

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, MAY 21, 2001

SESSION OF 2001

185TH OF THE GENERAL ASSEMBLY

No. 31

### HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

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

#### PRAYER

REV. DR. JAMES W. GRUBB, Chaplain of the House of Representatives and pastor of Grace United Methodist Church, Harrisburg, Pennsylvania, offered the following prayer:

Creator God, You made us and You know us better than we know ourselves. As we grow to become the persons You intended, help us make certain that our personal characters are always consistent with the leadership roles we must fill.

We want people to agree with us and to believe in us. Save us from compromising our convictions by saying what others want to hear instead of what we honestly believe. So keep us honest and real.

Do not let the visibility that goes with our leadership roles fool us into forgetting the difference between ourselves and our roles. Give us the freedom to embrace our humanness and also the integrity that helps us become better persons as we lead and work together.

Empower us to do Your will and always to remain true to ourselves. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1510** By Representatives B. SMITH and HALUSKA

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for eligibility for junior licenses.

Referred to Committee on GAME AND FISHERIES, May 17, 2001.

**No. 1581** By Representatives THOMAS, WOGAN, KELLER, J. TAYLOR, KIRKLAND, BEBKO-JONES, BELARDI, BELFANTI, BISHOP, CALTAGIRONE, CAPPELLI, M. COHEN, CREIGHTON, DALEY, FEESE, GEORGE, HARHAI, HASAY, HENNESSEY, HORSEY,

JAMES, JOSEPHS, LAUGHLIN, LEDERER, LEVDANSKY, SAINATO, RUBLEY, PALLONE, MELIO, McCALL, MANDERINO, SCRIMENTI, SHANER, SOLOBAY, STABACK, STEELMAN, TIGUE, TRELLO, WASHINGTON and J. WILLIAMS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for compensation of and travel allowance for jurors.

Referred to Committee on JUDICIARY, May 10, 2001.

**No. 1590** By Representatives DiGIROLAMO, McNAUGHTON, PHILLIPS, ARMSTRONG, CAPPELLI, PIPPY, FEESE, GABIG, D. EVANS, MAJOR, LYNCH, CLYMER, BASTIAN, TULLI, BUNT, CREIGHTON, ADOLPH, ROSS, LEDERER, EGOLF, FICHTER, WATSON, WRIGHT, LEWIS, GEIST, BISHOP, SHANER, RUBLEY, LAUGHLIN, SOLOBAY, MELIO, CORRIGAN, M. BAKER, HESS, SATHER, ZIMMERMAN, MAITLAND, MCGILL, ROHRER, TIGUE, CALTAGIRONE, KENNEY, SCRIMENTI, HARHAI, WOJNAROSKI, HERSHEY, YOUNGBLOOD, J. TAYLOR, DALEY, GRUCELA and ROBERTS

An Act designating a certain bridge on SR 513 in Bensalem Township, Bucks County, as the Bensalem Veterans Memorial Bridge.

Referred to Committee on TRANSPORTATION, May 10, 2001.

**No. 1591** By Representatives DAILEY, HENNESSEY, RUBLEY, STEIL, M. BAKER, BASTIAN, BROWNE, BUNT, CALTAGIRONE, CAPPELLI, DALEY, DALLY, FAIRCHILD, FICHTER, GABIG, GEORGE, HARHAI, HARHART, HARPER, HERMAN, HERSHEY, KELLER, LAUGHLIN, LEH, LEWIS, MAITLAND, McILHATTAN, McILHINNEY, MELIO, R. MILLER, NAILOR, NICKOL, PALLONE, ROHRER, ROSS, SANTONI, SAYLOR, SCHRODER, SEMMEL, SOLOBAY, STAIRS, STEELMAN, R. STEVENSON, E. Z. TAYLOR, THOMAS, VITALI, WANSACZ, WATSON, C. WILLIAMS, WILT and YOUNGBLOOD

An Act providing for the regulation of the location and construction of water wells, for licensing water-well contractors and for the collection of information on groundwater quality and quantity; conferring powers and duties on the Department of Environmental Protection; creating the Water-Well Construction Technical Advisory Committee; establishing the Water-Well Construction Fund; and imposing penalties.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 10, 2001.

**No. 1592** By Representatives SOLOBAY, BEBKO-JONES, CALTAGIRONE, CAPPELLI, COSTA, CRUZ, CURRY, DALEY, FREEMAN, GEORGE, GRUCELA, HARHAI, HENNESSEY, KELLER, KENNEY, LEDERER, MANN, MELIO, PALLONE, PISTELLA, READSHAW, ROHRER, ROONEY, SATHER, SHANER, STABACK, THOMAS, TIGUE, TRAVAGLIO, TRELLO, WASHINGTON, C. WILLIAMS, J. WILLIAMS, WOJNAROSKI and YUDICHAK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for accidents involving damage to unattended vehicle or property.

Referred to Committee on TRANSPORTATION, May 10, 2001.

**No. 1593** By Representatives DALLY, KENNEY, M. BAKER, LEDERER, HENNESSEY, CAPPELLI, WALKO, WILT, BEBKO-JONES, WOJNAROSKI, SHANER, YOUNGBLOOD, WATSON, SAINATO, LAUGHLIN, DALEY, TIGUE, NAILOR, GRUCELA, CRUZ, CLYMER, KELLER, HERSHEY, HORSEY, BASTIAN, LEWIS, SATHER, HARHAI, CALTAGIRONE, RAYMOND, TRELLO, L. I. COHEN, JAMES, WASHINGTON, GABIG and S. MILLER

An Act amending the act of March 29, 1996 (P.L.46, No.15), known as the Hepatitis B Prevention Act, providing for additional requirements.

Referred to Committee on HEALTH AND HUMAN SERVICES, May 10, 2001.

**No. 1594** By Representatives DALLY, LEDERER, HENNESSEY, CAPPELLI, WALKO, WILT, WOJNAROSKI, SHANER, STABACK, YOUNGBLOOD, BELFANTI, WANSACZ, SCHULER, MANN, WATSON, SAINATO, SOLOBAY, LAUGHLIN, TIGUE, CURRY, GRUCELA, ALLEN, CRUZ, McILHATTAN, YUDICHAK, McCALL, BASTIAN, LEWIS, CAPPABIANCA, HARHAI, MUNDY, CALTAGIRONE, C. WILLIAMS, RAYMOND, DIVEN, FREEMAN, J. TAYLOR, PALLONE, JAMES, PETRARCA, SURRA, COLAFELLA, TANGRETTI, MARSICO, TRELLO, WASHINGTON, GABIG and ROBERTS

An Act amending the act of May 29, 1956 (1955 P.L.1804, No.600), referred to as the Municipal Police Pension Law, providing for part-time service credit.

Referred to Committee on LOCAL GOVERNMENT, May 10, 2001.

**No. 1595** By Representatives DALLY, GEORGE, LEDERER, HENNESSEY, THOMAS, CAPPELLI, WILT, FAIRCHILD, WOJNAROSKI, SHANER, CLARK, YOUNGBLOOD, BELFANTI, LAUGHLIN, WANSACZ, RUBLEY, SOLOBAY, ROSS, DALEY, S. H. SMITH, TIGUE, GRUCELA, BELARDI, CRUZ, McILHATTAN, YUDICHAK, McCALL, ROEBUCK, KELLER, KAISER, LEWIS,

CAPPABIANCA, HARHAI, CALTAGIRONE, C. WILLIAMS, FREEMAN, HARPER, PALLONE, JAMES, MELIO, SURRA, MARSICO, TRELLO and WASHINGTON

An Act requiring permits for the operation of hazardous waste transfer facilities.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 10, 2001.

**No. 1596** By Representatives DALLY, LYNCH, GEORGE, LEDERER, STERN, WALKO, WOJNAROSKI, YOUNGBLOOD, ROHRER, SANTONI, RUBLEY, STABACK, LAWLESS, LAUGHLIN, HESS, DALEY, TIGUE, GRUCELA, SAYLOR, JOSEPHS, BELARDI, BROWNE, FRANKEL, KELLER, HORSEY, LEWIS, E. Z. TAYLOR, HARHART, SATHER, HARHAI, CAPPABIANCA, CALTAGIRONE, R. MILLER, FREEMAN, HARPER, JAMES, MELIO, SURRA, TRELLO and WASHINGTON

An Act requiring telecommunications carriers to change a subscriber's carrier selection for local service and regional and long distance toll service in accordance with the Federal Communications Commission's verification procedures; and imposing powers and duties on the Pennsylvania Public Utility Commission.

Referred to Committee on CONSUMER AFFAIRS, May 10, 2001.

**No. 1597** By Representatives DALLY, GEORGE, HENNESSEY, THOMAS, DALEY, TIGUE, GRUCELA, HORSEY, LEWIS, CORRIGAN, CALTAGIRONE, FREEMAN, PALLONE and WASHINGTON

An Act amending the act of November 26, 1978 (P.L.1255, No.299), known as the Utility Service Tenants Rights Act, further providing for definitions and expanding the definition of "tenant" to include certain persons who lease commercial buildings, for notices before service to landlord ratepayer discontinued, for identifying tenants, for delivery and contents of first discontinuance notice to tenants and for rights of tenants to continued service.

Referred to Committee on CONSUMER AFFAIRS, May 10, 2001.

**No. 1598** By Representatives DALLY, GEORGE, HENNESSEY, LEDERER, CAPPELLI, GODSHALL, STERN, WALKO, WILT, FAIRCHILD, ROHRER, WOJNAROSKI, SHANER, CLARK, BENNINGHOFF, BELFANTI, MANN, SAINATO, T. STEVENSON, LAUGHLIN, HESS, ROSS, DALEY, GRUCELA, BELARDI, BROWNE, PHILLIPS, YUDICHAK, McCALL, R. STEVENSON, HERSHEY, HARHART, CALTAGIRONE, C. WILLIAMS, FREEMAN, CREIGHTON, J. TAYLOR, PALLONE, COLAFELLA, FLICK, TRELLO, L. I. COHEN, GABIG and S. MILLER

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, defining "family partnership" for purposes of realty transfer tax; and further providing for excluded transactions from realty transfer tax.

Referred to Committee on FINANCE, May 10, 2001.

**No. 1599** By Representatives DALLY, GEORGE, MANN, DALEY, GRUCELA, THOMAS, HORSEY, CALTAGIRONE, RAYMOND, DIVEN, CREIGHTON, MELIO and SURRA

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

Referred to Committee on EDUCATION, May 10, 2001.

**No. 1600** By Representatives GEORGE, SURRA, DeWEESE, WANSACZ, BELARDI, BROWNE, CALTAGIRONE, CAPPABIANCA, CASORIO, CURRY, DeLUCA, DIVEN, GORDNER, GRUCELA, HARHAI, JOSEPHS, KAISER, LAUGHLIN, LEVDANSKY, McILHATTAN, MELIO, MUNDY, ROONEY, RUFFING, SANTONI, SHANER, SOLOBAY, STURLA, TANGRETTI, THOMAS, TRELLO, WALKO, C. WILLIAMS, WOJNAROSKI, YEWIC and YOUNGBLOOD

An Act establishing a moratorium on the issuance of certain permits relating to municipal waste landfills; providing for rescission of unused capacity, for municipal control and for rebuttable presumptions and defenses; establishing a transporter program; providing for a manifest system; authorizing grants for municipal recycling improvements; and prescribing penalties.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 10, 2001.

**No. 1601** By Representatives BROWNE, ALLEN, BARD, BELARDI, CALTAGIRONE, CAPPELLI, CAWLEY, L. I. COHEN, COLAFELLA, COSTA, CURRY, FREEMAN, GEIST, GODSHALL, GRUCELA, HARHART, HENNESSEY, HORSEY, JAMES, JOSEPHS, LAUGHLIN, MANDERINO, MANN, MYERS, PETRONE, PIPPY, ROBINSON, RUBLEY, SAINATO, SAYLOR, STEELMAN, STURLA, J. TAYLOR, THOMAS, WALKO, C. WILLIAMS and YOUNGBLOOD

An Act providing targeted assistance to urban school districts to improve early learning and development so children are better prepared to succeed in school.

Referred to Committee on EDUCATION, May 17, 2001.

**No. 1602** By Representatives LEVDANSKY, PRESTON, NICKOL, RUBLEY, FREEMAN, J. TAYLOR, DeWEESE, ROSS, CURRY, L. I. COHEN, TANGRETTI, FAIRCHILD, STEELMAN, BENNINGHOFF, CAPPABIANCA, C. WILLIAMS, WOJNAROSKI, CALTAGIRONE, KREBS, JOSEPHS, McCALL, THOMAS, STABACK, DeLUCA, ROBINSON, FRANKEL, GORDNER, COLAFELLA, TRELLO, COSTA, TRICH, HALUSKA, WALKO, HARHAI, SOLOBAY, READSHAW and MELIO

An Act amending the act of June 30, 1995 (P.L.170, No.25), known as the Pennsylvania Voter Registration Act, providing for a Statewide integrated voter registry.

Referred to Committee on STATE GOVERNMENT, May 17, 2001.

**No. 1603** By Representatives STABACK, BELFANTI, ALLEN, BUXTON, CALTAGIRONE, CORRIGAN, CRUZ, EACHUS, GRUCELA, HARHAI, HENNESSEY, HORSEY, LaGROTTA, McCALL, MELIO, NAILOR, ROBINSON, ROONEY, SHANER, B. SMITH, SOLOBAY, STEELMAN, SURRA, THOMAS, TIGUE, WALKO, WANSACZ, WASHINGTON and WOJNAROSKI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for paintball guns and markers.

Referred to Committee on JUDICIARY, May 17, 2001.

**No. 1604** By Representatives CALTAGIRONE, BEBKO-JONES, CAPPELLI, CASORIO, L. I. COHEN, DALEY, FICHTER, FLICK, HARHAI, JAMES, LaGROTTA, LAUGHLIN, MARSICO, McCALL, McILHINNEY, PETRARCA, PISTELLA, ROBERTS, SCHULER, SHANER, SOLOBAY, SURRA, THOMAS, TRICH and YOUNGBLOOD

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further defining "superannuation age."

Referred to Committee on STATE GOVERNMENT, May 17, 2001.

**No. 1605** By Representatives PISTELLA and SCHULER

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for medical assistance payments for institutional care.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 17, 2001.

**No. 1606** By Representatives TULLI, ALLEN, ARGALL, M. BAKER, BARD, BEBKO-JONES, BELARDI, BELFANTI, BENNINGHOFF, BROWNE, BUNT, BUXTON, CALTAGIRONE, CAPPELLI, CLYMER, L. I. COHEN, COLAFELLA, COLEMAN, COSTA, COY, CREIGHTON, CRUZ, CURRY, DALEY, DeLUCA, FAIRCHILD, FEESE, FRANKEL, FREEMAN, GEIST, GEORGE, GRUCELA, HARHAI, HERMAN, HERSHEY, HESS, JAMES, JOSEPHS, KENNEY, KIRKLAND, KREBS, LAUGHLIN, LEDERER, MACKERETH, MARSICO, McILHATTAN, McNAUGHTON, R. MILLER, S. MILLER, MUNDY, NAILOR, NICKOL, PHILLIPS, PIPPY, PISTELLA, PRESTON, ROEBUCK, ROONEY, ROSS, RUBLEY, SAINATO, SATHER, SCHULER, SCRIMENTI, SEMMEL, SHANER, B. SMITH, STABACK, STEELMAN, STERN, SURRA, E. Z. TAYLOR, J. TAYLOR, VANCE, WANSACZ, WATSON, WILT, WOGAN, WOJNAROSKI, YUDICHAK and ZUG

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for termination of annuities.

Referred to Committee on EDUCATION, May 17, 2001.

**No. 1607** By Representatives REINARD and McILHINNEY

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for impounding of proceedings and access to records, for docket entries and for certificate of adoption.

Referred to Committee on JUDICIARY, May 17, 2001.

**No. 1608** By Representative KENNEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for persons ineligible for licensing.

Referred to Committee on TRANSPORTATION, May 17, 2001.

**No. 1609** By Representatives ROONEY, THOMAS, CURRY, L. I. COHEN, FRANKEL, JAMES, PISTELLA, J. WILLIAMS, TRELLO and MICHLOVIC

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, establishing the State Handgun Standard Commission; providing a safety performance standard for the manufacture of handguns, for the forfeiture of certain handguns and for enforcement relating to a safety standard for handguns.

Referred to Committee on JUDICIARY, May 17, 2001.

**No. 1610** By Representatives ROONEY, THOMAS, STABACK, MELIO, CURRY, L. I. COHEN, FRANKEL, PISTELLA, J. WILLIAMS, TRELLO and MICHLOVIC

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the possession of a firearm or other dangerous weapon in a municipal building.

Referred to Committee on JUDICIARY, May 17, 2001.

**No. 1611** By Representatives ROONEY, THOMAS, MELIO, CURRY, MUNDY, L. I. COHEN, FRANKEL, PISTELLA, J. WILLIAMS, TRELLO and MICHLOVIC

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the storage of firearms within easy access of children; and imposing penalties.

Referred to Committee on JUDICIARY, May 17, 2001.

**No. 1612** By Representatives ROONEY, THOMAS, CURRY, L. I. COHEN, FRANKEL, PISTELLA, J. WILLIAMS and TRELLO

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, May 17, 2001.

**No. 1613** By Representatives PETRONE, LEDERER, PRESTON, CAPPABIANCA, LAUGHLIN, CALTAGIRONE, SHANER, DALEY, WOJNAROSKI, CAPPELLI, READSHAW, PIPPY, JAMES, YOUNGBLOOD, WASHINGTON and STEELMAN

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for county employee retirement allowances.

Referred to Committee on URBAN AFFAIRS, May 17, 2001.

**No. 1614** By Representatives C. WILLIAMS, DeWEESE, VEON, COY, M. COHEN, D. EVANS, BELARDI, BEBKO-JONES, CALTAGIRONE, CAPPABIANCA, COLAFELLA, COSTA, DeLUCA, EACHUS, FRANKEL, GEORGE, GRUCELA, HALUSKA, HARHAI, HORSEY, JAMES, JOSEPHS, LaGROTTA, LEDERER, LUCYK, MANN, McCALL, MELIO, PALLONE, RIEGER, ROONEY, SAINATO, SANTONI, SHANER, SOLOBAY, STABACK, STEELMAN, SURRA, THOMAS, TRAVAGLIO, TRELLO, TRICH, WOJNAROSKI and YUDICHAK

An Act establishing an institute for biomedical research and technology; and making an appropriation.

Referred to Committee on HEALTH AND HUMAN SERVICES, May 17, 2001.

**No. 1615** By Representatives M. COHEN, KENNEY, BELFANTI, CALTAGIRONE, CREIGHTON, CAPPABIANCA, CAPPELLI, CORRIGAN, CURRY, DALEY, FRANKEL, GEORGE, HALUSKA, HARHAI, HORSEY, JAMES, JOSEPHS, KAISER, LEDERER, McCALL, MUNDY, PALLONE, PETRONE, SHANER, SOLOBAY, STABACK, STEELMAN, STURLA, THOMAS, TIGUE, TRELLO, TRICH, WALKO, C. WILLIAMS, J. WILLIAMS, WOJNAROSKI, YOUNGBLOOD and KIRKLAND

An Act reenacting and amending the act of September 26, 1951 (P.L.1539, No.389), known as The Clinical Laboratory Act, providing for the accreditation and regulation of forensic deoxyribonucleic acid laboratories.

Referred to Committee on HEALTH AND HUMAN SERVICES, May 17, 2001.

**No. 1616** By Representatives McCALL, GRUCELA, HARHAI, WALKO, CALTAGIRONE, CAPPABIANCA, CAPPELLI, CLARK, COLAFELLA, CORRIGAN, DALLY, DeLUCA, GEORGE, HARHART, LEH, MELIO, NICKOL, PRESTON, SHANER, SOLOBAY, STABACK, STEELMAN, SURRA, TIGUE, J. WILLIAMS, YOUNGBLOOD and YUDICHAK

An Act amending the act of July 14, 1961 (P.L.637, No.329), known as the Wage Payment and Collection Law, further providing for the definition of "employer."

Referred to Committee on LABOR RELATIONS, May 17, 2001.

**No. 1617** By Representatives COY, THOMAS, CAPPABIANCA, GRUITZA, LEDERER, HENNESSEY, ALLEN, BELARDI, BELFANTI, BROWNE, CALTAGIRONE, CAPPELLI, CLARK, L. I. COHEN, CORRIGAN, CREIGHTON, CURRY, DALEY, DeLUCA,

DeWEESE, DIVEN, D. EVANS, FREEMAN, GRUCELA, HARHAI, HASAY, HUTCHINSON, JAMES, KENNEY, LaGROTTA, LAUGHLIN, LEVDANSKY, McCALL, MELIO, NAILOR, PALLONE, PISTELLA, READSHAW, RUBLEY, SHANER, SOLOBAY, STURLA, SURRA, J. TAYLOR, TRELLO, WALKO, WASHINGTON and YOUNGBLOOD

An Act providing for Commonwealth support for a Children and Youth Caseworker Loan Forgiveness Program for Commonwealth residents who graduate from institutions of higher education and who apply their degrees to careers as children and youth caseworkers in this Commonwealth.

Referred to Committee on EDUCATION, May 17, 2001.

**No. 1618** By Representatives SATHER, HUTCHINSON, M. BAKER, BELFANTI, CALTAGIRONE, CAPPELLI, CLARK, COSTA, COY, FAIRCHILD, FICHTER, FORCIER, GABIG, HALUSKA, HARHAI, HENNESSEY, HESS, HORSEY, JAMES, LAUGHLIN, LEVDANSKY, McCALL, McILHATTAN, R. MILLER, S. MILLER, NAILOR, NICKOL, PALLONE, PIPPY, SAINATO, SAYLOR, SHANER, SOLOBAY, STERN, TANGRETTI, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, WANSACZ, WATSON, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, further providing for the distribution formula of the foreign fire insurance tax.

Referred to Committee on FINANCE, May 17, 2001.

**No. 1619** By Representatives ROHRER, BROWNE, THOMAS, CLARK, FICHTER, FRANKEL, HENNESSEY, PISTELLA, SOLOBAY, E. Z. TAYLOR, TRELLO, WASHINGTON and WILT

An Act amending the act of January 14, 1952 (1951 P.L.1898, No.522), known as the Funeral Director Law, further providing for prepayments for funerals.

Referred to Committee on PROFESSIONAL LICENSURE, May 21, 2001.

**No. 1620** By Representatives S. MILLER, ADOLPH, ALLEN, BARRAR, BASTIAN, BEBKO-JONES, BELARDI, BELFANTI, CALTAGIRONE, CAPPELLI, CIVERA, CLYMER, L. I. COHEN, M. COHEN, COLAFELLA, COLEMAN, CORRIGAN, COSTA, DALEY, DALLY, DeLUCA, DeWEESE, FLICK, FORCIER, FREEMAN, GABIG, GEIST, GEORGE, GORDNER, GRUCELA, HARHAI, HENNESSEY, HERMAN, HORSEY, HUTCHINSON, KAISER, LaGROTTA, LAUGHLIN, LEH, LEWIS, LUCYK, MARSICO, McCALL, McILHATTAN, MELIO, MICHLOVIC, MICOZZIE, R. MILLER, PETRARCA, PIPPY, RAYMOND, READSHAW, REINARD, ROBERTS, ROHRER, RUBLEY, SAINATO, SAYLOR, SCHULER, SEMMEL, SHANER, B. SMITH, SOLOBAY, STABACK, STEELMAN, STRITTMATTER, SURRA, E. Z. TAYLOR, THOMAS, TRELLO, WANSACZ, WATSON, WOJNAROSKI, YUDICHAK and ZIMMERMAN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for fees for commercial driver's licenses.

Referred to Committee on TRANSPORTATION, May 21, 2001.

**No. 1622** By Representatives D. EVANS, CALTAGIRONE, CAPPELLI, COLAFELLA, CORRIGAN, CURRY, DALEY, FRANKEL, GEORGE, GRUCELA, HORSEY, JAMES, JOSEPHS, LEDERER, MANDERINO, McCALL, MELIO, MYERS, ROBINSON, SANTONI, SCRIMENTI, SOLOBAY, STABACK, SURRA, THOMAS, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act establishing the Best Practices Review Commission; providing for its powers and duties; and requiring annual reports.

Referred to Committee on LOCAL GOVERNMENT, May 21, 2001.

**No. 1623** By Representatives D. EVANS, BELARDI, BROWNE, CALTAGIRONE, CAPPABIANCA, M. COHEN, CRUZ, DALEY, DeLUCA, FREEMAN, GRUCELA, HALUSKA, LaGROTTA, LAUGHLIN, MANDERINO, McCALL, McILHATTAN, MELIO, MUNDY, MYERS, PISTELLA, PRESTON, ROBINSON, SAMUELSON, SCRIMENTI, SHANER, STEELMAN, THOMAS, TRELLO, TRICH, WALKO, WANSACZ, WASHINGTON, J. WILLIAMS, WOJNAROSKI, YEWIC and YOUNGBLOOD

An Act requiring executive agencies to prepare and submit strategic plans, performance plans and performance reports; and imposing additional powers and duties on the Office of the Budget.

Referred to Committee on STATE GOVERNMENT, May 21, 2001.

**No. 1624** By Representatives D. EVANS, BELARDI, BROWNE, CALTAGIRONE, CAPPABIANCA, M. COHEN, CRUZ, DALEY, DeLUCA, FREEMAN, GRUCELA, HALUSKA, LaGROTTA, LAUGHLIN, MANDERINO, McCALL, McILHATTAN, MELIO, MUNDY, MYERS, PISTELLA, PRESTON, ROBINSON, SAMUELSON, SCRIMENTI, SHANER, STEELMAN, THOMAS, TRELLO, TRICH, WALKO, WANSACZ, WASHINGTON, J. WILLIAMS, WOJNAROSKI, YEWIC and YOUNGBLOOD

An Act establishing the Pennsylvania Performance Evaluation Commission and providing for its powers and duties.

Referred to Committee on STATE GOVERNMENT, May 21, 2001.

**No. 1625** By Representatives MANN and BROWNE

An Act establishing a low-interest loan fund for the installation of sprinkler systems in high-rise buildings; and making an appropriation.

Referred to Committee on URBAN AFFAIRS, May 21, 2001.

**No. 1626** By Representatives SCHULER, PISTELLA, ZIMMERMAN, SATHER, BISHOP, ARMSTRONG, SAMUELSON, WATSON, C. WILLIAMS, B. SMITH, GRUCELA, PALLONE and YUDICHAK

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, further providing for definitions; and providing for licensure of home care.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 21, 2001.

**No. 1627** By Representatives PALLONE, PISTELLA, SCHULER, SAMUELSON, ARMSTRONG, C. WILLIAMS, WATSON, BISHOP, B. SMITH, GRUCELA and YUDICHAK

An Act providing for long-term care resident fatality review; imposing duties on the Department of Health; imposing penalties; and making an appropriation.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 21, 2001.

**No. 1628** By Representatives SCHULER, DAILEY, PISTELLA, ZIMMERMAN, SATHER, BISHOP, ARMSTRONG, SAMUELSON, WATSON, C. WILLIAMS, B. SMITH, GRUCELA, PALLONE and YUDICHAK

An Act providing for admission and retention of consumers in adult living residences, for appeals to the Bureau of Hearings and Appeals and for the powers and duties of the Department of Public Welfare.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 21, 2001.

**No. 1629** By Representatives WOJNAROSKI, PISTELLA, SCHULER, GRUCELA, B. SMITH, C. WILLIAMS, ARMSTRONG, SAMUELSON, WATSON, PALLONE and YUDICHAK

An Act providing for long-term care facilities and for facilities which offer cognitive support services to persons with mental impairment.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 21, 2001.

**No. 1630** By Representatives SATHER, SCHULER, PISTELLA, ZIMMERMAN, ARMSTRONG, SAMUELSON, WATSON, B. SMITH, GRUCELA, PALLONE and YUDICHAK

An Act providing for the training and certification of qualified assessors of individuals needing long-term care services and for the powers and duties of the Department of Aging.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 21, 2001.

**No. 1631** By Representatives SAMUELSON, PISTELLA, SCHULER, C. WILLIAMS, WATSON, PALLONE, ARMSTRONG, GRUCELA, SATHER, B. SMITH and YUDICHAK

An Act relating to long-term care facility residents' rights; and providing for requirements for admission, care, transfer, discharge, funds and privacy of long-term care facility residents and for remedies.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 21, 2001.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 221** By Representatives GEORGE, BELARDI, BOYES, CAPPABIANCA, COY, DeLUCA, FREEMAN, HALUSKA, JOSEPHS, MELIO, SATHER, SHANER, SOLOBAY, SURRA, THOMAS, TRELLO, WALKO, WASHINGTON and YEWIC

A Resolution encouraging the Pennsylvania Public Utility Commission to reject in its entirety GPU's petition for a rate cap exception.

Referred to Committee on CONSUMER AFFAIRS, May 10, 2001.

**No. 222** By Representatives DAILEY, BARRAR, BROWNE, BUNT, CALTAGIRONE, L. I. COHEN, DALEY, DeWEESE, FAIRCHILD, FICHTER, FRANKEL, GEORGE, GODSHALL, HENNESSEY, HERSHEY, HORSEY, JAMES, LAUGHLIN, LEH, PHILLIPS, PIPPY, READSHAW, SANTONI, SAYLOR, SCHRODER, STEELMAN, E. Z. TAYLOR, TIGUE, WALKO, YOUNGBLOOD, YUDICHAK and J. TAYLOR

A Resolution requesting the Joint State Government Commission to undertake a study of electric generating facilities and related matters.

Referred to Committee on CONSUMER AFFAIRS, May 10, 2001.

### SENATE BILLS FOR CONCURRENCE

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

#### SB 52, PN 993

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, May 10, 2001.

#### SB 259, PN 995

Referred to Committee on JUDICIARY, May 10, 2001.

#### SB 483, PN 503

Referred to Committee on STATE GOVERNMENT, May 20, 2001.

#### SB 816, PN 941

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 10, 2001.

**JOURNAL APPROVAL POSTPONED**

The SPEAKER. Without objection, the approval of the Journal of Wednesday, May 9, 2001, will be postponed until printed. The Chair hears no objection.

**JOURNALS APPROVED**

The SPEAKER. Without objection, the Journals for Monday, March 12; Tuesday, March 13; Wednesday, March 14; and Monday, March 19, 2001, which are now in print, will stand approved. The Chair hears no objection. The Journals stand approved.

**COMMUNICATION FROM  
DEPARTMENT OF EDUCATION**

The SPEAKER. The Chair acknowledges receipt of the report on the 1999-2000 public secondary school dropouts submitted by the Department of Education.

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

**COMMUNICATIONS FROM GOVERNOR****APPROVAL OF HOUSE BILLS**

The Speaker laid before the House communications in writing from the office of His Excellency, the Governor of the Commonwealth, advising that the following House bills had been approved and signed by the Governor:

**HB 26; HB 157; HB 279; HB 407; HB 678; HB 996; HB 1177; HB 1178; HB 1180; HB 1182; and HB 1183.**

**ACTUARIAL NOTES**

The SPEAKER. The Chair acknowledges actuarial notes for the following bills and printer's numbers: HB 1362, PN 1685; amendment 1800 to HB 1362, PN 1685; HB 1363, PN 1686; amendment 1257 to HB 869, PN 968; SB 487, PN 514; SB 486, PN 513; SB 485, PN 512.

(Copies of actuarial notes are on file with the Journal clerk.)

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

**HB 1345, PN 1576**

By Rep. SCHULER

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, requiring the Department of Health to make inspections of long-term nursing facilities on an unannounced basis and not near the time of the facilities' annual license renewal.

AGING AND OLDER ADULT SERVICES.

**HB 1605, PN 1962**

By Rep. SCHULER

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for medical assistance payments for institutional care.

AGING AND OLDER ADULT SERVICES.

**SB 504, PN 1027 (Amended)**

By Rep. O'BRIEN

An Act providing for medical assistance benefits for workers with disabilities; and imposing powers and duties on the Department of Public Welfare.

HEALTH AND HUMAN SERVICES.

**SB 506, PN 1028 (Amended)**

By Rep. O'BRIEN

An Act establishing a grant and loan program for certain hospitals to purchase medical and surgical equipment; providing for powers and duties of the Department of Health; and establishing the HealthLink Fund.

HEALTH AND HUMAN SERVICES.

**BILLS REMOVED FROM TABLE**

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

HB 32;  
HB 362;  
HB 506;  
HB 558;  
HB 656; and  
HB 823.

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 32, PN 1622; HB 362, PN 1753; HB 506, PN 544; HB 558, PN 601; HB 656, PN 729; and HB 823, PN 1780.**

**BILLS RECOMMITTED**

The SPEAKER. The Chair recognizes the gentleman, Mr. BARLEY.

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

HB 32;  
HB 362;  
HB 506;  
HB 558;

HB 656; and  
HB 823.

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

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. PERZEL. Mr. Speaker, I move that HBs 606 and 705 be taken from the table.

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

**BILLS TABLED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. PERZEL. Mr. Speaker, I move that HBs 606 and 705 be placed back upon the table.

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

**LEAVES OF ABSENCE**

The SPEAKER. The Chair recognizes the majority whip, who advises that there are no requests for leaves for today's session.

The Chair recognizes the minority leader, who requests a leave of absence for the gentleman from Beaver, Mr. VEON, for the day; the gentleman, Mr. CAPPABIANCA, for the week. Without objection, those leaves will be granted. The Chair hears no objections.

**MASTER ROLL CALL**

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

The following roll call was recorded:

**PRESENT—200**

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

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

**ADDITIONS—0**

**NOT VOTING—0**

**EXCUSED—2**

Cappabianca Veon

**CENTRAL CATHOLIC HIGH SCHOOL  
GIRLS BASKETBALL TEAM  
PRESENTED**

The SPEAKER. Members will please take their seats; members will please take their seats. Members in the aisles, please return to your seats.

The Chair at this time recognizes the lady, Miss Mann. Miss MANN. Thank you, Mr. Speaker.

I hope you will bear with me. I am a little short on my voice today, but it is really an honor and a privilege for me to stand before you today to introduce two groups of remarkable young athletes from Allentown's Central Catholic High School in my legislative district.

Please welcome to the hall of the House today members of the Central Catholic girls basketball team, the 2001 PIAA Class AAA State champions. If the girls could please rise. They are seated in the back of the hall.

Also, I would like to recognize the boys basketball team, who are seated with them as well in the rear of the House. This team was the eastern champions and runner-up in the State championship game. If the boys could please rise.



I am joined here by Representatives Pat Browne, Julie Harhart, and Jane Baker. Representative Browne and Representative Harhart are both graduates of Central Catholic and are proud to join with me today in saluting this group of young people.

I would like to take the opportunity to offer my congratulations to our young champions, who have truly honored all of us by their performance on and off the field of competition.

The starters on both the girls and boys teams are honor roll students, proving that you do not have to sacrifice academics for athletics. They are excelling in both academics and athletics and setting a great example for other students throughout the State.

It is difficult to determine the exact ingredients that make up an individual of championship caliber. Obviously, God-given talent and capability are part of it, but others possess these gifts and yet often fail to reach their potential. A champion is by no means the competitor with the most natural talent. Each of these young women and men worked hard, and with confidence and determination, dedicated themselves to winning. They gave up their free time for practice and worked together as a team to succeed. As I look at this group of young men and women, I see champions and I see models, role models, for our youth.

I want to thank you for your efforts and wish you well in the future. What has brought you to this point today will help you succeed in future life endeavors.

I am pleased to have with me the three captains from Central Catholic's girls basketball team joining me here at the podium. They are Miranda Smith, Emily Guman, and Jackie Adamshick. I would like to present them with this House citation recognizing their accomplishments and expressing our appreciation for the example they have set for students and adults, athletes and nonathletes alike.

So on behalf of Representatives Browne, Harhart, and Baker, I present to them this citation in recognition of their accomplishments. Thank you.

### **KENNEDY CHRISTIAN HIGH SCHOOL GIRLS BASKETBALL TEAM PRESENTED**

The SPEAKER. The gentleman, Mr. Gruitza.

Sergeant at Arms, keep the area behind the rail cleared, please. Members, please, please take your seats.

Mr. Gruitza.

Mr. GRUITZA. Thank you, Mr. Speaker.

Ladies and gentlemen of the House, it is a real pleasure for me this afternoon to stand here with Representative Dick Stevenson from Mercer County to recognize a group of outstanding athletes. It is rare when we get a State championship team from one of our legislative districts. This afternoon I have the privilege of introducing two State championship teams. Dick has a member from his district who is a member of this team, so he is sharing in the honors with me this afternoon.

Today visiting, a group who made the long trip to come down here to see us and to be recognized for their accomplishments, are the girls of the Kennedy Christian Golden Eagles Class A PIAA State championship team. This is the first female basketball team from Mercer County to win a State title, so we are very proud of them.

I am joined on the podium this afternoon by a group of seniors on the girls team — Katie Fill, Maureen Meier, Laura Steltzer, Barbora Fabianova, and Erin Frankovich. This team defeated a two-time incumbent State championship team in Nativity BVM in a very hard-fought and an excellent game to truly earn their honors as State champions.

Seated in the back of the House is their outstanding coach, who is going to be leaving Kennedy Christian this year for a new assignment in Erie, and I would like him to stand to be recognized, Father Rick Tomasone, the girls' coach. Along with Father Rick is the remainder of the team, and I would like you all to stand, and I would like the House to give these Kennedy Christian Golden Eagles girls a warm welcome and a hearty round of applause for the outstanding season they had in winning the PIAA Class A State championship.

### **KENNEDY CHRISTIAN HIGH SCHOOL BOYS BASKETBALL TEAM PRESENTED**

Mr. GRUITZA. Now we will move on with the program, and I am going to ask — I guess they have them lined up here — if the boys would join me on the podium along with Representative Rod Wilt, who had a couple of outstanding players who reside in his legislative district who played on this championship team.

Now I am joined at the podium by some of the senior members of the Kennedy Christian boys Golden Eagles Class A State championship team. This was an outstanding group of athletes. This is the fourth consecutive year that this boys basketball team has won the State championship and brought the title back home to their alma mater at Kennedy Christian.

I am joined at the podium by seniors Ed Derr, Gary Satterwhite, Keenan Christiansen, and Chris Wiley. I am not sure that I am correct on this, but I believe this basketball team and Ed Derr, the athletic administrator, is it 16 consecutive playoff games that Kennedy has won? Over 30. Well, I was way off on that. I am told that this basketball team and some of the fellows that were freshmen that played on this team have been involved in over 30 consecutive playoff basketball wins, and anybody who follows sports in Pennsylvania realizes what a tremendous accomplishment that is. You know, on any given night you can have a rough night or a little bad luck. These kids really proved that they are the stuff that champions are made out of, and we are all very proud of them, and I am very thrilled that they made this long trip down here to Harrisburg to join us and to be recognized for this outstanding accomplishment. This is truly a fine group of student athletes, and I am very proud of them, very proud to have represented them, and I wish them the best in their future endeavors.

Would you please join me in congratulating the remainder of the team in the rear of the House. Would they please rise. As you can see, there are a couple guys back there that contributed as well.

And now if you would join me in applauding both of these fine teams and giving them a rousing House of Representatives congratulations for their outstanding achievements. Thank you very much, Mr. Speaker. Thank you, ladies and gentlemen.

**GUESTS INTRODUCED**

The SPEAKER. The Chair is pleased to welcome to the hall of the House today the brother and niece of Representative Tom Scrimenti, Philip and Theresa. They are seated in the back of the chamber. Would they please rise. I do not see them.

Well, moving on, I would like to recognize Paige Hetland, a fifth grade student from Bridgeville Borough, South Hills of Pittsburgh. Paige attends Our Lady of Grace School and is here today with her parents, Rich and Christine; her brother, Dane; and her sister, Carlie. They are all seated to the left of the Chair. She is the winner of Representative Tom Stevenson's fourth annual "There Ought To Be a Law." Would these folks please rise.

The Chair is pleased to welcome to the hall of the House today, as a guest page for Representative Craig Dally, Jeffrey Roach from Saylorsburg, Monroe County. Would this gentleman please rise.

**CALENDAR**

**RESOLUTIONS PURSUANT TO RULE 35**

Mr. SCHRODER called up **HR 160, PN 1593**, entitled:

A Resolution proclaiming June 2, 2001, as "Kids' Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS-200**

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

Costa	Keller	Readshaw	Watson
Coy	Kenney	Reinard	Williams, C.
Creighton	Kirkland	Rieger	Williams, J.
Cruz	Krebs	Roberts	Wilt
Curry	LaGrotta	Robinson	Wogan
Dailey	Laughlin	Roebuck	Wojnaroski
Daley	Lawless	Rohrer	Wright
Dally	Lederer	Rooney	Yewcic
DeLuca	Leh	Ross	Youngblood
Dermody	Lescovitz	Rubley	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lewis	Sainato	Zug
Diven	Lucyk	Samuelson	
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	Ryan,
Egolf	Maher		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Cappabianca Veon

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

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Mr. GORDNER called up **HR 185, PN 1756**, entitled:

A Resolution recognizing June 2001 as "Dairy Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS-200**

Adolph	Evans, D.	Maitland	Saylor
Allen	Evans, J.	Major	Schroder
Argall	Fairchild	Manderino	Schuler
Armstrong	Feese	Mann	Scrimenti
Baker, J.	Fichter	Markosek	Semmel
Baker, M.	Fleagle	Marsico	Shaner
Bard	Flick	Mayernik	Smith, B.
Barley	Forcier	McCall	Smith, S. H.
Barrar	Frankel	McGeehan	Solobay
Bastian	Freeman	McGill	Staback
Bebko-Jones	Gabig	McIlhatten	Stairs
Belardi	Gannon	McIlhinney	Steelman
Belfanti	Geist	McNaughton	Steil
Benninghoff	George	Melio	Stern
Birmelin	Godshall	Metcalfe	Stetler
Bishop	Gordner	Michlovic	Stevenson, R.
Blaum	Grucela	Micozzie	Stevenson, T.
Boyes	Gruitza	Miller, R.	Strittmatter
Browne	Habay	Miller, S.	Sturla
Bunt	Haluska	Mundy	Surra
Butkovitz	Hanna	Myers	Tangretti
Buxton	Harhai	Nailor	Taylor, E. Z.
Caltagirone	Harhart	Nickol	Taylor, J.
Cappelli	Harper	O'Brien	Thomas
Casorio	Hasay	Oliver	Tigue
Cawley	Hennessey	Pallone	Travaglio
Civera	Herman	Perzel	Trello
Clark	Hershey	Petrarca	Trich
Clymer	Hess	Petrone	Tulli

Cohen, L. I.	Horsey	Phillips	Vance
Cohen, M.	Hutchinson	Pickett	Vitali
Colafranca	Jadlowiec	Pippy	Walko
Coleman	James	Pistella	Wansacz
Cornell	Josephs	Preston	Washington
Corrigan	Kaiser	Raymond	Waters
Costa	Keller	Readshaw	Watson
Coy	Kenney	Reinard	Williams, C.
Creighton	Kirkland	Rieger	Williams, J.
Cruz	Krebs	Roberts	Wilt
Curry	LaGrotta	Robinson	Wogan
Dailey	Laughlin	Roebuck	Wojnaroski
Daley	Lawless	Rohrer	Wright
Dally	Lederer	Rooney	Yewcic
DeLuca	Leh	Ross	Youngblood
Dermody	Lescovitz	Rubley	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lewis	Sainato	Zug
Diven	Lucyk	Samuelson	
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	Ryan,
Egolf	Maher		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Cappabianca Veon

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

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman, Mr. Argall, for a caucus announcement. Will the gentleman yield.

The Chair first recognizes the gentleman, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

Immediately upon the recess, I would like to call for a meeting of the House Appropriations Committee in the Appropriations meeting room, 245.

The SPEAKER. Are there any other committee meetings to be called?

**REPUBLICAN CAUCUS**

The SPEAKER. The Chair recognizes the gentleman, Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

At quarter to 2 the House Republicans will begin our caucus downstairs, and we should be able to return to the floor by 3 o'clock.

The SPEAKER. The Chair thanks the gentleman.

**DEMOCRATIC CAUCUS**

The SPEAKER. Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

The Democrats will also caucus at a quarter of 2. In addition to discussing the calendar for the week, we will hear a presentation from the AFL-CIO on the steel industry.

The SPEAKER. The Chair thanks the gentleman.

**HOUSE BILL  
INTRODUCED AND REFERRED**

**No. 1633** By Representatives PERZEL, THOMAS, READSHAW, ARMSTRONG, BASTIAN, BUNT, CAPPELLI, L. I. COHEN, CREIGHTON, DiGIROLAMO, FEESE, FLICK, GANNON, LEWIS, McILHATTAN, NAILOR, O'BRIEN, ROSS, SATHER, J. TAYLOR, WOGAN, BISHOP, BUTKOVITZ, CORRIGAN, DIVEN, FRANKEL, M. BAKER, KENNEY, HUTCHINSON, HARHAI, KAISER, KELLER, LAUGHLIN, MANN, MAYERNIK, McGEEHAN, SOLOBAY, SURRA, TIGUE, WATERS, SEMMEL, SAYLOR, J. EVANS, WOJNAROSKI, DALEY, LESCOVITZ, COY, BROWNE, ALLEN, McCALL and DALLY

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further defining "occupational disease."

Referred to Committee on APPROPRIATIONS, May 21, 2001.

The SPEAKER. Any further announcements?

Please be prompt today. We have to vacate these chambers early this afternoon, so we want to get some work done before that time.

**RECESS**

The SPEAKER. The House will stand in recess until 3 p.m., unless called back sooner by the Chair or extended by the Chair.

**RECESS EXTENDED**

The time of recess was extended until 3:30 p.m.

**AFTER RECESS**

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

**BILLS REREPORTED FROM COMMITTEE**

**HB 56, PN 42**

By Rep. BARLEY

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 purchase of supplies.

**APPROPRIATIONS.**

**HB 217, PN 204**

By Rep. BARLEY

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a child-care tax credit.

**APPROPRIATIONS.**

**HB 673, PN 746**

By Rep. BARLEY

An Act authorizing and directing the Department of Transportation, with the approval of the Governor, to convey to Scranton School District two parcels of land situated in the City of Scranton, Lackawanna County, Pennsylvania.

## APPROPRIATIONS.

**HB 750, PN 1712**

By Rep. BARLEY

An Act providing for Commonwealth support for an Urban Teacher Loan Forgiveness Program for Pennsylvania residents who graduate from institutions of higher education and who apply their degrees to teaching in urban public schools in this Commonwealth.

## APPROPRIATIONS.

**HB 751, PN 1989 (Amended)**

By Rep. BARLEY

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for definitions; and providing for drug therapy protocol.

## APPROPRIATIONS.

**HB 878, PN 1991 (Amended)**

By Rep. BARLEY

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for supplies manufactured and services performed by persons with disabilities.

## APPROPRIATIONS.

**HB 910, PN 1020**

By Rep. BARLEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the volunteer-in-public-service negligence standard.

## APPROPRIATIONS.

**HB 947, PN 1066**

By Rep. BARLEY

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.

## APPROPRIATIONS.

**HB 1121, PN 1297**

By Rep. BARLEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting certain pointing of laser beams.

## APPROPRIATIONS.

**HB 1404, PN 1650**

By Rep. BARLEY

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further regulating duties of Department of Community and Economic Development.

## APPROPRIATIONS.

**HB 1405, PN 1778**

By Rep. BARLEY

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for filling district attorney vacancies, for reports and for preparation and filing of proposed budget; and making editorial changes.

## APPROPRIATIONS.

**SB 330, PN 817**

By Rep. BARLEY

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

## APPROPRIATIONS.

**BILLS REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND TABLED****HB 341, PN 358**

By Rep. BIRMELIN

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for general regulations relating to criminal history record information and for information relating to prospective child-care personnel.

## CHILDREN AND YOUTH.

**HB 670, PN 743**

By Rep. BIRMELIN

An Act providing for technical assistance for employer-sponsored child day-care programs.

## CHILDREN AND YOUTH.

**HB 1311, PN 1992 (Amended)**

By Rep. BIRMELIN

An Act establishing the Catastrophic Illness in Children Relief Fund and the Catastrophic Illness in Children Relief Fund Commission; providing for the powers and duties of the commission; establishing a program for the payment of medical expenses of children in cases of catastrophic illness; and providing for funding.

## CHILDREN AND YOUTH.

**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.)

**CALENDAR CONTINUED**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 101, PN 1448**, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further defining "agricultural conservation easement" and "agricultural production"; defining "parcel"; further providing for agricultural security areas and for purchase of agricultural conservation easements; providing for a supplemental agricultural conservation easement purchase program; and making a repeal.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

**YEAS—200**

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

Eachus  
Egolf

Mackereth  
Maher

Sather

Ryan,  
Speaker

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—2**

Cappabianca

Veon

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

Ordered, That the clerk inform the Senate accordingly.

**GUEST INTRODUCED**

The **SPEAKER**. The Chair is pleased to welcome to the hall of the House today, as the guest of Representative Lawrence Curry, Ryan Lockman from Jenkintown. Ryan is a senior at Abington Friends School where his interests are in government and history. He will be attending Franklin and Marshall in the fall where he will major in government. Would the guest please rise.

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 578, PN 1511**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

**YEAS—200**

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cappabianca Veon

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 1048, PN 1869**, entitled:

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 composition of the Pennsylvania Commission on Crime and Delinquency and for powers and duties of the commission; changing the name of the Juvenile Advisory Committee; providing for the powers and duties of the Juvenile Justice and Delinquency Prevention Committee; and further providing for the membership of the Juvenile Justice and Delinquency Prevention Committee.

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

Mr. GANNON offered the following amendment No. A1929:

Amend Sec. 1 (Sec. 2), page 2, line 20, by striking out "SIX" and inserting

seven

Amend Sec. 1 (Sec. 2), page 2, line 25, by striking out "AND" and inserting a comma

Amend Sec. 1 (Sec. 2), page 2, line 26, by inserting after "agency"

and one representative of county commissioners

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

The following roll call was recorded:

YEAS-200

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cappabianca Veon

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

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

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

The following roll call was recorded:

YEAS-200

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cappabianca Veon

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.

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 673, PN 746**, entitled:

An Act authorizing and directing the Department of Transportation, with the approval of the Governor, to convey to Scranton School District two parcels of land situated in the City of Scranton, Lackawanna County, Pennsylvania.

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-199

Adolph	Evans, D.	Maher	Sather
Allen	Evans, J.	Maitland	Saylor
Argall	Fairchild	Major	Schroder
Armstrong	Feese	Manderino	Schuler
Baker, J.	Fichter	Mann	Scrimenti
Baker, M.	Fleagle	Markosek	Semmel
Bard	Flick	Marsico	Shaner
Barley	Forcier	Mayernik	Smith, B.
Barrar	Frankel	McCall	Smith, S. H.
Bastian	Freeman	McGeehan	Solobay
Bebko-Jones	Gabig	McGill	Staback
Belardi	Gannon	McIlhattan	Stairs
Belfanti	Geist	McIlhinney	Steelman
Benninghoff	George	McNaughton	Steil
Birmelin	Godshall	Melio	Stern
Bishop	Gordner	Metcalfe	Stetler
Blaum	Grucela	Michlovic	Stevenson, R.
Boyes	Gruitza	Micozzie	Stevenson, T.
Browne	Habay	Miller, R.	Strittmatter
Bunt	Haluska	Miller, S.	Sturla
Butkovitz	Hanna	Mundy	Surra
Buxton	Harhai	Myers	Taylor, E. Z.
Caltagirone	Harhart	Nailor	Taylor, J.
Cappelli	Harper	Nickol	Thomas
Casorio	Hasay	O'Brien	Tigue
Cawley	Hennessey	Oliver	Travaglio
Civera	Herman	Pallone	Trello
Clark	Hershey	Perzel	Trich

Clymer	Hess	Petrarca	Tulli
Cohen, L. I.	Horsey	Petrone	Vance
Cohen, M.	Hutchinson	Phillips	Vitali
Colafella	Jadlowiec	Pickett	Walko
Coleman	James	Pippy	Wansacz
Cornell	Josephs	Pistella	Washington
Corrigan	Kaiser	Preston	Waters
Costa	Keller	Raymond	Watson
Coy	Kenney	Readshaw	Williams, C.
Creighton	Kirkland	Reinard	Williams, J.
Cruz	Krebs	Rieger	Wilt
Curry	LaGrotta	Roberts	Wogan
Dailey	Laughlin	Robinson	Wojnaroski
Daley	Lawless	Roebuck	Wright
Dally	Lederer	Rohrer	Yewcic
DeLuca	Leh	Rooney	Youngblood
Dermody	Lescovitz	Ross	Yudichak
DeWeese	Levdansky	Rubley	Zimmerman
DiGirolamo	Lewis	Ruffing	Zug
Diven	Lucyk	Sainato	
Donatucci	Lynch	Samuelson	Ryan,
Eachus	Mackereth	Santoni	Speaker
Egolf			

**NAYS-1**

Tangretti

**NOT VOTING-0**

**EXCUSED-2**

Cappabianca Veon

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.

**VOTE CORRECTION**

The SPEAKER. The Chair recognizes the gentleman, Mr. Tangretti, who indicates that his machine malfunctioned. His vote was intended as an affirmative vote.

**SUPPLEMENTAL CALENDAR A**

**RESOLUTION PURSUANT TO RULE 35**

Mr. WANSACZ called up HR 223, PN 1976, entitled:

A Resolution proclaiming May 23, 2001, as "David P. Rudis, C.P.A., Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

**RESOLUTION RECOMMENDED**

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HR 223 be recommitted to the Committee on Rules.

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

**CALENDAR CONTINUED**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 607, PN 663**, entitled:

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.

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

**BILL RECOMMENDED**

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 607 be recommitted to the Committee on Appropriations.

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

\*\*\*

The House proceeded to third consideration of **HB 428, PN 465**, entitled:

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

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

Mr. SURRA offered the following amendment No. A1831:

Amend Title, page 1, line 3, by removing the period after "assault" and inserting  
; and providing for overtime as a condition of employment.

Amend Bill, page 1, by inserting after line 16

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

§ 7321.1. Overtime as a condition of employment.

(a) Offense defined.—A person is guilty of a misdemeanor of the third degree if he or she requires as a condition for employment or continuation of employment that an employee or other individual shall be forced to work in excess of eight hours of overtime.

(b) Right of refusal.—An employee shall have the right to refuse to work in excess of eight hours of overtime.

(c) Exception.—This section shall not apply to employers who are police and fire departments, public ambulance or providers of emergency medical services.

(d) Definition.—As used in this section, the term "overtime" means any period of time that an employee is required to work in excess of 40 hours within one week.

Amend Sec. 2, page 2, line 1, by striking out "2" and inserting



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

The SPEAKER. On the question of the adoption of the amendment, Mr. Surra. Will the gentleman yield.

Conferences on the floor, please. Mr. Surra has the floor. Conferences in the rear of the hall, please break.

Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, amendment 1831 deals with a very serious problem that has been growing not only in Pennsylvania but across this country, and it is the issue of mandatory or forced overtime. If you look at any statistics, Mr. Speaker, dealing with the workplace in this country, and in particular, Pennsylvania, workers are working longer and longer hours. Married couples with children worked 459 hours more in the year 2000, and that trend continues today, than they did in 1980; 459 additional hours. Husbands are working two jobs, wives are working a job and a part-time job, and we wonder why no one is home taking care of the children.

So I have introduced amendment 1831, Mr. Speaker, which basically makes it a misdemeanor of the third degree to require someone to work more than 8 hours overtime. Now, currently in a 7-day workweek, a 40-hour—

The SPEAKER. Will the gentleman yield.

Please, conferences on the floor, break up; conferences in the aisles; conferences in the aisles.

Mr. Surra.

Mr. SURRA. Thank you again, Mr. Speaker.

Currently in a 7-day work period there is a 40-hour workweek, and if you check with many of your constituents, people are forced to work 60, 70 hours a week, and what this amendment would do, it would allow no one to be forced to work more than 8 hours of overtime. Now, if you want to break that down into 8-hour workdays, which is the norm, that means they could be forced to work 5 8-hour days and then another 8-hour day during that 7-day work period. After that, they could refuse to work overtime without threat of being fired.

Now, I want to raise a point that came up, Mr. Speaker, on this issue back in my days when I was promoting trying to legalize hunting in Pennsylvania on Sunday, and that is a very controversial issue, one I think we still should address. However, many of my very conservative colleagues were concerned about hunting on Sunday, and I respect their position claiming that Sunday is a day of rest; it is a day we should spend with our families and in our churches, and I can possibly see that point of view. And if you feel that way, Mr. Speaker, and you feel that Sunday should not be a day that we should hunt, I would hope you would believe that it is also a day that we should not be forced to work if one so chooses.

So, Mr. Speaker, forced overtime is a very serious problem, and if you look at any statistic dealing in the labor market, it bears this out. Americans are working longer and longer hours.

I think it is a good amendment. It will help Pennsylvania families, and I would ask the members' support. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

## CONSTITUTIONAL POINT OF ORDER

The SPEAKER. Mrs. Harhart.

Mrs. HARHART. Thank you, Mr. Speaker.

This amendment is unconstitutional. The terms "forced" and "week" are too vague to put a person on notice as to what his duty under the law—

The SPEAKER. Will the lady yield.

Is the lady raising the question of constitutionality?

Mrs. HARHART. Yes, Mr. Speaker.

The SPEAKER. The lady, Mrs. Harhart, raises the point of order that this amendment is unconstitutional. Under rule 4, I am required to submit questions regarding constitutionality of an amendment to the House for decision, which I now do.

On the question,

Will the House sustain the constitutionality of the amendment?

The SPEAKER. The Chair recognizes the lady, Mrs. Harhart, on the question of constitutionality.

Mrs. HARHART. Thank you, Mr. Speaker.

This amendment I deem to be unconstitutional. The terms "forced" and "week" are too vague to put a person on notice as to what his duty under the law is, and as such, it violates the due-process clause of the United States Constitution under the 14th Amendment and is void for vagueness.

Thank you, Mr. Speaker, and I would ask the support of my colleagues to vote it to be unconstitutional.

The SPEAKER. The question of constitutionality has been raised by the lady, Mrs. Harhart. On the question of constitutionality, keep in mind that you are only permitted to debate this question one time.

Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

If I am correct in the gentelady's assertion, she is challenging the constitutionality on the amendment's vagueness. Now, I thought I made it clear in my remarks, and I am sure that deep down it is clear to everyone, that a workweek is 7 days and a standard workweek during that 7-day period is 40 hours, and the amendment says anything in excess of 8 hours overtime in that 40-hour workweek. Now, Mr. Speaker, I have a son that is a sophomore in high school, and I am sure I could figure out an algebra problem dealing with these numbers that would come out exactly. There is no vagueness in this issue at all, Mr. Speaker. It is not vague. Anything above and beyond 8 hours of overtime in a 40-hour workweek, 7-day workweek time period, would be up to the employee's discretion whether they wanted to work or not. That is not vague. That is very, very descript, and I would appreciate that the members vote that this is indeed constitutional.

The SPEAKER. The Chair thanks the gentleman.

Mr. Birmelin, on the question of constitutionality.

Mr. BIRMELIN. Thank you, Mr. Speaker.

I would agree with the maker of the motion that it is unconstitutional. It seems to me that we are trying to create something here that the Constitution, to the best of my knowledge, nowhere else allows, and I think as the maker of that motion said, it is kind of vague. It is so vague that in fact if this were to pass and become law, we would not be able to have late-night sessions anymore, and that would be an awful thing.

So I think that we ought to vote that it is unconstitutional. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. Colafella, on the question of constitutionality.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, there is no doubt in my mind that this amendment is constitutional. Nurses all over this State are telling us that they are being forced to work overtime and it is causing major problems for their families, and this amendment clearly specifies exactly what could be done to help the nurses in this State who are having problems with their families, their children, and so on because they are being forced to work overtime.

The SPEAKER. The question, Mr. Colafella, is constitutionality. Please.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Now, Mr. Speaker, for those reasons this is a very constitutional amendment, and I think if you vote that it is not constitutional, you are just evading the issue of helping these people.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Cohen.

Mr. COHEN. Thank you.

The SPEAKER. On the question of constitutionality, not the merits. The gentleman will yield.

Conferences in various areas of the floor, please.

Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, in terms of assessing whether this was constitutional if the legislature passed this and Governor Ridge signed it into law, I am sure the courts would ask, how would a reasonable employer interpret this situation? What would a reasonable employer think the word "forced" means? Now, normally would an employer think, if it was a reasonable person, that "forced" means you have to stick a gun at somebody's head and threaten to shoot them? I do not think that a reasonable employer would think that. I think a reasonable employer would think that the normal English language word "forced" means requires a condition of employment to work overtime involuntarily. I would think a court would find some kind of commonsensical definition as to what the ordinary language words that Mr. Surra employs mean in the intent of the legislature.

There is no issue of constitutionality here, Mr. Speaker. This is a very simply worded amendment that uses very plain English words that any two or three people would come up with a very, very similar definition of what it means. I would think any employer who challenged this on constitutionality grounds would find out very quickly that he or she is wasting the company money by making such a challenge. We are wasting our time by making such a challenge here today.

This is obviously a constitutional amendment. I urge support in the affirmative for this amendment's constitutionality.

#### BILL PASSED OVER

The SPEAKER. Without objection, the Chair has been requested to put this bill over for the day. As the members know, the Speaker has promised the hall of the House for

private purposes shortly, and this bill is going on and on and on, so we are going to put it over.

#### RULES COMMITTEE MEETING

The SPEAKER. The majority leader calls for an immediate meeting of the Rules Committee.

#### RESOLUTION REPORTED FROM COMMITTEE

HR 162, PN 1630

By Rep. PERZEL

A Resolution directing the Joint State Government Commission to conduct a study on how to best maximize the capability of the Commonwealth's intermediate units to provide effective, cost-efficient and coordinated services to local school districts and other governmental agencies.

RULES.

#### BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 421, PN 1787

By Rep. PERZEL

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Bedford Cemetery Association, certain lands situate in the Township of Bedford, County of Bedford.

RULES.

#### SUPPLEMENTAL CALENDAR C

#### BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to HB 421, PN 1787, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Bedford Cemetery Association, certain lands situate in the Township of Bedford, County of Bedford.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

#### YEAS—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Cappabianca Veon

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

Ordered, That the clerk inform the Senate accordingly.

**SUPPLEMENTAL CALENDAR B CONTINUED**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1121, PN 1297**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting certain pointing of laser beams.

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

Mr. **GEORGE** offered the following amendment No. **A1941**:

Amend Title, page 1, line 2, by inserting after "Statutes,"  
authorizing the Attorney General to issue subpoenas for the purpose of investigating gasoline and fuel prices; and

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

sections

Amend Sec. 1, page 1, by inserting between lines 7 and 8

§ 113. Attorney General investigation into gasoline prices.

To investigate the availability, supply and price of gasoline and diesel fuel in Pennsylvania, the Attorney General is authorized to issue subpoenas for persons and of documents that may assist the Attorney General in investigating the causes of any price hikes of more than 50% to Pennsylvania consumers for any of these fuels in any period up to a year to determine if any offense has been committed under this title or any Federal law.

On the question,

Will the House agree to the amendment?

The **SPEAKER**. There are 12 people in the corner of the room where Mr. George is about to debate. Would they please go back to their respective seats.

On the question of the adoption of the amendment, Mr. George.

Mr. **GEORGE**. With the Speaker's permission, could I have 2 minutes? A minute and a half? 30 seconds?

The **SPEAKER**. 30 seconds.

**AMENDMENT WITHDRAWN**

Mr. **GEORGE**. Mr. Speaker?

The **SPEAKER**. Mr. George.

Mr. **GEORGE**. I withdraw that amendment. I will put it on another bill. I have heard where another bill is somewhat in danger. I will be back in a couple of hours with another amendment to another bill, Mr. Speaker. Thank you.

The **SPEAKER**. Mr. George, I have you marked down for two amendments to this bill. Is your second amendment going to suffer the same fate?

Mr. **GEORGE**. I withdraw that amendment, Mr. Speaker.

The **SPEAKER**. The Chair appreciates that. 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?

Mr. Sainato, do you desire recognition?

Mr. **SAINATO**. Thank you, Mr. Speaker.

I just want to rise briefly on my bill. I think this is something that is very important for all police officers and firefighters in the Commonwealth, and I thank both sides of the aisle for giving me this opportunity, because I think everyone in this House knows how important it is when someone serves us as a police officer or a firefighter or emergency personnel.

Basically this bill, if you have a laser pointer and it is shown into the eyes of these law enforcement officials, we would be making it a crime. We would be protecting them and giving them peace of mind, and we would also be protecting actually the criminals, because our law enforcement officers would not have to take the necessary action against them.

So I would like to thank both sides of the aisle for their support on this bill.

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—200

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Cappabianca Veon

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.

RULES SUSPENDED

The SPEAKER. The Chair turns to supplemental D.

Before considering this resolution, it will be necessary to suspend the rules so that it might be considered immediately.

The Chair recognizes Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I move that the rules of the House be suspended so that we may immediately consider HR 162.

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

The following roll call was recorded:

YEAS—200

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

DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lewis	Sainato	Zug
Diven	Lucyk	Samuelson	
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	Ryan,
Egolf	Maher		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Cappabianca Veon

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

**SUPPLEMENTAL CALENDAR D**

**RESOLUTION**

Mr. ZUG called up **HR 162, PN 1630**, entitled:

A Resolution directing the Joint State Government Commission to conduct a study on how to best maximize the capability of the Commonwealth's intermediate units to provide effective, cost-efficient and coordinated services to local school districts and other governmental agencies.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

Cornell	Josephs	Preston	Washington
Corrigan	Kaiser	Raymond	Waters
Costa	Keller	Readshaw	Watson
Coy	Kenney	Reinard	Williams, C.
Creighton	Kirkland	Rieger	Williams, J.
Cruz	Krebs	Roberts	Wilt
Curry	LaGrotta	Robinson	Wogan
Dailey	Laughlin	Roebuck	Wojnaroski
Daley	Lawless	Rohrer	Wright
Dally	Lederer	Rooney	Yewcic
DeLuca	Leh	Ross	Youngblood
Dermody	Lescovitz	Rubley	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lewis	Sainato	Zug
Diven	Lucyk	Samuelson	
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	Ryan,
Egolf	Maher		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Cappabianca Veon

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

**CALENDAR CONTINUED**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 92, PN 77**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding a definition; and further providing for pedalcycle helmets.

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

Mr. DeLUCA offered the following amendment No. **A1784**:

Amend Title, page 1, line 2, by striking out "and"  
Amend Title, page 1, line 3, by removing the period after "helmets" and inserting  
, for stop intersections or junctions and for traffic-control devices.  
Amend Sec. 2, page 2, line 2, by striking out "Section" where it appears the second time and inserting  
Sections  
Amend Sec. 2, page 2, line 2, by inserting after "(b.1)"  
, 6109(e) and 6122(a)  
Amend Sec. 2, page 2, by inserting between lines 27 and 28  
§ 6109. Specific powers of department and local authorities.  
\* \* \*

(e) Engineering and traffic investigation required.—  
(1) Action by local authorities under this section shall be taken only after completing an engineering and traffic investigation when and in such manner as required by regulations promulgated by the department. No engineering and traffic investigation is required to establish a speed limit under section 3362(a)(1.2) (relating to maximum speed limits).

(2) This subsection shall not apply to actions by local authorities in adopting regulations or ordinances designating any intersection or junction of non-Federal and non-interstate highways or roadways within a residence district as a stop intersection or junction and in erecting official traffic-control devices giving notice of such designation.

\*\*\*

§ 6122. Authority to erect traffic-control devices.

(a) General rule.—The department on State-designated highways and local authorities on any highway within their boundaries may erect official traffic-control devices, which shall be installed and maintained in conformance with the manual and regulations published by the department upon all highways as required to carry out the provisions of this title or to regulate, restrict, direct, warn, prohibit or guide traffic.

(1) [Local] Except as provided in paragraph 3, local authorities shall obtain approval of the department prior to erecting an official traffic-control device on a State-designated highway except where department regulations provide otherwise.

(2) [Local] Except as provided in paragraph 3, local authorities shall obtain approval of the department prior to erecting any traffic signal except in a municipality with a traffic engineer qualified in accordance with department regulations.

(3) Notwithstanding any other provision of this section, a local authority may erect a stop sign on a non-Federal and non-interstate highway in a residence district within its boundaries without the approval of the department.

\*\*\*

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—200

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

Curry	LaGrotta	Robinson	Wogan
Dailey	Laughlin	Roebuck	Wojnaroski
Daley	Lawless	Rohrer	Wright
Dally	Lederer	Rooney	Yewcic
DeLuca	Leh	Ross	Youngblood
Dermody	Lescovitz	Rublely	Yudichak
DeWeese	Levdansky	Ruffing	Zimmerman
DiGirolamo	Lewis	Sainato	Zug
Diven	Lucyk	Samuelson	
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	Ryan,
Egolf	Maher		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Cappabianca Veon

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. SURRA offered the following amendment No. A1791:

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

and for certificate of appointment.

Amend Bill, page 2, by inserting between lines 27 and 28

Section 3. Section 4722 of Title 75 is amended by adding a subsection to read:

§ 4722. Certificate of appointment.

\*\*\*

(d) Waiver.—The department shall promulgate regulations to provide a waiver of the 40-hour requirement that an inspection station must be open for business. The regulations shall establish the minimum requirements to be eligible for the waiver and shall require, at a minimum, that the inspection station be open for business at least ten business hours during the normal workweek (Monday through Friday) between 7 a.m. and 8 p.m.

Section 4. Pending promulgations of the regulations required by 75 Pa.C.S. § 4722(d), the Department of Transportation is authorized to issue and revoke waivers of the hour requirements for official inspection stations as follows:

(1) A request for a waiver of business hours shall be submitted to the Bureau of Motor Vehicles of the Department of Transportation on a form provided by the department. The form shall require the following information:

(i) All relevant station and ownership information.

(ii) The reason for the request.

(iii) A listing of requested days/hours of operation. An inspection station shall be open a minimum of 20 hours per week, and a minimum of ten of those hours shall be during Monday through Friday between 7 a.m. and 8 p.m.

(iv) A detailed explanation of security measures relating to inspection stickers and inspection records which will be in place during the requested hours of operation.

(v) An estimate of the number and type of inspections to be performed.

(vi) If applicable, a copy of any contract or arrangement made with other business concerns for which inspections will be performed documenting the need for the waiver of hours.

(vii) Any other documentation or information requested by the department.

(2) A waiver of hours may be denied or revoked for any of the following reasons:

(i) If a violation of the inspection regulations was committed by the inspection station owner, manager, certified inspector or other employee at the station within three years immediately preceding a request for waiver of hours.

(ii) If the station owner, manager, a certified inspector or other employee at an inspection station that has been granted a waiver of hours commits a violation of the inspection regulations after the waiver has been granted.

(iii) If any station personnel currently employed or hired have been or are currently suspended for inspection violations.

(iv) If the department or its designate is unable, on two attempts on two different business days, to perform any official visit, including a periodic records audit, during the hours specified in the approved waiver.

(v) If a station fails to be in operation during the hours specified in the waiver.

(vi) If a station fails to comply with any of the provisions of this section.

Amend Sec. 3, page 2, line 28, by striking out "3" and inserting 5

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

The following roll call was recorded:

YEAS-199

- Adolph, Allen, Argall, Armstrong, Baker, J., Baker, M., Bard, Barley, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Cawley, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Evans, D., Evans, J., Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gannon, Geist, George, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Jadlowiec, James, 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, Pallone, Perzel, Petrarca, Petrone, Phillips, Pickett, Pippy, Saylor, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigie, Travaglio, Trello, Trich, Tulli, Vance, Vitali, Walko

- Coleman, Cornell, Corrigan, Costa, Coy, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Egolf, Josephs, Kaiser, Keller, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lewis, Lucyk, Lynch, Mackereth, Maher, Pistella, Preston, Raymond, Readshaw, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Wansacz, Washington, Waters, Watson, Williams, C., Williams, J., Wilt, Wogan, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zimmerman, Zyg, Ryan, Speaker

NAYS-0

NOT VOTING-1

Gabig

EXCUSED-2

Cappabianca, Veon

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. A1954:

Amend Title, page 1, line 2, by inserting after "for" exemption of persons, entities and vehicles from fees and for

Amend Bill, page 2, by inserting between lines 1 and 2 Section 2. Section 1901 of Title 75 is amended by adding a subsection to read:

§ 1901. Exemption of persons, entities and vehicles from fees.

\*\*\*

(c.1) Processing fee in lieu of driver's license fee.—No driver's license fee shall be charged for any person who is retired and receiving Social Security or other pension and whose total annual income does not exceed \$19,200, but the department shall charge a fee of \$20 to cover the costs of processing for issuing or renewing the driver's license.

\*\*\*

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

Amend Sec. 3, page 2, line 28, by striking out "3" and inserting 4

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

The following roll call was recorded:

## YEAS—200

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

## NAYS—0

## NOT VOTING—0

## EXCUSED—2

Cappabianca Veon

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— Mr. George, for what purpose do you seek recognition?

Mr. GEORGE. Mr. Speaker, my gratitude to you and the members of this House, but I thought that I should provide a very small explanation of why I think they did the right thing just a moment ago.

The SPEAKER. Do you want your amendment reconsidered?

Mr. GEORGE. Mr. Speaker, you know what I want, and if you do not behave, I am not going to come and watch your show tonight. I gave up a good dinner to come to this thing. Yes?

Mr. Speaker, all I wanted to say—

The SPEAKER. I am controlling myself as best I can.

The gentleman is recognized.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, congratulations to Republicans and Democrats alike, that one of the first bills that I had passed when I came down here 27 years ago was the reduced license fee that went into law, and it carried the number of the bill, and just a moment ago all of you recognized the fact that we have to help these senior citizens that continue to write us and tell us, come on, help me, and now we are going to provide — I know the Department of Transportation will tell you how much it is going to cost — but now we are going to provide a \$10 license and a 4-year license for \$20 for our senior citizens, and can I tell you what? I have stood up here many times, but I want to say from the bottom of my heart, thank you for doing the right thing for those citizens that believe in you and me. We just did that a minute ago by making this driver's license cheaper for those that do not know whether they are going to live 4 years and want to buy a 4-year license, and therefore, we have a 2-year license, but we are reducing the fee to where it ought to be.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Mr. DeWeese, who is offering an amendment on behalf of the gentleman, Mr. Veon, which the clerk will now read.

On the question recurring,

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

Mr. DeWEESE (for Mr. VEON) offered the following amendment No. A1849:

Amend Title, page 1, line 3, by inserting after "helmets" and for permit for movement during course of manufacture

Amend Sec. 2, page 2, line 2, by striking out "Section" where it appears the second time and inserting Sections

Amend Sec. 2, page 2, line 2, by inserting after "(b.1)" and 4968(a)(2) and (3)

Amend Sec. 2, page 2, by inserting between lines 27 and 28 § 4968. Permit for movement during course of manufacture.

(a) Annual permit.—An annual permit may be issued authorizing movement on specified highways of boats, trailers, mobile homes, modular housing units and undercarriages, helicopters, hot ingots, [raw coal,] basic oxygen furnace lances, railway equipment and rails or other articles, vehicles or combinations which exceed the maximum height, width or length specified in Subchapter B (relating to width, height and length) or self-propelled cranes or combinations carrying



raw milk [or], raw coal, flat-rolled steel coils, steel slabs, hot ingots, pulpwood and wood chips for paper manufacture or raw water which exceed the maximum weight specified in Subchapter C (relating to maximum weights of vehicles) while they are in the course of manufacture and under contract with or under the direct control of the manufacturer, subject to the following provisions:

\*\*\*

(2) Overwidth articles and vehicles:

(i) Articles and vehicles not wider than 102 inches may be moved any distance on a permit.

(ii) Articles and vehicles wider than 102 inches but not wider than 108 inches may be moved up to seven miles on a permit 24 hours per day, seven days a week.

(iii) Articles and vehicles wider than 102 inches but not in excess of [ten] 12 feet in width may be moved up to 50 miles on a permit.

(iv) Wider articles and vehicles may be moved no farther than ten miles on a permit.

(3) A combination of vehicles which is hauling flat-rolled steel coils or steel slabs may be permitted by the department and local authorities to move upon highways within their respective jurisdiction a distance not exceeding 50 miles if the gross weight does not exceed 100,000 pounds and the weight of any nonsteering axle does not exceed 21,000 pounds. No permit may be issued for this type of movement upon an interstate highway.

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

The following roll call was recorded:

YEAS-200

Table listing names of legislators who voted 'YEAS-200', including Adolph, Allen, Argall, Armstrong, Baker, J., Baker, M., Bard, Barley, Barrar, Bastian, Bebkco-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Cawley, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Coleman, Cornell, Corrigan, Costa, Coy, Creighton, 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, Jadowiec, James, Josephs, Kaiser, Keller, Kenney, Kirkland, 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, Pallone, Perzel, Petrarca, Petrone, Phillips, Pickett, Pippy, Pistella, Preston, Raymond, Readshaw, Reinard, Rieger, Saylor, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Trich, Tulli, Vance, Vitali, Walko, Wansacz, Washington, Waters, Watson, Williams, C., Williams, J.

Table listing names of legislators who did not vote, including Cruz, Curry, Dailey, Daley, Dally, DeLuca, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Egolf, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lewis, Lucyk, Lynch, Mackereth, Maher, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Wilt, Wogan, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker.

NAYS-0

NOT VOTING-0

EXCUSED-2

Cappabianca Veon

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

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

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

Mr. ARMSTRONG, do you seek recognition?  
Mr. ARMSTRONG. I would like to interrogate the maker of the bill.

The SPEAKER. The gentleman, Mr. DiGirolamo, will consent to interrogation. You may begin.

Mr. ARMSTRONG. Mr. Speaker, under the definition of the bill, "scooter," could that mean a wagon?

Mr. DiGIROLAMO. No, Mr. Speaker. The definition of a scooter is "A vehicle propelled solely by human power with a handlebar, two or more wheels and a platform to hold the operator. The term does not include any pedal-driven conveyance." So the answer to that is no, Mr. Speaker.

Mr. ARMSTRONG. But it sounds like it does affect wagons, so I just wonder what would happen if a police officer sees somebody in a wagon without a helmet.

The other thing is, Mr. Speaker, how would this affect the Amish community? The Amish use this to go to school and do a lot of, you know, for going down the road to get to work and what have.

Mr. DiGIROLAMO. They are currently and will be exempt because of religious considerations, Mr. Speaker.

Mr. ARMSTRONG. I do not see that in this bill, Mr. Speaker.

Mr. DiGIROLAMO. It is in the current law, Mr. Speaker, now, in Title 75.

Mr. ARMSTRONG. All right.

Mr. Speaker, I am done with my interrogation. I would like to make a couple remarks.

The SPEAKER. Mr. Armstrong.

Mr. ARMSTRONG. I appreciate the gentleman's desire to try to deal with the safety of individuals, but I think there is a danger sometimes for politicians to want to go well beyond their own accountability of individuals and just supersede the decisions of parents and the authority of parents as well as the individuals involved. I think this problem as I raised with the Amish is not adequately addressed in this bill, and because of those couple of elements that I have raised and also because of the wagon issue — I mean, somebody could be in a wagon going down a hill and be thrown from the wagon without a helmet; would they be in jeopardy of a fine under this bill? — because of that, I think there are too many loose elements in this bill, and I am going to vote in the negative. Thank you.

The SPEAKER. The gentleman, Mr. Rohrer.

Mr. ROHRER. Thank you, Mr. Speaker.

Can I interrogate the maker of the bill as well?

The SPEAKER. The gentleman indicates he will stand for interrogation. You may begin.

Mr. ROHRER. Mr. Speaker, I have a question. How or why were scooters isolated as the mode of transportation that would require, in a position of law, require a helmet?

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Mr. Speaker, I think the statistics are overwhelming. From almost zero sales in 1999, they have exploded into our neighborhoods and on our streets. It was estimated that in the year 2000, almost 5 million of them were sold in America. Also, the statistics, there were almost, in the year 2000, 40,000 documented emergency room visits by children because of these scooter accidents. Of those 40,000, 85 percent of them were under the age of 15.

Mr. ROHRER. Mr. Speaker, of those accidents that you are citing, what percentage or how many of those affected were head injuries?

Mr. DiGIROLAMO. Almost 30 percent of those 40,000 accidents were head injuries.

Mr. ROHRER. How many of those could have been prevented by a helmet?

Mr. DiGIROLAMO. From the Consumer Protection Bureau, they estimate that if you wear a safety helmet, 85 percent of the injuries to the head can be prevented.

Mr. ROHRER. Mr. Speaker, did you also look at injuries from, for instance, skateboards?

Mr. DiGIROLAMO. Mr. Speaker, could you say that again? I did not hear you.

Mr. ROHRER. Did you also look at numbers that would indicate injury from children riding skateboards?

Mr. DiGIROLAMO. Mr. Speaker, we did not look into skateboards, the issue of skateboards, and I think there are two separate issues. The scooters have become like bicycles. They have taken the place of bicycles. They are being used by the children as a form of transportation, to go from their home to school, to go from their home to their neighborhood stores. The children are using them for transportation. Also, looking at the statistics, for the first 3 months of this year 2001, almost 22,000 emergency room visits for January, February, and March from scooter-related accidents, Mr. Speaker.

Mr. ROHRER. Mr. Speaker, did you perhaps look at the number of injuries that occurred by young people riding on roller blades or roller skates? They certainly are used for movement to and from.

Mr. DiGIROLAMO. Mr. Speaker, I just concentrated mainly on the scooters because that is where most of the accidents are coming from, Mr. Speaker.

Mr. ROHRER. But you did not look at the other ones?

The SPEAKER. The gentleman will yield.

Please.

The gentleman may continue.

Mr. DiGIROLAMO. Mr. Speaker, the statistics I quoted are coming from the Consumer Product Safety Commission, Mr. Speaker, and they are the ones that have issued this alert on scooter use.

Mr. ROHRER. Okay. Thank you, Mr. Speaker.

Can I comment on the bill now?

The SPEAKER. The gentleman is in order. You may proceed.

Mr. ROHRER. Mr. Speaker, really, I mean, I think we can all empathize and be concerned about the safety of children, but this is really overreaching.

For the last 4 years I, as well as many of the House members here, have visited fourth grade classes in our schools, and in the process of walking children through the process of how a bill becomes law, about 4 or 5 years ago I made up a hypothetical issue that carried with it the idea of wearing a helmet and arm pads and knee pads for kids riding skateboards and had the fourth graders, which has now been about 4 different years, so thousands of fourth graders, comment and debate on why they thought it would be a good idea for the Commonwealth of Pennsylvania to mandate a law such as this or not to. And I will have to say, out of about, well, 40, 50-some classes in these last couple of years, there has only been one class that voted to pass it, and they were very bright in that they brought up issues such as, "You know what? If we pass this law, it's going to cost a lot of people some money, because they're going to have to go out and buy things now that right now they don't need to." That is a consideration. Number two, "If a kid falls down, it's his own responsibility. He knew it before he got up. Why should we be making a law for that?" Other children mentioned items such as, "Isn't this a matter of parental responsibility?" I thought these kids were pretty bright, and I said, "You know what? You brought up the kinds of arguments that would be discussed in the House should anybody ever think about coming up with an idea like that." Well, I am bringing up those arguments because we have not heard about them.

Really, Mr. Speaker, this is not anything that the Commonwealth of Pennsylvania should be wading into, to pass any kind of a law on issues such as riding a scooter of all things. There are far more things that we need to deal with. I mean, there are more kids who injure themselves in bathtubs, far more than 300 a year, and some of them are fatal. We could mandate laws on everything all the time. Some of our kids even stood up and said, well, if you can fall down and hurt yourself, why not wear a body suit? That is the kind of question I think we come to.

Mr. Speaker, I do not think this bill is something that really deserves in any kind of a serious vote a "yes" vote, so I am going to vote "no" and ask my colleagues to vote "no," too.

The SPEAKER. Mr. Grucela is recognized on the question. The gentleman will yield for a moment until the conference in his vicinity breaks up.

Mr. Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 92. Not too long ago a young lady by the name of Caitlin Dougherty from Forks Elementary School in my district was a guest here on the House floor. She was the winner of my "It Ought To Be a Law" contest, and Caitlin very aptly wrote in her essay that helmets ought to be worn on scooters.

Also, within the last month I had from Defranco Elementary School a number of fourth graders here on the House floor. As many of us have them here and visit with them, I asked them, if they had any suggestions for laws, they should certainly write to me. Mr. Speaker, those fourth graders wrote to me. Basically there were five suggestions, and the number one: helmets should be worn for all dangerous sports, including skateboarding, skiing, and riding scooters.

Mr. Speaker, I submit to you these young people understand the benefits of such a bill, and therefore, I ask the members of this House to pass HB 92. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Trello.

Mr. TRELLO. Thank you, Mr. Speaker.

Mr. Speaker, about 6, maybe 6 1/2 years ago a little boy called me and then asked me if I would attend the Council of Governments meeting in my legislative district. Well, I was not going to attend, but the kid was so persuasive that I said, well, I will attend. His name was Michael. When I went to this meeting, they introduced Michael. Michael was a paraplegic that was injured on a bicycle, and he had his helmet on, and at that meeting he discussed the importance of children wearing helmets. He asked his own—

The SPEAKER. The gentleman will yield.

Mr. TRELLO. Yes.

The SPEAKER. Please.

Mr. Trello.

Mr. TRELLO. Mr. Speaker, this happened to Michael in the sixth grade. Michael was a straight-A student in his school and one of the most lovable children you will ever have the pleasure of meeting. He and his dad asked me to introduce a piece of legislation here in Harrisburg that would mandate that children under 12 years old on bicycles and pedalcycles, that they wear a helmet. There was a very long debate similar to the one we are having today on this piece of legislation, but it passed.

The wisdom in this room realizes that we cannot be with our children or our grandchildren 24 hours a day. Sometimes they get on their scooters or their bicycles and leave, and the parents do not know where they are going or what they are doing, and sometimes without their parents being with them they take a few chances and they have some accidents. I talked to every hospital in my legislative district about this, and they said that is the leading cause of head injuries for children. When I talked to them about the scooters and how visible they are becoming, and everybody is buying these scooters. I tried to buy one around Christmastime; Kaufmann's, Gimble's, and so forth were all sold out of them. You cannot buy them anymore; they are sold out.

I think the prime sponsor of this legislation is doing the right thing to protect our children from having serious head injuries from riding these scooters, bicycles, or pedalcycles. After all, it is people under 12 years old. We are not talking about adults; it is children under 12 years old, and I know that the wisdom in this General Assembly is going to realize the importance of them wearing helmets, because they cannot think for

themselves; we have to think for them on some occasions, and I think they should be wearing helmets.

I am going to vote "yes," and I am asking you to vote "yes" on this piece of legislation. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The SPEAKER. The House has, frankly, run out of time today if we are to meet our other commitments. So without objection, I am going to suggest that this bill together with amendments be placed on the final passage postponed calendar. Are there objections? Hearing none, the bill is on the final passage postponed calendar together with the amendments.

### **AGING AND OLDER ADULT SERVICES COMMITTEE MEETING**

The SPEAKER. Mr. Schuler, do you have an announcement to make?

Mr. SCHULER. Thank you, Mr. Speaker.

The Aging and Older Adult Services Committee will meet in room 39 immediately after the break here. Thank you, Mr. Speaker.

### **ANNOUNCEMENT BY SPEAKER**

The SPEAKER. Are there any announcements?

Tonight—may I have your attention?—tonight, as you know, we are having the second annual Speaker's Millennium lecturer going to appear here— May I have your attention? This will only take a moment.

We believe that there is an overwhelming number of people interested in hearing Studs Terkel, who is scheduled to speak here tonight. As we did a year ago, your seats are reserved for you until 6:45. At 6:46, they are open. So if you intend to be here this evening, may I suggest you get here before 6:45 so that your seat will be available to you.

Other than that, I am told there are some 400 members of the public that have been interested in securing seats, and we think we can accommodate them. But I do not want to disappoint any of you if all of a sudden your position is not available.

Does the majority leader or minority leader have any further business?

There will be no further votes.

### **BILLS SIGNED BY SPEAKER**

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

#### **HB 101, PN 1448**

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further defining "agricultural conservation easement" and "agricultural production"; defining "parcel"; further providing for agricultural security areas and for purchase of agricultural conservation easements; providing for a

supplemental agricultural conservation easement purchase program; and making a repeal.

**HB 421, PN 1787**

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Bedford Cemetery Association, certain lands situate in the Township of Bedford, County of Bedford.

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

**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 announcements? Corrections to the record?

Hearing none, the Chair recognizes the lady from Lehigh County, Ms. Baker.

Ms. BAKER. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 22, 2001, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:31 p.m., e.d.t., the House adjourned.