

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JUNE 15, 1999

SESSION OF 1999

183D OF THE GENERAL ASSEMBLY

No. 39

HOUSE OF REPRESENTATIVES

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

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

PRAYER

REV. NANCY DAHLBERG, Chaplain of the House of Representatives and pastor of Chapel Hill United Church of Christ, Camp Hill, Pennsylvania, offered the following prayer:

Good morning.

Let us pray together:

O God, as these sessions and this month come to a close and as we see the light at the end of our tunnel, we ask for Your mercy. We take this opportunity to repent our turning away from kind words or just actions or whole and healing thoughts, and we ask forgiveness if we have made harsh judgments of others while excusing ourselves, and we also repent of harsh judgment of ourselves while excusing the actions of others.

O God, grant us peace. Let us be grateful for the wins; let us let go of the losses. Let us be grateful for the progress, and let us not lose sight of the far reaches yet to go. Give us wisdom, courage, a sense of Your presence this day and all days, and that we may be a voice for those for whom we pray, for whom we serve, and for those who put us in this place of trust and honor.

God bless our home, the Commonwealth of Pennsylvania. 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 Monday, June 14, 1999, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority leader, who requests a leave of absence for the gentleman from Lehigh, Mr. SNYDER, and the lady from Lancaster, Mrs. TRUE, both for today's session. Without objection, leaves will be granted. The Chair hears no objection.

The Chair recognizes the minority whip, who requests a leave of absence for the gentleman from Philadelphia, Mr. MCGEEHAN. Without objection, leave will be granted. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1662 By Representatives MARSICO, CIVERA, HARHAI, R. MILLER, STERN, E. Z. TAYLOR, J. TAYLOR, THOMAS, TRELLO and WOGAN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for loss of property rights to Commonwealth.

Referred to Committee on JUDICIARY, June 15, 1999.

No. 1663 By Representatives MARSICO, L. I. COHEN, M. COHEN, CORRIGAN, EGOLF, FARGO, FREEMAN, GEIST, HALUSKA, LEDERER, MAHER, R. MILLER, RUBLEY, SAYLOR, SHANER, STABACK, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, TRELLO, WILLIAMS and YOUNGBLOOD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for persons not to sell or possess, use, manufacture, control, sell or transfer firearms; and imposing penalties.

Referred to Committee on JUDICIARY, June 15, 1999.

No. 1664 By Representatives MARSICO, CIVERA, HARHAI, R. MILLER, STEELMAN, STERN, E. Z. TAYLOR, J. TAYLOR, TRELLO and WOGAN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for release or holding of hearing in certain juvenile matters.

Referred to Committee on JUDICIARY, June 15, 1999.

No. 1665 By Representatives ORIE, MARKOSEK, THOMAS, BELARDI, KENNEY, DALEY, STERN, HARHAI, SOLOBAY, BEBKO-JONES, TRUE, LAUGHLIN, PISTELLA, MASLAND, E. Z. TAYLOR, FRANKEL, BELFANTI, FORCIER, CHADWICK, WILLIAMS, WILT, GEIST, RAMOS, VAN HORNE, HORSEY, KIRKLAND and J. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for revocation of habitual offenders' licenses and for penalties for driving under the influence of alcohol or controlled substances.

Referred to Committee on JUDICIARY, June 15, 1999.

No. 1666 By Representatives ORIE, SEYFERT, GEIST, WOJNAROSKI, E. Z. TAYLOR, SCRIMENTI, RUBLEY, B. SMITH, CLARK, MANN, STABACK, DeWEESE, STERN, CORRIGAN, MELIO, EGOLF, BELFANTI, MICOZZIE, VAN HORNE, LAUGHLIN, MICHLOVIC, FRANKEL, CURRY, RAMOS, J. TAYLOR, STURLA and THOMAS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for definition of "offensive weapons"; and providing for use or possession of electric or electronic incapacitation devices.

Referred to Committee on JUDICIARY, June 15, 1999.

No. 1667 By Representatives ORIE, O'BRIEN, BELARDI, PISTELLA, MANDERINO, BUXTON, MASLAND, PETRONE, WOJNAROSKI, BATTISTO, SURRA, TANGRETTI, RAMOS, MELIO, BEBKO-JONES, MARKOSEK, LESCOVITZ, LAUGHLIN, KAISER, MICOZZIE, GODSHALL, SOLOBAY, COSTA, CORRIGAN, LEVDANSKY, DeLUCA, TRUE, VAN HORNE, RUBLEY, WALKO, WILLIAMS, DeWEESE, JAMES, JOSEPHS, STABACK, TRELLO, M. COHEN, KENNEY, STEVENSON, HERSHEY, YOUNGBLOOD, SAINATO, HUTCHINSON, HARHAI and L. I. COHEN

An Act establishing a minimum annual wage for certain full-time direct-care employees of publicly funded mental health and mental retardation programs; and making an appropriation.

Referred to Committee on LABOR RELATIONS, June 15, 1999.

No. 1668 By Representatives BEBKO-JONES, BELFANTI, GIGLIOTTI, MELIO, BARRAR, FAIRCHILD, SEYFERT, SHANER, SOLOBAY, HALUSKA, CALTAGIRONE, HARHAI, PESCI, THOMAS, HORSEY, M. COHEN, COLAFELLA, CORRIGAN, LYNCH, LUCYK, LEDERER, JAMES, RAMOS, YOUNGBLOOD, WOJNAROSKI, WILLIAMS, LAUGHLIN and WASHINGTON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for special lighthouse registration plates and for use of a portion of the fee for the plate.

Referred to Committee on TRANSPORTATION, June 15, 1999.

No. 1669 By Representatives BEBKO-JONES, COLAFELLA, M. COHEN, RAMOS, YOUNGBLOOD, VAN HORNE, WOJNAROSKI, TRELLO, SURRA, STEELMAN, SEYFERT and PRESTON

An Act amend the act of May 23, 1945 (P.L.903, No.362), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," further providing for certain increases in compensation.

Referred to Committee on URBAN AFFAIRS, June 15, 1999.

No. 1670 By Representatives McNAUGHTON, FARGO, SCHRODER, FICHTER, SCRIMENTI, FLICK, SEYFERT, GEIST, S. H. SMITH, R. MILLER, HARHAI, CAWLEY, THOMAS, M. COHEN, ROSS, RUBLEY, YOUNGBLOOD, ZUG and MAITLAND

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, providing for the alternative collection of taxes.

Referred to Committee on LOCAL GOVERNMENT, June 15, 1999.

No. 1671 By Representatives CLYMER, ARGALL, BAKER, BELFANTI, L. I. COHEN, DAILEY, DALLY, DeLUCA, FLICK, GEIST, GEORGE, GRUCELA, HARHAI, HERMAN, HUTCHINSON, JAMES, LAUGHLIN, LEH, LEVDANSKY, LYNCH, MARKOSEK, MELIO, S. MILLER, ORIE, PETRARCA, PISTELLA, RAYMOND, READSHAW, SATHER, SAYLOR, SEYFERT, SHANER, THOMAS, WOJNAROSKI, YOUNGBLOOD and ZUG

An Act authorizing members of emergency service organizations and certain family members to receive tuition credit for Pennsylvania community colleges.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 15, 1999.

No. 1672 By Representatives LaGROTTA, COY, M. COHEN, BLAUM, SOLOBAY, LAUGHLIN, STABACK, PETRARCA, GRUCELA, BATTISTO, FRANKEL, WOJNAROSKI, McCALL, TRAVAGLIO, GIGLIOTTI, MELIO, TIGUE, SCRIMENTI, YEWIC, THOMAS, WOGAN, YOUNGBLOOD, JAMES, SEYFERT, COLAFELLA, KIRKLAND, ARMSTRONG, FAIRCHILD, HALUSKA, CAWLEY, DeLUCA, GEIST, HARHAI and WILLIAMS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of selling or furnishing violent interactive video games to minors.

Referred to Committee on JUDICIARY, June 15, 1999.

No. 1673 By Representatives EGOLF, SEMMEL, LUCYK, ZUG, GEORGE, McNAUGHTON, MASLAND, ORIE, STERN, WRIGHT, ARMSTRONG, FLEAGLE, TRAVAGLIO, CLARK, FARGO, DEMPSEY, FICHTER, LAUGHLIN, NAILOR, MARSICO, WOGAN, FAIRCHILD, MAJOR, BARRAR, ROBERTS, DeWEESE, READSHAW, BELFANTI, BAKER, GIGLIOTTI, ROHRER, TIGUE, DeLUCA, WOJNAROSKI, HESS, McCALL, FORCIER, CLYMER, LEH, STABACK, SCHULER, WILT, SAYLOR, SHANER, DALEY, BARD, FEESE, B. SMITH, GRUCELA, SATHER, CAWLEY, S. MILLER, PETRONE, LYNCH, E. Z. TAYLOR, DALLY,

BENNINGHOFF, SCHRODER, YOUNGBLOOD, BASTIAN, HUTCHINSON, HASAY, ADOLPH, GEIST, CHADWICK, HORSEY, PLATTS, TRUE, HARHAI, SOLOBAY and BROWNE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for the display of the United States flag and for relating ceremonies.

Referred to Committee on EDUCATION, June 15, 1999.

No. 1674 By Representatives BATTISTO, E. Z. TAYLOR, McCALL, GEIST, ROBERTS, HARHAI, DALLY, DeLUCA, COSTA, WOJNAROSKI, NICKOL, SEMMEL, ARGALL, HERSHEY, KAISER, BARRAR, LAUGHLIN, STABACK, GODSHALL and RAMOS

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for unlawful acts relative to employing minors on premises where liquor or malt or brewed beverages are served.

Referred to Committee on LIQUOR CONTROL, June 15, 1999.

No. 1675 By Representatives BATTISTO, E. Z. TAYLOR, McCALL, GEIST, ROBERTS, HARHAI, DALLY, DeLUCA, COSTA, WOJNAROSKI, NICKOL, SEMMEL, ARGALL, HERSHEY, KAISER, BARRAR, LAUGHLIN, STABACK, GODSHALL and RAMOS

An Act amending the act of May 13, 1915 (P.L.286, No.177), known as the Child Labor Law, further providing for employment of children at establishments where alcoholic beverages or malt liquor is sold.

Referred to Committee on LABOR RELATIONS, June 15, 1999.

No. 1676 By Representatives DeLUCA, MELIO, GIGLIOTTI, ADOLPH, BATTISTO, BEBKO-JONES, BELFANTI, BLAUM, BROWNE, CASORIO, CAWLEY, CIVERA, L. I. COHEN, M. COHEN, COLAFELLA, COSTA, COY, FICHTER, THOMAS, TRAVAGLIO, WASHINGTON, WILLIAMS, WOJNAROSKI, YOUNGBLOOD, YUDICHAK, FRANKEL, FREEMAN, GEIST, GRUCELA, HARHAI, HERMAN, HORSEY, HUTCHINSON, JAMES, JOSEPHS, LAUGHLIN, LEDERER, LUCYK, MAHER, MANDERINO, MARKOSEK, MAYERNIK, McCALL, MICOZZIE, ORIE, PESCI, PETRARCA, PISTELLA, RAMOS, READSHAW, RIEGER, ROBERTS, ROBINSON, ROONEY, SAINATO, SHANER, SOLOBAY, STABACK and STEELMAN

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for the definition of "income."

Referred to Committee on FINANCE, June 15, 1999.

No. 1677 By Representatives BISHOP, HALUSKA, LYNCH, JOSEPHS, JAMES, OLIVER, MYERS, CARN, MANDERINO, WASHINGTON, WATERS, ROEBUCK, SOLOBAY, WOJNAROSKI, LAUGHLIN, PRESTON, TIGUE,

ROBERTS, McCALL, HARHAI, NAILOR, PETRARCA, LESCOVITZ, RAMOS, YOUNGBLOOD, SAINATO, TANGRETTI, HESS, DeWEESE, COSTA, PETRONE, YUDICHAK, DeLUCA and MELIO

An Act making a supplemental appropriation to the Department of Aging for grants to senior centers.

Referred to Committee on APPROPRIATIONS, June 15, 1999.

No. 1678 By Representatives BISHOP, SEYFERT, LaGROTTA, GRUCELA, ARMSTRONG, CORRIGAN, FRANKEL, GEIST, HALUSKA, HANNA, HORSEY, KIRKLAND, LAUGHLIN, LEDERER, MELIO, PESCI, RAMOS, RUBLEY, READSHAW, SOLOBAY, TIGUE, WALKO, WOJNAROSKI and YOUNGBLOOD

An Act requiring warning labels on violent movies, music and games; conferring powers and duties on the Pennsylvania Commission on Crime and Delinquency; establishing a Violence Rating Panel and a School Violence Fund; imposing penalties; and making an appropriation.

Referred to Committee on JUDICIARY, June 15, 1999.

No. 1679 By Representatives SEYFERT, E. Z. TAYLOR, HARHAI, WILT and HERSHEY

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for failure to exercise parental responsibility; and prescribing a penalty.

Referred to Committee on EDUCATION, June 15, 1999.

No. 1680 By Representatives SERAFINI, CAWLEY, STABACK, EGOLF, FICHTER, HORSEY, HUTCHINSON, KREBS, McNAUGHTON, MELIO, PLATTS, RAYMOND, ROBERTS, STEIL, STEVENSON and WOGAN

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing the use of the initiative and referendum as powers reserved to the people.

Referred to Committee on STATE GOVERNMENT, June 15, 1999.

No. 1681 By Representatives SERAFINI, CAWLEY, STABACK, EGOLF, FICHTER, FREEMAN, HORSEY, HUTCHINSON, KREBS, McNAUGHTON, MELIO, PLATTS, RAYMOND, ROBERTS, STEIL, STEVENSON and WOGAN

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing the use of the initiative and referendum as powers reserved to the people.

Referred to Committee on STATE GOVERNMENT, June 15, 1999.

No. 1682 By Representatives SERAFINI, CAWLEY, STABACK, EGOLF, FICHTER, FREEMAN, HORSEY, HUTCHINSON, KREBS, McNAUGHTON, MELIO, PLATTS, RAYMOND, ROBERTS, STEIL and STEVENSON

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing the use of the initiative and referendum as powers reserved to the people.

Referred to Committee on STATE GOVERNMENT, June 15, 1999.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 214 By Representatives LaGROTTA, COY, M. COHEN, READSHAW, MASLAND, WILLIAMS, BLAUM, SOLOBAY, LAUGHLIN, STABACK, PETRARCA, GRUCELA, BATTISTO, FRANKEL, WOJNAROSKI, McCALL, TRAVAGLIO, GIGLIOTTI, MELIO, TIGUE, SCRIMENTI, YEWIC, THOMAS, WOGAN, YOUNGBLOOD, JAMES, SEYFERT, COLAFELLA, KIRKLAND, ARMSTRONG, FAIRCHILD, HALUSKA, CAWLEY, DeLUCA, GEIST, HARHAI and RAMOS

A Resolution urging the Congress of the United States to require video and computer game providers to have these products rated by the Entertainment Software Ratings Board.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, June 15, 1999.

SENATE BILL FOR CONCURRENCE

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

SB 925, PN 1200

Referred to Committee on EDUCATION, June 15, 1999.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 6, PN 2060 (Amended) By Rep. GANNON

An Act authorizing certain officers in the Department of Corrections to perform certain peace officer duties.

JUDICIARY.

HB 358, PN 371 By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for neglect of care-dependent person.

JUDICIARY.

HB 1274, PN 1464

By Rep. SCHULER

An Act requiring nursing homes to submit information annually to the Department of Health; requiring the Department of Health to place certain information on the Internet; and providing for certain duties of the Department of Health and the Department of Aging.

AGING AND YOUTH.

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.)

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Freeman of Northampton County, Carole O'Connell and Meghan Zansitis. They are seated in the gallery. Would the guests please rise. Thank you.

As the guests of Representative Godshall, seated to the left of the Speaker, are John Iannozzi, a district office intern, who is a junior at Villanova University, and his brother, Robert Iannozzi, who is a law student at Villanova. Would these two guests please rise. We are always pleased to see Villanovans here; the Speaker is, anyway.

Representative Joe Markosek has as his guest Ashley Frew who is serving as a guest page this week. Ashley, where are you at the moment? Would you please stand up and be recognized. Thank you.

Seated to the left of the Speaker is Erika Anderson, a summer legislative aide for Representative Scrimenti. Erika, would you stand up to be recognized, please.

As the guest of Representative Sheila Miller, we would like to welcome Sarah Bond from Wernersville, Berks County. She is a junior honor student at Conrad Weiser High School. Her mother, Rose Miller, is with her, and they are seated to the left of the Speaker. Would they please rise.

Here today as the guest of Representative Ron Miller is Lynne Rohrbach, a summer intern. She is here as the Representative's guest. She has just completed her freshman year at Boston University, where she is majoring in marine biology with a minor in environmental policy. She is seated in the balcony. Would you please rise, Lynne.

The Chair is pleased to welcome to the hall of the House today Angela Homan, a guest of Representative Benninghoff's. She is here as part of the Teachers in the Workplace Program. She is a fifth grade teacher at Penns Valley School District and was seated to the left of the Speaker. I do not know where she is right now. Would she please rise? There; okay. I was talking to her earlier, and I did not know where she disappeared to.

The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Phillips, Doug Hulsizer, Sr. Doug Hulsizer, Jr.; and Megan Hulsizer, seated to the left of the Speaker. Would these guests please rise.

As the guest of Representative Stephen Barrar, we have Vince Michrina, serving as a guest page. Michelle Thurstlic is also

a guest of the Representative and a summer intern at his district office. She is a political science major at Susquehanna University. Would these guests please rise.

Here today as the guests of Representative Todd Platts, serving as guest pages, are Suzanne Stone, a junior at Central Dauphin High School, and Chris Shaffer, a junior at Shippensburg High School. Would these guests please rise.

Here today as the guest of Representative Frank Tulli is his district office intern, Erin Schwanger. Would this guest please rise. She is seated to the left of the Speaker, I am told.

And as the guest of Representative Platts, Lauren Randall, a junior at Penn State University, serving as a summer intern in his district office, seated to the left of the Speaker. Would she please rise. Thank you.

SARAH BOND INTRODUCED

The SPEAKER. The Chair recognizes the lady from Berks, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

And if I could just let the rest of the members know that we have a governor in our midst today. My guest for—

The SPEAKER. Will the lady yield, please. Please, conferences.

Mrs. Miller.

Mrs. MILLER. Mr. Speaker, we have a governor in our midst today. My guest for today, as a guest page here in the House of Representatives, Sarah Bond, from Wernersville and a student at Conrad Weiser High School, has also recently been elected governor for the Key Club district here in Pennsylvania. Key Club is an international high school service organization which is jointly sponsored by the local Kiwanis Club and high school. The Key Club's motto is "Caring: Our Way of Life." As district governor, Sarah will be responsible for presiding over all meetings of the district board of trustees and the district convention, attending both the district and international conventions as well as the Freedom Foundation's Valley Forge Leadership Conference.

I would ask the rest of my colleagues here in the House to please join me now in congratulating Sarah on this great honor and for her outstanding record of volunteer service, peer leadership, and community spirit. Thank you, Mr. Speaker.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—200

Adolph	Evans	Manderino	Saylor
Allen	Fairchild	Mann	Schroder
Argall	Fargo	Markosek	Schuler
Armstrong	Feese	Marsico	Scrimenti
Baker	Fichter	Masland	Semmel
Bard	Fleagle	Mayernik	Serafini
Barley	Flick	McCall	Seyfert
Barrar	Forcier	McGill	Shaner
Bastian	Frankel	McIlhattan	Smith, B.
Battisto	Freeman	McIlhinney	Smith, S. H.
Bebko-Jones	Gannon	McNaughton	Solobay
Belardi	Geist	Melio	Staback

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

McGeehan	Snyder	True
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LEAVES ADDED—1

Boyes

LEAVES CANCELED—1

McGeehan

CALENDAR

RULES SUSPENDED

The SPEAKER. The Chair turns to page 6 of today's calendar and recognizes the gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Last week everybody will remember that we debated at length SB 390 and sent it over to the Senate. A hold has been placed on that by a member of the Senate until the fall. Happily, however, the language that is in there that I was particularly interested in was not controversial and has been amended now into SB 852.

So I believe that this is an agreed-to motion, Mr. Speaker, and at this time I would move that the House suspend its rules for the immediate consideration of SB 852 without amendments. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The question before the House is, shall the House suspend its rules to permit the immediate consideration of SB 852, PN 1216?

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, the majority leader yields to the gentleman, Mr. Chadwick.

Mr. CHADWICK. Thank you, Mr. Speaker. We agree.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—189

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

NAYS—10

Clark	Hanna	Nickol	Steelman
Fleagle	Krebs	Platts	Steil
Gordner	Maitland		

NOT VOTING—1

Horsey

EXCUSED—3

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 852, PN 1216, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for written or telephonic price quotations from contractors and for the imposition of an amusement or admission tax on certain facilities.

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?

MOTION TO REVERT TO PRIOR PRINTER'S NUMBER

The SPEAKER. On the question of final passage, the gentleman from Adams County, Mr. Maitland, is recognized.

Mr. MAITLAND. Mr. Speaker, I would like to make a motion that we revert to the prior printer's number on this bill, PN 954.

MOTION RULED OUT OF ORDER

The SPEAKER. Mr. Maitland, the motion you would propose is out of order for the following reasons: When the gentleman, Mr. Blaum, made his motion to suspend the rules, the motion was to immediately consider SB 852 without amendment. That being the case, your motion to move to a prior printer's number is tantamount to an amendment and thus unavailable as a parliamentary step at this time.

Mr. MAITLAND. Thank you, Mr. Speaker.

I seem to recall that from the last time I moved to revert to a prior printer's number.

On final passage?

The SPEAKER. On final passage.

Mr. MAITLAND. Thank you, Mr. Speaker.

I would urge the members to vote "no" on this bill. It was amended in the Appropriations Committee to take away some

municipalities' amusement tax, and given the debate that we had on the amusement tax a few days ago, I am against that in principle and would ask the members to oppose this bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, obviously, this is something that is, I think, very good for the Commonwealth of Pennsylvania. It has been worked out and agreed to, and I would ask for an affirmative vote.

The SPEAKER. On the question of final passage, the Chair recognizes the gentleman, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

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

The SPEAKER. The gentleman indicates he will. You may proceed.

Mr. FREEMAN. Mr. Speaker, can you tell me if the breadth of this language goes beyond a particular municipality? Does it apply to a statewide application of the amusement tax, or is it much more localized?

Mr. Speaker?

The SPEAKER. The gentleman, Mr. Freeman.

Mr. FREEMAN. The gentleman, Mr. Blaum, and I had a sidebar in which he answered my question. Therefore, I will withdraw my question.

The SPEAKER. The Chair thanks the gentleman.

Mr. Chadwick.

Mr. CHADWICK. Thank you, Mr. Speaker.

I think it is important for the members to understand that this only affects the gentleman from Luzerne County's district and—

Mr. Speaker, we support this and ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—156

Allen	Feese	Mann	Semmel
Argall	Forcier	Markosek	Serafini
Armstrong	Frankel	Marsico	Seyfert
Baker	Freeman	Mayemik	Shaner
Bard	Gannon	McGill	Smith, S. H.
Barley	Geist	McIlhattan	Solobay
Bastian	George	McIlhinney	Staback
Battisto	Gigliotti	McNaughton	Stairs
Belardi	Gladeck	Metcalfe	Steil
Belfanti	Godshall	Michlovic	Stetler
Birmelmin	Grucela	Micozzie	Stevenson
Blaum	Gruitza	Miller, R.	Strittmatter
Boyes	Habay	Miller, S.	Sturla
Browne	Haluska	Mundy	Surra
Bunt	Hanna	Myers	Tangretti
Butkovitz	Harhart	O'Brien	Taylor, E. Z.
Caltagirone	Hasay	Oliver	Taylor, J.
Carn	Herman	Orie	Travaglio
Cawley	Hershey	Perzel	Trello
Chadwick	Hess	Petrarca	Trich
Clymer	Horsey	Petrone	Tulli
Cohen, L. I.	Hutchinson	Pippy	Van Horne

Cohen, M.	Jadlowiec	Pistella	Veon
Colafella	James	Platts	Vitali
Cornell	Josephs	Preston	Walko
Corrigan	Kaiser	Ramos	Washington
Costa	Keller	Raymond	Waters
Coy	Kenney	Readshaw	Williams
Curry	Kirkland	Rieger	Wilt
Daley	Krebs	Robinson	Wogan
Dally	LaGrotta	Roebuck	Wojnaroski
DeLuca	Laughlin	Rooney	Yewcic
Dempsey	Lawless	Ross	Youngblood
Dermody	Lederer	Sainato	Yudichak
DeWeese	Leh	Samuelson	Zimmerman
Donatucci	Lescovitz	Santoni	Zug
Druce	Levdansky	Sather	
Eachus	Lucyk	Saylor	Ryan.
Evans	Major	Schroder	Speaker
Fargo	Manderino		

NAYS—44

Adolph	DiGirolamo	Maitland	Rubley
Barrar	Egolf	Masland	Ruffing
Bebko-Jones	Fairchild	McCaill	Schuler
Benninghoff	Fichter	Melio	Scrimenti
Bishop	Fleagle	Nailor	Smith, B.
Buxton	Flick	Nickol	Steelman
Cappabianca	Gordner	Pesci	Stern
Casorio	Harhai	Phillips	Thomas
Civera	Hennessey	Reinard	Tigue
Clark	Lynch	Roberts	Vance
Dailey	Maher	Rohrer	Wright

NOT VOTING—0

EXCUSED—3

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

Ordered, That the clerk 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.

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the floor of the House today an intern in Representative DeWeese's office — Rebecca Lock. Would Rebecca please stand up to be recognized. Rebecca, where are you? Well, let us acknowledge her anyway for successfully hiding.

BILLS ON SECOND CONSIDERATION

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

SB 652, PN 1215; SB 931, PN 995; SB 970, PN 1100; SB 309, PN 1187; SB 442, PN 1195; SB 209, PN 685; SB 812, PN 1031; and SB 1000, PN 1203.

BILLS RECOMMITTED

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

Mr. BARLEY. Mr. Speaker, I move that the following bills be recommitted to Appropriations:

- SB 209;
- SB 812; and
- SB 1000.

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1109, PN 1718**, entitled:

An Act requiring all public bodies, including the Commonwealth, its agencies, authorities and political subdivisions, to include in certain contracts a provision that if certain products are to be used in the performance of the contract, only those products produced in this Commonwealth or the United States shall be used; and providing for a cause of action and for civil penalties.

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

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

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—200

Adolph	Evans	Manderino	Saylor
Allen	Fairchild	Mann	Schroder
Argall	Fargo	Markosek	Schuler
Armstrong	Feese	Marsico	Scrimenti
Baker	Fichter	Masland	Semmel
Bard	Fleagle	Mayemik	Serafini
Barley	Flick	McCall	Seyfert
Barrar	Forcier	McGill	Shaner
Bastian	Frankel	McIlhattan	Smith, B.
Battisto	Freeman	McIlhinney	Smith, S. H.
Bebko-Jones	Gannon	McNaughton	Solobay
Belardi	Geist	Melio	Staback
Belfanti	George	Metcalfe	Stairs
Benninghoff	Gigliotti	Michlovic	Steelman
Bimmelin	Gladeck	Micozzie	Steil
Bishop	Godshall	Miller, R.	Stern
Blaum	Gordner	Miller, S.	Stetler
Boyes	Grucela	Mundy	Stevenson
Browne	Gruitza	Myers	Strittmatter
Bunt	Habay	Nailor	Sturla
Butkovitz	Haluska	Nickoi	Surra
Buxton	Hanna	O'Brien	Tangretti
Caltagirone	Harhai	Oliver	Taylor, E. Z.
Cappabianca	Harhart	Orie	Taylor, J.
Cam	Hasay	Perzel	Thomas
Casorio	Hennessey	Pesci	Tigue
Cawley	Herman	Petrarca	Travaglio

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

The House proceeded to third consideration of **SB 496, PN 932**, entitled:

An Act conferring limited eminent domain power upon certain economic development financing authorities.

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—200

Adolph	Evans	Manderino	Saylor
Allen	Fairchild	Mann	Schroder
Argall	Fargo	Markosek	Schuler
Armstrong	Feese	Marsico	Scrimenti
Baker	Fichter	Masland	Semmel
Bard	Fleagle	Mayemik	Serafini
Barley	Flick	McCall	Seyfert

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

Ordered, That the clerk 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 601, PN 1180**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for supply choice for customers of natural gas utilities and for restructuring of the natural gas utility industry.

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 601 be recommitted to Appropriations.

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

BILLS PASSED OVER

The **SPEAKER**. The first two bills on page 4, SB 900 and HB 1266, are over.

The House proceeded to third consideration of **HB 96, PN 2028**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for advance directives for emergency medical service health care.

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-200

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

McGeehan Snyder True

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 PASSED OVER

The SPEAKER. HB 236 is over.

BILL PASSED OVER TEMPORARILY

The SPEAKER. HB 849 is over temporarily.

The House proceeded to third consideration of **HB 945, PN 1329**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of identity theft.

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

BILL RECOMMENDED

The SPEAKER. The gentleman, Mr. Barley, is recognized.
Mr. BARLEY. Mr. Speaker, I move that HB 945 be recommitted to Appropriations.

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

The House proceeded to third consideration of **HB 1061, PN 1585**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for control of alarm devices and automatic dialing devices; and making editorial changes.

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

BILL RECOMMENDED

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

Mr. BARLEY. Mr. Speaker, I move that HB 1061 be recommitted to Appropriations.

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. SB 3. This bill will go over temporarily.

The House proceeded to third consideration of **SB 174, PN 168**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for fiduciaries' investment and management of property held in trust; making editorial changes; and making a conforming amendment to Title 15 (Corporations and Unincorporated Associations).

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-200

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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

BILL PASSED OVER

The SPEAKER. Page 6. SB 392 is over.

The House proceeded to third consideration of **HB 165, PN 153**, entitled:

An Act repealing the act of May 16, 1951 (P.L.300, No.60), entitled, as amended, "An act authorizing certain counties to establish fire training schools for the paid and volunteer firemen of municipalities within the county."

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-200

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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

BILLS PASSED OVER

The SPEAKER. HB 1268 is over.
Page 7. HB 1470 is over.

The House proceeded to third consideration of **SB 813, PN 889**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the amount of blind veterans' pensions and for paralyzed veterans' pensions.

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Belfanti, who offers the following— The Chair has been advised that Mr. Belfanti's amendments are withdrawn.

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-200

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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

BILL PASSED OVER

The SPEAKER. SB 999 is over.

RESOLUTIONS

RESOLUTIONS PASSED OVER

The SPEAKER. HR 109 and HR 183 are over.

Miss ORIE called up **HR 135, PN 1503**, entitled:

A Concurrent Resolution directing the Joint State Government Commission to study the issue of workplace pay disparity and to reexamine existing Federal and State laws relating to that issue and to make recommendations to the General Assembly.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

DeWeese	Levdansky	Rubley	Yudichak
DiGirolamo	Lucyk	Ruffing	Zimmerman
Donatucci	Lynch	Sainato	Zug
Druce	Maher	Samuelson	
Eachus	Maitland	Santoni	Ryan, Speaker
Egolf	Major	Sather	
Evans			

NAYS—1

Cohen, M.

NOT VOTING—0

EXCUSED—3

McGeehan Snyder True

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.

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Cohen.
Mr. COHEN. Mr. Speaker, I would ask that my vote be recorded in the affirmative on that resolution.

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

Mr. COHEN. Thank you.

RESOLUTION PURSUANT TO RULE 35

Mr. STRITTMATTER called up **HR 210, PN 1996**, entitled:

A Resolution designating the week of September 26 through October 2, 1999, as "Voter Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

McGeehan Snyder True

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

BILL ON THIRD CONSIDERATION

DECISION OF CHAIR RESCINDED ON HB 1266

The SPEAKER. The Chair turns to page 4 of today's calendar and rescinds its comment that HB 1266 was over for the day.

The House proceeded to third consideration of **HB 1266, PN 1443**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, deleting provisions relating to food stamp program.

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

The SPEAKER. It is the understanding of the Chair that all amendments to this bill have been withdrawn with the exception of the amendment of the gentleman from Philadelphia, Mr. Taylor.

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

Mr. TAYLOR offered the following amendment No. **A2469**:

Amend Title, page 1, line 3, by inserting after "Commonwealth," " further providing for the RESET Program and fc program aspects of public assistance; and Amend Bill, page 1, lines 7 through 9, by striking out all of said lines and inserting

Section 1. Sections 405.1(a.2)(5) and (6) and (a.3)(1) and 405.3 of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, amended May 16, 1996 (P.L.175, No.35), are amended to read:

Section 405.1. Establishment of RESET.***
(a.2) In accordance with RESET, the following requirements shall apply:

(5) An applicant or recipient may fulfill the work-related activity requirement in clause (4) following the initial job search and consultation with the county assistance office by participating exclusively in any one or a combination of vocational education, general education, adult basic education, General Educational Development preparation, English-as-a-second-language study [or], job skills training[,] or paid or unpaid internship, as necessary, for a maximum of twelve months. An applicant or recipient who has participated in any one or a combination of these activities for a maximum of twelve months may fulfill the work-related activity requirement in clause (4) by continuing to participate in any one or a combination of these activities. Applicants shall be specifically informed of these options at the time of initial application. Recipients shall be specifically informed of these options at the time of each redetermination. At the time of initial application and at the time of each redetermination, these options shall be specifically listed as such in each agreement of mutual responsibility or similar work-related plan. For a recipient or applicant who is eighteen years of age or older and less than twenty-two years of age and who has not earned a high school diploma or its equivalent, pursuit of a high school diploma or a certificat of high school equivalency can fulfill the work-related activity requirement for a maximum of twenty-four months.

(6) A recipient who has received assistance for twenty-four months, whether those months are consecutive or interrupted, must do one of the following:

(i) For an average of at least twenty hours per week, work, participate in subsidized employment, work experience, on-the-job training, community service or workfare [for an average of at least twenty hours per week].

(ii) For an average of at least twenty-five hours per week, participate in vocational education, general education, adult basic education, General Educational Development preparation, English-as-a-second-language, job skills training or paid or unpaid internship.

(iii) For an average of twenty-five hours per week, combine activities under subclauses (i) and (ii).

(7) Information indicating noncompliance with the minimum [twenty-hour] hour per week requirement of clause (6) shall be cause for a review of eligibility.

(a.3) An applicant or recipient may be exempt from the requirements of subsection (a.2) if any of the following apply:

(1) The applicant or recipient has been assessed by a physician, certified registered nurse practitioner, licensed physician's assistant or psychologist as having a verified physical or mental disability which temporarily or permanently precludes the applicant or recipient from any form of employment or work-related activity. The verification of the physical or mental disability shall be established by written documentation in a form prescribed by the department and shall be based on acceptable clinical and laboratory diagnostic techniques, rather than a statement of symptoms by the applicant or recipient. The department may also require the applicant or recipient to submit to an independent examination as a condition of receiving assistance. An applicant or recipient with a verified physical or mental disability that is temporary in

nature must pursue appropriate treatment as a condition of receiving assistance.

Section 405.3. Responsibilities and Obligations of Department, Applicants and Recipients.—(a) Subject to Federal approval, only where necessary, each adult applicant or recipient of cash assistance or other person who is required to sign an application for assistance shall be required as a condition of eligibility to enter into a mutual agreement with the department that will set forth the responsibilities and obligations to be undertaken by the recipient to achieve self-sufficiency, the time frames within which each obligation is to be completed, the penalties for failure to comply and the actions to be taken by the department to support the efforts of the applicant or recipient. Where appropriate, these obligations shall include, but not be limited to:

(1) Providing timely and accurate information required under section 432.2.

(2) Cooperating in the determination of paternity and enforcement of support obligations as required under section 432.7.

(3) Seeking and participating in an educational program leading to a high school diploma or its equivalent, job training or work-related activities as required under section 405.1(a.2).

(4) Maintaining employment as a condition for receiving cash assistance as required under section 405.1(a.2).

(5) Obtaining prenatal care consistent with nationally recognized standards.

(6) Maintaining the health and well-being of his or her children, including:

(i) ensuring that children attend school and pursue a high school diploma or its equivalent;

(ii) ensuring that children receive immunizations, appropriate health screenings and necessary medical treatment, consistent with nationally recognized standards;

(iii) performing any other appropriate activity based on an assessment of the education level, parenting skills and history of parenting activities and involvement of each parent who is applying for assistance;

(iv) meeting other requirements as established by the department.

(7) Fulfilling obligations for remaining free of alcohol and illegal drugs if it is determined that a person has an ongoing substance-abuse problem that presents a barrier to employment. These obligations include:

(i) participating in, maintaining compliance with and satisfactorily completing a drug and alcohol program licensed or approved by the Department of Health or administered by an agency of the Federal Government; or

(ii) providing proof of substance-free status by submitting to periodic drug testing by a licensed drug and alcohol treatment provider or appropriate authorized licensed practitioner and testing substance free.

(8) Fulfilling all obligations for payment of day-care fees for care provided.

(9) Fulfilling all obligations for payment of support service fees for which allowances have been provided.

(d) Nothing in this section shall be interpreted as requiring the department to develop or offer employment, education, training, work-related activities or work experience programs.

(e) Any person who is required to sign an application for assistance and fails or refuses without good cause to enter into or cooperate in the completion of an agreement of mutual responsibility shall be ineligible for cash assistance.

(f) Penalties shall be imposed on an applicant or recipient of cash assistance who fails to comply with the obligations set forth in the agreement of mutual responsibility. Penalties shall include disqualification from receiving assistance as follows:

(1) Sanctions for failure to comply with employment and work-related requirements as set forth in section 432.3(a)(1) and (2).

(2) Sanctions for failure to cooperate with child support requirements as set forth in section 432.7A.

(3) Sanctions for failure to disclose truthful and accurate information as set forth in section 481.

(4) Sanctions for failure to cooperate with other aspects of the agreement of mutual responsibility shall include discontinuance or reduction of cash assistance, in addition to other penalties established by the department.

(5) Before sanctions may be imposed, the department shall, after completion of its internal conciliation and supervisory review, establish a procedure whereby a contracted social service agency or nonprofit corporation is informed of the prospective sanction and will then make personal contact with the person to attempt to resolve the planned adverse action and secure compliance with the requirements. The agency shall have a reasonable time to accomplish its responsibilities. If a sanction has been imposed against the household, a referral shall be made to the agency or organization for the provision of case management to cure the sanction and to prevent future sanctions.

Section 2. Section 471 of the act is repealed.

Section 3. This act shall take effect as follows:

(1) The amendment of sections 405.1(a.2)(5) and (6) and (a.3)(1) and 405.3 of this act shall take effect in 60 days.

(2) The remainder of 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 this amendment, the gentleman, Mr. Taylor, is recognized.

Mr. TAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, a few years ago when we enacted Act 35, our goal was to make sure that we allowed people the opportunity to go out and earn a good living so they would not be dependent any longer, and I think that most of us would agree that by and large, Act 35 is very, very successful, and that is exactly what is happening. In a few instances, though, we have situations where people are not able to pursue training to get the career-oriented, family-sustaining jobs that they set out to get, and that their training has been interrupted so that they fulfill the work requirement that is proposed currently in Act 35.

This amendment will give people an opportunity to continue their training. It will also provide for different forms of basic education so that they can go out and get the job that is going to be able to feed their family, and thirdly, we are going to include paid and unpaid internships as part of a 25-hour requirement per week to continue your benefits.

Mr. Speaker, in addition, we have a provision in here to go back to the time when we allowed nurse practitioners to sign off on any exemptions in addition to doctors.

And thirdly, before we go through full family sanctions and really deliver what is the ultimate blow to a recipient to withdraw their benefits, that we do what a few other States have done and to get a third party involved to investigate whether or not those sanctions should be imposed, but more importantly, to see whether or not that recipient can comply with what he is supposed to comply with.

I think that this amendment will just straighten a few minor details out in a very successful act, and I ask for your support.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

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

NAYS—2

Gannon	Schroder
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NOT VOTING—0

EXCUSED—3

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

On the question,
Will the House agree to the bill on 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—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. DALEY called up HR 212, PN 2033, entitled:

A Resolution congratulating the citizens of California Borough, Washington County, on the 150th anniversary of its founding.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-200

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

NAYS-0

NOT VOTING-0

EXCUSED-3

- McGeehan, Snyder, True

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

Mr. BAKER called up HR 213, PN 2034, entitled:

A Resolution memorializing the Governor to proclaim the festival held annually during the month of June in Wellsboro, Pennsylvania, as the "Pennsylvania State Laurel Festival."

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

McGeehan Snyder True

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

Mr. STABACK called up **HR 215, PN 2036**, entitled:

A Resolution declaring the week of September 3 through 10, 1999, as "First Aid Awareness Week" in this Commonwealth in commemoration of the centennial celebration of the establishment of first aid in the Borough of Jermyn, Pennsylvania, by Dr. Matthew J. Shields.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lucyk	Sainato	Zug
Donatucci	Lynch	Samuelson	
Druce	Maher	Santoni	Ryan,
Eachus	Maitland	Sather	Speaker
Egolf	Major		

NAYS—0

NOT VOTING—0

EXCUSED—3

McGeehan Snyder True

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

HR 135 RECONSIDERED

The SPEAKER. The Chair is in receipt of a reconsideration. The gentleman, Mr. Cohen, moves that the vote by which HR 135, PN 1503, was passed on the 15th day of June be reconsidered.

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

The following roll call was recorded:

YEAS—200

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

McGeehan Snyder True

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?

The following roll call was recorded:

YEAS-200

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

Dempsey	Leh	Ross	Youngblood
Dermody	Lescovitz	Rubley	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lucyk	Sainato	Zug
Donatucci	Lynch	Samuelson	
Druce	Maher	Santoni	Ryan,
Eachus	Maitland	Sather	Speaker
Egolf	Major		

NAYS-0

NOT VOTING-0

EXCUSED-3

McGeehan Snyder True

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.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Craig Dally, Bob and Carolyn Buzzard and Bob and Arlene Zellner. They are seated to the left of the Speaker. Would these guests please rise.

And as the guest of Representative John Yudichak, his district intern, Heather Kearney, a Penn State graduate, either about to be or presently a student at Widener Law School. Would she please rise.

The Chair recognizes the gentleman, Mr. Fargo, for an announcement.

It is the understanding of the Chair that the gentleman, Mr. Fargo, requests no caucus. Is that correct?

DEMOCRATIC CAUCUS

The SPEAKER. The gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce that immediately upon the recess, we will be having a caucus. We will be having preliminary discussions on the capital budget bill; we will also be discussing HB 10, the transportation bill. I would urge all members to be in caucus.

The SPEAKER. The Chair thanks the gentleman.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Clymer, for an announcement.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, upon the call of recess the State Government Committee will be meeting in room 60 in the East Wing to consider several bills. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY MR. WILT

The SPEAKER. Any further announcements?

Mr. Wilt.

Mr. WILT. Thank you, Mr. Speaker.

Earlier today in a meeting of the sportsmen's caucus, the Pennsylvania State Police gave us a fine presentation on the Instant Check System. They provided us with this manual, and any of the members that are interested can contact either me or—I am trying to look on the other side who is here. They can contact our office, and we will make sure they get a copy of the State Police Instant Check System brochure. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY MR. MAYERNIK

The SPEAKER. Mr. Mayernik.

Mr. MAYERNIK. Thank you, Mr. Speaker.

I have in front of us at the bill clerk's location a noncontroversial resolution that I would invite all the members of the General Assembly to cosponsor, and that is a resolution from this House of keeping the Penguins in Pittsburgh. This resolution does not commit us to any funding; it does not commit us to any stadiums or any money, but one of support of keeping the Penguins in Pittsburgh. I would encourage anyone who wants to cosponsor, please do that at the bill clerk's desk. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Does the majority leader or minority leader have any further business?

SUBCOMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Armstrong.

Mr. ARMSTRONG. Mr. Speaker, the Subcommittee on Boroughs would like to meet at the back of the hall for a short subcommittee meeting.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. Any further business?

Hearing none, the Chair declares a recess until 2 p.m., unless sooner recalled by the Chair or extended by the Chair.

AFTER RECESS

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

STATEMENT BY MR. CHADWICK

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

Mr. CHADWICK. After our morning session, I had a conversation with another member which led me to believe that perhaps I should clarify some remarks I made earlier today on SB 852.

In reviewing the legislation, it appears to me that at present it probably only applies to one municipality, but there is nothing in the legislation that limits the applicability to any one municipality. Indeed, any municipality in the State that meets the criteria in the bill, I would certainly find the legislation applicable to them, and I just wanted to clarify that for the record.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. Any corrections to the record or meetings?

The Chair puts the House in recess until the call of the Chair. Mr. Chadwick, would you come to the desk.

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(J. SCOT CHADWICK) PRESIDING****SUPPLEMENTAL CALENDAR C****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:

SB 572, PN 1230.

SUPPLEMENTAL CALENDAR B**RESOLUTION PURSUANT TO RULE 35**

Mr. HUTCHINSON called up HR 216, PN 2059, entitled:

A Resolution encouraging all Pennsylvanians to observe Father's Day on June 20, 1999.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Adolph	Evans	Manderino	Saylor
Allen	Fairchild	Mann	Schroder
Argall	Fargo	Markosek	Schuler
Armstrong	Feese	Marsico	Scrimenti
Baker	Fichter	Masland	Semmel
Bard	Fleagle	Mayernik	Serafini
Barley	Flick	McCall	Seyfert
Barrar	Forcier	McGill	Shaner
Bastian	Frankel	McIlhattan	Smith, B.
Battisto	Freeman	McIlhinney	Smith, S. H.
Bebko-Jones	Gannon	McNaughton	Solobay
Belardi	Geist	Melio	Staback
Beifanti	George	Metcalfe	Stairs
Benninghoff	Gigliotti	Michlovic	Steelman
Birmelin	Gladeck	Micozzie	Steil

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

NAYS—0

NOT VOTING—0

EXCUSED—3

McGeehan Snyder True

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 3, PN 632**, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for county-level court administrators and for the transfer of accumulated annual leave and sick leave of certain county administrators transferred to the State judicial personnel system; establishing the Unified Judicial System Transferred County-Level Administrator Leave Fund; requiring certain county payments; requiring periodic reports; providing for the transfer of county-level court administrators to the State Employees' Retirement System; and making a repeal.

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

Mr. TRICH offered the following amendment No. **A1627**:

- Amend Title, page 1, line 10, by inserting after "System;" providing for creditable nonstate service for certain former county employees;
- Amend Sec. 7, page 16, line 30, by striking out "5304(b) of Title 71 is" and inserting 5304(b) and (c) of Title 71 are
- Amend Sec. 7 (Sec. 5304), page 17, by inserting between lines 19 and 20
 - (c) Limitations on nonstate service.—Creditable nonstate service credit shall be limited to:
 - (1) intervening military service;
 - (2) military service other than intervening military service and military service purchasable under section 5302(d) (relating to credited State service) not exceeding five years, provided that a member with multiple service may not purchase more than a total of five years of military service in both the system and the *Public School Employees' Retirement System*;
 - (3) in the case of an academic administrator, teacher or instructor employed in the Department of Education, the State System of Higher Education, any State-owned educational institution or The Pennsylvania State University, provided that the total amount of service creditable under this paragraph shall not exceed the lesser of ten years or the number of years of active membership in the system as an academic administrator, teacher or instructor in the Department of Education, State System of Higher Education, any State-owned educational institution or The Pennsylvania State University:
 - (i) nonstudent service as an academic administrator, teacher or instructor in any public school or public educational institution in any state other than this Commonwealth; or
 - (ii) nonstudent service as an academic administrator, teacher or instructor in the field of education for any agency or department of the *Federal Government*, whether or not such area was under the jurisdiction of the United States;
 - (4) previous service with a governmental agency other than the Commonwealth which employment with said agency was terminated because of the transfer by statute of the administration of such service or of the entire agency to the Commonwealth;
 - (5) service as a temporary Federal employee assigned to an air quality control complement for the Pennsylvania Department of Environmental Resources at any time during the period of 1970 through 1975. This service time may be purchased only if the member makes an election to purchase within one year of the effective date of this paragraph, and the member shall pay an amount which is equal to the full actuarial cost of the increased benefit obtained by virtue of the purchase as provided in section 5505(f);
 - (6) service in the Cadet Nurse Corps with respect to any period of training as a student or graduate nurse under a plan approved under section 2 of the act of June 15, 1943 (Public Law 78-73, 57 Stat. 153), if the total period of training under such plan was at least two years, the credit for such service not to exceed three years;
 - (7) service prior to July 1, 1971, at a community college established under the act of August 24, 1963 (P.L. 1132, No.484), known as the Community College Act of 1963; [or]
 - (8) service as a justice of the peace prior to January 1970[.]; or
 - (9) service as an employee or officer of a county, including any county of the first class in this Commonwealth. The credit shall not exceed five years or one-half of the employee's State service at the time of application for this credit, whichever is less. The employee must have been a member of a county pension system or

otherwise have been eligible to join as a member of the county retirement system had the employee been afforded an opportunity to join or participate. The employee could not, upon leaving county government, have drawn any type of employer-vested benefit, including any retirement benefit, excluding the contribution share of the employee. The election under this paragraph shall be available from July 1, 1999, through July 1, 2001.

Amend Sec. 11 (Sec. 5505), page 20, by inserting between lines 22 and 23

(i) Special county service.—Contributions on account of credit for county service as provided for in section 5304(c) shall be determined in the same manner as nonintervening military service, as provided for in subsection (b).

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Trich.

Mr. TRICH. Thank you, Mr. Speaker.

Mr. Speaker, this particular amendment merely is one that is designed to permit State employees to buy back, if you will, their county government time, certainly not any more unusual than we have done in the past for the employees that want to buy back their service time, as an example; the same way teachers can buy back time. This amendment is designed to help those who have worked in county government now working in State government who have an opportunity to themselves pay into the system. It is not mandatory. It is something that they can do voluntarily, and I would hope that my colleagues would support this amendment.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the Democratic whip, who notes the presence on the floor of the gentleman from Philadelphia, Mr. McGeehan. The gentleman will be removed from the leave list and placed on the master roll.

CONSIDERATION OF SB 3 CONTINUED

PARLIAMENTARY INQUIRY

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

Mr. DiGIROLAMO. Mr. Speaker, point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the point.

Mr. DiGIROLAMO. Mr. Speaker, is an actuarial note available for this amendment as required by law?

AMENDMENT RULED OUT OF ORDER

The SPEAKER pro tempore. The Chair has been reviewing that subject, and it is the view of the Chair that this amendment does require an actuarial note both under the House rules and under State law, Title 43, section 1407.

We have consulted with the Appropriations Committee chairman, and no actuarial note has been requested, and therefore, we must reluctantly rule the amendment out of order.

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

Mr. LESCOVITZ offered the following amendment No. A2797:

Amend Title, page 1, line 2, by inserting after "Statutes," further providing for seats of courts and for local chamber facilities;

Amend Bill, page 2, lines 5 and 6, by striking out all of said lines and inserting

Section 1. Sections 504, 543 and 563(b) of Title 42 of the Pennsylvania Consolidated Statutes are amended to read:
§ 504. Seat of court.

[The] (a) Regular sessions.—In order to facilitate the administration of the Unified Judicial System, the regular sessions of the Supreme Court shall be held in [the facility specified in section 3701 (relating to Pennsylvania Judicial Center)] Harrisburg and elsewhere as [prescribed by general rule.] provided in subsection (b).

(b) Other sessions.—Within the limits of available appropriations, special sessions of the court may be held from time to time for the convenience of parties or witnesses, or both, in the interest of justice, in such judicial districts of this Commonwealth as make available without cost to the Commonwealth suitable courtroom and related physical facilities.

§ 543. Seat of court.

[The] (a) Regular sessions.—In order to facilitate the administration of the Unified Judicial System, the regular sessions of the Superior Court shall be held at the [cities] city of Harrisburg[, Philadelphia and Pittsburgh] and elsewhere as [prescribed by general rule or rule of court.] provided in subsection (b).

(b) Other sessions.—Within the limits of available appropriations, special sessions of the court may be held from time to time for the convenience of parties or witnesses, or both, in the interest of justice, in such judicial districts of this Commonwealth as make available without cost to the Commonwealth suitable courtroom and related physical facilities.

§ 563. Seat of court.

(b) Other sessions.—Within the limits of available appropriations, special sessions of the court may be held from time to time for the convenience of parties or witnesses, or both, in the interest of justice, in such judicial districts of this Commonwealth as make available without cost to the Commonwealth suitable courtroom and related physical facilities. [The court shall also sit in the cities of Philadelphia and Pittsburgh.]

Section 1.1. Title 42 is amended by adding a section to read:

Amend Bill, page 10, by inserting between lines 23 and 24

Section 2.1. Section 3703 of Title 42 is amended to read:

§ 3703. Local chamber facilities.

The Administrative Office of Pennsylvania Courts shall furnish for each judge of the appellate courts of this Commonwealth chamber facilities in the county in which such judge resides in conformity with general rules for such judge and [the] one personal [staff] secretary of such judge from funds annually appropriated by the General Assembly.

Amend Sec. 31, page 37, line 4, by striking out all of said line and inserting

Section 31. This act shall take effect as follows:

(1) The amendment of 42 Pa.C.S. §§ 504, 543, 563(b) and 3703 shall take effect July 1, 2000, or in 12 months, whichever occurs first.

(2) The remainder of this act shall take effect immediately.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Lescovitz.

Mr. LESCOVITZ. Thank you, Mr. Speaker.

This is a very simple amendment, one which I believe will save the taxpayers of the Commonwealth dollars over the years. What it does is put the court systems of the Commonwealth here in Harrisburg. Most States around the nation have centralized court systems for Supreme Courts and for Superior Courts. I think this is the way to go. I think we need to centralize them here in Harrisburg and save the taxpayers of the Commonwealth a lot of money, and I would appreciate support.

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Snyder True

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?

RULES SUSPENDED

The SPEAKER pro tempore. Mr. Gannon, the Chair understands that it is your desire to seek recognition to make a motion on SB 3 to suspend the rules.

The gentleman, Mr. Gannon, is recognized for the purpose of making a motion.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, I would like to make a motion to suspend the rules so that I can offer amendment A2887, and I believe that amendment is available on the computers on the members' desks.

The SPEAKER pro tempore. The gentleman, Mr. Gannon, moves that the rules of the House be suspended so that he may offer amendment A2887 to SB 3.

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

Mr. DeWEESE. Mr. Speaker? Mr. Speaker?

The SPEAKER pro tempore. The Chair recognizes the Democratic leader, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, could the gentleman from Delaware give a 1-minute overview as to what his amendment will be doing so that when we suspend, we will know what we are suspending for?

The SPEAKER pro tempore. That is appropriate.

Mr. DeWEESE. Thank you.

The SPEAKER pro tempore. Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

This amendment simply keeps the appointment of court administrators with the president judge of the county court.

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

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Manderino	Sather
Allen	Evans	Mann	Saylor
Argall	Fairchild	Markosek	Schroder
Armstrong	Fargo	Marsico	Schuler
Baker	Feese	Masland	Scrimenti
Bard	Fichter	Mayernik	Semmel
Barley	Fleagle	McCall	Serafini

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

NAYS-3

Hanna	Krebs	Steelman
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NOT VOTING-0

EXCUSED-2

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

On the question recurring,

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

Mr. GANNON offered the following amendment No. A2887:

Amend Sec. 1 (Sec. 1905), page 3, lines 5 and 6, by striking out "Unless the Supreme Court shall by rule otherwise provide, if" and inserting

If

Amend Sec. 1 (Sec. 1905), page 3, lines 8 and 9, by striking out "with the approval of the Court Administrator of Pennsylvania"

Amend Sec. 28, page 36, line 6, by inserting after "28."

(a)

Amend Sec. 28, page 36, by inserting between lines 10 and 11

(b) This entire act shall be void if the provisions of 42 Pa.C.S. § 1905(d)(1) are:

- (1) suspended by the judiciary;
- (2) superseded by rule of court;
- (3) ruled finally by a court of competent jurisdiction to be regulation of the practice of law; or
- (4) otherwise rendered inoperative by judicial action.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the gentleman, Mr. Gannon, is recognized.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, very briefly, what this amendment does is it continues to permit the president judge of the county to appoint those top court personnel. However, it keeps in place that the Supreme Court and the AOPC (Administrative Office of Pennsylvania Courts) will develop qualifications and standards for those court personnel. So we will have uniform standards and qualifications throughout the entire Commonwealth for those top court personnel but the appointments will be made by the president judge of the court of the county. And I guess by analogy, how would you like somebody to appoint your staff? And that is basically what the amendment does, Mr. Speaker.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Franklin County, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

The SPEAKER pro tempore. Mr. Gannon, will you stand for interrogation?

Mr. GANNON. Yes.

The SPEAKER pro tempore. The gentleman indicates that he will. You are in order and may proceed.

Mr. COY. Mr. Speaker, I am concerned about the sentence in the amendment which says, if the Supreme Court shall rule otherwise.

Mr. GANNON. I am sorry, Mr. Speaker. Could you repeat the question?

Mr. COY. Well, yes.

I am concerned about the sentence in the amendment which says, if the Supreme Court shall rule otherwise; right at the beginning of the amendment.

Mr. GANNON. Yes.

Mr. COY. Now, my quick reading would indicate that no matter what we do, with that statement in the amendment, that allows the Supreme Court to make the final judgment.

Mr. GANNON. I am sorry, Mr. Speaker. That language is stricken out; the amendment strikes that language out.

Mr. COY. So there is no reference to, then in what is remaining, the Supreme Court having the ultimate veto in this regard.

Mr. GANNON. No. What the amendment does is it takes that existing section 1 on page 3 and strikes out the language "Unless the Supreme Court shall by rule otherwise provide..."; it strikes that language out, and then further down it strikes out language "with the approval of the Court Administrator of Pennsylvania." So basically, what is left is that the president judge of the county shall make the appointment of the court administrator.

Mr. COY. So it does strike out the second part where it says the Supreme Court Administrator must approve also.

Mr. GANNON. Yes.

Mr. COY. So this does leave it to the president judge of each individual judicial district.

Mr. GANNON. Right. The only thing it leaves intact is that the Office of the Court Administrator of Pennsylvania and the Supreme Court shall develop the standards and qualifications for the individual that would be eligible for appointment to that position.

Mr. COY. And then the president judge of each judicial district may appoint someone who meets those qualifications.

Mr. GANNON. Correct.

Mr. COY. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Philadelphia County, Mr. Horsey, is recognized on the amendment.

Mr. HORSEY. Mr. Speaker, may I interrogate the defender of this Senate bill, please?

The SPEAKER pro tempore. The gentleman indicates that he will stand for interrogation. You may proceed.

Mr. HORSEY. Mr. Speaker, may I ask you a technical question, and the technical question is, is it not absolutely true that ultimately when it involves the courts, the Supreme Court makes the decisions when it comes to the administration of the courts? Is that a universal true statement, Mr. Speaker?

Mr. GANNON. Well, the Supreme Court has taken the position that it oversees the administration of the Supreme Court and the Office of the Court Administrator of Pennsylvania provides support to the common pleas courts and the other appellate courts and lower courts. This bill would extend that power beyond what the court presently would have. However, the amendment, as I drafted it, leaves in place that the appointment of these folks would be done by the local president judge.

Mr. HORSEY. But, Mr. Speaker, my question to you is, is it not absolutely true, Mr. Speaker, that the Supreme Court can ignore this amendment?

Mr. GANNON. Well, we have put some protective language in the lower section of the amendment, and the bill, as it presently stands, says that if any section of the bill is held unconstitutional by a court of final jurisdiction, that the entire act would fail. What we have done is we have added some additional language in there that if this particular provision is suspended by the judiciary or if this particular provision is superseded by a rule of the court or it is ruled by a court of competent jurisdiction to be the regulation of the practice of law or it is otherwise rendered inoperative by judicial action, then the entire act will fail.

Mr. HORSEY. But would that be unusual, Mr. Speaker, since in these chambers we pass hundreds of bills concerning the courts, and as a daily course of action, the Supreme Court strikes those very amendments and bills that this body creates. Is that not true, Mr. Speaker?

Mr. GANNON. Well, they have in the past had situations where the Supreme Court has suspended entire acts or sections of acts that have been enacted by this General Assembly and signed by the Governor into law. However, that is why we put the protective language in and looking at those areas where the court would traditionally try to thwart the purpose and intent of the General Assembly, and what we have said is, if they do that, then the entire act is null and void.

Mr. HORSEY. Thank you, Mr. Speaker.

On the bill, Mr. Speaker?

The SPEAKER pro tempore. On the amendment.

Mr. HORSEY. Thank you.

Mr. Speaker, on the amendment. We are going to pass the amendment and, you know, I am going to vote for it, but I happen to believe in my heart, Mr. Speaker, as the Supreme Court has stated on numerous occasions, the Supreme Court in the State of Pennsylvania, that they are the ultimate deciders when it comes to the administration of the court.

Now, I am going to live with their position and at the same time vote this bill knowing that inevitably the Supreme Court is going to vote this bill down. Thank you, and they are going to do administratively, under Title 42, whatever they decide to do, but I am going to support the amendment. Thank you, Mr. Speaker.

Mr. GANNON. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—201

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

Druce	Maher	Samuelson	Ryan,
Eachus	Maitland	Santoni	Speaker
Egolf	Major	Sather	

NAYS-0

NOT VOTING-0

EXCUSED-2

Snyder	True
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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?

AMENDMENT A2797 RECONSIDERED

The SPEAKER pro tempore. The Chair is in receipt of a reconsideration motion. The lady from Philadelphia, Representative Manderino, moves that the vote by which amendment No. A2797 was passed to SB 3 be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

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

On the question recurring,

Will the House agree to the amendment?

The clerk read the following amendment No. A2797:

Amend Title, page 1, line 2, by inserting after "Statutes," further providing for seats of courts and for local chamber facilities;

Amend Bill, page 2, lines 5 and 6, by striking out all of said lines and inserting

Section 1. Sections 504, 543 and 563(b) of Title 42 of the Pennsylvania Consolidated Statutes are amended to read: § 504. Seat of court.

[The] (a) Regular sessions.—In order to facilitate the administration of the Unified Judicial System, the regular sessions of the Supreme Court shall be held in [the facility specified in section 3701 (relating to Pennsylvania Judicial Center)] Harrisburg and elsewhere as [prescribed by general rule.] provided in subsection (b).

(b) Other sessions.—Within the limits of available appropriations, special sessions of the court may be held from time to time for the convenience of parties or witnesses, or both, in the interest of justice, in such judicial districts of this Commonwealth as make available without cost to the Commonwealth suitable courtroom and related physical facilities.

§ 543. Seat of court.

[The] (a) Regular sessions.—In order to facilitate the administration of the Unified Judicial System, the regular sessions of the Superior Court shall be held at the [cities] city of Harrisburg[, Philadelphia and Pittsburgh] and elsewhere as [prescribed by general rule or rule of court.] provided in subsection (b).

(b) Other sessions.—Within the limits of available appropriations, special sessions of the court may be held from time to time for the convenience of parties or witnesses, or both, in the interest of justice, in such judicial districts of this Commonwealth as make available without cost to the Commonwealth suitable courtroom and related physical facilities.

§ 563. Seat of court.

(b) Other sessions.—Within the limits of available appropriations, special sessions of the court may be held from time to time for the

convenience of parties or witnesses, or both, in the interest of justice, in such judicial districts of this Commonwealth as make available without cost to the Commonwealth suitable courtroom and related physical facilities. [The court shall also sit in the cities of Philadelphia and Pittsburgh.]

Section 1.1. Title 42 is amended by adding a section to read:

Amend Bill, page 10, by inserting between lines 23 and 24

Section 2.1. Section 3703 of Title 42 is amended to read:

§ 3703. Local chamber facilities.

The Administrative Office of Pennsylvania Courts shall furnish for each judge of the appellate courts of this Commonwealth chamber facilities in the county in which such judge resides in conformity with general rules for such judge and [the] one personal [staff] secretary of such judge from funds annually appropriated by the General Assembly.

Amend Sec. 31, page 37, line 4, by striking out all of said line and inserting

Section 31. This act shall take effect as follows:

(1) The amendment of 42 Pa.C.S. §§ 504, 543, 563(b) and 3703 shall take effect July 1, 2000, or in 12 months, whichever occurs first.

(2) The remainder of this act shall take effect immediately.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—181

- Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Barrar, Bastian, Battisto, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Boyes, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappabianca, Casorio, Cawley, Chadwick, Civera, Clark, Clymer, Cohen, L. I., Colafella, Cornell, Corrigan, Costa, Coy, Curry, Dailey, Daley, Dally, DeLuca, Dempsey, Dermody, DeWeese, DiGirolamo, Evans, Fairchild, Fargo, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhaj, Harhart, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Jadowiec, James, Kaiser, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Leh, Lescovitz, Levdansky, Maher, Maitland, Major, Mann, Markosek, Marsico, Masland, Mayernik, McCall, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Myers, Nailor, Nickol, Orié, Perzel, Pesci, Petrarca, Petrone, Phillips, Pippy, Pistella, Platts, Preston, Ramos, Raymond, Readshaw, Reinard, Roberts, Robinson, Rohrer, Rooney, Ross, Rubley, Ruffing, Santoni, Sather, Saylor, Schroder, Schuler, Scrimenti, Semmel, Serafini, Seyfert, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Tigue, Travaglio, Trello, Trich, Tulli, Vance, Van Horne, Veon, Walko, Washington, Waters, Williams, Wilt, Wogan, Wojnaroski, Wright, Yewcic, Yudichak

- Druce, Eachus, Egolf, Lucyk, Lynch, Sainato, Samuelson, Zimmerman, Zug

NAYS—19

- Bishop, Blaum, Cam, Cohen, M., Donatucci, Josephs, Keller, Lederer, Manderino, McGeehan, Mundy, O'Brien, Rieger, Roebuck, Taylor, J., Thomas, Vitali, Youngblood, Ryan, Speaker

NOT VOTING—1

- Oliver

EXCUSED—2

- Snyder, True

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome two visitors who are with us today. Derek Elensky from Juniata College and Erika Smith from Millersville University are here as guests of Representative Jerry Stern, and they are located behind the rail on the House floor. Would they please rise. Welcome to the hall of the House.

CONSIDERATION OF SB 3 CONTINUED

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Does the gentleman, Mr. Lescovitz, seek recognition on final passage?

Mr. LESCOVITZ. Yes.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. LESCOVITZ. Thank you, Mr. Speaker.

I would just like to interrogate whoever the House manager is on this bill for a question on the language in the first section of the legislation.

The SPEAKER pro tempore. There does not appear to be anybody available to be interrogated at the moment. Does the gentleman wish to make remarks on final passage?

The gentleman, Mr. Gannon, indicates he is willing to stand for interrogation. You may proceed.

Mr. LESCOVITZ. Thank you, Mr. Speaker.

The only question I had dealt with the provision of the bill on the first page where — section 1905 — there was a section that was stricken out that said “during the fiscal year beginning July 1, 1998,” and basically, it says the effective date of this act

shall be established by the Supreme Court of Pennsylvania. My question is, why was that language stricken out, which the legislature provides the effective date, and it is given to the Supreme Court?

Mr. GANNON. My understanding, Mr. Speaker, is that when the bill was going through the Senate, there was uncertainty as to when the bill would actually be passed, so they wanted to strike that language out.

Mr. LESCOVITZ. Further, Mr. Speaker—

Mr. GANNON. That was done in the Senate; that language was stricken in the Senate.

Mr. LESCOVITZ. Mr. Speaker, usually it is language which states that the act shall take effect immediately or after 30 days of the passage of the act. We are giving the power to the Supreme Court to set the date of this act, and my question is, can they go back retroactively to employees of 1960s, 1970s by permitting them to take care of the effective date of the transition?

Mr. GANNON. Well, in actuality, Mr. Speaker, on page 37, which is the last page of the bill, section 31 states that "This act shall take effect immediately." So the language inserted at the beginning is really surplusage and does not have any great meaning, because by operation of the proposed act itself, it takes effect immediately. So it does not matter whether the court makes a determination of effective date.

Mr. LESCOVITZ. Mr. Speaker, again, my question maybe was not put as well as it should have been, but what we have done is given the Supreme Court the authority to make the effective date of the transition from county pension systems to the State system, giving them the authority to make that transition date. I apologize if I meant the effective date of the act; it is the transition date, and my question is, can now the Supreme Court go back retroactively and pick any date they want for the provision of transferring county time to State time?

Mr. GANNON. I do not want to answer your question no, but I am very doubtful that, just purely from an administrative standpoint and executing the transition, that they could do that. I just do not see how they could possibly go back to some arbitrary date, say 2 or 3 years ago. I do not believe that the way the act is written that it would prohibit them from doing that, although I think the administrative and logistical problems of making that transition would be extremely difficult, and I just do not see how they could, if I understand what you are saying, that they could calculate from that retroactive date forward as time of State service. I do not think they could do that under other laws that are currently in place other than this one, and I do not see how they could effectively do that both administratively or logistically.

Mr. LESCOVITZ. Thank you.

Mr. GANNON. Thank you.

Mr. LESCOVITZ. Mr. Speaker?

The SPEAKER pro tempore. On the bill?

Mr. LESCOVITZ. Yes. Thank you, Mr. Speaker.

The reason why I wanted to bring that situation up was that we are permitting the courts to set the transition date, and if they would pick any arbitrary date, even retroactively, and there is a challenge to that date that the courts pick, they are going to have to hear the case and make a decision on something they did, and I guess my problem would be, I would rather like to see the legislature pick the date if there is a court challenge rather than the courts picking their own date and then have to hear a case on a

decision that they made and we gave them permission to underneath this act.

PARLIAMENTARY INQUIRY

Mr. GANNON. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the point.

Mr. GANNON. May I add a clarification to a prior answer without being charged as speaking for a second time on the bill or speaking on the bill?

The SPEAKER pro tempore. Mr. Gannon, I do not think so.

Mr. GANNON. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Armstrong County, Mr. Pesci, on the bill.

Mr. PESCI. Thank you, Mr. Speaker.

May I interrogate a floor manager on this bill?

The SPEAKER pro tempore. The gentleman, Mr. Gannon, indicates that he is willing to stand for interrogation. You are in order and may proceed.

Mr. PESCI. Thank you, Mr. Speaker.

Just one question: If this bill passes and is signed by the Governor in its present content, is it not possible for the salary boards of each county to take action to increase a court administrator's salary two-, three-, fourfold of what it may currently be today of which we will assume that responsibility once the Governor signs this into law and it is enacted?

Mr. GANNON. On the second page of the bill, line 23, it says that compensation is to be set by the Administrative Office of the Pennsylvania Courts.

Mr. PESCI. After the bill is passed, and again, the salary of a court administrator could still be increased by the salary boards that are presently — well, that they are presently under though. Is that not correct?

Mr. GANNON. I do not want to say no, but once again, there would be a major administrative and logistical problem. For example, if the county increased the — let us say they doubled the salary of a court administrator tomorrow if this bill went to the Governor's desk.

Mr. PESCI. Right.

Mr. GANNON. The Court Administrator's Office of Pennsylvania would ultimately set that salary and it would be taken back down to whatever they felt was in line for that particular administrator's position.

Mr. PESCI. Then it could possibly be streamlined across Pennsylvania of every court administrator earning the same salary.

Mr. GANNON. Correct.

Mr. PESCI. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Allegheny County, Mr. Maher, on final passage.

Mr. MAHER. Thank you, Mr. Speaker.

I rise to interrogate and establish legislative intent about a couple of matters in the bill.

The SPEAKER pro tempore. The gentleman, Mr. Gannon, indicates that he is still willing. You are in order and may proceed.

Mr. MAHER. Thank you, Mr. Speaker.

Is it correct that with respect to the defined-benefit portion of pensions, that all future service for these transferred employees would be credited in the State Employees' Retirement System?

Mr. GANNON. That is correct, Mr. Speaker.

Mr. MAHER. Is it also correct that for the past-service portion of creditable service for these employees who will be transferred, that those employees have an option that they can either apply that past service within the existing county system that they are a member of or transfer that to the State system but not both?

Mr. GANNON. That is correct, Mr. Speaker.

Mr. MAHER. And is it also correct that our references to involuntary termination within this bill are simply to ensure that the rights of those who opt not to participate in the State plan will be treated as if they had terminated from the county plan and have whatever additional benefits might have been available to them in that condition?

Mr. GANNON. Correct, Mr. Speaker.

Mr. MAHER. And finally, Mr. Speaker, is it also correct that those who are involuntarily terminated with this language from a county plan and then opt to convert their service to the State Employees' Retirement System will not have any bump up in level of service or years of service or a shortening of their termination in connection with triggering this involuntary termination from the county plan?

Mr. GANNON. That is correct, Mr. Speaker.

Mr. MAHER. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Are there any other members seeking recognition on final passage?

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—108

Allen	Eachus	Mann	Solobay
Argall	Evans	Markosek	Staback
Baker	Fargo	Mayernik	Steelman
Bard	Frankel	McGeehan	Stern
Barley	Freeman	McIlhinney	Stetler
Bastian	Gigliotti	Melio	Stevenson
Battisto	Grucela	Myers	Sturla
Bebko-Jones	Gruitza	O'Brien	Surra
Belardi	Habay	Oliver	Tangretti
Bishop	Haluska	Orie	Taylor, J.
Blaum	Hanna	Perzel	Thomas
Boyes	Harhai	Petrone	Tigue
Browne	Hennessey	Pippy	Travaglio
Butkovitz	Hershey	Preston	Trich
Buxton	Hess	Ramos	Veon
Caltagirone	Horsey	Raymond	Walko
Casorio	James	Readshaw	Washington
Chadwick	Josephs	Reinard	Waters
Cohen, L. I.	Keller	Roberts	Williams
Colafella	Kirkland	Robinson	Wilt
Corrigan	LaGrotta	Roebuck	Wojnaroski
Curry	Laughlin	Rubley	Wright
Dailey	Lederer	Sainato	Youngblood
Daley	Levdansky	Samuelson	Yudichak
Dally	Lucyk	Santoni	
DiGirolamo	Maher	Sather	Ryan,
Donatucci	Major	Shaner	Speaker
Druce	Manderino		

NAYS—93

Adolph	Fichter	Marsico	Ruffing
Armstrong	Fleagle	Masland	Saylor
Barrar	Flick	McCall	Schroder
Belfanti	Forcier	McGill	Schuler
Benninghoff	Gannon	McIlhattan	Scrimenti
Birmelin	Geist	McNaughton	Semmel
Bunt	George	Metcalfe	Serafini
Cappabianca	Gladeck	Michlovic	Seyfert
Carn	Godshall	Micozzie	Smith, B.
Cawley	Gordner	Miller, R.	Smith, S. H.
Civera	Harhart	Miller, S.	Stairs
Clark	Hasay	Mundy	Steil
Clymer	Herman	Nailor	Strittmatter
Cohen, M.	Hutchinson	Nickol	Taylor, E. Z.
Cornell	Jadlowiec	Pesci	Trello
Costa	Kaiser	Petrarca	Tulli
Coy	Kenney	Phillips	Vance
DeLuca	Krebs	Pistella	Van Horne
Dempsey	Lawless	Platts	Vitali
Dermody	Leh	Rieger	Wogan
DeWeese	Lescovitz	Rohrer	Yewcic
Egolf	Lynch	Rooney	Zimmerman
Fairchild	Maitland	Ross	Zug
Feese			

NOT VOTING—0

EXCUSED—2

Snyder True

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.

Mr. COY. Mr. Speaker? Mr. Speaker?

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

Mr. COY. Just to indicate that I intend to file a reconsideration motion on the final vote.

The SPEAKER pro tempore. So noted.

Mr. Coy? The Chair is advised that the bill is already on its way out of the House.

Mr. COY. My oh my, Mr. Speaker; I did not even see your hand move.

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome Sandy Wojnaroski, the wife of Representative Ed Wojnaroski. She is here as a guest today, and she is in the rear of the House. Would she please rise. Welcome to the hall of the House.

THE SPEAKER (MATTHEW J. RYAN)
PRESIDING

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 849, PN 1798**, entitled:

An Act prohibiting false claims; imposing duties on the Attorney General and on district attorneys; and providing for procedures and for penalties.

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

Mr. **SCHRODER** offered the following amendment No. **A2358**:

Amend Sec. 704, page 24, line 6, by inserting after "damages."
Except in cases alleging intentional misconduct, punitive damages against a person shall not exceed 200% of the compensatory damages awarded.

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. The gentleman will yield.

The gentleman, Mr. Schroder, is entitled to the attention of the House.

The Chair recognizes the gentleman.

Mr. **SCHRODER**. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would limit the punitive-damages section of this particular bill. Under section 704, which addresses employer penalties, an employer who violates the sections on disclosure or discrimination would be held liable for certain relief, which would include making the employee whole, which would include reinstatement with the same seniority status before the discrimination, have to pay three times the amount of back pay, prevailing interest on the back pay, and compensation for any special damages that were sustained as a result of the discrimination. The employers would also be responsible for any related litigation expenses and attorney's fees.

Also in the bill right now is an unlimited punitive-damages provision. This goes beyond the Federal version—

The **SPEAKER**. The gentleman will yield; the gentleman will yield.

Please. Conferences at the minority leader's desk, please break up.

Mr. Schroder.

Mr. **SCHRODER**. As I was saying, Mr. Speaker, this goes beyond the Federal version of the False Claims Act in this area, so what I propose to do is to keep punitive damages in but limit them to 200 percent of compensatory damages, unless — now this is unless — the allegation is of intentional misconduct. If there is intentional misconduct, Mr. Speaker, then there is unlimited punitive damages, and that is not affected.

So I think this strikes a reasonable balance upon which to proceed, and I urge the adoption of the amendment.

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

The following roll call was recorded:

YEAS—170

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

NAYS—30

Bishop	Gruitza	Mundy	Thomas
Blaum	James	Myers	Van Horne
Butkovitz	Josephs	Oliver	Vitali
Cappabianca	Keller	Preston	Washington
Cam	Kenney	Scrimenti	Waters
DeWeese	Lederer	Solobay	Youngblood
Gannon	Manderino	Stetler	Yudichak
Gordner	McGeehan		

NOT VOTING—1

Eachus

EXCUSED—2

Snyder True

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. KENNEY offered the following amendment No. A2333:

Amend Sec. 301, page 6, line 7, by striking out "has reasonable grounds" and inserting

recklessly fails

Amend Sec. 301, page 6, lines 18 through 30, by striking out all of said lines and inserting
person can demonstrate that:

(1) the person committing the violation furnished the prosecuting authority with all information known to that person about the violation within 60 days after the date on which the person first obtained the information;

(2) the person fully cooperated with any investigation by the prosecuting authority of the violation; and

(3) (i) at the time the person furnished the appropriate prosecuting authority with all information about the violation, no criminal prosecution, civil action or administrative action had commenced with respect to the violation and the person did not have knowledge or notice of the existence of an investigation into the violation; or

(ii) the person had an effective program that could reasonably be expected to prevent and detect violations of law, even if the program did not detect the instant offense.

Amend Sec. 301, page 7, line 7, by striking out "to any claims involving" and inserting

where the claim was filed by the individual recipient of

Amend Sec. 301, page 7, line 12, by inserting a period after "Code"

Amend Sec. 301, page 7, lines 12 through 14, by striking out "except" in line 12 and all of lines 13 and 14

Amend Sec. 302, page 7, lines 20 through 23, by striking out all of said lines and inserting

(a) General rule.—If any defendant can be found, resides or transacts business in this Commonwealth or if an act proscribed by this act occurred within this Commonwealth, an action under this act:

(1) involving Commonwealth funds or both Commonwealth and political subdivision funds shall be brought in the Commonwealth Court; or

(2) involving exclusively political subdivision funds shall be brought in either the Commonwealth Court or the Court of Common Pleas of the county of the political subdivision, at the election of the district attorney.

(b) Election by prosecuting authority.—When an action is filed by a qui tam plaintiff pursuant to section 501 and the prosecuting authority proceeds with the action pursuant to section 502, 503, 504 or 505, or intervenes in the action pursuant to section 514, the prosecuting authority may elect to proceed in either the Commonwealth Court or the Court of Common Pleas of the county of the political subdivision.

Amend Sec. 501, page 10, line 14, by striking out "Within three days of the" and inserting

(1) Within three days of the

Amend Sec. 501, page 10, by inserting between lines 20 and 21

(2) Where the complaint involves both Commonwealth and political subdivision funds, or exclusively political subdivision funds, the prosecuting authority shall serve a copy of the complaint, return receipt requested, to counsel for the political subdivision.

Amend Sec. 508, page 13, line 21, by striking out "AND BAD FAITH"

Amend Sec. 509, page 14, lines 18 through 28, by striking out all of said lines and inserting

No court shall have jurisdiction over an action brought under this act by any present or former:

(1) employee of the Commonwealth or political subdivision;

(2) investigator, auditor or inspector not employed by the Commonwealth or political subdivision but who is otherwise

contracted or engaged to review any actions taken by the Commonwealth or the political subdivisions; or

(3) investigator, auditor or inspector employed, contracted or otherwise engaged by the person submitting the false claim; based upon information discovered during the course of his employment unless that employee, investigator, auditor or inspector first in good faith attempts to use existing internal procedures for reporting, auditing and seeking recovery of the falsely claimed funds through official channels and unless the Commonwealth, the political subdivision or the person submitting the false claim, as appropriate, failed to act on the information within a reasonable period of time.

Amend Sec. 512, page 15, line 12, by inserting before "The"

(a) General rule.—

Amend Sec. 512, page 15, by inserting between lines 16 and 17

(b) Consultation with political subdivision.—The district attorney shall consult with the political subdivision regarding any proposed settlement.

Amend Sec. 515, page 16, line 29, by striking out "(f) and (g)" and inserting

(g) and (h)

Amend Sec. 515, page 17, line 25, by striking out "(f) and (g)" and inserting

(g) and (h)

Amend Sec. 515, page 17, by inserting after line 30

(f) Allocation of proceeds for costs of annual audit.—The controller, board of auditors or other government auditor performing the annual audit of recoveries as provided under subsection (k) shall receive a fixed 1% of the proceeds of the action or settlement of the claim, which funds shall be used to defray the costs of the annual audit.

Amend Sec. 515, page 18, line 1, by striking out "(f)" and inserting

(g)

Amend Sec. 515, page 18, line 17, by striking out "(g)" and inserting

(h)

Amend Sec. 515, page 19, lines 13 through 29, by striking out all of said lines and inserting

(i) Present or former investigators.—Notwithstanding any other provision of this act, any present or former sworn law enforcement officer, city controller, other government investigator, auditor or inspector general or other auditor or investigator of a person, who obtains information regarding a false claim in the course of his duties, whether or not as an employee or a contractor, shall be precluded from participating in the proceeds of a qui tam action on the basis of that information unless that officer, city controller, government investigator, auditor or inspector general or other auditor or investigator has presented such information to the person and the person fails to take appropriate action within a reasonable time.

(j) Use of recoveries.—

(1) Proceeds recovered under this act by the prosecuting authority or awarded to the government auditor pursuant to subsection (f) shall be placed in the General Fund of the Commonwealth, the operating fund of the county of the district attorney or the operating fund of the county of the government auditor, as appropriate.

(2) Notwithstanding any other provision of law to the contrary, the Commonwealth, county of the district attorney or the county of the government auditor, as appropriate, shall immediately make such funds available for expenditure, without restriction, by the prosecuting authority or government auditor for the purposes specified elsewhere in this act. The entity having budgetary control over such funds may not anticipate future recoveries in the adoption or approval of the budget for the prosecuting authority.

Amend Sec. 515, page 19, line 30, by striking out "(j)" and inserting

(k)

Amend Sec. 515, page 20, line 5, by striking out "not be made public but" and inserting
be made public, subject to the right of the prosecuting authority to redact portions of the audit which it reasonably believes will compromise investigations or criminal proceedings, and

Amend Sec. 515, page 20, line 7, by striking out "(k)" and inserting
(l)

Amend Sec. 515, page 20, line 15, by striking out "(l)" and inserting

(m)

Amend Sec. 515, page 20, line 29, by striking out "either"

Amend Sec. 516, page 21, lines 3 through 12, by striking out all of said lines and inserting
and

(3) when the proceeds reverting to the operating fund under this section exceed any uninsured loss to the Commonwealth or the political subdivision;

the insurer, guarantor or surety shall be reimbursed for its loss before further distribution is made under this act.

Amend Sec. 708, page 31, line 24, by striking out "If any interrogatory is objected to," and inserting

(5) If any interrogatory is objected to,

Amend Sec. 708, page 32, line 4, by striking out "(5)" and inserting
(6)

Amend Sec. 708, page 34, line 18, by striking out "(6)" and inserting

(7)

Amend Sec. 708, page 34, line 28, by striking out "(7)" and inserting

(8)

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. Kenney.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, amendment A2333 is a comprehensive technical and clarifying amendment created with the representation of various stakeholders. This legislation has been worked on with the Attorney General's Office, the Pennsylvania District Attorneys Association, both Chairman Gannon and Chairman Blaum of the House Judiciary Committee, along with the work of chief counsel Brian Preski, and the Insurance Federation is on board.

So this language just clarifies issues such as jurisdiction, the impact of compliance program service, consultations with subdivisions, audit costs and availability of audits, and I would ask the House to support the amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

I rise to support the gentleman's amendment. I think it is an important amendment to this bill dealing with false claims, and in conjunction with the next amendment which we will offer, I think it makes the bill better. Thank you, Mr. Speaker.

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—200

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

NAYS—0

NOT VOTING—1

Bunt

EXCUSED—2

Snyder True

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. **BLAUM** offered the following amendment No. **A2652**:

Amend Sec. 704, page 23, by inserting between lines 28 and 29

(c) Good faith reporting to employer.—No employer may discharge, threaten or otherwise discriminate or retaliate against an employee regarding the employee's compensation, terms, conditions, location or privileges of employment because the employee made or is about to make a good faith report to the employer regarding a false claim under this act, regardless of whether the report is made or to be made orally or in writing.

Amend Sec. 704, page 23, line 29, by striking out all of said line and inserting

(d) Penalty.—An employer who violates subsection (a), (b) or (c)

Amend Sec. 704, page 24, line 10, by striking out "(d)" and inserting

(e)

Amend Sec. 704, page 24, line 17, by striking out "(c)" and inserting

(d)

On the question,

Will the House agree to the amendment?

The **SPEAKER**. On the question of the adoption of the **Blaum** amendment, Mr. **Blaum** is recognized.

Mr. **BLAUM**. Thank you, Mr. **Speaker**.

Mr. **Speaker**, the **Kenney** amendment, one of the positive facets of it is that it requires employees to report if they know of any false filings of claims. What this amendment does is offer those employees protection similar to the whistle-blower laws which we have on the books here in the Commonwealth. Being that we are forcing and requiring these employees to report any false claiming that is going on, that when indeed they report it, this amendment would offer them job protection, and we ask for an affirmative vote.

The **SPEAKER**. The Chair thanks the gentleman.

On the question of the adoption of the **Blaum** amendment, Mr. **Kenney**.

Mr. **KENNEY**. Thank you, Mr. **Speaker**.

As Chairman **Blaum** mentioned, this is an agreed-to amendment that protects employees who make a good-faith effort to report false claims.

Thank you, Mr. **Speaker**.

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—201

Adolph	Evans	Manderino	Saylor
Allen	Fairchild	Mann	Schroder
Argall	Fargo	Markosek	Schuier
Armstrong	Feese	Marsico	Scrimenti
Baker	Fichter	Masland	Semmel
Bard	Fleagle	Mayernik	Serafini
Barley	Flick	McCall	Seyfert
Barrar	Forcier	McGeehan	Shaner
Bastian	Frankel	McGill	Smith, B.
Battisto	Freeman	McIlhattan	Smith, S. H.
Bebko-Jones	Gannon	McIlhinney	Solobay
Belardi	Geist	McNaughton	Staback
Belfanti	George	Melio	Stairs
Benninghoff	Gigliotti	Metcalf	Steelman

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Snyder True

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?

On the question of final passage, the gentleman, Mr. **Kenney**, is recognized.

Mr. **KENNEY**. Thank you, Mr. **Speaker**.

HB 849 creates the Pennsylvania False Claims Act, which will further give tools to the Attorney General and local district attorneys to fight fraud. It also allows for our fellow citizens to come forward and report fraud against the government. This legislation has the potential to save millions of dollars to both State and local governments.

Mr. **Speaker**, our citizens work too hard to generate revenues for our State and local governments. We should be working

equally as hard to enhance the ability of our law enforcement to combat fraud when they see it and protect taxpayer dollars.

I again ask the House to support HB 849 establishing the Pennsylvania False Claims Act. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Snyder True

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.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today two guests of Representative Reinard, seated at the rear of the House: one, John Callahan, district administrator to Mr. Reinard; and Andrew Park, a summer intern who is a second-year student at Yale Law School who is assisting Mr. Reinard. Would the guests please rise.

I understand the leaders are meeting or will soon meet on the schedule for the balance of the day. In the interval, I am also told that there are a number of people that want to indicate changes or corrections to the record.

VOTE CORRECTION

The SPEAKER. Mr. Wilt.

Mr. WILT. Thank you, Mr. Speaker.

On SB 3 I would like to correct the record to reflect a negative vote. I was recorded in the affirmative. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

RULES SUSPENDED

The SPEAKER. Mr. Marsico.

Mr. MARSICO. Mr. Speaker, I would like to make a motion to suspend the rules to consider HB 1470, PN 2029.

The SPEAKER. The gentleman, Mr. Marsico, moves that the rules of the House be suspended to permit the immediate consideration of HB 1470, PN 2029.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—195

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

Buxton	Harhai	Nickol	Taylor, E. Z.
Caltagirone	Harhart	O'Brien	Taylor, J.
Cappabianca	Hasay	Oliver	Thomas
Carn	Hennessey	Orie	Tigue
Casorio	Herman	Perzel	Travaglio
Cawley	Hershey	Pesci	Trello
Chadwick	Hess	Petrarca	Trich
Civera	Horsey	Petrone	Tulli
Clark	Hutchinson	Phillips	Vance
Clymer	Jadlowiec	Pippy	Van Horne
Cohen, L. I.	James	Pistella	Veon
Cohen, M.	Josephs	Preston	Vitali
Colafella	Kaiser	Ramos	Walko
Cornell	Keller	Raymond	Washington
Corrigan	Kenney	Readshaw	Waters
Costa	Kirkland	Reinard	Williams
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			

NAYS-6

Gordner	Krebs	Scrimenti	Steelman
Hanna	Platts		

NOT VOTING-0

EXCUSED-2

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1470, PN 2029**, entitled:

An Act amending Titles 66 (Public Utilities) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for motor carrier and broker violations; further providing for unlawful activities and for police and Commonwealth inspections relating to vehicle inspections; and establishing the Motor Carrier Safety Advisory Committee.

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

The SPEAKER. It is the understanding of the Chair that the scheduled amendments of Mr. Readshaw and Mr. Gordner are withdrawn. Is that accurate, Mr. Gordner? I see you standing up now. Well, your amendment is out of order. We have had a discussion at the Chair, and I think you realized that that was going to be the ruling of the Chair?

Mr. GORDNER. Mr. Speaker, if I understand, the bill was originally a Title 75 bill. It was amended then to include Title 75 and Title 66. I would like to offer an amendment to the Title 75 portion of the bill.

The SPEAKER. Our rules – and I hope I understand the amendment situation as you briefly described it – under our rules, when we have a dual title, it is all right provided it is a single subject matter. In the case before us now, the original bill – which has both titles in it, I agree – dealt with the Motor Carrier Safety Advisory Committee, and that is the title that covers – pardon me – that is the subject that covers both titles. Now you have introduced a new subject, and under our rules, that is not permitted.

Mr. GORDNER. Mr. Speaker, I would like to make a motion then to suspend the rules in order to offer this amendment.

The SPEAKER. No; this is a constitutional requirement. The only recourse you have is to appeal the ruling of the Chair to the effect that I have made an improper ruling.

Mr. GORDNER. Okay. Thank you, Mr. Speaker.

The SPEAKER. 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?

LEAVE OF ABSENCE

The SPEAKER. Prior to the taking of the vote, the Chair returns to leaves of absence and adds the gentleman from Erie, Mr. BOYES, for the balance of today's session. Without objection, leave is granted. The Chair hears none.

CONSIDERATION OF HB 1470 CONTINUED

The SPEAKER. The Chair returns to the matter presently pending before the House.

Agreeable to the provisions of the Constitution, the yeas and nays will now be taken. The members— Does the gentleman, Mr. Marsico, desire recognition?

Mr. MARSICO. Yes, Mr. Speaker.

The SPEAKER. I apologize. The gentleman is recognized.

Mr. MARSICO. I just want to thank the members for the consideration of this legislation. It has been worked on for about a year and a half. It is supported by PennDOT, the Pennsylvania Motor Truck Alliance, the Pennsylvania Motor Truck Association, and the Independent Drivers Association. We thank you for your support.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—199

Adolph	Fairchild	Mann	Saylor
Allen	Fargo	Markosek	Schroder
Argall	Feese	Marsico	Schuler
Armstrong	Fichter	Masland	Scrimenti
Baker	Fleagle	Mayernik	Semmel
Bard	Flick	McCall	Serafini
Barley	Forcier	McGeehan	Seyfert
Barrar	Frankel	McGill	Shaner
Bastian	Freeman	McIlhattan	Smith, B.
Battisto	Gannon	McIlhinney	Smith, S. H.
Bebko-Jones	Geist	McNaughton	Solobay
Belardi	George	Melio	Staback
Belfanti	Gigliotti	Metcalfe	Stairs
Benninghoff	Gladeck	Michlovic	Steelman
Birmelin	Godshall	Micozzie	Steil
Bishop	Gordner	Miller, R.	Stern
Blaum	Gruccia	Miller, S.	Stetler
Browne	Gruitza	Mundy	Stevenson
Bunt	Habay	Myers	Strittmatter
Butkovitz	Haluska	Nailor	Sturla
Buxton	Hanna	Nickol	Surra
Caltagirone	Harhai	O'Brien	Tangretti
Cappabianca	Harhart	Oliver	Taylor, E. Z.
Cam	Hasay	Orie	Taylor, J.
Casorio	Hennessey	Perzel	Thomas
Cawley	Herman	Pesci	Tigue
Chadwick	Hershey	Petrarca	Travaglio
Civera	Hess	Petrone	Trello
Clark	Hutchinson	Phillips	Trich
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	Washington
Coy	Krebs	Reinard	Waters
Curry	LaGrotta	Rieger	Williams
Dailey	Laughlin	Roberts	Wilt
Daley	Lawless	Robinson	Wogan
Dally	Lederer	Roebuck	Wojnaroski
DeLuca	Leh	Rohrer	Wright
Dempsey	Lescovitz	Rooney	Yewcic
Dermody	Levdansky	Ross	Youngblood
DeWeese	Lucy	Rubley	Yudichak
DiGirolamo	Lynch	Ruffing	Zimmerman
Donatucci	Maher	Sainato	Zug
Druce	Maitland	Samuelson	
Eachus	Major	Santoni	Ryan,
Egolf	Manderino	Sather	Speaker
Evans			

NAYS—0

NOT VOTING—1

Horsey

EXCUSED—3

Boyes Snyder True

REPUBLICAN CAUCUS

The SPEAKER. Shortly, the Chair will recess. The Republican Caucus, after discussion with the majority leader, the Republican Caucus will meet immediately.

Mr. Cohen, do you have a need for a caucus?

Mr. COHEN. Mr. Speaker, whether we have need of a caucus or not depends on what it is we are going to be doing for the rest of the day.

The SPEAKER. We will have no further votes today.

Mr. COHEN. Do we have a text of the educational empowerment act?

The SPEAKER. Mr. Cohen, I am certain that that particular act is not before us at this time, so I have no idea whether there is a copy of it around.

Mr. COHEN. Well, Mr. Speaker, in view of the fact that we do not have any material for tomorrow to caucus on yet, I guess there is no reason for us to caucus.

The SPEAKER. Thank you.

The gentleman, Mr. DeWeese.

Mr. DeWEESE. I am ruminating.

The SPEAKER. I thought you were going to loan the prior speaker your coat.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The gentleman, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, I would like to submit remarks on HB 1109, which was adopted earlier today, for the record.

The SPEAKER. The gentleman will send his remarks to the desk.

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

1. HB 1109 focuses our tax dollars to support major Pennsylvania industries, apparel and textile, and save jobs from offshore competition.
2. HB 1109 is a reasonable response to a difficult problem. The bill includes safeguards for the public body buying or leasing the products. If in-State manufacturers cannot produce the product in sufficient quantities, the product must be manufactured in the United States. If sufficient quantities are still unavailable, that provision will not apply.
3. HB 1109 has been amended to take care of a concern expressed by SEPTA (Southeastern Pennsylvania Transportation Authority). The bill will not be applied if its application would jeopardize the receipt of Federal funds.
4. By passing this legislation we will strike a blow against sweatshops and child labor in Third World countries.
5. Both the apparel industry and the employee representatives support this legislation. It has broad bipartisan support.

JUDICIARY COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Barley, calls for — an immediate meeting, Mr. Barley? — an immediate meeting of the Appropriations Committee in the Appropriations hearing room.

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

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

The gentleman, Mr. Barley.

The Chair misunderstood the instructions. The Judiciary Committee will meet now in the Appropriations hearing room outside of the back of the chamber. That is the Judiciary Committee.

VOTE CORRECTIONS

The SPEAKER. The gentleman, Mr. Eachus.

Mr. EACHUS. Mr. Speaker, I would like to correct the record, sir.

On SB 3 I was voted in the affirmative. I would like to vote "no." And on HB 849, amendment 2358, I was not recorded. I would like to be recorded as a "no," sir.

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

Ms. Steelman.

Ms. STEELMAN. Thank you, Mr. Speaker.

I would like to correct the record.

On amendment 2358 to HB 849, my vote was recorded in the affirmative. I would like that to be recorded as a negative.

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

Mr. Grucela.

Mr. GRUCELA. Mr. Speaker, I also would like to rise to correct the record.

On SB 3 I was recorded as a "yes" vote. I would like to be recorded as a "no" vote.

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Mr. Barley requests an immediate meeting of the Appropriations Committee to consider one bill in the rear of the hall of the House.

MOTION TO ADJOURN

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. Mr. DeWeese; I am sorry.

Mr. DeWEESE. Mr. Speaker, I move that we adjourn until September 13, 1999.

The SPEAKER. The gentleman, Mr. DeWeese, moves that this House do now adjourn until September 13, 1999, at 11 a.m.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question of adjournment, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, we still have the capital budget, which is not done; the teen-driver bill, which is not done. We have the property tax and rent rebate so that we can give local property tax relief to our seniors all over the Commonwealth of Pennsylvania, a theme that I have heard here many times, Mr. Speaker. I do not think the members want to leave here before we help the seniors of Pennsylvania.

So I would move that we do not adjourn so we can give that agenda to our Governor so that he can sign it so we can take care

of the people of Pennsylvania. So I would urge a "no" vote at this point in time, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, the reason for my impetuosity is that we have not seen this education proposal, and it is going to make a strident effort to change public education in the Commonwealth as nothing in the history of the State has ever done, and I do not think it is fair for us to have the Republicans caucus this afternoon on the lineaments of this proposal and for us on our side not to have any idea what we are going to be dealing with on the most important piece of educational legislation potentially in the history of this State. So that is the reason I am urging that we repair to our individual districts and we are posted here again in September.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—79

Battisto	Eachus	Markosek	Scriminti
Bebko-Jones	Evans	Mayermik	Shaner
Belardi	FrankeJ	McCall	Staback
Belfanti	George	McGeehan	Steelman
Bishop	Gigliotti	Michlovic	Stetler
Blaum	Grucela	Mundy	Sturla
Buxton	Gruizza	Myers	Surra
Caltagirone	Haluska	Oliver	Thomas
Cappabianca	Harhai	Pesci	Tigue
Cam	Horsey	Petrone	Travaglio
Casorio	James	Pistella	Trello
Cohen, M.	Josephs	Preston	Van Horne
Colafella	Kaiser	Ramos	Veon
Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Robinson	Waiko
Coy	LaGrotta	Roebuck	Washington
Curry	Lescovitz	Rooney	Wojnaroski
DeLuca	Levdansky	Ruffing	Yewcic
Dermody	Lucyk	Sainato	Yudichak
DeWeese	Manderino	Santoni	

NAYS—118

Adolph	Feese	Mann	Schroder
Allen	Fichter	Marsico	Schuler
Argall	Fleagle	Masland	Semmel
Armstrong	Flick	McGill	Serafini
Baker	Forcier	McIlhattan	Seyfert
Bard	Freeman	McIlhinney	Smith, B.
Barley	Gannon	McNaughton	Smith, S. H.
Barrar	Geist	Melio	Solobay
Bastian	Gladeck	Metcalfe	Stairs
Benninghoff	Godshall	Micozzie	Steil
Birmelin	Gordner	Miller, R.	Stern
Browne	Habay	Miller, S.	Stevenson
Bunt	Hanna	Nailor	Strittmatter
Butkovitz	Harhart	Nickol	Tangretti
Cawley	Hasay	O'Brien	Taylor, E. Z.
Chadwick	Hennessey	Orie	Taylor, J.
Civera	Herman	Perzel	Trich
Clark	Hershey	Petrarca	Tulli
Clymer	Hess	Phillips	Vance
Cohen, L. I.	Hutchinson	Pippy	Waters
Cornell	Jadlowiec	Platts	Williams
Dailey	Keller	Raymond	Wilt
Daley	Kenney	Reinard	Wogan
Dally	Lawless	Roberts	Wright
Dempsey	Lederer	Rohrer	Youngblood

DiGirolamo	Leh	Ross	Zimmerman
Druce	Lynch	Rubley	Zug
Egolf	Maher	Samuelson	
Fairchild	Maitland	Sather	Ryan,
Fargo	Major	Saylor	Speaker

NOT VOTING—3

Donatucci	Laughlin	Rieger
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EXCUSED—3

Boyes	Snyder	True
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Less than the majority having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The Chair has received a supplemental report of the Committee on Committees, which the clerk will now read.

The following report was read:

COMMITTEE ON COMMITTEES SUPPLEMENTAL REPORT

In the House of Representatives
June 15, 1999

RESOLVED, That

Representative Leo Trich, Washington County, is elected a member of the Intergovernmental Affairs Committee vice Representative Babette Josephs resigned.

Respectfully submitted,
Rep. Andrew Carn
Democratic Chairman
Committee on Committees

On the question,
Will the House adopt the resolution?
Resolution was adopted.

RESOLUTION REPORTED FROM COMMITTEE

SR 8, PN 1032

By Rep. CLYMER

A Concurrent Resolution directing the Joint State Government Commission to create a bipartisan task force to study the feasibility of changing the date of general primary elections and municipal primary elections to September.

STATE GOVERNMENT.

The SPEAKER. There will be no further votes. The desk will be held open to accept reports of committee and do other housework-type business. There will be no recorded votes.

RECESS

The SPEAKER. Does the majority leader or minority leader have any further business at this time?

This House is declared in recess to the call of the Chair.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (J. SCOT CHADWICK) PRESIDING

BILL REREPORTED FROM COMMITTEE

SB 1000, PN 1203

By Rep. BARLEY

An Act designating the Capitol Annex Building as the Speaker Matthew J. Ryan Legislative Office Building and providing for its use; and making a repeal.

APPROPRIATIONS.**RECESS**

The SPEAKER pro tempore. The House will stand in recess to the call of the Chair.

AFTER RECESS

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

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining 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 in the session of Tuesday, June 15? Does the majority leader or minority leader have any further business?

Hearing none, the Chair recognizes the gentleman from Westmoreland County, Mr. Petrarca.

Mr. PETRARCA. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 16, 1999, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 11:59 p.m., e.d.t., the House adjourned.