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Reinard	Walko
Coy	LaGrotta	Rieger	Wilt
Curry	Laughlin	Roberts	Wogan
Dailey	Lawless	Robinson	Wojnaroski
Daley	Lederer	Roebuck	Wright
Daly	Leh	Rohrer	Yewcic
DeLuca	Lescovitz	Rooney	Youngblood
Dempsey	Levdansky	Ross	Yudichak
Dermody	Lucyk	Rubley	Zimmerman
DeWeese	Lynch	Ruffing	Zug
DiGirolamo	Maher	Sainato	
Donatucci	Maitland	Samuelson	Ryan,
Druce	Major	Santoni	Speaker
Eachus	Manderino		

NAYS—0

NOT VOTING—0

EXCUSED—10

Adolph	Gigliotti	Thomas	Washington
Evans	Horsey	Travaglio	Williams
Feese	Oliver		

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.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair turns momentarily to the tabled bill calendar and recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HB 17 be taken from the table.

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

BILL ON SECOND CONSIDERATION

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

HB 17, PN 1719.

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 17 be recommended to the Committee on Appropriations.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 227 be taken from the table.

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

BILL ON SECOND CONSIDERATION

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

HB 227, PN 1697.

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 227 be recommended to the Committee on Appropriations.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 788 be taken from the table.

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

BILL ON SECOND CONSIDERATION

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

HB 788, PN 1662.

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

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 102, PN 84

An Act amending the act of June 9, 1997 (P.L.169, No.14), known as the Nurse Aide Resident Abuse Prevention Training Act, further providing for information relating to applicants for enrollment in state-approved nurse aide training programs.

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

COMMITTEE MEETING CANCELED

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

Mr. HERSHEY. Mr. Speaker, I would like to be recognized for an announcement of a cancellation of a meeting.

I want to announce to the members of the Environmental Resources and Energy Committee, the meeting for 10 o'clock tomorrow is canceled at this time.

The SPEAKER. The Chair thanks the gentleman.

HR 169 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Cohen, who moves that the vote by which HR 169 passed this 10th day of May be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—192

Allen	Egolf	Mann	Sather
Argall	Fairchild	Markosek	Saylor
Armstrong	Fargo	Marsico	Schroder

Baker	Fichter	Masland	Schuler
Bard	Fleagle	Mayernik	Scrimenti
Barley	Flick	McCall	Semmel
Barrar	Forcier	McGeehan	Serafini
Bastian	Frankel	McGill	Seyfert
Battisto	Freeman	McIlhattan	Shaner
Bebko-Jones	Gannon	McIlhinney	Smith, B.
Belardi	Geist	McNaughton	Smith, S. H.
Belfanti	George	Melio	Snyder
Benninghoff	Gladeck	Metcalfe	Solobay
Birmelin	Godshall	Michlovic	Staback
Bishop	Gordner	Micozzie	Stairs
Blaum	Grucela	Miller, R.	Steelman
Boyes	Gruitza	Miller, S.	Steil
Browne	Habay	Mundy	Stern
Bunt	Haluska	Myers	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Carn	Hennessey	Perzel	Tangretti
Casorio	Herman	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Petrone	Tigue
Civera	Hutchinson	Phillips	Trello
Clark	Jadlowiec	Pippy	Trich
Clymer	James	Pistella	True
Cohen, L. I.	Josephs	Platts	Tulli
Cohen, M.	Kaiser	Preston	Vance
Colafella	Keller	Ramos	Van Horne
Cornell	Kenney	Raymond	Veon
Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Reinard	Walko
Coy	LaGrotta	Rieger	Wilt
Curry	Laughlin	Roberts	Wogan
Dailey	Lawless	Robinson	Wojnaroski
Daley	Lederer	Roebuck	Wright
Daily	Leh	Rohrer	Yewcic
DeLuca	Lescovitz	Rooney	Youngblood
Dempsey	Levdansky	Ross	Yudichak
Dermody	Lucyk	Rubley	Zimmerman
DeWeese	Lynch	Ruffing	Zug
DiGirolamo	Maher	Sainato	
Donatucci	Maitland	Samuelson	Ryan,
Druce	Major	Santoni	Speaker
Eachus	Manderino		

NAYS—0

NOT VOTING—0

EXCUSED—10

Adolph	Gigliotti	Thomas	Washington
Evans	Horsey	Travaglio	Williams
Feese	Oliver		

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

On the question recurring,

Will the House adopt the resolution?

Mr. COHEN offered the following amendment No. **A2056**:

Amend Third Resolve Clause, page 4, line 9, by striking out "11" and inserting

14

Amend Third Resolve Clause, page 4, line 25, by striking out "and"

Amend Third Resolve Clause, page 4, line 29, by striking out all of said line and inserting
of Representatives; and

(10) three members of the public not employed by or holding membership on the governing body of a postsecondary education institution, appointed by the Minority Leader of the House of Representatives;

Amend Fourth Resolve Clause, page 5, line 2, by inserting after "Leader"

and the Minority Leader

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

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to, technical amendment, affecting the composition of this commission. I urge your support.

The SPEAKER. Mr. Druce, on the question of the amendment.

Mr. DRUCE. I just wanted to mention, Mr. Speaker, the amendment is agreed to.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—191

Allen	Egolf	Manderino	Sather
Argall	Fairchild	Mann	Saylor
Armstrong	Fargo	Markosek	Schroder
Baker	Fichter	Marsico	Schuler
Bard	Fleagle	Masland	Scrimenti
Barley	Flick	Mayernik	Semmel
Barrar	Forcier	McCall	Serafini
Bastian	Frankel	McGeehan	Seyfert
Battisto	Freeman	McGill	Shaner
Bebko-Jones	Gannon	McIlhatten	Smith, B.
Belardi	Geist	McIlhinney	Smith, S. H.
Belfanti	George	McNaughton	Snyder
Benninghoff	Gladeck	Melio	Solobay
Birmelin	Godshall	Metcalfe	Staback
Bishop	Gordner	Michlovic	Stairs
Blaum	Grucela	Miller, R.	Steelman
Boyes	Gruitza	Miller, S.	Steil
Browne	Habay	Mundy	Stern
Bunt	Haluska	Myers	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Carn	Hennessey	Perzel	Tangretti
Casorio	Herman	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Petrone	Tigue
Civera	Hutchinson	Phillips	Trello
Clark	Jadlowiec	Pippy	Trich
Clymer	James	Pistella	True
Cohen, L. I.	Josephs	Platts	Tulli
Cohen, M.	Kaiser	Preston	Vance
Colafella	Keller	Ramos	Van Horne
Cornell	Kenney	Raymond	Veon
Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Reinard	Walko
Coy	LaGrotta	Rieger	Wilt
Curry	Laughlin	Roberts	Wogan
Dailey	Lawless	Robinson	Wojnaroski
Daley	Lederer	Roebuck	Wright
Dally	Leh	Rohrer	Yewcic

DeLuca	Lescovitz	Rooney	Youngblood
Dempsey	Levdansky	Ross	Yudichak
Dermody	Lucyk	Rublely	Zimmerman
DeWeese	Lynch	Ruffing	Zug
DiGirolamo	Maher	Sainato	
Donatucci	Maitland	Samuelson	Ryan,
Druce	Major	Santoni	Speaker
Eachus			

NAYS—0

NOT VOTING—1

Micozzie

EXCUSED—10

Adolph	Gigliotti	Thomas	Washington
Evans	Horsey	Travaglio	Williams
Feese	Oliver		

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 adopt the resolution as amended?

The following roll call was recorded:

YEAS—192

Allen	Egolf	Mann	Sather
Argall	Fairchild	Markosek	Saylor
Armstrong	Fargo	Marsico	Schroder
Baker	Fichter	Masland	Schuler
Bard	Fleagle	Mayernik	Scrimenti
Barley	Flick	McCall	Semmel
Barrar	Forcier	McGeehan	Serafini
Bastian	Frankel	McGill	Seyfert
Battisto	Freeman	McIlhatten	Shaner
Bebko-Jones	Gannon	McIlhinney	Smith, B.
Belardi	Geist	McNaughton	Smith, S. H.
Belfanti	George	Melio	Snyder
Benninghoff	Gladeck	Metcalfe	Solobay
Birmelin	Godshall	Michlovic	Staback
Bishop	Gordner	Micozzie	Stairs
Blaum	Grucela	Miller, R.	Steelman
Boyes	Gruitza	Miller, S.	Steil
Browne	Habay	Mundy	Stern
Bunt	Haluska	Myers	Stetler
Butkovitz	Hanna	Nailor	Stevenson
Buxton	Harhai	Nickol	Strittmatter
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hasay	Orie	Surra
Carn	Hennessey	Perzel	Tangretti
Casorio	Herman	Pesci	Taylor, E. Z.
Cawley	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Petrone	Tigue
Civera	Hutchinson	Phillips	Trello
Clark	Jadlowiec	Pippy	Trich
Clymer	James	Pistella	True
Cohen, L. I.	Josephs	Platts	Tulli
Cohen, M.	Kaiser	Preston	Vance
Colafella	Keller	Ramos	Van Horne
Cornell	Kenney	Raymond	Veon
Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Reinard	Walko
Coy	LaGrotta	Rieger	Wilt
Curry	Laughlin	Roberts	Wogan
Dailey	Lawless	Robinson	Wojnaroski
Daley	Lederer	Roebuck	Wright
Dally	Leh	Rohrer	Yewcic
DeLuca	Lescovitz	Rooney	Youngblood

Dempsey	Levdansky	Ross	Yudichak
Dermody	Lucyk	Rublely	Zimmerman
DeWeese	Lynch	Ruffing	Zug
DiGirolamo	Maher	Sainato	
Donatucci	Maitland	Samuelson	Ryan,
Druce	Major	Santoni	Speaker
Eachus	Manderino		

NAYS—0

NOT VOTING—0

EXCUSED—10

Adolph	Gigliotti	Thomas	Washington
Evans	Horsey	Travaglio	Williams
Feese	Oliver		

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

The SPEAKER. May I have your attention for a moment; may I have your attention.

There will be no further votes. When you leave today, though, would you be sure to turn off the computers on your desks.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be a meeting of the Democratic Caucus at 10:30 tomorrow to go over some more amendments that have been filed to the school violence bills and to review the Tax Code as it is going to be passed by the Senate and returned to us tomorrow.

REPUBLICAN CAUCUS

The SPEAKER. Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

There will be a Republican caucus meeting at 10:30 tomorrow morning. We will have an opportunity to go over the tax bill at that particular time, so a caucus at 10:30. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair once again requests that the members turn the laptop computers off.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Does the majority leader or minority leader have any further business? Are there any announcements or corrections of the record?

Hearing none, the Chair recognizes the gentleman from Luzerne County, Mr. Yudichak.

Mr. YUDICHAK. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 11, 1999, at 11 a.m., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:59 p.m., e.d.t., the House adjourned.