

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, FEBRUARY 2, 2000

SESSION OF 2000

184TH OF THE GENERAL ASSEMBLY

No. 7

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

DR. KIRBY NELSON KELLER, Chaplain of the House of Representatives and president of Evangelical School of Theology, Myerstown, Pennsylvania, offered the following prayer:

Let us pray:

Almighty God, author of liberty, from one blood You created all the people of the world in Your image. You faithfully hear the voices of all those who cry out for help and hope. In this historic chamber, the voices of all the people of the Commonwealth are represented and heard.

Lord, grant that in the voices of the men and women elected to this sacred trust, the voices of all Pennsylvanians will be clearly heard. Enable these dedicated servants to represent their people with integrity, creativity, and sensitivity, and may the voices of debate rise above partisanship and self-interest, to seek truth, strive for justice, and speak with compassion. Father, help all who serve here today realize that when they serve their people well, they also serve You well.

In Your name we pray. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER, Without objection, the approval of the Journal of February 1, 2000, will be postponed until printed. The Chair hears no objection.

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2206** By Representatives NICKOL, ARMSTRONG, BAKER, BROWNE, BUXTON, CLARK, FARGO, GORDNER, HENNESSEY, HUTCHINSON, LYNCH, MAITLAND, MASLAND, R. MILLER, MUNDY, ORIE, ROSS, RUBLEY, SATHER, SAYLOR, SCHRODER, SEYFERT, S. H. SMITH,

STEELMAN, STERN, STRITTMATTER, E. Z. TAYLOR, TRELLO, VANCE, WILT, YEWIC, ZUG and SNYDER

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for insurance premiums tax and for credits for assessments paid to the Pennsylvania Property and Casualty Insurance Guaranty Association.

Referred to Committee on FINANCE, February 2, 2000.

**No. 2207** By Representatives E. Z. TAYLOR, SCHRODER, FLICK, ALLEN, ARGALL, BENNINGHOFF, CIVERA, CLARK, L. I. COHEN, M. COHEN, CORRIGAN, COSTA, CURRY, DAILEY, DeLUCA, FARGO, FICHTER, FORCIER, FREEMAN, GEIST, GODSHALL, GORDNER, GRUCELA, HARHAI, HARHART, HENNESSEY, HERMAN, HERSHEY, LAUGHLIN, LEH, MAJOR, McILHINNEY, McNAUGHTON, METCALFE, MICHLOVIC, MICOZZIE, NAILOR, PHILLIPS, PISTELLA, RAMOS, ROHRER, RUBLEY, SAYLOR, SCHULER, SCRIMENTI, SHANER, B. SMITH, STABACK, STEELMAN, TRELLO, TRICH, TULLI, VANCE, WALKO, WILLIAMS, WILT, ZIMMERMAN and JOSEPHS

An Act amending the act of June 30, 1995 (P.L.170, No.25), known as the Pennsylvania Voter Registration Act, further providing for Department of Health.

Referred to Committee on STATE GOVERNMENT, February 2, 2000.

**No. 2208** By Representatives E. Z. TAYLOR, SCHRODER, FLICK, ALLEN, ARGALL, BENNINGHOFF, CIVERA, CLARK, L. I. COHEN, M. COHEN, CORRIGAN, COSTA, CURRY, DAILEY, DeLUCA, FARGO, FICHTER, FORCIER, FREEMAN, GEIST, GODSHALL, GORDNER, GRUCELA, HARHAI, HARHART, HENNESSEY, HERMAN, HERSHEY, LAUGHLIN, LEH, MAJOR, McILHINNEY, McNAUGHTON, METCALFE, MICHLOVIC, MICOZZIE, NAILOR, PHILLIPS, PISTELLA, RAMOS, ROHRER, RUBLEY, SAYLOR, SCHULER, SCRIMENTI, SHANER, B. SMITH, STABACK, STEELMAN, TRELLO, TRICH, TULLI, VANCE, WALKO, WILLIAMS, WILT, ZIMMERMAN and JOSEPHS

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, further providing for reports to county registration commissions.

Referred to Committee on STATE GOVERNMENT, February 2, 2000.

**No. 2209** By Representatives VANCE, CHADWICK, BROWNE, TIGUE, BAKER, BARD, BEBKO-JONES, BELFANTI, BENNINGHOFF, CLYMER, L. I. COHEN, M. COHEN, CORRIGAN, CURRY, DAILEY, DALLY, FARGO, FLICK, FRANKEL, GEIST, GODSHALL, HARHAI, HERMAN, LEDERER, LYNCH, MASLAND, McNAUGHTON, MICOZZIE, NAILOR, NICKOL, ORIE, RAMOS, READSHAW, ROHRER, ROSS, RUBLEY, SAINATO, SATHER, SAYLOR, SCHRODER, SCHULER, SCRIMENTI, SEYFERT, SHANER, STEELMAN, E. Z. TAYLOR, THOMAS, TRELLO, WILT, YOUNGBLOOD and ZIMMERMAN

An Act amending the act of December 4, 1996 (P.L.893, No.141), known as the Volunteer Health Services Act, allowing doctors with volunteer licenses to prescribe medication to family members.

Referred to Committee on HEALTH AND HUMAN SERVICES, February 2, 2000.

**No. 2210** By Representatives GRUCELA, VEON, CAPPABIANCA, LESCOVITZ, SOLOBAY, COSTA, MANN, SHANER, TIGUE, BELFANTI, GORDNER, WALKO, SAINATO, TANGRETTI, SEYFERT, GEORGE, HALUSKA, LAUGHLIN, STABACK, M. COHEN, PETRARCA, COLAFELLA, ARGALL, CURRY, ROBERTS, HARHAI, NICKOL, McCALL, FREEMAN, YOUNGBLOOD, ROONEY and SCRIMENTI

An Act making an additional appropriation to the Department of Agriculture for purposes of emergency drought relief.

Referred to Committee on APPROPRIATIONS, February 2, 2000.

**No. 2211** By Representatives HERMAN, BENNINGHOFF, STAIRS, YUDICHAK, GRUCELA, McILHATTAN, ROEBUCK, STEELMAN, STEVENSON, ADOLPH, ARGALL, BAKER, BARRAR, BATTISTO, BELARDI, BELFANTI, BISHOP, CAWLEY, CLARK, CLYMER, L. I. COHEN, M. COHEN, COSTA, CURRY, DeLUCA, DeWEESE, DRUCE, FARGO, FLICK, FRANKEL, FREEMAN, GEIST, GEORGE, GODSHALL, HARHAI, HENNESSEY, LEVDANSKY, MANDERINO, NICKOL, PETRARCA, PISTELLA, ROBERTS, SAINATO, SATHER, SAYLOR, SCRIMENTI, SEYFERT, SHANER, B. SMITH, SOLOBAY, STABACK, STERN, J. TAYLOR, TRAVAGLIO, TRICH, VAN HORNE, WILT, WOGAN, WOJNAROSKI, YOUNGBLOOD and JOSEPHS

An Act amending the act of January 25, 1966 (1965 P.L.1546, No.541), entitled "An act providing scholarships and providing funds to secure Federal funds for qualified students of the Commonwealth of Pennsylvania who need financial assistance to attend postsecondary institutions of higher learning, making an appropriation, and providing for the administration of this act." further providing for the length of scholarships.

Referred to Committee on EDUCATION, February 2, 2000.

**No. 2212** By Representatives GODSHALL, M. COHEN, FEESE, FICHTER, McCALL, MELIO, PISTELLA, STABACK, STEELMAN, THOMAS, TRELLO, WILLIAMS, WILT, YOUNGBLOOD and MICOZZIE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for liability for local agencies for the operation of a school bus; and adding school districts to the definition of local agencies.

Referred to Committee on JUDICIARY, February 2, 2000.

**No. 2213** By Representatives BAKER, CHADWICK, CLYMER, M. COHEN, CORNELL, GEIST, HARHAI, HENNESSEY, HERSHEY, PETRONE, RAMOS, SAINATO, SATHER, SEMMEL, SOLOBAY, STERN, E. Z. TAYLOR, WILT and WOJNAROSKI

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, further defining "personal injury crime."

Referred to Committee on JUDICIARY, February 2, 2000.

**No. 2214** By Representatives BAKER, GANNON, THOMAS, ARGALL, BARD, BASTIAN, BEBKO-JONES, BELARDI, BENNINGHOFF, BROWNE, CHADWICK, L. I. COHEN, COY, FARGO, FRANKEL, GEIST, GEORGE, HARHAI, HENNESSEY, HORSEY, LAUGHLIN, LYNCH, MAITLAND, MANDERINO, MANN, MARKOSEK, MASLAND, MYERS, ORIE, PETRONE, ROEBUCK, ROSS, SATHER, SAYLOR, SCHRODER, SCRIMENTI, SEYFERT, SOLOBAY, STABACK, E. Z. TAYLOR, J. TAYLOR, TIGUE, TRAVAGLIO, WALKO, WILT, WOGAN, WOJNAROSKI, YEWIC and YOUNGBLOOD

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, further providing for definitions.

Referred to Committee on JUDICIARY, February 2, 2000.

**No. 2215** By Representatives BAKER, E. Z. TAYLOR, CLYMER, TRUE, ARGALL, BATTISTO, BEBKO-JONES, BELARDI, BROWNE, L. I. COHEN, DeLUCA, DiGIROLAMO, FICHTER, FLICK, FRANKEL, HARHAI, S. MILLER, NAILOR, ORIE, PHILLIPS, PISTELLA, PLATTS, ROSS, RUBLEY, SATHER, STABACK, STEELMAN, STERN, WALKO, WASHINGTON, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for information relating to prospective child-care personnel.

Referred to Committee on JUDICIARY, February 2, 2000.

**No. 2216** By Representatives CLARK, FAIRCHILD, BENNINGHOFF, DALEY, BELFANTI, SAYLOR, GORDNER, ALLEN, SEYFERT, HENNESSEY, SOLOBAY, STABACK, WILT, E. Z. TAYLOR, STERN, S. MILLER, THOMAS, CORRIGAN, TRELLO, J. TAYLOR, R. MILLER, SATHER and YOUNGBLOOD

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, further providing for exemptions for food employee certification.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, February 2, 2000.

**No. 2217** By Representatives BLAUM, GEORGE, COY, SEYFERT, TIGUE, SOLOBAY, DALEY, WOJNAROSKI, READSHAW, GRUCELA, STABACK, TRUE, S. MILLER, BELARDI, SANTONI, CLARK, LEDERER, McCALL, LUCYK, CORRIGAN, STEELMAN, PLATTS, HASAY, McNAUGHTON, BATTISTO, HARHAI, J. TAYLOR, GANNON, WILLIAMS, YOUNGBLOOD and BROWNE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the establishment and administration of a juvenile sex offender registry.

Referred to Committee on JUDICIARY, February 2, 2000.

**No. 2218** By Representatives SCRIMENTI, GEIST, CASORIO, CAPPABIANCA, BEBKO-JONES, PIPPY, GIGLIOTTI, FAIRCHILD, WOJNAROSKI, CALTAGIRONE, SCHULER, ROEBUCK, MANN, DALEY, WALKO, FICHTER, YUDICHAK, SHANER, SAYLOR, READSHAW, ROBERTS, CORRIGAN, HALUSKA, GEORGE, DeWEESE, TRELLO, TIGUE, BAKER, EVANS, PESCI, STABACK, VEON, BUNT, GRUCELA, COY, HARHAI, PISTELLA, HENNESSEY, M. COHEN, HESS, ROBINSON, TRAVAGLIO, HUTCHINSON, HERSHEY, YOUNGBLOOD, BELARDI, SATHER, E. Z. TAYLOR, COSTA, LAUGHLIN, BELFANTI, SEYFERT, FORCIER and PLATTS

An Act designating Exit 10 in Harborcreek Township on Interstate 90 as the Trooper Matthew R. Bond Memorial Interchange.

Referred to Committee on TRANSPORTATION, February 2, 2000.

**No. 2219** By Representatives SAYLOR, ARMSTRONG, BARRAR, DeLUCA, GEORGE, HENNESSEY, McILHATTAN, PLATTS, RAMOS, SEYFERT, SOLOBAY, YOUNGBLOOD and GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for obedience to authorized persons directing traffic.

Referred to Committee on TRANSPORTATION, February 2, 2000.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 347** By Representatives McGEEHAN, CALTAGIRONE, CORRIGAN, RAMOS, ORIE, CAPPABIANCA, LAUGHLIN, GIGLIOTTI, DEMPSEY, MELIO, FICHTER, WOJNAROSKI, LEDERER, BELFANTI, LYNCH, KENNEY, WOGAN, YOUNGBLOOD, WALKO, JOSEPHS, McCALL, STABACK, J. TAYLOR, TIGUE, PIPPY and O'BRIEN

A Resolution concerning the killings of human rights lawyers Rosemary Nelson and Patrick Finucane.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, February 2, 2000.

**No. 349** By Representatives RAMOS, BATTISTO, BELFANTI, M. COHEN, CURRY, DALEY, DeLUCA, FRANKEL, HARHAI, HENNESSEY, LEVDANSKY, MELIO, PESCI, PISTELLA, ROBERTS, ROBINSON, ROEBUCK, STEELMAN, J. TAYLOR, THOMAS, WALKO, WOJNAROSKI and YOUNGBLOOD

A Resolution urging the President and the Congress of the United States to support the closure of the United States Army School of the Americas.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, February 2, 2000.

**No. 350** By Representatives RAMOS, CARN, M. COHEN, DALEY, FREEMAN, HARHAI, HENNESSEY, LEVDANSKY, PESCI, J. TAYLOR, THOMAS, TRICH and YOUNGBLOOD

A Resolution urging the President of the United States and the Pennsylvania congressional delegation to intervene with all the powers of their offices to bring a complete halt to bombardments by the United States military on the island of Vieques, Puerto Rico, and to appropriate the necessary funds for the environmental cleanup of land and water destroyed or contaminated by these bombardments.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, February 2, 2000.

**No. 351** By Representatives WILLIAMS, ARMSTRONG, BARD, BATTISTO, BELARDI, BUNT, CURRY, DALEY, DeWEESE, FRANKEL, FREEMAN, JOSEPHS, MUNDY, ORIE, PESCI, RAMOS, READSHAW, RUBLEY, SCRIMENTI, SEYFERT, STABACK, STEELMAN, TIGUE, WALKO, WATERS, YOUNGBLOOD, BISHOP, MANDERINO, STETLER, TRUE and SCHULER

A Resolution condemning the Taliban's discrimination and violence against Afghan women; calling upon the President and Congress to take whatever action is necessary to ensure that women and girls gain immediate access to health care and education; and urging negotiations to resume humanitarian assistance.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, February 2, 2000.

### BILLS REMOVED FROM TABLE

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

HB 368;  
HB 376;  
HB 891;  
HB 1129;  
HB 1265;  
HB 1366;  
HB 1457;  
HB 1801;  
HB 1996; and  
SB 1047.

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

### BILLS ON SECOND CONSIDERATION

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

**HB 368, PN 381; HB 376, PN 389; HB 891, PN 965; HB 1129, PN 2682; HB 1265, PN 1442; HB 1366, PN 2642; HB 1457, PN 1732; HB 1801, PN 2207; HB 1996, PN 2559; and SB 1047, PN 1612.**

### BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. PERZEL. Mr. Speaker, I move that the following bills be recommitted to the Committee on Appropriations:

HB 368;  
HB 376;  
HB 891;  
HB 1129;  
HB 1265;  
HB 1366;  
HB 1457;  
HB 1801;  
HB 1996; and  
SB 1047.

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

### LEGISLATIVE FELLOWS INTRODUCED

The SPEAKER. Today we would like to welcome to the hall of the House eight students who are serving as Legislative Fellows with the Bipartisan Management Committee. They are seated in the back of the House with Susan Cohen and Pete Wambach, the codirectors of the Bipartisan Management Committee, together with the coordinator of this program, Kristen Bernard.

The eight students include Wadiya Brown, a social relations major from Cheyney University; Ryan Michael Dotts, a criminal justice major from Penn State Harrisburg; Julie Gabriel, a communications major from Slippery Rock; Brian Garman, a public policy major from Penn State Harrisburg; Erin Gilroy, a business/economics major from Bloomsburg University; Jennifer Hoover, a public policy major from Penn State Harrisburg; Daisy Pagan, a criminal justice major from Penn State Harrisburg; and Quin Sorenson, a political science major from Penn State University. Oh, they are ahead of me. I was going to ask you to stand up. Just wave then.

### GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of the Beaver County delegation, Mr. Tom Bickert and Mr. Alan Buncher. Both gentlemen are with the Beaver County Times. Would these gentlemen please rise, to the left of the Speaker.

### LEAVES OF ABSENCE

The SPEAKER. The Chair has been informed that there are no requests for leaves of absence.

The Chair recognizes the gentleman, Mr. Snyder, who requests that leave be granted to the gentleman, Mr. SERAFINI, for today's session. Without objection, leave will be granted. The Chair hears no objection.

### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—202

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Serafini

LEAVES ADDED—2

Gladeck Hanna

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Saylor, a group sponsored or participating in the York County Chamber of Commerce's Groundhog Job Shadow Day 2000. The following students will be joining the York County delegation today here in Harrisburg: Matt Bowen, Dan Waltemyer, Grant Bubb, John Eisensmith, and Davida Anderson. Would these guests please rise, to the left of the Chair.

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mrs. MILLER called up **HR 346, PN 2889**, entitled:

A Resolution designating February 19 through 26, 2000, as "FFA Week" in Pennsylvania.

On the question.

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—202

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

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Serafini

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

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Ms. BISHOP called up **HR 348, PN 2891**, entitled:

A Resolution designating February 4, 2000, as "Rosa Parks Remembrance Day" in Pennsylvania.

On the question.

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—202

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

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Serafini

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

CALENDAR

BILLS ON THIRD CONSIDERATION

BILL PASSED OVER

The SPEAKER. The Chair turns to page 1 of today's calendar. HB 1625 is over.

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The House proceeded to third consideration of **HB 18, PN 937**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for possession of weapons in schools and for safe-schools definitions and reporting.

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

BILL RECOMMENDED

The SPEAKER. The gentleman, Mr. Barley, is recognized. Mr. BARLEY. Mr. Speaker, I move that HB 18 be recommitted to Appropriations.

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

\*\*\*

The House proceeded to third consideration of **HB 2, PN 2545**, entitled:

An Act establishing a unified workforce investment system; restructuring certain administrative functions, procedures and entities; transferring workforce development functions of Commonwealth agencies; establishing the Pennsylvania Human Resources Investment Council; and authorizing local workforce investment boards.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes Mr. Barley. Mr. BARLEY. Mr. Speaker, I move that HB 2, PN 2545, be recommitted to Appropriations.

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

\*\*\*

The House proceeded to third consideration of **HB 1427, PN 1681**, entitled:

An Act amending the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, further providing for political activity.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes Mr. Barley. Mr. BARLEY. Mr. Speaker, I move that HB 1427 be recommitted to Appropriations.

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

\*\*\*

The House proceeded to third consideration of **HB 590, PN 616**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for cruelty to animals.

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

Mr. **PHILLIPS** offered the following amendment No. **A0186**:

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

and for tobacco use in schools.

Amend Sec. 1, page 1, line 6, by striking out "Section 5511(e)" and inserting

Sections 5511(e) and 6306.1

Amend Sec. 1, page 1, line 7, by striking out "is" and inserting are

Amend Sec. 1, page 7, by inserting between lines 2 and 3

§ 6306.1. Use of tobacco in schools prohibited.

(a) Offense defined.—A [pupil] person who possesses or uses tobacco in a school building, a school bus or on school property owned by, leased by or under the control of a school district commits a summary offense.

(b) Grading.—A [pupil] person who commits an offense under this section shall be subject to prosecution initiated by the local school district and shall, upon conviction, be sentenced to pay a fine of not more than \$50 for the benefit of the school district in which such [offending pupil] person resides and to pay court costs. When a pupil is charged with violating subsection (a), the court may admit the offender to an adjudication alternative as authorized under 42 Pa.C.S. § 1520 (relating to adjudication alternative program) in lieu of imposing the fine.

(c) Nature of offense.—A summary offense under this section shall not be a criminal offense of record, shall not be reportable as a criminal act and shall not be placed on the criminal record of the [offending school-age person] offender if any such record exists.

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

"Pupil." A person between the ages of 6 and 21 years who is enrolled in school.

"School." A school operated by a joint board, board of directors or school board where pupils are enrolled in compliance with Article XIII of the act of March 10, 1949 (P.L. 30, No. 14), known as the Public School Code of 1949, including area vocational schools and intermediate units.

"Tobacco." A lighted or unlighted cigarette, cigar, pipe or other lighted smoking product and smokeless tobacco in any form.

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

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

Mr. **PHILLIPS**. Thank you, Mr. Speaker.

Amendment 0186 would amend the use of tobacco in schools. Part of Title 18 where it defines an offense, what it says now is, it says, "A pupil who possesses..." That would change to "A person..." And in the grading, it says, "A pupil..." and that would change to "A person..." The intent is to make it equal for everybody, that not just pupils would be denied smoking on school grounds but also teachers or any individual, and I ask for your support.

The **SPEAKER**. On the question of the adoption of the amendment, the gentleman, Mr. Yudichak.

Mr. **YUDICHAK**. Thank you, Mr. Speaker.

I rise to support the amendment by Representative Phillips. I introduced similar legislation today that passed the Education Committee that would prohibit any use of tobacco products on schoolbuses. It is a great idea. It protects the health of the children in Pennsylvania. It also sends a strong, consistent message of antitobacco to our young people.

So I support and encourage the members to support the bill.

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

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

The following roll call was recorded:

YEAS—201

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

NAYS—1

Fairchild

NOT VOTING—0

EXCUSED—1

Serafini

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

On the question,

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

The SPEAKER. The Chair recognizes the lady, Ms. Steelman. It is the understanding of the Chair that the lady wishes to withdraw her amendment but make a statement on it nonetheless. Is that correct?

Ms. STEELMAN. Yes, Mr. Speaker.

The SPEAKER. The lady has unanimous consent to make a statement.

Ms. STEELMAN. Very briefly, the purpose of this bill is to regulate the transport of horses to slaughter through Pennsylvania, and it has been suggested that it would be advisable to extend the language of the bill to cover horse transportation generally in order to prevent a defense by killer haulers that they are simply transporting horses for reasons unknown. The fact of the matter is that under the circumstances that many of these horses are transported, there is no doubt what their destination is. There would also be no problem with expanding the bill.

However, in the interests of making sure that we have a clean, relatively noncontroversial bill to send to the Senate, I am withdrawing amendments that would have expanded the regulatory power of the bill, because I want to be sure that we get this disgusting trade under control, and that is the most important thing that we can do today.

Thank you, Mr. Speaker.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

On final passage. Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I received a call on Monday from two veterinarians from the New Bolton Center at the University of Pennsylvania Veterinary School about this legislation, and I want to emphasize, they were speaking on their own behalf, not officially for the school. But they have decades of experience caring for horses and practical understanding of the humane treatment of horses. While they applaud the intent of this legislation, they pointed out that several provisions are simply unworkable.

For example, an equine vet must pass on a horse before it can be shipped to slaughter. There are apparently only five equine vets in the State currently. Many pleasure horses are routinely shipped

and live long lives with slight hitches in their gait, or the way that they walk, but none can be shipped to slaughter. No horse blind in one eye can be shipped to slaughter in this bill, but horses blind in one eye compete successfully in horse shows all the time. In short, some of the demands for health are simply too high.

I want to apologize to the prime sponsor and those who have worked on this legislation that this information has come to me so late. I know this must be frustrating to them. I share their strong desire to see horses humanely treated at the end of their lives, but this legislation must be practical and must work down at the farms across the State. Since the revisions needed are substantial, I prefer not to try and rush an amendment through here on the floor. I ask instead for your support for a motion I believe will be shortly introduced by one of our colleagues from Somerset County.

Thank you, Mr. Speaker.

The SPEAKER. Dr. Bastian.

Mr. BASTIAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to give fellow Representative Jim Lynch credit for bringing this issue to the forefront. I think we need to discuss this problem, but I find a bill this morning that I neither want to vote for or vote against. Let me explain that once.

I think I have been involved in the welfare of horses and in the welfare of all animals for the best part of my life; 35 years of my life I spent that. I owned, at my best count, eight different horses in my lifetime. My children, two of my children particularly, enjoyed the pleasure of working with horses in 4-H and FFA (Future Farmers of America) and in a lot of different horse shows.

Representative Lynch has passed to all of the members some sensational pictures which I do not doubt that existed at some point. I think they are rare, but I would question why the photographer or anybody with the photographer at that time did not take some action to stop that inhumane treatment if they felt that it was such. There are a lot of people you can contact, including the State Police, to stop inhumane treatment of animals.

I would like to speak for a moment to some specific areas of that legislation which I think are improper.

Number one — and you can follow this on your bill page if you would like to — on the first page, it mentions equine veterinarian. Representative Ross talked about that point that if you are a diplomat of the equine medicine and surgery specialty board, there are only five in the State of Pennsylvania. I think that definitely has to be changed to include any large-animal practicing veterinarian that has some equine experience. I was one of those, although I never claimed myself as an equine veterinarian.

On the second page, line 19, it talks about nonmetallic, antiskid floors. Most trailers, stock trailers, including horse trailers, have metallic, nonskid floors, but they are not nonmetallic. If you want to use wood or dirt or rubber, I think there is a lot more problem with them than metallic, antiskid floors.

On the very next line, it mentions apertures in the side of these trucks that are carrying horses. Apertures are openings in the side of those trailers to allow air flow, to get good ventilation. But yet in the next line, it says, "...sufficient insulation...to maintain an adequate temperature..." and that is very contradictory. If you are going to have apertures, why do you need insulation? So I think that has to be changed.

On the third page, it mentions mare nursing foal. How long does a foal have to be weaned before a mare can be sent to slaughter? I think it is very vague. A 600-pound foal. Why does a foal have to be 600 pounds? Why cannot it be 500 pounds and sent



to slaughter? You can have lots of foals that are 500 pounds that are weaned, that have contracted tendons or overshot mouth or undershot mouth, that need to go to slaughter. They are of no use on the farm.

When you talk about size of horses, they measure horses in hands. A hand is 4 inches. When a horse is 13 hand 3 inches, which is 55 inches, versus 14 hand 1 inch, which is 57 inches, why cannot two horses 2 inches apart in height be included in the same cabin in a truck? That needs to be redefined.

When they talk about reloading, they talk about an exam signed by an equine veterinarian, and then if you have to reload after 12 hours on the road and a 2-hour rest, they have to be reexamined to reenter that truck. I think that is being redundant.

The next-to-last line in the bill says, "...no observable symptoms of illness." Does that include lameness? It does not say that in the bill.

And on the last page, if we need immediate veterinary care and that immediate veterinary care cannot be done to rehabilitate that horse for slaughter, the horse is no longer a part of that process to go to slaughter. I have treated many, many horses that have mild bouts of colic after being trucked. It can be solved very quickly and can go on its way.

I have to compliment Representative Lynch on several things. There are some good points to this bill, but I think it needs to be cleaned up. I will commit to this, and I will be glad to work with Representative Lynch in trying to clean the bill up if we can commit.

The big point, I think, is that agriculture needs to have an avenue to move horses to slaughter that is not so restrictive that you are going to prohibit any animal going to slaughter. There are a lot of animals that are spent horses, just like spent hens or spent dairy cows — they are old; they are lame; they have teeth problems; they become nonbreeders; they have torn muscles; they have temperament problems — that need to be sold.

On Monday morning I spent some time with five local veterinarians in Somerset County in three different practices. They all read the bill cover to cover, and they all had the same comments. It is not necessary, it is excessively burdensome on the owner, it is impractical, and in general, they oppose this legislation. I am number six, and as Representative Ross mentioned, two equine specialists from the New Bolton Center, University of Pennsylvania, also agreed with those statements.

None of these people, including myself, want to be inhumane. We are animal welfarists, and we always have been. I think I have to mention, too, that the Federal regulations that are coming out this spring will address the same problem as this legislation, and I think we have to put side-to-side comparisons to see where they are good and where they are bad and where they are alike and where they are different.

### MOTION TO RECOMMIT

Mr. BASTIAN. I guess finally I can say that we already have enough laws for inhumane treatment of animals. They need to be enforced, and at this point Ray Bunt, the Agriculture chairman, has agreed to take this bill back, and I would make a motion that this bill be recommitted to the Ag Committee.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Bastian, moves that HB 590 be recommitted to the Committee on Agriculture and Rural Affairs.

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

The SPEAKER. On the question of that motion, Mr. Lynch.

Mr. LYNCH. Thank you, Mr. Speaker.

And while I recognize that the gentleman from Somerset County was making a motion toward the end of his discussion, I trust that you will give me some leeway when it comes to discussing the content of the bill, since much of it was discussed in preparation for this motion.

The SPEAKER. The question before the floor is recommittal.

Mr. LYNCH. And I am going to oppose that recommittal, and I trust that you will give me— I will take a little bit of leeway, if I might.

The SPEAKER. Do not trust me too much.

Mr. LYNCH. Okay. I guess I will see how far I can get, Mr. Speaker.

The SPEAKER. Why change.

Mr. Lynch.

Mr. LYNCH. And I appreciate that, Mr. Speaker.

The circumstances around this bill have been guided with a lot of misinformation, and I understand where they want to recommit back to Agriculture, and quite frankly, I need to let everybody know that this attempt to recommit it back to Agriculture is an attempt to kill this bill.

This bill has been introduced— I have introduced it at least two and maybe this is the third, at least the third session. It has gone through the Judiciary Committee twice. The Judiciary Committee held a hearing on this in Gettysburg over a year ago, very well documented.

I would like to respond to a few of the comments that were made prior to the speaker's motion.

I have heard a couple of times the comment made about equine vet; only five of them exist in the State. Well, you need to look and read the bill and recognize that we do not define what an equine veterinarian is, and by not defining it, we have made it pretty much all-inclusive. There is no definition for it, Mr. Speaker.

I heard him mention about the photos and the sensationalism of the photos. As far as I am aware, those photos were taken by the journalists who did the stories.

Mr. Speaker?

The SPEAKER. Conferences will please break up.

Mr. Lynch.

Mr. LYNCH. Thank you, Mr. Speaker.

I do want to point out that it has been mentioned that there are already existing laws. The existing laws obviously are not working. Sometimes we have the requirement to tighten up what is already out there. Had anybody had the opportunity to be at the hearing or be involved in the discussion in Judiciary or any other part of this legislation, they would be appalled at the situation that is occurring.

I also want to point out, in response to a letter that came from the Pennsylvania Farm Bureau saying that this affects horses other than ones going to slaughter, that is absolutely not true; it is incorrect. The purpose of this legislation — and I will be brief here, Mr. Speaker — the purpose of this legislation is only to provide

humane treatment for horses that are going to slaughter after they have left the auction house. It does not affect farming activities. It only affects after they have left the auction house. And quite frankly, we are dealing with contracted truck drivers, for the most part, who live in the State of Virginia. We are not looking to affect any kind of farming activity in Pennsylvania. This bill does not do that. It simply provides humane treatment for horses that are being transported to slaughter after they have been sold for such.

I strongly ask my colleagues to vote against recommitment to the Ag Committee, and let us get on with voting this bill. It has been around for a few years now. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Bunt.

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, many members on both sides of the aisle have contacted me on the floor and also my counterpart, Representative Cappabianca, concerning this legislation.

Mr. Speaker, I received another letter today from the Equine Placement Network, and it is a group that supposedly would be in favor of Mr. Lynch's legislation, but this memo here indicates that they are opposed to moving PA HB 590 at this time.

Because of the conflicts and the statements that have been made on the floor yesterday and seemingly again today, Mr. Speaker, in addition to—

The SPEAKER. Will the gentleman yield.

There are a number of people who have asked to speak on this subject. The subject is not the bill; the subject is recommitment. Please. I gave Mr. Lynch a little leeway, but you are into the bill, and we really have a motion before us, why it should or should not be recommitted.

Mr. BUNT. The Speaker is correct.

Mr. Speaker, I will support the recommitment of HB 590 to the Pennsylvania House Agriculture and Rural Affairs Committee at this time. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Gannon, did you desire recognition? The gentleman is recognized.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the motion to recommit this bill to the Agriculture Committee.

As Representative Lynch pointed out in his remarks, this bill has a long history. This is not the first time that this was brought to the attention of the General Assembly. And the history is very interesting. It is one of those stories that you start connecting the dots and you get the full picture.

This bill was introduced some time back. It was sent to the Agriculture Committee. The Agriculture Committee referred it to the Judiciary Committee. The Judiciary Committee held public hearings on this bill. We had extensive dialogue with those people who are both supportive and opposed to the bill. After a great deal of work, the bill was amended in the Judiciary Committee and was reported out of that committee, after years of work on the bill. This is about the third time the bill has been introduced, and it is now before us for consideration, and all of a sudden, folks are standing up and saying, well, we have some problems here; well, this should go to the Agriculture Committee so that they can work on it, clean it up, fix it up, and then send it back to the House for consideration. There have been opportunities untold for this bill and issues to be addressed prior to this date. This is the first time I have heard these folks stand up and make the points that they have, and they have had that opportunity a number of times.

No one was denied a hearing or an opportunity to address the committee or members of the committee to work this bill.

Now, this is a serious situation, Mr. Speaker, and just if I may, to characterize the issue that this bill addresses.

We have horses who have done their servants well in this Commonwealth, who are being shipped sometimes to another country, to Canada, to another State, for slaughter, and what happens is, we have a truck that has shipped pigs, and it has maybe brought a load of pigs into Pennsylvania from another State—

The SPEAKER. Mr. Gannon, stay on the question, please.

Mr. GANNON. Thank you, Mr. Speaker.

But essentially, horses are put into a vehicle that was designed to carry pigs and they cannot do it, and this is, in my view, cruel to those animals who have paid their dues, who have paid their price, who have served men well. These animals were not raised for slaughter. These animals were raised to be work horses, to be show horses, to be race horses, and now they are being hauled off to slaughter in a very inhumane fashion.

These issues were addressed when the Judiciary Committee held its hearings. We examined the bill very closely. I see absolutely no reason whatsoever to refer this bill to the Agriculture Committee for further study. I urge a "no" vote on recommitment.

The SPEAKER. The gentleman, Mr. Cappabianca.

Mr. CAPPABIANCA. Thank you, Mr. Speaker.

Once again I am proud to stand in the interest of bipartisanship and ask my side to vote to recommit.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

I would stand with Chairman Gannon and Representative Lynch and ask for a "no" vote. Representative Lynch has worked hard and diligently. We are talking about basic humane health care, Mr. Speaker. Let us make no mistake about it—these animals are being shipped to slaughter, where they will be killed. We are talking about asking for basic health care—water every 12 hours, 78 inches from floor to top—not too much to ask.

I would ask for a "no" vote on the motion so that we can vote the bill on the floor. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I would just like to join hands with Chairman Gannon, whom I worked with in the Judiciary on this very issue, and I would concur in their feelings that the time is right, we should vote this bill today, we should not delay it any longer, and I would encourage this side of the aisle to vote "no." Thank you.

The SPEAKER. The Chair recognizes the lady, Ms. Steelman.

Ms. STEELMAN. Thank you, Mr. Speaker.

Will Chairman Bunt stand for a brief interrogation?

The SPEAKER. The gentleman, Mr. Bunt, will stand for interrogation. You may proceed, Ms. Steelman.

Ms. STEELMAN. Thank you, Mr. Speaker.

Mr. Speaker, I understand that you are willing to accept the recommitment of HB 590 to the Agriculture Committee. Are you also willing to make a commitment to us that you will work on the bill to correct the minor flaws that Representative Bastian mentioned and bring it again to the floor for a vote of the full House?

Mr. BUNT. I will commit to you, Mr. Speaker, that we will do everything that may be necessary to have this bill placed before you for a final consideration vote this session yet.

Now, having said that, Mr. Speaker, I just hope that the bill is in such form now that we can get it to that point. But when I got up to support the recommittal of the bill, it was because of members on both sides of the aisle contacting both of the respective chairmen about our willingness to accept the bill back, and at that point I was not yet aware of where that bill would be referred to, either the Judiciary Committee or Agriculture and Rural Affairs. So I can only speak to my position as chairman of the Ag and Rural Affairs Committee.

Ms. STEELMAN. Thank you, Mr. Speaker.

My second question is, would you explain to the members why the Equine Placement Association is not supporting the bill in its current form?

Mr. BUNT. I wish I knew that. All I have is a memo. It is not very comprehensible to me or my staff at this point, and frankly, that is what we should be doing.

Ms. STEELMAN. Thank you, Mr. Speaker.

My interrogation is concluded. May I speak briefly on the recommittal motion?

The SPEAKER. The lady is in order.

Ms. STEELMAN. The reason that many of the animal welfare groups are not supporting the bill in its current form is not because they believe that it is too strong or too restrictive but because they believe that it is not strong enough; that it contains loopholes, which I referred to earlier, that they think weaken the bill unnecessarily. I do not agree with them at this point, but I do think that if this bill is recommitted, there is relatively little chance that it will come to the floor again, that we will have an opportunity to vote on it.

I have a great deal of respect for the Representative who rose to speak from his professional experiences as a veterinarian, but when he talks about what he sees as some of the problems with the bill, he is thinking about horses that are being—

The SPEAKER. Will the lady yield. The question before the House is on the motion to recommit.

Ms. STEELMAN. Thank you, Mr. Speaker.

What I am attempting to do is to demonstrate that the bill does not need to be recommitted because it does not have flaws in the sense that previous speakers have suggested it does. May I continue with that argument? Thank you.

When you are looking at horses that are being shipped under normal circumstances, each horse in an individual stall, each horse in a trailer that has a minimum height, you cannot go out and buy a horse trailer that is less than 6 feet 6 inches tall. In fact, the fanciest trailers these days are 8 feet tall, which is far, far higher than the minimum in the bill. A horse that is being shipped under these conditions in an individual stall with partitions, with padding, with all of the things that normal horse owners provide for their animals, or even in a simple stock trailer, if that horse is blind in one eye, it is not that much of a problem. If that horse has a broken bone in its leg — and you may need to ship a horse with a broken bone—

The SPEAKER. Will the lady yield.

Ms. STEELMAN. —to take it to a veterinarian — it is not that much of a problem—

The SPEAKER. Will the lady yield. It is very obvious you are debating Dr. Bastian, who is at his seat. Now, we are back to motions to recommit. Please address that. We have heard this before from the members.

Ms. STEELMAN. I am sorry, Mr. Speaker, but this bill is meant to deal with the problem of shipping horses that are packed into trucks like sardines, and under those circumstances, small horses, young foals, blind horses, injured horses, are more severely injured than they would be if shipped under normal circumstances. So the bill speaks to horses being shipped under those conditions. It attempts to address those conditions to protect those animals that are going to slaughter, that we know have to go to slaughter, but the bill as it stands addresses that problem. It does not need to be recommitted, because it does not need to be fixed. Thank you.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman from Lancaster, Mr. Zimmerman.

Mr. ZIMMERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I support the motion to recommit.

I live in real horse country. There are horses everywhere where I live, and I think there are some facts in this bill that should be looked into. I have in practically my backyard the largest horse auction in Pennsylvania, perhaps the nation. I have been attending that auction since I am 5 years old, and I have never seen a horse mistreated either as it comes in or as it leaves the auction.

So I would like to ask everyone to support the motion to recommit and have the Ag Committee look into the facts, and perhaps we can reach a solution. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

I would support the motion to commit to the Agriculture and Rural Affairs Committee.

I have in my hand a proposed rule by the Animal and Plant Health Inspection Service dealing with the commercial transportation of equines to slaughter. This is a Federal proposed rule which was published in the Federal Register in May of 1999. I understand that comments have been taken on this proposed rule and that sometime within the next 6 to 8 months a final rule will be adopted. This rule then will implement rules in all 50 States dealing with the commercial transportation of equines to slaughter. This document contains probably about 12 pages of provisions and requirements dealing with the occurrence of commercial transportation of equines to slaughter. I am not sure that the House Judiciary Committee looked into this proposed rule, evaluated, had testimony from the Federal regulators, but if indeed within the next 6 months we are going to have an adopted Federal rule that is applicable to all 50 States, it seems ridiculous for us to adopt our own legislation which will be contrary to that rule.

So I would ask that the bill be recommitted to the Agriculture and Rural Affairs Committee, that we investigate these proposed rules, that we get someone in from the Animal and Plant Health Inspection Service, find out what their comments are, get their timetable, and make sure that we are not wasting our time on doing something that is going to be adopted anyways. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Mr. Masland. Mr. Masland, you are recognized.

Mr. MASLAND. Thank you, Mr. Speaker.

I rise very briefly to oppose recommitment.

As a member of the Judiciary Committee, I was involved in the hearing that we held last year in Gettysburg. Many individuals were invited to that hearing to testify on both sides. As it turned out, only those who were in favor of the bill appeared. We did not hear from anybody who was opposed to the bill. We really listened

to a lot back at that hearing, and I would suggest that a reason for recommitment to Agriculture just does not exist, because I do not think there is really anything substantive out there other than the desire to make a good bill perfect, which we all know will not happen. If we send it to the Ag Committee, it will come back and there will be a blemish here or a blemish there and we will still have to send it to the Senate with a couple problems, but I would suggest that that is the normal course of our business.

We have heard extensively in Judiciary. I do not think, as the gentleman just mentioned the Federal rule, I do not think that is really going to make any difference, and if we wait until the Federal rule is fully resolved, that might be the end of the session. If we move this now over to the Senate as that Federal issue is being resolved, the Senate can certainly take a look at it at that time, but if we wait now and do nothing, we will have to start things over again next session, and after being at that hearing, I think that is the wrong thing to do.

So I would urge a "no" vote on recommitment.

The SPEAKER. The Chair thanks the gentleman.

### PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman, Mr. Gannon, for the second time.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. GANNON. Would this motion be subject to amendment?

The SPEAKER. Yes. The only one I can imagine would be to amend it to go to a different committee or perhaps add something with the understanding that it be reported back out within so much time.

### MOTION AMENDED

Mr. GANNON. Well, Representative Masland in his remarks pointed out something which I think was important, and that is that the Judiciary Committee when it held hearings, it invited everybody but only proponents of the bill saw fit to present testimony.

I would like to amend the motion to refer this bill back to the Judiciary Committee, and we will hold a public hearing and let the opponents of the bill come forward and give us their side of the story, and perhaps the bill can be amended and put into a form that would be acceptable to all parties.

On the question,

Will the House agree to the motion to amend?

The SPEAKER. Mr. Bunt.

Mr. BUNT. Mr. Speaker, when queried by Representative Steelman, she had indicated, would I start working to try to clean up some of the deficiencies in the bill. My staff and I have already agreed to do that and have started that process already.

This bill did come out of the Judiciary Committee of which I was a member at that time as well, had tried to provide some input at that point as well. The issue is somewhat emotional about this. I think we need to take the emotion out of the bill, Mr. Speaker, and try to do what needs to be done to make this bill safe for

passage and to become law here in Pennsylvania. So we would like to have the bill back. We would like to take the emotion out of the bill, and we are prepared to do business right now, Mr. Speaker.

The SPEAKER. The question before the floor at this time is the amendment of the earlier motion to provide that the bill go to Judiciary rather than to Agriculture. The board should reflect that in some way. The board reads Judiciary. I think you understand what that vote is.

On the question, Mr. Lynch, the question of the amendment of the recommitment.

Mr. LYNCH. Thank you, Mr. Speaker.

I stand in support of Representative Gannon's amendment to recommit this to Judiciary to try and work out some of these problems.

I also want to mention, Representative Gannon mentioned this during his debate earlier that this bill was originally, originally referred to Agriculture, found its way to Judiciary. If Agriculture really wanted to do something with it, they would have done it 4 years ago.

And I cannot pass this opportunity up. The gentleman wherein the largest horse auction in Pennsylvania lies mentioned he saw no mistreatment of animals there. I am going to tell you people something. I have killed a lot of things in my life, but, by God, I would not treat a horse like they treat them down there. Thank you, Mr. Speaker.

The SPEAKER. Mr. Lynch.

### PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

This is just a parliamentary inquiry.

Can we move on the Judiciary motion prior to the Agriculture motion? We had a motion on the floor. I thought we would have had to vote on that first.

The SPEAKER. No. The first vote will be the motion of Mr. Gannon to amend the earlier motion. So in other words, we have to dispose of whether or not this underlying motion to recommit is going to be to Ag or to Judiciary. Once we answer this question, we then still have to vote on the question of recommitment.

Mr. BENNINGHOFF. But the order of progression does not dictate which of those we vote on first?

The SPEAKER. The last one would control.

Mr. BENNINGHOFF. Last comes first, first becomes last. Okay. Thank you very much.

The SPEAKER. In some things.

Mr. BENNINGHOFF. I thank you.

The SPEAKER. The Chair recognizes Dr. Bastian.

Mr. BASTIAN. Thank you, Mr. Speaker.

Mr. Speaker, I would agree to that amendment to the motion as long as the veterinary profession is invited to the table. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Lynch.

Mr. LYNCH. Thank you, Mr. Speaker.

Thank you for your counsel.

I just want to mention that my passion got me carried away a little bit, and I did not mean to imply in any way, shape, or form that the gentleman who represents the New Holland Auction was

not correct in what he said. He and I may share a different opinion on mistreatment of animals, which is why I made the statement, I have killed a lot of things, but, by God, I would not treat a horse like that. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The question recurs, shall the motion be amended to recommit the bill to Judiciary as opposed to Agriculture?

**PARLIAMENTARY INQUIRY**

The SPEAKER. Mr. Lescovitz.

Mr. LESCOVITZ. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LESCOVITZ. The gentleman, Mr. Phillips, put an amendment in this bill, HB 590. I asked for a reconsideration motion on that. Once it goes into the Judiciary Committee, if HB 590 is recommitted to the Judiciary Committee and it is brought back out, does my reconsideration motion still stay in place or do I have to offer an amendment to reconsider a vote on his amendment that went in?

The SPEAKER. I think I am answering your question now that if the bill is recommitted— Let me back off that. The question of reconsideration is good for 5 legislative days. If the bill is recommitted and comes back out within 5 legislative days, you could then rely on your recommittal, not recommitment, your reconsideration motion. If the bill, for the sake of discussion, is in for 10 days and it comes out of committee at that point, you would have to offer anew your amendments, or suspend the rules.

Mr. LESCOVITZ. Mr. Speaker, I would have to offer an amendment to either change the amendment that went in or would I have to offer a reconsideration motion?

The SPEAKER. The rules only allow you to reconsider within 5 legislative days. If it comes out within that period of time, you would be all right and you could simply offer a reconsideration motion. Or assuming again that it comes out in 10 days, you could move to suspend the rules to permit you to reconsider the vote by which the amendment got in, whatever your reconsideration was.

Mr. LESCOVITZ. A further inquiry.

Since the amendment is already in place and it goes to the Judiciary Committee, it is my understanding that they cannot change that section in the bill?

The SPEAKER. I am not entirely sure what you are referring to, but the rules are that anything that is put in on the floor cannot be taken out in committee. Does that cover your question? I do not know what you are referring to.

Mr. LESCOVITZ. Yes, yes, yes.

The SPEAKER. Yes.

The question before the House is the substitution of Judiciary for Agriculture in the motion to recommit. The original motion was to recommit to Ag, and now there is a question as to whether or not Judiciary should be put in its place.

Those who wish to amend the motion to provide that the bill go to Judiciary Committee will vote “aye” — Judiciary Committee is an “aye” vote — Agriculture or stay as it is is a “no” vote, and as I told you a while ago, there is still another vote, and that is the actual vote to recommit. We are not addressing that. Now it is simply Ag or Judiciary. Judiciary is a “yes” vote; Agriculture is a “no” vote.

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

The following roll call was recorded:

**YEAS—110**

Adolph	Evans	Manderino	Roebuck
Allen	Fairchild	Mann	Ross
Argall	Fleagle	Markosek	Ruffing
Barrar	Flick	Marsico	Samuelson
Battisto	Frankel	Masland	Santoni
Belardi	Freeman	Mayernik	Sather
Belfanti	Gannon	McCall	Schroder
Bishop	Gigliotti	McIlhinney	Smith, S. H.
Blaum	Gruitza	McNaughton	Snyder
Boyes	Haluska	Michlovic	Staback
Buxton	Hanna	Mundy	Steelman
Caltagirone	Harhai	Myers	Stevenson
Carn	Harhart	Nailor	Tangretti
Casorio	Herman	Nickol	Thomas
Civera	Hess	Oliver	Travaglio
Clark	Horsey	Pesci	Trello
Cohen, M.	Jadlowiec	Petrarca	True
Colafella	James	Petrone	Vance
Corrigan	Josephs	Phillips	Van Horne
Costa	Kaiser	Pistella	Vitali
Curry	Kirkland	Platts	Walko
Daley	Laughlin	Preston	Washington
Dally	Lescovitz	Ramos	Waters
DeLuca	Levdansky	Raymond	Williams
Dermody	Lucyk	Reinard	Wilt
DiGirolamo	Lynch	Rieger	Wright
Donatucci	Maitland	Robinson	Youngblood
Eachus	Major		

**NAYS—92**

Armstrong	Feese	McIlhattan	Solobay
Baker	Fichter	Melio	Stairs
Bard	Forcier	Metcalfe	Steil
Barley	Geist	Micozzie	Stern
Bastian	George	Miller, R.	Stetler
Bebko-Jones	Gladeck	Miller, S.	Strittmatter
Benninghoff	Godshall	O'Brien	Sturla
Birmelin	Gordner	Orie	Surra
Browne	Gruceia	Perzel	Taylor, E. Z.
Bunt	Habay	Pippy	Taylor, J.
Butkovitz	Hasay	Readshaw	Tigue
Cappabianca	Hennessey	Roberts	Trich
Cawley	Hershey	Rohrer	Tulli
Chadwick	Hutchinson	Rooney	Veon
Clymer	Keller	Rublely	Wogan
Cohen, L. I.	Kenney	Sainato	Wojnaroski
Cornell	Krebs	Saylor	Yewcic
Coy	LaGrotta	Schuler	Yudichak
Dailey	Lawless	Scrimenti	Zimmerman
Dempsey	Lederer	Semmel	Zug
DeWeese	Leh	Seyfert	
Druce	Maher	Shaner	Ryan,
Egolf	McGeehan	Smith, B.	Speaker
Fargo	McGill		

**NOT VOTING—0**

**EXCUSED—1**

Serafini

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

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

**LEAVE OF ABSENCE**

Mr. COY. Mr. Speaker?  
The SPEAKER. Mr. Coy.  
Mr. COY. Return to the order of business of leaves of absence.  
The SPEAKER. Are you leaving?  
Mr. COY. I hope not.  
The SPEAKER. The gentleman, Mr. Coy.  
Mr. COY. We request leave of absence for the gentleman from Clinton County, Mr. HANNA, for the remainder of the day.  
The SPEAKER. Without objection, the leave will be granted.  
The Chair hears none.

**CONSIDERATION OF HB 590 CONTINUED**

**MOTION WITHDRAWN**

The SPEAKER. Dr. Bastian, this is a little complicated. Do not be alarmed.  
The Chair recognizes the gentleman, Mr. Bastian, who moves that his motion to recommit the bill be withdrawn.

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

The SPEAKER. The motion to recommit is withdrawn.

On the question recurring,  
Shall the bill pass finally?

**DECISION OF CHAIR RESCINDED**

The SPEAKER. Without objection, the Chair at this time rescinds its announcement that the bill had been agreed to for the third time as amended. The Chair hears no objection.

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

**AMENDMENT A0186 RECONSIDERED**

The SPEAKER. Representative Coy is recognized. He moves that the vote by which amendment 186 passed to HB 590, PN 616, be reconsidered.

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

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

**AMENDMENT WITHDRAWN**

The SPEAKER. The Chair recognizes the gentleman, Mr. Phillips, who requests that the amendment be withdrawn. The amendment is withdrawn.

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

**BILL RECOMMITTED**

The SPEAKER. The Chair recognizes the gentleman, Mr. Bastian, who moves that HB 590 be recommitted, because of the last vote, to the Committee on Judiciary.

We are on the controversy of recommitment or no recommitment. The question before the House is, shall the bill be recommitted to the Committee on Judiciary?

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

The following roll call was recorded:

**YEAS—180**

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

## NAYS—21

Bard	Fichter	Lucyk	Mundy
Bastian	Godshall	Maher	Pippy
Bunt	Gordner	McCall	Seyfert
Cappabianca	Habay	McGill	Solobay
Cawley	Leh	Michlovic	Tulli
Egolf			

## NOT VOTING—0

## EXCUSED—2

Hanna                      Serafini

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

**MISS PENNSYLVANIA 1999 PRESENTED**

The SPEAKER. The Chair recognizes the gentleman, Mr. Scrimenti. Will the gentleman yield.

Members, please take your seats.

Mr. Scrimenti.

Mr. SCRIMENTI. Mr. Speaker, it gives me great pleasure to introduce to the members of this distinguished chamber Miss Pennsylvania for 1999, Susan S. Spafford.

Raised in Erie, Pennsylvania, Susan was adopted from her native Korea by her American parents when she was 3 years old.

Susan attended Fort LeBoeuf schools in my legislative district, and there she participated in the local youth orchestra as well as other community organizations. Susan was trained as a violinist and received a bachelor of music degree from the Eastman School of Music with a double major in music performance and music education.

Upon completion of her long duties as Miss Pennsylvania, Susan will return to the University of Rochester to complete her master's degree in music education.

Susan was also named the second runner-up in the Miss America competition this past September.

Susan is certified in New York State as a kindergarten through 12th grade music teacher and has taken registered courses with the Suzuki Association of America.

Susan has chosen to promote music education in our schools and communities as her community service platform during her tenure as Miss Pennsylvania.

She is accompanied today by Nancy Bishop, the president of the Miss Pennsylvania Scholarship Organization.

Now I would like to present to Miss Pennsylvania a legislative citation acknowledging her role and achievements and ask that the members here join me in a round of applause as I present to you Miss Pennsylvania, Susan Spafford.

Ms. SPAFFORD. Thank you, everyone. Thank you.

This is quite a surprise. Actually, I thought I would just get a couple minutes to bend your ear here before I know you have other matters to attend to.

Very quickly, I am going to cut down my remarks that I made this morning to the Senators in the interest of saving your time, and I want to tell you that the issue that brings me here today is not necessarily just the fact that I am Miss Pennsylvania but because

of the greater issue that I am here to represent, which is education, a complete education. In order to get a full picture of a child's education, we must have, it is necessary to have, the arts and a strong music program as a part of that in order to give a child a well-rounded education, not just one-sided.

Now, I am not here to promote the idea that listening to 10 minutes of Mozart will automatically increase your IQ or anything of that nature. That is overblown and it is out of context, but the music and the arts programs have been shown time and time again to have a valuable and definite impact on education as a whole. SAT (scholastic aptitude testing) scores — that is one of the facts that I am sure many of you have heard — skyrocket up another 100 points for those students who have music education background. Life skills that every child needs to function in our society and as a citizen of our State, confidence, teamwork ability, self-respect, discipline, a work ethic — all of these things I know personally I learned from music, and I have seen many other students, thousands of students, who have had the same experiences or similar ones to me.

Here is another interesting fact that may interest some of you because music is not just for those of us who choose to become educators or professional musicians. Music applies to every single person in here, every single person in our State and in our country, and one fact that demonstrates that is that over 44 percent of those students accepted into the top medical schools in this country come from a music education background. They have music undergraduate degrees. So it shows that there is a diversity here. It does apply to almost everyone in this country.

Now, I know my time here is limited, so I will simply say I do have some actual requests, some actual issues that need to be addressed in the field of music education, arts in general. I am not here simply to say, here are some success stories; is this not wonderful?

You all know how music has touched your lives, perhaps your children's lives, and other lives around you, but what needs to be done to take it to that next level is, first of all, we need to recognize the fact that in a recent Gallup Poll, 88 percent of Americans polled feel that music is important enough to be included in the general curriculum. It is not an extracurricular activity. It is not a luxury for those who merely have a few extra dollars in their school budget. It is and should be a part of the core curriculum for everybody.

Also, instrumental and vocal instruction. It has been proven in numerous, numerous studies that the best time to start this is between the ages of 3 and 10 years old. This is when a child, a person, can get the most benefits in linguistic abilities, math skills, spatial reasoning abilities, and these are just a few; this is just a scratch on the surface. When do we in our State offer instrumental instruction and vocal lessons in the public schools? Between 3 and 10? No. We wait until 11 years old. This is something that needs to change if we are going to fully take advantage of the opportunities and the benefits that music in education can offer.

Students, however, are not the only people and not the only group that need these regulations to improve and to toughen up in order to get these benefits. Teachers as well need this.

I myself, as you heard the Representative say, am certified to teach K through 12 music. That is an awfully big subject. I am a string person. I can teach orchestra. I am not actually qualified, in my eyes, to teach band or chorus or theory or piano like it says on my piece of paper that I have. Would you want your 12th grade

daughter or son to get their physics taught to them by a seventh grade basic science teacher? Would you want your school to give the French or Spanish classes to the English teacher just because it is all under the same broad heading? No. They are not qualified, and music should not operate in any way different. Assessment, of course, also goes along with this, but I will keep this brief.

So perhaps you might think that these needs that I am speaking about, these artistic educational needs, can be addressed by community organizations or other private musical groups, but in fact, there is a study, a poll, that says over 60 percent of all the children in our State receive their musical interest and get their musical interest through the public schools. So if we do not offer it there, we are missing an incredible opportunity to affect the lives of all these children in our State in a positive way.

From that same Pennsylvania Coalition for Music Education study, it also says that over 44 percent of students in high school right now stay interested in school primarily because of the music programs that are offered there. That is a strong number and yet another example of how music is not only for the few, that it is for everyone.

I want to thank you, first of all, for your time here today. I appreciate you giving me a few minutes out of your busy schedule and lending me your ears here. and I would invite you to take advantage of the incredible resources in this State — the Pennsylvania Music Educators Association, the National Music Educators Coalition, the Pennsylvania coalition that I mentioned earlier — and I would offer my own services in that list as well, because I would love to see change happen, and that change needs to happen here in Harrisburg in order to affect the State in the best way possible, and I will be back to hopefully work on this with individuals among you as well as as a group when we have Arts in Education Day in April.

And I will close here, finish up by saying that one of the phrases that I have sort of taken to heart in my life and one that I am sure many of you have encountered in your years is that they say to touch the life of even a single child is one of the greatest achievements one can hope to have in their lifetime. As a teacher and a performer, I have that chance dozens of times a day, and I have seen the results. As Representatives and legislators, you have this opportunity thousands of times — every time you even sign your name to a piece of paper. It is something I cannot even begin to truly imagine, the number of times you have this chance, and I hope that you will not miss this particular opportunity to affect so many children's lives and people's lives in such a positive way.

Many of you, I am sure, recall the first time you set foot in this building or set foot inside Harrisburg and knew that you were here in our State's capital. And I can remember the first time that I was here, and it was many years ago when I was part of an orchestra, when I had the fortune to be part of an orchestra invited here in a concert to honor our Governor. and I had the opportunity to perform with Sarah Chang from Philadelphia, one of the world's best violinists, and to meet Mr. Rogers. Fred Rogers, in person and to accompany him as well, and we performed "The Star-Spangled Banner" and our State song and a few other songs to honor our Governor that ceremony. For centuries now the arts have been used and offered their services to honor government, and today I ask that the government in return honor the arts.

Thank you very much for your time.

## RECESS

The SPEAKER. The Chair will shortly recess the House until 1:30. There will be no further votes taken at this time. There will be votes this afternoon, after 1:30, so you have to be back.

## AFTER RECESS

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

## ADDITIONS AND DELETIONS OF SPONSORS

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

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

## SENATE MESSAGE

### HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1970, PN 2457**; and **HB 1971, PN 2458**, with information that the Senate has passed the same without amendment.

## BILLS SIGNED BY SPEAKER

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 1970, PN 2457**

An Act amending the act of February 14, 1990 (P.L.62, No.11), known as the Noncontrolled Substances Reporting and Registration Act, further providing for chemicals subject to registration and for penalties.

### **HB 1971, PN 2458**

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further defining "designer drug"; further providing for prohibited acts; and making an editorial change.

### **SB 818, PN 1611**

An Act regulating certain transfers of structured settlement payments.

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

## GUEST INTRODUCED

The SPEAKER. The Chair apologizes to the gentleman from Delaware, Mr. Adolph, for failing to introduce his guest, Joseph Yankoski, the vice chairman of AARP in Delaware County, to the members. This failure took place just prior to breaking for the noon recess.



CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1856, PN 2287**, entitled:

An Act regulating the sale of unused property; requiring unused property merchants to maintain certain receipts; and prescribing penalties.

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

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

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

The following roll call was recorded:

YEAS—197

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

Druce	Maitland	Sather	Ryan,
Eachus	Major	Saylor	Speaker
Egolf	Manderino	Schroder	

NAYS—4

Clark	Fairchild	Metcalf	Phillips
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NOT VOTING—0

EXCUSED—2

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

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

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The House proceeded to third consideration of **HB 1588, PN 1932**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for inquiry as to the source of security for bail in drug offenses.

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

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

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

The following roll call was recorded:

YEAS—201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Hanna                      Serafini

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.

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The House proceeded to third consideration of **HB 951, PN 1957**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, defining the offense of bomb threats.

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

**RULES SUSPENDED**

The **SPEAKER**. The Chair recognizes the gentleman, Mr. Schroder.

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

Mr. Speaker, I move for the suspension of the House rules for immediate consideration of a purely technical amendment, amendment A0114.

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

The following roll call was recorded:

YEAS-199

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

NAYS-1

Krebs

NOT VOTING-1

Hershey

EXCUSED-2

Hanna                      Serafini

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

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

Mr. SCHRODER offered the following amendment No. A0114:

Amend Title, page 1, lines 1 and 2, by striking out "Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure)" and inserting

Title 18 (Crimes and Offenses)

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

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

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, when this bill was originally drafted, it was a two-title bill. It was Title 18 and Title 42. Because of amendments and changes in the Judiciary Committee, it is now only a Title 18 bill, yet there is still a reference to Title 42 in the very introductory section on lines 1 and 2. This amendment just strikes out that reference to Title 42 which should have been taken out in Judiciary.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—201

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Hanna                      Serafini

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

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

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

The Chair recognizes the gentleman, Mr. Schroder.  
Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, a little over a year ago a number of school districts in Chester County suffered a spate of bomb threats on successive days. These threats were very disruptive to the educational process. They cost our school districts and our emergency service providers money to respond to, and they also create a sense of panic amongst our students and people who have to work under these circumstances. Soon after the Columbine massacre, the Harrisburg Patriot reported that on one day alone, the Pennsylvania Emergency Management Agency counted more than 20 incidents, bomb threat incidents, in 17 counties. That was in April of last year.

Mr. Speaker, this bill is aimed at dealing with these incidents and these repeated incidents of bomb threats. It provides that a first offense is a misdemeanor of the first degree punished by a fine of \$10,000 or 5 years' imprisonment. A separate offense shall occur for each placement or setting of a bomb or each subsequent bomb threat, and second and subsequent offenses will be felonies of the third degree punishable by a fine of \$15,000 and/or 7 years' imprisonment.

As I said earlier, bomb threats need to be taken seriously. They create panic. They cost our local municipalities such as our school districts a lot of time, money, and lost educational opportunities to respond to these threats. That is why in addition to the penalties that I just mentioned, this legislation also allows emergency response costs to be recovered by our local municipalities and school districts.

Mr. Speaker, I urge a "yes" vote and ask for your support on this bill.

The SPEAKER. The gentleman, Mr. Sainato.

Mr. SAINATO. Mr. Speaker, I also rise to support this very important piece of legislation.

Similar to the previous speaker, in New Castle we had similar events last year after the Columbine massacre. We had many people call with bomb threats. It is something we need to deal with, and I think this legislation goes a long way in dealing with that problem.

When someone phones in a bomb threat, we literally put people's lives in danger. We put policemen in danger; we put firemen in danger; we put safety personnel in danger. It is not a joke, Mr. Speaker. It is not a joke when people phone in a bomb threat. This piece of legislation deals with it and deals with it in a severe manner. We need to provide a safe atmosphere for our children when they go to school. Nothing, nothing is worse than when you scare children and you scare parents by having a bomb threat.

So I support the sponsor of this amendment fully, because it is something that needs to be done. We have thought this out thoroughly. It is not a knee-jerk reaction. This is a solid piece of legislation to deal with a problem that exists in Pennsylvania, and not just Pennsylvania, the nation. We have been the leader in many of our crime bills in Pennsylvania. I think we need to be a leader in preventing bomb threats by passing these severe penalties along to those who commit this horrible act.

So, Mr. Speaker, I urge each and every one of my colleagues to support this very important piece of legislation. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS--201

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

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

NAYS--0

NOT VOTING--0

EXCUSED--2

Hanna                      Serafini

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. The Chair recognizes the gentleman, Mr. Snyder, who asks that the gentleman from Montgomery County, Mr. GLADECK, be placed on leave for the balance of today's session. Without objection, the leave is granted. The Chair hears no objection.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 360, PN 1112**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the right of action regarding profits received as a result of the commission of a crime.

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

Mr. DeLUCA offered the following amendment No. **A0133**:

Amend Title, page 1, line 4, by removing the period after "crime" and inserting

; and prohibiting negotiated pleas and postconviction agreements in certain cases.

Amend Bill, page 2, by inserting between lines 18 and 19

Section 2. Title 42 is amended by adding a section to read:

§ 9303. Negotiated pleas and postconviction agreements prohibited in certain cases.

(a) General rule.—If a defendant charged with a violent crime has been previously convicted on two or more separate occasions of violent crimes, a negotiated plea or postconviction agreement may be accepted by the court to resolve the charge only if the charge to which the defendant pleads or agrees is in the same class as the offense with which he was charged.

(b) Violent crimes.—The following are violent crimes within the meaning of this section:

- 18 Pa.C.S. § 2502 (relating to murder).
- 18 Pa.C.S. § 2503 (relating to voluntary manslaughter).
- 18 Pa.C.S. § 2702 (relating to aggravated assault).
- 18 Pa.C.S. § 2703 (relating to assault by prisoner).
- 18 Pa.C.S. § 2704 (relating to assault by life prisoner).
- 18 Pa.C.S. § 2901 (relating to kidnapping).
- 18 Pa.C.S. § 3121 (relating to rape).
- 18 Pa.C.S. § 3122.1 (relating to statutory sexual assault).
- 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse).
- 18 Pa.C.S. § 3126 (relating to indecent assault).
- 18 Pa.C.S. § 3301 (relating to arson and related offenses).
- 18 Pa.C.S. § 3701 (relating to robbery).

Amend Sec. 2, page 2, line 19, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, amendment A133 is an amendment I introduced about 3 months ago, and because of a technicality and an error in it, I withdrew it.

What this pertains to is the plea bargaining.

The SPEAKER. Will the gentleman please yield.

Members and staff, please carry your conversations on in one of the outer rooms.

Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

What this amendment does, it prohibits negotiated pleas and postconviction agreements in certain cases. As you know, in our judicial system today there is a flaw. We have a let us make a deal; who can make the best deal. They plea-bargain their cases down to what some of the offenses that we state in legislation here. I think it is a tragedy, a travesty, and I think we need to address it. This amendment does address it, and I ask the members of the House to vote "yes" on this amendment. Thank you.

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

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

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

Mr. VITALI. Could you give me some examples of situations where you could not plea out a crime?

Mr. DeLUCA. I am sorry.

Mr. VITALI. I am trying to get a sense for this. If you could give me some examples of crimes that could not or charges that could not be pled out.

Mr. DeLUCA. Let me give you an example of something we did before.

Mr. VITALI. I am just looking for the name of the crime.

Mr. DeLUCA. The crime? Section 2503 relating to voluntary— You could not plead out of it.

Mr. VITALI. What is the name of that? Just the type crimes.

Mr. DeLUCA. Relating to voluntary manslaughter.

Mr. VITALI. Okay.

Mr. DeLUCA. Aggravated assault.

Mr. VITALI. You could not plea to that?

Mr. DeLUCA. You could not plead out of it.

Mr. VITALI. Okay. Are there—

Mr. DeLUCA. You would have to plead within the guidelines of the code.

Mr. VITALI. If you are charged with, let us say, voluntary manslaughter, could you negotiate a plea?

Mr. DeLUCA. What you could not plea, what we are trying to do is prohibit plea bargaining from a felony to a misdemeanor, which is going on in this Commonwealth too much.

Mr. VITALI. Okay.

Mr. DeLUCA. Let me give you an example. This House passed a bill 5 years ago, in 1982, if I am not mistaken. We passed legislation that made it a felony for any physician who stole narcotics to lose their license for 10 years. The district attorneys in this Commonwealth were plea-bargaining the sentences down to misdemeanors and giving the people a slap on the wrist and permitting them to operate. We changed that in the House in that section. It became law.

Mr. VITALI. So this prohibits you from pleading down from a felony to a misdemeanor?

Mr. DeLUCA. To a misdemeanor; right.

Mr. VITALI. Okay. Any other restrictions on pleas?

Mr. DeLUCA. Not that I know of; no.

Mr. VITALI. Okay.

Mr. DeLUCA. Well, it just keeps going down. You just cannot plead a misdemeanor down to a summary—

The SPEAKER. Mr. DeLuca, speak into the microphone.

Mr. DeLUCA. Thank you, Mr. Speaker.

You cannot plead a misdemeanor down to a summary offense either.

Mr. VITALI. Okay.

Mr. DeLUCA. Okay?

Mr. VITALI. A misdemeanor down to a summary.

Mr. DeLUCA. Right.

Mr. VITALI. Before I speak, I just want to make sure I am understanding.

Mr. DeLUCA. That is what the intent of this legislation is.

Mr. VITALI. Okay. Thank you.

May I speak on this amendment?

The SPEAKER. Mr. Vitali.

Mr. VITALI. First I would like to congratulate the maker of the amendment on his intent in getting tough on people who have been accused of violent crimes. I think that is a very admirable quality, but in the real world — and I have done criminal defense work for about a dozen years in a former life — the problem is district attorneys are not pleading things down to be nice guys. They are not pleading things down to be easy on criminals. The district attorneys I know and I have had contact with are pleading them down for very good reasons. There is a very good chance that if they do not make a deal, they might lose the case completely because there are some breaks in their link, their evidentiary link, or there are some elements of their case that are defective — they have a real shaky witness or they do not have key elements of proof or fingerprints.

They make these deals because they would rather have a half a loaf than risk losing it all and having a dangerous criminal get back on the street. So if they can at least get him for a misdemeanor, they at least do not risk having this guy go on the street.

Another reason is sometimes they need to make decisions. They have budgets like everyone else, and we help them with those budgets to some degree, and they have budgets and they want to marshal their resources in the most effective ways, as does the court system. So pleas are also a way to conserve both the resources of the prosecution and the resources of the court system. So even if you are from the prosecutorial bent, there are very good reasons to plea cases out.

So I think that what you are suggesting is — and I would just guess that it is, and I could be wrong here — but I would guess that it is not endorsed by the District Attorneys Association; it is probably not endorsed by the group that moderates judges, but I think there are some — and perhaps some of our members here who are prosecutors might want to speak to this — but I think there are some problems with this bill. Whether you are a liberal or a conservative, I think there are some technical problems with the bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of the adoption of the DeLuca amendment, Mr. Masland.

Mr. MASLAND. This may be the stupidest thing I have ever done, but I really have a problem with this amendment. It sounds good, it looks good, but in practice I think it just falls apart, and regardless of what that may mean to me politically, I am going to vote "no" on this amendment because I think it is the wrong thing to do.

The SPEAKER. On the question, Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

Let me just give you another example as to why this is not a good amendment. There are many cases of domestic abuse, where a husband assaults a wife, boyfriend assaults a girlfriend, and for whatever reason, that victim decides that they do not want to have to go through the trauma of a trial. As a result, that victim works with the victim witness coordinator in the D.A.'s office, and in consultation with that domestic victim, they negotiate a plea which is satisfactory to that victim. If you adopt this legislation, you may take that out of the hands of the D.A., and the D.A. may say to the criminal now, you either have to take this or we take you to trial, and if we take you to trial, you are going to force that domestic victim to testify in a trial that she does not want to be at.

So there are a whole host of reasons why you give district attorneys the ability to negotiate a plea. One of them, again, is domestic victims: the other might be a child victim, where the family does not want to put that child who has been molested or sexually assaulted through a trial. They just want to be able to get that criminal behind bars, whatever plea will do that.

So for those reasons I would ask you to think very hard before you take the easy road. Vote "no" on this amendment.

The SPEAKER. The gentleman, Mr. DeLuca, for the second time on the amendment.

Mr. DeLUCA. Thank you, Mr. Speaker.

Maybe I should have gone into the amendment a little bit more so we understand this amendment.

This amendment addresses only if you are convicted twice or more in separate occasions of a violent crime, and if you have the amendment in front of you, it also states what these crimes are.

We are only addressing these crimes that are in the amendment relating to murder, voluntary manslaughter, aggravated assault, assault by a prisoner, assault by a life prisoner, kidnapping, rape, statutory sexual assault, involuntary deviate sexual intercourse, indecent assault, robbery. That is what we are addressing here, Mr. Speaker.

I think whether the district attorneys support this or not, the public supports it, and we should be supporting it, and I ask for an affirmative vote. Thank you.

The SPEAKER. On the question of the adoption of the amendment, the gentleman, Mr. Masland, for the second time.

Mr. MASLAND. I am sure the public supports it in theory. I am sure the public supports it when you are talking about somebody else is the victim of the crime, but when you are that victim of the crime and you do not want to testify, then it is totally different.

I, as a former assistant D.A., had to sit in the office with women who were raped who did not want to testify. I do not care whether somebody has been convicted twice before, you have got to work on that case right then and there, and if you as a D.A. do not have a case, cannot take it to trial, this is ridiculous. I do not know of any D.A. out there who will say, yeah, I want to throw out this violent crime against this guy. They do not. They want to hammer him, but there are times when you cannot hammer him, and that is when you have to allow some discretion in the system. To take the discretion totally out of the system, with all due respect, is not the way to go.

This is a bad amendment. It looks good, it sounds good, it will read well in the papers, but it is a bad amendment. Thank you.

The SPEAKER. The gentleman, Mr. Gruitza.

Mr. GRUITZA. Thank you, Mr. Speaker.

Mr. Speaker, I reluctantly rise to oppose my colleague, Mr. DeLuca's amendment, for mainly the reasons that have been articulated by other speakers.

But the only other point I want to make here is that quite often D.A.s will press charges, especially in these very serious crimes of first-degree murder, you know, second-degree murder, manslaughter, and ultimately conclude that they cannot prevail on a case of first-degree murder or second-degree murder but that they can win on a manslaughter. The defense attorney will say, well, we will agree to a plea, you know, and ultimately the plea for manslaughter spares that office the thousands of dollars in expenses and the taxpayers of going through a trial where the D.A. and the prosecutor could have not prevailed in the first place.

I do not think it is right for us to handcuff our prosecuting attorneys. I know in my county we have a very aggressive prosecutor, a very aggressive D.A. who tries to get all the convictions he can, and I think I do not want to go back to my county and tell them that we are going to take away your right to do your job as you see best. I do not want to sit here in Harrisburg and try to do my district attorney's job and the job of my judges, because there is another factor in here that has not been mentioned, and that is that our judges have to approve these pleas. This is not just something that — And oftentimes they will not if they feel that it is an inappropriate plea bargain.

So I do not think that — I think from time to time our D.A.s come to us recommending pieces of legislation, crime bills, recommending things, but they have never come to me and tried to tell me how to do my job, and I do not think that this chamber should try to impose our will on them and really create havoc in

district attorneys' offices and courtrooms all over the Commonwealth.

So I reluctantly ask for a negative vote on this amendment.

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

The following roll call was recorded:

YEAS—32

Belardi	Evans	Lucyk	Rooney
Blaum	George	Maher	Samuelson
Buxton	Gigliotti	Mann	Shaner
Casorio	Grucela	Pesci	Snyder
Costa	Habay	Petrone	Staback
Coy	Hershey	Phillips	Tangretti
DeLuca	Kenney	Rieger	Taylor, J.
Donatucci	Lescovitz	Roberts	Trello

NAYS—168

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

NOT VOTING—0

EXCUSED—3

Gladeck	Hanna	Serafini
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Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

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

Mr. GANNON offered the following amendment No. A0174:

Amend Title, page 1, line 4, by removing the period after "crime" and inserting  
; and providing for permissible argument as to damages at trial.

Amend Bill, page 2, by inserting between lines 18 and 19

Section 2. Title 42 is amended by adding a section to read:

§ 8313. Permissible argument as to damages at trial.

(a) General rule.—Except as provided in subsection (b), in any civil action tried before a judge, jury or other tribunal, an attorney during closing argument:

(1) May specifically argue in lump sums or by mathematical formulae the amount he deems to be an appropriate award for all past and future economic or noneconomic damages or both economic and noneconomic damages claimed to be recoverable.

(2) May, on behalf of a defendant, argue to the judge, jury or other tribunal that an award of zero damages is appropriate, even if there is a finding of liability against the defendant.

(b) Prior disclosure required.—

(1) No party may argue a specific sum as provided in subsection (a) unless the party first discloses to the court and opposing counsel that the party intends to argue the specific damages listed in subsection (a) prior to the presentation of closing arguments.

(2) Nothing in this subsection shall be construed to prevent a defendant from arguing in any case that the facts and evidence support a finding of no liability.

(3) Notwithstanding paragraph (1), arguments as to appropriate amount of economic damages may be made without notice to opposing counsel if evidence supporting economic damages has been introduced at trial.

(c) Jury instruction.—Whenever, in a civil action tried before a jury, specific lump sums or mathematical formulae are argued during closing arguments as provided for in subsection (a), the trial court shall instruct the jury that the sums or mathematical formulae argued are not evidence but only arguments and that the determination of the amount of appropriate damages to be awarded, if any, is solely for the jury's determination.

Amend Sec. 2, page 2, line 19, by striking out "2" and inserting

3

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

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman, after first apologizing to him for taking him off the phone.

Mr. GANNON. Apology is accepted, Mr. Speaker.

The SPEAKER. Thank you.

Mr. GANNON. Mr. Speaker, very simply put, this amendment allows our judicial system to have an extra tool to bring justice in our courts, and that is, permits both defense and plaintiff to argue the damages in a case in a court or before a jury.

This amendment has passed the House unanimously on December 8 of 1999 as an amendment to HB 1071, and I would

ask for another unanimous vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER. Mr. Chadwick.

Mr. CHADWICK. Thank you, Mr. Speaker.

I must say that I am baffled by this amendment. I do not necessarily have a problem with the merits. It certainly makes sense to try to do away with the risk of runaway juries, but I do not understand why the gentleman from Delaware is offering this as an amendment on the floor of the House. It is not like he is a rank-and-file member who cannot get any satisfaction in committee. The gentleman is the majority chairman of the committee from which a bill like this would come. He could attach this language to any bill that he wanted in his committee any day he wanted. In fact, he could attach it to every bill in the Judiciary Committee if he wanted to. What he has done is taken away from the members of the Judiciary Committee, good lawyers, many of them, on both sides of the aisle, the opportunity to kick the tires before we buy the car. Maybe we could come up with better language.

I just do not understand why the gentleman is end-running the committee on this. I may end up voting for this eventually, but I am very concerned about the manner in which we are doing this. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Gannon amendment. I think it is well thought out. A majority — oh, well over a majority — of States allow this to be argued in front of a jury. It is an attempt to prevent runaway awards and runaway juries, and I think the gentleman's attempt here is well thought out and deserving of the approval of the House. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—185

Adolph	Druce	Manderino	Schuler
Allen	Eachus	Mann	Scriminti
Argall	Egolf	Markosek	Semmel
Armstrong	Evans	Marsico	Seyfert
Baker	Fairchild	Masland	Shaner
Bard	Feese	Mayernik	Smith, B.
Barley	Fichter	McCall	Smith, S. H.
Barrar	Fleagle	McGeehan	Snyder
Bastian	Flick	McGill	Solobay
Battisto	Forcier	McIlhattan	Staback
Bebko-Jones	Frankel	McIlhinney	Stairs
Belardi	Freeman	McNaughton	Steelman
Belfanti	Gannon	Melio	Stern
Benninghoff	Geist	Metcalfe	Stetler
Birmelin	George	Michlovic	Stevenson
Bishop	Gigliotti	Miller, S.	Strittmatter
Blaum	Gordner	Mundy	Sturla
Boyes	Grucela	Myers	Surra
Browne	Gruitza	Nailor	Tangretti
Bunt	Habay	O'Brien	Taylor, E. Z.
Butkovitz	Haluska	Oliver	Taylor, J.
Buxton	Harhai	Orie	Thomas
Caltagirone	Harhart	Perzel	Tigue
Cappabianca	Hennessey	Pesci	Travaglio
Carn	Herman	Petrarca	Trello
Casorio	Hershey	Petrone	Trich
Cawley	Horshey	Phillips	True
Civera	Hutchinson	Pippy	Tulli
Clark	Jadlowiec	Pistella	Van Home

Clymer	James	Platts	Veon
Cohen, L. I.	Josephs	Preston	Vitali
Cohen, M.	Kaiser	Ramos	Walko
Colafella	Keller	Raymond	Washington
Cornell	Kenney	Readshaw	Waters
Corrigan	Kirkland	Rieger	Williams
Costa	Krebs	Roberts	Wilt
Coy	LaGrotta	Robinson	Wogan
Curry	Laughlin	Roebuck	Wojnaroski
Dailey	Lawless	Rohrer	Yewcic
Daley	Lederer	Rooney	Youngblood
Dally	Leh	Ruffing	Yudichak
DeLuca	Lescovitz	Sainato	Zimmerman
Dempsey	Levdansky	Samuelson	Zug
Dermody	Lucyk	Santoni	
DeWeese	Lynch	Sather	Ryan,
DiGirolamo	Maher	Saylor	Speaker
Donatucci	Major	Schroder	

NAYS—14

Chadwick	Maitland	Reinard	Steil
Fargo	Micozzie	Ross	Vance
Godshall	Miller, R.	Rubley	Wright
Hess	Nickol		

NOT VOTING—1

Hasay

EXCUSED—3

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

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

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

The following roll call was recorded:

YEAS—200

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



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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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

RESOLUTIONS

Mr. GODSHALL called up **HR 345, PN 2880**, entitled:

A Resolution urging the Attorney General to undertake an investigation of possible price gouging or other anti-consumer protection activities by foreign oil producers and major domestic producers and to take appropriate action.

On the question.

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman, Mr. George, who, I am told, has two amendments to this resolution.

Mr. GEORGE. Mr. Speaker, I apologize. Mr. Speaker, I had spoken to the majority side, and I had agreed that if they would allow the suspension of the rules, that I would remove my amendment from this resolution in order to run a resolution that

differs somewhat in that I believe it is important that in a bipartisan manner, Mr. Speaker— I do not know why you are grinning, Mr. Speaker. I am worried that you cannot pay your fuel bill.

The SPEAKER. I know where to borrow money.

Mr. GEORGE. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The record should note that Mr. George withdrew his amendments.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS-200

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

NAYS-0

NOT VOTING-0

EXCUSED—3

Gladeck Hanna Serafini

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

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Mr. GEIST called up **HR 344, PN 2879**, entitled:

A Resolution urging the President of the United States and the Secretary of Energy to take immediate action to release emergency funding for the Low-Income Home Energy Assistance Program (LIHEAP) and to release the United States strategic petroleum reserves, negotiate release of additional oil reserves from non-OPEC countries or negotiate with OPEC on additional supplies.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On the question of the adoption of the resolution, it is the Chair's understanding that the gentleman, Mr. George, has an amendment. Is that accurate?

Mr. GEORGE. I am withdrawing the amendment for the third resolution.

The SPEAKER. This is 344 we are on. You are withdrawing the amendment to 344?

Mr. GEORGE. Yes.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—200

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

Cohen, L. I.	Josephs	Preston	Van Horne
Cohen, M.	Kaiser	Ramos	Veon
Colafella	Ketler	Raymond	Vitali
Cornell	Kenney	Readshaw	Walko
Corrigan	Kirkland	Reinard	Washington
Costa	Krebs	Rieger	Waters
Coy	LaGrotta	Roberts	Williams
Curry	Laughlin	Robinson	Wilt
Dailey	Lawless	Roebuck	Wogan
Daley	Lederer	Rohrer	Wojnarowski
Dally	Leh	Rooney	Wright
DeLuca	Lescovitz	Ross	Yewcic
Dempsey	Levdansky	Rublely	Youngblood
Dermody	Lucyk	Ruffing	Yudichak
DeWeese	Lynch	Sainato	Zimmerman
DiGirolamo	Maher	Samuelson	Zug
Donatucci	Maitland	Santoni	
Druce	Major	Sather	Ryan, Speaker
Eachus	Manderino	Saylor	
Egolf	Mann		

NAYS—0

NOT VOTING—0

EXCUSED—3

Gladeck Hanna Serafini

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

RULES SUSPENDED

The SPEAKER. Mr. George, for what purpose do you rise?

Mr. GEORGE. I rise for the possibility of making a motion, Mr. Speaker, on the matter which I had previously stated.

The SPEAKER. The gentleman is recognized.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, today the greatest weather barometer that we have in Pennsylvania, Punxsutawney Phil, said we would have 6 more weeks of very tough weather. So, Mr. Speaker— You are welcome, Mr. Smith. Does he object to that, Mr. Speaker?

The SPEAKER. I suspect his objection is centered around the fact that I have not yet acknowledged him as the spokesperson for Punxsutawney Phil, but I will do that shortly so that this does not happen again.

Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, with the soaring oil prices, it is time we act to help our senior citizens and working families, and remember, Mr. Speaker, to be a senior citizen today you do not have to be 65; according to the government, we only have to be 55. So there are many of us that would meet at least the requirement of being a senior citizen.

Mr. Speaker, if you are a senior citizen today in Pennsylvania and the only — and I repeat — only income you have is average Social Security, then you would have an income of about \$9,648. Well, Mr. Speaker, that would make us too rich — that is, the people that are on Social Security only — make them too rich to be able to enjoy or take benefit of the LIHEAP program (Low-Income Home Energy Assistance Program), Mr. Speaker, and it does not matter if in fact you were making the \$9,648; it does not matter if you have medical problems; it does not matter that half your

income goes to utilities; it does not matter if you have to keep a roof over your head. Mr. Speaker, this is a sad commentary.

Mr. Speaker, the price of heating oil has doubled in the past month and has tripled since last summer. Just in 2 weeks, Mr. Speaker, the \$250 maximum that allowed the delivery of 268 gallons, now that oil is \$1.50 a gallon, and that 268 gallons dropped to 164. That is how much of a reduction for these individuals that do meet the requirements of LIHEAP.

Now, Mr. Speaker, last year the formula was 135 percent of the poverty level, and this year it is only 110 percent. This year also, Mr. Speaker, the maximum is \$250 when last year it was \$300. And this year, Mr. Speaker, this year alone, more people will need the crisis fuel than ever before, Mr. Speaker.

Now, Mr. Speaker, we issue press releases when we attempt to contain utilities, and, Mr. Speaker, I believe that there is not anybody in this House that will not be supportive of something to help our senior citizens and our truckers in Pennsylvania and those that have fallen victim.

Now, we do not ask that anything be done that would be critical or embarrassing. We just ask that the LIHEAP program be increased to the 135 percent and that the crisis grant be \$300, and this would allow seniors who make a whopping \$11,000 a year — that is a pun. Mr. Speaker: \$11,000 a year — to be able to take advantage of a much-needed program.

Mr. Speaker, they are not listening, but I hope they will be attentive to the cries out there of their citizens and mine, and I ask, Mr. Speaker, that they help me to suspend the rules so that I can introduce HR 352. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. George, moves that the rules of the House be suspended to permit him to introduce and the House consider HR 352.

On the question.

Will the House agree to the motion?

The following roll call was recorded:

YEAS—199

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

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

NAYS—1

Steelman

NOT VOTING—0

EXCUSED—3

Gladeck                      Hanna                      Serafini

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.

SUPPLEMENTAL CALENDAR B

RESOLUTION

Mr. GEORGE called up HR 352, PN 2911, entitled:

A Resolution memorializing the Congress of the United States to call upon its investigative arm, the General Accounting Office, to conduct a comprehensive investigation of whether the recent substantial increases in fuel prices are the result of legitimate market fluctuations.

On the question.

Will the House adopt the resolution?

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

Mr. GEORGE. Mr. Speaker, I provide this resolution for the edification of our very concerned members and ask that we all join together to do the right thing. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

I would just like to have an opinion from the Chair as to the effect of this resolution on increasing the crisis funding from \$250 to \$300 per household by the Commonwealth. Does the resolution have a power of law and regulations under this situation?

The SPEAKER. No, this does not have the force of law; it is a resolution, and I think the substance of it — and I would ask the gentleman to correct me if I am wrong — is that it is urging whoever the responsible parties might be to look into this and try and effectuate a reduction.

Mr. FARGO. Thank you, Mr. Speaker.

A second question or at least a note about the resolution itself indicates that copies of the resolution be transmitted to the President, the Secretary of Energy, and presiding officers of each House of Congress and to each member of Congress from Pennsylvania, but it does not actually seem to be directed to the Commonwealth of Pennsylvania, but still it is asking the Commonwealth of Pennsylvania to increase that particular area, and I just wonder if it is written correctly and would say that we ought to oppose it just based on the fact that it is not written correctly.

Mr. GEORGE. Mr. Speaker?

The SPEAKER. The gentleman, Mr. George.

Mr. GEORGE. Mr. Speaker, we have provided the Excellency of this Commonwealth with a letter asking that he be supportive of this resolution.

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

The following roll call was recorded:

YEAS—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

PARLIAMENTARY INQUIRY

Mr. GEORGE. Mr. Speaker?

The SPEAKER. Mr. George.

Mr. GEORGE. Mr. Speaker, just a short parliamentary inquiry, if you will indulge me.

The SPEAKER. The gentleman will state it.

Mr. GEORGE. What move would I have to make to allow those who want to get on this resolution to be able to sign the resolution now that it has been introduced? Would you inform me?

The SPEAKER. I think my observation is that there is total agreement essentially with the resolution, and I am going to suggest that all of the members be listed as cosponsors except those who would come to the rostrum and indicate to— Come to the desk if you— The problem we have right now is the bill is already in print. If others wish to be joined as cosponsors, go over to the amendment clerk's vicinity where you could place a bill, and they could add their names to it. I do not know that it will ever come out in print with all of the names. Normally we only will do that where there has been some amendment. But see Bobby over here if you want your name added to it.

Mr. GEORGE. Thank you, Mr. Speaker.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman, Mr. Marsico. The gentleman, Mr. Marsico, desires that HR 323 be taken up today. It was not on the voting schedule. It will require a suspension of the rules.

Those in favor of suspending the rules so that it might be taken up at this time will vote "aye"; opposed, "no."

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

CALENDAR CONTINUED

RESOLUTIONS

Mr. MARSICO called up HR 323, PN 2746, entitled:

A Resolution amending House Resolution No. 251, adopted November 15, 1999, entitled "A resolution calling for a cost and services study of the county adult probation system by the Legislative Budget and Finance Committee," by extending the due date of the report.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Gladeck Hanna Serafini

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

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Mr. SOLOBAY called up HR 319, PN 2715, entitled:

A Resolution urging the Congress of the United States to pass the Firefighter Investment and Response Enhancement Act.

On the question, Will the House adopt the resolution?

Mr. SOLOBAY offered the following amendment No. A0087:

Amend First Resolve Clause, page 2, lines 9 and 10, by striking out "Congress of the United States" and inserting United States House of Representatives and Senate Amend First Resolve Clause, page 2, line 11, by inserting after "No.1168" and/or similar legislation

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

The SPEAKER. On the question of the adoption of the amendment, the gentleman is recognized.

Mr. SOLOBAY. Thank you, Mr. Speaker.

The amendment basically is a clarification for the resolution that will be read next. It adds Senate along with the Congress to be lettered to and also adds some language that says any other associated bills regarded to the resolution.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Gladeck Hanna Serafini

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

On the question, Will the House adopt the resolution as amended?

The SPEAKER. The Chair understands the amendments scheduled for Mr. DeWeese have been withdrawn.

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

RESOLUTION PASSED OVER

The SPEAKER. On the question of final adoption, those in favor of adopting the resolution as amended will vote "aye"; opposed, "no." The members will hold.

The Chair is in error. HR 319 is not scheduled today for a vote. That is over.

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RESOLUTION PASSED OVER

The SPEAKER. HR 316 is over.

**GROUNDHOG DAY REMARKS**

The SPEAKER. Due to popular demand, the Chair at this time recognizes the uncle of Punxsutawney Phil, the gentleman, Mr. Smith.

Mr. S. H. SMITH. Thank you, Mr. Speaker.

You know, I have some pretty seedy relatives, but I have never been associated with one as furry as Punxsutawney Phil. I also figured out, Mr. Speaker, usually we try to do this at the beginning of the session, and because of various things we kind of kept getting bumped back, and I figured probably in your wisdom you decided that was one way to keep everybody here to vote all day, because you knew nobody could leave until they got the news.

Well, being that it is like 20 till 3 in the afternoon, of course a lot of the word has leaked out across the nation, but I am here to officially report it to you, my colleagues in the House, and to have it spread upon the record that this morning at 7:28 a.m., Punxsutawney Phil, the seer of seers and the weather forecasting king of the world, came out of his burrow, and after kissing Bill Deeley, the groundhog handler, and talking in groundhogese to the president of the groundhog club, Bill Cooper, who translated Phil's message, it was reported and it is now official that Phil saw his shadow, which means 6 more weeks of winter.

Well, you know, I have been around here a few years, too, and one thing I did learn, you have to kind of put some good with the bad. So that is why I started bringing you guys some groundhog cookies, to help sweeten you up whenever I did not give you news that necessarily appealed to your taste. Hopefully the groundhog cookie will appeal to your taste.

Thank you, Mr. Speaker, for your courtesy.

The SPEAKER. Perhaps the gentleman from Lancaster, Mr. Barley, will have sunnier news.

Mr. BARLEY. Mr. Speaker, I wish I did. One thing that happened today, all groundhogs across Pennsylvania are in agreement. But at 3:47 groundhog standard time, at the Slumbering Groundhog Lodge in Quarryville, Octoraro Orphie came up, he looked around, and he saw nothing but cold and white on the ground. What he saw was not great, and so Orphie tells us that spring will be late. He is not saying 6 weeks, and I just want you to know that standing on the pinnacle of prognostication and since the memory of mankind hath runneth not to the contrary, Octoraro Orphie has been accurate. So I am hoping that spring will just be late, but not 6 weeks more winter.

The SPEAKER. Rebuttal?

Mr. S. H. SMITH. Thank you, Mr. Speaker.

You know, you wonder why people kind of get fed up with politicians when they give you that equivocating stuff like that. We in Punxsutawney are standing here and telling you what it is — 6 weeks. There is not any real rebuttal necessary. Thank you, Mr. Speaker.

The SPEAKER. Sorry I asked.

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1405, PN 1648**, entitled:

An Act repealing the act of June 18, 1895 (P.L.209, No.126), entitled "An act regulating the printing and publication of notices and advertisements authorized by the county commissioners of the counties of this Commonwealth containing a population of five hundred thousand

and not exceeding one million, as shown by the last United States census, providing how newspapers shall be designated in which such publications shall be made, and repealing an act, entitled 'An act authorizing the county commissioners of Allegheny county to select four morning newspapers for official county advertising,' approved the second day of April, Anno Domini one thousand eight hundred and seventy-three, and also repealing the tenth section of an act, entitled 'A supplement to an act approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, entitled "An act relating to Allegheny county," ' approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-two."

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. It should be noted that the gentleman, Mr. Robinson, has withdrawn any amendments he might have had for the bills on this page.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

**YEAS—200**

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

\* \* \*

The House proceeded to third consideration of **HB 1406, PN 1649**, entitled:

An Act repealing the act of April 28, 1903 (P.L.332, No.260), entitled "An act for the annexation of any city, borough, township, or part of a township, to a contiguous city, and providing for the indebtedness of the same."

On the question.

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—200

Adolph	Evans	Markosek	Schroder
Allen	Fairchild	Marsico	Schuler
Argall	Fargo	Masland	Scrimenti
Armstrong	Feese	Mayermik	Semmel
Baker	Fichter	McCall	Seyfert
Bard	Fleagle	McGeehan	Shaner
Barley	Flick	McGill	Smith, B.
Barrar	Forester	McIlhattan	Smith, S. H.
Bastian	Frankel	McIlhinney	Snyder
Battisto	Freeman	McNaughton	Solobay
Bebko-Jones	Gannon	Melio	Staback
Belardi	Geist	Mercalfe	Stairs
Belfanti	George	Michlovic	Steelman
Benninghoff	Gigliotti	Micozzie	Steil
Birmeln	Godshall	Miller, R.	Stern
Bishop	Gordner	Miller, S.	Stetler
Blaum	Grucela	Mundy	Stevenson
Boyes	Gruitza	Myers	Strittmatter

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

\* \* \*

The House proceeded to third consideration of **HB 1408, PN 1651**, entitled:

An Act repealing the act of July 15, 1919 (P.L.961, No.378), entitled "An act fixing the salaries and compensation of the officers, clerks, and employes in the office of the recorder of deeds of any county having a population of one million five hundred thousand inhabitants or over."

On the question.

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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



The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

The SPEAKER. The gentleman, Mr. Robinson, withdraws his amendments to the three bills on page 5.

\* \* \*

The House proceeded to third consideration of **HB 1409, PN 1652**, entitled:

An Act repealing the act of May 13, 1927 (P.L.994, No.483), entitled "An act fixing the salary to be paid by each county of the first class to its chief deputy sheriff."

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Gladeck Hanna Serafini

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.

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The House proceeded to third consideration of **HB 1410, PN 1653**, entitled:

An Act repealing the act of April 4, 1929 (P.L.163, No.158), entitled "An act providing for real estate deputy sheriffs in counties of the first, second, and third classes; and fixing their salaries payable by said counties; and repealing section two of an act, approved the twenty-fourth day of May, one thousand eight hundred and eighty-seven (Pamphlet Laws, one hundred eighty-five), entitled 'An act authorizing the sheriffs of the several counties of this Commonwealth to appoint by deed chief deputies with power to act as sheriff in case of and during the temporary disability of the sheriff to act in person and fixing the salaries of such chief deputies in counties containing more than five hundred thousand inhabitants,' and other acts general, special or local so far as inconsistent herewith."

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

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

The following roll call was recorded:

YEAS—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Gladeck Hanna Serafini

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.

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The House proceeded to third consideration of **HB 1411, PN 1654**, entitled:

An Act amending the act of May 1, 1929 (P.L.1052, No.407), entitled "An act adopting a program for the completion of the improvement of the State highways of the Commonwealth; authorizing counties, boroughs, towns and townships to expend moneys, and to incur indebtedness; and requiring certain moneys of the Motor License Fund to be expended as herein provided," deleting provisions relating to municipal agreements to contribute for additional mileage.

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

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

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The House proceeded to third consideration of **HB 1413, PN 1656**, entitled:

An Act repealing the act of June 21, 1939 (P.L.617, No.288), entitled "An act to authorize cities of the first class of this Commonwealth to provide for the payment of certain deficits and indebtedness, as herein defined, in equal annual installments of two million five hundred thousand dollars (\$2,500,000); and to authorize the making of contracts, the drawing of warrants and the approval thereof, without appropriation, for the payment of such deficits and indebtedness, except as provided by this act; and to levy and fix the tax rate, and to make appropriations, and prepare and formulate the financial programs of such cities upon the basis of the discharge of deficits and indebtedness, in the manner provided by this act; requiring annual provision for payment of mandamus executions; and suspending and/or repealing inconsistent legislation."

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

The SPEAKER. The Chair notes that the gentleman, Mr. Robinson, has withdrawn his amendment to this bill.

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

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

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

The following roll call was recorded:

YEAS—200

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

Colafella	Keller	Raymond	Vitali
Cornell	Kenney	Readshaw	Walko
Corrigan	Kirkland	Reinard	Washington
Costa	Krebs	Rieger	Waters
Coy	LaGrotta	Roberts	Williams
Curry	Laughlin	Robinson	Wilt
Dailey	Lawless	Roebuck	Wogan
Daley	Lederer	Rohrer	Wojnaroski
Dally	Leh	Rooney	Wright
DeLuca	Lescovitz	Ross	Yewcic
Dempsey	Levdansky	Rubley	Youngblood
Dermody	Lucyk	Ruffing	Yudichak
DeWeese	Lynch	Sainato	Zimmerman
DiGirolamo	Maher	Samuelson	Zug
Donatucci	Maitland	Santoni	
Druce	Major	Sather	Ryan,
Eachus	Manderino	Saylor	Speaker
Egolf	Mann		

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

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BILL PASSED OVER

The SPEAKER. HB 2104 on page 6 is over.

BILL ON FINAL PASSAGE

BILL PASSED OVER

The SPEAKER. HB 1576 is over.

RESOLUTION

RESOLUTION PASSED OVER

The SPEAKER. HR 308 is over.

JUDICIARY COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Gannon, who calls for an immediate meeting of the Committee on Judiciary. Mr. Gannon, at the rear of the hall of the House?

There will be no further votes taken today.

SENATE BILL FOR CONCURRENCE

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

SB 380, PN 1639

Referred to Committee on JUDICIARY, February 2, 2000.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 445, PN 465

By Rep. GANNON

An Act providing for the Tobacco Settlement Agreement Act; conferring powers and duties upon the Attorney General and the Department of Revenue; and imposing penalties.

JUDICIARY.

HB 712, PN 2910 (Amended)

By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for cost of tuition and for manner of fixing tuition.

EDUCATION.

HB 1759, PN 2164

By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for reimbursement for certain community colleges.

EDUCATION.

HB 1989, PN 2511

By Rep. STAIRS

An Act amending the act of April 27, 1927 (P.L.465, No.299), referred to as the Fire and Panic Act, further providing for school tobacco control.

EDUCATION.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 445 be taken from the table.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 445 be recommitted to the Committee on Appropriations.

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

#### **BILLS AND RESOLUTIONS PASSED OVER**

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

#### **ADJOURNMENT**

The SPEAKER. Does the majority leader or minority leader have any further business? Any further announcements by any of the members? Corrections of the record?

The Chair recognizes the gentleman from Northampton, Mr. Samuelson.

Mr. SAMUELSON. Mr. Speaker, I move that this House do now adjourn until Monday, February 7, 2000, at 1 p.m., e.s.t., unless sooner recalled by the Chair.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 2:55 p.m., e.s.t., the House adjourned.