

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, MARCH 21, 2000

SESSION OF 2000

184TH OF THE GENERAL ASSEMBLY

No. 18

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER PRO TEMPORE (J. SCOT CHADWICK) PRESIDING

#### PRAYER

REV. JULIANN PUGH, Chaplain of the House of Representatives and pastor of Camp Hill Presbyterian Church, Camp Hill, Pennsylvania, offered the following prayer:

Let us pray:

Our God of liberty, who has called us to freedom, we celebrate today the experiment of America that allows us the freedom to be a country that seeks to do justice and the freedom to gather for the worship of You, whatever form that worship takes, our Creator God.

We are mindful that this freedom was bought with a price, and so our celebration is tempered by gratitude for the ideologists, the dreamers, the patriots, the brave soldiers, for all the children and spouses who inspired and waited, all of whom paid their share in the purchase of our freedom.

Our flag flies free again this year because of Your grace, our God, and so in gratitude we pray for the freedom of those our brothers and sisters who live in lands of oppression, where even the shadow of Your kingdom is but a far-distant dream.

We pray for the peoples whose songs are not of amber waves of grain but of hunger, of desolate lands, of abandoned cities and war-torn families. See again the misery of Your people in our lands, hear their crying out because of their oppressors, and be again moved by their suffering. Come down to rescue them from the hand of the oppressors of body and spirit, and bring them up out of that land into a good and spacious land, a land flowing with milk and honey.

Compassionate God, we bring to You our concerns for our troubled world. We pray for victims of senseless violence, those who mourn for them and those who have learned to fear. We thank You for the astonishing variety of races and cultures in this world. Enrich our lives by ever-widening circles of friendship, and show us Your presence in those who differ most from us. Though we are scattered in different places, speak different words, or descend from different races, give us common concern so that we may be one people who share the governing of the world under Your guiding purpose. May our greed and lust for power be cured and all people enter a community of love.

We praise You for diverse faith among the peoples of the earth and in this room, for You have bestowed Your grace that Christians, Jews, Muslims, Buddhists, and others may celebrate

Your goodness, act upon Your truth, and demonstrate Your righteousness. In wonder and awe, we praise You, O God. Thank You for the honor of being able to serve Your people. May each person in this room serve with dignity, respect, and awe over their responsibilities.

Hear our common prayer. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Monday, March 20, 2000, will be postponed until printed. The Chair hears no objection.

#### COMMUNICATION FROM SPEAKER

##### SPEAKER PRO TEMPORE APPOINTED

The SPEAKER pro tempore. The Chair is in receipt of a communication from the Speaker of the House, which the clerk will read.

The following communication was read:

House of Representatives  
Commonwealth of Pennsylvania  
Harrisburg

March 21, 2000

Members of the House of Representatives:

Pursuant to House Rule 1, this is to advise the House that I have appointed J. Scot Chadwick to serve as Speaker Pro Tempore for the date March 21, 2000.

Sincerely,  
Matthew J. Ryan  
Speaker

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2406** By Representatives HABAY, MAYERNIK, TRELLO, KAISER, MAHER, ZIMMERMAN, ADOLPH, ALLEN, BATTISTO, L. I. COHEN, M. COHEN, COLAFELLA, COY, CURRY, FARGO, FRANKEL,

HARHAI, JOSEPHS, LAUGHLIN, McILHATTAN, McNAUGHTON, MELIO, MYERS, PIPPY, READSHAW, SAINATO, SAYLOR, SCRIMENTI, SHANER, THOMAS, TULLI, WILLIAMS and WILT

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 personal income tax definitions.

Referred to Committee on FINANCE, March 21, 2000.

**No. 2407** By Representatives WILLIAMS, DeWEESE, BATTISTO, BEBKO-JONES, BELARDI, BELFANTI, CALTAGIRONE, CAPPABIANCA, CAWLEY, COSTA, COY, CURRY, DALEY, FRANKEL, GEORGE, HARHAI, HERMAN, HORSEY, JOSEPHS, KAISER, KIRKLAND, LAUGHLIN, LYNCH, MANDERINO, MANN, McCALL, McILHATTAN, MELIO, MYERS, ORIE, RAMOS, ROBERTS, ROBINSON, ROEBUCK, SANTONI, SEYFERT, SNYDER, STABACK, STEELMAN, STURLA, TANGRETTI, THOMAS, TIGUE, TRAVAGLIO, TRELLO, TRICH, VAN HORNE, WOJNAROSKI, YOUNGBLOOD and M. COHEN

An Act establishing the Women's Business Ownership Council; providing for its powers and duties; and making an appropriation.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, March 21, 2000.

**No. 2408** By Representatives OLIVER, BUXTON, TRICH, THOMAS, PETRARCA, JAMES, DeLUCA, FICHTER, STABACK, GEORGE, DALEY, HARHAI, MYERS, WALKO, RAYMOND, DONATUCCI, TANGRETTI, WATERS, BATTISTO, WOJNAROSKI, BELARDI, COY, CAPPABIANCA, SOLOBAY, MELIO, M. COHEN and RUBLEY

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for trial and punishment in protection from abuse action.

Referred to Committee on JUDICIARY, March 21, 2000.

**No. 2409** By Representatives BIRMELIN, METCALFE, FORCIER, MCGILL and WASHINGTON

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 dismissals; providing for the elimination of tenure; and making repeals.

Referred to Committee on EDUCATION, March 21, 2000.

**No. 2410** By Representatives CALTAGIRONE, ARGALL, BAKER, BATTISTO, BELFANTI, BISHOP, M. COHEN, CORRIGAN, DeLUCA, DeWEESE, FAIRCHILD, FEESE, GEORGE, GRUCELA, HALUSKA, HARHAI, HERMAN, HESS, HORSEY, HUTCHINSON, LaGROTTA, LAUGHLIN, MANDERINO, McCALL, McILHATTAN, MELIO, MUNDY, ORIE, PETRARCA, ROBERTS, RUBLEY, SCRIMENTI, SEYFERT, SHANER, B. SMITH, SOLOBAY, STABACK, STURLA, TANGRETTI,

TIGUE, TRAVAGLIO, TRELLO, WASHINGTON, WRIGHT, YOUNGBLOOD and YUDICHAK

An Act establishing the Tobacco Settlement Fund and the Tobacco Settlement Board; and providing for powers and duties of the board.

Referred to Committee on FINANCE, March 21, 2000.

**No. 2411** By Representatives SAYLOR, DAILEY, FEESE, HERMAN, WILT, ROHRER, BELFANTI, FREEMAN, SURRA, BARRAR, BISHOP, CLARK, M. COHEN, DeLUCA, DeWEESE, FRANKEL, HALUSKA, HARHAI, HARHART, KENNEY, LUCYK, MAITLAND, MANDERINO, MARKOSEK, McILHATTAN, MICHLOVIC, R. MILLER, NICKOL, ORIE, PLATTS, RAMOS, RUBLEY, SATHER, SCRIMENTI, SEYFERT, SNYDER, STEELMAN, E. Z. TAYLOR, THOMAS, TIGUE and WILLIAMS

An Act amending the act of November 26, 1978 (P.L.1212, No.286), referred to as the Inspection of Employment Records Law, providing for medical records.

Referred to Committee on LABOR RELATIONS, March 21, 2000.

**No. 2412** By Representatives GORDNER, FRANKEL, GRUCELA, BATTISTO, BEBKO-JONES, BELARDI, BELFANTI, BROWNE, CAPPABIANCA, M. COHEN, COSTA, DALEY, DeWEESE, GEORGE, HARHAI, HERMAN, HERSHEY, JOSEPHS, KIRKLAND, LAUGHLIN, LEDERER, LUCYK, MANN, McCALL, MELIO, MUNDY, MYERS, ORIE, PETRARCA, RAMOS, READSHAW, SANTONI, SHANER, SOLOBAY, STEELMAN, STERN, TIGUE, TRELLO, TRICH, VAN HORNE, VEON, WALKO, WILLIAMS, WOJNAROSKI, YOUNGBLOOD, YUDICHAK and GEIST

An Act authorizing internships for college students studying in science and technology fields; and making an appropriation.

Referred to Committee on EDUCATION, March 21, 2000.

## HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 413** By Representatives BUNT, CAPPABIANCA, MAJOR, GRUCELA, ARMSTRONG, BELARDI, BELFANTI, CALTAGIRONE, CHADWICK, CLARK, CLYMER, COSTA, COY, DALEY, DeWEESE, FAIRCHILD, FARGO, FEESE, FICHTER, FLEAGLE, FORCIER, GEORGE, GIGLIOTTI, GORDNER, HALUSKA, HARHAI, HERMAN, HERSHEY, HESS, HUTCHINSON, LEDERER, LEH, LUCYK, LYNCH, MAITLAND, MASLAND, McCALL, MELIO, NAILOR, ORIE, PESCI, PETRARCA, PETRONE, PHILLIPS, RAMOS, ROSS, RUBLEY, SATHER, SCHULER, SEMMEL, SEYFERT, SHANER, SOLOBAY, STABACK, STERN, E. Z. TAYLOR, THOMAS, TIGUE, WILT, WOJNAROSKI, ZIMMERMAN, BAKER, PLATTS, TANGRETTI, SAYLOR, TULLI, B. SMITH, GEIST, DALLY, R. MILLER and TRUE

A Concurrent Resolution memorializing Congress and the United States Department of Agriculture to authorize Pennsylvania's entry into the Northeast Interstate Dairy Compact and to establish fair milk pricing.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, March 21, 2000.

**SENATE MESSAGE**

**ADJOURNMENT RESOLUTION FOR CONCURRENCE**

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

In the Senate  
March 20, 2000

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, April 10, 2000, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, April 10, 2000, unless sooner recalled by the Speaker of the House of Representatives.

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

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

**GUESTS INTRODUCED**

The SPEAKER pro tempore. The Chair would like to take this opportunity to welcome a group of seventh and eighth grade students who are here visiting with us today. They are from the Valley Middle School in the New Kensington-Arnold School District. Their teacher is Ms. Thelma Greco, and they are here as guests of Representative Terry Van Horne. They are seated in the gallery. Would they please rise. Welcome to the hall of the House.

I would also like to take this opportunity to welcome some guests from the Leechburg Area High School, who are here today as guests of Representative Timothy L. Pesci. They are Matthew Marziale, Brandi Hilty, Bill Minick, Danielle Heuser, and Jeremy Baker. They are here with their parents and other friends, and they are also in the gallery. Would they please rise. Welcome to the hall of the House.

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

**HB 1537, PN 1854** By Rep. O'BRIEN

An Act providing for disclosure of HIV-related information to coroners and medical examiners.

**HEALTH AND HUMAN SERVICES.**

**HB 2126, PN 2779** By Rep. SCHULER

An Act providing for lead-level testing of day-care and preschool facilities; and making an appropriation.

**AGING AND YOUTH.**

**HB 2209, PN 3233 (Amended)** By Rep. O'BRIEN

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.

**HEALTH AND HUMAN SERVICES.**

**HB 2339, PN 3117** By Rep. SCHULER

An Act providing for a child day-care consumer guide.

**AGING AND YOUTH.**

**FORMER MEMBER WELCOMED**

The SPEAKER pro tempore. We have a special guest here with us today. The Chair would like to take this opportunity to welcome former Secretary of Education John Pittenger. He is here today visiting as a guest of Representatives Colafella and Stairs, and he is seated to the left of the Speaker. John, would you please rise. Welcome to the hall of the House.

**LEAVES OF ABSENCE**

The SPEAKER pro tempore. The Chair turns to leaves of absence and recognizes the gentleman from Lehigh County, Mr. Snyder, who requests a leave of absence for today's session for the gentleman from Delaware County, Mr. RYAN, and the gentleman from Lehigh County, Mr. SEMMEL. Without objection, the leaves will be granted. The Chair hears no objection, and the leaves are granted.

The Chair now recognizes the gentleman from Beaver County, Mr. Veon, who requests a leave of absence for the gentleman from Philadelphia, Mr. WATERS; the gentleman from Philadelphia, Mr. THOMAS; and the lady from Montgomery County, Ms. WILLIAMS. Without objection, the leaves will be granted. The Chair hears no objection, and the leaves are granted.

**MASTER ROLL CALL**

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

The following roll call was recorded:

PRESENT—196

Adolph	Egolf	Maher	Ruffing
Allen	Evans	Maitland	Sainato
Argall	Fairchild	Major	Samuelson
Armstrong	Fargo	Manderino	Santoni
Baker	Feese	Mann	Sather

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

**ADDITIONS—1**

Druce

**NOT VOTING—0**

**EXCUSED—5**

Semmel	Williams	Waters	Ryan,
Thomas			Speaker

**LEAVES ADDED—2**

Butkovitz	Scrimenti
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**LEAVES CANCELED—1**

Williams

**FILMING PERMISSION**

The SPEAKER pro tempore. The Chair wishes to advise the members that he has given permission to Paul Vathis from the Associated Press to take still photographs on the floor of the House.

**BILLS REMOVED FROM TABLE**

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

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

- HB 398;
- HB 2098; and
- HB 2121.

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 398, PN 3148; HB 2098, PN 2718; and HB 2121, PN 2763.

**BILLS RECOMMENDED**

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

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

- HB 398;
- HB 2098; and
- HB 2121.

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

**GUESTS INTRODUCED**

The SPEAKER pro tempore. The Chair would like to welcome a number of students who are here visiting with us today from Hempfield High School and McCaskey High School, the Democratic Clubs of those two schools in Lancaster, and they are here as guests of Representative Sturla. They are in the gallery. Would they please rise. Welcome to the hall of the House.

**PENNSYLVANIA NATIONAL TEEN-AGER SCHOLARSHIP PROGRAM WINNERS PRESENTED**

The SPEAKER pro tempore. The Chair would like to invite Representatives Roberts and Gordner to the rostrum for the purpose of making a presentation and introducing some guests.

Mr. ROBERTS. Thank you, Mr. Speaker.

Representative Gordner and I today have the distinct honor and pleasure to present to you two very, very special young ladies.

Pennsylvania's National Teen-Ager Scholarship Program has been awarding scholarships to deserving young women throughout the State for 29 years. Past recipients of the scholarships have gone on to become teachers, lawyers, corporate leaders, and media executives, and I expect that these young ladies will probably do the same.

The first lady that I would like to present to you is Nicole Carolla. She is on my left. Nicole is a constituent of mine, and she is a sophomore at Uniontown High School. She was selected as Miss Junior National Teen-Ager, and she will be a major scholarship recipient through the program.

Mr. Speaker, could I have just a little quiet, please?

The SPEAKER pro tempore. The gentleman is correct. There is entirely too much noise on the floor of the House. Members will please take their seats.

Mr. ROBERTS. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Please. It is very difficult. We have a number of guests on the floor, and it is hard to hear. Please.

Go ahead, Mr. Roberts.

Mr. ROBERTS. Thank you, Mr. Speaker.

Criteria for the selection in this program include academics, leadership, and community service, and Miss Carolla is involved in a variety of clubs and serves as an after-school tutor. She is also an avid volunteer, and she has logged in over 750 hours over a 4-year period. She did her volunteer work at a local veterinary hospital. Nicole plans to utilize the scholarship that she is receiving at Eckerd College, and she hopes to become a veterinarian.

I have with me this morning a citation that I would like to present to Nicole. This is a special citation from the House of Representatives. Nicole.

Representative Gordner is going to make a presentation to Melinda Hill, but before he does that, I would also like to recognize Nicole's mother and father, who are sitting here on the right. Would you stand and be recognized, please? You have to be very, very proud. And Nicole has a brother, Tim, in the back of the hall of the House.

Mr. Gordner.

Mr. GORDNER. Thank you.

I am pleased to present to you Melinda Hill. Melinda is Pennsylvania's Miss National Teen-Ager from our State. Melinda is a graduate of Southern Columbia Area High School. She is presently a student at Bloomsburg University. She is a chemistry major. She finished her first semester with a grade point average of 4.0, and she plans on becoming a chemistry professor.

Melinda has been involved in a lot of activities with her school and in the area, and I am very proud that she is not only representing our area but representing the State as Pennsylvania's Miss National Teen-Ager.

Melinda, we are proud of your efforts. We wish you the best of luck and skill in school, and I want to congratulate you on this academic achievement.

With Melinda today are her parents, Melvin and Linda Hill, and we would like Melvin and Linda to stand.

And at this point I ask the House to give a warm welcome to Pennsylvania's Miss National Teen-Ager and Miss Junior National Teen-Ager, Melinda and Nicole.

## GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome some special guests today. We have Tommy Fail, Christian Regosch, Zachariah Guadalupe, and Erik Radick. They are here as guests of Representative Roy Reinard from Bucks County, and they are the winners of his "There Ought To Be a Law" contest. They are in the rear of the House, and with them are their parents, Tom and Deanna Fail and sister, Christie; parents Larry and Mary Regosch and brother, Andrew; parents Christine and Edward Szymkowski; parents John and Susan Radick and sister, Christie, and grandparents John and Mary. Would they all please rise. Welcome to the hall of the House.

## LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair notes the presence on the floor of the House of the lady from Montgomery County, Ms. Williams, and directs the clerk to place her name on the master roll.

## MEMBER'S PRESENCE RECORDED

The SPEAKER pro tempore. The Chair notes the presence on the floor of the House of the gentleman from Bucks County, Mr. Druce, and directs the clerk to place his name on the master roll.

## ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER pro tempore. 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.)

## CALENDAR

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1003, PN 1201**, entitled:

An Act amending the act of May 17, 1921 (P.L.789, No.285), entitled, as amended, The Insurance Department Act of 1921, providing capital requirements for health organizations.

On the question,

Will the House agree to the bill on third consideration?

### BILL RECOMMENDED

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

Mr. PERZEL. Mr. Speaker, I move that SB 1003 be recommitted to the Committee on Appropriations.

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

**GUEST INTRODUCED**

The SPEAKER pro tempore. The Chair would like to welcome Charlotte Caperoon, who is here today from Caperoon's Nursery in Linglestown, Dauphin County. She is here as the guest of Representative Ron Marsico and is seated in the balcony. Would she please rise. Welcome to the hall of the House.

**CENTRAL BUCKS WEST HIGH SCHOOL FOOTBALL TEAM PRESENTED**

The SPEAKER pro tempore. The Chair would like to invite the gentleman from Bucks County, Mr. McIlhinney, to the rostrum for the purpose of introducing some guests.

The Chair recognizes the gentleman from Bucks County, Mr. Druce.

Mr. DRUCE. Thank you, Mr. Speaker.

It is a pleasure today to join with the 1999 PIAA AAAA State champions, Central Bucks West High School, from Doylestown, Bucks County. They are here today because they defeated Bethlehem Catholic in a stunning 14-to-13 victory to cap a 15-and-0 season, but more importantly what we are honoring here today is a decade of excellence at Central Bucks West.

This program has compiled a record of 121 wins and only 8 losses through the nineties, and they finished the decade with 45 straight wins – which, by the way, they hold the State record for the longest win streak in the Commonwealth – and they also finished the decade with 3 consecutive State championships. That is added to a magnificent program at Central Bucks West where they have won 4 titles, 13 perfect seasons, and never a losing season.

Members of the House of Representatives, I ask you to join me in congratulating the PIAA AAAA State champions, Central Bucks West High School, and ask if the team would please stand in the back.

I would like to recognize Representative Chuck McIlhinney for a special presentation for one of the winningest football coaches in the Commonwealth of Pennsylvania.

Mr. McILHINNEY. Thank you.

Once again I have the honor of welcoming to the hall of the House the Pennsylvania State champions in football from my hometown in Doylestown, CB West High School. What I would like to do right now, I want to bring one stat to your attention. If I can get all the seniors in the back to stand up, all the seniors on the team. They have accomplished something that not too many people can say they have. They spent their entire high school career without losing one football game. I think that deserves some special recognition.

Also, today we have an announcement. Some of you may enjoy this announcement; I know I am not going to, but our coach, Coach Pettine, is retiring. This is going to give everybody else in the State a chance to actually win a State championship, I guess, next year. But as far as I am concerned, we are still the team to beat. So, Coach, if you could come down and get a special recognition.

**RESOLUTION PURSUANT TO RULE 35**

Mr. MARSICO called up **HR 402, PN 3102**, entitled:

A Resolution designating March 21, 2000, as "Fresh Air Fund Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—197**

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

**NAYS—0**

**NOT VOTING—1**

Melio

**EXCUSED—4**

Semmel	Thomas	Waters	Ryan, Speaker
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

### STATEMENT BY MR. MARSICO

#### MARILYN DOWLING INTRODUCED

The SPEAKER pro tempore. Before we go to the next resolution, the Chair recognizes the gentleman from Dauphin County, Mr. Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

I just want to thank the members for their vote on HR 402 and take a brief moment to recognize an outstanding constituent from the 105th Legislative District here in Dauphin County, and that is Mrs. Marilyn Dowling. Mrs. Dowling is the Harrisburg area representative for the Fresh Air Fund.

Each summer, the Fresh Air Fund enables almost 6,000 children from low-income families to enjoy 2-week vacations with volunteer host families. Mr. Speaker, may I have the attention of the members?

The SPEAKER pro tempore. Yes, it is fairly noisy. We have some guests on the floor who are in the process of leaving.

The House will come to order, please. Conversations in the aisles, break up. We have a lot of guests on the floor today, and it is very noisy. We all need to cooperate if we are going to be heard.

Go ahead, Mr. Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

These volunteers live in suburban and small-town communities across 13 States from Virginia to Maine and Canada. Additionally, 3,000 children will attend five Fresh Air camps on a 3,000-acre site in Fishkill, New York. The fund's year-round camping program serves 1,000 disadvantaged teenagers each year.

Today I am presenting Mrs. Dowling with a citation from the House of Representatives. Not only is she the driving force behind the introduction of HR 402, which is intended to mark today, March 21, 2000, as Fresh Air Fund Day, but she was also recently named Fund Representative of the Year by the Fresh Air Fund at the Friendly Town Conference held recently in New York City.

Please join me in congratulating Mrs. Dowling on her recent award and thanking her for the hard work she does on behalf of the disadvantaged children who benefit so greatly from such a wonderful program.

Mrs. Dowling, please rise, and join me in wishing her a warm welcome and congratulations. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### GUESTS INTRODUCED

The SPEAKER pro tempore. We have two guest pages serving with us today. Morgan Ashenfelter is a constituent of Representative Jerry Nailor and Heather Weber is a constituent of Representative Pat Vance. They are students at Eagle View Middle School. Would they please rise. Welcome to the hall of the House.

We also have visiting with us Mr. Mark May from Maywood Landscaping in North East, Pennsylvania. He is here as the

guest of Representative Tom Scrimenti, and he is seated in the gallery. Would he please rise. Welcome to the hall of the House.

### VOTE CORRECTION

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

Mr. MELIO. Mr. Speaker, I would like to correct the record.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. MELIO. On the last resolution, 402, it did not function; I was sitting right here. I want to be in the affirmative.

The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record.

Mr. MELIO. Thank you, Mr. Speaker.

### GUESTS INTRODUCED

The SPEAKER pro tempore. The gentleman, Mr. Michlovic, has some guests here with him today. They are with the University of Pittsburgh's Institute of Politics, and they are taking part in a "Legislator for a Day" program, and these students have been selected to shadow a member of the Pennsylvania legislature. Eight of them are here shadowing members of the House, and I would like to read their names and the name of the member whom they are shadowing. Rachel Felton is shadowing Representative Jane Orié; Meghan Hogue, Representative Michlovic; Katie King, Representative Levdansky; Ray Murphy, Representative Robinson; Lee Rutledge, Representative Frankel; Andrew Shea, Representative Pistella; Melanie Wolfe, Representative Tangretti; and Christine Kuemmerle, Representative Sara Steelman. Would they all please rise. Welcome to the hall of the House.

### RESOLUTIONS PURSUANT TO RULE 35

Mr. BUNT called up **HR 403, PN 3126**, entitled:

A Resolution designating March 21, 2000, as "Pennsylvania Farm Bureau Day."

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

#### YEAS—198

Adolph	Egolf	Maitland	Sainato
Allen	Evans	Major	Samuelson
Argall	Fairchild	Manderino	Santoni
Armstrong	Fargo	Mann	Sather
Baker	Feese	Markosek	Saylor
Bard	Fichter	Marsico	Schroder
Barley	Fleagle	Masland	Schuler
Barrar	Flick	Mavernik	Scrimenti
Bastian	Forcier	McCall	Seyfert
Battisto	Frankel	McGeehan	Shaner
Bebko-Jones	Freeman	McGill	Smith, B.
Belardi	Gannon	McIlhattan	Smith, S. H.
Belfanti	Geist	McIlhinney	Snyder
Benninghoff	George	McNaughton	Solobay
Birmelin	Gigliotti	Melio	Staback
Bishop	Gladeck	Metcalfe	Stairs
Blaum	Godshall	Michlovic	Steelman
Boyes	Gordner	Micozzie	Steil

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Semmel	Thomas	Waters	Ryan, Speaker
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. BUNT called up HR 408, PN 3196, entitled:

A Resolution recognizing the week of March 20, 2000, as "Pennsylvania Horticultural Week."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

Adolph	Egolf	Maitland	Sainato
Allen	Evans	Major	Samuelson
Argall	Fairchild	Manderino	Santoni
Armstrong	Fargo	Mann	Sather
Baker	Feese	Markosek	Saylor
Bard	Fichter	Marsico	Schroder
Barley	Fleagle	Masland	Schuler
Barrar	Flick	Mayernik	Schmenti
Bastian	Forcier	McCall	Seyfert
Battisto	Frankel	McGeehan	Shaner
Bebko-Jones	Freeman	McGill	Smith, B.
Belardi	Gannon	McIlhattan	Smith, S. H.

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Semmel	Thomas	Waters	Ryan, Speaker
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mrs. RUBLEY called up HR 410, PN 3212, entitled:

A Resolution designating March 24, 2000, as "World TB Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

Adolph	Egolf	Maitland	Sainato
Allen	Evans	Major	Samuelson
Argall	Fairchild	Manderino	Santoni
Armstrong	Fargo	Mann	Sather
Baker	Feese	Markosek	Saylor
Bard	Fichter	Marsico	Schroder



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

NAYS-0

NOT VOTING-0

EXCUSED-4

Semmel	Thomas	Waters	Ryan, Speaker
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

\* \* \*

Mrs. RUBLEY called up HR 411, PN 3213, entitled:

A Resolution declaring the week of April 3 through 9, 2000, as "Public Health Awareness Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Semmel	Thomas	Waters	Ryan, Speaker
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mrs. RUBLEY called up HR 412, PN 3214, entitled:

A Resolution designating the week of April 9 through 15, 2000, as "Local Government Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Semmel	Thomas	Waters	Ryan, Speaker
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mrs. FORCIER called up HR 414, PN 3215, entitled:

A Resolution honoring Crawford County, Pennsylvania, on the occasion of its 200th anniversary in 2000.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Semmel	Thomas	Waters	Ryan, Speaker
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. PERZEL called up **HR 415, PN 3216**, entitled:

A Resolution designating March 26, 2000, as "National Family Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Semmel Thomas Waters Ryan,  
Speaker

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

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Mr. SAYLOR called up **HR 418, PN 3219**, entitled:

A Resolution designating the week of April 9 through 15, 2000, as "Week of the Young Child" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Semmel Thomas Waters Ryan,  
Speaker

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

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2097, PN 3150**, entitled:

An Act amending the act of August 6, 1963 (P.L.521, No.277), entitled "An act providing that probation officers shall have the power of peace officers in the performance of their duties," providing for powers of certain warrant investigators; and making an editorial change.

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

The SPEAKER pro tempore. Mr. George, you have an amendment filed. Do you intend to offer that amendment?

The Chair was of the opinion that you were—

Mr. GEORGE. I apologize, Mr. Speaker. I had advised the staff that this was withdrawn. I apologize.

The SPEAKER pro tempore. I wanted to doublecheck with you before I went ahead. Thank you, sir.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—184

Adolph	Druce	Lynch	Rubley
Allen	Eachus	Maher	Ruffing
Argall	Egolf	Maitland	Sainato
Armstrong	Evans	Major	Samuelson
Baker	Fairchild	Manderino	Santoni
Bard	Fargo	Mann	Sather
Barley	Feese	Markosek	Saylor
Barrar	Fichter	Marsico	Schroder
Bastian	Fleagle	Masland	Schuler
Battisto	Flick	Mayernik	Scrimenti
Bebko-Jones	Forcier	McCall	Seyfert
Belardi	Frankel	McGeehan	Shaner
Belfanti	Freeman	McGill	Smith, B.
Benninghoff	Gannon	McIlhinney	Smith, S. H.
Birmelin	Geist	McNaughton	Snyder
Bishop	George	Metcalfe	Solobay

Blaum	Gigliotti	Michlovic	Staback
Boyes	Gladeck	Micozzie	Stairs
Browne	Godshall	Miller, R.	Steil
Bunt	Gordner	Miller, S.	Stern
Butkovitz	Gruitza	Mundy	Stetter
Buxton	Habay	Myers	Stevenson
Caltagirone	Haluska	Nailor	Strittmatter
Cappabianca	Harhart	Nickol	Sturla
Carn	Hasay	O'Brien	Surra
Cawley	Hennessey	Oliver	Tangretti
Chadwick	Herman	Orie	Taylor, E. Z.
Civera	Hershey	Perzel	Taylor, J.
Clark	Hess	Pesci	Tigue
Clymer	Horsey	Petrone	Travaglio
Cohen, L. I.	Jadlowiec	Phillips	Trelio
Cohen, M.	James	Pippy	Trich
Colafella	Josephs	Pistella	True
Cornell	Kaiser	Platts	Tulli
Corrigan	Keller	Preston	Vance
Costa	Kenney	Ramos	Veon
Coy	Kirkland	Raymond	Vitali
Curry	Krebs	Readshaw	Washington
Dailey	LaGrotta	Reinard	Williams
Daley	Laughlin	Rieger	Wogan
Dally	Lawless	Roberts	Wojnaroski
DeLuca	Lederer	Robinson	Wright
Dempsey	Leh	Roebuck	Youngblood
Dermody	Lescovitz	Rohrer	Yudichak
DiGirolamo	Levdansky	Rooney	Zimmerman
Donatucci	Lucyk	Ross	Zug

NAYS—14

Casorio	Harhai	Petrarca	Walko
DeWeese	Hutchinson	Steelman	Wilt
Gruceta	McIlhattan	Van Horne	Yewcic
Hanna	Melio		

NOT VOTING—0

EXCUSED—4

Semmel Thomas Waters Ryan,  
Speaker

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

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

**ANNOUNCEMENT BY MR. COHEN**

The SPEAKER pro tempore. The Chair is advised that we are going to be recessing for lunch until 1 o'clock. Are there any announcements?

Mr. Cohen.

Mr. COHEN. Mr. Speaker, there will be informal discussions in the Democratic caucus room.

The SPEAKER pro tempore. Mr. Fargo, any Republican announcements? No Republican caucus.

**RECESS**

The SPEAKER pro tempore. This House stands in recess until 1 o'clock, unless sooner recalled by the Speaker.

**AFTER RECESS**

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

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

**HB 204, PN 195** By Rep. GANNON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for limitation of certain Vehicle Code prosecutions.

JUDICIARY.

**HB 1596, PN 1940** By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for probable cause arrests in misdemeanor sex offenses.

JUDICIARY.

**HB 2220, PN 3235 (Amended)** By Rep. CIVERA

An Act amending the act of February 19, 1980 (P.L.15, No.9), known as the Real Estate Licensing and Registration Act, further providing for relationships between brokers and consumers of real estate services, for disclosure at initial interviews, for duties of licensee generally and for application for recovery from the Real Estate Recovery Fund.

PROFESSIONAL LICENSURE.

**HB 2287, PN 3028** By Rep. GANNON

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the offense of bad checks and the action for charges.

JUDICIARY.

**SB 849, PN 1814 (Amended)** By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for restitution for identity theft.

JUDICIARY.

**BILLS REMOVED FROM TABLE**

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

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

HB 496;  
HB 566;  
HB 846;  
HB 880; and  
HB 944.

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

**BILLS TABLED**

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

Mr. PERZEL. Mr. Speaker, I move that the following bills be placed on the tabled calendar:

HB 496;  
HB 566;  
HB 846;  
HB 880; and  
HB 944.

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

**SENATE BILLS FOR CONCURRENCE**

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

**SB 1, PN 1728**

Referred to Committee on APPROPRIATIONS, March 21, 2000.

**SB 7, PN 1800**

Referred to Committee on APPROPRIATIONS, March 21, 2000.

**BILL SIGNED BY SPEAKER PRO TEMPORE**

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

**SB 1038, PN 1452**

An Act establishing the Fair Credit Extension Uniformity Act; and providing for debt collection trade practices and penalties.

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

**LEAVE OF ABSENCE**

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. SOLOBAY called up **HR 423, PN 3234**, entitled:

A Resolution declaring March 2000 as "American Red Cross Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—1

Druce

EXCUSED—5

Scrimenti  
Semmel

Thomas

Waters

Ryan,  
Speaker

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

\* \* \*

Mr. FLICK called up **HR 424, PN 3236**, entitled:

A Resolution designating April 2000 as "Parliamentarian Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—1

Druce

EXCUSED—5

Scrimenti  
Semmel

Thomas

Waters

Ryan,  
Speaker

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1639, PN 2766**, entitled:

An Act amending the act of May 29, 1956 (1955 P.L.1804, No.600), referred to as the Municipal Police Pension Law, further providing for payments to spouses; and making an editorial change.

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

The SPEAKER pro tempore. The Chair understands that the lady from Montgomery County, Ms. Williams, has two amendments filed to this bill. Does the lady seek recognition?

Ms. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, I am going to withdraw these amendments, but before I do, I would like to just bring to the body's attention what I am trying to do. There are a number of police departments in the Commonwealth whose pensions are fully funded and who are overfunded, and what I would like to do is to be able to allow them to withdraw more than 50 percent of the funding that they now receive. I understand that this needs an actuarial note rather than a fiscal note, and there was not time to get that from the filing of the amendments to today.

There are some other issues involved with police that I would like to bring up. One of them is now that a student in school, a surviving child who is in school, can receive some of the pension funding. What we would like to do is make sure they can receive it to the age of 23. Many of our students are still in school at age 23. I would like to do that as well.

So I will be continuing this issue and will bring it to the House for consideration in due course. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the lady.

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

Mr. **GEORGE** offered the following amendment No. **A0959**:

Amend Title, page 1, line 15, by inserting after "spouses;" clarifying a term;  
Amend Bill, page 3, by inserting between lines 11 and 12

Section 2. The act is amended by adding a section to read:  
Section 11.2. For purposes of this act, the term "widow" shall include a widower.

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

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

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

Mr. **GEORGE**. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to offer amendment 959. My amendment simply ensures that this act is gender neutral by including a section which states that for the purpose of this act, the term "widow" shall include a widower.

I urge an affirmative vote on my amendment. Thank you.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—1

Druce

EXCUSED—5

Scrimenti Thomas Waters Ryan,  
Semmel Speaker

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

Daley	LaGrotta	Reinard	Wilt
Dally	Laughlin	Rieger	Wogan
DeLuca	Lawless	Roberts	Wojnaroski
Dempsey	Lederer	Robinson	Wright
Dermody	Leh	Roebuck	Yewcic
DeWeese	Lescovitz	Rohrer	Youngblood
DiGirolamo	Levdansky	Rooney	Yudichak
Donatucci	Lucyk	Ross	Zimmerman
Eachus	Lynch	Rubley	Zug

NAYS—0

NOT VOTING—1

Druce

EXCUSED—5

Scrimenti Thomas Waters Ryan,  
Semmel Speaker

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

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

\* \* \*

The House proceeded to third consideration of **SB 369, PN 1559**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), entitled, as reenacted and amended, The Second Class Township Code, further providing for the procedure for assessment.

On the question,

Will the House agree to the bill on third consideration?

Mr. **SURRA** offered the following amendment No. **A0956**:

Amend Title, page 1, line 4, by inserting after "providing" for supervisors and

Amend Bill, page 1, lines 8 through 11, by striking out all of said lines and inserting

Section 1. Section 403 of the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, reenacted and amended November 9, 1995 (P.L.350, No.60), is amended by adding a subsection to read:

Section 403. Supervisors.—\* \* \*

(d) If two or more openings in the office of supervisor will appear on the same ballot, a person shall be ineligible to file nominating petitions for more than one such opening and shall be ineligible to be elected to fill more than one such opening.

Section 2. Sections 2509 and 2613 of the act are amended to read:

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

On the question,

Will the House agree to the amendment?

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



Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment has passed this chamber on a number of different occasions, and unanimously. It deals with a situation when you have two or more openings for township supervisor. It would not allow one person to run for like the 2-year term and the 6-year term at the same time. What we run into is in these second-class townships, in the November election the same person will win both seats, so when they get sworn in in January, we immediately have an individual that resigns and we have an appointment, and you can almost end up with governance by a body of appointed supervisors.

This would just allow a person to run for one seat at one time for the same board as a township supervisor. It has passed this House before, and I would appreciate the members' support again. Thank you.

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Scrimenti  
Semmel

Thomas

Waters

Ryan,  
Speaker

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

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

Mr. **GEORGE** offered the following amendment No. **A0958**:

Amend Title, page 1, line 5, by removing the period after "assessment" and inserting

; and authorizing ordinances for testing of sewage sludge on farms.

Amend Bill, page 1, lines 8 through 11, by striking out all of said lines and inserting

Section 1. The act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, reenacted and amended November 9, 1995 (P.L.350, No.60), is amended by adding a section to read:

Section 1602. Sewage Sludge Testing on Farms.—The board of supervisors may enact an ordinance providing for the testing of sewage sludge on farmland. Such an ordinance may include a provision that the costs required for conducting the first two tests on a farm shall be paid for by the person who transported the sewage sludge to the farm and that additional sewage sludge testing on the farm shall be at the sole expense of the township.

Section 2. Sections 2509 and 2613 of the act are amended to read:

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

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

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

Mr. **GEORGE**. Thank you, Mr. Speaker.

Mr. Speaker, today with all the important things that face those of us that are legislators and all the concerns that those folks back home tell us, it is hard to be able to distinguish which one in our opinion is more important. But as it is, certain segments of our society feel very, very much disappointed that in the environmental sense, we do not do enough to protect them and their families.

Mr. Speaker, this does not stop sludge as everybody has been writing about. It does not stop any condition. I rise today to offer 958. The amendment simply states that the board of supervisors may enact an ordinance providing for the testing of sewage sludge on farmland -- may provide an ordinance, "may"; not "shall," not "will," "may." They are the ones back home that are responsible; they are the ones that should make that decision.

The second part of it, the ordinance may include — “may” — a provision that the costs required for conducting the first two tests on a farm shall be paid by the person who transported the sewage sludge to the farm — not the farmer, not the locality — and that any additional sewage sludge testing on a farm will be at the sole expense of the township should they wish it.

Mr. Speaker, we have got to put this matter to an end. We have got to act responsibly. This amendment will do just that. It hurts no one. It protects those, and it stops all of that writing and all of that jargon, and it puts aside and lays down that great concern that continually faces us.

I ask that we adopt this amendment.

The SPEAKER pro tempore. On the amendment, Mr. Snyder.

Mr. SNYDER. Mr. Speaker, this is a “may” provision that allows the second-class townships an opportunity, if they wish, to exercise. We would support the amendment.

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

Mr. GORDNER. Thank you, Mr. Speaker.

I am reluctantly going to stand up to indicate that I am going to vote against this amendment, and I look forward to working with the gentleman from Clearfield County on the wording. I believe he has worked really hard to try to address some of the issues that farmers have put forth, but unfortunately, the way it is worded now, farmers can still be required to be the ones to pay for the testing. If there was a clause that would be turned around, I think on the second sentence — I do not have it here in front of me — that might be able to be changed. Right now it says, the supervisors may require testing to be done, and then it addresses who pays for it, but unfortunately, they may also require the farmers to pay for the testing. There is nothing in the amendment that precludes the farmers from having to pay for it.

It is a very strong concern of the farmers and the Farm Bureau that was in to see me about a week ago, and I am going to have to vote against it and would be glad to work with the sponsor of this amendment in the future to rearrange the drafting so that farmers would not have to pay for this testing. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clearfield, Mr. George, for the second time.

Mr. GEORGE. Mr. Speaker, I would hope that I could bring it to the attention of the previous speaker that I had talked to the Farm Bureau people and to the individual in his community and that we had removed any distance from any former bill. They can spread it next to the fence. They need not move away 300 feet or 1,000 feet, and I had talked to Mr. Shaffer, and I commit that I do not misrepresent. Their concern was that they do not want to pay for it. I do not blame them. But the amendment does not insist that they pay for it. It says that two of them will be paid for by the transporter and any other that should be considered will be paid for by the township. That is what the amendment says. That is what we have done to acquiesce to get the best of all worlds. This they will accept, and this is what we ought to provide them. Thank you.

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

Mr. SCHULER. Thank you, Mr. Speaker.

Will the gentleman stand for interrogation?

The SPEAKER pro tempore. Mr. George, will you stand for interrogation? The gentleman, Mr. Schuler, would like to interrogate you. The gentleman is in order and may proceed.

Mr. SCHULER. Mr. Speaker, my question relates to the number of tests that would have to be made. My interpretation of the amendment would state that the township could have an unlimited number of tests. Is that correct?

Mr. GEORGE. Mr. Speaker, what would be wrong should the township want to inspect the material to make sure somebody is not going to die? I am sure that there is not anybody in here that would stand up and say, do not test it. The truth is that this material is only tested twice in a year at the point where it is generated. What we are concerned about is that something can happen from the port of embarkation to the port of destination, and all we are saying is, let us all get off this; let them bring that sludge — something has to be done with it — and let them use it agriculturally, and let them use it to the benefit, but should someone want to put industrial waste or a load of contaminated material with heavy metals, that should they want to test it, let them pay for it. It does not hurt the farmer, but you know what it might do. It might put somebody in jail that is lying to the farmer. It might put somebody in jail that could possibly put material on the ground that should not be put on the ground.

Mr. SCHULER. I understand that, Mr. Speaker, and I understand the need for testing, but my question is, is there an unlimited number of times the sludge will be tested? More specifically, every truckload that comes into that farm, could the township require that truckload to be tested?

Mr. GEORGE. Mr. Speaker, I would not know why that would happen, and I do not believe your township or any township wants to get into the expense of testing. All we have to do is assure the people that own the farm, nearby to the farm, that those that are bringing sludge in are reputable, responsible people. Should that responsibility go further in where the supervisors have a suspicion that something has been done, if they want to test it, let them test it. It is their hands that are going to get dirty, not yours or mine, but it is your people and my people that might be darn glad something is being done to protect them.

Mr. SCHULER. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Hershey, from Chester County is recognized.

Mr. HERSHEY. Thank you, Mr. Speaker.

It is ironic that we are facing another amendment on biosolids. Last week I said here on this floor that the Environmental Committee and the Agriculture Committee would hold a joint hearing on this issue, and we have set the date of April 25 here in Harrisburg to discuss this subject. We have used this off and on for years, and it is being tested, and we have to go through a lot of stringent regulations. It took me a year and a half to get qualified.

So until we have this hearing, I respectfully request a “no” vote.

The SPEAKER pro tempore. The gentleman, Mr. Surra, is recognized on the amendment.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the George amendment, and I do so for some very good reasons.

Mr. Speaker, this is about local control. This is about giving our local township supervisors just a little bit of input into what

is being spread around in their townships. The former speaker said that this sewage sludge, or biosolids as they are called, is currently being tested. Yes; it has to be tested twice a year at the point of origin. The decision of how many times it would be tested is up to the township supervisors, Mr. Speaker, who now have no say in it.

I can remember when I was on the Conservation Committee a couple years ago, we went on a— Mr. Speaker? Mr. Speaker? The SPEAKER pro tempore. Mr. Surra.

Mr. SURRA. Could you bring the House to order, please.

The SPEAKER pro tempore. The House will come to order. Please, take your conversations outside the House.

Mr. Surra.

Mr. SURRA. Mr. Speaker, a few years ago the department of forestry in Pennsylvania was under a contract to have biosolids spread on some of our State forest lands that were devastated by forest fires. The Conservation Committee, Mr. Speaker, went up there and toured those areas, and what we found, and we did not do any testing, but just a visual oversight of the land found pieces of transformer, pieces of battery. Now, I do not know who flushed that stuff down their toilet, Mr. Speaker, but I think something happened between the sewage plant and to our State forest lands. If you do a background check on some of these outfits that are involved in this, Mr. Speaker, some of them have a pretty colorful past.

All this does is allow local municipalities to do testing. We are not making any judgments on whether this is good policy or bad policy, although the scientific community is sure all over the ballpark on it. All this does is let locally elected officials do some testing to ensure that their land and water and air is being protected.

If you people believe in local control, if you believe in allowing our locally elected officials to have some insight and determination on these issues, you should support this. This is not the end of the world. This is a very good, commonsense amendment, and I urge the House to support it. Thank you.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Montgomery County, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

This amendment is going to do a tremendous amount of damage to the agriculture community. Down in the southeast, our farms are extremely marginal. Putting biosolids on the agriculture ground as a substitute for fertilizer is a practice that has been in place for probably 25, 30 years. Anybody who places these biosolids on the farms has to have a permit to do so, and then the product has to be tested. On my own farm— Mr. Speaker?

The SPEAKER pro tempore. Please. Conversations should be removed from the hall of the House.

Go ahead, Mr. Godshall.

Mr. GODSHALL. We have been told that this may be a life-or-death matter. Well, on my own farm, I know that for at least 25 years, if not more, we have used sludge on the farm to produce crops instead of fertilizer, as many of my neighbors do if not all of my neighbors. We use this product, it produces crops, and it is a survival or a lifeline for the farmers down in the southeast and probably across this State also. The farmers were hit with a tremendous drought. Saying that sludge cannot be put on their farm as a fertilizer substitute is at the wrong time and the wrong place.

On our farm, on the farm where I live, if this is a life-or-death matter, I know my father, who passed away about a year and a half ago, lived to the age of 96 and my mother to the age of 94. I am not sure if I am going to ever see those days, but you know, all I am saying is that if fertilizer is a life-and-death matter, maybe it helped to generate a little extra life into some of the people that live on the farms.

This is not a life-or-death matter. It is an accepted agricultural process, and it should not be taken away from the farmer to continue to do as he has been for years and years. Thank you.

The SPEAKER pro tempore. The Chair recognizes the lady from Berks County, Representative Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

As the amendment is drafted, it calls for sewage sludge testing on the farms. Currently, when sludge is being tested, this is occurring at the plants. As far as testing on the farmland, quite honestly, this is something that is not very clear in how this would be done in the amendment, because soil testing is one thing; testing the sludge on the trucks once it gets to the farm is another thing, and this amendment is drafted in such a way that it is very unclear what is meant by this testing on the farms. If what was meant was sludge that is destined to be spread on farmland should be tested, that in itself is an entirely different matter.

So, Mr. Speaker, because of the fact that this is a very unclear amendment, I am going to be voting "no" on this and encourage my colleagues to do the same.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Montgomery, Mr. Godshall, for the second time.

Mr. GODSHALL. Thank you, Mr. Speaker.

One of the things I forgot to point out, as Representative Miller started to, is that the way this amendment is written, anybody who brings a truckload of sludge to my farm can require a double test at the farm. How long this is going to take, I have no idea. What the cost is going to be, I do not have any idea. It might take 100 trucks of sludge to put the required fertilizer on my farm. We could require 200 tests at somebody's expense and endless amounts of time. I am not sure that there is going to be an inspector standing out at my farm on the day the truck comes in and is there with a test kit. I do not know how long the test would require — it might be a couple days; it might be a week — or what it costs.

This is a bad amendment and should be defeated. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Chester County, Mr. Ross, on the amendment.

Mr. ROSS. Thank you, Mr. Speaker.

I will be brief.

Basically, right now the testing program in relation to sewage sludge is carried on by the Department of Environmental Protection; a single location for testing; no confusion between multiple jurisdictions. If there is a problem with that system, it ought to be corrected at the department. If they need to follow up and do additional testing because there is a problem, it ought to be done through the Department of Environmental Protection. We should not have multiple jurisdictions doing multiple tests in different ways and different times, in conflict with each other, and I urge a "no" vote. Thank you.

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

The following roll call was recorded:

YEAS—98

Battisto	Evans	Markosek	Santoni
Bebko-Jones	Frankel	Mayernik	Shaner
Belardi	Freeman	McCall	Solobay
Belfanti	George	McGeehan	Staback
Bishop	Gigliotti	Melio	Steelman
Blaum	Grucela	Michlovic	Stetler
Butkovitz	Gruitza	Mundy	Sturla
Buxton	Haluska	Myers	Surra
Caltagirone	Hanna	Oliver	Tangretti
Cappabianca	Harhai	Pesci	Tigue
Cam	Horsey	Petrarca	Travaglio
Casorio	James	Petrone	Trello
Cawley	Josephs	Pistella	Trich
Cohen, M.	Kaiser	Preston	True
Colafranca	Keller	Ramos	Van Horne
Corrigan	Kirkland	Readshaw	Veon
Costa	Krebs	Rieger	Vitali
Coy	LaGrotta	Roberts	Walko
Curry	Laughlin	Robinson	Washington
Daley	Lederer	Roebuck	Williams
DeLuca	Lescovitz	Rooney	Wojnaroski
Dermody	Levdansky	Ruffing	Yewcic
DeWeese	Lucyk	Sainato	Youngblood
Donatucci	Manderino	Samuelson	Yudichak
Eachus	Mann		

NAYS—99

Adolph	Egolf	Lynch	Ross
Allen	Fairchild	Maher	Rublely
Argall	Fargo	Maitland	Sather
Armstrong	Feese	Major	Saylor
Baker	Fichter	Marsico	Schroder
Bard	Fleagle	Masland	Schuler
Barley	Flick	McGill	Seyfert
Barrar	Forcier	McIlhattan	Smith, B.
Bastian	Gannon	McIlhinney	Smith, S. H.
Benninghoff	Geist	McNaughton	Snyder
Birmelin	Gladeck	Metcalfe	Stairs
Boyes	Godshall	Micozzie	Steil
Browne	Gordner	Miller, R.	Stern
Bunt	Habay	Miller, S.	Stevenson
Chadwick	Harhart	Nailor	Strittmatter
Civera	Hasay	Nickol	Taylor, E. Z.
Clark	Hennessey	O'Brien	Taylor, J.
Clymer	Herman	Orie	Tulli
Cohen, L. I.	Hershey	Perzel	Vance
Cornell	Hess	Phillips	Wilt
Dailey	Hutchinson	Pippy	Wogan
Dally	Jadlowiec	Platts	Wright
Dempsey	Kenney	Raymond	Zimmerman
DiGiroiamo	Lawless	Reinard	Zug
Druce	Leh	Rohrer	

NOT VOTING—0

EXCUSED—5

Scrimenti	Thomas	Waters	Ryan,
Semmel			Speaker

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

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

Mr. MAITLAND offered the following amendment No. A4844:

Amend Bill, page 1, lines 8 through 11, by striking out all of said lines and inserting

Section 1. The act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, reenacted and amended November 9, 1995 (P.L.350, No.60), is amended by adding a section to read:

Section 1552. Conservation District.—The board of supervisors may make appropriations to a conservation district as defined in the act of May 15, 1945 (P.L.547, No.217), known as the "Conservation District Law."

Section 2. Sections 2509 and 2613 of the act are amended to read:

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

3

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Adams County, Mr. Maitland. The gentleman does not seek recognition.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Travaglio.

Mr. TRAVAGLIO. Mr. Speaker, I would like to ask a question, if I may.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. TRAVAGLIO. Who decides at the time of voting how long the board can be open and closed?

The SPEAKER pro tempore. The Speaker does, and under the rules of the House, that can be any time up to 10 minutes, sir.

Mr. TRAVAGLIO. Then why do you not do it on every bill instead of just the ones that you feel that you can change? I do not think I heard the answer, sir.

The SPEAKER pro tempore. I have been here a little longer than you have, and I can remember a time when a member actually had an alarm clock on the floor of the House.

Mr. TRAVAGLIO. And I am a lot older than you are, and I have been around a lot longer, and I do not think that is fair. Once a bill has been decided, why are you waiting till something changes? Do not "ah" me.

The SPEAKER pro tempore. Mr. Travaglio, that is the prerogative of the Speaker, and I followed the rules of the House, sir.

Mr. TRAVAGLIO. Well, maybe they should be changed.

The SPEAKER pro tempore. Does anybody seek recognition on the Maitland amendment?

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Scrimenti	Thomas	Waters	Ryan,
Semmel			Speaker

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

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

MOTION TO RECONSIDER  
AMENDMENT A0958

The SPEAKER pro tempore. The Chair is in receipt of a reconsideration motion filed by the gentleman, Mr. George, who moves that the vote by which amendment No. A0958 was defeated to SB 369 be reconsidered.

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

The following roll call was recorded:

YEAS—98

Battisto	Evans	Mann	Samuelson
Bebko-Jones	Frankel	Markosek	Santoni
Belardi	Freeman	Mayernik	Shaner
Belfanti	Geist	McCall	Solobay
Bishop	George	McGeehan	Staback
Blaum	Gigliotti	Melio	Steelman
Butkovitz	Gordner	Michlovic	Stetler
Buxton	Grucela	Mundy	Sturla
Caltagirone	Gruitza	Myers	Surra
Cappabianca	Haluska	Oliver	Tangretti
Carn	Hanna	Pesci	Tigue
Casorio	Harhai	Petrarca	Travaglio
Cawley	Horsey	Petrone	Trello
Cohen, M.	James	Pistella	Trich
Colafella	Josephs	Preston	Van Horne
Corrigan	Kaiser	Ramos	Veon
Costa	Keller	Readshaw	Vitali
Coy	Kirkland	Rieger	Walko
Curry	LaGrotta	Roberts	Washington
Daley	Laughlin	Robinson	Williams
DeLuca	Lederer	Roebuck	Wojnaroski
Dermody	Lescovitz	Rooney	Yewcic
DeWeese	Levdansky	Ruffing	Youngblood
Donatucci	Lucyk	Sainato	Yudichak
Eachus	Manderino		

NAYS—99

Adolph	Egolf	Maher	Rublely
Allen	Fairchild	Maitland	Sather
Argall	Fargo	Major	Saylor
Armstrong	Feese	Marsico	Schroder
Baker	Fichter	Masland	Schuler
Bard	Fleagle	McGill	Seyfert
Barley	Flick	McIlhattan	Smith, B.
Barrar	Forcier	McIlhinney	Smith, S. H.
Bastian	Gannon	McNaughton	Snyder
Benninghoff	Gladeck	Metcalf	Stairs
Birmelin	Godshall	Micozzie	Steil
Boyes	Habay	Miller, R.	Stern
Browne	Harhart	Miller, S.	Stevenson
Bunt	Hasay	Nailor	Strittmatter
Chadwick	Hennessey	Nickol	Taylor, E. Z.
Civera	Herman	O'Brien	Taylor, J.
Clark	Hershey	Orie	True
Clymer	Hess	Perzel	Tulli
Cohen, L. I.	Hutchinson	Phillips	Vance
Cornell	Jadlowiec	Pippy	Wilt
Dailey	Kenney	Platts	Wogan
Daily	Krebs	Raymond	Wright
Dempsey	Lawless	Reinard	Zimmerman
DiGirolamo	Leh	Rohrer	Zug
Druce	Lynch	Ross	

NOT VOTING—0

EXCUSED—5

Scrimenti	Thomas	Waters	Ryan, Speaker
Semmel			

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

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

Druce	Lynch	Rubley	Zug
Eachus			

NAYS—0

NOT VOTING—0

EXCUSED—5

Scrimenti	Thomas	Waters	Ryan, Speaker
Semmel			

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.

LEAVE OF ABSENCE

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2134, PN 2929**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for conditional employment.

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Stairs, who I understand wishes to make a motion to suspend the rules so that he can offer a technical amendment to the bill.

Mr. STAIRS. Thank you, Mr. Speaker.

As you indicated, I am offering a technical amendment to improve the bill, and to do so, I would ask the members if they would vote to suspend the rules so we may offer this amendment, which is a technical amendment to strengthen the bill.

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

The following roll call was recorded:

YEAS—192

Adolph	Eachus	Maher	Rubley
Allen	Egolf	Maitland	Ruffing
Argall	Evans	Major	Sainato

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

NAYS—4

Hanna	Krebs	Steelman	Steil
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NOT VOTING—0

EXCUSED—6

Butkovitz	Semmel	Waters	Ryan,
Scrimenti	Thomas		Speaker

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

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

Mr. STAIRS offered the following amendment No. A1001:

Amend Sec 1 (Sec. 1109.2), page 2, line 10, by removing the comma after "EMPLOYMENT" and inserting a semicolon

Amend Sec. 1 (Sec 1109.2), page 2, line 11, by striking out "AND" and inserting "

: and,

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

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

Mr. STAIRS. Thank you, Mr. Speaker, and thank you to my colleagues who voted to suspend the rules.

The purpose of this amendment is technical. The Legislative Reference Bureau, as they were putting this legislation in order and composing it, made a few mistakes, and this is the best way to correct the mistakes, to make this technical amendment.

So I would ask my colleagues to continue this bill as it progresses through the House, to send it out of the House corrected, and so we can send a good bill over to the Senate. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Butkovitz                      Semmel                      Waters                      Ryan,  
Scrimenti                      Thomas                                           Speaker

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

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

Mr. CURRY offered the following amendment No. A0840:

Amend Title, page 1, line 5, by removing the period after "employment" and inserting

and for disqualifications for teacher's certificate.

Amend Bill, page 2, by inserting between lines 13 and 14

Section 2. Section 1209 of the act, amended April 15, 1959 (P.L.41, No.16) and June 24, 1959 (P.L.485, No.110), is amended to read:

Section 1209. Disqualifications.—No teacher's certificate shall be granted to any person who has not submitted, upon a blank furnished by the [Superintendent of Public Instruction] Secretary of Education, a certificate from a physician legally qualified to practice medicine in this Commonwealth, or in any other state or the District of Columbia, setting forth that said applicant [is neither mentally nor physically disqualified, by reason of tuberculosis or any other communicable disease or by reason of mental disorder from successful performance of the duties of a teacher; nor to any person who has not a good moral character, or who is in the habit of using opium or other narcotic drugs in any form, or any intoxicating drink as a beverage, or to any applicant who has a major physical disability or defect unless such a person submits a certificate signed by an official of the college or university from which he was graduated or of an appropriate rehabilitation agency, certifying that in the opinion of such official the applicant, by his work and activities, demonstrated that he is sufficiently adjusted, trained and motivated to perform the duties of a teacher, notwithstanding his impediment.] has no current mental or physical impairment which prevents said applicant from performing the essential functions of a teaching position with or without reasonable accommodation and that said applicant does not currently use illegal drug substances.

Amend Sec. 2, page 2, line 14, by striking out "2" and inserting  
3

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

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

Mr. Speaker, this amendment has been passed several times before. It is simply an editorial change to the School Code. I believe it is agreed to, and I ask for your support.

The SPEAKER pro tempore. Mr. Colafella, on the amendment.

Mr. COLAFELLA. Thank you, Mr. Speaker.  
This is an agreed-to amendment.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Butkovitz                      Semmel                      Waters                      Ryan,  
Scrimenti                      Thomas                                           Speaker

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

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



Mr. TANGRETTI offered the following amendment No. A0916:

Amend Title, page 1, line 5, by removing the period after "employment" and inserting

; and further providing for transferred programs and classes.

Amend Bill, page 2, by inserting between lines 13 and 14

Section 2. Section 1113 of the act, amended August 5, 1991 (P.L.219, No.25), is amended to read:

Section 1113. Transferred Programs and Classes.—(a) When a program or class is transferred as a unit from one or more school entities to another school entity or entities[.]:

(1) professional employes who were assigned to the class or program immediately prior to the transfer and are classified as teachers as defined in section 1141(1) and are suspended as a result of the transfer and who are properly certificated shall be offered employment in the program or class by the receiving entity or entities when services of a professional employe are needed to sustain the program or class transferred, as long as there is no suspended professional employe in the receiving entity who is properly certificated to fill the position in the transferred class or program[.]; and

(2) paraprofessional employes who were assigned to the class or program immediately prior to the transfer and who are suspended as a result of the transfer shall be offered employment in the program or class by the receiving entity or entities when services of professional or a paraprofessional employe are needed to sustain the program or class transferred as long as there is no suspended professional employe or furloughed paraprofessional in the receiving entity who is properly certificated, in the case of a professional employe, or experienced, in the case of a paraprofessional, to fill the position in the transferred class or program. The receiving entity, however, shall not be required to hire a professional or paraprofessional employe pursuant to this subsection whose personnel file, including sealed portions thereof, is not made available to the receiving entity for inspection as a condition of hiring. Receiving entities may refuse to employ an individual who received at least two unsatisfactory ratings during the thirty-six (36) months prior to the date of transfer.

(a.1) Transfers under the provisions of this act shall only occur once a year at the beginning of each school year and shall be included in the district's special education plan if the receiving entity is a school district. Special education program transfers may not be implemented unless the transfers are approved by the Department of Education on or before March 31 of the year preceding the proposed transfer.

(b) Transferred professional employes shall be credited by the receiving entity [only] for their sick leave accumulated in the sending entity and [also] for their years of service in the sending entity, the latter for purposes of sabbatical leave eligibility and of placement in the salary schedule[; Provided, however, That such]. Transferred paraprofessional employes shall be credited by the receiving entity for their sick leave accumulated in the sending entity and for their years of service in the sending entity, the latter for the purposes of other benefits and of placement in the salary schedule. The following shall apply:

(1) Professional employes shall not utilize the sabbatical leave until they have taught in the receiving entity for a period of three (3) years. [Such]

(2) Transferred employes shall transfer their accrued seniority in the area of certification required for the transferred program or class only[.] or, in the case of paraprofessionals, seniority in the intermediate unit.

(3) Paraprofessional employes shall not be paid less than what their salary was in the sending entity. In the event that, in order to satisfy this clause, the receiving entity must place the transferred employe on a higher step on its salary schedule than the employe would otherwise have been entitled, such placement may be maintained by the receiving entity until the employe's years of service in the

receiving entity are sufficient to place the employe at the salary step at which the employe was placed at the time of transfer.

(b.1) Professional employes who are classified as teachers and paraprofessional employes who are not transferred with the classes to which they are assigned or who have received a formal notice of suspension shall form a pool of employes within the school entity. No school entity shall be obligated to hire from the pool once the pool which is in effect at the time of the transfer has been exhausted. No new [professional] employe who is classified as a teacher or paraprofessional employe shall be employed by a school entity assuming program responsibility for transferred students while there is:

(1) a properly certificated professional employe who is classified as a teacher or paraprofessional employe suspended in the receiving entity; or

(2) if no person is qualified under clause (1), a properly certificated member of the school entity pool who is willing to accept employment with the school entity assuming program responsibility for transferred students. Members of the pool shall have the right to refuse employment offers from such school entity and remain in the pool[.]; Provided, however, That the pool member shall not remain in the pool after three refusals of offers of full-time employment and Provided further, That any pool member who changes residency from this Commonwealth to another residency shall be removed from the pool. Refusal to accept work under this subsection shall not be grounds for denial of unemployment compensation under sections 401 and 402 of the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the "Unemployment Compensation Law."

(c) Nothing contained in this section shall be construed to supersede or preempt any provision of a collective bargaining agreement in effect on February 4, 1982, and negotiated by a school entity and an exclusive representative of the employes in accordance with the act of July 23, 1970 (P.L.563, No.195), known as the "Public Employe Relations Act."

(c.1) If a receiving entity returns a unit to the sending entity within two (2) academic years of the first transfer, professional and paraprofessional employes assigned to the unit shall be given the opportunity to return with the unit.

(d) (1) As used in this section, the term "school entity" or "school entities" shall mean an intermediate unit and its participating school districts or an area vocational-technical school and its sending school districts.

(2) As used in this section, the term "unit" shall mean a program or class whose membership falls within the minimum and maximum class size as defined in Department of Education standards[.] and where the program or class can be identified as being substantially intact in accordance with standards of the department.

(3) As used in this section, the term "paraprofessional employe" shall mean an instructional aide, classroom aide, special education aide, teaching assistant or associate teacher who is not defined as a "professional employe."

Amend Sec. 2, page 2, line 14, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

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

Mr. TANGRETTI. Thank you, Mr. Speaker.

Mr. Speaker, I hesitated to offer this amendment again, since it is about the fourth or fifth time that this House has had the opportunity to pass it, which we have, but the frustration level being as considerable as it is, I felt that I needed to do this once again to call attention to a basic question of unfairness to the paraprofessionals who work in our special education classes, those teacher's aides who, when we did the change in the special ed formula in 1991, we did not give them the ability to

transfer, as we did with the teachers, and guarantee them a job if the school district did in fact absorb the special ed class from the IU (intermediate unit). This would allow that to happen.

These are individuals who work for very little wages, and in instances where they have worked for their IU, they have been able to get benefits, but when school districts pick them up, the benefits are usually eliminated. I think that is unfair. I think these individuals deserve more than we are giving them and what the school districts are giving them. They do things on a daily basis with many of these special children that you and I would not even think about doing. They are dedicated individuals who free up the teachers to do their job, and I think it is only a question of fairness that we allow them the protection that we gave to the teachers in that transfer situation.

So I would ask for a positive vote.

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

The following roll call was recorded:

YEAS—191

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

NAYS—5

Fairchild	Metcalfe	Seyfert	Wilt
Fargo			

NOT VOTING—0

EXCUSED—6

Butkovitz	Semmel	Waters	Ryan,
Scrimenti	Thomas		Speaker

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

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

The SPEAKER pro tempore. It is the Chair's understanding that the balance of the amendments to this bill have been withdrawn.

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

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

The question is, shall the bill pass finally?

The gentleman from Beaver County, Mr. Colafella, on final passage.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, what is happening throughout the country is that school directors and school boards are hiring our best students in March with the stipulation that if they graduate in May and they are certified, they can be hired based on the fact that they will get their degree and their appropriate certification. At the present time, Pennsylvania is unable to offer these positions to our students, and with passage of this legislation, this will give Pennsylvania the same opportunity to keep our best students from leaving Pennsylvania.

I ask for your support of this legislation.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Evans	Maitland	Ruffing
Allen	Fairchild	Major	Sainato
Argall	Fargo	Manderino	Samuelson
Armstrong	Feese	Mann	Santoni
Baker	Fichter	Markosek	Sather
Bard	Fleagle	Marsico	Saylor

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

NAYS-2

DeWeese Solobay

NOT VOTING-0

EXCUSED-6

Butkovitz Semmel Waters Ryan,  
Scrimenti Thomas Speaker

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

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

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The House proceeded to third consideration of **SB 706, PN 1449**, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No. 230), entitled, as amended, Second Class County Code, providing for an operating reserve fund; and further providing for the making of contracts.

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

Mr. **GEORGE** offered the following amendment No. **A0499**:

Amend Title, page 1, line 5, by striking out "AND"

Amend Title, page 1, line 6, by removing the period after "contracts" and inserting  
; authorizing a township to adopt ordinances providing for testing of sewage sludge on reclamation sites; providing for shared costs and for setback from residential areas; authorizing fines; and providing for exceptions.

Amend Bill, page 4, line 25, by striking out all of said line and inserting

Section 3. The act is amended by adding an article to read:

ARTICLE XXXIII-A

RECLAMATION SITE SEWAGE SLUDGE TESTING

Section 3301-A. Definitions.—The following words, terms and phrases, as used in this article, shall have the following meanings, unless the context clearly indicates otherwise:

"Department," shall mean the Department of Environmental Protection of the Commonwealth.

"Farm," shall mean agricultural operations as that term is defined in the act of May 20, 1993 (P.L.12, No.6), known as the "Nutrient Management Act."

"Municipality," shall mean a township of the second class.

"Reclamation site," shall mean drastically disturbed land that is reclaimed using sewage sludge. The term includes, but is not limited to, active and abandoned coal and noncoal surface mines and construction sites.

Section 3302-A. Testing.—Notwithstanding any other provision of law, the governing body of a municipality may adopt an ordinance to require unannounced, independent testing of sewage sludge that is to be land-applied to reclamation sites and farms within its boundaries. The municipality may select the testing facility of its choice to conduct the testing and the testing facility shall use the testing methods approved in regulations of the department in order to determine the levels of pollutants, pathogens and vector attraction present in the sewage sludge.

Section 3303-A. Shared Costs.—An ordinance adopted pursuant to this act may include a provision that the costs required for conducting the testing shall be shared equally by the municipality and the person who applies the sewage sludge to the land. This cost-sharing authorization shall be limited to no more than six times per permit per year. Unlimited testing may be conducted at the sole expense of the municipality.

Section 3304-A. Setback from Residential Areas.—An ordinance adopted pursuant to this act may contain a requirement that sewage sludge shall not be applied within one thousand feet of an occupied dwelling, spring or well in existence at the time of adjacent landowner notification required in regulations of the department, unless the current owner of the dwelling, spring or well provides written consent to such activities occurring closer than one thousand feet.

Section 3305-A. Fines.—Any ordinance adopted pursuant to this article may impose fines for a violation of the ordinance.

Section 3306-A. Exceptions.—This act shall not be construed to regulate the:

(1) Placement of sewage sludge into landfills.

(2) Land application of sewage sludge as part of normal farming operations unless the sewage sludge has been applied for at least two consecutive years.

Section 4. This act shall take effect as follows:

(1) The addition of Article XXXIII-A of the act shall take effect immediately.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect in 60 days.

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

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, before we need to check anybody's blood pressure, this is a sludge amendment, but it does not do what everybody on the other side was afraid it would do. It simply says that the amendment authorizes a governing body of a municipality— Could I ask that the Speaker give me a minute.

The SPEAKER pro tempore. The House will be at ease.

Mr. GEORGE. I apologize, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. GEORGE. Mr. Speaker, I rise today to offer an amendment. Somebody said, let DEP (Department of Environmental Protection) do it. I do not know what DEP is doing, but if they want to do it, here is what they can do.

This amendment requires the Department of Environmental Protection to compile and make available, upon request, to any municipality a report of complaints regarding the spreading of sewage sludge in the past 6 years. This report shall be submitted to the General Assembly by February 1 of every year beginning February 1, 2001.

The report, Mr. Speaker, shall include the region, the type of land affected—

The SPEAKER pro tempore. Mr. George, will you suspend for one moment.

I am being advised that you are not addressing amendment A0499. Can we doublecheck that? If I am wrong, I will apologize.

Mr. GEORGE. May I again apologize. I think I withdrew the one. I am talking to amendment 510.

#### AMENDMENT WITHDRAWN

The SPEAKER pro tempore. Do you want to withdraw amendment A0499?

Mr. GEORGE. Yes, sir, if I may.

The SPEAKER pro tempore. The gentleman withdraws the amendment.

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

Mr. **GEORGE** offered the following amendment No. **A0510**:

Amend Title, page 1, line 5, by striking out "AND"

Amend Title, page 1, line 6, by removing the period after "CONTRACTS" and inserting

; and providing for sludge reporting requirement.

Amend Bill, page 4, line 25, by striking out all of said line and inserting

Section 3. The act is amended by adding a section to read:

Section 2634. Sludge reporting requirement.—(a) The Department of Environmental Protection shall compile and make available, upon request, to any municipality a report of complaints regarding the spreading of sewage sludge in the past six (6) years. This report shall also be submitted to the General Assembly by February 1 of every year beginning on February 1, 2001.

(b) The report shall include the following:

(1) Region.

(2) Type of land affected by the sludge.

(3) Company that is spreading the sludge.

(4) Type of complaint.

(5) Status of complaint.

Section 4. This act shall take effect as follows:

(1) The addition of section 2634 of the act shall take effect in 30 days.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect in 60 days.

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

The SPEAKER pro tempore. Now the Chair recognizes the gentleman on that amendment.

Mr. GEORGE. Again, I apologize to you and to my colleagues.

This is simply to give the people an opportunity to say to DEP, we have a concern, that that concern and that inquiry be documented, that we know just where they are coming from and how many. It shall list the region, the type of land affected by the sludge, the company that is spreading the sludge, and the type and status of the complaint.

I see nothing wrong, unless you do, in trying to help the people we represent. I would urge that we would vote for this amendment.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Montgomery County, Mr. Bunt.

Mr. BUNT. Thank you, Mr. Speaker.

May I interrogate the maker of the amendment?

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

Mr. BUNT. Mr. Speaker, the last time we discussed this matter, I believe last week, I had indicated to you that the Environmental Committee and the Agriculture Committee would be having a hearing to discuss virtually all of the issues that you have discussed so that we would have the benefit of some technical and some science background on these amendments.

In addition, last week I came over and I met personally with you, Mr. Speaker, and had indicated to you and your staff, Mr. Crawford, that I would meet with all of those people in addition to Mr. Hershey and his staff and my staff as well prior to that meeting.

Is it your intention to run additional amendments before those meetings occur?

Mr. GEORGE. Mr. Speaker? Mr. Speaker, I would like to have a little quiet, because I want to let the man know that I have respect for him, and I hope he should have the same for me.

The SPEAKER pro tempore. The House will come to order. These two gentlemen need to hear each other, and I would frankly like to listen to both of them. Please, conversations will cease.

Mr. BUNT. Mr. Speaker, I rise—

The SPEAKER pro tempore. Will you suspend for a moment until I get order, Mr. Bunt.

Conversations in the aisles, please break up.

Mr. George, you can continue with your answer.

Mr. GEORGE. Mr. Speaker, in no way does this impact or violate. The purpose of your meeting has nothing to do with

how the sludge is put down, whether it is tested or whether it is not. It only says that we have a department entrusted by the law, the Department of Environmental Protection, and all this amendment says is, people are complaining and we would like the General Assembly to know where those complaints are coming from, what they are about. Why they are complaining has nothing to do with the hearings that you are going to hold.

Now, Mr. Speaker, I have been a chairman for 15 or 16 years also. This has been going on for years. I am as guilty as anybody for being lackadaisical. But you guys got into the fray last week. Now, Mr. Speaker, I have had these amendments drawn for months, and I am going to be the final answer on whether I run them or not, and they do not violate what you told me. I never told you I would not run an amendment. I never told you anything like that. I respect you, and I said to you, I want to be at that hearing, and I want to testify, but, Mr. Speaker, this amendment does nothing except say, DEP, we want you to report to the group that put you into focus.

Mr. BUNT. Mr. Speaker, I did not rise to object to your amendment. Mr. Speaker, I did not rise to object to this amendment. I agree with the remarks you just made. What concerns me, Mr. Speaker, is some of the other amendments which you are about to offer and that you offered last week, you offered yesterday, you will continue to offer by your own debate here today, whether we meet or we do not meet, and I am—

The SPEAKER pro tempore. Will the gentleman suspend.

Mr. Bunt, those are not what is before the House right now. What is before the House is the subject matter of amendment A0510. Do you have comments on that amendment?

Mr. BUNT. Mr. Speaker, I will be a man of my words. I will urge my colleagues to vote for this amendment.

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

The following roll call was recorded:

YEAS—190

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

Colafella	Jadlowiec	Phillips	True
Cornell	James	Pippy	Tulli
Corrigan	Josephs	Pistella	Vance
Costa	Kaiser	Platts	Van Horne
Coy	Keller	Preston	Veon
Curry	Kenney	Ramos	Vitali
Dailey	Kirkland	Raymond	Walko
Daley	Krebs	Readshaw	Washington
Dally	LaGrotta	Reinard	Williams
DeLuca	Laughlin	Rieger	Wilt
Dempsey	Lawless	Roberts	Wogan
Dermody	Lederer	Robinson	Wojnaroski
DeWeese	Leh	Roebuck	Wright
DiGirolamo	Lescovitz	Rohrer	Yewcic
Donatucci	Levdansky	Rooney	Youngblood
Druce	Lucyk	Ross	Yudichak
Eachus	Lynch	Rubley	Zimmerman
Egolf	Maher	Ruffing	Zug
Evans	Maitland		

NAYS—6

Barrar	Clymer	Micozzie	Steil
Civera	Flick		

NOT VOTING—0

EXCUSED—6

Butkovitz	Semmel	Waters	Ryan,
Scrimenti	Thomas		Speaker

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

On the question,

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

The SPEAKER pro tempore. Mr. George, do you intend to offer additional amendments?

Mr. GEORGE. I am withdrawing the rest of those amendments, Mr. Speaker, on this bill.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

Mr. HERMAN offered the following amendment No. A0391:

Amend Title, page 1, line 5, by striking out "AND"

Amend Title, page 1, line 6, by removing the period after "CONTRACTS" and inserting

; authorizing certain municipalities to adopt ordinances providing for testing of sewage sludge on reclamation sites; providing for shared costs and for setback from residential areas; authorizing fines; and providing for exceptions.

Amend Bill, page 4, line 25, by striking out all of said line and inserting

Section 3. The act is amended by adding an article to read:

ARTICLE XXIII-A

RECLAMATION SITE SEWAGE SLUDGE TESTING

Section 2301-A. Definitions.—The following words, terms and phrases, as used in this article, shall have the following meanings, unless the context clearly indicates otherwise:

“Department,” shall mean the Department of Environmental Protection of the Commonwealth.

“Municipality,” shall mean a municipality within a county of the second class or second class A.

“Reclamation site,” shall mean drastically disturbed land that is reclaimed using sewage sludge. The term includes, but is not limited to, active and abandoned coal and noncoal surface mines and construction sites.

Section 2302-A. Testing.—Notwithstanding any other provision of law, the governing body of a municipality may adopt an ordinance to require unannounced, independent testing of sewage sludge that is to be land-applied to reclamation sites within its boundaries. The municipality may select the testing facility of its choice to conduct the testing, and the testing facility shall use the testing methods approved in regulations of the department in order to determine the levels of pollutants, pathogens and vector attraction present in the sewage sludge.

Section 2303-A. Shared Costs.—An ordinance adopted pursuant to this article may include a provision that the costs required for conducting the testing shall be shared equally by the municipality and the person who applies the sewage sludge to the land. This cost-sharing authorization shall be limited to no more than six times per permit per year. Unlimited testing may be conducted at the sole expense of the municipality.

Section 2304-A. Setback from Residential Areas.—An ordinance adopted pursuant to this article may contain a requirement that sewage sludge shall not be applied within one thousand feet (1,000) of an occupied dwelling, spring or well in existence at the time of adjacent landowner notification required in regulations of the department, unless the current owner of the dwelling, spring or well provides written consent to such activities occurring closer than one thousand feet (1,000).

Section 2305-A. Fines.—Any ordinance adopted pursuant to this article may impose fines for a violation of the ordinance.

Section 2306-A. Exceptions.—This article shall not be construed to regulate the:

(1) Placement of sewage sludge into landfills.

(2) Land application of sewage sludge as part of normal farming operations.

Section 4. This act shall take effect as follows:

(1) The addition of Article XXIII-A of the act shall take effect immediately.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

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

On the question recurring,

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

Mr. TRELLO offered the following amendment No. A0660:

Amend Title, page 1, line 5, by striking out “AND” and inserting further providing for payments by employees into the retirement system and for amount of retirement allowances;

Amend Title, page 1, line 6, by removing the period after “CONTRACTS” and inserting

; and further providing for charter limitations.

Amend Bill, page 2, by inserting between lines 26 and 27

Section 2. Sections 1708(a) and 1712(a) of the act, amended December 14, 1989 (P.L.631, No.75), are amended to read:

Section 1708. Compulsory Membership; Payments Into Fund; Exceptions; Vested Interest.—(a) Each county employe shall be required to become a member of the county employes’ retirement system within six months from the date of his or her employment. The said county employe may elect to become a member of the retirement system at any time during the aforesaid six months period of time by notifying the head of the department, office or agency in which department, office or agency he or she is employed of the said election. A copy thereof shall be filed immediately with the board. He or she shall, each month, pay into the retirement fund a monthly contribution, being a certain percentage of the amount received by him or her as compensation during the preceding calendar month[, which shall be computed on a monthly compensation of four thousand three hundred thirty-three dollars and thirty-three cents (\$4,333.33) or less]. Except as provided in subsection (d), the monthly contribution shall be the percentage of his or her compensation as heretofore stated, on a graduated scale as follows:

For the year 1988 and thereafter, six and one-quarter per centum up to seven hundred fifty dollars (\$750) per month.

Nine and three-eighths per centum from seven hundred fifty dollars (\$750) to fifteen hundred dollars (\$1500) per month.

Twelve and one-half per centum from fifteen hundred dollars (\$1500) [to four thousand three hundred thirty-three dollars and thirty-three cents (\$4,333.33)] per month and above.

Except as hereinafter provided, the aforesaid increase rate of monthly contributions to be paid into the retirement fund to enhance the actuarial soundness of said fund, shall be applicable to all county employes who are members of the retirement system. Such monthly contributions shall be collected by the county treasurer and by him paid into the retirement fund. The payment of the increased rate of the aforesaid monthly contributions shall not apply to such former county employes whose monthly contributions are now paid into said fund in accordance with the provisions of subsection (d) of section 1713. Any county employe receiving compensation for accidental injuries in accordance with the provisions of The Pennsylvania Workmen’s Compensation Act shall during the period of time in which such county employe is receiving disability benefits, as provided in the aforesaid act, pay each month for retirement benefits a sum equal to the last monthly contribution as paid into the retirement fund when said county employe was in employment. The monthly contribution shall not be paid by any person who was receiving a retirement allowance and is subsequent to the thirty-first day of May, one thousand nine hundred fifty-three, reemployed as a county employe or any other person who is ineligible to become a member of the retirement system.

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Section 1712. Amount of Retirement Allowances.—(a) The retirement allowance paid under the provisions of this article shall equal fifty per centum of the amount which would constitute the average monthly compensation as received by the county employe during the highest twenty-four months of the last four (4) years of his employment or two years on a bi-weekly pay basis in which period of time the said county employe made monthly or bi-weekly contributions into the retirement fund prior to his or her retirement. Such average monthly compensation shall include the compensation which any county employe would have been entitled to and would have received except for deduction from compensation due to time spent in serving as

an elected State official: Provided, That the county and the employe shall make monthly contributions based on the last compensation equal to the amount the county and he or she would have paid into the retirement fund had such compensation been paid by the county. [No retirement allowance shall be computed on a monthly compensation in excess of four thousand three hundred thirty-three dollars and thirty-three cents (\$4,333.33).] In the event an employe, on the effective date of employment termination, shall have less than a full year of service for the purpose of computing the employe's service time, then the amount of the retirement allowance, which would have been computed had the employe completed a full twelve-month period for the year of the termination of employment, shall be prorated upon a full completed month basis for said last year of service. No retirement allowance shall be computed on a monthly compensation in excess of four thousand three hundred thirty-three dollars and thirty-three cents (\$4,333.33) (referred to in this subsection as "excess compensation") unless the employe and the county have made contributions on all excess compensation received by the employe during the five-year period preceding the employe's retirement: Provided, that the required contribution is paid into the retirement system within ninety (90) days of the date of retirement. An employe who retires within five (5) years of the effective date of the compensation cap removal may elect to satisfy the contribution requirement by making a lump sum contribution that is calculated by applying the applicable contribution percentage rate to all excess compensation received by the employe during the prior five-year period on which contributions were not made. Within ninety (90) days of such contribution by an employe, contributions shall also be made by the county in an amount equal to the amount contributed by the employe. The effective date of the cap removal is December 31, 1999.

After the effective date of this amendment, certain former county employes who are now receiving a retirement allowance shall receive an increase of a certain per centum of such retirement allowance, which sum shall be computed on the average monthly retirement allowance as heretofore authorized by the board.

The per centum of increase in said monthly retirement allowance shall be a flat 10 per centum increase with the maximum amount not to exceed forty-five dollars (\$45.00) per month.

Any employe who earns in excess of ten thousand eight hundred dollars (\$10,800) per annum and shall retire during the period from January 1, 1973 to December 31, 1981 shall pay, as a condition to the payment of any benefits hereunder a lump sum contribution into the retirement fund, which contribution shall be computed as follows:

The difference between ten thousand eight hundred dollars (\$10,800) and the annual salary of the employe multiplied by the number of years during which he was not an employe of the county for the period aforesaid and upon that amount the sum of two per centum which shall be the lump sum contribution as required herein.

No person who is reemployed as a county employe shall be eligible to receive the benefit of a retirement allowance plus a service increment, if any, until he or she shall have made at least twenty-four monthly or fifty-two bi-weekly contributions into the retirement fund subsequent to his or her reemployment. The foregoing provisions shall not have a retroactive application and shall apply only to present and future county employes. The rate required to be paid in accordance with this provision shall apply to present county employes notwithstanding the rate of contribution that the present county employe has made into the retirement fund.

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Amend Sec. 2, page 2, line 27, by striking out "2" and inserting

3

Amend Bill, page 4, by inserting between lines 24 and 25

Section 4. Section 3107-C of the act is amended by adding a subsection to read:

Section 3107-C. Charter Limitations.—\*\*\*

(m) The charter shall be subject to and shall not affect the employes' retirement system under Article XVII.

Amend Sec. 3, page 4, line 25, by striking out "3" and inserting

5

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The House will stand at ease momentarily.

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Barley, for the purpose of announcing a committee meeting.

Mr. BARLEY. Thank you, Mr. Speaker.

I would like to call for an immediate meeting of the House Appropriations Committee to be held in room 245, the conference room, of the majority Appropriations complex. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The House is going to be at ease for approximately 10 minutes, which is the amount of time that we understand it will take the Appropriations Committee to meet, and we do anticipate having further votes in 10 minutes.

### GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to take this opportunity to welcome Cara Dermody, who is a guest page, and she is the daughter of Representative Frank Dermody from Allegheny County. She is located on the bench in front. Please rise. Welcome to the hall of the House.

Representative John Fichter from Montgomery County has some guests here with him today. They are residents of Timberlake, located in East Norriton Township, and they are seated in the gallery. Would they please rise. Welcome to the hall of the House.

The Chair is advised that the Appropriations Committee meeting has concluded. Members will please return to the floor.

### STATEMENT BY MR. BARLEY

The SPEAKER pro tempore. The House will come to order.

Members are advised to pay some attention here. The Chair is about to recognize the Appropriations Committee chairman, Mr. Barley, who is going to give some information on the budget process, on timing of amendments and that sort of thing, and it would be in the members' best interest to pay close attention.

The Chair recognizes the gentleman, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

Mr. Speaker, for the benefit of the members, a few announcements that will give the body some direction on the timeframe that we will be anticipating the budget process to unfold.

Just to very quickly review, the fact that we have held several meetings; we have had our hearings for the past several weeks. In addition to the normal Appropriations Committee hearings, we also had an opportunity to hold a series of hearings on the tobacco settlement money, and again, just simply as a

reminder to the members, that will be also an important component of the budget process this year.

I want to acknowledge and thank Chairman Evans on the Democrat side for his cooperation throughout the hearings and again for the members on both sides of the aisle for their cooperation.

As a matter of information for the members — and this is important, I believe, for all members to be aware of — according to House rule 19(b), the budget bills which we moved from the Appropriations Committee today — the general appropriations bill is SB 1, and then it is HBs 2362 through 2403 — they must remain revenue neutral. Chairman Evans and I with our senior staff met, and then we certified it today with the Appropriations Committee, and in light of the fact that last week we already passed tax cuts, historic tax cuts for the Commonwealth, we have used the available revenue. We have accounted for that by cutting taxes for the taxpayers of Pennsylvania. So therefore, as members draft amendments for the bills that I have just listed, the requirement will be that those amendments are revenue neutral.

Mr. Speaker, pursuant also to the House rules, it is my intention to call for the consideration of SB 1 and the balance of the budget package when we return to session on April 10, so again, as a reminder to members, your amendments must be filed by 2 p.m. Monday, April 3. Let me just reiterate the dates once again. We are intending to begin the floor process Monday, April 10. If you want amendments drafted, they must be in by 2 p.m. Monday, April 3. That gives the Appropriations Committee, both sides of the aisle, 1 week to draft the amendments, have them organized, and be ready to do business when we come back.

Again, I just appreciate the cooperation we have had to date, and again, I want to thank Chairman Evans and all members of the committee. I look forward to another very orderly and open process for adopting what will be another historic budget with historic tax cuts for the taxpayers of Pennsylvania, and clearly, this is a budget we will all be able to be proud of, because we are going to be making life better for each and every one of the constituents that we represent.

Mr. Speaker, I now will provide you with a certification according to rule 19(b).

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman will submit the certification.

#### STATEMENT BY MR. EVANS

The SPEAKER pro tempore. Mr. Evans.

Mr. EVANS. Thank you, Mr. Speaker.

Mr. Speaker, as the chairman has indicated, he and his senior staff, we have worked together in putting this process together. I would encourage our members to understand rule 19(b), the importance of where exactly you will make the recommendations. We will work in conjunction with you in terms of having revenue-neutral amendments. I stress to you today the importance of understanding that based on the certification that has been submitted by the chairman, every single amendment must be revenue neutral or it will be called out of order by the Speaker. I also encourage you to listen to the time that he has suggested that we work together and try to make this a very smooth and productive process.

Again, I would like to thank the chairman, his staff, and the members for working with us.

Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

#### DEMOCRATIC CAUCUS

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

Mr. COHEN. Mr. Speaker, I want to discuss the caucus schedule for April 10.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. COHEN. Mr. Speaker, it is my understanding that the desire of the Appropriations chairs is to have us caucus before we go into session on Monday, April 10, so therefore, there will be a caucus at 11 a.m. on April 10; 11 a.m. So please either come the night before or leave real early so you can be in caucus on April 10 at 11 a.m. to go over the amendments to this budget bill.

The SPEAKER pro tempore. Mr. Preston, do you seek recognition? For what purpose does the gentleman rise?

Mr. PRESTON. Yes. Would the majority Appropriations chairman answer a question for me, please?

The SPEAKER pro tempore. Mr. Barley, are you willing to stand for interrogation? The gentleman is. You may proceed.

Mr. PRESTON. Thank you.

Mr. Speaker, in relationship to the area of the certification that was done effective February 29, as far as the revenues that were in the certification, what happens if new numbers come out at the end of March and we are still in the budget process? Is there a recertification or not, just questioning on that process, or will we be holding fast to the February 29 revenue numbers?

Mr. BARLEY. Thank you, Mr. Speaker.

I believe at the Appropriations meeting today, as I indicated, we did certify the numbers. The portion of the certification that dealt with revenue and possible surpluses or existing surpluses were as February 29, as you have indicated, because those are the numbers we are working with. We certified those numbers. Under House rules, if the Appropriations Committee would so choose, we could, after the numbers are released for March, there is nothing to prevent us from taking a second look at that and certifying numbers that would update. Now, in either case, depending on the revenue, it could be higher or it could be lower, but that is an option that we have.

Mr. PRESTON. Thank you very much, Mr. Speaker. That ends my questions. I appreciate the answer.

The SPEAKER pro tempore. Does the gentleman, Mr. Lescovitz, seek recognition? For what purpose?

Mr. LESCOVITZ. To interrogate the Appropriations chair.

The SPEAKER pro tempore. The gentleman, Mr. Barley? The gentleman will. You may proceed.

Mr. LESCOVITZ. Thank you, Mr. Speaker.

Mr. Speaker, I want to go back to rule 19(b) and how the Appropriations Committee decides what the certification number is.

Mr. BARLEY. Thank you, Mr. Speaker.

We consider the balance available, the unspent balance that is available. We look at the surplus that is available, the numbers that are certified as surplus. And then we would also



consider any money that is not allocated, or in this case, this year what we took into consideration when we factored the availability was the fact that this body, this legislature, already voted unanimously to cut taxes for the taxpayers of Pennsylvania, so the money that we used for tax reduction is not available to be spent in the general appropriations bill.

Other years, previous years, at least recent years, we did the tax package and the tax cuts after we did the floor debate, and when we certified the available fund balance, we had the money available for either tax cuts or purposes of increased spending. This legislature in recent years used that for increased spending when we did the floor process prior to the conference committee.

So in all honesty and fairness and candor, I believe this is a much fairer process and reflects more accurately what the finished product will look like, again, keeping in mind that as I recall — and I stand corrected if anyone is aware of the contrary — we passed the tax cuts unanimously.

Mr. LESCOVITZ. Just to follow up again, Mr. Speaker, I just want to make sure, the actual certification is not actually a true number; it is a number that is put together by the Appropriations Committee, assuming that something in the future will happen, and that is a tax reduction. Is that correct?

Mr. BARLEY. Well, as it relates to tax reductions, no, it does not reflect any theoretical or potential future action. The tax reduction component reflects the work that this House has already done and what we passed unanimously. We unanimously passed a very historic, the largest tax reduction package in the history of the Commonwealth. We did that a week ago, this body. That is the portion that is reflected.

Now, when you look at year-end balances and when you look at the current fiscal year — what will the surplus actually be on June 30? — we, in consultation with senior staff on both sides of the aisle, Chairman Evans, myself, we determined what we felt were the best estimates. We did not have an outside auditing firm or some accounting entity certify that and have it documented in that fashion. So yes, it is the best estimates on this date that we could come up with.

Mr. LESCOVITZ. Thank you.

Just to follow up again, I want to make sure, it is not an actual certification by any actual account balance; it is a certification based upon guesstimates or estimates of what might happen, whether it is surpluses or revenues that may be reduced. Is that—

Mr. BARLEY. Rule 19(b), the rules of this House require the Appropriations Committee to certify for the full body, for the members of the House, what the balance will be, what the available funds will be. We did that with professional staff and the resources that we have and the information from the Budget Office, from the Governor's Budget Office, and so on. I believe I mentioned earlier we did not bring an outside entity in, an independent third-party entity, to certify. So it is an estimate. It is not etched in stone, and I would not want to stand here and portray that in any way. I personally believe and I think for the benefit of all taxpayers in the Commonwealth that the surplus by June 30 will be larger than we are certifying today, and I would hope that we would do what we did a week ago and unanimously vote for even larger tax reductions, because I believe that is what the taxpayers of Pennsylvania would want us to do.

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

Mr. STURLA. Thank you, Mr. Speaker.

Will the Appropriations chairman from the majority party please rise for a brief interrogation?

The SPEAKER pro tempore. He appears still willing. You may proceed, until we wear him out.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, just a clarification. I know you said the legislation we passed unanimously in the House dealing with tax cuts, even though it has not been passed into law yet, we are going to assume that that is off the books. Are other pieces of legislation that we passed in the House unanimously, like the tobacco legislation and the various other pieces of legislation we passed out of the House, are they also off the books also in terms of what is negotiable?

Mr. BARLEY. Two points I would make, and I know those of us from Lancaster, it takes a little while to understand the process, but two points I want to make: Number one, we are not required to certify the revenue on the tobacco settlement money. That is not part of 19(b). And secondly, that money is not taxpayers' money. That is not General Fund or general appropriations money. So what we are certifying, we are certifying the revenue that is generated from the taxes that the taxpayers of Pennsylvania pay, and then our responsibility in the general appropriations bill is to appropriate that. Again, that is essentially the numbers that we are dealing with.

Mr. STURLA. Mr. Speaker, I understand the certification process. What we have done, though, is said that we are going to assume that the money that we believe will be spent with a tax reduction, even though that legislation has not been passed yet, is not going to be eligible for that appropriations bill, because we are going to assume that it is already spent, even though the legislation, while it passed in the House, has not been put into law. I guess what I am trying to figure out is, we have taken some money out of the negotiation arena because we have passed legislation in the House, and other money that we passed legislation in the House for is not out of the negotiation arena. Is it just the one piece of legislation, the tax reductions, that is off the negotiating table, but everything else is still on the negotiating table?

Mr. BARLEY. That is correct. The money that is off the table — and I do not have the exact number off the top of my head, but I think it was in the range of \$700 million — again, it was voted unanimously, a historic tax cut for the taxpayers of Pennsylvania, which we all passed unanimously. That money is now off the table because we collectively said — and I am sure we all agreed in our own minds — we want to make life better for Pennsylvanians, and the best way that we can do that is to reduce their tax burden. So we cannot, in our own minds, spend that money a second time. It has now been accounted for. We said the taxpayers of Pennsylvania should have it back. They should make that decision. That is the money we control through the general appropriations bill, and it would be inappropriate, it would be impossible, it would be double-counting if we would attempt to appropriate that money after we said it will go for a tax cut.

Mr. STURLA. Thank you, Mr. Speaker. I understand that.

Just for clarification purposes, the tobacco money, we put that in an escrow account with the legislation that we did the

other day. There will be no tobacco money showing up in the budget. Is that correct?

Mr. BARLEY. The tobacco settlement money is a separate portion of the budget. The Governor proposed, and I am not certain of all the percentages, but the Governor has proposed a schematic for appropriating the tobacco settlement money. That is not tax money. That will not be commingled for budgeting purposes with the tax money. We may choose to reallocate that or allocate that within different categories or different purposes. Some of that will be governed by and is governed by the mandates of the tobacco settlement. So we have many more restraints than we have with general tax revenue because of the lawsuit and the conditions and the terms within which we have received that. But that will be a process, and we will be allowed, obviously, to make those decisions.

### PARLIAMENTARY INQUIRY

Mr. STURLA. Mr. Speaker, if I could, perhaps I will ask the Speaker's indulgence on this question also.

The SPEAKER pro tempore. The Chair apologizes to the gentleman, Mr. Sturla. I was in consultation with the gentleman, Mr. Trello. Would you restate your point?

Mr. STURLA. Thank you, Mr. Speaker.

I guess I will leave this up to perhaps you as the Chair and the chairman of the Appropriations Committee to answer this question. The tobacco money, which it has been expressed now, there may be reallocations of some of those dollars in the budget. According to your ruling the other day, we could not determine where those allocations went because of the Coy amendment that went into that piece of legislation which said that it was in a fund. How would we be able to reallocate in the appropriations budget if in fact it is impossible for us to allocate that?

The SPEAKER pro tempore. Mr. Sturla, the actions yesterday had nothing to do with the general appropriations bill. The general appropriations bill will have a section on tobacco in it. You may move money around within that section as much as you choose to. What you cannot do is move money out of that section and put it somewhere else or vice versa, but within that section of the GA bill, the tobacco section, you will be able to move money around any way you want to.

Mr. STURLA. Okay. All right. Thank you.

The SPEAKER pro tempore. Does that answer your question?

Mr. STURLA. Yes, that answers my questions, and I appreciate the answers of both yourself and the Appropriations chair. Thank you, Mr. Speaker.

### CONSIDERATION OF SB 706 CONTINUED

The SPEAKER pro tempore. Returning to page 3 of today's calendar, SB 706, PN 1449.

The Chair had before it when we broke for the Appropriations Committee meeting the Trello amendment, A0660.

Returning to that amendment, the Chair was about to recognize the gentleman, Mr. Trello, and the Chair now does so.

Mr. TRELLO. Thank you, Mr. Speaker.

Mr. Speaker, this amendment pertains to Allegheny County and Allegheny County only. Some years ago the limit cap was placed on the maximum pension benefits that could be earned by county employees. That limit was imposed so as to avoid a windfall by some higher salaried employees of the county.

This legislation will permit all members of Allegheny County in the retirement system to enjoy a fair application of pension benefits, and this has been approved by the Allegheny County pension bureau and all the employee members of that committee, and I ask for an affirmative vote.

### POINT OF ORDER

The SPEAKER pro tempore. On the amendment, the Chair recognizes the lady from Montgomery County, Representative Bard.

Ms. BARD. Mr. Speaker, I would like to raise a point of order.

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

Ms. BARD. My understanding is that State law requires that any amendment to any pension law has to have an actuarial note, and I have not seen one. I am wondering if this amendment is in order?

The SPEAKER pro tempore. We are doublechecking that right now. The gentleman, Mr. Trello, indicates that he has an actuarial note. Would the gentleman bring it forward, please, because we have not been able to locate it otherwise.

Would the gentleman, Mr. Trello, come to the desk, please. It would appear that this actuarial note is filed to a different Senate bill.

(Conference held at Speaker's podium.)

### AMENDMENT WITHDRAWN

The SPEAKER pro tempore. The Chair is advised that the gentleman, Mr. Trello, withdraws the amendment.

On the question recurring,

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

Ms. BARD offered the following amendment No. A0842:

Amend Title, page 1, line 5, by striking out "AND"

Amend Title, page 1, line 6, by removing the period after "CONTRACTS" and inserting

; and providing for financing real property acquisitions for conservation, open space, recreation and revitalization in counties of the second class A.

Amend Bill, page 4, line 25, by striking out all of said line and inserting

Section 3. The act is amended by adding an article to read:

#### Article XXX-A

#### Conservation, Open Space, Recreation and Revitalization Financing

Section 3001-A. Short Title.—This article shall be known and may be cited as the "County Open Space Financing Act."

Section 3002-A. Statement of Legislative Intent.—It is the purpose of this article to provide a means by which counties may acquire, maintain and preserve property for open space, agricultural

conservation, greenway preservation and community revitalization. The General Assembly finds that it is important to preserve and use land for these purposes in order to protect the aquifers, air and soil, the agricultural base and the quality of life in communities and to maintain an attractive environment for business and industry location. The incurring of debt or the imposition of taxes to generate funds by law is declared to be for the public benefit for the advancement of the public health, safety, morals and general welfare of the citizens of this Commonwealth and for the promotion of sound land development.

Section 3003-A. Definitions.—Unless the context clearly indicates otherwise, the following words and phrases when used in this article shall have the following meanings:

“Acquisition,” activities by or on behalf of a county related to the purchase of improved or unimproved property, or to the preservation, rehabilitation or demolition or removal of buildings or other improvements on such a property and related site work.

“County,” a county of the second class A.

“Maintenance,” activities by or on behalf of a county to cut grass and weeds, remove trash and debris, build or maintain any trails or access roads and otherwise to support the upkeep of the property and any improvements thereon. This term shall include the acquisition and maintenance of lawn mowers, tractors and other machinery used primarily for the maintenance of this property. This term shall also include the proportionate share of the salaries and benefits of county employees when working on activities associated with this property.

“Property,” any interest in real property acquired by a county as authorized by section 3004-A.

Section 3004-A. Acquisition and Maintenance of Property.—(a) A county shall have the power and authority to purchase or expend funds on or make grants to municipalities for any of the following:

(1) Open space property interests authorized in the act of January 19, 1968 (1967 P.L.992, No.442), entitled, as amended, “An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses.”

(2) Agricultural conservation easements pursuant to a program authorized by the county governing body and administered in accordance with the act of June 30, 1981 (P.L.128, No.43), known as the “Agricultural Area Security Law.”

(3) Recreation and park lands, greenways, natural areas and open space consistent with the purposes set forth in the act of July 2, 1993 (P.L.359, No.50), known as the “Keystone Recreation, Park and Conservation Fund Act.”

(4) Real property, including air rights, water rights and other interests therein, which is:

(i) blighted, deteriorating or undeveloped;

(ii) appropriate for rehabilitation or conservation activities;

(iii) appropriate for the preservation or restoration of historic sites, the beautification of urban land, the conservation of open spaces, natural resources and scenic areas, the provision of recreational opportunities or the guidance of urban development; or

(iv) to be used for the provision of public works, facilities and improvements.

(b) Property acquisitions by the county pursuant to subsection (a)(4) shall be subject to the following conditions:

(1) Any improvements, alterations, land development or construction to or on the property shall be consistent with the county and municipal comprehensive plans and the municipal redevelopment plan or joint county and municipal redevelopment plan and shall be subject to all municipal ordinances, regulations and permits governing land and improvements, including, but not limited to, municipal zoning, subdivision and land development ordinances, historic district ordinances and building and demolition permits.

(2) Any property not acquired for use by the county for the provision of county services shall be disposed of by the county as soon after completion of redevelopment or improvement as market conditions permit.

(3) Proceeds of any sale of such property shall be deposited in the tax proceeds fund established under section 3011-A.

(c) A county shall have the power and authority to expend a portion of the proceeds of any tax imposed pursuant to this article for the maintenance of any property acquired under the provisions of this article. The amount of tax proceeds which may be spent for maintenance shall not exceed twenty per centum (20%) of the annual tax proceeds while the tax is being levied after which the entire remaining balance in the fund may be used for ongoing maintenance.

Section 3005-A. Incurring Debt; Installment Payments.—(a) A county may incur either electoral or nonelectoral debt under 53 Pa.C.S. Pt. VII Subpt. B (relating to indebtedness and borrowing), for the acquisition of property as set forth in section 3004-A.

(b) (1) Electoral debt, for the purpose of acquiring property as set forth in section 3004-A, may be incurred in accordance with 53 Pa.C.S. Ch. 80 Subch. C (relating to procedure for securing approval of electors).

(2) Notwithstanding that nonelectoral debt may be incurred under 53 Pa.C.S. Pt. VIII Subpt. B without securing the approval of the electors, an initiative petition of electors submitted in accordance with section 3006-A or an ordinance of the governing body adopted in accordance with section 3007-A may provide for a nonbinding, advisory referendum on the question of whether nonelectoral debt should be incurred for the purpose of acquiring property in accordance with section 3004-A.

(c) To the extent that the laws enumerated in section 3004-A do not conflict with the exercise of the authority contained in this subsection, the governing body of a county may authorize the establishment of a program for the acquisition of property as set forth in section 3004-A on an installment or other deferred basis. The obligation of the county to make payment on an installment or other deferred basis shall not be subject to the requirements of 53 Pa.C.S. § 8142(b) or (c) (relating to limitations on stated maturity dates).

Section 3006-A. Tax and Debt Initiative; Referendum Petition.—

(a) Prior to the utilization of the initiative procedure authorized by this section, there shall be filed with the county board of elections a petition containing a proposal for a referendum on the question of imposing a tax as specified in section 3009-A for the purpose of dedicating the tax revenues for either the acquisition of property as set forth in section 3004-A or repaying debt incurred for the acquisition of property as authorized by section 3005-A.

(b) The petition under subsection (a) may also contain a proposal for a nonbinding, advisory referendum on the question of whether nonelectoral debt should be incurred, as authorized by section 3005-A, for the acquisition of property as set forth in section 3004-A. The proposal for a nonbinding, advisory referendum on the question of whether nonelectoral debt should be incurred may be the sole subject of the petition or it may be included with a proposal for a referendum on the question of imposing a tax.

(c) A petition shall be signed by electors of the county comprising at least two per centum (2%) of the number of electors voting for the office of Governor in the last gubernatorial general election in the county.

(d) A referendum petition under this section shall be filed not later than the 13th Tuesday prior to the next primary, general or municipal election at which the referendum will be held.

(e) (1) If the petition proposes a referendum on whether a tax should be imposed as specified in section 3009-A, the petition shall identify the tax and the millage or rate at which it will be imposed by the county and the purpose or purposes for which the tax revenues are to be used.

(2) If the petition proposes a nonbinding, advisory referendum on whether nonelectoral debt should be incurred, as authorized by section 3005-A, for the acquisition of property as set forth in section 3004-A, the petition shall state the amount of the nonelectoral debt to be incurred and the purpose or purposes for which the debt proceeds are to be used.

(f) The petition and the proceedings therein shall be in the manner and subject to the provisions of the election laws which relate to the signing, filing and adjudication of nomination petitions insofar as those provisions are applicable. No referendum petition may be signed or circulated prior to the 20th Tuesday before the election nor later than the 13th Tuesday before the election.

Section 3007-A. Referendum Ordinance.—(a) In lieu of an initiative petition under section 3006-A, the governing body of a county may, by ordinance, provide for a referendum on the question of imposing a tax as specified in section 3009-A for the purpose of dedicating the tax revenues for either the acquisition and maintenance of property as set forth in section 3004-A or repaying debt incurred for the acquisition of property as authorized by section 3005-A.

(b) The ordinance also may contain a proposal for a nonbinding, advisory referendum on the question of whether nonelectoral debt should be incurred, as authorized by section 3005-A, for the acquisition of property as set forth in section 3004-A. The proposal for a nonbinding, advisory referendum on the question of whether nonelectoral debt should be incurred may be the sole subject of the ordinance or it may be included with a proposal for a referendum on the question of imposing a tax.

(c) (1) If the ordinance proposes a referendum of whether a tax should be imposed as specified in section 3009-A, the ordinance shall identify the tax and the millage or rate at which it will be imposed by the county and the purpose or purposes for which the tax revenues are to be used.

(2) If the ordinance proposes a nonbinding referendum of whether nonelectoral debt should be incurred, as authorized by section 3005-A, for the acquisition of property as set forth in section 3004-A, the petition shall state the amount of the nonelectoral debt to be incurred and the purpose or purposes for which the debt proceeds are to be used.

(d) The ordinance providing for a referendum on the question shall be filed with the county board of elections not later than the 13th Tuesday prior to the next primary, general or municipal election at which the referendum will be held.

Section 3008-A. Authorizing Referendum.—(a) A referendum on the question of imposing a tax as specified in section 3009-A for the purpose of dedicating the tax revenues for either the acquisition and maintenance of property as set forth in section 3004-A or repaying debt incurred for the acquisition of property as authorized by section 3005-A, or a nonbinding, advisory referendum on the question of incurring nonelectoral debt, as authorized by section 3005-A, for the acquisition of property as set forth in section 3004-A, shall be held if initiated by either the electors of the county in accordance with section 3006-A or after adoption of an ordinance by the governing body of the county in accordance with section 3007-A.

(b) The referendum shall be governed by the provisions of the act of June 3, 1937 (P.L.1333, No.320), known as the "Pennsylvania Election Code." Election officials shall cause the question to be submitted to the electors of the county at the next primary, general or municipal election occurring not less than the 13th Tuesday following the filing, with the county board of elections, of either the referendum petition in accordance with section 3006-A or the referendum ordinance in accordance with section 3007-A. At such election, the question shall be submitted to the voters in the same manner as other questions are submitted under the provisions of the "Pennsylvania Election Code."

(c) Either one or both of the following questions, as directed in the referendum petition or the referendum ordinance are to be placed upon the ballot and shall be framed in the following form:

Do you favor the imposition of a (identify the tax or taxes and the millage or rate or rates at which the tax or taxes will be imposed) by (insert the name of the county) to be used for (identify the purpose or purposes)?

Do you favor incurring nonelectoral debt within the debt limits provided by law for (insert the name of the county) in the amount of (identify the amount of the debt to be

incurred) by (insert the name of the county) to be used for (identify the purpose or purposes)?

Section 3009-A. Taxes Authorized.—If approved by a majority of those voting in a referendum authorized by either ordinance or initiative in accordance with this article, a county may impose, by ordinance, any one or more of the following taxes as approved by referendum, not exceeding the millage or rate authorized by the referendum, for the purpose of dedicating the tax revenues for the acquisition and maintenance of property as set forth in section 3004-A or for repaying debt incurred for the acquisition of property as authorized by section 3005-A.

(1) A tax on real property in addition to other real estate taxes authorized for counties by law. The tax authorized by this paragraph shall be in addition to, and shall not otherwise affect or prevent an increase in the millage rate for real estate taxes for general county purposes within limits otherwise authorized by law.

(2) A tax on the transfer of real property, or of any interest in real property, situate within the county, regardless of where the instruments making the transfers are made, executed or delivered or where the actual settlements on such transfer take place, subject to the limitations and restrictions placed on political subdivisions imposing a tax on the transfer of real property in accordance with the act of December 31, 1965 (P.L.1257, No.511), known as "The Local Tax Enabling Act." The tax authorized by this paragraph may be imposed at a maximum rate of one per centum (1%), in increments of one-half of one per centum (.5%), but not exceeding the rate authorized by the referendum, and shall be in addition to the realty transfer tax authorized by either "The Local Tax Enabling Act" or the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971."

Section 3010-A. Bond Proceeds Fund.—Each county incurring debt in accordance with this article shall establish a bond proceeds fund and all money received by a county from the proceeds of debt incurred in accordance with this article, shall be deposited in that fund. Appropriations from the bond proceeds fund shall be used solely and exclusively for the acquisition of property as set forth in section 3004-A.

Section 3011-A. Tax Proceeds Fund.—Each county imposing a tax in accordance with this article shall establish a tax proceeds fund and all money received by a county from the imposition of any tax under this article, including interest and penalties, shall be deposited in that fund. The fund may also accept appropriations, donations, bequests and contributions from the Commonwealth or other persons or other entities for the purposes of this article. Expenditures from the tax proceeds fund shall be used solely and exclusively for the acquisition and maintenance of property as set forth in section 3004-A or repaying debt incurred for the acquisition of property as authorized by section 3005-A.

Section 3012-A. Continuity of Tax; Tax Increases.—(a) Every tax levied under this article shall continue in force on a calendar or fiscal year basis, as the case may be, without annual reenactment unless the rate of tax is increased or the tax is subsequently repealed by an ordinance of the governing body of the county. Any tax levied under this article shall not be repealed within five years following its imposition unless the repeal is first approved by a majority of those voting on a referendum on the question of repeal, which may be presented to the voters in accordance with the procedures set forth in this article for the referendum on the question of levying the tax.

(b) A governing body of a county which has levied a tax in accordance with this article shall not increase the rate or millage of the tax, except for any increase in millage required to equalize revenues after a countywide reassessment, without first obtaining the approval of a majority of those voting in a referendum on the question of increasing the rate or millage. A referendum under this subsection shall be governed by the provisions of the act of June 3, 1937 (P.L.1333, No.320), known as the "Pennsylvania Election Code." Election officials shall cause the question to be submitted to the electors of the county at the next primary, general or municipal election occurring not less than the 13th Tuesday following the filing, with the county board

of elections of an ordinance of the governing body proposing to increase the rate or millage of the tax and proposing a referendum on that question. At such election, the question shall be submitted to the voters in the same manner as other questions are submitted under the provisions of the "Pennsylvania Election Code." The question to be placed upon the ballot shall be framed in the following form:

Do you favor an increase in the (insert the millage or rate) of (identify the tax or taxes) previously approved by the voters and imposed by (insert the name of the county) for (identify the purpose or purposes for which the tax had been imposed) from (insert the current millage or rate) to (insert the proposed millage or rate)?

Section 3013-A. Preemption.—No act of the General Assembly shall vacate or preempt any ordinance adopted under this article providing for the imposition of a tax by a county unless the act of the General Assembly expressly vacates or preempts the authority to adopt the ordinance.

Section 3014-A. Construction.—The power and authority granted to a county under this article shall be in addition to, and not in limitation of, any other power or authority heretofore or hereafter granted to a county by any other law, and shall be construed to enlarge and not to reduce or limit the power and authority of counties.

Section 4. This act shall take effect as follows:

(1) The addition of section 511 and the amendment of section 2001(d) shall take effect in 60 days.

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

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

The SPEAKER pro tempore. On that question, the Chair recognizes the lady from Montgomery County, Ms. Bard.

Ms. BARD. Thank you, Mr. Speaker.

This amendment is substantially similar to an amendment passed unanimously by the House last June. The amendment applies only to 2-A counties; that is, Bucks, Delaware, and Montgomery. The legislation provides for initiative and referendum for financing options for second-class counties to acquire, preserve, and maintain property for open space, agricultural conservation, greenway preservation, and community revitalization.

Several financing methods are provided within the legislation. Through an initiative petition filed by electors or by ordinance of the governing body, a referendum on the question of imposing a tax for either the acquisition of property or repaying debt incurred for that purpose may be placed before the electorate. The petition may also contain a proposal for a nonbinding advisory referendum on the question of whether nonelectoral debt should be incurred for the same purposes.

The amendment further provides that if approved by a majority of those voting in a referendum authorized by either ordinance or initiative, that a county may impose, by ordinance, any one or more of the following taxes as approved by referendum, not to exceed the millage or rate authorized by referendum: tax on real property or the transfer of real property at a maximum rate of 1 percent.

This legislation provides a much-needed mechanism for Bucks, Montgomery, and Delaware Counties to provide dedicated financing for these purposes. The legislation responds to Pennsylvanians across the Commonwealth who are seeking ways to combat sprawl, to save our towns, and to protect our agricultural lands and open space, and I ask for a positive vote.

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

The following roll call was recorded:

YEAS—192

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

NAYS—4

Birmelin	Metcalfe	Wilt	Yewcic
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NOT VOTING—0

EXCUSED—6

Butkovitz	Semmel	Waters	Ryan,
Scrimenti	Thomas		Speaker

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

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

The SPEAKER pro tempore. Does the lady have a second amendment or does she withdraw it? The Chair thanks the lady.

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

Mr. REINARD offered the following amendment No. A3999:

Amend Sec. 2 (Sec. 2001), page 3, line 23, by inserting a period after "COMMISSION"

Amend Sec. 2 (Sec. 2001), page 3, line 23, by inserting a bracket before the comma

Amend Sec. 2 (Sec. 2001), page 4, line 1, by inserting a bracket after "AGENCIES."

Amend Sec. 2 (Sec. 2001), page 4, by inserting between lines 17 and 18

(i) The Federal Government;

(ii) The Commonwealth of Pennsylvania;

Amend Sec. 2 (Sec. 2001), page 4, line 18, by striking out "(I)" and inserting

(iii)

Amend Sec. 2 (Sec. 2001), page 4, line 19, by striking out "(II)" and inserting

(iv)

Amend Sec. 2 (Sec. 2001), page 4, line 22, by striking out "(III)" and inserting

(v)

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

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

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, when SB 706 came before the House Urban Affairs Committee, which at that time I was chairman, we determined that there was a technical deficiency in SB 706. At the present time during that meeting, we asked the sponsor of this legislation who was before our committee whether or not he wanted to hold the bill over or address the technicality on the floor. He suggested we do the technicality on the floor.

This is a technical amendment. We are cleaning up the language in SB 706 that could not be done during committee, and I ask the House for their support.

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

The following roll call was recorded:

YEAS—196

Adolph	Egolf	Maher	Ruffing
Allen	Evans	Maitland	Sainato
Argall	Fairchild	Major	Samuelson
Armstrong	Fargo	Manderino	Santoni
Baker	Feese	Mann	Sather
Bard	Fichter	Markosek	Saylor
Barley	Fleagle	Marsico	Schroder
Barrar	Flick	Masland	Schuler

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Burkovitz	Semmel	Waters	Ryan,
Scrimenti	Thomas		Speaker

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

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

The SPEAKER pro tempore. The gentleman, Mr. DeLuca. The Chair understands you are withdrawing your amendments?

Mr. DeLUCA. Yes, I am, Mr. Speaker, but I first would like to make a statement before I withdraw the amendment.

Mr. Speaker, first I would like to thank the Democratic members and the Republican members from Allegheny County for supporting this amendment to SB 706, which has been sitting over in the Senate for over almost 8 months, that would have been able to give Allegheny County taxpayers, the property owners in Allegheny County, a tax reduction.

What has transpired and why this amendment was introduced is because of the fact it was a backdoor tax increase initiated by

a judge in Allegheny County, which was unfair to the property owners in Allegheny County. But I guess what I am more disappointed with is the fact that the only thing we have up here is our word.

Previous to passing HB 76, I had a commitment when I had that amendment on two other bills, the majority Senators from Allegheny County, to run this legislation in the Senate, but evidently an individual's word over on the other side of the aisle — excuse me — on the other side of this complex does not mean anything. It certainly does not mean anything to the taxpayers of Allegheny County, because it is too late to enact this amendment today. The taxes have already been sent out, and that is why I am withdrawing this amendment, but I want to commend the Democrat members from Allegheny County and the Republican members from Allegheny County for looking out for the best interests of the taxpayers out in Allegheny County.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

#### **BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR**

The SPEAKER pro tempore. Without objection, the bill will be placed on the final passage postponed calendar. The Chair hears no objection.

There will be no further votes today. Tomorrow will be a nonvoting session day.

#### **REPUBLICAN CAUCUS**

The SPEAKER pro tempore The gentleman, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

I do want to make an announcement that the Republicans will have a Monday caucus on the 10th, when we come back, at 10 o'clock in the morning. So we will have a caucus early on Monday when we come back from this break. Thank you, Mr. Speaker.

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

**HB 2362, PN 3154**

By Rep. BARLEY

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

#### **APPROPRIATIONS.**

**HB 2363, PN 3155**

By Rep. BARLEY

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2000, to June 30, 2001, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2000.

#### **APPROPRIATIONS.**

**HB 2364, PN 3156**

By Rep. BARLEY

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2000, to June 30, 2001, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2000.

#### **APPROPRIATIONS.**

**HB 2365, PN 3157**

By Rep. BARLEY

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2000, to June 30, 2001, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2000.

#### **APPROPRIATIONS.**

**HB 2366, PN 3158**

By Rep. BARLEY

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

#### **APPROPRIATIONS.**

**HB 2367, PN 3159**

By Rep. BARLEY

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

#### **APPROPRIATIONS.**

**HB 2368, PN 3160**

By Rep. BARLEY

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

#### **APPROPRIATIONS.**

**HB 2369, PN 3161**

By Rep. BARLEY

An Act making appropriations to the Carnegie Museums of Pittsburgh.

#### **APPROPRIATIONS.**

<b>HB 2370, PN 3162</b>	By Rep. BARLEY	<b>HB 2379, PN 3171</b>	By Rep. BARLEY
An Act making an appropriation to the Everhart Museum in Scranton.		An Act making an appropriation to the Burn Foundation, Philadelphia.	
APPROPRIATIONS.		APPROPRIATIONS.	
<b>HB 2371, PN 3163</b>	By Rep. BARLEY	<b>HB 2381, PN 3173</b>	By Rep. BARLEY
An Act making an appropriation to the African-American Museum in Philadelphia for operating expenses.		An Act making an appropriation to the Trustees of the University of Pennsylvania for cardiovascular studies.	
APPROPRIATIONS.		APPROPRIATIONS.	
<b>HB 2372, PN 3164</b>	By Rep. BARLEY	<b>HB 2382, PN 3174</b>	By Rep. BARLEY
An Act making an appropriation to the Academy of Natural Sciences.		An Act making an appropriation to the Central Penn Oncology Group.	
APPROPRIATIONS.		APPROPRIATIONS.	
<b>HB 2373, PN 3165</b>	By Rep. BARLEY	<b>HB 2383, PN 3175</b>	By Rep. BARLEY
An Act making an appropriation to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University of Pennsylvania Museum.		An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.	
APPROPRIATIONS.		APPROPRIATIONS.	
<b>HB 2374, PN 3166</b>	By Rep. BARLEY	<b>HB 2384, PN 3176</b>	By Rep. BARLEY
An Act making an appropriation to the Franklin Institute Science Museum.		An Act making an appropriation to the Lancaster Cleft Palate.	
APPROPRIATIONS.		APPROPRIATIONS.	
<b>HB 2375, PN 3167</b>	By Rep. BARLEY	<b>HB 2385, PN 3177</b>	By Rep. BARLEY
An Act making an appropriation to the Mercer Museum in Doylestown, Pennsylvania.		An Act making an appropriation to the Pittsburgh Cleft Palate.	
APPROPRIATIONS.		APPROPRIATIONS.	
<b>HB 2376, PN 3168</b>	By Rep. BARLEY	<b>HB 2386, PN 3178</b>	By Rep. BARLEY
An Act making an appropriation to the Whitaker Center for Science and the Arts in Harrisburg, Pennsylvania.		An Act making an appropriation to The Children's Institute, Pittsburgh.	
APPROPRIATIONS.		APPROPRIATIONS.	
<b>HB 2377, PN 3169</b>	By Rep. BARLEY	<b>HB 2387, PN 3179</b>	By Rep. BARLEY
An Act making an appropriation to the Arsenal Family and Children's Center.		An Act making an appropriation to The Children's Hospital of Philadelphia.	
APPROPRIATIONS.		APPROPRIATIONS.	
<b>HB 2378, PN 3170</b>	By Rep. BARLEY	<b>HB 2388, PN 3180</b>	By Rep. BARLEY
An Act making an appropriation to the Beacon Lodge Camp.		An Act making an appropriation to St. Francis Hospital, Pittsburgh.	
APPROPRIATIONS.		APPROPRIATIONS.	



**HB 2389, PN 3181**

By Rep. BARLEY

An Act making appropriations to the Wistar Institute, Philadelphia.

APPROPRIATIONS.

**HB 2390, PN 3182**

By Rep. BARLEY

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

APPROPRIATIONS.

**HB 2391, PN 3183**

By Rep. BARLEY

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

APPROPRIATIONS.

**HB 2392, PN 3184**

By Rep. BARLEY

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

APPROPRIATIONS.

**HB 2393, PN 3185**

By Rep. BARLEY

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia.

APPROPRIATIONS.

**HB 2394, PN 3186**

By Rep. BARLEY

An Act making appropriations to the Thomas Jefferson University, Philadelphia.

APPROPRIATIONS.

**HB 2395, PN 3187**

By Rep. BARLEY

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

APPROPRIATIONS.

**HB 2396, PN 3188**

By Rep. BARLEY

An Act making appropriations to the Trustees of the University of Pennsylvania.

APPROPRIATIONS.

**HB 2397, PN 3189**

By Rep. BARLEY

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia.

APPROPRIATIONS.

**HB 2398, PN 3190**

By Rep. BARLEY

An Act making an appropriation to the Johnson Technical Institute of Scranton.

APPROPRIATIONS.

**HB 2399, PN 3191**

By Rep. BARLEY

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County.

APPROPRIATIONS.

**HB 2400, PN 3192**

By Rep. BARLEY

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

APPROPRIATIONS.

**HB 2401, PN 3193**

By Rep. BARLEY

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

APPROPRIATIONS.

**HB 2402, PN 3194**

By Rep. BARLEY

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

APPROPRIATIONS.

**HB 2403, PN 3195**

By Rep. BARLEY

A Supplement to the act of July 7, 1972 (P.L.743, No.176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

## APPROPRIATIONS.

**SB 1, PN 1819 (Amended)**

By Rep. BARLEY

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 2000, to June 30, 2001, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2000; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Ben Franklin/IRC Partnership Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund and the Tobacco Settlement Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2000, to June 30, 2001; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2000, to June 30, 2001, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; and to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 2000, to June 30, 2001, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2000.

## APPROPRIATIONS.

**STATEMENT BY MR. HORSEY**

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

Mr. HORSEY. Mr. Speaker, unanimous consent.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. HORSEY. Mr. Speaker, over the weekend we lost probably— About 6 weeks ago on this floor we passed a bill in the area of drugs and immunity for certain citizens who were actively involved with the fighting of the process, and over the weekend, Mr. Speaker, probably one of the greatest citizen crime fighters in this country passed away, Mr. Speaker.

Many people, not just in Pennsylvania or Philadelphia but all over the world, recognize this gentleman as a citizen crime fighter. In the sixties, he initiated a program called Young Great Society, and it took a couple years, but almost overnight the whole problem of gang violence in urban areas practically disappeared, Mr. Speaker. And as of lately, Mr. Speaker, the

same gentleman initiated an antidrug program, a process that he himself developed, that is being incorporated all over not just America, Mr. Speaker, but the world. It involves citizens; it involves citizens coming to the forefront and fighting and defending and standing for their particular community. Many people do not know who these people are who wear these white helmets, but, Mr. Speaker, this program was initiated in Philadelphia.

And it is curious that the gentleman I am speaking about, Dr. Herman Wrice, passed over the weekend. It is very curious that when he passed in Florida, he was helping citizens in Florida develop a program to fight drugs in their particular community.

It is absolutely fitting that Attorney General Fisher, in conjunction with the district attorney, Lynne Abraham, chose today to initiate a new crime-fighting program to fight drugs in the urban areas like Philadelphia and that they do it today in Philadelphia as we sit here on the floor, Mr. Speaker. This is a great tribute to a great man, Dr. Herman Wrice. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 826, PN 884**, entitled:

An Act designating a portion of State Route 24 in York County as the 24th Infantry Division Association Highway.

On the question,

Will the House agree to the bill on third consideration?

**BILL RECOMMENDED**

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

Mr. PERZEL. Mr. Speaker, I move that HB 826 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILLS REMOVED FROM TABLE**

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

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

HB 2362;  
 HB 2363;  
 HB 2364;  
 HB 2365;  
 HB 2366;  
 HB 2367;  
 HB 2368;  
 HB 2369;  
 HB 2370;

HB 2371;  
HB 2372;  
HB 2373;  
HB 2374;  
HB 2375;  
HB 2376;  
HB 2377;  
HB 2378;  
HB 2379;  
HB 2381;  
HB 2382;  
HB 2383;  
HB 2384;  
HB 2385;  
HB 2386;  
HB 2387;  
HB 2388;  
HB 2389;  
HB 2390;  
HB 2391;  
HB 2392;  
HB 2393;  
HB 2394;  
HB 2395;  
HB 2396;  
HB 2397;  
HB 2398;  
HB 2399;  
HB 2400;  
HB 2401;  
HB 2402;  
HB 2403; and  
SB 1.

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

The SPEAKER pro tempore. I am going to repeat one more time for anyone who may have missed it earlier. There will be no votes tomorrow. Tomorrow is a nonvoting session day.

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

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

#### **ADJOURNMENT**

The SPEAKER pro tempore. The Chair recognizes the gentleman from York County, Mr. Miller.

Mr. MILLER. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 22, 2000, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 3:05 p.m., e.s.t., the House adjourned.