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LEGISLATIVE JOURNAL

WEDNESDAY, NOVEMBER 10, 1999

SESSION OF 1999

183D OF THE GENERAL ASSEMBLY

No. 55

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER PRO TEMPORE
(J. SCOT CHADWICK) 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:

Let us pray:

O God, we offer this morning a simple prayer:

We pray for the world – that our leaders consider in all decisions what is right and just; that people might work toward reunion of the human family.

We pray for our nation – that we honor what is right and seek to do the things which are courageous and good.

We pray for the future – that our capacity for wonder might never die; that our hopefulness might be contagious; that our generosity might make a difference.

And finally, we pray for ourselves – that we be strengthened to make wise decisions; that we participate in the processes of healing, reconciliation, and building up; and that we remember those who entrusted us to these important positions where our voice might speak for the needs of others. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Tuesday, November 9, 1999, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2054 By Representatives NICKOL, BELARDI, BELFANTI, BENNINGHOFF, CLARK, M. COHEN, FARGO, HALUSKA, LYNCH, MAITLAND, MASLAND, PESCI, PLATTS, ROSS, RUBLEY, SAYLOR, B. SMITH, THOMAS, WILT, YOUNGBLOOD, R. MILLER, STEELMAN and STETLER

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for the definition of "tax collector"; and authorizing agreements for joint tax collection districts.

Referred to Committee on LOCAL GOVERNMENT, November 10, 1999.

No. 2055 By Representatives NICKOL, BARRAR, BENNINGHOFF, DALEY, FARGO, HALUSKA, HENNESSEY, MASLAND, MICHLOVIC, MICOZZIE, R. MILLER, PLATTS, ROSS, SEYFERT, B. SMITH, STERN, J. TAYLOR, VANCE and YOUNGBLOOD

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for transportation ratios for child day-care centers.

Referred to Committee on AGING AND YOUTH, November 10, 1999.

No. 2056 By Representatives MARKOSEK, GEORGE, LEDERER, WALKO, HERSHEY, SOLOBAY, FREEMAN, MELIO, GEIST, LAUGHLIN, MANN, RUFFING, LaGROTTA, READSHAW, HORSEY, EVANS, FICHTER, SANTONI, LYNCH, CARN, YOUNGBLOOD, ROBERTS, ZUG, BELFANTI, DERMODY, STABACK, BARRAR, BELARDI, HALUSKA, GRUCELA, SHANER, ARGALL, PETRARCA, CLYMER, TIGUE, WILT, CAWLEY, DALLY, HARHAL, TRELLO, BROWNE, WASHINGTON, SEYFERT, THOMAS, McCALL, WOJNAROSKI, COSTA, WATERS, S. MILLER and SAINATO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driver improvement course discounts.

Referred to Committee on INSURANCE, November 10, 1999.

No. 2057 By Representatives STRITTMATTER, SCHULER, CALTAGIRONE, STERN, PIPPY, BARRAR, CLARK and McILHATTAN

An Act amending the act of May 19, 1995 (P.L.43, No.4), known as the Industrial Sites Environmental Assessment Act, providing for definitions and for performance-based loans; and making editorial changes.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, November 10, 1999.

No. 2058 By Representatives PETRARCA, TIGUE, TANGRETTI, WALKO, MARKOSEK, SANTONI, ORIE, BAKER, SATHER, LAUGHLIN, BEBKO-JONES, THOMAS, HALUSKA, DERMODY, McCALL, BELFANTI, WATERS, LYNCH, STEELMAN, SOLOBAY, FRANKEL, READSHAW, WOJNAROSKI, BELARDI, VAN HORNE, SHANER, YOUNGBLOOD, ROONEY, HARHAI and BLAUM

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a KIDS First registration plate and for payments to and grants from the Children's Trust Fund.

Referred to Committee on TRANSPORTATION, November 10, 1999.

No. 2059 By Representatives METCALFE, STERN, LEH, WILT, BENNINGHOFF, ARMSTRONG, BASTIAN, BIRMELIN, DeLUCA, EGOLF, FORCIER, GEORGE, HABAY, ROBINSON, ROHRER, YOUNGBLOOD, ORIE and STEVENSON

An Act amending the act of May 24, 1945 (P.L.991, No.385), known as the Urban Redevelopment Law, further providing for blighted areas or property.

Referred to Committee on URBAN AFFAIRS, November 10, 1999.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 310 By Representatives LESCOVITZ, MAITLAND and CORRIGAN

A Concurrent Resolution recognizing the Meadowcroft Rockshelter as the 1999 "Commonwealth Treasure" of the Pennsylvania Historical and Museum Commission.

Referred to Committee on RULES, November 10, 1999.

No. 311 By Representatives ROEBUCK, BUTKOVITZ, PERZEL, J. TAYLOR and DeWEESE

A Resolution authorizing and directing the Subcommittee on Cities, Counties - First Class of the Urban Affairs Committee to conduct an investigation into the problems relating to violence and possession of weapons in public and nonpublic schools in Pennsylvania.

Referred to Committee on RULES, November 10, 1999.

SENATE BILLS FOR CONCURRENCE

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

SB 544, PN 562

Referred to Committee on TRANSPORTATION, November 10, 1999.

SB 1130, PN 1382

Referred to Committee on TRANSPORTATION, November 10, 1999.

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that HB 547, PN 1523, be removed from the table and placed on the active calendar.

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

BILL TABLED

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

Mr. PERZEL. Mr. Speaker, I move that HB 547, PN 1523, be placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that HB 573, PN 599, be removed from the table and placed on the active calendar.

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

BILL RECOMMENDED

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

Mr. PERZEL. Mr. Speaker, I move that HB 573, PN 599, be recommitted to the Committee on Appropriations.

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

BILLS REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that the following bills be removed from the table and placed on the active calendar:

HB 1128;
HB 1130;
HB 1131;

HB 1132;
 HB 1133;
 HB 1134;
 HB 1135;
 HB 1136;
 HB 1137;
 HB 1138;
 HB 1139;
 HB 1140;
 HB 1141;
 HB 1142; and
 HB 1144.

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

BILLS RECOMMITTED

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

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

HB 1128;
 HB 1130;
 HB 1131;
 HB 1132;
 HB 1133;
 HB 1134;
 HB 1135;
 HB 1136;
 HB 1137;
 HB 1138;
 HB 1139;
 HB 1140;
 HB 1141;
 HB 1142; and
 HB 1144.

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

DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. Without objection, the Chair rescinds its announcement that the motion was approved that the following bills be recommitted to the Committee on Appropriations:

HB 1128;
 HB 1130;
 HB 1131;
 HB 1132;
 HB 1133;
 HB 1134;
 HB 1135;
 HB 1136;
 HB 1137;

HB 1138;
 HB 1139;
 HB 1140;
 HB 1141;
 HB 1142; and
 HB 1144.

BILLS ON SECOND CONSIDERATION

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

HB 1128, PN 2548; HB 1130, PN 2549; HB 1131, PN 2550;
 HB 1132, PN 2551; HB 1133, PN 2552; HB 1134, PN 2553;
 HB 1135, PN 1283; HB 1136, PN 2554; HB 1137, PN 2555;
 HB 1138, PN 1286; HB 1139, PN 1287; HB 1140, PN 2557;
 HB 1141, PN 2556; HB 1142, PN 2558; and HB 1144, PN 1292.

BILLS RECOMMITTED

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

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

HB 1128;
 HB 1130;
 HB 1131;
 HB 1132;
 HB 1133;
 HB 1134;
 HB 1135;
 HB 1136;
 HB 1137;
 HB 1138;
 HB 1139;
 HB 1140;
 HB 1141;
 HB 1142; and
 HB 1144.

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

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that HB 2020, PN 2581, be removed from the table and placed on the active calendar.

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

BILL ON SECOND CONSIDERATION

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

HB 2020, PN 2581.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome some guests who are with us today. Chancellor James McCormick of the State System of Higher Education is here with the Harrisburg internship semester interns for the fall semester of 1999. They are Eric Boyer of Indiana University of Pennsylvania; Theresa Brown of Shippensburg University of Pennsylvania; Danielle Dennis of West Chester University of Pennsylvania; Gail Flaim of Lock Haven University of Pennsylvania; Jennifer Levensgood of Kutztown University of Pennsylvania; Jonathan Longwill of Clarion University of Pennsylvania; LaToya Marshall of Cheyney University of Pennsylvania; Heather Martin of Edinboro University of Pennsylvania; Jennifer McConnell of Slippery Rock University of Pennsylvania; Kristina Petersen of Mansfield University of Pennsylvania; Paul Rego of Millersville University of Pennsylvania; Nicole Sabol of East Stroudsburg University of Pennsylvania; Karina Smith of Cheyney University of Pennsylvania; Steven Toprani of California University of Pennsylvania; Michelle Trason of East Stroudsburg University of Pennsylvania; and A. Wayne Burton, internship advisor at West Chester University of Pennsylvania. They are seated in the back of the House. Would they please rise. Welcome to the hall of the House.

Representative Tom Petrone has a guest here with him today. He is the Honorable Ed Stewart, mayor of the borough of Crafton. Ed is an ex-marine and wants to say happy birthday to all of his fellow marines. Would he please rise. Welcome to the hall of the House.

Representative Julie Harhart has a guest here with us today. She is Diana Loikits, and she is the owner of PACE Environmental Products located in Whitehall, Pennsylvania. She is seated to the left of the Speaker. Would she please rise. Welcome to the hall of the House.

The Chair would like to welcome Jerzy Buzek, who is here as an intern from Poland, and his instructor, Mr. William Minsker, with Pennsylvania Partnerships Abroad, who are here today as the guests of Representative Linda Bebeko-Jones. They are seated to the left of the Speaker, and would they please rise. Welcome to the hall of the House.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Snyder, who requests a leave of absence for today's session for the gentleman from Montgomery County, Mr. LAWLESS; the gentleman from Northumberland County, Mr. PHILLIPS; the gentleman from Bucks County, Mr. CLYMER; and the gentleman from Perry County, Mr. EGOLF. Without objection, the leaves will be granted. The Chair hears no objection, and the leaves are granted.

The Chair now recognizes the gentleman, Mr. Veon, who requests a leave of absence for the gentleman from York County, Mr. STETLER. Without objection, the leave will be granted. The Chair hears no objection. The leave is granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—194

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

ADDITIONS—0**NOT VOTING—0****EXCUSED—9**

Clymer	Lawless	Stetler	Ryan,
Egolf	Phillips	Wilt	Speaker
Gruitza	Pistella		

LEAVES ADDED—3

Armstrong LaGrotta Roberts

LEAVES CANCELED—1

Egolf

BILLS REREPORTED FROM COMMITTEE**HB 1635, PN 2000** By Rep. BARLEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, authorizing clerks of courts of common pleas to increase certain fees and to impose automation fees.

APPROPRIATIONS.

SB 1135, PN 1472 By Rep. BARLEY

An Act providing for emergency drought relief as a result of weather conditions in 1999, for loans and grants to victims of small disasters, for powers and duties of the Pennsylvania Emergency Management Agency and other State agencies and for reservation of surplus revenue; establishing the Agricultural Drought Emergency Oversight Board; and making appropriations.

APPROPRIATIONS.

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 1135, PN 1472.**BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED****HB 1646, PN 2639 (Amended)** By Rep. GEIST

An Act designating a portion of State Route 318 in Mercer County as the Korean War Veterans Memorial Highway.

TRANSPORTATION.

HB 1963, PN 2640 (Amended) By Rep. SCHULER

An Act providing for unannounced inspections of certain facilities and persons that provide child day care; and conferring powers and duties on the Department of Public Welfare.

AGING AND YOUTH.

HB 1964, PN 2641 (Amended) By Rep. SCHULER

An Act providing for production of child-care certification and licensing documents; requiring child day-care personnel to provide criminal and child abuse history information; and conferring powers and duties on the Department of Public Welfare.

AGING AND YOUTH.

HB 2053, PN 2623

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for payments to special funds; and providing for driver duties in emergency response areas.

TRANSPORTATION.

SB 19, PN 1164

By Rep. GEIST

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, empowering the Governor to create an Aviation Advisory Committee to provide guidance to the Governor, the General Assembly, the Secretary of Transportation and the State Transportation Commission on aviation matters; and providing for the committee's powers and duties.

TRANSPORTATION.

SB 1011, PN 1267

By Rep. GEIST

An Act amending the act of December 28, 1994 (P.L.1445, No.171), entitled Automobile Theft Prevention Act, repealing sunset provisions of the act.

TRANSPORTATION.

BILLS REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that HB 1963 and HB 1964 be removed from the table and placed on the active calendar.

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

BILLS RECOMMITTED

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

Mr. PERZEL. Mr. Speaker, I move that HB 1963 and HB 1964 be recommitted to the Committee on Appropriations.

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

CALENDAR**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 670, PN 1475.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1050, PN 1385**, entitled:

An Act making an appropriation to the American Battle Monuments Commission as a grant for use in the construction of the National World War II Memorial in the District of Columbia.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—1

James

EXCUSED—9

Clymer	Lawless	Stetler	Ryan,
Egolf	Phillips	Wilt	Speaker
Gruitza	Pistella		

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.

RULES SUSPENDED

The **SPEAKER pro tempore**. The Chair recognizes the gentleman from Lehigh County, Mr. Snyder, for the purpose of making a motion.

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, at this time I would like to move that the rules of the House be suspended for the immediate consideration of HB 1152, PN 2498, and all amendments that were properly filed as of 2 p.m. on Tuesday, November 9, to HB 1152.

The **SPEAKER pro tempore**. Moved by the gentleman, Mr. Snyder, that the rules of the House be suspended so that the House may immediately consider HB 1152, PN 2498, along with all amendments filed by 2 p.m. yesterday.

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

The following roll call was recorded:

YEAS—191

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

Cawley	Herman	Perzel	Travaglio
Chadwick	Hershey	Pesci	Trello
Civera	Hess	Petrarca	Trich
Clark	Horsey	Petrone	True
Cohen, L. I.	Hutchinson	Pippy	Tulli
Cohen, M.	Jadlowiec	Platts	Vance
Colafella	James	Preston	Van Horne
Cornell	Josephs	Ramos	Veon
Corrigan	Kaiser	Raymond	Vitali
Costa	Keller	Readshaw	Walko
Coy	Kenney	Reinard	Washington
Curry	Kirkland	Rieger	Waters
Dailey	LaGrotta	Roberts	Williams
Daley	Laughlin	Robinson	Wogan
Dally	Lederer	Roebuck	Wojnaroski
DeLuca	Leh	Rohrer	Wright
Dempsey	Lescovitz	Rooney	Yewic
Dermody	Levdansky	Ross	Youngblood
DeWeese	Lucyk	Rubley	Yudichak
DiGirolamo	Lynch	Ruffing	Zimmerman
Donatucci	Maher	Sainato	Zug
Druce	Maitland	Samuelson	

NAYS-2

Krebs Tigue

NOT VOTING-1

Steelman

EXCUSED-9

Clymer	Lawless	Stetler	Ryan,
Egolf	Phillips	Wilt	Speaker
Gruitza	Pistella		

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 1152, PN 2498**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the establishment, membership and powers and duties of the Community College Coordinating Board; and further providing for payments to community colleges.

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

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Snyder, under unanimous consent.

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, before we begin the debate on amendments to HB 1152, the Community College Coordinating Board Act, I would like to put in perspective why this legislation is being brought before us.

When the act creating community colleges was enacted by the General Assembly in 1963, the world was much different at that time. Some of you may recall back in the 1963-64 era, landing a man on the moon was then only a challenge to lead the world in space exploration, and a computer to do simple mathematic

functions would take up an entire room. National health care under programs such as Medicare and Medicaid were only concepts being considered by national leaders.

Mr. Speaker?

The SPEAKER pro tempore. The House will come to order. Members will please take their conversations outside the hall of the House.

Mr. Snyder, you may continue.

Mr. SNYDER. Mr. Speaker, back in 1963, the Beatles were the British invasion with a new style of music that they thought would never catch on. Lee Iacocca was working on a car called the Mustang that would revolutionize the auto industry, and coal and steel were the major industries in Pennsylvania, and, Mr. Speaker, Matthew J. Ryan was then a freshman legislator from Delaware County.

We all know that since 1963 the world has changed significantly. It would be very difficult indeed for anyone to point to any organization, business, or government operation that exists in the same manner today as it did 35 years ago, except for community colleges.

Mr. Speaker, there is a rumor going around that while Governor Ridge was in Hollywood 2 weeks ago, he was trying to convince Austin Powers to produce a sequel in Pennsylvania where he comes back as a community college president and no one notices anything different about him. It takes a while; it is early morning, yeah.

Today the House has before it a proposal to allow the community college system in Pennsylvania to be in control of its own destiny. This bill was not drafted by me or any of my colleagues. It was developed by the community colleges themselves. This bill is what they are telling us they need in order to be an effective educational force to meet the needs of their counties. No other educational institution in Pennsylvania can demonstrate a stronger commitment to preparing the citizens of our communities for a changing and dynamic economic development environment and to assist those in this Commonwealth with the greatest need for a helping hand to become productive citizens.

Mr. Speaker, there are 19 members of this chamber who are graduates of community colleges and others who have served as trustees who recognize the important role that community colleges play in the Commonwealth. At a rally on October 6, I noted that the community college system has a triple-A rating. Community colleges provide unlimited access to higher education by opening doors to all those seeking enrichment and educational opportunities; community colleges are an affordable means for those who may not otherwise be able to purchase a higher education; and community colleges are unique in their ability to adapt their missions and their curriculums to the needs of their students and the workforce that our State needs to carry us into the next century. A triple-A rating of accessibility, affordability, and adaptability – no other system of higher education in Pennsylvania can compare to these standards.

Mr. Speaker, I would like to speak to some of my colleagues right now as we begin this debate to recognize that there are some community colleges which have been very successful despite the challenges of an archaic statewide structure and the lack of a strong advocate in State government. To some of these schools, the status quo is very comfortable and change is viewed as a potential detriment to their operation. I respect the need for these colleges to protect their interests and their concern of how change will

potentially impact them. However, the community colleges were established as a system, and their future will be determined by how the overall system meets the challenges of funding, economic development opportunities, competition from higher education institutions, and job training. Nothing is to be gained by a philosophy of survival of the fittest.

When the community college system was developed in Pennsylvania, it was a leader in the nation for citizens seeking a college degree or valuable technical skills. We have seen how successful other States have utilized our model to make community colleges within their States better citizens for competition. One only has to look at North Carolina and the number of jobs that were lost in Pennsylvania because of their community colleges and job training.

The 1968 State master plan for higher education projected a goal of 28 technical institutions or community colleges located in districts of equal size throughout the Commonwealth. As the report noted though, quote, "That goal has not been achieved and probably never will be achieved, without changes in the dynamics which encourage community college formation (including funding)," unquote.

Mr. Speaker, I wish the members of this House would imagine being elected to represent the 58,000 residents of your district and have the independence to do whatever you want to do to meet the needs of your constituents, except for one condition; one condition would be put on you — that is, that only the Speaker of the House can speak for you; you may not speak to any other persons in State government except through the Speaker of the House. I think most of us would realize that you would not have much influence under those conditions and circumstances.

Yet for 35 years, Mr. Speaker, the community colleges had to operate under similar circumstances. For 35 years only the Secretary of Education could be their voice. One only has to look at the history of the department's record on behalf of community colleges to see how effective that relationship has been.

It is time to give the community colleges their own voice. It is time to consider this legislation which will allow them to control their own destiny. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Is the lady, Ms. Steelman, seeking recognition under unanimous consent? That is what we are doing right now. We have not yet approached the bill or the amendments. The Chair thanks the lady.

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

Mr. ROBINSON offered the following amendment No. A3806:

Amend Sec. 3 (Sec. 1902.2-A), page 9, by inserting between lines 25 and 26

(18) Submit a report on any underserved segments in the various communities based on demographics that include racial and ethnic characteristics.

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

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

Mr. ROBINSON. Thank you, Mr. Speaker.

Mr. Speaker, in the course of discussions with the prime sponsor, Representative Snyder, and others, this is an amendment we have agreed upon that we believe will strengthen the bill, give us additional information to help our community colleges not only make their case to the General Assembly and the Governor but to give to us data that we can analyze to make sure that our community colleges are reaching all of the people in this Commonwealth who really need their services, and I encourage all the members of the House to vote for this particular amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—187

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

NAYS—7

Bunt	Cornell	Fichter	McGill
Cohen, L. I.	Dailey	Leh	

NOT VOTING—0

EXCUSED—9

Clymer	Lawless	Stetler	Ryan,
Egolf	Phillips	Wilt	Speaker
Gruitza	Pistella		

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. ROBINSON offered the following amendment No. A3807:

Amend Sec. 3 (Sec. 1902.2-A), page 9, by inserting between lines 25 and 26

(18) Provide detailed information on how the community colleges are contributing to workforce development.

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

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

Mr. ROBINSON. Thank you, Mr. Speaker.

Mr. Speaker, this amendment, similar to the previous amendment that the House approved, will strengthen the bill, give us additional data that we could analyze, put some additional reporting requirements on the community colleges, and allows us to be in the forefront of some activities in this Commonwealth that I think definitely will be beneficial, and I encourage every member of the House to support this amendment, as I encouraged them to support the previous amendment. Thank you, Mr. Speaker.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair returns to leaves of absence and notes the presence in the hall of the House of the gentleman from Perry County, Mr. Egolf, and directs the clerk to place his name on the master roll.

CONSIDERATION OF HB 1152 CONTINUED

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

The following roll call was recorded:

YEAS—184

Adolph	Fairchild	Marsico	Schroder
Allen	Fargo	Masland	Schuler
Argall	Feese	Mayernik	Scrimenti
Armstrong	Fleagle	McCall	Semmel
Baker	Flick	McGeehan	Serafini
Barley	Forcier	McIlhattan	Seyfert
Barrar	Frankel	McIlhinney	Shaner
Bastian	Freeman	McNaughton	Smith, B.

Battisto	Gannon	Melio	Smith, S. H.
Bebko-Jones	Geist	Metcalfe	Snyder
Belardi	George	Michlovic	Solobay
Belfanti	Godshall	Micozzie	Staback
Benninghoff	Gordner	Miller, R.	Stairs
Birmelin	Grucela	Miller, S.	Steelman
Bishop	Habay	Mundy	Steil
Blaum	Haluska	Myers	Stern
Boyes	Hanna	Nailor	Stevenson
Browne	Harhai	Nickol	Strittmatter
Butkovitz	Harhart	O'Brien	Sturla
Buxton	Hasay	Oliver	Surra
Caltagirone	Hennessey	Orie	Tangretti
Cappabianca	Herman	Perzel	Taylor, E. Z.
Carn	Hershey	Pesci	Taylor, J.
Casorio	Hess	Petrarca	Thomas
Cawley	Horsey	Petrone	Tigue
Chadwick	Hutchinson	Pippy	Travaglio
Civera	Jadlowiec	Platts	Trello
Clark	James	Preston	Trich
Cohen, M.	Josephs	Ramos	True
Colafella	Kaiser	Raymond	Tulli
Corrigan	Keller	Readshaw	Vance
Costa	Kenney	Reinard	Van Horne
Coy	Kirkland	Rieger	Veon
Curry	Krebs	Roberts	Vitali
Daley	LaGrotta	Robinson	Walko
Dally	Laughlin	Roebuck	Washington
DeLuca	Lederer	Rohrer	Waters
Dempsey	Lescovitz	Rooney	Williams
Dermody	Levdansky	Ross	Wogan
DeWeese	Lucyk	Rubley	Wojnaroski
DiGirolamo	Lynch	Ruffing	Wright
Donatucci	Maher	Sainato	Yewcic
Druce	Major	Samuelson	Youngblood
Eachus	Manderino	Santoni	Yudichak
Egolf	Mann	Sather	Zimmerman
Evans	Markosek	Saylor	Zug

NAYS—9

Bard	Cornell	Fichter	Leh
Bunt	Dailey	Gladeck	McGill
Cohen, L. I.			

NOT VOTING—2

Gigliotti	Maitland
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EXCUSED—8

Clymer	Lawless	Pistella	Wilt
Gruitza	Phillips	Stetler	Ryan,
			Speaker

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

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

Mr. CURRY offered the following amendment No. A4127:

Amend Sec. 3, page 10, by inserting between lines 18 and 19
Section 1902.4-A. Assurance Against Loss.—(a) In developing a new allocation process, the board shall assure that, in the first year of the implementation of any new process, each college shall receive an allocation which is at least equal to its previous year's total operating reimbursement, provided funds are appropriated by the General Assembly therefor.

(b) If a college receives its allocation based on subsection (a), then in each of three subsequent years, the college shall receive no less than one percent (1%) additional State funding above its previous year's allocation, provided that such increase shall not exceed the proportionate increase granted to the community colleges generally in the budget, and provided that funds are appropriated by the General Assembly therefor.

(c) If a college receives its allocation based on subsection (a) and the full-time equivalent student enrollment of a college declines in any year by more than three percent (3%) from the previous year, the college shall not receive the additional one percent specified in subsection (b).

(d) This section shall expire June 30 of the third fiscal year following the first implementation of the new allocation process adopted by the board. The board shall publish the date of the first implementation of the new allocation process as a notice in the Pennsylvania Bulletin.

Amend Sec. 3 (Sec. 1902.4-A), page 10, line 19, by striking out "1902.4-A" and inserting

1902.5-A

Amend Sec. 3 (Sec. 1902.5-A), page 10, line 27, by striking out "1902.5-A" and inserting

1902.6-A

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Montgomery County, Mr. Curry. Mr. CURRY. Thank you, Mr. Speaker.

Mr. Speaker, as we enter this period of change with the new statewide coordinating board, some of the community colleges were concerned about continuity in funding. Montgomery County Community College suggested that we amend the bill to allow the funding be assured its same reimbursement in that first year of implementation. I believe this is an agreed-to amendment, and I ask for its adoption.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—1

Raymond

EXCUSED—8

Clymer	Lawless	Pistella	Wilt
Gruitza	Phillips	Stetler	Ryan, Speaker

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

On the question recurring,

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

Mr. CURRY offered the following amendment No. A4139:

Amend Sec. 2 (Sec. 1902-A), page 2, line 26, by inserting after "college."

In the event the plan is disapproved, the proponents may either correct such deficiencies as are identified by the board and resubmit their plan within one hundred eighty (180) days of the disapproval, or may appeal the disapproval of the Education Committee of the Senate and the Education Committee of the House of Representatives, in which case those committees shall forthwith provide their recommendations to the State Board of Education.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Montgomery County.

Mr. CURRY. Thank you, Mr. Speaker.

Again, in this period of transition, a concern of a plan being introduced for a new community college, should that plan be disapproved, this amendment would have it referred to the House and Senate Education Committees for their review, and I believe that this change is also an agreed-to amendment. I ask for its adoption.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Clymer	Lawless	Pistella	Wilt
Gruitza	Phillips	Stetler	Ryan, Speaker

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

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

Mr. GEORGE offered the following amendment No. A4106:

Amend Sec. 3 (Sec. 1902.2-A), page 9, line 22, by inserting after "LOCATED."

The board's recommendations shall include plans for expanding community college programs and services to rural areas of this Commonwealth.

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

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

Mr. GEORGE. Thank you, Mr. Speaker.
Mr. Speaker, I believe this is an agreed-to amendment.

It simply makes the change to section 3, and that change can go a long way to make community college services available in rural Pennsylvania. And really what it only does, it basically asks that within that report that the board must bring forward, it will also give recommendations about how to expand community college services in rural Pennsylvania, and I ask that we adopt this amendment, Mr. Speaker.

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

The following roll call was recorded:

YEAS—194

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

Coy	Kenney	Reinard	Walko
Curry	Kirkland	Rieger	Washington
Dailey	Krebs	Roberts	Waters
Daley	LaGrotta	Robinson	Williams
Dally	Laughlin	Roebuck	Wogan
DeLuca	Lederer	Rohrer	Wojnaroski
Dempsey	Leh	Rooney	Wright
Dermody	Lescovitz	Ross	Yewcic
DeWeese	Levdansky	Rubley	Youngblood
DiGirolamo	Lucyk	Ruffing	Yudichak
Donatucci	Lynch	Sainato	Zimmerman
Druce	Maher	Samuelson	Zug
Eachus	Maitland		

NAYS-0

NOT VOTING-1

Tangretti

EXCUSED-8

Clymer	Lawless	Pistella	Wilt
Gruitza	Phillips	Stetler	Ryan, Speaker

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. SNYDER offered the following amendment No. A4029:

Amend Sec. 3 (Sec. 1902.1-A), page 6, line 11, by inserting after "SPONSOR."

No representative of the local sponsor may serve concurrently with the president or a trustee of the sponsored institution.

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

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

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, when this legislation was reviewed by the House Committee on Education, two representatives of sponsoring districts were added to the coordinating board, and there was discussion among the committee members concerning the fact that there are now trustees, presidents, and sponsoring districts on the coordinating board. This amendment would make sure that no representative of any of the schools is represented more than once among any one of those categories.

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

The following roll call was recorded:

YEAS-191

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

NAYS-4

Maitland	McNaughton	True	Vance
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NOT VOTING-0

EXCUSED-8

Clymer	Lawless	Pistella	Wilt
Gruitza	Phillips	Stetler	Ryan, Speaker

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

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

The SPEAKER pro tempore. It is the Chair's understanding that the gentleman, Mr. Nailor, has two amendments that were filed late. Does the gentleman wish to make a motion to suspend the rules so that those amendments can be considered?

RULES SUSPENDED

Mr. NAILOR. Mr. Speaker, I would like to make that motion for amendment A4119.

The SPEAKER pro tempore. You can make the same motion for both amendments, if you would like to give us both numbers now.

Mr. NAILOR. I would.

The SPEAKER pro tempore. What is the other number?

Mr. NAILOR. A4117.

The SPEAKER pro tempore. Moved by the gentleman, Mr. Nailor, that the rules of the House be suspended so that he may offer amendments A4117 and A4119 to HB 1152.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On the motion, the Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

In the interest of aggressive debate, I would vigorously ask for a favorable vote on Mr. Nailor's motion.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—193

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

Colafella	Kaiser	Ramos	Vance
Cornell	Keller	Raymond	Van Horne
Corrigan	Kenney	Readshaw	Veon
Costa	Kirkland	Reinard	Vitali
Coy	Krebs	Rieger	Walko
Curry	LaGrotta	Roberts	Washington
Dailey	Laughlin	Robinson	Waters
Daley	Lederer	Roebuck	Williams
Dally	Leh	Rohrer	Wogan
DeLuca	Lescovitz	Rooney	Wojnaroski
Dempsey	Levdansky	Ross	Wright
Dermody	Lucyk	Rubley	Yewcic
DeWeese	Lynch	Ruffing	Youngblood
DiGirolamo	Maher	Sainato	Yudichak
Donatucci	Maitland	Samuelson	Zimmerman
Druce	Major	Santoni	Zug
Eachus			

NAYS—1

Hanna

NOT VOTING—1

Feese

EXCUSED—8

Clymer	Lawless	Pistella	Wilt
Gruitzza	Phillips	Stetler	Ryan, Speaker

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. NAILOR offered the following amendment No. A4119:

Amend Sec. 3 (Sec. 1902.1-A), page 4, line 25, by striking out "NINETEEN" and inserting

twenty-one

Amend Sec. 3 (Sec. 1902.1-A), page 4, lines 26 through 30; page 5, lines 1 and 2, by striking out all of lines 26 through 30, page 4, all of line 1 and "(3) Three" in line 2, page 5 and inserting

(1) Eight

Amend Sec. 3 (Sec. 1902.1-A), page 5, line 5, by inserting after "years"

each trustee to be from a different community college governing board

Amend Sec. 3 (Sec. 1902.1-A), page 5, line 6, by striking out "(4) Three" and inserting

(2) Seven

Amend Sec. 3 (Sec. 1902.1-A), page 5, lines 10 through 15, by striking out all of lines 10 through 14 and "(6)" in line 15 and inserting

(3)

Amend Sec. 3 (Sec. 1902.1-A), page 5, line 16, by striking out "(7)" and inserting

(4)

Amend Sec. 3 (Sec. 1902.1-A), page 5, line 18, by striking out "(8)" and inserting

(5)

Amend Sec. 3 (Sec. 1902.1-A), page 5, line 22, by striking out "(9)" and inserting

(6)

Amend Sec. 3 (Sec. 1902.1-A), page 5, line 26, by striking out “(10)” and inserting

(7)

Amend Sec. 3 (Sec. 1902.1-A), page 5, line 30, by striking out “(11)” and inserting

(8)

Amend Sec. 3 (Sec. 1902.1-A), page 6, lines 4 through 20, by striking out all of lines 4 through 19 and “(d)” in line 20 and inserting

(c)

Amend Sec. 3 (Sec. 1902.1-A), page 6, line 23, by striking out “one trustee” and inserting

three trustees

Amend Sec. 3 (Sec. 1902.1-A), page 6, line 24, by striking out “one trustee” and inserting

three trustees

Amend Sec. 3 (Sec. 1902.1-A), page 6, line 25, by striking out “one trustee” and inserting

two trustees

Amend Sec. 3 (Sec. 1902.1-A), page 6, line 29, by striking out “(e)” and inserting

(d)

Amend Sec. 3 (Sec. 1902.1-A), page 7, line 2, by striking out “one president” and inserting

two presidents

Amend Sec. 3 (Sec. 1902.1-A), page 7, line 3, by striking out “one president” and inserting

two presidents

Amend Sec. 3 (Sec. 1902.1-A), page 7, line 4, by striking out “one president” and inserting

three presidents

Amend Sec. 3 (Sec. 1902.1-A), page 7, line 8, by striking out “(f)” and inserting

(e)

Amend Sec. 3 (Sec. 1902.1-A), page 7, line 14, by striking out “(g)” and inserting

(f)

On the question,

Will the House agree to the amendment?

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

Mr. NAILOR. Thank you, Mr. Speaker.

As I review the bill, there are two faults that I feel need to be corrected if all of the community colleges, all 15, are to be represented. This addresses one of those issues.

The legislation, while well intended, the way it is written simply does not provide for representation from each of the 15 community colleges. My amendment will change the number and the composition of the coordinating board. In addition to the Secretary of Education and the chairman of the State Board and the four legislative members, there will be seven presidents and eight trustees on the board, one from each of the 15 community colleges that will be participants. We will increase the membership, therefore, from 19 members to 21 members.

The intent of my amendment is very clearly to provide equal representation for all affected institutions. The current language leaves too much representation to groups who do not make the management decisions for our community colleges, and I ask for an affirmative vote.

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

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, I stand to oppose amendment 4119.

Mr. Speaker, what this amendment does is it changes the whole composition of the purpose of the coordinating board. Currently there is a Pennsylvania Commission for Community Colleges which represents trustees and presidents, and it is true that currently under that commission, every community college is represented. The whole purpose of developing a coordinating board is to broaden the base of support and advocacy for community colleges.

What Mr. Nahill’s – Nailor’s amendment would do – Nahill; I am thinking of Montgomery County – but what the current amendment would do, Mr. Speaker, it would remove the student representative from the board; it would remove a faculty representative from the board; it would remove three taxpayers represented on the board; and it would expand the board by two more individuals, giving most of the voting power to the trustees and presidents.

Mr. Speaker, the coordinating board was drafted very carefully to make sure that all parties, including legislators, the Secretary of Education, the State Board of Education, are represented, because the main goal of the coordinating board is to be an advocate for community colleges.

Also, with the way the terms are rotated, it is possible for having different community colleges represented at any one time. There is no other board; the State System of Higher Education, for instance, does not include all colleges on their board, and there is no other board that I am aware of that makes sure that it includes everybody that is involved.

I think that we give an opportunity for the trustees. There are currently three trustees, three presidents, and two sponsors; that is eight people representing the community colleges on this board. I feel that the community colleges have a voice. I feel each one of the presidents and trustees have a voice, and I would ask you to oppose this amendment to maintain the coordinating board as it is in HB 1152. Thank you.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the lady from Cumberland County, Representative Vance.

Mrs. VANCE. Thank you, Mr. Speaker.

I rise to support the Nailor amendment for a very clear reason. It is absolutely unfair to think that one community college would not be represented on this coordinating board and that the amount of moneys that would be distributed would be determined by everyone else perhaps except your own community college.

When we talk about trustees, the trustees are the community. They are the representatives of the people in the community, and that is why it is very important that we are sure that every community college has a representative. The trustee should be that representative as well as the president.

In a sense of fairness, I strongly urge you to vote for the Nailor amendment so that each community college can have a voice in their future. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Dauphin County, Mr. Buxton.

Mr. BUXTON. Thank you, Mr. Speaker.

Mr. Speaker, I also rise to support the Nailor amendment.

It has become clear that not every community college in Pennsylvania embraces this legislation today. Since the 15 community colleges have the most at stake with this advisory board, it is only fitting that each community college have representation on that board.

For the reasons espoused from the lady from Cumberland County and for the merits supplied by the amendment from Mr. Nailor, I would urge my colleagues to support the Nailor amendment to provide all community colleges in Pennsylvania with representation on this coordinating council board. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Washington County, Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

I rise reluctantly to oppose the Nailor amendment.

As a former student trustee on the board of trustees of California University, although not dissimilar but is analogous to what is going on with the community colleges, I think it is absolutely imperative that we provide the opportunity for students to have an input into the process.

For several years now it has been an axiom that we have developed in the legislature that students should have an input and have a say. I think it is imperative that we do that, and this amendment removes those students from the board of trustees in this situation.

So I oppose this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Franklin County, Mr. Coy, is recognized on the amendment.

Mr. COY. Thank you, Mr. Speaker.

I support the amendment, and I do so even though there are, like with many subjects, good things and bad things. I appreciate the comments of the previous speaker, who indicated that the value of a student trustee is important; they are. I was a student trustee at one point, and I understand the value of that importance also.

But I think in this case, in the case of the creation of what is now a statewide and what will be a statewide board, the input of representation from each one of the community colleges is invaluable. I think it will provide for a feeling of cohesion among the members. It will provide for a feeling of inclusion rather than separation when we have members representing all of the various constituent colleges as a member of the board.

I think it is a better way to start. Later on down the road if this needs to be changed, if student trustees need to be added or faculty representation, that can always be done, but at the outset, at the outset I think the inclusion of trustees representing each one of the community colleges far more outweighs the other concerns that have been expressed. I think it only makes sense.

There are people who are concerned about whether or not this is a good move, about whether this entire concept is a good idea. I think by including, as Mr. Nailor does in this amendment, trustees representing all of the colleges, it will help to appease the feeling that they are not represented, that only certain viewpoints will be represented. I think it is a wonderful idea. I think it contains a great deal of merit, and I think it will help move what is a good measure and take a good measure and make it even better.

I support the amendment, and I encourage all the members to do the same. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Clarion County, Mr. McIlhattan.

Mr. McILHATTAN. Mr. Speaker, I rise to oppose this amendment.

Thirteen out of the 15 community colleges now support this bill in its present form.

I would also like to remind the body that we have a sort of forerunner of what we are doing now. We have the State System

of Higher Education that has been in effect for a number of years and works very well. That takes care of 14 of our State universities, and all 14 members of each one of those universities does not have a membership in the State System of Higher Education Board of Governors.

It has worked well in the past without having everybody having representation. I think the system as it works now, 13 of the 15 community colleges agree with the bill as it stands, and I am urging the members of this body to vote "no" on this amendment. Thank you very much.

The SPEAKER pro tempore. Mr. Nailor, I have no other speakers listed. Would you like to speak for the second time?

Mr. NAILOR. If there are no others, yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Robinson, do you seek recognition? The gentleman is recognized.

Mr. ROBINSON. Mr. Speaker, if I might make a few comments that will hopefully encourage members to, in this instance, not support my good friend, Mr. Nailor's suggestion, and here is what I believe are the good reasons, in this instance, not to support his amendment, even though I believe the point he is raising does have serious merit.

As already has been stated, the community colleges in this State already have a commission to represent those community colleges which want to participate. Those of us who are trustees at the community colleges in this Commonwealth, we have an organization right here in this State. We, too, are concerned about the community colleges, but our community colleges heretofore have not had an opportunity to come before the Governor or this General Assembly and make their case about money, about the resources that they need.

We put in place in this General Assembly some time ago a funding formula that we believed was fair to the community colleges, fair to the Commonwealth, fair to the local sponsors, and fair to the students, and many of us believe that one-third of the cost of the community colleges is being paid by the Commonwealth, one-third by the local sponsor, and one-third by the students. That simply has not happened for a variety of reasons, and I would think that all the community colleges, even those who are not supportive of HB 1152, recognize things have changed and that they need a different way of making their case. We allow our Commonwealth universities, our State System schools, and even our private institutions probably have an advantage over our community colleges, to come and make their case as to what type of funding they think the Commonwealth ought to provide.

Whether the formula should stay the same or not, I believe it is more important to allow the community colleges to come and make their case than it is for every community college to be represented on the coordinating board. The legitimate concerns of every community college can be represented through the procedure that is in place, and I do not believe we should presume that HB 1152 would not accommodate the concerns of my esteemed colleague.

I can appreciate every college wanting to be in on the ground floor, wanting to have an opportunity to make their individual case, but this bill is not about the individual community colleges. It is about the community colleges in Pennsylvania and the vital role they have played in workforce development, providing the first 2 years of education for many of our young people, and also the community colleges' future to go out into those areas that do not have community colleges or 4-year schools to provide services.

I would hope that the majority of you in this Assembly, in this House, would look at the big picture, and the big picture is, allow the community colleges as a group to make their case and, yes, to trust that the mechanism that is in place in HB 1152 will accommodate all of the community colleges, even those who right now are not sure this is the way that they want to go and, very frankly, are not supportive of HB 1152.

I encourage my colleagues to defeat amendment A4119. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Columbia County, Mr. Gordner, on the amendment.

Mr. GORDNER. Thank you, Mr. Speaker.

In the spirit of point-counterpoint, I rise to urge support for the Nailor amendment.

In regard to this new coordinating board, it is going to have great influence over the moneys that are going to be flowing to our community colleges, and to think that we can have a board that might be made up of 90 percent of those community colleges, it does not make sense that if we are that close, why we do not expand that membership to make sure that all of our community colleges are represented.

There are, I believe, three community colleges that have some concern with this bill. Most of the reason for their concern is that they currently do get a good amount of funding and support from their host counties. They have a concern that because of the way this bill is now drafted, when it comes time to set up this coordinating board, they may be shut out in regard to representation on this all-important board that is going to have a major influence in regard to the funding.

Our community colleges are extremely important, and I think all of us that represent areas that are served by the community colleges know the importance of them. Why should they not all be represented on this new coordinating board that really should be representative of all of them to hear all of their voices, and I would strongly urge support for the Nailor amendment.

The SPEAKER pro tempore. The gentleman from Dauphin County, Mr. McNaughton, is recognized on the amendment.

Mr. McNAUGHTON. Thank you, Mr. Speaker.

I do not want to belabor the point, Mr. Speaker, but I do not know if I could say it any better than the gentleman, Mr. Coy, or the gentleman, Mr. Gordner, in urging support for this amendment. I think the gentleman, Mr. Coy, hit the nail on the head, but he forgot one aspect of the additions of this board, and I believe that it is going to bring diversification from throughout the Commonwealth of Pennsylvania.

Now, we added amendments earlier to this bill to improve upon diversification. We added the gentleman, Mr. George's amendment to reach out to the rural community; we added other amendments for ethnicity. I think that all this does is enhance this bill. It makes it a better bill and it makes it more diversified, and that is exactly what we are looking for from our community colleges, and I would urge for support of this amendment. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Nailor, for the second time.

Mr. NAILOR. Thank you, Mr. Speaker.

Mr. Speaker, I knew Representative Nahill. Representative Nahill was a friend of mine. I believe he was here when the Beatles were a new band and perhaps Representative Ryan was a freshman legislator, but be that as it may.

I ask all of you to ask yourselves, why would anyone oppose a coordinating council representing 15 community colleges, why would they oppose each community college having representation on that board? Decisions involving their funding, perhaps involving at some time their curriculum, the monitoring of their class — all of these things could enter into a focus of this coordinating council. Why would we oppose that?

Current funding for each community college in this Commonwealth differs to some extent. Some get very little, as little as 20 percent from their sponsoring districts or sponsoring counties; others get a third and more. They are all different, and yet they are all going to have to live with the results and the decisions made by this coordinating council that we are going to create with this piece of legislation. I believe each community college deserves representation on that board the same as our constituents deserve representation in the House of Representatives and ask for an affirmative vote. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—140

Adolph	Egolf	Manderino	Schroder
Armstrong	Evans	Marsico	Schuler
Baker	Fairchild	Masland	Scrimenti
Bard	Fargo	Mayernik	Serafini
Barley	Feese	McCall	Seyfert
Barrar	Fichter	McGeehan	Shaner
Bastian	Fleagle	McGill	Smith, B.
Bebko-Jones	Flick	McNaughton	Smith, S. H.
Belardi	Frankel	Melio	Solobay
Belfanti	Gannon	Micozzie	Staback
Benninghoff	George	Miller, R.	Stairs
Birmelin	Gigliotti	Miller, S.	Stern
Bishop	Gladeck	Mundy	Strittmatter
Blaum	Godshall	Myers	Surra
Boyes	Gordner	Nailor	Tangretti
Bunt	Harhai	Nickol	Taylor, E. Z.
Butkovitz	Hasay	O'Brien	Taylor, J.
Buxton	Hennessey	Oliver	Tigue
Caltagirone	Hershey	Petrarca	Travaglio
Cappabianca	Horsey	Petrone	Trello
Carn	Hutchinson	Platts	True
Casorio	Jadlowiec	Preston	Tulli
Cawley	James	Ramos	Vance
Civera	Kaiser	Raymond	Veon
Clark	Keller	Readshaw	Vitali
Cohen, L. I.	Kenney	Rieger	Walko
Cornell	Kirkland	Roberts	Washington
Costa	LaGrotta	Roebuck	Waters
Coy	Laughlin	Rohrer	Wogan
Dailey	Lederer	Ross	Wojnaroski
DeLuca	Lescovitz	Rubleby	Yewcic
Dermody	Lucyk	Ruffing	Youngblood
DeWeese	Lynch	Sainato	Yudichak
Donatucci	Maitland	Sather	Zimmerman
Eachus	Major	Saylor	Zug

NAYS—54

Allen	Freeman	Mann	Samuelson
Argall	Geist	Markosek	Santoni
Battisto	Grucela	McIlhattan	Semmel
Browne	Habay	McIlhinney	Snyder
Chadwick	Haluska	Metcalfe	Steelman
Cohen, M.	Hanna	Michlovic	Steil
Colafella	Harhart	Orie	Stevenson
Curry	Herman	Perzel	Sturla

Daley	Hess	Pesci	Thomas
Dally	Josephs	Pippy	Trich
Dempsey	Krebs	Reinard	Van Horne
DiGirolamo	Leh	Robinson	Williams
Druce	Levdansky	Rooney	Wright
Forcier	Maher		

NOT VOTING—1

Corrigan

EXCUSED—8

Clymer	Lawless	Pistella	Wilt
Gruitza	Phillips	Stetler	Ryan, Speaker

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. NAILOR offered the following amendment No. A4117:

Amend Sec. 6 (Sec. 1914-A), page 25, by inserting between lines 5 and 6

(c) (1) At no time shall the coordinating board receive a budget increase, expressed in terms of percentage points over the previous year's appropriation, less than the percentage points of increase appropriated to the State System of Higher Education.

(2) For the fiscal year 2000-2001, no community college shall receive a lesser percentage increase in its allocation than that to which it was entitled for the 1999-2000 fiscal year reimbursement formula.

(3) For the fiscal year 2001-2002 and for each fiscal year thereafter, no community college shall receive less of an increase, expressed in terms of a percentage increase over the previous year's allocation, than the percentage of increase annually appropriated to the State System of Higher Education.

(4) Distribution of the annual allocation by the coordinating board to each of the fifteen community colleges shall be done in an equal and equitable manner.

On the question,

Will the House agree to the amendment?

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

Mr. NAILOR. Thank you, Mr. Speaker.

My second amendment addresses the second part of the serious concern I have about this piece of legislation. Some of the community colleges, or namely, the stability of the community colleges, amount to a large portion of their budget. Their budget is everything to them. We are looking for a hold-harmless provision to be included that is substantial and has something to do with the cost of living.

I have four parts to this amendment, and I would like to review them briefly. The first part ties the increases in appropriations to the coordinating board to a percentage increase in appropriations that is not less than that given to the State System of Higher Education in the same year, make it equal to the community colleges and this coordinating board, that they receive from the

Commonwealth an amount no less than the same percentage given to the State System of Higher Education.

It holds each community college's funding harmless in the year 2000-2001, and this is very similar to the first amendment that we recently passed from Representative Curry. For example, the college will not receive less in that year than they received in 1999-2000.

The third part ties the increases in the funding of each community college to the increase of the State System of Higher Education. For example, if the coordinating board receives a 3-percent increase or a 5-percent increase which is equal to the State System of Higher Education, they cannot turn around and give less to a community college than went to the State System of Higher Education, be it a 3-percent increase or whatever. One community college could not be cut and someone else be given a 10 percent, much like we do with the ESBE (equalized subsidy for basic education) formula.

And the fourth part would see to that in that the funding must be equal and equitable to all community colleges, and I ask for an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Lancaster County, Mr. Schuler.

Mr. SCHULER. Thank you, Mr. Speaker.

Will the gentleman stand for interrogation?

The SPEAKER pro tempore. The gentleman, Mr. Nailor, indicates that he will. You may proceed.

Mr. SCHULER. Mr. Speaker, the first part of your amendment discusses the situation dealing with the State System of Higher Education. My question is this: Are you speaking of our general operating fund of the State System or the total appropriations?

Mr. NAILOR. I was speaking of the general operating fund.

Mr. SCHULER. Just of the total.

Mr. NAILOR. No; I am sorry. The total appropriation authorized by the Commonwealth to the State System of Higher Education this past year was, I believe, 5 percent.

Mr. SCHULER. Well, I think that is what I want to clarify. The general operating fund or budget of the State System, do you also include into that your line items that we receive for the State System?

Mr. NAILOR. No, they are not to be included. Operating budget; that is correct.

Mr. SCHULER. Just the operating budget.

Mr. NAILOR. Operating budget is correct.

Mr. SCHULER. All right. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Are there any other members seeking recognition on the amendment?

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—173

Adolph	Egolf	Major	Sather
Allen	Evans	Manderino	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	McNaughton	Smith, B.
Bebko-Jones	Gannon	Melio	Smith, S. H.
Belardi	George	Michlovic	Solobay
Belfanti	Gigliotti	Micozzie	Staback
Benninghoff	Gladeck	Miller, R.	Stairs
Birmelin	Godshall	Miller, S.	Steelman
Bishop	Gordner	Mundy	Stern
Blaum	Grucela	Myers	Stevenson
Boyes	Habay	Nailor	Strittmatter
Bunt	Haluska	Nickol	Surra
Butkovitz	Hanna	O'Brien	Tangretti
Buxton	Harhai	Oliver	Taylor, E. Z.
Caltagirone	Hasay	Orie	Taylor, J.
Cappabianca	Hennessey	Perzel	Thomas
Carn	Herman	Pesci	Tigue
Casorio	Hershey	Petrarca	Travaglio
Cawley	Horsey	Petrone	Trello
Chadwick	Hutchinson	Pippy	Trich
Civera	Jadlowiec	Platts	True
Clark	James	Preston	Tulli
Cohen, L. I.	Josephs	Ramos	Vance
Cohen, M.	Kaiser	Raymond	Van Horne
Colafella	Keller	Readshaw	Veon
Cornell	Kenney	Rieger	Walko
Corrigan	Kirkland	Roberts	Washington
Costa	LaGrotta	Robinson	Waters
Coy	Laughlin	Roebuck	Williams
Dailey	Lederer	Rooney	Wogan
Daley	Lescovitz	Ross	Wojnaroski
DeLuca	Levdansky	Rubley	Yewcic
Dempsey	Lucy	Ruffing	Youngblood
Dermody	Lynch	Sainato	Yudichak
DeWeese	Maher	Samuelson	Zimmerman
Donatucci	Maitland	Santoni	Zug
Eachus			

NAYS-21

Browne	Harhart	McIlhattan	Snyder
Curry	Hess	McIlhinney	Steil
Dally	Krebs	Metcalfe	Sturla
DiGirolamo	Leh	Reinard	Vitali
Druce	Mann	Rohrer	Wright
Geist			

NOT VOTING-1

Freeman

EXCUSED-8

Clymer	Lawless	Pistella	Wilt
Gruitza	Phillips	Stetler	Ryan, Speaker

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 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?

On final passage, the Chair recognizes the lady from Cumberland County, Representative Vance.

Mrs. VANCE. Thank you, Mr. Speaker.
I rise to oppose this legislation.

While the legislation itself is well intended, it creates an unnecessary, inefficient layer of bureaucracy that will cost our taxpayers \$750,000 in the very first year. This \$750,000 would pay for 505 students to receive an education at a community college. After the first year in operation, the Community College Coordinating Board would actually take money away from the community colleges and would deprive the colleges and the students of a vital portion of State funding. Money that would have gone directly to community colleges for the education of their students will be now used to fund administrative costs. Look what is proposed in the legislation. The very first thing they talk about is administration, salaries for staff of administration. This is not what education is all about.

We are talking about taking control away from our local communities. This is not what we want. Our local community colleges are governed by local people who are representative of the taxpayers in that area. Each community college in Pennsylvania was born out of a locally defined need for workforce development, to meet and tailor to the needs of our local community. As locally elected trustees rather than politically appointed people, they would serve first their own community. This proposed legislation would take away that local voice and that local control. Local community colleges would lose the ability to address their immediate needs in their own community.

This bill does not guarantee increased funding for our community colleges. Instead, it takes \$750,000 away from colleges to create a bureaucracy that may be able to get more money. I suggest that why would we support a bureaucracy when we can educate more students?

I respectfully ask for a "no" vote. Thank you.

The SPEAKER pro tempore. On final passage, the Chair recognizes the gentleman from Beaver County, Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 1152.

For too long in Pennsylvania, community colleges have been treated as a second-class citizen. It is now time to give the community colleges the same opportunity to have the statutory authority as the State-owned universities and State-related universities. If it is such a good idea for community colleges to remain in the Department of Education in order to be a stronger force in Pennsylvania, let me tell you something. Penn State, Pitt, Lincoln, Millersville — they would all want to be under the Department of Education. The community colleges want to have the same opportunity as the Penn States, the Pitts, the Temples, and that is to have a stronger voice at the table.

Mr. Snyder has been a strong force for community colleges. He has introduced this bill to make community colleges a stronger force in higher education. Just to show you how little power community colleges have in Pennsylvania, last year there was \$2 million in workforce development for community colleges. The matter was just taken away from them, and nobody in the Department of Education said anything. In North Carolina where community colleges are the strongest force for economic development in the United States of any community college system in the United States, community colleges are strong. They have a voice at the table.

Mr. Speaker, if we do not pass this particular piece of legislation, community colleges will be treated unfairly and in a

way that makes no sense. So if you are in favor of making community colleges a stronger, viable force in higher education, I urge you to vote for HB 1152. Thank you.

The SPEAKER pro tempore. On final passage, the Chair recognizes the gentleman from Dauphin County, Mr. Tulli.

Mr. TULLI. Thank you, Mr. Speaker.

I rise to oppose this bill because it creates an unnecessary bureaucracy in education.

Representative Snyder has long been an advocate for community colleges and he is an effective one, and yet in the debate that we had earlier, he said the main purpose of this bill is to create an advocate for the community colleges. Well, I think this is one of those places where the legislature has to look at what it has been doing recently. We have been cutting back on bureaucracy in Pennsylvania; we have been cutting through red tape. We have been making government and businesses more efficient and successful in Pennsylvania. We have had business growing, employment growing, and we have had surpluses growing. This is an action that is inconsistent with what this House of Representatives has been doing in limiting bureaucracy. Instead, this would be creating another level of bureaucracy, and I ask for a "no" vote on HB 1152. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin County, Mr. McNaughton, on final passage.

Mr. McNAUGHTON. Thank you, Mr. Speaker.

I, too, rise in opposition to HB 1152.

We heard the gentleman, Mr. Snyder, early in his comments mention that the problem with our community colleges is one of funding, not getting adequate funding, and the reason they do not have adequate funding is because supposedly they do not have adequate representation. Well, I believe that the members of this General Assembly adequately represent their constituency, one of those being community colleges, and so I disagree with the gentleman, Mr. Snyder, that community colleges do not have adequate representation.

So then it falls back on the issue of funding, but unfortunately, this bill is deficient in regards to funding. It has absolutely nothing to do with funding of community colleges. In fact, the only thing this legislation has to do with is funding an additional bureaucratic mess in the Commonwealth of Pennsylvania that we do not need.

I urge my members to vote "no" on this legislation. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On final passage, the Chair recognizes the lady from Indiana County, Representative Steelman.

Ms. STEELMAN. Thank you, Mr. Speaker.

I rise in support of this bill.

As one of the strongest supporters of the State System of Higher Education in this chamber, I have to suggest that we should look at the history of the State System as we analyze this bill. One of the most important events in that history was the creation of a unified State System of Higher Education. No analysis of the way in which the universities of Pennsylvania — Indiana, Lock Haven, Bloomsburg, East Stroudsburg — have been able to expand and serve the population of Pennsylvania better over the last 20 years can avoid coming to the conclusion that the creation of a unified board of governors for the State System was one of the most significant elements in that improved and expanded ability to serve the people of Pennsylvania.

The coordinating college board that is proposed here today is not as strong a mechanism as the board of governors for enabling the community colleges to speak with a unified voice, but it very much improves their opportunities and it gives them a presence in the deliberations of the General Assembly that they have never had before and from which they have suffered.

At this point the community colleges are like the Cinderella of public higher education — working hard, not saying a whole lot, and consistently when the other institutions are sitting around the table cutting up the turkey, the community colleges seem to be back in the kitchen cleaning the wood ashes out of the stove and washing the pots and pans. They need to have a presence at the table as well, and this is our opportunity to give them a presence, to give them the ability to unlock their tremendous capacity to provide education for the citizens of Pennsylvania, the kind of capacity that we have seen realized in such States as North Carolina and California.

And as I say, there are few people in the General Assembly who can say that they are stronger supporters of the State System than I am, and it is in that character that I encourage you to give the community colleges the same kind of voice, the same kind of presence, the same kind of organized ability to plan for the future that has made our State System an ornament to public higher education.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh County, Mr. Semmel, on final passage.

Mr. SEMMEL. Thank you, Mr. Speaker.

I would like to share four points as we conclude our discussions. As a reminder, for the first time the community colleges will be able to work together as partners in developing and submitting capital and operating budgets to the Governor and the General Assembly based on their own identified priorities, not those of the Department of Education.

Secondly, after 35 years the community colleges will finally have the right to sit before the Appropriations Committees and speak for themselves about their budget priorities and not be forced to sit back and hope that the department speaks for them.

Third, under current law, any obligated operating funds at the end of the fiscal year must be returned to the General Fund. Community colleges have lost millions of dollars as a result. HB 1152 would enable the community colleges to retain those dollars and use them to serve students.

And then lastly, HB 1152 will not in any way adversely affect the local sponsorship relationship of any one of the 15 community colleges. In fact, the bill will help to foster a better understanding of the need to create a new and vastly improved way of funding community colleges.

Thank you very much.

The SPEAKER pro tempore. The gentleman from Allegheny County, Mr. Trello, is recognized on final passage.

Mr. TRELLO. Mr. Speaker, I rise to support HB 1152.

Thirty-some-odd years ago the county commissioners created a community college for Allegheny County with just a handful of students. Over those last 35 years, now they allow a number of our students an opportunity to get a college education. Tens of thousands of kids are attending the community college in Allegheny County.

In the past when there was a handful of students, they were treated like any public school district with their funding. I agree with the previous gentleman that said that they need to come to the

Appropriations Committee and sit down and no longer be treated like one of our 501 school districts and let us know what the demands are for the betterment of all the kids that are getting a good education, and I would ask everybody to support HB 1152. Thank you.

The SPEAKER pro tempore. The gentleman from Mercer County, Mr. Fargo, on final passage.

Mr. FARGO. Thank you, Mr. Speaker.

I stand here not certain whether I am speaking in support of this or in opposition to this bill, but I do believe that there are some points that we all should be aware of and consider before we actually make a vote on the bill.

What this will do is to put all the community colleges into one box, and I just do not believe that we can compare that to the State System of Higher Education where this has been done. There are so many differences between the purposes and the activities of the community colleges as compared to our State schools, our State universities.

The first place is a difference in size. You know, the community colleges in the rural areas are considerably smaller than the community colleges in some of the more urban areas and in the suburban areas. The constituencies are entirely different. This is not the case of having students coming from all over, wherever they may come from in Pennsylvania or even out of the State by choice going to those, but instead, these are community colleges that take care of the local municipality, and they have different purposes. Each community college has a certain area that they are working in, and they are working for the people of that particular area. I believe that there is quite a bit of differences between these particular two areas, and to try to say that we should have the same kind of a bureaucratic setup for community colleges as we have for the SSHE system is something that I guess we ought to look at rather carefully.

I called the president of our community college for a conversation with him, and I think that I told him pretty much an old adage, and that is, you want to be careful what you ask for, because you are liable to get it.

And as I listened to the amendments that were made already to this legislation, I find that already there are some more rules and regulations that we at the State are going to be putting on these people. We had three or four amendments—a couple amendments from Representative Robinson and one from Representative George—that add to the requirements that all the community colleges in Pennsylvania are going to have to live by if in fact this legislation is passed.

The next thing I did was to try to look at how much money, how have they been doing as far as community colleges are concerned over the last couple years, and I went to the Governor's budget, which I know had changed some, and I do not have the final figures as to where we ended up when we passed the final budget, but I looked at the Governor's budget. In the last 2 years, the community colleges received an increase of 9.37 percent; last year an increase of 3 percent. Now, that is by the Governor's budget. We increased that 3 percent somewhat—for a fact, I think considerably—before we actually passed the budget.

As far as the State-related schools are concerned and also our State universities, the Governor's budget indicates that they received 5.8 percent in the last 2 years increase, and last year they received 2.5 percent. Now, I know that was increased somewhat also, but look at the comparison there. Over the last 2 years, the

community colleges, because I believe that we here in the legislature have been very cognizant of the importance of community colleges, and we have tried to do what we can to increase the help there. We know that the local municipalities who have had to come up with one-third of the cost in a lot of cases have not been able to do that, and so we actually considered, or at least in the Governor's budget, over a 9-percent increase in 2 years and 3 percent last year compared to what we gave to the other higher education institutions in Pennsylvania of 5.8 percent and 2.5 percent.

So I say once more and I say this to the community colleges, be careful what you ask for. You are liable to get more regulations; you are liable to get less money, and as I say, I am not sure where it is. I know that my particular community college is in favor of this, but I am concerned and I think we all should realize some of these facts.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. On final passage, the Chair recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the bill stand for brief interrogation?

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

Mr. VITALI. Thank you, Mr. Speaker.

Mr. Speaker, I came to this floor today preparing to support this legislation, and I probably still will, but as I listened to the debate, some questions have been raised, which perhaps you can clarify.

The lady from Cumberland County mentioned the \$750,000 budget, which frankly gave me a bit of a pause. I am just wondering if you could put that in perspective, outline why that amount is needed for this body and perhaps compare that, perhaps in percentage terms, what have you, to the budgets of other bodies with comparable functions.

Mr. SNYDER. Mr. Speaker, I did not develop the \$750,000. That was developed by the Commission for Community Colleges, but it is only for the first year because of the fact that they are not aware of what the budget will be for that year.

As you know, when you first begin a new board, there are a lot of startup costs—you have to get office equipment; you have to get furniture; you have to get leases; you have to hire a staff—and I believe that was just trying to establish a ceiling in terms of expenses. In future years it will be less than—it will be one-half of a percent, .5 percent maximum that will be able to be used for administrative costs.

Currently the county community colleges pay to the commission a certain portion that is assessed to them for those costs. So those costs really will be reflected now similarly directly out of the appropriation rather than coming from the community colleges themselves, and plus the board will be the one that determines maximizing the budget that will be approved each year.

Mr. VITALI. Thank you, Mr. Speaker.

The next question involves the ability to lobby, and as a legislator over the past 7 years, I have been to various dinners and breakfasts at my own community college. The presidents and trustees have been in my office, received correspondence. It seems that they have actually been lobbying, making their case at least to me, and so I wanted you to sort of develop why this need is there. I have heard testimony with regard to not having a place in conjunction with the budget hearings, but I am wondering if—and I understand that—but perhaps might there be another way to deal

with that one deficit if that is the only deficit? What is their problem with getting their message out now?

Mr. SNYDER. Mr. Speaker, the problem is inherent in the way the system was developed, and this is why this legislation is so necessary.

Let me just give you an example of the last 3 weeks. In working with this legislation, I was aware that the Department of Education was against the legislation; the administration is against it. They have given the arguments that they want to be able to have some form of higher education under the control of the administration because otherwise there is no coordination of higher education in the Commonwealth, and this is the only system of higher education they have left.

Now, in order to give them a greater voice as they claim, the Department of Education has proposed to create an office of community college. Presently the community colleges report directly to a Deputy Secretary in the Department of Education. By creating an office of community college, it was actually pushed down further into the bureaucracy and having a staffer sit there and go through this process.

Now, let me get to the point I am trying to make. Over the years the Secretary of Education has been the one responsible for particularly putting forth the budgets for the community college. They have to submit the budgets to them and then they are considered, and the Department of Education rolls that into their overall department budget when they submit it to the Office of the Budget and to the Governor. Over the last several years, the only reason there have been increases in those appropriations is because several of us who are individual legislators have gone to the Governor's Office after the budget has been presented by the Governor and said, we want more funding for community colleges, and we individually have done it. There has never been support from the Department of Education for those initiatives. They were done as part of our negotiating leverage with the budget.

Three weeks ago, as I said, when I met with the Secretary, I said, why do we not address the budget issue? That is the bottom-line concern of the community colleges. I was willing to look at legislation that would guarantee increases in the budget for the community colleges. I was looking at presenting legislation that would give them credit for some of the students that they currently do not get reimbursed for. There was a laundry list of things that the community colleges have been asking for for at least 10 years, including the two community colleges who have left the commission who are now saying that we do not want to support this either, who will add those same requests in saying, we do not think that this board is going to get these requests. I was willing to put those requests in legislation in lieu of this coordinating board. The department said, oh, we cannot agree to that because we need to go to the Secretary of the Budget, and he is not going to agree to this. So where do we stand?

The Secretary of Education is supposed to be the advocate for community colleges. A legislator is saying, I am willing to work with you and put it in statute so we do not have to worry about this issue anymore, and they said, oh, we cannot talk to the Secretary of the Budget; he is against it; we cannot agree to this. That is why we need a coordinating board. We need somebody who has an independent voice, who will go to the Appropriations hearings, that will speak freely for the independent community colleges and allow them to have a voice. Right now they have no voice at all, and they are controlled by the Department of Education who does

not want to see any more done for the community colleges than is already done other than lip service.

Thank you.

Mr. VITALI. Thank you. That concludes my interrogation.

The SPEAKER pro tempore. The gentleman from Delaware County, Mr. Adolph, on final passage.

Mr. ADOLPH. Thank you, Mr. Speaker.

I rise in support of HB 1152.

For the last several years myself and other members of the Delaware County delegation have met with the board of trustees as well as the president of Delaware County Community College, and that board and the president have done an outstanding job trying to balance a budget with tremendous hardship coming from the Department of Education.

Representative Snyder said in his comments just a couple minutes ago how these community colleges, the regulations regarding some of the student funding and the lack of reimbursement from the State is choking our community colleges. Our community colleges offer higher education to those students that can least afford it. Community colleges have to present their budget to all the local school boards for approval.

Now, no other, no other education community has to go through the tightening of the budget like our community colleges. They have excesses in some areas that they cannot reduce student tuitions because of State regulations. They have come up to the State for the last several years asking relief from those regulations so they can reduce student tuitions. Those requests went unheard.

I would rather see those specific concerns be changed instead of creating this board. I supported both of Representative Nailor's amendments. I believe his amendments make this a better board because of its representation. I also think the funding guarantees that Representative Nailor's amendment gave give our community colleges some guarantee.

We are forming this board because they do not have a voice up here in Harrisburg, and they are educating thousands and thousands of our students at a very affordable price, and our State percentage has gone down over the years. Our local school districts can no longer continue to support the community colleges at the rates that we are asking.

So this is necessary, this HB 1152, and I ask my colleagues to support this effort. Thank you.

The SPEAKER pro tempore. On final passage, the gentleman from Westmoreland County, the gentleman, Mr. Stairs.

Mr. STAIRS. Mr. Speaker, I certainly concur with my colleagues who have stood in front of the microphone to support the community college.

I kind of reflect a little bit as I give my remarks, and I would, I guess, like to say that, you know, this body and the Senate and the Governor 35, 36 years ago when they had the foresight to adopt a community college system in Pennsylvania, you know, our predecessors — and I guess Matt Ryan was here at that time, too; so one active member at the time in the House and probably a few Senators who were in the legislature at that time — really were thinking ahead when they did this unique idea of a community college.

California and a couple other States had aggressive community colleges and Pennsylvania really got started a little late, but over that short period of time, 30-plus, 35-plus years, we have seen the community colleges grow, and I would think that each one of us who is fortunate enough — and, I mean, it is unfortunate that each

one of us does not have a community college in our area — but each one of us that does has seen the remarkable accomplishments.

I am quite proud, in fact, I am very proud of the Westmoreland Community College and have seen what they have done. Their enrollment has increased, particularly in the workforce development, and when we were having some downturn in the economy in the eighties, they were very aggressive retraining people when we had plant closings.

And particularly the community colleges are excellent serving the community needs as well as combining the needs of the Commonwealth all in one. That makes them rather unique, I believe, but they have grown and they have grown and they are starting to mature, and what has been holding them back is a place at the table, a place to come to Harrisburg in February, in the spring of the year, and be able to stand on their own feet and say we need these appropriations because we want to do this for Pennsylvania; we want to do this for our young people; we want to do this for our adults who need retrained, and, you know, they have come such a long way but they have not reached their full potential because they do not have the influence that the State-related and the State System have to be able to present their case, and certainly if they cannot present their case, then obviously we have to vote accordingly. But I am sure and I am quite confident they will come to Harrisburg and be able to, as was pointed out earlier, even though they are local, even though they meet local needs, they are addressing the needs of the Commonwealth particularly in the job training and vocational and technical areas.

So I would hope that we would be able to continue the growth of this very excellent endeavor the legislature created just a few years ago, 35-plus years ago. So I would hope that we would be able to maintain the excellence and to be able to enter them into the next millennium, into the next century, and make our community colleges leaders among the community colleges in our country and to continue Pennsylvania's education excellence forward.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne County, Mr. Tigue, on final passage.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, I reluctantly support this legislation. I say reluctantly as a Representative from Luzerne County.

Our community college has some concerns with this bill. Our community college has been one of the most successful endeavors ever undertaken by our county commissioners. In fact, county commissioners of both parties throughout the years have made sure that they funded it properly, and that is what the concern is.

From my perspective, Luzerne County has always as a local sponsor lived up to the commitment of providing what the funding should be, and there is a concern that with this new commission, there will be a reallocation of funds, and somehow because we have kept our word and have been completely — I guess I am missing the word — but the county has funded it with the idea that this is an investment in the future of our kids, et cetera. So we have done that, and I guess the other local sponsors who have stepped away and have left kind of a funding hole, we are concerned that we are going to lose State funds going to these other community colleges.

Now, some of the amendments that were put into the bill today definitely improve it from our perspective in Luzerne County, and

I would say to Representative Snyder and other people who support this strongly, we are concerned about how the process will be done. It says in there that one of the charges and duties and responsibilities of this commission will be the allocation of funds. They will look at capital budgets. Well, that is getting away from what the local needs are. You may have someone on the board and say, these are our local needs; we have to do that, but they may be overruled.

So reluctantly I guess I will support this, but there still are some concerns which have to be addressed, and of course, the Senate and we will get another chance to have the community college come in and present their concerns. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On final passage, the Chair recognizes the lady from Lehigh County, Representative Mann.

Miss MANN. Thank you, Mr. Speaker.

I rise in support of HB 1152.

I think it goes without saying I certainly would hope that my colleagues would agree and recognize the significant role that community colleges play in communities throughout this Commonwealth. The significance of that role in making education available to our citizens is very important, and I think it is time that we stand and recognize how important community colleges are.

This bill is an opportunity for us to recognize that and to give community colleges the respect that is long overdue to them. What they are asking for is an opportunity to have a say and have control over their direction, over their budget, to give them autonomy and flexibility in how they are run. I do not think that is too much for them to ask.

Again, I encourage my colleagues to support this bill and give a long-overdue recognition and respect to the community colleges of this Commonwealth. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On final passage, the Chair recognizes the gentleman from Philadelphia County, Mr. Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support HB 1152, and I do that in part out of my experience over the last 6 years as a member of the board of the Community College of Philadelphia, and one of the things that I have learned in that service is that that college along with the others across this Commonwealth remain very much hidden resources. Community colleges perform a vital and important service to those citizens of Pennsylvania. They open opportunity for higher education to students who might not otherwise have had that opportunity. They give students a chance to improve themselves. They are important in the area of workforce development. Certainly when I look at my city, I can list a number of different ways in which my community college has enhanced the process of job retraining, of taking workers and giving them an opportunity to gain new skills to remain productive. I know that that goes on across the entire Commonwealth. Further, the colleges are a clear resource to the communities in which they exist. They help individual citizens, and they help them by providing opportunities for those students to interact with those colleges and with individual teachers and staff at those colleges. And then also I would point out that community colleges are cost effective. Community colleges provide a solid education at a reasonable cost.

Well, student colleges clearly have a story to tell, a good story, but the problem is, Mr. Speaker, that oftentimes that story has not been told as well as it should have been nor as effectively. What is needed, Mr. Speaker, is a higher level of advocacy on the part of those colleges. This bill provides for those colleges that

opportunity. It will give to those colleges a stronger voice in the process of gaining adequate funding at State level. It will give to those colleges a better way to make their case of all of the good and positive things they do for the citizens of the Commonwealth of Pennsylvania. It is a story that needs to be told more effectively. This bill allows that. It gives to them the ability to take what is good and make it better.

I would urge all my colleagues to support this bill as a way of enhancing not only those colleges but the economic vitality and welfare of the Commonwealth of Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Philadelphia, Mr. Thomas, on final passage.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise, too, to complement the comments that have been made so far with respect to HB 1152. I strongly support HB 1152, and I strongly concur with the comments that have been made, and I offer an additional situation which highlights the valuable contribution that community colleges make to the Commonwealth of Pennsylvania.

I have a situation in Philadelphia County where the Community College of Philadelphia has become a real integral part of a commerce, trade, and maritime partnership that we have developed in one of the high school clusters, a partnership that allows young people to come in direct contact with the myriad of careers associated with commerce, trade, and maritime and providing a real bridge of opportunity for these young people to become partners and become participants in the commerce, trade, and maritime arena, and, Mr. Speaker, the Community College of Philadelphia has been extremely instrumental in helping to move this partnership forward. It is one of the few opportunities where we are able to see how effective a marriage between the public and private sectors can aid in enhancing the academic and basic skills of young people in public education.

So I strongly support HB 1152, because I know that it is only going to add to what the Community College of Philadelphia and other community colleges have been able to do in the areas of public education, in the areas of workforce development, and in the areas of providing young people and adults — and adults — with the tools that they need to enter the new millennium with pertinent skills and with focus as it relates to the new millennium market and world job place.

So I strongly urge members from both sides of the aisle to support HB 1152, and let us take another giant step forward in really providing our community colleges with the support that they need. Thank you.

The SPEAKER pro tempore. On final passage, the gentleman from Allegheny County, Mr. Walko.

Mr. WALKO. Thank you, Mr. Speaker.

I, too, rise in support of HB 1152. The organizations, the institutions we are talking about, are indeed community based. A great deal of their funding comes from the community. Moreover, faculty and administration are extremely flexible in our community college systems. I think that is extremely important in the area of workforce development. They can design programs quickly. They can respond to economic opportunities and challenges within the community in which they reside and serve.

Finally, it was raised about their being community based almost not quite in a negative fashion, but indeed the fact that community colleges derive most of their students from the community, that

should work in favor. These are people who are Pennsylvanians, they are from the community, and it is more likely than not that they will remain in Pennsylvania. So that we would focus more and more State resources to them is indeed in effect an investment in Pennsylvania's future.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. On final passage, the gentleman, Mr. Snyder.

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, just to let the members know that as soon as we are done with this, the agenda for the rest of the afternoon will go rather quickly, and I appreciate the members' patience as we go through this. As you can tell, this is an issue that means a lot to many people in this chamber, to their community colleges and their community. I just ask for your support.

When everybody comes to this chamber, they usually try to do something that they can feel that they have left something better after they leave. When I went to community college 30 years ago, they gave me an opportunity to give me a better life and give me the opportunity to actually be here, and before I leave this chamber, I would like to be able to say I did something back for that community college.

And certainly we have gone through this process, and I recognize that part of the problem with this legislation is a problem that has been inherent with the community colleges themselves. I am not disappointed, Mr. Speaker, because the members who represent some community colleges certainly have to represent their districts. Why I am disappointed, Mr. Speaker, is that the community colleges themselves have some differences. For the community colleges to grow in the future, they are going to have to learn to work together. They have to learn to be stronger by being united. It is my hope that by creating a board separate and apart from the Department of Education, it will require them to learn to work together more strongly and more efficiently, and that is our goal here. The legislation is not a magic bullet that is going to address all the concerns that community colleges had since 1963, but it gives them an opportunity to work on those challenges. It gives them an opportunity, Mr. Speaker, to finally stand on their own and speak for the 600,000 citizens of this Commonwealth who each year receive the benefits of that educational program.

So I again thank those of you who worked cooperatively with us on this. I appreciate those who have had differences and have presented them in a very good manner, and we worked together well on this floor. But before I leave, Mr. Speaker, this evening there will be a memorial service for Lee Myers. Lee Myers was the driving force to try to bring the community colleges together, and the success of this bill today will be a memorial to him. Thank you very much.

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—152

Adolph	Fairchild	Manderino	Samuelson
Allen	Fargo	Mann	Santoni
Argall	Flick	Markosek	Sather

Barrar	Forcier	Mayernik	Schroder
Battisto	Frankel	McCall	Scrimenti
Bebko-Jones	Freeman	McGeehan	Semmel
Belardi	Gannon	McIlhattan	Seyfert
Belfanti	Geist	McIlhinney	Shaner
Benninghoff	George	Melio	Snyder
Birmelin	Gigliotti	Metcalfe	Solobay
Bishop	Gordner	Michlovic	Staback
Blaum	Grucela	Micozzie	Stairs
Boyes	Habay	Miller, S.	Steelman
Browne	Haluska	Mundy	Steil
Butkovitz	Hanna	Myers	Stevenson
Caltagirone	Harhart	O'Brien	Sturla
Cappabianca	Hennessey	Oliver	Surra
Cam	Herman	Orie	Tangretti
Casorio	Hershey	Perzel	Taylor, E. Z.
Cawley	Hess	Pesci	Taylor, J.
Civera	Horsey	Petrarca	Thomas
Cohen, M.	Hutchinson	Petrone	Tigue
Colafella	Jadlowiec	Pippy	Travaglio
Corrigan	James	Preston	Trello
Costa	Josephs	Ramos	Trich
Coy	Kaiser	Raymond	Van Horne
Curry	Keller	Readshaw	Veon
Daley	Kenney	Reinard	Vitali
Dally	Kirkland	Rieger	Walko
DeLuca	Krebs	Roberts	Washington
Dempsey	LaGrotta	Robinson	Waters
Dermody	Laughlin	Roebuck	Williams
DeWeese	Lederer	Rohrer	Wogan
DiGirolamo	Leh	Rooney	Wojnarowski
Donatucci	Lescovitz	Ross	Wright
Druce	Levdansky	Rublely	Yewcic
Eachus	Lucyk	Ruffing	Youngblood
Evans	Maher	Sainato	Yudichak

NAYS—41

Baker	Egolf	Marsico	Serafini
Bard	Feese	Masland	Smith, B.
Barley	Fichter	McGill	Smith, S. H.
Bastian	Fleagle	McNaughton	Stern
Bunt	Gladeck	Miller, R.	Strittmatter
Buxton	Godshall	Nailor	True
Chadwick	Hasay	Nickol	Tulli
Clark	Lynch	Platts	Vance
Cohen, L. I.	Maitland	Saylor	Zimmerman
Cornell	Major	Schuler	Zug
Dailey			

NOT VOTING—2

Armstrong	Harhai
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EXCUSED—8

Clymer	Lawless	Pistella	Wilt
Gruitza	Phillips	Stetler	Ryan, Speaker

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

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

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair now returns to leaves of absence and recognizes the gentleman, Mr. Veon, who requests a leave of absence for the gentleman from Lawrence County,

Mr. LaGROTTA. Without objection, the leave will be granted. The Chair hears no objection, and the leave is granted.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 2035, PN 2598, entitled:

An Act amending the act of December 3, 1959 (P.L.1688, No.621), known as the Housing Finance Agency Law, making editorial changes.

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

The SPEAKER pro tempore. The Chair understands that the gentleman, Mr. Vitali, filed an amendment late. Does the gentleman— The gentleman withdraws the amendment. The Chair thanks the gentleman.

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

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

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

The following roll call was recorded:

YEAS—192

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

Dailey	Kirkland	Rieger	Washington
Daley	Krebs	Roberts	Waters
Dally	Laughlin	Robinson	Williams
DeLuca	Lederer	Roebuck	Wogan
Dempsey	Leh	Rohrer	Wojnaroski
Dermody	Lescovitz	Rooney	Wright
DeWeese	Levdansky	Ross	Yewcic
DiGirolamo	Lucyk	Rublely	Youngblood
Donatucci	Lynch	Ruffing	Yudichak
Druce	Maher	Sainato	Zimmerman
Eachus	Maitland	Samuelson	Zug

NAYS—0

NOT VOTING—2

Armstrong Seyfert

EXCUSED—9

Clymer	Lawless	Stetler	Ryan,
Gruitza	Phillips	Wilt	Speaker
LaGrotta	Pistella		

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.

LEAVE OF ABSENCE

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 983, PN 1430**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Mercer County certain lands situate in Coolspring Township, Mercer County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Capital Region Economic Development Corporation, a Pennsylvania nonprofit corporation, certain lands situate in the City of Harrisburg, Dauphin County.

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

Mr. HUTCHINSON offered the following amendment No. **A4061**:

Amend Title, page 1, line 4, by striking out "AND"
Amend Title, page 1, line 8, by removing the period after "COUNTY" and inserting
; and authorizing the Department of General Services, with the approval of the Governor and the Department of Transportation, to grant and convey to Oil City Community Development Corporation certain lands situate in the City of Franklin, Venango County, Pennsylvania.

Amend Bill, page 4, line 24, by striking out all of said line and inserting

Section 3. (a) The Department of General Services, with the approval of the Governor and the Department of Transportation, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Oil City Community Development Corporation the Department of Transportation's Engineering District 1-0 Office Facility, land and buildings described in subsection (b) for fair market value, as determined by independent appraisal.

(b) The property to be conveyed pursuant to subsection (a) consists of the Department of Transportation's Engineering District 1-0 Office Facility, bounded and more particularly described as all that certain piece or parcel of land situated in the First Ward of the City of Franklin, Venango County, Pennsylvania, bounded and described as follows:

PARCEL 1

BEGINNING at a post at the Southeast corner of Liberty Street and South Park Street; thence Southwardly along the Easterly side of Liberty Street a distance of 112.71 feet to the corner of lot conveyed by Valvoline Oil Company to Seth J. Cox by deed dated November 10, 1939 and recorded in the recorder's office of said County in Deed Book No. 472, page 564; thence Eastwardly by land conveyed to Seth J. Cox as aforesaid, eighty-six (86) feet to land now owned by Helen Patterson Irwin; thence Northwardly by land of Helen Patterson Irwin, two and seventy-one one-hundredths (2.71) feet to a post; thence Eastwardly by the same four (4) feet to a post; thence Northwardly by the same one hundred ten (110) feet to the Southerly line of South Park Street; thence Westwardly by the Southerly line of said street, ninety (90) feet to the place of beginning. Being part of in-lots Nos. 460 and 461 as marked and numbered on the General Plan of the City of Franklin.

Being part of the same premises which Valvoline Oil Company, by deed dated April 3, 1944 and recorded in the Recorder's Office of Venango County In Deed Book 497, Page 383, conveyed to Commonwealth of Pennsylvania.

PARCEL 2

BEGINNING on the East Side of South Park Street, at a point ninety (90) feet from the corner of Liberty and South Park Streets; thence along the line of South Park Street North sixty-five degrees forty-eight minutes East sixty (60) feet; thence South twenty-four degrees twelve minutes East one hundred and ninety-two and seventy-one hundredths (192.71) feet; thence South sixty-five degrees forty-eight minutes West sixty-four (64) feet; thence North twenty-four degrees twelve minutes West eighty-two and seventy-one one-hundredths (82.71) feet; thence North sixty-five degrees forty-eight minutes East four (4) feet; thence North twenty-four degrees twelve minutes West one hundred and ten (110) feet to the place of beginning. Being part of In Lots four hundred and sixty-one (461), four hundred and sixty (460) and four hundred and fifty-seven (457) as surveyed by T.L. Kennerdell, City Engineer, April 2, 1897.

Being the same premises which was conveyed to Commonwealth of Pennsylvania by Helen Patterson Irwin Estate, by Executor, by deed dated August 24, 1961, and recorded in the Recorder's office of Venango County in Deed Book 655, Page 366.

The combined parcels contain a total of 0.5056 acres more or less.

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

(d) The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

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

(f) The proceeds from the sale shall be deposited in the Capital Facilities Fund to pay for costs and fees incurred for the purchase of a

new District 1-0 Office Facility, as set forth in the Lease with Option to Purchase Agreement between the Commonwealth of Pennsylvania and the Oil City Community Development Corporation dated September 5, 1997, as well as the costs and fees incurred by the Department of General Services as authorized under section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929. Any proceeds remaining after payment of the above said costs shall be transferred to the General Fund.

(g) In the event that this conveyance is not executed within 12 months of the Department of Transportation vacating the premises, the property may be disposed of, with the approval of the Department of Transportation, in accordance with Article 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929. The proceeds from the sale shall be deposited in accordance with subsection (f).

Section 4. 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. Hutchinson.

Does the gentleman withdraw the amendment? The gentleman does not seek recognition.

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

The following roll call was recorded:

YEAS—191

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

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

NAYS—0

NOT VOTING—2

Armstrong	Bunt
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EXCUSED—10

Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker
LaGrotta	Pistella	Wilt	

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

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

Cornell	James	Preston	Vance
Corrigan	Josephs	Ramos	Van Horne
Costa	Kaiser	Raymond	Veon
Coy	Keller	Readshaw	Vitali
Curry	Kenney	Reinard	Walko
Dailey	Kirkland	Rieger	Washington
Daley	Krebs	Robinson	Waters
Dally	Laughlin	Roebuck	Williams
DeLuca	Lederer	Rohrer	Wogan
Dempsey	Leh	Rooney	Wojnaroski
Dermody	Lescovitz	Ross	Wright
DeWeese	Levdansky	Rubley	Yewcic
DiGirolamo	Lucyk	Ruffing	Youngblood
Donatucci	Lynch	Sainato	Yudichak
Druce	Maher	Samuelson	Zimmerman
Eachus	Maitland	Santoni	Zug

NAYS-0

NOT VOTING-1

Armstrong

EXCUSED-10

Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker
LaGrotta	Pistella	Wilt	

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

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

The House proceeded to third consideration of **SB 504, PN 1471**, entitled:

A Supplement to the act of December 8, 1982 (P.L.848, No.235), entitled Highway-Railroad and Highway Bridge Capital Budget Supplemental Act for 1999-2000, itemizing additional local and State bridge projects.

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

Mr. McNAUGHTON offered the following amendment No. **A4123**:

Amend Sec. 26, page 281, by inserting between lines 13 and 14
(16) Wayne Township, T-556, Union Church Road Bridge over Powells Creek, Bridge Replacement 360,000
(Base Construction Allocation - \$360,000)

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

The following roll call was recorded:

YEAS-191

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

NAYS-0

NOT VOTING-2

Armstrong Sainato

EXCUSED-10

Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker
LaGrotta	Pistella	Wilt	

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. PRESTON offered the following amendment No. A4136:

Amend Sec. 6, page 28, by inserting between lines 2 and 3
 (113) City of Pittsburgh, Ellsworth
 Avenue Bridge over Martin
 Luther King Busway and Rail,
 Bridge Replacement 3,300,000
 (Base Construction Allocation -
 \$3,000,000)
 (Design and Contingencies -
 \$300,000)

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

The following roll call was recorded:

YEAS—191

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

NAYS—0

NOT VOTING—2

Armstrong Taylor, J.

EXCUSED—10

Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker
LaGrotta	Pistella	Wilt	

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. VITALI offered the following amendment No. A4143:

Amend Title, page 1, line 8, by removing the period after "projects" and inserting
 ; and providing for bond services.

Amend Bill, page 677, by inserting between lines 7 and 8
 Section 83. Bond services.

(a) Procedure.—

(1) Any and all bond services performed for the Commonwealth under this act which cannot be performed by employees of the Commonwealth shall be contracted with and performed by the bond service provider submitting the lowest responsible bid.

(2) For each bond service required to be performed for the Commonwealth, the issuing authority shall distribute a request for proposal requiring a written response.

(3) After each bond service provider is selected, the issuing authority shall issue a written report of the selection of the service provider and the basis for the selection. A copy of the request for proposal and the responses shall be made a part of the report. This report shall be made available to the public.

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

"Bond service provider." Any bond counsel, financial adviser, underwriter, loan and transfer agent, verification agent or printer who provides bond services under this act.

"Bond services." Legal, financial and other services by a bond service provider rendered in conjunction with any bonds issued.

Amend Sec. 83, page 677, line 8, by striking out "83" and inserting 84

Amend Sec. 84, page 677, line 17, by striking out "84" and inserting

85

Amend Sec. 85, page 677, line 21, by striking out "85" and inserting

86

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

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. The gentleman withdraws the amendment, and the Chair thanks the gentleman.

LEAVE OF ABSENCE

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

CONSIDERATION OF SB 504 CONTINUED

On the question recurring,

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

Mr. GEIST offered the following amendment No. A4146:

Amend Sec. 5, page 5, line 2, by striking out all of said line and inserting

Pedestrian Bridge Rehabilitation 460,000

Amend Sec. 6, page 28, by inserting between lines 2 and 3

(113) City of Pittsburgh, South Hills Connector, Wabash Tunnel to Banksville Road and Parkway West over Saw Mill Run, Bridge Construction 90,000,000
 (Base Construction Allocation - \$50,000,000)
 (Land Allocation - \$30,000,000)
 (Design and Contingencies - \$10,000,000)

(114) Fox Chapel Borough, Rockwood Drive Bridge over Dry Stream Bed, Bridge Repainting 40,000
 (Base Construction Allocation - \$35,000)
 (Design and Contingencies - \$5,000)

(115) Shaler Township, Dravo Street Bridge over Girty's Run, Bridge Replacement 110,000
 (Base Construction Allocation - \$100,000)
 (Design and Contingencies - \$10,000)

(116) Hampton Township, South Pioneer's Road, Bridge No.1 over Crouse Creek, Bridge Replacement 85,000
 (Base Construction Allocation - \$75,000)
 (Design and Contingencies - \$10,000)

(117) Hampton Township, South Pioneer's Road, Bridge No.2 over Crouse Creek, Bridge Replacement 85,000
 (Base Construction Allocation - \$75,000)
 (Design and Contingencies - \$10,000)

Amend Sec. 10, page 86, line 3, by striking out "T-884" and inserting

T-885, Heydt's School House Road Bridge

Amend Sec. 14, page 133, lines 17 through 19, by striking out all of said lines and inserting

Rock, Bridge Replacement 250,000
 (Base Construction Allocation - \$190,000)

Amend Sec. 19, page 202, by inserting between lines 17 and 18

(19) SR 0029, French Creek Parkway, Bridge No.1 over French Creek, Phoenixville Borough, Bridge Construction 1,898,000
 (Base Construction Allocation - \$1,650,000)
 (Design and Contingencies - \$248,000)

(20) SR 0029, French Creek Parkway, Bridge No.2 over French Creek, Phoenixville Borough, Bridge Construction 1,898,000
 (Base Construction Allocation - \$1,650,000)
 (Design and Contingencies - \$248,000)

Amend Sec. 66, page 574, by inserting between lines 29 and 30

(2) City of Warren, Hickory Street Bridge over Allegheny River, Bridge Replacement 7,300,000
 (Base Construction Allocation - \$6,650,000)
 (Design and Contingencies - \$650,000)

(3) City of Warren, Hickory Street River Walkway over Allegheny River, Pedestrian Bridge Construction 950,000
 (Base Construction Allocation - \$750,000)
 (Design and Contingencies - \$200,000)

(4) Sheffield Township, Center Street Bridge on T-540 over Two Mile Run, Bridge Replacement 255,000
 (Base Construction Allocation - \$250,000)
 (Design and Contingencies - \$5,000)

(5) Sheffield Township, Henry's Mill Road Bridge on T-526 over South Branch of Tionesta Creek, Bridge Replacement 1,025,000
 (Base Construction Allocation - \$850,000)
 (Land Allocation - \$10,000)
 (Design and Contingencies - \$165,000)

(6) Sheffield Township, T-546 Bridge over Four Mile Run, Bridge Replacement 315,000
 (Base Construction Allocation - \$250,000)
 (Land Allocation - \$10,000)
 (Design and Contingencies - \$55,000)

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—190

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

NAYS—0

NOT VOTING—2

Schuler	Zimmerman
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EXCUSED—11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker

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. STRITTMATTER offered the following amendment
No. A4148:

Amend Sec. 40, page 403, by inserting between lines 4 and 5
(17) Eby Chicques Road, Bridge over
Amtrak, Rapho Township, New
Bridge Construction 5,000,000

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker

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. BASTIAN offered the following amendment No. A4154:

Amend Sec. 60, page 541, line 25, by striking out "STONEYCREEK" and inserting Stonycreek

Amend Sec. 60, page 542, by inserting between lines 1 and 2

- (16) Somerset Township, T-480 over East Branch Coxes Creek, Roberts Bridge, Bridge Replacement 385,000
(Base Construction Allocation - \$300,000)
(Land Allocation - \$10,000)
(Design and Contingencies - \$75,000)
- (17) Jefferson Township, T-583 over Laurel Hill Creek, Duck Pond Bridge, Bridge Replacement 335,000
(Base Construction Allocation - \$260,000)
(Land Allocation - \$10,000)
(Design and Contingencies - \$65,000)
- (18) Somerset Township, T-494 over Coxes Creek, Housefeldt Bridge, Bridge Replacement 285,000
(Base Construction Allocation - \$215,000)
(Land Allocation - \$10,000)
(Design and Contingencies - \$60,000)
- (19) Stonycreek Township, T-515 over Stony Creek, Brady Bridge, Bridge Replacement 946,000
(Base Construction Allocation - \$806,000)
(Land Allocation - \$10,000)
(Design and Contingencies - \$130,000)

Amend Sec. 60, page 542, line 4, by striking out "Stoney Creek" and inserting Stonycreek

Amend Sec. 60, page 542, line 17, by striking out "Stoney Creek" and inserting Stonycreek

Amend Sec. 60, page 545, line 26, by striking out "Stoney Creek" and inserting Stonycreek

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

The following roll call was recorded:

YEAS—192

Adolph	Egolf	Major	Sather
Allen	Evans	Manderino	Saylor
Argall	Fairchild	Mann	Schroder

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker

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?

Mrs. MILLER offered the following amendment No. A4155:

Amend Sec. 10, page 87, by inserting between lines 10 and 11

- (23) Bethel Township, T-977, Schubert Road over Mill Creek, Bridge Rehabilitation 7,000

(24) Bethel Township, T-965, Legion Drive over Tributary of Little Swatara Creek, Bridge Rehabilitation	6,000
(25) Bethel Township, T-674, Airport Road over Swatara Creek, Bridge Rehabilitation	6,000
(26) Bethel Township, T-721, Old 22 over Stone Creek, Bridge Rehabilitation	6,000
(27) Bethel Township, T-957, Myer Drive over Crosskill Creek, Bridge Rehabilitation	11,000
(28) Bethel Township, T-682, Little Mountain Road over Crosskill Creek, Bridge Rehabilitation	16,000
(29) Bethel Township, T-721, Old 22 over Mill Creek, Bridge Rehabilitation	8,000
(30) Bethel Township, T-492, Airport Road over Swatara Creek, Bridge Rehabilitation	27,000
(31) Bethel Township, T-639, Bashore Street over Tributary of Crosskill Creek, Bridge Rehabilitation	10,000
(32) South Heidelberg Township, T-388, Krick Lane Bridge over Norfolk Southern Railway Company, Bridge Construction (Base Construction Allocation - \$250,000) (Land Allocation - \$50,000) (Design and Contingencies - \$1,000,000)	1,300,000

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

The following roll call was recorded:

YEAS—191

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

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

NAYS—0

NOT VOTING—1

Fargo

EXCUSED—11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker

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

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair understands that the lady from Montgomery County, Representative Cohen, has an amendment which was filed late. Does the lady wish to suspend the rules to offer that amendment?

Moved by the lady from Montgomery County, Representative Cohen, that the rules of the House be suspended so that she may immediately offer amendment A4193.

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

The SPEAKER pro tempore. On the motion, the Chair recognizes the lady from Philadelphia, Representative Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

My computer screen is not showing this bill or any of the amendments. I do not know if anybody is having this same problem. Yes, there are some others of us, so I leave it up to you.

It just came up, I have heard. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady for that information.

Again, on the motion to suspend the rules, the lady, Representative Cohen.

Mrs. COHEN. Thank you, Mr. Speaker.
Mr. Speaker, this is a really good amendment, and I would urge my fellow Representatives to vote "yes." Thank you.

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

The following roll call was recorded:

YEAS-188

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

NAYS-4

Hanna	Krebs	Steelman	Steil
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NOT VOTING-0

EXCUSED-11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker

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?

Mrs. COHEN offered the following amendment No. A4193:

Amend Sec. 50, page 486, by inserting between lines 18 and 19
(19) Whitemarsh Township, Manor
Road Bridge over Manor Creek,
Bridge Replacement 575,000
(Base Construction Allocation -
\$425,000)
(Land Allocation - \$100,000)
(Design and Contingencies -
\$50,000)

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

The following roll call was recorded:

YEAS-192

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

Druce	Maier	Samuelson	Zimmerman
Eachus	Maitland	Santoni	Zug

NAYS—0

NOT VOTING—0

EXCUSED—11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

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

DeLuca	Lederer	Rohrer	Wogan
Dempsey	Leh	Rooney	Wojnaroski
Dermody	Lescovitz	Ross	Wright
DeWeese	Levdansky	Rubley	Yewcic
DiGirolamo	Lucy	Ruffing	Youngblood
Donatucci	Lynch	Sainato	Yudichak
Druce	Maier	Samuelson	Zimmerman
Eachus	Maitland	Santoni	Zug

NAYS—0

NOT VOTING—0

EXCUSED—11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker

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

Ordered, That the clerk 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.

RULES COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee at the majority leader's desk.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 1692, PN 2613

By Rep. PERZEL

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for sales by liquor licensees, for special occasion permits, for performing arts facilities and for wine auction permits; authorizing a multipurpose county-owned arena and convention center license and a national event permit; and further providing for breweries, for limiting number of retail licenses in each municipality, for transfer of licenses, for local option relating to special occasion permits, for granting of liquor licenses in certain municipalities, for unlawful acts relative to malt or brewed beverages and licenses, for employment of minors, for penalties for the sale of liquor or malt or brewed beverage without being licensed, for limited wineries and for nuisances.

RULES.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1826, PN 2487**, entitled:

An Act establishing the Victims of Domestic Violence Employment Leave Act.

On the question,

Will the House agree to the bill on third consideration?

Mr. GEORGE offered the following amendment No. A4045:

- Amend Sec. 6, page 5, line 20, by striking out "14" and inserting ten business
- Amend Sec. 6, page 5, line 25, by striking out "14" and inserting ten business

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

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

Mr. GEORGE. Mr. Speaker, I believe this is an agreed-to amendment. Now, what the amendment does, as the bill is written, an eligible employee must provide not less than 14 days' notice to an employer to be considered for leave, and we have changed that to 10 days.

I ask for an affirmative vote, Mr. Speaker.

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

The following roll call was recorded:

YEAS—191

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

- | | | | |
|--------|----------|---------|-----|
| Druce | Maitland | Santoni | Zug |
| Eachus | Major | Sather | |

NAYS—0

NOT VOTING—1

Lescovitz

EXCUSED—11

- | | | | |
|-----------|----------|----------|---------|
| Armstrong | LaGrotta | Pistella | Wilt |
| Clymer | Lawless | Roberts | Ryan, |
| Gruitza | Phillips | Stetler | Speaker |

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

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

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

On that question, the Chair recognizes the lady from Philadelphia, Representative Youngblood.
Ms. YOUNGBLOOD. Mr. Speaker, I urge everyone to support HB 1826. This will be landmark legislation, and I would like for Pennsylvania to be the first in the nation to have on the books domestic violence employment leave, and everyone that votes in the affirmative I thank.

REMARKS SUBMITTED FOR THE RECORD

Ms. YOUNGBLOOD. I will submit my remarks for the record.
The SPEAKER pro tempore. The Chair thanks the lady, and the clerk will accept the remarks.

Ms. YOUNGBLOOD submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.
By passing HB 1826 today, the Pennsylvania House of Representatives would take a historic and groundbreaking step in the fight to protect and assist victims of domestic violence.
HB 1826 provides victims of domestic violence with leave from their jobs to get medical treatment and to deal with legal issues related to their abuse.

This truly is groundbreaking legislation.
The city of Miami passed an ordinance similar to my proposal, but if the General Assembly passes my bill, Pennsylvania would be the first jurisdiction to place this kind of job protection for domestic violence victims into law statewide.

It would be a huge step forward for the Commonwealth and I believe it would lead other States and maybe even the Federal government to follow our example.

My bill guarantees victims of domestic violence 30 days of consecutive unpaid leave during any 12-month period to secure medical treatment and recover from injuries, or to attend any legal proceedings related to being a victim of domestic violence.

The bill ensures, first of all, that victims of domestic violence have a job to return to once they recover from their abuse – victims could not simply be fired or released because they are forced to miss work.

Furthermore, the bill ensures that upon returning to work, domestic violence victims are given the same or an equivalent position and keep the pay and benefits they earned before taking leave.

Finally, employers are required to maintain any group health insurance coverage for victims while they are on leave for domestic violence-related reasons.

The National Crime Survey indicates that approximately 175,000 days of work are missed each year in the United States due to domestic violence.

This includes not just victims who are injured so badly that they cannot go to work, but also victims who are late for work or miss work because they have to deal with police and court functions, child-care issues and alternative living arrangements, or victims who are so emotionally traumatized that they find it hard to function normally.

I believe it is in the best interest of victims and their employers to make sure that domestic violence victims be given a chance to put their physical, emotional, and financial trauma behind them without having to worry about their jobs or whether or not they are going to have a job to go back to.

Domestic violence victims need time to deal with the crime committed against them. Studies show that when they are not given that time, job performance, as well as job attendance, often suffers.

More than 25 percent of battered women who lose their jobs say they lost them as a direct result of their abuse, either because they were unable to work due to medical or emotional trauma or because they were fired after missing too much work while dealing with issues related to their abuse.

More than half of battered women report missing work at least once due to domestic violence; 60 percent have been late for work because of abuse.

In addition, almost all domestic violence victims report having some kind of workplace problem related to their abuse, including harassment by the abusive partner at the workplace.

This is bad for employers as well as victims.

It is a lot less expensive for everyone concerned simply to let the victim put the abuse and all the issues related to it behind her.

People who are preoccupied with trying to put their lives back together while on the job are not concentrating on either.

Victims who already have had their health and dignity stripped away by an abuser do not need to have their economic independence stripped away as well.

Often, it is this economic independence that allows the victim to finally escape their abuser.

By passing this legislation, we ensure that this independence cannot be taken away, and we send a strong message to potential abusers out there that the State of Pennsylvania will do everything in its power to make sure that they cannot and do not ruin the lives of their victims.

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—192

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

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker

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

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

The House proceeded to third consideration of **SB 1004, PN 1431**, entitled:

An Act amending the act of December 22, 1989 (P.L.732, No.101), entitled Election District Alteration and Data Reporting Act, further providing for alteration of election districts.

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

BILL RECOMMENDED

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

Mr. PERZEL. Mr. Speaker, I move that SB 1004, PN 1431, be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

SUPPLEMENTAL CALENDAR A

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1692, PN 2613**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for sales by liquor licensees, for special occasion permits, for performing arts facilities and for wine auction permits; authorizing a multipurpose county-owned arena and convention center license and a national event permit; and further providing for breweries, for limiting number of retail licenses in each municipality, for transfer of licenses, for local option relating to special occasion permits, for granting of liquor licenses in certain municipalities, for unlawful acts relative to malt or brewed beverages and licenses, for employment of minors, for penalties for the sale of liquor or malt or brewed beverage without being licensed, for limited wineries and for nuisances.

On the question,

Will the House concur in Senate amendments?

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

On the question recurring,

Will the House concur in Senate amendments?

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER pro tempore. The clerk will strike the board.

On concurrence, the Chair recognizes the gentleman from Columbia County, Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

I am not sure if we caucused on this, but if I could ask Representative Blaum just to let us know what the Senate took out. I know there were some controversial amendments that went into it when it left the House. Could we just find out what the Senate did and what they took out? Normally Representative Clymer would get up and tell us, but he is not here today.

The SPEAKER pro tempore. We will put this in the form of an interrogation. The gentleman, Mr. Blaum, agrees to stand for interrogation, and the gentleman may proceed.

Mr. BLAUM. Thank you, Mr. Speaker.

I will do my best, not being a member of that committee.

As I understand it, they took out some language dealing with golf courses because it needs some work, and they are going to work with the members of the House who are interested in that particular language. They inserted language to cover and allow for the sale of beverages during any national political conventions that may be coming to Pennsylvania and some other language dealing with wineries. Other than that, the bill is in pretty good shape, and the people of northeastern Pennsylvania, who have a very big night coming on Saturday, thank the members of the General Assembly.

The SPEAKER pro tempore. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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—159

Adolph	Druce	Markosek	Saylor
Allen	Eachus	Marsico	Schroder
Argall	Evans	Masland	Scrimenti
Bard	Fairchild	Mayernik	Semmel
Barrar	Feese	McCall	Serafini
Battisto	Fichter	McGeehan	Seyfert
Bebko-Jones	Flick	McGill	Shaner
Belardi	Frankel	McIlhinney	Snyder
Belfanti	Freeman	McNaughton	Solobay
Benninghoff	Gannon	Melio	Staback
Bishop	George	Michlovic	Stairs
Blaum	Gigliotti	Micozzie	Steelman
Browne	Gladeck	Miller, R.	Steil
Bunt	Godshall	Miller, S.	Stevenson
Butkovitz	Grucela	Mundy	Sturla
Buxton	Habay	Myers	Surra
Caltagirone	Haluska	Nailor	Tangretti
Cappabianca	Hanna	O'Brien	Taylor, E. Z.
Carn	Harhai	Oliver	Taylor, J.
Casorio	Harhart	Perzel	Thomas
Cawley	Hasay	Pesci	Tigue
Chadwick	Hennessey	Petrarca	Travaglio
Civera	Herman	Petrone	Trello
Cohen, L. I.	Horsley	Pippy	Trich
Cohen, M.	James	Platts	Tulli
Colafella	Josephs	Preston	Vance
Corneli	Kaiser	Ramos	Van Horne
Corrigan	Keller	Raymond	Veon
Costa	Kenney	Readshaw	Vitali
Coy	Kirkland	Reinard	Walko
Curry	Laughlin	Rieger	Washington
Dailey	Lederer	Robinson	Waters
Daley	Leh	Roebuck	Williams
Daily	Lescovitz	Rooney	Wogan
DeLuca	Levdansky	Ross	Wojnaroski
Dempsey	Lucyk	Rubley	Wright
Dermody	Maher	Ruffing	Yewcic
DeWeese	Major	Sainato	Youngblood
DiGirolamo	Manderino	Samuelson	Yudichak
Donatucci	Mann	Santoni	

NAYS—32

Baker	Fleagle	Krebs	Sather
Barley	Forcier	Lynch	Schuler
Bastian	Geist	Maitland	Smith, S. H.
Birmelin	Gordner	McIlhatten	Stern
Boyes	Hershey	Metcalfe	Strittmatter
Clark	Hess	Nickoi	True

Egolf	Hutchinson	Orie	Zimmerman
Fargo	Jadlowiec	Rohrer	Zug

NOT VOTING—1

Smith, B.

EXCUSED—11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker

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

Ordered, That the clerk inform the Senate accordingly.

CALENDAR CONTINUED

BILL ON FINAL PASSAGE

The House proceeded to consideration on final passage of HB 358, PN 2627, entitled:

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

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. Without objection, the Chair rescinds its announcement that this bill has been agreed to for the third time.

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

Mr. YUDICHAK offered the following amendment No. A3412:

Amend Sec. 1 (Sec. 2713), page 1, line 17, by inserting after "home,"

hospital, rehabilitation hospital,

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Luzerne County, Mr. Yudichak. Mr. YUDICHAK. Thank you, Mr. Speaker.

I rise to offer an amendment to this bill, which I believe is a terrific bill to protect those care-dependent persons, and what my amendment will do, amendment 3412 will expand the coverage of the law to those care-dependent persons in hospital settings and rehabilitative home settings.

So I would appreciate the support of the membership on this amendment. Thank you.

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

This amendment is agreed to. I support it and ask for a "yes" vote.

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

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker

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

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

The SPEAKER pro tempore. Pardon me. Mr. Yudichak, is that the only amendment you are offering? The Chair thanks the gentleman.

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?

On that question, the Chair recognizes the lady from Philadelphia County, Ms. Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.
With all due respect, I would request that this bill not be run until we are able to get a copy of the language. The computers are saying the bill is being revised, and we do not have language to review.

The SPEAKER pro tempore. Ms. Manderino, because the bill was reconsidered yesterday, it was taken out of the system. We are reloading it now. We should have it for you shortly.

It is the understanding of the Chair that the bill is now available on your computers. I am told that it is not; we will look into it.

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

HB 1366, PN 2642 (Amended) By Rep. HASAY

An Act providing for small business compliance assistance, for definitions, for duties of participating agencies, for implementation of duties, for reports and for evaluation; and making an appropriation.

COMMERCE AND ECONOMIC DEVELOPMENT.

SB 555, PN 1487 (Amended) By Rep. HASAY

An Act regulating electronic transactions.

COMMERCE AND ECONOMIC DEVELOPMENT.

CONSIDERATION OF HB 358 CONTINUED

The SPEAKER pro tempore. The Chair returns to HB 358.
It is the understanding of the Chair that the bill is now available on the computer, and I am getting an indication from the members that that is so.

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—192

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker

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

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

BILLS ON THIRD CONSIDERATION

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?

Mr. **ROBINSON** offered the following amendment No. **A1521**:

Amend Sec. 1 (Sec. 4120), page 1, line 9, by striking out "A" and inserting

(a) Offense defined.—Except as provided in subsection (c), a

Amend Sec. 1 (Sec. 4120), page 2, by inserting between lines 4 and 5

(b) Separate offenses.—Each time an offender assumes or uses the identity, name, date of birth, Social Security number or identification of another person without the consent of that other person constitutes a separate offense under this section.

(c) Grading.—When a person commits an offense under subsection (a) and the victim of the offense is 60 years of age or older, the offense shall be graded as a felony of the third degree.

(d) Restitution.—The court may, in addition to any other restitution sentence or order authorized by law, sentence a person convicted of violating this section to make restitution for all reasonable expenses incurred by the victim or on the victim's behalf to investigate theft of the victim's identity, bring or defend civil or criminal actions related to theft of the victim's identity, or to take other efforts to clear the victim's credit record of negative credit reports related to theft of the victim's identity. Such expenses may include, but are not limited to, attorney fees, fees and costs imposed by credit bureaus or associated with efforts to clear the victim's credit record, fees and costs associated with private investigations and court costs and filing fees.

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

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

Mr. **ROBINSON**. Thank you, Mr. Speaker.

Mr. Speaker, this particular amendment, I believe, will enhance this bill, which for the first time in the history of this Commonwealth will identify what "identity theft" actually is. As I have said on several occasions, identity theft is the crime of the 21st century, and I am very pleased that we are able to make some movement in this regard and have an opportunity to not only identify the crime and assign some penalties but also address the issue of restitution.

I encourage everyone to vote in favor of amendment 1521. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—192

Adolph	Egolf	Major	Sather
Allen	Evans	Manderino	Saylor

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker

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. **COHEN** offered the following amendment No. **A3230**:

Amend Title, page 1, line 3, by removing the period after "theft" and inserting

; and providing for minimum wages.

Amend Bill, page 2, by inserting between lines 4 and 5

Section 2. Title 18 is amended by adding a chapter to read:

CHAPTER 95
MINIMUM WAGES

Sec.

9501. Declaration of policy.
9502. Short title of chapter.
9503. Definitions.
9504. Minimum wages.
9505. Exemptions.
9506. Minimum Wage Advisory Board.
9507. Investigations.
9508. Duty of employer.
9509. Enforcement, rules and regulations.
9510. Unconstitutionality.
9511. Penalties.
9512. Civil actions.

§ 9501. Declaration of policy.

Employees are employed in some occupations in this Commonwealth for wages unreasonably low and not fairly commensurate with the value of the services rendered. Such a condition is contrary to public interest and public policy commands its regulation. Employees employed in such occupations are not as a class on a level of equality in bargaining with their employers in regard to minimum fair wage standards, and "freedom of contract" as applied to their relations with their employers is illusory. Judged by any reasonable standard, wages in such occupations are often found to bear no relation to the fair value of the services rendered. In the absence of effective minimum fair wage rates for employees, the depression of wages by some employers constitutes a serious form of unfair competition against other employers, reduces the purchasing power of the workers and threatens the stability of the economy. The evils of unreasonable and unfair wages as they affect some employees employed in this Commonwealth are such as to render imperative the exercise of the police power of the Commonwealth for the protection of industry and of the employees employed therein and of the public interest of the community at large.

§ 9502. Short title of chapter.

This chapter shall be known and may be cited as the Minimum Wage Act.

§ 9503. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Board." The Minimum Wage Advisory Board created by this chapter.

"Department." The Department of Labor and Industry of the Commonwealth.

"Employ." Includes to permit to work.

"Employee." Includes any individual employed by an employer.

"Employer." Includes any individual, partnership, association, corporation, business trust or any person or group of persons acting, directly or indirectly, in the interest of an employer in relation to any employee.

"Gratuities." Voluntary monetary contributions received by an employee from a guest, patron or customer for services rendered.

"Occupation." Any industry, trade, business, service or employment or class or group thereof in which individuals are gainfully employed.

"Secretary." The Secretary of Labor and Industry of the Commonwealth.

"Wage." Paid to any employee includes the reasonable cost, as determined by the Secretary of Labor and Industry, to the employer for furnishing such employee with board, lodging or other facilities, if such board, lodging or other facilities are customarily furnished by such employer to his employees. The cost of board, lodging or other facilities shall not be included as a part of the wage paid to any employee to the extent it is excluded therefrom under the terms of a bona fide collective bargaining agreement applicable to the particular employee and the Secretary of Labor and Industry is authorized to determine the fair value

of such board, lodging or other facilities for defined classes of employees and in defined areas, based on average cost to the employer or to groups of employers similarly situated, or average value to groups of employees, or other appropriate measures of fair value. These evaluations, where applicable and pertinent, shall be used in lieu of actual measure of cost in determining the wage paid to any employee. In determining the hourly wage of a tipped employee, the amount paid such employee by his employer shall be deemed to be increased on account of tips by an amount determined by the employer, but not by an amount in excess of 45% of the applicable minimum wage rate upon the effective date of this chapter. The amount of the increase on account of tips determined by the employer may not exceed the value of tips actually received by the employee. The previous sentence shall not apply with respect to any tipped employee unless:

(1) The employee has been informed by the employer of the provisions of this definition.

(2) All tips received by such employee have been retained by the employee and shall not be surrendered to the employer to be used as wages to satisfy the requirement to pay the current hourly minimum rate in effect; where the gratuity is added to the charge made by the establishment, either by the management, or by the customer, the gratuity shall become the property of the employee; except that this definition shall not be construed to prohibit the pooling of tips among employees who customarily and regularly receive tips.

"Wages." Compensation due to any employee by reason of his employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value, subject to such deductions, charges or allowances as may be permitted by regulations of the Secretary of Labor and Industry under section 9509 (relating to enforcement, rules and regulations).

§ 9504. Minimum wages.

(a) Rates.—Except as may otherwise be provided under this chapter, every employer shall pay to each employee wages for all hours worked at a rate of not less than:

(1) \$5.65 an hour 30 days after the effective date of this chapter.

(2) \$6.15 an hour beginning May 1, 2000.

(3) Beginning May 1, 2001, and every May 1 thereafter, the minimum wage shall be increased to the poverty level for a family of three, as set forth by the Department of Health and Human Services, divided by 2080, rounded up to the nearest 1¢ increment. In the event that this formula produces an increase of over 50¢ an hour the secretary shall increase the minimum wage by 50¢. Thirty days prior to May 1, the secretary shall publish in the Pennsylvania Bulletin notice of the new wage rate.

(b) Federal law.—If the minimum wage set forth in the Fair Labor Standards Act of 1938 (52 Stat. 1060, 29 U.S.C. § 201 et seq.) is increased above the level required by this section, the minimum wage shall match the levels of the Fair Labor Standards Act of 1938.

(c) Regulation.—The secretary, to the extent necessary to prevent curtailment of employment opportunities, shall by regulations provide for the employment of learners and students, under special certificates at wages lower than the minimum wage applicable under this section, and subject to such limitations as to number, proportion and length of service as the secretary shall prescribe. The minimum wage prescribed under this subsection shall not be less than 85% of the otherwise applicable wage rate in effect under this section. A special certificate issued under this subsection shall provide that six or fewer students for whom it is issued shall, except during vacation periods, be employed on a part-time basis and not in excess of 20 hours in any workweek at a subminimum rate. In the case of an employer who intends to employ seven or more students, at a subminimum rate, the secretary may issue a special certificate only if the employer certifies to the secretary that employment of such students will not create a substantial probability of reducing the full-time employment opportunities for other workers.

(d) Overtime.—Employees shall be paid for overtime not less than one and one-half times the employee's regular rate as prescribed in regulations promulgated by the secretary. Students employed in seasonal occupations as defined and delimited by regulations promulgated by the secretary may, by such regulations, be excluded from the overtime provisions of this chapter. The secretary shall promulgate regulations with respect to overtime subject to the limitations that no pay for overtime in addition to the regular rate shall be required except for hours in excess of 40 hours in a workweek.

(e) Impairment.—An employee whose earning capacity is impaired by physical or mental deficiency or injury may be paid less than the applicable minimum wage if either a license specifying a wage rate commensurate with the employee's productive capacity has been obtained by the employer from the secretary or a Federal certificate is obtained under section 14(c) of the Fair Labor Standards Act of 1938. A license obtained from the secretary shall be granted only upon joint application of employer and employee.

§ 9505. Exemptions.

(a) Double exemptions.—Employment in the following classifications shall be exempt from both the minimum wage and overtime provisions of this chapter:

- (1) Labor on a farm.
- (2) Domestic services in or about the private home of the employer.
- (3) Delivery of newspapers to the consumer.
- (4) In connection with the publication of any weekly, semiweekly or daily newspaper with a circulation of less than 4,000, the major part of which circulation is within the county where published or counties contiguous thereto.
- (5) In a bona fide executive, administrative, or professional capacity, including any employee employed in the capacity of academic administrative personnel or teachers in elementary or secondary schools, or in the capacity of outside salesman, as such terms are defined and delimited from time to time by regulations of the secretary, except that an employee of a retail or service establishment shall not be excluded from the definition of employee employed in a bona fide executive or administrative capacity because of the number of hours in his workweek which he devotes to activities not directly or closely related to the performance of executive administrative activities, if less than 40% of his hours worked in the workweek are devoted to such activities.
- (6) In the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not in fact exist or where the services are rendered to such organization gratuitously.
- (7) In seasonal employment, if the employee is under 18 years of age, or if a student under 24 years of age, by a nonprofit health or welfare agency engaged in activities dealing with handicapped or exceptional children or by a nonprofit day or resident seasonal recreational camp for campers under the age of 18 years, which operates for a period of less than three months in any one year.
- (8) In employment by an establishment which is a public amusement or recreational establishment, organized camp or religious or nonprofit educational conference center, if:
 - (i) it does not operate for more than seven months in any calendar year; or
 - (ii) during the preceding calendar year, its average receipts for any six months of such year were not more than 33 1/3% of its average receipts for the other six months of such year.
- (9) Golf caddy.
- (10) In employment as a switchboard operator employed by an independently owned public telephone company which has not more than 750 stations.
- (11) Employees not subject to civil service laws who hold elective office or are on the personal staff of such an officeholder,

are immediate advisers to him, or are appointed by him to serve on a policy-making level.

(b) Overtime exemptions.—Employment in the following classifications shall be exempt from the overtime provisions of this chapter:

- (1) Seaman.
- (2) Any salesman, partsman or mechanic primarily engaged in selling and servicing automobiles, trailers, trucks, farm implements or aircraft if employed by a nonmanufacturing establishment primarily engaged in the business of selling such vehicles to ultimate purchasers.
- (3) Any driver employed by an employer engaged in the business of operating taxicabs.
- (4) Any employee employed as an announcer, news editor, or chief engineer by a radio or television station, the major studio of which is located:
 - (i) in a city or town of 100,000 population or less, according to the latest available decennial census figures as compiled by the Bureau of the Census, except where such city or town is part of a standard metropolitan statistical area, as defined and designated by the Bureau of the Budget, which has a total population in excess of 100,000; or
 - (ii) in a city or town of 25,000 population or less, which is part of such an area but is at least 40 airline miles from the principal city in such area.
- (5) Any employee engaged in the processing of maple sap into sugar (other than refined sugar) or syrup.
- (6) Employment by an establishment which is a motion picture theater.
- (7) Any employee of a motor carrier with respect to whom the Federal Secretary of Transportation has power to establish qualifications and maximum hours of service under 49 U.S.C. § 3102(b)(1) and (2) (relating to requirements for qualifications, hours of service, safety and equipment standards).

§ 9506. Minimum Wage Advisory Board.

(a) Board created.—There is hereby created in the Department of Labor and Industry a Minimum Wage Advisory Board consisting of nine members to be appointed by the secretary to assist him in carrying out his duties under this chapter, and for the purpose of conducting public hearings at the request of the secretary in order to recommend rules and regulations for the occupations covered within this chapter.

(b) Membership.—Of the nine members, three shall be representatives of an established recognized association of labor organizations, three shall be representatives of an established recognized association of employers and three shall be members from the general public. The secretary or his designated representative shall be chairman of the board.

(c) Compensation.—Each member of the board shall receive compensation of \$30 per day plus necessary expenses for each day actually spent in the performance of his duties. No employee of the Commonwealth shall receive any additional compensation or expenses on account of his services under this chapter.

(d) Notice.—At least ten days' public notice shall be given in the manner prescribed by the board prior to any public hearing of the board. Five members of the board shall constitute a quorum.

(e) Powers.—The board shall have the power and duty to:

- (1) Consult with the secretary concerning any matter arising under the administration of this chapter and advise and assist him in carrying out the duties prescribed for him by section 7008 (relating to duty of employer).
- (2) Conduct public hearings at the request of the secretary in order to develop rules and regulations in accordance with section 7009 (relating to enforcement; rules and regulations), in which hearings due process of law shall be observed and any person may appear and be heard or file statements in support of his position.

(3) Submit its report, including recommendations for the promulgation of rules and regulations, to the secretary, who shall within 30 days thereafter accept such report or refer it to the board for further consideration and consultation. If the report is referred to the board for further consideration, the secretary shall, in consultation with the board, modify, amend, or otherwise act upon such report within 60 days thereafter. Rules and regulations developed and promulgated hereunder shall be published and any person aggrieved thereby shall have a right of review.

§ 9507. Investigations.

The secretary or his representative shall have authority to investigate and ascertain the wages of persons employed in any occupation in this Commonwealth; enter and inspect the place of business or employment of any employer in any occupation in this Commonwealth at any reasonable time, for the purpose of examining and inspecting any records of any such employer that in any way relate to wages, hours, or other conditions of employment of any such employees; copy any or all of such records as he or his authorized representative may deem necessary or appropriate; require from such employer full and accurate statements in writing, at such times as the secretary may deem necessary, of the wages paid to all employees in his employment; and interrogate such persons for the purpose of ascertaining whether the provisions of this chapter and the regulations issued have been and are being complied with.

§ 9508. Duty of employer.

Every employer shall keep a true and accurate record of the hours worked by each employee and the wages paid to each, and shall furnish to the secretary or his duly authorized representative, upon demand, a sworn statement of the same. Such records shall be open to inspection by any duly authorized representative of the secretary at any reasonable time and shall be preserved for a period of three years. Every employer subject to this chapter shall keep a summary of this chapter and any regulations issued hereunder applicable to him posted in a conspicuous place where employees normally pass and can read it. Employers shall, upon request, be furnished copies of such summaries without charge. Employers shall permit any duly authorized representative of the secretary to interrogate any employee in the place of employment and during work hours with respect to the wages paid and the hours worked by such employee or other employees.

§ 9509. Enforcement, rules and regulations.

The secretary, Attorney General and district attorneys shall enforce this chapter. The secretary shall make and, from time to time, revise regulations, with the assistance of the board when requested by him, which shall be deemed appropriate to carry out the purposes of this chapter and to safeguard the minimum wage rates hereby established. Such regulations may include, but are not limited to, regulations defining and governing bona fide executive, administrative or professional employees and outside salesmen, learners and apprentices, their number, proportion, length of learning period and other working conditions; handicapped workers; part-time pay; overtime standards; bonuses; allowances for board, lodging, apparel or other facilities or services customarily furnished by employers to employees; allowances for gratuities; or allowances for such other special conditions or circumstances which may be incidental to a particular employer-employee relationship.

§ 9510. Unconstitutionality.

If any provision of this chapter, or the application hereof to any person or circumstances, is held invalid, the remainder of this chapter and the application of such provisions to other persons or circumstances shall not be affected hereby.

§ 9511. Penalties.

(a) Discharge or discrimination.—Any employer and his agent, or the officer or agent of any corporation, who discharges or in any other manner discriminates against any employee because such employee has testified or is about to testify before the secretary or his representative in any investigation or proceeding under or related to this chapter, or because such employer believes that said employee may so testify shall, upon conviction hereof in a summary proceeding, be sentenced to pay a

fine of not less than \$500 nor more than \$1,000, and in default of the payment of such fine and costs shall be sentenced to imprisonment for not less than ten days nor more than 90 days.

(b) Underpayment.—Any employer or the officer or agent of any corporation who pays or agrees to pay any employee less than the rates applicable to such employee under this chapter shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not less than \$75 nor more than \$300 or to undergo imprisonment of not less than ten nor more than 60 days, or both. Each week in which such employee is paid less than the rate applicable to him under this chapter and for each employee who is paid less than the prescribed rate, a separate offense shall be deemed to occur. Any agreement between the employer and the employee to work for less than the applicable wage rate shall be no defense to action by the Commonwealth under this chapter.

(c) Other violations.—Any employer or the officer or agent of any corporation who violates any other provision of this chapter or of any regulation issued hereunder shall, upon conviction hereof in a summary proceeding, be sentenced to pay a fine of not less than \$100 nor more than \$500, and each day of such failure to comply with this chapter or regulation shall constitute a separate offense.

§ 9512. Civil actions.

If any employee is paid by his or her employer less than the minimum wages provided by section 9504 (relating to minimum wages) or by any regulation issued thereunder, such worker may recover in a civil action the full amount of such minimum wage less any amount actually paid to the worker by the employer, together with costs and such reasonable attorney fees as may be allowed by the court, and any agreement between the employer and the worker to work for less than such minimum wage shall be no defense to such action. At the request of any employee paid less than the minimum wage to which such employee was entitled under this chapter and regulations issued hereunder, the secretary may take an assignment of such wage claim in trust for the assigning worker and may bring any legal action necessary to collect such claim, and the employer shall be required to pay the cost and such reasonable attorney fees as may be allowed by the court.

Amend Sec. 2, page 2, line 5, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, yesterday—

The SPEAKER pro tempore. Will the gentleman suspend for one moment, please?

Mr. COHEN. Yes.

The SPEAKER pro tempore. The Chair apologizes.

BILL PASSED OVER

The SPEAKER pro tempore. The Chair is advised that this bill will be considered next week.

HB 945 as amended will go over for the day.

Mr. COHEN. Thank you, Mr. Speaker.

* * *

The House proceeded to third consideration of **HB 1087, PN 2529**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for bows and arrows or crossbow in vehicles and for the time periods of permits.

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

The SPEAKER pro tempore. The gentleman, Mr. Petrarca, offers the following amendment, which the clerk will read. The gentleman withdraws. The Chair thanks the gentleman.

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

Mr. HALUSKA offered the following amendment No. **A3981**:

Amend Title, page 1, line 3, by striking out "AND" and inserting
; authorizing the use of crossbows; and further
providing

Amend Sec. 2, page 2, line 7, by inserting after "SECTIONS"
2308(a), 2322(a),

Amend Sec. 2, page 2, by inserting between lines 8 and 9
§ 2308. Unlawful devices and methods.

(a) General rule.—Except as otherwise provided in this title, it is unlawful for any person to hunt or aid, abet, assist or conspire to hunt any game or wildlife through the use of:

- (1) An automatic firearm or similar device.
- (2) A semiautomatic rifle or pistol.
- [(3) A crossbow.]

(4) A semiautomatic shotgun or magazine shotgun for hunting or taking small game, furbearers, turkey or unprotected birds unless the shotgun is plugged to a two-shell capacity in the magazine.

(5) Any device operated by air, chemical or gas cylinder by which a projectile of any size or kind can be discharged or propelled.

(6) Any recorded call or sound or recorded or electronically amplified imitation of a call or sound of any description or any other call or sound or imitation of calls or sounds which are prohibited by regulations of the commission. The commission shall be authorized, by resolution, to adopt rules and regulations authorizing the limited use of recorded calls or sounds or recorded or electronically amplified imitation of calls or sounds when such use is necessary in the commission's judgment to protect the public health and safety or to preserve that species or any other endangered by it.

(7) A vehicle or conveyance of any kind or its attachment propelled by other than manpower. Nothing in this subsection shall pertain to any motorboat or sailboat if the motor has been completely shut off or sail furled, and the progress thereof has ceased.

(8) Any artificial or natural bait, hay, grain, fruit, nut, salt, chemical, mineral or other food as an enticement for game or wildlife, regardless of kind and quantity, or take advantage of any such area or food or bait prior to 30 days after the removal of such material and its residue. Nothing contained in this subsection shall pertain to normal or accepted farming, habitat management practices, oil and gas drilling, mining, forest management activities or other legitimate commercial or industrial practices. Upon discovery of such baited areas, whether prosecution is contemplated

or not, the commission may cause a reasonable area surrounding the enticement to be posted against hunting or taking game or wildlife. The posters shall remain for 30 days after complete removal of the bait.

(9) Any setgun, net, bird lime, deer lick, pit or pit fall, turkey blind or turkey pen or any explosive, poison or chemical of any kind.

(9.1) Any device which permits the release of two or more arrows simultaneously on a single full draw of a bow.

(10) Any other device or method of any kind prohibited by this title.

* * *

§ 2322. Prohibited devices and methods.

(a) General rule.—Except as otherwise provided in this title or commission regulation, no person shall hunt, kill or take or attempt, aid, abet, assist or conspire to hunt, kill or take any big game, except wild turkey, with any of the following devices or methods:

(1) Any device other than a centerfire or muzzle-loading firearm [or], bow and arrow or crossbow.

(2) Any automatic or semiautomatic firearm, except that any semiautomatic firearm modified to permit one shell in the chamber and no more than four shells in a magazine may be used by a person who suffered an amputation or lost the total use of one or both hands.

(3) Any firearm propelling more than one projectile per discharge.

(4) Any projectile which is not all lead or which is not designed to expand on contact.

(5) When any big game is swimming.

(6) By any other method or device which is not specifically authorized or permitted by this title or commission regulation.

* * *

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

AMENDMENT WITHDRAWN

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

Mr. HALUSKA. Thank you, Mr. Speaker.

My amendment basically wanted to add "crossbow" to the allowable bows along with the recurve, a long bow, and some of the other bows, and talking to Chairman Smith and the Game and Fisheries Committee, we agreed to have a hearing on this subject in western Pennsylvania early this spring. So I am going to withdraw my amendment. I am also going to withdraw my other amendment on the muzzle-loader legislation, and the Game Commission is going to take a look at that. So thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. STABACK offered the following amendment No. **A3998**:

Amend Sec. 2 (Sec. 2903), page 2, line 26, by inserting after
"PERMIT"

based on the fiscal year for the Commonwealth

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

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

Mr. STABACK. Thank you, Mr. Speaker.

Mr. Speaker, amendment 3998 is technical in nature and simply clarifies the fact that all permits that will be issued by the Pennsylvania Game Commission will expire on a fiscal year basis rather than on a calendar year. This is an agreed-to amendment by the prime sponsor; the Game Commission supports it as well, and I urge an affirmative vote.

The SPEAKER pro tempore. Mr. Smith.

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

This is an agreed-to amendment and is necessary.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker

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

On the question,

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

The SPEAKER pro tempore. Does the gentleman, Mr. Staback, have any further amendments? The gentleman withdraws the rest of them. The Chair thanks the gentleman.

On the question recurring,

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

Mr. GEORGE offered the following amendment No. A4107:

Amend Title, page 1, line 2, by inserting after "FOR"
the offense of unlawful taking or possession of
game or wildlife, for

Amend Sec. 2, page 2, line 7, by inserting after "SECTIONS"
2307(e),

Amend Sec. 2, page 2, by inserting between lines 8 and 9
§ 2307. Unlawful taking or possession of game or wildlife.

(e) Penalties.—A violation of this section relating to:

(1) Threatened or endangered species is a misdemeanor of the [third] first degree.

(2) Elk or bear is a summary offense of the first degree.

(3) Deer is a summary offense of the second degree.

(4) Bobcat or otter is a summary offense of the third degree.

(5) Wild turkey or beaver is a summary offense of the fourth degree.

(6) Any other game or wildlife is a summary offense of the fifth degree.

On the question,

Will the House agree to the amendment?

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is agreed to. It basically allows an increase in the class of offense for unlawful taking or possession of a threatened or endangered species from a misdemeanor of the third degree to a misdemeanor of the first degree. The offense would go from 1 year to 2 years. Now understand, even if an imposition is a year, that is the most that they can get, so they can get anything less. This is just protection. The Federal government should not have all there is to say on this. The State of Pennsylvania should be able to protect their endangered species.

I ask that we agree with this amendment.

The SPEAKER pro tempore. On the amendment, the gentleman from York, Mr. Smith.

Mr. B. SMITH. Thank you, Mr. Speaker. This amendment also is agreed to.

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

The following roll call was recorded:

YEAS—192

Table listing names of members who voted 'YEAS' (192 total). Includes names like Adolph, Allen, Argall, Baker, Bard, Barley, Barrar, Bastian, Battisto, etc.

NAYS—0

NOT VOTING—0

EXCUSED—11

Table listing names of members who were 'EXCUSED' (11 total). Includes names like Armstrong, Clymer, Gruitza, LaGrotta, Lawless, Phillips, Pistella, Roberts, Stetler, Wilt, Ryan, Speaker.

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

The SPEAKER pro tempore. Does the gentleman, Mr. George, have a second amendment? The Chair thanks the gentleman.

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?

On that question, the Chair recognizes the gentleman from York County, Mr. Smith.

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

I would simply like to thank Representative Zimmerman. This bill is a result of a request of one of his constituents, and I am very pleased that it will pass unanimously.

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—192

Table listing names of members who voted 'YEAS' (192 total). Includes names like Adolph, Allen, Argall, Baker, Bard, Barley, Barrar, Bastian, Battisto, etc.

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

Daley	Krebs	Robinson	Waters
Dally	Laughlin	Roebuck	Williams
DeLuca	Lederer	Rohrer	Wogan
Dempsey	Leh	Rooney	Wojnaroski
Dermody	Lescovitz	Ross	Wright
DeWeese	Levdansky	Rubley	Yewcic
DiGirolamo	Lucyk	Ruffing	Youngblood
Donatucci	Lynch	Sainato	Yudichak
Druce	Maher	Samuelson	Zimmerman
Eachus	Maitland	Santoni	Zug

NAYS-0

NOT VOTING-0

EXCUSED-11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker

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

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

The House proceeded to third consideration of **HB 1393, PN 1635**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, limiting the prohibition on the use of turkey blinds.

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

The SPEAKER pro tempore. The gentleman, Mr. Petrarca, offers the following amendment, which the clerk will read. The gentleman withdraws. The Chair thanks the gentleman.

Mr. Haluska, are you withdrawing also? The Chair thanks the gentleman.

Mr. Staback? Thank you.

Mr. George, are you offering your amendment or withdrawing? The clerk will read the George amendment.

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

Mr. **GEORGE** offered the following amendment No. **A4108**:

Amend Title, page 1, line 2, by inserting after "Statutes," further providing for the offense of unlawful taking or possession of game or wildlife; and

Amend Bill, page 1, lines 6 through 8, by striking out all of said lines and inserting

Section 1. Section 2307(e) of Title 34 of the Pennsylvania Consolidated Statutes is amended to read:

§ 2307. Unlawful taking or possession of game or wildlife.

(e) Penalties.—A violation of this section relating to:

(1) Threatened or endangered species is a misdemeanor of the [third] first degree.

- (2) Elk or bear is a summary offense of the first degree.
- (3) Deer is a summary offense of the second degree.
- (4) Bobcat or otter is a summary offense of the third degree.
- (5) Wild turkey or beaver is a summary offense of the fourth degree.
- (6) Any other game or wildlife is a summary offense of the fifth degree.

Section 2. Section 2308(a)(9) of Title 34 is amended and subsection (b) is amended by adding a paragraph to read:

Amend Sec. 2, page 2, line 10, by striking out "2" and inserting
3

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

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. **GEORGE**. Mr. Speaker, may I bring your attention to the board that I cannot see but my colleague can? I think it is a wrong number.

The SPEAKER pro tempore. Mr. George, we have you listed for amendments 4108 and 4162 on this bill. Is that correct?

Mr. **GEORGE**. Mr. Speaker, we are pulling 4108, sir.

The SPEAKER pro tempore. Ah, the Chair thanks the gentleman; you wish to offer the other.

The clerk will read the second George amendment.

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

Mr. **GEORGE** offered the following amendment No. **A4162**:

Amend Title, page 1, line 2, by inserting after "Statutes," further providing for unlawful taking or possession of threatened or endangered species; and

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

Section 1. Section 2307(e) of Title 34 of the Pennsylvania Consolidated Statutes is amended to read:

§ 2307. Unlawful taking or possession of game or wildlife.

(e) Penalties.—A violation of this section relating to:

- (1) Threatened or endangered species is a misdemeanor of the [third] second degree.
- (2) Elk or bear is a summary offense of the first degree.
- (3) Deer is a summary offense of the second degree.
- (4) Bobcat or otter is a summary offense of the third degree.
- (5) Wild turkey or beaver is a summary offense of the fourth degree.
- (6) Any other game or wildlife is a summary offense of the fifth degree.

Section 2. Section 2308(a)(9) of Title 34 is amended and subsection (b) is amended by adding a paragraph to read:

Amend Sec. 2, page 2, line 10, by striking out "2" and inserting
3

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

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

Mr. GEORGE. Mr. Speaker, this amendment is identical to the one that we passed in the other bill. I ask for an affirmative vote. I believe it is agreed to. Thank you.

The SPEAKER pro tempore. On that question, the gentleman from Bedford County, Mr. Hess, is recognized.

Mr. HESS. Thank you, Mr. Speaker.

This, too, is an agreed-to amendment, and I urge the members to support it.

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

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan, Speaker
Gruitza	Phillips	Stetler	

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—11

Armstrong	LaGrotta	Pistella	Wilt
Clymer	Lawless	Roberts	Ryan,
Gruitza	Phillips	Stetler	Speaker

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

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

LOCAL GOVERNMENT COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Herman, for the purpose of making a committee announcement.

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

For the information of the members of the Local Government Committee, we will be holding a meeting immediately upon the recess in room 205 of the Matthew J. Ryan Office Building, formerly known as the Capitol Annex. Thank you, Mr. Speaker.

The SPEAKER pro tempore. There will be no further votes, but before you leave, the Chair would like to recognize the gentleman, Mr. Yudichak, on unanimous consent.

The gentleman is apparently temporarily off the floor, so we will suspend with his remarks.

BILLS SIGNED BY SPEAKER PRO TEMPORE

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 1692, PN 2613

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for sales by liquor licensees, for special occasion permits, for performing arts facilities and for wine auction permits; authorizing a multipurpose county-owned arena and convention center license and a national event permit; and further providing for breweries, for limiting number of retail licenses in each municipality, for transfer of licenses, for local option relating to special occasion permits, for granting of liquor licenses in certain municipalities, for unlawful acts relative to malt or brewed beverages and licenses, for employment of minors, for penalties for the sale of liquor or malt or brewed beverage without being licensed, for limited wineries and for nuisances.

SB 1050, PN 1385

An Act making an appropriation to the American Battle Monuments Commission as a grant for use in the construction of the National World War II Memorial in the District of Columbia.

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

VOTE CORRECTIONS

The SPEAKER pro tempore. For what purpose does the lady, Ms. Williams, rise?

Ms. WILLIAMS. Thank you, Mr. Speaker.

I rise to correct the record.

The SPEAKER pro tempore. Proceed.

Ms. WILLIAMS. On SB 504 I would like to be recorded as voting "yes" on amendment 4154.

The SPEAKER pro tempore. The lady's remarks will be spread upon the record.

The Chair recognizes the gentleman, Mr. Egolf.

Mr. EGOLF. Thank you, Mr. Speaker.

I would like to correct the record.

On SB 1050 I was on leave. If I had been here, I would have voted in the affirmative.

The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record.

STATEMENT BY MR. YUDICHAK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne County, Mr. Yudichak, under unanimous consent.

Mr. YUDICHAK. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to honor the memory of a very important citizen of my legislative district who recently passed away. News of the death of Emil Borowski greeted me this week with much sadness. I suspect that most of the city of Nanticoke was saddened by the news as well.

Like so many Americans of his generation, Emil Borowski volunteered to serve his country overseas, then came home and served his community for the rest of his life.

A lifelong resident of Nanticoke, Mr. Borowski graduated from high school in 1953, determined to preserve the safety and freedom of the community he knew and to protect the family and neighbors he loved. After graduating from the State Police Academy, Mr. Borowski protected his country as a member of the Air Force in the South Pacific during the Korean Conflict. Upon returning home, Mr. Borowski immediately set to work protecting his community. He served as a Nanticoke city police officer for 25 years, finally retiring in 1992 with the rank of sergeant.

Mr. Borowski found countless other ways to serve his community as well. One of those ways was the Police Athletic League, which he founded, which funded many sports programs for the youth of the Greater Nanticoke area community. Mr. Borowski also was the present commander of the American Legion post in Nanticoke and the treasurer of the Fraternal Order of Police, Lodge 36.

Mr. Borowski has made an immeasurable impact on the quality of life in the community of Nanticoke. Nanticoke truly has lost one of her great sons, and we are all sorry to see him go. The family, friends, and neighbors he left behind will miss him dearly, but thanks to his lifetime of service and commitment to others, none of us will be able to miss the contributions he has made to Nanticoke and its people.

I thank the Speaker for his indulgence.

The SPEAKER pro tempore. The Chair thanks the gentleman.

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that SB 555 be removed from the table and placed on the active calendar.

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

BILL RECOMMITTED

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

Mr. PERZEL. Mr. Speaker, I move that SB 555 be recommitted to the Committee on Appropriations.

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

RECESS

The SPEAKER pro tempore. The Chair intends to call a recess until 2:45. The reason we will be coming back at 2:45 is to accept committee reports. There will be no votes.

Without objection, this House stands in recess until 2:45, unless sooner recalled by the Speaker pro tem.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (JOSEPH F. MARKOSEK) PRESIDING

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 1604, PN 2648 (Amended) By Rep. HERMAN

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for landowner curative amendments.

LOCAL GOVERNMENT.

HB 1967, PN 2453 By Rep. HERMAN

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for plat approval.

LOCAL GOVERNMENT.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 8, PN 2625**.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 518, PN 2626**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The majority leader is recognized. Mr. PERZEL. Mr. Speaker, I move that HB 1604 be removed from the table.

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

BILL RECOMMITTED

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

Mr. PERZEL. Mr. Speaker, I move that HB 1604 be recommitted to the Appropriations Committee.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Frankel.

Mr. FRANKEL. Mr. Speaker, I move that this House do now adjourn until Monday, November 15, 1999, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 2:49 p.m., e.s.t., the House adjourned.