

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, NOVEMBER 21, 2000

SESSION OF 2000

184TH OF THE GENERAL ASSEMBLY

No. 55

HOUSE OF REPRESENTATIVES

The House convened at 10 a.m., e.s.t.

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

PRAYER

REV. ROBERT GRAYBILL, Chaplain of the House of Representatives and pastor of Baughman Memorial United Methodist Church, New Cumberland, Pennsylvania, offered the following prayer:

Shall we pray:

Almighty God, as we begin this session with a brief and sincere moment of connecting with You, we ask that our hearts be aware of the gracious and simple gifts You give each of us this day. Please understand our thanks to You, O God, in these days of Thanksgiving.

We give You thanks for the simple ability to talk – to share our thoughts by means of speech. May we remember with love many persons in the districts from which we come who today struggle to speak because of illness and tragedy that have touched their lives.

We offer our thanks, O Lord God, for the capacity to hear – to enjoy the simple sounds of a bird calling their young, to be moved by the serious comments of our brethren gathered, or to feel the loving words of a friend who nurtures us each day. May we remember with love those persons this day who cannot hear the voice of their friends.

We return our thanks to You, O God, for the simple gifts of smell and taste – from the smell of the morning coffee to the lunch stand's quick bite of food, or perhaps that evening meal prepared for our taste buds. We are glad, O Lord, for the joy we receive through these gifts. May we remember with love those persons who this week must force themselves to eat because they cannot taste nor smell the Thanksgiving dinner.

And we share our thanks, Almighty God, for the often forgotten yet significant gift – being able to walk. We are able to move from one place to another by our own strength, but keep us sensitive to the profound efforts by many citizens who this day are attempting to walk again with the help of others in our centers of health care.

O Lord God, understand our thanks for the simple and beautiful gifts this season, in the season of Thanksgiving. 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, November 20, 2000, will be postponed until printed. The Chair hears no objection.

BILLS REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that HB 1846 and HB 2467 be removed from the table and placed on the active calendar.

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

BILLS TABLED

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

Mr. PERZEL. Mr. Speaker, I move that HB 1846 and HB 2467 be placed on the tabled calendar.

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 2872 By Representatives VAN HORNE and MAJOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for increase in surcharge; establishing a Spinal Cord Injury Research Board; and making an appropriation.

Referred to Committee on TRANSPORTATION,
November 21, 2000.

No. 2873 By Representatives LEDERER, J. TAYLOR, BISHOP, McGEEHAN, KELLER, THOMAS, WATERS, BUTKOVITZ, OLIVER, DONATUCCI, WOJNAROSKI, DeWEESE, READSHAW, GEORGE, HARHAI, DERMODY, YOUNGBLOOD, MELIO, BELARDI, WILLIAMS, CAWLEY, CORRIGAN, HORSEY and E. Z. TAYLOR

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the sale or illegal use of certain solvents.

Referred to Committee on JUDICIARY, November 21, 2000.

No. 2874 By Representative ROSS

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Philadelphia Suburban Water Company, certain lands situate in West Bradford Township and Newlin Township, Chester County, and authorizing and directing the Department of General Services, with the approval of the Governor, to release a use restriction and reversionary covenant on a portion, 1.5-acres, of the lands conveyed to Chester County under Act 5 of 1988.

Referred to Committee on STATE GOVERNMENT, November 21, 2000.

No. 2875 By Representatives GORDNER, BELARDI, BELFANTI, CAWLEY, FAIRCHILD, GRUCELA, HASAY, LUCYK, MUNDY, STABACK and YUDICHAK

An Act providing for public hearings and consideration of an area code relief plan for the 570 Numbering Plan Area.

Referred to Committee on CONSUMER AFFAIRS, November 21, 2000.

No. 2876 By Representatives CLYMER, FAIRCHILD, HALUSKA, HARHAI, HENNESSEY, HORSEY, KIRKLAND, PLATTS, ROSS, SAYLOR, STERN, E. Z. TAYLOR, WASHINGTON, YOUNGBLOOD and ZIMMERMAN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for purchase, consumption, possession or transportation of liquor or malt or brewed beverages and for inducement of minors to buy liquor or malt or brewed beverages.

Referred to Committee on LIQUOR CONTROL, November 21, 2000.

No. 2877 By Representatives FAIRCHILD, SEMMEL, ALLEN, ARMSTRONG, BAKER, BASTIAN, BATTISTO, BELARDI, BENNINGHOFF, CAPPABIANCA, CAWLEY, CLARK, COLAFELLA, DAILEY, DeWEESE, EGOLF, FEESE, FICHTER, GEORGE, HALUSKA, HARHAI, HASAY, HENNESSEY, KELLER, LUCYK, R. MILLER, NAILOR, PESCI, PETRONE, PHILLIPS, ROBERTS, ROSS, SAYLOR, SCHULER, S. H. SMITH, STERN, E. Z. TAYLOR, TRUE, WANSACZ, WASHINGTON, WATERS, WILT, WOJNAROSKI, YOUNGBLOOD and ZUG

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for desecration or sale of venerated objects.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, November 21, 2000.

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 47, PN 4194; HB 227, PN 3956; and HB 609, PN 4182**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE BILLS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1416, PN 1659; and HB 1523, PN 3460**, with information that the Senate has passed the same without amendment.

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.)

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair is advised that there are no leaves of absence from the Republican side of the aisle or the Democratic side of the aisle.

RECESS

The SPEAKER pro tempore. After consulting with the Republican and Democrat leaderships, it is the intention of the Chair to put the House in recess until 1:30.

So this House stands in recess until 1:30.

RECESS EXTENDED

The time of recess was extended until 2 p.m.; further extended until 2:30 p.m.

AFTER RECESS

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

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

**COMMUNICATIONS FROM
DEPARTMENT OF HEALTH**

The SPEAKER. The Chair acknowledges receipt of the 1999 Annual Report of the Organ and Tissue Donation Advisory Committee submitted by the Department of Health.

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

* * *

The SPEAKER. The Chair further acknowledges receipt of the 1999 Abortion Statistics submitted by the Department of Health pursuant to Act 31 of 1988.

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

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 1416, PN 1659

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

HB 1523, PN 3460

An Act amending Title 54 (Names) of the Pennsylvania Consolidated Statutes, further providing for resumption of surname for a party in a divorce action.

SB 231, PN 2191

A Joint Resolution proposing amendments to the Constitution of the Commonwealth of Pennsylvania, providing for the election of Senators in certain circumstances; and further providing for retirement of justices, judges and justices of the peace.

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

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1532, PN 2281**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), entitled The Insurance Company Law of 1921, providing for coverage requirements for insulin and other blood sugar controlling agents; further providing for inclusion of health maintenance organizations in conversion notifications; and changing the expiration date of an article.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 1532 be recommitted to the Committee on Appropriations.

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

* * *

The House proceeded to third consideration of **SB 1403, PN 2201**, entitled:

An Act providing for interscholastic athletics accountability; and establishing the Pennsylvania Athletic Oversight Council.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 1403 be recommitted to the Committee on Appropriations.

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

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 642 By Representatives CAPPABIANCA, BARRAR, BEBKO-JONES, BELARDI, BENNINGHOFF, CAWLEY, COSTA, DALLY, FRANKEL, FREEMAN, GEORGE, GRUCELA, HALUSKA, HANNA, HARHAI, JOSEPHS, LEDERER, LESCOVITZ, MANDERINO, MICHLOVIC, MYERS, PISTELLA, ROBERTS, SHANER, STEELMAN, STURLA, TANGRETTI, TIGUE, TRELLO, WALKO, WANSACZ, WATERS, WOJNAROSKI, YUDICHAK, ORIE, VANCE, E. Z. TAYLOR and YOUNGBLOOD

A Resolution directing the Joint State Government Commission to study the election procedures in this Commonwealth.

Referred to Committee on RULES, November 21, 2000.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today two guest pages -- Amanda and Matthew Kline. They are here today as the guests of Representative McNaughton and our chief page, Cuppy Shugars. Would the guests please rise.

MASTER ROLL CALL

The SPEAKER. Members, please report to the floor. The Chair is about to take today's master roll call. Members will proceed to vote.

The board will stay open for 5 minutes.

The following roll call was recorded:

PRESENT—198

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Cappabianca Leh

LEAVES ADDED—3

Birmelin Josephs True

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today five children who are winners of Representative Reinard's "There Ought To Be a Law" contest. They are here with their parents. They are seated in the back of the House and include the Stanton family, the Roccograndi family, the Silverbrook family, the Weinberg family, and the Trifonidis family. Would these guests please rise.

RESOLUTION

Mr. STEIL called up HR 635, PN 4206, entitled:

A Resolution urging the County of Mercer, State of New Jersey, to undertake an environmental impact study prior to approval of any expansion of the Trenton-Mercer Airport in Mercer County, New Jersey, and to take action to mitigate air traffic over Bucks County, Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

| | | | |
|--------|-----------|---------|---------|
| Eachus | Major | Santoni | |
| Egolf | Manderino | Sather | Ryan, |
| Evans | Mann | Saylor | Speaker |

NAYS-0

NOT VOTING-0

EXCUSED-2

Cappabianca Leh

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

RESOLUTIONS PURSUANT TO RULE 35

Mr. WILT called up **HR 632, PN 4199**, entitled:

A Resolution declaring the week of January 14 through 20, 2001, as "Snowmobile Safety Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cappabianca Leh

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

Ms. BARD called up **HR 633, PN 4200**, entitled:

A Resolution congratulating Penn State Abington on the celebration of its 50th anniversary and recognizing December 10, 2000, as "Penn State Abington Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

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

| | | | |
|------------|-----------|-----------|------------|
| Coy | Krebs | Rieger | Waters |
| Curry | LaGrotta | Roberts | Williams |
| Dailey | Laughlin | Robinson | Wilt |
| Daley | Lawless | Roebuck | Wogan |
| Dally | Lederer | Rohrer | Wojnaroski |
| DeLuca | Lescovitz | Rooney | Wright |
| Dempsey | Levdansky | Ross | Yewcic |
| Dermody | Lucyk | Rubley | Youngblood |
| DeWeese | Lynch | Ruffing | Yudichak |
| DiGirolamo | Maher | Sainato | Zimmerman |
| Donatucci | Maitland | Samuelson | Zug |
| Eachus | Major | Santoni | |
| Egolf | Manderino | Sather | Ryan, |
| Evans | Mann | Saylor | Speaker |

NAYS-0

NOT VOTING-0

EXCUSED-2

Cappabianca Leh

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

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today four guest pages from Chester County, guests of Representative Chris Ross. They are Michael Carrigan, Maura Langley, Nathan Budischak, and Rebecca Cummings. They are here today with their parents, who are seated to the left of the Speaker. Would the guests all please rise.

The House will please come to order. Members, please take your seats.

We have several members whom I have asked to preside temporarily. They are retiring members. When they make their remarks, I would appreciate it if they would be shown the same courtesy that you are going to expect one day and I am going to expect one day.

The gentleman, Mr. Platts.

THE SPEAKER PRO TEMPORE (TODD R. PLATTS) PRESIDING

The SPEAKER pro tempore. Thank you, Mr. Speaker.

GUEST INTRODUCED

The SPEAKER pro tempore. The first order of my business up here is I have a guest here today.

I would like to introduce Kevin Flanagan, who is a ninth grader at York Suburban High School and is serving as a guest page today, and I would tell you, the success we had November 7, Kevin was a big part of that. He was one of our loyal supporters, so it is a great honor to have Kevin Flanagan here. Kevin, are you down front? Oh; over here.

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the lady, Representative Forcier.

Mrs. FORCIER. Mr. Speaker, I move that we suspend the rules for immediate consideration of SB 1478, and that is found on page 11 of the calendar.

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

The following roll call was recorded:

YEAS-195

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

NAYS-3

Gordner Krebs Steelman

NOT VOTING-0

EXCUSED-2

Cappabianca Leh

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1478, PN 2307**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspension of operating privilege, for driving while operating privilege is suspended or revoked, for restrictions on use of highways and bridges and for certain permits; and providing for petitions for removal of certain suspensions or revocations and for stop intersections or junctions and traffic-control devices.

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

Mr. STEIL offered the following amendment No. **A4797**:

Amend Title, page 1, line 4, by inserting after "REVOKED,"
for speed timing devices,

Amend Sec. 1, page 1, line 12, by inserting after "(B)(1),
3368(c),

Amend Sec. 1, page 3, by inserting between lines 17 and 18
§ 3368. Speed timing devices.

(c) Mechanical, electrical and electronic devices authorized.—

(1) Except as otherwise provided in this section, the rate of speed of any vehicle may be timed on any highway by a police officer using a mechanical or electrical speed timing device.

(2) Except as otherwise provided in [paragraph (3)] paragraphs (3) and (3.1), electronic devices such as radio-microwave devices (commonly referred to as electronic speed meters or radar) may be used only by members of the Pennsylvania State Police.

(3) Electronic devices which calculate speed by measuring elapsed time between measured road surface points by using two sensors and devices which measure and calculate the average speed of a vehicle between any two points may be used by any police officer.

(3.1) Electronic devices such as radio-microwave devices (commonly referred to as electronic speed meters or radar) may be used by local police officers in counties of the second class A who have satisfactorily completed the requirements of 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal police education and training) and who have been trained in the use of radar in a program approved by the Commissioner of the Pennsylvania State Police.

(4) No person may be convicted upon evidence obtained through the use of devices authorized by paragraphs (2) [and (3)], (3) and (3.1) unless the speed recorded is six or more miles per hour in excess of the legal speed limit. Furthermore, no person may be convicted upon evidence obtained through the use of devices authorized by paragraph (3) in an area where the legal speed limit is less than 55 miles per hour if the speed recorded is less than ten miles per hour in excess of the legal speed limit. This paragraph shall not apply to evidence obtained through the use of devices authorized by paragraph (3) within a school zone.

Amend Sec. 3, page 9, line 22, by striking out all of said line and inserting

Section 3. This act shall take effect as follows:

(1) The amendment of 75 Pa.C.S. § 3368(c) 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 the question, the Chair recognizes Mr. Steil.

Mr. STEIL. Thank you, Mr. Speaker.

I am asking for a motion to suspend the rules so that I might offer amendment A4797 to SB 1478.

The SPEAKER pro tempore. There is no need for a motion to suspend. We already have a motion to suspend approved by the House to bring up both the bill and the amendments.

Mr. STEIL. Thank you, Mr. Speaker.

This amendment which I am offering on behalf of Bucks County would allow class 2-A counties to extend to their police forces the right to use radar in speed detection. Secondly, it reduces the tolerance level from 10 miles an hour to 6 miles per hour. I emphasize that this is for class 2-A counties only.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. Those in favor of the amendment will vote "aye"— One moment.

Mr. COY. Mr. Speaker?

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

Mr. COY. Mr. Speaker, does this require a suspension of the rules to offer this amendment?

The SPEAKER pro tempore. No; a motion to suspend was already approved for the bill and amendments.

Mr. COY. Oh, and the amendment. Thank you.

The SPEAKER pro tempore. Those in favor of the amendment will vote "aye"—

Mr. COY. Mr. Speaker?

The SPEAKER pro tempore. Nope; one moment.

Mr. COY. Mr. Speaker?

The SPEAKER pro tempore. We will get this right yet.

Mr. COY. That is fine.

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

Mr. COY. Will the gentleman stand for interrogation?

The SPEAKER pro tempore. The gentleman agrees to stand.

Mr. COY. Mr. Speaker, can you tell us exactly which municipalities and/or areas would be covered by this bill?

Mr. STEIL. Class 2-A counties only.

Mr. COY. And they are?

Mr. STEIL. Bucks, Montgomery, Delaware.

Mr. COY. So by the passage of this amendment, if I understand it, any municipality in Bucks, Delaware, or Montgomery County may authorize the use of radar by local police or any police in those counties.

Mr. STEIL. That is correct.

Mr. COY. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Delaware County, Mr. Vitali, is recognized.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

The SPEAKER pro tempore. The maker indicates he will stand for interrogation.

Mr. VITALI. Have any of the county boards of commissioners taken a position on this amendment? In particular, the Delaware County board of commissioners.

Mr. STEIL. I am not aware that Delaware County has taken a position. The Police Chiefs Association, PennDOT, and the State Police support the amendment.

Mr. VITALI. I am sorry. Those police associations have or have not or you are not aware?

Mr. STEIL. The Police Chiefs Association, PennDOT, and the State Police support the amendment.

Mr. VITALI. Support; okay. My only concern, and maybe you can address this, because I am not overly knowledgeable about the issue, but I know there is some resistance to the use of radar, as I understand it, because of the danger or at least perceived danger from police officers of the increased risks of cancer from operating those machines. Can you address that at all?

Mr. STEIL. I can only respond that the Police Chiefs Association has supported the legislation.

Mr. VITALI. Okay. Are you aware of any groups that oppose this?

Mr. STEIL. No one has contacted me specifically.

Mr. VITALI. Okay. That concludes my interrogation.

The SPEAKER pro tempore. The gentleman from Blair County, Mr. Geist.

Mr. GEIST. Thank you very much, Mr. Speaker.

Will the maker of the amendment please stand for a brief interrogation?

The SPEAKER pro tempore. The maker of the amendment indicates he will, and you may proceed.

Mr. GEIST. Mr. Speaker, if I could have the indulgence of the House for a few minutes here. Would you explain to the House the ongoing work that the Chiefs of Police Association has been doing on a comprehensive bill that would include the whole State and who can and cannot use these types of devices?

Mr. STEIL. It is my understanding that such work is going on. I have not been part of that so I am not sure where the progress is, but I am aware. But the Police Chiefs Association is working to accomplish that, yes.

Mr. GEIST. And you said that the Police Chiefs had endorsed this amendment. If that is true, then why have they abandoned the work that they have been doing with us in good faith?

Mr. STEIL. I do not know that they have abandoned it.

Mr. GEIST. Does this amendment have any protections at all in it for motorists?

Mr. STEIL. The protections are, number one, that the police departments have to be properly trained in the operation of the equipment and the equipment has to be properly calibrated in accordance with standards.

Mr. GEIST. Does this piece of legislation as you have it written allow any police officer in those counties to use radar, whether they are a part-time Rent-A-Cop who is working traffic or any other officer?

Mr. STEIL. It is the department which adopts the policy to employ radar and is responsible for ensuring that all officers using the radar are properly trained in that equipment.

Mr. GEIST. The question is, could part-time officers who only work traffic use this device?

Mr. STEIL. If they are directed by their police chief to do so, yes.

Mr. GEIST. Does this amendment also lower the tolerance on all types of devices from 10 miles an hour to 6?

Mr. STEIL. In class 2-A counties only, yes.

Mr. GEIST. The AAA (American Automobile Association) organization has really opposed this kind of legislation in the past because of how it can be misused by certain municipalities. When you say that no organization has opposed it, are you saying that AAA has endorsed this?

Mr. STEIL. All I said is that no one has contacted me, so I am not aware of any opposition. They have not contacted me.

Mr. GEIST. Thank you.

Mr. Speaker, may I be recognized on the amendment?

The SPEAKER pro tempore. The gentleman is so recognized.

Mr. GEIST. Mr. Speaker, if I would ask the indulgence of the House on this amendment, we have been working diligently for the last 2 years with the Police Chiefs Association on crafting a piece of legislation that would be fair to local government and fair to motorists so that it cannot be used in an abusive way. The idea that you are going to do this and run around all the work that has been done, at this time I would believe that our committee and all the work that we have done would be thrown out.

Since 1951, local government has been trying to get radar; in this case, laser and other devices. This amendment, although it may be meant in good faith, will allow anybody who wants to set a speed trap up in their municipality to adopt this and use it. Getting people going to and coming from work in certain areas, exactly why the law was written in the first place not to use it, this opens that up.

If you want fair and balanced speed control and if you want police forces that are trained in this use and not to be trusted with misuse, then you will vote for this. I highly recommend a "no" vote on this legislation, and let us work this out as we have been with the Chiefs Association, and I cannot believe in good conscience that Chief Ed Connor and the group of guys that we have been working with in the meetings that we have been having would endorse this piece of legislation in the form that it is currently in. There are amendments that they had sponsored themselves and agreed to that would limit the amount of revenue that any municipality could make off a speed device like this. In other words, you cannot use this as a rolling toll booth to fund local government. There has to be responsibility. This legislation has no responsibility other than giving them the right to use it irresponsibly.

I urge a "no" vote on this legislation, and I also urge the Police Chiefs Association, if they did endorse this, let us sit down and start talking again, because it is going to be a long time. This is trust. This amendment coming up now, if it is sponsored by the Chiefs Association, is wrong. It is drafted wrong, it is drafted poorly, and it would take down the cushions that are already built in there to protect the motoring public.

I urge a "no" vote.

The SPEAKER pro tempore. The gentleman from Westmoreland County, Mr. Tangretti, is recognized.

Mr. TANGRETTI. Thank you, Mr. Speaker.

Mr. Speaker, as some of the members of this chamber know, I have had an interest in the law enforcement issue, particularly the municipal law enforcement issue, for a long time, and at the outset of my interests were a number of hearings that

we held throughout the State on behalf of the Democratic Policy Committee. And quite frankly, I have always opposed the radar bill in the past prior to those hearings, but I have to tell you, after listening to the police chiefs and other law enforcement and municipal officials testify, I think it is absolutely essential just from the standpoint of resource allocation.

The municipal governments, as we all know, are hamstrung in terms of their budgetary constraints. We have been trying a long time to provide additional financial support for them in one form or another for their police departments. But one of the problems they have under the existing framework of funding their police departments is that in order for them to use VASCAR (visual average speed computer and recorder), their only device now for use in catching speeders in residential areas, it is a very, very labor-intensive process. It takes two or three officers to operate it. When these two or three officers could be out working the streets dealing with other serious crime, they have to be involved with this VASCAR or it is not used. This type of device given to local police will reallocate those resources and allow those extra patrolmen to be out doing their jobs in other areas dealing with serious crime and the like.

Although I realize that it is limited just to three counties, I think it is an important precedent; I think it is important that we do it. I am not sure of what the Police Chiefs Association relative to the previous speaker's problem would be, because when they testified before our committee as well as the joint task force, they were supportive of this kind of legislative initiative.

So I would ask and urge a "yes" vote on the Steil amendment.

The SPEAKER pro tempore. The gentleman from Monroe County, Mr. Battisto, is recognized.

Mr. BATTISTO. Thank you, Mr. Speaker.

Mr. Speaker, I have always been an outspoken advocate for allowing local police to use radar for monitoring speed. However, as Representative Geist indicated, we have been working on this diligently for the past couple of years, and it is not a matter of putting anything off. The fact is, for the first time ever, I believe, the Fraternal Order of Police are on board for supporting the use of radar to monitor speed on our highways by local police. However, the way to approach this is not piecemeal. In all due respect to what Representative Steil is trying to do, I agree with his intentions. However, we cannot just add a county at a time. This is a major policy decision, and the legislation that we have developed — in fact, the model is there — will ensure that townships and municipalities are protected from the overzealous use of this instrument. At the same time, we will either implement it statewide or we will not.

To do it this way is absolutely wrong, and I urge a "no" vote, not because I oppose the idea; I support the idea strenuously. However, this is not the way to do it, so I strongly urge a "no" vote on this particular amendment.

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

Mr. DALEY. Thank you, Mr. Speaker.

I rise in opposition to this amendment. For 8 years I served as mayor of the borough of California in charge of 16 police officers that were involved in drug raids and running radar and running speed checks and protecting the community of California. In all due respect to those gentlemen, they did a fine

job with the tools they had. That would be the ESP (excessive speed preventer) machine as well as VASCAR. But we all know that many communities in southwestern Pennsylvania are now suffering from tremendous economic loss of revenue, and this would be really a temptation for many communities to go out and set a car up with radar on a busy highway and know that many people may be coming through the area and arresting, like the hypothetical, just as Georgia did back on 301 back in the sixties, whenever a car came that was out of State, that the trooper always wrote that car up.

I think that the passage of this legislation creates a slippery slope, and I am not so enthusiastically supporting the use of radar by local police departments. I think that the State Police do a fine job. I see one police department that is not in my legislative district but in Representative DeWeese's legislative district, that they ran a speed radar with the State Police. The State Police would sit on the bridge, shoot in the back of the car, and the local police wrote them up. I thought that this was a tragedy, because I thought that the State Police were the only ones who could write these kinds of tickets, and I found that that is not necessarily true.

So I think it is a slippery slope, and I ask for a "no" vote.

The SPEAKER pro tempore. The gentleman from Montgomery County, Mr. McGill, is recognized.

Mr. MCGILL. Thank you, Mr. Speaker.

Mr. Speaker, I also rise in opposition to this amendment.

I introduced a radar bill this session and in the last session, and I worked with the Transportation chairman on a number of the issues, and the biggest concern that we have is that the police departments would use a radar piece of legislation to simply sit there and clock people all day long and generate tremendous revenues.

What we did was limit it so that they simply could not have a police car out there doing that, and the Police Chiefs agreed with it. I worked with my local police chief to come up with a solution, and that was where radar is needed, where we have a necessity to slow down traffic, certain officers would be permitted to use the radar, but none of the funds would come back to that local police department, and that would eliminate the potential of them going out and simply trying to generate funds.

We do have legislation that is in place now that the Transportation Committee is working on. I believe that that will come up in the very near future, in the next session, and again I would ask for a "no" vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Bucks County, Mr. Wright, is recognized.

Mr. WRIGHT. Thank you, Mr. Speaker.

I would like to ask the maker of the amendment a few questions.

The SPEAKER pro tempore. The maker of the amendment indicates he will stand for interrogation. You may proceed.

Mr. WRIGHT. I may have missed something and may need a correction of what your amendment does.

I heard a lot of complaint about abuse of this amendment or abuse of the radar system by local police departments. I think I have missed something, and maybe you could explain it to me. Are these concerns over where people would not be speeding and that the police force would be somehow abusing this system and writing tickets to people that are not speeding, or maybe

I have missed the fact here. I thought it only could be used if someone was speeding and breaking the law.

Mr. STEIL. I do not understand the objection to the use of radar since it is to detect in a technological way, in a state-of-the-art way, those who are exceeding the speed limit, and to try and ensure that we can control their speeds, we monitor their speeds properly in our neighborhoods.

Mr. WRIGHT. Another question. Currently I represent a number of small borough communities that have their own police force, but many, many times they only have one officer on duty at a time. That is all they can afford to have. Now, under current law today, if those local police forces only have one officer on duty today at a time, what recourse do they have today to check the speed to see if anybody is speeding?

Mr. STEIL. They have only the devices which are currently provided for, many of which require two officers to operate. So they do not have the opportunity to employ state-of-the-art equipment.

Mr. WRIGHT. Thank you.

I would like to comment on the amendment.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. WRIGHT. I am very much in support. I know most of my residents have very much been concerned over the years, especially in my little boroughs, that they are very much concerned about the speeders on the residential streets. Now, many times in the big communities you can say, well, you can try to arm-twist the local police force to come out and do a VASCAR speed check. But, unfortunately, in many of my small boroughs there is only one police officer on duty, and they are effectively limited from actually pursuing this. There is absolutely no way that they financially and fiscally can go out and bring another officer on duty because they just do not have the funds.

So this would be a big increase, a big help, for those small communities that are on the cusp of a lot of places around the State which currently are served by the State Police, but of course, it is very difficult to get the State Police out on especially some of the back roads to do speed checks. And where some of these municipalities are just getting to be large enough now where they may be considering to have their own local police force, this may be an added incentive and assistance for them to go out and to enforce the speed laws.

The second concern that I have with some of the debate over this is what I do not understand. This is to be used only when people break the law. This is only to be used when people are speeding. There is no abuse here for people that are not speeding. These are people, including ourselves and our residents, our neighbors, who are consciously going down a road, especially in a residential community, the kids are playing, the kids are out on the street, and speeding at least 10 miles an hour over the speed limit. So if you are on a residential street at 25 miles an hour, currently under VASCAR it would be 35 — even if they could check the speed, it is 35 miles an hour — before they can legitimately write a ticket. Under this amendment it would allow the local police force to get out there and be a little more involved to catch the people that are breaking the law today, that are speeding, and also reduce it to 6 miles over the speed limit.

I cannot understand why we would not support an amendment that would reduce it to 6 miles per hour over the speed limit and go out there and be able to enforce the people

that are breaking the law. By not doing anything today, we are basically saying it is okay to break the law in our residential communities and especially as long as you are not doing more than 10 miles over the limit.

For me, it is an easy decision; it is a "yes" vote, and I would recommend everybody else follow suit. Thank you.

The SPEAKER pro tempore. The gentleman from Delaware County, Mr. Adolph, is recognized.

Mr. ADOLPH. Thank you, Mr. Speaker.

Would the maker of the amendment stand for interrogation?

The SPEAKER pro tempore. He indicates he will. You may proceed.

Mr. ADOLPH. Thank you.

Mr. Speaker, could you tell members of this General Assembly how many other States allow local police to use radar?

Mr. STEIL. I do not know the answer to that, Mr. Speaker.

Mr. ADOLPH. Does anybody in the Transportation Committee know the answer to that, or we are not going to get that answer. Can we find out that information?

The SPEAKER pro tempore. The gentleman—

Mr. ADOLPH. Mr. Speaker, I believe Representative Battisto may have the answer for us.

The SPEAKER pro tempore. Would you like to interrogate Mr. Battisto?

Mr. ADOLPH. That would be fine.

The SPEAKER pro tempore. Okay.

Mr. ADOLPH. Mr. Speaker, do you know if any other States allow local police to use radar to enforce their local speed limits?

Mr. BATTISTO. Yes; I do know.

Mr. ADOLPH. Ten down and one to go.

Would you mind telling us?

Mr. BATTISTO. I would not mind telling the body.

The fact is, as far as I know, every State except Pennsylvania allows local police officers to use radar, and that is not the point, sir. The point is, every State implemented it as a statewide policy, not a piecemeal policy. That is the point.

Mr. ADOLPH. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment.

The SPEAKER pro tempore. The maker of the amendment indicates he will stand for interrogation.

Mr. ADOLPH. If we give the local police the ability to use radar, could you please tell me what the leeway would be, and I will give you an example, Mr. Speaker. If I have a local highway that has a speed limit of 25 miles per hour and our local police use radar, what is the leeway there for accuracy with the radar?

Mr. STEIL. The tolerance that is being set in this piece of legislation would be 6 miles per hour, so it would be 31 miles per hour.

Mr. ADOLPH. 31 miles per hour. Thank you, Mr. Speaker.

May I comment on the amendment?

The SPEAKER pro tempore. You may proceed.

Mr. ADOLPH. As a former township commissioner and as a legislator who works with our local commissioners, our local commissioners have been inundated by requests by residents to enforce the local speed limits. It has been almost impossible in the suburban areas of Philadelphia to enforce the highway speed limits because they just cannot afford to have that many

police officers. We are investing in speed machines that show how fast you are going to try to slow down the cars.

I know for a fact that the first-class township commissioners' association is in favor of this legislation. I know my local commissioners in Delaware County, township commissioners, are in favor of this, and for this reason I would appreciate a "yes" vote for my colleagues to help out this situation in southeast Pennsylvania. Thank you.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair welcomes the Pennsylvania School for the Deaf and Joseph Fischgrund, their headmaster. They are the guests of Representative Youngblood, and they are located in the rear of the House. If the members would recognize our guests with the appropriate wave.

CONSIDERATION OF SB 1478 CONTINUED

The SPEAKER pro tempore. The gentlelady from Crawford, Mrs. Forcier, is recognized.

Mrs. FORCIER. Thank you, Mr. Speaker.

In particular, SB 1478 is the vehicle in which I intend to modify the motorcycle helmet law. If this passes and you are concerned about helping pass the motorcycle legislation, I would really appreciate it if you would vote "no." There is another time to do radar, but we have worked very hard; we have worked for 2 years in this session. I was told to do this in this bill only.

So keeping that in mind, I would appreciate a "no" vote. And also, the other two amendments have also been proposed to defeat this bill, and it will not be signed by the Governor if these amendments get in. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Bucks County, Mr. Steil, is recognized for the second time.

Mr. STEIL. Thank you, Mr. Speaker.

I am prepared to move forward with the vote on this.

Very simply, this amendment is being offered for class 2-A counties for a simple reason: That is where the problem is. In our counties we are very heavily developed. Our local police are faced with enforcing a speed limit tolerance of 10 miles per hour. That means that loaded dump trucks, heavy trucks, can travel on our roads, our arterial roads, our collector roads, at 10 to 15 miles per hour over the speed limit, because that is the level that our local police can enforce.

You also heard the chairman of the Transportation Committee tell us that local departments have been trying to get this legislation since 1951 — 49 years. How much confidence should I have that this is going to pass in the next year or two? Forty-nine years. The technology is 49 years old, and we have not even given it to our local police departments to use. That is wrong.

I ask for a "yes" vote. Thank you.

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

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, I just need to take issue with something that the gentleman, Mr. Steil, just said. He said that in the counties that this amendment is limited to, that that is where the problem is. Well, I do not dispute that they have the problem, but I would

also submit that third-class counties and possibly other counties have a problem also.

Mr. Speaker, we very much need to have radar in our third-class counties such as Chester County, and, Mr. Speaker, I am going to vote in support of the Steil amendment, but I would hope that if this passes, if this gets in, that we will be able to revisit this early next year so that we can properly do this for the other counties that need it as well. Thank you.

The SPEAKER pro tempore. The gentleman from Blair County, Mr. Geist, is recognized for the second time.

Mr. GEIST. Thank you very much, Mr. Speaker.

A point of information to the House members. Representative Dennis Leh is not here today because of his present condition. He has worked very, very closely with local government, the police chiefs, the State Police, the Governor's Office, and everybody concerned who wants to protect motorists, who wants to protect everybody out there on those highways. He has a very good piece of legislation, a piece of legislation that is fair; it is balanced. It is something that Chairman Battisto and I and others can support. This amendment is only a piece of it and a piece of it without controls.

For Dennis Leh and for those people who are concerned about crafting good legislation, let us stick with the program and do it the right way. This amendment is only a small piece of the pie. It has never been in front of our committee in this form, and I urge a "no" vote for those people who have been diligently working on it. Thank you.

The SPEAKER pro tempore. The gentleman from Monroe County, Mr. Battisto, for the second time.

Mr. BATTISTO. Thank you, Mr. Speaker.

Again, I concur with what Representative Geist said, and I want to add this. We conducted a public hearing in Monroe County this summer on this very issue because we are very serious about trying to pass something. The F.O.P. (Fraternal Order of Police), the Police Chiefs Association, the counties' associations, and individual police chiefs from other counties— I agree with the Representative that the suburban Philadelphia counties need it, but guess what? Northampton County, Lehigh County, Monroe County, all those counties' police chiefs plus other police chiefs strongly urge that we pass something. But they want something that is done that will implement a same statewide policy, and as Representative Geist said, Representative Leh has that kind of legislation that we have developed, and it is not something that we are trying to put off.

I feel confident that you could pass this in 2001, but if we do it piecemeal, we are going to regret it. So I strongly urge that we defeat this amendment and do it the right way next year. Thank you.

The SPEAKER pro tempore. The gentleman from Bucks County, Mr. Corrigan, is recognized.

Mr. CORRIGAN. Thank you, Mr. Speaker.

I wonder if Chairman Geist would stand for a moment.

The SPEAKER pro tempore. The gentleman indicates he will stand for interrogation.

Mr. CORRIGAN. Mr. Speaker, I heard your statement, and as much as I want to agree with Representative Steil — and I do, and I know that we have a problem — my question to you is, how long do we have to wait for a solution to this problem? I would be willing, if you can give us some sort of a timetable,

to say, well, maybe you are right. But if this is not on the radar screen and our counties are suffering the way they are, why should we wait? This is important. It means life and death.

Mr. GEIST. Thank you, Mr. Speaker.

That was a wonderful pun — “on the radar screen.”

Mr. CORRIGAN. It went over my head.

Mr. GEIST. I would think that about 95 percent of the language in the bill the way Dennis Leh currently has it cobbled together is agreeable to everyone. It is closer than it has been in 50 years. And I would hope that early next term in our committee, this bill can be brought in a form to the floor of the House that everybody can agree to — the training, the responsibility, the cap on how much municipal governments can have in their budget from any kind of motor vehicle fines, and that is a question that, everybody might come from a very honest municipality, but there are those in the past who have used speed traps to generate their municipal budgets on the backs of other people commuting. Dennis Leh comes from an area where that has happened. That is one of the reasons he is so involved in this.

We think we have a very good piece of legislation worked out. We have spent a lot of time with the police officers, the police chiefs, and the AAA and other people who protect motorists’ interests, and I think we have a very balanced piece of legislation just about ready to come to the House, and I would hope that we could bring it out early next year out of our committee.

Mr. CORRIGAN. Does your legislation or Dennis Leh’s legislation address the issue that Representative Steil brings before us today? Are we going to be able to address this speeding problem that we have in small towns and boroughs in southwestern Pennsylvania and southeastern Pennsylvania?

Mr. GEIST. Yes, sir, Mr. Speaker. It addresses the whole State, not just one small sector of the State. I have the problem—

Mr. CORRIGAN. As far as radar goes—

Mr. GEIST. I have the problem in the city of Altoona. I would love to have the city of Altoona be able to use this. We have looked at it. We believe with proper training and proper use, it is a speed reducer and not a revenue enhancer.

Mr. CORRIGAN. Well, we can get into that later. I am not concerned about the revenue enhancer; I am concerned about people’s safety on the highway. If they drive over the speed limit once and they get a ticket, then they get some points; if they get the second violation, then they do not drive anymore and they are not a hazard to the driving public, and that is what I am concerned about.

Mr. GEIST. That is correct, Mr. Speaker, and that is all in there.

Mr. CORRIGAN. Thank you.

The SPEAKER pro tempore. The gentleman from Westmoreland County, Mr. Stairs, is recognized.

Mr. STAIRS. Thank you, Mr. Speaker.

I would hope that the members could work this through the committee process. I am very much aware of Representative Geist, as he just previously stated a few moments ago what is in the process, and let us not in the last moments of this session, the last seconds of this session, pass something that is not all-inclusive, that may not resolve the problem as it should be resolved.

I am very much a strong advocate of the committee process, and I do believe that as we begin the next session next year, that a very legitimate and honest dialogue will take place on this very important question, because it is, I think, something we have to do. You know, a few moments ago a question was asked, how many States have the radar, and the answer was that I guess almost all States except Pennsylvania. But there is more to it than that. Not all States have the complete radar program in all parts of their State; they just have certain locations, and I think it is wise if we do it, that we do something that is uniform, that is understandable, that is fair to both small communities and to large communities.

So I would hope that the House members could stick with the Transportation Committee on this issue and in the next session, next year, after a lot of thought, resolve this, not in the darkness of the night but in the light of the day. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—34

| | | | |
|--------------|------------|-----------|------------|
| Adolph | Dailey | Lawless | Schroder |
| Armstrong | DiGirolamo | Levdansky | Steil |
| Barrar | Evans | Masland | Stetler |
| Bebko-Jones | Fichter | Petrarca | Tangretti |
| Benninghoff | Flick | Preston | Taylor, J. |
| Clymer | Hennessey | Robinson | Waters |
| Cohen, L. I. | Hershey | Rooney | Williams |
| Corrigan | Kaiser | Rubley | Wright |
| Curry | Kirkland | | |

NAYS—164

| | | | |
|-------------|------------|------------|---------------|
| Allen | Forcier | McGeehan | Scrimenti |
| Argall | Frankel | McGill | Semmel |
| Baker | Freeman | McIlhattan | Shaner |
| Bard | Gannon | McIlhinney | Smith, B. |
| Barley | Geist | McNaughton | Smith, S. H. |
| Bastian | George | Melio | Snyder |
| Battisto | Gladeck | Metcalfe | Solobay |
| Belardi | Godshall | Michlovic | Staback |
| Belfanti | Gordner | Micozzie | Stairs |
| Birmelin | Grucela | Miller, R. | Steelman |
| Bishop | Gruitza | Miller, S. | Stern |
| Blaum | Habay | Mundy | Stevenson |
| Boyes | Haluska | Myers | Strittmatter |
| Browne | Hanna | Nailor | Sturla |
| Bunt | Harhai | Nickol | Surra |
| Butkovitz | Harhart | O’Brien | Taylor, E. Z. |
| Buxton | Hasay | Oliver | Thomas |
| Caltagirone | Herman | Orie | Tigue |
| Cam | Hess | Perzel | Travaglio |
| Casorio | Horsey | Pesci | Trello |
| Cawley | Hutchinson | Petrone | Trich |
| Chadwick | Jadlowiec | Phillips | True |
| Civera | James | Pippy | Tulli |
| Clark | Josephs | Pistella | Vance |
| Cohen, M. | Keller | Platts | Van Horne |
| Colafella | Kenney | Ramos | Veon |
| Cornell | Krebs | Raymond | Vitali |
| Costa | LaGrotta | Readshaw | Walko |
| Coy | Laughlin | Reinard | Wansacz |
| Daley | Lederer | Rieger | Washington |
| Dally | Lescovitz | Roberts | Wilt |
| DeLuca | Lucyk | Roebuck | Wogan |
| Dempsey | Lynch | Rohrer | Wojnaroski |
| Dermody | Maher | Ross | Yewcic |

| | | | |
|-----------|-----------|-----------|------------|
| DeWeese | Maitland | Ruffing | Youngblood |
| Donatucci | Major | Sainato | Yudichak |
| Eachus | Manderino | Samuelson | Zimmerman |
| Egolf | Mann | Santoni | Zug |
| Fairchild | Markosek | Sather | |
| Fargo | Marsico | Saylor | |
| Feece | Mayernik | Schuler | Ryan, |
| Fleagle | McCall | | Speaker |

NOT VOTING—0

EXCUSED—2

Cappabianca Leh

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

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

**FAREWELL ADDRESS BY
MR. PLATTS**

The SPEAKER. The House will please come to order. Members, please take your seats.

Todd Platts has been with us for a few years, too few, and is leaving at the end of this term. I have asked him, along with the other retirees, to address the members of the House, and at this time I introduce to you, of course, someone that is well known to you, Todd Platts.

Mr. PLATTS. Thank you, Mr. Speaker.

Eight years ago I had the privilege of entering this House, and I did so with much excitement, much enthusiasm, for serving my fellow citizens in York County, my home community, and with much gratitude for the faith and trust that the citizens of the 196th District had placed in me, and I can honestly tell you as I prepare to depart this wonderful chamber 8 years later, that enthusiasm, that excitement, and that sincere gratitude remains equally important and at the equal level as when I first came here.

It has truly been an honor to serve in this chamber and, most importantly, to serve with each of you. Certainly we have had our differences over the years from issue to issue, from year to year, but never did I not feel privileged to be part of this chamber, part of the membership of this chamber, and to have had the privilege of working with you, whether it is here on the floor or in committee.

I certainly am excited about the next chapter that my family and I will enter into as a member of Congress and serving Adams, Cumberland, and York, all three counties, but I will truly miss the people of this House — my fellow colleagues on both sides of the aisle; the staff members of the caucuses, of the committees, who have been very gracious in their assistance over the years, especially 8 years ago when I first arrived and thought I knew everything but learned quickly that I did not; and to the leaders on both sides of the aisle. I have been very delighted and very appreciative of the courtesies I have been extended. I would like to especially highlight the minority leader, Bill DeWeese; the majority leader, John Perzel;

and of course, Mr. Speaker, all the courtesies you have always extended to me. It has been quite an honor to serve with someone of your caliber, with your love for this chamber and for the process of deciding the laws of our Commonwealth. I will be forever grateful for having had that privilege.

Turning back home, I want to say a final thank-you as a member of the 196th District to the people of that district for allowing me to come here for 8 years, four terms, to represent them. It truly was a wonderful responsibility to receive, to have their faith and trust to come and do their business, their work on their behalf, and I will be always grateful for that faith and trust.

And finally, I want to recognize my family, my extended family. If you come to York, you will find I have many family members — aunts and uncles and dozens of cousins and second cousins who are a very big part of me getting here, remaining here, and serving here in the House — and especially my immediate family — my parents, Babs and Dutch Platts. I talked about them throughout the congressional campaign over and over, because I truly mean that the foundation I came here with and I will leave here with — the principles of hard work, of honesty, of trying to do right for the people of our district and for the entire Commonwealth — are lessons I learned at home, and my wife, Leslie, and I are trying to give to our children those same lessons, and if I can be half the father that my father was to me and my four brothers and sisters, or Leslie half the mother that my mom was to me, I know we will have done a good job as parents. So I am very thankful for my parents and the support and love they have always given me.

And finally but absolutely not least, to my wife, Leslie; my 4-year-old son, T.J.; and my 1-year-old daughter, Kelsey. I would not be here today without Leslie's support. I remember the day in January of 1992, I came home from graduate school to my home community, Leslie came to a new community, and 4 months after arriving I said, do you mind going out and knocking on several hundred doors in the dead of winter to help get my name on the ballot? If I ever had to wonder about my wife, Leslie's love for me, she certainly showed me over and over, door after door, and ever since. But without their love I would not have been here and without my family's support, especially these last 4 years, as a father wanting to do right by my community and my family. As each of us know, our families are critical to our success in winning elections and, most importantly, in serving as members of this House. So I am very thankful to them, and they are at home today, hopefully watching. Leslie, T.J., and Kelsey, I love you, and I am forever grateful for your love and support of me.

So I close with a goodbye but hopefully not a farewell for long. I truly am going to work hard at staying in close touch with each of you and will welcome to have you as a visitor and a guest of mine in Washington for the time I am privileged to serve the 19th District in Congress, and I hope to have a close relationship with you here in Harrisburg and to work hand in hand on some things that I have talked about as a State House member on what maybe the Federal government should do or should not do, that I can work hand in hand with you in now seeing that the Federal government does achieve those goals or not do some of the things that we think they are wrongly doing.

So it has been a privilege and honor. Thank you for allowing me the opportunity to serve with you, and again, especially, Mr. Speaker, for the privilege of being part of the House in your presence. Thank you.

The SPEAKER. The closing remarks of the gentleman made reference to continuing to work closely with us, and he came to me on the side here and said, let us talk reapportionment now.

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today as a guest, Jeff Cole. He is here as the guest of Representative Merle Phillips. He is seated to the left of the Chair. Mr. Cole, would you please rise.

FAREWELL ADDRESS BY MR. SNYDER

The SPEAKER. The Chair invites the gentleman, Mr. Snyder, to preside temporarily.

The gentleman, Mr. Snyder, requests unanimous consent to make a few remarks to the members in connection with his retirement from this House.

Mr. SNYDER. Thank you, Mr. Speaker.

The SPEAKER. The gentleman will yield.

Members, please take your seats. Members, please take your seats. Please.

Mr. Snyder.

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, I choose to say my final remarks at the podium where I have spent the last 4 years in this House representing the Republican Caucus.

I have been up to this microphone hundreds of times but probably not as nervous as I am right now. When I gave notice over a year ago of my intention not to seek reelection, I knew this day would eventually arrive, but as anything else we do, we usually put it off until the last minute, and it was not until really last night that I began to put my thoughts together, and I realized that with these remarks you have to basically give three things: why I am leaving, a short philosophical perspective, and certainly the many thank-yous.

To begin with, it is often mentioned around this chamber that there are only three ways to leave the House of Representatives. That is either be thrown out, carried out, or walk out. Unfortunately, I have seen too many of my colleagues leave with the first two methods. Certainly this session will be long remembered as a session where people were thrown out. A few years ago there was a session when six of our colleagues were carried out. But a long time ago I vowed that I would choose that third method when the appropriate time came.

In 1980 I never planned to stay in the House this long, but when I came to the House of Representatives, I was in the majority and thought I would be able to enjoy a few years of experience in the legislature during that time period and then move on to something else. Needless did we not know at the time that it would take us 12 years to get back in the majority after that first session.

However, after I attended the Harvard School of Government last year, it was at that time when we were talking about what leadership means and how you apply leadership that I realized that it was time for me to make some decisions. My decision had to be, do I remain in the legislature with the idea of someday moving to majority leader and perhaps even being elevated to the esteemed office of Speaker, or do I take the experience that I have gained in this chamber to look for new

challenges that would allow me to contribute in a meaningful way to a new organization? It certainly was not an easy decision, but it is one that I believe was the right one.

It is now the norm, and many of us who were raised in a generation where you took a job and you stayed in it for life, it is hard to believe that today the norm is that people will be changing careers in their lifetime five to seven times — not jobs, but careers. So I have a little bit of catching up to do. I have only had three careers so far — an accountant, legislator, and lawyer — and now with God's help and guidance I look forward to starting a new career as a college president.

It is truly hard to look back and realize that 20 years have passed since I first took my seat in this ornate chamber. My daughter, Schelly, is with me today. She was not even born until my second term in office. So because of that, for two campaigns I had to borrow dogs and children from other people for my brochures. My wife still reminds me that when she was 6 months pregnant with Schelly, I made her walk in a Halloween parade dressed as an elephant while I threw out peanuts.

But, you know, as we look at 20 new members coming into this chamber next month, it is amazing how those perceptions that you create and develop that first session stay with you throughout your tenure. I missed my freshman orientation because I was attending law school classes at Villanova, so the leaders never had a chance to indoctrinate me into how I was supposed to behave. Then Speaker Ryan assigned me a seat in the midst of what was then some of the most independent-minded legislators in this House. You may remember them, Mr. Speaker — George Kanuck, Marilyn Lewis, Carmel Sirianni — and then he wonders to this day why I still ask so many questions about why we are taking certain caucus positions. It is all your fault, Mr. Speaker. You started me off on the wrong track.

Like you, my main priority since the first day that I took office was constituent service. The members of the 1980 freshman class — and there are still a few of us left in this chamber — were among the first to open a staff district office that provided new opportunities to develop programs that were unique at that time. For instance, during the radon scare, I bought radon detectors in bulk and had passed them out to my constituents and had them sent to California for testing. With the help of my district aide, we developed the idea of a seniors expo, an idea that was later shared with legislators throughout the House and now is a commonplace event throughout the Commonwealth of Pennsylvania. For 18 years I wrote a column for our weekly newspaper, my perspective on the legislative process and community events, and I was one of the first ones to use television. I remember when I was working with Tom Pyne, he would have the camera on his shoulder; I was sitting on top of his desk talking to the camera in the fifth-floor office. And we look today what types of services are available to each one of you.

Yet, although I served as whip for the past 4 years and it has been very rewarding to me, my best years in the leadership actually were while I was serving the Policy Committee and later as chairman of that Policy Committee. It was there that it gave me the opportunity to work with the members of the House to create new ways to stay in touch with the voters, to improve communications between the constituents and also between the members of our caucus. I particularly felt it was

important and carried that philosophy through as whip that the members have a clear understanding of the legislative issues that we are facing and that they have the talking points that they need in order to convey their votes back to their constituents in a manner that is easily understood by all.

But perhaps the most unique event in my outreach to my community was the 4 days I spent walking the streets of Allentown among the homeless and street people. That experience certainly helped me to appreciate not only the many blessings of support and opportunity that I enjoy but also to gain a greater understanding of how our society perceives those who are downtrodden and alone.

I have been very fortunate to have the assistance of dedicated and committed public servants in my district and Capitol offices. My district aide, Sara Glassman, has worked with me in my district office for almost 20 years, first as a volunteer, then as my aide. Barbara Radcliffe, my secretary, worked with me for over 17 years.

I am also grateful for the team of professionals that I was able to have to support me and the members of the Republican Caucus during my tenure as the Republican whip — my executive director, David John; my staff, Kelly Fedeli and Doug Zubeck; and the loyal and unselfish service of Susan Bentzel, my administrative assistant, and Jenny Pfaunmiller, my secretary. Without them, I could not have provided the services and achieved the results that enabled me to meet the needs of the constituents of the 134th District and the members of the Republican Caucus. We grew together like a tight-knit, close family. And no words could express my gratitude for the support of all our House staff on both the Republican and Democratic side. We are just like actors on the stage who could not function without the assistance of hundreds of people behind the scenes who assist us and make us look good, like we know what we are supposed to be doing.

Now the philosophical part. I was trying to figure out what I could say that would provide an analogy of my 20 years here in the House of Representatives, and for the last week I must have encountered several times reference to a childhood tale, "The Wizard of Oz," and I think that is the best way I can describe my experience. Like Dorothy, each one of us finds ourselves on the other side of the rainbow here on the House floor in a very different and unique environment, a place that is governed by rules and procedures, but they are also blended with customs and mutual trust that somehow very mysteriously work all together. We have colleagues from a diverse variety of backgrounds, each having different needs, different than my own and different from each other, but yet we realize, just like the tin man, the scarecrow, and the lion, that if we work together to reach our goals, we will have a much better chance of accomplishing them than if we acted on our own. Along the way there are certainly many forces that try to divert us and divide us as well as those people we all know who cheer us on and offer lots of advice whether we seek it or not. We set out believing that the land of Oz contains all the answers to our problems and that the great wizard with his extraordinary power and wisdom can fulfill all our desires just by the asking. As we continued along that yellow brick road together, we learned to support each other and to find the wherewithal to overcome our difficulties despite our many differences. By the time we reached Oz and discovered that the wizard was just a normal person like us who had created the all-knowing perception from

behind a curtain, we realized that everything we needed to overcome our own weaknesses and fears was actually already contained within ourselves, that each one of us has the power to make a difference in our own world.

For 20 years I followed the yellow brick road and met some very interesting characters along the way. I have developed friendships that will last a lifetime and have overcome many adversities. It was an experience that has enriched my life and the lives of many others around me. I have also seen what happens behind the curtain, and I understand more fully how to discern perception from reality. Yet I have developed a strong faith in our system of government, knowing that you can choose to fully utilize your talents to contribute to the betterment of our Commonwealth in a meaningful way.

I now look forward to a new path toward a new level of personal growth and development. What I will take with me from this chamber on this new journey is a lifetime of wonderful memories, gratitude for the honor of having the opportunity to sit among the 203 seats in this chamber and the opportunity to serve my neighbors and communities of the 134th Legislative District, and the knowledge and wisdom that has come through this experience.

I look forward to spending more time with my wife, Nancy, and our children, Sean and Schelly, before Schelly goes off to college next year, and doing the things that a legislative schedule and community obligations prevented us from enjoying. Together they provided me with the loving support I needed to fulfill my public responsibilities.

Yet, as a family, we will also miss the fellowship of many of you at the conferences and the gatherings. Nancy, Jeff, is particularly upset that she is not going to have the opportunity to get new materials for her jokes. But just as this House has made a lasting impression on me, it, too, has had its positive effect on the lives of my family.

I have always respected John Perzel for his energy, political sixth sense, and dedication and loyalty to our caucus. John has been a good friend, and I will miss working with him and the other leaders of our caucus as they begin to forge ahead to a new year with new challenges and new opportunities for unprecedented achievement. Bill DeWeese, Democratic leader, and I have also enjoyed a special mutual respect that was developed over time as we learned to know each other better. I would like to thank the Democratic leaders and the Democratic Caucus for your integrity in respective legislative roles and for the friendship you provided to me outside of these chamber walls.

Finally, if Sam Smith could come up, my successor as majority whip, I would like to pass on to him my manual on legislative rules with the words of counsel from a gentleman named Bernard Berenson. It reads, "What advice can one give to people who ask for it? If you see that they are determined to take a certain course, and ask for encouragement only, give it to them in abundance. If they still are undecided, try to help them find what they really want and what it would cost. Put the facts before them, as they themselves shy off from seeing them. Help them to see the situation as the consequences of taking one course of action rather than another. Then if they really want a decision, they can make it themselves." Sam, I wish you the best.

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

Mr. SNYDER. And to each of my colleagues who have been harassing me for the last month for a sweatshirt, I leave you with a gift to remind you that there is life after politics — with or without a pension increase. So these will be passed out and there will be different sizes, so if you do not like the size you got, trade off.

And, Mr. Speaker, I would like to thank you, too, for your support, and I would like to thank each of you for your friendship as well. I bid goodbye but not farewell. Thank you very much.

The SPEAKER. I have always wanted to gavel down a college professor or president. Don, good luck to you, and we will be watching you.

CONSIDERATION OF SB 1478 CONTINUED

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

Mrs. FORCIER offered the following amendment No. A4788:

Amend Title, page 1, line 4, by, inserting after "REVOKED,"
for protective equipment for motorcycle riders,

Amend Sec. 1, page 1, lines 12 and 13, by striking out all of line 12 and "4979.3(B), 6109(E) AND 6122(A)" in line 13 and inserting

Section 1. Sections 1532(a)(3) and 1543(a) and (b)(1)

Amend Bill, page 3, by inserting between lines 17 and 18

Section 2. Section 3525(b) and (d) of Title 75 are amended and the section is amended by adding a subsection to read:
§ 3525. Protective equipment for motorcycle riders.

(b) Eye-protective devices.—[Except as provided in subsection (d), no] No person shall operate or ride upon a motorcycle (other than a motorized pedalcycle or a three-wheeled motorcycle equipped with an enclosed cab) unless he is wearing an eye-protective device of a type approved by the department.

(d) Exception.—The provisions of [subsections (a) and (b)] subsection (a) shall not apply to the following:

(1) The operator or any occupant of a three-wheeled motorcycle equipped with an enclosed cab.

(2) A person 21 years of age or older who has been licensed to operate a motorcycle for not less than two full calendar years.

(3) A person 21 years of age or older who has completed a motorcycle rider safety course approved by the department or the Motorcycle Safety Foundation.

(4) The passenger of a person exempt under this subsection, if the passenger is 21 years of age or older.

(e) Report to General Assembly.—One year after the effective date of this section the Legislative Budget and Finance Committee shall commence a study to determine:

(1) what, if any, increased injuries and fatalities may be attributed to the exceptions hereunder provided;

(2) the extent to which persons incurring such injuries or fatalities have maintained insurance coverage for medical costs associated with such injuries or fatalities; and

(3) the resulting need, if any, for the imposition of mandates on insurers to provide affordable medical insurance coverage for such persons for medical expenses that may be attributed to the exceptions hereunder provided and on such persons to maintain coverage to the extent that it is available and reasonably affordable. This study shall be filed with the Transportation Committee of the Senate and the Transportation

Committee of the House of Representatives within nine months of its commencement.

Section 3. Sections 4902, 4979.3(b), 6109(e) and 6122(a) of Title 75 are amended to read:

Amend Sec. 2, page 9, line 4, by striking out "2" and inserting
4

Amend Sec. 3, page 9, line 22, by striking out "3" and inserting
5

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

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

Mrs. FORCIER. Thank you, Mr. Speaker.

The SPEAKER. The lady will yield.

Please. We have ordered dinner for tonight; we have not yet ordered breakfast for tomorrow morning, so let us keep this moving along.

Mrs. Forcier. Can I have the attention of the House, please? Mrs. Forcier.

Mrs. FORCIER. Thank you, Mr. Speaker.

As I look out over this distinguished chamber, I can reflect on hundreds of issues on which each of us have carefully deliberated and which have had a meaningful impact on the citizens of this Commonwealth. The issue which I present to you at this time, unlike so many other issues which we consider, presents a defining moment in our history.

For over 30 years a small, determined, fiercely patriotic—

The SPEAKER. The lady will yield, please. I am sorry to interrupt you.

The lady, Mrs. Forcier, is entitled to be heard. Please. Conferees, move outside the chamber.

It has been brought to the attention of the Chair that this amendment is not on our system at this time, so as a consequence of which, I suggest the lady withdraw it temporarily until it is on the system. Thank you.

Mrs. FORCIER. That will be fine, Mr. Speaker. Thank you.

The SPEAKER. Would staff kindly check to make sure all the amendments to be considered are on the system.

It is my understanding we will have to take a moment or two until the Forcier amendment and others are brought—

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman, Mr. Veon, who requests that the lady, Ms. JOSEPHS, be placed on leave of absence for the balance of today's session. Without objection, the leave is granted. The Chair hears none.

Mr. Pesci, would you come to the rostrum, please.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a group of students from the Honey Brook Elementary Center in Chester County. They are here today as the guests of Representative Tim Hennessey. Would these guests please rise or wave so that— Welcome to Harrisburg.

**FAREWELL ADDRESS BY
MR. PESCI**

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

The Sergeants at Arms are urged to keep the traffic behind the rail moving. The members are encouraged to cooperate.

Mr. Pesci.

Mr. PESCI. Thank you, Mr. Speaker.

Are we on official business now? I am on my own.

I would like to take this opportunity, first of all, I would like to make a motion to adjourn to the year 2003, January 4, when I hope to be back. I guess that did not go over.

Anyhow, I would like to thank all of you, including the Speaker and all my colleagues. I have been here 11 1/2 years; I have been through four Speakers, believe it or not, but when I got here, I learned one very important thing, and that was, your word is your honor, and for you junior members, you should learn that real quick, because I have had the word of the Rs and the word of the Ds given to me on different occasions and that word has been kept, and I beg of you, I beg of you, do not ever lose that honor.

First of all, I would like to also say, do not feel sadness because of my departure, because while you are losing a colleague, you are gaining cleaner air in the lounge.

And I do not want to simply say goodbye today. I want to leave on a positive note. You know, my colleague, Terry Van Horne, is from the land of taxes. I am also from the land of taxes, Armstrong County – school taxes. I do not know if you all remember, but those people walked from Armstrong County with a petition to abolish school property taxes. This is very critical. You are going to face off with this in the next year or two, and I will be watching. The gentleman that took me by surprise, I shall say, has said he will do this, and believe me, he has attitude, and he will try to achieve it. So I would like to let Bill DeWeese know that he does have a vote on that side of the aisle plus a couple other votes I think you have from the other side of the aisle that possibly could take care of that.

I only want to say one other thing, and I would like to conclude. I know that you sort of get sick and tired of hearing my leaders blat out these quotations, but I think this needs to be said. It is from Teddy Roosevelt, and it says, "Far better it is to dare mighty things, to win glorious triumphs, even though checkered by failure, than to take rank with those poor spirits who neither enjoy much nor suffer much, because they live in the gray twilight that knows not victory nor defeat."

And I would like to say God bless you and God bless this great Commonwealth of Pennsylvania, and thank you for the friendships I have gained here today.

The SPEAKER. Mr. Ramos, would you come to the rostrum, please.

Members, please take your seats. There are several more members of the House leaving us this year that I would like recognized and give them the opportunity to address the House. I am going to suggest that all of the staff people who have no business before the House at the moment at least show us the courtesy of being quiet and taking seats at the place most convenient to them.

The conference on the floor will cease.

**FAREWELL ADDRESS BY
MR. RAMOS**

The SPEAKER. Mr. Ramos.

Mr. RAMOS. Thank you, Mr. Speaker.

First of all, I want to say that I felt at home in this chamber. I was not sure when I came here, being the only Latino member of the General Assembly, how was I going to feel here. But let me say that I feel great. I have felt among friends. I made a lot of good friends here and I have received a lot of support, and for that I thank you for going the extra mile in supporting me through my years here in the Pennsylvania House of Representatives.

Particularly I want to thank my leader, my fearless leader, Bill DeWeese; Mike Veon; all the leaders in the Democratic Caucus – Fred Belardi, Jeff Coy, Mark Cohen, who is a great soldier and worker, and I have a lot of respect for him. I also want to thank all the members of our Democratic Caucus who have made my stay here worthwhile. But I also want to say that I have made a lot of friends on the Republican side, a lot of good friends, and I am sure that those relationships will be sustained for a very long time, hopefully forever. Particularly I want to thank John Perzel, who has helped me along and supported me in some of the proposals for bringing some of the resources to my district, and, Mr. Speaker, I want to thank you for your leadership and courtesy.

Let me say, when I began— Well, before I begin talking about my district, let me thank my staff. I would not have been able to do what I have done without the support of my staff, particularly my Harrisburg staff, Gelina, who has been a loyal worker and a friend as well. I wish her well. I hope that the Democratic Caucus will look into people like her who have been here a long time, who have gained a lot of experience, and they are ready to take other responsibilities.

I want to say thank you to my legislative assistant, who, with me, has been running the district office, Sarah Mulero, and the rest of my district staff. Particularly Sarah I want to make a few remarks. She is probably one of the most loyal persons that I have ever met, one of the most dedicated workers, and I have the most respect for her. We will be friends forever, I think, as long as we are alive.

When I took over as Representative for the 180th District, I knew the task was going to be difficult. I had one of the most difficult districts in the Commonwealth, but I thought that either I go along, get along, or I take the difficult road and try to make a difference for people, and I have decided to take the long road and the difficult one.

The district is a very interesting district. It is the only majority Latino district in the Commonwealth of Pennsylvania – 62 percent Hispanics – but it is also the youngest. My district leads and has the largest amount of young people of any legislative district in the Commonwealth. So the combination of having a lot of young people – 80 percent of the people in my district are 44 years or younger and 50 percent of those are 18 years and younger. So it is a very young district. It has potential, but the poverty rate is outstanding. About 80 percent of the residents of my district have incomes of \$30,000 or less; 50 percent of those have an income of \$15,000 or less, and that, of course, is the heart of the problem.

In terms of education, 65 percent of the people in the district have not attained a high school degree, and we have had a

51-percent dropout rate among Latino young people. In some areas we have had up to 50 percent unemployment and underemployment and subemployment.

Crime. When I took over, one of the first things we did was to look at crime in the district, and we found out that the police division was leading in all kinds of crime statistics in the city of Philadelphia with about 38 percent, 48 percent of all the drug arrests made in that division in the city of Philadelphia. We have 37 percent of all the arsons, a record number of burglaries, aggravated assaults, weapons violations, and other offenses. We were leading in the chart. This year alone the Philadelphia Police Department had to remove approximately 10,000 abandoned autos from that district, and we have had approximately between 8,000 to 10,000 vacant lots and residential and commercial properties being vacant. We are trying to address that through our urban affairs and the blight program, but just to tell you the enormous job that still remains to be done.

One of the other things is that because of the poverty, of course, we had a lot of people who were dependent on some kind of government subsidy. So the task when I began, I was trying to figure out where to begin, where could I be effective as a legislator since the district looked like what I call a runaway train. And you know what a runaway train looks like — when everybody is trying to figure out how to stop it — and this one, this district, has been a challenge not only for me but for other leaders who have been trying to make a difference in the district. So we began to address some of the issues.

In terms of crime issues, I said that I needed to do something about this because people were not able to have the quality of life that they are entitled to, the peace and tranquility that they are entitled to. So at the right time we began some hearings through our Policy Committee, with the support of my amigo, Mike Veon, and we brought 22 legislators to the district and we began to assess the problem, and we found a very serious problem. But I think the timing was appropriate, because Majority Leader Perzel, Dwight Evans, city council in Philadelphia, all of us were pushing in one direction and it was to have the Philadelphia Police Department really take a look at our policing strategies and what to do with open drug sales and homicides and all kinds of violence that we were seeing in the city of Philadelphia.

I think that the mayor was wise to appoint Commissioner John Timoney, and he began to restructure the Philadelphia Police Department to refocus our crime-fighting techniques in the city of Philadelphia. One of the first things that I did, on his way — he was still in New York and was coming to Philadelphia — I gave him a copy of the report and I also gave him the latest 6 months' crime statistics from the east police division. When he looked at it, he thought I was kidding, and he said, "Are you sure about this?" And I said, "Sure. Why don't you telephone your captains and your inspectors and you will see, because the numbers, I got them from them," and I challenged him to start, if he wanted to fight crime in the city of Philadelphia, to come to my district and that we were going to join together and we were going to give him the kind of support that he needed. And fortunately, the birth of Operation Sunrise began in Philadelphia as a major anticrime initiative in the city of Philadelphia but it began in my district, and they thought they were going to come in, clean up, and move out. I could tell you that 3 years still,

afterwards, they are still in my district, and they began last week with the fourth phase.

But overall, we have, the Philadelphia Police Department has arrested over 11,600 people in my district, has seized millions of dollars in heroin and cocaine, has also seized millions of dollars in property, cars, businesses, and also they have been able to board up thousands of abandoned properties and remove thousands of abandoned automobiles. And I think that it has been, although it has been sad to see so many people in prison and arrested, but we have dropped homicides by 42 percent. It was sad to see every week someone getting killed, and I mentioned in my caucus I could still remember this young Hispanic lady that was 7 months pregnant and was shot with an AK-47 on an open street. And when you see the drop in homicides, I am very happy to see that we have at least done something about it, and if we have been able to save some lives, well, we are happy for that.

We have also — I began to bring resources into my district to establish the first welfare-to-work program to the tune of \$1 1/2 million, and I want to thank Majority Leader Perzel and our leaders for their support in doing this.

We have had two new schools, public schools, there are two new public schools under construction, and I have four charter schools, the first bilingual charter school in the State of Pennsylvania. We have been able to secure — and I want to thank the Governor and all of you for the support in some of my projects — I have been able to for the last 3 years been able to secure \$9 million for projects through the redevelopment capital program, and I want to thank the Governor for his support for those projects.

Let me say that it has been difficult. It has not been easy. It is 6 years. It sounds like a very short period of time, but I want to say that in that district it has felt like an eternity, and I felt a great sense of responsibility. And like I said in my caucus, doing the right thing at times is not politically correct and you have to ruffle some feathers; you are going to have to rock the boat; you are going to have to do something, because otherwise, in this kind of district, you will not be doing the right thing if you would just get along and go along. So I decided to do differently.

But let me say that losing the election by a couple of hundred votes is not as bad as losing the Presidency by a few hundred votes, because if I do not get to get on Air Force One, you know, I will be calling the Air Force and the Army if I were to lose the election by a few hundred votes. So it is not as bad.

My wife said, well, now you can get your life back, and I think she is correct. I will try to do that, but I will miss this place, but I know that I will be around. I am too young to retire, I guess, even though my gray hair says differently, but I feel young still.

Thank you, Mr. Speaker. I want to thank all of you, and to all of you I will say, *hosta la vista*, amigos. I will be around.

Let me say that I might be able to use this in my district when I come back. Thank you.

ANNOUNCEMENT BY MR. PISTELLA

The SPEAKER. The gentleman, Mr. Pistella. Is he on the floor? Yes. You desired an opportunity to make an announcement with respect to a rule 35 resolution.

Mr. PISTELLA. Yes, Mr. Speaker. Thank you.

I have before the House, Mr. Speaker, a resolution that I am seeking cosponsorship for. It is a resolution that honors the Marines that fought at the Chosin Reservoir, the 50th anniversary of this battle that was fought during the Korean war. It took place November 27.

Given the circumstances with the lateness of the session, I had this resolution drafted. I wanted to afford everyone the opportunity to cosign this as a sponsor of it. I particularly would like to draw the attention of those members that have served our country as members of the Marine Corps to the fact that this is being drafted.

There was an earlier memorandum circulated by my office. Unfortunately, I do not have that with me. With the indulgence of the Speaker, it will be held in the front of the hall of the House by one of the clerks, and those of you that would wish to cosponsor it, please do so, and again, Representatives like Representative Phillips, Representative Tighe, Representative Readshaw, Representative Belfanti, and others that served in the Marine Corps, you might want to have an opportunity to cosponsor this. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

CONSIDERATION OF SB 1478 CONTINUED

The SPEAKER. The Chair returns to the amendment offered by the lady, Mrs. Forcier; that is, amendment A4788. It is the understanding of the Chair that this is now on the system.

On the question of the adoption of the Forcier amendment, the Chair recognizes the lady, Mrs. Forcier.

Mrs. FORCIER. Thank you, Mr. Speaker.

It is hard to believe that for almost 30 years a small, determined, fiercely patriotic group of freedom fighters have fought to work within the system. They want to restore what they consider to be a fundamental freedom between our citizens, the Constitution, and the laws under which we operate. The freedom they seek is of minor consequence to some of you. It is for them, however, a symbol as the defenders of their constitutional rights.

You have seen them in the halls; some of them are up in the gallery today; you have seen them at our annual Motorcycle Rights Rally; you have seen them at your fund-raisers. To their credit they have attempted to play the game the way we have defined it for them, and, oh, boy, are they organized. Within hours of anything we do, they are on the Internet sharing with thousands of our constituents what each of us is doing here today in the chamber.

My amendment, A4788, modifies our mandatory motorcycle helmet requirement for adult riders, 21 years of age or older, who have been licensed to operate a motorcycle for not less than 2 calendar years or who have completed the Pennsylvania motorcycle rider safety course. Governor Tom Ridge has promised to sign a repeal of the helmet law if legislators send him a bill that keeps the protective eyewear requirement intact. This bill does just that.

This amendment provides for a study to be conducted by the Legislative Budget and Finance Committee to address the mandatory medical insurance issue. I know some of you have concerns and questions about the medical insurance provision.

I would like to share a message from my dad, Fuz Fosburg, quote: "Freedom is the principle upon which our nation was

founded. As individuals, and as a society, we protect these freedoms fiercely. Only under the most compelling of circumstances are they given up. In this case the circumstances simply do not exist to justify the continued denial of voluntary helmet use of our adult motorcyclists. Without question, this freedom should be restored," unquote.

We have a unique opportunity to restore the right of individual adult motorcyclists to choose for themselves whether to wear a helmet or not. We can join with 30 other States, the United States Congress, and President Clinton in recognizing that it is time to get the government out of the business of forcing responsible adults to do what it thinks is better for them. In this great Commonwealth of Pennsylvania, let us educate, not legislate. Please, let those who ride decide, and please support this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The gentleman, Mr. Chadwick.

Mr. CHADWICK. Thank you, Mr. Speaker.

I do not ride a motorcycle, but I ride a bicycle, and there are a lot of similarities. Two years ago I was riding on Governor Ridge's Keystone Ride and I had an accident. I hit a curb that I did not know was there and I went over the handlebars. I landed on my head and suffered a pretty severe concussion. I endured 6 weeks of headaches, postconcussion syndrome I believe is what they call it, before finally I was okay. Rick Geist says the problems are still going on.

As uncomfortable as that was to go through, I am very convinced that had I not been wearing a helmet, which is required for the Keystone Ride, I would have been much more severely injured. I could have suffered serious brain damage or worse. Only the helmet prevented that damage from occurring.

Do not be misled by those who would tell you that this is a victimless situation, that only the person who chooses not to wear the helmet is injured if they have an accident and are harmed. Many of the people who are injured in motorcycle accidents and are not wearing a helmet suffer severe and permanent brain damage, and when their resources are expended, it costs the taxpayers hundreds of thousands of dollars for many years to care for those unfortunate victims.

A few years ago I did a survey in my district, and one of the questions I asked was, should we retain or repeal Pennsylvania's motorcycle helmet law? By a vote of 89 to 11 percent, my constituents said to retain the helmet law. The people who are saying to repeal this are a noisy minority. They are not the majority of our constituents.

For the benefit of some of you younger members who may not recall this, some years ago there was a rally here at the Capitol on behalf of those who wanted to repeal this law. Later that night a couple who had been engaged in that rally were riding their motorcycle in the environs of this area, one of the counties across the river perhaps, and they hit a cow on their motorcycle, and the man who was driving that motorcycle was not wearing a helmet and he was killed, and the woman who was his passenger was wearing a helmet and she survived. That anecdote really tells the story of what this is about.

The people who understand this problem the best are the trauma center physicians who must treat the victims of motorcycle accidents. They have seen the damage caused when people who are not wearing helmets have an accident, and they are emphatically opposed to this legislation.

Helmets save lives, period. I urge you to vote against this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Beaver County, Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, a number of years ago when we were getting ready to vote on whether people should wear seatbelts in their automobiles, for many reasons I did not know exactly how I wanted to vote because I thought about the freedom of choice and so on. And so I began talking to a number of physicians, and specifically physicians who worked in emergency rooms, and every one of them said to me, let me tell you, any time a person comes into the emergency room and has been in a car accident, I can tell you whether they were wearing a seatbelt or not, and for those reasons I voted for the bill.

What we have done in Pennsylvania is say to people that if you are driving an automobile, you ought to wear a seatbelt so you will be safer and it will save lives. But here we are today; we are now telling the people of Pennsylvania, you should wear a seatbelt when you are driving an automobile, but when you are riding a motorcycle, you do not need a helmet. This absolutely makes no sense.

And I remember about a year ago John Cigna from KDKA radio was a strong advocate of freedom of choice — because he rides a motorcycle — until he was in an accident, and he has changed his mind because a helmet saved his life.

Mr. Speaker, I urge a “no” vote on this particular amendment, because it will save the lives of many, many people in this Commonwealth.

THE SPEAKER PRO TEMPORE (J. SCOT CHADWICK) PRESIDING

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Allegheny County, Mr. Trello.

Mr. TRELLO. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the amendment.

You know, we often talk about people that ride motorcycles. Who are these people that ride motorcycles? They are not the people that you see in movies, you know, the roughriders and the people that cause all kinds of problems. They are members of the business community; they are doctors, lawyers; they are men, very productive men and women in your community.

I know from speaking to men and women that have motorcycles that about 99.44 percent of these bike riders will wear their helmets, but they tell us we have no business in Harrisburg to tell them whether they can or cannot. These are very reliable and responsible people, and I can assure you they will do the right thing.

So I urge support of this amendment. Thank you, Mr. Speaker.

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

Mr. SOLOBAY. Thank you, Mr. Speaker.

I am a bike rider for over 25 years, but I stand in front of you today to oppose this amendment.

As a former health-care worker, I have witnessed firsthand the effects of rider problems and the effects that it has on the costs in our hospitals and the workloads of the people in the

hospital. Individuals with closed head injuries normally end up in facilities that we were taking care of on a regular basis, and their insurance policies always seem to end up being that of public assistance, which puts a burden on individuals across the Commonwealth, not the individuals themselves.

As an active firefighter and a medic, I have firsthand experience also that shows the effects that riders with helmets fare out much better than those without helmets that you usually come across that have been riding on private property.

We have removed firefighters from the backs of fire trucks; we have removed the garbage collectors from the backs of garbage trucks; and we have also asked for individuals to be removed from the backs of pickup trucks whenever they are traveling down the highway for safety because they have no head protection. The same thing should fare for those that ride on motorcycles.

All our emergency service organizations are still very much opposed to having this amendment pass. Probably all of you have received an e-mail on your laptop computers from the Pennsylvania Fire and Emergency Services Institute that represents over 100 different State, county, and regional organizations that also are opposed to this amendment.

The remarks that I have made come firsthand. They are not from something I have either read in a book or heard from hearsay.

For the safety of those people here in the Commonwealth that we are entrusted to take care of, I would ask you all to oppose the amendment being brought before us. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Warren County, Mr. Lynch, is recognized on the amendment.

Mr. LYNCH. Thank you, Mr. Speaker.

I do not know what time we are going to leave here tonight. Hopefully, it is sometime before 11 o'clock or so, but one of the first things I am going to do when I leave is I am going to put my seatbelt on, but had I been here at the time they voted to do that, I would have voted “no.” I mean, I am an adult, and I think I have the ability to reason and to decide for myself what I want to do. People that are driving these motorcycles spend a lot of money on these motorcycles. I would assume since they spend a lot of money on these motorcycles, that they have the intellect, the capability to decide what is best for themselves.

And from the arguments I have heard so far against this bill, one might start to think that this bill says that you are not allowed to wear helmets. That is not what it says. It says that you are an adult living in the United States of America in Pennsylvania and you have the right to choose for yourself whether you want to wear a helmet or not.

I urge all my colleagues to vote in favor of this much-needed amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Mercer County, Mr. Wilt, is recognized on the amendment.

Mr. WILT. Thank you very much, Mr. Speaker.

And with all due respect to you and your previous comments, prior to coming to the legislature, I was an amateur mountain bike racer and I raced in California and Colorado and Florida and Pennsylvania, and those races all required me also to wear a helmet on some very dangerous and sketchy courses. However, I also have my class 5 motorcycle license which enables me to ride a motorcycle on the road.

Now, this debate we are having today on Representative Forcier's amendment is not about what I would choose to do or what you would choose to do, because we can make those choices any time we want to. It is about whether the State has the ability to mandate something that you and I would do but maybe someone else does not want to do.

I think my argument was very well summed up by the gentleman from Warren County. This is about choice; this is about freedom. And although you and I maybe would see the wisdom in wearing a helmet when we are operating a motorcycle, I do not believe that that is a one-size-fits-all proposition.

And I rise today in support of the Forcier amendment, and I think we ought to get out of the business of legislating morality and other things that occur up here and just get back to the business of representing our constituents and letting them have the freedoms and choices that they want to make come to pass.

So I urge everyone to support the Forcier amendment.

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

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I really want to associate myself with the remarks of the Speaker pro tempore and with the gentleman, Mr. Solobay.

I share Mr. Solobay's past experience of having been a president of a volunteer fire and rescue company for 15 years and I saw firsthand the results of accidents involving motorcycles, and the evidence is pretty clear to me. Frankly, I do not know why anyone would want to ride a motorcycle without a helmet anyhow. I think the odds in an accident are so poor when you ride without a helmet that it ought to just make good sense to you to do that.

Now, I know what the folks who are the proponents of the amendment say. They say, let us make that decision; it is our decision. But, Mr. Speaker, we saw fit to make a decision about helmets for kids who are riding bicycles. The Speaker pro tempore talked about his accident riding a bicycle, and I can guarantee you he might be pretty fast, but he was not as fast or driving as fast as the average motorcycle can drive on our highways in Pennsylvania, and yet he and others, but particularly young folks, are required to wear helmets on bicycles. We saw fit to do that. We saw fit to make it a requirement to wear seatbelts. Although it is a secondary offense, it is still a requirement. All of these things because not only does it make sense, but it provides for better safety features.

Mr. Chadwick said it best, I think — helmets save lives. Why would we want to pass a law that allows for lives to be taken? Why would we want to do that? This does not make sense to me. Set aside insurance costs; set aside the fact that we all talk about how we are going to try to keep insurance costs down in Pennsylvania. Well, I can tell you, if this becomes law, insurance costs are going to go up. I am not an actuary, but I think I know that much about it, because there are going to be accidents that involve greater injuries, greater costs, and those costs are going to be spread across the insured community and we are all going to pay them; our constituents are going to pay them.

Now, I know this subject of freedom of choice seems to have a popular ring to it, and while it may have a popular ring to it,

now and then we in this body are called upon to do the responsible thing, not the thing that just feels good or that seems to be popular for the moment, but to try to do the responsible thing like helmets for kids who ride bicycles and seatbelts for people who ride in passenger cars and all the things we do for schoolbus safety, because we believe that these things save lives.

Mr. Speaker, helmets save lives. Make this decision for people, and you will truly save lives.

I urge a "no" vote on this amendment.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Allegheny County, Mr. Kaiser.

Mr. KAISER. Thank you, Mr. Speaker.

When you are one of the last ones to speak, unfortunately the previous speakers may say exactly what you want to say, and we have someone here, a member from Washington County, who was an EMS (emergency medical services) person who saw firsthand how a person can lose their life on a motorcycle. We passed legislation in this very chamber requiring young people to wear helmets on bicycles. Yet now we are going to pass legislation to say to older adults who should have more sense, you cannot do this.

I can tell you one thing. I had a cousin who got killed on a motorcycle. He did not have a chance; he did not have a chance at all. The car hit him. The woman in the car panicked and ran over him about seven or eight times, and by the time they pulled him out, he just spit some blood out and that was it. You could not ask for a finer young man. Now, is a helmet going to save him? No. But there are going to be other people where a helmet will save their life, and that is what I am here about.

We talk about freedom of choice, yet there are all these other issues that we dealt with. That is part of our responsibility. We are here to serve and protect. And I will tell you, when we dealt with this issue earlier this session, I had the opportunity to talk to some emergency physicians, and they are 100 percent behind people like me, people like Jeff Coy who are against this legislation. They feel this legislation will cause bodily harm and injure people, and there is nothing worse than when an individual has a head injury. Many of these people have that injury throughout their entire life or it takes years of rehabilitation to get them back on the road to recovery. In fact, Mr. Speaker, you even said about your injury on a bicycle.

So is this freedom of choice? I do not think so. I think it is a commonsense approach to a very serious problem that we have with people that get head injuries without wearing a helmet, and you can check the statistics. I studied this issue very carefully when we voted on this earlier. We had many letters and information sent to all of us. I looked it over, and those States who do not require helmets to be worn have a higher rate of head injuries. Now, unlike my cousin, God bless him, he never had a chance, but I just want to help those individuals that may have a chance down the road.

So, Mr. Speaker, I am against this bill. I think it will hurt people of Pennsylvania. And it is great to get on a motorcycle and ride without a helmet; it is great, but when you have an accident and it involves the head, it is going to hurt, Mr. Speaker.

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this amendment.

You know, I hear about personal freedom. I guess we are all for personal freedom. We are for the right to choose. Who is not for the right to choose?

I guess I had a personal experience with a young fellow who is almost a son to me when he had a motorcycle accident and ended up in the hospital for 2 months. Thank God for the helmet. He is still not right today, but he is still living because of that helmet.

You know, we talk about personal responsibility and freedom of choice, but you know, the hospitals out there last year had \$835 million of uncompensated costs that we all have to pick up. Now, what do you think would happen when we have these catastrophic motorcycle accidents out there? Who do you think picks that up? Every one of us.

You know, we just passed a law a little while ago pertaining to radar. Well, you know what? Maybe I like to go 85 miles an hour, but this body says I cannot go 85 miles an hour, and maybe I think I am capable of going 85 miles an hour. Are you restricting my right? Yes, you are restricting my right to speed. I can drive good. Maybe I feel I can drive 85 miles an hour, but this body says I cannot drive 85 miles an hour. That is why we are here. We are here sometimes to make decisions to affect people's lives. Not only that, but also when people cannot make the right decisions.

This is a very bad piece of legislation. Who knows more about this situation than our doctors, our medical profession, our firemen? We heard about our paramedics. They see it every day. If they thought this was such a good bill, would they be against it? No.

So I ask you today, Mr. Speaker, think about it, like our old friend, Representative Olasz, used to say, and let us vote this down. Thank you.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Delaware County, Mr. Kirkland.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition of this amendment.

Mr. Speaker, I am somewhat concerned. I am concerned about what our young people may be hearing and thinking right about now, and that concern is that our young people might be thinking that as you grow older, you can become irresponsible and you can become unconcerned, and as you grow older, Mr. Speaker, you basically do not have to use common sense. Common sense would tell us that we need to protect ourselves; common sense would tell us that we need to be careful; common sense would tell us that we need to wear a helmet when on a motorcycle.

Mr. Speaker, I had the opportunity that I did not want to have of witnessing not just one but two young people lose their lives while riding on a motorcycle, one without a helmet and one wearing a helmet improperly. In both of those incidents, Mr. Speaker, both the individuals died, and they did so not because of body injuries but because of head injuries.

Mr. Speaker, it is wrong for us to even think that one should travel at a high rate of speed on these types of vehicles without a helmet, especially when we send the message out every day, and even right now over the holiday season our State troopers are now sending the message out that they will be looking for people to make sure that they are not speeding; they will be looking for people to make sure that they have their seatbelts

on; they will be looking for people making sure that they are protecting themselves and others. How can we continue to send the message to our young people that they have to wear seatbelts and they have to wear helmets when they are out on their bikes and then, in turn, turn around and say, when you become an adult, you can throw caution to the wind and become irresponsible?

Mr. Speaker, it is so very vitally important that we vote against this amendment and vote for safety. So I just rise in opposition of this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Butler County, Mr. Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

I rise in support of the Forcier amendment.

We have heard all the horror stories. We have heard of bicycle accidents where helmets have been worn and have helped out. We have heard of tragic situations where people have lost their lives in accidents, and those things will happen whether or not we have the government dictating to us that we should wear a helmet.

As a young teenager, I was also involved in a motorcycle accident and I was wearing a helmet, and at that time the helmet, I believe, did save me in that situation, but it is still not the place for the government to tell us that we have to wear a helmet.

I think the core of the issue is that, as one of the previous speakers had mentioned, the maker of the amendment, this is about a choice; this is about a liberty; this is about freedom. It should be our choice whether or not we are going to wear a helmet, not a dictate from the government, and in that I would ask for your support of the Forcier amendment. Thanks.

The SPEAKER pro tempore. Before I call on the next speaker, I would like to ask the members to lower the noise level in here a little bit. There are entirely too many conversations going on in the aisle. It is becoming increasingly difficult to hear the debate on what is certainly a controversial issue.

The Chair recognizes the gentleman, Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this amendment. This is an issue of principle — the principle of choice, the principle of independence, and the principle of freedom.

I heard a lot of speakers kind of make a disconnect here, and that is that somehow legislation saves lives. Legislation does not save lives, Mr. Speaker. It puts a law on the book and criminalizes conduct, makes criminals out of law-abiding citizens, but it does not save lives.

And you could argue that helmets may or may not save lives. I have heard a lot of people get up, and some, without any substantiation or documentation, say, well, helmets save lives. Well, everybody knows that I worked in the insurance industry for a number of years. In fact, I worked in an area that dealt with bodily injury claims, and I can tell you that if you are going down the road at 35 miles an hour on a motorcycle and you have a helmet on and you broadside an automobile pulling out of a side street, I do not care whether or not you have a suit of armor on, your next stop is probably going to be the city morgue unless you are very, very lucky, because that impact with that vehicle is going to throw you about 150 feet in the air and you are going to land, crunch, right on the sidewalk or in the street. A helmet there is not going to matter one iota.

We heard talk about the speed limit analogy, and once again, it was an attempt to make a connection where there is none. The very reason that we regulate speed is to protect other people on the road. We do not want drivers going down our highways at 85 miles an hour. Certainly they may cause harm to themselves, but more likely than not, they are going to cause harm to other people.

This amendment does not have anything to do about harm to other people. This deals with individual choice, with individual freedom, and with the independence to make those decisions that affect our lives, and I would ask for a "yes" vote on this amendment.

The SPEAKER pro tempore. For the information of the members, the list of speakers to go reads: Markosek, Wright, Trello for the second time, Sainato, and Hershey.

The Chair recognizes the gentleman from Allegheny County, Mr. Markosek, on the amendment.

Mr. MARKOSEK. Thank you very much, Mr. Speaker.

Mr. Speaker, in my number of years here in the legislature, this issue has surfaced numerous times, and I can recall a situation where I had a constituent that came into my office who wanted me to consider legislation to repeal the helmet law. At that time he said that he himself would wear his helmet, particularly when he traveled at a high rate of speed, and that he did not need the government to tell him when he should or should not, and he felt that most of his colleagues that enjoy riding motorcycles — and they were in their, say, twenties and thirties — would in fact wear their helmets even though there was no law mandating it, because it was the sensible thing to do.

Not long after that I got a chance, an opportunity, to travel out of State, and I was in the State of Rhode Island where at that time — and I am not sure whether they continue this or not — but at that time they did not have a helmet law, and I rented a car at the airport. I was driving along their interstate and I was traveling approximately 65 miles an hour, and a whole bunch of motorcycles — I could see them coming in the rearview mirror — blew by me, so they had to be going at least 70, and none of the riders — and they were all in their twenties and thirties — had helmets on. Now, they were not apparently breaking any law because they did not have the helmet law there, but I right away thought about that conversation that I had with my constituent who said that folks roughly in his age group would automatically wear their helmets because it was the right thing to do whether or not they had to. And I thought that this particular incident, and certainly not a scientific incident, but it disproved what he was saying. People in their twenties and thirties, if they do not have to wear their helmets, no matter how fast they are going, many of them simply will not.

And we talk about the freedom to choose here and how this law somehow will infringe on our freedom to choose. I would submit to all of my colleagues here today that everything we do here in some way infringes on people's right to choose. We pass laws. Part of the definition of a law is it is restricting something you do; it is telling you something that you cannot do. Now, whether it is in transportation or in education or the environment, you know, we tell folks that they cannot pollute, that they cannot do certain things that way. We tell folks in schools certain things that they can and cannot do. Our speed limits themselves are an infringement. A stop sign that is put up is an infringement of your right to go through that intersection any time you want to without stopping. Everything we do in one

way, shape, form, or another in some ways restricts our freedom and restricts our freedom to do just anything that we choose. If we would not have this, we would simply have chaos.

So as a result of that, I would say that we should respectfully oppose this amendment. It is something, I think, if we allow folks to ride without helmets, they certainly will ride without their helmets, a certain percentage, a significant percentage of them, and I think a lot of them will have accidents that we all will pay for in the long run.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Bucks County, Mr. Wright.

Mr. WRIGHT. Thank you, Mr. Speaker.

I represent in my community, I have a medical facility, long-term-care facility, Woods Services. Woods Services helps treat people with severe handicaps, people with retarded abilities, and people that have been injured with long-term problems. Many times going through the facilities — and they take care of lots of people who have been in automobile accidents, motorcycle accidents, other types of medical conditions, who for the rest of their life, for the rest of their life, will need long-term care. This long-term care will amount to hundreds of thousands of dollars to take care of them. Obviously, the families have the money. You would think that. When a family member got into an accident and the care for them is hundreds of thousands of dollars, you would think the family must have the funds. The answer is that they do not; the answer is that they do not have the money, and what commonly occurs is they exhaust their automobile insurance, their motorcycle insurance funding, and when they exhaust the funding, they become a ward of the State. So what happens is after the initial year, first year or two, these people that have lifetime disabilities become a ward of the Federal and State government. All of their medical expenses are paid through medical assistance year after year after year after year. We, the taxpayers, are paying for these expenses over and over and over.

I personally understand the issue of freedom of choice, and I agree with that the majority of the time. I quite often vote for that same thought process, but I do buy into it assuming there were maybe provisions that said, if somebody was hurt, that taxpayers would never ever have to assume any of the Medicare and medical expenses. I am not so much concerned about the people that die. I am concerned about those that live, and I am concerned about those who are permanently disabled for the rest of their life, who never can work again and are extracting huge amounts of medical expenses that every resident of this Commonwealth is paying for. Those are the people that are injured and hurt for the rest of their life.

They claim before the accident freedom to choose. It sounds good. I agree generally with that. The reality is a mistake occurs, an accident occurs, their medical expenses far exceed the limits of their insurance, and then what occurs is their freedom to choose impinges upon the rest of us every single day in our expenses. Every person in this room will pay more through their auto insurance and more through their taxation to take care of these people.

If it could be done that a checkoff would occur, the freedom to choose — they do not wear their helmet or their safety equipment — that they would remove any liability that the State may incur, I would support it, but without that kind of a provision, we are impounded to take care of them for the rest of

their lives. In that case, without those kinds of protections for taxpayers, which could amount to millions and millions of dollars, I cannot support this amendment. Until this legislation addresses the issue of the long-term care on behalf of these people, I cannot support this.

The SPEAKER pro tempore. The gentleman, Mr. Trello, for the second time on the amendment.

Mr. TRELLO. Thank you, Mr. Speaker.

I was just reminded that I was a prime sponsor for the helmet law for children. Of course I was, and I thought that was a major and good piece of legislation, but remember, children cannot think for themselves.

You know, about a month ago in the North Side of Pittsburgh, a young boy was brutally murdered, and he came from a family that did not have an awful lot of income; they were very, very poor. There were 1,500 members of a motorcycle club that called me and said they wanted to have a fund-raiser. We had a fund-raiser for that family, and there were over 1,500 men and women that were riding their motorcycles with checkbooks in hand to help that family. And before the program got started, they all talked to me about the helmet law, and they assured me — and these were members of the business community — and said, listen, we are going to wear our helmets, but we do not need that law.

You know, what is going to be next? Are we going to go to Kennywood Park or an amusement park and ride a roller coaster, but before we get on, we are going to have to have a helmet? We are going to have a law for that? Are we going to have a law that when you get on an airplane to fly somewhere, they are going to give you a parachute and a helmet? Or if somebody trips on a sidewalk and falls and hurts their head, is every pedestrian going to have to have a helmet because of that?

Mr. Speaker, I think the young lady has a very good amendment. It is a matter of choice of men and women that can think for themselves, and I can assure you they will do the right thing.

This is a good amendment, and let us vote for it. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lawrence County, Mr. Sainato, on the amendment.

Mr. SAINATO. Mr. Speaker, I would just like to follow up what my colleague from Allegheny County said. I think we are losing track a little bit here. We are not talking about kids. We are talking about adults. We are talking about people over the age of 21 years. They should have common sense, and most people do.

This is a good amendment, Mr. Speaker. All we are saying is, they have a choice whether to wear a helmet or not. I know many people who ride bikes. Many live in my district. They are not telling me they are not going to wear their helmets. They are telling me, give me that choice. And let me assure you, most bikers will ride with a helmet — most bikers will ride with a helmet — but we have an obligation to give them that choice whether or not they want to wear that helmet. These are legal adults. We have got to get the government off these people's backs. This is one of many issues where the government is telling them how to run their lives.

Mr. Speaker, let us support this amendment. It is a simple amendment, and the statistics are not going to change very much, Mr. Speaker. There are 20-plus States that already have repealed the helmet law. It was another one of those instances

where the Federal government, Big Brother, comes and tells the Pennsylvania legislature and all 50 of them that you have to do this or we are going to take your highway funds away from you. Mr. Speaker, they realized the errors of their way and they gave that responsibility back to the States. Just like the speed limits when Big Brother down in Washington, D.C., told us we had to have a 55-mile-per-hour speed limit or they are going to take our highway funds from us. Mr. Speaker, that is blackmail; that is blackmail when the Federal government does those things.

We are all adults in this legislature, and we have to stand up for our own rights, and today when we are talking about something such as the helmet law, it is the same thing. They blackmailed us into passing it. Now we have an obligation where we have the option to repeal it. Let us do that. Let us give the adults of this State the ability to make their own choice when they are riding their bikes. Nothing is going to happen.

Thank you, Mr. Speaker.

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

Mr. HERSHEY. Thank you, Mr. Speaker.

I rise to oppose this amendment.

You talk to the trauma centers and see what they will tell you if you ask their advice. I did that many times.

This came up when I first came to the General Assembly, as did seatbelts. People like to tell you this is a private matter. It is a private matter until you injure your skull or injure your spine and your insurance runs out and you are at the mercy of the taxpayers or the county or the Commonwealth to pay the medical bills. Now it is a public matter, and this is why we have the helmet law.

Please oppose this amendment.

The SPEAKER pro tempore. The Chair recognizes the lady from Montgomery County, Mrs. Cohen, on the amendment.

Mrs. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I am a person that tries to — well, at least I do believe in consistency — I try to be consistent in what I do and in my philosophy. So I find it absolutely fascinating to listen to the debate, this particular debate, and hear some of our members talk about freedom of choice, non-government interference, letting people do what they want, and letting adults make their own decisions. And I wonder, Mr. Speaker, where have these people been, where are they now, and where will they be when the issue should arise concerning freedom of choice for women? And I think that we should be consistent in our philosophy and our votes on that.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair would like to give the prime sponsor of this amendment the last word. Are there any other members seeking recognition?

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. Mrs. Forcier, you are recognized for the second time.

Mrs. FORCIER. Thank you, Mr. Speaker.

I would like to submit for the record a whole host of groups and individuals who have helped me. I do not want to take a lot of time to go over the names, but I would like to thank my husband, Kevin, for being here this week with me. It is pretty exciting to be here when I am finally running a bill that I have worked so hard on.

I also would like to thank some of the members that are up in the gallery. Please stand. They have worked very hard with me, and we all appreciate your views.

I would like to also thank everyone for letting those who ride decide. Thank you.

Mrs. FORCIER submitted the following remarks for the Legislative Journal:

I would like to submit for the record a whole host of groups and individuals who helped me with this legislation.

These heroes have restored the faith in the system and the process — Representative Perzel and Tom McCormac and our entire leadership team; Representatives Boyes, Veon, Surra, and all my colleagues who cosponsored this legislation; Bruce Johnson, Charles Umbenhauer, Pennsylvania ABATE (Alliance of Bikers Aimed Toward Education) members and AMA (American Motorcyclist Association); Rod Corey, Tierna Tuckey, Barb Brown, Lee Albright, Representative Rick Geist and the Transportation Committee staff; and my family, especially my dad, Fuz Fosburg, and my husband, Kevin.

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

The following roll call was recorded:

YEAS—131

Table listing names of members who voted 'YEAS' in four columns: Allen, Argall, Armstrong, Baker, Barley, Barrar, Bastian, Battisto, Belfanti, Birmelin, Blaum, Boyes, Browne, Bunt, Buxton, Caltagirone, Cam, Casorio, Civera, Cohen, M., Daley, Dally, Dempsey, Dermody, DeWeese, DiGirolamo, Donatucci, Eachus, Egolf, Fairchild, Fargo, Feese, Fichter, Fleagle, Forcier, Gannon, Geist, George, Gladeck, Godshall, Gruitza, Haluska, Hanna, Harhai, Harhart, Hasay, Hess, Hutchinson, Jadtowicz, James, Keller, Kenney, LaGrotta, Laughlin, Lederer, Lescovitz, Lucyk, Lynch, Maher, Maitland, Major, Manderino, Mann, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Geist, Metcalfe, Micozzie, Miller, S., Mundy, Myers, Nickol, Oliver, Perzel, Pesci, Petrarca, Petrone, Phillips, Pippy, Preston, Raymond, Reinard, Rieger, Roberts, Roebuck, Rohrer, Rooney, Ross, Ruffing, Sainato, Santoni, Sather, Saylor, Schroder, Schuler, Semmel, Shaner, Smith, B., Smith, S. H., Snyder, Staback, Stairs, Steelman, Stern, Stevenson, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Travaglio, Trello, True, Tulli, Van Horne, Veon, Walko, Wansacz, Washington, Wilt, Wogan, Wojnaroski, Yewwic, Zimmerman, Zug.

NAYS—66

Table listing names of members who voted 'NAYS' in four columns: Adolph, Bard, Bebko-Jones, Belardi, Benninghoff, Bishop, Butkovitz, Cawley, Chadwick, Curry, Dailey, DeLuca, Evans, Flick, Frankel, Freeman, Gordner, Grucela, Lawless, Levdansky, Markosek, Marsico, Masland, Mayernik, Melio, Michlovic, Miller, R., Samuelson, Scrimenti, Solobay, Steil, Stetler, Tigue, Trich, Vance, Vitali.

Table listing names of members who did not vote in four columns: Clark, Clymer, Cohen, L. I., Colafella, Cornell, Corrigan, Costa, Coy, Habay, Hennessey, Herman, Hershey, Horsey, Kaiser, Kirkland, Krebs, Nailor, O'Brien, Ori, Pistella, Platts, Ramos, Robinson, Rubley, Waters, Williams, Wright, Youngblood, Yudichak, Ryan, Speaker.

NOT VOTING—0

EXCUSED—3

Table listing names of excused members: Cappabianca, Josephs, Leh.

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. WILT offered the following amendment No. A4798:

Amend Title, page 1, line 2, by inserting after "Statutes," further defining "highway";

Amend Title, page 1, line 5, by striking out "AND for certain permits" and inserting , for certain permits and for refunds

Amend Bill, page 1, lines 12 through 14, by striking out all of said lines and inserting

Section 1. The definition of "highway" in section 102 of Title 75 of the Pennsylvania Consolidated Statutes is amended to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

"Highway." The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. The term includes a roadway open to the use of the public for vehicular travel on grounds of a college or university or public or private school or public or historical park, or any trail on public or private land when used by off-highway recreational vehicles.

Section 2. Sections 1532(a)(3), 1543(a) and (b)(1), 4902, 4979.3(b), 6109(e) and 6122(a) of Title 75 are amended to read:

Amend Bill, page 9, by inserting between lines 3 and 4

Section 3. Section 9017(a.1), (d) and (f) of Title 75 are amended and the section is amended by adding a subsection to read:

§ 9017. Refunds.

(a.1) Board of Finance and Revenue.—The Board of Finance and Revenue may make reimbursements and refunds of tax imposed and collected upon liquid fuels or fuels as provided under subsections (b), (c), (d.1) or (e). In addition, the board may refund on an annual basis any tax imposed by this chapter and collected by the department upon liquid fuels or fuels delivered to any entity exempt from tax under section 9004(e) (relating to imposition of tax, exemptions and deductions) which has not been claimed as exempt by the distributor or otherwise refunded. The board may adopt regulations relating to procedures for the administration of its duties under this subsection.

* * *

[(d) Off-highway recreational vehicles.—

(1) When the tax imposed by this chapter has been paid on fuel used in off-highway recreational vehicles within this Commonwealth, an amount equal to the revenue generated by the tax, but not derived therefrom, may be appropriated through the General Fund to the Department of Conservation and Natural Resources. It is the intent of this chapter that all proceeds from the tax paid on fuel used in off-highway recreational vehicles within this Commonwealth be paid without diminution of the Motor License Fund.

(2) The Department of Conservation and Natural Resources shall biennially calculate the amount of liquid fuel consumed by off-highway recreational vehicles and furnish information relating to its calculations and data as may be required by the Appropriations Committee of the Senate and the Appropriations Committee of the House of Representatives.

(3) The General Assembly shall review the fuel consumption calculations of the Department of Conservation and Natural Resources to determine the amount of liquid fuels tax paid on liquid fuels consumed in the propulsion of off-highway recreational vehicles in this Commonwealth and may annually appropriate to the Department of Conservation and Natural Resources the amount so determined.

(4) Money appropriated under paragraph (3) shall be used for the benefit of motorized and nonmotorized recreational trails by the Department of Conservation and Natural Resources as provided in the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240, 105 Stat. 1914).]

(d.1) Motorized recreational vehicles.—An amount equal to 50% of the tax imposed by section 9004(a) (relating to imposition of tax, exemptions and deductions) on fuel consumed in the operation of motorized recreational vehicles within this Commonwealth, but not to exceed \$1,000,000, shall be refunded out of the Liquid Fuels Tax Fund to the Department of Conservation and Natural Resources in the following manner:

(1) There is hereby established a special nonlapsing restricted receipts account in the State Treasury to be known as the Recreational Trails Trust Fund.

(2) One-half of the tax revenues, not to exceed \$1,000,000, generated by the tax imposed by section 9004(a) on fuel used in motorized recreational vehicles used within this Commonwealth, as determined by the Department of Conservation and Natural Resources, shall be annually refunded to the department through the Recreational Trails Trust Fund.

(3) All moneys in the fund are hereby appropriated on a continuing nonlapsing basis to the Department of Conservation and Natural Resources for the activities referred to in paragraph (5).

(4) All interest earned by the fund and refunds or repayments shall be credited to the fund and are hereby appropriated in the same manner as paragraph (3).

(5) All money in the fund shall be used by the Department of Conservation and Natural Resources for the acquisition, creation and maintenance of trails used by motorized recreational vehicles and for enforcement in State forests and State parks.

* * *

(f) Claims, forms, contents, penalties.—A claim for reimbursement or refund under subsection (b), (c), (d.1) or (e) shall be made upon a form to be furnished by the board and must include, in addition to such other information as the board may by regulation prescribe, the name and address of the claimant; the period of time and the number of gallons of liquid fuels used for which reimbursement is claimed; a description of the farm machinery, aircraft or aircraft engine in which liquid fuels have been used; the purposes for which the machinery, aircraft or aircraft engine has been used; and the size of the farm and part in cultivation on which such liquid fuels have been used.

A claim must contain statements that the liquid fuels for which reimbursement is claimed have been used only for purposes for which reimbursements are permitted; that records of the amounts of such fuels used in each piece of farm machinery, aircraft or aircraft engine have been kept; and that no part of the claim has been paid except as stated. A claim must contain a declaration that it and accompanying receipts are true and correct to the best of the claimant's knowledge and must be signed by the claimant or the person claiming on the claimant's behalf. A claim must be accompanied by receipts indicating that the liquid fuels tax was paid on the liquid fuels or that the excess liquid fuels tax was paid on the liquid fuels for which reimbursement is claimed. Records of purchases of liquid fuels and use in each tractor or powered machinery, aircraft or aircraft engine shall be kept for a period of two years. A claim must be made annually for the preceding year ending on June 30. A claim must be submitted to the board by September 30. The board shall refuse to consider any claim received or postmarked later than that date. The claimant must satisfy the board that the tax has been paid and that the liquid fuels have been consumed by the claimant for purposes for which reimbursements are permitted under this section. The action of the board in granting or refusing reimbursement shall be final. The board shall deduct the sum of \$1.50, which shall be considered a filing fee, from every claim for reimbursement granted. Filing fees are specifically appropriated to the board and to the department for expenses incurred in the administration of the reimbursement provisions of this chapter. The board has the power to refer to the department for investigation any claim for reimbursement filed under the provisions of this chapter. The department shall investigate the application and report to the board. A person making any false or fraudulent statement for the purpose of obtaining reimbursement commits a misdemeanor of the third degree.

* * *

Amend Sec. 2, page 9, line 4, by striking out "2" and inserting
4

Amend Sec. 3, page 9, line 22, by striking out "3" and inserting
5

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

(Members proceeded to vote.)

VOTE STRICKEN

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

Mr. Wilt, it appears there are a number of members who would like you to explain the amendment. The gentleman is recognized.

Mr. WILT. Thank you very much, Mr. Speaker.

This is something that we worked on for a number of years. What it does is it takes \$1 million that is paid into the Liquid Fuels Tax Fund over at PennDOT by snowmobilers and ATVers (all-terrain vehicle) and appropriates it to DCNR (Department of Conservation and Natural Resources) for the purpose of trail maintenance, and that money is then offered out to ATV and snowmobile groups through a grant process. What this money does is replace money that was put into the budget in previous years just through a general appropriation. This will enable the snowmobilers and ATVers to get some of their gas tax money back into trail construction and maintenance.

The SPEAKER pro tempore. Those in favor of the amendment will vote "aye"— The Chair apologizes. Mr. Vitali, there are so many members standing that I could not see you. Would the members please take their seats so I can see who is at a microphone.

The Chair recognizes the gentleman.

Mr. VITALI. Thank you, Mr. Speaker.

Would the maker of the amendment stand for brief interrogation?

The SPEAKER pro tempore. The gentleman, Mr. Wilt, indicates in the affirmative. You may proceed.

Mr. VITALI. Thank you, Mr. Speaker.

I do not have a great deal of familiarity with this amendment, so I apologize in advance for some questions, but one of the concerns some have in the Commonwealth is the development of trails in our State forests and parks. Would this bill through the redirection of money lead to more ATV trails in State-owned lands?

Mr. WILT. Mr. Speaker, no more than what is already occurring under the same million-dollar appropriation out of the General Fund.

Mr. VITALI. Now, by that answer, do you mean that it will simply go to maintenance of existing trails, or could this money go towards the construction of new trails in State-owned lands?

Mr. WILT. This money will be spent, Mr. Speaker, in the same way that the current million dollars that is appropriated to DCNR is being spent today, which is by those organizations who apply to DCNR for grants or used by the department to maintain trails. So this could be used for rail trails; it could be used for snowmobile trails; it could be used for ATV trails.

Mr. VITALI. Okay. I am not overly familiar with that million-dollar appropriation. So just to be clear, can that million dollars be used for or can this redirection be used for new ATV trails?

Mr. WILT. If they are approved by the Department of Conservation and Natural Resources.

Mr. VITALI. Okay.

Has this been a policy change over the past years? Would this reflect a policy change from current trail expansion?

Mr. WILT. No, sir, it would not. In fact, the Federal government appropriates to the Commonwealth of Pennsylvania \$1 million from ISTEA (Intermodal Surface Transportation Efficiency Act) or T (Title) 21 funds. The Commonwealth over the last couple years has matched that with \$1 million of their own. What this will do is provide an ongoing funding stream of \$1 million, which is funded out of the gas tax money over at PennDOT to DCNR for this purpose. And for the speaker and actually for all the members, if you look at all of the gallons of gas that are consumed by the RATV (recreational all-terrain vehicle) public and also the snowmobile public, that total is somewhere around \$7 1/2 million that they put in to PennDOT. What this amendment does is simply take \$1 million of that, send it over to DCNR for a continuum of funding of what has been appropriated in the past. This is not a change in philosophy by the Department of Conservation and Natural Resources.

Mr. VITALI. Okay. Have any environmental groups or conservation groups or hunting groups weighed in on this issue either pro or con?

Mr. WILT. Yes, they have, Mr. Speaker. In fact, they are at the table when these appropriations are made by the Department of Conservation and Natural Resources to make sure that the funds are used in an appropriate way.

Mr. VITALI. Are you aware of any group that has weighed in against this particular amendment or the concept behind it?

Mr. WILT. I am aware that some groups have taken this bill out of context and not recognized what it actually is. They think that this will add to some problems that we have had in some

isolated incidents across the Commonwealth, but I want to be very clear with you and with all the members that they understand that those groups have a seat at the table when these appropriations are made by DCNR, and we are not changing the way that the department has acted in the past.

Mr. VITALI. And what would the names of those groups be who may have had problems, misperceived though they might have been?

Mr. WILT. To be quite honest with you, Mr. Speaker, I personally have never received mail from those groups.

Mr. VITALI. But who are they, though? What are the names?

Mr. WILT. I am not going to offer that. Maybe some other member here would know specifically who they are. I simply read about some groups who have some situations with trails in and around the Commonwealth, but I am not at liberty to, because for accuracy's sake I am not going to start naming names to either leave someone out or say something about a group who has not contacted me personally about the issue.

Mr. VITALI. I am just trying to get a sense for what groups — since I do not have a direct familiarity with it — get some sense for who might be against it, because you put different credibility into the views of different groups. Can you give me a sense or give the House members a sense for who might be against it and who might be for it?

Mr. WILT. Oh, I can assure you this, Mr. Speaker, that by making this appropriation, those groups who have had issues in the past will not be eliminated from airing those issues with the department when these appropriations are made throughout the fiscal year.

Mr. VITALI. When you say those groups, can you give me the names or tell me who can?

Mr. WILT. Again, Mr. Speaker, I am not going to do that because I am not part of that process over at the department, so I am not sure who was all at the table. I can only assure you that we are not deviating from anything that has been done in the past through the appropriation of this money.

Mr. VITALI. Okay.

I do not want to beat a dead horse, but do you know who they are or do not choose to tell or do you simply not know who they are?

Mr. WILT. Mr. Speaker, I was very clear a few minutes ago in telling you that none of these groups have contacted me personally about any specific issue that they have with this amendment. I think through your comments you have inferred and through my answer I have said that no matter what we are talking about in trail maintenance or development, there are some who are for and some who are opposed. I believe your staff or the Democrat staff of the Transportation Committee or the Democrat staff of another committee may be able to give you that information, sir. I am just not at liberty to start throwing names out, because I have not been contacted by those people directly.

Mr. VITALI. To be clear, I do not have a fixed position about this amendment. I am just trying to find out who is on either side of it. If you do not know, you do not know, and that is the answer, but if you do know, please tell us.

Mr. WILT. I do not know.

Mr. VITALI. Thank you, Mr. Speaker.

I do not have any further questions.

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

Mr. HERSHEY. I am not going to comment on the amendment. I am going to comment on the history of the Environmental and Energy Committee. We did hold two hearings with trail riders and environmentalists who are hikers and those sorts. So it was two different times we held these hearings.

Now, the department is doing an investigation of the whole trail system. They are investigating where damage has been done; they are investigating the ability to enforce existing laws; they are investigating the amount of resources that they have, and they are going to come back to the committee with their report. I do not know what that report will be, but there has been a request by the trail riders for additional trails, but until the enforcement problem is settled and the illegal riding is settled, we do not know what that will be, but I want that to be on the table for the people that would like to know that.

Thank you very much.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mercer for the second time, Mr. Wilt.

Mr. WILT. Thank you, Mr. Speaker.

For the benefit of the chairman who just spoke and for the benefit of the members, I can think of no better way to deal with some of the problems that we have had with our trail network throughout Pennsylvania than to appropriate the necessary money to make the repairs in accordance with what the environmentalists of this State feel would be appropriate. We have a tremendous opportunity here, and we have been taking that opportunity for a number of years through the use of Federal and State money to enhance our trail network. I do not think that withholding funds from the department is going to do anything to help with some of those situations that have occurred and problems that people have had with our trail network.

This is a solution; this is not a problem.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clinton County, Mr. Hanna, on the amendment.

Mr. HANNA. Thank you, Mr. Speaker.

I just want to quickly add that I rise to join the maker of the amendment. I think this is a wonderful opportunity to provide funds that will help us address some of the concerns that are raised by environmentalists about existing ATV trails and also allow us the funds that we will need to develop new trails that will be environmentally friendly.

This is a chance to have a win-win situation, and I would encourage everyone to support this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster County, Mr. Sturla, on the amendment.

Mr. STURLA. Thank you, Mr. Speaker.

Will the maker of the amendment rise for brief interrogation?

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

Mr. STURLA. Mr. Speaker, the way I read this amendment, it says that taxes derived from the sale of fuel that is to be used in off-road vehicles gets used for this fund. Is that correct?

Mr. WILT. That is correct, Mr. Speaker — some; some.

Mr. STURLA. Okay.

Mr. Speaker, I guess my question is, how do I determine how much fuel gets used in off-road vehicles?

Mr. WILT. That is a great question, Mr. Speaker. It is a softball, though. Act 57 actually requires that the Department of Conservation, or it actually requires that the Department of Transportation and the Department of Conservation and Natural Resources through their registration program of these vehicles provide an estimate annually to the General Assembly, and I have here the 1998 numbers — they lag about a year behind — and that is where I used the number to answer a previous Representative's question about how much money would be appropriated if we used the entire estimate of DCNR that goes over to PennDOT, and also we get a copy of it.

Mr. STURLA. Mr. Speaker, how do we determine those estimates? I mean, does somebody stand out on the trail somewhere and count how many snowmobiles go by, or—

Mr. WILT. Actually, Mr. Speaker, they can be very accurate in the same way that they make this same type of estimate for the boating community over to the Fish and Boat Commission, when they take gas tax money from PennDOT and appropriate it to the Fish and Boat Commission using, again, an estimate of the number of gallons consumed through survey data and the number of vehicles that are either licensed or registered, depending on what type of boating vehicles that they are. So we have it going on actually in two instances. We have it going on for the boating community, and that money gets appropriated to the Fish and Boat Commission. What this amendment does is begin the process with a million dollars, not to the Fish and Boat Commission but over to DCNR, based on the same estimates that the department is using.

Mr. STURLA. Okay. Thank you, Mr. Speaker.

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

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Wilt amendment, and just in a nutshell, there are, you know, millions of dollars, a \$5- to \$7-million-a-year estimate, that off-road enthusiasts — snowmobilers and ATV riders — spend in tax dollars when they buy gasoline, and they get absolutely nothing in return for it.

There is a tremendous amount of damage that is being done in our State forest lands. This would free up some money, hopefully, that some of that damage could be repaired, and hopefully when the next session begins, with Representative Hershey, chairman of the Environmental Committee, and Representative George's help we can work on establishing some new trails on private land where ATV enthusiasts can enjoy what they do, and maybe some of this money could be used to work along those lines.

We have a serious problem in Pennsylvania with just unregulated ATV use. They are riding them everywhere and anywhere. Nobody agrees with that. We need this revenue to help provide places where they can ride ATVs without doing serious environmental damage.

So this will be a win-win situation, and I suggest that the members support it. Thank you.

The SPEAKER pro tempore. Mr. Vitali, for the second time.

Mr. VITALI. To be clear, am I speaking for the first time or second time? I was under the impression I was interrogating the first time.

The SPEAKER pro tempore. Interrogation does count.

Mr. VITALI. Okay.

The SPEAKER pro tempore. So this is your second time.
Mr. VITALI. Thank you, Mr. Speaker.

After I spoke the first time I was informed that the Sierra Club does in fact oppose this amendment. Trails through State-owned lands have a lot of negative impacts upon hikers and other outdoor enthusiasts. Trails are not bad per se, but certain standards need to be met and certain limits need to be met. My concern here is this is an eleventh-hour amendment. It is an amendment whose contents ought to be examined closely by our House Environmental Resources and Energy Committee. It is something we should not really be doing on perhaps the last session day of this term. It is something that requires further study.

My caution to the members is that environmentally, this is opposed by some who care deeply about the environment. I think it requires further study, and for that reason I would ask for a "no" vote.

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

The following roll call was recorded:

YEAS—163

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Fichter | Mayernik | Schuler |
| Allen | Flick | McCall | Semmel |
| Argall | Forcier | McGeehan | Shaner |
| Armstrong | Gannon | McGill | Smith, B. |
| Baker | Geist | McIlhattan | Smith, S. H. |
| Barley | George | Mellhinney | Solobay |
| Barrar | Gladeck | McNaughton | Staback |
| Bastian | Godshall | Metcalfe | Stairs |
| Bebko-Jones | Gruitza | Micozzie | Steelman |
| Belardi | Habay | Miller, R. | Steil |
| Belfanti | Haluska | Miller, S. | Stern |
| Benninghoff | Hanna | Mundy | Stetler |
| Birmelin | Harhai | Myers | Stevenson |
| Bishop | Harhart | Nickol | Strittmatter |
| Blaum | Hasay | O'Brien | Surra |
| Boyes | Hennessey | Oliver | Tangretti |
| Browne | Herman | Orie | Taylor, E. Z. |
| Bunt | Hershey | Perzel | Taylor, J. |
| Buxton | Hess | Pesci | Thomas |
| Cam | Horsely | Petrarca | Tigue |
| Chadwick | Hutchinson | Petrone | Travaglio |
| Civera | Jadlowiec | Phillips | Trello |
| Clymer | James | Pippy | Trich |
| Cohen, M. | Kaiser | Pistella | True |
| Colafella | Keller | Platts | Tulli |
| Cornell | Kenney | Preston | Veon |
| Corrigan | Kirkland | Ramos | Wansacz |
| Costa | LaGrotta | Raymond | Washington |
| Coy | Laughlin | Readshaw | Waters |
| Dailey | Lawless | Reinard | Wilt |
| Daley | Lederer | Rieger | Wogan |
| Dally | Lescovitz | Roberts | Wojnaroski |
| DeLuca | Lucyk | Robinson | Wright |
| Dempsey | Lynch | Roebuck | Yewcic |
| DeWeese | Maher | Rohrer | Youngblood |
| DiGirolamo | Maitland | Rooney | Yudichak |
| Donatucci | Major | Ross | Zimmerman |
| Egolf | Manderino | Ruffing | Zug |
| Evans | Mann | Sainato | |
| Fairchild | Markosek | Sather | Ryan, |
| Fargo | Marsico | Saylor | Speaker |
| Feese | | | |

NAYS—33

| | | | |
|-------------|---------|-----------|-----------|
| Bard | Eachus | Masland | Scrimenti |
| Battisto | Fleagle | Melio | Snyder |
| Caltagirone | Frankel | Michlovic | Sturla |

| | | | |
|--------------|-----------|-----------|-----------|
| Casorio | Freeman | Nailor | Vance |
| Cawley | Gordner | Rubley | Van Horne |
| Clark | Grucela | Samuelson | Vitali |
| Cohen, L. I. | Krebs | Santoni | Walko |
| Curry | Levdansky | Schroder | Williams |
| Dermody | | | |

NOT VOTING—1

Butkovitz

EXCUSED—3

Cappabianca Josephs Leh

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. Mr. Kaiser, do you intend to offer your amendment?

Mr. KAISER. Mr. Speaker, I have two amendments, and the first amendment would require, if you ride a motorcycle, you need 500,000 dollars' worth of insurance—

The SPEAKER pro tempore. Well, Mr. Kaiser, first we need to know if you intend to offer them, and if so, which one?

Mr. KAISER. I had a discussion with the Representative who offered the amendment regarding helmets, and she said she would work with me to see if we could put this in maybe next session. Plus I can count, too. I saw the other amendment went down 2 to 1. So I am withdrawing both of them.

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?

Mr. MELIO offered the following amendment No. A4789:

Amend Title, page 1, line 4, by inserting after "REVOKED,"
for emission inspection fees,

Amend Sec. 1, page 1, lines 12 and 13, by striking out "1543(A) and (B)(1), 4902, 4979.3(B), 6109(E) and 6122(A)" and inserting
and 1543(a) and (b)(1)

Amend Bill, page 3, by inserting between lines 17 and 18
Section 2. Section 4702 of Title 75 is amended by adding a subsection to read:

§ 4702. Requirement for periodic inspection of vehicles.

(h) Maximum fee.—If a fee is charged by an emission inspection station for a vehicle subject to exception under subsection (g), the fee shall not exceed \$15.

Section 3. Sections 4902, 4979.3(b), 6109(e) and 6122(a) of Title 75 are amended to read:

Amend Sec. 2, page 9, line 4, by striking out "2" and inserting
4

Amend Sec. 3, page 9, line 22, by striking out "3" and inserting
5

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. Melio.

Mr. MELIO. Thank you, Mr. Speaker.

I was very pleased when the emissions program was instituted that there was an allowance for our senior citizens who were on fixed incomes and other residents that travel less than 5,000 miles were exempt from this emissions program. I was very pleased, but what happened was the word "exempt" apparently did not carry through. I had a constituent that even though she was under the 5,000 miles was charged \$43 for her inspection, and I thought that was gross, improper, for our senior citizens.

So this amendment simply, if a fee is charged by an emission inspection station, the maximum fee would not exceed, not \$5, \$10, but \$15. That certainly would allow the inspection stations some financial support for what they have to do for that inspection.

So I ask my colleagues — and I believe this is an agreed-to amendment — to vote "yes" on this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Geist, from Blair County, on the amendment.

Mr. GEIST. Thank you very much, Mr. Speaker.

Yes, indeed this is an agreed-to amendment. We want to thank Representative Melio, Representative Battisto, and everybody else that worked on this, and I would ask for an affirmative vote.

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—1

Horsey

EXCUSED—3

Cappabianca Josephs Leh

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

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—167

| | | | |
|-------------|-----------|------------|---------------|
| Allen | Fairchild | Marsico | Schroder |
| Argall | Fargo | Mayernik | Schuler |
| Armstrong | Feese | McCall | Scrimenti |
| Baker | Fichter | McGeehan | Semmel |
| Bard | Flick | McGill | Shaner |
| Barley | Forcier | McIlhattan | Smith, B. |
| Barrar | Gannon | McIlhinney | Smith, S. H. |
| Bastian | Geist | McNaughton | Snyder |
| Battisto | George | Melio | Staback |
| Bebko-Jones | Gladeck | Metcalfe | Stairs |
| Belardi | Godshall | Micozzie | Steelman |
| Belfanti | Grucela | Miller, R. | Steil |
| Benninghoff | Gruitza | Miller, S. | Stern |
| Birmelin | Habay | Mundy | Stevenson |
| Bishop | Haluska | Myers | Strittmatter |
| Blaum | Hanna | Nickol | Sturla |
| Boyes | Harhai | O'Brien | Surra |
| Browne | Harhart | Oliver | Tangretti |
| Bunt | Hasay | Orie | Taylor, E. Z. |

| | | | |
|--------------|------------|----------|------------|
| Butkovitz | Hennessey | Perzel | Taylor, J. |
| Buxton | Herman | Pesci | Thomas |
| Caltagirone | Hershey | Petrarca | Travaglio |
| Carn | Hess | Petrone | Trello |
| Casorio | Hutchinson | Phillips | Trich |
| Civera | James | Pippy | True |
| Clymer | Kaiser | Pistella | Tulli |
| Cohen, L. I. | Keller | Preston | Van Horne |
| Cohen, M. | Kenney | Ramos | Veon |
| Colafella | Kirkland | Raymond | Walko |
| Cornell | LaGrotta | Readshaw | Wansacz |
| Corrigan | Laughlin | Reinard | Washington |
| Costa | Lawless | Roberts | Waters |
| Coy | Lederer | Robinson | Wilt |
| Daley | Lescovitz | Roebuck | Wogan |
| Dally | Lucyk | Rohrer | Wojnaroski |
| DeLuca | Lynch | Rooney | Yewcic |
| Dempsey | Maher | Ross | Youngblood |
| Dermody | Maitland | Ruffing | Zimmerman |
| DeWeese | Major | Sainato | Zug |
| DiGirolamo | Manderino | Santoni | |
| Donatucci | Mann | Sather | Ryan, |
| Egolf | Markosek | Saylor | Speaker |
| Evans | | | |

NAYS—28

| | | | |
|----------|-----------|-----------|----------|
| Adolph | Fleagle | Masland | Stetler |
| Cawley | Frankel | Michlovic | Tigue |
| Chadwick | Freeman | Nailor | Vance |
| Clark | Gordner | Platts | Vitali |
| Curry | Jadlowiec | Rublely | Williams |
| Dailey | Krebs | Samuelson | Wright |
| Eachus | Levdansky | Solobay | Yudichak |

NOT VOTING—2

| | |
|--------|--------|
| Horsey | Rieger |
|--------|--------|

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

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

The SPEAKER. The Chair turns to page 4 of today's calendar, SB 1312, and recognizes the majority— Mr. Geist, are you seeking recognition?

Mr. GEIST. Yes, Mr. Speaker. I was trying to get your attention before you called the bill up. We want to request another bill to be called up.

The SPEAKER. Would you come to the desk and request that.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of SB 1312, PN 2136.

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

The following roll call was recorded:

YEAS—193

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

NAYS—2

| | |
|-------|----------|
| Krebs | Steelman |
|-------|----------|

NOT VOTING—2

| | |
|-----------|--------|
| Hennessey | Rieger |
|-----------|--------|

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1312, PN 2136**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for homicide by vehicle.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

NAYS—1

Manderino

NOT VOTING—0

EXCUSED—3

Cappabianca Josephs Leh

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

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

The House proceeded to third consideration of **SB 805, PN 2297**, entitled:

An Act amending Titles 12 (Commerce and Trade), 13 (Commercial Code), 15 (Corporations and Unincorporated Associations), 30 (Fish), 42 (Judiciary and Judicial Procedure), 66 (Public Utilities) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, extensively revising provisions on secured transactions; revising provisions on letters of credit; making editorial changes; and making repeals.

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

The **SPEAKER**. The Chair recognizes the gentleman from Clearfield, Mr. George— I understand you are withdrawing that amendment. The Chair thanks the gentleman.

The gentleman, Mr. Caltagirone, has an amendment for this bill? Mr. Caltagirone? The gentleman, Mr. Caltagirone's amendment is withdrawn.

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

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

The question is, shall the bill pass finally?

Mr. Casorio.

Mr. CASORIO. Mr. Speaker, just an inquiry, if I could, please.

This bill is 292 pages. If we could get someone — I realize it is a Senate bill — just to give us the highlights, a summary, if we could.

The **SPEAKER**. The bill went through the committee process here. Mr. Hasay, can you give us a brief description of what this bill does? It would also be on your analysis.

Mr. HASAY. Mr. Speaker, this is the Uniform Commercial Code bill. This bill has to do with lending credit and debit and the security of the lender with the county. This bill has been looked at by the Pennsylvania Bar Association, and they have their own study committee in this commercial arena.

The SPEAKER. The gentleman will yield.

Mr. HASAY. With the—

The SPEAKER. The gentleman will yield.

Mr. Thomas, for what purpose do you seek recognition?

Mr. THOMAS. Mr. Speaker, I want to interrogate the speaker once this is finished.

The SPEAKER. Mr. Casorio, are you continuing with Mr. Hasay at this time?

Mr. CASORIO. I would like to listen to Mr. Hasay.

The SPEAKER. Mr. Hasay, go ahead.

Mr. HASAY. Twenty-three other States have passed this. This bill has to be passed by June 1 of 2001. There are a number of groups that are interested in this — financial institutions, the banks. It secures their loans and the recording of the loans and such, and I made it very firm that there will be no fee increases in this bill, that the fees that are in there will all remain the same.

The SPEAKER. Mr. Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

If I may ask the gentleman, the sections pertaining to Fish and Game, Vehicles, Title 75, can you give me a synopsis of those?

Mr. HASAY. Mr. Speaker, when you borrow money, that includes them as well.

Mr. CASORIO. Mr. Speaker, when you borrow money it includes the Fish and Game Commission?

Mr. HASAY. In their purchases.

Mr. CASORIO. When they borrow money, Mr. Speaker, the Fish and Game Commission— I am not clear on what you are—

Mr. HASAY. Okay.

Mr. CASORIO. Believe me, I am not trying to be difficult, but 292 pages—

Mr. HASAY. The House Commerce Committee had an informational meeting with the committee members, and we had various groups and organizations that were there that are interested in this bill. Twenty-three other States have already passed it. It is to keep the loans and the debits recorded properly and updated, because the code has not been changed in 25 years, and with the new technology and the use of computers, this is necessary.

Mr. CASORIO. So just, if you would, for instance, just give me, for instance, the Fish and Game, the Title 30. How would this 292-page bill pertain to the Fish and Game Commission?

Mr. HASAY. Mr. Speaker, if you were to buy a boat and you were to borrow money on that boat, the institution that you borrowed the money from would be recorded with the county and with the Fish Commission because you have to register the boat.

Mr. CASORIO. So, Mr. Speaker, the Fish and Game Commission section, the Title 30, is simply pertaining to transactions of purchases by Commonwealth residents?

Mr. HASAY. Yes.

Mr. CASORIO. And the Public Utilities section. Now, if you are telling me the Title 30, Fish and Game, then the Title 75 may be the purchases of vehicles, if we could—

Mr. HASAY. Well, if you are a utility and you borrow money from an institution, it is to be recorded with the Public Utility Commission as well as the lending institution.

Mr. CASORIO. And the Title 75 is also a concern, Mr. Speaker. If you could.

Mr. HASAY. Would you repeat that, Mr. Speaker?

Mr. CASORIO. The Title 75 portion of this bill, the Vehicles, the Vehicle Code bill?

Mr. HASAY. The same thing, if you borrow money when you purchase a new vehicle.

Mr. CASORIO. So let me ask— Thank you, Mr. Speaker.

Let me ask—

Mr. HASAY. The encumbrance is placed on the title. When you buy a car, you have an encumbrance put on the title.

Mr. CASORIO. And you stated that these changes are necessary to bring us into compliance with other States.

Mr. HASAY. Yes, Mr. Speaker.

Mr. CASORIO. In what way is this 292-page bill benefiting taxpayers of the Commonwealth that are not being benefited at the present moment, Mr. Speaker?

Mr. HASAY. It benefits them in money that they have borrowed or money that they have lent, that it is properly recorded.

Mr. CASORIO. Mr. Speaker, properly recorded with?

Mr. HASAY. Counties, with the different institutions.

Mr. CASORIO. So you are saying now that when folks buy boats or cars, they are not being properly recorded with the counties?

Mr. HASAY. They are, yes, but this part of that language had to be in this code.

Mr. CASORIO. And again, I am not trying to be difficult, because I know the hour is growing late, but a 292-page bill, I do not know that anybody on this side of the aisle, and if anybody on that side of the aisle has read the bill, I would like to hear from them. I am not sure what is buried in here, and when we talk about Title 12, Commerce and Trade; 13, Commercial Code; Fish and Game; Judicial Code; Public Utilities; Vehicles, I am a little bit skeptical of what is in a 292-page bill. And I take you at your word, Mr. Speaker, that some changes in here may be technical or of a nature that may need to bring our codes up to standard with some other States; that may be very true, and I would tend to agree with you.

The SPEAKER. The gentleman has concluded his interrogation, I gather from your comments.

Mr. CASORIO. Yes, sir, Mr. Speaker. Thank you.

The SPEAKER. You may continue.

Mr. CASORIO. Thank you, Mr. Speaker.

But again, I do not doubt that portion of what the gentleman has told us, but I just have to be a little bit leery of when we talk about 1, 2, 3, 4, 5, 6, 7 different titles amended into a 292-page bill at 5:45 in the afternoon, Mr. Speaker, I am a little bit concerned of what may be in there, what the gentleman has told us; he may be unaware of what is in there. I would tread lightly on this, Mr. Speaker, and for that reason, just because we do not have an overall synopsis of the bill, would encourage a “no” vote unless someone could give me a better explanation.

Thank you for your latitude, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

MOTION TO RECOMMIT

The SPEAKER. Mr. Thomas, do you desire recognition?

Mr. THOMAS. Yes, Mr. Speaker.

Mr. Speaker, I rise to move that this bill be referred back to committee.

The SPEAKER. The gentleman from Philadelphia County, Mr. Thomas, moves that SB 805 be recommitted to the Commerce and Economic Development Committee. Is that correct?

Mr. THOMAS. Yes, Mr. Speaker.

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

The SPEAKER. On the question of recommittal—

Mr. THOMAS. Mr. Speaker, can I—

The SPEAKER. Mr. Thomas.

Mr. THOMAS. Yes. I ask that this bill be recommitted for the following reasons.

Number one, the bill is 292 pages. The bill contains some amendments by the Senate which talk about multiple jurisdiction, talk about liens and encumbrances, and affect the people that we represent in a very significant way. That is why only 23 States have decided to act on this.

Secondly, a number of our members are not here. They will either be voted or not have a chance to vote on something that is going to impact a very critical segment of their district and the people that they represent.

Number three, this bill should go back to committee because people need to take time to understand not the contents of the bill but the consequences of the bill if it goes to the Governor's desk and is signed into law.

And last but not least, Mr. Speaker, they are very critical issues. The banking community acknowledges that this is a very complex piece of legislation involving issues that we have not addressed in 25 years as it relates to personal property and as it relates to the whole question of jurisdiction and who can have authority to attach and not attach property that you might have in one place or another.

And for those reasons, Mr. Speaker, I think it is imperative that this bill go back to committee and give us an opportunity to digest it, look at the consequences of it, and then be able to come back and make an intelligent decision on how this will impact the people that we represent.

The SPEAKER. The Chair thanks the gentleman.

Mr. Gordner, on recommittal.

Mr. GORDNER. Yes. Thank you, Mr. Speaker.

I would like to speak in opposition to recommittal.

The SPEAKER. The gentleman is in order.

Mr. GORDNER. To the credit of the chairman of this committee, whenever we have a controversial or complex issue, he has a working session that allows members of both sides of the aisle to better understand the issue, ask questions, and to work on that subject. We had such a hearing on this issue several months ago, and I was one of Democrat and Republican members who attended that meeting. We spent several hours discussing the efforts and the ideas that are included in this legislation.

The benefit of model legislation is that we are not reinventing the wheel here. The benefit of model legislation is to have all 50 States adopt similar types of rules and laws so that those folks who are practicing in multi States know what they are dealing with, whether it is in New York or New Jersey or Ohio or Pennsylvania.

As previously mentioned, this model bill, I think, has been adopted in over 20 States already, and we are adopting

something that is 99 percent in place in those 20 or more States. This has been worked on in committee; it was brought up in committee and passed unanimously, both by Democrat and Republican members. There is no further need for this committee to address this issue. We need to go ahead and not vote to recommit it and instead vote to pass it and send it to the Senate. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of recommittal, Mr. Thomas for the second time.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, there is no one here that, at least I am confident, is able to stand up here — and even the speaker who spoke before me is ill equipped and unable to stand up here — and explain how this bill has been drafted as a model code to the Uniform Commercial Code. This bill changes Article IX in a way we have not touched Article IX in the last 25 years, and unless you understand how the Uniform Commercial Code affects all of us and how these changes will affect us in the future, then we are blindly responding to something that we have no knowledge of, and if there were someone here that was confident as to how these changes will affect us and affect the people that we represent, then I would say go forward with it.

And I want members from both sides of the aisle to understand, I am not questioning the merit of these proposed changes. What I am questioning is our lack of understanding of what it is that we are voting for and how it is going to affect the people that we represent. It raises very critical legal issues that are going to affect most Pennsylvanians in a way that they have not been affected in the last 25 years, and to that end we need to have a consensus or at least an understanding about the critical legal issues involved in SB 805, and that is why I think it is imperative that it go back to committee and let us get a handle on it.

The SPEAKER. The Chair thanks the gentleman.

Mr. Hasay, do you have comments on the recommittal motion?

Mr. HASAY. Thank you, Mr. Speaker.

We have had informational meetings on this bill. It is a thick bill. It has been looked over by both Democratic staff and Republican staff as well.

The problem is right now, you know, this is the last day, probably the last day of session, and it is important to these different organizations that are interested in this bill that it be adopted today. And as I said before, when we went through the bill, I made sure that there were no fees that were increased, and all the fees are all the same.

So I would appreciate not to report the bill back to committee. Vote against the measure. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—55

| | | | |
|-------------|-----------|------------|-----------|
| Bebko-Jones | Dermody | McGeehan | Saylor |
| Bishop | Donatucci | McNaughton | Scrimenti |
| Butkovitz | Evans | Melio | Shaner |
| Buxton | Freeman | Myers | Tangretti |
| Caltagirone | Haluska | Oliver | Thomas |

| | | | |
|-----------|-----------|-----------|------------|
| Cam | Harhai | Pesci | Tigue |
| Casorio | James | Petrarca | Travaglio |
| Cawley | Keller | Preston | Washington |
| Clark | Kirkland | Ramos | Waters |
| Cohen, M. | Lawless | Rieger | Williams |
| Colafella | Lederer | Robinson | Wojnaroski |
| Corrigan | Levdansky | Ruffing | Yewcic |
| Curry | Manderino | Samuelson | Youngblood |
| Daley | Marsico | Santoni | |

NAYS—141

| | | | |
|--------------|------------|------------|---------------|
| Adolph | Fichter | Markosek | Semmel |
| Allen | Fleagle | Masland | Smith, B. |
| Argall | Flick | Mayernik | Smith, S. H. |
| Armstrong | Forcier | McCall | Snyder |
| Baker | Frankel | McGill | Solobay |
| Bard | Gannon | McIlhattan | Staback |
| Barley | Geist | McIlhinney | Stairs |
| Barrar | George | Metcalfe | Steelman |
| Bastian | Gladeck | Michlovic | Steil |
| Battisto | Godshall | Micozzie | Stern |
| Belardi | Gordner | Miller, R. | Stetler |
| Belfanti | Grucela | Miller, S. | Stevenson |
| Benninghoff | Gruitza | Mundy | Strittmatter |
| Birmelin | Habay | Nailor | Sturla |
| Blaum | Hanna | Nickol | Surra |
| Boyes | Harhart | O'Brien | Taylor, E. Z. |
| Browne | Hasay | Orie | Trello |
| Bunt | Hennessey | Perzel | Trich |
| Chadwick | Herman | Petrone | True |
| Civera | Hershey | Phillips | Tulli |
| Clymer | Hess | Pippy | Vance |
| Cohen, L. I. | Horsy | Pistella | Van Horne |
| Cornell | Hutchinson | Platts | Veon |
| Costa | Jadlowiec | Raymond | Vitali |
| Coy | Kaiser | Readshaw | Walko |
| Dailey | Kenney | Reinard | Wansacz |
| Dally | Krebs | Roberts | Wilt |
| DeLuca | LaGrotta | Roebuck | Wogan |
| Dempsey | Laughlin | Rohrer | Wright |
| DeWeese | Lescovitz | Rooney | Yudichak |
| DiGirolamo | Lucyk | Ross | Zimmerman |
| Eachus | Lynch | Rublely | Zug |
| Egolf | Maher | Sainato | |
| Fairchild | Maitland | Sather | |
| Fargo | Major | Schroder | Ryan, |
| Feese | Mann | Schuler | Speaker |

NOT VOTING—1

Taylor, J.

EXCUSED—3

Cappabianca Josephs Leh

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,
Shall the bill pass finally?

The SPEAKER. Mr. Costa, do you desire recognition? The gentleman from Allegheny is recognized.

Mr. COSTA. Thank you, Mr. Speaker.

I would like to interrogate the spokesperson for the Senate bill, please.

The SPEAKER. Mr. Hasay agrees to stand for interrogation. You may begin.

Members, break— Conferences on the floor, please. Please, conferences on the floor, break up.

Mr. Costa.

Mr. COSTA. Thank you, Mr. Speaker.

I just got a couple questions about what this bill does. Right now when you file a UCC (Uniform Commercial Code), it is filed through the prothonotary and also through the State, and basically what we are doing is we are just going straight to the State now and eliminating the prothonotary. Is that correct?

Mr. HASAY. Correct.

Mr. COSTA. Okay. I just wanted to get that clear to make sure we understand what we are voting for.

On behalf of the Allegheny County delegation, I have spoken to the acting prothonotary. He supports this bill. Actually, that was my first job. I used to type UCC transactions into the index books.

But another question I have is, if somebody files a UCC transaction, it is alive for 5 years and you have the opportunity to continue it. If somebody files that today, can they continue to continue those transactions, and will they be valid?

Mr. HASAY. Correct.

Mr. COSTA. Thank you. That is what I wanted to clarify.

Thank you very much, and thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—170

| | | | |
|--------------|------------|------------|---------------|
| Adolph | Feese | Mayernik | Schroder |
| Allen | Fichter | McCall | Schuler |
| Argall | Fleagle | McGeehan | Scrimenti |
| Armstrong | Flick | McGill | Semmel |
| Baker | Frankel | McIlhattan | Shaner |
| Bard | Freeman | McIlhinney | Smith, B. |
| Barley | Gannon | McNaughton | Smith, S. H. |
| Barrar | George | Michlovic | Snyder |
| Battisto | Gladeck | Micozzie | Solobay |
| Bebko-Jones | Godshall | Miller, R. | Staback |
| Belardi | Gordner | Miller, S. | Stairs |
| Belfanti | Grucela | Mundy | Steelman |
| Benninghoff | Gruitza | Myers | Steil |
| Birmelin | Habay | Nailor | Stetler |
| Bishop | Haluska | Nickol | Sturla |
| Blaum | Hanna | O'Brien | Surra |
| Boyes | Harhai | Oliver | Tangretti |
| Bunt | Hasay | Orie | Taylor, E. Z. |
| Butkovitz | Hennessey | Perzel | Taylor, J. |
| Buxton | Herman | Pesci | Travaglio |
| Caltagirone | Hershey | Petrarca | Trello |
| Cam | Horsy | Petrone | Trich |
| Chadwick | Hutchinson | Phillips | True |
| Civera | James | Pippy | Tulli |
| Clymer | Kaiser | Pistella | Vance |
| Cohen, L. I. | Keller | Platts | Van Horne |
| Cohen, M. | Kenney | Preston | Veon |
| Colafella | Kirkland | Ramos | Vitali |
| Cornell | Krebs | Raymond | Walko |
| Corrigan | LaGrotta | Readshaw | Wansacz |
| Costa | Laughlin | Reinard | Washington |
| Coy | Lawless | Rieger | Waters |
| Curry | Lederer | Roberts | Williams |
| Daley | Lescovitz | Robinson | Wogan |

| | | | |
|------------|-----------|-----------|------------|
| DeLuca | Lucyk | Roebuck | Wojnaroski |
| Dempsey | Maher | Rooney | Wright |
| Dermody | Maitland | Ross | Youngblood |
| DeWeese | Major | Rubley | Yudichak |
| DiGirolamo | Manderino | Ruffing | Zimmerman |
| Donatucci | Mann | Sainato | Zug |
| Eachus | Markosek | Samuelson | |
| Evans | Marsico | Santoni | Ryan, |
| Fargo | Masland | Saylor | Speaker |

NAYS—27

| | | | |
|---------|-----------|-----------|--------------|
| Bastian | Egolf | Levdansky | Stevenson |
| Browne | Fairchild | Lynch | Strittmatter |
| Casorio | Forcier | Melio | Thomas |
| Cawley | Geist | Metcalfe | Tigue |
| Clark | Harhart | Rohrer | Wilt |
| Dailey | Hess | Sather | Yewcic |
| Dally | Jadlowiec | Stern | |

NOT VOTING—0

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

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

The House proceeded to third consideration of SB 516, PN 2233, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for determination of paternity; providing for custody and visitation petitions by fathers; and further providing for protection from abuse orders and for full faith and credit and foreign protection orders.

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

Mr. GANNON offered the following amendment No. A4241:

Amend Title, page 1, line 2, by inserting after "for" impounding of adoption proceedings and access to record, for

Amend Title, page 1, lines 3 and 4, by striking out all of line 3, "FATHERS; AND FURTHER PROVIDING" in line 4 and inserting paternity, for visitation rights and partial custody when there is a deceased parent,

Amend Sec. 1, page 1, lines 9 through 11, by striking out all of said lines and inserting

Section 1. Sections 2905(a), 5104(a), (b), (c), (d) and (g) and 5311 of Title 23 of the Pennsylvania Consolidated Statutes are amended to read:

§ 2905. Impounding of proceedings and access to records.

(a) General rule.—All petitions, exhibits, reports, notes of testimony, decrees, and other papers pertaining to any proceeding under this part or former statutes relating to adoption shall be kept in the files of the court as a permanent record thereof and withheld from

inspection except on an order of court granted upon cause shown or except as otherwise provided in this section. In the case of an adult adoptee who is assuming a name under section 2904 (relating to name of adoptee), an order of court is not required for the court to forward to the Pennsylvania State Police documentation in accordance with 54 Pa.C.S. § 702 (relating to change by order of court). Any report required to be filed under sections 2530 (relating to home study and replacement report), 2531 (relating to report of intention to adopt) and 2535 (relating to investigation) shall be made available to parties to an adoption proceeding only after all identifying names and addresses in the report have been extirpated by the court.

Amend Sec. 1, page 4, by inserting between lines 2 and 3 § 5311. When parent deceased.

(a) Parents and grandparents.—If a parent of an unmarried child is deceased, the parents or grandparents of the deceased parent may be granted reasonable partial custody or visitation rights, or both, to the unmarried child by the court upon a finding that partial custody or visitation rights, or both, would be in the best interest of the child and would not interfere with the parent-child relationship. The court shall consider the amount of personal contact between the parents or grandparents of the deceased parent and the child prior to the application.

(b) Siblings.—If a parent of an unmarried child is the victim of criminal homicide perpetrated by the other parent, the siblings of the deceased parent may be granted reasonable partial custody or visitation rights, or both, to the unmarried child by the court upon a finding that partial custody or visitation rights, or both, would be in the best interest of the child and would not interfere with any order or determination under section 5303 (relating to award of custody, partial custody or visitation). The court shall consider the amount of personal contact between the siblings of the deceased parent and the child prior to the application.

Amend Sec. 2, page 4, lines 4 through 19, by striking out all of said lines

Amend Sec. 3, page 4, line 20, by striking out "3" and inserting 2

Amend Sec. 4, page 5, line 17, by striking out "4" and inserting 3

Amend Sec. 5, page 5, line 18, by striking out "5" and inserting 4

Amend Sec. 6, page 7, line 2, by striking out "6" and inserting 5

Amend Sec. 7, page 8, line 19, by striking out "7" and inserting 6

Amend Sec. 8, page 8, line 27, by striking out "8" and inserting 7

Amend Sec. 9, page 10, line 28, by striking out "9" and inserting 8

Amend Sec. 10, page 10, line 29, by striking out "10" and inserting 9

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

The following roll call was recorded:

YEAS—194

| | | | |
|-----------|-----------|------------|--------------|
| Adolph | Fairchild | Marsico | Schuler |
| Allen | Fargo | Masland | Scrimenti |
| Argall | Feese | Mayernik | Semmel |
| Armstrong | Fichter | McCall | Shaner |
| Baker | Fleagle | McGeehan | Smith, B. |
| Bard | Flick | McGill | Smith, S. H. |
| Barley | Forcier | McIlhattan | Snyder |
| Barrar | Frankel | McIlhinney | Solobay |
| Bastian | Freeman | McNaughton | Staback |

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

NAYS-0

NOT VOTING-3

| | | |
|--------|----------|--------|
| Bishop | Laughlin | Rohrer |
|--------|----------|--------|

EXCUSED-3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

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

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

The following roll call was recorded:

YEAS-194

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

NAYS-1

| |
|-----------|
| Manderino |
|-----------|

NOT VOTING-2

| | |
|--------|-----------|
| Bishop | Levdansky |
|--------|-----------|

EXCUSED-3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.
 Mr. PERZEL. Mr. Speaker, I ask that the rules of the House be suspended to permit the immediate consideration of SB 1154 together with any amendments thereto.

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

The following roll call was recorded:

YEAS—193

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

NAYS—4

| | | | |
|-------|-------|----------|-------|
| Krebs | Mundy | Steelman | Tigue |
|-------|-------|----------|-------|

NOT VOTING—0

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1154, PN 2305**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), entitled, as amended, The County Code, providing for insurance and other employee benefits; further providing for hotel occupancy taxes and for delivery of tax duplicates; and further regulating contractors, grounds and buildings and bridges, viaducts and culverts.

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

Mr. MAITLAND offered the following amendment No. **A4864**:

Amend Title, page 1, line 10, by inserting after "TAXES"
 , for hotel room tax in sixth class counties

Amend Sec. 4, page 10, line 22, by striking out "A SECTION" and inserting

sections

Amend Sec. 4 (Sec. 1770.6), page 10, line 23, by striking out "THE" and inserting

Except as provided for in section 1770.7, the

Amend Sec. 4, page 14, by inserting between lines 6 and 7

Section 1770.7. Authorization of Three Per Centum Hotel Tax.—

(a) The county commissioners of any county of the sixth class having a population under the 1990 Federal Decennial Census in excess of 78,250 residents, but less than 79,000 residents, may impose a hotel tax not to exceed three per centum of the consideration received by each operator of a hotel within the county from each transaction of renting a room or rooms to transients. The tax shall be collected by the operator from the patron of the room or rooms and paid over to the county as herein provided.

(b) The county commissioners may by ordinance impose requirements for keeping of records, the filing of tax returns and the time and manner of collection and payment of tax. The county commissioners may also impose by ordinance penalties and interest for failure to comply with recordkeeping, filing, collection and payment requirements.

(c) The county commissioners of each county shall designate the entity or agency responsible to collect and to enforce the collection of the tax on their behalf. All revenues received from the tax shall be deposited into a special fund which is to be established by the county's legally sanctioned and duly designated Tourist Promotion Agency (TPA). The disposition of the revenues from the TPA hotel tax fund shall be as follows: seventy-five per centum of all revenues received per annum shall be used by the TPA for the promotion, advertising and marketing of tourism and special events and for administrative costs. Twenty-five per centum of all revenues received per annum shall be used by the county commissioners for the purpose of economic development, historic preservation and grants to local municipalities having police departments. Any fees for administering the collection and distribution of the tax shall be negotiated by the TPA and the county commissioners.

(d) The treasurer of each county electing to impose the tax authorized under this section shall collect the tax and deposit the revenues received from the tax in a special fund established for that purpose.

(e) The tax year for a tax imposed under this section shall run concurrently with the calendar year.

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

"Consideration." Receipts, fees, charges, rentals, leases, cash, credits, property of any kind or nature, or other payment received by operators in exchange for or in consideration of the use or occupancy by a transient of a room or rooms in a hotel for any temporary period.

"Hotel." A hotel, motel, inn, guest house or other structure which holds itself out by any means, including advertising, license, registration with an innkeepers' group, convention listing association, travel publication or similar association or with a government agency, as being available to provide overnight lodging or use of facility space for consideration to persons seeking temporary accommodation; any place which advertises to the public at large or any segment thereof that it will provide beds, sanitary facilities or other space for a temporary period to members of the public at large; or any place recognized as a hostelry. The term does not include any portion of a facility that is devoted to persons who have an established permanent residence or a college or university student residence hall.

"Occupancy." The use or possession or the right to the use or possession by any person other than a permanent resident of any room in a hotel for any purpose or the right to the use or possession of the furnishings or to the services accompanying the use and possession of the room.

"Operator." An individual, partnership, nonprofit or profit-making association or corporation or other person or group of persons who maintain, operate, manage, own, have custody of or otherwise possess the right to rent or lease overnight accommodations in a hotel to the public for consideration.

"Patron." A person who pays the consideration for the occupancy of a room or rooms in a hotel.

"Permanent resident." A person who has occupied or has the right to occupancy of a room or rooms in a hotel as a patron or otherwise for a period exceeding thirty consecutive days.

"Room." A space in a hotel set aside for use and occupancy by patrons, or otherwise, for consideration, having at least one bed or other sleeping accommodation in a room or group of rooms.

"Tourist Promotion Agency (TPA)." An organization, agency or corporation designated to be such by the board of commissioners as of January 1, 2000, of the county in which the tax is imposed. The TPA shall be duly established, designated and recognized as the county's TPA in accordance with and pursuant to the act of April 28, 1961 (P.L. 111, No. 50), known as the "Tourist Promotion Law."

"Transaction." The activity involving the obtaining by a transient or patron of the use or occupancy of a hotel room from which consideration is payable to the operator under an express or an implied contract.

"Transient." An individual who obtains accommodation in a hotel by means of registering at the facility for the temporary occupancy of a room for the personal use of the individual by paying a fee to the operator.

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

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

Mr. MAITLAND. Thank you, Mr. Speaker.

This amendment would institute a 3-percent room tax for the county of Adams, 75 percent of which goes to the Gettysburg Convention and Visitors Bureau and the other 25 percent of which goes to the Adams County commissioners for economic development, historic preservation, and grants to local municipalities having police departments.

I ask for the members' support.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Godshall, desire recognition on this amendment of Mr. Maitland's?

Mr. GODSHALL. Yes, Mr. Speaker.

The SPEAKER. You are recognized.

Mr. GODSHALL. Thank you, Mr. Speaker.

I reluctantly rise to oppose this amendment as discussed with Representative Lucyk earlier, the cochairman of the Tourism Committee.

Heretofore and in the past, hotel taxes have been used exclusively for tourism in Pennsylvania. This amendment would make an exception to that rule. This amendment specifically says that a certain amount would be set aside for the commissioners of that county for economic development, and also a certain amount could go to municipalities, full grants to go to municipalities having police departments.

I guess in the past year we had at least four or five requests to do the same thing, and the House in their wisdom said no. I remember Don Snyder up in Lehigh County had a proposal. I remember Mark McNaughton in Dauphin County had a proposal, Tom Dempsey in Lycoming County, and Karl Boyes up in Erie. We have said and the House has said that we are going to hold the hotel tax sacred and that it would and could be used for tourism and only tourism. If we break, if we break that covenant that we have had for Adams County, you know, the commissioners of every county in this Commonwealth are going to be asking for also the use of that tax.

I would ask for a negative vote along with Representative Lucyk for this amendment. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Platts.

Mr. PLATTS. Thank you, Mr. Speaker.

I rise in support of this amendment and appreciate the concerns that the previous speaker made about making an exception, but I would contend that actually what the maker of the amendment proposes is actually promoting tourism. Adams County, Gettysburg, has tremendous tourism. One of the costs associated with the tourism of Adams County is local law enforcement, and a very small borough, the borough of Gettysburg, has inordinately high law enforcement costs associated not with its local citizenry but with this huge influx of tourists because of Gettysburg and the historic nature of that community.

So I think what the maker of the amendment is saying is, in his instance of giving some added flexibility to use a portion of the optional increased revenues from the hotel tax is in conjunction with promoting tourism, that as we promote tourism, the strain on that small bureau is greater and greater on law enforcement in that community, and this is a way of promoting tourism in a way that is not going to break the bank for these local municipalities and specifically the borough of Gettysburg.

So I think it is consistent with the intent. It is being done in a little different way than we have in the past, and I appreciate the concerns about making exceptions, but I think this is actually within the intent of the past legislation we have adopted, and I urge a "yes" vote in favor of the amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Godshall, on the question.

Mr. GODSHALL. Thank you, Mr. Speaker.

I again ask the members to remember the fact that we have about 20, 25 counties right now that have a hotel tax.

That money is used exclusively for tourism. It is tourism, convention promotion, and tourist development. This is what these moneys have historically been used for. Putting them into the general fund of a county or the general fund of a municipality will not work. We are not going to preserve the integrity of this tax which has been preserved in this State since its inception.

I and the Tourism Committee respectfully ask you for a negative vote.

THE SPEAKER PRO TEMPORE (J. SCOT CHADWICK) PRESIDING

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

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I would like to associate myself in particular with the remarks of the gentleman from York County, Representative Platts, who spoke earlier. I support this amendment because I do also respect what the chairman of the committee has to say, but the county commissioners of Adams County have asked for some leeway here, and there is probably no other county commissioners in this State who understand the effects of tourism on their county than does Adams County, obviously because of the location of Gettysburg and all of the surroundings, and as a neighboring county, as a Representative from a neighboring county, I think it is only a logical extension for them. I can tell you that the commissioners of Adams County understand tourism; they understand the benefits of tourism, and if this exception is granted, the funds will be used probably even more so for tourism in that area than they would have been otherwise. The commissioners in that county already fund tourism efforts and already put a great deal of emphasis on and in their county budget toward tourism efforts.

So I think the logical extension that Representative Maitland asks for in this amendment to give a little bit of leeway, as Representative Platts said earlier, is not asking too much, and therefore, I would encourage my colleagues to consider a favorable vote on the amendment. I intend to vote for it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Schuylkill County, Mr. Lucyk, on the amendment.

Mr. LUCYK. Thank you, Mr. Speaker.

I rise here to oppose this amendment. We fought for a fair levy of hotel room taxes across the Commonwealth, and every time we bring this to the floor piecemeal, we have a bevy of amendments, you know, to each bill as it comes along. This is an undertaking to establish a policy across the Commonwealth to levy a fair tax, and basically the reason why most of the hotel owners and inn owners do not oppose this type of tax is because the money comes directly back into tourism.

I understand what the gentleman from Adams County is trying to do, and it is a good argument. However, the understanding has always been that the taxes generated by our hotel taxes be used strictly for promotion of tourism and convention promotion and other types of tourist development. The granting of the leeway on this tax to our county commissioners just opens things up that down the road we are going to see different uses for this money under the guise of tourist promotion.

So with that, Mr. Speaker, I urge the members to vote against this amendment. Thank you very much.

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

Mr. NICKOL. Thank you, Mr. Speaker.

I rise to support this amendment.

I live near to the Gettysburg area and represent a portion of Adams County, and tourism is kind of a mixed blessing on the community of Gettysburg. On one hand you have the blessing of all the tourists coming and spending their money in the area; on the other hand, though, it places enormous strains on the local governments in that area, especially Gettysburg Borough. Gettysburg Borough is visited with having to deal with all the parking. Much of this parking is actually for facilities which are on Federal land and tax exempt to the borough of Gettysburg. So they have a very difficult situation, and this General Assembly has generally been trying to carve away at the amusement tax, which is one source of revenue that would tend to make up for that, you know, tourist impact on the community. So when you deny an area like Gettysburg the amusement tax revenue, where must they turn? Right now the borough of Gettysburg, the residents of Gettysburg, pay twice the real estate tax that anyone else does in Adams County, and the main reason is because of the tourism in the community and the fact that there is so much tax-exempt land.

We have a special situation here in Adams County. This amendment was drafted with the county commissioners, with the tourist agencies and so on in the county and with their support, and I would urge the members of this General Assembly to support Representative Maitland's amendment. Thank you.

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

Mr. FLEAGLE. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Maitland amendment. I know there may be some controversy over giving this money to the county commissioners, but I live in a county that is contiguous to Adams County, and I know how important that tourism industry is to that particular county. When we talk about economic development and the county commissioners using that money for economic development, well, if you have ever been to Adams County, you know that tourism is economic development, and I know and trust those commissioners would put that money back into tourism for that.

I am always reminded when we are looking at any type of taxation, and we all really hate to even look at any kind of raising of taxes or the levying of taxes, but I always recall being on vacation one time and asking a gentleman how much a house costs there — it was in Myrtle Beach, frankly — and he gave me a particular figure. And I said, well, that is not too bad, but I bet your taxes are really high down here, and he says, Pat, did you look at your hotel bill, and I knew what he meant. The burden of the tax was on those who were using those facilities, and I think rather than burden the local residents there with coming up with this money, this is a good way to get money from those who utilize those services.

So I ask everyone to support this amendment, and I applaud Representative Maitland for his efforts.

The SPEAKER pro tempore. The gentleman, Mr. Blaum, from Luzerne County, on the amendment.

Mr. BLAUM. Thank you, Mr. Speaker.

I, too, rise to support the Maitland amendment and commend him for his action in his effort for Gettysburg to take care of issues and maintenance of projects that are so important to all of us. As someone who loves going to Gettysburg, I think it is our responsibility to pay a couple percent more on our hotel room so that we are able to continue to enjoy what is there in Gettysburg.

While amusement taxes are the most regressive, terrible taxes we could impose, I think the gentleman's idea of a hotel tax for the needs of Gettysburg is important. Also, I think by carving a little bit out for economic development for the whole county, whether his commissioners know it or not, that is also a constitutional requirement to be able to uphold the hotel tax there in Adams County, because there has to be part of the tax used to benefit the entire county.

So I think for any of us in this room who enjoy spending time in Gettysburg, we owe an affirmative vote on the Maitland amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Mr. Maitland, for the second time on your amendment.

Mr. Maitland, we are having trouble with the microphone. Would you come down to the leader's podium, please.

Mr. MAITLAND. Thank you, Mr. Speaker.

I just wanted to reiterate what the gentlemen from York and Franklin and Luzerne Counties said in support of the amendment. This amendment is worked out with the agreement of the tourism community in Adams County, and when you talk about economic development in Adams County, you are talking about tourism; when you talk about historic preservation in Adams County, you are talking about tourism; and when you have a borough like that of Gettysburg that consists of roughly 8,000 people and has 36 police officers that we are asked to support because of the influx of tourists that we have in our community, it only makes sense that the county have some discretion to support our law enforcement by some grants because of the problems that tourism brings. And we have seen a steady undermining of our amusement tax revenue. And who knows? That could in theory be completely eliminated. And then we have the problems that the Federal government brings us with their tax-exempt property, tearing down attractions like the National Tower that provided a whopping amount of local tax revenue, and the need for this amendment is necessary.

So I ask the members for their support of this amendment. This was worked out by our State Senator, Senator Terry Punt from the 33d District, and I ask for your support of it today. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—119

| | | | |
|-------------|---------|------------|-----------|
| Adolph | Evans | McNaughton | Smith, B. |
| Allen | Fargo | Michlovic | Snyder |
| Argall | Feese | Micozzie | Solobay |
| Armstrong | Fleagle | Miller, R. | Staback |
| Barley | Freeman | Mundy | Stairs |
| Bastian | George | Myers | Steelman |
| Bebko-Jones | Gordner | Nickol | Stetler |
| Belardi | Grucela | Oliver | Stevenson |
| Belfanti | Gruitza | Perzel | Sturla |

| | | | |
|--------------|-----------|----------|---------------|
| Birmelin | Haluska | Pesci | Surra |
| Bishop | Hennessey | Petrarca | Tangretti |
| Blaum | Horsey | Petrone | Taylor, E. Z. |
| Boyes | James | Pipply | Thomas |
| Butkovitz | Kaiser | Pistella | Tigue |
| Buxton | Keller | Platts | Trello |
| Carn | Kenney | Preston | Trich |
| Cawley | Kirkland | Ramos | True |
| Chadwick | Krebs | Readshaw | Vance |
| Cohen, L. I. | Laughlin | Rieger | Walko |
| Colafella | Lederer | Roberts | Wansacz |
| Cornell | Maitland | Roebuck | Washington |
| Corrigan | Major | Rohrer | Waters |
| Costa | Manderino | Rooney | Wogan |
| Coy | Markosek | Rubley | Wojnaroski |
| Curry | Marsico | Ruffing | Youngblood |
| Daley | Masland | Saylor | Yudichak |
| DeLuca | Mayernik | Schroder | Zug |
| Dempsey | McCall | Schuler | |
| Donatucci | McGeehan | Semmel | Ryan, |
| Eachus | McGill | Shaner | Speaker |
| Egolf | | | |

NAYS—78

| | | | |
|-------------|------------|------------|--------------|
| Baker | Flick | Levdansky | Samuelson |
| Bard | Forcier | Lucyk | Santoni |
| Barrar | Frankel | Lynch | Sather |
| Battisto | Gannon | Maher | Scrimenti |
| Benninghoff | Geist | Mann | Smith, S. H. |
| Browne | Gladeck | McHhattan | Steil |
| Bunt | Godshall | McHhinney | Stern |
| Caltagirone | Habay | Melio | Strittmatter |
| Casorio | Hanna | Metcalfe | Taylor, J. |
| Civera | Harhai | Miller, S. | Travaglio |
| Clark | Harhart | Nailor | Tulli |
| Clymer | Hasay | O'Brien | Van Horne |
| Cohen, M. | Herman | Orie | Veon |
| Dailey | Hershey | Phillips | Vitali |
| Dally | Hess | Raymond | Williams |
| Dermody | Hutchinson | Reinard | Wilt |
| DeWeese | Jadlowiec | Robinson | Wright |
| DiGirolo | LaGrotta | Ross | Yewcic |
| Fairchild | Lawless | Sainato | Zimmerman |
| Fichter | Lescovitz | | |

NOT VOTING—0

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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. NICKOL offered the following amendment No. A4834:

Amend Title, page 1, line 10, by inserting after "TAXES"
, for office hours
Amend Bill, page 25, by inserting between lines 16 and 17
Section 8.2. Section 2301.1 of the act, amended June 1, 1972 (P.L.328, No.90), is amended to read:
Section 2301.1. Days and Hours of Court House and Offices.—
The county commissioners shall determine when the county court house and all county offices located elsewhere shall be open[, except that voters' registration offices shall be open during ordinary business

hours on the two Saturdays prior to termination of registration period to the primary and general and municipal elections].

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

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

Mr. Nickol, we are continuing to have trouble with the microphones. Can you use the leader's podium as well?

Mr. NICKOL. Thank you, Mr. Speaker.

The director of the election voter registration in York County suggested this amendment to me. There is a section or a clause in the County Code which is a relic from the days when you used to get voters to have to go into the county courthouse to register to vote. This was before motor-voter and before mail voter registration, and that clause requires counties to open up their voter registration on the two Saturdays prior to the closing of registration before each election. York County estimates that each time they open up, it costs them \$1,000 each of those days, and no one ever shows up to register in person at the office. They suggested that we eliminate that clause from the County Code.

I would appreciate the members' support for that amendment. Thank you.

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

The following roll call was recorded:

YEAS—184

| | | | |
|--------------|------------|------------|---------------|
| Adolph | Fairchild | Masland | Saylor |
| Allen | Fargo | Mayermik | Schuler |
| Argall | Feese | McCall | Scriminti |
| Armstrong | Fichter | McGeehan | Semmel |
| Baker | Fleagle | McGill | Shaner |
| Bard | Flick | McLhattan | Smith, B. |
| Barley | Forcier | McIlhinney | Smith, S. H. |
| Barrar | Frankel | McNaughton | Snyder |
| Bastian | Gannon | Melio | Solobay |
| Battisto | Geist | Metcalfe | Staback |
| Bebko-Jones | George | Michlovic | Stairs |
| Belardi | Gladeck | Micozzie | Steelman |
| Belfanti | Godshall | Miller, R. | Steil |
| Benninghoff | Grucela | Miller, S. | Stern |
| Birmelin | Gruitza | Mundy | Stetler |
| Bishop | Habay | Myers | Stevenson |
| Blaum | Haluska | Nailor | Strittmatter |
| Browne | Harhai | Nickol | Sturla |
| Bunt | Harhart | O'Brien | Tangretti |
| Butkovitz | Hasay | Oliver | Taylor, E. Z. |
| Caltagirone | Hennessey | Orie | Taylor, J. |
| Carn | Herman | Perzel | Thomas |
| Casorio | Hershey | Pesci | Tigue |
| Cawley | Hess | Petrarca | Travaglio |
| Chadwick | Horsey | Petrone | Trello |
| Civera | Hutchinson | Phillips | Trich |
| Clark | Jadlowiec | Pippy | True |
| Clymer | James | Pistella | Tulli |
| Cohen, L. I. | Kaiser | Platts | Vance |
| Cohen, M. | Keller | Preston | Van Horne |
| Colafella | Kirkland | Ramos | Walko |
| Cornell | Krebs | Raymond | Wansacz |
| Corrigan | LaGrotta | Readshaw | Washington |
| Costa | Laughlin | Reinard | Waters |
| Coy | Lawless | Rieger | Williams |
| Curry | Lederer | Roberts | Wilt |
| Dailey | Lescovitz | Robinson | Wogan |
| Daley | Levdansky | Roebuck | Wojnaroski |

| | | | |
|------------|-----------|---------|------------|
| Dally | Lucyk | Rohrer | Wright |
| DeLuca | Lynch | Rooney | Youngblood |
| Dempsey | Maher | Ross | Yudichak |
| Dermody | Maitland | Rubley | Zimmerman |
| DiGirolamo | Major | Ruffing | Zug |
| Donatucci | Manderino | Sainato | |
| Eachus | Mann | Santoni | |
| Egolf | Markosek | Sather | Ryan, |
| Evans | Marsico | | Speaker |

NAYS—13

| | | | |
|---------|---------|-----------|--------|
| Boyes | Gordner | Samuelson | Veon |
| Buxton | Hanna | Schroder | Vitali |
| DeWeese | Kenney | Surra | Yewcic |
| Freeman | | | |

NOT VOTING—0

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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. TULLI offered the following amendment No. A4740:

Amend Sec. 3 (Sec. 1770.5), page 8, lines 8 through 16, by striking out all of said lines and inserting

(c.1) The disposition of the revenues from the special fund attributable to the levy of the third centum of the tax, if levied, shall be distributed at the discretion of the county commissioners and used solely for tourism and regional promotion purposes.

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

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

Mr. TULLI. Thank you, Mr. Speaker.

This amendment would simply allow, if the county commissioners would choose to raise the 1 percent extra on the hotel tax, that this shall be distributed at the discretion of the county commissioners and used solely for tourism and regional promotion, and I ask an affirmative vote on this amendment. This would apply only to the county of Dauphin.

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

The following roll call was recorded:

YEAS—192

| | | | |
|-----------|-----------|----------|--------------|
| Adolph | Fairchild | Marsico | Schroder |
| Allen | Fargo | Masland | Schuler |
| Argall | Feese | Mayermik | Semmel |
| Armstrong | Fichter | McCall | Shaner |
| Baker | Fleagle | McGeehan | Smith, B. |
| Bard | Flick | McGill | Smith, S. H. |

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

NAYS-5

| | | | |
|-----------|-------|-----------|--------|
| Casorio | Melio | Scrimenti | Vitali |
| Levdansky | | | |

NOT VOTING-0

EXCUSED-3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

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

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

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER pro tempore. The clerk will strike the vote. The gentleman, Mr. Cawley, is recognized on final passage. Sorry; I did not see you.

Mr. CAWLEY. I lost some weight, Mr. Speaker. Thank you very much.

Mr. Speaker, I would like to interrogate the person recommending the passage of this bill, please.

The SPEAKER pro tempore. It is a Senate bill, Mr. Cawley. We are trying to find someone who will—

Mr. CAWLEY. Someone made a motion, Mr. Speaker, that it would be called up. They suspended the rules. The chairman of Tourism?

The SPEAKER pro tempore. The gentleman does not seem to be available to take questions at the moment.

Mr. CAWLEY. Mr. Speaker, maybe someone would be able to answer this. I would just like to know, I think there are seven classes of counties this will affect across the State. I would like to know how this bill will affect counties that already have a hotel tax implemented.

The SPEAKER pro tempore. The gentleman, Mr. Barley, indicates that he is willing to take a crack at it. The gentleman is recognized.

Mr. CAWLEY. Thank you.

Mr. BARLEY. Thank you, Mr. Speaker.

If I understood the gentleman's question properly, the answer that I am going to give — and if it is not clear, we will try to clarify it — it will have no effect on any third- through eighth-class county that currently levies the hotel tax.

Mr. CAWLEY. Thank you. That answers—

Mr. BARLEY. It will have no effect whatsoever on any of those, other than, of course, the capping that is in the bill.

Mr. CAWLEY. That answers my question. Thank you very much.

On the question recurring, Shall the bill pass finally?

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

The following roll call was recorded:

YEAS-176

| | | | |
|-------------|-----------|------------|---------------|
| Adolph | Fairchild | McGeehan | Shaner |
| Allen | Feese | McGill | Smith, B. |
| Argall | Fichter | McIlhattan | Smith, S. H. |
| Armstrong | Fleagle | McIlhinney | Snyder |
| Baker | Flick | McNaughton | Solobay |
| Bard | Frankel | Michlovic | Staback |
| Barley | Freeman | Micozzie | Stairs |
| Barrar | Gannon | Miller, R. | Steelman |
| Bastian | Geist | Miller, S. | Steil |
| Battisto | George | Mundy | Stern |
| Bebko-Jones | Gladeck | Myers | Stetler |
| Belardi | Godshall | Nailor | Stevenson |
| Belfanti | Grucela | Nickol | Strittmatter |
| Birmelin | Gruitza | O'Brien | Sturla |
| Bishop | Haluska | Oliver | Surra |
| Blaum | Hanna | Orie | Tangretti |
| Boyes | Harhai | Perzel | Taylor, E. Z. |
| Bunt | Hennessey | Pesci | Taylor, J. |
| Butkovitz | Hershey | Petrone | Thomas |
| Buxton | Hess | Phillips | Tigue |
| Caltagirone | Horsey | Pippy | Travaglio |
| Cam | James | Pistella | Trello |

| | | | |
|--------------|-----------|-----------|------------|
| Cawley | Kaiser | Platts | Trich |
| Chadwick | Keller | Preston | True |
| Civera | Kenney | Ramos | Tulli |
| Clark | Kirkland | Raymond | Vance |
| Clymer | Krebs | Readshaw | Van Horne |
| Cohen, L. I. | LaGrotta | Reinard | Veon |
| Cohen, M. | Laughlin | Rieger | Walko |
| Colafella | Lawless | Roberts | Wansacz |
| Cornell | Lederer | Robinson | Washington |
| Corrigan | Lescovitz | Roebuck | Waters |
| Costa | Levdansky | Rohrer | Williams |
| Coy | Lucyk | Rooney | Wilt |
| Curry | Lynch | Ross | Wogan |
| Daley | Maher | Rublely | Wojnaroski |
| DeLuca | Maitland | Ruffing | Wright |
| Dempsey | Major | Santoni | Youngblood |
| Dermody | Manderino | Sather | Yudichak |
| DeWeese | Mann | Saylor | Zimmerman |
| DiGiroloamo | Markosek | Schroder | Zug |
| Donatucci | Marsico | Schuler | |
| Eachus | Masland | Scrimenti | |
| Egolf | Mayernik | Semmel | Ryan, |
| Evans | McCall | | Speaker |

NAYS—21

| | | | |
|-------------|---------|------------|-----------|
| Benninghoff | Forcier | Herman | Petrarca |
| Browne | Gordner | Hutchinson | Sainato |
| Casorio | Habay | Jadlowiec | Samuelson |
| Dailey | Harhart | Melio | Vitali |
| Dally | Hasay | Metcalf | Yewcic |
| Fargo | | | |

NOT VOTING—0

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

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

* * *

The House proceeded to third consideration of SB 552, PN 2184, entitled:

An Act amending the act of July 10, 1990 (P.L.404, No.98), entitled Real Estate Appraisers Certification Act, providing for continuing education for broker/appraisers; and making an editorial change.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

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

* * *

The House proceeded to third consideration of **SB 1265**, **PN 2237**, entitled:

An Act amending the act of August 21, 1953 (P.L.1323, No.373), known as The Notary Public Law, further providing for appointment of notaries, for eligibility, for applications to become a notary public, for application for reappointment, for resignation and for change of residence, for oath of office, bond and recording, for registration of notary's signature and fees, for notarial seal, for electronic notarization, for register and copier of records, for power to administer oaths, affirmations, certain writings relating to commerce, depositions, affidavits and certain writings relating to land, for fees of notaries public, for rejection of application and for surrender of seal; providing for revocation of commission for certain personal checks and for regulations; making editorial changes; and making repeals.

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

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

The question is, shall the bill pass finally?

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

Mr. **GORDNER**. Thank you, Mr. Speaker.

I see this came out of the House State Government Committee. I am not sure. Is there someone that I could interrogate on this bill?

The **SPEAKER pro tempore**. The gentleman, Mr. Clymer, indicates that he will stand for interrogation. You are in order and may proceed.

Mr. **GORDNER**. Thank you, Mr. Speaker.

Mr. Speaker, in the eligibility portion of this bill, on the bottom of page 3 and the top of page 4—

The **SPEAKER pro tempore**. Will the gentleman suspend for one moment.

The gentleman, Mr. Clymer, is willing to stand for interrogation, but I do not think he is quite ready. Can you just hold for one moment? All right. Now you may proceed.

Mr. **GORDNER**. Thank you, Mr. Speaker.

In the eligibility portion of this bill, which is at the bottom of page 3 and at the top of page 4, in the past the notary had to be a registered voter in the Commonwealth. Under the new eligibility a notary does not have to be a registered voter, and I am just wondering what the reasoning is for taking out that provision.

Mr. **CLYMER**. Mr. Speaker, what it is, under this proposed legislation, if a person comes from New Jersey to Pennsylvania, they may not be a registered voter and yet under the law the Secretary of State has the discretion to give to that person from the State of New Jersey the right to become a notary, and that is the reason that they may not become a registered voter.

In addition to that, we also have a person who works for the Commonwealth of Pennsylvania. If that person is from New Jersey, under this law that person who is employed by the Commonwealth of Pennsylvania can become a notary. So those are the reasons.

Mr. **GORDNER**. Mr. Speaker, I am aware that there are two ways in order to be a notary: one is to be a resident of the

Commonwealth or the second is to be involved with a business in the Commonwealth. Could you not have just adjusted it so that those who are residents of the Commonwealth were registered voters and that those folks who were not residents but were working in the Commonwealth did not need to be one?

Mr. **CLYMER**. What it is, Mr. Speaker, if you live out of State and you work in the Commonwealth of Pennsylvania, it allows you to become a notary, and that is a provision of the law and that is what we are attempting to do.

Mr. **GORDNER**. Okay.

Mr. **CLYMER**. That is an option that we are providing for the Secretary of State, as I mentioned earlier in the first provision, but under the second provision that I just mentioned, the law is very clear. If you are working in the Commonwealth of Pennsylvania but you happen to live in Delaware, you happen to live in New Jersey, the law allows you to become a notary.

Mr. **GORDNER**. Thank you, Mr. Speaker.

On page 15 of the bill, there is a provision in section 22.1 dealing with surrender of seal, and it says that if a notary public should die, that the notary's personal representative shall deliver the seal to the Department of State within 90 days of the date of the notary's death. If that person does not deliver the seal within 90 days of the person's death, they are guilty of a summary offense and will need to pay a fine. I am wondering how a personal representative of a notary is going to know that within 90 days of that person's death, they have to deliver that seal, and why is it fair to actually find that person guilty of a summary offense and make them pay a fine if they do not deliver that seal?

Mr. **CLYMER**. Mr. Speaker, in order to prevent fraud, and that does occur from time to time and that is one of the reasons we have this bill before us, the attorney who is involved in the estate will direct that the notary seal be given to the proper party and have that seal delivered so that it does not get lost, so that some person does not pick up that seal and stamp and begin to use it in an illegal manner, and so the provision was put in there to try to get the seal to the Department of State as quickly as possible. We think 90 days is a reasonable timeframe, and I am sure that if for some reason the seal could not be delivered to the Department of State, that notification to the Department of State that there would be a delay would be acceptable.

Mr. **GORDNER**. Thank you, Mr. Speaker.

On the bill?

The **SPEAKER pro tempore**. The gentleman is recognized on final passage.

Mr. **GORDNER**. I appreciate the comments of the previous speaker, and despite what he just said, unfortunately the wording in that section of this bill contains the word "shall." It is not "may"; it is "shall." So a person shall need to turn it in within 90 days, and if a person does not turn it in, he shall be found guilty of a summary offense.

I am in agreement with 90 percent of the provisions of this bill. I am opposed to this requirement on the personal representative of a notary who passes away. I, frankly, do not believe that the personal representative is going to be aware of this provision and will innocently not do it, and unfortunately again, the word "shall" is in here so it does not provide discretion to the Secretary of State.

The other provision is that I sort of always liked the fact that a notary public had to be a registered voter in the district,

and I know in the past my State Senator, before he would enter his endorsement, would of course check that, and it would not matter what party the person was registered but the fact that they were registered showed them a part of the process, and although I support 90 percent of this bill, for those two reasons I am going to vote "no." Thank you.

The SPEAKER pro tempore. Mr. Clymer, are you seeking recognition?

Mr. CLYMER. On final passage.

The SPEAKER pro tempore. On final passage, the gentleman is recognized.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, we have worked approximately a year to 18 months on this proposal working with the Department of State, working in a bipartisan way to make some very important changes to the notary law that would tighten the eligibility requirements and to make sure that there would be no fraud. Some time ago the Philadelphia Daily News indicated that there was fraud, and by the use of a notary seal by a notary, putting affidavits on papers that were not legal. What we are trying to do is just to make sure that we are covering the bases and to make sure that the notary knows the person who is coming before them and that they have the proper training to do the job.

In conclusion, Mr. Speaker, if I can make just one last comment. Some of the changes that were made — and the House members, I am sure, would be very pleased to hear this — we provided an option for the person who wants to be a notary. They can not only go to their Senator to have the application signed but they can go to any of the House members to have the application signed as well.

Thank you, Mr. Speaker.

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—175

| | | | |
|--------------|------------|------------|---------------|
| Adolph | Feese | McGeehan | Schroder |
| Allen | Fichter | McGill | Schuler |
| Argall | Fleagle | McIlhattan | Semmel |
| Armstrong | Flick | McIlhinney | Shaner |
| Baker | Frankel | McNaughton | Smith, B. |
| Bard | Gannon | Melio | Smith, S. H. |
| Barley | Geist | Metcalfe | Snyder |
| Barrar | George | Michlovic | Solobay |
| Bastian | Gladeck | Micozzie | Staback |
| Battisto | Godshall | Miller, R. | Stairs |
| Bebko-Jones | Grucela | Miller, S. | Steelman |
| Belardi | Gruitza | Mundy | Stiel |
| Birmelin | Habay | Myers | Stern |
| Blaum | Haluska | Nailor | Stevenson |
| Boyes | Hanna | O'Brien | Sturla |
| Browne | Harhai | Oliver | Surra |
| Bunt | Harhart | Orie | Tangretti |
| Butkovitz | Hennessey | Perzel | Taylor, E. Z. |
| Buxton | Herman | Pesci | Taylor, J. |
| Caltagirone | Hershey | Petrarca | Thomas |
| Carn | Hess | Petrone | Travaglio |
| Casorio | Horsy | Phillips | Trello |
| Cawley | Hutchinson | Pippy | Trich |
| Chadwick | James | Pistella | True |
| Civera | Kaiser | Platts | Tulli |
| Clymer | Keller | Preston | Vance |
| Cohen, L. I. | Kenney | Ramos | Van Horne |
| Cohen, M. | Kirkland | Raymond | Veon |

| | | | |
|------------|-----------|-----------|------------|
| Colafella | Krebs | Readshaw | Vitali |
| Cornell | LaGrotta | Reinard | Walko |
| Corrigan | Laughlin | Rieger | Washington |
| Costa | Lawless | Roberts | Waters |
| Curry | Lederer | Robinson | Williams |
| Dailey | Lescovitz | Roebuck | Wilt |
| Daley | Lucyk | Rohrer | Wogan |
| Dally | Lynch | Rooney | Wojnaroski |
| DeLuca | Maitland | Ross | Wright |
| Dempsey | Major | Rubley | Youngblood |
| DeWeese | Manderino | Ruffing | Yudichak |
| DiGirolamo | Mann | Sainato | Zimmerman |
| Donatucci | Markosek | Samuelson | Zug |
| Egolf | Marsico | Santoni | |
| Evans | Masland | Sather | Ryan, |
| Fairchild | Mayernik | Saylor | Speaker |
| Fargo | | | |

NAYS—22

| | | | |
|-------------|-----------|-----------|--------------|
| Belfanti | Eachus | Levdansky | Stetler |
| Benninghoff | Forcier | Maher | Strittmatter |
| Bishop | Freeman | McCall | Tigue |
| Clark | Gordner | Nickol | Wansacz |
| Coy | Hasay | Scrimenti | Yewcic |
| Dermody | Jadlowiec | | |

NOT VOTING—0

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

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

* * *

The House proceeded to third consideration of SB 1468, PN 2023, entitled:

An Act amending the act of June 25, 1999 (P.L.205, No.27) entitled "An act authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County, and to convey to the trustees of the University of Pittsburgh certain land situate in the City of Pittsburgh, Allegheny County; and authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical Society of Indiana County a tract of land situate in the Borough of Indiana, County of Indiana, Pennsylvania," further providing for the purpose of the conveyance.

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

Mr. STERN offered the following amendment No. A4584:

Amend Title, page 1, line 14, by removing the period after "conveyance" and inserting
; and authorizing and directing the Department of General Services, with the approval of the Governor and Department of Transportation, to sell and convey to the Borough of Hollidaysburg certain land situate in the Borough of Hollidaysburg, Blair County, Pennsylvania.

Amend Bill, page 1, lines 17 through 23; page 2, lines 1 through 6, by striking out all of said lines on said pages and inserting

Section 1. The title of the act of June 25, 1999 (P.L.205, No.27), entitled "An act authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County, and to convey to the trustees of the University of Pittsburgh certain land situate in the City of Pittsburgh, Allegheny County; and authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical Society of Indiana County a tract of land situate in the Borough of Indiana, County of Indiana, Pennsylvania," is amended to read:

AN ACT

Authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County, and to convey to the trustees of the University of Pittsburgh certain land situate in the City of Pittsburgh, Allegheny County; and authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical Society of Indiana County a tract of land situate in the Borough of Indiana, County of Indiana, Pennsylvania, and authorizing and directing the Department of General Services, with the approval of the Governor and Department of Transportation, to sell and convey to the Borough of Hollidaysburg certain land situate in the Borough of Hollidaysburg, Blair County, Pennsylvania.

Section 2. Section 1(e) of the act is amended to read:

Amend Bill, page 2, by inserting between lines 14 and 15

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

Section 4.1. Hollidaysburg Borough, Blair County.

(a) Authorization.—The Department of General Services, with the approval of the Governor and Department of Transportation, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant, sell and convey by special warranty deed to Borough of Hollidaysburg for fair consideration equal to the fair market value as determined by an independent appraisal, the tract of land and buildings described in subsection (b).

(b) Description.—The property to be conveyed pursuant to subsection (a) is the following tract of land consisting of the Department of Transportation's Blair County Maintenance Facility situate in the Borough of Hollidaysburg, Blair County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin on the northeasterly side of Bedford Street, said iron pin being N. 30 degrees 40 minutes W. and sixty-five (65) feet from an angle point in said street; thence by lot No. 2, land N/F of Hollidaysburg Union Prayer Band, N. 59 degrees 20 minutes E. one hundred thirty-nine and eighty-five one-hundredths (139.85) feet to a tack in a 4-inch stake on the westerly bank of the Frankstown Branch of the Juniata River; thence S. 32 degrees 6 minutes E. ninety-three and seventy-four one-hundredths (93.74) feet to a stake on the westerly bank of the Frankstown Branch of the Juniata River; thence S. 32 degrees 17 minutes E. one hundred fifty-three and ninety-five one-hundredths (153.95) feet to a tack in a 4-inch post on the westerly bank of the Frankstown Branch of the Juniata River and on the northwesterly side of a fifteen (15) foot alley; thence along the northwesterly side of said alley S. 70 degrees 45 minutes W. one hundred seventy-nine and eight-tenths (179.8) feet to a tack in a 6 inch post at the intersection of the northwesterly side of said alley and the easterly side of Bedford Street; thence along the easterly side of Bedford Street N. 19 degrees 15 minutes W. one hundred fifty (150) feet to a tack in a 6-inch post at an angle point in Bedford Street; thence by the northeasterly side of Bedford Street N. 30 degrees 40 minutes W. sixty-five (65) feet to the point of beginning.

CONTAINING 0.8158 of an acre, more or less.

(c) Condition.—The conveyance authorized by this section is subject to the Commonwealth of Pennsylvania's completion of a new maintenance shed for the Pennsylvania Department of Transportation, hereinafter referred to as PADOT, and PADOT vacating the above described tract of land.

(d) Easements.—The conveyance authorized by this section shall be made under and subject to all lawful and enforceable easements, servitudes, infringements known or unknown and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, cable, water, electric, sewer, gas or pipeline companies, as well as under the subject to any lawful and enforceable interest, estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(e) Restrictions.—The deed of conveyance shall contain a clause that the property conveyed shall be used for municipal purposes, and, if at any time the Borough of Hollidaysburg, or its successor in function conveys the property or permits the property to be used for any purpose other than that specified in this subsection, the title to the property shall immediately revert to and revest in the Commonwealth of Pennsylvania.

(f) Execution.—The deed of conveyance authorized by this section shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania. In the event that this conveyance is not executed within 12 months of the effective date of this act, or within 12 months of PADOT vacating the premises, whichever is later, the property may be disposed of in accordance with Article XXIV-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(g) Government approvals.—Grantee shall be solely responsible to obtain all required subdivision approvals and all other governmental approvals necessary for the transfer or intended use of the transferred tract and its buildings required as a result of this conveyance. All fees and costs associated with obtaining the subdivision or other approvals shall be borne by the Grantee.

(h) Costs and fees.—All other costs and fees incidental to the conveyance including, but not limited to, appraisal fees, title insurance, survey authorized by this section shall be borne by the Grantee.

(i) General fund.—Proceeds from this sale shall be deposited in the General Fund.

Amend Sec. 2, page 2, line 15, by striking out "2" and inserting

4

On the question,

Will the House agree to the amendment?

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

Mr. STERN. Thank you, Mr. Speaker.

This would allow for a transfer from the Departments of Transportation and General Services to sell and convey property to the borough of Hollidaysburg, and the description of the property here that would be conveyed is a tract of land consisting of the Department of Transportation's Blair County maintenance facility that is currently located in the borough of Hollidaysburg.

I would ask for a favorable vote on this land transfer.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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. FAIRCHILD offered the following amendment No. A4612:

Amend Title, page 1, line 14, by removing the period after "conveyance" and inserting
; authorizing the Department of General Services, with the approval of the Governor, to convey a tract of land in the Borough of Selinsgrove, Snyder County, to the Eastern Snyder County Regional Authority in exchange for another tract of land in the Borough of Selinsgrove, Snyder County.

Amend Bill, page 1, lines 17 through 23; page 2, lines 1 through 6, by striking out all of said lines on said pages and inserting

Section 1. The title and section 1(e) of the act of June 25, 1999 (P.L.205, No.27), entitled "An act authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County, and to convey to the trustees of the University of Pittsburgh certain land situate in the City of Pittsburgh, Allegheny County; and authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical Society of Indiana County a tract of land situate in the Borough of Indiana, County of Indiana, Pennsylvania," are amended to read:

AN ACT

Authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County, and to convey to the trustees of the University of Pittsburgh certain land situate in the City of Pittsburgh, Allegheny County; [and] authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical Society of Indiana County a tract of land situate in the Borough of Indiana, County of Indiana, Pennsylvania, authorizing the Department of General Services, with the approval of the Governor, to convey a tract of land in the Borough of Selinsgrove, Snyder County, to the Eastern Snyder County Regional Authority in exchange for another tract of land in the Borough of Selinsgrove, Snyder County.

Amend Bill, page 2, by inserting between lines 14 and 15

Section 2. The act is amended by adding a section to read:

Section 1. Conveyance to Eastern Snyder County Regional Authority.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized and directed to convey to the Eastern Snyder County Regional Authority the tract of land described in subsection (b), in exchange for the tract of land described in subsection (c).

(b) Land to be conveyed from the Commonwealth.—All that certain tract or parcel of land situate in the Borough of Selinsgrove, Snyder County, Pennsylvania, being bounded and described as follows:

BEGINNING at a point on the Northern right-of-way line of Sandhill Road, said point being in the center of the described 30-foot wide easement;

1. Thence thru the lands of the Commonwealth of Pennsylvania North forty degrees twenty-nine minutes East a distance of fifty-eight and seventy-nine hundredths feet to a point;

2. Thence thru the same North ten degrees twenty-nine minutes East a distance of one hundred thirty-four and seventy-eight hundredths feet to a point;

3. Thence thru the same North forty degrees twenty-nine minutes East a distance of four hundred ninety-six feet to a point at the end of said easement.

(c) Land to be conveyed to the Commonwealth.—ALL that certain tract or parcel of land situate in the Borough of Selinsgrove, Snyder County, Pennsylvania, being bounded and described as follows:

BEGINNING at a point on the Northerly right-of-way line of Sandhill Road. Said point being a distance of twenty-seven and thirty hundredths feet and measured in a Easterly direction along said Northerly right-of-way line from the intersection of said right-of-way line with the Westerly line of property of the Commonwealth of Pennsylvania.

- 1. Thence North eleven degrees, eleven minutes, sixteen seconds East a distance of three hundred twenty-six and ninety-five hundredths feet to an existing manhole.
2. Thence South seventy-eight degrees, fifty-one minutes, twenty-nine seconds East a distance of three hundred seventeen and fifty-seven hundredths feet to an existing manhole.
3. Thence North eighty-six degrees, four minutes, thirty-one seconds East a distance of seventy-six and five hundredths feet to an existing manhole.
4. Thence North thirty-six degrees, fifty-one minutes, forty-four seconds East a distance of one hundred eighty-six feet to a point located South thirty-six degrees, fifty-one minutes, forty-four seconds West twelve feet from an existing manhole.

The above described right-of-way is thirty feet wide. Fifteen feet on each side of the existing sewer line with the exception of line number 2 where the right-of-way is ten feet on the South side and fifteen feet on the North side. Being part of the same right-of-way as described in Deed Book 144, Page 312.

(d) Deed.—The deed of conveyance shall be approved as provided by law and shall be executed by the Department of General Services in the name of the Commonwealth.

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

Amend Sec. 2, page 2, line 15, 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 Union County, Mr. Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

This amendment authorizes the Department of General Services to convey a piece of property in Snyder County. It is the Eastern Snyder County Regional Authority, and it is a land exchange with PennDOT at their equipment shed, and it is for a sewer right-of-way easement. They are just swapping property. In fact, the Commonwealth ends up with more land than the sewer authority, and I ask for your concurrence in this amendment.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—197

Table listing names of members who voted 'YEAS', including Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Barrar, Bastian, Battisto, Fairchild, Fargo, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gannon, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, McLhattan, McIlhinney, McNaughton, Melio, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Snyder, Solobay, Staback, and Stairs.

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Table listing names of members who were excused: Cappabianca, Josephs, and Leh.

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. FAIRCHILD offered the following amendment No. A4613:

Amend Title, page 1, line 14, by removing the period after "conveyance" and inserting

; and authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Snyder County certain lands situate in Penn Township.

Amend Bill, page 1, lines 17 through 23; page 2, lines 1 through 6, by striking out all of said lines on said pages and inserting

Section 1. The title and section 1(e) of the act of June 25, 1999 (P.L.205, No.27), entitled "An act authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in

East Allen Township, Northampton County, and to convey to the trustees of the University of Pittsburgh certain land situate in the City of Pittsburgh, Allegheny County; and authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical Society of Indiana County a tract of land situate in the Borough of Indiana, County of Indiana, Pennsylvania," are amended to read:

AN ACT

Authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County, and to convey to the trustees of the University of Pittsburgh certain land situate in the City of Pittsburgh, Allegheny County; [and] authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical Society of Indiana County a tract of land situate in the Borough of Indiana, County of Indiana, Pennsylvania; and authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Snyder County certain lands situate in Penn Township.

Amend Bill, page 2, by inserting between lines 14 and 15

Section 2. The act is amended by adding a section to read:

Section 4.1. Penn Township, Snyder County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to Snyder County certain land described in subsection (b) for fair market value as determined by independent appraisal.

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of approximately 7 acres bounded and more particularly described as follows:

Beginning at a found iron spike in the centerline of State Route 1010 (Old Colony Road - formerly Legislative Route 54068); said iron spike marking the southeasterly corner of other land now or formerly of Snyder County. Thence along said other land now or formerly of Snyder County, the following 5 courses and distances:

- (1) N 45 degrees 45 minutes 00 seconds W a distance of 247.34 feet to a point;
- (2) N 26 degrees 08 minutes 40 seconds W a distance of 315.10 feet to a found iron pin;
- (3) S 81 degrees 18 minutes 00 seconds W a distance of 339.28 feet to a point;
- (4) S 00 degrees 33 minutes 10 seconds E a distance of 207.42 feet to a found iron pin; and
- (5) S 15 degrees 14 minutes 00 seconds E a distance of 345.87 feet to a point in the centerline of aforesaid State Route 1010.

Thence through land of the Commonwealth of Pennsylvania, of which the land herein described is a part, the following 7 courses and distances:

- (1) S 65 degrees 39 minutes 10 seconds W a distance of 10.99 feet, to a set nail in the centerline of said State Route 1010;
- (2) N 26 degrees 06 minutes 10 seconds W, passing through a set iron pin at a distance of 16.51 feet, a total distance of 708.31 feet to a set iron pin;
- (3) N 87 degrees 03 minutes 40 seconds E a distance of 555.08 feet to a set iron pin;
- (4) S 84 degrees 24 minutes 50 seconds E a distance of 583.16 feet to a set iron pin;
- (5) S 06 degrees 39 minutes 00 seconds W, passing through a set iron pin at a distance of 473.34 feet, a total distance of 489.84 feet to a set nail in the centerline of aforesaid State Route 1010;

(6) N 83 degrees 21 minutes 00 seconds W a distance of 143.05 feet to a set nail in the centerline of said State Route 1010; and

(7) on an arc concave to the south; having a radius of 572.96 feet, a chord bearing of N 86 degrees, 08 minutes, 50 seconds W, and a chord distance of 55.89 feet; an arc distance of 55.91 feet to the place of beginning. Containing an area of 7 acres of land.

Being all of Lot Number 1, as shown on the Plan of Subdivision for Snyder County Commissioners, as prepared by Gerald E. Bickhart & Sons, Inc., dated 03-31-94, and recorded in Snyder County Map File number 2275.

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

(d) Release of restrictions.—Restrictions imposed under the act of January 19, 1968 (1967 P.L.992, No.442), entitled "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," upon the use of the property described under section 2 are hereby released.

(e) Deed.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

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

(g) Alternative disposition.—In the event that this conveyance is not executed within 12 months of the effective date of this act, the property may be disposed of in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Amend Sec. 2, page 2, line 15, 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 gentleman from Union County is recognized.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

This is simply another land transfer in Penn Township, Snyder County. It is approximately 7 acres which will be purchased for fair market value, and it is for the purpose of a buffer zone around the Snyder County Prison.

Thank you very much, Mr. Speaker.

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

The following roll call was recorded:

YEAS—197

| | | | |
|-------------|-----------|------------|--------------|
| Adolph | Fairchild | Marsico | Schuler |
| Allen | Fargo | Masland | Scrimmell |
| Argall | Feese | Mayernik | Sammel |
| Armstrong | Fichter | McCall | Shaner |
| Baker | Fleagle | McGeehan | Smith, B. |
| Bard | Flick | McGill | Smith, S. H. |
| Barley | Forcier | McIlhattan | Snyder |
| Barrar | Frankel | McIlhinney | Solobay |
| Bastian | Freeman | McNaughton | Staback |
| Battisto | Gannon | Melio | Stairs |
| Bebko-Jones | Geist | Metcalfe | Steelman |
| Belardi | George | Michlovic | Steil |

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Cappabianca Josephs Leh

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. LYNCH offered the following amendment No. A4654:

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

; and authorizing conveyance to Warren County of certain lands situate in Conewango Township.

Amend Bill, page 2, by inserting between lines 14 and 15 Section 2. Warren County conveyance.

(a) Authorization.—The Department of General Services, with the approval of the Governor, and the Department of Public Welfare, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Warren County 22.7451 acres of vacant land, more or less, described in subsection (b) for fair market value as determined by independent appraisal.

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of ALL THAT CERTAIN piece or parcel of

land situate in Conewango Township, Warren County, Pennsylvania, bounded and described as follows:

BEGINNING at the point of intersection of the northerly right-of-way line of Jackson Run Road with the northwesterly right of way of Market Street Extension (Route 62);
THENCE North 39 degrees 12 minutes 07 seconds West along said northerly right-of-way line of Jackson Run Road a distance of 213.40 feet to a point of curvature;
THENCE northwesterly along said northerly right-of-way line along the arc of a curve concave to the southwest having a central angle of 12 degrees 04 minutes 30 seconds, a radius of 980.37 feet, a distance of 206.61 feet to a point of tangency;
THENCE North 51 degrees 16 minutes 37 seconds West along said right-of-way line a distance of 443.73 feet to a point of curvature;
THENCE northwesterly along said northerly right-of-way line along the arc of a curve concave to the southwest having a central angle of 15 degrees 43 minutes 30 seconds, a radius of 1067.14 feet, a distance of 392.88 feet to a point of tangency;
THENCE North 67 degrees 00 minutes 07 seconds West along said northerly right-of-way line a distance of 120.76 feet to the easterly line of the Warren State Hospital Cemetery;
THENCE North 27 degrees 08 minutes 51 seconds East along the said easterly line of the cemetery a distance of 390.10 feet;
THENCE North 86 degrees 20 minutes 58 seconds East a distance of 92.88 feet;
THENCE North 51 degrees 19 minutes 50 seconds East a distance of 228.53 feet;
THENCE North 90 degrees 00 minutes 00 seconds East a distance of 679.09 feet;
THENCE South 23 degrees 37 minutes 03 seconds East a distance of 120.87 feet;
THENCE South 55 degrees 32 minutes 09 seconds East a distance of 118.17 feet;
THENCE South 79 degrees 56 minutes 49 seconds East a distance of 104.60 feet to a point on the westerly right-of-way line of said Market Street Extension;
THENCE South 33 degrees 13 minutes 34 seconds West along said westerly right-of-way a distance of 75.20 feet;
THENCE South 18 degrees 17 minutes 41 seconds West along said right-of-way a distance of 200.00 feet;
THENCE South 15 degrees 34 minutes 55 seconds West along said westerly right-of-way a distance of 800.86 feet;
THENCE South 04 degrees 15 minutes 31 seconds West along said westerly right-of-way a distance of 41.23 feet;
THENCE South 73 degrees 15 minutes 42 seconds West along said right-of-way a distance of 68.48 feet to the Point of Beginning. Containing 22.7451 acres of vacant land more or less.

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

(d) Deed.—

(1) The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(2) The deed of conveyance shall contain a condition reciting that the land herein conveyed shall be used for open space or agricultural purposes and if at any time Warren County or its successors in function conveys said property or authorizes or permits said property to be used for any purpose other than those aforementioned, the title to the land shall immediately revert and revest in the Commonwealth of Pennsylvania.

(e) Alternate disposition of property.—In the event this conveyance is not executed in compliance with the

Purchase Agreement, the property may be disposed of in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(f) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the Grantee.

(g) Proceeds.—The proceeds from the sale shall be placed in the Agricultural Conservation Easement Purchase Fund.

Amend Sec. 2, page 2, line 15, by striking out "2" and inserting 3

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Cappabianca Josephs Leh

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. LYNCH offered the following amendment No. A4672:

Amend Title, page 1, line 14, by removing the period after "conveyance" and inserting

; and authorizing conveyance of certain lands to Warren County.

Amend Bill, page 2, by inserting between lines 14 and 15 .

Section 2. Warren County conveyance.

(a) Authorization.—The Department of General Services, with the approval of the Governor, and the Department of Public Welfare, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Warren County fifteen acres of vacant land more or less, described in subsection (b) for fair market value as determined by independent appraisal.

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of the fifteen acres of vacant land more or less, bounded and more particularly described as follows:

BEGINNING at a Rebar and Cap (Found) at the Northeast corner of Lands of the North Warren Municipal Authority and the West Right-of-Way line of S.R.0062,

Thence North 78 degrees 40 minutes 19 seconds West a distance of 605.00 Feet to a Point, said point being a Rebar and Cap (Set),

Thence North 26 degrees 48 minutes 38 seconds East a distance of 1133.75 Feet to a point, said point being a Rebar and Cap (Set),

Thence North 52 degrees 55 minutes 39 seconds East a distance of 320.69 Feet to a Point, said point being a Rebar and Cap (Set),

Thence South 84 degrees 09 minutes 01 second East a distance of 237.80 Feet to a Point, said point being a Rebar and Cap (Set),

Thence South 04 degrees 21 minutes 58 seconds West a distance of 74.75 Feet to a Point, said point being a Fence Corner (Found),

Thence South 18 degrees 17 minutes 11 seconds West a distance of 1290.43 Feet to a Point, said point being the Place of Beginning.

The above-described parcel contains or is said to contain 653,402 square feet or 15.000 acres of land more or less.

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

(d) Deed.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

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

(f) Proceeds.—The proceeds from the sale shall be placed in the General Fund.

Amend Sec. 2, page 2, line 15, by striking out "2" and inserting 3

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

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-196

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

NAYS-0

NOT VOTING-1

Tangretti

EXCUSED-3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

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

* * *

The House proceeded to third consideration of **SB 1502, PN 2220**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Stepping Stone Counseling and Education Services, Inc., certain lands and building situate in the City of York, York County, Pennsylvania.

On the question,

Will the House agree to the bill on third consideration?

Mr. STERN offered the following amendment No. **A4585**:

Amend Title, page 1, line 5, by removing the period after "Pennsylvania" and inserting
; and authorizing and directing the Department of General Services, with the approval of the Governor and Department of Transportation, to sell and convey to the Borough of Hollidaysburg certain land situate in the Borough of Hollidaysburg, Blair County, Pennsylvania.

Amend Sec. 1, page 1, line 8, by striking out all of said line and inserting

Section 1. City of York, York County.

(a) Authorization.—The Department of General Services, with the

Amend Sec. 1, page 1, line 13, by striking out "section 2" and inserting

subsection (b)

Amend Sec. 2, page 1, line 15, by striking out "Section 2. The" and inserting

(b) Description.—The

Amend Sec. 3, page 2, line 21, by striking out "Section 3. The" and inserting

(c) Easements.—The

Amend Sec. 4, page 2, line 29, by striking out "Section 4. The" and inserting

(d) Execution.—The

Amend Sec. 5, page 3, line 2, by striking out "Section 5. Costs" and inserting

(e) Costs and fees.—Costs

Amend Sec. 6, page 3, line 4, by striking out "Section 6. The" and inserting

(f) Deposit of proceeds.—The

Amend Sec. 7, page 3, line 10, by striking out "Section 7. In" and inserting

(g) Alternate disposition.—In

Amend Bill, page 3, by inserting between lines 14 and 15
Section 2. Hollidaysburg Borough, Blair County.

(a) Authorization.—The Department of General Services, with the approval of the Governor and Department of Transportation, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant, sell and convey by special warranty deed to Borough of Hollidaysburg for fair consideration equal to the fair market value as determined by an independent appraisal, the tract of land and buildings described in subsection (b).

(b) Description.—The property to be conveyed pursuant to subsection (a) is the following tract of land consisting of the Department of Transportation's Blair County Maintenance Facility

situate in the Borough of Hollidaysburg, Blair County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin on the northeasterly side of Bedford Street, said iron pin being N. 30 degrees 40 minutes W. and sixty-five (65) feet from an angle point in said street; thence by lot No. 2, land N/F of Hollidaysburg Union Prayer Band, N. 59 degrees 20 minutes E. one hundred thirty-nine and eighty-five one-hundredths (139.85) feet to a tack in a 4-inch stake on the westerly bank of the Frankstown Branch of the Juniata River; thence S. 32 degrees 6 minutes E. ninety-three and seventy-four one-hundredths (93.74) feet to a stake on the westerly bank of the Frankstown Branch of the Juniata River; thence S. 32 degrees 17 minutes E. one hundred fifty-three and ninety-five one-hundredths (153.95) feet to a tack in a 4-inch post on the westerly bank of the Frankstown Branch of the Juniata River and on the northwesterly side of a fifteen (15) foot alley; thence along the northwesterly side of said alley S. 70 degrees 45 minutes W. one hundred seventy-nine and eight-tenths (179.8) feet to a tack in a 6 inch post at the intersection of the northwesterly side of said alley and the easterly side of Bedford Street; thence along the easterly side of Bedford Street N. 19 degrees 15 minutes W. one hundred fifty (150) feet to a tack in a 6-inch post at an angle point in Bedford Street; thence by the northeasterly side of Bedford Street N. 30 degrees 40 minutes W. sixty-five (65) feet to the point of beginning.

CONTAINING 0.8158 of an acre, more or less.

(c) Condition.—The conveyance authorized by this section is subject to the Commonwealth of Pennsylvania's completion of a new maintenance shed for the Pennsylvania Department of Transportation, hereinafter referred to as PADOT, and PADOT vacating the above described tract of land.

(d) Easements.—The conveyance authorized by this section shall be made under and subject to all lawful and enforceable easements, servitudes, infringements known or unknown and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, cable, water, electric, sewer, gas or pipeline companies, as well as under the subject to any lawful and enforceable interest, estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(e) Restrictions.—The deed of conveyance shall contain a clause that the property conveyed shall be used for municipal purposes, and, if at any time the Borough of Hollidaysburg, or its successor in function conveys the property or permits the property to be used for any purpose other than that specified in this subsection, the title to the property shall immediately revert to and re-vest in the Commonwealth of Pennsylvania.

(f) Execution.—The deed of conveyance authorized by this section shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania. In the event that this conveyance is not executed within 12 months of the effective date of this act, or within 12 months of PADOT vacating the premises, whichever is later, the property may be disposed of in accordance with Article XXIV-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(g) Government approvals.—Grantee shall be solely responsible to obtain all required subdivision approvals and all other governmental approvals necessary for the transfer or intended use of the transferred tract and its buildings required as a result of this conveyance. All fees and costs associated with obtaining the subdivision or other approvals shall be borne by the Grantee.

(h) Costs and fees.—All other costs and fees incidental to the conveyance including, but not limited to, appraisal fees, title insurance, survey authorized by this section shall be borne by the Grantee.

(i) General fund.—Proceeds from this sale shall be deposited in the General Fund.

Amend Sec. 8, page 3, line 15, by striking out "8" and inserting

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

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

Mr. STERN. Thank you, Mr. Speaker.

This is the same amendment that I offered to SB 1468, and I would appreciate support on this amendment.

**THE SPEAKER PRO TEMPORE
(PATRICIA H. VANCE) PRESIDING**

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Cappabianca Josephs Leh

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. FAIRCHILD offered the following amendment No. A4624:

Amend Title, page 1, line 5, by removing the period after "Pennsylvania" and inserting
; and authorizing the Department of General Services, with the approval of the Governor, to convey a tract of land in the Borough of Selinsgrove, Snyder County, to the Eastern Snyder County Regional Authority in exchange for another tract of land in the Borough of Selinsgrove, Snyder County.

Amend Sec. 1, page 1, line 8, by striking out all of said line and inserting

Section 1. City of York, York County.

(a) Authorization.—The Department of General Services, with the

Amend Sec. 2, page 1, line 15, by striking out "Section 2." and inserting

(b) Description.—

Amend Sec. 3, page 2, line 21, by striking out "Section 3." and inserting

(c) Easements.—

Amend Sec. 4, page 2, line 29, by striking out "Section 4." and inserting

(d) Deed.—

Amend Sec. 5, page 3, line 2, by striking out "Section 5." and inserting

(e) Costs and fees.—

Amend Sec. 6, page 3, line 4, by striking out "Section 6." and inserting

(f) Deposit of proceeds.—

Amend Sec. 7, page 3, line 10, by striking out "Section 7." and inserting

(g) Alternate disposition.—

Amend Bill, page 3, by inserting between lines 14 and 15

Section 2. Conveyance to Eastern Snyder County Regional Authority.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized and directed to convey to the Eastern Snyder County Regional Authority the tract of land described in subsection (b), in exchange for the tract of land described in subsection (c).

(b) Land to be transferred from the Commonwealth.—All that certain tract or parcel of land situate in the Borough of Selinsgrove, Snyder County, Pennsylvania, being bounded and described as follows:

BEGINNING at a point on the Northern right-of-way line of Sandhill Road, said point being in the center of the described 30-foot wide easement;

1. Thence thru the lands of the Commonwealth of Pennsylvania North forty degrees twenty-nine minutes East a distance of fifty-eight and seventy-nine hundredths feet to a point;
2. Thence thru the same North ten degrees twenty-nine minutes East a distance of one hundred thirty-four and seventy-eight hundredths feet to a point;

3. Thence thru the same North forty degrees twenty-nine minutes East a distance of four hundred ninety-six feet to a point at the end of said easement.

(c) Land to be acquired by the Commonwealth.—ALL that certain tract or parcel of land situate in the Borough of Selinsgrove, Snyder County, Pennsylvania, being bounded and described as follows:

BEGINNING at a point on the Northerly right-of-way line of Sandhill Road. Said point being a distance of twenty-seven and thirty hundredths feet and measured in a Easterly direction along said Northerly right-of-way line from the intersection of said right-of-way line with the Westerly line of property of the Commonwealth of Pennsylvania.

- 1. Thence North eleven degrees, eleven minutes, sixteen seconds East a distance of three hundred twenty-six and ninety-five hundredths feet to an existing manhole.
2. Thence South seventy-eight degrees, fifty-one minutes, twenty-nine seconds East a distance of three hundred seventeen and fifty-seven hundredths feet to an existing manhole.
3. Thence North eighty-six degrees, four minutes, thirty-one seconds East a distance of seventy-six and five hundredths feet to an existing manhole.
4. Thence North thirty-six degrees, fifty-one minutes, forty-four seconds East a distance of one hundred eighty-six feet to a point located South thirty-six degrees, fifty-one minutes, forty-four seconds West twelve feet from an existing manhole.

The above described right-of-way is thirty feet wide. Fifteen feet on each side of the existing sewer line with the exception of line number 2 where the right-of-way is ten feet on the South side and fifteen feet on the North side. Being part of the same right-of-way as described in Deed Book 144, Page 312.

(d) Deed.—The deed of conveyance shall be approved as provided by law and shall be executed by the Department of General Services in the name of the Commonwealth.

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

Amend Sec. 8, page 3, line 15, by striking out all of said line and inserting Section 3. Effective date.

This act shall take effect immediately.

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

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

Mr. FAIRCHILD. Thank you, Madam Speaker.

This is identical to the amendment that was just passed.

The SPEAKER pro tempore. Does the gentleman, Mr. Tigie, wish to be recognized?

Mr. TIGUE. Yes, Madam Speaker.

I would like to make a motion to suspend the rules to offer amendment 4786.

The SPEAKER pro tempore. Sir, we are in the process of voting on another amendment, if you could just wait one moment, please. The vote is on amendment 4624 offered by the gentleman from Union County, Mr. Fairchild.

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

The following roll call was recorded:

YEAS—197

Table listing names of members who voted 'YEAS' (197 total). Includes names like Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Barrar, Bastian, Battisto, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Browne, Bunt, Butkovitz, Buxton, Harhart, Hasay, Hennessey, Carn, Casorio, Cawley, Chadwick, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Cornell, Corrigan, Costa, Coy, Curry, Dailey, Daley, Dally, DeLuca, Dempsey, Dermody, DeWeese, DiGirolamo, Donatucci, Eachus, Egolf, Evans, Fairchild, Fargo, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gannon, Geist, George, Gladeck, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Jadlowiec, James, Kaiser, Keller, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Lescovitz, Levdansky, Lucyk, Lynch, Maher, Maitland, Major, Manderino, Mann, Markosek, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Myers, Nailor, Nickol, O'Brien, Oliver, Orije, Perzel, Pesci, Petrarca, Petrone, Phillips, Pippy, Pistella, Platts, Preston, Ramos, Raymond, Readshaw, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Sainato, Samuelson, Santoni, Sather, Saylor, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Snyder, Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigie, Travaglio, Trello, Trich, True, Tulli, Vance, Van Horne, Veon, Vitali, Walko, Wansacz, Washington, Waters, Williams, Wilt, Wogan, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—3

Table listing names of members who were 'EXCUSED' (3 total): Cappabianca, Josephs, Leh.

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. FAIRCHILD offered the following amendment No. A4625:

Amend Title, page 1, line 5, by removing the period after "Pennsylvania" and inserting
; authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Snyder County certain lands situate in Penn Township.

Amend Sec. 1, page 1, line 8, by striking out all of said line and inserting

Section 1. City of York, York County.

(a) Authorization.—The Department of General Services, with the

Amend Sec. 1, page 1, line 13, by striking out "section 2" and inserting

subsection (b)

Amend Sec. 1, page 1, line 15, by striking out "Section 2." and inserting

(b) Description.—

Amend Sec. 3, page 2, line 21, by striking out "Section 3." and inserting

(c) Easements.—

Amend Sec. 4, page 2, line 29, by striking out "Section 4." and inserting

(d) Deed.—

Amend Sec. 5, page 3, line 2, by striking out "Section 5." and inserting

(e) Costs and fees.—

Amend Sec. 6, page 3, line 4, by striking out "Section 6." and inserting

(f) Deposit of proceeds.—

Amend Sec. 7, page 3, line 10, by striking out "Section 7." and inserting

(g) Alternate disposition.—

Amend Bill, page 3, by inserting between lines 14 and 15
Section 2. Penn Township, Snyder County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to Snyder County certain land described in subsection (b) for fair market value as determined by independent appraisal.

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of approximately 7 acres bounded and more particularly described as follows:

Beginning at a found iron spike in the centerline of State Route 1010 (Old Colony Road - formerly Legislative Route 54068); said iron spike marking the southeasterly corner of other land now or formerly of Snyder County. Thence along said other land now or formerly of Snyder County, the following 5 courses and distances:

(1) N 45 degrees 45 minutes 00 seconds W a distance of 247.34 feet to a point;

(2) N 26 degrees 08 minutes 40 seconds W a distance of 315.10 feet to a found iron pin;

(3) S 81 degrees 18 minutes 00 seconds W a distance of 339.28 feet to a point;

(4) S 00 degrees 33 minutes 10 seconds E a distance of 207.42 feet to a found iron pin; and

(5) S 15 degrees 14 minutes 00 seconds E a distance of 345.87 feet to a point in the centerline of aforesaid State Route 1010.

Thence through land of the Commonwealth of Pennsylvania, of which the land herein described is a part, the following 7 courses and distances:

(1) S 65 degrees 39 minutes 10 seconds W a distance of 10.99 feet, to a set nail in the centerline of said State Route 1010;

(2) N 26 degrees 06 minutes 10 seconds W, passing through a set iron pin at a distance of 16.51 feet, a total distance of 708.31 feet to a set iron pin;

(3) N 87 degrees 03 minutes 40 seconds E a distance of 555.08 feet to a set iron pin;

(4) S 84 degrees 24 minutes 50 seconds E a distance of 583.16 feet to a set iron pin;

(5) S 06 degrees 39 minutes 00 seconds W, passing through a set iron pin at a distance of 473.34 feet, a total distance of 489.84 feet to a set nail in the centerline of aforesaid State Route 1010;

(6) N 83 degrees 21 minutes 00 seconds W a distance of 143.05 feet to a set nail in the centerline of said State Route 1010; and

(7) on an arc concave to the south; having a radius of 572.96 feet, a chord bearing of N 86 degrees, 08 minutes, 50 seconds W, and a chord distance of 55.89 feet; an arc distance of 55.91 feet to the place of beginning.

Containing an area of 7 acres of land.

Being all of Lot Number 1, as shown on the Plan of Subdivision for Snyder County Commissioners, as prepared by Gerald E. Bickhart & Sons, Inc., dated 03-31-94, and recorded in Snyder County Map File number 2275.

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

(d) Release of restrictions.—Restrictions imposed under the act of January 19, 1968 (1967 P.L.992, No.442), entitled "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," upon the use of the property described under subsection (b) are hereby released.

(e) Deed.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

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

(g) Alternate disposition.—In the event that this conveyance is not executed within 12 months of the effective date of this act, the property may be disposed of in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Amend Sec. 8, page 3, line 15, by striking out "8" and inserting

3

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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 gentleman, Mr. Fairchild, have another amendment?

Mr. FAIRCHILD. Yes, Madam Speaker.

On the question recurring,

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

Mr. FAIRCHILD offered the following amendment No. A4708:

Amend Title, page 1, line 5, by removing the period after "Pennsylvania" and inserting ; authorizing and directing the Department of General Services, with the approval of the Department of Environmental Resources and the Governor, to convey to Hartley Township, 1.308 acres of land situate in Hartley Township, Union County, Pennsylvania; and making a repeal.

Amend Sec. 1, page 1, line 8, by striking out all of said line and inserting

Section 1. York County.

(a) The Department of General Services, with the Amend Sec. 2, page 1, line 15, by striking out "Section 2." and inserting

(b)

Amend Sec. 3, page 2, line 21, by striking out "Section 3." and inserting

(c)

Amend Sec. 4, page 2, line 29, by striking out "Section 4." and inserting

(d)

Amend Sec. 5, page 3, line 2, by striking out "Section 5." and inserting

(e)

Amend Sec. 6, page 3, line 4, by striking out "Section 6." and inserting

(f)

Amend Sec. 7, page 3, line 10, by striking out "Section 7." and inserting

(g)

Amend Bill, page 3, by inserting between lines 14 and 15

Section 2. Union County.

(a) The Department of General Services, with the approval of the Department of Environmental Resources and the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania, to grant and convey to Hartley Township, the following tract of land situate in Hartley Township, Union County, Pennsylvania, bounded and described as follows:

All that certain tract of land situate in the Village of Glen Iron, Township of Hartley, County of Union, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

Beginning at an iron pin corner on the southern right-of-way of the abandoned Pennsylvania Railroad line in the Village of Glen Iron and lying on the western right-of-way of Pennsylvania Route No. 235 and being a common corner of lands now or formerly of Richard Swartzlander and lands herein described; thence along the aforementioned right-of-way crossing Pennsylvania Route No. 235 north 76 degrees 35 minutes east 705.90 feet to an iron pin corner common to lands last mentioned and lands now or formerly of Leroy C. Camp; thence along lands now or formerly of Leroy C. Camp south 4 degrees 35 minutes west 40.00 feet to iron pin corner common to lands last mentioned and also lands now or formerly of John R. Boop; thence by lands now or formerly of Boop and lands herein described south 71 degrees 2 minutes west 263.52 feet to an iron pin; thence by same south 13 degrees 25 minutes east 36.70 feet to iron pin corner common to lands last mentioned; thence by lands of John R. Boop, lands of Union County West End Fire Company, lands now or formerly of Walter G. Keefer and lands herein described recrossing Route No. 235 south 76 degrees 35 minutes west 438.86 feet to a point on the western right-of-way of Pennsylvania Route No. 235 and being a common corner of lands now or formerly of Walter G. Keefer, lands now or formerly of Richard Swartzlander and lands herein described; thence by lands now or formerly of Swartzlander along the west side of Pennsylvania Route No. 235 north 9 degrees 40 minutes west 100.00 feet to an iron pin corner, place of beginning.

Containing 1.308 acres of land as per survey of September 1972 conducted under the direction of Henry F. Hartman, Registered Surveyor No. 10800-E.

Being a portion of that same property described in a Deed of Conveyance from The Nature Conservancy to the Commonwealth of Pennsylvania dated March 22, 1972 A. D. and recorded in the Recorder of Deeds Office for Union County in Deed Book Volume 125, Page 188.

(b) The Deed of Conveyance shall contain a clause that the lands conveyed shall be used for municipal services or public services, including, but not limited to, fire protection service, by Hartley Township and if at any time the township or its successor in

function conveys said property or authorizes or permits said property to be used for any purpose other than municipal or public services, the title thereto shall immediately revert to and revest in the Commonwealth of Pennsylvania.

(c) The cost and fees relating to the conveyance shall be borne by the grantee.

(d) The Deed of Conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

Amend Sec. 8, page 3, line 15, by striking out all of said line and inserting
Section 3. Repeal.

The act of June 26, 1981 (P.L.119, No.39), entitled "An act authorizing and directing the Department of General Services, with the approval of the Department of Environmental Resources and the Governor, to convey to Hartley Township, 1.308 acres of land situate in Hartley Township, Union County, Pennsylvania," is repealed.

Section 4. This act shall take effect immediately.

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

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

Mr. FAIRCHILD. Madam Speaker, could we suspend? I think we have the wrong printer's number. I just want to verify that.

The SPEAKER pro tempore. The House will be at ease for just a moment.

Mr. FAIRCHILD. Madam Speaker, that amendment, 4708, is an incorrect printer's number. The amendment that I am offering is 4845. It was a corrected reprint.

The SPEAKER pro tempore. The gentleman, Mr. Fairchild, will then have to make a motion to suspend the rules in order to offer that amendment.

Mr. FAIRCHILD. We were told in Reference Bureau that it was a corrected reprint.

The SPEAKER pro tempore. Will the gentleman bring it up to the desk, please.

(Conference held at Speaker's podium.)

AMENDMENT WITHDRAWN

Mr. FAIRCHILD. Madam Speaker, I will withdraw amendment A4708.

On the question recurring,

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

Mr. FAIRCHILD offered the following amendment No. A4845:

Amend Title, page 1, line 5, by removing the period after "Pennsylvania" and inserting
; authorizing and directing the Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, to convey to Hartley Township, 1.308 acres of land situate in Hartley Township, Union County, Pennsylvania; and making a repeal.

Amend Sec. 1, page 1, line 8, by striking out all of said line and inserting

Section 1. York County.

(a) The Department of General Services, with the Amend Sec. 2, page 1, line 15, by striking out "Section 2." and inserting

(b)

Amend Sec. 3, page 2, line 21, by striking out "Section 3." and inserting

(c)

Amend Sec. 4, page 2, line 29, by striking out "Section 4." and inserting

(d)

Amend Sec. 5, page 3, line 2, by striking out "Section 5." and inserting

(e)

Amend Sec. 6, page 3, line 4, by striking out "Section 6." and inserting

(f)

Amend Sec. 7, page 3, line 10, by striking out "Section 7." and inserting

(g)

Amend Bill, page 3, by inserting between lines 14 and 15

Section 2. Union County.

(a) The Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania, to grant and convey to Hartley Township, the following tract of land situate in Hartley Township, Union County, Pennsylvania, bounded and described as follows:

All that certain tract of land situate in the Village of Glen Iron, Township of Hartley, County of Union, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

Beginning at an iron pin corner on the southern right-of-way of the abandoned Pennsylvania Railroad line in the Village of Glen Iron and lying on the western right-of-way of Pennsylvania Route No. 235 and being a common corner of lands now or formerly of Richard Swartzlander and lands herein described; thence along the aforementioned right-of-way crossing Pennsylvania Route No. 235 north 76 degrees 35 minutes east 705.90 feet to an iron pin corner common to lands last mentioned and lands now or formerly of Leroy C. Camp; thence along lands now or formerly of Leroy C. Camp south 4 degrees 35 minutes west 40.00 feet to iron pin corner common to lands last mentioned and also lands now or formerly of John R. Boop; thence by lands now or formerly of Boop and lands herein described south 71 degrees 2 minutes west 263.52 feet to an iron pin; thence by same south 13 degrees 25 minutes east 36.70 feet to iron pin corner common to lands last mentioned; thence by lands of John R. Boop, lands of Union County West End Fire Company, lands now or formerly of Walter G. Keefer and lands herein described recrossing Route No. 235 south 76 degrees 35 minutes west 438.86 feet to a point on the western right-of-way of Pennsylvania Route No. 235 and being a common corner of lands now or formerly of Walter G. Keefer, lands now or formerly of Richard Swartzlander and lands herein described; thence by lands now or formerly of Swartzlander along the west side of Pennsylvania Route No. 235 north 9 degrees 40 minutes west 100.00 feet to an iron pin corner, place of beginning.

Containing 1.308 acres of land as per survey of September 1972 conducted under the direction of Henry F. Hartman, Registered Surveyor No. 10800-E.

Being a portion of that same property described in a Deed of Conveyance from The Nature Conservancy to the Commonwealth of Pennsylvania dated March 22, 1972 A. D. and recorded in the Recorder of Deeds Office for Union County in Deed Book Volume 125, Page 188.

(b) The Deed of Conveyance shall contain a clause that the lands conveyed shall be used for municipal services or public services, including, but not limited to, fire protection service, by Hartley Township and if at any time the township or its successor in

function conveys said property or authorizes or permits said property to be used for any purpose other than municipal or public services, the title thereto shall immediately revert to and revest in the Commonwealth of Pennsylvania.

(c) The cost and fees relating to the conveyance shall be borne by the grantee.

(d) The Deed of Conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

Amend Sec. 8, page 3, line 15, by striking out all of said line and inserting Section 3. Repeal.

The act of June 26, 1981 (P.L.119, No.39), entitled "An act authorizing and directing the Department of General Services, with the approval of the Department of Environmental Resources and the Governor, to convey to Hartley Township, 1.308 acres of land situate in Hartley Township, Union County, Pennsylvania," is repealed.

Section 4. This act shall take effect immediately.

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

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

Mr. FAIRCHILD. Thank you, Madam Speaker.

This amendment is an amendment which authorizes a piece of property - I think it is less than an acre - to be used for municipal services. When it was originally transferred, there was some question. It was transferred to a township. Now the volunteer fire company would like to use the property, and the Department of General Services felt that we would need an authorization to use that piece of property for municipal services, which, in this case, is the volunteer fire company.

Thank you very much, Madam Speaker.

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

The following roll call was recorded:

YEAS-197

Table listing names of members who voted 'YEAS' (197 total). Includes names like Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Barrar, Bastian, Battisto, Bebkco-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cam, Casorio, Cawley, Chadwick, Civera, Clark, Fairchild, Fargo, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gannon, Geist, George, Gladeck, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Myers, Nailor, Nickol, O'Brien, Oliver, Orije, Perzel, Pesci, Petrarca, Petrone, Phillips, Pippy, Pistella, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Snyder, Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigie, Travaglio, Trello, Trich, True, Tulli, Vance.

Table listing names of members who were present or absent. Includes names like Clymer, Cohen, L. I., Colafella, Cornell, Corrigan, Costa, Coy, Curry, Dailey, Daley, Dally, DeLuca, Dempsey, Dermody, DeWeese, DiGirolamo, Donatucci, Eachus, Egolf, Evans, Jadowiec, James, Kaiser, Keller, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Lescovitz, Levdansky, Lucyk, Lynch, Maher, Maitland, Major, Manderino, Mann, Markosek, Platts, Preston, Ramos, Raymond, Readshaw, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Schroder, Van Horne, Veon, Vitali, Walko, Wansacz, Washington, Waters, Williams, Wilt, Wogan, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker.

NAYS-0

NOT VOTING-0

EXCUSED-3

Table listing names of members who were excused: Cappabianca, Josephs, Leh.

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. LYNCH offered the following amendment No. A4645:

Amend Title, page 1, line 5, by removing the period after "Pennsylvania" and inserting ; and grant and convey to Warren County, certain lands situate in Conewango Township, Warren County, Pennsylvania.

Amend Sec. 1, page 1, line 8, by striking out all of said line and inserting Section 1. York County.

(a) Authorization.—The Department of General Services, with the

Amend Sec. 1, page 1, line 13, by striking out "section 2" and inserting subsection (b)

Amend Sec. 2, page 1, line 15, by striking out "Section 2." and inserting

(b) Description.— Amend Sec. 3, page 2, line 21, by striking out all of said line and inserting

(c) Restrictions.— The conveyance shall be made under and subject to subsection (b)

Amend Sec. 4, page 2, line 29, by striking out "Section 4." and inserting

(d) Deed.— Amend Sec. 5, page 3, line 2, by striking out "Section 5." and inserting

(e) Costs and fees.— Amend Sec. 6, page 3, line 4, by striking out "6" and inserting (f) Proceeds.—

Amend Sec. 7, page 3, line 10, by striking out "Section 7." and inserting

(g) Disposition after 12 months.—

Amend Bill, page 3, by inserting between lines 14 and 15 Section 2. Warren County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, and the Department of Public Welfare, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Warren County fifteen acres of vacant land more or less, described in subsection (b) for fair market value as determined by independent appraisal.

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of the fifteen acres of vacant land more or less, bounded and more particularly described as follows:

BEGINNING at a Rebar and Cap (Found) at the Northeast corner of Lands of the North Warren Municipal Authority and the West Right-of-Way line of S.R.0062, Thence North 78 degrees 40 minutes 19 seconds West a distance of 605.00 Feet to a Point, said point being a Rebar and Cap (Set), Thence North 26 degrees 48 minutes 38 seconds East a distance of 1133.75 Feet to a point, said point being a Rebar and Cap (Set), Thence North 52 degrees 55 minutes 39 seconds East a distance of 320.69 Feet to a Point, said point being a Rebar and Cap (Set), Thence South 84 degrees 09 minutes 01 second East a distance of 237.80 Feet to a Point, said point being a Rebar and Cap (Set), Thence South 04 degrees 21 minutes 58 seconds West a distance of 74.75 Feet to a Point, said point being a Fence Corner (Found), Thence South 18 degrees 17 minutes 11 seconds West a distance of 1290.43 Feet to a Point, said point being the Place of Beginning. The above-described parcel contains or is said to contain 653,402 square feet or 15.000 acres of land more or less.

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

(d) Deed.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

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

(f) Proceeds.—The proceeds from the sale shall be placed in the General Fund.

Amend Sec. 8, page 3, line 15, by striking out "8" and inserting 3

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

The following roll call was recorded:

YEAS—197

Table listing names of members who voted 'YEAS' (197 total). Includes names like Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Barrar, Bastian, Battisto, Bebkco-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Fairchild, Fargo, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gannon, Geist, George, Gladeck, Godshall, Gordner, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Snyder, Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson.

Table listing names of members who did not vote or were excused. Includes names like Bishop, Blaum, Boyes, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cam, Casorio, Cawley, Chadwick, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Cornell, Corrigan, Costa, Coy, Curry, Dailey, Daley, Dally, DeLuca, Dempsey, Dermody, DeWeese, DiGirolamo, Donatucci, Eachus, Egolf, Evans, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Jadowiec, James, Kaiser, Keller, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Lescovitz, Levdansky, Lucyk, Lynch, Maher, Maitland, Major, Manderino, Mann, Markosek, Mundy, Myers, Nailor, Nickol, O'Brien, Oliver, Orié, Perzel, Pesci, Petrarca, Petrone, Phillips, Pippy, Pistella, Platts, Preston, Ramos, Raymond, Readshaw, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Schroder, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Trich, True, Tulli, Vance, Van Horne, Veon, Vitali, Walko, Wansacz, Washington, Waters, Williams, Wilt, Wogan, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—3

Table listing names of members who were excused: Cappabianca, Josephs, Leh.

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

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne County, Mr. Tigue, for the purpose of suspension of the rules.

Mr. TIGUE. Thank you, Madam Speaker.

I would ask for support of the suspension of the rules to offer amendment 4786, which is a land conveyance from the Department of General Services to the Pocono Mountains Airport Authority.

The SPEAKER pro tempore. The gentleman from Luzerne moves that the rules of the House be suspended in order to offer amendment 4786?

Mr. TIGUE. Yes, Madam Speaker.

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

On the question recurring,

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

Mr. TIGUE offered the following amendment No. A4786:

Amend Title, page 1, line 5, by removing the period after "Pennsylvania" and inserting
; and authorizing and directing the Department of General Services, with the approval of the Governor, to convey to the Pocono Mountains Municipal Airport Authority certain property located in Coolbaugh Township, Monroe County, which is part of the facility formerly known as the Mount Pocono Airport, and now known as the Pocono Mountains Municipal Airport.

Amend Section 1, page 1, line 8, by striking out all of said line and inserting

Section 1. York State Police Barricks.

(a) The Department of General Services, with the

Amend Sec. 2, page 1, line 15, by striking out "Section 2." and inserting

(b)

Amend Sec. 3, page 2, line 21, by striking out "Section 3." and inserting

(c)

Amend Sec. 4, page 2, line 29, by striking out "Section 4." and inserting

(d)

Amend Sec. 5, page 3, line 2, by striking out "Section 5." and inserting

(e)

Amend Sec. 6, page 3, line 4, by striking out "Section 6." and inserting

(f)

Amend Sec. 7, page 3, line 10, by striking out "Section 7." and inserting

(g)

Amend Bill, page 3, by inserting between lines 14 and 15

Section 2. Mount Pocono Airport.

(a) The Department of General Services, acting on behalf of the Commonwealth of Pennsylvania and with the approval of the Governor, is hereby authorized and directed to grant and convey to the Pocono Mountains Municipal Airport Authority all those certain pieces or parcels of land situate in Coolbaugh Township, Monroe County, Pennsylvania, bounded and described as follows:

(1) Beginning at the common corner of the Jonathan Brown, John Herster and Michael Hart Warrantee tracts; thence along the John Herster Warrantee tract North 50 degrees 00 minutes West, nine hundred sixty-one and two-tenths (961.20) feet to a point; thence through lands of the grantor herein South 40 degrees 00 minutes West, eight hundred fifty-seven and five-tenths (857.5) feet to a point; thence through the same South 62 degrees 40 minutes East, one thousand four hundred sixty-six and one-tenth (1466.1) feet to a point; thence still through the same South 40 degrees 00 minutes West, four hundred twelve and five-tenths (412.5) feet to a point; thence still through the same South 50 degrees 00 minutes East, seven hundred (700) feet to a point; thence still through the same North 40 degrees 00 minutes East, five hundred eighty-three and five-tenths (583.5) feet to a point; thence still through the same South 62 degrees 40 minutes East, one thousand three hundred forty-three and four-tenths (1343.4) feet to a point; thence still through the same South 5 degrees 00 minutes East, four hundred sixty-six and ninety-seven hundredths (466.97) feet to a point; thence still through the same North 82 degrees 5 minutes East, five hundred thirty-nine and eighty-nine hundredths (539.89) feet to a point in the division line of the Jonathan Brown and Michael Hart Warrantee tracts; thence along the Michael Hart Warrantee tract North 50 degrees 00 minutes West, three thousand one hundred seventy-two (3172) feet to the point the place of beginning.

Containing 48.12 acres, more or less, and being shown on Map No. 1868 entitled "Monroe Water Supply Company Map" showing Land to be Conveyed to Commonwealth of Pennsylvania, Division of Aeronautics, Coolbaugh Twp., Monroe County, Penn., Office of Corporate Eng'r., Allentown, Pa., July 7, 1937.

Being the same premises which Monroe Supply Company by its deed dated the twenty-sixth day of October, one thousand nine hundred thirty-seven, and recorded in the Office for Recording Deeds of Monroe County, Pennsylvania, in Deed Book No. 128, page 621, granted and conveyed to the Commonwealth of Pennsylvania.

(2) Beginning at the most westerly corners of the lands in the warranty name of Michael Hart; thence South forty-two degrees fifty-six minutes East, twenty-five hundred ten and seventy-nine hundredths feet along the existing fence to a stake; thence North forty-five degrees fifty minutes East, five hundred feet to a stake; thence North no degrees fifty minutes East, twenty-one hundred fourteen and twenty-nine hundredths feet to a point; thence North forty-five degrees fifty minutes East, ten hundred thirty-seven and one-tenth feet to a point; thence North forty-two degrees fifty-six minutes West, five hundred feet to a point; thence South forty-five degrees fifty minutes West, twenty-five hundred feet to a stake; thence North forty-two degrees fifty-six minutes West, five hundred fifteen and forty one hundredths feet to a stake on the David-Lynch property line; thence South forty-five degrees fifty minutes West, five hundred feet to the place of beginning. All lying within the property of the Berton E. David Estate in Coolbaugh Township, Monroe County, Pennsylvania, and containing eighty-two and sixty-one one-hundredths acres (82.61).

Being the same premises which Verna Davis et al., by their deed dated the fifth day of October, one thousand nine hundred thirty-eight, and recorded in the Office for Recording of Deeds of Monroe County, Pennsylvania, in Deed Book Vol. 130, page 317, granted and conveyed to the Commonwealth of Pennsylvania.

(3) No. 1. Beginning at a point in the lands of the Commonwealth of Pennsylvania known as the Mount Pocono Airport and lands formerly owned by the Monroe Water Supply Company, since acquired by the Commonwealth of Pennsylvania; thence along the said land of the Commonwealth of Pennsylvania South forty-two degrees fifty-six minutes East, a distance of six hundred sixty-one and twenty-one hundredths feet to a point; thence North forty-five degrees fifty minutes East, a distance of five hundred feet to a point; thence North forty-two degrees fifty-six minutes West, a distance of six hundred sixty-one and twenty-one hundredths feet to a point in the lands of the Commonwealth of Pennsylvania; thence along the land of the said Commonwealth South forty-five degrees fifty minutes West, a distance of five hundred feet to the place of beginning. A total of seven and fifty-eight hundredths acres, more or less.

No. 2. Beginning at the most Easterly point in the lands of the Commonwealth of Pennsylvania known as the Mount Pocono Airport; thence along the land of the said Commonwealth South forty-five degrees fifty minutes West, a distance of one thousand thirty-seven and one-tenth feet to a point in the lands of the said Commonwealth; thence along the lands of the said Commonwealth South no degrees fifty minutes West, a distance of one hundred fifty-five and fifty-six hundredths feet to a point; thence North forty-five degrees fifty minutes East, a distance of one thousand four hundred three and forty-two hundredths feet to a point, this point being approximately two hundred feet from Pennsylvania State Highway Route 611; thence parallel to the said Highway 611 North thirty-nine degrees fifty-seven minutes West, a distance of six hundred eleven and sixty-seven hundredths feet to a point approximately two hundred feet from Pennsylvania Highway Route 611; thence South forty-five degrees fifty minutes West, a distance of two hundred ninety and twenty-nine hundredths feet to a point in the lands of the Commonwealth of Pennsylvania; thence along said lands South forty-two degrees fifty-six minutes East, a distance of five hundred feet to the point of beginning. A total of six and fifty-nine hundredths acres, more or less.

Being the same premises which Berton E. Davis et ux, et al., by their deed dated the twenty-first day of March, one thousand nine hundred forty-one, and recorded in the Office for Recording Deeds of Monroe County, Pennsylvania, in Deed Book Vol. 137, page 2, granted and conveyed to the Commonwealth of Pennsylvania.

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

(c) If and when the Pocono Mountains Municipal Airport Authority or its successor in interest shall cease to exist, the property conveyed by this deed shall revert and be reconveyed to the Commonwealth, unless a successor Authority has been formed to continue operation of the Pocono Mountains Municipal Airport.

(d) The consideration for conveyance authorized by this section shall be \$1. The conveyance shall be effected by a special warranty deed in regular form from the Commonwealth to the Pocono Mountains Municipal Airport Authority, executed and delivered by the Department of General Services.

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

Amend Sec. 8, page 3, line 15, by striking out "8" 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 Luzerne, Mr. Tigue.

Mr. TIGUE. Thank you, Madam Speaker.

Madam Speaker, this land really already belongs to the Pocono Mountains Municipal Airport Authority, but because of change in ownership taken over by the county under the guise of an authority, this must be reinstated because the prior agreement expired.

Thank you, Madam Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

On the question recurring,

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Warren County, Mr. Lynch, for the purpose of suspension of the rules.

Mr. LYNCH. Thank you, Madam Speaker.

I would like to request a suspension of the rules to offer amendment 4694. We were unable to get it in on time because of the bomb threat and missed it by a minute, and I would appreciate the membership voting to suspend. Thank you, Madam Speaker.

The SPEAKER pro tempore. The gentleman from Warren County, Mr. Lynch, asks that the rules of the House be suspended in order to offer amendment 4694.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-196

| | | | |
|-----------|-----------|------------|--------------|
| Adolph | Fairchild | Masland | Schuler |
| Allen | Fargo | Mayernik | Scrimenti |
| Argall | Feese | McCall | Semmel |
| Armstrong | Fichter | McGeehan | Shaner |
| Baker | Fleagle | McGill | Smith, B. |
| Bard | Flick | McIlhattan | Smith, S. H. |
| Barley | Frankel | McIlhinney | Snyder |
| Barrar | Freeman | McNaughton | Solobay |

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

NAYS-0

NOT VOTING-1

Forcier

EXCUSED-3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

On the question recurring,

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

Mr. LYNCH offered the following amendment No. A4694:

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

; and grant and convey to Warren County, certain lands situate in Conewango Township, Warren County, Pennsylvania.

Amend Sec. 1, page 1, line 8, by striking out all of said line and inserting

Section 1. York County.

(a) Authorization.—The Department of General Services, with the

Amend Sec. 1, page 1, line 13, by striking out “section 2” and inserting

subsection (b)

Amend Sec. 2, page 1, line 15, by striking out “Section 2.” and inserting

(b) Description.—

Amend Sec. 3, page 2, line 21, by striking out all of said line and inserting

(c) Restrictions.— The conveyance shall be made under and subject to subsection (b)

Amend Sec. 4, page 2, line 29, by striking out “Section 4.” and inserting

(d) Deed.—

Amend Sec. 5, page 3, line 2, by striking out “Section 5.” and inserting

(e) Costs and fees.—

Amend Sec. 6, page 3, line 4, by striking out “6” and inserting

(f) Proceeds.—

Amend Sec. 7, page 3, line 10, by striking out “Section 7.” and inserting

(g) Disposition after 12 months.—

Amend Bill, page 3, by inserting between lines 14 and 15

Section 2. Warren County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, and the Department of Public Welfare, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Warren County 22.7451 acres of vacant land, more or less, described in subsection (b) for fair market value as determined by independent appraisal.

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of ALL THAT CERTAIN piece or parcel of land situate in Conewango Township, Warren County, Pennsylvania, bounded and described as follows:

BEGINNING at the point of intersection of the northerly right-of-way line of Jackson Run Road with the northwesterly right of way of Market Street Extension (Route 62);

THENCE North 39 degrees 12 minutes 07 seconds West along said northerly right-of-way line of Jackson Run Road a distance of 213.40 feet to a point of curvature;

THENCE northwesterly along said northerly right-of-way line along the arc of a curve concave to the southwest having a central angle of 12 degrees 04 minutes 30 seconds, a radius of 980.37 feet, a distance of 206.61 feet to a point of tangency;

THENCE North 51 degrees 16 minutes 37 seconds West along said right-of-way line a distance of 443.73 feet to a point of curvature;

THENCE northwesterly along said northerly right-of-way line along the arc of a curve concave to the southwest having a central angle of 15 degrees 43 minutes 30 seconds, a radius of 1067.14 feet, a distance of 392.88 feet to a point of tangency;

THENCE North 67 degrees 00 minutes 07 seconds West along said northerly right-of-way line a distance of 120.76 feet to the easterly line of the Warren State Hospital Cemetery;

THENCE North 27 degrees 08 minutes 51 seconds East along the said easterly line of the cemetery a distance of 390.10 feet;

THENCE North 86 degrees 20 minutes 58 seconds East a distance of 92.88 feet;

THENCE North 51 degrees 19 minutes 50 seconds East a distance of 228.53 feet;

THENCE North 90 degrees 00 minutes 00 seconds East a distance of 679.09 feet;

THENCE South 23 degrees 37 minutes 03 seconds East a distance of 120.87 feet;

THENCE South 55 degrees 32 minutes 09 seconds East a distance of 118.17 feet;

THENCE South 79 degrees 56 minutes 49 seconds East a distance of 104.60 feet to a point on the westerly right-of-way line of said Market Street Extension;

THENCE South 33 degrees 13 minutes 34 seconds West along said westerly right-of-way a distance of 75.20 feet;

THENCE South 18 degrees 17 minutes 41 seconds West along said right-of-way a distance of 200.00 feet;

THENCE South 15 degrees 34 minutes 55 seconds West along said westerly right-of-way a distance of 800.86 feet;

THENCE South 04 degrees 15 minutes 31 seconds West along said westerly right-of-way a distance of 41.23 feet;

THENCE South 73 degrees 15 minutes 42 seconds West along said right-of-way a distance of 68.48 feet to the Point of Beginning. Containing 22.7451 acres of vacant land more or less.

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

(d) Deed.—

(1) The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(2) The deed of conveyance shall contain a condition reciting that the land herein conveyed shall be used for open space or agricultural purposes and if at any time Warren County or its successors in function conveys said property or authorizes or permits said property to be used for any purpose other than those aforementioned, the title to the land shall immediately revert and re-vest in the Commonwealth of Pennsylvania.

(e) Alternate disposition of property.—In the event this conveyance is not executed in compliance with the Purchase Agreement, the property may be disposed of in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(f) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the Grantee.

(g) Proceeds.—The proceeds from the sale shall be placed in the Agricultural Conservation Easement Purchase Fund.

Amend Sec. 8, page 3, line 15, by striking out “8” and inserting

3

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

The following roll call was recorded:

YEAS—197

| | | | |
|-------------|-----------|------------|--------------|
| Adolph | Fairchild | Marsico | Schuler |
| Allen | Fargo | Masland | Scrimenti |
| Argall | Feese | Mayernik | Semmel |
| Armstrong | Fichter | McCall | Shaner |
| Baker | Fleagle | McGeehan | Smith, B. |
| Bard | Flick | McGill | Smith, S. H. |
| Barley | Forcier | McLhattan | Snyder |
| Barrar | Frankel | McLhinney | Solobay |
| Bastian | Freeman | McNaughton | Staback |
| Battisto | Gannon | Melio | Stairs |
| Bebko-Jones | Geist | Metcalfe | Steelman |
| Belardi | George | Michlovic | Steil |
| Belfanti | Gladeck | Micozzie | Stern |
| Benninghoff | Godshall | Miller, R. | Stetler |
| Birmelin | Gordner | Miller, S. | Stevenson |
| Bishop | Grucela | Mundy | Strittmatter |
| Blaum | Gruitza | Myers | Sturla |
| Boyes | Habay | Nailor | Surra |
| Browne | Haluska | Nickol | Tangretti |

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Cappabianca Josephs Leh

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

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

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

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

The following roll call was recorded:

YEAS—197

| | | | |
|-------------|-----------|------------|--------------|
| Adolph | Fairchild | Marsico | Schuler |
| Allen | Fargo | Masland | Scrimenti |
| Argall | Feese | Mayernik | Semmel |
| Armstrong | Fichter | McCall | Shaner |
| Baker | Fleagle | McGeehan | Smith, B. |
| Bard | Flick | McGill | Smith, S. H. |
| Barley | Forcier | McIlhattan | Snyder |
| Barrar | Frankel | McIlhinney | Solobay |
| Bastian | Freeman | McNaughton | Staback |
| Battisto | Gannon | Melio | Stairs |
| Bebko-Jones | Geist | Metcalfe | Steelman |

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Cappabianca Josephs Leh

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

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

The House proceeded to third consideration of SB 1547, PN 2171, entitled:

An Act authorizing the release of Project 70 restrictions imposed on a certain tract of land in Mercer County owned by the Pennsylvania Game Commission in exchange for the imposition of Project 70 restrictions on a certain tract of land in Mercer County to be conveyed to the commission.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

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

RULES SUSPENDED

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

Mr. PERZEL. Madam Speaker, I move that the rules of the House be suspended in order to consider SB 1412.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED-3

Cappabianca Josephs Leh

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.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 1412, PN 2306, entitled:

An Act designating a bridge on State Route 44, over Little Pine Creek in Lycoming County, as the Lieutenant Michael Wolf Bridge; designating a portion of the Mon/Fayette Expressway, State Route 43, as the J. Barry Stout Expressway; designating a portion of the Mon/Fayette Expressway, State Route 43, as the James J. Manderino Memorial Highway; designating the twin bridges at milepost 45 of the Mon/Fayette Expressway as the Joe Montana Bridges; designating State Route 1077 in Donora Borough and Carroll Township, Washington County, as the Stan Musial Byway; designating a portion of State Route 24 in York County as the 24th Infantry Division Association Highway; designating a bridge on the Mon/Fayette Expressway as the Braddock's Crossing Bridge; designating a portion of the Mon/Fayette Expressway, State Route 43, as the Medal of Honor Highway; designating State Route 65 as the 65th Infantry Division Memorial Highway; designating a certain bridge on State Route 1002 over French Creek in Venango Borough, Crawford County, as the Venango Veterans Memorial Bridge; and designating Exit 10 in Harborcreek Township on Interstate 90 as the Trooper Matthew R. Bond Memorial Interchange.

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

Mr. HUTCHINSON offered the following amendment No. A4811:

Amend Title, page 1, line 18, by striking out "AND"
Amend Title, page 1, line 20, by removing the period after "INTERCHANGE" and inserting
; and designating a portion of U.S. Route 62, Pennsylvania Route 8 in Venango County as the Colonel Francis S. Gabreski Highway.

Amend Bill, page 6, by inserting between lines 9 and 10 Section 12. Colonel Francis S. Gabreski Highway.
(a) Designation.—The section of U.S. Route 62, Pennsylvania Route 8 in Venango County from the Franklin City line at segment 320 proceeding northbound to the Oil City line at segment 470 is hereby designated as the Colonel Francis S. Gabreski Highway.

(b) Signs.—The Department of Transportation shall erect and maintain appropriate signs displaying the name of the highway to both northbound and southbound traffic.

Amend Sec. 12, page 6, line 10, by striking out "12" and inserting
13
Amend Sec. 13, page 6, line 13, by striking out "13" and inserting
14

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

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Cappabianca Josephs Leh

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

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. This bill will be over temporarily.

* * *

The House proceeded to third consideration of **SB 958, PN 1090**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for confidential communications with sexual assault counselors.

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

The **SPEAKER** pro tempore. The gentleman, Mr. George, is recognized for the purpose of suspension of the rules. The gentleman, Mr. George, withdraws the amendment.

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

RULES SUSPENDED

The **SPEAKER** pro tempore. The Chair recognizes the gentleman from Montgomery County, Mr. Lawless, for a suspension of the rules.

Mr. **LAWLESS**. Madam Speaker, I move to suspend the rules for amendment 4887.

The **SPEAKER** pro tempore. What is the amendment number, please?

Mr. **LAWLESS**. 4887.

The **SPEAKER** pro tempore. The gentleman from Montgomery County moves that the rules of the House be suspended in order to offer amendment 4887.

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

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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. **LAWLESS** offered the following amendment No. **A4887**:

Amend Title, page 1, line 3, by striking out all of said line and inserting
the number of judges of the courts of common pleas in certain judicial districts; providing for reimbursement for common pleas court costs and for judgment by confession filed against incorrectly identified debtors; further providing for county judicial center or courthouse, for composition of investigating grand jury and for confidential communications with sexual assault counselors; providing for confidential communications to crime stopper or similar anticrime program; and further providing for exemption from attachment of retirement funds and accounts.

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

Section 1. Section 911(a) of Title 42 of the Pennsylvania Consolidated Statutes is amended to read:

§ 911. Courts of common pleas.
(a) General rule.—There shall be one court of common pleas for each judicial district of this Commonwealth consisting of the following number of judges:

| Judicial District | Number of Judges |
|-------------------|------------------|
| First | [90] 93 |
| Second | [11] 13 |
| Third | 7 |
| Fourth | 1 |
| Fifth | 41 |
| Sixth | [8] 9 |
| Seventh | 11 |
| Eighth | [2] 3 |

| | |
|----------------|---------|
| Ninth | 5 |
| Tenth | 11 |
| Eleventh | 9 |
| Twelfth | 8 |
| Thirteenth | 2 |
| Fourteenth | 5 |
| Fifteenth | [11] 13 |
| Sixteenth | 3 |
| Seventeenth | 2 |
| Eighteenth | 1 |
| Nineteenth | [11] 12 |
| Twentieth | 1 |
| Twenty-first | [5] 6 |
| Twenty-second | 1 |
| Twenty-third | [11] 12 |
| Twenty-fourth | 4 |
| Twenty-fifth | 2 |
| Twenty-sixth | 2 |
| Twenty-seventh | 5 |
| Twenty-eighth | 2 |
| Twenty-ninth | 5 |
| Thirtieth | [2] 3 |
| Thirty-first | [9] 10 |
| Thirty-second | 18 |
| Thirty-third | 2 |
| Thirty-fourth | 1 |
| Thirty-fifth | 3 |
| Thirty-sixth | 6 |
| Thirty-seventh | [1] 2 |
| Thirty-eighth | [18] 20 |
| Thirty-ninth | 4 |
| Fortieth | 2 |
| Forty-first | 2 |
| Forty-second | 2 |
| Forty-third | 5 |
| Forty-fourth | 1 |
| Forty-fifth | [6] 7 |
| Forty-sixth | 2 |
| Forty-seventh | 5 |
| Forty-eighth | 1 |
| Forty-ninth | 3 |
| Fiftieth | 5 |
| Fifty-first | 3 |
| Fifty-second | 4 |
| Fifty-third | [3] 4 |
| Fifty-fourth | 1 |
| Fifty-fifth | 1 |
| Fifty-sixth | 2 |
| Fifty-seventh | 2 |
| Fifty-eighth | 1 |
| Fifty-ninth | 1 |
| Sixtieth | 1 |

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

Section 914. Reimbursement for common pleas court costs.

For the purposes of reimbursement for common pleas court judge authorized positions, no county shall receive less than 77.5% of the actual reimbursement for court costs provided to them from funds appropriated for the fiscal year July 1, 1980, to June 30, 1981.

§ 2737.1. Incorrect debtor identified.

At the time a creditor files for a judgment by confession under section 2737(3) (relating to powers and duties of the office of the prothonotary), the creditor filing the judgment shall provide the debtor with written instructions regarding the procedure to follow to strike the judgment. A debtor who has been incorrectly identified and had a confession or judgment entered against him shall be entitled to costs and reasonable attorney fees as determined by the court. The instructions provided to the debtor shall explain to the debtor that under

this section he is entitled to costs and reasonable attorney fees as determined by the court if he was incorrectly identified.

Section 3. Section 3721 of Title 42 is amended by adding a subsection to read:

§ 3721. County judicial center or courthouse.

(c) Child-care facilities.—

(1) A county judicial center or courthouse may provide a child-care facility for use by children whose parents or guardians are present at the county judicial center or courthouse for a court appearance or other matter related to any civil or criminal action where the person's presence has been requested or is necessary. The child-care facility must be located within or easily accessible to the county judicial center or courthouse. If the facilities of the county judicial center are located at multiple sites, each site may provide a child-care facility.

(2) If a child-care facility is provided under paragraph (1):

(i) The child-care facility shall be licensed and operated pursuant to Articles IX and X of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, and regulations of the Department of Public Welfare.

(ii) In addition to any other court cost or filing fee authorized to be collected by law, an additional fee of \$5 shall be charged and collected by the prothonotary, clerk of orphans' court and register of wills of the county or by any official designated to perform the functions thereof for the initiation of any civil action or legal proceeding.

(iii) In addition to any other court cost or filing fee authorized to be collected by law, an additional fee of \$5 shall be charged and collected by the clerk of courts of the county or by any official designated to perform the functions thereof for the initiation of any criminal proceeding for which a fee, charge or cost authorized on the effective date of this subsection and for which a conviction is obtained or guilty plea is entered.

(3) The additional fees collected under paragraph (2) shall be deposited into a segregated fund established by the county for the purposes of providing for the start-up and daily operating costs, excluding capital costs, of a child-care facility under this section.

Section 4. Sections 4545(a) and 5945.1 of Title 42 are amended to read:

§ 4545. Composition of investigating grand jury.

(a) General rule.—Each investigating grand jury shall be composed initially of 23 members and have a minimum of seven and not more than 15 alternates. Subsequent vacancies shall be filled by substituting alternates for the members who are excused or otherwise unable to continue their service.

Amend Bill, page 3, line 10, by striking out all of said line and inserting

Section 5. Title 42 is amended by adding a section to read:

§ 5945.2. Confidential communications to crime stopper or similar anticrime program.

(a) General rule.—No person engaged in, connected with or employed by any crime stopper or similar anticrime program shall be required in any manner to disclose the source of any information received, procured or obtained by such person or crime stopper or similar anticrime program in any legal proceeding, trial or investigation before any government unit.

(b) Definition.—As used in this section, "crime stopper or similar anticrime program" means a private, nonprofit organization that accepts and expends donations for rewards to persons who report to the organization information concerning criminal activity and that forwards the information to the appropriate law enforcement agency.

Section 6. Section 8124(b)(1)(ix) of Title 42 is amended to read: § 8124. Exemption of particular property.

(b) Retirement funds and accounts.—

(1) Except as provided in paragraph (2), the following money or other property of the judgment debtor shall be exempt from attachment or execution on a judgment:

(ix) Any retirement or annuity fund provided for under section 401(a), 403(a) and (b), 408 [or], 408A, 409 or 530 of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 401(a), 403(a) and (b), 408 [or], 408A, 409 or 530), the appreciation thereon, the income therefrom, the benefits or annuity payable thereunder and transfers and rollovers between such funds. This subparagraph shall not apply to:

(A) Amounts contributed by the debtor to the retirement or annuity fund within one year before the debtor filed for bankruptcy. This shall not include amounts directly rolled over from other funds which are exempt from attachment under this subparagraph.

(B) Amounts contributed by the debtor to the retirement or annuity fund in excess of \$15,000 within a one-year period. This shall not include amounts directly rolled over from other funds which are exempt from attachment under this subparagraph.

(C) Amounts deemed to be fraudulent conveyances.

Section 7. (a) The provisions of 42 Pa.C.S. § 3135 shall not be applicable to the selection of judges for the judgeships created in the amendment of 42 Pa.C.S. § 911(a).

(b) (1) Except as provided in paragraphs (2), (3) and (4), the new judgeships added by the amendment of 42 Pa.C.S. § 911(a) shall be created on January 2, 2002, and shall be initially filled by election at the 2001 municipal election.

(2) The new judgeships for the second district added by the amendment of 42 Pa C.S. § 911(a) shall be created as follows:

(i) One judgeship shall be created on January 2, 2002, and shall be initially filled at the 2001 municipal election.

(ii) One judgeship shall be created on January 5, 2004, and shall be initially filled at the 2003 municipal election.

(3) The new judgeships for the fifteenth district added by the amendment of 42 Pa.C.S. § 911(a) shall be created on January 5, 2004, and shall be initially filled at the 2003 municipal election.

(4) The new judgeship for the thirty-first district added by the amendment of 42 Pa.C.S. § 911(a) shall be created on January 2, 2004, and shall be initially filled at the 2003 municipal election.

Section 8. This act shall take effect as follows:

(1) The amendment of 42 Pa.C.S. § 3721 shall take effect in 60 days.

(2) The amendment of 42 Pa.C.S. § 911 and 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. The Chair recognizes the gentleman, Mr. Gordner.

Mr. GORDNER. Could I interrogate the maker of the amendment, please?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. GORDNER. Thank you, Madam Speaker.

I know on the calendar there is a separate judges bill, and, Madam Speaker, it looks like you are amending into this bill the judges bill. I just wanted to double-check that all of the judicial districts in which a judge is being added there has been agreement with the county commissioners that they are in approval of those additional judges.

Mr. LAWLESS. Yes, Madam Speaker. All the judges have been agreed to by the county commissioners from each county.

Mr. GORDNER. Okay. Thank you very much.

I have no further questions.

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

The following roll call was recorded:

YEAS—197

Table listing names of members who voted 'YEAS' (197 total). Names include Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Barrar, Bastian, Battisto, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cam, Casorio, Cawley, Chadwick, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Cornell, Corrigan, Costa, Coy, Curry, Dailey, Daley, Daley, Dally, DeLuca, Dempsey, Dermody, DeWeese, DiGirolamo, Donatucci, Eachus, Egolf, Evans, Fairchild, Fargo, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gannon, Geist, George, Gladeck, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Jadlowiec, James, Kaiser, Keller, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Lescovitz, Levdansky, Lucyk, Lynch, Maher, Maitland, Major, Manderino, Mann, Markosek, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, McLhattan, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Myers, Nailor, Nickol, O'Brien, Oliver, Orié, Perzel, Pesci, Petrarca, Petrone, Phillips, Pippy, Pistella, Platts, Preston, Ramos, Raymond, Readshaw, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Snyder, Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigie, Travaglio, Trello, Trich, True, Tulli, Vance, Van Horne, Veon, Vitali, Walko, Wansacz, Washington, Waters, Williams, Wilt, Wogan, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker.

NAYS-0

NOT VOTING-0

EXCUSED-3

Cappabianca Josephs Leh

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

On the question,

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from York County, Mr. Stetler, for the purpose of suspension of the rules.

Mr. STETLER. Thank you, Madam Speaker.

I ask the House to suspend the rules so that I may offer amendment 4892.

The SPEAKER pro tempore. The gentleman from York County moves that the rules of the House be suspended in order to offer amendment 4892.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the gentleman on suspension of the rules? Speaking for the majority leader. Are you speaking on suspension of the rules?

Mr. LAWLESS. Yes, Madam Speaker.

The SPEAKER pro tempore. You may proceed.

Mr. LAWLESS. I would ask that the Republican side agree to this.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Cappabianca Josephs Leh

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

On the question recurring,

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

Mr. STETLER offered the following amendment No. A4892:

Amend Sec. 7, page 5, by inserting between lines 11 and 12 (A4887),

(5) The new judgeship for the nineteenth district added by the amendment of 42 Pa.C.S. § 911(a) shall be created on January 5, 2004, and shall be initially filled at the 2003 municipal election.

On the question,

Will the House agree to the amendment?

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

Mr. STETLER. Thank you.

This is a technical amendment, and what it does is it puts off the creation of the judge in the 19th district until the election of 2003, and that person would not be seated then until 2004. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery County, Mr. Lawless.

Mr. LAWLESS. Madam 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—197

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

NAYS—0

NOT VOTING—0

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

LETTER SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. On final passage, the Chair recognizes the lady from Berks County, Mrs. Miller.

Mrs. MILLER. Thank you, Madam Speaker.

I would like to submit for the record a letter that I received that was sent to Chairman Gannon of the Judiciary Committee from the president judge of Berks County, Albert Stallone, and also signed by the three county commissioners in Berks County so that the record may reflect that they are in full support of this additional judge for Berks County and they have also committed their willingness to fund the additional judge when that person is elected.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

Mrs. MILLER submitted a letter for the Legislative Journal.

(For letter, see Appendix.)

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—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

| | | |
|-------------|---------|-----|
| Cappabianca | Josephs | Leh |
|-------------|---------|-----|

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

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

The SPEAKER pro tempore. The House will be at ease for just a moment.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip, who requests that the gentleman, Mr. BIRMELIN, be placed on leave for the remainder of the day. The Chair hears no objection.

CONSIDERATION OF SB 1412 CONTINUED

On the question,

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

Mr. McILHATTAN offered the following amendment No. A4812:

Amend Title, page 1, line 18, by striking out "AND"

Amend Title, page 1, line 20, by removing the period after "INTERCHANGE" and inserting

; and designating a portion of Kittanning Bypass in Armstrong County as the Henry Livengood Memorial Highway.

Amend Bill, page 6, by inserting between lines 9 and 10 Section 12. Designation of Henry Livengood Memorial Highway.

(a) Designation.—The Kittanning Bypass from the interchange with S.R. 66 and S.R. 422/S.R. 28 to the intersection with S.R. 85 and S.R. 28/S.R. 66 in Armstrong County is designated and shall be known as the Henry Livengood Memorial Highway.

(b) Erection of appropriate markers.—The Department of Transportation shall erect and maintain appropriate signs identifying the above portion of road as the Henry Livengood Memorial Highway.

Amend Sec. 12, page 6, line 10, by striking out "12" and inserting

13

Amend Sec. 13, page 6, line 13, by striking out "13" and inserting

14

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Cappabianca Josephs Leh

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. PHILLIPS offered the following amendment No. A4810:

Amend Title, page 1, line 18, by striking out "AND"

Amend Title, page 1, line 20, by removing the period after "INTERCHANGE" and inserting ; and designating the dam known as the Fabridam, between Sunbury, Northumberland County, and Shamokin Dam, Snyder County, as the Adam T. Bower Memorial Dam.

Amend Bill, page 6, by inserting between lines 9 and 10 Section 12. Adam T. Bower Memorial Dam.

(a) Designation.—The dam known as the Fabridam and located between Sunbury, Northumberland County, and Shamokin Dam, Snyder County, is hereby designated the Adam T. Bower Memorial Dam.

(b) Markers to be erected.—The Department of Conservation and Natural Resources shall erect suitable markers on the Adam T. Bower Memorial Dam.

Amend Sec. 12, page 6, line 10, by striking out "12" and inserting

13

Amend Sec. 13, page 6, line 13, by striking out "13" and inserting

14

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—1

Sather

EXCUSED—3

Cappabianca Josephs Leh

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. SATHER offered the following amendment No. A4809:

Amend Title, page 1, line 18, by striking out "AND"

Amend Title, page 1, line 20, by removing the period after "INTERCHANGE" and inserting

; and designating a certain bridge on State Route 655 over the Juniata River as the Mapleton Area Veterans Memorial Bridge.

Amend Bill, page 6, by inserting between lines 9 and 10 Section 12. Mapleton Area Veterans Memorial Bridge.

(a) Designation.—The bridge over the Juniata River on State Route 655, between Mapleton Borough and Brady Township, Huntingdon County, is hereby designated and shall be known as the Mapleton Area Veterans Memorial Bridge.

(b) Signs.—The Department of Transportation shall erect and maintain signs which shall display the name of Mapleton Area Veterans Memorial Bridge.

Amend Sec. 12, page 6, line 10, by striking out "12" and inserting

13

Amend Sec. 13, page 6, line 13, by striking out "13" and inserting

14

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Huntingdon, Mr. Sather.

Mr. SATHER. Thank you, Madam Speaker.

Simply what this does is designate a bridge on State Route 655 over the Juniata River as the Mapleton Area Veterans Memorial Bridge.

I would appreciate a positive vote. Thank you.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Birmelin Cappabianca Josephs Leh

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. HANNA offered the following amendment No. A4808:

Amend Title, page 1, line 18, by striking out "AND"

Amend Title, page 1, line 20, by removing the period after "INTERCHANGE" and inserting

; and designating a bridge in the Borough of Renovo, Clinton County, as the Pennsylvania Railroad Bridge.

Amend Bill, page 6, by inserting between lines 9 and 10 Section 12. Pennsylvania Railroad Bridge.

(a) Finding of fact.—The General Assembly finds and declares as follows:

(1) In 1970, HRI Incorporated built a steel, multigirder bridge, 192 feet in length, over a section of what was then the Pennsylvania Railroad.

(2) The bridge referred to in paragraph (1) can stand today as a symbol of the great Pennsylvania Railroad, which was the first great business enterprise in America.

(3) The Pennsylvania Railroad, called "the standard railroad of the world," was chartered on April 13, 1846. By 1854 it was a continuous rail route from Philadelphia to Pittsburgh; and, at its pinnacle the Pennsylvania Railroad service territory extended from Manhattan to St. Louis.

(4) The Pennsylvania Railroad connected our two largest cities, while bringing commerce and jobs to wide ranging parts of this Commonwealth. The hard-working employees of the railroad who contributed so much of their blood, sweat and tears to this Commonwealth deserve appropriate recognition.

(b) Designation authorized.—The bridge designated by the Department of Transportation as Bridge No. 18012004201253, which passes over a section of the Norfolk Southern Railroad in the borough of Renovo, Clinton County, is designated and shall be known as the Pennsylvania Railroad Bridge.

(c) Signs.—Appropriate signs shall be posted and maintained by the Department of Transportation.

Amend Sec. 12, page 6, line 10, by striking out "12" and inserting

13

Amend Sec. 13, page 6, line 13, by striking out "13" and inserting

14

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

The following roll call was recorded:

YEAS—195

| | | | |
|-----------|-----------|----------|-----------|
| Adolph | Fairchild | Markosek | Saylor |
| Allen | Fargo | Marsico | Schroder |
| Argall | Feese | Masland | Schuler |
| Armstrong | Fichter | Mayernik | Scrimenti |
| Baker | Fleagle | McCall | Semmel |

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

NAYS-0

NOT VOTING-1

Ryan,
Speaker

EXCUSED-4

Birmelin Cappabianca Josephs Leh

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

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

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

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

The following roll call was recorded:

YEAS-196

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Birmelin Cappabianca Josephs Leh

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

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

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

The House proceeded to third consideration of **SB 1477, PN 2291**, entitled:

An Act amending the act of September 30, 1985 (P.L.240, No.61), entitled Turnpike Organization, Extension and Toll Road Conversion Act, further providing for definitions and for functions of the Pennsylvania Turnpike Commission; and providing for enforcement related to electronic toll collection.

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

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. George, who very kindly and graciously withdraws his amendment.

RULES SUSPENDED

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

Mr. VEON. Mr. Speaker, I move that the rules of the House be suspended to permit me to offer an amendment.

The SPEAKER. Mr. Veon, which amendment do you want the House to consider? Mr. Veon, which amendment do you wish read?

Mr. VEON. It would be A4671.

The SPEAKER. On the amendment; you are recognized on the amendment.

Mr. VEON. On the suspension?

The SPEAKER. Oh. Pardon me; pardon me.

On the question of suspension of the rules.

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. Strike the vote.

The Chair recognizes the majority leader.

The Chair apologizes to both the members debating for not paying strict attention.

Mr. Perzel, the question before the House is, shall the House suspend its rules to permit Mr. Veon to offer amendment A4671?

The gentleman, Mr. Perzel, is recognized.

Mr. PERZEL. Mr. Speaker, the union, as we speak, is taking a vote on the contract at the turnpike. They have a collective-bargaining agreement already. I believe we should let the contract be ratified. If there is a problem, if there is a violation of the union's agreement, then we should come back here and do something, but I do not think we should do some preemptive strike ahead of time when they already have, again, as I said, a collective-bargaining agreement.

So I would ask the members to vote "no" on the suspension of the rules.

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

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I would ask for an affirmative vote on the motion to suspend so I could in fact offer this language.

I would disagree with the gentleman, the majority leader. I have seen provisions of that contract, and it does not, specifically does not require the turnpike to keep an employee who would otherwise be laid off or furloughed because of the E-ZPass system. We are implementing that system as a legislature. I believe it would be appropriate for us to set the standard under which it is implemented. We all know that the Teamsters Union represents those workers across the State, and my amendment would simply say that from the effective date of this act, 3 years from that point, that no turnpike employee could be laid off as a result of this legislature putting into effect the E-ZPass system, and I would ask for an affirmative vote on the motion to suspend so I may in fact get an opportunity to offer this amendment.

Thank you, Mr. Speaker.

The SPEAKER. On the question of suspension of the rules, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, it is not going to happen that they are going to lay anybody off. If that does occur, then we can come back as a remedy, as the General Assembly, and straighten out the problem, but right now there is no problem and we are trying to fix something that does not need to be fixed.

So I would have to oppose the motion to suspend the rules.

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

The following roll call was recorded:

YEAS—99

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

NAYS—96

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

NOT VOTING—1

Fargo

EXCUSED—4

| | | | |
|----------|-------------|---------|-----|
| Birmelin | Cappabianca | Josephs | Leh |
|----------|-------------|---------|-----|

Less than a majority of the members required by the rules 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?
Bill was agreed to.

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

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—1

Horsey

NOT VOTING—0

EXCUSED—4

| | | | |
|----------|-------------|---------|-----|
| Birmelin | Cappabianca | Josephs | Leh |
|----------|-------------|---------|-----|

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

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

The House proceeded to third consideration of SB 997, PN 2159, entitled:

An Act requiring purchasers of real estate with buildings thereon to bring the buildings into compliance with municipal codes; providing for nuisance abatement; and imposing penalties.

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

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

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—1

Baker

EXCUSED—4

Birmelin Cappabianca Josephs Leh

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

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

The House proceeded to third consideration of SB 1032, PN 2140, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, relating to residential real estate transfers; providing for disclosures by sellers of residential real estate and for home inspections; and making a repeal.

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

Mr. McILHINNEY offered the following amendment No. A4516:

Amend Title, page 1, line 4, by striking out "and" where it appears the first time and inserting a comma

Amend Title, page 1, line 4, by inserting after "inspections" and for violation posing a threat to public safety

Amend Bill, page 1, lines 8 and 9, by striking out all of said lines and inserting

Section 1. Section 5106 of Title 68 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read:

§ 5106. Applicability of local ordinances, regulations and building codes.

(e) Violation posing threat to public safety.—Whenever a physical structure is deemed to be a significant public safety threat by the municipal code enforcement officer, the officer shall impose on the resident of the planned community a specific repair order for the purpose of eliminating the threat to public safety such violation represents. The municipal code enforcement officer may consider municipal standards and requirements of the homeowners association, in the development of the repair order, but shall not be bound by those requirements.

Section 2. Title 68 is amended by adding a part to read:

Amend Sec. 2, page 22, line 4, by striking out "2" and inserting 3

Amend Sec. 3, page 22, line 6, by striking out "3" and inserting 4

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

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman, Mr. McIlhinney, indicates that amendment is withdrawn.

The Chair recognizes the gentleman, Mr. George. Do you have an amendment for this? The gentleman, Mr. George, withdraws his amendment.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-191

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

NAYS-5

| | | | |
|-------|-------|---------|---------|
| Clark | Feese | Fleagle | Masland |
| Egolf | | | |

NOT VOTING-0

EXCUSED-4

| | | | |
|----------|-------------|---------|-----|
| Birmelin | Cappabianca | Josephs | Leh |
|----------|-------------|---------|-----|

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

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

* * *

The House proceeded to third consideration of **SB 1316, PN 2298**, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), entitled The Third Class City Code, further providing for residency requirements for vacancy appointments; authorizing the imposition of a municipal public services and safety tax; and making a repeal.

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

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

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

The following roll call was recorded:

YEAS-157

| | | | |
|--------------|------------|------------|---------------|
| Adolph | Eachus | Marsico | Schuler |
| Allen | Egolf | Masland | Semmel |
| Argall | Evans | McCall | Smith, B. |
| Armstrong | Fairchild | McGeehan | Snyder |
| Baker | Fargo | McGill | Solobay |
| Bard | Fichter | McIlhatten | Staback |
| Barley | Fleagle | McIlhinney | Stairs |
| Barrar | Flick | McNaughton | Steelman |
| Bastian | Frankel | Melio | Steil |
| Battisto | Gannon | Michlovic | Stetler |
| Bebko-Jones | Geist | Micozzie | Stevenson |
| Belardi | George | Miller, R. | Strittmatter |
| Belfanti | Gladeck | Mundy | Sturla |
| Benninghoff | Godshall | Myers | Surra |
| Bishop | Gruitza | Nailor | Tangretti |
| Blaum | Hanna | Nickol | Taylor, E. Z. |
| Bunt | Harhai | O'Brien | Taylor, J. |
| Butkovitz | Hasay | Oliver | Thomas |
| Buxton | Hennessey | Perzel | Tigue |
| Caltagirone | Herman | Pesci | Travaglio |
| Carn | Hershey | Petrone | Trich |
| Cawley | Hess | Phillips | True |
| Chadwick | Horsey | Pippy | Tulli |
| Civera | Hutchinson | Pistella | Vance |
| Clymer | James | Platts | Van Horne |
| Cohen, L. I. | Kaiser | Preston | Veon |
| Cohen, M. | Keller | Ramos | Washington |
| Colafella | Kenney | Raymond | Waters |
| Cornell | Kirkland | Reinard | Williams |
| Corrigan | Krebs | Rieger | Wilt |
| Coy | Laughlin | Roberts | Wogan |
| Curry | Lawless | Robinson | Wright |
| Dailey | Lederer | Roebuck | Youngblood |
| Daley | Lescovitz | Rohrer | Yudichak |
| DeLuca | Lucyk | Ross | Zimmerman |
| Dempsey | Lynch | Rubley | Zug |
| Dermody | Maher | Santoni | |
| DeWeese | Maitland | Sather | |
| DiGirolamo | Major | Saylor | Ryan, |
| Donatucci | Manderino | Schroder | Speaker |

NAYS-39

| | | | |
|---------|-----------|------------|--------------|
| Boyes | Grucela | Metcalfe | Shaner |
| Browne | Habay | Miller, S. | Smith, S. H. |
| Casorio | Haluska | Orie | Stern |
| Clark | Harhart | Petrarca | Trello |
| Costa | Jadlowiec | Readshaw | Vitali |
| Dally | LaGrotta | Rooney | Walko |
| Feese | Levdansky | Ruffing | Wansacz |

| | | | |
|---------|----------|-----------|------------|
| Forcier | Mann | Sainato | Wojnaroski |
| Freeman | Markosek | Samuelson | Yewcic |
| Gordner | Mayernik | Scrimenti | |

NOT VOTING—0

EXCUSED—4

| | | | |
|----------|-------------|---------|-----|
| Birmelin | Cappabianca | Josephs | Leh |
|----------|-------------|---------|-----|

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.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1604, PN 4070**, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for recording plats and deeds, for applicability of ordinance amendments and for validity of ordinance and substantive questions.

On the question recurring,
Will the House concur in Senate amendments?

VOTE CORRECTION

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

Mr. SATHER. Mr. Speaker, my switch malfunctioned on this last vote, and I wanted to be a "no." I was recorded as a "yes."

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

CONSIDERATION OF HB 1604 CONTINUED

The SPEAKER. The Chair recognizes the gentleman, Mr. McNaughton, who requests that the motion he previously made to suspend the rules be withdrawn and no amendment will be added. Is that correct, Mr. McNaughton?

Mr. McNAUGHTON. That is correct, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Will the House concur in Senate amendments?

The following roll call was recorded:

YEAS—194

| | | | |
|-----------|-----------|----------|--------------|
| Adolph | Fairchild | Markosek | Schuler |
| Allen | Fargo | Marsico | Scrimenti |
| Argall | Feese | Masland | Semmel |
| Armstrong | Fichter | Mayernik | Shaner |
| Baker | Fleagle | McCall | Smith, B. |
| Bard | Flick | McGeehan | Smith, S. H. |
| Barley | Forcier | McGill | Snyder |

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

NAYS—1

Metcalf

NOT VOTING—1

Rooney

EXCUSED—4

| | | | |
|----------|-------------|---------|-----|
| Birmelin | Cappabianca | Josephs | Leh |
|----------|-------------|---------|-----|

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

Ordered, That the clerk inform the Senate accordingly.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 769, PN 2299**, entitled:

An Act amending the act of May 25, 1945 (P.L.1050, No.394), entitled, Local Tax Collection Law, further defining "tax collector"; providing for continuing education of qualified tax collectors and for interim assessment, duplicate and warrant; further providing for installment payment of taxes and for collection and payment over of taxes; and providing for appointment of delinquent tax collector.

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

RULES SUSPENDED

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

Mr. VEON. Mr. Speaker, I move this House suspend its rules to permit me to offer amendment 4848.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—1

Schroder

EXCUSED—4

- | | | | |
|----------|-------------|---------|-----|
| Birmelin | Cappabianca | Josephs | Leh |
|----------|-------------|---------|-----|

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. VEON offered the following amendment No. A4848:

Amend Sec. 6, page 14, line 7, by striking out all of said line and inserting

Section 6. This act shall take effect as follows:

(1) The addition of section 4.1 of the act shall take effect in 60 days.

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

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

The SPEAKER. The gentleman, Mr. Veon, is recognized on the amendment.

The gentleman requests a short period of time.

The House will be temporarily at ease.

VOTE CORRECTIONS

The SPEAKER. The gentleman, Mr. Maher.
Mr. MAHER. Thank you, Mr. Speaker.

If I might just correct the record while we are at ease.

The SPEAKER. The gentleman is in order.

Mr. MAHER. On SB 1316 I inadvertently indicated a positive vote when it was actually a negative vote, and I hope you could reflect that on the record.

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

Any other corrections?

The gentleman is recognized to correct the record, the gentleman, Mr. Rohrer.

Mr. ROHRER. Mr. Speaker, also to correct the record on that same bill, SB 1316. I was recorded in the positive and would like to be recorded in the negative, please.

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

The Chair recognizes the gentleman, Mr. Melio.

Mr. MELIO. On that same bill, Mr. Speaker, SB 1316, I would like to be recorded in the negative. Thank you.

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

Mr. Kaiser, do you seek recognition?

Mr. KAISER. Yes, Mr. Speaker.

On SR 130, which occurred yesterday, the 20th of November, at 8:56 p.m., I was shown as not voting. I would like to be shown as a "yes" vote. Thank you, Mr. Speaker.

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

Mr. Godshall.
 Mr. GODSHALL. Thank you, Mr. Speaker.
 On SB 1316 I was recorded in the affirmative. I also want to be recorded in the negative. Thank you.
 The SPEAKER. The Chair thanks the gentleman.
 Mr. Hutchinson.
 Mr. HUTCHINSON. Thank you, Mr. Speaker.
 On SB 1316, final passage, I would like to be recorded in the negative. Thank you.
 The SPEAKER. The gentleman, Mr. Wojnaroski.
 Mr. WOJNAROSKI. Mr. Speaker, yesterday on SR 130, I would like to be recorded as voting in the positive.
 The SPEAKER. The remarks of the gentleman will be spread upon the record.

CONSIDERATION OF SB 769 CONTINUED

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

The SPEAKER. Mr. Veon, are you prepared to move ahead?
 Mr. VEON. Mr. Speaker, if you do not mind, I would like to defer to the gentleman, Mr. Nickol, first.

The SPEAKER. I do not mind if somebody would tell me what the subject matter is.

Mr. VEON. The amendment.

The SPEAKER. The board indicates that we are now taking up the Veon amendment, and on that basis, the gentleman, Mr. Nickol, is recognized.

Mr. NICKOL. Thank you, Mr. Speaker.

The committee included some language in this legislation dealing with installment payment of taxes, which is something that is quite common in western Pennsylvania. The effective date, though, for that was 60 days after this is passed, and until the Governor signs it and the effective date comes into play, what will happen, it will interrupt this year's installment payment of taxes in western Pennsylvania. So what Representative Veon is proposing is a split effective date so that the installment-payment-of-taxes portion will go into effect immediately and the remainder of the bill will go into effect as originally scheduled in the legislation.

I ask for the members' support.

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

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman, Mr. Nickol, very clearly articulated what this amendment would do, and I just want to take this opportunity to thank the gentleman for his help in this entire proposal. This has been 2 long years in the making. And a special thank-you to Representative Ellen Bard, who has really done all the work in putting together the major components of this bill. I want to give a special thanks to her efforts, and I would also ask for an affirmative vote on the amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—4

| | | | |
|----------|-------------|---------|-----|
| Birmelin | Cappabianca | Josephs | Leh |
|----------|-------------|---------|-----|

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

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

RULES SUSPENDED

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

Ms. BARD. Mr. Speaker, I move that the rules of the House be suspended to permit the offering of amendment 4683 to SB 769.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—1

Wogan

EXCUSED—4

Birmelin Cappabianca Josephs Leh

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

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

Ms. BARD offered the following amendment No. A4683:

Amend Sec. 2 (Sec. 4.1), page 4, line 29, by striking out "DURING EACH YEAR" and inserting on a biennial basis

Amend Sec. 2 (Sec. 4.1), page 4, line 30, by inserting after "INCLUDE"

, but not be limited to, the following:

Amend Sec. 2 (Sec. 4.1), page 5, line 13, by striking out "AN ANNUAL" and inserting a biennial

Amend Sec. 2 (Sec. 4.1), page 5, line 15, by inserting after "SECTION."

The collectors shall bear the cost of the program and qualification, unless the political subdivision agrees to pay for the cost in whole or in part.

Amend Sec. 2 (Sec. 4.1), page 5, line 27, by inserting after "CERTIFICATE"

of qualification

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

PARLIAMENTARY INQUIRY

AMENDMENT DIVIDED

The SPEAKER. The Chair recognizes the lady, Ms. Bard, who I understand is going to move that the amendment be divided. Is that correct?

Ms. BARD. Yes, Mr. Speaker. I would like to divide the amendment.

The SPEAKER. Would you tell us where.

Ms. BARD. I would like to remove lines 1, 2, and 3 and lines 7, 8, and 9.

The SPEAKER. That amendment can be divided the way you request. Is it your intention to withdraw one section or the other section?

Ms. BARD. The lines that I suggested be removed would be withdrawn.

The SPEAKER. All right.

Ms. BARD. So lines 1, 2, and 3 and 7, 8, and 9 would be withdrawn.

The SPEAKER. The Chair understands.

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

The SPEAKER. On the question of the adoption of the amendment, the lady, Ms. Bard, is recognized on the amendment as divided.

Ms. BARD. Thank you, Mr. Speaker.

This amendment would bring this legislation into conformity with its counterpart and clarify some of the language. It is really a technical amendment at this point.

The SPEAKER. On the question of the adoption of the amendment as divided, the Chair recognizes the gentleman, Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

Just to make sure that people are aware of what this bill does, this sets up a certification process — and I should not use “certification,” because that is not what they are using; they are using “qualification” process that we have talked about before in this House — and in order for tax collectors to be called qualified tax collectors, they have to take this certain course. What this amendment does is say that the tax collectors are going to have to pay for the cost of this course in order to be called a qualified tax collector.

Again, someone who may have served two or three or four or five or six terms as a tax collector would not be able to be called a qualified tax collector unless they took this course. What this amendment does to those people is say, you have to pay for it out of your own pocket unless the municipality that you are a tax collector for would agree to pay for it out of their pocket; if they do not do that, you have to pay for it out of yours. I represent a rural area. Several of my tax collectors represent districts with less than 500 people in them. It is going to be very difficult for them to take this course. Even though they may have served three, four, five, six terms, they could not call themselves a qualified tax collector unless they took the course, and I would urge a “no” vote on this amendment.

The SPEAKER. On the question of the adoption of the amendment, those— Mr. Veon; I am sorry.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I certainly understand the points that the gentleman was making, the previous speaker, but I would make the case that we have genuinely addressed this issue of certification of tax collectors really over the last 3 years, really over the last two sessions, and that the gentlelady, Ms. Bard, I think has done a very, very good job of having legislation in place, actually law in place, and now an improvement in this bill that really does require some serious, significant standards for tax collectors in Pennsylvania. And most of us know that part of the reason we came to this point in the legislature anyhow was because there were some abuses, some tax collectors who had taken advantage of a very lax system that was in place prior to us, in my judgment, improving the law, and now with this legislation taking even a further step in improving existing law.

So, Mr. Speaker, I think this is well crafted, I think it accomplishes what the gentlelady attempts to do, and I would strongly encourage an affirmative vote on the Bard amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment as divided?

The following roll call was recorded:

YEAS—172

| | | | |
|-----------|-----------|------------|-----------|
| Adolph | Egolf | Mayernik | Saylor |
| Allen | Evans | McCall | Schroder |
| Argall | Fairchild | McGeehan | Schuler |
| Armstrong | Fargo | McGill | Semmel |
| Baker | Feese | McIlhinney | Smith, B. |
| Bard | Fichter | McNaughton | Snyder |
| Barley | Fleagle | Melio | Solobay |
| Barrar | Flick | Metcalf | Staback |

| | | | |
|--------------|-----------|------------|------------------|
| Bastian | Forcier | Michlovic | Stairs |
| Battisto | Frankel | Micozzie | Steelman |
| Bebko-Jones | Freeman | Miller, R. | Steil |
| Belardi | Gannon | Miller, S. | Stetler |
| Belfanti | Geist | Mundy | Stevenson |
| Bishop | Gladeck | Myers | Strittmatter |
| Blaum | Godshall | Nailor | Sturla |
| Boyes | Grucela | Nickol | Surra |
| Bunt | Habay | O'Brien | Tangretti |
| Butkovitz | Hanna | Oliver | Taylor, E. Z. |
| Buxton | Harhai | Orie | Taylor, J. |
| Caltagirone | Hasay | Perzel | Thomas |
| Cam | Hennessey | Pesci | Travaglio |
| Casorio | Herman | Petrone | Trich |
| Cawley | Hershey | Phillips | True |
| Chadwick | Hess | Pippy | Tulli |
| Civera | Horsley | Pistella | Vance |
| Clark | James | Platts | Veon |
| Clymer | Kaiser | Preston | Vitali |
| Cohen, L. I. | Keller | Ramos | Walko |
| Cohen, M. | Kenney | Raymond | Wansacz |
| Colafella | Kirkland | Readshaw | Washington |
| Cornell | Krebs | Reinard | Waters |
| Corrigan | Laughlin | Rieger | Williams |
| Costa | Lawless | Roberts | Wilt |
| Coy | Lederer | Robinson | Wogan |
| Curry | Lescovitz | Roebuck | Wojnaroski |
| Dailey | Levdansky | Rohrer | Wright |
| Daley | Lucyk | Rooney | Youngblood |
| DeLuca | Maher | Ross | Yudichak |
| Dempsey | Maitland | Rubley | Zimmerman |
| Dermody | Manderino | Ruffing | Zug |
| DeWeese | Mann | Samuelson | |
| DiGirolamo | Markosek | Santoni | |
| Donatucci | Marsico | Sather | Ryan, Speaker |
| Eachus | Masland | | |

NAYS—24

| | | | |
|-------------|------------|------------|--------------|
| Benninghoff | Haluska | Major | Smith, S. H. |
| Browne | Harhart | McIlhattan | Stern |
| Dally | Hutchinson | Petrarca | Tigue |
| George | Jadlowiec | Sainato | Trello |
| Gordner | LaGrotta | Scrimenti | Van Horne |
| Gruitza | Lynch | Shaner | Yewcic |

NOT VOTING—0

EXCUSED—4

| | | | |
|----------|-------------|---------|-----|
| Birmelin | Cappabianca | Josephs | Leh |
|----------|-------------|---------|-----|

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Mr. Veon? You are recognized.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, just once again I want to thank the gentlelady, because as members have the opportunity to look at this bill closely and to understand the implications of what we are doing

here today, I think there will be a growing appreciation for the work that has been put into bringing this bill to reality.

The challenge and the problem that many of us faced in southwestern Pennsylvania was the fact that under existing law, our senior citizens, many on fixed income, would have been prohibited from making installment payments on their property taxes in the municipalities and school districts and particularly in southwestern Pennsylvania, and we worked with the gentelady for the last year with the tax collectors' association, with the gentleman, Mr. Nickol, and certainly, particularly for southwestern Pennsylvania, this bill is going to bring significant relief. You are going to be able to go home and tell those constituents that in fact you changed this law to now allow installment payments for their taxes, and I think that is something, as you understand the implications, the practical implications of this bill, you would be glad that you cast an affirmative vote here today, and I certainly would ask that you do so.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

Again I rise in opposition to this bill. As I stated previously, if the main proponents of these bills would use the word "certified," it would make a lot of difference. If you took a course in order to call yourself a certified tax collector, I could understand that, but this uses the word "qualified" tax collector. And again, if you do not take this course and get this qualification, even though you have served three, four, five, six terms, seven terms, as a tax collector, you will not be able to call yourself a qualified tax collector when you are running for election.

Now, interestingly enough, there is an exemption here for those individuals who have served eight or more terms. So if you have been a tax collector for 32 years, you can call yourself qualified even though you do not take the course, but if you have been a tax collector for 20 years or for 24 years or for 28 years and you do not take this course, you cannot call yourself a qualified tax collector.

And again, I represent a rural district with a lot of municipalities where tax collectors make \$2,000 a year. They are going to be burdened by this, and I just think it is wrong to use the word "qualified." Again, if the word "certified" had been able to be used, that is one thing, but for someone to have— For those House members, for instance, who have been here 20 years, if you would have to take a course in order to call yourself a qualified State Representative, I do not think you would like it, and I do not think tax collectors should have to do the same thing.

Thank you, Mr. Speaker.

The SPEAKER. On the question, the lady, Ms. Bard.

Ms. BARD. Thank you, Mr. Speaker.

I would just point out to the members that this legislation has passed the House numerous times in the past 6 years, and to quibble about semantics still at this point, the necessity really is to focus on the good that this will do in terms of providing the tax collectors with the opportunity to avail themselves of this training program.

Thank you very much, Mr. Speaker, and I do request concurrence in the Senate amendments.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Mr. Veon, for the second time on the question.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I want to say again that the gentleman makes some good points; there is no question about that, and I think those are legitimate points that he makes about the existing tax collectors. There certainly is a difference of opinion in this legislature about how we ought to certify, who ought to be qualified. So again, I think the gentleman makes good points.

This bill is the result of significant compromise, especially when you get to the last day of a session, and I just want to point out again to the members that if this bill does not pass today, no taxing body will be permitted to allow for installment payments — that would be illegal — and you would not be permitted as a taxing body to allow seniors or others to in fact make installment payments. That has been a bedrock, the installment payment process has been a bedrock, of the tax collection system in southwestern Pennsylvania for a long, long time. It has been a critical function of how seniors in southwestern Pennsylvania have in fact paid their taxes.

So if this bill does not pass today, installment payments would not be permitted. I think that would be a mistake. Yes, it is a compromise; yes, the gentleman made some good points, but on balance I think it is absolutely necessary that we pass this bill today and would ask for an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Trello.

Mr. TRELLO. Mr. Speaker, the tax collectors of my district are probably the most respected men and women in the area, and nobody knows the taxpayers in each respective community better than the tax collector. The tax collector knows the men and women, the senior citizens, whatever. They know the ones that cannot afford to pay a lump sum, and they extend the courtesy to take quarterly payments. If we make this the law in Pennsylvania for everybody, you are going to hear from your school districts, which I already have. My school districts, my boroughs, and my townships, they are going to have a very difficult time planning their budgets because of that.

I think it is great and I am all for, you know, people that are unable to pay in the lump sum to pay quarterly, which is already being done by the good grace of our tax collectors. The problem you are going to have, and you are going to hear about it from your school districts and your tax collectors, they are going to have a very serious problem with their budget. I am not asking anybody to vote for the bill or against the bill. That is just a matter of information.

Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—189

| | | | |
|-----------|-----------|------------|--------------|
| Adolph | Fairchild | McCall | Semmel |
| Allen | Fargo | McGeehan | Shaner |
| Argall | Feese | McGill | Smith, B. |
| Armstrong | Fichter | McIlhattan | Smith, S. H. |
| Baker | Fleagle | McIlhinney | Snyder |
| Bard | Flick | McNaughton | Solobay |
| Barley | Forcier | Melio | Staback |
| Barrar | Frankel | Metcalfe | Stairs |
| Bastian | Freeman | Michlovic | Steelman |

| | | | |
|--------------|------------|------------|---------------|
| Battisto | Gannon | Micozzie | Steil |
| Bebko-Jones | Geist | Miller, R. | Stern |
| Belardi | George | Miller, S. | Stetler |
| Belfanti | Gladeck | Mundy | Stevenson |
| Benninghoff | Godshall | Myers | Strittmatter |
| Bishop | Grucela | Nailor | Sturla |
| Blaum | Gruitza | Nickol | Surra |
| Boyes | Habay | O'Brien | Tangretti |
| Browne | Harhai | Oliver | Taylor, E. Z. |
| Bunt | Hennessey | Orie | Taylor, J. |
| Butkovitz | Herman | Perzel | Thomas |
| Buxton | Hershey | Pesci | Tigue |
| Caltagirone | Hess | Petrone | Travaglio |
| Carn | Horsey | Phillips | Trello |
| Casorio | Hutchinson | Pippy | Trich |
| Chadwick | Jadlowiec | Pistella | True |
| Civera | James | Platts | Tulli |
| Clark | Kaiser | Preston | Vance |
| Clymer | Keller | Ramos | Van Horne |
| Cohen, L. I. | Kenney | Raymond | Veon |
| Cohen, M. | Kirkland | Readshaw | Vitali |
| Colafella | Krebs | Reinard | Walko |
| Cornell | LaGrotta | Rieger | Wansacz |
| Corrigan | Laughlin | Roberts | Washington |
| Costa | Lawless | Robinson | Waters |
| Coy | Lederer | Roebuck | Williams |
| Curry | Lescovitz | Rohrer | Wilt |
| Dailey | Levdansky | Rooney | Wogan |
| Daley | Lucyk | Ross | Wojnaroski |
| Dally | Lynch | Rubley | Wright |
| DeLuca | Maher | Ruffing | Yewcic |
| Dempsey | Maitland | Sainato | Youngblood |
| Dermody | Major | Samuelson | Yudichak |
| DeWeese | Manderino | Santoni | Zimmerman |
| DiGirolamo | Mann | Sather | Zug |
| Donatucci | Markosek | Saylor | |
| Eachus | Marsico | Schroder | |
| Egolf | Masland | Schuler | Ryan, |
| Evans | Mayernik | Scrimenti | Speaker |

NAYS-7

| | | | |
|---------|---------|---------|----------|
| Cawley | Haluska | Harhart | Petrarca |
| Gordner | Hanna | Hasay | |

NOT VOTING-0

EXCUSED-4

| | | | |
|----------|-------------|---------|-----|
| Birmelin | Cappabianca | Josephs | Leh |
|----------|-------------|---------|-----|

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

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that the rules of the House be suspended to allow for the immediate consideration of SB 1531, PN 2308.

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

The following roll call was recorded:

YEAS-193

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

NAYS-2

| | |
|-------|--------|
| Boyes | Nailor |
|-------|--------|

NOT VOTING-1

| |
|------|
| Orie |
|------|

EXCUSED-4

| | | | |
|----------|-------------|---------|-----|
| Birmelin | Cappabianca | Josephs | Leh |
|----------|-------------|---------|-----|

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1531, PN 2308**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), entitled, as reenacted, Liquor Code, further providing for definitions, for standing at hearings on license applications, for posting of notice of application for a license, for issuance of licenses and for sales by liquor licensees; repealing provisions relating to certain types of licenses; providing for a public venue license and for a performing arts facility license; further providing for stadium or arena permits, for malt and brewed beverages retail licenses, for limiting number of licenses in each municipality, for incorporated units of National Veterans' Organizations, for places of amusement not to be licensed, for renewal of licenses, for licenses not assignable and transfers and for granting of liquor licenses in certain municipalities, for local option and for unlawful acts relative to licensees; providing for responsible alcohol management; and further providing for penalties.

On the question,

Will the House agree to the bill on third consideration?

Mr. **MAYERNIK** offered the following amendment No. **A4842**:

Amend Title, page 1, line 30, by inserting after "FOR" shipment of wine into this Commonwealth; further providing for unlawful acts relating to liquor, alcohol and liquor licenses; providing for

Amend Bill, page 44, by inserting between lines 1 and 2

Section 15. Article IV of the act is amended by adding a subdivision to read:

(C.2) Shipment of Wine.

Section 488. Shipment of Wine into Commonwealth.—(a) The shipment of wine from out-of-State to residents of this Commonwealth is prohibited, except as otherwise provided for in this section.

(b) Notwithstanding any other provision of this act or law to the contrary, a person licensed by another state as a producer, supplier, importer, wholesaler, distributor or retailer of wine and who obtains an out-of-State wine shipper's license as provided for in this section may ship up to twenty-four bottles per month of any wine on the order of any resident of this Commonwealth who is at least twenty-one years of age for such resident's personal use and not for resale.

(c) Prior to sending any shipment of wine into this Commonwealth, an out-of-State wine shipper must:

(1) File an application with the board and pay a registration fee of twenty-five dollars (\$25).

(2) Provide a verified copy of the license issued in the other state.

(3) Obtain from the board an out-of-State wine shipper's license.

(d) An out-of-State wine shipper with a license issued under this section shall:

(1) Not ship more than twenty-four bottles per month on the order of any person in this Commonwealth.

(2) Not ship to any address in a municipality that has adopted a local option referendum under section 472.

(3) Report to the board each year the total of wine shipped into this Commonwealth in the preceding calendar year.

(4) Permit the board or the Secretary of Revenue, or their designated representatives, to perform an audit of the out-of-State wine shipper's records upon request.

(5) Be deemed to have submitted to the jurisdiction of the board, any other State agency and the courts of this Commonwealth for purposes of enforcement of this section and any related laws, rules or regulations.

(d) An out-of-State shipper may ship wine on the order of a resident into this Commonwealth provided that the wine is shipped to a

State Liquor Store selected by the resident and the resident pays all taxes due on the wine at the time the wine is ordered.

(e) An out-of-State wine shipper may annually renew its license under this section by paying a license renewal fee of twenty-five dollars (\$25) and providing the board with a verified copy of its current license issued in another state.

(f) The board may suspend or revoke an out-of-State wine shipper's license issued under this section if the licensee fails to comply with the requirements of this section or this act.

(g) The board may promulgate such rules and regulations as are necessary to implement and enforce the provisions of this section.

(h) The term "wine" as used in this section shall mean liquor which is fermented from grapes and other fruits, having alcoholic content of twenty-four per centum or less. The term "wine" shall not include malt or brewed beverages, nor shall wine include any products containing alcohol derived from malt, grain, cereal, molasses or cactus.

Section 16. Section 491(2), (8) and (11) of the act are amended to read:

Section 491. Unlawful Acts Relative to Liquor, Alcohol and Liquor Licensees.—

It shall be unlawful—

* * *

(2) Possession or Transportation of Liquor or Alcohol. For any person, except a manufacturer or the board or the holder of a sacramental wine license or of an importer's license, to possess or transport any liquor or alcohol within this Commonwealth which was not lawfully acquired prior to January first, one thousand nine hundred and thirty-four, or has not been purchased from a Pennsylvania Liquor Store or a licensed limited winery in Pennsylvania, except miniatures totalling less than one gallon purchased by a collector of the same in another state or foreign country, or in accordance with section 488 or the board's regulations. The burden shall be upon the person possessing or transporting such liquor or alcohol to prove that it was so acquired. But nothing herein contained shall prohibit the manufacture or possession of wine by any person in his home for consumption of himself, his family and guests and not for sale, not exceeding, during any one calendar year, two hundred gallons, any other law to the contrary notwithstanding. Such wine shall not be manufactured, possessed, offered for sale or sold on any licensed premises.

None of the provisions herein contained shall prohibit nor shall it be unlawful for any person to import into Pennsylvania, transport or have in his possession, an amount of liquor not exceeding one gallon in volume upon which a State tax has not been paid, if it can be shown to the satisfaction of the board that such person purchased the liquor in a foreign country or United States territory and was allowed to bring it into the United States. Neither shall the provisions contained herein prohibit nor make it unlawful for (i) any member of the armed forces on active duty, or (ii) any retired member of the armed forces, or (iii) any totally disabled veteran, or (iv) the spouse of any person included in the foregoing classes of persons to import into Pennsylvania, transport or have in his possession an amount of liquor not exceeding one gallon per month in volume upon which the State tax has not been paid, so long as such liquor has been lawfully purchased from a package store established and maintained under the authority of the United States and is in containers identified in accordance with regulations issued by the Department of Defense. Such liquor shall not be possessed, offered for sale or sold on any licensed premises.

None of the provisions herein contained shall prohibit nor shall it be unlawful for any consul general, consul or other diplomatic officer of a foreign government to import into Pennsylvania, transport or have in his possession liquor upon which a State tax has not been paid, if it can be shown to the satisfaction of the board that such person acquired the liquor in a foreign country and was allowed to bring it into the United States. Such liquor shall not be possessed, offered for sale or sold on any licensed premises.

Any person violating the provisions of this clause for a first offense involving the possession or transportation in Pennsylvania of any liquor in a package (bottle or other receptacle) or wine not purchased from a Pennsylvania Liquor Store or from a licensed limited winery in Pennsylvania, with respect to which satisfactory proof is produced that the required Federal tax has been paid and which was purchased, procured or acquired legally outside of Pennsylvania shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of twenty-five dollars (\$25) for each such package, plus costs of prosecution, or undergo imprisonment for a term not exceeding ninety (90) days. Each full quart or major fraction thereof shall be considered a separate package (bottle or other receptacle) for the purposes of this clause. Such packages of liquor shall be forfeited to the Commonwealth in the manner prescribed in Article VI of this act but the vehicle, boat, vessel, animal or aircraft used in the illegal transportation of such packages shall not be subject to forfeiture: Provided, however, That if it is a second or subsequent offense or if it is established that the illegal possession or transportation was in connection with a commercial transaction, then the other provisions of this act providing for prosecution as a misdemeanor and for the forfeiture of the vehicle, boat, vessel, animal or aircraft shall apply.

(8) Importation and Sales of Alcohol. For any person, to import alcohol into this Commonwealth, or to sell alcohol to any person, except in accordance with section 488 and the regulations of the board.

(11) Importation of Liquor. For any person, other than the board or the holder of a sacramental wine license [or of] an importer's license or an out-of-State wine shipper's license, to import any liquor whatsoever into this Commonwealth, but this section shall not be construed to prohibit railroad and pullman companies from selling liquors purchased outside the Commonwealth in their dining, club and buffet cars which are covered by public service liquor licenses and which are operated in this Commonwealth.

Amend Sec. 15, page 44, line 2, by striking out "15" and inserting

17

Amend Sec. 16, page 44, line 18, by striking out "16" and inserting

18

Amend Sec. 17, page 47, line 15, by striking out "17" and inserting

19

On the question,

Will the House agree to the amendment?

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

On the question of the adoption of the amendment, those in favor will vote "aye"—As I understand, this amendment is not on the computer? Thank you. The amendment is temporarily withdrawn.

The bill is over temporarily. Thank you.

The Chair recognizes, under unanimous consent, the gentleman, Mr. Mayernik, to make a statement with respect to the amendment that was to be offered by him.

For the information of the members, I have just been told — I am no expert in this, as you are painfully aware — that if you call the bill up on your computer, the amendment will come up with it so that you will be able to see exactly what the amendment is. But I have better news.

Mr. Mayernik, would you pass this good news on?

Mr. MAYERNIK. Thank you, Mr. Speaker.

Amendment 4842 is a bipartisan amendment worked on by myself and Mr. Raymond, and it is the culmination of efforts over the past several months to give the consumer a choice with the Pennsylvania liquor stores.

This would give the consumer the choice of being able to go directly to the wineries to purchase wine and have it shipped to the State stores. It would be a maximum of 24 bottles per month that would be delivered to the State stores, it would be a \$25 fee so that we could still collect the taxes, and we would also watch for a restriction so that minors would not be purchasing alcoholic beverages. This is only right for us to do, because we have law-abiding citizens that want certain types of wines, and they should be able to purchase it in this Commonwealth.

The State store system has been attempting to do a good job and turn a profit, and we have held their feet to the fire, and by doing that they sell the most popular wines. Could I have some order, Mr. Speaker?

The SPEAKER. Members, please take your seats.

Mr. MAYERNIK. Thank you, Mr. Speaker.

As a result, the Pennsylvania State stores sell the most popular wines in trying to yield a profit, but they do not give the choice to your constituents and mine, the consumers, to purchase any wines they want. This amendment will let them go directly to the wineries to have the wines shipped directly into Pennsylvania, that wine that is not presently on the list, and we do not want to penalize the consumers' choices here.

Having said that, Mr. Speaker, though, I am happy to announce that just recently, on November 14, because of the efforts of Representative Raymond and myself, the LCB (Liquor Control Board) has come out with a new Website, and they have approximately 6,000 wineries on it that the consumers can order from. So that will give the consumers a good start of ordering from the wineries. And we intend to monitor their progress on this new Website to see if it is working properly. If not, we will come back to expand the legislation.

AMENDMENT WITHDRAWN

Mr. MAYERNIK. At this time I would like to withdraw this amendment and take time to let the LCB have the chance of expanding the choice to consumers of this Commonwealth as they should be doing. Thank you, Mr. Speaker.

The SPEAKER. The Chair gratefully acknowledges the gentleman's motion to withdraw his amendment.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

Does the gentleman, Mr. Reinard, desire recognition on the final passage of this bill?

Mr. REINARD. Mr. Speaker, just very briefly, I just wanted to say to the members of the House that we have worked very hard on this bill and this amendment to make sure that there is not a dissenting party anywhere in the Commonwealth from local municipalities to your counties. Everybody is in support of

the amendments and the changes we put into 1531, and I would like to ask for everybody's support.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—168

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

NAYS—28

| | | | |
|-------------|------------|------------|--------------|
| Armstrong | Forcier | Masland | Schuler |
| Bastian | Gordner | Metcalf | Smith, B. |
| Benninghoff | Hershey | Miller, R. | Strittmatter |
| Clark | Hutchinson | Nickol | True |
| Egolf | Krebs | Platts | Vance |
| Fargo | Lynch | Rohrer | Zimmerman |
| Fleagle | Maher | Samuelson | Zug |

NOT VOTING—0

EXCUSED—4

| | | | |
|----------|-------------|---------|-----|
| Birmelin | Cappabianca | Josephs | Leh |
|----------|-------------|---------|-----|

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

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HB 2283.

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

The following roll call was recorded:

YEAS—193

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

NAYS—2

| | |
|-------|--------|
| Boyes | Nailor |
|-------|--------|

NOT VOTING—1

Schuler

EXCUSED—4

Birmelin Cappabianca Josephs Leh

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2283, PN 3087**, entitled:

An Act amending the act of May 29, 1945 (P.L.1108, No.402), referred to as the Limited Access Highway Law, further providing for local service highways; and providing for privately sponsored highway beautification services.

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

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

The Chair recognizes the gentleman, Mr. Geist, on HB 2283.
Mr. **GEIST**. Thank you very much, Mr. Speaker.

I rise in support of the bill, but mostly to praise Representative Joe Battisto, who is going to be leaving us. This is his legislation. It is a very good bill. It is on beautification. This chamber is going to miss Joe Battisto, and I think he has done a great job and deserves a unanimous vote and a round of applause on this bill. Thank you.

The **SPEAKER**. Does the gentleman, Mr. Battisto, want to argue this point raised by the gentleman?

Mr. **BATTISTO**. Just say a couple words, Mr. Speaker, if I may.

This bill is sort of a companion to the "Adopt-A-Highway" Program that we have. As you know, the "Adopt-A-Highway" Program is very, very popular in Pennsylvania. We have adopted over 18,000 miles of highways, but there are some highways that are difficult to adopt because they are highly congested and it is dangerous to put volunteers out there. This would allow PennDOT to contract with professional maintenance organizations that would clean up these congested areas, and then some business or individual could pay for the cleanup and they would have their logo or name on the highway, the same as we do for the "Adopt-A-Highway" Program.

It is a good idea for beautification, and I thank Representative Geist for his work, too, and I ask for a unanimous vote. Thank you.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Birmelin Cappabianca Josephs Leh

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. FAIRCHILD

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

Mr. FAIRCHILD. Thank you, Mr. Speaker.

I understand that we are going to go into recess for caucus, and before we do that or at the call of the recess, I would like to call a committee meeting in the back of the House for the select committee for the study of alternative methods of operation of the Philadelphia International Airport. That will be in the back of the House at the call of the Chair.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

COMMERCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Hasay.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, I would like to call a very brief meeting of the House Commerce and Economic Development Committee at the rear of this chamber immediately following the break. Thank you.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Barley, who asks for an immediate meeting— Mr. Barley, I should let you explain your needs.

Mr. BARLEY. Thank you, Mr. Speaker.

Could you advise on what time we would be returning to the chamber for further business?

The SPEAKER. The best information I have — Mr. Fargo, you correct me if I am wrong or if you know better — is that we will be off for a period of 60 minutes, 1 hour, to give the members a chance to eat and, I believe, attend caucus. Is that right? So it will be a combination break, caucus and food.

Are there any further questions? Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

The caucus chairman indicated that he expects the House to reconvene by 9:15. We are not prepared at the moment because of some documents that have just arrived, so I would like to call a meeting of the House Appropriations Committee for 9 p.m. in the majority Appropriations Committee room.

The SPEAKER. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The gentleman, Mr. Reinard, seeks recognition to correct the record.

Mr. REINARD. Thank you, Mr. Speaker.

It is not for a record correction but to submit some comments for a matter of record.

The SPEAKER. The remarks of the gentleman will be received by the Chair.

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the names of 12 students in the Council Rock School District who recently participated in an essay contest on "Fire Safety in the Home."

Mr. Speaker, the contest was sponsored by the Society of Chartered Property and Casualty Underwriters and was cosponsored by the school district.

Whereas, fire safety in the home is an important subject for the entire family to discuss and practice. The knowledge of understanding what to do in case of a fire can help save a life or prevent serious injury from occurring.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the names of the outstanding students: Lauren Alper, Dennis Wiater, Carly Brand, Jonathan Gordon, Joshua Wetzel, Andrew Jones, Russell Reeve, Allyson Hauptman, Dayle Magida, Alex-Dean Edwards, Arielle Chernin, and Taylor Mangold.

VOTE CORRECTIONS

The SPEAKER. The gentleman, Mr. Nailor.

Mr. NAILOR. Thank you, Mr. Speaker.

I would like to correct the record.

On SB 1316, PN 2298, I was recorded in the affirmative, and I would like to be recorded in the negative.

The SPEAKER. The gentleman, Mr. Semmel.

Mr. SEMMEL. Thank you, Mr. Speaker.

Continuing in the same vein, SB 1316, final passage, I want to be recorded in the negative.

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

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen, a Democrat caucus?

Mr. COHEN. Mr. Speaker, there will be a Democratic caucus to go over the bills that have passed in the last couple hours by the Senate.

The SPEAKER. And that caucus will take place immediately?

Mr. COHEN. That caucus will take place immediately, Mr. Speaker.

REPUBLICAN CAUCUS

The SPEAKER. Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

The Republicans will caucus immediately upon the recess and plan to come back for continuing votes at a quarter after 9.

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman, Mr. Strittmatter, who requests that he be recorded in the negative on SB 1316, his switch being inoperative at the time.

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

COMMITTEE MEETING CANCELED

The SPEAKER. I am advised that the Agriculture and Rural Affairs Committee meeting scheduled for the call of the Chair has been canceled.

VOTE CORRECTIONS

The SPEAKER. The gentleman, Mr. Egolf.

Mr. EGOLF. Mr. Speaker, I would like to correct the record. On SB 1316 I should be in the negative.

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

Mr. EGOLF. Thank you.

The SPEAKER. Mr. Staback.

Mr. STABACK. Thank you, Mr. Speaker.

Correction of the record.

On SB 1316 my vote was erroneously recorded in the affirmative. I would like it to be recorded in the negative.

The SPEAKER. Mrs. Vance.

Mrs. VANCE. Thank you, Mr. Speaker.

On SB 1316, PN 2298, I would like to be recorded in the negative.

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

Mr. Nickol.

Mr. NICKOL. Mr. Speaker, SB 1316, I would like to be recorded in the negative, please.

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

The Chair recognizes the gentleman, Mr. Armstrong.

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

On SB 1316 I would like to be recorded in the negative. Thank you.

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

Mrs. Dailey.

Mrs. DAILEY. I would like to make a correction to the record.

SB 1316, recorded in the negative, please.

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

Mrs. DAILEY. Thank you.

The SPEAKER. Dr. Bastian.

Mr. BASTIAN. Thank you, Mr. Speaker.

I would also like to change my SB 1316 to the negative.

The SPEAKER. Miss Major.

Miss MAJOR. Thank you, Mr. Speaker.

I would like to correct the record.

SB 1316, I would like to be recorded in the negative.

The SPEAKER. Mr. Marsico.

Mr. MARSICO. Mr. Speaker, on SB 1316 I would like to be recorded in the negative.

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

LETTER SUBMITTED FOR THE RECORD

The SPEAKER. Mrs. Miller.

Mrs. MILLER. Mr. Speaker, on final passage of SB 1477, the turnpike act, E-ZPass, I would like to submit a letter for the record that I received from John Durbin, the executive director of the Pennsylvania Turnpike Commission, indicating their willingness to look at the possibility of creating a special class for motorcycles. At this time, as we were doing the E-ZPass, this was not a possibility due to their computer system.

So I would like to submit their willingness to look at that, which is in this letter, for the record. Thank you, Mr. Speaker.

Mrs. MILLER submitted a letter for the Legislative Journal.

(For letter, see Appendix.)

VOTE CORRECTIONS

The SPEAKER. Mr. Zimmerman.

Mr. ZIMMERMAN. On SB 1316 I wish to be recorded in the negative.

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

Mr. Kaiser.

Mr. KAISER. Mr. Speaker, SB 1316, final passage, I would like to be recorded in the negative. Thank you.

SENATE MESSAGE

**AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 181, PN 4178; HB 599, PN 4227; HB 819, PN 4228; HB 1150, PN 4224; HB 1161, PN 4170; and HB 2272, PN 4212**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

**HOUSE BILLS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 1164, PN 1317; HB 1588, PN 1932; HB 2668, PN 4001; and HB 2800, PN 4114**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

**AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 1639, PN 4229; HB 1728, PN 4180; and HB 2216, PN 4171**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE**HOUSE BILL
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 1393, PN 2647**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE**AMENDED SENATE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 1173, PN 2313**.

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

SENATE MESSAGE**AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 58, PN 2116; HB 777, PN 4203; HB 877, PN 4204; HB 2149, PN 4207; and HB 2498, PN 4208**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 1164, PN 1317

An Act amending the act of December 20, 1967 (P.L.869, No.385), known as the Public Works Contractors' Bond Law of 1967, further providing for financial security of contractors.

HB 1393, PN 2647

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for unlawful taking or possession of threatened or endangered species; and limiting the prohibition on the use of turkey blinds.

HB 1588, PN 1932

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

HB 1604, PN 4070

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for recording plats and deeds, for applicability of ordinance amendments and for validity of ordinance and substantive questions.

HB 2668, PN 4001

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, changing the name of the Organ Donation Awareness Trust Fund to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund.

HB 2800, PN 4114

An Act amending the act of August 6, 1971 (P.L.281, No.72), entitled "An act standardizing the procedures for pledges of assets to secure deposits of public funds with banking institutions pursuant to other laws; establishing a standard rule for the types, amounts and valuations of assets eligible to be used as collateral for deposits of public funds; permitting assets to be pledged against deposits on a pooled basis; and authorizing the appointment of custodians to act as pledgees of assets," further providing for amounts required to be pledged and for eligible assets and valuation.

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

VOTE CORRECTIONS

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

Mr. MASLAND. Thank you, Mr. Speaker.
I rise to correct the record.

I have not done this in 8 years, but after listening to so many other people correct the record on SB 1316, I thought that I would join in, because I think we are getting close to a constitutional majority. So I would like the record to reflect that I intended to vote in the negative. Thank you.

The SPEAKER. On what?

Mr. MASLAND. On SB 1316.

The SPEAKER. The Chair thanks the gentleman.

Oh, I cannot resist this. Mr. Platts.

Mr. PLATTS. Thank you, Mr. Speaker.

In joining with my esteemed colleague from Cumberland County, I would like the record to reflect that I should be recorded as a "no" on SB 1316 as well. And I think you are right, Mr. Speaker; I think we have close to a majority switch. So thank you, Mr. Speaker.

The SPEAKER. On the question, Mr. Tigie.

Mr. TIGUE. Thank you, Mr. Speaker.

I would like to correct the record and be recorded in the negative on SB 1316.

The SPEAKER. The Chair thanks the gentleman.

We could have done this one wholesale somehow.

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

It is the intention of the Chair to put the House in recess until 9:15. Go to your respective caucus rooms as requested by your caucus chairmen, and there will be food to eat and bills to listen to.

VOTE CORRECTION

The SPEAKER. Mr. DeLuca.
 Mr. DeLUCA. Mr. Speaker, I would like to change my vote on SB 1316.
 The SPEAKER. Really?
 Mr. DeLUCA. I want to be recorded in the negative. Thank you.
 The SPEAKER. The Chair thanks the gentleman.
 For the information of the members, bill 1316 is in the Senate, but you all did a nice job.

RECESS

The SPEAKER. This House is in recess.

RECESS EXTENDED

The time of recess was extended until 9:45 p.m.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

SB 1088, PN 2333 By Rep. BARLEY

An Act amending the act of July 6, 1989 (P.L.169, No.32), entitled, as amended, Storage Tank and Spill Prevention Act, reenacting authority for a certain allocation under the Underground Storage Tank Environmental Cleanup Program; and further providing for the upgrade loan program.

APPROPRIATIONS.

SB 1163, PN 1437 By Rep. BARLEY

An Act providing for the adoption of capital projects to be financed from current revenues of the Game Fund.

APPROPRIATIONS.

SB 1403, PN 2335 (Amended) By Rep. BARLEY

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, providing for CPR instruction; further providing for attendance in district to which territory of residence formerly attached; providing for safe schools advocates and for safe schools standing to sue and enforcement; further providing for agricultural education; establishing the Pennsylvania Athletic Oversight Council; providing for interscholastic athletics accountability; further providing for education empowerment definitions and for lists and districts; and providing for an education empowerment pilot program.

APPROPRIATIONS.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.
 Mr. PERZEL. Mr. Speaker, I request that the rules of the House be suspended to permit the immediate consideration of SB 1403.

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

The following roll call was recorded:

YEAS—194

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

NAYS—1

Curry

NOT VOTING—1

Schroder

EXCUSED—4

Birmelin Cappabianca Josephs Leh

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

SUPPLEMENTAL CALENDAR L

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1403, PN 2329**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, providing for CPR instruction; further providing for attendance in district to which territory of residence formerly attached; providing for safe schools advocates and for safe schools standing to sue and enforcement; further providing for agricultural education; establishing the Pennsylvania Athletic Oversight Council; providing for interscholastic athletics accountability; further providing for education empowerment definitions and for lists and districts; and providing for an education empowerment pilot program.

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. SB 1403 is over temporarily.

The bill is over temporarily awaiting an amendment that has not come down from Reference Bureau.

STATEMENT BY MR. JAMES

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

Mr. JAMES. I would like to speak about 3 minutes on unanimous consent.

The SPEAKER. When you hit 3 minutes and 15 seconds, I withdraw my consent.

Mr. JAMES. Okay. Thank you, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. JAMES. Thank you, Mr. Speaker.

Mr. Speaker, as we wait for the final outcome in Florida that will decide the next President of the United States, I believe this is an excellent opportunity for us in Pennsylvania to address our own problems in the election process, if only to prevent the problems that Florida is facing now from happening here in the Commonwealth.

We should create a bipartisan panel or commission or a task force to look at the election process in Pennsylvania and see what we can do to maximum the ease of voting and voter registration for our citizens. While it is up to the Federal government to review the Electoral College process, the States and their counties are responsible for their own voting methods, and according to USA Today, each of the country's 3,140 counties are responsible for setting up their own system for casting and counting votes.

There are six main methods practiced, and here in Pennsylvania we use at least five of them. That is optical scan, lever machine, paper ballots, punch card, and electronic process. We do not use the datavote. So the bipartisan panel or commission or task force that I have suggested could improve the form of ballots and the methods of voting for more clear standards in our State. This same panel could review the

problems voters are facing by holding hearings as well as look at other ideas that would resolve some of the problems in our voting process.

For example, I recently introduced legislation today that would allow people to register to vote on election day, because I strongly believe that every American citizen deserves that opportunity. And Representative Cappabianca has introduced a resolution, 642, directing the Joint State Government Commission to study election procedures in this State, although I believe that this study should be done by the General Assembly instead of the commission.

But there are some things that could be put into practice to improve our ballot casting and counting system, and that is why we need to create this commission. We as legislators have a responsibility to prevent any foreseeable problems in our election process to prevent the problems that are happening in Florida from happening here, and we can begin that process by creating this commission or panel or task force to review the way Pennsylvania counts and collects the ballots.

Today it is Florida; next time it could be Pennsylvania. Thank you, Mr. Speaker.

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mrs. E. Z. TAYLOR called up **HR 637, PN 4213**, entitled:

A Resolution congratulating AAA Mid-Atlantic, Inc., on reaching its centennial year.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-1

True

EXCUSED-4

| | | | |
|----------|-------------|---------|-----|
| Birmelin | Cappabianca | Josephs | Leh |
|----------|-------------|---------|-----|

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

Mr. SCRIMENTI called up HR 638, PN 4214, entitled:

A Resolution recognizing Saint Faustina Kowalska as the first saint of the new millennium.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

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

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

NAYS-0

NOT VOTING-1

True

EXCUSED-4

| | | | |
|----------|-------------|---------|-----|
| Birmelin | Cappabianca | Josephs | Leh |
|----------|-------------|---------|-----|

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

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who requests that the lady, Mrs. True, be placed on leave for the balance of today's session. Without objection, leave will be granted. The Chair hears no objection.

RESOLUTIONS PURSUANT TO RULE 35

Mr. McCALL called up HR 639, PN 4215, entitled:

A Resolution memorializing the United States Postal Service to issue a Coal Miners' Postal Stamp.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

| | | | |
|-----------|---------|------------|--------------|
| Adolph | Fargo | Marsico | Schroder |
| Allen | Feese | Masland | Schuler |
| Argall | Fichter | Mayernik | Scrimenti |
| Armstrong | Fleagle | McCall | Semmel |
| Baker | Flick | McGeehan | Shaner |
| Bard | Forcier | McGill | Smith, B. |
| Barley | Frankel | McIlhattan | Smith, S. H. |

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

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

* * *

Mr. HESS called up **HR 640, PN 4216**, entitled:

A Resolution designating December 5, 2000, as "United Nations International Year of the Volunteer Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

SUPPLEMENTAL CALENDAR B

RESOLUTION PURSUANT TO RULE 35

Mr. WALKO called up **HR 641, PN 4223**, entitled:

A Resolution honoring the rapid response, bravery and teamwork of station houses 32 Engine and 33 Truck and other firefighters which resulted in the rescue of all occupants in what could have been a fatal house fire in North Side, Pittsburgh.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Birmelin Josephs Leh True
Cappabianca

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

SENATE MESSAGE

**AMENDED HOUSE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 2014, PN 4167**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

**AMENDED SENATE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 1330, PN 2319**.

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

SENATE MESSAGE

**HOUSE AMENDMENTS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SR 130, PN 2217**.

SUPPLEMENTAL CALENDAR D

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1088, PN 1861**, entitled:

An Act amending the act of July 6, 1989 (P.L.169, No.32), entitled, as amended, Storage Tank and Spill Prevention Act, reenacting authority for a certain allocation under the Underground Storage Tank Environmental Cleanup Program; and further providing for the upgrade loan program.

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

The **SPEAKER**. Mr. George. For what purpose does the gentleman rise?

Mr. GEORGE. Mr. Speaker, I believe what I intend to do could be agreed upon. I intend to ask for the favor of this body to suspend—

The SPEAKER. We agree.

Mr. GEORGE. Pardon me?

The SPEAKER. We agree.

Mr. GEORGE. Just in case my mother is watching, will you let me finish this?

The SPEAKER. All right. I do not want her to see you fall asleep on the floor with the rest of us if we are here too late tonight, Mr. George.

Mr. GEORGE. I will not be very long.

RULES SUSPENDED

Mr. GEORGE. Mr. Speaker, I rise this evening to suspend the rules, if I can, to offer an amendment that would ensure the payment authorized under the Underground Storage Tank Environmental Cleanup Program. We have to do this in order to make sure that we can retroactively take care of those discharges that have come about that erroneously will not be taken care of. This will go back to 2000 February 1, and that is the reason I am asking that we suspend the rules.

The SPEAKER. On the question of suspension— Which amendment are we talking about right now? You have several up here.

Mr. GEORGE. 4841, Mr. Speaker.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—193

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

| | | | |
|------------|-----------|-----------|------------|
| Coy | Krebs | Roberts | Williams |
| Curry | LaGrotta | Robinson | Wilt |
| Dailey | Laughlin | Roebuck | Wogan |
| Daley | Lawless | Rohrer | Wojnaroski |
| Dally | Lederer | Rooney | Wright |
| DeLuca | Lescovitz | Ross | Yewcic |
| Dempsey | Levdansky | Rubley | Youngblood |
| Dermody | Lucyk | Ruffing | Yudichak |
| DeWeese | Lynch | Sainato | Zimmerman |
| DiGirolamo | Major | Samuelson | Zug |
| Donatucci | Manderino | Santoni | |
| Eachus | Mann | Sather | |
| Egolf | Markosek | Saylor | Ryan, |
| Evans | Marsico | Schroder | Speaker |

NAYS—2

| | |
|-------|----------|
| Maher | Maitland |
|-------|----------|

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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. GEORGE offered the following amendment No. A4841:

- Amend Sec. 1 (Sec. 710), page 2, lines 4 and 6, by inserting a bracket before "Payments" in line 4 and after "subsection." in line 6
- Amend Bill, page 2, by inserting between lines 28 and 29 Section 2. The reenactment and amendment of section 710(b.2) of the act shall apply retroactively to February 1, 2000.
- Amend Sec. 2, page 2, line 29, by striking out "2" and inserting 3

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the amendment, Mr. George, do you need further explanation?

Mr. GEORGE. Yes, Mr. Speaker.

This has run out on January 31, so all of those in our districts that have had a bustout or need a cleanup, there will not be indemnification or any loans, and we are just trying to get it extended from February 1 on back to take care of these people, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. Maher.

Mr. MAHER. A point of inquiry, Mr. Speaker.

This amendment does not seem to be on the system.

BILL PASSED OVER TEMPORARILY

The SPEAKER. Without objection, the bill and the amendment offered by the gentleman are temporarily withdrawn and passed over until we get copies on the system.

Mr. George.

Mr. GEORGE. Mr. Speaker, this amendment was offered to the file clerk a couple hours ago.

The SPEAKER. That may very well be, but it is not on the system yet, and we will have to go over it.

RULES COMMITTEE MEETING

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

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 47, PN 4194

By Rep. PERZEL

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for unlawful restraint, for false imprisonment and for obscenity; and providing for sex offender treatment.

RULES.

HB 58, PN 2116

By Rep. PERZEL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for extending the statute of limitations for dealing in proceeds of unlawful activities.

RULES.

HB 181, PN 4231 (Amended)

By Rep. PERZEL

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, authorizing the Department of Community and Economic Development to adopt a program of training, examination and qualification for tax collectors; and restricting the ability of the Pennsylvania Housing Finance Agency to insure or guarantee mortgages and other debt.

RULES.

HB 227, PN 3956

By Rep. PERZEL

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for durable powers of attorney.

RULES.

HB 599, PN 4227

By Rep. PERZEL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for false identification to law enforcement authorities.

RULES.

HB 609, PN 4182

By Rep. PERZEL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for grading of the offense of prostitution.

RULES.

HB 777, PN 4203

By Rep. PERZEL

An Act amending the act of May 22, 2000 (P.L.104, No.22), known as the Capital Budget Debt Authorization and Project Itemization Act of 2000-2001, providing for a compliance option.

RULES.

HB 819, PN 4228

By Rep. PERZEL

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

RULES.

HB 877, PN 4236 (Amended)

By Rep. PERZEL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for inspection of court files and records, for juvenile history record information, for place of detention and for the definition of "local agency" for purposes of matters affecting governmental units.

RULES.

HB 1150, PN 4224

By Rep. PERZEL

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, further providing for reports by charitable organizations and for exemptions from registration.

RULES.

HB 1161, PN 4232 (Amended)

By Rep. PERZEL

An Act amending the act of December 20, 1967 (P.L.869, No.385), known as the Public Works Contractors' Bond Law of 1967, further providing for enforcement of claims and for financial security to be provided by contractors and bidders; and making a repeal.

RULES.

HB 1639, PN 4229

By Rep. PERZEL

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 benefits.

RULES.

HB 1728, PN 4180

By Rep. PERZEL

An Act amending the act of December 7, 1990 (P.L.639, No.165), known as the Hazardous Material Emergency Planning and Response Act, further providing for additional powers and duties for the Pennsylvania Emergency Management Agency, for definitions, for

establishment and functions of local emergency planning committees, for hazardous material safety program, for emergency reporting and notification requirements, for establishment of funds, for emergency management grants, for facility and vehicle inspection and testing, for immunity from civil liability and for enforcement; and making editorial changes.

RULES.

HB 2014, PN 4167

By Rep. PERZEL

An Act amending the act of July 22, 1913 (P.L.912, No.437), entitled, "An act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping, or attempting to escape, from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania, by the respective counties from whose courts the said escaping convicts or prisoners have been committed; and providing for the maintenance of such convicts under sentence for escape, et cetera," further providing for maintenance of escaping convicts under new sentence; providing for criminal offense during confinement; and making a repeal.

RULES.

HB 2149, PN 4207

By Rep. PERZEL

An Act amending the act of December 14, 1992 (P.L.818, No.133), known as the Port of Pittsburgh Commission Act, further providing for specific powers of the commission; providing for economic development projects; and further providing for rights of obligees and for contracts and purchases.

RULES.

HB 2216, PN 4171

By Rep. PERZEL

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

RULES.

HB 2272, PN 4212

By Rep. PERZEL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for retaliation against witness, victim or party.

RULES.

HB 2498, PN 4208

By Rep. PERZEL

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Pennsylvania Keystone Opportunity Zone Act, providing for keystone opportunity expansion zones and related matters and for authorized expenditures; further providing for additional tax exemptions, tax deductions, tax abatements and tax credits; and making a repeal.

RULES.

SB 1173, PN 2313

By Rep. PERZEL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, reenacting provisions on manufacture, disposition, use or possession of devices for telecommunications theft; providing for the offense of discharge of a

firearm into an occupied structure; and further providing for sale or illegal use of certain solvents.

RULES.

SB 1330, PN 2319

By Rep. PERZEL

An Act authorizing the Department of General Services, with the approval of the Governor, to sell and convey to the Wernersville Municipal Authority certain land situate on Wernersville State Hospital, South Heidelberg Township, Berks County; and authorizing the Department of General Services, with the approval of the Governor and the Department of Transportation, to convey to the Grand Canyon Airport Authority certain lands situate in Shippen and Delmar Townships, Tioga County.

RULES.

**RESOLUTIONS REPORTED
FROM COMMITTEE****HR 636, PN 4198**

By Rep. PERZEL

A Resolution directing the Judiciary Committee to study the publication of legal notices.

RULES.

SR 43, PN 2187

By Rep. PERZEL

A Concurrent Resolution urging the Governor to establish a committee to study allergic reaction associated with natural rubber latex and natural rubber latex products.

RULES.

SUPPLEMENTAL CALENDAR H**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
AS AMENDED**

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 181, PN 4231**, as further amended by the House Rules Committee:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, authorizing the Department of Community and Economic Development to adopt a program of training, examination and qualification for tax collectors; and restricting the ability of the Pennsylvania Housing Finance Agency to insure or guarantee mortgages and other debt.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

The following roll call was recorded:

YEAS—190

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

NAYS—2

Gordner Yewcic

NOT VOTING—3

Boyes DeWeese Veon

EXCUSED—5

Birmelin Josephs Leh True
Cappabianca

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

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

The SPEAKER. Mr. Gordner. Mr. Gordner, do you desire recognition?

Mr. GORDNER. Yes, Mr. Speaker. I wanted to speak on final passage. I had about 5 seconds to react there, and apparently I did not react quick enough within those 5 seconds, so—

The SPEAKER. That is right; yeah.

Mr. GORDNER. —I did not get a chance to speak. Thank you, Mr. Speaker.

The SPEAKER. The members have seen that I am moving this calendar as quickly as I can, so I am cautioning you, be alert. We have, I am guessing, 50 or 60 votes to get out of the way. So I am not going to delay a long time. I will give you the two "Has everyone voted?" and then close it down. I mean, otherwise, we are going to be here for the month — and next month.

SUPPLEMENTAL CALENDAR D CONTINUED

CONSIDERATION OF SB 1088 CONTINUED

The SPEAKER. The Chair at this time returns to SB 1088 on page 1 of supplemental D calendar and recognizes the gentleman, Mr. George, who offers amendment A4841 to the said bill. The Chair recognizes Mr. George.

Mr. GEORGE. Mr. Speaker, this merely takes it to February 1 of 2000, so it will be continual.

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

The following roll call was recorded:

YEAS—194

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

| | | | |
|------------|-----------|-----------|------------|
| Coy | LaGrotta | Rieger | Waters |
| Curry | Laughlin | Roberts | Williams |
| Dailey | Lawless | Robinson | Wilt |
| Daley | Lederer | Roebuck | Wogan |
| Dally | Lescovitz | Rohrer | Wojnaroski |
| DeLuca | Levdansky | Rooney | Wright |
| Dempsey | Lucyk | Ross | Yewcic |
| Dermody | Lynch | Rubley | Youngblood |
| DeWeese | Maher | Ruffing | Yudichak |
| DiGirolamo | Maitland | Sainato | Zimmerman |
| Donatucci | Major | Samuelson | Zug |
| Eachus | Manderino | Santoni | |
| Egolf | Mann | Sather | Ryan, |
| Evans | Markosek | Saylor | Speaker |

NAYS—0

NOT VOTING—1

Kenney

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

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

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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.

SUPPLEMENTAL CALENDAR I

RESOLUTION PURSUANT TO RULE 35

Mr. PISTELLA called up HR 643, PN 4233, entitled:

A Resolution commending the veterans of the United States Marine Corps and honoring those men who lost their lives during the Battle of the Chosin Reservoir.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

| | | | |
|-------------|---------|------------|--------------|
| Adolph | Fargo | Marsico | Schroder |
| Allen | Feese | Masland | Schuler |
| Argall | Fichter | Mayernik | Scrimenti |
| Armstrong | Fleagle | McCall | Semmel |
| Baker | Flick | McGeehan | Shaner |
| Bard | Forcier | McGill | Smith, B. |
| Barley | Frankel | McIlhattan | Smith, S. H. |
| Barrar | Freeman | McIlhinney | Snyder |
| Bastian | Gannon | McNaughton | Solobay |
| Battisto | Geist | Melio | Staback |
| Bebko-Jones | George | Metcalfe | Stairs |
| Belardi | Gladeck | Michlovic | Steelman |

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

SUPPLEMENTAL CALENDAR L CONTINUED

CONSIDERATION OF SB 1403 CONTINUED

The SPEAKER. The Chair turns to House calendar supplemental L, SB 1403.

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

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

Mr. Evans, would you give us the number of your amendment.

Mr. EVANS. Mr. Speaker, my amendment is A4903.

The SPEAKER. The clerk will read the amendment.

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

Mr. EVANS offered the following amendment No. A4903:

Amend Title, page 1, line 19, by inserting after "FOR"
transportation, for

Amend Bill, page 45, by inserting between lines 15 and 16

Section 6. Section 1726-A of the act, amended June 26, 1999 (P.L.394, No.36), is amended to read:

Section 1726-A. Transportation.—(a) Students who reside in the school district in which the charter school is located or who are residents of a school district which is part of a regional charter school shall be provided transportation to the charter school on the same terms and conditions as transportation is provided to students attending the schools of the district. School districts of the first class shall also provide transportation to the students if they are the same age or are enrolled in the same grade, grades or their grade equivalents as any students of the district for whom transportation is provided under any program or policy to the schools of the district. Such transportation shall be provided to charter school students each school day whether or not transportation is provided during the same school day to students attending schools of the district. Nonresident students shall be provided transportation under section 1361. Districts providing transportation to a charter school outside the district shall be eligible for payments under section 2509.3 for each public school student transported.

(b) In the event that the Secretary of Education determines that a school district of the first class is not providing the required transportation to students to the charter school, the Department of Education shall pay directly to the charter school funds for costs incurred in the transportation of its students. Payments to a charter school shall be determined in the following manner: for each eligible student transported, the charter school shall receive a payment equal to the total expenditures for transportation of the school district divided by the total number of school students transported by the school district under any program or policy.

(c) The department shall deduct the amount paid to the charter school under subsection (b) from any and all payments made to the district.

(d) A school district of the first class shall submit a copy of its current transportation policy to the department no later than August 1 of each year.

Amend Sec. 6, page 45, line 16, by striking out "6" and inserting

7

Amend Sec. 7, page 45, line 30, by striking out "7" and inserting

8

Amend Sec. 8, page 48, line 14, by striking out "8" and inserting

9

Amend Sec. 9, page 51, line 22, by striking out "9" and inserting

10

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

The SPEAKER. On the question of the adoption of the amendment, the gentleman from Philadelphia, Mr. Evans, is recognized.

Mr. EVANS. Thank you, Mr. Speaker.

The amendment that I am offering, Mr. Speaker, only applies to the city of the first class, and it deals with the question of transportation for students who attend charter schools. In the city of Philadelphia, in my view, there needs to be clarifying language that indicates that students of charter schools are provided the same transportation as the rest of the students are in the city of Philadelphia. There is an issue, for example, Mr. Speaker, where charter schools have different days and

different hours, but transportation is provided for parochial schools and for private schools but is not provided for charter schools at that particular time.

What I am attempting to do, Mr. Speaker, is to ensure that the charter school students are not left out on the street corners and that they also provide the transportation to charter schools.

I would ask that that issue be supported by members on both sides of the aisle. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. PERZEL, the majority leader.

Mr. PERZEL. Thank you, Mr. Speaker.

I would just like to ask the members to please support the Evans amendment.

The SPEAKER. Ms. Manderino, do you desire recognition on this question? The lady is recognized.

Ms. MANDERINO. Thank you, Mr. Speaker.

May I interrogate the maker of amendment?

The SPEAKER. The gentleman, Mr. Evans, indicates he will stand for interrogation. You may begin.

Ms. MANDERINO. Thank you.

I understood the explanation, but I am not sure how it covers this particular scenario. One of the issues that I know was in question with regard to charter school transportation was whether or not the transportation would be provided to the same school-age children in the same manner as it is to public schools, specifically in the city of Philadelphia where we do not provide schoolbuses for public school children. Would this amendment require us to provide and pay for schoolbuses for charter school children at the high school level even though we do not pay for it and provide it for public school children at the high school level?

Mr. EVANS. No, Mr. Speaker. It would maintain the same consistent policy that the school district has relating to its children. It would not change the policy as you have raised it relating to high school kids. So it would have the same consistent policy.

This particular issue, Mr. Speaker, raises around the question that the charter school's calendar may be different, but yet the district still provides transportation to parochial schools and to private schools and charter schoolkids are left out on the corners and no one transports those kids. For example, there is a school called the Renaissance School, which is in the northwest. On Columbus Day those kids were to be in school but they found out that they did not have transportation. They were standing out on the corner.

The SPEAKER. The lady, Ms. Manderino.

Ms. MANDERINO. Thank you. My interrogation is finished. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The gentleman, Mr. Stetler, do you wish recognition on this subject?

Mr. STETLER. Yes, Mr. Speaker.

I was wondering if I could interrogate the maker of the amendment, please.

The SPEAKER. The gentleman, Mr. Evans, indicates he will stand for interrogation. You may begin.

Mr. STETLER. Thank you, Mr. Speaker.

My question pertains to the funding of this transportation, and I just want to make sure that this amendment will obligate the Commonwealth to reimburse the city of Philadelphia for its percentage of the cost of this new mandate on them for

transportation. Is that the case with this amendment, Mr. Speaker?

Mr. EVANS. Mr. Speaker, this is currently not a mandate. Basically, Mr. Speaker, the way that this works is that it is more effective of how the public school will organize its pickup of children in terms of incorporating their routes and also picking up charter school children. You may recall last year I got an amendment passed where the district could decide if they should give tokens or should they provide transportation. Last year the school district provided tokens. This year the school district had decided that they wanted to coordinate the routes of charter schools with the other public schools and basically pick up the children first.

Secondly, as the Commonwealth of Pennsylvania, we do provide money for transportation for this purpose.

Mr. STETLER. So in the future, these children will be counted in the formula for reimbursement?

Mr. EVANS. Correct, Mr. Speaker. It will be counted in its normal appropriations.

Mr. STETLER. Okay. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Strittmatter.

Mr. STRITTMATTER. Interrogation, please.

The SPEAKER. The gentleman, Mr. Evans, indicates he will stand for interrogation. You may begin.

Mr. STRITTMATTER. On line 17 of your amendment, you talk about that the "...transportation shall be provided to charter school students each school day whether or not transportation is provided during the same school day to students attending schools of the district." If the charter school has 220 days, then they would be supplying buses, you know, throughout the city for another 40 days. Is that what this is saying?

Mr. EVANS. Correct; correct, Mr. Speaker.

Mr. STRITTMATTER. So if they decide to go 250 days a year, then the State would be paying for that and we would have buses going throughout the city for those charter schools.

Mr. EVANS. Correct, Mr. Speaker.

Mr. STRITTMATTER. That is what this amendment is saying?

Mr. EVANS. Correct, Mr. Speaker.

Mr. STRITTMATTER. Thank you.

The SPEAKER. On the question of the adoption of the amendment, Mr. Surra.

Mr. SURRA. Mr. Speaker, I plan on voting against this amendment, and I am sure it is well intended.

You know, when we passed the Charter School Law, I stood at this podium and I told this House that, you know, we are taking the authority away from our locally elected school boards, and I really think it is funny when I read in the paper where a charter school gets enacted in one of your districts that your locally elected school board was against and then you stand there and say, wow, our tax dollars are going to this charter school that my locally elected school board was opposed to.

Right now under current law, if the public schools are not in session, the buses do not run. If we are in session at the same time that the private schools are running — and that is how we work it in most of the school districts where I live — we transport all the kids. Now we are going to have special transportation services for the charter schools, and it is going to be another unfunded mandate on your school districts.

Now, if you want to vote for this, that is up to you, I guess, but your local elected school board is going to end up paying for very expensive transportation. Now, some of that money comes from the State, but believe me, it is not going to pay for nearly hardly any of it. So you make up your own mind, Mr. Speaker, but I am voting "no."

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

I would like to make a few comments regarding this amendment. Charter schools, which this body approved really almost overwhelmingly a couple of years ago, certainly have a lot of merit and are something that we should support and strive to make a part of the picture in Pennsylvania's education. But we have found in the last year or so a number — and I do not mean just a couple, two or three — but a large number of school districts are finding that even though they support the idea of charters, that the fiscal implications are becoming very, very detrimental to the monetary health, the financial health of the school districts, and a number of members have brought to our attention the increased costs, and particularly one is the transportation cost of charter schools, putting, really, a financial burden on our school districts.

Our committee, Education Committee, passed a bill to address this, the financial impact upon the school districts, and I am hoping even though it did not get through the session, I think it is a movement that is showing great potential, that next session has to be one of the items of urgency to address this fiscal impact, particularly in transportation, of charter schools on the existing schools.

And Representative Evans, his idea at the very last moment here, we have not had a chance to read into it in detail and get the full impact, but I would ask the members to vote "no" on this amendment at this time. Am I saying it is a bad amendment? Maybe yes; maybe no. I think it may be, but I am not sure, but to vote "no" because of the doubt we have and incorporate his thoughts with other ideas that are being presented by other members and early on next session address this concern of transportation among other fiscal impacts of charter schools on our existing schools.

The idea of charter schools is twofold, not only to have new innovative ideas, remove the bureaucratic, burdensome problems that our schools have, but also to have a cheaper and less burden on our taxpayer, but we are finding that charter schools in some cases are becoming more expensive and having a great impact on taxpayers.

So I would hope today we could vote this down at this late, late hour and give it very serious deliberation in the committee process where Representative Evans could bring his proposals in front of us, and certainly if they have merit, which they may have, we could vote them up and make it part of the package that we are introducing next session to address this very dire need of unfunded mandates or not getting the best bang for our buck for public education.

So I would hope that we could vote this down tonight and then move forward next session and give it the time that this idea so richly deserves. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia County, Mr. Horsey.

Mr. HORSEY. Mr. Speaker, I want us in this chamber to stop politicizing the educational issue, because it does nothing but hurt children. The responsibility belongs to us in the State legislature. Let us carry out our mandate, because when you do things like the previous speaker says, the city of Philadelphia got 30 applications for charter schools, and you are standing there telling me that those kids have to wait until we come back in 2 or 3 months and make a decision as to whether they will be bused or not? And the point being, we are talking about the wintertime when there is snow on the ground. It is unfair and we need to stop it. We need to stop politicizing kids' education and do what we are supposed to do. We are supposed to make sure that those kids get a proper education, and that includes transportation. We need to stop politicizing this process and remember that we are talking about kids.

Now, just because many of your kids do not go to public school, it is okay. Okay? I do not care if you like it or not. I said it. Because many of your kids do not go to public schools, you do not care. Well, I care. I care not because they go to public school, because they go to private school, because they go to parochial school, but because they are kids and they are our responsibility to take care of and then look out for. Let us do our job. Let us stop playing games with whether we are going to give them an inch or whether we are going to give them a mile and do what we are supposed to do, which is to take care of kids in education and then get back here in the chambers and then litigate and argue the small stuff around the issues, but we should not make kids suffer, and right now there is no one in this chamber — and I do mean no one — advocating for children. We are politicizing everything.

Let us do what we are supposed to do, which is provide education, and that includes transportation for kids. Thank you.

The SPEAKER. The gentleman, Mr. Boyes.

Mr. BOYES. Thank you, Mr. Speaker.

In reference to the previous speaker, I know he would have an interest in the announcement that I am going to make, that the House Finance Committee and the House Education Committee are planning in the next session to hold some joint hearings on the very topics that have been expressed here tonight and the topics on the minds of most of the members concerned for support and what is happening and the key issues like charter schools and other issues that are out there.

And so we want to tell you here tonight at this late hour that the House Finance Committee and the House Education Committee will carry out those joint meetings next session and hope to come back with some reports and some further legislative action to address the concerns that were addressed here tonight by the members. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

It is the understanding of the Chair that Mr. Perzel and Mr. Evans are the last two to debate.

The Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

I realize the hour is late, but this only applies to the city of Philadelphia, Mr. Speaker. Currently, if you are in a private school and you are open on a day that the public schools are not open, the children are bused at the private schools to their schools that day. We are only asking to bus the kids at the over 40 charter schools in the city of Philadelphia when the public schools are closed. That is all we are asking, Mr. Speaker.

I would urge a "yes" vote.

The SPEAKER. On the question, the Chair recognizes the gentleman from Philadelphia County, Mr. Evans.

Mr. EVANS. Thank you, Mr. Speaker.

I, too, join with what the majority leader said, that basically this only applies to the city of the first class, and secondly, that we are only asking that those children in those 40 charter schools have that same opportunity.

I agree with the gentleman from West Philadelphia. As he indicated, this is about the children, and if it is about the children, we want to ensure that these children have the ability to get to school.

So I agree with the majority leader and the gentleman from West Philly and would ask that you support this amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—126

| | | | |
|-------------|------------|------------|---------------|
| Adolph | Egolf | Levdansky | Rooney |
| Allen | Evans | Lynch | Ross |
| Argall | Fairchild | Maitland | Sainato |
| Armstrong | Fargo | Major | Sather |
| Baker | Feese | Manderino | Schroder |
| Bard | Fichter | Marsico | Smith, B. |
| Barley | Fleagle | Masland | Smith, S. H. |
| Barrar | Flick | McGeehan | Solobay |
| Bastian | Gannon | McGill | Staback |
| Battisto | Geist | McIlhinney | Steil |
| Bebko-Jones | Gladeck | Melio | Stern |
| Belardi | Godshall | Metcalfe | Stetler |
| Benninghoff | Gordner | Micozzie | Stevenson |
| Bishop | Gruitza | Myers | Tangretti |
| Browne | Habay | Nickol | Taylor, E. Z. |
| Bunt | Harhart | O'Brien | Taylor, J. |
| Butkovitz | Hasay | Oliver | Thomas |
| Buxton | Hennessey | Orie | Trich |
| Caltagirone | Herman | Perzel | Vance |
| Carn | Hershey | Pesci | Vitali |
| Chadwick | Hess | Phillips | Wansacz |
| Civera | Horshey | Pippy | Washington |
| Clark | Hutchinson | Pistella | Waters |
| Cohen, M. | James | Preston | Wilt |
| Cornell | Kaiser | Ramos | Wogan |
| Corrigan | Keller | Raymond | Wright |
| Dailey | Kenney | Reinard | Yewcic |
| Dally | Kirkland | Rieger | Youngblood |
| DeLuca | Krebs | Roberts | Zug |
| Dempsey | LaGrotta | Robinson | |
| DiGirolamo | Lawless | Roebuck | Ryan, |
| Donatucci | Lederer | Rohrer | Speaker |

NAYS—69

| | | | |
|--------------|------------|------------|--------------|
| Belfanti | George | Miller, R. | Snyder |
| Blaum | Grucela | Miller, S. | Stairs |
| Boyes | Haluska | Mundy | Steelman |
| Casorio | Hanna | Nailor | Strittmatter |
| Cawley | Harhai | Petrarca | Sturla |
| Clymer | Jadlowiec | Petrone | Surra |
| Cohen, L. I. | Laughlin | Platts | Tigue |
| Colafella | Lescovitz | Readshaw | Travaglio |
| Costa | Lucyk | Rubley | Trello |
| Coy | Maher | Ruffing | Tulli |
| Curry | Mann | Samuelson | Van Horne |
| Daley | Markosek | Santoni | Veon |
| Dermody | Mayernik | Saylor | Walko |
| DeWeese | McCall | Schuler | Williams |
| Eachus | McIlhattan | Scrimenti | Wojnaroski |

| | | | |
|---------|------------|--------|-----------|
| Forcier | McNaughton | Semmel | Yudichak |
| Frankel | Michlovic | Shaner | Zimmerman |
| Freeman | | | |

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Mr. Buxton, do you desire recognition on final passage?

Mr. BUXTON. I do, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. BUXTON. Thank you, Mr. Speaker.

A little over an hour ago SB 1403 was amended with a smorgasbord of subjects. One of those subjects that the Appropriations Committee amended into this bill was an amendment to the Pennsylvania School District Empowerment Act. Specifically, the language that was inserted in the House Appropriations Committee a little over an hour ago would provide language in the Pennsylvania Empowerment Act giving control of certain school districts in Pennsylvania to the mayors of those third-class cities.

The bill specifically, and if we all are forthright in our opinions, deals with the city of Harrisburg only. This bill would provide for the immediate takeover of the Harrisburg city schools by its mayor. The issue here in Harrisburg has divided our community in a tremendous way. I believe today, as I did last spring when the original Empowerment Act was passed by this legislature, that Harrisburg deserves the same treatment as all the other 10 school districts contained in the Empowerment Act. I have not been convinced by anyone why we in Harrisburg need to be singled out apart from all the other school districts that are under control of Pennsylvania's Empowerment Act by having someone else step in immediately and take over control of this school district.

The current school board in Harrisburg, in my opinion, should not be held hostage by this legislature for what has been years of accumulation of problems, the same problems that are faced in the other school districts who have been given 3 years — who have been given 3 years — to try to improve their academic standards. This is not happening in Harrisburg. The courts have ruled the original Empowerment Act, giving control of the Harrisburg schools to the mayor, to be invalid. Tonight this amendment seeks a different route by including other third-class cities in the Empowerment Act in the event that the Secretary of Education would direct that those school districts need to be

taken over by someone other than the current sitting school board.

This legislature really, in my opinion, by its action if this amendment passes in this bill tonight, is overturning the will of the local electorate in electing its local school board members. If the Harrisburg School District is in such bad shape, I would suggest to the members of this legislature that next year is a local municipal election, and it should be the responsibility of the citizens of this city to determine whether the current sitting school board should continue in office, not for the legislature to immediately decide that this existing school board can no longer administer their responsibilities and turn it over to another individual.

Mr. Speaker, the amendment that went in this bill specifically states the following: "WITHIN THIRTY (30) DAYS OF THE CERTIFICATION OF AN EDUCATION EMPOWERMENT DISTRICT UNDER...THIS SECTION, THE MAYOR SHALL APPOINT A SCHOOL DISTRICT EMPOWERMENT TEAM UNDER SECTION 1703...." Mr. Speaker, under the existing empowerment law in Pennsylvania, Harrisburg has had a sitting empowerment team for the last 3 months. As a matter of fact, they have been meeting daily, daily for the last 2 weeks. I am asking this legislature to allow the Harrisburg School District to do their job, to allow the empowerment team to follow through with their efforts under the original Empowerment Act of the Commonwealth of Pennsylvania and do their job and to report back to the citizens of Harrisburg their plan to try to increase the academic standards for the children in the Harrisburg School District.

Therefore, this evening, Mr. Speaker, I would ask you to defeat this legislation. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, could someone who inserted the amendment in the Appropriations Committee today rise for a brief interrogation?

The SPEAKER. The gentleman, Mr. Perzel.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, the way I read this amendment, particularly as it relates to empowerment districts, it says that the school district has to be coterminous with the municipality from which the elected mayor is coming. Is that correct?

Mr. PERZEL. That is correct.

Mr. STURLA. Can you tell me which school districts would currently be affected by that?

Mr. PERZEL. According to our information, the only one that would be affected right away would be the Harrisburg School District, and the other districts would have until 2005 to fall below the parameters of the bill, which we are told probably would not occur. So the only one that would be affected would be the city of Harrisburg.

Mr. STURLA. Okay.

Mr. Speaker, then the Lancaster School District, which is not coterminous with the city of Lancaster, would not be affected by this under any circumstances. Is that correct?

Mr. PERZEL. That is never affected, ever.

Mr. STURLA. Mr. Speaker, are there other school districts that have been put on what I call the watch list of districts that

might fall into the Empowerment Act that would come under play in this particular amendment?

Mr. PERZEL. The other four are listed, but it is highly improbable that they will ever get on the list, particularly before the 2005 deadline.

Mr. STURLA. Mr. Speaker, what are they? I am sorry; maybe I missed it in the bill.

Mr. PERZEL. Reading, Erie, Allentown, and York.

Mr. STURLA. Okay. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Wilt.

Mr. WILT. Thank you very much, Mr. Speaker.

SB 1403 now contains two very important pieces of legislation that I would like to make the members aware of that I believe make this bill worth voting for. I did not support the Empowerment Act in the spring for a number of reasons, but I will be supporting SB 1403 tonight primarily for two reasons. Number one is that it deals with agricultural education by amending existing provisions of the School Code to provide a greater role for the Pennsylvania Department of Agriculture in the promotion, development, and distribution of agricultural education curriculum.

Secondly, it deals with another issue that many members of this body have been concerned with, and that has been the PIAA, the Pennsylvania Interscholastic Athletic Association. This bill contains language that will form the Pennsylvania Athletic Oversight Council with 17 voting members, with representation from both the House and Senate, the Secretary of Education, parents groups, coaches, officials, and also a representative of women's athletics.

The duties and responsibilities of that oversight committee are delineated in this bill. There are nine objectives that the oversight committee must achieve, and the overall object here is to get the PIAA to act with the best interests of the students involved in interscholastic athletics for a change. One of the biggest challenges we have had as parents and coaches and officials has been getting the PIAA to act in a fast and reasonable manner when there have been objections to some of their rulings. We have been working very hard to try and open up what has been a good-old-boys network over there at the PIAA, and unfortunately, we need to do some of these good things to get our arms around high school athletics by accepting things that many in this chamber did not vote for in the past, which is the Empowerment Act.

The Empowerment Act is a reality today. There are some technical amendments which the gentleman from Harrisburg alluded to. I believe that this bill has enough good things in it for the children of Pennsylvania, and it deserves our support.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair advises the members that Messrs. Colafella, Kirkland, and Stairs are all scheduled yet to speak on this, and I see Ms. Williams standing up and I do not know how many more.

I am going to ask, rather than have something like this put to a vote, which we have done before, I am going to ask the speakers to restrict their remarks to 3 or 4 minutes. You must understand that this is a self-inflicted hurt, if you please, but we will have the board lit up with the time running, and if anyone goes over that time, feel free to punch them, but I am not going to interfere.

Are you set up for that? We will start with 4 minutes. Then we will cut it down as we get hungrier and tired.

The Chair recognizes at this time the gentleman from Beaver County, Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, I intend to vote for SB 1403, but I think it is wrong the way we are conducting business on this particular piece of legislation.

The empowerment bill amendment is a very, very important amendment. An amendment like that should go through the committee process. It should be brought up; it should be considered; it should go through the Education Committee, and then it should be brought up for a vote by the committee and then brought to the floor.

I mean, in this day and age it is inconceivable that a mayor of a city can now run a school district. I mean, if we are going to do that, then what we ought to do in this Commonwealth is eliminate all requirements for a superintendent, because if we are going to do this for a third-class city, where a mayor can take over a school district, down the road why not have a 21-year-old mayor take over a school district that has some problems? That is where we are heading.

I think it is wrong the way we are conducting business today. It is wrong for the people of Pennsylvania. It is so wrong for the city of Harrisburg. Harrisburg, Pennsylvania's school district throughout the Commonwealth of Pennsylvania is getting a bad rap; they are getting a bad reputation, and they are doing it because of a political reason. It is wrong for the kids of Harrisburg. They will always be tarnished, and something ought to be done about that.

Let us stop having mayors of a city run a school district. It is wrong. They do not have the ability to do it; they do not have the background to do it, and it is wrong. It is wrong to put an amendment that is so controversial into a bill like this at the last minute. It is not the way to do business. It is the wrong way to do business, and the people that are doing this ought to be ashamed of themselves. Thank you, Mr. Speaker.

The SPEAKER. 1 minute 52 seconds. It can be done.

The Chair recognizes the gentleman from Delaware County, Mr. Kirkland.

Mr. KIRKLAND. Thank you, Mr. Speaker.

I will try to be short.

Mr. Speaker, I rise in opposition of SB 1403 solely for the purpose of finding this amendment that deals with the Harrisburg School District implemented inside of this bill.

Mr. Speaker, here we are again. It seems like *deja vu*. Just a few short months ago it was late at night, everyone was tired, and everyone was ready to go home, and a certain bill came across our tables, across our desks, that dealt with the Empowerment Act, and here we are once again late at night and here we have an amendment inserted into a bill that basically takes away the power of the people in the Harrisburg School District and places it in the hands of one individual for purely political purposes.

I applaud the comments of my colleague who said that we need to stop politicizing this process, but unfortunately, I do not think we heard him tonight. Mr. Speaker, it would be my hope that since the Empowerment Act is a reality in the Chester-Upland School District, that we would just wait awhile and see what happens there and we would just wait awhile and see how effective or ineffective it is in the Chester-Upland

School District before we decide to take the power out of the hands of people who have been elected into office, people who have been elected by the people, people who have children in the school district, before we take the power out of their hands and place it into the hands of the mayor and do nothing but make this a purely political process.

So today, Mr. Speaker, I stand in opposition of SB 1403 in hopes that we would wait and give those persons who have been elected to office an opportunity to turn the school district around. Thank you.

The SPEAKER. The Chair thanks the gentleman, Mr. Kirkland, and recognizes the gentleman from Westmoreland County, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

Before I begin my very brief remarks, realizing the time restraints, I will say that I do support this bill and urge my colleagues to vote for it, but with kind of a heavy heart I say that, because I certainly voted against the original empowerment, and I do not like the way that it was handled, sticking this in at the last moment. I do not like that part, but, Mr. Speaker, I must say that a lot of hard work was done by the Education Committee this summer when we received a bill from the Senate regarding the PIAA.

Many of us did not like the heavy-handedness of the Senate, politicizing the way we are going to resolve the problems in the PIAA, and we, after a hearing, inserted a much more equitable and fair way to resolve the PIAA's problems with the oversight board, which is grassroots in nature, letting the local people in the school districts, whether it be administrators, coaches, officials, and people involved in the scholastic activities of the Commonwealth, solve this problem. So that was a great plus.

And also we put in a CPR (cardiopulmonary resuscitation) proposal that will, I am sure, go to save some lives down the road. And also the education of agriculture was given a greater significance in our schools, learning about the fundamentals of food and bringing that into a curriculum.

So, Mr. Speaker, I support the legislation. I found out here serving in this body a long time ago that sometimes to take a couple steps forward, you take a step backwards, and unfortunately, we are doing that tonight. It is not, as they say in making sausage, you do not like the process but the product is often very tasty. But I hope we can vote for this, support it, send this over to the Senate, and make the PIAA a fine example of scholastic sports in Pennsylvania to help our kids, but I would appreciate the members' support. Thank you, Mr. Speaker.

The SPEAKER. On the question, the Chair recognizes the lady from Montgomery County, Ms. Williams.

Ms. WILLIAMS. Thank you, Mr. Speaker.

I just want to briefly say that while there are some parts of this bill that may be questionable, I urge you all to vote for it. We have worked very hard on the PIAA. I am very proud that finally women's sports will have a vote and a say in this body. Thank you.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman from Philadelphia County, Mr. Horsey.

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, I am going to ask both sides of the aisle not to think of this in terms of who is running the show but who gets hurt in this matter.

Eighty percent of all people in prison have dropped out of high school. Most of the crime, most of the illegal activity that is going on in communities, young girls being pregnant — that is directly related to them not being properly socialized/educated in the school system. School systems have failed, Mr. Speaker, and that is a bipartisan issue. It has nothing to do with either side of the aisle. It is because whether it is local school boards or mayors or whether it is this chamber, Mr. Speaker, we do not know what we are doing when it comes to the issue of education, and I am going to take the time to tell you what needs to be done.

We need to return education back to the professionals, the people who know what they are doing, because in the city of Philadelphia, they have got a \$1-1/2 billion budget and kids with the highest dropout rate in the State. Fifty percent of all their kids drop out of high school. Now, you do not have to believe me. Call the Department of State. Okay? They will tell you that.

It is obvious that something is going wrong. We had a Governor on our side of the aisle, Mr. Speaker, who took money away from education. We just had a mayor who is supposed to be America's greatest mayor, and he built Broad Street. He found money for that. He found money for a \$240-million musical center; he found money, \$80 million, for a constitutional center, but he could not find money for education, and that is because I do not believe he — and I am not just picking on that mayor or that previous Governor or anyone in this chamber — they do not know what the solution is to education.

And once again I am going to tell you what the solution is. The solution is turn education back to the experts; put teachers and principals in charge of education and cut administrators out. The city of Philadelphia spends \$100 million, \$100 million, Mr. Speaker, in administration; that is people who do not set a foot in the classroom. They are making \$100 million and they are in education, and that is morally wrong; that is morally wrong when they do not have enough money to pay teachers, but they have got enough for this type of administration.

We have got a school board, Mr. Speaker, that hires 3,000, 4,000, 5,000 people in it, and it is not that people do not know. Mr. Hornbeck, the gentleman who called this racist, he knows what the solution is. He was implementing the program called Children Achieving, and I thought he was going to do the right thing by dividing the school system up into 26 different clusters, thereby giving principals and teachers more control, and all he did was create another bureaucracy. His mission was to hold the line; there will be a better day; there will be another election, and the reality is it does not matter whether you guys are in charge or we are in charge, the reality is people do not know what the heck they are doing, and the solution is, turn it back over to the professionals, and the professionals in this matter today are the principals and the teachers, and when the school does not achieve, then you get rid of the principal and you replace her and let her drive the teachers. It is just like the military. In the Marines it is not the generals who run the Marines; it is the sergeants who make sure the day-to-day operations of the individual men are carried out on missions, and the same is true of education. The mission is to return back to smaller schools and return power back to teachers/principals and let them drive the system. That is the solution, Mr. Speaker,

to education, and that is not just Philadelphia; that is every district in this State. You need to slash out.

And just because we turn these schools over to the mayors is not going to make it better. We have got to turn them over to schoolteachers and principals, which is what I thought charter schools would do — empower schoolteachers and principals — because this animal at the top called administrators is ruining, they are ruining the school system, Mr. Speaker, and with that, Mr. Speaker, I am going to ask for a "yes" on SB 1403. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny County, Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

I just want to make a short statement that this bill also will take care of 45 children in the Penn Hills School District, permit them to finish their education through no fault of their own because of a border dispute between two municipalities.

And I want to thank the majority leader for permitting me to put this in this bill here, and I support this SB 1403 on final passage. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Sturla, for the second time on the issue.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this piece of legislation, as many members have pointed out, contains a lot of good things, particularly language about the PIAA and other pet projects, but in my opinion, it also contains a poison pill, and that is the language of the empowerment bill.

It also is rather self-congratulatory about mayor-appointed school boards in Philadelphia. However, we know that the school board in Philadelphia is the only nonelected school board in the entire State of Pennsylvania. Out of 501 school districts, 500 have elected school boards. Philadelphia does not. As a result of that, that school board is not empowered to levy taxes in the city of Philadelphia, and as a result of that, Philadelphia is near or at dead last in terms of the local effort for taxation for schools. One of the reasons that the Philadelphia schools are failing is because there is not enough money spent and not enough money spent from the local coffers. By doing this, where we continue to empower mayors to do this, we will continue to drive these districts farther into the ground.

I want to stand with my colleague from central Pennsylvania and others that might be affected by this legislation and vote "no" on this bill. Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—135

| | | | |
|-----------|---------|------------|--------------|
| Adolph | Feese | Markosek | Samuelson |
| Allen | Fichter | Marsico | Sather |
| Argall | Fleagle | Masland | Schroder |
| Armstrong | Flick | Mayernik | Semmel |
| Baker | Frankel | McGeehan | Smith, S. H. |
| Bard | Freeman | McGill | Snyder |
| Barley | Gannon | McIlhattan | Solobay |

| | | | |
|-------------|------------|------------|---------------|
| Barrar | Geist | McIlhinney | Staback |
| Bastian | Gladeck | Michlovic | Stairs |
| Belardi | Godshall | Micozzie | Steil |
| Benninghoff | Gordner | Miller, S. | Stern |
| Bishop | Gruitza | Myers | Stetler |
| Bunt | Habay | Nailor | Surra |
| Butkovitz | Hasay | Nickol | Tangretti |
| Carn | Hennessey | O'Brien | Taylor, E. Z. |
| Cawley | Herman | Oliver | Taylor, J. |
| Chadwick | Hershey | Orie | Thomas |
| Civera | Hess | Perzel | Tigue |
| Clark | Horshey | Pesci | Trello |
| Clymer | Hutchinson | Petrarca | Trich |
| Cohen, M. | James | Phillips | Tulli |
| Colafella | Kaiser | Pippy | Vance |
| Cornell | Keller | Pistella | Washington |
| Corrigan | Kenney | Ramos | Waters |
| Costa | Krebs | Raymond | Williams |
| Dally | LaGrotta | Readshaw | Wilt |
| DeLuca | Laughlin | Reinard | Wogan |
| Dempsey | Lawless | Rieger | Wojnaroski |
| Dermody | Lederer | Robinson | Wright |
| DiGirolamo | Levdansky | Roebuck | Youngblood |
| Donatucci | Lynch | Rooney | Zug |
| Egolf | Maher | Ross | |
| Evans | Major | Rublely | Ryan, |
| Fairchild | Manderino | Sainato | Speaker |
| Fargo | | | |

NAYS—59

| | | | |
|-------------|------------|------------|--------------|
| Battisto | Forcier | Melio | Smith, B. |
| Bebko-Jones | George | Metcalf | Steelman |
| Belfanti | Grucela | Miller, R. | Stevenson |
| Blaum | Haluska | Mundy | Strittmatter |
| Boyes | Hanna | Petrone | Sturla |
| Browne | Harhai | Platts | Travaglio |
| Buxton | Harhart | Preston | Van Horne |
| Caltagirone | Jadlowiec | Roberts | Veon |
| Casorio | Kirkland | Rohrer | Vitali |
| Coy | Lescovitz | Ruffing | Walko |
| Curry | Lucyk | Santoni | Wansacz |
| Dailey | Maitland | Saylor | Yewcic |
| Daley | Mann | Schuler | Yudichak |
| DeWeese | McCall | Scrimenti | Zimmerman |
| Eachus | McNaughton | Shaner | |

NOT VOTING—1

Cohen, L. I.

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

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

The SPEAKER. The Chair at this time requests the gentleman, Mr. Battisto, to preside for the three bills on the first page of supplemental calendar C and to please make remarks to the members.

Let me say, Mr. Battisto was very modest about the idea of addressing us, and I was somewhat insistent that I thought he should do it because he has made so many friends over the

years, both sides of the aisle, and, Gladeck, you better not hide, because you are coming up next.

Mr. Battisto.

**THE SPEAKER PRO TEMPORE
(JOSEPH W. BATTISTO) PRESIDING**

The SPEAKER pro tempore. Too bad you people do not live in the 189th District.

SUPPLEMENTAL CALENDAR C

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 47, PN 4194**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for unlawful restraint, for false imprisonment and for obscenity; and providing for sex offender treatment.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—194

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

| | | | |
|------------|-----------|-----------|------------|
| Dally | Lederer | Roebuck | Wogan |
| DeLuca | Lescovitz | Rohrer | Wojnaroski |
| Dempsey | Levdansky | Rooney | Wright |
| Dermody | Lucyk | Ross | Yewcic |
| DeWeese | Lynch | Rublely | Youngblood |
| DiGirolamo | Maher | Ruffing | Yudichak |
| Donatucci | Maitland | Sainato | Zimmerman |
| Eachus | Major | Samuelson | Zug |
| Egolf | Manderino | Santoni | Ryan, |
| Evans | Mann | Sather | Speaker |
| Fairchild | Markosek | Saylor | |

NAYS—0

NOT VOTING—1

Browne

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

The House proceeded to consideration of concurrence in Senate amendments to **HB 227, PN 3956**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for durable powers of attorney.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

The House proceeded to consideration of concurrence in Senate amendments to **HB 609, PN 4182**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for grading of the offense of prostitution.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

| | | | |
|-------------|----------|------------|--------------|
| Adolph | Fargo | Marsico | Schroder |
| Allen | Feese | Masland | Schuler |
| Argall | Fichter | Mayernik | Scrimenti |
| Armstrong | Fleagle | McCall | Semmel |
| Baker | Flick | McGeehan | Shaner |
| Bard | Forcier | McGill | Smith, B. |
| Barley | Frankel | McIlhattan | Smith, S. H. |
| Barrar | Freeman | McIlhinney | Snyder |
| Bastian | Gannon | McNaughton | Solobay |
| Battisto | Geist | Melio | Staback |
| Bebko-Jones | George | Metcalfe | Stairs |
| Belardi | Gladeck | Michlovic | Steelman |
| Belfanti | Godshall | Micozzie | Steil |

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

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

**FAREWELL ADDRESS BY
MR. BATTISTO**

The SPEAKER. The House will please come to order.

Members, take your seats, please. Staff, please give us your attention or leave the floor; it makes no difference.

The gentleman, Mr. Battisto, has been an 18-year member with us. He leaves at this time, and I would like to hear him make a few remarks to the House.

Mr. BATTISTO. Thank you, Mr. Speaker.

As the Speaker indicated, I had some ambivalence about coming up here. After having been here 18 years, obviously I love this institution. I had a great ambivalence on one hand because I love it, and on the other hand, there is something

pulling me in another direction. After having been here 18 years, I have certainly accumulated a body of information about the institution itself and about individual members, and because sometimes your feelings about certain individuals run the gamut from minus to plus, sometimes you are reluctant to take the floor if you cannot be scholarly and if you cannot be somewhat of a statesperson. So I decided to try to be a statesperson and say something that is good for the whole House.

First of all, as I said, I came here 18 years ago, and it was a creation of a new district, by the way. We have come full circle almost. This is 2000. After the 1981 redistricting, a district was carved out of Monroe County, and it was called the 189th District, you see, and it came from downtown or certainly from Philadelphia. I believe it was Marty Mullen's number, I believe, that Philadelphia lost about 60,000 and Monroe County picked up a number of people. We went over that magical threshold. We had 69,876 people after the 1980 census, and therefore, a district was created.

And frankly, I had no intention to run for this seat, none whatsoever. I had been a mayor of Mount Pocono. I did that as sort of a hobby. It was sort of a civic kind of responsibility. I was a teacher for 22 years, English department chairman. I taught languages and literature and things like that. And as a mayor, of course, I took the pittance of a salary and gave it back to the community. So I never accepted any money.

But I love getting things done. I love founding a library. In fact, to this day when people ask me, what is your major accomplishment in politics, when I think of 18 years here, I can think of some things, things that Paul Clymer and I worked together on and many other people worked together on, but I think the fact that I founded a library as a mayor of a community was a very, very important thing, and we did other things.

So I enjoyed sort of being an independent. As an example, I was a Democrat. Before I was mayor, by the way, I was a member of borough council, and I was a Democrat with a borough council of seven members, four Republicans and three Democrats. Now, you could never do that in this House. However, as one of the three Democrats, I was elected president of borough council, you see. So we were sort of ecumenical, you see, and bipartisan in that little atmosphere of Mount Pocono, but it sort of whetted my appetite toward politics.

When the new district was created, of course, I had an interest in reading about the creation, but frankly, I had no appetite for running because I loved teaching, and I could not imagine leaving teaching, which I enjoyed so much. However, some people, of course, talked to me and said, hey, Joe, you know, you were mayor of Mount Pocono; you did a good job there; why do you not run; why do you not run? Well, eventually I ran for the job, but I want to make that point, because I certainly did not run for the job from day one. I had a certain amount of ambivalence then, too, but I came here in 1983 then, and I remember, of course, I remember listening to Leroy Irvis tell us about the importance of legislating, and he told us sometimes we are sort of parochial here. I do not really think we are, are we, Mr. Speaker? But he did say we are parochial here sometimes, but, he said, the important thing is sometimes you have to sort of be global; you have to look at the whole thing, you know. You have to understand that

Philadelphia is part of Pennsylvania and so is Pittsburgh even though you are a rural Democrat, you see.

In any event, I tried to follow that philosophy and that mindset as I was here, and so many times I made a vote knowing that sometimes in some campaign somebody would say, hey, he supports Philadelphia only.

But be that as it may, the fact of the matter is, when I came here in '83, I immediately saw that this House is composed of some very, very, very good people, very good people. As I said, I was a teacher. Therefore, I have been called back to lecture many times over the years. I am in a classroom probably three to four times a month, ranging from East Stroudsburg University to elementary schools, you see, and when I teach those classes now — instead of languages, it is government — I talk about things I have learned here. And I remember coming here — even though I was a freshman, I had been 22 years in education — I remember seeing Jimmy Manderino down there and Matthew Ryan there, and I watched them debate for a number of years. Well, the Democrats were in the majority, by the way, and I said more than once — and I am not trying to ingratiate myself with anybody now because I am leaving this place — however, I said more than once that I received a three-credit course in government from listening to Jim Manderino and Matthew Ryan debate, because I heard them. I heard the scholarly approach they took to politics, to government. Oh, they could be very partisan; Matt Ryan could be a very partisan Republican and Jimmy Manderino a very partisan Democrat when they had to be, but they looked at this institution. That is what impressed me. The institution came first, and so they proceeded with a dignity, with a scholarly approach toward legislation, and that was an education for me, and I repeated that many times over the years. For that I thank you, Matthew Ryan, and also dear Jimmy Manderino, may his soul rest in peace.

In any event, I teamed up with many people here, many people on both sides of the aisle, and that is what I sort of liked about this place was that you could strike a relationship with people on the other side of the aisle. As I said, Paul Clymer and I were sort of together in '83. We formed that bipartisan antigambling coalition, and it functioned and it worked quite well. I remember the Sweet-Lashinger bill and many other pieces of legislation like that.

I do not want to take too much time, Mr. Speaker, from the evening. It is late, but I just want to say that from those early years I came to admire this House because of the number of good people here, and I learned an awful lot from the good people here.

And I also must say that after I was here awhile and I was on the Appropriations Committee, what struck me about serving on some of the committees was the fact that we have some very, very good staff people here. I remember being a member of the Appropriations Committee and discussing legislation. I had a great interest in tax measures and so forth, and I remember that terrible turbulent time in 1991. In any event, I cannot say enough about the competence of the staff people on the Appropriations Committee I have worked with. The Transportation Committee, I have back there Paul Parsells as the executive director. He worked indefatigably with the other side to craft legislation. The staff I have up in my office upstairs and the staff back in Tannersville, they are very competent

people. I admire competence. I admire the way people work together, and we have an awful lot of that in this House.

I spent the past 2 years on the Transportation Committee as the Democratic chairman with Representative Geist, and I must say very bluntly and very honestly, I like Representative Geist's approach to politics. Some people might not like that. Some people might not like the fact that he is sort of ecumenical, that we worked together a lot. We worked together on that teen driver bill, HB 10; we worked together on many other things. I liked that, and I thank Representative Geist for his work, for his honesty, and for his approach to politics, and I thank the rest of you for your attention tonight.

As I said, I came up here with some ambivalence, but I thought — and I thank Matthew Ryan, by the way, for encouraging me to wipe out my ambivalence and to come up and speak, because I got up here and I sort of enjoyed it. I could go on for quite a while, Matt, but I will not take that time.

So I will just terminate on this note, and the note simply is this: There are 203 people here, and I think, as somebody said — I forget who was here who said before me — somebody leaving said, you know, this House, really, is the place where things really get done. The debates here are usually longer than the Senate debates, the people here are closer to their constituents, and therefore, there is an awful lot more ferment in this House than there is in other bodies, and I believe in that, too, but I believe, I believe one of the things we have to learn as a body of legislators is that sometimes issues have to rise above party; sometimes they are more important.

I was teaching a class — and I will end on this note — teaching a class at East Stroudsburg University about, oh, 6 months ago, and it was a 4-hour class. Halfway through the class some lady raised her hand and said, by the way, what are you? I played a little dumb and said — I knew what she meant — I said, what do you mean, what am I? And she said, during the first half hour I was sure you were a Republican. She said, then I said, oh, no, he is a Democrat. She said, now I think you are a Republican. I do not know what you are, she said; would you tell me? I said, well, I am a conservative Democrat, but really I belong to the party that gets things done. I said, as a conservative Democrat, I put issues first and party second and I move toward the right. There are some people, Democrats in this world, in this place maybe, who put party first all the time and put issues aside and they do not move. I said, there are some people on the other side of the aisle who put issues first and party second and they move toward the left, and there are some people on the other side of the aisle who always focus on party and never move, you see. And those of us who move from the left to the right and from the right to the left meet in the center, and we belong to the party that gets things done, and I said all major things get done that way. I said, I remember working diligently — some people might not like this — I remember working diligently on the workers' compensation reform legislation. That was done by the middle, you see, by the middle, the people who met, who came from left to right and from right to left, you see.

So that is what I sort of encourage you to think about sometimes, that the way to get things done really amounts to opening our minds up and understanding that party is important — I am pretty proud of what I belong to — but issues are most important. In order to promote that with the public, we have to get the public to understand that that is what we are about.

We are about issues first, really, and getting things done is more important than anything else.

So I leave you on that note. I thank you for the 18 years of great service here with you. You have been very, very kind and very considerate all the time, and Godspeed to all of you. Thank you.

The SPEAKER. When next the professor goes to school, here is something that he can conduct his class with and think of us at that time.

Mr. BATTISTO. Thank you.
The SPEAKER. Thank you.

Will the gentleman, Mr. Gladeck, come to the desk — with his coat on.

There is one member that I have not seen yet today or yesterday to invite him, Mr. Carn. If he is within the sound of my voice, I would like it if he would come to the floor.

At this time I am asking a well-known figure in this House, Joe Gladeck, to preside temporarily and then make some few remarks.

**THE SPEAKER PRO TEMPORE
(JOSEPH M. GLADECK, JR.) PRESIDING**

SUPPLEMENTAL CALENDAR F

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 58, PN 2116**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for extending the statute of limitations for dealing in proceeds of unlawful activities.

On the question,
Will the House concur in Senate amendments?

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

Mr. MAYERNIK. Thank you, Mr. Speaker.

HB 58 is a joint effort between myself and Attorney General Mike Fisher over the past couple years, that we would extend the statute of limitations for money laundering from 2 years to 5 years, which gives more time to prosecute and do investigative background on money laundering. This is basically to get after white-collar crime and the drug-money laundering.

The Senate had removed the one amendment inserted by the House and put it as a clean bill as I initially introduced it. I would ask for an affirmative vote on concurrence to HB 58. Thank you, Mr. Speaker.

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 777, PN 4203**, entitled:

An Act amending the act of May 22, 2000 (P.L.104, No.22), known as the Capital Budget Debt Authorization and Project Itemization Act of 2000-2001, providing for a compliance option.

On the question,
Will the House concur in Senate amendments?

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

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

The House proceeded to consideration of concurrence in Senate amendments to **HB 2149, PN 4207**, entitled:

An Act amending the act of December 14, 1992 (P.L.818, No.133), known as the Port of Pittsburgh Commission Act, further providing for specific powers of the commission; providing for economic development projects; and further providing for rights of obligees and for contracts and purchases.

On the question,
Will the House concur in Senate amendments?

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

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2498, PN 4208**, entitled:

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Pennsylvania Keystone Opportunity Zone Act, providing for keystone opportunity expansion zones and related matters and for authorized expenditures; further providing for additional tax exemptions, tax deductions, tax abatements and tax credits; and making a repeal.

On the question,
Will the House concur in Senate amendments?

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

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—194

| | | | |
|-----------|-----------|-----------|--------------|
| Adolph | Fairchild | Markosek | Schroder |
| Allen | Fargo | Marsico | Schuler |
| Argall | Feese | Masland | Scrimenti |
| Armstrong | Fichter | Mayernik | Semmel |
| Baker | Fleagle | McCall | Shaner |
| Bard | Flick | McGeehan | Smith, B. |
| Barley | Forcier | McGill | Smith, S. H. |
| Barrar | Frankel | McIhattan | Snyder |

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

NAYS—1

Metcalfe

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 1173, PN 2313**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, reenacting provisions on manufacture, disposition, use or possession of devices for telecommunications theft; providing for the offense of discharge of a firearm into an occupied structure; and further providing for sale or illegal use of certain solvents.

On the question,
Will the House concur in Senate amendments to House amendments?

The SPEAKER pro tempore. Moved by the gentleman, Mr. Perzel, that the House do concur in those amendments.

On the question recurring,
Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—1

Williams

EXCUSED—5

Birmelin Josephs Leh True
Cappabianca

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in.
Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 393, PN 4235; and HB 550, PN 4226**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

AMENDED SENATE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 390, PN 2325; SB 712, PN 2326; SB 844, PN 2327; and SB 1178, PN 2328**.

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

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 1117, PN 2310**.

RULES COMMITTEE MEETING

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

BILL ON CONCURRENCE
REPORTED FROM COMMITTEE

HB 550, PN 4226

By Rep. PERZEL

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for payment of life insurance benefits, for publication of rate increases on home page and for coverage requirements for insulin and other blood sugar controlling agents; further providing for inclusion of health maintenance organizations in conversion notifications; changing the

expiration date of an article; further defining "long-term care insurance"; defining "prepaid home health or personal care service policy"; further defining "insurer" and "person" for purposes of insurance holding companies; and further providing for standards and management of an insurer within a holding company system.

RULES.

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

**FAREWELL ADDRESS
BY MR. GLADECK**

The SPEAKER. The Chair at this time requests the attention of the members.

Mr. Gladeck, a long-serving member of this House, is leaving us this year, and I have requested him, and he was a reluctant candidate to do it, I have requested that — and this is the first time I ever had trouble getting him to talk — but I have requested that he address this organization of friends.

Mr. GLADECK. And friends you are.

It is late at night, and you know that I have been here a long time, and I am one of the few that do not like to talk for the cameras. But I do want to say thank you very much to all of you. I have made a lot of really good friends here, the Democratic side of the aisle and the Republican side. And I have learned a lot, like Representative Battisto has, that in this body, I think tolerance is an awful lot, and I think that what I have learned in my position as chairman of the Labor Relations Committee is that there are certainly two sides to the coin, and it is a lot better to work in conjunction with my friends on the opposite side of the aisle than it is to work in opposition where in fact that is possible, and I have also learned that it is possible to disagree without being disagreeable.

I would like to thank publicly my friend, Bob Belfanti, who has been my longtime colleague as my chairman on the Democratic side of the aisle, and I would like to thank all the members of my committee, because I have enjoyed working with you for all these years.

I think that I am one of the few members that has probably ever served on the Labor Relations Committee for his entire tenure, as long as he has been in Harrisburg, and in 22 years on that committee I have had a lot of chairmen. One of them was Representative Mark Cohen, whom I was pleased to be the minority chairman under, and I enjoyed that as well.

I would like to thank Representative Perzel, who I think has been an excellent leader for our side of the aisle and for Pennsylvania, and I would also like to recognize my very close, personal friend, Representative Bill DeWeese.

I think that you have a lot of possibilities in this chamber, and the one thing that I think I have always kind of thought about is that we are all Pennsylvanians, and we have an ability to affect public policy in a way that a lot of Pennsylvanians are not aware of, and I think that when we work together, I have been pleased, at least for the last 6 years and for most of my 22 years, to be able to work for things that I think that a lot of people in Pennsylvania never thought were going to be possible.

I think that of the three Governors that I served with, I have been pleased to serve with Governor Ridge the most, because I think that collectively and certainly all of the legislative initiatives that I have had that I am most proud of — the workers'

compensation reform and both keystone opportunity zone bills amongst others — could not have been accomplished without bipartisan support, and I think all of those initiatives are in fact important for Pennsylvania's future.

I would like to leave you with just one thing that I think is important, and that is, I think that economic development for all of Pennsylvania is vital, and I would hope that in the future you keep in mind that there are areas of Pennsylvania that the economic recovery, so to speak, or the economic expansion has passed by, and that is the purpose for bills such as the keystone opportunity zone bills, because it is really, really important that economic empowerment is given to all Pennsylvanians.

And I think that I would like to close and I would like to say thank you to all of you. You have been good to me for many, many years, and I will miss you, but I will not be going far. Thank you very much.

SUPPLEMENTAL CALENDAR N

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 550, PN 4226**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for payment of life insurance benefits, for publication of rate increases on home page and for coverage requirements for insulin and other blood sugar controlling agents; further providing for inclusion of health maintenance organizations in conversion notifications; changing the expiration date of an article; further defining "long-term care insurance"; defining "prepaid home health or personal care service policy"; further defining "insurer" and "person" for purposes of insurance holding companies; and further providing for standards and management of an insurer within a holding company system.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Mr. DeLuca? Is someone seeking recognition? I do not see— Mr. DeLuca, are you seeking recognition on the question of concurrence?

Mr. DeLUCA. Yes, Mr. Speaker.

The SPEAKER. You are recognized.

Mr. DeLUCA. Thank you.

I just want to thank Representative Bard and Representative Micozzie for working together on this legislation with the Attorney General that is going to help our senior citizens throughout the Commonwealth of Pennsylvania. Unfortunately, they have been taken advantage of because we had no controls in there to protect them. With this legislation they can rest assured that they will not have to go through what they have gone through in the past year, and I want to thank the Republican side and the Insurance Department, the Commissioner, along with their staff, for the excellent job they have done on this legislation.

I ask for an affirmative vote on concurrence here. Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR G

BILLS ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 599, PN 4227**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for false identification to law enforcement authorities.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Birmelin Josephs Leh True
Cappabianca

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

Ordered, That the clerk inform the Senate accordingly.

The House proceeded to consideration of concurrence in Senate amendments to **HB 819, PN 4228**, entitled:

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

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—194

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

| | | | |
|------------|-----------|-----------|------------|
| Dermody | Lucyk | Ross | Youngblood |
| DeWeese | Lynch | Rublely | Yudichak |
| DiGirolamo | Maher | Ruffing | Zimmerman |
| Donatucci | Maitland | Sainato | Zug |
| Eachus | Major | Samuelson | |
| Egolf | Manderino | Santoni | Ryan, |
| Evans | Mann | Sather | Speaker |

NAYS—1

Tigue

NOT VOTING—0

EXCUSED—5

Birmelin Josephs Leh True
Cappabianca

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

Ordered, That the clerk inform the Senate accordingly.

The House proceeded to consideration of concurrence in Senate amendments to **HB 1150, PN 4224**, entitled:

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, further providing for reports by charitable organizations and for exemptions from registration.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

The House proceeded to consideration of concurrence in Senate amendments to **HB 2272, PN 4212**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for retaliation against witness, victim or party.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS-195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

RULES SUSPENDED

The **SPEAKER**. The Chair recognizes the majority leader. Mr. **PERZEL**. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of SB 1163.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-195

| | | | |
|-----------|---------|------------|--------------|
| Adolph | Fargo | Marsico | Schroder |
| Allen | Feese | Masland | Schuler |
| Argall | Fichter | Mayernik | Scrimenti |
| Armstrong | Fleagle | McCall | Semmel |
| Baker | Flick | McGeehan | Shaner |
| Bard | Forcier | McGill | Smith, B. |
| Barley | Frankel | McIlhattan | Smith, S. H. |
| Barrar | Freeman | McIlhinney | Snyder |

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

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

SUPPLEMENTAL CALENDAR D CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 1163, PN 1437, entitled:

An Act providing for the adoption of capital projects to be financed from current revenues of the Game Fund.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-192

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

NAYS-3

| | | |
|-------|----------|--------|
| Fargo | Godshall | Snyder |
|-------|----------|--------|

NOT VOTING-0

EXCUSED-5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

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

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 47, PN 4194

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for unlawful restraint, for false imprisonment and for obscenity; and providing for sex offender treatment.

HB 58, PN 2116

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for extending the statute of limitations for dealing in proceeds of unlawful activities.

HB 227, PN 3956

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for durable powers of attorney.

HB 550, PN 4226

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for payment of life insurance benefits, for publication of rate increases on home page and for coverage requirements for insulin and other blood sugar controlling agents; further providing for inclusion of health maintenance organizations in conversion notifications; changing the expiration date of an article; further defining "long-term care insurance"; defining "prepaid home health or personal care service policy"; further defining "insurer" and "person" for purposes of insurance holding companies; and further providing for standards and management of an insurer within a holding company system.

HB 599, PN 4227

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for false identification to law enforcement authorities.

HB 609, PN 4182

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for grading of the offense of prostitution.

HB 777, PN 4203

An Act amending the act of May 22, 2000 (P.L.104, No.22), known as the Capital Budget Debt Authorization and Project Itemization Act of 2000-2001, providing for a compliance option.

HB 2149, PN 4207

An Act amending the act of December 14, 1992 (P.L.818, No.133), known as the Port of Pittsburgh Commission Act, further providing for specific powers of the commission; providing for economic development projects; and further providing for rights of obligees and for contracts and purchases.

HB 2498, PN 4208

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Pennsylvania Keystone Opportunity Zone Act, providing for keystone opportunity expansion zones and related matters and for authorized expenditures; further providing for additional tax exemptions, tax deductions, tax abatements and tax credits; and making a repeal.

SB 1032, PN 2140

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, relating to residential real estate transfers; providing for disclosures by sellers of residential real estate and for home inspections; and making a repeal.

SB 1117, PN 2310

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for waterways patrolmen and employees, for assistant executive directors, for deputy waterways conservation officers and for the use of property; clarifying provisions for repeat offenders; exempting certain military personnel from license requirements; further providing for issuing agents; and requiring a study of the financial feasibility of providing certain free fishing licenses.

SB 1312, PN 2136

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for homicide by vehicle.

SB 1547, PN 2171

An Act authorizing the release of Project 70 restrictions imposed on a certain tract of land in Mercer County owned by the Pennsylvania Game Commission in exchange for the imposition of Project 70 restrictions on a certain tract of land in Mercer County to be conveyed to the commission.

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

RULES COMMITTEE MEETING

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

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 393, PN 4235

By Rep. PERZEL

An Act amending Title 27 (Environmental Protection) of the Pennsylvania Consolidated Statutes, providing for participation in environmental law or regulation and for costs in mining proceedings.

RULES.

SB 390, PN 2325

By Rep. PERZEL

An Act amending the act of December 31, 1965 (P.L.1257, No.511), entitled The Local Tax Enabling Act, further defining "net profits."

RULES.

SB 712, PN 2326

By Rep. PERZEL

An Act amending the act of May 2, 1945 (P.L.382, No.164), entitled Municipality Authorities Act of 1945, further providing for the purposes and powers of an authority, for governing body residency requirements and for water and sewer service to tenants.

RULES.

SB 844, PN 2327

By Rep. PERZEL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for participation in certain environmental cases and for criminal victim aid good Samaritan civil immunity.

RULES.

SB 1178, PN 2328

By Rep. PERZEL

An Act authorizing the Department grant and convey to Somerset County Conservancy Charitable Trust, certain lands situate in Somerset Township, Somerset County; authorizing the Governor, to quitclaim to Rush Township a tract of land situate in Rush Township, Centre County; authorizing the Department of and convey to Huston Township Sewer Authority, certain lands situate in Huston Township, Clearfield County; authorizing the Department grant and convey to Mt. Rock United Methodist Church, certain lands situate in West Pennsboro Township, Cumberland County; authorizing the Governor, to convey a tract of land in the Borough of Selinsgrove, Snyder County, to the Eastern Snyder County Regional Authority in exchange for another tract of land in the Borough of Selinsgrove, Snyder County; authorizing approval of the Governor, to grant and convey to Snyder County certain lands situate in Penn Township; authorizing the Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, to amend the use restriction and reversionary covenant on the real estate conveyed to Hartley Township, situate in Hartley Township, Union County; and authorizing and directing the Department of General Services, with the approval of the Governor, to convey to the Pocono Mountains Municipal Airport Authority certain property located in Coolbaugh Township, Monroe County, which is part of the facility formerly known as the Mount Pocono Airport, and now known as the Pocono Mountains Municipal Airport; authorizing the Department of General Services, with the approval of the Governor and of the Pennsylvania Historical and Museum Commission, to sell and convey to the County of Fayette, a certain tract of land and right-of-way situate in Wharton Township, Fayette County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and Department of Transportation, to sell and convey to the Borough of Hollidaysburg certain land situate in the Borough of Hollidaysburg, Blair County, Pennsylvania; authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Huntingdon Area School District certain land situate in Huntingdon Borough, Huntingdon County, Pennsylvania; and authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Philadelphia Suburban Water Company, certain lands situate in West Bradford Township and Newlin Township, Chester County, and authorizing and directing the Department of General Services, with the approval of the Governor, to release a use restriction and reversionary covenant on a portion, 1.5-acres, of the lands conveyed to Chester County under Act 5 of 1988.

RULES.

VOTE CORRECTION

The SPEAKER. The lady, Mrs. Cohen, desires recognition. On what subject?

Mrs. COHEN. Thank you, Mr. Speaker. To correct the record, please.

The SPEAKER. The lady may proceed.

Mrs. COHEN. Thank you.

My paper clip malfunctioned. I would like to be recorded in the affirmative on SB 1403. Thank you.

The SPEAKER. I am not going to comment.

SUPPLEMENTAL CALENDAR N CONTINUED**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 393, PN 4235**, entitled:

An Act amending Title 27 (Environmental Protection) of the Pennsylvania Consolidated Statutes, providing for participation in environmental law or regulation and for costs in mining proceedings.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The gentleman from Philadelphia County, Mr. Cohen, desires recognition on the question of concurrence.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this is one of several bills that passed the Senate after our caucus broke up.

The SPEAKER. Will the gentleman yield, please.

The conference at the Democratic leader's desk, please. Mr. Cohen is attempting to address the House.

Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this is one of several bills that passed the Senate after our caucus broke up. I wonder if somebody on the other side of the aisle could explain what this bill does.

The SPEAKER. The gentleman, Mr. Feese.

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, in response to the gentleman's inquiry, the Senate reworked the SLAPP (Strategic Lawsuits Against Public Participation) provisions of the bill; that is, they reworked the language of the bill. However, the intent of the bill and the objectives of the bill, I think, are reached in those provisions.

There is also a section of the bill dealing with attorney's fees in mining matters, and if I could, with the Speaker's permission, defer to Representative Sam Smith on those provisions, because he is much more familiar with those provisions than I.

The SPEAKER. Mr. Cohen, is that agreeable?

Mr. COHEN. Yes, that is agreeable.

The SPEAKER. Mr. Smith.

Mr. S. H. SMITH. Mr. Speaker, the element of this bill that deals with attorney's fees is some language that has been pretty much required of Pennsylvania's law by the Federal Office of Surface Mining. It basically brings Pennsylvania's law in

compliance or into a parallel position with the Federal laws as it relates to those situations where someone would seek to recover attorney's fees once they have proceeded in a court proceeding with DEP (Department of Environmental Protection) or a permit.

The SPEAKER. On the question, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, will Mr. George consent to interrogation?

The SPEAKER. The gentleman, Mr. George, will stand for interrogation.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I wonder if the gentleman would give us his view as to the Senate amendments.

Mr. GEORGE. Mr. Speaker, the gentleman, Mr. Smith, gave his opinion. I would like to go into a little detail on what I think has happened.

The SPEAKER. The gentleman is in order and may— Are you asking now to interrogate?

Mr. GEORGE. No; he asked, Mr. Speaker, for me to explain somewhat what I think has happened.

The SPEAKER. That is fine.

Mr. GEORGE. If I would be in order, I would like—

The SPEAKER. Absolutely.

Mr. GEORGE.—I would like to do that.

Well, as you know, Mr. Speaker, we have been trying for several years to get anti-SLAPP legislation. I do not agree that the Federal government has insisted as has been explained, because that is just not accurate at all. But my concern is that any individual citizen, and I know Republicans and Democrats alike have had that idea that we no longer wanted to stand by idly and let somebody have their home or their property or their persons violated by something that was going to take place that the department had issued a permit on. But, Mr. Speaker, this 393 as it has been sent over from the Senate tonight is by no means the ideal legislation to protect the citizens from the SLAPPs that we had originally envisioned. I am glad to note, though, that however that opposed to the prior version of the bill as it was amended in the Senate in January, as of now, this bill now contains a provision allowing for a person seeking to raise the defense of civil immunity to file a motion for a hearing to determine the preliminary issue of immunity.

Let me say this, Mr. Speaker: This matter can be taken before the Commonwealth Court. It is not strictly a civil matter where somebody that has brought suit against you for libel or slander where it goes to a Federal court; this can go to the Commonwealth Court.

Now, Mr. Speaker, if I may, I would basically give you a complete opinion when I am allowed to direct myself to this matter.

Mr. COHEN. Thank you, Mr. Speaker. I have no further questions or comments.

The SPEAKER. The Chair thanks the gentleman.

The question recurs, will the House concur in the amendments inserted by the Senate? Mr. George; I am sorry.

Mr. GEORGE. Well, Mr. Speaker, I am not going to belabor this thing, and I thank all of those who had voted and put up with my effort to get an anti-SLAPP legislation.

Now, the matter is not like it should be, and it is not as we had sent it over to the Senate in five or six bills, and there are some matters that I believe, and, Mr. Speaker, you once told me that what we do here is legal until the courts rule it out.

Now, whether the courts will do something on this, and I am concerned about the no-severability clause in this matter, but I am saying that it is the best we have and we should possibly vote for it, Mr. Speaker. But I can guarantee you that we are going to have to come back, and even though the Senate, Mr. Speaker, continues to have their say and their way, I think that we are going to have to do something in the very near future to correct a couple of deficiencies in this bill, and that is why I say, Mr. Speaker, until the courts get involved in this, you who are learned in the law will know better than I that I think as far as this SLAPP legislation is concerned, we could probably accept it, knowledgeably that we are going to have to come back and do something about it, because it is not as it ought to be.

Thank you.

The SPEAKER. On the question of concurrence, Mr. Feese.

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, just one comment in response to the gentleman's concerns regarding severability. The Statutory Construction Act, which is Title 1, indicates that all bills are severable unless we indicate otherwise, so I think that that issue is handled.

I appreciate the gentleman's work on this issue and his concerns, and I would also urge concurrence. Thank you.

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR J

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1639, PN 4229**, 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 benefits.

On the question,
Will the House concur in Senate amendments?

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

On that question, the Chair recognizes the gentleman from Lancaster County, Mr. Armstrong.

Mr. ARMSTRONG. I was wondering if the gentleman, the prime sponsor of the bill—

BILL PASSED OVER

The SPEAKER pro tempore Without objection, the bill will be over.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1728, PN 4180**, entitled:

An Act amending the act of December 7, 1990 (P.L.639, No.165), known as the Hazardous Material Emergency Planning and Response Act, further providing for additional powers and duties for the Pennsylvania Emergency Management Agency, for definitions, for establishment and functions of local emergency planning committees, for hazardous material safety program, for emergency reporting and notification requirements, for establishment of funds, for emergency management grants, for facility and vehicle inspection and testing, for immunity from civil liability and for enforcement; and making editorial changes.

On the question,
Will the House concur in Senate amendments?

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

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

| | | | |
|------------|-----------|-----------|------------|
| Dermody | Lynch | Rubley | Youngblood |
| DeWeese | Maher | Ruffing | Yudichak |
| DiGirolamo | Maitland | Sainato | Zimmerman |
| Donatucci | Major | Samuelson | Zug |
| Eachus | Manderino | Santoni | |
| Egolf | Mann | Sather | Ryan, |
| Evans | Markosek | Saylor | Speaker |
| Fairchild | | | |

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2216, PN 4171**, entitled:

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

On the question,
Will the House concur in Senate amendments?

The SPEAKER pro tempore. It is moved by the gentleman, Mr. Clark, that the House concur in the amendments inserted by the Senate.

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS-192

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

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

NAYS-3

| | | |
|---------|-------|--------|
| Freeman | Steil | Wright |
|---------|-------|--------|

NOT VOTING-0

EXCUSED-5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR K

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2014, PN 4167**, entitled:

An Act amending the act of July 22, 1913 (P.L.912, No.437), entitled, "An act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping, or attempting to escape, from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania, by the respective counties from whose courts the said escaping convicts or prisoners have been committed; and providing for the maintenance of such convicts under sentence for escape, et cetera," further providing for maintenance of escaping convicts under new sentence; providing for criminal offense during confinement; and making a repeal.

On the question,
Will the House concur in Senate amendments?

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

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to SB 1330, PN 2319, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to sell and convey to the Wernersville Municipal Authority certain land situate on Wernersville State Hospital, South Heidelberg Township, Berks County; and authorizing the Department of General Services, with the approval of the Governor and the Department of Transportation, to convey to the Grand Canyon Airport Authority certain lands situate in Shippen and Delmar Townships, Tioga County.

On the question,

Will the House concur in Senate amendments to House amendments?

The SPEAKER pro tempore. Moved by the majority leader that the House concur in the amendments.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in. Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR O

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 390, PN 2325**, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), entitled The Local Tax Enabling Act, further defining "net profits."

On the question,

Will the House concur in Senate amendments to House amendments?

The **SPEAKER** pro tempore. Moved by the majority leader that the House concur in the amendments.

The question recurs, will the House concur in the amendments inserted by the Senate to House amendments? On that question, the Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, this is another one of the short list of bills we have not caucused on.

The key of this bill is on page 8. This exempts a series of taxes. I am sorry; this exempts a series of streams of money from the net-profits tax for farmers. It exempts interest earnings; it exempts gains on the sale of farm machinery; it exempts gains

on the sale of livestock; it exempts gains on the sale of other capital assets of the farm. I call this to your attention.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in.
 Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 712, PN 2326**, entitled:

An Act amending the act of May 2, 1945 (P.L.382, No.164), entitled Municipality Authorities Act of 1945, further providing for the purposes and powers of an authority, for governing body residency requirements and for water and sewer service to tenants.

On the question,

Will the House concur in Senate amendments to House amendments?

The SPEAKER pro tempore. Moved by the majority leader that the House concur in the amendments.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 844, PN 2327**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for participation in certain environmental cases and for criminal victim aid good Samaritan civil immunity.

On the question,

Will the House concur in Senate amendments to House amendments?

The SPEAKER pro tempore. Moved by the majority leader that the House concur in the amendments.

The question recurs, will the House concur in the amendments inserted by the Senate to House amendments? On that question, the Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, this is another one of the bills that we have not caucused on. Could we have an explanation, please.

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

Mr. GANNON. Thank you, Madam Speaker.

Madam Speaker, "three strikes" was found unconstitutional, and this legislation is a remedy for the portions of that law that were held unconstitutional.

The Democrat chairman of the committee as well as myself support concurrence, and I will defer to the Democrat chairman for some comments.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne County, Mr. Blaum.

Mr. BLAUM. Thank you, Madam Speaker.

I concur with the gentleman, Mr. Gannon, that the changes made by the Senate actually improve the situation because of

the court's determination on "three strikes," provides the prescriptive penalties, and as well in dealing with Megan's Law, that someone convicted of exploitation of children also has to register for a period of 10 years.

I think the amendments are well founded, and I ask for the members' support.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—193

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

NAYS—2

| | |
|-----------|--------|
| Manderino | Vitali |
|-----------|--------|

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 1178, PN 2328**, entitled:

An Act authorizing the Department grant and convey to Somerset County Conservancy Charitable Trust, certain lands situate in Somerset Township, Somerset County; authorizing the Governor, to quitclaim to Rush Township a tract of land situate in Rush Township, Centre County; authorizing the Department of and convey to Huston Township Sewer Authority, certain lands situate in Huston Township, Clearfield County; authorizing the Department grant and convey to Mt. Rock United Methodist Church, certain lands situate in West Pennsboro Township, Cumberland County; authorizing the Governor, to convey a tract of land in the Borough of Selinsgrove, Snyder County, to the Eastern Snyder County Regional Authority in exchange for another tract of land in the Borough of Selinsgrove, Snyder County; authorizing approval of the Governor, to grant and convey to Snyder County certain lands situate in Penn Township; authorizing the Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, to amend the use restriction and reversionary covenant on the real estate conveyed to Hartley Township, situate in Hartley Township, Union County; and authorizing and directing the Department of General Services, with the approval of the Governor, to convey to the Pocono Mountains Municipal Airport Authority certain property located in Coolbaugh Township, Monroe County, which is part of the facility formerly known as the Mount Pocono Airport, and now known as the Pocono Mountains Municipal Airport; authorizing the Department of General Services, with the approval of the Governor and of the Pennsylvania Historical and Museum Commission, to sell and convey to the County of Fayette, a certain tract of land and right-of-way situate in Wharton Township, Fayette County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and Department of Transportation, to sell and convey to the Borough of Hollidaysburg certain land situate in the Borough of Hollidaysburg, Blair County, Pennsylvania; authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Huntingdon Area School District certain land situate in Huntingdon Borough, Huntingdon County, Pennsylvania; and authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Philadelphia Suburban Water Company, certain lands situate in West Bradford Township and Newlin Township, Chester County, and authorizing and directing the Department of General Services, with the approval of the Governor, to release a use restriction and reversionary covenant on a portion, 1.5-acres, of the lands conveyed to Chester County under Act 5 of 1988.

On the question,

Will the House concur in Senate amendments to House amendments?

The SPEAKER pro tempore. Moved by the majority leader that the House concur in the amendments.

The question recurs, will the House concur in the amendments inserted by the Senate to House amendments?

On that question, the Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, this is another one of the amendments we have not caucused on. Could somebody give an explanation, please.

The SPEAKER pro tempore. There does not appear to be anyone willing to stand at this time.

Mr. COHEN. Could we hold over the bill for a few minutes until somebody is available? I am told we have a good number of other bills.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset County, Dr. Bastian.

Mr. BASTIAN. Thank you, Madam Speaker.

This is a land transfer bill. That is really all it is.

Mr. COHEN. And there are many land transfers throughout the Commonwealth? There are many land transfers throughout the Commonwealth, correct?

Mr. BASTIAN. That is right.

Mr. COHEN. Thank you, Madam Speaker.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—195

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

| | | | |
|------------|-----------|-----------|------------|
| Dempsey | Lucyk | Ross | Yeweic |
| Dermody | Lynch | Rubley | Youngblood |
| DeWeese | Maher | Ruffing | Yudichak |
| DiGirolamo | Maitland | Sainato | Zimmerman |
| Donatucci | Major | Samuelson | Zug |
| Eachus | Manderino | Santoni | |
| Egolf | Mann | Sather | Ryan, |
| Evans | Markosek | Saylor | Speaker |
| Fairchild | | | |

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR M

BILL ON CONCURRENCE
IN SENATE AMENDMENTS
AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 877, PN 4236**, as further amended by the House Rules Committee:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for inspection of court files and records, for juvenile history record information, for place of detention and for the definition of "local agency" for purposes of matters affecting governmental units.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER pro tempore. It is moved by the gentleman, Mr. Feese, that the House concur in the amendments.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

The following roll call was recorded:

YEAS—192

| | | | |
|-----------|---------|------------|--------------|
| Adolph | Fargo | Masland | Schroder |
| Allen | Feese | Mayernik | Schuler |
| Argall | Fichter | McCall | Scrimenti |
| Armstrong | Fleagle | McGeehan | Semmel |
| Baker | Flick | McGill | Shaner |
| Bard | Forcier | McIlhatten | Smith, B. |
| Barley | Frankel | McIlhinney | Smith, S. H. |
| Barrar | Freeman | McNaughton | Snyder |

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

NAYS-3

| | | |
|---------|-----------|------|
| DeWeese | Lescovitz | Veon |
|---------|-----------|------|

NOT VOTING-0

EXCUSED-5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

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

SUPPLEMENTAL CALENDAR E

RESOLUTION

Mr. GANNON called up HR 636, PN 4198, entitled:

A Resolution directing the Judiciary Committee to study the publication of legal notices.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-1

Nailor

EXCUSED-5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

RULES SUSPENDED

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

Mr. PERZEL. Madam Speaker, I move that the rules of the House be suspended in order to offer SR 43.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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.

RESOLUTION

Mr. PERZEL called up SR 43, PN 2187, entitled:

A Concurrent Resolution urging the Governor to establish a committee to study allergic reaction associated with natural rubber latex and natural rubber latex products.

On the question,
Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Birmelin Josephs Leh True
Cappabianca

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

Ordered, That the clerk inform the Senate accordingly.

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Union County, Mr. Fairchild.

Mr. FAIRCHILD. Madam Speaker, I move for an immediate suspension of the rules in order to offer HB 2833, PN 4107.

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—1

Chadwick

EXCUSED—5

Birmelin Josephs Leh True
Cappabianca

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2833, PN 4107**, entitled:

An Act amending the act of June 26, 1981 (P.L.119, No.39), entitled "An act authorizing and directing the Department of General Services, with the approval of the Department of Environmental Resources and the Governor, to convey to Hartley Township, 1.308 acres of land situate in Hartley Township, Union County, Pennsylvania," further providing for the use restriction and reversionary covenant.

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

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

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

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

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

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

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 393, PN 4235

An Act amending Title 27 (Environmental Protection) of the Pennsylvania Consolidated Statutes, providing for participation in environmental law or regulation and for costs in mining proceedings.

HB 819, PN 4228

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

HB 1150, PN 4224

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes

Act, further providing for reports by charitable organizations and for exemptions from registration.

HB 1728, PN 4180

An Act amending the act of December 7, 1990 (P.L.639, No.165), known as the Hazardous Material Emergency Planning and Response Act, further providing for additional powers and duties for the Pennsylvania Emergency Management Agency, for definitions, for establishment and functions of local emergency planning committees, for hazardous material safety program, for emergency reporting and notification requirements, for establishment of funds, for emergency management grants, for facility and vehicle inspection and testing, for immunity from civil liability and for enforcement; and making editorial changes.

HB 2014, PN 4167

An Act amending the act of July 22, 1913 (P.L.912, No.437), entitled, "An act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping, or attempting to escape, from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania, by the respective counties from whose courts the said escaping convicts or prisoners have been committed; and providing for the maintenance of such convicts under sentence for escape, et cetera," further providing for maintenance of escaping convicts under new sentence; providing for criminal offense during confinement; and making a repeal.

HB 2216, PN 4171

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

HB 2272, PN 4212

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for retaliation against witness, victim or party.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. May I have the attention of the members, please, to give a prognosis of the balance of the evening and the session.

Right now we have no bills in any position to act on as I say this. However, the Senate, and I am guessing, but I believe they have two or three bills that are being considered now or will shortly be considered. They are moving actively, I am told, through the Senate calendar, and we expect them in a short period of time.

There is a bill, House— There is a Title 75 bill that is in the Senate. They have not yet considered it. It is a 200- or 300-page bill, I am told. I know at least one member of the House wants to amend it when it gets here, and it is, I am told by the Senate, it is a minimum of 45 minutes before it can be printed and in a position to be considered by the Senate. I know of no amendments to it in the Senate, so it, hopefully, would be considered promptly in the Senate and come over here, and at that time we could, of course, consider it, because there is nothing else before us except these some two or three other bills.

I will keep you informed as we move along. I will keep you really informed on the progress of the Title 75 bill, which I am told will take three-quarters of an hour to print after the Senate has completed it and sends it here or it is on its way here, but I will give you more information on that as the evening progresses.

Right now I will, unless anyone has comments to make, I will put the House at ease until we receive some of the bills from the Senate that we are expecting.

VOTE CORRECTIONS

The SPEAKER. Mr. McGill.

Mr. MCGILL. Thank you, Mr. Speaker.

Is now the time when I could correct the record?

The SPEAKER. Indeed, yes.

Mr. MCGILL. Mr. Speaker, on HB 2216 I was voted in the affirmative. I wish to be recorded in the negative.

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

Mrs. Cohen.

Mrs. COHEN. Thank you, Mr. Speaker.

It happened again. On HB 2216 I was recorded in the affirmative. I would like to be recorded in the negative.

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

Mrs. COHEN. Thank you.

The SPEAKER. Any other corrections, announcements, closing-day speeches?

The gentleman, Mr. Browne.

Mr. BROWNE. Thank you, Mr. Speaker.

On HB 47 my switch malfunctioned. I would like to be recorded in the affirmative.

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

MOTION TO ADJOURN

The SPEAKER. The gentleman, Mr. Samuelson.

Mr. SAMUELSON. Mr. Speaker, I would like to make a motion to adjourn until 10 o'clock tomorrow morning. If we have a 300-page bill coming, that would give us a chance to caucus on it and read the 300-page bill.

My motion is to adjourn until 10 a.m. Wednesday morning, November 22, unless sooner recalled by the Speaker.

The SPEAKER. I maybe should have mentioned some, I guess it is private information on that, that this bill, the changes that were made in the Senate to the House bill — it is a House bill — apparently, my information is, these changes were agreed to by all four caucuses. Our problem is not so — and I am sure you read those 300 pages when it was here — our problem is more one of getting things moved over here in as timely a fashion as possible. I think the members are satisfied, from my information, that the changes do not amount to a whole lot now.

I would ask the gentleman, unless he insists — and I am going to put your motion — to give some thought to whether you want to make such a motion at this time.

Mr. SAMUELSON. My motion is just for 9 hours, until 10 a.m. tomorrow morning, and we can come back and—

The SPEAKER. All right.

The gentleman, Mr. Samuelson, moves that this House do now adjourn until Wednesday, November 22, at — 10 a.m., Mr. Samuelson? — at 10 a.m.

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

The SPEAKER. On the question of adjournment, the majority whip is recognized.

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, the Senate will be conducting business yet this evening and finishing up their business. Because of the fact that we only have one piece of legislation, hopefully, coming back to us, and the members are already here, we would ask to oppose this motion at this time.

The SPEAKER. There is more than one bill. There is just one major bill and two or three less important.

On the question, Mr. DeWeese.

Mr. DEWEESE. Thank you, Mr. Speaker.

Due to the fact that tomorrow is one of the busiest days of the year on the turnpike and the interstate and due to the fact that we have had caucus agreements on the more complicated aspects of the proposals, I would concur with the majority party and reject the idea as long as the conjecture of the Chair holds true that within the next couple hours we will be moving. I think that a good night's sleep and then the turnpike or the interstate highways, getting home in early afternoon, would be preferable.

So I would ask for a negative vote on the motion to adjourn.

The SPEAKER. On the question, those in favor of adjourning until 10 a.m. tomorrow morning will vote "aye"; those opposed to adjourning at this time will vote "no."

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

The following roll call was recorded:

YEAS—54

| | | | |
|-----------|-----------|-----------|------------|
| Belardi | Eachus | Manderino | Roebuck |
| Belfanti | Freeman | Mann | Sainato |
| Buxton | George | McCall | Samuelson |
| Carn | Gordner | Melio | Scrimenti |
| Casorio | Gruitza | Michlovic | Solobay |
| Cawley | Haluska | Myers | Steelman |
| Cohen, M. | James | Nailor | Tigue |
| Colafella | Kirkland | Pesci | Trich |
| Corrigan | Krebs | Petrarca | Vitali |
| Coy | LaGrotta | Ramos | Washington |
| Curry | Laughlin | Rieger | Williams |
| Daley | Lawless | Roberts | Yewcic |
| Dermody | Levdansky | Robinson | Yudichak |
| Donatucci | Lucyk | | |

NAYS—141

| | | | |
|-------------|----------|------------|--------------|
| Adolph | Feese | McGeehan | Smith, B. |
| Allen | Fichter | McGill | Smith, S. H. |
| Argall | Fleagle | McIlhattan | Snyder |
| Armstrong | Flick | McIlhinney | Staback |
| Baker | Forcier | McNaughton | Stairs |
| Bard | Frankel | Metcalfe | Steil |
| Barley | Gannon | Micozzie | Stern |
| Barrar | Geist | Miller, R. | Stetler |
| Bastian | Gladeck | Miller, S. | Stevenson |
| Battisto | Godshall | Mundy | Strittmatter |
| Bebko-Jones | Grucela | Nickol | Sturla |
| Benninghoff | Habay | O'Brien | Surra |

| | | | |
|--------------|------------|----------|---------------|
| Bishop | Hanna | Oliver | Tangretti |
| Blaum | Harhai | Orie | Taylor, E. Z. |
| Boyes | Harhart | Perzel | Taylor, J. |
| Browne | Hasay | Petrone | Thomas |
| Bunt | Hennessey | Phillips | Travaglio |
| Butkovitz | Herman | Pippy | Trello |
| Caltagirone | Hershey | Pistella | Tulli |
| Chadwick | Hess | Platts | Vance |
| Civera | Horsey | Preston | Van Horne |
| Clark | Hutchinson | Raymond | Veon |
| Clymer | Jadlowiec | Readshaw | Walko |
| Cohen, L. I. | Kaiser | Reinard | Wansacz |
| Cornell | Keller | Rohrer | Waters |
| Costa | Kenney | Rooney | Wilt |
| Dailey | Lederer | Ross | Wogan |
| Dally | Lescovitz | Rubley | Wojnaroski |
| DeLuca | Lynch | Ruffing | Wright |
| Dempsey | Maher | Santoni | Youngblood |
| DeWeese | Maitland | Sather | Zimmerman |
| DiGirolamo | Major | Saylor | Zug |
| Egolf | Markosek | Schroder | |
| Evans | Marsico | Schuler | |
| Fairchild | Masland | Semmel | Ryan, |
| Fargo | Mayernik | Shaner | Speaker |

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

SENATE MESSAGE

**HOUSE AMENDMENTS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 612, PN 2309**.

SENATE MESSAGE

**AMENDED HOUSE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 2328, PN 4211**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

VOTE CORRECTION

The SPEAKER. The Chair recognizes the lady, Mrs. Rubley. For what purpose does the lady rise?

Mrs. RUBLEY. To correct the record, Mr. Speaker.

The SPEAKER. The lady may proceed.

Mrs. RUBLEY. On HB 2216 I was recorded in the affirmative, and I would like to be recorded in the negative. Thank you.

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

ANNOUNCEMENT BY MR. GANNON

The SPEAKER. Mr. Gannon, do you seek recognition? The gentleman is recognized.

Mr. GANNON. Just for an announcement, Mr. Speaker.

The majority chairman and minority chairman of the House Judiciary Committee have accepted the report concerning the inquiry into Girard College and the Board of City Trusts, and the report is available to any member that would want a copy of it from either the majority staff or the minority staff of the Judiciary Committee.

The SPEAKER. The Chair thanks the gentleman.

VOTE CORRECTION

The SPEAKER. Mr. Sturla.

Mr. STURLA. Mr. Speaker, on HB 877 I was recorded in the affirmative on the final vote. I wish to be recorded in the negative.

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The gentleman, Mr. Semmel.

Mr. SEMMEL. Thank you, Mr. Speaker.

I would like to have some post-passage comments on HB 1728 referred.

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

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

Mr. Speaker, I would like to personally commend Representative Pat Browne for his authorship and hard work on HB 1728.

As well, I would like to thank Minority Chairman Michlovic, the Veterans Affairs and Emergency Preparedness Committee members and staff, as well as PEMA (Pennsylvania Emergency Management Agency) and other interested groups that were of great assistance to the committee as it undertook the important task of updating the Commonwealth's "Hazardous Material Emergency Planning and Response Act."

The enactment of HB 1728 will indeed enhance the safety of our communities, and as well, will enhance the hazardous material response capabilities of county governments across this Commonwealth.

Thank you, Mr. Speaker.

BILL SIGNED BY SPEAKER

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

SB 612, PN 2309

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for controlled goose hunting areas, for unlawful taking or possession of game or wildlife, for certain mandatory hunter education requirements, for the use of crossbows as legal hunting devices, for the application, issuance and fees of various licenses including elk hunting licenses, for deer control permits in cities of the first class and for disabled person permits.

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

RULES COMMITTEE MEETING

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

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE****HB 2328, PN 4211**

By Rep. PERZEL

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for forfeiture relating to intestate succession, for granting of letters testamentary and letters of administration, for qualifications to serve as a personal representative, for revocation of letters testamentary and letters of administration and for removal of personal representative; and providing for a preadjudication rule.

RULES.

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman, Mr. Petrarca. For what purpose does the gentleman rise?

Mr. PETRARCA. To correct the record, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. PETRARCA. On SB 612 I was recorded in the affirmative. I would like to be recorded in the negative on final passage.

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

Mr. PETRARCA. Thank you.

STATEMENT BY MR. WALKO

The SPEAKER. The gentleman, Mr. Walko. For what reason does the gentleman rise?

Mr. WALKO. I rise, Mr. Speaker, to ask for unanimous consent to discuss a resolution, very briefly, that was passed earlier.

The SPEAKER. The gentleman may begin.

Mr. WALKO. HR 641 was passed by this House to honor a number of firefighters in the city of Pittsburgh who, among other things, showed great heroism by rescuing a mother and her three children from a burning home in the North Side of Pittsburgh, Pennsylvania. Representative Petrone and I introduced the resolution, along with many others, to honor them here in the House of Representatives.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. The House will be temporarily in recess.

AFTER RECESS

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. To update the members, the Senate has three bills that we have been waiting for, which are, I am told, on their way over from the Senate, and the Title 75 long bill, the 200-and-some-odd-page bill, I am told is being considered by the Senate shortly and it is in print and will immediately thereafter come to the House. So I am suggesting that the members in their offices start to migrate towards the floor in hopes that we will be in a position to vote all these bills in about 10 minutes, 15 minutes at the latest.

RECESS

The SPEAKER. The House will stand in recess.

AFTER RECESS

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Members, please report to the floor.

The current situation as I now understand it, there are four bills that the Senate has sent over to the House. They are in our possession. We are prepared to vote them. The fifth bill is the Title 75 bill we still have problems with. It remains in the Senate, and to the best of my knowledge, it has not been taken up by the Senate as of this time, but in anticipation of trying to move this along and closing down, I have recommended to the leaders that we do the four bills that we have at this time and then see where the Senate is.

SENATE MESSAGE**HOUSE AMENDMENTS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 181, PN 4231**.

SENATE MESSAGE**AMENDED HOUSE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 1142, PN 3337**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE**AMENDED SENATE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 1444, PN 2334**.

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

SENATE MESSAGE**AMENDED HOUSE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 2189, PN 4237**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RULES COMMITTEE MEETING

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

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE****HB 1142, PN 3337**

By Rep. PERZEL

An Act establishing Neighborhood Improvement Districts; conferring powers and duties on municipal corporations and neighborhood improvement districts; providing for annual audits; and making repeals.

RULES.**HB 2189, PN 4237**

By Rep. PERZEL

An Act amending the act of December 12, 1973 (P.L.397, No.141), referred to as the Teacher Certification Law, providing for a short title; further providing for definitions relating to professional standards and requirements, for the Professional Standards and Practices Commission, for its membership and qualifications, for its powers and duties, for its organization and meetings and for complaints; providing for the imposition of discipline against professional educators; further providing for confidentiality, for duties of local school board officials, for department action after

investigation, for hearings, for decisions by hearing officers, for appeals, for reinstatement and for unauthorized release of information; providing for immunity from liability; further providing for commission proceedings and procedures; and providing for charter school staff members.

RULES.**SB 1444, PN 2334**

By Rep. PERZEL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for probable cause arrests in domestic violence cases; defining the offense of bomb threats; and further providing for firearms not to be carried without a license, for sale or transfer of firearms and for firearms background check advisory committee.

RULES.**SUPPLEMENTAL CALENDAR P****BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2328, PN 4211**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for forfeiture relating to intestate succession, for granting of letters testamentary and letters of administration, for qualifications to serve as a personal representative, for revocation of letters testamentary and letters of administration and for removal of personal representative; and providing for a preadjudication rule.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR Q

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 1444, PN 2334**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for probable cause arrests in domestic violence cases; defining the offense of bomb threats; and further providing for firearms not to be carried without a license, for sale or transfer of firearms and for firearms background check advisory committee.

On the question,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS-195

| | | | |
|-----------|---------|----------|-----------|
| Adolph | Fargo | Marsico | Schroder |
| Allen | Feese | Masland | Schuler |
| Argall | Fichter | Mayernik | Scrimenti |
| Armstrong | Fleagle | McCall | Semmel |

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

NAYS-0

NOT VOTING-0

EXCUSED-5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR R

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1142, PN 3337**, entitled:

An Act establishing Neighborhood Improvement Districts; conferring powers and duties on municipal corporations and

neighborhood improvement districts; providing for annual audits; and making repeals.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. Mr. Cohen.
Mr. COHEN. Thank you.

Mr. Speaker, could the gentleman, Mr. Reinard, explain what the amendments are?

The SPEAKER. The gentleman, Mr. Reinard, is recognized.
Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, the Senate amendment was a very minor, technical amendment. When we passed the neighborhood improvement district bill over from this House unanimously, we said that 51 percent of the people had to elect to want to participate in order to have that zone be drawn. What the Senate has done is said that 60 percent of the people need to approve it in order for the district to be drawn. Other than that, it falls in line everywhere except those percentage changes.

The SPEAKER. Mr. Cohen, are you satisfied?

On the question recurring,
Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

| | | | |
|------------|-----------|-----------|------------|
| Dempsey | Lucyk | Ross | Yewcic |
| Dermody | Lynch | Rubley | Youngblood |
| DeWeese | Maher | Ruffing | Yudichak |
| DiGirolamo | Maitland | Sainato | Zimmerman |
| Donatucci | Major | Samuelson | Zug |
| Eachus | Manderino | Santoni | |
| Egolf | Mann | Sather | Ryan, |
| Evans | Markosek | Saylor | Speaker |
| Fairchild | | | |

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 2189, PN 4237**, entitled:

An Act amending the act of December 12, 1973 (P.L.397, No.141), referred to as the Teacher Certification Law, providing for a short title; further providing for definitions relating to professional standards and requirements, for the Professional Standards and Practices Commission, for its membership and qualifications, for its powers and duties, for its organization and meetings and for complaints; providing for the imposition of discipline against professional educators; further providing for confidentiality, for duties of local school board officials, for department action after investigation, for hearings, for decisions by hearing officers, for appeals, for reinstatement and for unauthorized release of information; providing for immunity from liability; further providing for commission proceedings and procedures; and providing for charter school staff members.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. On that question, Mr. Cohen.
Mr. COHEN. Thank you, Mr. Speaker.
Could Mr. Stairs or someone else explain what this bill does?
The SPEAKER. As amended.
Mr. COHEN. As amended.
Mr. STAIRS. Yes. Thank you, Mr. Speaker.
Glad to make brief remarks.

This bill is more of a clerical and a technical correction except the changes to the reinstatement of certifications and the reduction of filing time for complaints against an educator, but it is certainly technical and clerical in nature.

The SPEAKER. Mr. Cohen.
Mr. COHEN. Mr. Speaker, you are telling us there is no substance at all in this bill?

Mr. STAIRS. It depends what substance you want to have in the bill, I guess.

Mr. COHEN. On teacher certification, could you give us a more specific answer as to what it does?

Mr. STAIRS. Certainly. I will be glad to indulge in your time to read certain changes that the Senate had made.

It adds language to the definition of "discipline" in order to denote the specific certification subject to revocation, and also it adds language to clarify that complaints against an educator involving sexual abuse or exploitation of a child may be filed up to 5 years after the student turns 18.

Also, it changes the certified employee to certificated employee. That is a technical change. It adds the phrase "or their designees" after the list of school officers who must report the disciplinary incidents, and it clarifies the beginning of the period of time for taking action against an educator changes from the date of receipt of disciplinary action.

And the last thing, it adds language to deny reinstatement of a suspended certificate to an educator who is indicted for a sexual offense when the victim was a minor.

Mr. COHEN. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Horsey.

Mr. HORSEY. Mr. Speaker, will the gentleman stand for—I just have a couple questions.

I am just curious. Did you say it was a 5-year limitation on acts of sexually related abuse against kids?

Mr. STAIRS. 5 years after the student turns 18.

Mr. HORSEY. Mr. Speaker, is there a reason why there is—

Mr. STAIRS. Say if the student was 3 years old—

Mr. HORSEY. Is there a reason why there is a limitation at all? I am just asking out of curiosity.

Mr. STAIRS. Yes. It is 5 years after the child turns 18, but anytime before that, they can do that, yeah. If the child is 5 years old, you can do it anytime after 5, until 5 years after they are 18. So that would be 18 years basically, yeah.

Mr. HORSEY. And I saw the provision on— Does this bill have something in it about a teacher losing a certification relative to the Department of Education can take it?

Mr. STAIRS. Yes.

Mr. HORSEY. Okay. All right. Thank you.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair has been advised that the Title 75 bill that we have been waiting on has passed the Senate, and we expect that it will be here shortly. We have a calendar. We have a calendar being printed now.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 181, PN 4231

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, authorizing the Department of Community and Economic Development to adopt a program of training, examination and qualification for tax collectors; and restricting the ability of the Pennsylvania Housing Finance Agency to insure or guarantee mortgages and other debt.

HB 1142, PN 3337

An Act establishing Neighborhood Improvement Districts; conferring powers and duties on municipal corporations and neighborhood improvement districts; providing for annual audits; and making repeals.

HB 2189, PN 4237

An Act amending the act of December 12, 1973 (P.L.397, No.141), referred to as the Teacher Certification Law, providing for a short title; further providing for definitions relating to professional standards and requirements, for the Professional Standards and Practices Commission, for its membership and qualifications, for its powers and duties, for its organization and meetings and for complaints; providing for the imposition of discipline against professional educators; further providing for confidentiality, for duties of local school board officials, for department action after investigation, for hearings, for decisions by hearing officers, for appeals, for reinstatement and for unauthorized release of information; providing for immunity from liability; further providing for commission proceedings and procedures; and providing for charter school staff members.

HB 2328, PN 4211

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for forfeiture relating to intestate succession, for granting of letters testamentary and letters of administration, for qualifications to serve as a personal representative, for revocation of letters testamentary and letters of administration and for removal of personal representative; and providing for a preadjudication rule.

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

The SPEAKER. The House will be momentarily at ease hopefully for no more than 5 minutes awaiting the arrival of legislation from the Senate.

SENATE MESSAGE

**AMENDED HOUSE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 1470, PN 4234**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RULES COMMITTEE MEETING

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

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 1470, PN 4234

By Rep. PERZEL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding and amending definitions; further providing for certificates of title; providing for salvage, theft and

reconstructed vehicles; further providing for registration of vehicles, for registration plates, for registration violations and suspensions, for licensing of drivers, for comprehensive system for driver education and control, for driver's license violations, for driver's license compact, for commercial drivers, for required financial responsibility, for payments to special funds, for registration fees, for permits, for the Motor Vehicle Transaction Recovery Fund, for obedience to and effect of traffic laws, for traffic-control devices, for right-of-way, for special stops required, for stopping, standing and parking, for speed restrictions, for rights and duties of pedestrians, for depositing waste and other material on highway, property or water and for abandonment and stripping of vehicles; providing for restitution of property owners and for restrictions on alcoholic beverages; further providing for accidents involving overturned vehicles, for serious traffic offenses, for accidents and accident reports, for equipment standards, for lighting equipment, for safety and antipollution equipment, for vehicles for transportation of school children, for equipment of authorized and emergency vehicles, for inspection requirements, for official inspection stations, for vehicle size, weight and load, for powers of the Department of Transportation and local authorities, for enforcement, for misuse of documents and plates, for tampering with odometers, for abandoned vehicles and cargos, for messenger service and for snowmobiles and all-terrain vehicles; providing for motor carrier safety; further providing for liquid fuels and fuels tax refunds; conferring powers and duties on the Department of Health; and making repeals.

RULES.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman, Mr. Geist, for the purpose of a motion to suspend the rules. Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

I move that we suspend rule 21 so we can immediately consider this.

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

The following roll call was recorded:

YEAS—193

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

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

NAYS—2

| | |
|--------|-------|
| Thomas | Tigue |
|--------|-------|

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

SUPPLEMENTAL CALENDAR S

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1470, PN 4234**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding and amending definitions; further providing for certificates of title; providing for salvage, theft and reconstructed vehicles; further providing for registration of vehicles, for registration plates, for registration violations and suspensions, for licensing of drivers, for comprehensive system for driver education and control, for driver's license violations, for driver's license compact, for commercial drivers, for required financial responsibility, for payments to special funds, for registration fees, for permits, for the Motor Vehicle Transaction Recovery Fund, for obedience to and effect of traffic laws, for traffic-control devices, for right-of-way, for special stops required, for stopping, standing and parking, for speed restrictions, for rights and duties of pedestrians, for depositing waste and other material on highway, property or water and for abandonment and stripping of vehicles; providing for restitution of property owners and for restrictions on alcoholic beverages; further providing for accidents involving overturned vehicles, for serious traffic offenses, for accidents and accident reports, for equipment standards, for lighting equipment, for safety and antipollution equipment, for vehicles for transportation of school children, for equipment of authorized and emergency vehicles, for inspection requirements, for official inspection stations, for vehicle size, weight and load, for powers of the Department of Transportation and local authorities, for enforcement, for misuse of documents and plates, for tampering with odometers, for abandoned vehicles and cargos, for messenger service and for snowmobiles and all-terrain vehicles; providing for motor carrier safety; further providing for liquid fuels and fuels tax refunds;

conferring powers and duties on the Department of Health; and making repeals.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—180

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

NAYS—15

| | | | |
|---------|-----------|-----------|----------|
| Casorio | Jadlowiec | Samuelson | Vitali |
| Curry | Krebs | Tangretti | Yewcic |
| Gordner | Manderino | Thomas | Yudichak |
| Gruitza | Metcalfe | Tigue | |

NOT VOTING—0

EXCUSED—5

| | | | |
|-------------|---------|-----|------|
| Birmelin | Josephs | Leh | True |
| Cappabianca | | | |

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

Ordered, That the clerk inform the Senate accordingly.

STATEMENT BY MAJORITY LEADER

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

Mr. PERZEL. Mr. Speaker, I would like to thank the members for a very successful session, and I would also like to wish them a very happy Thanksgiving.

For our members we supplied a four-page memo of all the major accomplishments.

Mr. Speaker, thank you, and I would like to congratulate our retiring members and wish them all well. Thank you, Mr. Speaker.

The SPEAKER. The Chair joins with the rest of the leaders, Republican and Democrat, in wishing all of our family of legislators a happy and healthy Thanksgiving, a happy and healthy Christmas season, holiday season, and New Year, and the Chair looks forward to seeing most of you back on January 2.

I am not going to adjourn to a date certain because it may be that the Chair will have to open up for some reason or another.

We at this time are going to take one more roll call, and that is in a Wednesday session, the master roll call on Wednesday's session.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

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

Mr. PERZEL. Mr. Speaker, I move that this House do now adjourn until Wednesday, November 22, 2000, at 3:03 a.m., e.s.t., unless sooner recalled by the Chair.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:02 a.m., e.s.t., Wednesday, November 22, 2000, the House adjourned.