

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, MARCH 13, 2001

SESSION OF 2001

185TH OF THE GENERAL ASSEMBLY

No. 14

HOUSE OF REPRESENTATIVES

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

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

PRAYER

REV. DR. TIM F. ROACH, Chaplain of the House of Representatives and pastor of Christ Presbyterian Church, Camp Hill, Pennsylvania, offered the following prayer:

Please join me in prayer:

In the promise of this new day, we bow to the reality of Your presence in our midst, O God. Alarms, appointment books, and agendas have called us to this time and to this place.

As representatives of various communities, numerous constituencies, not to mention different ideologies, we open ourselves anew to Your divine spirit in our lives and in our work. May the diversity and the differences present here be a channel through which Your way is determined and Your work is accomplished.

Bless this House of Representatives and all its deliberations and decisions. Abide with the members of this House as they serve the welfare of this Commonwealth. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, March 12, 2001, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 877 By Representatives CAWLEY and TIGUE

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for hunting on Sunday.

Referred to Committee on GAME AND FISHERIES, March 13, 2001.

No. 922 By Representatives MAYERNIK, RAYMOND, C. WILLIAMS, DeWEESE, FLICK, TULLI, HORSEY, JAMES, READSHAW, RUBLEY, STABACK, T. STEVENSON, TRELLO, WASHINGTON and PISTELLA

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, authorizing shipment of wine into this Commonwealth; and further providing for unlawful acts relating to liquor, alcohol and liquor licenses.

Referred to Committee on LIQUOR CONTROL, March 13, 2001.

No. 923 By Representatives MAYERNIK, L. I. COHEN, CRUZ, ORIE, BELARDI, BELFANTI, CORRIGAN, COSTA, FRANKEL, FREEMAN, GEORGE, HARHAI, HENNESSEY, HORSEY, JAMES, JOSEPHS, LAUGHLIN, MANDERINO, McCALL, PISTELLA, READSHAW, SAINATO, SATHER, SCHRODER, THOMAS, TIGUE, C. WILLIAMS and WOJNAROSKI

An Act making an appropriation to the Department of Health for ovarian cancer prevention and educational programs.

Referred to Committee on APPROPRIATIONS, March 13, 2001.

No. 924 By Representatives MAYERNIK, METCALFE, HERSHEY, MARSICO, WILT, L. I. COHEN, COSTA, CRUZ, CURRY, FRANKEL, FREEMAN, GEORGE, GRUCELA, HARHAI, HENNESSEY, HORSEY, JAMES, KELLER, LAUGHLIN, MANN, McCALL, READSHAW, SAINATO, B. SMITH, STEELMAN, TIGUE and WANSACZ

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for manner of signing nominating petitions.

Referred to Committee on STATE GOVERNMENT, March 13, 2001.

No. 925 By Representatives MAYERNIK, READSHAW, ORIE, C. WILLIAMS, CRUZ, BELFANTI, L. I. COHEN, COSTA, CURRY, FREEMAN, GEORGE, GORDNER, HARHAI, HENNESSEY, HORSEY, KAISER, LAUGHLIN, McCALL, PISTELLA, SAINATO, SAMUELSON, SATHER, SCRIMENTI, B. SMITH, STABACK, WANSACZ and WOJNAROSKI

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for exclusions from sales and use tax.

Referred to Committee on FINANCE, March 13, 2001.

No. 926 By Representatives MAYERNIK, READSHAW, C. WILLIAMS, STEELMAN, BELFANTI, L. I. COHEN, CRUZ, CURRY, FRANKEL, FREEMAN, HARHAI, HENNESSEY, HORSEY, JOSEPHS, LAUGHLIN, McCALL and PISTELLA

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for reports of child death where abuse is suspected.

Referred to Committee on CHILDREN AND YOUTH, March 13, 2001.

No. 927 By Representatives PHILLIPS, BELFANTI, GEIST, ALLEN, BARD, CALTAGIRONE, CLARK, J. EVANS, FAIRCHILD, FORCIER, GEORGE, GODSHALL, HORSEY, R. MILLER, MUNDY, ROHRER, WANSACZ, WILT, SAYLOR and YOUNGBLOOD

An Act amending the act of May 22, 1933 (P.L.853, No.155), known as The General County Assessment Law, further providing for subjects of taxation enumerated.

Referred to Committee on LOCAL GOVERNMENT, March 13, 2001.

No. 928 By Representatives PHILLIPS, BELFANTI, GEIST, ALLEN, BARD, CALTAGIRONE, CLARK, FAIRCHILD, FORCIER, GEORGE, GODSHALL, HORSEY, R. MILLER, MUNDY, ROHRER, WANSACZ, WILT, J. EVANS, SAYLOR and YOUNGBLOOD

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, further providing for subjects of taxation enumerated.

Referred to Committee on LOCAL GOVERNMENT, March 13, 2001.

No. 929 By Representatives ZUG, ARGALL, M. COHEN, BUNT, CALTAGIRONE, CLARK, L. I. COHEN, GABIG, HENNESSEY, HERMAN, R. MILLER, SATHER, SOLOBAY, STABACK, E. Z. TAYLOR, J. TAYLOR, SCHULER, CRUZ, SEMMEL and YOUNGBLOOD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for arson and related offenses.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 13, 2001.

No. 930 By Representatives HERMAN, HENNESSEY, CURRY, FREEMAN, HARHAI, YUDICHAK, BROWNE, CALTAGIRONE, CAPPELLI, DeLUCA, GEIST, HORSEY, R. MILLER, NICKOL, READSHAW, RUBLEY, SATHER, SAYLOR, STERN, R. STEVENSON, T. STEVENSON, SURRA, WATSON, WILT, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for definitions relating to consolidation or merger, for initiative of electors seeking consolidation or merger without home rule; providing for initiative of electors seeking consolidation or merger with a new home rule charter; further providing for conduct of referenda and for consolidation or merger agreement; and making editorial changes.

Referred to Committee on LOCAL GOVERNMENT, March 13, 2001.

No. 931 By Representatives NAILOR, BROWNE, ARMSTRONG, BUNT, L. I. COHEN, COLAFELLA, COY, FLEAGLE, FORCIER, GEIST, KENNEY, LAUGHLIN, LEDERER, MARSICO, McCALL, MICOZZIE, S. MILLER, ORIE, READSHAW, ROEBUCK, ROHRER, RUBLEY, SATHER, SHANER, STABACK, STERN, E. Z. TAYLOR, VANCE, VEON and YOUNGBLOOD

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "building maintenance or cleaning services" for purposes of sales and use tax.

Referred to Committee on FINANCE, March 13, 2001.

No. 932 By Representatives NAILOR, STAIRS, DeWEESE, J. TAYLOR, ALLEN, BARD, BASTIAN, BROWNE, CALTAGIRONE, CAPPELLI, L. I. COHEN, M. COHEN, CORRIGAN, COSTA, DALEY, GEIST, GRUCELA, HENNESSEY, HORSEY, JOSEPHS, KENNEY, LAUGHLIN, LEVDANSKY, MANDERINO, MANN, McILHATTAN, MYERS, READSHAW, SATHER, SAYLOR, SCHULER, SHANER, SOLOBAY, STABACK, STURLA, E. Z. TAYLOR, C. WILLIAMS, B. SMITH, MACKERETH and YOUNGBLOOD

An Act providing for a limited loan forgiveness program for certified Pennsylvania residents who teach in an empowerment district.

Referred to Committee on EDUCATION, March 13, 2001.

No. 933 By Representatives STAIRS, COLAFELLA, BASTIAN, CLYMER, FLEAGLE, FLICK, HERMAN, KREBS, McILHATTAN, R. MILLER, NAILOR, SCHULER, T. STEVENSON, GRUCELA, MUNDY, STEELMAN, STURLA, C. WILLIAMS, ADOLPH, ARMSTRONG, M. BAKER, BARD, BEBKO-JONES, BELARDI, BELFANTI, BENNINGHOFF, BUNT, CALTAGIRONE, CAPPABIANCA, CAPPELLI, CASORIO, CIVERA, L. I. COHEN, COLEMAN, CORRIGAN, COY, CRUZ, DAILEY, DeLUCA, EACHUS, FAIRCHILD, FESE, FICHTER, FORCIER, FRANKEL, FREEMAN, GEIST, GEORGE, GODSHALL, GORDNER, HALUSKA, HARHAI, HASAY, HENNESSEY, HERSHEY, HESS, HORSEY, JAMES, JOSEPHS, KAISER, LAUGHLIN, LEVDANSKY, MACKERETH, MAITLAND, MANDERINO, MANN, MARKOSEK, MARSICO, McCALL, MELIO, MICOZZIE, S. MILLER, NICKOL, O'BRIEN, ORIE, PETRARCA, PIPPY, PRESTON, READSHAW, ROSS, RUBLEY, SAINATO, SATHER, SAYLOR, SCHRODER, SCRIMENTI, SEMMEL, SHANER, S. H. SMITH, SOLOBAY, STABACK, STEIL, SURRA, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, TRELLO, WALKO,

WANSACZ, WATSON, WILT, WOJNAROSKI, WRIGHT, YOUNGBLOOD and YUDICHAK

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

Referred to Committee on EDUCATION, March 13, 2001.

No. 934 By Representatives STAIRS, KREBS, COLAFELLA, CLYMER, HERMAN, McILHATTAN, GRUCELA, STEELMAN, C. WILLIAMS, YEWIC, BELFANTI, CALTAGIRONE, L. I. COHEN, HALUSKA, HARHAI, HENNESSEY, HORSEY, JOSEPHS, LAUGHLIN, MANDERINO, MARKOSEK, ORIE, PIPPY, PRESTON, READSHAW, SATHER, SAYLOR, SCHRODER, SEMMEL, SHANER, TANGRETTI, E. Z. TAYLOR, TRAVAGLIO, TRELLO, WOJNAROSKI and YOUNGBLOOD

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

Referred to Committee on EDUCATION, March 13, 2001.

No. 935 By Representatives WANSACZ, ADOLPH, BELARDI, BELFANTI, CAPPABIANCA, EGOLF, FRANKEL, HALUSKA, HENNESSEY, HORSEY, JAMES, LAUGHLIN, LUCYK, MELIO, READSHAW, SCRIMENTI, SHANER, SOLOBAY, STABACK, TIGUE, WATERS and WOJNAROSKI

An Act amending the act of November 29, 1990 (P.L.585, No.148), known as the Confidentiality of HIV-Related Information Act, extending applicability of the act to other bloodborne pathogens.

Referred to Committee on HEALTH AND HUMAN SERVICES, March 13, 2001.

No. 936 By Representatives WANSACZ, DALEY, BELARDI, BUNT, BARRAR, CREIGHTON, J. EVANS, FEESE, MANDERINO, MANN, McNAUGHTON, MUNDY, PETRARCA, PIPPY, PRESTON, ROBERTS, CAPPABIANCA, COLAFELLA, COY, FREEMAN, GRUCELA, HARHAI, HERMAN, HORSEY, LaGROTTA, MAJOR, McILHATTAN, HERSHEY, HESS, SAINATO, SATHER, SAYLOR, SHANER, SOLOBAY, STURLA, SURRA, TRICH, WALKO, WATERS, C. WILLIAMS, J. WILLIAMS, YEWIC, ARMSTRONG, BELFANTI, CALTAGIRONE, McCALL, STABACK, GEORGE, FAIRCHILD and YOUNGBLOOD

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for alternative valuation of farm and closely held business property.

Referred to Committee on FINANCE, March 13, 2001.

No. 937 By Representatives READSHAW, WOJNAROSKI, BARRAR, STABACK, TRAVAGLIO, HARHAI, JOSEPHS, LEVDANSKY, PETRARCA, SOLOBAY, TRELLO, BELARDI, MELIO, HORSEY, STURLA, C. WILLIAMS, DeLUCA, BEBKO-JONES, GRUCELA, COLAFELLA,

MANDERINO, PISTELLA, JAMES, McILHATTAN, WILT, CALTAGIRONE, THOMAS, RUFFING, YOUNGBLOOD, COSTA, CORRIGAN, SHANER, LEDERER, McCALL, WALKO, TIGUE, LAUGHLIN, WANSACZ and EACHUS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the erection of traffic-control signals on the basis of accident experience.

Referred to Committee on TRANSPORTATION, March 13, 2001.

No. 938 By Representatives READSHAW, WOJNAROSKI, BARRAR, STABACK, TRAVAGLIO, HARHAI, JOSEPHS, LEVDANSKY, PETRARCA, SOLOBAY, TRELLO, BELARDI, MELIO, HORSEY, STURLA, C. WILLIAMS, DeLUCA, BEBKO-JONES, GRUCELA, COLAFELLA, MANDERINO, PISTELLA, JAMES, McILHATTAN, WILT, CALTAGIRONE, THOMAS, RUFFING, YOUNGBLOOD, COSTA, CORRIGAN, SHANER, LEDERER, McCALL, WALKO, TIGUE, LAUGHLIN, WANSACZ and EACHUS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for authority to erect traffic-control devices.

Referred to Committee on TRANSPORTATION, March 13, 2001.

No. 939 By Representatives READSHAW, WOJNAROSKI, BARRAR, STABACK, TRAVAGLIO, HARHAI, JOSEPHS, LEVDANSKY, PETRARCA, SOLOBAY, TRELLO, BELARDI, MELIO, HORSEY, STURLA, C. WILLIAMS, DeLUCA, BEBKO-JONES, GRUCELA, COLAFELLA, MANDERINO, PISTELLA, JAMES, McILHATTAN, WILT, CALTAGIRONE, THOMAS, RUFFING, YOUNGBLOOD, COSTA, CORRIGAN, SHANER, LEDERER, McCALL, WALKO, TIGUE, LAUGHLIN, WANSACZ and EACHUS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for authority to erect traffic-control devices.

Referred to Committee on TRANSPORTATION, March 13, 2001.

No. 940 By Representatives READSHAW, GEIST, DeWEESE, THOMAS, COY, WOJNAROSKI, STABACK, ALLEN, SHANER, MARKOSEK, MAITLAND, McCALL, HALUSKA, LAUGHLIN, SOLOBAY, BELARDI, WILT, BELFANTI, MELIO, CAPPABIANCA, HORSEY, ORIE, CIVERA, BEBKO-JONES, GRUCELA, COLAFELLA, NICKOL, SURRA, KELLER, LUCYK, DALEY, SAINATO, PISTELLA, J. WILLIAMS, BARRAR, COSTA, CORRIGAN, HARHAI, PRESTON, FAIRCHILD, TIGUE, YUDICHAK, WOGAN, KAISER, McILHATTAN, HUTCHINSON, BLAUM, CALTAGIRONE, CLYMER and RAYMOND

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a Gettysburg Civil War memorial registration plate; and establishing the Pennsylvania Monuments at Gettysburg National Military Park Fund.

Referred to Committee on TRANSPORTATION, March 13, 2001.

No. 941 By Representatives VANCE, NICKOL, PIPPY, TIGUE, ALLEN, BARRAR, CALTAGIRONE, CORRIGAN, CREIGHTON, CURRY, DAILEY, FRANKEL, GEIST, GEORGE, JAMES, MAITLAND, MARKOSEK, McCALL, MELIO, MICOZZIE, R. MILLER, MUNDY, ORIE, PETRARCA, PRESTON, ROSS, SATHER, STEELMAN, E. Z. TAYLOR, THOMAS, TULLI, WALKO, WANSACZ, WILT, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of May 23, 1945 (P.L.913, No.367), known as the Engineer, Land Surveyor and Geologist Registration Law, further providing for procedure for licensing as professional engineer.

Referred to Committee on PROFESSIONAL LICENSURE, March 13, 2001.

No. 942 By Representatives MARKOSEK, MAYERNIK, LEDERER, DALEY, ROONEY, READSHAW, STABACK, CALTAGIRONE, PETRARCA, FRANKEL, SCHULER, SHANER, SAYLOR, DAILEY, WALKO, BEBKO-JONES, MANN, McILHATTAN, CLARK, YUDICHAK, HARHAI, GEORGE, EACHUS, COSTA, SURRA, PRESTON, HORSEY, WATERS, SATHER, CURRY, FREEMAN and YOUNGBLOOD

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for the functions of the State Board of Medicine; and providing for termination of practice and for patient records.

Referred to Committee on PROFESSIONAL LICENSURE, March 13, 2001.

No. 943 By Representatives MARKOSEK, LEDERER, DALEY, LaGROTTA, THOMAS, GEORGE, ROONEY, READSHAW, STABACK, CAPPABIANCA, CALTAGIRONE, PETRARCA, ALLEN, ZUG, LAUGHLIN, WOJNAROSKI, SCHULER, LEVDANSKY, SCHRODER, SHANER, CASORIO, GEIST, CORRIGAN, ORIE, KAISER, BELFANTI, L. I. COHEN, BEBKO-JONES, DeLUCA, SOLOBAY, PISTELLA, WANSACZ, YUDICHAK, HARHAI, BOYES, COSTA, LUCYK, SURRA, HUTCHINSON, TRICH, ROBERTS, HORSEY, WATERS, McCALL, MELIO, GRUCELA and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for registration plates for volunteer firefighters; and exempting active volunteer firefighters from paying a fee for vehicle registration.

Referred to Committee on TRANSPORTATION, March 13, 2001.

No. 944 By Representatives CORRIGAN, ALLEN, BARRAR, BASTIAN, BEBKO-JONES, BELFANTI, BISHOP, BUNT, BUTKOVITZ, CALTAGIRONE, CAPPABIANCA, CAWLEY, CIVERA, COLAFELLA, COSTA, CREIGHTON, CRUZ, DeLUCA, DeWEESE, DiGIROLAMO, EACHUS, LYNCH, LUCYK, LEDERER, LAUGHLIN, HUTCHINSON,

HORSEY, HENNESSEY, HARHAI, GRUCELA, GEORGE, GEIST, GABIG, McCALL, MELIO, MICOZZIE, ORIE, PALLONE, PETRARCA, RAYMOND, READSHAW, ROBERTS, ROONEY, RUFFING, SAINATO, SATHER, SAYLOR, SCHULER, SHANER, SOLOBAY, STEELMAN, STERN, SURRA, E. Z. TAYLOR, THOMAS, TRELLO, WANSACZ, WATERS, WATSON, J. WILLIAMS, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, exempting ex-prisoners of war from paying any fees for titling or registration of vehicles.

Referred to Committee on TRANSPORTATION, March 13, 2001.

No. 945 By Representatives CORRIGAN, BARRAR, BEBKO-JONES, BELARDI, BELFANTI, BISHOP, BUNT, BUTKOVITZ, CALTAGIRONE, CAPPABIANCA, CAWLEY, COLAFELLA, CREIGHTON, CRUZ, CURRY, DeLUCA, DeWEESE, DiGIROLAMO, FLICK, GEORGE, GRUCELA, HARHAI, HENNESSEY, HORSEY, KAISER, LAUGHLIN, LEDERER, LUCYK, LYNCH, McCALL, MELIO, MICOZZIE, ORIE, PALLONE, PETRARCA, READSHAW, ROBERTS, ROONEY, SATHER, SHANER, SOLOBAY, SURRA, TRELLO, WATERS, C. WILLIAMS, J. WILLIAMS and YUDICHAK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the fee for registration plates for volunteer firefighters.

Referred to Committee on TRANSPORTATION, March 13, 2001.

No. 946 By Representatives RUBLEY, STEIL, ALLEN, BUNT, CAPPELLI, DAILEY, DALEY, FAIRCHILD, FICHTER, FREEMAN, GABIG, GRUCELA, HANNA, HASAY, HENNESSEY, HERSHEY, LAUGHLIN, LEH, McCALL, MELIO, R. MILLER, MUNDY, MYERS, NAILOR, PHILLIPS, READSHAW, SATHER, STEELMAN, R. STEVENSON, STURLA, E. Z. TAYLOR, TIGUE, WILT and YUDICHAK

An Act authorizing counties to impose sales and use, personal income or earned income and net profits taxes; and providing for the levying, assessment and collection of taxes and for the powers and duties of the Department of Community and Economic Development or any successor agency, the Department of Revenue and the State Treasurer.

Referred to Committee on FINANCE, March 13, 2001.

No. 947 By Representatives BUNT, BARD, BARRAR, BASTIAN, BELFANTI, CALTAGIRONE, CAPPABIANCA, COY, DALEY, DALLY, DeLUCA, FAIRCHILD, FEESE, FICHTER, FREEMAN, GODSHALL, GORDNER, GRUCELA, HARHAI, HARHART, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, HORSEY, JAMES, KREBS, LAUGHLIN, LEDERER, LEH, MAITLAND, MAJOR, MANDERINO, MARSICO, McCALL, McILHINNEY, S. MILLER, NAILOR, NICKOL, PETRARCA, PRESTON, ROBERTS, ROSS, SAINATO, SAYLOR, SCHRODER,

SEMMELE, SHANER, B. SMITH, SOLOBAY, STEELMAN, TRICH, TULLI, WALKO, C. WILLIAMS and ZUG

An Act authorizing the incurring of indebtedness, with the approval of the electors, of \$150,000,000 to provide additional funding for the purchase of agricultural conservation easements for the preservation of agricultural land; and making a repeal.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, March 13, 2001.

No. 948 By Representatives BUNT, DALEY, ALLEN, ARGALL, ARMSTRONG, M. BAKER, BARD, BARRAR, BASTIAN, BEBKO-JONES, BELARDI, BELFANTI, BENNINGHOFF, CALTAGIRONE, CAPPABIANCA, CLARK, CLYMER, L. I. COHEN, CORRIGAN, COSTA, COY, CURRY, DAILEY, DALLY, DeLUCA, DeWEESE, EGOLF, FAIRCHILD, FEESE, FICHTER, FORCIER, FRANKEL, FREEMAN, GEORGE, GODSHALL, GORDNER, GRUCELA, HARHAI, HARHART, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, HORSEY, HUTCHINSON, JADLOWIEC, JAMES, JOSEPHS, KAISER, KREBS, LAUGHLIN, LEDERER, LEH, LESCOVITZ, LEWIS, LYNCH, MAITLAND, MAJOR, MANDERINO, MANN, MARSICO, McCALL, McILHINNEY, McNAUGHTON, R. MILLER, S. MILLER, NAILOR, ORIE, PETRARCA, PHILLIPS, PIPPY, PRESTON, READSHAW, ROBERTS, ROHRER, ROSS, RUBLEY, SAINATO, SANTONI, SATHER, SAYLOR, SCHRODER, SCHULER, SCRIMENTI, SEMMEL, SHANER, B. SMITH, S. H. SMITH, SOLOBAY, STABACK, STERN, T. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, TIGUE, TRICH, WALKO, WATSON, C. WILLIAMS, WOJNAROSKI and ZUG

An Act providing for the observance of "Pennsylvania Agriculture Day" and "Pennsylvania Agriculture Week."

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, March 13, 2001.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 85 By Representatives WANSACZ, ARMSTRONG, BELARDI, BELFANTI, CAPPABIANCA, COLAFELLA, COSTA, DeLUCA, DeWEESE, FAIRCHILD, FRANKEL, FREEMAN, GEIST, GRUCELA, WOJNAROSKI, YOUNGBLOOD, YUDICHAK, HARHAI, HENNESSEY, JAMES, KELLER, KENNEY, MANN, McCALL, MELIO, MYERS, PETRARCA, READSHAW, ROBERTS, ROHRER, ROONEY, SAINATO, SOLOBAY, STABACK, STEELMAN, THOMAS, TIGUE, TRICH, WALKO, WASHINGTON, C. WILLIAMS, J. WILLIAMS and CRUZ

A Resolution urging the Pennsylvania Public Utility Commission to research and report to the General Assembly regarding guidelines for use of 211 service codes for public services Statewide.

Referred to Committee on RULES, March 13, 2001.

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

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

In the Senate
March 12, 2001

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, March 19, 2001, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, March 19, 2001, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman, Mr. Smith, who advises the Chair there are no requests for leaves for the Republican Caucus.

The gentleman, Mr. Veon, requests leave for the lady from Philadelphia, Ms. BISHOP, and the gentleman from Westmoreland, Mr. TANGRETTI, for today's session, and for the gentleman, Mr. SURRA, from Elk for today and tomorrow. Without objection, the leaves will be granted. The Chair hears none.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—199

Adolph	Evans, J.	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Feese	Manderino	Schroder
Armstrong	Fichter	Mann	Schuler
Baker, J.	Fleagle	Markosek	Scrimenti
Baker, M.	Flick	Marsico	Semmel
Bard	Forcier	Mayernik	Shaner
Barley	Frankel	McCall	Smith, B.
Barrar	Freeman	McGeehan	Smith, S. H.
Bastian	Gabig	McGill	Solobay
Bebko-Jones	Gannon	McIlhattan	Staback
Belardi	Geist	McIlhinney	Stairs
Belfanti	George	McNaughton	Steelman
Benninghoff	Godshall	Melio	Steil
Birmelin	Gordner	Metcalfe	Stern
Blaum	Grucela	Michlovic	Stetler
Boyes	Gruitza	Micozzie	Stevenson, R.
Browne	Habay	Miller, R.	Stevenson, T.

Bunt	Haluska	Miller, S.	Strittmatter
Butkovitz	Hanna	Mundy	Sturla
Buxton	Harhai	Myers	Taylor, E. Z.
Caltagirone	Harhart	Nailor	Taylor, J.
Cappabianca	Harper	Nickol	Thomas
Cappelli	Hasay	O'Brien	Tigue
Casorio	Hennessey	Oliver	Travaglio
Cawley	Herman	Orie	Trello
Civera	Hershey	Pallone	Trich
Clark	Hess	Perzel	Tulli
Clymer	Horsey	Petrarca	Vance
Cohen, L. I.	Hutchinson	Petrone	Veon
Cohen, M.	Jadlowiec	Phillips	Vitali
Colafella	James	Pickett	Walko
Coleman	Josephs	Pippy	Wansacz
Corrigan	Kaiser	Pistella	Washington
Costa	Keller	Preston	Waters
Coy	Kenney	Raymond	Watson
Creighton	Kirkland	Readshaw	Williams, C.
Cruz	Krebs	Reinard	Williams, J.
Curry	LaGrotta	Rieger	Wilt
Dailey	Laughlin	Roberts	Wogan
Daley	Lawless	Robinson	Wojnaroski
Dally	Lederer	Roebuck	Wright
DeLuca	Leh	Rohrer	Yewcic
Dermody	Lescovitz	Rooney	Youngblood
DeWeese	Levdansky	Ross	Yudichak
DiGirolamo	Lewis	Rubley	Zimmerman
Diven	Lucyk	Ruffing	Zug
Donatucci	Lynch	Sainato	
Eachus	Mackereth	Samuelson	Ryan,
Egolf	Maher	Santoni	Speaker
Evans, D.			

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Bishop	Cornell	Surra	Tangretti
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LEAVES ADDED—3

Butkovitz	Clymer	Washington
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ADDITIONS AND DELETIONS OF SPONSORS

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

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

GUESTS INTRODUCED

The SPEAKER. The House will please come to order. Members, please take your seats. The Chair has a number of guests to introduce to the members today, and I would appreciate your cooperation while I introduce them.

Today Representative Casorio has his brother, Dr. Joseph Casario, in from Wexford, Pennsylvania. Doctor, would you please rise; to the left of the Chair.

In the balcony today, as the guest of Representatives Zimmerman and Tangretti, is Vanessa Schmuck, a freshman from Ephrata High School. She is here to witness the ceremony recognizing women legislators in Pennsylvania. Would she please rise.

We are pleased to welcome to the hall of the House a group of students and teachers from Antietam High School, here as the guests of Representative Santoni. Would these guests please rise.

I am especially honored to introduce today the guest of Representative Kathy Manderino, and you are going to be pleased to hear this introduction, particularly the members on the Democratic side of the House. I would like to introduce to the House — and I would ask Jim to come up here — James J. Manderino II, a ninth grade student at Kiski Prep in western Pennsylvania. He is serving as a guest page this week, as the guest page, believe it or not, of Kathy Manderino. Jim, where— Here he is, here. I am asking him to walk up for a moment. I would like to give him a ceremonial gavel. It is just a small token of an old man's recollections of another old man that I had a lot of fun with on the floor of this House, and sometimes we forget just how great it was. We miss him, and I would like you to take this back, Jim, and welcome you here any time you are in town. We would like you to come back. Thank you.

The Chair is pleased to also welcome today Andrew Wnuk, a student at Wyoming Valley West High School. He is here as the guest page today of Representative Phyllis Mundy. He is also attended by his mother, his mother Ruth, who is here with us. Would these guests please rise. Andrew is seated with the pages; his mother is in the balcony, I believe.

Here today as the guests of Dr. Bastian is a large group of individuals representing the FFA, the Future Farmers of America. These chapter participants are in the balcony with their adviser, Mr. Stutzman, together with members of the Somerset County Technology Center and their adviser, Mr. Harrold. Would these guests all please rise.

As the guests of the Chief Clerk, two Westmoreland County sheriffs — Frank Duriancik and Tom Dzambo. I do not know why our Chief Clerk would have friends in the sheriff's department in Westmoreland County. I hope that is no professional association. Our Chief Clerk is blushing. We will find out more about that at a later date.

Also today as the guests of Representative Frankel, seated in the House gallery, are guests from Chatham College, the Center for Women in Politics in Pittsburgh. Would these guests please rise.

Scott Hartman is here today as the guest of Representative Miller. He is a junior at the Red Lion High School. He has been Representative Ron Miller's guest page for today and is part of the mentoring program of the Future Leaders of York County. Would this gentleman please rise.

FLORIDA DELEGATION INTRODUCED

The SPEAKER. May I have your attention.

Last night the Chief Clerk — without the benefit of local sheriffs — and I and the Parliamentarian and several other members of staff had an opportunity to have dinner with a delegation visiting here in Pennsylvania from the Florida House of Representatives. For several hours we had a wonderful time. The delegation was headed up by the Honorable Mario Diaz-Balart, a member of the House of Florida and chairman of their reapportionment committee. They are up here visiting with us. They are going to meet with both Democrat

and Republican staff people relative to the programs we have in handling reapportionment.

We found them to be delightful people, wonderful people, and we have invited them back time and time again in hopes, of course, of being invited back to the Representative's home district, not the Capitol. He represents a portion of Miami or Miami Beach, and we thought we would settle for a return visit to his district.

He is here today with three members of the staff of the Florida House: Paul Hawkes — would you please rise? — Paul Hawkes, Todd Thompson, and Richard Corcoran, and Representative Diaz-Balart. Here, here to my left. These are genuinely neat people to spend an evening with, and I look forward to being in Miami shortly to test them.

As a small token of our friendship, I am presenting this to the Representative. In addition to this, we have loaded him up with books of the Capitol, jackets from our political committees, and a memorial gavel. Mario.

WOMEN'S HISTORY MONTH GUESTS INTRODUCED

The SPEAKER. There is another group today— Today is a big day in representing some of our endeavors.

Here in the Capitol today as part of — may I have your attention, please? — as part of Women's History Month in Pennsylvania, we are honoring our 28 women colleagues who serve with us here in the House, and representing our partners in this day-long celebration are a number of guests. I would like to introduce them. They are seated to the left of the Speaker. Will they please stand when I call their names. Representing the Pennsylvania Historical and Museum Commission, Chairman Janet Klein. Representing the Pennsylvania Commission for Women, Susan K. Garrison, the commissioner, who happens to be a neighbor of mine from Delaware County, and Marie Lalley, the vice chairman of that commission. Marie. Also representing the commission is Mary Leftridge Byrd, superintendent of the State correctional institution located in Chester — would she please rise — and the lady from Erie County, of course, our own Linda Bebeko-Jones. Linda, where are you? I do not— There she is. Representing the Association of Independent Colleges and Universities of Pennsylvania is President Don Francis — Mr. Francis. And representing the Pennsylvania Breast Cancer Coalition, its founder and president, Pat Halpin-Murphy, who is also seated in the gallery with some of the other guests. Finally, I would like all the women who serve in the House with us today to stand and be recognized.

These women who serve with us are from all walks of life — nurses, attorneys, businesswomen, farmers, teachers, environmentalists — women of courage, women of leadership, and women of success. On behalf of all the members of the Pennsylvania House of Representatives, I salute you and your achievements on this special day. Thank you very much.

Today at 5 o'clock I invite all— Please listen to this, and then I will be finished. Today at 5 o'clock I invite all the members of the House and friends and guests to join me, First Lady Michele Ridge, and the women members in the rotunda for a short ceremony and then a reception in the East Wing. We will then continue our celebration of the women in the House at that point.

There are books that you have heard about recently that my office has put together and published. We have a limited number of copies at the moment; we have just 500 copies, and we will distribute them to all of the members. We will do a further printing as the need comes to our attention, and we would like to distribute them. There is a list of the 200 and, I believe it is 212 women who have served in the House of Representatives since 1922. I made a count, and I served with all but about 28 of those, I think it was 28 of those 200-and-some-odd women who have been in the House. So that is how young we are, the women of the Pennsylvania House and me, the Speaker.

The caucus chairmen are invited to advise their caucuses as to the plans for the balance of the day. We are about to break now for caucus, and I would like to know what time the chairmen wish— There will be no Republican caucus. We will be back at 1.

The SPEAKER. Mr. Cohen.

Mr. COHEN. Mr. Speaker, there is no need for a Democratic caucus.

The SPEAKER. All right.

RECESS

The SPEAKER. This House then will stand in recess, unless there is further business from the majority or minority floor leaders, until 1 p.m.

AFTER RECESS

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

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Veon, who requests that the gentleman from Philadelphia, Mr. BUTKOVITZ, be placed on leave for the balance of today's session. Without objection, the leave will be granted. The Chair hears none.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move the following bills from the table:

HB 62;
HB 91;
HB 203;
HB 220; and
HB 413.

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

BILLS ON SECOND CONSIDERATION

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

HB 62, PN 48; HB 91, PN 76; HB 203, PN 183; HB 220, PN 207; and HB 413, PN 430.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

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

HB 62;
HB 91;
HB 203;
HB 220; and
HB 413.

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

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

HB 96, PN 1073 (Amended) By Rep. GANNON

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for advance directives for health care definitions and emergency medical services; and providing for out-of-hospital nonresuscitation.

JUDICIARY.

HB 227, PN 1074 (Amended) By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the definition of "offensive weapons," for use or possession of electric or electronic incapacitation devices, for penalties, for aggravated assault and for use of tear or noxious gas in labor disputes; imposing a penalty; and making an editorial change.

JUDICIARY.

HB 286, PN 1068 (Amended) By Rep. CIVERA

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, providing for functions of the Commissioner of Professional and Occupational Affairs; and further providing for anesthesia.

PROFESSIONAL LICENSURE.

HB 339, PN 356 By Rep. GANNON

An Act establishing community reparative disposition programs for offenders and community reparative disposition boards; and providing for the powers and duties of the Pennsylvania Commission on Crime and Delinquency and for expungement of criminal arrest records in certain circumstances.

JUDICIARY.

HB 343, PN 1075 (Amended) By Rep. GANNON

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, further providing for powers and duties of the commission.

JUDICIARY.

HB 378, PN 395 By Rep. CIVERA

An Act requiring certain information to be solicited in connection with the consideration of professional licensure legislation.

PROFESSIONAL LICENSURE.

HB 607, PN 663 By Rep. CLYMER

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the Pennsylvania State Police.

STATE GOVERNMENT.

HB 678, PN 751 By Rep. CLYMER

An Act designating the dam known as the Fabridam, between Sunbury, Northumberland County, and Shamokin Dam, Snyder County, as the Adam T. Bower Memorial Dam.

STATE GOVERNMENT.

HB 679, PN 752 By Rep. CLYMER

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, to grant and convey a sanitary sewer right-of-way over certain State land to Penn Township, York County, Pennsylvania.

STATE GOVERNMENT.

HB 732, PN 816 By Rep. CLYMER

An Act regulating the closure of State-operated mental health facilities; and providing remedies.

STATE GOVERNMENT.

HB 851, PN 1072 (Amended) By Rep. CLYMER

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.

STATE GOVERNMENT.

SB 236, PN 681 (Amended)

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, amending definitions; further providing for implements of husbandry, for duration of lien recorded on certificate of title, for certificate of inspection, for restrictions on use of highways and bridges, for depositing waste and other material on highway, property or water, for powers and responsibilities of local authorities and penalties related thereto and for refunds.

TRANSPORTATION.

SB 239, PN 682 (Amended)

By Rep. GEIST

An Act designating a bridge on State Route 44, over Little Pine Creek in Lycoming County, as the Lieutenant Michael Wolf Bridge.

TRANSPORTATION.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today guest pages of Representative Saylor. They include Shelly Shazberger and John Ricks. Shelly is a student at the Red Lion High School, John a student at the Kennard-Dale High School. Would the guests please rise.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mrs. E. Z. TAYLOR called up **HR 60, PN 778**, entitled:

A Resolution recognizing March 2001 as "Women's History Month" and March 8, 2001, as "International Women's Day" in Pennsylvania and declaring March 13, 2001, as a day of celebration of the women members of the House of Representatives.

On the question,
Will the House adopt the resolution?

The SPEAKER. Does the lady, Mrs. Taylor, desire recognition on the resolution? The lady will yield.

Mrs. TAYLOR. Thank you very much, Mr. Speaker.

The SPEAKER. The lady will yield, please.

Members, please take your seats.

Mrs. Taylor.

Mrs. TAYLOR. Thank you very much, Mr. Speaker.

During Women's History Month, with the passage of this resolution, we recognize all women, and today we will recognize the contributions of the 28 female members of the House of Representatives.

Women in every walk of life, from homemakers to lawmakers, continually provide through their time, energies, and talents an incredible and often little noticed amount of services to those around them. HR 60 calls for March 2001 to be recognized as Women's History Month, for March 8 to honor International Women's Day, and for March 13 as a day of celebration of the 28 female members of the House of Representatives.

The document's introductory paragraph reads as follows:

WHEREAS, an unbiased look at women's role in history clearly shows that thousands of women did not suffer from lack of courage, commitment or conviction; and

WHEREAS, Since the formation of the American colonies, thousands of Pennsylvania women have been in the forefront for the benefit of all generations to come....

This year's celebration of Women's History Month takes on special significance in Pennsylvania.

The SPEAKER. The lady will please yield.

This is a resolution honoring certain of our members. We should certainly be courteous at this time as we should be courteous at all times.

Mrs. Taylor.

Mrs. TAYLOR. Thank you, Mr. Speaker.

This year's celebration of Women's History Month takes on some special significance in Pennsylvania as 2001 brought with it an increase in the number of females serving in the State House. Now 28 women, up from 25 – up in percentage points from 4 percent to 14 percent – bring to the legislative table more diversity through varying perspectives and ideas on the issues that impact more than 12 million citizens.

Do we ruffle some feathers once in a while? Are we feisty? You bet. That is how all change comes about, and women everywhere have played and continue to play a key role in all major changes throughout the world's history. Bringing female perspectives to the legislative table results in laws that better represent the citizens of this State.

We are proud to now have 28 female members, the largest number to date in the Commonwealth's history, who will continue to serve the people of their respective districts and serve as role models for future female lawmakers. Today, March 13, we recognize and honor their contributions in making Pennsylvania a great place to live, raise a family, and work.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—198

Adolph	Evans, J.	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Feese	Manderino	Schroder
Armstrong	Fichter	Mann	Schuler
Baker, J.	Fleagle	Markosek	Scrimenti
Baker, M.	Flick	Marsico	Semmel
Bard	Forcier	Mayernik	Shaner
Barley	Frankel	McCall	Smith, B.
Barrar	Freeman	McGeehan	Smith, S. H.
Bastian	Gabig	McGill	Solobay
Bebko-Jones	Gannon	McIlhattan	Staback
Belardi	Geist	McIlhinney	Stairs
Belfanti	George	McNaughton	Steelman
Benninghoff	Godshall	Melio	Steil
Birmelin	Gordner	Metcalfe	Stern
Blaum	Grucela	Michlovic	Stetler
Boyes	Gruitza	Micozzie	Stevenson, R.
Browne	Habay	Miller, R.	Stevenson, T.
Bunt	Haluska	Miller, S.	Strittmatter
Buxton	Hanna	Mundy	Sturla
Caltagirone	Harhai	Myers	Taylor, E. Z.
Cappabianca	Harhart	Nailor	Taylor, J.

Cappelli	Harper	Nickol	Thomas
Casorio	Hasay	O'Brien	Tigue
Cawley	Hennessey	Oliver	Travaglio
Civera	Herman	Orie	Trello
Clark	Hershey	Pallone	Trich
Clymer	Hess	Perzel	Tulli
Cohen, L. I.	Horsey	Petrarca	Vance
Cohen, M.	Hutchinson	Petrone	Veon
Colafella	Jadlowiec	Phillips	Vitali
Coleman	James	Pickett	Walko
Corrigan	Josephs	Pippy	Wansacz
Costa	Kaiser	Pistella	Washington
Coy	Keller	Preston	Waters
Creighton	Kenney	Raymond	Watson
Cruz	Kirkland	Readshaw	Williams, C.
Curry	Krebs	Reinard	Williams, J.
Dailey	LaGrotta	Rieger	Wilt
Daley	Laughlin	Roberts	Wogan
Dally	Lawless	Robinson	Wojnaroski
DeLuca	Lederer	Roebuck	Wright
Dermody	Leh	Rohrer	Yewcic
DeWeese	Lescovitz	Rooney	Youngblood
DiGirolamo	Levdansky	Ross	Yudichak
Diven	Lewis	Rubley	Zimmerman
Donatucci	Lucyk	Ruffing	Zug
Eachus	Lynch	Sainato	
Egolf	Mackereth	Samuelson	Ryan,
Evans, D.	Maher	Santoni	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Bishop	Cornell	Surra	Tangretti
Butkovitz			

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

Ms. BEBKO-JONES called up HR 64, PN 865, entitled:

A Resolution designating the month of March as "Women's History Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

Adolph	Evans, J.	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Feese	Manderino	Schroder
Armstrong	Fichter	Mann	Schuler
Baker, J.	Fleagle	Markosek	Scrimenti
Baker, M.	Flick	Marsico	Semmel
Bard	Forcier	Mayernik	Shaner
Barley	Frankel	McCall	Smith, B.
Barrar	Freeman	McGeehan	Smith, S. H.
Bastian	Gabig	McGill	Solobay
Bebko-Jones	Gannon	McIlhattan	Staback
Belardi	Geist	McIlhinney	Stairs
Belfanti	George	McNaughton	Steelman
Benninghoff	Godshall	Melio	Steil
Birmelin	Gordner	Metcalfe	Stern
Blaum	Grucela	Michlovic	Stetler

Boyes	Gruitza	Micozzie	Stevenson, R.
Browne	Habay	Miller, R.	Stevenson, T.
Bunt	Haluska	Miller, S.	Strittmatter
Buxton	Hanna	Mundy	Sturla
Caltagirone	Harhai	Myers	Taylor, E. Z.
Cappabianca	Harhart	Nailor	Taylor, J.
Cappelli	Harper	Nickol	Thomas
Casorio	Hasay	O'Brien	Tigue
Cawley	Hennessey	Oliver	Travaglio
Civera	Herman	Orie	Trello
Clark	Hershey	Pallone	Trich
Clymer	Hess	Perzel	Tulli
Cohen, L. I.	Horsey	Petrarca	Vance
Cohen, M.	Hutchinson	Petrone	Veon
Colafella	Jadlowiec	Phillips	Vitali
Coleman	James	Pickett	Walko
Corrigan	Josephs	Pippy	Wansacz
Costa	Kaiser	Pistella	Washington
Coy	Keller	Preston	Waters
Creighton	Kenney	Raymond	Watson
Cruz	Kirkland	Readshaw	Williams, C.
Curry	Krebs	Reinard	Williams, J.
Dailey	LaGrotta	Rieger	Wilt
Daley	Laughlin	Roberts	Wogan
Dally	Lawless	Robinson	Wojnaroski
DeLuca	Lederer	Roebuck	Wright
Dermody	Leh	Rohrer	Yewcic
DeWeese	Lescovitz	Rooney	Youngblood
DiGirolamo	Levdansky	Ross	Yudichak
Diven	Lewis	Rubley	Zimmerman
Donatucci	Lucyk	Ruffing	Zug
Eachus	Lynch	Sainato	
Egolf	Mackereth	Samuelson	Ryan,
Evans, D.	Maher	Santoni	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Bishop	Cornell	Surra	Tangretti
Butkovitz			

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

Ms. BEBKO-JONES called up HR 66, PN 867, entitled:

A Resolution declaring the week of March 12 through 16, 2001, as "Women and Addictions Awareness Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

Adolph	Evans, J.	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Feese	Manderino	Schroder
Armstrong	Fichter	Mann	Schuler
Baker, J.	Fleagle	Markosek	Scrimenti
Baker, M.	Flick	Marsico	Semmel
Bard	Forcier	Mayernik	Shaner
Barley	Frankel	McCall	Smith, B.
Barrar	Freeman	McGeehan	Smith, S. H.
Bastian	Gabig	McGill	Solobay

Bebko-Jones	Gannon	McIlhattan	Staback
Belardi	Geist	McIlhinney	Stairs
Belfanti	George	McNaughton	Steelman
Benninghoff	Godshall	Melio	Steil
Birmelin	Gordner	Metcalfe	Stern
Blaum	Grucela	Michlovic	Stetler
Boyes	Gruitza	Micozzie	Stevenson, R.
Browne	Habay	Miller, R.	Stevenson, T.
Bunt	Haluska	Miller, S.	Strittmatter
Buxton	Hanna	Mundy	Sturla
Caltagirone	Harhai	Myers	Taylor, E. Z.
Cappabianca	Harhart	Nailor	Taylor, J.
Cappelli	Harper	Nickol	Thomas
Casorio	Hasay	O'Brien	Tigue
Cawley	Hennessey	Oliver	Travaglio
Civera	Herman	Orie	Trello
Clark	Hershey	Pallone	Trich
Clymer	Hess	Perzel	Tulli
Cohen, L. I.	Horsey	Petrarca	Vance
Cohen, M.	Hutchinson	Petrone	Veon
Colafella	Jadlowiec	Phillips	Vitali
Coleman	James	Pickett	Walko
Corrigan	Josephs	Pippy	Wansacz
Costa	Kaiser	Pistella	Washington
Coy	Keller	Preston	Waters
Creighton	Kenney	Raymond	Watson
Cruz	Kirkland	Readshaw	Williams, C.
Curry	Krebs	Reinard	Williams, J.
Dailey	LaGrotta	Rieger	Wilt
Daley	Laughlin	Roberts	Wogan
Dally	Lawless	Robinson	Wojnaroski
DeLuca	Lederer	Roebuck	Wright
Dermody	Leh	Rohrer	Yewcic
DeWeese	Lescovitz	Rooney	Youngblood
DiGirolamo	Levdansky	Ross	Yudichak
Diven	Lewis	Rubley	Zimmerman
Donatucci	Lucyk	Ruffing	Zug
Eachus	Lynch	Sainato	
Egolf	Mackereth	Samuelson	Ryan,
Evans, D.	Maher	Santoni	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Bishop	Cornell	Surra	Tangretti
Butkovitz			

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

Mrs. VANCE called up **HR 75, PN 956**, entitled:

A Resolution designating the week of March 11 through 17, 2001, as "Girl Scout Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

Adolph	Evans, J.	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Feese	Manderino	Schroder
Armstrong	Fichter	Mann	Schuler

Baker, J.	Fleagle	Markosek	Scrimenti
Baker, M.	Flick	Marsico	Semmel
Bard	Forcier	Mayernik	Shaner
Barley	Frankel	McCall	Smith, B.
Barrar	Freeman	McGeehan	Smith, S. H.
Bastian	Gabig	McGill	Solobay
Bebko-Jones	Gannon	McIlhattan	Staback
Belardi	Geist	McIlhinney	Stairs
Belfanti	George	McNaughton	Steelman
Benninghoff	Godshall	Melio	Steil
Birmelin	Gordner	Metcalfe	Stern
Blaum	Grucela	Michlovic	Stetler
Boyes	Gruitza	Micozzie	Stevenson, R.
Browne	Habay	Miller, R.	Stevenson, T.
Bunt	Haluska	Miller, S.	Strittmatter
Buxton	Hanna	Mundy	Sturla
Caltagirone	Harhai	Myers	Taylor, E. Z.
Cappabianca	Harhart	Nailor	Taylor, J.
Cappelli	Harper	Nickol	Thomas
Casorio	Hasay	O'Brien	Tigue
Cawley	Hennessey	Oliver	Travaglio
Civera	Herman	Orie	Trello
Clark	Hershey	Pallone	Trich
Clymer	Hess	Perzel	Tulli
Cohen, L. I.	Horsey	Petrarca	Vance
Cohen, M.	Hutchinson	Petrone	Veon
Colafella	Jadlowiec	Phillips	Vitali
Coleman	James	Pickett	Walko
Corrigan	Josephs	Pippy	Wansacz
Costa	Kaiser	Pistella	Washington
Coy	Keller	Preston	Waters
Creighton	Kenney	Raymond	Watson
Cruz	Kirkland	Readshaw	Williams, C.
Curry	Krebs	Reinard	Williams, J.
Dailey	LaGrotta	Rieger	Wilt
Daley	Laughlin	Roberts	Wogan
Dally	Lawless	Robinson	Wojnaroski
DeLuca	Lederer	Roebuck	Wright
Dermody	Leh	Rohrer	Yewcic
DeWeese	Lescovitz	Rooney	Youngblood
DiGirolamo	Levdansky	Ross	Yudichak
Diven	Lewis	Rubley	Zimmerman
Donatucci	Lucyk	Ruffing	Zug
Eachus	Lynch	Sainato	
Egolf	Mackereth	Samuelson	Ryan,
Evans, D.	Maher	Santoni	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Bishop	Cornell	Surra	Tangretti
Butkovitz			

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

Mr. ROSS called up **HR 80, PN 983**, entitled:

A Resolution designating March 4 through 10, 2001 as "Space, Satellite and Technology Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

Adolph	Evans, J.	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Feese	Manderino	Schroder
Armstrong	Fichter	Mann	Schuler
Baker, J.	Fleagle	Markosek	Scrimenti
Baker, M.	Flick	Marsico	Semmel
Bard	Forcier	Mayernik	Shaner
Barley	Frankel	McCall	Smith, B.
Barrar	Freeman	McGeehan	Smith, S. H.
Bastian	Gabig	McGill	Solobay
Bebko-Jones	Gannon	McIlhattan	Staback
Belardi	Geist	McIlhinney	Stairs
Belfanti	George	McNaughton	Steelman
Benninghoff	Godshall	Melio	Steil
Birmelin	Gordner	Metcalfe	Stern
Blaum	Grucela	Michlovic	Stetler
Boyes	Gruitza	Micozzie	Stevenson, R.
Browne	Habay	Miller, R.	Stevenson, T.
Bunt	Haluska	Miller, S.	Strittmatter
Buxton	Hanna	Mundy	Sturla
Caltagirone	Harhai	Myers	Taylor, E. Z.
Cappabianca	Harhart	Nailor	Taylor, J.
Cappelli	Harper	Nickol	Thomas
Casorio	Hasay	O'Brien	Tigue
Cawley	Hennessey	Oliver	Travaglio
Civera	Herman	Orie	Trello
Clark	Hershey	Pallone	Trich
Clymer	Hess	Perzel	Tulli
Cohen, L. I.	Horsey	Petrarca	Vance
Cohen, M.	Hutchinson	Petrone	Veon
Colafella	Jadlowiec	Phillips	Vitali
Coleman	James	Pickett	Walko
Corrigan	Josephs	Pippy	Wansacz
Costa	Kaiser	Pistella	Washington
Coy	Keller	Preston	Waters
Creighton	Kenney	Raymond	Watson
Cruz	Kirkland	Readshaw	Williams, C.
Curry	Krebs	Reinard	Williams, J.
Daley	LaGrotta	Rieger	Wilt
Daley	Laughlin	Roberts	Wogan
Dally	Lawless	Robinson	Wojnaroski
DeLuca	Lederer	Roebuck	Wright
Dermody	Leh	Rohrer	Yewcic
DeWeese	Lescovitz	Rooney	Youngblood
DiGirolamo	Levdansky	Ross	Yudichak
Diven	Lewis	Rublely	Zimmerman
Donatucci	Lucyk	Ruffing	Zug
Eachus	Lynch	Sainato	
Egolf	Mackereth	Samuelson	Ryan,
Evans, D.	Maher	Santoni	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Bishop	Cornell	Surra	Tangretti
Butkovitz			

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

Mr. GORDNER called up HR 81, PN 984, entitled:

A Resolution declaring the month of March 2001 as "Pennsylvania Middle School Education Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

Adolph	Evans, J.	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Feese	Manderino	Schroder
Armstrong	Fichter	Mann	Schuler
Baker, J.	Fleagle	Markosek	Scrimenti
Baker, M.	Flick	Marsico	Semmel
Bard	Forcier	Mayernik	Shaner
Barley	Frankel	McCall	Smith, B.
Barrar	Freeman	McGeehan	Smith, S. H.
Bastian	Gabig	McGill	Solobay
Bebko-Jones	Gannon	McIlhattan	Staback
Belardi	Geist	McIlhinney	Stairs
Belfanti	George	McNaughton	Steelman
Benninghoff	Godshall	Melio	Steil
Birmelin	Gordner	Metcalfe	Stern
Blaum	Grucela	Michlovic	Stetler
Boyes	Gruitza	Micozzie	Stevenson, R.
Browne	Habay	Miller, R.	Stevenson, T.
Bunt	Haluska	Miller, S.	Strittmatter
Buxton	Hanna	Mundy	Sturla
Caltagirone	Harhai	Myers	Taylor, E. Z.
Cappabianca	Harhart	Nailor	Taylor, J.
Cappelli	Harper	Nickol	Thomas
Casorio	Hasay	O'Brien	Tigue
Cawley	Hennessey	Oliver	Travaglio
Civera	Herman	Orie	Trello
Clark	Hershey	Pallone	Trich
Clymer	Hess	Perzel	Tulli
Cohen, L. I.	Horsey	Petrarca	Vance
Cohen, M.	Hutchinson	Petrone	Veon
Colafella	Jadlowiec	Phillips	Vitali
Coleman	James	Pickett	Walko
Corrigan	Josephs	Pippy	Wansacz
Costa	Kaiser	Pistella	Washington
Coy	Keller	Preston	Waters
Creighton	Kenney	Raymond	Watson
Cruz	Kirkland	Readshaw	Williams, C.
Curry	Krebs	Reinard	Williams, J.
Daley	LaGrotta	Rieger	Wilt
Daley	Laughlin	Roberts	Wogan
Dally	Lawless	Robinson	Wojnaroski
DeLuca	Lederer	Roebuck	Wright
Dermody	Leh	Rohrer	Yewcic
DeWeese	Lescovitz	Rooney	Youngblood
DiGirolamo	Levdansky	Ross	Yudichak
Diven	Lewis	Rublely	Zimmerman
Donatucci	Lucyk	Ruffing	Zug
Eachus	Lynch	Sainato	
Egolf	Mackereth	Samuelson	Ryan,
Evans, D.	Maher	Santoni	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Bishop	Cornell	Surra	Tangretti
Butkovitz			

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 89, PN 74**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for escape; and providing for escape from a detention facility.

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?

REMARKS SUBMITTED FOR THE RECORD

Mr. **WOJNAROSKI** submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

Mr. Speaker, HB 89 would increase the penalty for escape, or attempted escape, from a third-degree felony to a second-degree felony. As a result, persons convicted of this offense would face up to 10 additional years in prison. More importantly, the bill also requires persons convicted of escape to be assigned to a higher security correctional facility. As a result, this legislation would provide a greater deterrence factor for prisoners contemplating escape and also provides appropriate punishment for violent escapees.

Mr. Speaker, I would like to point out to the members that this legislation unanimously passed the House last session but unfortunately was not taken up by the Senate.

Mr. Speaker, I urge my colleagues to cast an affirmative vote on HB 89 so that we can usher this bill through the General Assembly, onto the Governor's desk, and into law.

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—198

Adolph	Evans, J.	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Feese	Manderino	Schroder
Armstrong	Fichter	Mann	Schuler
Baker, J.	Fleagle	Markosek	Scrimenti
Baker, M.	Flick	Marsico	Semmel
Bard	Forcier	Mayernik	Shaner
Barley	Frankel	McCall	Smith, B.
Barrar	Freeman	McGeehan	Smith, S. H.
Bastian	Gabig	McGill	Solobay
Bebko-Jones	Gannon	McLhattan	Staback
Belardi	Geist	McLhinney	Stairs
Belfanti	George	McNaughton	Steelman
Benninghoff	Godshall	Melio	Steil
Birmelin	Gordner	Metcalfe	Stern
Blaum	Grucela	Michlovic	Stetler
Boyes	Gruitza	Micozzie	Stevenson, R.
Browne	Habay	Miller, R.	Stevenson, T.
Bunt	Haluska	Miller, S.	Strittmatter
Buxton	Hanna	Mundy	Sturla

Caltagirone	Harhai	Myers	Taylor, E. Z.
Cappabianca	Harhart	Nailor	Taylor, J.
Cappelli	Harper	Nickol	Thomas
Casorio	Hasay	O'Brien	Tigue
Cawley	Hennessey	Oliver	Travaglio
Civera	Herman	Orie	Trello
Clark	Hershey	Pallone	Trich
Clymer	Hess	Perzel	Tulli
Cohen, L. I.	Horsey	Petrarca	Vance
Cohen, M.	Hutchinson	Petrone	Veon
Colafella	Jadlowiec	Phillips	Vitali
Coleman	James	Pickett	Walko
Corrigan	Josephs	Pippy	Wansacz
Costa	Kaiser	Pistella	Washington
Coy	Keller	Preston	Waters
Creighton	Kenney	Raymond	Watson
Cruz	Kirkland	Readshaw	Williams, C.
Curry	Krebs	Reinard	Williams, J.
Dailey	LaGrotta	Rieger	Wilt
Daley	Laughlin	Roberts	Wogan
Dally	Lawless	Robinson	Wojnaroski
DeLuca	Lederer	Roebuck	Wright
Dermody	Leh	Rohrer	Yewcic
DeWeese	Lescovitz	Rooney	Youngblood
DiGirolo	Levdansky	Ross	Yudichak
Diven	Lewis	Rubley	Zimmerman
Donatucci	Lucyk	Ruffing	Zug
Eachus	Lynch	Sainato	
Egolf	Mackereth	Samuelson	Ryan,
Evans, D.	Maher	Santoni	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Bishop	Cornell	Surra	Tangretti
Butkovitz			

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

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

* * *

The House proceeded to third consideration of **HB 330, PN 347**, entitled:

An Act amending the act of June 18, 1998 (P.L.622, No.80), entitled "An act providing for a procedure and method of execution; and making repeals," providing for a short title; and further providing for definitions and for witnesses to execution.

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—198

Adolph	Evans, J.	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Feese	Manderino	Schroder
Armstrong	Fichter	Mann	Schuler
Baker, J.	Fleagle	Markosek	Scrimenti
Baker, M.	Flick	Marsico	Semmel
Bard	Forcier	Mayernik	Shaner
Barley	Frankel	McCall	Smith, B.
Barrar	Freeman	McGeehan	Smith, S. H.
Bastian	Gabig	McGill	Solobay
Bebko-Jones	Gannon	McIlhattan	Staback
Belardi	Geist	McIlhinney	Stairs
Belfanti	George	McNaughton	Steelman
Benninghoff	Godshall	Melio	Steil
Birmelin	Gordner	Metcalfe	Stern
Blaum	Grucela	Michlovic	Stetler
Boyes	Gruitza	Micozzie	Stevenson, R.
Browne	Habay	Miller, R.	Stevenson, T.
Bunt	Haluska	Miller, S.	Strittmatter
Buxton	Hanna	Mundy	Sturla
Caltagirone	Harhai	Myers	Taylor, E. Z.
Cappabianca	Harhart	Nailor	Taylor, J.
Cappelli	Harper	Nickol	Thomas
Casorio	Hasay	O'Brien	Tigue
Cawley	Hennessey	Oliver	Travaglio
Civera	Herman	Orie	Trello
Clark	Hershey	Pallone	Trich
Clymer	Hess	Perzel	Tulli
Cohen, L. I.	Horsey	Petrarca	Vance
Cohen, M.	Hutchinson	Petrone	Veon
Colafella	Jadlowiec	Phillips	Vitali
Coleman	James	Pickett	Walko
Corrigan	Josephs	Pippy	Wansacz
Costa	Kaiser	Pistella	Washington
Coy	Keller	Preston	Waters
Creighton	Kenney	Raymond	Watson
Cruz	Kirkland	Readshaw	Williams, C.
Curry	Krebs	Reinard	Williams, J.
Dailey	LaGrotta	Rieger	Wilt
Daley	Laughlin	Roberts	Wogan
Dally	Lawless	Robinson	Wojnaroski
DeLuca	Lederer	Roebuck	Wright
Dermody	Leh	Rohrer	Yewcic
DeWeese	Lescovitz	Rooney	Youngblood
DiGirolamo	Levdansky	Ross	Yudichak
Diven	Lewis	Rubley	Zimmerman
Donatucci	Lucyk	Ruffing	Zug
Eachus	Lynch	Sainato	
Egolf	Mackereth	Samuelson	Ryan,
Evans, D.	Maher	Santoni	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Bishop	Cornell	Surra	Tangretti
Butkovitz			

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

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

The House proceeded to third consideration of **HB 334, PN 558**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, making an editorial change relating to the name of the Organ Donation Awareness Trust Fund.

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

Mr. COHEN offered the following amendment No. **A0627**:

Amend Title, page 1, line 11, by removing the period after "Fund" and inserting ; and making an appropriation.

Amend Bill, page 2, by inserting between lines 28 and 29

Section 2. The sum of \$500,000 is hereby appropriated from the General Fund and shall be transferred to the Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund to reimburse the Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund for moneys transferred to the Department of Transportation for administrative costs to provide an applicant for a renewal vehicle registration with the opportunity to make a contribution of \$1 to the Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund.

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 Cohen amendment, Mr. Cohen, do you desire recognition?

Mr. COHEN. Yes.

The SPEAKER. The gentleman is recognized.

Mr. COHEN. Thank you.

Mr. Speaker, this is an agreed-to amendment which appropriates the sum of \$500,000 from the General Fund to the Governor Casey Memorial Organ and Tissue Donation Awareness Trust Fund. This will enable more money to be used for organ donations and cover the cost of computer programs and services.

I urge support of this amendment.

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—198

Adolph	Evans, J.	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Feese	Manderino	Schroder
Armstrong	Fichter	Mann	Schuler
Baker, J.	Fleagle	Markosek	Scrimenti
Baker, M.	Flick	Marsico	Semmel
Bard	Forcier	Mayernik	Shaner
Barley	Frankel	McCall	Smith, B.
Barrar	Freeman	McGeehan	Smith, S. H.
Bastian	Gabig	McGill	Solobay
Bebko-Jones	Gannon	McIlhattan	Staback
Belardi	Geist	McIlhinney	Stairs
Belfanti	George	McNaughton	Steelman

Benninghoff	Godshall	Melio	Steil
Birmelin	Gordner	Metcalfe	Stern
Blaum	Grucela	Michlovic	Stetler
Boyes	Gruitza	Micozzie	Stevenson, R.
Browne	Habay	Miller, R.	Stevenson, T.
Bunt	Haluska	Miller, S.	Strittmatter
Buxton	Hanna	Mundy	Sturla
Caltagirone	Harhai	Myers	Taylor, E. Z.
Cappabianca	Harhart	Nailor	Taylor, J.
Cappelli	Harper	Nickol	Thomas
Casorio	Hasay	O'Brien	Tigue
Cawley	Hennessey	Oliver	Travaglio
Civera	Herman	Orie	Trello
Clark	Hershey	Pallone	Trich
Clymer	Hess	Perzel	Tulli
Cohen, L. I.	Horsey	Petrarca	Vance
Cohen, M.	Hutchinson	Petrone	Veon
Colafella	Jadlowiec	Phillips	Vitali
Coleman	James	Pickett	Walko
Corrigan	Josephs	Pippy	Wansacz
Costa	Kaiser	Pistella	Washington
Coy	Keller	Preston	Waters
Creighton	Kenney	Raymond	Watson
Cruz	Kirkland	Readshaw	Williams, C.
Curry	Krebs	Reinard	Williams, J.
Dailey	LaGrotta	Rieger	Wilt
Daley	Laughlin	Roberts	Wogan
Dally	Lawless	Robinson	Wojnaroski
DeLuca	Lederer	Roebuck	Wright
Dermody	Leh	Rohrer	Yewcic
DeWeese	Lescovitz	Rooney	Youngblood
DiGirolamo	Levdansky	Ross	Yudichak
Diven	Lewis	Rubley	Zimmerman
Donatucci	Lucyk	Ruffing	Zug
Eachus	Lynch	Sainato	
Egolf	Mackereth	Samuelson	Ryan,
Evans, D.	Maher	Santoni	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Bishop	Cornell	Surra	Tangretti
Butkovitz			

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-198

Adolph	Evans, J.	Maitland	Sather
Allen	Fairchild	Major	Saylor
Argall	Feese	Manderino	Schroder
Armstrong	Fichter	Mann	Schuler
Baker, J.	Fleagle	Markosek	Scrimenti
Baker, M.	Flick	Marsico	Semmel

Bard	Forcier	Mayernik	Shaner
Barley	Frankel	McCall	Smith, B.
Barrar	Freeman	McGeehan	Smith, S. H.
Bastian	Gabig	McGill	Solobay
Bebko-Jones	Gannon	McLhattan	Staback
Belardi	Geist	McIlhinney	Stairs
Belfanti	George	McNaughton	Steelman
Benninghoff	Godshall	Melio	Steil
Birmelin	Gordner	Metcalfe	Stern
Blaum	Grucela	Michlovic	Stetler
Boyes	Gruitza	Micozzie	Stevenson, R.
Browne	Habay	Miller, R.	Stevenson, T.
Bunt	Haluska	Miller, S.	Strittmatter
Buxton	Hanna	Mundy	Sturla
Caltagirone	Harhai	Myers	Taylor, E. Z.
Cappabianca	Harhart	Nailor	Taylor, J.
Cappelli	Harper	Nickol	Thomas
Casorio	Hasay	O'Brien	Tigue
Cawley	Hennessey	Oliver	Travaglio
Civera	Herman	Orie	Trello
Clark	Hershey	Pallone	Trich
Clymer	Hess	Perzel	Tulli
Cohen, L. I.	Horsey	Petrarca	Vance
Cohen, M.	Hutchinson	Petrone	Veon
Colafella	Jadlowiec	Phillips	Vitali
Coleman	James	Pickett	Walko
Corrigan	Josephs	Pippy	Wansacz
Costa	Kaiser	Pistella	Washington
Coy	Keller	Preston	Waters
Creighton	Kenney	Raymond	Watson
Cruz	Kirkland	Readshaw	Williams, C.
Curry	Krebs	Reinard	Williams, J.
Dailey	LaGrotta	Rieger	Wilt
Daley	Laughlin	Roberts	Wogan
Dally	Lawless	Robinson	Wojnaroski
DeLuca	Lederer	Roebuck	Wright
Dermody	Leh	Rohrer	Yewcic
DeWeese	Lescovitz	Rooney	Youngblood
DiGirolamo	Levdansky	Ross	Yudichak
Diven	Lewis	Rubley	Zimmerman
Donatucci	Lucyk	Ruffing	Zug
Eachus	Lynch	Sainato	
Egolf	Mackereth	Samuelson	Ryan,
Evans, D.	Maher	Santoni	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Bishop	Cornell	Surra	Tangretti
Butkovitz			

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

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

* * *

The House proceeded to third consideration of **HB 279**, **PN 280**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for damages in actions for conversion of timber.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. The Chair recognizes the gentleman, Mr. George, who— Mr. George, tell us the first amendment you wish to offer.

Are amendments withdrawn on this bill? The Chair thanks the gentleman.

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

The SPEAKER. 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, Allen, Argall, Armstrong, Baker, J., Baker, M., Bard, Barley, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Blaum, Boyes, Browne, Bunt, Buxton, Caltagirone, Cappabianca, Cappelli, Casorio, Cawley, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Coleman, Corrigan, Costa, Coy, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Egolf, Evans, D., Evans, J., Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Jadlowiec, James, Josepchs, Kaiser, Keller, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lewis, Lucyk, Lynch, Mackereth, Maher, Maitland, Major, Manderino, Mann, Markosek, Marsico, Mayernik, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Myers, Nailor, Nickol, O'Brien, Oliver, Orié, Pallone, Perzel, Petrarca, Petrone, Phillips, Pickett, Pippy, Pistella, Preston, Raymond, Readshaw, Reinard, Rieger, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Strittmatter, Sturla, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Trich, Tulli, Vance, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Williams, C., Williams, J., Wilt, Wogan, Wojnaroski, Wright, Yewwic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker

NAYS—0

NOT VOTING—1

Roberts

EXCUSED—5

Bishop, Butkovitz, Cornell, Surra, Tangretti

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

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

The House proceeded to third consideration of HB 228, PN 215, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for penalties for trafficking drugs to minors.

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

The SPEAKER. The Chair recognizes the gentleman, Mr. George, and requests the gentleman to give the Chair the numbers of the amendments and the order in which he wants them to be considered.

Mr. George, give us your first— All three amendments are withdrawn? The Chair thanks the gentleman.

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

The SPEAKER. 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, Allen, Argall, Armstrong, Baker, J., Baker, M., Bard, Barley, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Blaum, Boyes, Browne, Bunt, Evans, J., Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Maitland, Major, Manderino, Mann, Markosek, Marsico, Mayernik, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Saylor, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Strittmatter, Sturla

Buxton	Hanna	Mundy	Taylor, E. Z.
Caltagirone	Harhai	Myers	Taylor, J.
Cappabianca	Harhart	Nailor	Thomas
Cappelli	Harper	Nickol	Tigue
Casorio	Hasay	O'Brien	Travaglio
Cawley	Hennessey	Oliver	Trello
Civera	Herman	Orie	Trich
Clark	Hershey	Pallone	Tulli
Clymer	Hess	Perzel	Vance
Cohen, L. I.	Horsey	Petrarca	Veon
Cohen, M.	Hutchinson	Petrone	Vitali
Colafella	Jadlowiec	Phillips	Walko
Coleman	James	Pickett	Wansacz
Corrigan	Josephs	Pippy	Washington
Costa	Kaiser	Pistella	Waters
Coy	Keller	Preston	Watson
Creighton	Kenney	Raymond	Williams, C.
Cruz	Kirkland	Readshaw	Williams, J.
Curry	Krebs	Reinard	Wilt
Dailey	LaGrotta	Rieger	Wogan
Daley	Laughlin	Robinson	Wojnarowski
Dally	Lawless	Roebuck	Wright
DeLuca	Lederer	Rohrer	Yewcic
Dermody	Leh	Rooney	Youngblood
DeWeese	Lescovitz	Ross	Yudichak
DiGirolamo	Levdansky	Rubley	Zimmerman
Diven	Lewis	Ruffing	Zug
Donatucci	Lucyk	Sainato	
Eachus	Lynch	Samuelson	
Egolf	Mackereth	Santoni	Ryan,
Evans, D.	Maher	Sather	Speaker

NAYS-0

NOT VOTING-1

Roberts

EXCUSED-5

Bishop	Cornell	Surra	Tangretti
Butkovitz			

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

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

The House proceeded to third consideration of **HB 288, PN 289**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the protection of employment of witnesses under subpoena.

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

Mr. BLAUM offered the following amendment No. **A0368**:

Amend Sec. 1 (Sec. 5906), page 2, lines 12 through 18, by striking out all of said lines

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

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

Mr. BLAUM. Thank you, Mr. Speaker.

This is an agreed-to amendment, and what it does is just make the provisions of this bill applicable to all businesses.

So I ask the members for an affirmative vote.

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

The following roll call was recorded:

YEAS-197

Adolph	Evans, J.	Maitland	Saylor
Allen	Fairchild	Major	Schroder
Argall	Feese	Manderino	Schuler
Armstrong	Fichter	Mann	Scrimenti
Baker, J.	Fleagle	Markosek	Semmel
Baker, M.	Flick	Marsico	Shaner
Bard	Forcier	Mayernik	Smith, B.
Barley	Frankel	McCall	Smith, S. H.
Barrar	Freeman	McGeehan	Solobay
Bastian	Gabig	McGill	Staback
Bebko-Jones	Gannon	McIlhattan	Stairs
Belardi	Geist	McIlhinney	Steelman
Belfanti	George	McNaughton	Steil
Benninghoff	Godshall	Melio	Stern
Birmelin	Gordner	Metcalfe	Stetler
Blaum	Grucela	Michlovic	Stevenson, R.
Boyes	Gruitza	Micozzie	Stevenson, T.
Browne	Habay	Miller, R.	Strittmatter
Bunt	Haluska	Miller, S.	Sturla
Buxton	Hanna	Mundy	Taylor, E. Z.
Caltagirone	Harhai	Myers	Taylor, J.
Cappabianca	Harhart	Nailor	Thomas
Cappelli	Harper	Nickol	Tigue
Casorio	Hasay	O'Brien	Travaglio
Cawley	Hennessey	Oliver	Trello
Civera	Herman	Orie	Trich
Clark	Hershey	Pallone	Tulli
Clymer	Hess	Perzel	Vance
Cohen, L. I.	Horsey	Petrarca	Veon
Cohen, M.	Hutchinson	Petrone	Vitali
Colafella	Jadlowiec	Phillips	Walko
Coleman	James	Pickett	Wansacz
Corrigan	Josephs	Pippy	Washington
Costa	Kaiser	Pistella	Waters
Coy	Keller	Preston	Watson
Creighton	Kenney	Raymond	Williams, C.
Cruz	Kirkland	Readshaw	Williams, J.
Curry	Krebs	Reinard	Wilt
Dailey	LaGrotta	Rieger	Wogan
Daley	Laughlin	Robinson	Wojnarowski
Dally	Lawless	Roebuck	Wright
DeLuca	Lederer	Rohrer	Yewcic
Dermody	Leh	Rooney	Youngblood
DeWeese	Lescovitz	Ross	Yudichak
DiGirolamo	Levdansky	Rubley	Zimmerman
Diven	Lewis	Ruffing	Zug
Donatucci	Lucyk	Sainato	
Eachus	Lynch	Samuelson	
Egolf	Mackereth	Santoni	Ryan,
Evans, D.	Maher	Sather	Speaker

NAYS-0

NOT VOTING-1

Roberts

EXCUSED-5

Bishop	Cornell	Surra	Tangretti
Butkovitz			

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

On the question,

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

The SPEAKER. The Chair's voting list indicates three amendments for the gentleman, Mr. George. Would the gentleman tell us which ones he wishes considered?

Mr. GEORGE. Mr. Speaker, we are going to run 604.

The SPEAKER. The clerk will read the amendment.

On the question recurring,

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

Mr. GEORGE offered the following amendment No. A0604:

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

; and authorizing the Attorney General to issue subpoenas for the purpose of investigating gasoline and fuel prices.

Amend Bill, page 2, by inserting between lines 18 and 19 Section 2. Title 42 is amended by adding a chapter to read:

CHAPTER 99
MISCELLANEOUS PROVISIONS
SUBCHAPTER A
ATTORNEY GENERAL

Sec.

9901. Attorney General investigation into energy prices.

§ 9901. Attorney General investigation into energy prices.

(a) General rule.—To investigate the availability, supply and price of energy in Pennsylvania, the Attorney General is authorized to issue subpoenas for persons and documents that may assist the Attorney General in investigating the causes of any price hikes of more than 50% to Pennsylvania consumers for energy in any period up to a year to determine if any Federal or State crimes have been committed.

(b) Definition.—As used in this section, "energy" means natural gas, electricity, gasoline, diesel fuel, heating oil, kerosene and propane.

Amend Sec. 2, page 2, line 19, by striking out "2" and inserting
3

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the George amendment, the Chair recognizes the gentleman from Clearfield.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, it seems in the last month or so, all we have heard from our constituents is that the price of oil, the price of gas, the price of all of these necessary utility needs have risen until there is no stopping them. Now, when we look at this matter and we talk about it, we are really not doing anything.

Now, the Attorney General has been notified, and he insists that there is nothing within the law to give him the power. Mr. Speaker, when we all vote for this amendment, there will be something in the law to give that gentleman the power to find out why we continue to gouge and why we continue to overcharge.

I ask that we agree with this amendment.

The SPEAKER. On the question of the adoption of the George amendment, the Chair recognizes the gentleman from Delaware, Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

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

This is not a Title 18 bill where an amendment such as that would be more appropriate, in the first instance.

In the second instance, I do not have a problem with the gentleman's desire to look at the situation insofar as gasoline prices, which as we all know have been coming down over recent weeks, but I do not think that it is appropriate for the General Assembly to give that broad authority to the Attorney General, that probably we could do it through our own committee structure to look into that and through public hearings of an appropriate committee, and if there is any legislative remedy, then we could take action on that. If the gentleman has any suspicions or any evidence of any price gouging by any particular service station or a particular refinery, then the Attorney General can investigate that fact and take appropriate action.

And thirdly, there are published reports that other States have undertaken extensive investigations, particularly in the Midwest where gasoline prices rose over a dollar during the summer months a few months ago, and there was very intense investigation of that. And even in that extreme situation, they came back and found that there was not any fault with the gasoline suppliers insofar as that dramatic increase, but it was factors beyond their control; in fact, factors that were not even taking place here in the United States. And even if that were the case, under the present scenario, there really is not too much we could do about foreign suppliers or foreign producers. Except one thing that we can do: We can follow President Bush's lead, and we can ask that the Congress permit us to drill for oil and gas in this country instead of having to get exports and be at the mercy of all these foreign governments and foreign powers. They are the ones that are gouging us, and we have these wacko environmentalists running around this country refusing us to go after our own natural resources because of some poppycock insect or some tree or some fur animal. Let us get our own gas; let us get our own oil. Let us produce what we need, and let us stop begging and pleading and be at the mercy of these foreign governments. That is what the gentleman should be complaining about.

I urge a "no" vote.

The SPEAKER. The gentleman, Mr. Trello.

Mr. TRELLO. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the amendment. I am going to tell you why.

Last Monday I got a letter from my utility companies, my gas and electric, because we got a letter indicating that the prices are going to increase from 28 CFL — I do not know what the heck that means — to 71.8 CFL, whatever that means. So my wife called the utility companies, and they indicated to us that our rates are going to double on June 1.

Now, we have a problem in Allegheny County especially and probably all over this great State of ours. We are going to double the prices of our electric bills, double the price of our gas bills; they are reassessing our properties, which is going to cost us double the price of taxes. All these mergers that are

going on are going to create layoffs, and prices are going to just eat us all up.

Now, he talks about the foreign oil companies. I am going to tell you something, Mr. Speaker. We are the Arabs; we own everything over there, and a few of the billionaires that live in this country, they control it. So if the prices go up, it is not them; it is us.

I ask for a "yes" vote on the amendment.

The SPEAKER. Mr. Gannon, do you seek recognition for the second time?

Mr. GANNON. Not yet, Mr. Speaker.

The SPEAKER. Mr. Smith.

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

Mr. Speaker, first, it is nice to see the old Tom Gannon back.

Along with the arguments posed by the gentleman from Delaware County, I also wanted to add just for the members' clarification that this amendment already passed as an amendment to HB 155 back in February. So against the claims that we are insensitive or not doing anything regarding these issues, this amendment already sits in a bill that is in the Senate. I do not think it behooves any of us to add it to every other bill that comes out of the House, and I would urge a "no" vote on this amendment.

The SPEAKER. The gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the George amendment. I know that the George amendment is reflective of other steps that we have taken, but, Mr. Speaker, I do not believe that I am a poppycock environmentalist because I believe that there is great disparity in oil and fuel prices in the Commonwealth of Pennsylvania. There is no rational basis as to why you go to one corner and have to spend \$1.80 for a gallon of gas and go a half a block up and might end up spending \$2-and-something for a gallon of gas. Nor is there any rational basis as to why the Public Utility Commission said to us a few weeks ago that in Philadelphia County, last year gas was one price per cubic foot, this year it is something else. There is a clear difference in what the Public Utility Commission has said that the Philadelphia gas company should be charging residents in Philadelphia County versus what other gas utility companies are charging.

Mr. Speaker, until sanity, until sanity and reasonableness are brought to this issue, then we must attach this kind of amendment to every single bill that goes over to the Senate and hope that the Senate and the Governor at some point will step up to the plate and do something about the outrageous gas and fuel prices in the Commonwealth of Pennsylvania. Thank you.

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

It is my perspective that the debate and the amendment that Mr. George offers is certainly not alien to Title 42.

The SPEAKER. Mr. DeWeese.

Conferences on the floor, please break up. The conference in the vicinity of the two leaders' desks, please break up.

Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

I would like to repeat: Relative to an observation that the majority chairman made a little while ago, I think that the essence of Mr. George's amendment and the debate right now is certainly not alien to the ambit of Title 42, and frankly and succinctly, the people's House wants the people's

Attorney General to overview with legal muscle the possibility that illegality has possibly taken place when price hikes are over 50 percent within a year. I fail to understand the emotion generated on the other side of this argument. Mr. George's proposal seems reasonable. We are asking our Republican Attorney General to involve himself with the men and women of his staff, 500 or 600 people, most of them if not many of them with law degrees, to take a look at some of these wild, eccentric gyrations in our energy prices over the last year, and only if they exceed a 50 percent within that one year.

I would ask for an affirmative vote on Mr. Bud George's amendment A0604.

The SPEAKER. The gentleman, Mr. Tulli.

Mr. TULLI. Thank you, Mr. Speaker.

In the George amendment there is a piece there for the Attorney General to look into electricity as one of the energy supplies, and as many of you have seen in the California crisis, electricity energy is one of the few bargains that are found in Pennsylvania today. And I think this ought not to be part of any investigation at this time because prices in electricity are not rising dramatically, and I believe this should be taken out of the list on the George amendment, and as long as it is in, I urge a "no" vote on the George amendment.

The SPEAKER. The gentleman, Mr. Trello, for the second time.

Mr. TRELLO. Mr. Speaker, I am sure that many of you in this chamber have not heard from your constituents yet. I have heard from a few. But after reading the letter that I received from my utility companies, can you imagine what is going to happen to senior citizens and people of little means that have to heat their house? They indicated to me that my utility bills are going to double as of June 1. Now, you take an average senior citizen that collects a little pension or Social Security that makes maybe \$25,000 or \$28,000 a year. If they have to end up paying \$5,000 or \$6,000 a year just to heat and light their home plus the telephone bills and the other bills they have, there is going to be an outrage in this State.

With all due respect to my colleague talking about California, we are enjoying low electric rates today, but as of June 1, Mr. Speaker, you are going to hear from your constituents, because their electric bill is going to double. There is no reason for it to double in my opinion, but they are going to double.

Now, I know we passed legislation and sent it over to the Senate, but I think we have to send this message every single day until the Senate acts on our request. So I urge another positive vote on this amendment for your sake and the sake of the constituents that live in your district. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, I think the reason why people send us to Harrisburg is to fight their problems. We have got a problem in Pennsylvania, at least in western Pennsylvania, about how energy rates are going up tremendously, especially our gas rates. If your constituents were sitting up there and you would vote "no" on this particular amendment, I think they would be shocked. The only people who would be opposed to this particular amendment would be the gas companies. They would probably be opposed to it. But I cannot imagine one of your

constituents of 60,000 people, if they were sitting in your seat, would vote "no" on this amendment.

Our job is to help the people of Pennsylvania, and this is a very, very proconsumer amendment, and I ask for your support.

The SPEAKER. The gentleman, Mr. Lynch.

Mr. LYNCH. Thank you, Mr. Speaker.

You know, we on this side of the aisle are probably getting a little concerned with you folks over there on that side of the aisle telling us that we do not care. Nobody cares any more about the people that we represent than we all do, each and every one of us. The concern I have about this amendment, which I am going to be voting "no" on, is the fact that it appears that we have the authorization to give to the Attorney General. I think the Attorney General can do this investigation without us having to give him the authorization to do so. This is just simply unnecessary legislation.

Is there something that needs to be done? Sure, it needs to be done, but we are not the ones that are going to authorize it. The AG can do it on his own. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, I can only reiterate what I said earlier, and perhaps one element can be added to that, is under the Commonwealth Attorneys Act, under existing law, if there is any evidence of a crime — price gouging, if you will — by a utility or a seller of energy, no matter what the type, the Attorney General can undertake an investigation and recommend the appropriate punishment. There is really no need and it is redundant for this type of an amendment to be inserted in this bill, which is a Title 42 bill. But even beyond that, we have already, as has been pointed out in earlier debate, we have already unanimously passed this type of an amendment in a bill that is now over in the Senate, and by adding an unnecessary amendment, a redundant amendment, to this piece of legislation, we may be delaying something that would be very important to the people of the Commonwealth of Pennsylvania.

And as I stated earlier, where there is a lot of complaining and whining about the high price of energy — and that is not without merit; no one likes to pay a high price for anything; my constituents do not want to pay high prices for their energy — but if there is a crime committed, if there is gouging taking place, we do have tools in law at present by which the Attorney General and law enforcement can take appropriate action, and I would suggest to those members who have gotten up and talked about the high price of gas in their districts or the high price of fuel or electricity or whatever, if they have any evidence that there is any price gouging going on by anybody who is selling it or supplying it or whatever, they should give that information to the Attorney General's Office or appropriate law enforcement and let them undertake an investigation, and if there is a crime being committed, that appropriate punishment to those individuals be assessed.

So this amendment is really something that is totally unnecessary. Now, politically it looks good, politically it looks wonderful, but it really accomplishes nothing. And I think most of the people that sent us up here, perhaps all the people that sent us up here, wanted us to accomplish something, to do something, and we can engage in exercises like this for political grandstanding, if you will, and I am not suggesting that anybody has done that, but that may be the appearance, and I would hope

that was not the case, but if there is criminal activity, if there is price gouging, refer that information to the appropriate law enforcement, and they will undertake an investigation to determine if that is the case.

I urge a "no" vote on this amendment.

The SPEAKER. The gentleman, Mr. Smith, for the second time.

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

Mr. Speaker, I want to reiterate a couple points.

Primarily, as I mentioned, as bad as this legislation may appear, whether it gets at the subject or does not get at the subject, it was already passed to HB 155. Again, I really question how many times, how many bills we want to put similar amendments in when we are sending these bills over to the Senate. If this is your bill, if this is a bill that you are prime sponsor of and you are trying to deal with another related issue and you keep getting loaded down with these amendments, all that is going to happen to them when they get over to the Senate is they are just going to be put in the bucket and they are never going to be seen from again, because the Senate is going to say, these guys over here are not serious about these issues; they just keep throwing these amendments everywhere. I think that is a problem we have in the way we do business here in the House, with smattering all these bills with a slew of the same amendments, but that is something that the body is going to have to decide, and I think we make a big mistake when we continue to just throw stuff against the wall without really being focused on what our real intentions are around here.

Secondly, I want to talk about some of the comments that have already been made relative to whether or not this bill would actually do anything to lower the natural gas rates or the gasoline rates or the electric rates or whatever source of energy your home or car uses. The fact is that this legislation is not going to do anything to solve that problem. That is absurd to say that if we vote against this, we are allowing our constituents' rates for energy to go up. In my district T.W. Phillips Gas Company just went in for two rate increases in the last 4 months. One of them was a rate increase of their general operating, and one was the fuel cost adjustment — the base rate increase and the fuel cost adjustment — practically doubled the natural gas rates for those constituents in my district. Now, if you are going to try to tell me that passing this bill is going to protect those people from those two rate increases that the PUC (Public Utility Commission) approved, well, then I do not know what kind of argument people are going to believe, because those rate increases were not caused by gouging. I did not want to see them go through. I do not want to see my constituents pay those bills. They cannot afford to pay those bills in many cases. But to suggest that the Attorney General looking over somebody's shoulder in the PUC is going to keep that rate increase from going through is absurd. I mean, it is just one layer on top of another, and if you want to play that game, go ahead, but I think you are just fooling the people that you represent.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Thomas, for the second time.

Mr. THOMAS. Mr. Speaker, I think it is important for people to understand that Pennsylvania is the second, second only to Florida, of the fastest growing elderly population in the

country. We have thousands of elderly people in the Commonwealth of Pennsylvania — some of them our grandmothers, our aunts, our uncles, and very close family members. Most of them if not all of them are on some fixed income. They are on some form of fixed income, which means that they are not able to deal with the fluidity or the changes in gas and oil prices. They are not able to deal with it. They can no longer plan for tomorrow or for next week.

Mr. Speaker, we recognize that the George amendment is not going to, with the wave of a wand, just change the problem that is facing our elderly people and many other people in Pennsylvania; we understand that. What we are saying is that through this direct authorization, through a message, by delegating to the Attorney General the power to take a look at this issue, that there have been enough sporadic changes in the adjustment of prices, that by directing the Attorney General to take a look at it, we will be sending a message, a message that enough is enough, that we are going to be concerned about the conditions in which we are allowing people to suffer in the Commonwealth of Pennsylvania. That is all the George amendment is saying.

I also recognize that the amendment was a part of something that is already in the Senate, and to the previous speaker, let me say that if the Senate would act, if the Senate would act in an affirmative manner and approve these amendments that we send over that run directly to the quality of life of people in the Commonwealth of Pennsylvania, then we would not keep sending the amendments over. We are saying that some of us have taken the position of drawing a line in the sand; that there is too much fluidity out there with these gas and oil prices and that there are too many people in Pennsylvania suffering, that we will not allow another day to go past without continuously sending amendments like this and other amendments over to the Senate until we can bring some sanity to this issue.

So if I am a lunatic, let me be a lunatic for the seniors of Pennsylvania; let me be a lunatic for those who are living in cold today because they have no control over the pricing that is going on in the Commonwealth of Pennsylvania.

Mr. Speaker, we do not want to be hostile; we do not want an adversarial relationship. All we want is to say, enough is enough. Let us support the George amendment and take some step towards getting a handle on this issue in Pennsylvania. Thank you.

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. The gentleman from Allegheny, Mr. Maher.
Mr. MAHER. Thank you, Mr. Speaker.

Our Constitution for Pennsylvania establishes the role of this body and the role of the Attorney General and the other row offices, and while it may be inconvenient to pay attention to our Constitution in the heat of the moment and the issue of the day, I think that we need to step back and recognize that the Attorney General's powers and prerogatives are established by Constitution and not by statute.

Accordingly, Mr. Speaker, I am moving that we find this amendment to be unconstitutional.

The SPEAKER. Mr. Maher, under the rules of the House, it will be necessary for you to cite a section of the Constitution that you are referring to.

Mr. MAHER. Well, then I am going to need to get right back to you, Mr. Speaker. Perhaps the Parliamentarian could assist.

The SPEAKER. No; he is the one that told me that.

Mr. MAHER. One moment.

The SPEAKER. The gentleman, Mr. Maher.

Mr. MAHER. Mr. Speaker, I would be considering the Constitution, Article IV, section 4.1.

The SPEAKER. The Chair thanks the gentleman.

Mr. MAHER. Thank you.

The SPEAKER. The gentleman, Mr. Maher, raises the point of order that amendment No. 0604 is unconstitutional. The Speaker, under rule 4, is required to submit questions affecting the constitutionality of an amendment to the House for decision. The Chair now does that.

On the question,

Will the House sustain the constitutionality of the amendment?

The SPEAKER. The Chair recognizes the gentleman, Mr. Maher, on the question of constitutionality.

Mr. MAHER. Mr. Speaker, I will be brief.

I think the basic line is that our duties and prerogatives of the row offices are established in the Constitution, not by statute, and we should respect that. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of constitutionality, the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the section that Mr. Maher cites reads as follows: "An Attorney General shall be chosen by the qualified electors of the Commonwealth on the day the general election is held for the Auditor General and State Treasurer; he shall hold his office during four years from the third Tuesday of January next ensuing his election and shall not be eligible to serve continuously for more than two successive terms; he shall be the chief law officer of the Commonwealth and shall exercise such powers and perform such duties as may be imposed by law."

I would argue, Mr. Speaker, that the constitutional provision means precisely the opposite of what Mr. Maher argues it means. The constitutional provision specifically authorizes the General Assembly to prescribe powers and duties for the Attorney General by law. That is what the section says. Nowhere does the constitutional provision give the Attorney General any specific powers for him to exercise, and it says that he "...shall exercise such powers and perform such duties as may be imposed by law."

Mr. George is seeking to impose a duty by law that is specifically authorized under the Constitution. There is absolutely no reason to vote that this is unconstitutional. I would strongly urge that we hold this to be constitutional. To hold that it is unconstitutional for us to impose a duty when the Constitution specifically authorizes us to impose a duty would be to make a mockery out of the process of declaring the law to be unconstitutional.

The SPEAKER. The gentleman, Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

This is a political process, and whether you like the amendment or you do not like the amendment, we should vote on the merits of the amendment. If you want to support the

amendment, vote "yes"; if you want to oppose it, vote "no." But when you bring up a constitutional argument, from my standpoint as a rank-and-file member, it becomes a more serious issue, and I hold the Constitution very near and dear, and as stated just previously, the last line of Article IV, section 4.1, says that the Attorney General "...shall exercise such powers and perform such duties as may be imposed by law." I can think of several instances since I have been a State legislator that we have passed legislation giving that authority or providing that provision.

Again, I would respectfully request the maker of this motion to withdraw it and then vote on the merits of the amendment either "yes" or "no," but to bring up this constitutional issue should not be politicized. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I also rise that this amendment is constitutional, as cited by the gentlemen, Mr. Cohen and Mr. Gordner. It is very clear that we as the legislative body, as the body that enacts the laws, have the power to call upon the Attorney General to carry out the laws.

The section that Mr. Maher cited in fact does state that he will "...exercise such powers and perform such duties as may be imposed by law." We are the General Assembly. We enact the laws. If anything, Mr. Maher's point bolsters the notion that Mr. George's amendment is constitutional.

I would urge the members to vote for constitutionality. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question, Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, at first blush, I had some concern about whether or not this was constitutional or unconstitutional, but in listening to the debate and reading the language of the amendment a little more carefully, I am convinced that Representative Maher is correct. This particular amendment does raise very profound constitutional questions, particularly on the issue of due process and equal protection, and here is why.

At the very end of this amendment, it says that the Attorney General will investigate to determine whether any Federal or State crimes have been committed. The analogy would be to a grand jury. Now, before a grand jury can be impaneled to investigate whether or not a crime has been committed, the prosecutor must go to a judge and convince the judge that it is more probable than not that crimes have been committed, and they submit whatever evidence they may have at that time. It is not based on supposition; it is not based on speculation; it is not based on somebody did something I just do not like or I am not happy with. It is based on a solid foundation.

In this particular instance, we are being asked, the General Assembly is being asked, to make every seller of energy in this Commonwealth a suspect, and then we are directing the Attorney General to go out and undertake an investigation; no due process, no equal protection, just a blanket statement.

Mr. Speaker, if anything is unconstitutional, that is. It goes to the very heart of our system of jurisprudence, and I would ask for an affirmative vote that in fact this is unconstitutional.

The SPEAKER. Mr. Cohen. Will the gentleman yield.

On the question of constitutionality, you have already addressed the House once, and that is all you are permitted.

PARLIAMENTARY INQUIRY

Mr. COHEN. Point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. COHEN. Mr. Speaker, Mr. Maher argued that it was unconstitutional under section 4.1 of the Constitution, and Mr. Gannon chose to address the Federal Constitution and not the State constitutional provisions. Is Mr. Gannon allowed to in effect amend the motion of unconstitutionality and come up with new sections of constitutionality, or what do we do?

The SPEAKER. Mr. Cohen, I was listening to Mr. Gannon, although I frankly was not looking down the road you are, and I have no problem with him addressing Federal questions as a throwaway issue, if you will. He did not amend the motion, if that is your question. At least I did not hear him amend the motion.

Mr. COHEN. So, Mr. Speaker, for the point of clarification, what we are voting on now—

The SPEAKER. Is Mr. Maher's—

Mr. COHEN.—is Mr. Maher's motion as to whether it is constitutional under Article IV, section 4.1, of the Pennsylvania Constitution.

The SPEAKER. That is correct.

Mr. COHEN. Thank you, Mr. Speaker.

The SPEAKER. On the question of constitutionality, the gentleman, Mr. George.

Mr. GEORGE. Mr. Speaker, I am not going—

The SPEAKER. Will the gentleman yield.

The conference in the vicinity of the gentleman, Mr. George, will please break up.

Mr. George.

Mr. GEORGE. Mr. Speaker, I will not be very long.

I may not have the cheering section that Mr. Gannon had a moment ago. Bobby-soxers do the darnedest things sometimes, Mr. Speaker.

But I do know one thing. Mr. Smith was absolutely right when he said an amendment identical to this had gone over to the Senate, and it languishes there like a dirty linen, and that is where it will stay. So if we are going to stay here and let those Senators continue to say we are the ones that are lackadaisical, we can only blame a couple of people for that.

Now, the gentleman in the rear said that it is not constitutional, and then the other gentleman, Mr. Speaker, said he already has that right; it is constitutional. And all we are trying to do is say, yes, yes, yes, it is constitutional; yes, yes, yes, we just want to give him the specific power to be able to find out why our constituents, Mr. Speaker— Now, you know, Mr. Speaker, we can talk about a lot of things, and yet when they do not really have to be true, but, Mr. Speaker, we know it is true whenever the people that you and I, Republican and Democrat alike, when they go down the road, Mr. Speaker, and they see the gas went up 2 cents and an hour later when they come up the road and they see it going up 2 more cents, but there was no tank putting it in the ground, and then they go down again at 7 o'clock and it went up another 2 cents, and then the ladies call me and say, why are—

The SPEAKER. Mr. George, the question before the House is one of constitutionality.

Mr. GEORGE. I am trying to get to that, Mr. Speaker.

The SPEAKER. It is a long—

Mr. GEORGE. I am trying to get to the point that— The zeal should make up for the lack of constitutional knowledge.

So I am saying, the bill does not say what they want it to say; it says energy. And for those people that want to say it is not constitutional, Mr. Speaker, that is their vote. That is why they were sent here. They were sent here to make that vote. But also, let me say they were sent here like you and I, Mr. Speaker, on occasion telling them what we believe in and what we should prioritize.

Now, this is as constitutional as any matter that ever came before us. It was constitutional when we passed it 32 days ago, and if you think the Constitution is going to be in the bearing and even those of you that voted for electric choice, I do not hold that against you; you are good people; you thought you were going to reduce the electric power rates. I condemn you for being earnest, I condemn you for wanting to do the right thing, but right now over at the PUC, those people are going to get a 31-percent increase—

The SPEAKER. Mr. George.

Mr. GEORGE. —and if that is constitutional, I will kiss your tootsy.

The SPEAKER. Here?

Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, one of the saddest things serving in this legislature is when people hide behind the Constitution to avoid a vote that makes sense. This is so constitutional it is unbelievable. Whenever a speaker on the other side said that the Constitution permits the Attorney General to do things like this and now we are going to vote that it is not constitutional, it is totally ridiculous. I mean, if I would go back home and tell my people that I voted “no” on this amendment, I would be embarrassed and I would be ashamed.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

As anyone who remembers Gore versus Bush in front of the United States Supreme Court, constitutionality, like beauty, is in the eye of the beholder. Amongst most of us beholders, this is constitutional, and I would ask for a favorable vote.

The SPEAKER. On the question, those voting “aye” will vote that the amendment is constitutional; those voting in the negative will be voting that the amendment is not constitutional.

On the question recurring,

Will the House sustain the constitutionality of the amendment?

The following roll call was recorded:

YEAS—103

Bebko-Jones	Frankel	McIlhinney	Solobay
Belardi	Freeman	Melio	Staback
Belfanti	George	Metcalfe	Steelman
Blaum	Gordner	Michlovic	Steil
Boyes	Grucela	Mundy	Stetler
Buxton	Gruitza	Myers	Sturla
Caltagirone	Haluska	Nailor	Thomas
Cappabianca	Hanna	Oliver	Tigue

Casorio	Harhai	Pallone	Travaglio
Cawley	Hasay	Petrarca	Trello
Cohen, M.	Horsley	Petrone	Trich
Colafella	James	Pistella	Veon
Corrigan	Josephs	Preston	Vitali
Costa	Kirkland	Readshaw	Walko
Coy	Krebs	Rieger	Wansacz
Creighton	LaGrotta	Roberts	Washington
Cruz	Laughlin	Robinson	Waters
Curry	Lederer	Roebuck	Williams, C.
Daley	Lescovitz	Rohrer	Williams, J.
DeLuca	Levdansky	Rooney	Wojnaroski
Dermody	Lucyk	Ruffing	Yewcic
DeWeese	Manderino	Sainato	Youngblood
Diven	Mann	Samuelson	Yudichak
Donatucci	Markosek	Santoni	
Eachus	McCall	Scrimenti	Ryan,
Evans, D.	McGeehan	Shaner	Speaker
Forcier			

NAYS—90

Adolph	Evans, J.	Lynch	Rubley
Allen	Fairchild	Mackereth	Sather
Argall	Feese	Maher	Saylor
Armstrong	Fichter	Maitland	Schuler
Baker, J.	Fleagle	Major	Semmel
Baker, M.	Flick	Marsico	Smith, B.
Bard	Gabig	McGill	Smith, S. H.
Barley	Gannon	McIlhattan	Stairs
Barrar	Geist	McNaughton	Stern
Bastian	Godshall	Micozzie	Stevenson, R.
Benninghoff	Habay	Miller, R.	Stevenson, T.
Birmelin	Harhart	Miller, S.	Strittmatter
Browne	Harper	Nickol	Taylor, E. Z.
Cappelli	Hennessey	O'Brien	Taylor, J.
Civera	Herman	Orie	Tulli
Clark	Hershey	Perzel	Vance
Clymer	Hess	Phillips	Watson
Cohen, L. I.	Hutchinson	Pickett	Wilt
Coleman	Jadlowiec	Pippy	Wogan
Dailey	Kenney	Raymond	Wright
Dally	Lawless	Reinard	Zimmerman
DiGirolamo	Leh	Ross	Zug
Egolf	Lewis		

NOT VOTING—5

Bunt	Keller	Mayernik	Schroder
Kaiser			

EXCUSED—5

Bishop	Cornell	Surra	Tangretti
Butkovitz			

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the amendment was sustained.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—124

Adolph	Evans, D.	Manderino	Sainato
Armstrong	Fairchild	Mann	Samuelson
Barrar	Flick	Markosek	Santoni
Bebko-Jones	Frankel	McCall	Sather
Belardi	Freeman	McGeehan	Schroder

Belfanti	Geist	McGill	Scrimenti
Blaum	George	McIlhinney	Shaner
Browne	Gordner	Melio	Solobay
Buxton	Grucela	Metcalfe	Staback
Caltagirone	Gruitza	Michlovic	Steelman
Cappabianca	Habay	Micozzie	Stetler
Casorio	Haluska	Mundy	Stevenson, T.
Cawley	Hanna	Myers	Sturla
Civera	Harhai	Oliver	Thomas
Cohen, L. I.	Harhart	Orie	Tigue
Cohen, M.	Hasay	Pallone	Travaglio
Colafella	Herman	Petrarca	Trello
Corrigan	Horsey	Petrone	Trich
Costa	James	Phillips	Veon
Coy	Josephs	Pippy	Vitali
Cruz	Kirkland	Pistella	Walko
Curry	Krebs	Preston	Wansacz
Daley	LaGrotta	Readshaw	Washington
Dally	Laughlin	Reinard	Waters
DeLuca	Lawless	Rieger	Williams, C.
Dermody	Lederer	Roberts	Williams, J.
DeWeese	Lescovitz	Robinson	Wojnarowski
DiGirolamo	Levdansky	Roebuck	Wright
Diven	Lewis	Rooney	Yewcic
Donatucci	Lucyk	Rublely	Youngblood
Eachus	Mackereth	Ruffing	Yudichak

NAYS—71

Allen	Feese	Major	Smith, S. H.
Argall	Fichter	Marsico	Stairs
Baker, J.	Fleagle	McIlhattan	Steil
Baker, M.	Forcier	McNaughton	Stern
Bard	Gabig	Miller, R.	Stevenson, R.
Barley	Gannon	Miller, S.	Strittmatter
Bastian	Godshall	Nailor	Taylor, E. Z.
Benninghoff	Harper	Nickol	Taylor, J.
Birmelin	Hennessey	O'Brien	Tulli
Boyes	Hershey	Perzel	Vance
Bunt	Hess	Pickett	Watson
Cappelli	Hutchinson	Raymond	Wilt
Clark	Jadlowiec	Rohrer	Wogan
Clymer	Kenney	Ross	Zimmerman
Coleman	Leh	Saylor	Zug
Creighton	Lynch	Schuler	
Dailey	Maher	Semmel	Ryan,
Egolf	Maitland	Smith, B.	Speaker
Evans, J.			

NOT VOTING—3

Kaiser	Keller	Mayernik
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EXCUSED—5

Bishop	Cornell	Surra	Tangretti
Butkovitz			

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

On the question recurring,

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

Mr. GEORGE offered the following amendment No. A0519:

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

and for participation in law or regulation related to an issue in the public interest; and making repeals.

Amend Sec. 1, page 1, line 7, by striking out "a section" and inserting

sections

Amend Bill, page 4, by inserting between lines 18 and 19

§ 8340.1. Participation in law or regulation related to an issue in the public interest.

(a) Immunity—

(1) A person who acts in furtherance of the person's right of petition or free speech under the Constitution of the United States or the Constitution of Pennsylvania in connection with enforcement or implementation of law or regulation related to an issue in the public interest shall be immune from civil liability in any action except where the communication to the government agency is not genuinely aimed at procuring a favorable governmental action, result or outcome.

(2) A communication is not genuinely aimed at procuring a favorable governmental action, result or outcome if it:

(i) is not material or relevant to the enforcement or implementation of law or regulation related to an issue in the public interest;

(ii) was knowingly false when made;

(iii) was rendered with reckless disregard as to the truth or falsity of the statement when made; or

(iv) represented a wrongful use of process or abuse of process.

(b) Stay of discovery.—The court shall stay all discovery proceedings in the action upon the filing of preliminary objections for legal insufficiency of a pleading or other appropriate motion on the basis of immunity, provided, however, that the court, on motion and after a hearing and for good cause shown, may order that specified discovery be conducted. The stay of discovery shall remain in effect until notice of the entry of the order ruling on the preliminary objections or on another appropriate motion.

(c) Admissibility of court determination.—If the court determines that the plaintiff has established that there is a substantial likelihood that the plaintiff will prevail on the claim, neither that determination nor the fact of that determination shall be admissible in evidence at any later stage of the case, and no burden of proof or degree of proof otherwise applicable shall be affected by that determination.

(d) Intervention.—The government agency involved in the furtherance of a person's right of petition or free speech under the Constitution of the United States or the Constitution of Pennsylvania in connection with a public issue may intervene or otherwise participate as an amicus curiae in the action involving public petition and participation.

(e) Legal protections of defendants.—Nothing in this section shall be construed to limit any constitutional, statutory or common-law protections of defendants to actions involving public petition and participation.

(f) Abuse of legal process.—In addition to other costs or remedies allowed by general rule or statute, in any administrative or judicial proceeding related to the enforcement or implementation of law or regulation related to an issue in the public interest, the agency or court may award costs, including reasonable attorney fees, if the agency or court determines that an action, appeal, claim, motion or pleading is frivolous or taken solely for delay or that the conduct of a party or counsel is dilatory or vexatious.

(g) Definitions.—The following words and phrases when used in this section shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Act in furtherance of a person's right of petition or free speech under the United States Constitution or the Constitution of Pennsylvania in connection with a public issue." Any written or oral statement or writing made before a legislative, executive or judicial

proceeding, or any other official proceeding authorized by law; any written or oral statement or writing made in connection with an issue under consideration or review by a legislative, executive or judicial body, or any other official proceeding authorized by law; any written or oral statement or writing made in a place open to the public or a public forum in connection with an issue of public interest; or any written or oral statement or writing made to a government agency in connection with the implementation and enforcement of law and regulation related to an issue in the public interest.

“Enforcement and implementation of law and regulation related to an issue of public interest.” Any activity related to the identification and elimination of violations of law and regulation and to the development of rules for the administration of programs established under law or in connection with an application for a permit, zoning change, lease, license, certificate or other entitlement for use or permission to act from any government agency.

“Government agency.” The Federal Government, the Commonwealth and all of its departments, commissions, boards, agencies and authorities, and all political subdivisions and their authorities.

Section 2. The provisions of 27 Pa.C.S. § 7707 and Ch. 83 are repealed.

Amend Sec. 2, page 2, line 19, by striking out “2” and inserting 3

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

LEAVE OF ABSENCE

The SPEAKER. The Chair returns momentarily to leaves of absence and recognizes the gentleman, Mr. Veon, who requests that the lady from Philadelphia, Ms. WASHINGTON, be placed on leave for the balance of today’s session. Without objection, the leave is granted. The Chair hears no objection.

CONSIDERATION OF HB 288 CONTINUED

AMENDMENT WITHDRAWN

The SPEAKER. The Chair recognizes, on the amendment, the gentleman, Mr. George.

Mr. GEORGE. Mr. Speaker, I am going to withdraw that amendment.

The SPEAKER. The Chair thanks the gentleman. The amendment is withdrawn.

Mr. GEORGE. Mr. Speaker, would you ask Mr. Gallen to get up and cheer?

The SPEAKER. Mr. Gallen is no longer a member.

Mr. GEORGE. How about Mr. Gannon?

The SPEAKER. Not now, please. We will do that on adjournment.

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—196

- | | | | |
|--------------|------------|------------|---------------|
| Adolph | Evans, J. | Major | Sather |
| Allen | Fairchild | Manderino | Saylor |
| Argall | Feese | Mann | Schroder |
| Armstrong | Fichter | Markosek | Schuler |
| Baker, J. | Fleagle | Marsico | Scrimenti |
| Baker, M. | Flick | Mayermik | Semmel |
| Bard | Forcier | McCall | Shaner |
| Barley | Frankel | McGeehan | Smith, B. |
| Barrar | Freeman | McGill | Smith, S. H. |
| Bastian | Gabig | McIlhattan | Solobay |
| Bebko-Jones | Gannon | McIlhinney | Staback |
| Belardi | Geist | McNaughton | Stairs |
| Belfanti | George | Melio | Steelman |
| Benninghoff | Godshall | Metcalfe | Steil |
| Birmelin | Gordner | Michlovic | Stern |
| Blaum | Grucela | Micozzie | Stetler |
| Boyes | Gruitza | Miller, R. | Stevenson, R. |
| Browne | Habay | Miller, S. | Stevenson, T. |
| Bunt | Haluska | Mundy | Strittmatter |
| Buxton | Hanna | Myers | Sturla |
| Caltagirone | Harhai | Nailor | Taylor, E. Z. |
| Cappabianca | Harhart | Nickol | Taylor, J. |
| Cappelli | Harper | O’Brien | Thomas |
| Casorio | Hasay | Oliver | Tigue |
| Cawley | Hennessey | Orie | Travaglio |
| Civera | Herman | Pallone | Trello |
| Clark | Hershey | Perzel | Trich |
| Clymer | Hess | Petrarca | Tulli |
| Cohen, L. I. | Horsey | Petrone | Vance |
| Cohen, M. | Hutchinson | Phillips | Veon |
| Colafella | Jadlowiec | Pickett | Vitali |
| Coleman | James | Pippy | Walko |
| Corrigan | Josephs | Pistella | Wansacz |
| Costa | Keller | Preston | Waters |
| Coy | Kenney | Raymond | Watson |
| Creighton | Kirkland | Readshaw | Williams, C. |
| Cruz | Krebs | Reinard | Williams, J. |
| Curry | LaGrotta | Rieger | Wilt |
| Dailey | Laughlin | Roberts | Wogan |
| Daley | Lawless | Robinson | Wojnaroski |
| Dally | Lederer | Roebuck | Wright |
| DeLuca | Leh | Rohrer | Yewcic |
| Dermody | Lescovitz | Rooney | Youngblood |
| DeWeese | Levdansky | Ross | Yudichak |
| DiGirolamo | Lewis | Rubley | Zimmerman |
| Diven | Lucyk | Ruffing | Zug |
| Donatucci | Lynch | Sainato | |
| Eachus | Mackereth | Samuelson | |
| Egolf | Maher | Santoni | Ryan, |
| Evans, D. | Maitland | | Speaker |

NAYS—0

NOT VOTING—1

Kaiser

EXCUSED—6

- | | | | |
|-----------|---------|-----------|------------|
| Bishop | Cornell | Tangretti | Washington |
| Butkovitz | Surra | | |

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

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

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the majority whip, who requests that the gentleman, Mr. CLYMER, be placed on leave for the balance of today's session. Without objection, the leave will be granted. The Chair hears no objection.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 59, PN 45, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for civil immunity for antidrug and town-watch volunteers.

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

The SPEAKER. The Chair recognizes the gentleman, Mr. George. Mr. George, do you have amendments for HB 59?

Mr. GEORGE. Mr. Speaker, to relieve the possibility of redundancy, the amendment that I had drafted was identical to the one that this honorable body intelligently accepted, so I will not offer it. Thank you.

The SPEAKER. That is true of both of your suggested amendments? The Chair thanks the gentleman.

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

The SPEAKER. 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

Table listing names of members who voted 'YEAS' for HB 59, including Adolph, Allen, Argall, Armstrong, Baker, J., Baker, M., Bard, Barley, Barrar, Bastian, Bebk-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Blaum, Boyes, Browne, Bunt, Buxton, Caltagirone, Cappabianca, Cappelli, Casorio, Cawley, Evans, J., Major, Sather, etc.

Table listing names of members who were absent or did not vote for HB 59, including Civera, Clark, Cohen, L. I., Cohen, M., Colafella, Coleman, Corrigan, Costa, Coy, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Egolf, Evans, D., Hershey, Hess, Horsey, Hutchinson, Jadlowiec, James, Josephs, Kaiser, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lewis, Lucyk, Lynch, Mackereth, Maher, Maitland, Pallone, Perzel, Petrarca, Petrone, Phillips, Pickett, Pippy, Pistella, Preston, Raymond, Readshaw, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Trello, Trich, Tulli, Vance, Veon, Vitali, Walko, Wansacz, Waters, Watson, Williams, C., Williams, J., Wilt, Wogan, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker.

NAYS—0

NOT VOTING—2

Gordner Keller

EXCUSED—7

Bishop Butkovitz Clymer Cornell Surra Tangretti Washington

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

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

The House proceeded to third consideration of HB 26, PN 615, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for eligibility for annuities, eligibility for vesting, for payments by employers, for member's options, for membership of the Public School Employees' Retirement Board and the State Employees' Retirement Board, for management of fund and accounts and for disability annuities.

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

Mr. STRITTMATTER offered the following amendment No. A0546:

- Amend Title, page 1, lines 3 and 4, by striking out all of said lines and inserting membership
Amend Title, page 1, line 6, by inserting after "Board" and
Amend Title, page 1, line 7, by striking out all of said line and inserting accounts.

Amend Bill, page 1, lines 10 through 18; page 2, lines 1 through 18, by striking out all of said lines on said pages and inserting

Section 1. Section 8327 of Title 24 of the Pennsylvania Consolidated Statutes is amended by adding a

Amend Sec. 4, page 3, line 26, by striking out "Section 4. Sections 8345(a)," and inserting

Section 2. Sections

Amend Sec. 4 (Sec. 8345), page 3, lines 28 through 30; page 4, lines 1 through 30; page 5, lines 1 through 18, by striking out all of said lines on said pages

Amend Bill, page 9, lines 7 through 20, by striking out all of said lines and inserting

Section 3. Sections 5901(a)

Amend Sec. 6, page 9, lines 23 through 30; pages 10 and 11, lines 1 through 30; page 12, lines 1 through 19, by striking out all of said lines on said pages

Amend Sec. 7, page 15, line 25, by striking out "7" and inserting
4

Amend Sec. 8, page 16, lines 2 through 11, by striking out all of said lines

Amend Sec. 9, page 16, line 12, by striking out "9" and inserting
5

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—196

Adolph	Fairchild	Major	Sather
Allen	Feese	Manderino	Saylor
Argall	Fichter	Mann	Schroder
Armstrong	Fleagle	Markosek	Schuler
Baker, J.	Flick	Marsico	Scrimenti
Baker, M.	Forcier	Mayernik	Semmel
Bard	Frankel	McCall	Shaner
Barley	Freeman	McGeehan	Smith, B.
Barrar	Gabig	McGill	Smith, S. H.
Bastian	Gannon	McLhattan	Solobay
Bebko-Jones	Geist	McLhinney	Staback
Belardi	George	McNaughton	Stairs
Belfanti	Godshall	Melio	Steelman
Benninghoff	Gordner	Metcalfe	Steil
Birmelin	Grucela	Michlovic	Stern
Blaum	Gruitza	Micozzie	Stetler
Boyes	Habay	Miller, R.	Stevenson, R.
Browne	Haluska	Miller, S.	Stevenson, T.
Bunt	Hanna	Mundy	Strittmatter
Buxton	Harhai	Myers	Sturla
Caltagirone	Harhart	Nailor	Taylor, E. Z.
Cappabianca	Harper	Nickol	Taylor, J.
Cappelli	Hasay	O'Brien	Thomas
Casorio	Hennessey	Oliver	Tigue
Cawley	Herman	Orie	Travaglio
Civera	Hershey	Pallone	Trello
Clark	Hess	Perzel	Trich
Cohen, L. I.	Horsey	Petrarca	Tulli
Cohen, M.	Hutchinson	Petrone	Vance
Colafella	Jadlowiec	Phillips	Veon
Coleman	James	Pickett	Vitali
Corrigan	Josephs	Pippy	Walko
Costa	Kaiser	Pistella	Wansacz
Coy	Keller	Preston	Waters
Creighton	Kenney	Raymond	Watson
Cruz	Kirkland	Readshaw	Williams, C.
Curry	Krebs	Reinard	Williams, J.
Dailey	LaGrotta	Rieger	Wilt
Daley	Laughlin	Roberts	Wogan
Dally	Lawless	Robinson	Wojnaroski
DeLuca	Lederer	Roebuck	Wright
Dermody	Leh	Rohrer	Yewcic
DeWeese	Lescovitz	Rooney	Youngblood
DiGirolo	Levdansky	Ross	Yudichak
Diven	Lewis	Rubley	Zimmerman

Donatucci	Lucyk	Ruffing	Zug
Eachus	Lynch	Sainato	
Egolf	Mackereth	Samuelson	
Evans, D.	Maher	Santoni	Ryan,
Evans, J.	Maitland		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	Clymer	Surra	Washington
Butkovitz	Cornell	Tangretti	

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. A0622:

Amend Title, page 1, line 3, by inserting after "annuities," for mandatory and optional membership, for credited school service, for

Amend Title, page 1, lines 3 and 4, by striking out "for payments by employers,"

Amend Title, page 1, line 6, by inserting after "Board," for administrative duties of board,

Amend Sec. 2, page 2, line 4, by striking out "8307(b) and 8308" and inserting

8301, 8302(a), 8307(b), 8308, 8345(a), 8501(a) and (b), 8502(g) and 8521(h), (i) and (j)

Amend Sec. 2, page 2, by inserting between lines 5 and 6

§ 8301. Mandatory and optional membership.

(a) Mandatory membership.—Membership in the system shall be mandatory as of the effective date of employment for all school employees except the following:

(1) Any officer or employee of the Department of Education, State-owned educational institutions, community colleges, area vocational-technical schools, technical institutes, or the Pennsylvania State University and who is a member of the State Employees' Retirement System or a member of another retirement program approved by the employer.

(2) Any school employee who is employed on a per diem or hourly basis for less than 80 full-day sessions or 500 hours in any fiscal year or annuitant who returns to school service under the provisions of section 8346(b) (relating to termination of annuities).

(3) Any officer or employee of a governmental entity who subsequent to December 22, 1965 and prior to July 1, 1975 administers, supervises, or teaches classes financed wholly or in part by the Federal Government so long as he continues in such service.

(4) Any part-time school employee who has an individual retirement account pursuant to the Federal act of September 2, 1974 (Public Law 93-406, 88 Stat. 829), known as the Employee Retirement Income Security Act of 1974.

(5) Employees of a charter school, as defined in Article XVII-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

(b) Prohibited membership.—The school employees categorized in subsection (a)(1) and (2) shall not have the right to elect membership in the system.

(c) Optional membership.—

(1) The school employees categorized in subsection (a)(3) and, if otherwise eligible, subsection (a)(4) shall have the right to elect membership in the system. Once such election is exercised, membership shall commence from the original date of eligibility and shall continue until the termination of such service.

(2) Notwithstanding anything to the contrary in Article XVII-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, employees of a charter school shall only be eligible for membership in the system if the charter school in which they are employed affirmatively elects to have its employees to be eligible for membership in the system. Said election shall be in writing on a form prescribed by the board and filed with the system. Once such election is exercised, membership for eligible employees shall commence from the original date of their eligibility and shall continue until the termination of such service.

§ 8302. Credited school service.

(a) Computation of credited service.—In computing credited school service of a member for the determination of benefits, a full-time salaried school employee shall receive one year of credit for each school year or the corresponding fraction thereof, in accordance with the proportion of the full school year for which both the required regular member and employer contributions have been made, or for which such contributions otherwise required for such service were not made solely by reason of any provision of this part relating to the limitation under IRC § 401(a)(17). A per diem or hourly school employee shall receive one year of credited service for each nonoverlapping period of 12 consecutive months in which he is employed and for which both member and employer contributions are made, or would have been made but for such limitation under the IRC, for at least 180 full-day sessions or 1,100 hours of employment. If such member was employed and member or employer contributions were made for less than 180 full-day sessions or 1,100 hours, he shall be credited with a fractional portion of a year determined by the ratio of the number of full-day sessions or hours of service actually rendered to 180 full-day sessions or 1,100 hours, as the case may be. A part-time salaried employee shall be credited with the fractional portion of the year which corresponds to the service actually rendered in relation to the service required as a comparable full-time salaried employee and for which both member and employer contributions were made. In no case shall a member receive more than one year of credited service for any 12 consecutive months or a member who has elected multiple service receive an aggregate in the two systems of more than one year of credited service for any 12 consecutive months.

Amend Bill, page 2, lines 18 through 30; page 3, lines 1 through 27, by striking out all of said lines on said pages

Amend Sec. 4, page 7, by inserting between lines 8 and 9 § 8502. Administrative duties of board.

(g) Performance of employer duties.—In the event the employer fails to comply with the procedures as mandated in section 8506 (relating to duties of employers), the board shall perform such duties and bill the employer who shall pay for the cost of same. In the event the employer is delinquent in the payment of:

(1) the board's bill for the cost of the board to perform the duties of the employer mandated in section 8506;

(2) the employer contributions required in accordance with section 8327 (relating to payments by employers); or

(3) the member contributions required in accordance with section 8506,

then the board shall notify the Secretary of Education and the State Treasurer of such delinquency and certify the actual or estimated

amount thereof. Within 30 days of the receipt of the board's delinquency notice, the Secretary of Education shall pay to the board the amount so certified that remains unpaid as of the date of secretary's payment. All such amounts paid by the Secretary of Education shall be credited by the board to the appropriate account in the fund. The Secretary of Education shall be entitled to exercise the remedy set forth in section 8327(b) to recover any amounts paid to the board pursuant to this subsection. In the event the Secretary of Education exercises the remedy set forth in section 8327(b) to recover any amounts paid to the board, as a consequence of a delinquency caused by a charter school, and reduces the amount of funds paid to a chartering school district, as defined in Article XVII-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, the chartering school district shall reduce the amount of funds paid to the charter school by any amount deducted by the Secretary of Education that would have otherwise been paid to the chartering school district.

Amend Sec. 5, page 9, line 7, by striking out "5" and inserting 3

Amend Sec. 6, page 9, line 20, by striking out "6" and inserting 4

Amend Sec. 7, page 15, line 25, by striking out "7" and inserting 5

Amend Sec. 8, page 16, line 2, by striking out "8" and inserting 6

Amend Bill, page 16, by inserting between lines 11 and 12 Section 7. All acts and parts of acts are repealed insofar as they are inconsistent with this act.

Amend Sec. 9, page 16, line 12, by striking out "9" and inserting 8

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

The following roll call was recorded:

YEAS—196

Adolph	Fairchild	Major	Sather
Allen	Feese	Manderino	Saylor
Argall	Fichter	Mann	Schroder
Armstrong	Fleagle	Markosek	Schuler
Baker, J.	Flick	Marsico	Scrimenti
Baker, M.	Forcier	Mayernik	Semmel
Bard	Frankel	McCall	Shaner
Barley	Freeman	McGeehan	Smith, B.
Barrar	Gabig	McGill	Smith, S. H.
Bastian	Gannon	McIlhattan	Solobay
Bebko-Jones	Geist	McIlhinney	Staback
Belardi	George	McNaughton	Stairs
Belfanti	Godshall	Melio	Steelman
Benninghoff	Gordner	Metcalfe	Steil
Birmelin	Grucela	Michlovic	Stern
Blaum	Gruitza	Micozzie	Stetler
Boyes	Habay	Miller, R.	Stevenson, R.
Browne	Haluska	Miller, S.	Stevenson, T.
Bunt	Hanna	Mundy	Strittmatter
Buxton	Harhai	Myers	Sturla
Caltagirone	Harhart	Nailor	Taylor, E. Z.
Cappabianca	Harper	Nickol	Taylor, J.
Cappelli	Hasay	O'Brien	Thomas
Casorio	Hennessey	Oliver	Tigue
Cawley	Herman	Orie	Travaglio
Civera	Hershey	Pallone	Trello
Clark	Hess	Perzel	Trich
Cohen, L. I.	Horsey	Petrarca	Tulli
Cohen, M.	Hutchinson	Petrone	Vance
Colafella	Jadlowiec	Phillips	Veon
Coleman	James	Pickett	Vitali
Corrigan	Josephs	Pippy	Walko
Costa	Kaiser	Pistella	Wansacz
Coy	Keller	Preston	Waters
Creighton	Kenney	Raymond	Watson
Cruz	Kirkland	Readshaw	Williams, C.

Curry	Krebs	Reinard	Williams, J.
Dailey	LaGrotta	Rieger	Wilt
Daley	Laughlin	Roberts	Wogan
Dally	Lawless	Robinson	Wojnaroski
DeLuca	Lederer	Roebuck	Wright
Dermody	Leh	Rohrer	Yewcic
DeWeese	Lescovitz	Rooney	Youngblood
DiGirolamo	Levdansky	Ross	Yudichak
Diven	Lewis	Rubley	Zimmerman
Donatucci	Lucyk	Ruffing	Zug
Eachus	Lynch	Sainato	
Egolf	Mackereth	Samuelson	
Evans, D.	Maher	Santoni	Ryan,
Evans, J.	Maitland		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	Clymer	Surra	Washington
Butkovitz	Cornell	Tangretti	

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. The Chair recognizes the gentleman, Mr. Veon, who— Mr. Veon, I understand, has withdrawn that amendment.

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—196

Adolph	Fairchild	Major	Sather
Allen	Feese	Manderino	Saylor
Argall	Fichter	Mann	Schroder
Armstrong	Fleagle	Markosek	Schuler
Baker, J.	Flick	Marsico	Scrimenti
Baker, M.	Forcier	Mayermik	Semmel
Bard	Frankel	McCall	Shaner
Barley	Freeman	McGeehan	Smith, B.
Barrar	Gabig	McGill	Smith, S. H.
Bastian	Gannon	McIlhattan	Solobay
Bebko-Jones	Geist	McIlhinney	Staback
Belardi	George	McNaughton	Stairs
Belfanti	Godshall	Melio	Steelman
Benninghoff	Gordner	Metcalfe	Steil
Birmelin	Grucela	Michlovic	Stern
Blaum	Gruitza	Micozzie	Stetler
Boyes	Habay	Miller, R.	Stevenson, R.
Browne	Haluska	Miller, S.	Stevenson, T.

Bunt	Hanna	Mundy	Strittmatter
Buxton	Harhai	Myers	Sturla
Caltagirone	Harhart	Nailor	Taylor, E. Z.
Cappabianca	Harper	Nickol	Taylor, J.
Cappelli	Hasay	O'Brien	Thomas
Casorio	Hennessey	Oliver	Tigue
Cawley	Herman	Orie	Travaglio
Civera	Hershey	Pallone	Trello
Clark	Hess	Perzel	Trich
Cohen, L. I.	Horsey	Petrarca	Tulli
Cohen, M.	Hutchinson	Petrone	Vance
Colafella	Jadlowiec	Phillips	Veon
Coleman	James	Pickett	Vitali
Corrigan	Josephs	Pippy	Walko
Costa	Kaiser	Pistella	Wansacz
Coy	Keller	Preston	Waters
Creighton	Kenney	Raymond	Watson
Cruz	Kirkland	Readshaw	Williams, C.
Curry	Krebs	Reinard	Williams, J.
Dailey	LaGrotta	Rieger	Wilt
Daley	Laughlin	Roberts	Wogan
Dally	Lawless	Robinson	Wojnaroski
DeLuca	Lederer	Roebuck	Wright
Dermody	Leh	Rohrer	Yewcic
DeWeese	Lescovitz	Rooney	Youngblood
DiGirolamo	Levdansky	Ross	Yudichak
Diven	Lewis	Rubley	Zimmerman
Donatucci	Lucyk	Ruffing	Zug
Eachus	Lynch	Sainato	
Egolf	Mackereth	Samuelson	
Evans, D.	Maher	Santoni	Ryan,
Evans, J.	Maitland		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	Clymer	Surra	Washington
Butkovitz	Cornell	Tangretti	

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.

STATEMENT BY MS. YOUNGBLOOD

The SPEAKER. The Chair at this time recognizes the lady from Philadelphia County, Ms. Youngblood, under unanimous consent.

Ms. YOUNGBLOOD. Mr. Speaker, I would like to congratulate the members of the House for voting on HB 288. It is about time that we protect the people who are putting their lives, jeopardizing their lives, by going forth in the witness protection program to testify against crime.

I have personally experienced in my district such a case where a mother lost her job; the kids were out of school for almost a year, and I think it is a disgrace when people's lives were turned around without any benefit. This gives hope to the thousands of individuals who do their duty as a good citizen in this Commonwealth and try to help in the prosecution of a case.

Now we will have teeth in this law if the Senate passes it and enacts it in law. And I know this mother whose daughter witnessed a murder is grateful that this is being considered, since she was threatened as well as her other children were

threatened, and she had to move out of her house; she lost her job. As a matter of fact, she worked two jobs to support her five daughters, and she had brilliant daughters. She had no place to go, and right after her daughter testified, she was out in the street, and I am glad to see that we took the initiative to try to rectify this injustice. Thank you.

The SPEAKER. The Chair thanks the lady.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee.

HOUSE BILL INTRODUCED AND REFERRED

No. 975 By Representatives BUNT, CURRY, FREEMAN, DALEY, ARGALL, ARMSTRONG, M. BAKER, BARD, BARRAR, BEBKO-JONES, BELFANTI, CALTAGIRONE, CAPPABIANCA, CAPPELLI, CLYMER, L. I. COHEN, CORNELL, COY, CRUZ, DAILEY, DeWEESE, FAIRCHILD, FEESE, FICHTER, FRANKEL, GEORGE, GODSHALL, GORDNER, GRUCELA, HARHAI, HARPER, HENNESSEY, HERMAN, HERSHEY, HESS, KREBS, LAUGHLIN, LEDERER, LEVDANSKY, MAJOR, MANN, McCALL, McGILL, McILHINNEY, S. MILLER, MUNDY, NICKOL, PHILLIPS, ROSS, RUBLEY, SATHER, SAYLOR, SCHRODER, SEMMEL, SHANER, B. SMITH, SOLOBAY, STAIRS, STEELMAN, STERN, STETLER, STURLA, E. Z. TAYLOR, TRELLO, VEON, WILT, MARSICO and WATSON

An Act providing for the creation, conveyance, acceptance, duration and validity of conservation and preservation easements; and providing for judicial actions.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, March 13, 2001.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 95 By Representatives HORSEY, OLIVER, ROEBUCK, WATERS, YOUNGBLOOD, MYERS, JAMES, THOMAS, J. WILLIAMS, KIRKLAND, WASHINGTON and BISHOP

A Resolution condemning the remarks of United States Senator Robert Byrd, Democrat of West Virginia, on "Fox-News Sunday" on March 4, 2001.

Referred to Committee on RULES, March 13, 2001.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 256, PN 1076 (Amended) By Rep. BOYES

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for personal income tax definitions; and providing for a higher education credit against personal income tax.

FINANCE.

HB 550, PN 1080 (Amended) By Rep. HERMAN

An Act providing for optional occupation tax replacement.

LOCAL GOVERNMENT.

HB 551, PN 594 By Rep. HERMAN

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for earned income and net profits tax rate.

LOCAL GOVERNMENT.

RESOLUTION REPORTED FROM COMMITTEE

HR 12, PN 12 By Rep. PERZEL

A Resolution establishing a select committee to develop an energy strategy that promotes alternatives to imported petroleum to meet the goal of independence from imported petroleum within five years.

RULES.

BILL REPORTED AND REREFERRED TO COMMITTEE ON TOURISM AND RECREATIONAL DEVELOPMENT

HB 866, PN 965 By Rep. HERMAN

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for limitations on rates of specific taxes; and providing for special limitation on rates of taxes for certain amusements.

LOCAL GOVERNMENT.

VOTE CORRECTIONS

The SPEAKER. For what purpose does the gentleman from Philadelphia County, Mr. Thomas, rise?

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to correct the record on HB 330. My button malfunctioned. I would like to be recorded in the negative.

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

Mr. THOMAS. Thank you.

The SPEAKER. Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

To correct the record.

On final passage of HB 59, my vote was not recorded, and I wish to have it recorded in the affirmative.

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

SUPPLEMENTAL CALENDAR B

RESOLUTION PURSUANT TO RULE 35

Mr. McGEEHAN called up **HR 91, PN 1070**, entitled:

A Resolution declaring March 2001 as "Irish American Heritage Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. May I have the attention of the House, please.

The Chair at this time recognizes the gentleman, Mr. McGeehan.

Mr. McGEEHAN. Thank you, Mr. Speaker.

On unanimous consent?

The SPEAKER. Under unanimous consent or in connection with the resolution.

Mr. McGEEHAN. Thank you, Mr. Speaker.

Mr. Speaker, I will be on legislative leave tomorrow, and I want to take the opportunity to wish my brothers and sisters of the Irish caucus and the entire membership a happy feast day of the glorious apostle of Ireland, St. Patrick.

Mr. Speaker, I also want to thank you for allowing me to continue the tradition that we have had here in the House of providing the members with those tasty morsels, the Irish potatoes, every year, so I appreciate your indulgence on that.

I want to thank those leprechauns who put in many hours handmaking those treats for the House members, and I want to recognize them and ask the House to join with me in thanking them.

And I will begin with my mother, of course, and thank her for the job that she does — Dorothy McGeehan.

The SPEAKER. You do have good sense.

Mr. McGEEHAN. If you will hold your applause, please, until the end.

I want to thank my great-aunts, my Aunt Manny, Marion Clement; my Aunt Dot, Dorothy Simpson; my sisters — and the Italian caucus will love this — Megan Dirocini — they make cute babies, do they not? — my sister, Kerry Creelman; my Aunt Sis, Mary Kaeppler; my cousins, Elaine Brightcliffe, Anne Fota, and her daughter, Karen Ashley Fota; my nieces, Brigid McGeehan and Erin Dirocini; my sister-in-law, Barbara McGeehan; and a friend of my niece, Moira McCrossen.

So, members, will you thank them, and I thank them very much and appreciate your indulgence.

The SPEAKER. Where are they?

It is my recollection that in prior years some of the family was present on the floor when we were better able to thank them personally for their contribution to our waistline and our blood sugar.

I want to personally thank your family for the effort — and it is a huge effort — to give each of us a sample of true Irish delicacies, if you will, and I would hope that you would extend the thanks of the House to your family.

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

The following roll call was recorded:

YEAS—196

Adolph	Fairchild	Major	Sather
Allen	Feese	Manderino	Saylor
Argall	Fichter	Mann	Schroder
Armstrong	Fleagle	Markosek	Schuler
Baker, J.	Flick	Marsico	Scrimenti
Baker, M.	Forcier	Mayemik	Semmel
Bard	Frankel	McCall	Shaner
Barley	Freeman	McGeehan	Smith, B.
Barrar	Gabig	McGill	Smith, S. H.
Bastian	Gannon	McIlhattan	Solobay
Bebko-Jones	Geist	McIlhinney	Staback
Belardi	George	McNaughton	Stairs
Belfanti	Godshall	Melio	Steelman
Benninghoff	Gordner	Metcalfe	Steil
Birmelin	Grucela	Michlovic	Stern
Blaum	Gruitza	Micozzie	Stetler
Boyes	Habay	Miller, R.	Stevenson, R.
Browne	Haluska	Miller, S.	Stevenson, T.
Bunt	Hanna	Mundy	Strittmatter
Buxton	Harhai	Myers	Sturla
Caltagirone	Harhart	Nailor	Taylor, E. Z.
Cappabianca	Harper	Nickol	Taylor, J.
Cappelli	Hasay	O'Brien	Thomas
Casorio	Hennessey	Oliver	Tigue
Cawley	Herman	Orie	Travaglio
Civera	Hershey	Pallone	Trello
Clark	Hess	Perzel	Trich
Cohen, L. I.	Horsey	Petrarca	Tulli
Cohen, M.	Hutchinson	Petrone	Vance
Colafella	Jadlowiec	Phillips	Veon
Coleman	James	Pickett	Vitali
Corrigan	Josephs	Pippy	Walko
Costa	Kaiser	Pistella	Wansacz
Coy	Keller	Preston	Waters
Creighton	Kenney	Raymond	Watson
Cruz	Kirkland	Readshaw	Williams, C.
Curry	Krebs	Reinard	Williams, J.
Dailey	LaGrotta	Rieger	Wilt
Daley	Laughlin	Roberts	Wogan
Dally	Lawless	Robinson	Wojnaroski
DeLuca	Lederer	Roebuck	Wright
Dermody	Leh	Rohrer	Yewcic
DeWeese	Lescovitz	Rooney	Youngblood
DiGirolamo	Levdansky	Ross	Yudichak
Diven	Lewis	Rubley	Zimmerman
Donatucci	Lucyk	Ruffing	Zug
Eachus	Lynch	Sainato	
Egolf	Mackereth	Samuelson	
Evans, D.	Maher	Santoni	Ryan,
Evans, J.	Maitland		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	Clymer	Surra	Washington
Butkovitz	Cornell	Tangretti	

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

The SPEAKER. The Chair is not aware of any further votes.

Does the majority leader or minority leader have any further business? Any announcements to be made by the leaders?

VOTE CORRECTIONS

The SPEAKER. Mr. Kaiser.

Mr. KAISER. Thank you, Mr. Speaker.

On HB 288, final passage; on HB 288, amendment A604; and HB 288, A604, the motion if it was constitutional, I would like to be recorded as a "yes" vote. Thank you, Mr. Speaker.

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

The Chair recognizes the gentleman, Mr. Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

I wish to correct the record.

On HB 288, amendment A604, the motion on constitutionality, my vote failed to be recorded, and I wish to be recorded in the negative. Thank you, Mr. Speaker.

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

Further corrections?

Mr. Horsey.

Mr. HORSEY. Yes, Mr. Speaker.

Mr. Speaker, I would like to change my vote on HB 330, because my button malfunctioned, to a "nay," so will the Speaker accept that?

The SPEAKER. Your remarks will be placed upon the record.

STATEMENT BY MR. HORSEY

Mr. HORSEY. May I make a comment briefly under unanimous consent?

Thank you, Mr. Speaker.

Mr. Speaker, in the scheme of things, I personally am opposed to capital punishment, and I will always be opposed to capital punishment, Mr. Speaker, and I do not mind being wrong. I have cast many votes on the floor where I have been the only green or red button, and I do not mind, because I believe in my heart that I am doing the right thing, and you know, when you believe you are doing the right thing, virtue in and of itself – I believe I am on the right side of the issue – virtue in and of itself is reward enough.

In Philadelphia we are about to have an election, and believe me, Mr. Speaker, if the people in my community will voice their opinion not for the elected officers who are running so much as the issue that will be debated, which will be capital punishment, there will be a clear showing that most of us in this particular caucus reflect our constituency when I say and we say we are opposed to capital punishment.

Thank you, Mr. Speaker.

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. Any further business?

Seeing and hearing none, the Chair recognizes the lady from Bucks County, Mrs. Watson.

Mrs. WATSON. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 14, 2001, at 11 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 2:48 p.m., e.s.t., the House adjourned.