

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, MAY 22, 2001

SESSION OF 2001

185TH OF THE GENERAL ASSEMBLY

No. 32

### HOUSE OF REPRESENTATIVES

The House convened at 11 a.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:

"I lift up my eyes to the hills. From where does my help come? My help comes from the Lord, who made the heavens and the earth."

With the psalmist of old we acknowledge that our lives are anchored in God, our keeper, who cares for us all of our days.

In confidence then, as this House convenes today, we affirm the presence of our helper and keeper and ask that the shepherd of our souls will be present with each person here that they may faithfully fulfill the high calling which has been entrusted to them. May all of their efforts here accrue to the common good, and may they be faithful in all things.

We pray in the name of the one God and creator of us all who is known by many names. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, May 21, 2001, will be postponed until printed. The Chair hears no objections.

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1332** By Representatives BUXTON, BEBKO-JONES, BELARDI, BELFANTI, BROWNE, CALTAGIRONE, CAPPABIANCA, CURRY, DeLUCA, DeWEESE, FAIRCHILD, FRANKEL, FREEMAN, GEORGE, GRUCELA, HALUSKA, HARHAI, JAMES, JOSEPHS, KELLER, KENNEY, LAUGHLIN, LEVDANSKY, MANDERINO, MANN, McCALL, McNAUGHTON, MELIO, MICHLOVIC, PALLONE, PRESTON, READSHAW, ROONEY, RUFFING, SANTONI, SHANER, SOLOBAY, STABACK, STEELMAN,

STURLA, SURRA, TANGRETTI, THOMAS, TIGUE, TRELLO, WALKO, WANSACZ, WASHINGTON, WOJNAROSKI and YOUNGBLOOD

An Act requiring public employers to protect the occupational safety and health of their employees; and providing for enforcement and penalties.

Referred to Committee on LABOR RELATIONS, May 22, 2001.

**No. 1632** By Representatives BUXTON, TULLI, MARSICO, McNAUGHTON, BEBKO-JONES, BROWNE, CALTAGIRONE, CAPPELLI, CREIGHTON, DALEY, HARHAI, JAMES, KELLER, SHANER, SOLOBAY, STABACK, STURLA, THOMAS, WALKO, J. WILLIAMS, WOJNAROSKI and YUDICHAK

An Act establishing standards and qualifications for special real property tax relief for low-income owner-occupants.

Referred to Committee on LOCAL GOVERNMENT, May 22, 2001.

**No. 1634** By Representatives ROBERTS, CALTAGIRONE, JAMES, McCALL, STERN and J. WILLIAMS

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for elected county officials.

Referred to Committee on LOCAL GOVERNMENT, May 22, 2001.

**No. 1635** By Representatives ROBERTS, CALTAGIRONE, JAMES, McCALL, THOMAS and J. WILLIAMS

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for the authority and duties of certain elected officers.

Referred to Committee on LOCAL GOVERNMENT, May 22, 2001.

**No. 1636** By Representatives ROBERTS, CALTAGIRONE, JAMES, McCALL, STERN, J. WILLIAMS and YOUNGBLOOD

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for functions of the controller.

Referred to Committee on LOCAL GOVERNMENT,  
May 22, 2001.

**No. 1637** By Representatives ROBERTS, CAPPELLI,  
HORSEY, CALTAGIRONE, LEWIS and J. WILLIAMS

An Act amending the act of August 9, 1955 (P.L.323, No.130),  
known as The County Code, further providing for power of subpoena  
and attachment.

Referred to Committee on LOCAL GOVERNMENT,  
May 22, 2001.

**No. 1638** By Representatives T. STEVENSON, PIPPY,  
MANN, LEWIS, CAPPELLI, BEBKO-JONES, THOMAS,  
ROHRER, WALKO, WILT, MELIO, CREIGHTON,  
ROONEY, HARPER, HENNESSEY, TIGUE,  
YOUNGBLOOD, GABIG, HASAY, PALLONE, CURRY,  
YUDICHAK, L. I. COHEN, SAMUELSON, COLEMAN and  
WANSACZ

An Act providing for the creation of special parking spaces for  
pregnant women and for a penalty.

Referred to Committee on TRANSPORTATION, May 22,  
2001.

**No. 1639** By Representatives MAITLAND, ADOLPH,  
BARD, BARRAR, CALTAGIRONE, CAPPABIANCA,  
CAWLEY, L. I. COHEN, CORRIGAN, COSTA,  
CREIGHTON, DALEY, FESE, FORCIER, FREEMAN,  
GEORGE, HARHAI, HORSEY, KAISER, LAUGHLIN,  
LEDERER, LEVDANSKY, MANN, McCALL,  
McILHATTAN, PISTELLA, READSHAW, SAINATO,  
SCHULER, B. SMITH, STEELMAN, SURRA, TANGRETTI,  
E. Z. TAYLOR, J. TAYLOR, WALKO, WILT and  
YOUNGBLOOD

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

Referred to Committee on FINANCE, May 22, 2001.

**No. 1640** By Representatives MAITLAND, M. BAKER,  
BARRAR, BASTIAN, BEBKO-JONES, BELARDI,  
BELFANTI, BROWNE, CALTAGIRONE, CAPPELLI,  
CASORIO, CAWLEY, CLARK, CLYMER, L. I. COHEN,  
COLAFELLA, COSTA, CREIGHTON, DALEY, DeLUCA,  
DeWEESE, EGOLF, J. EVANS, FAIRCHILD, FICHTER,  
FORCIER, FRANKEL, FREEMAN, GABIG, GEIST,  
HARHAI, HARHART, HORSEY, HUTCHINSON,  
JADLOWIEC, KAISER, LAUGHLIN, LEDERER,  
LEVDANSKY, MAHER, McCALL, McILHATTAN,  
McNAUGHTON, MELIO, R. MILLER, NAILOR, PALLONE,  
PISTELLA, READSHAW, ROBERTS, ROEBUCK,  
ROHRER, SAINATO, SAMUELSON, SCHULER, SHANER,  
B. SMITH, STABACK, STEELMAN, T. STEVENSON,  
SURRA, TANGRETTI, E. Z. TAYLOR, J. TAYLOR,  
TRELLO, WALKO, WATSON, C. WILLIAMS,  
YOUNGBLOOD and ADOLPH

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 sales and use  
tax exclusions.

Referred to Committee on FINANCE, May 22, 2001.

**No. 1641** By Representatives MAITLAND,  
BENNINGHOFF, ALLEN, ARGALL, M. BAKER, BARD,  
BARRAR, BEBKO-JONES, BELARDI, BELFANTI,  
BROWNE, BUNT, BUTKOVITZ, CALTAGIRONE,  
CAPPABIANCA, CAPPELLI, CLARK, L. I. COHEN,  
CORRIGAN, COY, DALEY, DeLUCA, DERMODY,  
DeWEESE, DiGIROLAMO, FLEAGLE, FLICK, FREEMAN,  
GEIST, GEORGE, GRUCELA, HASAY, HENNESSEY,  
HERMAN, HORSEY, JAMES, KENNEY, LAUGHLIN,  
LEDERER, LEVDANSKY, LEWIS, MACKERETH,  
MANDERINO, MANN, McCALL, McILHATTAN,  
MICOZZIE, S. MILLER, MUNDY, O'BRIEN, PALLONE,  
PHILLIPS, PIPPY, PISTELLA, PRESTON, READSHAW,  
ROONEY, ROSS, RUBLEY, SAINATO, SANTONI,  
SATHER, SAYLOR, SCHRODER, SCHULER, SEMMEL,  
SHANER, B. SMITH, SOLOBAY, STEELMAN, SURRA,  
TANGRETTI, J. TAYLOR, THOMAS, WALKO, WANSACZ,  
C. WILLIAMS, WOJNAROSKI, YOUNGBLOOD and  
YUDICHAK

An Act establishing the Nursing Loan Forgiveness Program to  
provide assistance to students who engage in nursing within this  
Commonwealth; and imposing additional powers and duties on the  
Department of State and the Pennsylvania Higher Education Assistance  
Agency.

Referred to Committee on PROFESSIONAL LICENSURE,  
May 22, 2001.

**No. 1642** By Representatives ZUG, CALTAGIRONE,  
M. COHEN, GEIST, HENNESSEY, KREBS, SATHER,  
J. TAYLOR, BELFANTI and WILT

An Act amending Title 75 (Vehicles) of the Pennsylvania  
Consolidated Statutes, further providing for liquid fuels and fuels tax  
refunds.

Referred to Committee on TRANSPORTATION, May 22,  
2001.

**No. 1643** By Representatives JADLOWIEC, PERZEL,  
THOMAS, S. H. SMITH, HUTCHINSON, HERMAN,  
CAPPELLI, MELIO, CALTAGIRONE, METCALFE, WILT,  
HORSEY, SATHER, DALEY, CLYMER, SAINATO,  
CREIGHTON, GEIST, CLARK, GRUCELA, J. TAYLOR,  
MARSICO and DeLUCA

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

Referred to Committee on JUDICIARY, May 22, 2001.

**No. 1644** By Representative JADLOWIEC

An Act amending the act of April 9, 1929 (P.L.177, No.175),  
known as The Administrative Code of 1929, providing for sales of  
State-owned vehicles to municipalities; and making editorial changes.

Referred to Committee on STATE GOVERNMENT,  
May 22, 2001.

**No. 1645** By Representatives TANGRETTI, ROSS, LESCOVITZ, BARD, HERMAN, PETRARCA, PISTELLA, READSHAW, ALLEN, BUNT, CALTAGIRONE, CAPPABIANCA, CAPPELLI, COLAFELLA, CURRY, DALEY, FEESE, FICHTER, FRANKEL, FREEMAN, HARHAI, HORSEY, JAMES, KELLER, LAUGHLIN, LEDERER, McCALL, MELIO, SCRIMENTI, SHANER, STABACK, STEELMAN, TRICH, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for the assistant county solicitors.

Referred to Committee on LOCAL GOVERNMENT,  
May 22, 2001.

**No. 1646** By Representatives PALLONE, LEDERER, CALTAGIRONE, COSTA, COY, DALEY, DIVEN, FRANKEL, GRUCELA, HALUSKA, HARHAI, HENNESSEY, MELIO, RUBLEY, SHANER, SOLOBAY, TANGRETTI, TRELLO, WALKO, WANSACZ, WASHINGTON and WATSON

An Act authorizing an alcohol access control tax credit; and imposing powers and duties on the Secretary of Revenue.

Referred to Committee on FINANCE, May 22, 2001.

**No. 1647** By Representatives VANCE, NICKOL, FEESE, BUXTON, BELARDI, BROWNE, BUNT, CALTAGIRONE, L. I. COHEN, COLAFELLA, COSTA, CRUZ, CURRY, DALLY, DeLUCA, DeWEESE, FLEAGLE, FRANKEL, FREEMAN, GEIST, GEORGE, HALUSKA, HARHAI, HENNESSEY, HORSEY, JAMES, KELLER, KENNEY, LaGROTTA, LAUGHLIN, LYNCH, MACKERETH, MAITLAND, MAJOR, MANDERINO, MARSICO, McCALL, McILHATTAN, MELIO, MICOZZIE, R. MILLER, MUNDY, NAILOR, PETRARCA, PRESTON, RAYMOND, READSHAW, ROEBUCK, ROSS, RUBLEY, SAINATO, SAYLOR, SHANER, SOLOBAY, STEELMAN, E. Z. TAYLOR, THOMAS, TIGUE, TRELLO, TULLI, WALKO, WILT, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for persons entitled to letters of administration and for filing guardian vacancies; establishing the Commonwealth Guardianship Office to serve as guardian for certain incapacitated persons; providing for its powers and duties; waiving the defense of sovereign immunity in certain instances; and making an appropriation.

Referred to Committee on JUDICIARY, May 22, 2001.

**No. 1648** By Representatives LEDERER, M. COHEN, DERMODY, CAPPABIANCA, CAPPELLI, BEBKO-JONES, WOGAN, DIVEN, JOSEPHS, HARHAI, THOMAS, CALTAGIRONE, TRELLO, CORRIGAN, YOUNGBLOOD, J. TAYLOR, WASHINGTON, PISTELLA, PALLONE,

BUNT, JAMES, OLIVER, BUTKOVITZ, KELLER, MANDERINO, J. WILLIAMS, BISHOP and McGEEHAN

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for creditable nonstate service for certain former county employees.

Referred to Committee on STATE GOVERNMENT,  
May 22, 2001.

**No. 1649** By Representatives SAINATO, PERZEL, MANN, DALEY, CALTAGIRONE, LaGROTTA, CREIGHTON, RUBLEY, YOUNGBLOOD, HARHAI, READSHAW, McILHINNEY, SCHRODER, COSTA, C. WILLIAMS, JOSEPHS, CAPPELLI, METCALFE, WILT, L. I. COHEN, WASHINGTON, STEELMAN, JAMES, J. WILLIAMS and TRAVAGLIO

An Act amending the act of September 30, 1985 (P.L.240, No.61), known as the Turnpike Organization, Extension and Toll Road Conversion Act, further providing for collection and disposition of tolls.

Referred to Committee on TRANSPORTATION, May 22,  
2001.

**No. 1650** By Representatives SAINATO, SHANER, CALTAGIRONE, CREIGHTON, LEH, YOUNGBLOOD, HARHAI, SOLOBAY, METCALFE, BROWNE, WILT, WASHINGTON, WATERS, J. WILLIAMS and TRAVAGLIO

An Act amending the act of September 30, 1985 (P.L.240, No.61), known as the Turnpike Organization, Extension and Toll Road Conversion Act, further providing for collection and disposition of tolls.

Referred to Committee on TRANSPORTATION, May 22,  
2001.

**No. 1651** By Representatives SAINATO, LEDERER, WILT, LAUGHLIN, LaGROTTA, SOLOBAY, TANGRETTI, HORSEY, TRAVAGLIO, YOUNGBLOOD, CALTAGIRONE, HARHAI, PETRARCA and STEELMAN

An Act amending the act of September 30, 1985 (P.L.240, No.61), known as the Turnpike Organization, Extension and Toll Road Conversion Act, further providing for collection and disposition of tolls.

Referred to Committee on TRANSPORTATION, May 22,  
2001.

**No. 1652** By Representatives PETRONE, BEBKO-JONES, HENNESSEY, CRUZ, KENNEY, GRUCELA, HERSHEY, COSTA, GEIST, DALEY, SAINATO, ROBERTS, SOLOBAY, ARGALL, WASHINGTON and THOMAS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for removing political advertisements; and imposing penalties.

Referred to Committee on JUDICIARY, May 22, 2001.

**No. 1653** By Representatives WILT, ARGALL, BUNT, CALTAGIRONE, CAPPELLI, COLEMAN, DERMODY, FREEMAN, HALUSKA, HORSEY, HUTCHINSON, LaGROTTA, LEH, LEVDANSKY, LEWIS, MARSICO, McCALL, MELIO, RAYMOND, STEIL, STURLA, SURRA and TIGUE

An Act providing for the creation of the Task Force on Implementing a Statewide Teachers' Contract; and making an appropriation.

Referred to Committee on EDUCATION, May 22, 2001.

**No. 1654** By Representatives STERN, WATSON, GEORGE, CLARK, E. Z. TAYLOR, RUBLEY, B. SMITH, HALUSKA, SCHRODER, ARGALL, THOMAS, EGOLF, BELFANTI, R. MILLER, ROSS, YOUNGBLOOD, HENNESSEY, SHANER, WILT, ROONEY and L. I. COHEN

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for abandoned and unclaimed property held by business associations.

Referred to Committee on FINANCE, May 22, 2001.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 224** By Representatives BARD, TULLI, HERSHEY, PERZEL, DALEY, GEIST, RUBLEY, ARMSTRONG, BASTIAN, BELARDI, BELFANTI, CALTAGIRONE, CAPPABIANCA, CLYMER, CORRIGAN, CREIGHTON, DeLUCA, GABIG, GEORGE, HANNA, HERMAN, HESS, LaGROTTA, LAUGHLIN, McILHATTAN, METCALFE, RAYMOND, READSHAW, SCHULER, SOLOBAY, SURRA, TIGUE, WATSON, R. STEVENSON, TANGRETTI, HUTCHINSON, YUDICHAK, MANN and JOSEPHS

A Resolution directing the Joint State Government Commission to establish a working group to develop an energy strategy for Pennsylvania that promotes the efficient use of energy by residential, commercial, industrial, government, transportation and power generation users within this Commonwealth and promotes the development and production of new sources of petroleum and alternatives to petroleum products within this Commonwealth.

Referred to Committee on RULES, May 22, 2001.

**No. 226** By Representatives PIPPY, BELFANTI, ARGALL, KAISER, ARMSTRONG, BUXTON, CAPPELLI, CAPPABIANCA, DALEY, DeWEESE, J. EVANS, FICHTER, GEIST, GEORGE, HENNESSEY, HUTCHINSON, JAMES, LAUGHLIN, LEDERER, LESCOVITZ, MANN, MARKOSEK, McCALL, McILHATTAN, NAILOR, PETRARCA, READSHAW, ROSS, SHANER, SOLOBAY, STABACK, SURRA, E. Z. TAYLOR, TIGUE, WOJNAROSKI, GRUITZA, RAYMOND and SAINATO

A Resolution memorializing the President and Congress of the United States to take all necessary and appropriate action to respond to the surge of steel imports.

Referred to Committee on RULES, May 22, 2001.

### SENATE MESSAGE

HOUSE BILL  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 193, PN 173**, with information that the Senate has passed the same without amendment.

### SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 23, PN 1876**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

### SENATE MESSAGE

ADJOURNMENT RESOLUTION  
FOR CONCURRENCE

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

In the Senate  
May 21, 2001

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, June 4, 2001, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, June 4, 2001, unless sooner recalled by the Speaker of the House of Representatives.

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

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

### BILL SIGNED BY SPEAKER

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

**HB 193, PN 173**

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for certain recognition by Commonwealth departments and agencies.

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

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

**HB 1626, PN 1983** By Rep. SCHULER

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.

AGING AND OLDER ADULT SERVICES.

**HB 1627, PN 1984** By Rep. SCHULER

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

AGING AND OLDER ADULT SERVICES.

**HB 1628, PN 1985** By Rep. SCHULER

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.

AGING AND OLDER ADULT SERVICES.

**HB 1629, PN 1986** By Rep. SCHULER

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

AGING AND OLDER ADULT SERVICES.

**HB 1630, PN 1987** By Rep. SCHULER

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.

AGING AND OLDER ADULT SERVICES.

**HB 1631, PN 1988** By Rep. SCHULER

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.

AGING AND OLDER ADULT SERVICES.

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HBs 367 and 993 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 those same two bills, HBs 367 and 993, be returned to the table.

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 the following bills be taken from the table:

HB 250;  
HB 375;  
HB 674;  
HB 728;  
HB 851;  
HB 1219;  
HB 1242;  
HB 1454;  
HB 1468;  
HB 1492;  
HB 1493; and  
SB 236.

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 250, PN 623; HB 375, PN 392; HB 674, PN 747; HB 728, PN 812; HB 851, PN 1072; HB 1219, PN 1410; HB 1242, PN 1816; HB 1454, PN 1726; HB 1468, PN 1870; HB 1492, PN 1811; HB 1493, PN 1812; and SB 236, PN 849.**

**BILLS RECOMMITTED**

The SPEAKER. The Chair recognizes the gentleman, Mr. Barley, the chairman of the majority Appropriations Committee.

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

HB 250;  
HB 375;  
HB 674;  
HB 728;  
HB 851;  
HB 1219;  
HB 1242;  
HB 1454;  
HB 1468;

HB 1492;  
HB 1493; and  
SB 236.

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

**LEAVES OF ABSENCE**

The SPEAKER. The Chair is advised that the Republican whip has no request for leaves.

The Chair recognizes the gentleman, Mr. Veon, who requests a leave of absence for the gentleman from Washington County, Mr. DALEY, for today's session. Without objection, leave will be granted. The Chair hears no objection.

**MASTER ROLL CALL**

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

The following roll call was recorded:

**PRESENT—200**

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

- |           |           |         |         |
|-----------|-----------|---------|---------|
| Donatucci | Lynch     | Santoni |         |
| Eachus    | Mackereth | Sather  |         |
| Egolf     | Maher     | Saylor  | Ryan,   |
| Evans, D. | Maitland  |         | Speaker |

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

- |             |       |
|-------------|-------|
| Cappabianca | Daley |
|-------------|-------|

LEAVES ADDED—1

- |        |
|--------|
| Thomas |
|--------|

**GUESTS INTRODUCED**

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a number of guests.

First, we are pleased to welcome, as the guest of Representative McNaughton, Alycia Kerstetter. She is seated to the left of the Speaker. Would she please rise and perhaps wave her hand so that we see her. There she is — the lady in red.

And as the guests of Representative Melio, Alice and Dennis Amareld of Richboro, Bucks County, to the left of the Speaker. I hope I did not mess up that name.

And as the guests of Representative Craig Dally, Dr. John Marino and his son, John, and Sue Jarvis and her daughter, Kasey, and they are seated over in the same general area. Would they please rise.

As the guests of Representative Vance, we have certain guest pages — John Campbell and Sara Wagner. Would they please rise. They are seated up in the front.

Representative Chris Ross has four guest pages from Chester County: Amanda Smith, Matthew Conant, Peter Hrubiec, and Mary Xu. Would these guests please rise. They are over here to the right of the Speaker.

**MIDDLETOWN AREA HIGH SCHOOL  
VARSITY CHEERLEADING SQUAD  
PRESENTED**

The SPEAKER. The gentleman, Mr. Tulli, is recognized in connection with the offering of a citation.

Mr. TULLI. Thank you, Mr. Speaker.

Ladies and gentlemen of the Pennsylvania House of Representatives, I am pleased to join with you in honoring the Middletown Area High School varsity cheerleading competition squad. Under the expert guidance and leadership of coaches Lynne Stipe and Tammy James, this squad captured first place at the regional competition in Myrtle Beach, South Carolina, on April 28 of this year. The squad took first place in the large varsity category after scoring an 8.1, their highest score ever, and today I am presenting them with a citation honoring the team.

We have with us their team captains, Nichole Kantz, Denise Keller, Kirsten Haman, and Tiffany Markey, joining those two coaches, and as I present the citations to them, I would ask you to recognize them and their team who is seated

in the back. If they would please rise, the Middletown Area High School cheerleading squad.

The SPEAKER. I was pleased to see Representative Keller leading the cheerleaders in cheers. Thank you, Mr. Keller.

### GUESTS INTRODUCED

The SPEAKER. Seated in the balcony we have a number of guests.

We have the fourth grade class of St. Margaret Mary School. They are here with their teachers, Mrs. Fennessy and Mr. Emery, and a special welcome to Miss Kama Peck of that group, who is the granddaughter of Representative Marsico and a student in the fourth grade class at St. Margaret Mary. Would these guests please rise. They are the guests of Mr. Marsico and Mr. McNaughton.

Seated to the left of the Speaker is a guest of Representative Tina Pickett — Mr. Chuck Carver of WATS/WAVR radio station. Would he please rise.

Here today also as an intern in Representative Tulli's office, Elizabeth, I believe it is "S-a-y-e," Saye, but because Mr. Tulli does not write all that clear, it could be Ms. Saxe. Ms. Saye, would you please rise.

### ADAM SMITH PRESENTED

The SPEAKER. Mr. Clark, Mr. Egolf. The gentlemen will yield.

Please. Conferences on the floor, please; conferences in the well of the House.

Mr. Clark.

Mr. CLARK. Thank you, Mr. Speaker.

Allan Egolf and I would like to present to you and recognize a young man who has excelled in the realm of athletics. Athletics in and of itself is not the end all, but rather we recognize this young man's commitment and sacrifice which materialized in the form of a good athlete — a winner, an achiever, whose hard work has paid off in the lessons this young man has learned through defeat as well as winning, with the hopes that those lessons learned help him achieve success and outstanding performance during the remainder of his life. Let me review some of his accomplishments with you.

Adam Smith is a 119-pound wrestler from Newport High School who has been inducted into the National High School Hall of Fame. His career record is 132 and 14. He is a four-time sectional 4 champion, three-time Tri-Valley League First Team All-Star, three-time Tri-Valley Most Valuable Wrestler, and took first place in the 119-pound weight category in the 2001 PIAA Class AA State wrestling tournament.

Adam will graduate number ninth in his class. He will attend Penn State and major in engineering, and of course, he will also wrestle for Penn State.

Allan and I want to congratulate Adam on his past accomplishments and wish him well in his future successes.

Adam today is with his parents, Hunter and Kathy Smith, who are seated in the back — if you would please rise — and his coach, Mike Capazzoli.

Thank you very much.

## CALENDAR

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 947, PN 1066**, entitled:

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.

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

Eachus Mackereth Sather  
 Egolf Maher Saylor Ryan,  
 Evans, D. Maitland Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Cappabianca Daley

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 412, PN 1144**, entitled:

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

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

**BILL RECOMMENDED**

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

Mr. BARLEY. Mr. Speaker, I move that HB 412 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 750, PN 1712**, entitled:

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.

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

Mr. **GEORGE** offered the following amendment No. **A2100**:

Amend Bill, page 5, by inserting between lines 15 and 16 Section 8. Report to General Assembly.

The agency, in conjunction with the Department of Education, shall take comments, analyze data and issue a report to the General Assembly within twelve months of the effective date of this

act, on the necessity, effectiveness and value of extending the Urban Teacher Loan Forgiveness Program to rural school districts.

Amend Sec. 8, page 5, line 16, by striking out "8" and inserting 9

Amend Sec. 8, page 5, line 17, by removing the period after "2001" and inserting  
 , or immediately, whichever is later.

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

The following roll call was recorded:

**YEAS—193**

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

**NAYS—7**

Coleman Lewis Metcalfe Wilt  
 Creighton Maitland Stevenson, R.

NOT VOTING—0

EXCUSED—2

Cappabianca Daley



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—196

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

NAYS—4

Creighton	Lewis	Metcalfe	Rohrer
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NOT VOTING—0

EXCUSED—2

Cappabianca Daley

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 217, PN 204**, entitled:

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.

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

Mr. **BROWNE** offered the following amendment No. **A2055**:

Amend Title, page 1, line 10, by inserting after "penalties," further defining "poverty income"; and

Amend Bill, page 1, lines 13 through 15, by striking out all of said lines and inserting

Section 1. Section 301(o.2) of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, amended December 13, 1991 (P.L.373, No.40), is amended to read:

Section 301. Definitions.—The following words, terms and phrases when used in this article shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning. Unless specifically provided otherwise, any reference in this article to the Internal Revenue Code shall include the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.), as amended to January 1, 1997:

\* \* \*

(o.2) "Poverty income" means for the purpose of determining eligibility for special tax provisions all moneys or property (including interest, gains or income derived from obligations which are statutorily free from State or local taxation under any other act of the General Assembly of the Commonwealth of Pennsylvania or under the laws of the United States) received of whatever nature and from whatever source derived, but not including (i) periodic payments for sickness and disability other than regular wages received during a period of sickness or disability; or (ii) disability, retirement or other payments arising under workmen's compensation acts, occupational disease acts and similar legislation by any government; or (iii) payments commonly recognized as old age or retirement benefits paid to persons retired from service after reaching a specific age or after a stated period of employment; or (iv) payments commonly known as public assistance or unemployment compensation payments by any governmental agency; or (v) payments to reimburse actual expenses; or (vi) payments made by employers or labor unions for programs covering hospitalization, sickness, disability or death, supplemental unemployment benefits, strike benefits, Social Security and retirement; or (vii) any compensation received by United States servicemen serving in a combat zone. "Poverty income" shall be reduced by the real property taxes paid by the taxpayer on the taxpayer's principal residence.

\*\*\*

Section 2. The act is amended by adding an article to read:  
Amend Sec. 2, page 5, line 7, by striking out "2" and inserting  
3

Amend Sec. 3, page 5, line 9, 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, J.	Major	Schroder
Allen	Fairchild	Manderino	Schuler
Argall	Feese	Mann	Scrimenti
Armstrong	Fichter	Markosek	Semmel
Baker, J.	Fleagle	Marsico	Shaner
Baker, M.	Flick	Mayernik	Smith, B.
Bard	Forcier	McCall	Smith, S. H.
Barley	Frankel	McGeehan	Solobay
Barrar	Freeman	McGill	Staback
Bastian	Gabig	McIlhattan	Stairs
Bebko-Jones	Gannon	McIlhinney	Steelman
Belardi	Geist	McNaughton	Steil
Belfanti	George	Melio	Stern
Benninghoff	Godshall	Metcalf	Stetler
Birmelin	Gordner	Michlovic	Stevenson, R.
Bishop	Grucela	Micozzie	Stevenson, T.
Blaum	Gruitza	Miller, R.	Strittmatter
Boyes	Habay	Miller, S.	Sturla
Browne	Haluska	Mundy	Surra
Bunt	Hanna	Myers	Tangretti
Butkovitz	Harhai	Nailor	Taylor, E. Z.
Buxton	Harhart	Nickol	Taylor, J.
Caltagirone	Harper	O'Brien	Thomas
Cappelli	Hasay	Oliver	Tigue
Casorio	Hennessey	Pallone	Travaglio
Cawley	Herman	Perzel	Trello
Civera	Hershey	Petrarca	Trich
Clark	Hess	Petrone	Tulli
Clymer	Horsey	Phillips	Vance
Cohen, L. I.	Hutchinson	Pickett	Veon
Cohen, M.	Jadlowiec	Pippy	Vitali
Colafella	James	Pistella	Walko
Coleman	Josephs	Preston	Wansacz
Cornell	Kaiser	Raymond	Washington
Corrigan	Keller	Readshaw	Waters
Costa	Kenney	Reinard	Watson
Coy	Kirkland	Rieger	Williams, C.
Creighton	Krebs	Roberts	Williams, J.
Cruz	LaGrotta	Robinson	Wilt
Curry	Laughlin	Roebuck	Wogan
Dailey	Lawless	Rohrer	Wojnaroski
Dally	Lederer	Rooney	Wright
DeLuca	Leh	Ross	Yewcic
Dermody	Lescovitz	Rubleby	Youngblood
DeWeese	Levdansky	Ruffing	Yudichak
DiGirolamo	Lewis	Sainato	Zimmerman
Diven	Lucyk	Samuelson	Zug
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	
Egolf	Maher	Saylor	
Evans, D.	Maitland		Ryan, Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

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

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

Mr. GEORGE offered the following amendment No. A2095:

Amend Title, page 1, line 10, by inserting after "penalties,"  
further providing for exemptions from the  
utilities gross receipts tax; and

Amend Bill, page 1, lines 13 through 15, by striking out all of  
said lines and inserting

Section 1. Section 1101(g) of the act of March 4, 1971 (P.L.6,  
No.2), known as the Tax Reform Code of 1971, added June 23, 1982  
(P.L.610, No.172), is amended to read:

Section 1101. Imposition of Tax.—\* \* \*

(g) Certain Gross Receipts not Taxed.—The tax otherwise  
imposed pursuant to this section upon gross receipts derived from the  
sale of electricity shall not however be imposed upon those portions of  
the gross receipts of an electric light company attributable to the  
following sources:

(1) the net increase in its gross receipts resulting from recovery  
from its customers of the costs of purchases of additional energy  
necessitated by the physical or legal inability to operate a nuclear  
generating facility as a result of an accident or natural disaster causing  
material damage to that facility or to a similar associated facility  
located immediately adjacent, whereupon either the damaged facility,  
another located immediately adjacent, or both, have been removed  
from the company's rate base for a period exceeding  
twenty-five months. The Department of Revenue shall request the  
Public Utility Commission to determine, for each such facility, the net  
increase in the gross receipts of its electric company owner for the  
immediate prior twelve-month period. This determination shall reflect  
the difference between the increased gross receipts of the company  
attributable to recovery of costs for purchase of replacement energy  
which otherwise would have been normally generated by the  
inoperative facility in such twelve-month period less the reduction in  
the company's gross receipts attributable to removal of the capital costs  
of the facility from the company's rate base and less the reduction in  
the company's gross receipts attributable to reduction in operating  
expenses that would have otherwise been incurred by normal operation  
of the facility in such twelve-month period. The Public Utility  
Commission shall, immediately after supplying the requested data,  
proceed to make the appropriate revision in the State tax adjustment  
charge of the electric company;

(2) recovery from its customers of costs incurred in connection  
with the clean-up and decontamination of a nuclear generating facility  
which has experienced a major accident or natural disaster and has  
been removed from the electric light company's rate base; [and]

(3) recovery from its customers of costs for the amortization of  
investments in a nuclear generating facility whose removal from the  
rate base of an electric light company has been approved by the  
Public Utility Commission on account of a major accident or natural  
disaster[.]; and

(4) accounts of customers who are residents of this  
Commonwealth, who are sixty-five years of age or older, and who have  
an annual household income under \$20,000, provided that the electric  
light company reduces the rates of those customers proportionately to  
the amount of tax avoided by the application of this clause.  
Notwithstanding any other provision of law, an electric light company  
is authorized to reduce rates to such customers in order to comply with  
this clause.

\*\*\*

Section 2. The act is amended by adding an article to read:  
Amend Bill, page 5, by inserting between lines 6 and 7

Section 3. All acts and parts of acts are repealed insofar as they are inconsistent with this act.

Amend Sec. 2, page 5, line 7, by striking out "2" and inserting 4

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

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

The following roll call was recorded:

YEAS—195

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

NAYS—5

Coleman	Lewis	Metcalfe	Wilt
Creighton			

NOT VOTING—0

EXCUSED—2

Cappabianca Daley

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?

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Cappabianca Daley

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

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

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The House proceeded to third consideration of **HB 910, PN 1020**, entitled:

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

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

Mr. DeLUCA offered the following amendment No. **A1948**:

Amend Title, page 1, line 3, by removing the period after "standard" and inserting  
and for sentences for offenses committed with firearms.

Amend Sec. 1, page 1, line 6, by striking out "Section 8332.4(a) and (e)" and inserting

Sections 8332.4(a) and (e) and 9712

Amend Sec. 1, page 3, by inserting between lines 18 and 19 § 9712. Sentences for offenses committed with firearms.

(a) Mandatory sentence.—Except as provided under section 9716 (relating to two or more mandatory minimum sentences applicable), any person who is convicted in any court of this Commonwealth of a crime of violence as defined in section 9714(g) (relating to sentences for second and subsequent offenses), shall, if the person visibly possessed a firearm or a replica of a firearm, whether or not the firearm or replica was loaded or functional, that placed the victim in reasonable fear of death or serious bodily injury, during the commission of the offense, be sentenced to a minimum sentence of at least five years of total confinement notwithstanding any other provision of this title or other statute to the contrary. Such persons shall not be eligible for parole, probation, work release or furlough. The mandatory sentence imposed under this subsection shall be imposed consecutive to any other sentence imposed by the court.

(b) Proof at sentencing.—Provisions of this section shall not be an element of the crime and notice thereof to the defendant shall not be required prior to conviction, but reasonable notice of the Commonwealth's intention to proceed under this section shall be provided after conviction and before sentencing. The applicability of this section shall be determined at sentencing. The court shall consider any evidence presented at trial and shall afford the Commonwealth and the defendant an opportunity to present any necessary additional evidence and shall determine, by a preponderance of the evidence, if this section is applicable.

(c) Authority of court in sentencing.—There shall be no authority in any court to impose on an offender to which this section is applicable any lesser sentence than provided for in subsection (a) [or], to place such offender on probation [or], to suspend sentence or to

impose the mandatory sentence concurrent to any other sentence. Nothing in this section shall prevent the sentencing court from imposing a sentence greater than that provided in this section. Sentencing guidelines promulgated by the Pennsylvania Commission on Sentencing shall not supersede the mandatory sentences provided in this section.

(d) Appeal by Commonwealth.—If a sentencing court refuses to apply this section where applicable, the Commonwealth shall have the right to appellate review of the action of the sentencing court. The appellate court shall vacate the sentence and remand the case to the sentencing court for imposition of a sentence in accordance with this section if it finds that the sentence was imposed in violation of this section.

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

"Firearm." Any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or the expansion of gas therein.

"Replica of a firearm." An item that can reasonably be perceived to be a firearm.

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

The following roll call was recorded:

YEAS—200

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

Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	
Egolf	Maher	Saylor	Ryan,
Evans, D.	Maitland		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Cappabianca Daley

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

Dailey	Lawless	Rohrer	Wojnaroski
Dally	Lederer	Rooney	Wright
DeLuca	Leh	Ross	Yewcic
Dermody	Lescovitz	Rubley	Youngblood
DeWeese	Levdansky	Ruffing	Yudichak
DiGirolo	Lewis	Sainato	Zimmerman
Diven	Lucyk	Samuelson	Zug
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	
Egolf	Maher	Saylor	Ryan,
Evans, D.	Maitland		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Cappabianca Daley

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

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

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The House proceeded to third consideration of **HB 551, PN 594**, entitled:

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

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

**BILL RECOMMITTED**

The SPEAKER. The Chair recognizes Mr. Barley.  
Mr. BARLEY. Mr. Speaker, I move that HB 551 be recommitted to the Committee on Appropriations.

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

**SUPPLEMENTAL CALENDAR A**

**RESOLUTION PURSUANT TO RULE 35**

Mr. ROSS called up **HR 225, PN 1997**, entitled:

A Resolution recognizing May 31, 2001, as "World No Tobacco Day."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Cappabianca Daley

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

The SPEAKER. May I have your attention, please. May I please have your attention.

We are going to break now until 1 o'clock. I do not know whether either caucus requires a caucus. Mr. Cohen indicates that the Democrats need not caucus.

Mr. Argall? The Republicans do not need a caucus. There will be committee announcements.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

I would like to call for a meeting of the House Appropriations Committee in the conference room, room 245, immediately upon recess; just a brief meeting.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. Are there any other committee meetings to be announced? Any announcements by the Republican or Democrat leadership?

Hearing none, this House will stand in recess until 1 p.m., unless called back sooner by the Chair or extended by the Chair.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE  
(BRETT FEESE) PRESIDING

BILLS REPORTED FROM COMMITTEES,  
CONSIDERED FIRST TIME, AND TABLED

HB 497, PN 2027 (Amended) By Rep. CIVERA

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, regulating the practice and licensure of dietetics and nutrition; further providing for penalties; and making an appropriation.

PROFESSIONAL LICENSURE.

HB 850, PN 2030 (Amended) By Rep. GANNON

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

JUDICIARY.

HB 1356, PN 1587 By Rep. SEMMEL

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the composition of the State Armory Board.

VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS.

HB 1402, PN 1648 By Rep. GANNON

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for telecommunications services provided to State correctional institutions.

JUDICIARY.

**HB 1520, PN 1844**

By Rep. SEMMEL

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, extending benefits to certain National Guard members.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**HB 1541, PN 2031 (Amended)**

By Rep. GANNON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for jurisdiction and venue.

JUDICIARY.

**HB 1633, PN 1990**

By Rep. BARLEY

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

APPROPRIATIONS.

**SB 215, PN 1040 (Amended)**

By Rep. GANNON

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 54 (Names) of the Pennsylvania Consolidated Statutes, relating to associations; making revisions, corrections and additions; and making repeals.

JUDICIARY.

**SB 363, PN 376**

By Rep. BUNT

An Act amending the act of June 10, 1931 (P.L.492, No.156), entitled "An act relating to the trespassing of live stock on improved lands; providing for the taking up, impounding and sale thereof; imposing duties on and fixing the fees of constables, justices of the peace, and viewers appointed in connection therewith; prescribing the procedure for repossession by the owner thereof; providing for the fixing and taxing of costs, including attorneys' fees; and repealing inconsistent legislation," further defining "live stock" to include goats.

AGRICULTURE AND RURAL AFFAIRS.

**SB 549, PN 569**

By Rep. BUNT

An Act amending the act of December 12, 1994 (P.L.888, No.128), known as the Anaerobic Manure Digesters Act, further providing for the title, for legislative intent, for definitions, for development costs, for administration, for building and for funding.

AGRICULTURE AND RURAL AFFAIRS.

**SB 626, PN 944**

By Rep. CIVERA

An Act amending the act of June 8, 1907 (P.L.496, No.322), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels, and boats, and wharves, piers, bulkheads, docks, slips, and basins; and exempting cities of the first class from certain of its provisions; and making an appropriation therefor," further providing for the commission.

PROFESSIONAL LICENSURE.

**SB 816, PN 941**

By Rep. BUNT

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for assaults with biological agents on animals.

AGRICULTURE AND RURAL AFFAIRS.

**BILL REPORTED AND REREFERRED TO COMMITTEE ON LOCAL GOVERNMENT****HB 1004, PN 1149**

By Rep. SEMMEL

An Act establishing a grant program for shared municipal services; conferring powers and duties upon the Department of Community and Economic Development; and making an appropriation.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**BILL REREPORTED FROM COMMITTEE****HB 510, PN 548**

By Rep. BARLEY

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, requiring the Department of Environmental Protection to give notice to municipalities of orders for abatement of nuisances and examinations; and making editorial changes.

APPROPRIATIONS.

**LEAVE OF ABSENCE**

The SPEAKER pro tempore. Without objection, the Chair returns to leaves of absence and recognizes the gentleman from Beaver County, Mr. Veon, who requests a leave of absence for the gentleman from Philadelphia, Mr. THOMAS, for the rest of the day. Without objection, the leave is granted. The Chair hears no objection.

**RULES COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee at the majority leader's desk.

**ADDITIONS AND DELETIONS OF SPONSORS**

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

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

**BILL ON CONCURRENCE  
REPORTED FROM COMMITTEE**

**HB 62, PN 1879**

By Rep. PERZEL

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey a tract of land situated in the Borough of Canonsburg, Washington County.

**RULES.**

**BILL REMOVED FROM TABLE**

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

Mr. PERZEL. Mr. Speaker, I move that HB 1633 be removed from the table.

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

**SUPPLEMENTAL CALENDAR B**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 62, PN 1879**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey a tract of land situated in the Borough of Canonsburg, Washington County.

On the question,  
Will the House concur in Senate amendments?  
The SPEAKER pro tempore. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

**YEAS—199**

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

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

**NAYS—0**

**NOT VOTING—0**

**EXCUSED—3**

Cappabianca	Daley	Thomas
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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.

**CALENDAR CONTINUED**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 49, PN 557**, entitled:

An Act providing for the licensure and regulation of adult living residences; conferring powers and duties on the Department of Public Welfare; and providing for penalties.

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

Mr. SCHULER offered the following amendment No. **A1214**:

Amend Sec. 4, page 9, line 11, by inserting after "formulate" and provide to the Aging and Older Adult Services Committee of the House of Representatives and the Aging and Youth Committee of the Senate within six months of the effective date of this act

Amend Sec. 4, page 9, line 23, by striking out "The" and inserting

Within one year of the effective date of this act, the

Amend Sec. 5, page 10, lines 19 through 23, by striking out "any" in line 19, all of lines 20 through 23 and inserting assisted living residences.



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

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

Mr. SCHULER. Thank you, Mr. Speaker.

What this amendment simply does is that the Department of Aging would provide to the Aging and Older Adult Services Committee proposed changes to the existing law under the Older Adults Protective Services Act, and second, the Department of Labor would have 1 year to develop some regulations in regards to the same act.

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

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Cappabianca Daley Thomas

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. SCHULER offered the following amendment No. A1812:

Amend Sec. 5, page 11, by inserting between lines 5 and 6

(5) Within 90 days of the effective date of this act, and in consultation with the Department of Aging, the Department of Health, the Intra-Governmental Council on Long-Term Care and the Personal Care Home Advisory Committee, adopt rules for: classification of violations; enforcement measures for violations, including closure of adult living residences with extensive patterns of serious violations or those which are found to have severe violations which constitute a risk to safety of current or potential residents; closure of adult living residences that have failed to obtain a license and that have residents receiving services covered by this act; responding to the needs of residents with cognitive impairments; and protecting residents' rights. Such rules shall be in effect until the adoption of final regulations that cover the same subject matter.

Amend Sec. 5, page 11, line 6, by striking out "(5)" and inserting (6)

Amend Sec. 5, page 11, line 9, by striking out "(6)" and inserting (7)

Amend Sec. 5, page 11, line 11, by striking out "(7)" and inserting (8)

Amend Sec. 5, page 11, line 16, by striking out "(8)" and inserting (9)

Amend Sec. 5, page 11, line 18, by striking out "(9)" and inserting (10)

Amend Sec. 5, page 11, line 21, by striking out "(10)" and inserting (11)

Amend Sec. 5, page 11, line 24, by striking out "(11)" and inserting (12)

Amend Sec. 5, page 11, line 28, by striking out "(12)" and inserting (13)

Amend Sec. 5, page 11, line 30, by striking out "(13)" and inserting (14)

Amend Sec. 5, page 12, line 6, by striking out "(14)" and inserting (15)

Amend Sec. 5, page 12, line 8, by striking out "(15)" and inserting (16)

Amend Sec. 5, page 12, line 10, by striking out "(16)" and inserting (17)

Amend Sec. 5, page 12, line 18, by striking out “(17)” and inserting

(18)

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

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

Mr. SCHULER. Thank you, Mr. Speaker.

Amendment 1812 would request that the Department of Health, the Intra-Governmental Council on Long-Term Care, and the Personal Care Home Advisory Committee adopt rules that would have to be done in 90 days. Those rules would pertain to such things as classification of violations, enforcement measures, rules for closure, and responding to the needs of cognitive-impaired persons.

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

The following roll call was recorded:

YEAS—199

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

Eachus  
Egolf  
Evans, D.

Mackereth  
Maher

Santoni  
Sather

Ryan,  
Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

Cappabianca Daley Thomas

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. MELIO offered the following amendment No. A0481:

Amend Title, page 1, line 3, by inserting after “Welfare;” adding members to the Intra-Governmental Council on Long-Term Care;

Amend Table of Contents, page 2, line 21, by striking out all of said line and inserting

Section 3. Intra-Governmental Council on Long-Term Care.

Amend Sec. 3, page 8, line 27, by striking out all of said line and inserting

Section 3. Intra-Governmental Council on Long-Term Care.

(a) Additional members.—In addition to the members appointed to the Intra-Governmental Council on Long-Term Care in accordance with section 212 of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, the Governor shall appoint four representatives of the assisted living community, one of whom shall be an owner or administrator of a licensed assisted living residence and one of whom shall be a consumer of a licensed assisted living residence, one of whom shall be a licensed provider of assisted living services and one of whom shall be a consumer of assisted living services from a licensed provider of assisted living services.

(b) Recommendations to be considered.—In developing rules and regulations for licensure of assisted living residences, the Department of Public Welfare shall work in cooperation with the Department of Aging and shall take into consideration recommendations of the Intra-Governmental Council on Long-Term Care.

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

The following roll call was recorded:

YEAS—199

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

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

(2) The licensee is voluntarily closing the assisted living residence and relocation is necessary for the health and safety of the consumers.

(b) Assistance.—The department shall offer relocation assistance to consumers relocated under this section. Except in an emergency, consumers shall be involved in planning their transfer to another placement and shall have the right to choose among the available alternative placements. The department may make temporary placement until final placement can be arranged. Consumers shall be provided with an opportunity to visit alternative placement before relocation or following temporary emergency relocation. Consumers shall choose their final placement and shall be given assistance in transferring to such place.

(c) When prohibited.—Consumers may not be relocated pursuant to this section if the department determines in writing that such relocation is not in the best interest of the consumers.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the lady, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

This amendment basically provides consumer protection for those who might need to be relocated due to the closing or the suspension of a license of an assisted-living facility. I would ask for your support.

The SPEAKER pro tempore. The gentleman, Mr. Schuler. Mr. SCHULER. Thank you, Mr. Speaker.

This is an agreed-to amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

Ms. MUNDY offered the following amendment No. A0483:

Amend Table of Contents, page 3, line 3, by striking out all of said line and inserting

Section 13. Relocation of consumers in assisted living residences.

Amend Sec. 13, page 18, line 24, by striking out all of said line and inserting

Section 13. Relocation of consumers in assisted living residences.

(a) Conditions.—Except as provided in subsection (c), the department, in conjunction with appropriate local authorities, shall relocate consumers from an assisted living residence if any of the following conditions exist:

(1) The assisted living residence is operating without a license.

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Cappabianca Daley Thomas

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. SCRIMENTI offered the following amendment No. A0484:

Amend Table of Contents, page 3, line 6, by striking out all of said line and inserting

Section 15. Staff orientation and training in assisted living residences.

Amend Sec. 15, page 20, line 14, by striking out all of said line and inserting

Section 15. Staff orientation and training in assisted living residences.

(a) General rule.—The department shall promulgate regulations, not later than 60 days after the effective date of this act, that require orientation and training for all direct service staff in assisted living residences. Such orientation and training shall include the following areas:

- (1) Fire prevention and emergency planning.
- (2) First aid and CPR certification, medications, medical terminology and personal hygiene.
- (3) Federal, State and local laws and regulations.
- (4) Nutrition, food handling and sanitation.
- (5) Recreation.
- (6) Matters relating to dementia, including normal aging, cognitive, psychological and functional abilities of older persons.
- (7) Mental health issues.
- (8) Assisted living philosophy.
- (9) Use and benefits of assistive technology.
- (10) Team building and stress reduction for assisted living residence staff.
- (11) Working with family members.
- (12) Awareness, identification, prevention and reporting of abuse and neglect.

(13) Mission and purpose of services to individuals with cognitive impairments.

(14) Communication skills and management of behavioral challenges.

(15) Community resources and social services.

(b) Standards.—Not later than 90 days after the effective date of this act, the department shall, by regulation, develop such standards for knowledge, education or training to meet the requirements of this section.

(c) Department administered training.—If not otherwise available, the department shall schedule and offer, at cost, training and educational programs for a person to meet the knowledge, educational and training requirements established by this act.

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

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

NAYS—0

## NOT VOTING—0

## EXCUSED—3

Cappabianca Daley Thomas

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. **WOJNAROSKI** offered the following amendment No. **A0485**:

Amend Table of Contents, page 3, line 7, by striking out all of said line and inserting

Section 16. Persons with special needs.

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

“Cognitive support services.” Services provided as part of a comprehensive plan of care to individuals who have memory impairments and other cognitive problems which significantly interfere with their ability to carry out activities of daily living without assistance and who require that supervision, monitoring and programming be available to them 24 hours a day, seven days a week, in order for them to reside safely in the setting of their choice. The term includes assessment, health support services and a full range of dementia-capable activity programming and crisis management.

Amend Sec. 16, page 20, lines 15 and 16, by striking out all of said lines and inserting

Section 16. Persons with special needs.

(a) Immobile persons.—The department shall not prohibit immobile persons who do not

Amend Sec. 16, page 20, by inserting between lines 21 and 22

(b) Alzheimer’s disease, dementia and cognitive impairment.—For consumers with Alzheimer’s disease or dementia or where the adult living residence holds itself out to the public as providing services or housing for persons with cognitive impairments, adult living residences shall disclose to consumers and provide:

(1) the residence’s written statement of its philosophy and mission which reflects the needs of individuals with cognitive impairments;

(2) a description of the residence’s physical environment and design features to support the functioning of adults with cognitive impairments;

(3) a description of the frequency and types of individual and group activities designed specifically to meet the needs of residents with cognitive impairments;

(4) a description of security measures provided by the facility;

(5) a description of training provided to staff regarding provision of care to consumers with cognitive impairments;

(6) a description of availability of family support programs and family involvement; and

(7) the process used for assessment and establishment of a plan of services for the consumer, including methods by which the plan of services will remain responsive to changes in the consumer’s condition.

(c) Cognitive support services.—

(1) An adult living residence shall provide to a cognitively impaired consumer cognitive support services, including dementia-specific activity programming.

(2) Within 30 days of admission of a cognitively impaired consumer, the adult living residence shall register the

consumer with the Commonwealth’s Safe Return Program for individuals with cognitive impairments and tendencies to wander.

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

The following roll call was recorded:

## YEAS—199

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

## NAYS—0

## NOT VOTING—0

## EXCUSED—3

Cappabianca Daley Thomas

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. PISTELLA offered the following amendment No. A0486:

Amend Table of Contents, page 3, line 16, by striking out all of said line and inserting  
Section 23. Annual report.

Amend Sec. 23, page 25, line 15, by striking out all of said line and inserting  
Section 23. Annual report.

(a) Contents of.—The Department of Public Welfare shall, after consulting with the Department of Aging and the Department of Health, provide an annual report to the Intra-Governmental Council on Long-Term Care. The annual report shall include, at a minimum, the following:

(1) The total number of adult living residences and assisted living services providers in this Commonwealth as well as the numbers of residences and providers newly licensed within the previous year. Such report shall also include information presented separately regarding Category I Personal Care Homes and Category II Assisted Living Residences.

(2) Complaints received by the licensing departments, the ombudsman program or the protective services units in each area agency on aging and the outcome of any investigations.

(3) Commonwealth costs associated with the licensing, inspection and payment of assisted living services.

(4) The availability of assisted living residences and assisted living services to consumers and any barriers experienced by consumers in accessing assisted living residences and assisted living services.

(5) General profile information regarding the types of consumers accessing assisted living residences and assisted living services.

(6) The costs experienced by consumers in assisted living residences and by consumers using assisted living services.

(7) Recommendations for additional legislative or regulatory action to improve the quality, affordability or accessibility of assisted living in this Commonwealth.

(b) Review process.—The Intra-Governmental Council on Long-Term Care shall have 30 days to review the report and to prepare written comments thereto. Such comments shall include recommendations regarding legislation or regulations and reporting methods. After the 30-day review and comment period, the council shall forward the department's report and their written comments to the Governor, the Aging and Youth Committee of the Senate and the Aging and Older Adult Services Committee of the House of Representatives.

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

(Members proceeded to vote.)

VOTE STRICKEN

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

POINT OF ORDER

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

Mr. VITALI. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. VITALI. Mr. Speaker, I do not mean to be obstructionist, and I know we need to move this along, but the House rules do require, if an amendment is offered, that the maker of the amendment give a brief description of it. I would ask that that rule be enforced, just to give us a little more time to understand what is being voted on.

The SPEAKER pro tempore. The question recurs, will the House agree to the Pistella amendment?

On that question, the Chair recognizes the gentleman, Mr. Pistella.

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would require the preparation of an annual report— Mr. Speaker, may I have some order, please?

The SPEAKER pro tempore. The gentleman is correct.

Will the House come to order. Please. Thank you.

The gentleman, Mr. Pistella, may proceed.

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would require the preparation of an annual report by the Department of Welfare. The report would have to include at the minimum the following information: the numbers of providers, complaints received as well as outcomes of any investigation, the cost to the Commonwealth, the availability of assisted-living residences and services and barriers to accessing such, general profile information on consumers, the costs experienced by consumers, and recommendations for additional legislative or regulatory action to improve the quality, the availability or accessibility of assisted living in Pennsylvania.

The intention is to have these reports sent to the Intra-Governmental Council on Long-Term Care, who would then have 30 days to review the report and then provide the report and their comments from the Intra-Governmental Council to the House Aging and Adult and the Senate Aging and Youth Committees and to the Governor.

The SPEAKER pro tempore. The Chair thanks the gentleman for the explanation.

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

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Cappabianca Daley Thomas

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. **A0487**:

Amend Table of Contents, page 3, line 17, by striking out all of said line and inserting

Section 24. Legislative Budget and Finance Committee study.

Amend Sec. 24, page 25, line 16, by striking out all of said line and inserting

Section 24. Legislative Budget and Finance Committee study.

Within nine months after the effective date of this act, the Legislative Budget and Finance Committee shall report to the General Assembly on existing Federal and other states' initiatives and programs that provide financial assistance for assisted living. This study shall include information on other Federal or state assisted living programs that are effectively administered and can be considered a model.

On the question,

Will the House agree to the amendment?

The **SPEAKER** pro tempore. On that question, the Chair recognizes the gentleman, Mr. George. Will the gentleman suspend again, please.

Please. Mr. Vitali has raised the point of order that a brief description of the amendment must be presented by the members, so please give that member your attention so we may proceed expeditiously.

The gentleman, Mr. George.

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

Mr. Speaker, this amendment provides that within 9 months of the passage of this bill and its effective act, the Legislative Budget and Finance Committee shall report to the General Assembly on existing Federal and other States' initiatives and programs that provide financial assistance for assisted living.

I urge that we adopt this amendment.

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

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—194

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

Egolf Evans, D.	Mackereth Maher	Santoni Sather	Ryan, Speaker
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NAYS—5

Coleman Creighton	Lewis	Metcalf	Watson
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NOT VOTING—0

EXCUSED—3

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

On the question recurring,

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

Mr. MAITLAND offered the following amendment No. A0488:

Amend Title, page 1, line 3, by inserting after "Welfare;" providing for an increase to State supplemental assistance for persons in personal care homes;

Amend Table of Contents, page 3, lines 20 through 22, by striking out all of said lines and inserting  
Section 26. Increase to State supplemental assistance for persons in personal care homes.

Section 27. Severability.

Section 28. Repeal.

Section 29. Effective date.

Amend Bill, page 25, by inserting between lines 23 and 24

Section 26. Increase to State supplemental assistance for persons in personal care homes.

(a) General rule.—Notwithstanding any other provision of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, or regulations of the department to the contrary, the amount of the State supplemental assistance payable to a person who is eligible under section 432(2)(ii) of the Public Welfare Code and who is a resident of a personal care home shall be increased by an amount of \$15 per day.

(b) Consumer Price Index Adjustment.—The amount of State supplemental assistance payable under subsection (a) shall be increased beginning July 1, 2002, by an amount equal to the increase in the Consumer Price Index for Urban Wage Earners for the immediately preceding calendar year, which amount shall be published in the Pennsylvania Bulletin annually by the department on or before the preceding November 30.

Amend Sec. 26, page 25, line 24, by striking out "26" and inserting

27

Amend Sec. 27, page 26, line 1, by striking out "27" and inserting

28

Amend Sec. 28, page 26, line 4, by striking out "28" and inserting

29

On the question,

Will the House agree to the amendment?

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

Mr. MAITLAND. Thank you, Mr. Speaker.

This amendment would provide for a \$15-per-day increase to the State supplement for personal care home residents and for a cost-of-living adjustment beginning July 1, 2002, equal to the Consumer Price Index for Urban Wage Earners for the immediately preceding calendar year.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman, Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Will the gentleman submit to a brief interrogation?

The SPEAKER pro tempore. The gentleman indicates that he will.

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, if I may, you are increasing this from what to what, sir?

Mr. MAITLAND. Currently the State portion of the SSI (supplemental security income) is \$9 per day, and in the Governor's budget proposed in February, he would increase that by \$2 a day or approximately 20 percent.

Mr. EACHUS. And this payment goes to whom?

Mr. MAITLAND. This goes to the poorest of Pennsylvania's personal care home residents, the elderly poor, who have no other resources. They have their personal care home services funded by Federal supplemental security income, SSI, and a State supplement. Combined, the two supplements amount to about \$1.07 per day. The current State supplement of \$334.30 a month plus the maximum Federal benefit of \$506 a month is woefully inadequate to cover actual costs of providing housing and services such as three meals a day, staff time for assistance with personal care activities, transportation, clothing, housekeeping, laundry, utilities, insurance, supplies, and administrative oversight.

This increase is long overdue, Mr. Speaker.

Mr. EACHUS. Thank you, Mr. Speaker.

On the amendment?

The SPEAKER pro tempore. The gentleman is in order.

Mr. EACHUS. Mr. Speaker, Pennsylvania, if you factor the money that we pay through the Medicare and the Medicaid portion of this subsidy, ranks fourth lowest in the country supporting those who are at the lowest level of income for senior citizens who are placed in our nursing care and personal care settings. Our subsidy in this year's budget, Mr. Maitland is increasing this subsidy by \$15. In this year's budget, we are making a \$2 increase in this subsidy.

May I say to my colleagues, the people who are taking care of our elder senior citizens are saying to us, the people who have these homes, that this does not cover the cost of doing business. It does not cover the cost of fuel increases. It does not cover the cost of insurance increases. It does not cover the cost of just doing basic business.

Mr. Speaker, I applaud Mr. Maitland for his efforts, but, Mr. Speaker, in this budget process, this year we need to do more for our personal care homes regarding this subsidy, and I look forward to future support. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.



On the amendment, the Chair recognizes the gentleman, Mr. Hutchinson.

Mr. HUTCHINSON. Thank you, Mr. Speaker.

I, too, rise to support the amendment before us.

I am personally aware of many cases within my district and I am sure across this Commonwealth of personal care homes that are struggling to keep their doors open, and quite frankly, it scares me that should we not be able to come through with this additional money for the personal care home residents, that many will close their doors, and that will put more people in a situation of having no housing whatsoever.

So I stand to wholeheartedly support this amendment and ask for the support of the members. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Cappabianca Daley Thomas

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

GUESTS INTRODUCED

The SPEAKER pro tempore. We have a special guest with us this afternoon. This afternoon we have with us, as the guest of Representative Washington, Lance Johnstone. Lance is a professional football player with the Minnesota Vikings, having previously played with the Oakland Raiders. Lance is here today with his father, Ike Johnstone. Gentlemen, please rise, and welcome to the hall of the House.

Also today, as guests of the Representatives from Beaver County, we have seated up in the balcony steelworkers and retired steelworkers. Gentlemen, welcome to the hall of the House.

CONSIDERATION OF HB 49 CONTINUED

On the question recurring,

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

Mrs. TAYLOR offered the following amendment No. A1215:

Amend Sec. 2, page 6, by inserting between lines 7 and 8 This term does not include a residential living unit maintained by a continuing care provider who is certified by the Insurance Department, a residential unit in a subsidized housing apartment, unless required to be licensed under the Department of Housing and Urban Development Assisted Living Conversion Program, or a boarding home which merely provides room, board and laundry services to persons who do not need personal care services.

Amend Sec. 2, page 7, line 15, by striking out "or" and inserting and who

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the lady, Mrs. Taylor.

Mrs. TAYLOR. Thank you, Mr. Speaker.

This amendment does two things. First, it would specifically exempt continuing care providers, subsidized housing residential units, and boarding homes which merely provide room, board, and laundry services; and secondly, it would clarify that a consumer would be an individual who would receive services and live in that residence.

Mr. Speaker, this is a very important amendment, and I would appreciate the support of the members.

The SPEAKER pro tempore. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

Mr. COSTA offered the following amendment No. A1933:

Amend Sec. 2, page 7, line 20, by inserting after "residence"  
, is 18 years of age or older and meets the requirements of this act

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

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

Mr. COSTA. Thank you, Mr. Speaker.

The intent of this amendment is to make the minimum age requirement of 18 years old for workers. The reason why I submitted this amendment is we had an incident in Allegheny County where a woman by the name of Sadie was being cared for in a personal care facility by a 16-year-old girl and her boyfriend, and unfortunately, Sadie passed away due to neglect, and that is why we filed this amendment, and I would appreciate the support of all the members. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—184

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

DeLuca	Lederer	Rooney	Wright
Dermody	Lescovitz	Ross	Yewcic
DeWeese	Levdansky	Rubley	Youngblood
DiGirolamo	Lucy	Ruffing	Yudichak
Diven	Lynch	Sainato	Zimmerman
Donatucci	Mackereth	Samuelson	Zug
Eachus	Maher	Santoni	
Egolf	Maitland	Sather	
Evans, D.	Major	Schroder	Ryan,
Evans, J.	Manderino		Speaker

## NAYS—15

Baker, J.	Creighton	Leh	Saylor
Birmelin	Forcier	Lewis	Smith, S. H.
Browne	Gabig	Metcalfe	Stem
Coleman	Harper	Rohrer	

## NOT VOTING—0

## EXCUSED—3

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

On the question recurring,

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

Mr. O'BRIEN offered the following amendment No. A2041:

Amend Sec. 2, page 6, by inserting between lines 18 and 19

"Assisted living services agreement." The contract or contracts between a provider and a consumer needing assisted living services regarding the provision and terms of the assisted living services. This term includes contracts between assisted living service providers and entities contracting for services for consumers using public funding.

Amend Sec. 2, page 7, by inserting between lines 26 and 27

"Instrumental activities of daily living." The term includes, but is not limited to, meal preparation, using the telephone, handling finances, banking and shopping, light housekeeping, heavy housekeeping and getting to appointments.

Amend Sec. 4, page 8, line 29, by inserting before "Within"

(a) General rule.—

Amend Sec. 4, page 9, lines 11 through 22, by striking out all of said lines and inserting

(2) The Department of Aging shall formulate and provide to the Aging and Youth Committee of the Senate and the Aging and Older Adult Services Committee of the House of Representatives, within one year of the effective date of this act, recommendations for changes in existing State law and regulations to extend provisions of the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act, to adult living residences and the consumers thereof.

(3) Within six months of the effective date of this act, the Department of Health shall promulgate rules and regulations to license providers of assisted living services who are not already licensed by that department. Such licensure system shall include the following components:

(i) (A) Within nine months of the effective date of this act, the Department of Health shall license assisted living services providers.

(B) Direct care staff employed by assisted living services providers or providing direct care services to consumers in their homes shall meet all training and testing requirements in this act relating to assisted living residences that are not specific to assisted living residence care. Prior to start of training and testing, the applicant shall pass a criminal history background check conducted by the training and testing agency. Direct care staff shall present to assisted living services recipients documentation from the Department of Health that they have passed a criminal history check and have completed the required training.

(C) Entities that do not provide personal care services, but that solely provide assistance with instrumental activities of daily living shall be exempt from the requirements of this act.

(ii) (A) Assisted living services providers shall meet the following provisions of this act, except to the extent that the Department of Health deems the provisions applicable only to residents of assisted living residences.

(B) Direct care staff shall provide assisted living services consumers with 30 days' advance written notice, where possible, of interruption or termination of service delivery, except where the safety of the direct care staff is at risk. Direct care staff shall be included under the reporting requirements of review under the Older Adults Protective Services Act. Direct care staff found to be in violation of the advance notice provision of this section may be sanctioned by the Department of Health and have their documentation of training necessary for employment withdrawn.

(iii) The Department of Health shall conduct annual unannounced inspections of assisted living services providers and shall include visits to a random sample of consumers as part of the inspection process.

Amend Sec. 4, page 10, by inserting between lines 5 and 6

(b) Consumer rights.—All consumer rights specified in this act shall apply to consumers of assisted living services providers, unless the right is specific to residency.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. O'Brien.

Mr. O'BRIEN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment simply licenses those providers of services who are not already licensed. It requires those direct-care staff people who go into people's homes to pass the same training as those that are providing those services in the facilities, and it requires criminal background checks.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman, Mr. Schuler.

Mr. SCHULER. Thank you, Mr. Speaker.

Originally the gentleman from Philadelphia had a few amendments, and he has made some changes to this amendment, so we are in support of 2041. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman, Mr. Pistella.

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, to concur with the comments that have been made by my counterpart, Mr. Schuler, I feel that the language that is contained within this particular amendment really helps out the strength of this legislation, and I would encourage the members to vote in the affirmative – and it is agreed to – on amendment A2041. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Cappabianca Daley Thomas

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. O'BRIEN offered the following amendment No. A2060:

Amend Sec. 2, page 7, by inserting between lines 1 and 2  
"Compliance." A facility or assisted living services provider that is found in compliance with the requirements of this act and its regulations except for isolated Class III violations, for which the assisted living residence administrator has provided written certification of correction of the isolated Class III violations within 30 days of the date of the inspection and it has met all other requirements of this act and its regulations.

Amend Sec. 2, page 7, by inserting between lines 26 and 27  
"Isolated Class III violations." A finding by the Department of Public Welfare at the annual inspection of less than three Class III violations that had not been previously cited at the last inspection and that related to the services provided to an individual or did not present a threat to the health and well-being of consumers.

Amend Sec. 2, page 8, by inserting between lines 13 and 14  
"Pattern of violations." A finding by the Department of Public Welfare at the annual inspection of violations that had been cited at one or both of the last two annual inspections.

Amend Sec. 5, page 11, lines 28 and 29, by striking out all of said lines and inserting

(12) (i) Establish a process for promptly relocating consumers of adult living residences by the department if the assisted living residence is operating without a license, is voluntarily closing and residents are being displaced, is being involuntarily closed, or has engaged in conduct that endangers the health and safety of its residents, which shall include providing consumers with referrals, options assessment and moving assistance.

(ii) Except in an emergency, the consumer shall be involved in planning his transfer to another placement and shall have the right to choose among the available alternative placements. The department may make temporary placement until final placement can be arranged. Consumers shall be provided with an opportunity to visit alternative placement before relocation or following temporary emergency relocation. Consumers shall choose their final placement and shall be given assistance in transferring to such place.

(iii) Consumers shall not be relocated pursuant to this section if the department determines in writing, and consistent with consumer preference, that such relocation is not in the best interest of the consumer.

Amend Sec. 8, page 13, line 13, by striking out "person" and inserting

provider

Amend Sec. 9, page 13, line 28, by striking out "full"

Amend Sec. 9, page 14, line 1, by removing the period after "transferable" and inserting

unless the department approves the transfer of license. The department may deny transfers to friends, relatives or business associates, if it appears that the purpose of the transfer is to avoid licensure action or if it appears that the previous owner will continue to have involvement in the facility or business.

Amend Sec. 9, page 14, by inserting between lines 4 and 5

(6) There shall be four classes of licensure:

(i) Exceptional quality licensure shall be awarded to assisted living residences and assisted living services providers based on a finding by a panel established by the department that the provider is in compliance with licensure requirements and should be recognized for its use of best practices and high consumer satisfaction, and positive outcomes. Assisted living residences with this licensure classification may advertise and the department shall post names of those assisted living residences with this licensure classification on its World Wide Web site.

(ii) Compliance licensure shall be provided to assisted living residences with either no violations or isolated Class III violations which the administrator has certified in writing to the department have been corrected within 30 days of the date of the annual licensure inspection.

(iii) Provisional licensure shall be given to assisted living residences or assisted living services providers with a pattern of Class III violations or isolated Class II violations for a period of six months. Substantial improvement must be demonstrated for assisted living residences to receive a second six-month provisional license. Those assisted living residences or assisted living services providers which do not meet the standards for a compliance license at the next scheduled inspection shall have their licenses revoked by the department.

(iv) Provisional licensure with ban on admissions shall be given for a six-month period to assisted living residences or assisted living services providers with a pattern of Class II, isolated Class I or a pattern of Class I violations.

Amend Sec. 12, page 17, by inserting between lines 23 and 24

(b) Initial licensure inspection.—Before a facility is licensed and permitted to open, operate or admit residents and before assisted living services are provided to consumers, it shall be inspected by the department and be found in compliance with the requirements set forth in this act and the resulting regulations.

Amend Sec. 12, page 17, line 24, by striking out "(B)" and inserting

(c)

Amend Sec. 12, page 17, line 27, by striking out "(C)" and inserting

(d)

Amend Sec. 12, page 18, line 6, by striking out "(D)" and inserting

(e)

Amend Sec. 12, page 18, by inserting between lines 9 and 10

(f) Surveys.—The department shall develop:

(1) A process for implementing an abbreviated survey and inspection process for good performers and an intensified survey and inspection process for poor performers.

(2) A process for incorporating outcomes and consumer satisfaction into the survey process.

(3) A process for determining and communicating provider satisfaction with the survey and inspection process.

(4) A process that requires administrator certification of the truth of the statements made on all plans of correction and

reports of corrective steps taken with the administrator at risk of fine and loss of ability to be an administrator for false statements.

(5) An appeal process that is expeditious with no appeal or request for reconsideration outstanding for more than 60 days and that precludes the granting of a supersedeas unless the provider demonstrates a substantial likelihood of prevailing on the merits.

(6) The department shall develop a uniform survey tool to be used by inspectors.

Amend Sec. 12, page 18, line 10, by striking out "(E)" and inserting

(g)

Amend Sec. 12, page 18, line 15, by striking out "(F)" and inserting

(h)

Amend Sec. 17, page 20, lines 23 and 24, by striking out all of said lines and inserting

(a) Classification of violations.—There shall be three classes of violations:

(1) Class I. A violation including failure to or negligent provision of services in the service plan, which indicates a substantial probability that death or serious mental or physical harm to a consumer may result or death actually results.

(2) Class II. A violation including failure to or negligent provision of services in the service plan, which has a potential or actual substantial adverse effect upon the health, safety or well-being of a consumer.

(3) Class III. A minor violation which has an adverse effect upon the health, safety or well-being of a consumer.

(b) Notice of violations.—If the department, whether upon inspection,

Amend Sec. 17, page 21, lines 2 through 4, by striking out all of said lines and inserting

(c) Remedies and penalties.—The remedy and penalty for violations shall depend on the violation as follows:

(1) Isolated Class III violations. Within 30 days of the date of the citation, the assisted living residence administrator or assisted living services provider must correct the violation and certify in writing to the department that the violation has been corrected.

(2) Pattern of Class III violations. Within ten days of the date of the citation, the assisted living residence administrator or assisted living services provider must submit a plan of correction for departmental approval. Within 30 days of the date of the citation, the assisted living residence administrator or assisted living services provider must correct the violations and certify in writing that corrections have been made. The department shall issue fines and grant a provisional license which shall be in effect only until written certification of corrections has been received by the department. Immediate correction of the violation to the inspector's satisfaction during the survey process will preclude the application of a penalty under this subsection.

(3) Isolated Class II violations. Within ten days of the date of the citation, the assisted living residence administrator or assisted living services provider must submit a plan of correction for departmental approval. Within 30 days of the date of citation, the assisted living residence administrator or assisted living services provider shall correct the violations and certify in writing to the department that corrections have been made. The department shall fine the assisted living residence or assisted living services provider and issue a provisional license until certification of corrections has been received by the department. Immediate correction of violation to the inspector's satisfaction during the survey process will preclude the application of a penalty under this subsection.

(4) Pattern of Class II violations. Within ten days of the date of the citation, the assisted living residence administrator or assisted living services provider shall submit a plan of correction

for departmental approval. Within 30 days of the date of the citation, the assisted living residence administrator or assisted living services provider shall correct the violations and shall certify in writing to the department that all corrections have been made. The department shall fine the provider and issue a provisional license with a ban on admissions or service until written certification of corrections has been received and corrections have been verified by the department. The department shall conduct an onsite inspection to verify corrections within two business days of receipt of the certification of correction. The department shall conduct intensified inspections of the provider with more numerous unannounced inspections.

(5) Isolated Class I violations. Upon a finding by the department of a Class I violation, the department shall immediately decide whether:

- (i) to give a provisional license with a ban on admissions or services and allow the assisted living residence or assisted living services provider to correct the violation;
- (ii) to require the appointment of a master at the assisted living residence's expense to oversee the immediate correction of the violations; or
- (iii) to revoke the license and arrange for the immediate relocation or transfer of consumers.

The department shall fine the provider and should the provider remain in operation, subject it to intensified and more numerous unannounced inspections.

(6) Pattern of Class I violations. Upon a finding by the department that a provider has a pattern of Class I violations, the department shall immediately revoke the provider's license and arrange for relocation or transfer of the consumers or appoint a master at the assisted living residence's expense to bring the assisted living residence into compliance within 30 days. The department shall issue a provisional license with a ban on admissions or service if the provider is permitted to continue in operation and shall fine the provider. Should the provider remain in operation, the department shall conduct intensified and more numerous inspections.

(7) Any administrator who falsely certifies to the department that violations have been corrected shall be fined by the department and shall lose the administrator license.

(8) Within six months of the date of this act, the department shall issue regulations governing this section. The regulations shall ensure that inspections are not invasive of consumer's privacy or dignity, support the principles of assisted living and can be uniformly and consistently applied by the department.

Amend Sec. 17, page 21, line 5, by striking out "(3)" and inserting

(9)

Amend Sec. 17, page 21, line 9, by striking out all of said line and inserting

(d) Administrative fines.—

(1) If the department determines that

Amend Sec. 17, page 21, by inserting between lines 15 and 16

(2) Money collected by the department under this section shall be first used to defray the expenses incurred by consumers relocated under this act. Any moneys remaining shall be used by the department for enforcing the provisions of this act. Fines collected pursuant to this act shall not be subject to the provisions of 42 Pa.C.S. § 3733 (relating to deposits into account).

Amend Sec. 17, page 21, line 16, by striking out "(c)" and inserting

(e)

Amend Sec. 17, page 21, by inserting between lines 21 and 22 (f) Appeal of violations.—

(1) A provider appealing a departmental ban on admissions or license revocation or nonrenewal shall be denied a supersedeas unless the provider demonstrates substantial likelihood of prevailing on the merits.

(2) Where a supersedeas is granted, it shall be revoked if the department presents evidence of any intervening Class I or II violations.

(3) Where a supersedeas is granted:

(i) The department shall inspect a facility or assisted living services provider at least monthly or more frequently to ensure residents' or recipients' safety and well-being. Those inspection reports shall be maintained as part of the public record for the assisted living residence or assisted living services provider.

(ii) Where a supersedeas has been granted, a Class I or II violation cited after the granting of the supersedeas shall lead to a revocation of the supersedeas.

(g) Expedited hearings.—The department's Bureau of Hearings and Appeals shall make the assisted living residence or assisted living services provider appeals a priority, with no appeal outstanding more than 60 days beyond the date on which the appeal was filed.

(h) Expedited reconsideration.—The secretary shall rule on reconsiderations within 60 days.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The gentleman, Mr. O'Brien, is recognized.

Mr. O'BRIEN. Thank you, Mr. Speaker.

This amendment simply establishes four types of licensure for enforcement. It requires classification of violations to establish a consistent and efficient system for responding to those violations, and it rewards good performers and punishes bad actors.

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

Mr. SCHULER. We support the amendment, Mr. Speaker.

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

Mr. PISTELLA. Thank you, Mr. Speaker.

Yes, we have had the opportunity, both for myself and the staff level, to review this particular amendment. We would urge the adoption of the amendment by the legislature. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

On the question recurring,

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

**RULES SUSPENDED**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. O'Brien.

Mr. O'BRIEN. Mr. Speaker, I move to suspend the rules for the immediate consideration of amendment 2139.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-198

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	Steil
Benninghoff	George	McNaughton	Stern
Birmelin	Godshall	Melio	Stetler
Bishop	Gordner	Metcalfe	Stevenson, R.
Blaum	Grucela	Michlovic	Stevenson, T.
Boyes	Gruitza	Micozzie	Strittmatter
Browne	Habay	Miller, R.	Sturla
Bunt	Haluska	Miller, S.	Surra
Butkovitz	Hanna	Mundy	Tangretti
Buxton	Harhai	Myers	Taylor, E. Z.
Caltagirone	Harhart	Nailor	Taylor, J.
Cappelli	Harper	Nickol	Tigue
Casorio	Hasay	O'Brien	Travaglio
Cawley	Hennessey	Oliver	Trello
Civera	Herman	Pallone	Trich
Clark	Hershey	Perzel	Tulli
Clymer	Hess	Petrarca	Vance
Cohen, L. I.	Horsey	Petrone	Veon
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
Dally	Lawless	Roebuck	Wright
DeLuca	Lederer	Rohrer	Yewcic
Dermody	Leh	Rooney	Youngblood
DeWeese	Lescovitz	Ross	Yudichak
DiGirolamo	Levdansky	Rubley	Zimmerman
Diven	Lewis	Ruffing	Zug
Donatucci	Lucyk	Sainato	
Eachus	Lynch	Samuelson	Ryan,
Egolf	Mackereth	Santoni	Speaker

NAYS-1

Steelman

NOT VOTING-0

EXCUSED-3

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. O'BRIEN offered the following amendment No. A2139:

Amend Sec. 14, page 20, by inserting between lines 13 and 14

(c) Training.—All administrators shall complete a department-approved training course of a minimum of 120 hours. All administrators shall pass a test which has been approved by the department and administered by an entity approved by the department at the end of training to demonstrate proficiency in the application of skills and knowledge.

(d) Continuing education.—Every two years, all administrators shall complete 36 hours of continuing education that has been approved by the department and is applicable to the practice of assisted living administrators.

Amend Bill, page 20, by inserting between lines 14 and 15 Section 15.1. Staffing levels and training.

(a) General rule.—The department shall establish staffing levels for assisted living residences depending upon the facility population, mobility of residents and cognitive impairments to insure:

(1) Twenty-four-hour-a-day awake direct care staff to meet the unplanned and unscheduled needs of consumers.

(2) Direct care staff to meet consumers' planned and scheduled needs as required in their comprehensive service plans.

(3) Additional staff or contracted services to meet laundry, food service, housekeeping, transportation and maintenance needs of the assisted living residence.

(b) Training.—All direct care staff shall complete a department-approved education and training program which has been approved by the department for a minimum of 40 hours and obtain a certificate of completion. Direct care staff shall complete training and demonstrate proficiency in a manner approved by the department in each training component prior to independent work in that area.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. O'Brien.

Mr. O'BRIEN. Thank you, Mr. Speaker.

Mr. Speaker, very simply, this provides that all direct-care workers complete a program, a training program, that is approved by the Department of Welfare of a minimum of 40 hours and demonstrate proficiency in that area prior to performing independent work in these facilities.

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

Mr. SCHULER. Thank you, Mr. Speaker.

The gentleman from Philadelphia had made some major changes to this proposed amendment, and we support the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Pistella.

Mr. PISTELLA. Mr. Speaker, I would urge the adoption of this amendment.

I would, however, like to draw the attention of the Speaker to the fact that it is not showing up on the monitor right now for the members.

The SPEAKER pro tempore. The Chair thanks the gentleman. We will check about the problem that it is not on the monitor.

The House will stand at ease momentarily.

The House will come to order.

The Chair recognizes the gentleman, Mr. Pistella.

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, I have a number of hard copies of the amendment that I have distributed to the members that would wish to review it before voting. I would hope that that effort would satisfy our rules that we may proceed with consideration of this amendment, and if that would be appropriate, I would like to comment on it, please.

The SPEAKER pro tempore. The gentleman is in order, and I believe the amendment is on the system now, Mr. Pistella. The gentleman will proceed.

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, this was going to be considered as two separate amendments, but they have been incorporated into one. I would encourage the adoption of these. It deals with staff levels and training, and it would be agreed to from the perspective of the review I have made and from the review of staff for this amendment. I would encourage the members to vote in the affirmative. Thank you.

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

Mrs. MILLER. Thank you, Mr. Speaker.

Would the gentleman from Philadelphia County consent to a brief interrogation?

The SPEAKER pro tempore. The gentleman indicates that he will.

Mrs. MILLER. Thank you, Mr. Speaker.

The question that I have regarding the amendment is its potential impact on organizations, one of which I am very encouraged about in Berks County. It is called Seniors Helping Seniors, and that is a group of senior citizens who themselves are involved in providing many of the types of things that are considered assisted-living support services.

Now, this volunteer organization is a not-for-profit. However, they do charge a small fee for their organization and also for the senior citizens who are providing this kind of assistance to other seniors in the area.

My question is the impact that this amendment will have on these volunteers who are devoting a lot of their time and, of course, are healthy enough and capable enough of providing assistance to their peers in this senior citizen category.

So again, Mr. Speaker, some clarification on the impact that this training requirement would have on these volunteers.

The SPEAKER pro tempore. The gentleman, Mr. O'Brien.

Mr. O'BRIEN. Thank you, Mr. Speaker. Thank you.

I do not believe that this will impact in any way, shape, or form on voluntary organizations like you are describing.

Mrs. MILLER. Okay. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

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



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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

For what purpose does the gentleman, Mr. O'Brien, rise?  
Mr. O'BRIEN. Mr. Speaker, I have amendment 2040.

The SPEAKER pro tempore. The gentleman, Mr. O'Brien, would you please come to the rostrum.

Will the gentleman, Mr. Schuler, please come to the rostrum.

(Conference held at Speaker's podium.)

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—183

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

NAYS—16

Bastian	Creighton	Lewis	Rohrer
Benninghoff	Egolf	Maher	Smith, S. H.
Birmelin	Hutchinson	Maitland	Stern
Coleman	Leh	Metcalfe	Yewcic

NOT VOTING—0

EXCUSED—3

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

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

### LOCAL GOVERNMENT COMMITTEE MEETING

The SPEAKER pro tempore. For the information of the members, there will be a Local Government Committee meeting at the back of the chambers at the conclusion of today's session.

### VOTE CORRECTION

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

Mr. MAITLAND. Correction of the record, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is in order.

Mr. MAITLAND. On final passage on HB 49, I was recorded in the negative. I would like to be recorded in the affirmative.

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

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

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1405, PN 1778**, entitled:

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.

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

### BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HB 1405, together with amendments, be recommitted to the Committee on Local Government.

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

### RULES COMMITTEE MEETING

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

### BILL ON CONCURRENCE REPORTED FROM COMMITTEE

**HB 23, PN 2032** (Amended)

By Rep. PERZEL

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, providing for optional assessed value limitations; extending the deadline for assessment appeals in counties of the second class; and making a repeal.

RULES.

### SUPPLEMENTAL CALENDAR B CONTINUED

### BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 23, PN 2032**, as further amended by the House Rules Committee:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, providing for optional assessed value limitations; extending the deadline for assessment appeals in counties of the second class; and making a repeal.

On the question,  
Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Petrone.

Mr. PETRONE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to make brief remarks on HB 23, which is presently before the House on concurrence in Senate amendments.

HB 23, as passed the House on February 13, would amend the Second Class County Code to permit Allegheny County and its political subdivisions to limit the assessed valuation on the real property of those individuals who meet the requirements to receive a property tax rebate under the Commonwealth's Senior Citizens Rebate and Assistance Act.

The bill was amended in the Senate to insert the language of my bill, HB 632, which passed the House on April 25 by a vote of 199 to 0.

Specifically, the language provides that the statutory deadline for appealing property assessments in Allegheny County for the year 2001 would be extended from February 28 to June 1. In subsequent years the county would have the authority to determine the date by which appeals must be filed through the passage of an ordinance.

As many of you know, the Allegheny County Council had previously extended the deadline for appeals to June 1. However, it is uncertain whether or not it had the legal authority to do so.

Therefore, my amendatory language is necessary to ensure the validity of those appeals filed after February 28, and I would ask for the support of the members on the concurrence vote on HB 23.

Thank you, Mr. Speaker.

On the question recurring,  
Will the House concur in Senate amendments as amended by the Rules Committee?

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

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—3

- |             |       |        |
|-------------|-------|--------|
| Cappabianca | Daley | Thomas |
|-------------|-------|--------|

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

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

BILL SIGNED BY SPEAKER

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

HB 62, PN 1879

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey a tract of land situated in the Borough of Canonsburg, Washington County.

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

The SPEAKER. We are awaiting the arrival of a supplemental calendar on a resolution under rule 35. While we are waiting, I am going to make an announcement.

Tomorrow will be a token session day. There are a number of the committee chairmen who ordinarily have committee meetings on Thursdays. If they would choose to move those meetings up to Wednesday, now would be the time to do it. I am not suggesting that you do it. I am simply saying this would be the appropriate time to change any such meetings.

The House will stand at ease, awaiting the arrival of the supplemental calendar.

The House will come to order.

SUPPLEMENTAL CALENDAR D

RESOLUTION PURSUANT TO RULE 35

Mr. COLEMAN called up HR 228, PN 2035, entitled:

A Resolution recognizing June 1 through 10, 2001, as "National Fishing and Boating Week."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Cappabianca      Daley      Thomas

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

### COMMITTEE MEETING CANCELED

The SPEAKER. Earlier today there was an announcement for a Local Government Committee meeting. That meeting has been canceled.

The Chair is not aware of any further votes.

Does the majority leader or minority leader have any further business? Any announcements? Corrections to the record?

### STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the meeting of State Government will be held as scheduled. We will be meeting at 10 a.m. in hearing room

No. 3 in the North Office Building. Our meeting as scheduled will go off tomorrow. Thank you.

The SPEAKER. The Chair thanks the gentleman.

### 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? Business?

Hearing none, the Chair recognizes the gentleman from Lycoming County, Mr. Cappelli.

Mr. CAPPELLI. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 23, 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 2:04 p.m., e.d.t., the House adjourned.