

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 20, 2001

SESSION OF 2001

185TH OF THE GENERAL ASSEMBLY

No. 42

HOUSE OF REPRESENTATIVES

The House convened at 11:30 a.m., e.d.t.

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

PRAYER

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

Let us pray:

Thank You, God, for the amazing gift of sleep – such a quiet, overlooked, good, and gentle grace it is. Sleep: blessed untime, bath of unconsciousness, pain's easing balm doing all death's duties but the kill. The escapist sleeps, mindless; the insomniac tosses, mind full. We praise You for the helpless hours when all snore and none is ugly, when our private myths have their dress rehearsals – the crippled walk, the blind see, and the old are young again. We are re-created to this never-before-nor-ever-again day, a chance to begin anew.

As we awoke to the smell of coffee, the sound of the birds, the sunshine through the window, or the obtrusive blare of an alarm, our minds began spinning with all the things we need to get accomplished this day and the next. There are many loose ends to tie up, and we are in great need of a true rest; a time to be with family, friends, ourselves. O Sovereign God, we cannot escape aspects of our positions that focus upon numbers, statistics, and projections. Bless our work on the budget and all that this entails. Help us to discover value and goodness within reports and evaluations. Keep us focused this day and the next so that Your work will be accomplished with as little impatience and anger as possible.

Living God, keep us ever mindful that You are the beginning of our journeys, our guide, and our destination. There is no joy like the joy of Your presence, in the midst of Your people. You do not deny Your love to any who seek You. You lead through times of weeping to springs of new life and new beginnings. We thank You and praise You for not only putting up with us but loving us in spite of ourselves. Glory be to You, O God, now and forever. 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 Tuesday, June 19, 2001, will be postponed until printed. The Chair hears no objection.

BILLS REMOVED FROM TABLE

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

HB 205;
HB 511;
HB 552;
HB 553; and
HB 1420.

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

BILLS TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that the following bills be placed back upon the table:

HB 205;
HB 511;
HB 552;
HB 553; and
HB 1420.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 4 be taken from the table.

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

BILL ON SECOND CONSIDERATION

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

SB 4, PN 1230.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that SB 4 be recommitted to the Committee on Appropriations.

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

SENATE MESSAGE**HOUSE BILLS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 1118, PN 1294**; and **HB 1235, PN 1779**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE**HOUSE AMENDMENTS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 41, PN 2106**.

SENATE MESSAGE**HOUSE AMENDMENTS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 130, PN 1098**.

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

The clerk of the Senate, being introduced, returned **HB 200, PN 2293**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence. It is the understanding of the Chair that there are no requests for additional leaves at this time and that the weekly leaves of Reinard, McIlhinney, Belardi, Colafella, and Petrarca will continue.

BILLS SIGNED BY SPEAKER

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

HB 41, PN 2106

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

HB 1118, PN 1294

An Act amending the act of October 28, 1966 (1st Sp.Sess., P.L.55, No.7), known as the Goods and Services Installment Sales Act, further providing for late fees.

HB 1235, PN 1779

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for exemptions.

SB 130, PN 1098

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for protection from abuse orders.

SB 243, PN 250

An Act repealing the act of December 5, 1933 (Sp.Sess., P.L.38, No.6), known as the Spirituous and Vinous Liquor Tax Law.

SB 626, PN 944

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.

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

SENATE MESSAGE**HOUSE AMENDMENTS
NONCONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 1, PN 924**.

MOTION INSISTING UPON AMENDMENTS

Mr. PERZEL moved that the House insist upon its amendments nonconcurring in by the Senate to SB 1, PN 924, and that a committee of conference on the part of the House be appointed.

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

CONFERENCE COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on SB 1, PN 924:
Messrs. PERZEL, BARLEY, and EVANS.
Ordered, That the clerk inform the Senate accordingly.

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—196

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

Donatucci	Lucyk	Sather	
Eachus	Lynch	Saylor	
Egolf	Mackereth	Schroder	Ryan,
Evans, D.	Maher		Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

LEAVES ADDED—1

Solobay

LEAVES CANCELED—1

Solobay

URBAN AFFAIRS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Kenney, from Philadelphia for the purpose of making an announcement.

Mr. KENNEY. Thank you, Mr. Speaker.

The Urban Affairs Committee will hold a meeting in the rear of the House at the break. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

LOWER MERION HIGH SCHOOL
GIRLS RELAY TEAM PRESENTED

The SPEAKER. The Chair recognizes the lady, Mrs. Cohen.

Mrs. COHEN. Thank you, Mr. Speaker.

Representative Williams and I are honored today to present to you, Mr. Speaker, and to our fellow members of the House the Lower Merion High School girls 400-meter relay team. It is a personal thrill for me to make this presentation. The coach, Mrs. Sandra Hoopes, was my daughter's coach when she was at Lower Merion High School and was the captain of the women's track team.

These women that you see behind us today, this is the second time in 2 years that they have won the State championship in the 400-meter relays. So we are very, very proud of our women from Lower Merion High School. They have brains, and they are good sports in every sense of the word. They are certainly beautiful, and we are indeed honored to make a presentation and present them to all of you. So please welcome them. Thank you. Thank you, Mr. Speaker.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest of Representative Connie Williams, Meera Nochella of Gulph Mills, a student at Goucher College and an intern in Representative Williams' office. She is here seated to the left of the Chair. Would the lady please rise. Thank you.

There is an amazing young man here with us today, the guest of Representative Sheila Miller, Josh Oberbroeckling. He is the son of Harry and Cheryl Major, a graduate of Tulpehocken High School. He will be attending the Indiana Institute of Technology in Fort Wayne, Indiana, in the fall, majoring in computer engineering. Now, the thing that is so amazing about this young man is he for the past 5 years has been wearing and living on the heart of another. He was transplanted 5 years ago. He is doing very well. I had the opportunity to speak to him for a moment, and he truly is an amazing person, and we certainly wish him the very best. Josh, would you please rise.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. BUNT called up **HR 250, PN 2265**, entitled:

A Resolution recognizing September 2001 as "Childhood Cancer Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

Diven	Lewis	Santoni	Zug
Donatucci	Lucyk	Sather	
Eachus	Lynch	Saylor	
Egolf	Mackereth	Schroder	Ryan,
Evans, D.	Maher		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

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

Mr. STRITTMATTER called up **HR 251, PN 2266**, entitled:

A Resolution designating the week of September 23 through 29, 2001, as "Voter Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

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

* * *

Mr. BELFANTI called up **HR 252, PN 2286**, entitled:

A Resolution congratulating Knoebels Amusement Resort in Elysburg, Northumberland County, on its 75th anniversary.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

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

* * *

Mr. HERMAN called up **HR 253, PN 2287**, entitled:

A Resolution designating the month of October 2001 as "Planning Great Communities Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. FRANKEL called up **HR 254, PN 2296**, entitled:

A Resolution designating the week of July 16 through 22, 2001, as "CHARGE Syndrome Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

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

* * *

Mr. FLEAGLE called up **HR 256, PN 2298**, entitled:

A Resolution designating July 16, 2001, as "Atomic Veterans Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Belardi	McIlhinney	Petrarca	Reinard
Colafrella			

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 355, PN 2291**, entitled:

An Act providing limited student loan forgiveness for qualifying education professionals and for functions of the Pennsylvania Higher Education Assistance Agency.

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?

Mr. Vitali, do you desire recognition on this bill?
Mr. VITALI. Yes, Mr. Speaker. I am just not entirely clear what this bill does. Could we have a brief summary from the prime sponsor?

The SPEAKER. Ms. Bishop, Mr. Vitali is asking for a brief summary of this bill. You are the prime sponsor of the bill. Do you care to stand for interrogation on it?

Ms. BISHOP. Thank you, Mr. Speaker.

The bill is a bill that would offer an opportunity for cities and counties like Philadelphia, Chester, Harrisburg, those urban settings in the Commonwealth of Pennsylvania that are part of the empowerment zone, to have teachers who are interested in teaching, those who are interested in teaching and might not have the money, the loan forgiveness offers them an opportunity to borrow money and to be forgiven for that loan on a consecutive basis. Each year they would be forgiven up to I think it is \$2,500, over a period of 4 or 5 years. I have to check that out.

Mr. VITALI. Thank you.
That concludes my interrogation.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the board.

BILL PASSED OVER TEMPORARILY

The SPEAKER. Unknown to the Chair, amendments had been filed but to a different printer's number on this bill, so we will go over it temporarily until we have an opportunity to get the machines updated.

BILLS REMOVED FROM TABLE

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

- SB 483;
- SB 971; and
- SB 976.

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:

- SB 483, PN 1225; SB 971, PN 1140; and SB 976, PN 1143.

BILLS RECOMMENDED

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

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

- SB 483;
- SB 971; and
- SB 976.

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1360, PN 1683**, entitled:

An Act amending the act of December 14, 1988 (P.L.1192, No.147), known as the Special Ad Hoc Municipal Police and Firefighter Postretirement Adjustment Act, further providing for definitions, for special ad hoc postretirement adjustments and for the administration of the Commonwealth's reimbursements for these adjustments; and making editorial changes.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

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 1361, PN 2225**, entitled:

An Act amending the act of May 29, 1956 (1955 P.L.1804, No.600), referred to as the Municipal Police Pension Law, further providing for benefits and for payment into the fund by members.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

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 1362, PN 2226**, entitled:

An Act amending the act of February 1, 1974 (P.L.34, No.15), known as the Pennsylvania Municipal Retirement Law, further providing for disability retirement of police officers.

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

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

The following roll call was recorded:

YEAS-196

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

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 1363, PN 2183**, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further providing for service increments to pensions of police and firefighters.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

Egolf
Evans, D.

Mackereth
Maher

Schroder

Ryan,
Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Belardi
Colafella

McIlhinney

Petrarca

Reinard

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.

REMARKS SUBMITTED FOR THE RECORD

Mr. S. SMITH. Mr. Speaker?

The **SPEAKER**. Mr. Smith.

Mr. S. SMITH. In order to set the tone for what could be a long day, I would like to submit some remarks for the record relative to the last couple of bills that we just voted.

The **SPEAKER**. Very good. Hand them to the page. Thank you.

Mr. S. SMITH submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker.

I appreciate the House's support for a package of legislation that increases retirement benefits for our State's retired municipal police officers and firefighters.

This legislation is important because most municipal police and firefighters are not part of the Social Security System and therefore are fully dependent on benefits paid by their municipal pension plan. It has been over 12 years since these individuals have had a State cost-of-living increase. The COLA (cost-of-living adjustment) is designed to assist those in greatest need by giving greater benefits to longtime retirees.

This package also guarantees that disabled police officers and surviving spouses and children of retired police officers will receive basic benefits. Children attending college would receive survivor's benefits through age 23 — instead of 18. Officers injured in the line of duty would receive a disability benefit equal to at least half of their salary, Mr. Speaker. And families of officers killed in the line of duty would receive full benefits.

This legislation also creates a common standard on disability retirement under the Pennsylvania Municipal Retirement Law by permitting police officers and paid firefighters to receive a disability retirement if the individual is unable to perform the duties of his office.

Finally, Mr. Speaker, these bills give third-class cities the option of increasing the service increment that is provided as an incentive to police officers to remain with the force. This increment has not been increased for police officers since 1952, and for firefighters since 1959.

Mr. Speaker, firefighters and police officers continually place their lives on the line to protect our communities. It is because of this uncommon valor that these individuals deserve financial security during their retirement years, as well as the knowledge that their families will be cared for in the event of an untimely accident.

I would like to acknowledge the efforts of Representative Nickol and Representatives Herman and Kenney for helping to move these

bills through the legislative process. We are another step closer to giving our retired municipal police officers and firefighters the benefits they so greatly deserve.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today two guests visiting as honorary pages, guests of the gentleman, Mr. Curry, of Montgomery County. They are Ms. Emily Finley, a junior at Jenkintown High School, and she is a volunteer in the Representative's office. Christopher Sgro, a Temple University sophomore majoring in political science, is also interning in the district office. Would these guests please rise.

REPUBLICAN CAUCUS

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

Mr. ARGALL. Mr. Speaker, at the declaration of the recess, the House Republicans will caucus downstairs. This being the time of the year that it is, we have a very important caucus scheduled.

DEMOCRATIC CAUCUS

The SPEAKER. Is the gentleman, Mr. Cohen, on the floor?
Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there also will be a Democratic caucus on the remainder of our schedule for today.

The SPEAKER. When will your caucus begin, Mr. Cohen?

Mr. COHEN. Immediately upon the call of recess, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Are there any announcements by the floor leaders or others?
Mr. Barley?

Is there any further business? Mr. Cohen.

Mr. COHEN. Yes. Mr. Speaker, could you inform the members of what our anticipated time of arrival back on the House floor will be?

The SPEAKER. Yes. Thank you.

It is anticipated but not promised that everyone will be ready to come back on the floor at 3 o'clock. That, of course, is subject to extensions by the Chair or calling the members back sooner by the Chair. But when the declaration of recess is declared, it will be till 3 o'clock. You know, Mr. Cohen, having been here for many years, that today and tomorrow are going to be difficult days and people are going to have to be patient and flexible. But that is what our hopes are.

Mr. COHEN. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. This House stands in recess until 3 o'clock, or such earlier or later time as the Chair declares.

RECESS EXTENDED

The time of recess was extended until 4 p.m.

AFTER RECESS

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

SENATE MESSAGE

HOUSE AMENDMENTS NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 485, PN 1223**, and has appointed Senators **BRIGHTBILL, RHOADES** and **SCHWARTZ** a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON AMENDMENTS

Mr. S. SMITH moved that the House insist upon its amendments nonconcurred in by the Senate to **SB 485, PN 1223**, and that a committee of conference on the part of the House be appointed.

On the question,

Will the House agree to the motion?

Motion was agreed to.

CONFERENCE COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on **SB 485, PN 1223**: Messrs. **S. SMITH, STAIRS**, and **MUNDY**.
Ordered, That the clerk inform the Senate accordingly.

SUNSHINE NOTICE

The SPEAKER. The clerk will read the following sunshine notice.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

NOTICE
SESSION TIME
HOUSE OF REPRESENTATIVES

Notice is hereby given, in accordance with the Act of October 15, 1998, P.L. 729, Number 93, that the House of Representatives will convene in open session in the Hall of the House on the following dates:

June 21, 2001

Ted Mazia, Chief Clerk
June 20, 2001

SENATE MESSAGE

HOUSE AMENDMENTS NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 1, PN 924**, and has appointed Senators BRIGHTBILL, TILGHMAN and FUMO a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

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

SB 811, PN 911.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1626, PN 1983**, entitled:

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.

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 1626** be recommitted to the Committee on Rules.

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

The House proceeded to third consideration of **HB 1627, PN 2253**, entitled:

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

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 1627** be recommitted to the Committee on Rules.

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

The House proceeded to third consideration of **HB 1628, PN 1985**, entitled:

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.

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 1628** be recommitted to the Committee on Rules.

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

The House proceeded to third consideration of **HB 1629, PN 1986**, entitled:

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

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 1629** be recommitted to the Committee on Rules.

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

The House proceeded to third consideration of **HB 1630, PN 1987**, entitled:

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.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 1630 be
recommitted to the Committee on Rules.

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

* * *

The House proceeded to third consideration of **HB 1631**,
PN 1988, entitled:

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.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 1631 be
recommitted to the Committee on Rules.

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

* * *

The House proceeded to third consideration of **HB 1153**,
PN 1623, entitled:

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

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 1153 be
recommitted to the Committee on Rules.

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

* * *

The House proceeded to third consideration of **HB 830**,
PN 924, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175),
known as The Administrative Code of 1929, further providing for
energy development; abolishing the Energy Development Authority;
establishing the Energy Partnership; and making an appropriation.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 830 be
recommitted to the Committee on Rules.

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

* * *

The House proceeded to third consideration of **HB 794**,
PN 883, 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 and dependent
care tax credit.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 794 be
recommitted to the Committee on Rules.

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

LEAVE OF ABSENCE

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND RECOMMENDED TO COMMITTEE ON RULES

HB 592, PN 2326 (Amended) By Rep. SEMMEL

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 the
display of the United States flag and for relating ceremonies.

VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS.

HB 973, PN 2324 (Amended) By Rep. STAIRS

An Act providing Commonwealth support for a Science and Mathematics Educator Recruitment Loan Forgiveness Program for Pennsylvania residents who graduate from institutions of higher education with certification in science and mathematics and who agree to apply their expertise to public schools in this Commonwealth; and providing for a study of Pennsylvania's teacher and administrator staffing patterns.

EDUCATION.

HB 1237, PN 2327 (Amended) By Rep. FLICK

An Act providing for the transferring of liquefied petroleum gas, for registration, for fees, for inspection, for records, for training, for permits and for appeal; establishing the Liquefied Petroleum Gas Advisory Board; providing for insurance, for prohibitions and for penalties; and making repeals.

LABOR RELATIONS.

HB 1449, PN 2325 (Amended) By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the establishment, membership and powers and duties of the Master Plan for Higher Education Review Committee; and further providing for the adoption of the master plan.

EDUCATION.

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

SB 640, PN 1101 By Rep. STAIRS

An Act establishing a nursing loan forgiveness and scholarship program.

EDUCATION.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Mr. Perzel, who requests an immediate meeting of the Rules Committee.

BILLS REREPORTED FROM COMMITTEE

HB 401, PN 418 By Rep. PERZEL

An Act amending the act of August 23, 1961 (P.L.1068, No.484), entitled, as reenacted and amended, "An act to provide for the creation and administration of a Coal and Clay Mine Subsidence Insurance Fund within the Department of Environmental Resources for the insurance of compensation for damages to subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; providing penalties for the violation thereof; and making an appropriation," further providing for purpose, for definitions, for disbursements, for inflation protection, for audits and for subrogation; establishing the Mine Subsidence Assistance Program; providing for subsidence insurance; and making editorial changes.

RULES.

HB 967, PN 1108 By Rep. PERZEL

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for physician assistant licenses.

RULES.

**RESOLUTION REPORTED
FROM COMMITTEE**

SR 81, PN 1077 By Rep. PERZEL

A Concurrent Resolution establishing a task force to study issues concerning the renewal and management of this Commonwealth's forests; providing for an advisory committee; and directing the Joint Legislative Air and Water Pollution Control and Conservation Committee to provide administrative support to the task force.

RULES.

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 200, PN 2293 By Rep. PERZEL

An Act reenacting and amending the act of December 20, 1996 (P.L.1504, No.195), known as the Taxpayers' Bill of Rights, further providing for disclosure statement of rights of taxpayers and for the Taxpayers' Rights Advocate; providing for innocent spouse relief and for reports to the General Assembly; and further providing for the expiration date.

RULES.

HB 1176, PN 1363 (Amended) By Rep. PERZEL

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

RULES.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1686, PN 2066**, entitled:

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, further providing for State library, for library trainees and for library resource centers.

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—191

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

NAYS—4

Forcier	Mackereth	Miller, R.	Nickol
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NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

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

The House proceeded to third consideration of SB 549, PN 569, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

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

The House proceeded to third consideration of **SB 877, PN 1097**, entitled:

An Act establishing industrial resource centers within the Department of Community and Economic Development.

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

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

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

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

The House proceeded to third consideration of **HB 1603, PN 2193**, entitled:

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

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—191

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

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

NAYS-4

Harper	Hutchinson	McIlhattan	Metcalfe
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NOT VOTING-0

EXCUSED-6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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 1546, PN 2105**, entitled:

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

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

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

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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 1333, PN 2054**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for Internet child pornography.

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

Mr. **BUXTON** offered the following amendment No. **A3062**:

Amend Sec. 1 (Sec. 7330), page 1, lines 9 through 16; page 2, lines 1 through 18, by striking out all of said lines on said pages and inserting

(a) General rule.—An Internet service provider shall remove or disable access to child pornography items residing on its service in a manner accessible to persons located within this Commonwealth. The child pornography items shall be disabled or removed within 15 business days of when the Internet service provider is notified by the Attorney General or a county district attorney in accordance with subsection (e) that child pornography items reside on its service.

(b) Protection of privacy.—Nothing in this section may be construed as imposing a duty on an Internet service provider to actively monitor its network or affirmatively seek evidence of illegal activity on its network.

(c) Penalty.—Any Internet service provider who violates subsection (a) commits a felony of the third degree.

(d) Concurrent jurisdiction to prosecute.—The Attorney General shall have concurrent prosecutorial jurisdiction with the district attorney for violations under this section and any crime arising out of the activity prohibited by this section. No person charged with a violation of this section by the Attorney General shall have standing to challenge the authority of the Attorney General to prosecute the case, and if any such challenge is made, the challenge shall be dismissed and no relief shall be available in the courts of this Commonwealth to the person making the challenge.

(e) Notification procedure.—For purposes of this section, an Internet service provider shall be notified by the Attorney General or county district attorney only if it receives a written notice that:

(1) identifies the child pornography items;

(2) provides information sufficient to permit the Internet service provider to locate the items on its network; and

(3) contains contact information for the notifying agency, including the name, address, telephone number of the agency and officer submitting the notification.

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

“Child pornography.” As described in section 6312 (relating to sexual abuse of children).

“Internet.” The myriad of computer and telecommunications facilities, including equipment and operating software, which comprise the interconnected worldwide network of networks that employ the transmission control protocol/Internet protocol, or any predecessor or successor protocols to such protocol, to communicate information of all kinds by wire or radio.

“Internet service provider.” A person who provides a service that enables users to access content, information, electronic mail or other services offered over the Internet.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colaflera	Petrarca		

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—6

- | | | | |
|-----------|------------|---------|---------|
| Belardi | McIlhinney | Reinard | Solobay |
| Colafella | Petrarca | | |

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.

RESOLUTION

Mr. METCALFE called up HR 238, PN 2126, entitled:

A Resolution memorializing the President of the United States and Congress to fund and deploy a national missile defense system.

On the question,
Will the House adopt the resolution?

The SPEAKER. The gentleman, Mr. Lescovitz.
Mr. LESCOVITZ. Thank you, Mr. Speaker.

Mr. Speaker, concerning HR 238, recently there have been news articles around this nation questioning the national defense missile system and the funding of this program. In fact, many university experts have stated that this program cannot work. One recent article stated that one test, one test related to the national missile defense system, costs \$100 million.

We are asking in this resolution, the Pennsylvania legislature, for the President and the United States Congress to fund this national defense system program which currently does not work.

Would the maker of the resolution please stand for a brief interrogation?

The SPEAKER. The gentleman, Mr. Metcalfe, indicates he will stand for interrogation, and you may begin.

The conference going on by the gentleman, Mr. Metcalfe, please break up. Conference in the center aisle, please break up.

Mr. LESCOVITZ. Thank you, Mr. Speaker.

Although we here in the legislature are for a strong defense and a strong military, one of the questions I have relating to HR 238 is the section that says to fund and deploy this national defense system. Do you have an estimate on the total cost of what it would cost the taxpayers of this nation to continue this program and do you have any idea on how we would fund such a program with the taxpayers?

Mr. METCALFE. No, I do not, Mr. Speaker. Seeing as though we are State legislators and not Federal, I do not believe that we are required to do fiscal notes in that capacity for that type of question.

Mr. LESCOVITZ. So, Mr. Speaker, what you are asking for is for us to say to the United States Congress, you have a blank check and our permission to use that blank check for whatever it would cost, whether it is billions or trillions of dollars for this program.

Mr. METCALFE. No, I do not think that is what we are saying. I think what we are saying, Mr. Speaker, is that with recent developments in our world, that our constituents, that the residents of Pennsylvania, are subjected to a threat from other nations and from terrorist-type organizations that we would like to see our national government protect us against, and with what had happened over the last several years in regards to China and the technology that they were allowed by a previous administration in our Federal government to have access to, that through the theft of certain information and through the allowance by the previous administration to allow China to buy certain technologies, our citizens here in Pennsylvania are under a serious threat from missile attack, and that this resolution

would memorialize our President and our Congress to move in the direction of protecting us for national security.

Mr. LESCOVITZ. Again, Mr. Speaker, I do not think anyone is opposed to a strong national defense. Some of us may be even in favor of a missile defense system. The difficulty I have with the resolution has to do with, we are supporting to fund this program, a program which costs, for one test, \$100 million. The last test they did failed, using taxpayers' money on a program with a blank check and which we as a legislature are supporting.

Mr. METCALFE. Well, I do not believe that we are promoting a blank check. Of course, our Congressmen and Senators will of course have to appropriate whatever moneys are spent on that, and I am sure that they can do a very good job of representing us in the way of providing for our national defense, and this is to give them a word of encouragement from those of us that are State legislators, because we share a concern that they have for our neighbors and for our friends and for the people that we represent in Pennsylvania that we want to make sure that they are protected, especially with the recent developments in our world.

Mr. LESCOVITZ. Thank you, Mr. Speaker.

Mr. Speaker, I am not asking anyone to support or oppose this resolution.

There have been recent newscasts even today where the President of Russia said if the United States government continues this program, that they will continue a program dealing with nuclear missiles in the nation of Russia.

My question, though, deals with the way the amendment is drafted. It seems to me that here in the legislature what we are saying to the United States Congress, to the President, is to spend anything you want to spend; fund this missile defense system no matter what it costs. Even if the system does not work, we are still in favor of spending taxpayers' money on this program at whatever cost. Thank you, Mr. Speaker.

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, we in the legislature have the right to take whatever positions we want on the basis of whatever information we want at whatever speed we want. However, this is a major national issue, and the reason there is desire for us to take a position by the advocates of this program is because it is an extremely controversial proposal in Washington with significant opposition in both the Democratic and Republican Parties in Washington. If there was no strong opposition in both parties, there would not be this kind of interest in getting us to take a position.

This is an extremely expensive program. Vic Lescovitz told of the cost of a test, \$100 million for each test. It takes an awful lot of tests to make this program run. It takes enormous amounts of research. There are enormous capital costs involved. This is a multibillion, quite possibly over \$1-trillion program, and cutting the amount of money and getting the amount of money requires either massive tax increases or huge deficit spending or huge cuts elsewhere.

We have conducted, we as a legislature have done no research on this; not one single committee hearing has been held

on this; no group has been formed as a caucus on this to have speakers and to try to inform the members on this. This is just the wrong way to go about getting involved in a very, very serious national issue.

There is a group in southeastern Pennsylvania, there is an affiliate in southeastern Pennsylvania of a national organization called Business Leaders for Sensible Priorities, and Business Leaders for Sensible Priorities is funded in Pennsylvania very largely by the Haas family of Rohm and Haas, and Business Leaders for Sensible Priorities and the Haas family and other business leaders scattered throughout Pennsylvania and the nation feel this is a tremendous waste of money that is going to drive costs up at the Federal level and endanger needed programs and endanger the tax cuts that Congress just passed.

Congressman Weldon of Delaware County has invited legislators at least in southeastern Pennsylvania and possibly outside of southeastern Pennsylvania to come to a seminar that the pro-antimissile people are having sometime at the end of next week.

I know there are various outreach efforts being made. Personally, I think we ought to be holding public— If it is the desire on our behalf to take a position on this, I think we ought to get information, and we ought to invite both sides to come and testify. This is certainly an issue that has no shortage of advocates in the lobbying community, in Washington and here, nor is there any shortage of opponents.

MOTION TO RECOMMIT

Mr. COHEN. I therefore move, Madam Speaker, this bill be recommitted to the Intergovernmental Affairs Committee for public hearings before we vote on it in the House of Representatives.

The SPEAKER pro tempore. The motion has been made to send HR 238 to the Intergovernmental Affairs Committee.

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

The SPEAKER pro tempore. On recommittal, the Chair recognizes the gentleman, Mr. Metcalfe.

Mr. METCALFE. Thank you, Madam Speaker.

I would just ask that everyone would vote against recommittal. I think this is a resolution that we can all get behind, at least most all of us. I do not believe that the criticisms that have been alleged are really founded.

If you look at the resolution, we are calling upon Congress and the President to fund and deploy as soon as technologically possible an effective, affordable global missile defense system — effective and affordable — and we want to make sure that it is a system that is going to work. We do not want a failed system. We are not promoting that a failed system should be tried. If you remember the Persian Gulf, our U.S. military was very successful in shooting down Scud missiles with the Patriot missile system.

The SPEAKER pro tempore. Would the gentleman cease a moment.

The argument should only be for or against recommittal.

Mr. METCALFE. Thank you, Madam Speaker.

I thought that I was making argument against recommitment through giving information why they should not vote to recommit, but I will try and make it snappy.

I would ask for a vote against recommitment. I would ask that you support putting this resolution forth for the good of all of the citizens of Pennsylvania.

If I could ask you, how much are the lives of 12 million Pennsylvanians worth when we talk about the cost involved? Government has a legitimate concern when it comes to national security. It is something that our taxpayers expect the government to fund to make sure that we are safe and sound in our homes, and our children sleep well at night, with their parents resting well that their children are safe.

I would ask that you would vote against the recommitment and vote to support the resolution, because the cost that is being talked about is not one that is really legitimate when it comes to national security. There is a cost associated but a legitimate cost, and we are not saying a blank check. We are saying—

Mr. ROONEY. Madam Speaker?

Mr. METCALFE. —to fund and deploy as soon as technologically possible—

The SPEAKER pro tempore. For what reason does the gentleman, Mr. Rooney, rise?

Mr. METCALFE. —an effective and affordable global missile system.

Mr. ROONEY. Thank you, Madam Speaker.

I believe you have already admonished the maker of this motion to stick to the issue. He is about as far afield as anybody can possibly get.

The SPEAKER pro tempore. The Chair thanks the gentleman and also thanks the gentleman, Mr. Metcalfe.

Mr. METCALFE. Thank you, Madam Speaker.

The SPEAKER pro tempore. On the issue of recommitment, the Chair recognizes the gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Madam Speaker.

Madam Speaker, I rise in support of recommitment.

Most of the time all the resolutions we pass here, we do so with the full confidence that no one is really going to look at them in Washington, and I suspect the same is true with this resolution, but this resolution is different. We know something about proclaiming some week after some animal. Madam Speaker, we do not know, at least I do not, and I suspect virtually everybody in this room cannot cast an educated vote on this resolution.

If the gentleman, the maker of the resolution, watched the news this morning and saw the President of Russia say that if the United States deploys a missile defense system, that is fine; that they will add multiple warheads to their missiles to counteract it, which is why most of our allies in Europe are against it.

Madam Speaker, the day may come when our current President decides that it is not the right thing to do. After all is said and done, the day may come in the next 4 years where our current President believes that it is just not the right thing to do.

We elect the 435 members of the House and the 100 Senators and the President of the United States to make these decisions; that is their job. We in this body cannot cast an educated and thoughtful vote on this most complicated subject which may actually endanger Pennsylvania and not protect it. I do not know what the right answer is on missile defense.

It would take months and months of study to understand it. So for that reason, Madam Speaker, I think it appropriate that we recommit this resolution.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Cohen, from Philadelphia on the issue only of recommitment.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, given the huge financial stakes, the huge stakes to the defense of our country involved in this resolution, it is worth our spending time to hold public hearings and to do some research. You cannot have it both ways. You cannot argue this is an important resolution of vital significance to the people of Pennsylvania and then treat it like it is a resolution setting aside some week for this cause or that cause. If this is an important issue, we ought to treat it as an important issue, take it seriously, hold public hearings, and then make some kind of recommendation that represents a reasoned judgment rather than just a quick, a quick writing of a resolution.

I urge that this resolution be recommitment.

The SPEAKER pro tempore. Those wishing to recommit to the Intergovernmental Affairs Committee will vote "aye"; those opposed will vote "no."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—92

Bebko-Jones	Freeman	Mayernik	Staback
Belfanti	George	McCall	Stairs
Bishop	Gordner	McGeehan	Steelman
Blaum	Gruclera	Melio	Steil
Butkovitz	Gruitza	Michlovic	Stetler
Buxton	Haluska	Mundy	Sturla
Caltagirone	Hanna	Myers	Surra
Casorio	Harhai	Oliver	Tangretti
Clark	James	Pallone	Thomas
Cohen, L. I.	Josephs	Petrone	Travaglio
Cohen, M.	Kaiser	Pistella	Trello
Costa	Keller	Preston	Trich
Coy	Kirkland	Readshaw	Tulli
Curry	Krebs	Roberts	Veon
Daley	LaGrotta	Robinson	Vitali
DeLuca	Laughlin	Roebuck	Walko
Dermody	Lederer	Rooney	Wansacz
DeWeese	Lescovitz	Ruffing	Washington
Diven	Levdansky	Sainato	Waters
Donatucci	Lucyk	Samuelson	Williams, C.
Eachus	Manderino	Santoni	Williams, J.
Evans, D.	Mann	Scrimenti	Wojnaroski
Frankel	Markosek	Shaner	Yudichak

NAYS—97

Adolph	Egolf	Lynch	Schroder
Argall	Evans, J.	Mackereth	Schuler
Armstrong	Fairchild	Maher	Semmel
Baker, J.	Fichter	Maitland	Smith, B.
Baker, M.	Fleagle	Major	Smith, S. H.
Bard	Flick	Marsico	Stern
Barley	Forcier	McGill	Stevenson, R.
Barrar	Gabig	McIlhattan	Stevenson, T.
Bastian	Gannon	McNaughton	Strittmatter
Benninghoff	Geist	Metcalfe	Taylor, E. Z.
Birmelin	Godshall	Micozzie	Taylor, J.
Boyes	Habay	Miller, R.	Tigue
Browne	Harhart	Miller, S.	Vance
Bunt	Harper	Nailor	Watson

Cappelli	Hasay	Nickol	Wilt
Cawley	Hennessey	O'Brien	Wogan
Civera	Herman	Perzel	Wright
Clymer	Hershey	Phillips	Yewcic
Coleman	Hess	Pickett	Youngblood
Cornell	Hutchinson	Pippy	Zimmerman
Creighton	Jadlowiec	Raymond	Zug
Cruz	Kenney	Rohrer	
Dailey	Lawless	Ross	Ryan,
Dally	Leh	Rubley	Speaker
DiGirolamo	Lewis	Saylor	

NOT VOTING—6

Allen	Feese	Rieger	Sather
Corrigan	Horsey		

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

On the question recurring,

Will the House adopt the resolution?

The SPEAKER pro tempore. On HR 238, the Chair recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Madam Speaker.

Madam Speaker, you know, this is a representative democracy, and our constituents elected us to deal with State issues; that is what the Constitution says. We do not have the expertise to deal with this; we do not have the background; we do not have the training. That is what we elect congressional Representatives to do. This resolution just goes beyond the pale.

I just want to make the record clear what I am going to do. We have a "yes" button and a "no" button but not a no-opinion button. I am simply going to walk off the floor when it comes time to vote it and not cast a vote either way on this. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne County, Mr. Eachus.

Mr. EACHUS. Thank you, Madam Speaker.

I rise to oppose HR 238.

Here on the State level we have a responsibility to children and the elderly. We have a responsibility to run State government programs, to make grants to make parks, to make sure our infrastructure is kept in good condition, to make sure our economic environment is created so that our people can prosper and we can create good working jobs where working families can live and grow their children and be educated. We do those things. This resolution is not a priority of State government.

I say to you, the President of the United States is still in deliberations with NATO (North Atlantic Treaty Organization) on this very important issue. He has visited with the Russian President. There was a 3-hour briefing yesterday, and the Russian President has told us that if we proceed unilaterally with this process, he will ramp up the nuclear arms race again.

I can remember a time— As a matter of fact, let us start the drill now. Let us all push our chairs out of the way and get

under our desks; let us get under our desks for the nuclear test. I can remember in kindergarten when they put me under my desk. Let us do that today.

I do not understand why we think that we have the skill and the understanding on this issue to be able to make a sense about the technology that is in place, and I think this is irresponsible of us to vote for a sense of the House resolution until Condoleezza Rice and the Secretary of State, Colin Powell, come here and give us a briefing on these issues. I hope they are here next week.

Vote "no" on this resolution.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cumberland County, Mr. Gabig.

Mr. GABIG. Thank you, Madam Speaker.

Based on the comments that I heard about getting under my desk, I thought I would stand up on the floor instead.

I represent people from Pennsylvania — I do not represent people from Germany or Russia — and there are missiles pointed at people that live in my district and every district that is in here. The Enola railroad yards are a prime target for the Russians.

All this resolution does is say, when it is technologically feasible and we have an effective and affordable opportunity, we should defend ourselves against missiles that are pointed at our children, at our mothers, at our wives.

This passed unanimously out of Intergovernmental Affairs. All the Democrats on that committee did not vote against this. I would ask for a positive vote on this very reasonable resolution to defend America against nuclear attack.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Clymer.

Mr. CLYMER. Thank you, Madam Speaker, and I will be very brief.

I really was not going to speak on the issue, but I feel I have to.

The Cox Commission, on which Congressman Curt Weldon served, enlightened us to the fact that the People's Republic of China had stolen billions and billions of dollars' worth of our most sophisticated technical missiles and other military secrets, and if you read the reports, you will find that enabled the People's Republic of China, who deal specifically with North Korea and Iraq, the opportunity to leverage those secrets to them. So the threat may not have been as severe as it was 7 or 8 years ago—

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

The SPEAKER. Will the gentleman yield.

Now, settle down before I launch a missile on you.

This is going to be a long day, hopefully a short evening, and perhaps a long day tomorrow. So let us contain ourselves and save some of the enthusiasm for a later time.

The gentleman may continue.

Mr. CLYMER. Thank you, Mr. Speaker.

As a result, you know, they have stepped up the ability to have these more sophisticated missiles within the next 3 to 5 years, much more quickly than what they had thought, because of the theft of those secrets, which I just mentioned a few minutes ago.

So on that observation, the fact that there is more of a serious threat today than there would have been 5 or 10 years ago, I support the resolution, and I plan to vote for it.

The SPEAKER. Mr. DeWeese, the Democratic floor leader, is recognized, if he takes his Marine Corps pin off before his debate.

Mr. DeWEESE. Thank you, Mr. Speaker.

We obviously have no business debating this. This is one of the more specious manifestations of absolute political balderdash I have seen in a long, long time on this floor.

We are not the United States Senate, and notwithstanding the beneficent gifts of providence to some of my more enlightened Republican colleagues, you are not talented enough, educated enough, informed enough to have this colloquy.

This is absurd, Mr. Speaker, and it is also counterintuitive to me that again you Republicans who are in favor of being conservative, conserving money, want to give the Federal government a blank check to come up with some computer gadgetry that might work against an errant nation or a rogue missile. We have no business doing this. We need to think more about the Fish Commission and the Game Commission, and we need to think more about prescription drugs. We need to think more about lower class sizes, and we need to think more about property taxes. What in the world we are doing with some missile defense resolution is beyond me.

I would politely admonish the Republican leadership to watch how these kinds of rather burlesque resolutions percolate to the surface on an important evening like this, but notwithstanding the fact that they are very busy people. My vote will be in the negative. I would hope that any commonsensical perspective among State, State Representatives — not Federal Representatives but State Representatives — would countervail against this absurd, absurd resolution. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Pippy.

Mr. PIPPY. Thank you, Mr. Speaker.

I appreciate hearing the comments from the talented young man from Greene County.

One of the issues that I think should be brought up is, first, you have to talk about what is actually in the resolution. To say that it is a blank check is just not true. As a matter of fact, if you would go to the last paragraph, it specifically mentions an effective, affordable global missile defense system as soon as technologically possible.

Now, I know we do not want to talk about the truth. I am not a sponsor of this resolution. I had some concerns, as many of you have stated, about us delving into what we would consider a Federal issue, but on many times and on many days and on many occasions I have been here, over 5 years, we have sent our opinion to the Federal government.

If it did not have the comment about affordable, technologically feasible, effective, I would have some reservations about voting for this because it would be a blank check, but I will tell you, I will vote for this understanding — and I know we have never done this before, voted for things that may require more debate in the future — but I will vote for this one understanding, not inasmuch as that I am saying give them a blank check, but I am saying, guess what? My kids do count, and if they are in a smaller classroom, even better, or if they are getting better scores, even better, or if we are getting more special education money because some of us can be multifaceted and handle more tasks than one.

But I will tell you that I hope my colleagues will look at it very closely. Think about the message we are sending. In my case, I will vote for it. I have questions concerning the system itself. I will not speak on behalf of my other part-time job right now, but I will tell you that there are some serious issues facing our nation, and for those who feel that it is appropriate to support a defense system, then do it. If you do not, then you do not have to vote for it.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair interrupts this important debate to recognize the gentleman, Mr. Barley, who makes the following report, which the clerk will read.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. BARLEY presented the Report of the Committee of Conference on SB 1, PN 1234.

The SPEAKER. The purpose for interrupting the debate was so that we have an opportunity to get this on our system.

CONSIDERATION OF HR 238 CONTINUED

The SPEAKER. I apologize for interrupting and recognize the gentleman, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I just could not sit here as the gentleman from Greene County, in my opinion, insults us as members that we do not have the intelligence to make the decision, and you have your opinion, and you are entitled to that, and so does he. But I will tell you that I stand here as an American and a free American, and maybe it is only because I have only been here 5 years, but I still get the same feeling saying the Pledge of Allegiance to that flag today as I did the first day, and it is with that in my mind that I have the freedom to cast a “yes” vote as you do, whatever you choose to do.

To cut through some of the other rhetoric that went on, look at the resolution and see what it is about. Think about how those other nations look to this country day in and day out to be there for them, whether it is for food, clothing, or protection. It is always America that the other countries fall upon to help them out. If you do not appreciate that and you do not appreciate your freedoms and what the cost we would pay as individuals to let that go unprotected, then your Pledge of Allegiance means nothing to you.

Mr. Speaker, I ask all of our members, both sides of the aisle, to seriously consider voting “yes” on this very important resolution. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I was not going to rise until the issue of affordability came up, but since that word is in there, I guess I would like to interrogate the maker of the resolution as to what is meant by the term “affordable.”

The SPEAKER. The gentleman, Mr. Metcalfe.

Let us contain ourselves so we can get this behind us and move on.

Mr. Sturla.

Mr. STURLA. Mr. Speaker, where that term "affordable" comes in, what precisely is meant by affordable? How many trillions of dollars? And would it mean, would affordable be, if the Federal government decided that they had to cut funds to Pennsylvania that they send us each year in order to make it affordable, would it still be affordable, or would it not be affordable at that point in time? What definition are we working with of "affordable" here? How much money can we lose in the State of Pennsylvania before it becomes unaffordable?

Mr. METCALFE. I thank the speaker for his question and the sincerity in which it is asked for a definition, but I believe the affordability question would have to be posed to Congress as to what is the cost of the 260 million or so people that live in the United States of America and the other nations that we join with to protect from rogue terrorist organizations and nations who would threaten our freedoms. I guess the cost of affordability comes to— The definition is in the way of, how much do you value your freedom? How much do you value the lives of your children? How much do you value the life of your wife? I guess that really speaks to the definition, Mr. Speaker.

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

If I could comment, that is my concern, because right now the Federal government sends many dollars to the State of Pennsylvania to help pay for police, to help do things that protect my children every day, to help educate my children, to put cops on the street, to make roads that are safe, and my concern is that at what affordability? What price do I have to pay in order to have a missile defense system that at this point in time has not been proven to work?

So I will probably vote "no" on this because of the language in the bill as well as the general tone of the resolution. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Trello. Does the gentleman waive off?

Mr. TRELLO. No, Mr. Speaker.

Thank you very much.

I am proud to hear all this patriotic talk here, and I want you to know that I spent 18 months overseas during the Korean war, and if anybody threatens our shores again, I want the prime sponsor to know that I will be the first one in this General Assembly to reenlist. Thank you very much.

The SPEAKER. Followed by the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, this is very heartwrenching, and, you know, we are standing here approximately an hour and a half or two away from probably the most important function that we as legislators do each year, and that is passing a budget, and this year more than \$20 billion, and for 6 or 7 months into this given year as we go on, there will be those of us that will be beefing about what was in it and bitching about what not was in it—

The SPEAKER. Come on, Mr. George.

Mr. GEORGE. I did not say organisms, Mr. Speaker; I said bitching.

The SPEAKER. I heard what you said, and you know better. Continue.

Mr. GEORGE. But it is true that we find all this time. Yes, I know better, and I know better to say that whether we vote for this or whether we do not vote for this does not mean anything on our patriotism, and you can be sure, Mr. Speaker, if there is a war tomorrow, I am not enlisting. I had my time in the service.

And another thing, Mr. Speaker: they do not take people 71 years of age in the Army or the Navy.

But, you know, Mr. Speaker, this is a great country. This is a country where you come down here and be one of 203 people, and you can talk like you know what the heck you are talking about when you do not, and you can watch a Speaker, whom I have admired for the 28 years I have been here, who gets jovial at a certain time at night knowing that the same thing is going to happen — we are going to wrangle on and wrangle on and wrangle on and spend more time worrying about a resolution that is going to hang in the restroom of the President of the United States and not do a darn thing.

So I suggest to you that I do know better, Mr. Speaker, with all the respect that I can summon, and say, let us get on with the business of this House. There are a heck of a lot of people about 2 hours from now going to be a little bit disappointed that we did not do the right or the wrong thing. Thank you.

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

The following roll call was recorded:

YEAS—108

Adolph	Evans, J.	Lynch	Sather
Allen	Fairchild	Mackereth	Saylor
Argall	Feese	Maher	Schroder
Armstrong	Fichter	Maitland	Schuler
Baker, J.	Fleagle	Major	Semmel
Baker, M.	Flick	Marsico	Smith, B.
Barley	Forcier	Mayernik	Smith, S. H.
Barrar	Gabig	McGeehan	Stairs
Bastian	Gannon	McGill	Stern
Benninghoff	Geist	McIlhattan	Stevenson, R.
Birmelin	Godshall	McNaughton	Stevenson, T.
Boyes	Habay	Metcalfe	Strittmatter
Browne	Harhart	Micozzie	Taylor, E. Z.
Bunt	Harper	Miller, R.	Taylor, J.
Butkovitz	Hasay	Miller, S.	Tigue
Cappelli	Hennessey	Nailor	Trello
Cawley	Herman	Nickol	Tulli
Civera	Hershey	O'Brien	Vance
Clark	Hess	Perzel	Watson
Clymer	Horsey	Petrone	Wilt
Coleman	Hutchinson	Phillips	Wogan
Cornell	Jadlowiec	Pickett	Yewcic
Creighton	Keller	Pippy	Zimmerman
Dailey	Kenney	Raymond	Zug
Dally	Lawless	Rohrer	
DiGirolo	Lederer	Ross	
Donatucci	Leh	Samuelson	Ryan,
Egolf	Lewis		Speaker

NAYS—84

Bard	Freeman	McCall	Staback
Bebko-Jones	George	Melio	Steelman
Bishop	Gordner	Michlovic	Steil
Blaum	Grucela	Mundy	Stetler
Buxton	Gruitza	Myers	Sturla
Caltagirone	Haluska	Oliver	Surra
Casorio	Hanna	Pallone	Tangretti
Cohen, L. I.	Harhai	Pistella	Thomas
Cohen, M.	James	Preston	Travaglio
Costa	Josephs	Readshaw	Trich
Coy	Kaiser	Rieger	Veon
Cruz	Kirkland	Roberts	Walko
Curry	Krebs	Robinson	Wansacz
Daley	LaGrotta	Roebuck	Washington
DeLuca	Laughlin	Rooney	Waters
Dermody	Lescovitz	Rubley	Williams, C.

DeWeese	Levdansky	Ruffing	Williams, J.
Diven	Lucyk	Sainato	Wojnaroski
Eachus	Manderino	Santoni	Wright
Evans, D.	Mann	Scrimenti	Youngblood
Frankel	Markosek	Shaner	Yudichak

NOT VOTING—3

Belfanti	Corrigan	Vitali
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EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today— May I have your attention. We have all watched the new chief of staff of the gentleman, Mr. Perzel, at work here recently, having taken the place of Tom McCormac, and today someone else is watching him work, and that is his wife, Kelly, and his son, Dennis, who are seated here to the left of the Chair. Would they please rise — Kelly and Dennis Preski.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 793, PN 896**, entitled:

An Act amending the act of December 13, 1999 (P.L.905, No.57), known as the Drought, Orchard and Nursery Indemnity and Flood Relief Act, further providing for appropriations.

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Michlovic, who offers the following amendment, which the clerk will now read.

Mr. Michlovic, would you advise us as to which amendment you wish first read.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

I will be offering amendment 2711. I have withdrawn the other amendments.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MICHLOVIC offered the following amendment No. **A2711**:

Amend Title, page 1, line 8, by inserting after "appropriations," " providing for loans and grants to victims of small disasters; and

Amend Bill, page 1, line 12 through 15, by striking out all of said lines and inserting

Section 1. The act of December 13, 1999 (P.L.905, No.57), known as the Drought, Orchard and Nursery Indemnity and Flood Relief Act, is amended by adding a chapter to read:

CHAPTER 9
PENNCRISIS FUND

Section 901. Legislative findings.

The General Assembly finds that many communities in this Commonwealth frequently are subject to natural and manmade disasters which cause significant damage and disruption in the life of the community but which are not of sufficient magnitude to qualify for Federal disaster assistance programs. Nevertheless, these losses are of considerable importance to those directly affected and their communities and to the health and welfare of the citizens of this Commonwealth's many small communities.

Section 902. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Agency." The Pennsylvania Emergency Management Agency.

"Fund." The Small Disaster Assistance Fund created under this chapter.

"Small disaster." An event which results in total uninsured losses, for all individuals, businesses and municipalities, of not more than \$2,000,000 and which occurred after June 30, 1999, and falls below the current Federal guidelines for Federal disaster assistance but which involves:

- (1) damage exceeding 40% of the value of a structure and contents of at least five homes or two businesses;
- (2) loss of life; or
- (3) total estimated damages of at least \$250,000 to public facilities.

Section 903. Small Disaster Assistance Fund.

(a) Fund created.—There is created within the PENNCrisis program a Small Disaster Assistance Fund to assist the victims of natural and manmade disasters with low-interest loans and grants. Assistance shall not be available to a person that owns property within a 100-year flood plain and that does not have flood insurance. All loan repayments shall be placed in the fund to be used for the purposes of this act.

(b) Coordination and administration of fund.—All field and other activities of the fund shall be coordinated by the agency, including budgetary allocations from the PENNCrisis Fund to the various objects of PENNCrisis and reports to the General Assembly on program performance and needs. Final authority on all individual requests for assistance from the fund shall rest with the administering agencies. Program elements of the fund shall be administered as follows:

- (1) For residential housing needs, the Pennsylvania Housing Finance Agency.
- (2) For residential contents and vehicles, the Department of Public Welfare.
- (3) For business and municipal programs, the Department of Community and Economic Development.

(c) Small disaster declarations.—A county emergency management director may petition the agency for a declaration of a small disaster. The agency's determination on the petition shall be deemed a final order, subject to review under 2 Pa.C.S. Ch. 7 Subch. A (relating to judicial review of Commonwealth agency action).

Section 904. Low-interest loans to small disaster victims.

All loans shall bear interest for the entire term at a rate no greater than the annual cost of living in the year in which the loan is granted. Interest rates shall be reviewed by the administering agency at the beginning of each fiscal year based on guidance from the Office of the Budget and adjusted in accordance with the prior year's cost of living. All loans shall cover only that portion of loss not covered by insurance. Loans to businesses and residential loans shall be extended to incorporate existing debt on the real property and contents.

Section 905. Business and municipal loans.(a) Business loans.—

(1) Loans to businesses and municipalities shall be for a term of no more than 15 years, except where the term is extended by hardship suspensions of payments. Business loans shall be secured by a mortgage on real property of the business or other suitable collateral.

(2) Business loans may be used to repair or replace all of the following when lost or seriously damaged due to a small disaster:

- (i) Fixed equipment.
- (ii) Major moveable equipment.
- (iii) Furnishings.
- (iv) Real property.
- (v) Leasehold improvements.
- (vi) Inventory, if it can be shown that an

insurance policy at a reasonable premium in relation to value was not available to replace the inventory.

(3) At the discretion of the Department of Community and Economic Development, individual business loans may be increased up to 150% of eligible repair or replacement costs to assist in business retention and recovery. The sum of all business loans may not exceed more than one-half of all funds available for expenditure in the PENNCrisis fund in any fiscal year.

(b) Municipal loans.—Municipal and county loans may be used for repairing or replacing all of the following when lost or seriously damaged due to a small disaster:

- (1) Buildings.
- (2) Major equipment other than vehicles, plows, backhoes and similar gasoline or diesel powered mobile machinery.
- (3) Office machines.
- (4) Streets.
- (5) Water and sewer lines.
- (6) Recreational facilities.

Section 906. Residential loans.

(a) General rule.—Residential loans may be made only for the replacement or repair of the structure of a primary residence and must be secured by a mortgage on the real property that is the subject of the loan. Tenants who have been forced from a primary rental residence by a small disaster are eligible for loans to purchase a home approximately equivalent to their prior residence in size but no smaller than 400 square feet per individual of interior living space.

(b) Exception.—Repairs to landscaping, ponds, pools and outbuildings are not eligible for PENNCrisis funding, except to respond to serious hazards resulting from small disaster damage.

Section 907. Grants to small disaster victims.

(a) Residential loans.—Persons, including tenants, who have lost clothing, furniture, appliances, furnaces, hot water heaters or other contents of their primary residences as the result of a small disaster shall be eligible for low-interest loans not to exceed \$7,500 per person in multiperson households and not to exceed \$15,000 in single person households. The total amount per household shall not exceed \$25,000. The interest rate for such loans shall be the current cost of living in the year of the event.

(b) Residential grants.—In the event that individual financial circumstances indicate that a person incurring losses described in subsection (a) does not reasonably have the ability to repay such additional indebtedness, the administering agency may convert some or all of the amounts permitted by subsection (a) to grants.

(c) Excess loans.—For documentable losses exceeding the amounts specified in subsection (a), the administering agency may make loans to individuals at an interest rate twice the current cost of living.

(d) Contents limitations.—Loans and grants for contents under this section shall not exceed one-third of estimated market value of the residence prior to the small disaster.

(e) Exclusions.—Personal items eligible for residential grants and loans shall not include jewelry or other luxury items and sporting equipment.

Section 908. Small disaster mitigation loans and grants.

(a) General rule.—Municipalities affected by a small disaster may apply for loans and grants to rectify conditions or inadequate public facilities that led directly to the small disaster or contributed substantially to its occurrence or the inability of local officials to bring the damage under control. Subjects of such assistance shall include, but are not limited to, the following:

- (1) Missing or inadequate storm sewers or other water management structures, including work within stream channels.
- (2) Inadequate fire hydrants or related water lines.
- (3) Watershed plans.
- (4) Engineering studies and designs necessary to effect mitigation improvements.

(b) Limitation.—Small disaster mitigation assistance may be used only for municipally owned or controlled improvements. Firefighting apparatus and other emergency services equipment and vehicles, including trucks, tankers and other vehicles, are not eligible for mitigation assistance.

(c) Chronic flooding.—The coordinating agency may consult with the Department of Environmental Protection to identify areas of chronic flooding that result in frequent damage to communities but which do not rise to the level of a small disaster. The coordinating agency, in conjunction with the Department of Environmental Protection, may use up to 25% of the PENNCrisis Fund annual revenue, exclusive of carryover reserves, to provide grants and loans to municipalities to correct such conditions. Assistance shall follow the formula set forth in subsection (e).

(d) Hazard mitigation.—Hazard mitigation loans and grants shall be subject to the following:

- (1) Grants for hazard mitigation work shall be no more than \$5,000,000 per event.
- (2) Low-interest loans shall be available for the balance of project work not covered by a mitigation grant.
- (3) Hazard mitigation loans shall bear interest at a rate fixed at the current year's cost of living and shall be for a term of 20 years.

(e) Formula.—Grants and loans shall be awarded on the following formula:

- (1) Municipalities with median per capita personal income greater than 20% above the State median per capita personal income for the preceding year shall be eligible for a mitigation grant of 50% of total project costs.
- (2) Municipalities with median per capita personal income of between 20% less than and 20% greater than the State median per capita personal income for the preceding year shall be eligible for a mitigation grant of 60% of total project cost.
- (3) Municipalities with median per capita personal income more than 20% less than the State median per capita personal income for the preceding year shall be eligible for a mitigation grant of 70% of total project cost.

Section 909. The PENNCrisis Fund.

There is established under the jurisdiction of the agency a fund to be called the PENNCrisis Fund.

(1) Beginning with surplus revenues received during the 2001-2002 fiscal year, revenue for the PENNCrisis Fund shall be generated by reserving 20% of each year's surplus revenues to the Commonwealth generated by all taxes and fees deposited into the General Fund.

(2) In a fiscal year, neither the balance nor the revenues of the PENNCrisis Fund shall exceed \$100,000,000; and the sum available for expenditure shall not exceed \$50,000,000.

(3) Revenue shall be placed into a dedicated fund reserved for the programs authorized under the PENNCrisis Fund. Deposits into the fund shall not lapse but be carried forward from year to year. Up to one-half of funds on reserve and

to be earned by the end of any fiscal year may be used to pay the Commonwealth's matching share for any major disaster declared eligible for Federal assistance by the President of the United States. The need for Federal matching funds for any specific major disaster event may not encumber PENNCrisis revenues in years beyond the year of the major event.

Section 910. Training, administration and operations.

(a) Specialized staff.—The agency and each administering agency under section 903 shall recruit, train and develop staff specializing in small disaster assistance in their respective program areas. The staff sections shall be deployed by each administering agency in response to a declared small disaster, as directed by the agency. These personnel shall also be available to the agency at the direction of the Governor to respond to any major disaster in this Commonwealth.

(b) Funding for staff.—The agency and each administering agency shall receive \$1,000,000 annually, or as much thereof as is necessary, from the PENNCrisis Fund to create a permanently staffed small disaster response team. When each agency's small disaster response team is deployed on assignment, the coordinating agency shall reimburse the agency from the PENNCrisis Fund for standard and necessary travel and living costs for each team deployed to the small disaster. Expenditures under this category shall not exceed 10% of the revenue received by the PENNCrisis Fund in a fiscal year.

(c) Authority to approve expenditures.—In response to any small disaster, the agency shall have final authority to approve expenditures of PENNCrisis funds for any additional purposes it deems necessary to small disaster recovery unless the uses are not specifically prohibited by this chapter.

Section 911. Insurance coverage.

All loan recipients shall maintain adequate property insurance coverage for the full value of the subject property for the term of the disaster assistance loan and shall include flood insurance coverage if the property is located within a 100-year flood plain.

Section 2. Section 5102 of the act, amended June 22, 2000 (P.L.475, No.65), is amended to read:

Amend Sec. 1 (Sec. 5102), page 2, line 30, by striking out all of said line and inserting

(d) Public assistance and hazard mitigation.—The sum of \$10,000,000, or as much thereof as may be necessary, is hereby appropriated to the Pennsylvania Emergency Management Agency for the match required for Federal disaster funds for the August and September 1999 disasters for public assistance and hazard mitigation to be allocated by the Office of the Budget among these disasters and programs. This appropriation shall be a continuing appropriation.

(e) Supplemental Individual Assistance Program.—The sum of \$5,000,000 is hereby appropriated from the General Fund for allocation by the Governor for payment of the Commonwealth's share necessary to secure individual and family assistance from the Federal Government under the provisions of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, 88 Stat. 143) and for payment of Supplemental Individual Assistance Program grants authorized pursuant to Chapter 7. This subsection shall be construed in a manner which secures the maximum available Federal funding for individual and family assistance. Any unused funds not needed for purposes of this appropriation shall lapse to the General Fund on June 30, 2000.

(f) Other Federal funding.—Nothing in this act shall supplant or replace any funds otherwise available from the Federal Government.

Amend Sec. 2, page 3, line 1, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the amendment, Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

A brief description of this amendment. We have passed this amendment a number of times before. This is the PENNCrisis amendment without the money. It is revenue-neutral, meaning that there is no money appropriated for this.

We are approving the language to put in place language for a later date when we may come back with a supplemental funding depending upon the nature of this year's weather and whether we have a crisis. We had one, as a matter of fact, over this very weekend. Several people lost their lives. We had a flood. Once again, there is no State mechanism to deal with those kinds of crises, and this legislation puts in place language that we can use and hope — well, I do not hope, but in the event that we have such a tragedy again, we can put some money in the fund, and the structure is there for the State to react and deal with the tragedy.

I ask for support of the amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, with all due respect to my colleague, it is my understanding that SB 793 also includes for the farmers the crop insurance payments, and the Senate will oppose any amendments to this bill, is my understanding, and if this bill does not pass the General Assembly this week, it is my understanding that, if I am correct, those payments to those farmers will lapse. Should we — and it does not sound like it outside today — but should we, unfortunately, have a drought like we had in 1999, this of course would be devastating to the farmers of the Commonwealth. These payments are integral for them to obtain crop insurance.

So I would respectfully ask that either the maker of the amendment remove the amendment or that we vote "no" on this particular amendment so that the bill will pass and that the farmers will not have their crop insurance payments lapse from this Senate bill. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Kaiser.

Mr. KAISER. Thank you, Mr. Speaker.

The past several years the South Hills of Allegheny County, which I represent, had severe thunderstorms, millions of dollars' worth of damage. I voted several times on the floor of this House for relief for farmers. I thought it was the right thing to do. They are part of our economy; they put food on our table. But this legislation by Mr. Michlovic has been voted on several times, and it keeps on getting removed from legislation here. It is a good amendment. It will help people in need, and I support the amendment.

People in Baldwin Borough and Bethel Park, where I live, and Castle Shannon and Brentwood, down in the Mon Valley where we had severe flooding, these people were hit hard, very hard. They turned to State government, and we could not help them. So this is a chance for us to help people, because, please remember, the next time a severe flood hits, it may be your district.

So I support the Michlovic amendment. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Montgomery, Mr. Bunt.

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, I rise to join with the gentleman from Northampton County in opposition to this amendment.

Mr. Speaker, I have attempted to work with the gentleman from Allegheny County on reconciling a very sincere and legitimate problem that he and others have experienced as it relates to flooding conditions in their existing districts.

To the members of the General Assembly, there are higher forces in this budget process who would just love to see this \$1 1/2 million lapse so that they can use it somewhere else, and it will not be for the gentleman's proposal nor will it go to the farmers.

I am going to urge the members to oppose the amendment, not because of the substance of the gentleman's argument or the legitimacy of his problem. He has a very sincere interest here, and I join with him, but there is not \$10 million in the budget at this last moment to address the concerns of the gentleman. I have offered to work with him and had requested that he not enjoin this bill at this time, but unfortunately, I lost that argument.

I would encourage the members to oppose this amendment at this time. We absolutely need this to continue this budget process, and the farming and agricultural community want this bill to go back to the Senate clean so they can get it on the Governor's desk by tomorrow morning. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question of the adoption of the amendment, Mr. Daley, you are recognized.

Mr. DALEY. Mr. Speaker, this amendment, fundamentally, is a bill that I introduced over the last 3 years. We passed it twice, sent it to the Senate. One time we even had it on the Governor's desk, and it was taken out.

I wholeheartedly support this concept because we wrote this amendment. PENNCrisis is a small disaster assistance program. Representative Michlovic is a champion of that effort in a way with great valor in the committee. However, this particular bill, SB 793, is so crucial to what we are doing in the Ag Committee. So I would say that at this time this amendment should not be in this bill, even though my heart says that we want to have this bill passed for small disasters in Pennsylvania because it is something we have worked so diligently on, but this is not the time in this particular bill.

I would ask that there be a "no" vote, but I ask that you consider a vote in the future for this legislation when we bring it back up for small disaster assistance. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, I did not want to get into the discussion of farmers versus your constituents, but now we are into that discussion, and I want to talk about farmers versus your constituents.

I was not in this House for 6 months before we had a flash flood. I went out to my district, and the streets were torn up; the flood came over the riverbanks, and there was not a darn thing I could do. I am sure that if you have been here 10 years or more, that circumstance has happened to you, and I swear, every one of you younger members that are sitting in this hall, you are going to have a flood in your district, a flash flood, and there is no mechanism in this State but this kind of language to address that.

I had the Governor, the Governor of this Commonwealth, in my district, with his sleeves rolled up, talking to my constituents, oh, we are going to give you help. I am watching

him on TV, saying, where is he going to get that help? He does not have the authority, the authorization, to give that help. He has to go begging to the Federal government, please, please, put us on the disaster list. That is what this is about, and we have been working on it for years, and that man down there was working on it. He was the champion before he was the chairman of the Agriculture Committee.

One percent of the population of this Commonwealth are farmers; 99 percent of the people are not. Who are you going to be for? Your constituents? We have given them \$60 million already for drought relief, \$60 million, and they want that extra million, too, and to heck with what you need; we want that.

I am tired of giving to farmers and farmers at the cost of everybody else, and they will not even give us language. I took the money out of the amendment. Yeah, you see \$5 million and \$10 million, but that was in the last bill. That money has been appropriated, and it is gone. The amendatory language has no new money in it. It is free of cost this year. It says, next year if there is a surplus, we will take the lapsed surplus. We will take 20 percent of it and put it in this fund for the 99 percent of the other people that are not farmers. How about it? How about protecting yourselves and your constituents and putting that language in, and if the Senate wants to take it out, let them take it out. Do not you take it out.

Thank you, Mr. Speaker. Support the amendment.

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

The following roll call was recorded:

YEAS—135

Adolph	Gabig	McGeehan	Smith, S. H.
Armstrong	Gannon	McGill	Staback
Baker, M.	George	McIlhattan	Stairs
Bebko-Jones	Gruitza	Melio	Stern
Bishop	Habay	Michlovic	Stetler
Blaum	Haluska	Mundy	Stevenson, T.
Boyes	Hanna	Myers	Sturla
Butkovitz	Harhai	O'Brien	Surra
Buxton	Harhart	Oliver	Tangretti
Caltagirone	Hess	Pallone	Taylor, E. Z.
Cappelli	Horsey	Perzel	Taylor, J.
Cawley	Hutchinson	Petrone	Thomas
Cohen, L. I.	Jadlowiec	Phillips	Tigue
Cohen, M.	James	Pickett	Travaglio
Coleman	Josephs	Pippy	Trello
Cornell	Kaiser	Pistella	Trich
Corrigan	Keller	Preston	Tulli
Costa	Kenney	Raymond	Veon
Coy	Kirkland	Readshaw	Vitali
Cruz	Krebs	Roberts	Walko
Curry	LaGrotta	Robinson	Wansacz
Dailey	Laughlin	Roebuck	Washington
Daley	Lawless	Rohrer	Waters
DeLuca	Lederer	Ross	Watson
Dermody	Lescovitz	Rubley	Williams, C.
DeWeese	Levdanský	Ruffing	Williams, J.
DiGiroIamo	Lucyk	Saimato	Wogan
Diven	Lynch	Samuelson	Wojnaroski
Evans, D.	Maher	Santoni	Wright
Evans, J.	Manderino	Schroder	Yewcic
Fairchild	Mann	Scrimenti	Youngblood
Fleagle	Markosek	Semmel	Yudichak
Frankel	Mayernik	Shaner	Zug
Freeman	McCall	Smith, B.	

NAYS—57

Argall	Dally	Herman	Rieger
Baker, J.	Donatucci	Hershey	Rooney
Bard	Eachus	Leh	Sather
Barley	Egolf	Lewis	Saylor
Barrar	Feese	Mackereth	Schuler
Bastian	Fichter	Maitland	Steelman
Belfanti	Flick	Major	Steil
Benninghoff	Forcier	Marsico	Stevenson, R.
Birmelin	Geist	McNaughton	Strittmatter
Browne	Godshall	Metcalfe	Vance
Bunt	Gordner	Micozzie	Zimmerman
Casorio	Grucela	Miller, R.	
Civera	Harper	Miller, S.	
Clark	Hasay	Nailor	Ryan,
Clymer	Hennessey	Nickol	Speaker

NOT VOTING—3

Allen	Creighton	Wilt
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EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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?

AMENDMENT A2711 RECONSIDERED

The SPEAKER. The Chair is in receipt of a reconsideration motion on the amendment that just passed.

The Chair recognizes the gentleman, Mr. Sam Smith, who moves that the vote by which amendment 2711 passed to SB 793, PN 896, on this 20th day of June be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—164

Adolph	Fairchild	Maitland	Schroder
Allen	Feese	Major	Schuler
Argall	Fichter	Manderino	Scrimenti
Armstrong	Fleagle	Mann	Semmel
Baker, J.	Flick	Marsico	Shaner
Baker, M.	Forcier	McGeehan	Smith, B.
Bard	Freeman	McGill	Smith, S. H.
Barley	Gabig	McIlhattan	Staback
Barrar	Gannon	McNaughton	Stairs
Bastian	Geist	Melio	Steelman
Benninghoff	Godshall	Metcalfe	Steil
Birmelin	Gordner	Michlovic	Stern
Bishop	Grucela	Micozzie	Stevenson, R.
Boyes	Gruitza	Miller, R.	Stevenson, T.
Browne	Habay	Miller, S.	Strittmatter
Bunt	Haluska	Myers	Surra
Butkovitz	Hanna	Nailor	Taylor, E. Z.
Caltagirone	Harhart	Nickol	Taylor, J.
Cappelli	Harper	O'Brien	Thomas

Casorio	Hasay	Oliver	Tigue
Cawley	Hennessey	Perzel	Trello
Civera	Herman	Petrone	Trich
Clark	Hershey	Phillips	Tulli
Clymer	Hess	Pickett	Vance
Cohen, L. I.	Horshey	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Coleman	Jadlowiec	Preston	Walko
Cornell	Josephs	Raymond	Washington
Corrigan	Keller	Readshaw	Waters
Creighton	Kenney	Rieger	Watson
Cruz	Kirkland	Robinson	Williams, J.
Curry	Krebs	Roebuck	Wilt
Dailey	LaGrotta	Rohrer	Wojnaroski
Daley	Lawless	Rooney	Wright
Dally	Lederer	Ross	Yewcic
DeLuca	Leh	Rubley	Youngblood
DeWeese	Lescovitz	Ruffing	Zimmerman
DiGirolo	Levdansky	Samuelson	Zug
Donatucci	Lewis	Santoni	
Egolf	Lynch	Sather	
Evans, D.	Mackereth	Saylor	Ryan,
Evans, J.	Maher		Speaker

NAYS—28

Bebko-Jones	Diven	Markosek	Stetler
Belfanti	Eachus	Mayernik	Sturla
Blaum	Frankel	McCall	Tangretti
Buxton	George	Mundy	Travaglio
Costa	Harhai	Pallone	Wansacz
Coy	Kaiser	Roberts	Williams, C.
Dermody	Lucyk	Sainato	Yudichak

NOT VOTING—3

James	Laughlin	Wogan
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EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

The majority 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 amendment?

The clerk read the following amendment No. A2711:

Amend Title, page 1, line 8, by inserting after "appropriations," providing for loans and grants to victims of small disasters; and

Amend Bill, page 1, line 12 through 15, by striking out all of said lines and inserting

Section 1. The act of December 13, 1999 (P.L.905, No.57), known as the Drought, Orchard and Nursery Indemnity and Flood Relief Act, is amended by adding a chapter to read:

CHAPTER 9
PENNCRISIS FUND

Section 901. Legislative findings.

The General Assembly finds that many communities in this Commonwealth frequently are subject to natural and manmade disasters which cause significant damage and disruption in the life of the community but which are not of sufficient magnitude to qualify for Federal disaster assistance programs. Nevertheless, these losses are of considerable importance to those directly affected and their communities and to the health and welfare of the citizens of this Commonwealth's many small communities.

Section 902. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Agency." The Pennsylvania Emergency Management Agency.

"Fund." The Small Disaster Assistance Fund created under this chapter.

"Small disaster." An event which results in total uninsured losses, for all individuals, businesses and municipalities, of not more than \$2,000,000 and which occurred after June 30, 1999, and falls below the current Federal guidelines for Federal disaster assistance but which involves:

- (1) damage exceeding 40% of the value of a structure and contents of at least five homes or two businesses;
- (2) loss of life; or
- (3) total estimated damages of at least \$250,000 to public facilities.

Section 903. Small Disaster Assistance Fund.

(a) Fund created.—There is created within the PENNCrisis program a Small Disaster Assistance Fund to assist the victims of natural and manmade disasters with low-interest loans and grants. Assistance shall not be available to a person that owns property within a 100-year flood plain and that does not have flood insurance. All loan repayments shall be placed in the fund to be used for the purposes of this act.

(b) Coordination and administration of fund.—All field and other activities of the fund shall be coordinated by the agency, including budgetary allocations from the PENNCrisis Fund to the various objects of PENNCrisis and reports to the General Assembly on program performance and needs. Final authority on all individual requests for assistance from the fund shall rest with the administering agencies. Program elements of the fund shall be administered as follows:

- (1) For residential housing needs, the Pennsylvania Housing Finance Agency.
- (2) For residential contents and vehicles, the Department of Public Welfare.
- (3) For business and municipal programs, the Department of Community and Economic Development.

(c) Small disaster declarations.—A county emergency management director may petition the agency for a declaration of a small disaster. The agency's determination on the petition shall be deemed a final order, subject to review under 2 Pa.C.S. Ch. 7 Subch. A (relating to judicial review of Commonwealth agency action).

Section 904. Low-interest loans to small disaster victims.

All loans shall bear interest for the entire term at a rate no greater than the annual cost of living in the year in which the loan is granted. Interest rates shall be reviewed by the administering agency at the beginning of each fiscal year based on guidance from the Office of the Budget and adjusted in accordance with the prior year's cost of living. All loans shall cover only that portion of loss not covered by insurance. Loans to businesses and residential loans shall be extended to incorporate existing debt on the real property and contents.

Section 905. Business and municipal loans.

(a) Business loans.—

(1) Loans to businesses and municipalities shall be for a term of no more than 15 years, except where the term is extended by hardship suspensions of payments. Business loans shall be secured by a mortgage on real property of the business or other suitable collateral.

(2) Business loans may be used to repair or replace all of the following when lost or seriously damaged due to a small disaster:

- (i) Fixed equipment.
- (ii) Major moveable equipment.
- (iii) Furnishings.
- (iv) Real property.
- (v) Leasehold improvements.

(vi) Inventory, if it can be shown that an insurance policy at a reasonable premium in relation to value was not available to replace the inventory.

(3) At the discretion of the Department of Community and Economic Development, individual business loans may be increased up to 150% of eligible repair or replacement costs to assist in business retention and recovery. The sum of all business loans may not exceed more than one-half of all funds available for expenditure in the PENNCrisis fund in any fiscal year.

(b) Municipal loans.—Municipal and county loans may be used for repairing or replacing all of the following when lost or seriously damaged due to a small disaster:

- (1) Buildings.
- (2) Major equipment other than vehicles, plows, backhoes and similar gasoline or diesel powered mobile machinery.
- (3) Office machines.
- (4) Streets.
- (5) Water and sewer lines.
- (6) Recreational facilities.

Section 906. Residential loans.

(a) General rule.—Residential loans may be made only for the replacement or repair of the structure of a primary residence and must be secured by a mortgage on the real property that is the subject of the loan. Tenants who have been forced from a primary rental residence by a small disaster are eligible for loans to purchase a home approximately equivalent to their prior residence in size but no smaller than 400 square feet per individual of interior living space.

(b) Exception.—Repairs to landscaping, ponds, pools and outbuildings are not eligible for PENNCrisis funding, except to respond to serious hazards resulting from small disaster damage.

Section 907. Grants to small disaster victims.

(a) Residential loans.—Persons, including tenants, who have lost clothing, furniture, appliances, furnaces, hot water heaters or other contents of their primary residences as the result of a small disaster shall be eligible for low-interest loans not to exceed \$7,500 per person in multiperson households and not to exceed \$15,000 in single person households. The total amount per household shall not exceed \$25,000. The interest rate for such loans shall be the current cost of living in the year of the event.

(b) Residential grants.—In the event that individual financial circumstances indicate that a person incurring losses described in subsection (a) does not reasonably have the ability to repay such additional indebtedness, the administering agency may convert some or all of the amounts permitted by subsection (a) to grants.

(c) Excess loans.—For documentable losses exceeding the amounts specified in subsection (a), the administering agency may make loans to individuals at an interest rate twice the current cost of living.

(d) Contents limitations.—Loans and grants for contents under this section shall not exceed one-third of estimated market value of the residence prior to the small disaster.

(e) Exclusions.—Personal items eligible for residential grants and loans shall not include jewelry or other luxury items and sporting equipment.

Section 908. Small disaster mitigation loans and grants.

(a) General rule.—Municipalities affected by a small disaster may apply for loans and grants to rectify conditions or inadequate public facilities that led directly to the small disaster or contributed substantially to its occurrence or the inability of local officials to bring the damage under control. Subjects of such assistance shall include, but are not limited to, the following:

- (1) Missing or inadequate storm sewers or other water management structures, including work within stream channels.
- (2) Inadequate fire hydrants or related water lines.
- (3) Watershed plans.
- (4) Engineering studies and designs necessary to effect mitigation improvements.

(b) Limitation.—Small disaster mitigation assistance may be used only for municipally owned or controlled improvements. Firefighting apparatus and other emergency services equipment and vehicles, including trucks, tankers and other vehicles, are not eligible for mitigation assistance.

(c) Chronic flooding.—The coordinating agency may consult with the Department of Environmental Protection to identify areas of chronic flooding that result in frequent damage to communities but which do not rise to the level of a small disaster. The coordinating agency, in conjunction with the Department of Environmental Protection, may use up to 25% of the PENNCrisis Fund annual revenue, exclusive of carryover reserves, to provide grants and loans to municipalities to correct such conditions. Assistance shall follow the formula set forth in subsection (e).

(d) Hazard mitigation.—Hazard mitigation loans and grants shall be subject to the following:

(1) Grants for hazard mitigation work shall be no more than \$5,000,000 per event.

(2) Low-interest loans shall be available for the balance of project work not covered by a mitigation grant.

(3) Hazard mitigation loans shall bear interest at a rate fixed at the current year's cost of living and shall be for a term of 20 years.

(e) Formula.—Grants and loans shall be awarded on the following formula:

(1) Municipalities with median per capita personal income greater than 20% above the State median per capita personal income for the preceding year shall be eligible for a mitigation grant of 50% of total project costs.

(2) Municipalities with median per capita personal income of between 20% less than and 20% greater than the State median per capita personal income for the preceding year shall be eligible for a mitigation grant of 60% of total project cost.

(3) Municipalities with median per capita personal income more than 20% less than the State median per capita personal income for the preceding year shall be eligible for a mitigation grant of 70% of total project cost.

Section 909. The PENNCrisis Fund.

There is established under the jurisdiction of the agency a fund to be called the PENNCrisis Fund.

(1) Beginning with surplus revenues received during the 2001-2002 fiscal year, revenue for the PENNCrisis Fund shall be generated by reserving 20% of each year's surplus revenues to the Commonwealth generated by all taxes and fees deposited into the General Fund.

(2) In a fiscal year, neither the balance nor the revenues of the PENNCrisis Fund shall exceed \$100,000,000; and the sum available for expenditure shall not exceed \$50,000,000.

(3) Revenue shall be placed into a dedicated fund reserved for the programs authorized under the PENNCrisis Fund. Deposits into the fund shall not lapse but be carried forward from year to year. Up to one-half of funds on reserve and to be earned by the end of any fiscal year may be used to pay the Commonwealth's matching share for any major disaster declared eligible for Federal assistance by the President of the United States. The need for Federal matching funds for any specific major disaster event may not encumber PENNCrisis revenues in years beyond the year of the major event.

Section 910. Training, administration and operations.

(a) Specialized staff.—The agency and each administering agency under section 903 shall recruit, train and develop staff specializing in small disaster assistance in their respective program areas. The staff sections shall be deployed by each administering agency in response to a declared small disaster, as directed by the agency. These personnel shall also be available to the agency at the direction of the Governor to respond to any major disaster in this Commonwealth.

(b) Funding for staff.—The agency and each administering agency shall receive \$1,000,000 annually, or as much thereof as is

necessary, from the PENNCrisis Fund to create a permanently staffed small disaster response team. When each agency's small disaster response team is deployed on assignment, the coordinating agency shall reimburse the agency from the PENNCrisis Fund for standard and necessary travel and living costs for each team deployed to the small disaster. Expenditures under this category shall not exceed 10% of the revenue received by the PENNCrisis Fund in a fiscal year.

(c) Authority to approve expenditures.—In response to any small disaster, the agency shall have final authority to approve expenditures of PENNCrisis funds for any additional purposes it deems necessary to small disaster recovery unless the uses are not specifically prohibited by this chapter.

Section 911. Insurance coverage.

All loan recipients shall maintain adequate property insurance coverage for the full value of the subject property for the term of the disaster assistance loan and shall include flood insurance coverage if the property is located within a 100-year flood plain.

Section 2. Section 5102 of the act, amended June 22, 2000 (P.L.475, No.65), is amended to read:

Amend Sec. 1 (Sec. 5102), page 2, line 30, by striking out all of said line and inserting

(d) Public assistance and hazard mitigation.—The sum of \$10,000,000, or as much thereof as may be necessary, is hereby appropriated to the Pennsylvania Emergency Management Agency for the match required for Federal disaster funds for the August and September 1999 disasters for public assistance and hazard mitigation to be allocated by the Office of the Budget among these disasters and programs. This appropriation shall be a continuing appropriation.

(e) Supplemental Individual Assistance Program.—The sum of \$5,000,000 is hereby appropriated from the General Fund for allocation by the Governor for payment of the Commonwealth's share necessary to secure individual and family assistance from the Federal Government under the provisions of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, 88 Stat. 143) and for payment of Supplemental Individual Assistance Program grants authorized pursuant to Chapter 7. This subsection shall be construed in a manner which secures the maximum available Federal funding for individual and family assistance. Any unused funds not needed for purposes of this appropriation shall lapse to the General Fund on June 30, 2000.

(f) Other Federal funding.—Nothing in this act shall supplant or replace any funds otherwise available from the Federal Government.

Amend Sec. 2, page 3, line 1, by striking out "2" and inserting

3

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

The SPEAKER. On the question of the adoption of the amendment, Mr. Michlovic.

Just roll it?

Mr. Bunt, on the amendment.

Mr. BUNT. Mr. Speaker, I urge the members to vote for the amendment, and let us get it out of here and get it over to the Senate and get it over with.

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

The following roll call was recorded:

YEAS—194

Adolph	Evans, D.	Mackereth	Schroder
Allen	Evans, J.	Maher	Schuler
Argall	Fairchild	Maitland	Scrimenti
Armstrong	Feese	Major	Semmel

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

NAYS-1

Miller, S.

NOT VOTING-0

EXCUSED-6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

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

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. Mr. Geist, for what purpose does the gentleman rise?

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

I would like to call a meeting of the Transportation Committee in the back of the chamber at the first recess. Thank you.

The SPEAKER. The Chair thanks the gentleman.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

The SPEAKER. Mr. Semmel.

Mr. SEMMEL. Thank you, Mr. Speaker.

I, too, would like to call a meeting of the Veterans Affairs and Emergency Preparedness Committee at the rear of the hall on the first recess. Thank you.

The SPEAKER. The Chair thanks the gentleman.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 35, PN 33**, entitled:

An Act amending the act of October 22, 1986 (P.L.1452, No.143), known as the Pennsylvania Adult Basic and Literacy Education Act, further providing for short title, for findings and purpose, for definitions, for grant program, for limitations on funding, for interagency coordinating council, for audits and records and for monitoring and reporting.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

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

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 200, PN 2293**, entitled:

An Act reenacting and amending the act of December 20, 1996 (P.L.1504, No.195), known as the Taxpayers' Bill of Rights, further providing for disclosure statement of rights of taxpayers and for the Taxpayers' Rights Advocate; providing for innocent spouse relief and for reports to the General Assembly; and further providing for the expiration date.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Mr. Adolph.
Mr. ADOLPH. Thank you, Mr. Speaker.
I would like to submit a written remark for the record.

The SPEAKER. That is appreciated. You may send that to the desk.

Mr. ADOLPH submitted the following remarks for the Legislative Journal:

Mr. Speaker, the most important of the Senate amendments to HB 200, the Taxpayers' Bill of Rights Act, removed the sunset date of this act, which was set at 2004.

The act expired on December 31, 2000. The Senate amendments would make the bill retroactive to December 30 of last year and remove the expiration date of the act, which had been 2004 under the version of the bill that passed the House.

A section of the bill specifying the reports to be submitted to four Finance Committee chairmen in the General Assembly was changed as well.

The bill spells out that the committee chairpersons will receive reports dealing with the code of ethics, specifically the improper access or disclosure of confidential taxpayer information by Department of Insurance employees.

Thank you, Mr. Speaker.

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 672, PN 2099**, entitled:

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, further providing for reports by charitable organizations, for registration of professional fundraising counsel and contracts, for registration of professional solicitors, for contract and disclosure requirements and for restriction on materials.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 237, PN 1222, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for registration of vehicles, for registration violations and suspensions, for accidents involving overturned vehicles, for permits and for vehicle size, weight and load; and further providing for liquid fuels and fuels tax refunds.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-195

Adolph	Evans, J.	Maher	Schroder
Allen	Fairchild	Maitland	Schuler
Argall	Feese	Major	Scrimenti

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

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

The House proceeded to third consideration of HB 1331, PN 1560, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for furnishing lists of employees to certain State officers.

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

Mr. McCALL offered the following amendment No. A3059:

Amend Title, page 1, line 21, by removing the period after "officers" and inserting

; and providing for membership of the Pennsylvania Public Utility Commission.

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

Section 2. The act is amended by adding a section to read:

Section 2802. Membership.—Not more than three members of the Pennsylvania Public Utility Commission shall be of the same political party.

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

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

The following roll call was recorded:

YEAS—176

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

NAYS—17

Bastian	Habay	Leh	Miller, S.
Benninghoff	Harhart	Maher	Nickol
Birmelin	Harper	McIlhattan	Stevenson, R.

Dally	Hutchinson	Metcalfe	Vance
Egolf			

NOT VOTING—2

Creighton	Maitland
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EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

DeLuca	Lederer	Ross	Yewcic
Dermody	Leh	Rubley	Youngblood
DeWeese	Lescovitz	Ruffing	Yudichak
DiGirolamo	Levdansky	Sainato	Zimmerman
Diven	Lewis	Samuelson	Zug
Donatucci	Lucyk	Santoni	
Eachus	Lynch	Sather	Ryan,
Egolf	Mackereth	Saylor	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

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

SUPPLEMENTAL CALENDAR C

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 967, PN 1108**, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for physician assistant licenses.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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 401, PN 418**, entitled:

An Act amending the act of August 23, 1961 (P.L.1068, No.484), entitled, as reenacted and amended, "An act to provide for the creation and administration of a Coal and Clay Mine Subsidence Insurance Fund within the Department of Environmental Resources for the insurance of compensation for damages to subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; providing penalties for the violation thereof; and making an appropriation," further providing for purpose, for definitions, for disbursements, for inflation protection, for audits by the Insurance Department and for subrogation; establishing the Mine Subsidence Assistance Program; providing for subsidence insurance; and making editorial changes.

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

The **SPEAKER**. The Chair recognizes the gentleman, Mr. DeWeese, who offers an amendment which is presently in your machine under Mr. Solobay's name.

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

Mr. DeWEESE offered the following amendment No. A2941:

Amend Title, page 1, lines 10 and 11, by striking out "by the Insurance Department"

Amend Sec. 1 (Sec. 2), page 3, by inserting between lines 9 and 10

"Abandoned underground mining area." An area determined by the Department of Environmental Protection to be either above or in close proximity to abandoned underground mine workings and periodically published in the Pennsylvania Bulletin.

Amend Sec. 1 (Sec. 2), page 3, lines 16 through 20, by striking out all of said lines

Amend Sec. 1 (Sec. 2), page 4, lines 1 and 2, by striking out all of said lines and inserting

agreement, as defined by department regulation, which is issued by the department.

Amend Sec. 3, page 7, lines 21 and 22, by striking out all of said lines and inserting

Section 3. Sections 12 and 12.1 of the act, amended or added July 10, 1984 (P.L.711, No.151), are amended to read:

Amend Sec. 3 (Sec. 12), page 8, line 12, by inserting after "sought."

The amount of insurance coverage shall not exceed the replacement cost of the insured structure or the maximum amount of coverage established by the fund, whichever is less.

Amend Sec. 3 (Sec. 12), page 9, line 5, by striking out all of said line and inserting

current [market value] replacement cost of the structure or [current statutory

Amend Sec. 3 (Sec. 12), page 9, line 6, by inserting after "limits"] the maximum amount of coverage established by the fund

Amend Sec. 3, page 9, by inserting between lines 20 and 21

Section 12.1. Application for an Increase in Insurance.—

(a) Additions in the amount of insurance, up to the allowable limits, may be made at any time by the subscriber by submitting a written statement to the board or to any of its agents, except during a period when a claim filed by the subscriber is open and pending investigation by the department. Upon receipt of the subscriber's written statement by the board or any of its agents, the board shall have sixty days from the day the request was received to reinspect the structure. If reinspection occurs within the sixty-day period and the structure passes the reinspection, the new amount of insurance shall be effective from the date of premium payment after reinspection. If reinspection does not occur within the sixty-day period, the new amount of insurance shall be effective from the date the subscriber's written request for additional insurance was received by the board or any of its agents, but the additional coverage will be null and void if the applicant fails to remit the premium payment within twenty days from the day the bill for additional premium is postmarked.

(b) The additional insurance may be subjected to later reductions, and premiums adjusted accordingly, if the board determines that the added insurance raises the total amount of insurance in excess of the current [market value] replacement cost of the structure or [current statutory limits] the maximum amount of coverage established by the fund, whichever is less.

(c) The additional insurance shall be void if, upon reinspection of the structure, the board determines that either:

(1) Mine subsidence damage occurred prior to the request of the subscriber for additional insurance.

(2) The subscriber's unreasonable actions or inactions are responsible for the board's failure to reinspect the insured structure within sixty days of receipt of the written request for an increase in the amount of coverage by the board or any of its agents.

Amend Sec. 5 (Sec. 20), page 12, line 5, by striking out all of said line and inserting

average rate of return earned by the fund during the previous five years or six

Amend Sec. 5 (Sec. 20), page 12, lines 7 through 10, by striking out "Loans shall be awarded on" in line 7, all of lines 8 and 9 and "result of a mine subsidence emergency to qualify for a loan." in line 10

Amend Sec. 5 (Sec. 20), page 12, line 14, by striking out "replacement cost" and inserting

market value

Amend Sec. 5 (Sec. 20), page 12, lines 15 and 16, by striking out "coverage limit for" in line 15 and all of line 16

Amend Sec. 5 (Sec. 20), page 12, line 17, by striking out "is lower" and inserting

of coverage established by the fund, whichever is less

Amend Sec. 5 (Sec. 20), page 12, line 18, by inserting after "department"

pursuant to standard criteria utilized by the mortgage banking industry in issuing conventional mortgages, provided that the department may consider other equity interests in real property available to the borrower in addition to the equity in the dwelling for which the loan is applied

Amend Sec. 5 (Sec. 20), page 13, by inserting between lines 4 and 5

(5) Any homeowner who has carried mine subsidence insurance in the past on a dwelling for which assistance under this section is applied shall not be eligible for such assistance if the homeowner has failed to maintain the insurance and coverage is not in effect at the time of the mine subsidence event that caused the damage for which assistance is applied. This paragraph does not apply to homeowners who may apply for assistance as a result of the failure of a mine operator to meet his obligations under "The Bituminous Mine Subsidence and Land Conservation Act."

Amend Sec. 5 (Sec. 20), page 13, line 6, by inserting after "insurance"

and is not ineligible to receive such assistance under subsection (a)(5)

Amend Sec. 5 (Sec. 20), page 13, line 17, by inserting after "loan"

or refund the grant proceeds provided

Amend Sec. 5 (Sec. 20), page 13, by inserting between lines 25 and 26

(d) Loans provided pursuant to this section are not transferable. If a person receiving a loan under this section sells or transfers ownership of the dwelling for which loan assistance has been provided, the person shall pay the fund the outstanding balance due on the loan at the time title to the dwelling is transferred.

Amend Sec. 5 (Sec. 20), page 13, line 26, by striking out "(d)" and inserting

(e)

Amend Sec. 5, page 13, line 30; pages 14 through 18, lines 1 through 30; page 19, lines 1 through 7, by striking out all of said lines on said pages and inserting

Section 20.1. Notice of Risk of Subsidence and Availability of Subsidence Insurance.—(a) Every mortgage lending institution doing business in an abandoned underground mining area shall provide every person applying for a loan for the purchase of a dwelling located within an abandoned underground mining area with notice of the risk of mine subsidence and of the availability of mine subsidence insurance.

(b) The department, with the assistance of the Department of Banking, shall notify mortgage lending institutions described in subsection (a) of abandoned underground mining areas and shall provide them with informational publications about mine subsidence insurance and applications for such insurance for distribution by the lender to every person applying for a mortgage loan if the loan applies to a dwelling located within an abandoned underground mining area.

(c) If a person applying for a mortgage loan for a dwelling located within an abandoned underground mining area declines to purchase mine subsidence insurance after being provided the notice, information and application required by subsections (a) and (b), then the person applying for the mortgage loan shall sign a statement acknowledging that he or she has received the required notice, information and application regarding mine subsidence insurance; has declined to purchase such insurance; and by declining to purchase such insurance waives the right to receive a grant or loan under the program until mine subsidence insurance is purchased. The mortgage lending institution shall forward a copy of the signed statement to the department.

(d) A mortgage lending institution that fails to provide the required notice, information and signed statement required under subsections (a), (b) and (c) shall compensate the mortgagor for the reasonable cost of repairing any actual subsidence damage not covered by subsidence insurance which may result from the failure. It shall not be a defense to an action under this subsection that the mortgage lending institution did not receive the notice from the department under subsection (b).

(e) This section shall apply with respect to a mortgage loan made, increased, extended or renewed on or after the effective date of this section.

Section 21. Department Report.—The department shall make an annual report on the program and on experience with mine subsidence insurance notice requirements to the Environmental Resources and Energy Committee of the Senate and the Environmental Resources and Energy Committee of the House of Representatives.

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

- Belardi, McIlhinney, Reinard, Solobay, Colafella, Petrarca

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

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

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

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

RULES SUSPENDED

The SPEAKER. The Chair turns to House calendar supplemental D, SR 81, a concurrent resolution.

The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that the rules of the House be suspended to allow for the immediate consideration of SR 81.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

RESOLUTION PASSED OVER TEMPORARILY

The SPEAKER. This resolution is over temporarily.

PARLIAMENTARY INQUIRY

The SPEAKER. Mr. Gordner, for what purpose do you rise?
Mr. GORDNER. An inquiry to the Chair.

The last thing we just did is SB 81, and when you pull it up on the calendar, it says it is a bill that is in the Senate Education Committee.

The SPEAKER. No; you are looking in the wrong place, I believe. This is a Senate resolution; it is not a Senate bill.

Mr. GORDNER. Okay.

The SPEAKER. And it is over temporarily.

Mr. GORDNER. Okay. Thank you, Mr. Speaker. The board said SB 81, and I think that is what confused me.

The SPEAKER. I apologize for that.

Mr. GORDNER. Thank you, Mr. Speaker.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 1105, PN 1281, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a surcharge to benefit spinal cord injury research; and establishing the Spinal Cord Injury Research Board.

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

Mr. MAYERNIK offered the following amendment No. A1996:

Amend Title, page 1, line 2, by inserting after "Statutes," prohibiting use of mobile phones under certain circumstances;

Amend Sec. 1, page 1, line 8, by striking out "a section" and inserting sections

Amend Sec. 1, page 1, by inserting between lines 8 and 9 § 3315. Prohibiting use of mobile phones.

(a) Drivers subject to restriction.—No driver with a commercial driver's license bearing a code for a vehicle carrying passengers or a school bus shall operate such vehicle or school bus on a highway of this Commonwealth, which shall include Federal, State and municipal highways while using a mobile phone.

(b) Exceptions.—This section shall not apply to:

(1) law enforcement officers and operators of emergency vehicles when on duty and acting in their official capacities; or

(2) persons who use a mobile phone for the sole purpose of reporting an accident or emergency.

(c) Penalty.—A person who violates subsection (a) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100.

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

"Mobile hands-free phone." Any telecommunications device that receives an analog signal or digital signal, or both, and is designed for use without being held by a person's hand while speaking into the device.

"Mobile phone." Any telecommunications device that receives an analog signal or digital signal, or both, and that is designed for handheld use. The term includes a mobile hands-free phone.

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

The SPEAKER. Mr. Mayernik, is 1996 the amendment you are offering?

Mr. MAYERNIK. That is correct, Mr. Speaker.

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

(Members proceeded to vote.)

The SPEAKER. The question has been asked as to what is on the board. According to my screen, it is amendment A1996 offered by the gentleman, Mr. Mayernik.

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

The following roll call was recorded:

YEAS—99

Table listing names of members who voted 'YEAS' (99 total). Includes names like Adolph, Argall, Bard, etc.

NAYS—94

Table listing names of members who voted 'NAYS' (94 total). Includes names like Allen, Armstrong, Baker, J., etc.

NOT VOTING—2

Table listing names of members who did not vote (2 total): Egolf, Thomas.

EXCUSED—6

Table listing names of members who were excused (6 total): Belardi, Colafella, McIlhinney, Petrarca, Reinard, Solobay.

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

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

The SPEAKER. There is a reconsideration motion coming up. This amendment, we will be back on this.

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

Mr. SURRA offered the following amendment No. A2839:

Amend Title, page 1, line 2, by inserting after "Statutes," further providing for certificate of appointment for inspection stations;

Amend Bill, page 1, lines 7 and 8, by striking out all of said lines and inserting

Section 1. Section 4722 of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read: § 4722. Certificate of appointment.

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

Section 2. Title 75 is amended by adding a section to read:

Amend Bill, page 4, by inserting between lines 21 and 22

Section 3. Pending promulgations of the regulations required by 75 Pa.C.S. § 4722(d), the Department of Transportation is authorized to issue and revoke waivers of the hour requirements for official inspection stations as follows:

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

(i) All relevant station and ownership information.

(ii) The reason for the request.

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

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

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

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

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

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

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

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

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

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

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

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

Amend Sec. 2, page 4, line 22, by striking out "2" and inserting 4

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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. McCALL offered the following amendment No. A2887:

Amend Title, page 1, line 2, by inserting after "providing"
for lighted head lamps in highway work areas and

Amend Sec. 1, page 1, line 8, by striking out "a section" and inserting
sections

Amend Sec. 1, page 1, by inserting between lines 8 and 9
§ 4309. Head lamps in highway work areas.

Head lamps shall be lighted on every vehicle driving through or past a highway work area. The department shall post, or require its contractor to post, at least 1,000 feet in advance of every highway work area, a sign warning drivers to light their vehicle's head lamps for an upcoming highway work area.

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

The following roll call was recorded:

YEAS—176

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

Cruz	Josephs	Robinson	Williams, J.
Curry	Kaiser	Roebuck	Wilt
Dailey	Keller	Rohrer	Wogan
Daley	Kenney	Rooney	Wojnaroski
Dally	Kirkland	Ross	Wright
DeLuca	Krebs	Rubley	Yewcic
Dermody	LaGrotta	Ruffing	Youngblood
DeWeese	Laughlin	Sainato	Yudichak
DiGirolamo	Lawless	Samuelson	Zimmerman
Diven	Lederer	Sather	Zug
Donatucci	Lescovitz	Saylor	
Eachus	Levdansky	Schroder	
Egolf	Lucyk	Schuler	Ryan, Speaker
Evans, D.	Lynch		

NAYS—18

Bastian	Forcier	Maitland	Nickol
Benninghoff	Leh	Manderino	Scrimenti
Birmelin	Lewis	Metcalfe	Steil
Boyes	Mackereth	Miller, R.	Stevenson, R.
Creighton	Maher		

NOT VOTING—1

Santoni

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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. SCHRODER offered the following amendment No. A3071:

Amend Title, page 1, line 2, by inserting after "for"
a trauma center stabilization grant program and its funding and for

Amend Title, page 1, line 3, by striking out "and"
Amend Sec. 1, page 1, line 8, by striking out "a section" and inserting

sections
Amend Sec. 1, page 1, by inserting between lines 8 and 9
§ 1798.5. Trauma center stabilization grant program.

(a) Authorization.—Except as otherwise provided in subsection (c) and notwithstanding any other provision of law to the contrary, the Governor is hereby authorized to transfer funds from the Catastrophic Loss Benefits Continuation Fund established under section 1798.4 (relating to catastrophic loss benefits continuation fund) for the purpose of providing grants to Commonwealth accredited trauma centers to maintain accreditation status. Funds from this fund may be transferred upon approval of the Governor to a restricted account and are hereby appropriated for the provision of grants to Commonwealth accredited trauma centers to maintain accreditation status.

(b) Transfer mechanism.—The transfers shall be upon warrant of the State Treasurer upon requisition of the Governor and shall be for the sole purpose of providing grants to Commonwealth accredited trauma centers.

(c) Exceptions.—This section shall not authorize the Governor to transfer any funds from the Catastrophic Loss Benefits Continuation Fund if the transfer of funds for the purpose contained in this section prevents timely processing and payment of catastrophic loss benefits under section 1798.2 (relating to transition) or loan repayments previously authorized.

(d) Appropriations.—The General Assembly shall annually appropriate the sum of \$18,000,000 beginning with the fiscal year following the year during which the liability for the loan repayments incurred as a result of the centralized emission inspection litigation settlement under section 4706.1 (relating to centralized emission inspection litigation settlement) has been satisfied.

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

POINT OF ORDER

The SPEAKER. Mr. Vitali, on this amendment?

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

The SPEAKER. The gentleman will state it.

Mr. VITALI. Mr. Speaker, I know there is a certain reluctance to have the maker of each amendment read its description, and arguably that is what the rules require. But rather than deal with that issue right now, if at least a pause, a little bit of time, could be given prior to the amendment rolling, at least it would give the members a chance to look at the screen to skim the amendment. I think if we did that, we avoid the problem we had with the Mayernik amendment, which was as the board votes were being tallied, we realized it was the mobile-phone amendment. It only began to sink in in the process of voting. So I would just ask the Speaker, rather than formally asking that the description of the amendment be read, just to just give us a little time prior to calling for the vote.

The SPEAKER. On the question of the adoption of the Schroder amendment, those in favor of the amendment will vote "aye"; opposed— Mr. Schroder, do you desire recognition?

Mr. SCHRODER. Thank you, Mr. Speaker.

The gentleman, Mr. Vitali, should be pleased to know that I was planning on getting up to do just that, give a brief explanation of the amendment.

The SPEAKER. The gentleman is recognized.

Mr. SCHRODER. Mr. Speaker, I had offered this similar amendment on SB 237, and I just want to say for the record that I did not agree to withdraw that amendment even though we went over amendments on that bill.

Nonetheless, this amendment to HB 1105 deals with the trauma systems grant program that I have been working on. You will recall that a couple of weeks ago we passed the enabling legislation for the trauma systems grant, trying to get it in the Commonwealth budget. What we also planned to do was to allow for this program to be funded through the automobile CAT Fund (Catastrophic Loss Trust Fund), and I want to stress that this is the automobile CAT Fund, not the medical malpractice, medical liability CAT Fund that is so much in controversy right now.

What will happen in this amendment is that after the Envirotest settlement is paid off through the auto CAT Fund, the Governor will be allowed to direct the money that is currently going to Envirotest and put it into the trauma center grant program. That should happen on or around August 2003.

That is when the Envirotest payments through this CAT Fund are scheduled to be paid off.

So this will provide a steady, stable, permanent source of funding for the trauma systems grant program, and I ask the House for your support for this amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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. A2966:

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

Amend Bill, page 1, lines 7 and 8, by striking out all of said lines and inserting

Section 1. Section 1901 of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read: § 1901. Exemption of persons, entities and vehicles from fees.

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

Section 2. Title 75 is amended by adding a section to read:

Amend Sec. 2, page 4, line 22, by striking out "2" and inserting 3

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the amendment—

Mr. GEORGE. Thank you, Mr. Speaker.

The SPEAKER. —Mr. George.

Mr. GEORGE. Mr. Speaker, this simply allows that a senior citizen that is retired can get their license, their driver's license, and their maximum income can be at the level of PACE (Pharmaceutical Assistance Contract for the Elderly), which is \$19,200.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Table listing names of members who voted 'YEAS' (195 total): Adolph, Allen, Argall, Armstrong, Baker, J., Baker, M., Bard, Barley, Barrar, Bastian, Bebkco-Jones, Belfanti, Benninghoff, Birmelin, Bishop, Evans, J., Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Godshall, Gordner, Maher, Maitland, Major, Manderino, Mann, Markosek, Marsico, Mayernik, McCall, McGeehan, McGill, McIlhattan, McNaughton, Melio, Metcalfe, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, R., Stevenson, T.

Table listing names of members who did not vote or were excused: Blaum, Boyes, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Cawley, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Coleman, Cornell, Corrigan, Costa, Coy, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Dermody, DeWeese, DiGiolamo, Diven, Donatucci, Eachus, Eglolf, Evans, D., Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Jadlowiec, James, Josephs, Kaiser, Keller, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lewis, Lucyk, Lynch, Mackereth, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Myers, Nailor, Nickol, O'Brien, Oliver, Pallone, Perzel, Petrone, Phillips, Pickett, Pippy, Pistella, Preston, Raymond, Readshaw, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigve, Travaglio, Trello, Trich, Tulli, Vance, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Williams, C., Williams, J., Wilt, Wogan, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Table listing names of members who were excused: Belardi, Colafella, McIlhinney, Petrarca, Reinard, Solobay

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?

AMENDMENT A1996 RECONSIDERED

The SPEAKER. The Chair recognizes the majority leader, who moves that the vote by which amendment 1996 to HB 1105, PN 1281, passed on this 20th day of June be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—195

Table listing names of members who voted 'YEAS' (195 total): Adolph, Allen, Argall, Evans, J., Fairchild, Feese, Maher, Maitland, Major, Schroder, Schuler, Scrimenti

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

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

The clerk read the following amendment No. A1996:

Amend Title, page 1, line 2, by inserting after "Statutes," prohibiting use of mobile phones under certain circumstances;

Amend Sec. 1, page 1, line 8, by striking out "a section" and inserting sections

Amend Sec. 1, page 1, by inserting between lines 8 and 9 § 3315. Prohibiting use of mobile phones.

(a) Drivers subject to restriction.—No driver with a commercial driver's license bearing a code for a vehicle carrying passengers or a school bus shall operate such vehicle or school bus on a highway of this Commonwealth, which shall include Federal, State and municipal highways while using a mobile phone.

(b) Exceptions.—This section shall not apply to:

(1) law enforcement officers and operators of emergency vehicles when on duty and acting in their official capacities; or

(2) persons who use a mobile phone for the sole purpose of reporting an accident or emergency.

(c) Penalty.—A person who violates subsection (a) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100.

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

"Mobile hands-free phone." Any telecommunications device that receives an analog signal or digital signal, or both, and is designed for use without being held by a person's hand while speaking into the device.

"Mobile phone." Any telecommunications device that receives an analog signal or digital signal, or both, and that is designed for handheld use. The term includes a mobile hands-free phone.

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

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

Mr. MAYERNIK. Could you suspend for a moment, Mr. Speaker, or pass this over temporarily until I get this amendment worked out.

BILL PASSED OVER TEMPORARILY

The SPEAKER. Without objection, the bill together with the amendment will go over temporarily.

SUPPLEMENTAL CALENDAR D

RESOLUTION

Mr. PERZEL called up SR 81, PN 1077, entitled:

A Concurrent Resolution establishing a task force to study issues concerning the renewal and management of this Commonwealth's forests; providing for an advisory committee; and directing the Joint Legislative Air and Water Pollution Control and Conservation Committee to provide administrative support to the task force.

On the question,
Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

SB 877 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Kenney, who moves that the vote by which SB 877, PN 1097, passed on the 20th day of June be reconsidered.

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

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its decision that this bill has been agreed to for the third time.

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Mr. Taylor.

Mr. TAYLOR. Mr. Speaker, I ask that the rules of the House be suspended to permit me to offer an amendment to this Senate bill.

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

The following roll call was recorded:

YEAS—194

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

NAYS—1

Steelman

NOT VOTING—0

EXCUSED—6

- | | | | |
|-----------|------------|---------|---------|
| Belardi | McIlhinney | Reinard | Solobay |
| Colafella | Petrarca | | |

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. TAYLOR offered the following amendment No. A3234:

Amend Sec. 9, page 9, line 11, by striking out "Seven" and inserting

Six

Amend Sec. 9, page 9, by inserting between lines 13 and 14

(4) One representative from organized labor to be appointed by the Governor.

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

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

Mr. TAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to, somewhat technical amendment to this particular bill. When the legislation over in the Senate split two different agencies, the makeup of the advisory board changed. We are just merely putting that back into the format that existed before they became two separate agencies, and that is the industrial resource center and the Ben Franklin Partnership. They used to be one; now they are two separate organizations, and this amendment just clarifies the advisory board representation and now reflects how it used to be prior to this split.

The SPEAKER. Mr. Gordner, on the amendment. The gentleman is recognized.

Mr. GORDNER. Thank you, Mr. Speaker.

For the benefit of my colleagues, the current makeup of the Ben Franklin/IRC Partnership Board contains a member of labor sitting on that board. When this legislation was drafted, it inadvertently left a member or appointee of labor from the board. After some discussion in our caucus, an agreed-to amendment has been offered that would allow for an appointee of the labor community to be on this board, and I would urge my colleagues to support it.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. Thomas, do you desire recognition on this amendment?

Mr. THOMAS. Yes, Mr. Speaker.

Mr. Speaker, I rise in support of the Taylor amendment and want to thank Representative Taylor and the majority leader and those people who were able to identify this oversight and corrected it. Labor is a very important part of the Ben Franklin Partnership, and I urge support from both sides of the aisle on the Taylor amendment.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the lady, Mrs. Rubley.

Mrs. RUBLEY. Mr. Speaker, I request that the rules of the House be suspended to allow for the immediate consideration of HB 1289, PN 2292.

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

The following roll call was recorded:

YEAS—194

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

NAYS—1

Steelman

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1289, PN 2292**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for integrated pest management programs in schools.

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

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

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Belardi	McIlhinney	Reinard	Solobay
Colafella	Petrarca		

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.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Mrs. Rubley, do you have remarks for the record?

Mrs. RUBLEY. Yes, I do. Thank you, Mr. Speaker.

The SPEAKER. Kindly send them to the desk.

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

HB 1289, the Pesticide Notification Act, establishes a mandatory Integrated Pest Management Program for schools with a system of parental notification. This legislation is needed to safeguard the health of our children and all school employees by providing parents, employees, and students with advance notification of pesticide applications in school buildings and on school grounds.

Appropriate signage must be posted at the site of a pesticide treatment on school grounds at least 72 hours prior to application and at least 48 hours following a planned treatment. Under the bill's provisions, 7 hours must elapse between the application of pesticides and the presence of students and/or school employees in the building or on the grounds treated.

This bill also requires schools and the Department of Education to develop by July 1, 2002, an Integrated Pest Management Plan (IPM) in conformance with Department of Agriculture policies or regulations. IPM calls for a hierarchical approach to pest management, ranging from prevention techniques, such as better housekeeping, to less toxic treatments, to the use of chemicals as a last resort. School districts using IPM have seen a reduction in their overall costs through a reduction in the use of pesticides.

School districts have the option of notifying parents through normal school communications or through other means deemed appropriate by the district.

This is an important piece of legislation that has been debated for many years. I am pleased to report that the many groups involved are in agreement with the contents of this bill. The times has come for us to focus on what is best for our children and support this legislation.

Thank you, Mr. Speaker.

**INTERGOVERNMENTAL AFFAIRS
COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Raymond.

Mr. RAYMOND. Thank you, Mr. Speaker.

Mr. Speaker, I would like to call a meeting of the House Intergovernmental Affairs Committee in the rear of the House at the break.

The SPEAKER. The Chair thanks the gentleman.

At the break, remember that Mr. Geist had called a meeting of Transportation. Mr. Semmel had called a meeting of Veterans Affairs.

BILLS SIGNED BY SPEAKER

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

HB 200, PN 2293

An Act reenacting and amending the act of December 20, 1996 (P.L.1504, No.195), known as the Taxpayers' Bill of Rights, further providing for disclosure statement of rights of taxpayers and for the Taxpayers' Rights Advocate; providing for innocent spouse relief and for reports to the General Assembly; and further providing for the expiration date.

HB 672, PN 2099

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, further providing for reports by charitable organizations, for registration of professional fundraising counsel and contracts, for registration of professional solicitors, for contract and disclosure requirements and for restriction on materials.

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

ANNOUNCEMENT BY CHIEF CLERK

The SPEAKER. The Chair at this time recognizes the Chief Clerk for the purpose of giving dining instructions.

The CHIEF CLERK. The caucuses will be served in room 60 and in room 140; the staff will be served in the North Office Building in hearing room No. 1, and we are going to be breaking, so you can proceed to those areas.

The SPEAKER. The members are eating in their respective caucus rooms. The— I am going to stop this food business.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Mr. Barley, you are recognized.

Mr. BARLEY. I am sorry, Mr. Speaker, but I felt I had to interrupt before the enthusiasm of dinner would overtake everyone in the chamber, because at the call of recess or the dinner bell, whichever, I need an Appropriations meeting, and I would like to have it immediately upon that recess, in the conference room of the majority Appropriations room.

The SPEAKER. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen, please.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be a Democratic caucus immediately upon the recess. We have a very comprehensive Conference Committee Report on SB 485, which amends the School Code.

VOTE CORRECTION

The SPEAKER. Mr. Santoni.

Mr. SANTONI. To correct the record, Mr. Speaker, if appropriate.

The SPEAKER. The gentleman may proceed.

There are no further votes. When the recess is declared, we are asking that you be back here promptly at 7 o'clock.

Mr. Santoni; I apologize.

Mr. SANTONI. Thank you, Mr. Speaker.

On amendment 2887 to HB 1105, my switch malfunctioned. I would like to be recorded as voting in the affirmative.

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

RECESS

The SPEAKER. Any further notices? Corrections to the record? Advice of the Republican or Democratic floor leaders?

Hearing none, this House stands in recess until 7 p.m., unless sooner recalled by the Chair or extended by the Chair.

RECESS EXTENDED

The time of recess was extended until 7:30 p.m.; further extended until 8 p.m.; further extended until 8:15 p.m.

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(PATRICIA H. VANCE) PRESIDING****SENATE MESSAGE****REPORT OF COMMITTEE OF CONFERENCE
ADOPTED BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **SB 1, PN 1234**.

**BILL REPORTED AND REREFERRED TO
COMMITTEE ON LOCAL GOVERNMENT**

HB 1784, PN 2279

By Rep. KENNEY

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

URBAN AFFAIRS.

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 188, PN 168

By Rep. KENNEY

An Act amending the act of March 7, 1901 (P.L.20, No.14), referred to as the Second Class City Law, further providing for duties of mayor.

URBAN AFFAIRS.

HB 1590, PN 1944

By Rep. GEIST

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

TRANSPORTATION.

HB 1706, PN 2117

By Rep. SEMMEL

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for contributions to Korea/Vietnam Memorial National Education Center.

VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS.

BILLS REREPORTED FROM COMMITTEES

HB 152, PN 2333 (Amended)

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding and amending definitions; further providing for certificates of title; providing for salvage, theft and reconstructed vehicles; further providing for registration of vehicles, for stopping, standing and parking, for abandonment and stripping of vehicles and for reports by police; providing for restitution of property owners; and further providing for inspection requirements, for official inspection stations, for abandoned vehicles and cargos and for messenger service.

TRANSPORTATION.

HB 729, PN 2262

By Rep. BARLEY

An Act designating a bridge on State Route 1017, over the north branch of Tunkhannock Creek, as the Nicholson Borough Veterans Memorial Bridge; and designating a bridge on State Route 33 over the Lehigh River in Northampton County as the Gene Hartzell Memorial Bridge.

APPROPRIATIONS.

HB 924, PN 2255

By Rep. BARLEY

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for district election boards, for appointment of watchers, for manner of signing nominating petitions or papers and for number of signers required for nomination petitions for candidates at primaries.

APPROPRIATIONS.

HB 1057, PN 1211

By Rep. BARLEY

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

APPROPRIATIONS.

HB 1763, PN 2261

By Rep. BARLEY

An Act designating a section of State Route 1011 in Clearfield, Cameron and Elk Counties as the Quehanna Highway.

APPROPRIATIONS.

SB 634, PN 1238 (Amended)

By Rep. BARLEY

An Act providing for the capital budget for the fiscal year 2001-2002.

APPROPRIATIONS.

SB 971, PN 1140

By Rep. BARLEY

An Act amending the act of December 19, 1997 (P.L.623, No.66), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the City of McKeesport a tract of land situate in the Seventh Ward, City of McKeesport, Allegheny County, and to sell and convey to Smithfield Township certain land situate in the Township of Smithfield, Huntingdon County; and authorizing and directing the Department of General Services, with the approval of the Governor, to convey tracts of land and buildings, consisting of a portion of the former Laurelton Center, located in Hartley Township, Union County, Pennsylvania," further providing authorization for the Smithfield Township, Huntingdon County conveyance.

APPROPRIATIONS.

SB 976, PN 1143

By Rep. BARLEY

An Act amending the act of July 1, 1985 (P.L.120, No.32), entitled "An act creating a special fund in the Treasury Department for use in attracting major industry into this Commonwealth; establishing a procedure for the appropriation and use of moneys in the fund; establishing the Tax Stabilization Reserve Fund; and providing for expenditures from such account," providing for transfer of portion of revenue surplus; further providing for funding; and making a repeal.

APPROPRIATIONS.

SUPPLEMENTAL CALENDAR F

RESOLUTION PURSUANT TO RULE 35

Mr. DiGIROLAMO called up **HR 259, PN 2329**, entitled:

A Resolution urging the majority owners of the Philadelphia 76ers to retain Pat Croce as team president.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—188

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

NAYS—5

Krebs	Miller, R.	Nickol	Wogan
Mackereth			

NOT VOTING—3

Butkovitz Robinson Vitali

EXCUSED—5

Belardi McIlhinney Petrarca Reinard
Colafella

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

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair notices the presence on the floor of the House of the gentleman, Mr. Solobay, and he will be added to the master roll.

SUPPLEMENTAL CALENDAR G

BILL ON CONCURRENCE
IN SENATE AMENDMENTS
AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 1176, PN 1363**, as further amended by the House Rules Committee:

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

On the question,

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

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

Mr. VITALI. Thank you, Madam Speaker.

That is not showing up on our screens yet. Could we just have a brief explanation of what that is?

The SPEAKER pro tempore. The information, sir, is on the screen.

On the question recurring,

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

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Belardi McIlhinney Petrarca Reinard
Colafella

The two-thirds 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.

HOUSE RESOLUTION
INTRODUCED AND REFERRED

No. 262 By Representatives KENNEY, J. TAYLOR, BUTKOVITZ and KELLER

A Resolution directing the Subcommittee on Cities, Counties - First Class of the Urban Affairs Committee as part of its investigation into problems relating to school violence and possession of weapons in the Philadelphia School District to examine the issue of student tardiness as it impacts attendance and truancy, school safety and the overall learning environment and to make recommendations on how to best address the issue.

Referred to Committee on RULES, June 20, 2001.

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Barley, for the purpose of suspension of the rules.

Mr. BARLEY. Madam Speaker, I move that the rules of the House be suspended in order to immediately consider SB 1.

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

The following roll call was recorded:

YEAS—184

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

NAYS—12

Curry	Hutchinson	Pallone	Steelman
Freeman	Josephs	Samuelson	Vitali
Hanna	Manderino	Schroder	Williams, C.

NOT VOTING—0

EXCUSED—5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

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

SUPPLEMENTAL CALENDAR E

REPORT OF COMMITTEE OF CONFERENCE

Mr. BARLEY called up for consideration the following Report of the Committee of Conference on **SB 1, PN 1234**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 2001, to June 30, 2002, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2001; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund and the Ben Franklin Technology Development Authority Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2001, to June 30, 2002; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2001, to June 30, 2002, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 2001, to June 30, 2002, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2001; and to provide for the additional appropriation of Federal and State funds for the Executive Department of the Commonwealth for the fiscal year July 1, 2000, to June 30, 2001, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2000.

On the question,
Will the House adopt the report of the committee of conference?

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

(Members proceeded to vote.)

Mr. DeWEESE. Madam Speaker? Madam Speaker?

VOTE STRICKEN

The SPEAKER pro tempore. Strike the vote, please.

PARLIAMENTARY INQUIRY

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

Mr. DeWEESE. Thank you, Madam Speaker.
Madam Speaker, a point of parliamentary inquiry.
The SPEAKER pro tempore. You may proceed.
Mr. DeWEESE. This is the budget?

The SPEAKER pro tempore. You are correct.

Mr. DeWEESE. Well, notwithstanding the inevitability of the outcome, there may be some of our rank and file who would like to make some momentary observations on what is the most important assignment we have each year. So rather than the vertiginous velocity of the Speaker's process going forward, I wanted to throw a monkey wrench in the process at least for 5 minutes and see if someone had a few comments.

So I thank the Chair for allowing us to know what bill was being reported, and if no one later in the evening has any comments, I will have about 5 minutes to share. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Clearfield County, Mr. George.

Mr. GEORGE. Thank you, Madam Speaker.

Madam Speaker, I am not going to be very long, but I know well that what I say will not change one vote. But like you, I was sent down here to do the very best I can.

Now, if I were to say to you, Madam Speaker, that I read this bill so thoroughly that nothing could have been missed, the fact is, Madam Speaker, that there were many things that were missed. If we were to pay through the tax dollar what the volunteer fire people do for us each year, I know it would take a sizable portion of our budget, but we put nothing in. If we were to insist that turnabout is fair play and that for 5 years the big corporates have been benefiting through a generous administration but yet there is nothing in there in a tax break for the general population, I would not be remiss.

And again, Madam Speaker, I do not want to delay this, but there are many things that we could have done with a \$20.3-and-a-quarter-billion budget. There are many things that we could do for those that continually call us or write us and tell us that they need our attention to matters that are very important, to matters where individuals today, even in an affluent society, are overtaxed. For years there have been many of us that have been asking for a tax reduction on real estate and school taxes, and it has not come about.

Can I stand here and say that there is not anything in the budget that does not appeal? No, there are things that I am happy with. The school subsidy money and the smaller school districts will benefit. I thank the majority leader and those that were responsible for that in that our schools have been in need of something like this for a long time. But to go home and tell those that are involved with the State school system that there is no money this year for Lock Haven and Indiana and Shippensburg and the rest of them when we could have used that \$27 million that was put into a private school venture for the use of those State schools, we could have done that.

Maybe someday, Madam Speaker, when the shoe is on the other foot, maybe we will step in the right direction and we will take care of those people that believe we should be down here to care for their needs and their purpose. That is why I intend to vote "no." Thank you, Madam Speaker.

The SPEAKER pro tempore. Let me remind all of the members that during the budget, every speaker can speak once

and there is a 5-minute rule. The clock will be in effect on the board.

The Chair recognizes the gentleman from Mercer County, Mr. Wilt.

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

I appreciate the opportunity to speak on SB 1, the conference committee report. For the information of the members, we have had an opportunity to go through the budget. We have heard around here that it is a tight budget year. There are winners and losers in this process. But I am going to prove to you in the next few minutes that this budget year was not as tight as what we have been told it was. In fact, we have gone through the document, and I am going to explain to the members where some of this money came from and where it went.

If you just look at the bottom line, you can see we are spending about \$379 million over what we spent last year. That is about a 1.86-percent increase, and that sounds pretty reasonable. We can go out and sell that, that we held spending at or below the rate of inflation, but there is more. There is \$330 million that we funded last year in the Century Tax Rebate. It is not being funded this year, but we spent that money somewhere else in this budget. Ninety-six million dollars of tobacco money which we have yet to authorize: if you look in SB 1, we are spending that money in this budget — \$96 million. Twenty-five million dollars that was given to our fire companies last year: it is not in there this year, but we are spending that money somewhere else. Twenty-six million dollars for PEDFA (Pennsylvania Economic Development Financing Authority), cut out of last year's budget, but we did not save the taxpayers \$26 million; we spent that money somewhere else. Five million dollars for our vo-tech schools to buy equipment with: we cut that out of last year's budget, but we did not save the taxpayers \$5 million; we spent that money somewhere else. Six million dollars out of Team Pennsylvania, a program that works well in Pennsylvania: we cut that out of last year's budget for Team PA, but we did not send those tax dollars back to our constituents; we spent it somewhere else. Five million dollars to promote horseracing in Pennsylvania, an industry that employs about 32,000 people: we cut that out of the budget from last year, but we did not save that money; we spent it somewhere else. Five and a half million dollars for our local tourist promotion agencies: we cut that out of last year's budget, but we did not save that money; we spent it somewhere else. There is \$11 million that we used to kick in for our local school districts into the retirement fund. We kicked it in last year; we are not kicking it in this year. But we did not save \$11 million; we spent it somewhere else. There is \$2 million last year that we spent on hepatitis C; we are not spending that money this year, but we are not saving that money either. Three million dollars was spent on the PENNPORTS program from last year. It is a good program; it works well for economic development. We are not spending that money this year in PENNPORTS; we are spending it somewhere else. There is \$1 million in recreational trails that we have used to match Federal funding. We are not spending that money on recreational trails this year; we are spending it somewhere else. And if you look at the line items that help our small business community, there is \$33.2 million missing from this year's budget. Now, we did not send that back to them in tax cuts; we kept the money right here, and we spent it somewhere else. You can look in those line items. Small Business First opportunity

grants, the PIDA (Pennsylvania Industrial Development Authority) program that works well, the Machinery and Equipment Loan Fund — these are all places that we cut money from last year, but we did not cut anything; we just spent that money somewhere else.

Madam Speaker, when you add up all the new spending in this budget, it is \$928 million, only \$240 million of which went back to our public schools. That is \$685 million in money that was spent in our districts last year. It is not being spent there this year, but it is not being given back to the taxpayers either; it is being spent somewhere else.

And, Madam Speaker, the tax cut bill that we are going to pass, oh, it sounds good on paper, but it cuts about 83 cents out of every \$100 bill that we collect here in Pennsylvania. We did not save anybody anything with this budget, and we did not have a tight budget year; we just reshuffled the deck and shifted our priorities.

Madam Speaker, we could have done a lot better for our small business community in this budget, but we let the ball come right down the plate and we whiffed. I am going to urge a nonconcurrency vote on SB 1.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lawrence County, Mr. Sainato.

Mr. SAINATO. Thank you, Madam Speaker.

I rise to make some comments on this year's State budget; give a few remarks.

The past few years we have had some really good budgets in Pennsylvania. We started off this year in the same fashion. I think it is a good budget, but there are a lot of things missing, Madam Speaker. Our previous speaker made some good points. I am a little bit disappointed, Madam Speaker, I am a little disappointed in the \$25 million that is missing in this year's budget to help our volunteer fire departments. About 6 or 7 weeks ago when we initially debated this budget, we put \$43 million in there to help volunteer fire departments and to help municipal fire departments in third-class cities with pay. That is all missing in this year's budget, Madam Speaker. So I am very disappointed in that, but I think we as a legislature still have that obligation to do something for our volunteer fire departments and for our paid fire departments in our cities, and I think we can move forward with that.

There are some things in this budget I am really pleased with. I would like to personally thank Dwight Evans and Appropriations Chairman Barley for their help with my distressed school district and the other six distressed school districts in this State. We got that money put back in here. That was my amendment earlier when we did the first budget process. It is in this budget, and I am thankful for that, because that is very important for the New Castle School District as well as the other six school districts in the State, because that equates to New Castle 4 mills of taxes that we are going to take care of for the people of New Castle. So that is very important, Madam Speaker. I think it is important that we do things to help vo-tech schools.

It is also important that there are business tax cuts in this proposal. I am disappointed though, Madam Speaker, that this year in the budget, last year we had the \$100 Century Rebate. It was not a lot of money, but it meant something. This year there is no tax cut for working Pennsylvanians in this year's budget. As the prior speaker said, we have increased the budget, but

there are no tax cuts for the working men and women of this State. I think we can do better next year. We must concentrate on doing something possibly with the personal income tax cut, and we have to look at ways to keep funding our school systems so we can reduce property taxes. I think that is probably one of the most important issues that affect average families in this Commonwealth.

So, Madam Speaker, as we prepare to pass this budget, I am going to support this budget. I am going to support this budget because of the increase in education funding. Every school district in my district is going to do well, and with our conference committee report, two of them — Neshannock and Union — are going to be getting even more money. So I am very pleased about that. That is always my most important priority in a budget process, being able to deliver money home for our school districts. Now, that involves senior citizens who pay property taxes; that involves kids who get the education. We must never lose track of the fact that while we are doing this, we have to do this for the kids, but we have got to take care of our senior citizens, Madam Speaker.

So as I wrap up my speech, I looked over the whole budget; I felt it was fair, I felt it is going to move this Commonwealth forward, and I felt that we can do some things, and we still have a lot of time throughout this budget year. Hopefully our economy will grow and things will get better and we will have more revenues, but let us not forget the people that pay the taxes in this State — the working men, the working women who get it taken out of their check every 2 weeks. We have not helped them, Madam Speaker, for a long time. They have never had a personal income tax cut, not even a tenth of a percent. Let us look at them next year when we do budget talks, because we have got to do something for them as well. It may not be a lot of money, Madam Speaker, but you know something? They deserve a break, too.

So I am voting for this budget; I would encourage my colleagues to vote for this budget, and let us move forward with Pennsylvania, because we are all in this thing together, and the best thing that can happen is we have a good, strong economy. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Cambria County, Mr. Yewcic.

Mr. YEWIC. Thank you, Madam Speaker.

Will the Appropriations chairman stand for a brief interrogation? The majority.

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. YEWIC. Thank you, Madam Speaker.

On pages 53, 54 of the budget document there is \$5 million being appropriated for bio-infomatics. Can you describe what that is?

Mr. BARLEY. That is a Carnegie Mellon research project. It is a one-time authorization for a new program at Carnegie Mellon, and it is research.

Mr. YEWIC. We do not know what it is, though?

Mr. BARLEY. I am sorry?

Mr. YEWIC. We do not know what that research is?

Mr. BARLEY. I believe it relates to smoking cessation.

Mr. YEWIC. Okay. One other quick question.

In the budget under the general obligation debt service, the Governor's budget had \$758 million, the conference committee

has \$583 million, but last year's available was \$415 million. What is the net increase in that debt obligation that we are setting aside?

Mr. BARLEY. I believe it was— The Governor had proposed to move \$100 million from the line item and do it with bond money for museums. So there would be an additional \$100 million there. There is also some adjustment in that line because of lower interest rates. Obviously, the Feds have been lowering interest rates since the Governor had his budget address on February 4. So I think they would be the two major areas of adjustment. Number one, the Governor did— And that has been publicized by the Governor for the last month or more, and then, of course, the other adjustment would be because of interest rates.

Mr. YEWIC. And one last question. On the last page of the budget, and I do not know if you can answer this, but there is transfer of funds by the Supreme Court for the judicial computer augmentation account. Can you describe that? Does that have to do with the unified court system?

Mr. BARLEY. Yes. I think that was— I believe that we did that over the last number of years where we appropriated money and authorized the Supreme Court to upgrade their computerization. So I think that is a continuation of what we have done. We are notified of that, both the, or actually all four Appropriations Committee chairmen receive notice of that as that program is implemented.

Mr. YEWIC. Is that the program where they are going to computerize the criminal side of the court systems in all the counties?

Mr. BARLEY. They are computerizing, yes, whether—

Mr. YEWIC. Clerk of courts—

Mr. BARLEY. Yeah.

Mr. YEWIC. —magistrates?

Mr. BARLEY. Yeah; yes.

Mr. YEWIC. Okay. Thank you, Madam Speaker. No further questions.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Berks County, Mr. Rohrer.

Mr. ROHRER. Thank you, Madam Speaker.

Madam Speaker, my comments will be brief here this evening, which I think will be good for everybody. There will be numerous comments, I am sure, but I thought it would be appropriate to kind of review a little bit as we are about to vote this budget.

This budget, as we know, is a composite result of input from the House, input from the Senate, input from the Governor's Office. It does not really reflect all the wishes of the House members, it does not reflect all the wishes of the Senate, or necessarily all the wishes of the Governor. As a result, it is a composite budget bill that is before us for our vote. As such, it represents a policy that is put together by numerous people, and that is what I think we have to look at, and I will not look at just that part of it, Madam Speaker.

The budget bill is a policy bill; it is an economic bill. It determines what we are going to spend for this next year. I have a problem with the way this bill in its current form is put together and I know many of us do as well, simply because it spends more than we ought to be spending. Back many months ago when the Governor made his recommendation for a budget, he recommended a budget that was about \$100 million,

essentially about \$200 million more than what this budget is. A group of us, Madam Speaker, sat down and we looked and said, what really should we be doing when we put together a budget for 2001 and 2002? What can we do for the benefit of the people of this State? We can spend more, or we can spend more wisely; we can make some tax cuts; we can do numerous things, but it is going to take some choices. We put together, Madam Speaker, an amendment, which this House voted on, that would have spent about \$300 million more but would have eliminated the inheritance tax. That was something every member in this House said they were in favor of doing. We could have done that, Madam Speaker.

We also said that we were not going to have the revenue that was forecasted by the Governor, because we looked at the numbers. Over the months since January, that has come clear that the revenue in fact was not there, so this budget reflects a reduction. But just as Representative Wilt had said, it really represents over a billion dollars' worth of new funding, not total funding over last year, but new funding over when you make the cuts and then you add to it, it is over a billion dollars. That is an awful lot of money. We only needed about \$300 million more to do everything we needed to in this State, including our special ed, including basic ed, including other things, and we still could have eliminated the inheritance tax. We made an error, I believe, by so doing.

The budget is now going to be, when it passes, almost \$20.7 billion. We have not given the tax cuts we needed to. We should have made deeper business tax cuts, we should have gone after elimination of the inheritance tax, to do for this State what really would have benefited in the long run, and we have failed to do that.

The budget is not as bad as it could have been, but we surely know that it is not as good as it could have been, and we have not helped the people of this State like we should have on the long term by dealing with such issues as our inheritance tax, in reducing onerous business taxes, which affects every employee of this State and every employer.

So for that, Madam Speaker, I will be casting a "no" vote to concurrence, and I do not know what the rest of the members will be doing, but there are plenty of reasons to do that, and I would ask the members of the House to consider that. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Butler County, Mr. Metcalfe.

Mr. METCALFE. Thank you, Madam Speaker.

Today, once again, as I have before, I ask that you consider all of the hardworking men and women of our State, the taxpayers of Pennsylvania, who will pay for this budget.

I thank the Governor and I thank the leadership for moving slightly in our direction. As many of you know, there were 17 of us this year that called for a zero-percent-growth budget, and I think this may be historic, at least within the last decade or so. I am not sure about the budgets before I arrived. But it is nice to see that our budget is actually less than the Governor originally proposed this year. So I do commend the Governor and commend the leadership for moving in the right direction in regards to trying to trim spending a small amount, although from the Governor's original spending proposal we only trimmed about \$82 million. We are still spending in excess of

\$379 million in new money this year; \$379 million more this year, in this year's budget.

This budget still increases spending since 1990 by 67 percent. From 1994 to 1999, Pennsylvania General Fund spending outpaced the rate of inflation by 88 percent; 88 percent that it outpaced inflation. This increased level of spending promoted with each successive budget is only sustained through excessive and oppressive taxation on the taxpayers of Pennsylvania.

The extravagant spending habits of our State have had a direct impact on stifling the creation of good jobs here in Pennsylvania, which is reflected in a recent report — I do not know if you all have had time to look at it or not; I know there are a lot of reports that come across your desk and a lot that are available on the Internet — but a recent report by the U.S. Department of Commerce. That study reports that Pennsylvania is among the worst States in the U.S. for growth of the gross State product. The result, as evidenced in our census, is captured by the new term “brain drain,” and we see in the budget a new line item for brain gain, I believe it is. I think the brain drain is better termed “youth drain.” We are draining the youth off of the State of Pennsylvania. They are fleeing the State in search of good jobs that are being created elsewhere.

While our spending has increased, our population growth has plateaued, as you know from the census results. When compared to the rest of the nation, our population growth lags well behind the national average.

Pennsylvania's population growth from 1990—Madam Speaker, I am having a hard time hearing myself at this point.

The SPEAKER pro tempore. Could we have order in the House. The gentleman has a right to be heard, please.

Mr. METCALFE. At least to hear myself.

Pennsylvania's population growth from 1990 to 2000 was only 3.4 percent compared to an 11.4-percent population growth for the United States. The population growth for the nation was more than three times that of our Commonwealth; three times. What are we doing in Pennsylvania that is creating a situation where we do not have population growth?

If we really want to see jobs created, good jobs, in Pennsylvania; if we really desire to see an end to the brain drain, the youth drain; if our hope is really for our children to be able to remain and prosper here, we must reduce spending and truly cut taxes, cutting taxes in the way of our proposal earlier this year — to eliminate the inheritance tax; to reduce the capital stock and franchise tax and ultimately eliminate it, the job-crushing capital stock and franchise tax, one that we are not touching now in this budget.

As I have met with business owners, the job creators, they unanimously agree on what is needed to create more good jobs. We would see more good jobs created if tax rates were significantly reduced. We should eliminate the death tax and the job-crushing capital stock and franchise tax this year.

I ask that you ignore the special interest groups this year, in this budget, and pay attention to the group who is paying the bill — the taxpayers. I ask you to send a message through a “no” vote on this budget, a message that will tell Harrisburg that we need to spend less so that Pennsylvania's families can keep more of what they have earned.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Mr. Trello.

Mr. TRELLO. Thank you, Madam Speaker.

Madam Speaker, there are a number of things in this budget that are really disappointing to many of us. Number one, there is no money, State money, for the LIHEAP program (Low-Income Home Energy Assistance Program), which means that a number of our low-income senior citizens will have to go without heat this year. There is no State funding for the WIC program — women, infants, and children program. There is no money for classroom reduction.

But the biggest disappointment of all, Madam Speaker, the biggest problem each and every one of us has in this Assembly is real estate taxes, our school taxes, back in our district. There are no funds to increase reimbursement for school districts for new buildings or to repair. There are 30 percent of our schools in Pennsylvania that are teaching in trailers. There are 30 percent of our schools that are teaching, some of them, with no air conditioning or inadequate heat for the wintertime. When this Governor took office 6 1/2 years ago, our 501 school districts were paying about \$500 million in school taxes. Six and a half years later, that goes to \$2.2 billion in school taxes. This budget is going to hurt every citizen in Pennsylvania. It is going to cause local government, our school districts, to increase more taxes to make the repairs on these schools so that the students there can have an atmosphere where they can properly learn.

This is my 27th budget, and I know how important budgets are, because it keeps the wheels of government turning and keeps our men and women working on projects that benefit the taxpayers of Pennsylvania. I am going to vote for it, but out of the 27 budgets that I have had the pleasure of voting for, this is absolutely the worst budget I have seen in all my years in Harrisburg. I am not going to ask anybody to vote for it or against it. But it is not worth voting for, but I know we have to pass a budget.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Madam Speaker.

I would like to use my time to focus in on one appropriation, a very small but I feel important appropriation, that was removed in conference committee, and that was a \$200,000 appropriation to fund a line item in the Department of Environmental Protection to do a study, an inventory, and an action plan on global climate change.

Madam Speaker, there is a growing body of scientists who feel that this issue, climate change, is perhaps the most important environmental issue facing the planet, and it is unfortunate that this budget does not allocate moneys for that. It is particularly important because Pennsylvania as a State produces a full 1 percent of the world's greenhouse gases, and there are many things Pennsylvania can do to reduce its greenhouse gas emissions, but it first needs an action plan, and the appropriation that was in this budget could have helped fund that.

Madam Speaker, 19 States, including New Jersey, have these action plans. Madam Speaker, these plans inventory greenhouse gases on an annual basis and set target reduction goals. This is

particularly important because of the inaction we are seeing at the Federal level on this issue.

The consequences of this are very severe, Madam Speaker. The Intergovernmental Panel on Climate Change, established by the United Nations, which consists of 2,500 scientists, forecasts very severe consequences — increases in the earth's temperature of up to 10 degrees in the next 100 years, which could result in massive flooding, droughts, increase in disease; very catastrophic consequences.

Madam Speaker, my hope is that this General Assembly could find funds in the future to fund this most important issue. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lancaster County, Mr. Sturla.

Mr. STURLA. Thank you, Madam Speaker.

Madam Speaker, much like previous Republican budgets which I voted against, this budget contains no relief for local property taxes. This budget provides no dollars for municipal fire departments. There is no funding for the WIC program. There is no State funding in this budget for Head Start, no funding for full-day kindergarten, no funding for reduced class sizes in grades K through 3. But I have come to expect that from this Governor and the Republican majorities in both the House and the Senate.

What is different about this budget is that for the first time in the past 6 or 7 years, there is actually a serious commitment, albeit a one-time commitment, to special education funding and basic education funding, and in an attempt to try and encourage the Governor and my Republican colleagues to continue this trend, I intend to vote "yes" on this budget, and I would urge everyone to do so.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Delaware County, Mr. Adolph.

Mr. ADOLPH. Thank you, Madam Speaker.

Madam Speaker, there is no budget that is perfect. It is easy to find a line item or two in a \$20-billion budget that you may disagree with how that money is spent, and I find it kind of ironic how some of my colleagues can go through that budget and think that this is a tough budget, one of the worst budgets that they have ever seen. I would just like to remind them of 1990-1991 when we did not have these types of surpluses and money available for these programs.

I noticed that some of my colleagues said, well, where was this money spent this year? Well, I want to thank my leadership and the Democratic leadership, the bipartisan support, and the administration for the \$50,000 that they found additional for the Epilepsy Foundation of Pennsylvania. The thousands of people that are affected by this disease thank them as well, and I would be remiss if I did not thank leadership and the administration for appropriating \$500,000 for the Epilepsy Foundation.

As far as there is nothing in this for the working people, well, if you are a family of four and you have income of \$30,000, you are not going to pay any Pennsylvania income tax — not \$1, not \$5, not \$10. If you earn \$30,000 and you have a family of four, you are going to be paying no Pennsylvania income tax.

If you are a senior citizen out there, a husband and wife, and you have bank interest and stock dividends or rental income of under \$15,000, not including your Social Security, not including

your pension, you pay no Pennsylvania income tax at all. You compare that type of advantage, tax advantage, for our senior citizens as compared to our surrounding States, and you will not find another State that treats their senior citizens better than we do here in Pennsylvania.

As far as educational proposals, included in this budget is a \$30-million incentive for scholarships for the most disadvantaged children that we have in Pennsylvania. I want to thank our leadership and our administration for this proposal.

I am proud to vote for this budget. I would like to have seen some extra money for suburban school districts in Philadelphia. Someday we are going to address that up here, because I really believe that the suburban areas are not receiving their fair share of State money. But would I vote "no" for this budget because I did not receive everything that I thought our areas or the people of Pennsylvania deserve? No. I think this is a good budget, and I urge my colleagues for an affirmative vote.

Thank you, Madam Speaker.

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

The SPEAKER. The Chair thanks the gentleman. The Chair recognizes the gentleman, Mr. Solobay.

Mr. SOLOBAY. Thank you, Mr. Speaker.

You know, it has been said by quite a few members already this evening, when you are spending \$22 billion, there are obviously a lot of great things that are going on for the people of this Commonwealth, and I agree on that, and there have also been some shortfalls on a lot of issues that have also been discussed, and I agree with that also.

I would probably be remiss if I did not stand up and air my displeasure in the fact that a group of individuals in this Commonwealth that save the Commonwealth taxpayers over \$6 billion a year were left out of this important budget, and that is the firefighter grant program that was passed by this floor and sent to the Senate and obviously was taken out of the budget.

There are a lot of great things that are in this budget, and I think in spite of the fact that the firefighter situation has been left out, I am still going to be a positive vote on the budget. I would hope that we would be able to do something in the near future to try to revive that program and other incentives that would also help the emergency services throughout the Commonwealth.

REMARKS SUBMITTED FOR THE RECORD

Mr. SOLOBAY. Mr. Speaker, also, if I may, I would like to submit some remarks on a bill passed previously this evening, my HB 401.

The SPEAKER. The gentleman is in order and may send them to the desk.

Mr. SOLOBAY submitted the following remarks for the Legislative Journal:

HB 401 would establish the Mine Subsidence Assistance Program, which would help eligible homeowners without subsidence insurance repair their homes when their residences are damaged by subsidence of abandoned mine workings.

Although the Commonwealth of Pennsylvania has a long, storied tradition of mining, particularly in the southwest region of the State, we now face a set of new challenges from that mining history. Over the years, mines have been abandoned, leaving cavernous underground holes, an open invitation for subsidence. However, in the years since these mines lay empty, housing has been built up over them. When the mines subside, or even sag, it creates serious problems for the foundations of these houses, sometimes leading even to collapse.

The MSAP would make grants of up to \$12,000 available for temporary relocation, as well as low-interest loans of up to \$150,000 for repairs for families with homes damaged by subsidence.

In order to combat the spread of the subsidence damage problem and prepare homeowners for the potential cost of repairs to their homes, HB 401 would also require mortgage lending institutions to advise persons applying for loans to purchase homes in abandoned mine areas of the risk of subsidence and provide them with an application for mine subsidence insurance. If a loan applicant declines the coverage, they would not be eligible for a grant or loan should they experience subsidence damage in the future.

The cost of subsidence insurance is very reasonable. On average, \$1,000 worth of coverage costs the homeowner roughly \$1. By putting people on notice, we can help to reduce the number of homeowners caught unaware or unprepared when a subsidence event occurs. The grant and loan program will be a limited, but helpful, backup for those who are unaware of the risk of subsidence and are caught with no or an insufficient amount of insurance to cover unexpected repairs. I urge you to vote in the affirmative on HB 401.

CONSIDERATION OF SB 1 CONTINUED

The SPEAKER. The Chair recognizes the gentleman from Cumberland County, Mr. Gabig.

Mr. GABIG. Thank you, Mr. Speaker.

I agree with the gentleman from Delaware County about the gentle nature of this budget, and I want to congratulate the administration and the leadership for putting together a very good budget. It has the education tax credits, which I think is a great way to get school choice into some of the failing schools. It has a lot of other good things.

However, I early on signed a letter which said I would only support a level-spending budget. I was described when I first got here by the gentleman from Greene County as a doe-eyed freshman, and perhaps it was a doe-eyed mistake on my part, pinning myself into that corner, but I think it is important that I keep my word on that, and I believe I also learned how to count votes, and I do not think it is going to be that major of a deal, Mr. Speaker.

But I want to just explain, Mr. Speaker, why I think it is so important that we concentrate on how our budget affects the overall tax burden on the economy.

If you go back 100 years, the Tax Freedom Day, the day that people had to work to pay all their Federal, State, and local taxes, if you go back to 1900, it was January 23. Now, they did not have Martin Luther King Day, obviously, back then, but it was around Martin Luther King Day, the "set us free, set us free" day. In 1930, the beginning of the New Deal, Tax Freedom Day was February 10, around Abraham Lincoln's birthday, the Great Emancipator. In 1944, the height of World War II, D-day, after the New Deal was in full effect, it was March 28. In 1956, the year of my birth, it was April 3, basically April Fools' Day. In 1971, after the Great Society of the Johnson administration, it was April 14, tax day. In 1981 it was April 22. In 1990, after the Great Communicator and all his tax cuts, he moved it back 2 days to April 20. And in 2001, this

year, it is May 3. So the average American taxpayer has to work until May 3, 123 days out of the year, to pay their Federal, State, and local taxes, and the way that happens is government grows bigger every year than the economy grows, and again, this budget does that. It grows faster than the economy is growing.

So because of that, I am going to be unable to support this otherwise good budget, and I hope that next year we can have a level-spending budget. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to comment on the budget, the portion pertaining to mass transit, and I should say that, unfortunately, this year mass transit has been sort of an orphan child.

We are in a situation these days where we have an energy crisis. Gas prices are going up and up and up. We have raised our fares in the Pittsburgh and Philadelphia areas for mass transit. So the local folks have done their share. However, we see that the normal increase in mass transit funding, which in the last few years has been 3 percent, is not there this year, and the same number, the same amount of money that was received by mass transit last year, will be allocated this year. And unfortunately, with inflation and with the cost of gas prices that affects buses even more than it does passenger vehicles, the mass transit entities in Pennsylvania are being severely hurt and their services are being truncated and the fares must be increased in order to make up for the lack of State funding or, I should say, the lack of the increase in State funding. And this is all on top of the fact that last year we witnessed a severe funding cut due to the PURTA (Public Utility Realty Tax Act) tax situation, the demise of the PURTA tax, which a portion of that funded mass transportation as well as our counties and our school districts and our local municipalities.

However, in an age when we should be encouraging people because of pollution and because of the economy, in an age when we should be encouraging people to ride mass transit in urban areas, where we have people coming off welfare whom we have encouraged to get off welfare, who live in the inner cities and cannot get to the suburban jobs, in an age where we need mass transit more and more each year, we see a situation where our State government through this budget has kept mass transit funding at the same that it has been the previous year, and if we go back a year before that, we see a massive cut, a significant cut in mass transit funding that has never been made up and was promised to have been made up, and that promise was unfortunately not kept.

So this budget, even though I am going to vote for it because of all the other things involved with it, unfortunately has not done a very good job and is not kind to mass transit in Pennsylvania.

I would also say that the money for maglev (magnetic levitation) is not there, and we all know that we are one of two areas in the country right now that are competing for \$1 billion in Federal grants to build a maglev rapid transit system in the Pittsburgh area that would put Pittsburgh on the map again. It would be one of the great things in our nation to have the maglev, which I had an opportunity to ride last December, that travels about 250 miles per hour, where you could go from the airport to downtown Pittsburgh in about 10 minutes. Such a program that would literally put us on the

map again, we are not funding properly from the State government, which I think sends the wrong message to the policymakers in Washington, DC, who have to make a decision between either Pittsburgh or the Washington, DC area, who is competing with us for maglev funds and for this valuable and very important project that would not only put western Pennsylvania on the map, but I think maglev would put the entire State of Pennsylvania on the map, because there simply is no other maglev system other than the prototype system that is in Germany.

So with that, I say that it is unfortunate and I leave the message here that while we cannot do anything about it tonight and while we have tried to do things about it, I have to say that we need to start focusing for next year and we cannot let mass transit suffer next year as we have this year. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny County, Mr. Walko.

Mr. WALKO. Thank you, Mr. Speaker.

I rise to contemplate my vote on this budget. It seems that this is yet another year in which this House of Representatives puts very important and vital things into the budget, then it goes over to the Senate and then into the conference committee, those things are ripped out, and we say, oh, okay; we will just vote "yes," and that is okay; we will work for next year.

There is no State money for LIHEAP. We have energy problems and cost increases in this State. We should be addressing the need for funding, more State funding or any State funding, in that program. There is no funding for the women, infants, and children program; no State money for minority business development at a time when we are investing millions and millions of dollars in State funding, and often some people are not able to take advantage. Their boats are not rising with the tide. I think we should invest in that. And of course, Representative Solobay in his wonderful effort and many others who worked so hard to get funding for the volunteer firefighters grant program and to have that scuttled willy-nilly, with no explanation.

Moreover, another little factor perhaps to some but significant to Pittsburgh, no funding for the river rescue system; again, wonderful developments in the North Side of Pittsburgh, many people from all over the Commonwealth coming and using our rivers, really Commonwealth rivers, and no funding for the river rescue program.

I would reiterate what my colleague, Representative Trello, said about what we are doing today and its impact on local property tax increases. If anybody does not know, Allegheny County has 85,000 appeals pending because people are being taxed out of their homes. In the city of Pittsburgh, there must be at least 35,000 appeals from property tax reassessment, because senior citizens are being forced out of their homes because of the burden of real estate taxes, and we are doing nothing about it with this budget.

Finally, I also would agree very wholeheartedly with my colleague, Representative Markosek, who serves on the board of the Port Authority Transit of Allegheny County. I have many constituents who do not own cars, who need to get to jobs. Now the jobs are all over Allegheny County. They rely on mass transit. For that reason, number one, we need to invest more, not hold even, to help meet the rising cost of mass transit

so that we can provide better access for those people to get to jobs that they need to get.

Finally, the environmental impact of not investing in mass transit. We cannot just keep pouring money and pouring concrete all over this State. We know there is an ozone problem. We know we have an environmental challenge. We have to try to get more cars off those congested highways, get people into buses, be creative on how we design routes, how we invest in the infrastructure, and you cannot do that if State funding is frozen level. That is just not possible.

Finally, another opportunity for Pittsburgh is going to go by the boards if we lose that demonstration maglev project, and it is more than just a message to invest State money in that project. Right now the investment of State money in the project is zero. Not only does that send a message; it also undercuts our efforts. We are going to be second fiddle to the Baltimore-Washington line of the maglev high-speed demonstration project or we could even lose it to some western State, unless we step up to the plate.

Well, we have not done any of that, and I guess I finally decided, I am not going to take it anymore; I am going to vote "no" on this budget. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Any further remarks prior to the floor leaders?

Ms. Steelman.

Ms. STEELMAN. Thank you, Mr. Speaker.

I am going to need all your help to be heard at all.

The SPEAKER. I do not know whether that is your voice or that microphone.

Ms. STEELMAN. It is me.

The SPEAKER. It is a blessing.

Ms. STEELMAN. Yeah.

The SPEAKER. I wish it were contagious earlier tonight.

The Chair, of course, is kidding with the lady.

Ms. Steelman.

Ms. STEELMAN. Mr. Speaker, we have before us a budget that funds the State System of Higher Education, Pennsylvania's own public system of higher education, at a zero-percent increase from last year. We are telling 90,000 students and their parents that the State cannot afford to keep their tuition from going up. We may aspire to being the most expensive State System of Higher Education in the entire country, and if anybody here thinks that that is going to help us keep young people from leaving Pennsylvania, I would say they are sadly mistaken.

Yes, there are some good things in this budget, but the fact that we are punishing our college students by refusing to increase the State System's appropriation overall by as much as \$1 is a sufficiently good reason, I believe, to vote against it.

The SPEAKER. Any further before the leaders? Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

I will be very brief.

After listening to some of the earlier speakers talking about the good old days and zero-growth budgets, I have an observation or two I would like to make.

Back in the good old days, when Tax Freedom Day was in January, we did not have any highways; very few people had cars. People died in their forties, because we did not have prescriptions, and we did not have other programs for senior citizens. And any child who went to school could figure

on going to school for an average of about 7 years, let alone go to a State-owned or State-related college or university where they can receive an excellent education at affordable rates. We did not have police. We had company-owned coal and iron cops and train cops that were paid for by big businessmen.

We did not have a lot of things when January and February were Tax Freedom Day. We did not have nursing homes. We did not have long-term care. We did not have home health care. We did not have a lot of things.

But my point, Mr. Speaker, is that it is so contradictory that most of the speakers that stood up and spoke about their reason to vote against this budget, because it was not a zero-growth budget, were the same individuals that voted a few hours ago to spend a trillion or more dollars on a star wars system that is yet to be proven to work, and I suggest, Mr. Speaker, if the Congress listens to us and heeds that resolution, Tax Freedom Day may well be pushed into July or August next year.

Thank you, Mr. Speaker.

The SPEAKER. Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Speaker.

I just wanted to echo some comments by my colleagues and mention that for the first time, Pennsylvania has changed its school funding formula and included a growth supplement for fast-growing schools; and for the first time, Pennsylvania is providing fast-growing schools with a 10-percent increase in both the school funding formula and special education funding in the same budget year; and for the first time in many decades, the original proposed budget has been cut, reduced by almost \$200 million; and, Mr. Speaker, for the first time in this nation, Pennsylvania is putting heart defibrillators in our schools to help save lives.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Any further comments?

Hearing none, the Chair recognizes the gentleman, Mr. DeWeese.

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

My comments will not be a laceration—

The SPEAKER. Will the gentleman yield, please.

Mr. DeWEESE. Yes.

The SPEAKER. There are entirely too many people congregated in the vicinity of the gentleman, Mr. DeWeese. Please discontinue conversations in that area. The conferences along the wall will please break up.

Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

No acrimony, no pestiferous or snide remarks; just a few brief observations as to why I will vote in the negative tonight.

A lamentation from some of the leaders on this side of the aisle would be that once again there is no structural property tax reform engendered through this proposal. And notwithstanding the vigorous campaign in Monroe County by the previous speaker last year when the Honorable Joe Battisto's campaign juggernaut met defeat, notwithstanding the fact that the young man from Williamsport and a variety of other GOP stalwarts campaigned on property tax reform, we lament tonight that there is absolutely no structural property tax reform, not even the soft-muscled and pasty-faced proposal that gave us the 100 bucks last year. Now, last year was a campaign year, and His Excellency, Governor Ridge, and his GOP mullahs on the other side of the aisle decided to trundle out \$100, \$69 after all

of the tax deprecations. So one of the things that I am confused about still is that there are no property tax structures being altered in this budget.

The feebleness, irresolution, and inaction obvious on the part of the GOP commanders here on the floor relative to class-size reduction is transparently obvious. You have not done anything on full-time kindergarten, and Head Start, notwithstanding Bill Clinton's \$57 million that is still coming into Pennsylvania, we are not matching it with any State dollars. Those things we lament tonight.

And the gentlelady from Indiana County, her comments on our State colleges, our State university system in the Commonwealth, are worthy of repetition. Governor Ridge wants to be number one, Mr. Speaker, in so many ways, and that is laudable, but pretty soon he is going to be number one in what it costs Pennsylvania's blue-collar families to send their kids to Slippery Rock and Millersville and Mansfield State and Kutztown. We have the third most expensive public education in our colleges in the United States of America, and we have had hundreds and hundreds of millions of dollars of surpluses, and the Republican leadership in the House and the Senate and the Governor's Mansion has not reacted.

Now, the implacable tribunal — that is, the Republican leadership team — will hopefully transfix its gaze next year with the help of some of its newer members, although you have had a year and have done very little to change property taxes. We did not expect the eleemosynary influences of Joseph of Arimathea or even Allen Kukovich, but we did expect some of you young hard-chargers to come up with a little property tax help. Monroe County, Williamsport, come on, Mr. Speaker; we thought you guys were going to join the fight, and you did not join the fight, and this budget document reflects the collective lassitude of the Republican freshman class.

We did agree — as a second out of three areas of focus for my remarks tonight, Mr. Speaker — we did agree on special education funding, and we commend the Governor for an increase of approximately 10 percent across the board for special education. In districts like mine, in Greene, Fayette, and Washington, we have had wonderfully successful stories on special ed, and people from other States were migrating into especially the West Greene School District, and the Governor and the Department of Education recognized that, and special education funding has been improved by this document.

The second quick point: After having conversation with the gentleman from Lancaster County, the majority Appropriations chairman, I would also favorably commend the fact that 1.2 million Pennsylvanians of very modest economic means will have a chance to not have to pay personal income tax this year, and that is also something that I would favor.

One last comment that I am happy about, and that is the \$167 million in basic education funding that is included in this document.

But still — and this is emblematic of the last 7 years — no structural change to speak of in the subsidy formula. So kids in Montgomery County, in most of those school districts, or in Mount Lebanon, Fox Chapel, Sewickley, Peters Township, the affluent areas of the suburban Pittsburgh ring, will still be paying 12,000, 13,000, 14,000 bucks a year for their children's education, and folks that live in the urban center and in Greene and Fayette and Washington Counties will be experiencing a \$7,000 or \$8,000 or \$9,000 expenditure for their children's

education. This disparity could have been successfully attacked and eliminated with many of the three-, five-, eight-, and last year nine-hundred-million-dollar surpluses, but that was not to be. This is not the Pennsylvania budget palladium that we would have hoped for in the penultimate year of the Ridge interregnum.

Democratic leaders, at least a couple of us, will no longer be silent coconspirators in what we consider to be a bog of irrationality. Until we do something on property tax reform, until we do something on reducing class sizes, until we start to focus on full-time kindergarten and Head Start, it will be impossible for us to embrace this kind of document. And the State System of Higher Education with not one extra nickel going in to help reduce our tuition is absolutely unacceptable. We did not expect anything visionary, nothing that was jazzy or with a syncopated rhythm. All we wanted was, all we wanted, Mr. Speaker, was a little basic attention on the same things that the Republicans had in their campaign brochures last year.

In just a couple of minutes, you will be treated to a fetid bath of political cliché, but notwithstanding that, I would ask for some of you to make a symbolic gesture tonight with a "no" vote and make certain that the Republican warrior elders of the Republican House leadership team do something next year about property taxes and school class sizes and our System of Higher Education. My vote will be in the negative.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Barley.

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

I would just like to have a few comments about the budget and about the vote that we are about to take here this evening.

Today the good news in Pennsylvania certainly continues. This will be the eighth consecutive year that the Pennsylvania legislature has cut taxes for the taxpayers of Pennsylvania. By doing that, we have shown that here in Pennsylvania, continued prosperity and continued tax relief go hand in hand. By reducing taxes, we give people money to spend and we give businesses room to grow. The resulting economic activity provides new and it provides better jobs, and it allows us to cut taxes again.

In the last few years, some State governments have overcommitted their resources, and now their legislatures are bogged down in acrimony. They are running out of money before they are running out of needs. Our State, the Commonwealth of Pennsylvania, today is in good health financially.

This year's Pennsylvania budget is a blueprint for prosperity, and we continue our work of taking care of Pennsylvania. This plan says to the taxpayers, we are putting you first.

As many of you know, a very high priority of ours is our young people. We want to build a future for them here in Pennsylvania. With the plan that is before us this evening, we will continue that true commitment into the future. We are providing an unprecedented, a record investment in public education with this budget today; a record investment in public education with this budget today.

In addition, with this budget we are also building and we are protecting our communities. We are continuing our increase to the men and women that serve in the State Police. We are making more investment in the agriculture communities of Pennsylvania. There is more commitment in this budget to

women's health needs, and we are taking care of Pennsylvania as we should.

We are investing taxpayers' dollars in our working families. One of the highlights of our tax reduction program is the expansion of the personal income tax forgiveness. Let me just remind you, 7 years ago when Governor Ridge took office and the Republicans took control of the legislature, a family of four earning \$15,000 was exempt from State income tax. Today a family of four earning double that amount, \$30,000, is exempt from personal income tax. The previous speaker said it was 1.2 million Pennsylvanians that are exempt. It is actually 1.2 million Pennsylvania families that are now exempt. They will pay zero State income tax with this budget. This will allow single moms, working moms, working dads, to increase the standard of living that they have for their families.

This budget also takes care of our seniors with more money for PENNCARE and more commitments to our senior centers.

I would just like to commend all of you for the cooperative spirit that we have had throughout the budget process, and I think we have a document before us this evening that we can all vote in the affirmative for. We can stand here this evening and be very, very proud of not only what we are doing for Pennsylvania tonight but what we have done for Pennsylvania over the last 7 years.

I urge all of you to cast an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the report of the committee of conference?

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

The following roll call was recorded:

YEAS—155

Adolph	Freeman	McGeehan	Smith, B.
Allen	Gannon	McGill	Smith, S. H.
Argall	Geist	McIlhattan	Solobay
Baker, J.	Godshall	McNaughton	Staback
Baker, M.	Grucela	Melio	Stairs
Bard	Gruitza	Michlovic	Steil
Barley	Habay	Micozzie	Stern
Barrar	Haluska	Miller, R.	Stetler
Bebko-Jones	Harhai	Miller, S.	Stevenson, T.
Boyes	Harhart	Myers	Strittmatter
Browne	Harper	Nailor	Sturla
Bunt	Hasay	Nickol	Surra
Butkovitz	Hennessey	O'Brien	Tangretti
Buxton	Herman	Oliver	Taylor, E. Z.
Casorio	Hershey	Pallone	Taylor, J.
Cawley	Hess	Perzel	Thomas
Civera	Horsey	Petrone	Tigue
Clark	Hutchinson	Phillips	Travaglio
Clymer	Jadlowiec	Pickett	Trello
Cohen, L. I.	James	Pippy	Trich
Coleman	Kaiser	Pistella	Tulli
Cornell	Keller	Preston	Vance
Corrigan	Kenney	Raymond	Vitali
Costa	Kirkland	Readshaw	Wansacz
Cruz	LaGrotta	Rieger	Washington
Dailey	Laughlin	Roberts	Waters
Daley	Lederer	Ross	Watson
Dally	Lewis	Rubley	Williams, C.
DeLuca	Lucyk	Ruffing	Williams, J.
DiGirolamo	Lynch	Sainato	Wogan
Diven	Mackereth	Samuelson	Wojnaroski
Donatucci	Maher	Santoni	Wright
Eachus	Maitland	Sather	Youngblood

Evans, D.	Major	Saylor	Yudichak
Evans, J.	Mann	Schroder	Zimmerman
Fairchild	Markosek	Schuler	Zug
Fichter	Marsico	Scrimenti	
Fleagle	Mayernik	Semmel	Ryan,
Flick	McCall	Shaner	Speaker
Frankel			

NAYS—41

Armstrong	Creighton	Hanna	Robinson
Bastian	Curry	Josephs	Roebuck
Belfanti	Dermody	Krebs	Rohrer
Benninghoff	DeWeese	Lawless	Rooney
Birmelin	Egolf	Leh	Steelman
Bishop	Feese	Lescovitz	Stevenson, R.
Blaum	Forcier	Levdansky	Veon
Caltagirone	Gabig	Manderino	Walko
Cappelli	George	Metcalfe	Wilt
Cohen, M.	Gordner	Mundy	Yewcic
Coy			

NOT VOTING—0

EXCUSED—5

Belardi	McIlhinney	Petrarca	Reinard
Colafigliola			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. STAIRS presented the Report of the Committee of Conference on **SB 485, PN 1236**.

RULES COMMITTEE MEETING

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

BILLS REREPORTED FROM COMMITTEE

HB 1573, PN 2224

By Rep. PERZEL

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, establishing sanitation standards for animal exhibitions; and requiring physicians and health care facilities to report E. coli infection to the Commonwealth.

RULES.

HB 1673, PN 2059

By Rep. PERZEL

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further defining "safety zone."

RULES.

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 1573, PN 2224; and HB 1673, PN 2059.

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 59, PN 2334 (Amended)

By Rep. PERZEL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, establishing limitations on asbestos-related liabilities relating to certain mergers or consolidations; and providing for the number of judges of courts of common pleas in certain judicial districts and for civil immunity for antidrug and town-watch volunteers.

RULES.

BILLS RECOMMITTED

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

Mr. BARLEY. Mr. Speaker, I move that HB 1673 and HB 1573 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 590, PN 2080**, entitled:

An Act amending the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, further providing for the commissioner's salary and meeting times; providing for delegation of authority to the director; further providing for recordkeeping requirements; eliminating the certification of payrolls; requiring the commissioners to submit an annual report; revising the records retention period; deleting citizenship and oath requirements; further providing for the filling of vacancies; requiring citizenship to be the deciding factor in a case of equal qualifications; eliminating certain requirements for promotion without examination; further providing for the distribution of public notice of examinations and requirements for maintaining eligibility lists and for the procedure for certain eligibles who waive consideration for a promotion, for procedures for filling a position, for the requirements of the probationary period; providing for the expansion of the authority of the director to approve temporary assignments; eliminating certain performance standards; requiring probationary performance evaluations and evaluation forms; further providing for a period of removal from eligibility lists; authorizing the commissioner to impose penalties; and providing copies and notices to the director.

On the question,

Will the House agree to the bill on third consideration?

Mr. HALUSKA offered the following amendment No. A3069:

Amend Title, page 1, line 16, by inserting after "for" residency and for

Amend Sec. 6 (Sec. 501), page 9, line 12, by striking out "Promotion.—Except" and inserting

Promotion.—(a) Except

Amend Sec. 6 (Sec. 501), page 9, lines 29 and 30; page 10, lines 1 through 15, by striking out all of said lines on said pages and inserting Article V.

(b) Persons applying for positions or promotions in the classified service shall be [citizens of the United States and] residents of the Commonwealth, or former residents of the Commonwealth who meet the requirements of this subsection, and where applicable to the administrative district. Former residents of the Commonwealth must have relocated out of State for academic or employment purposes, shall plan to establish Commonwealth residency within six months of beginning employment in the classified service and must have: (1) graduated from a public, private or nonpublic secondary school in the Commonwealth within five years of applying for a position in the classified service; or (2) attended a public, private or nonpublic school in the Commonwealth at least eighty percent of the time while enrolled in grades one through twelve and attended such school within five years of applying for a position in the classified service.

Notwithstanding any of the provisions of this act, whenever an appointing authority finds a lack of a sufficient number of qualified personnel available for appointment to any particular class or classes of positions, [he] the appointing authority may present evidence thereof to the director who may waive the residence [and citizenship] requirements for such class or classes of positions. [A noncitizen appointed pursuant

Amend Sec. 6 (Sec. 501), page 10, line 19, by striking out "The director shall prepare the" and inserting

(c) The director shall prepare the

Amend Sec. 6 (Sec. 501), page 11, line 5, by striking out "The" and inserting

(d) The

Amend Sec. 6 (Sec. 501), page 11, line 21, by inserting before "NOTWITHSTANDING"

(e)

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Belardi	McIlhinney	Petrarca	Reinard
Colaifella			

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

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.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 27, PN 2337 (Amended) By Rep. RAYMOND

A Concurrent Resolution urging support for development of Logstown/Legionville as a Pennsylvania historical park and historical center.

INTERGOVERNMENTAL AFFAIRS.

HR 257, PN 2338 (Amended) By Rep. RAYMOND

A Resolution directing the Committee on Intergovernmental Affairs and the Committee on Labor Relations to examine and study matters relating to the use of Federal and State job training funds by local workforce investment boards and to determine the effectiveness of these boards in providing job training to their targeted populations.

INTERGOVERNMENTAL AFFAIRS.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 1443, PN 2336 (Amended) By Rep. STAIRS

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for cost-of-living increases to annuitants.

EDUCATION.

SENATE MESSAGE

REPORT OF COMMITTEE OF CONFERENCE ADOPTED BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **SB 485, PN 1236.**

BILL SIGNED BY SPEAKER

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

SB 549, PN 569

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.

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

RESOLUTION

Mr. WOGAN called up **HR 247, PN 2239**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a comprehensive study of the regulation of common carriers of passengers in this Commonwealth, including the Philadelphia taxicab medallion program and the First Class City Taxicab Regulatory Fund, to explore and recommend strategies to improve the operations of common carriers of passengers providing service in this Commonwealth.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Evans, J.	Maitland	Schuler
Allen	Fairchild	Major	Scrimenti
Argall	Feese	Manderino	Semmel
Armstrong	Fichter	Mann	Shaner
Baker, J.	Fleagle	Markosek	Smith, B.

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 850, PN 2030**, entitled:

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.

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

Mr. **GEORGE** offered the following amendment No. **A2965**:

Amend Title, page 1, line 5, by removing the period after "beverages" and inserting
; and prohibiting certain practices by telemarketers.

Amend Bill, page 5, by inserting between lines 10 and 11 Section 2. Title 18 is amended by adding a section to read:

§ 7330. Prohibition of certain practices by telemarketers.

(a) Offense defined.—No telemarketer, as defined in section 2 of the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, shall refuse or otherwise fail to disclose the name, city, state and telephone number of the telemarketer after a recipient of a telephone solicitation by the telemarketer requests such information.

(b) Penalty.—A person who violates subsection (a) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$250.

Amend Sec. 2, page 5, line 11, by striking out "2" and inserting
3

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

The **SPEAKER**. The Chair recognizes the gentleman, Mr. Clymer.

Mr. **CLYMER**. Thank you, Mr. Speaker.

Mr. Speaker, would the maker of the amendment stand for a brief interrogation?

The **SPEAKER**. The gentleman, Mr. George, indicates he will stand for interrogation.

Mr. **CLYMER**. Mr. Speaker, certainly I am interested in telemarketers, and anytime I see an amendment or a bill, I say, well, maybe this is a way we can get some of these people out of the system.

But under the definition that I see before me that if a person who is receiving a phone call from a telemarketer, if that person should ask the telemarketer for his name or her name, the city, the State, or the telephone number of the telemarketer after they are on the phone and the telemarketer refuses to give that information, there is a penalty. A person who violates the subsection commits a summary offense.

Well, here is my question: The telemarketer calls me and wants to sell me some screens for the door, and I say to the telemarketer, could you please give me your name, city, State, and telephone number, and the person hangs up. What is my next course of action?

Mr. **GEORGE**. Well, then, Mr. Speaker, I think you would push the pound mark, and that automatically would redial that number that called you. Technology, Mr. Speaker; the greatest in technology.

Mr. **CLYMER**. Mr. Speaker, we understand that the telemarketers are sophisticated enough that they can evade the caller ID, so if they avoid the caller ID, what is my next alternative?

Mr. **GEORGE**. Well, Mr. Speaker, I believe you could go to either Verizon or AT&T, and you could have them check that call, and that call is a matter of record, because the type of call that is used by those telemarketers is a matter of record, so I do not really think there is any problem.

Mr. Speaker, if you want to do the same thing that I think many of us want to do — and I am sure you do — we will stop the

harassment that continues to come forward at various hours to our constituency. That is all I am trying to do, and I would hope you would be in agreement with that.

Mr. CLYMER. Mr. Speaker, if I should get that information, then what is my next step, assuming that we are able to secure that information?

Mr. GEORGE. Well, Mr. Speaker, if it is law, I am sure that we can send notification to the Attorney General. It seems that many of us believe that he is the highest enforcement officer in Pennsylvania, and surely, if there is a violation of the law, he will do something about it. They have a Consumer Advocate employed in that department, and I am very certain that they will take the proper action.

Mr. CLYMER. Mr. Speaker, I have a problem of hundreds of— Assuming that some of the Pennsylvanians can indeed get the telemarketer's address if they can, I do not know how that would be placed on a priority with the Attorney General's Office.

I feel the amendment really is not that enforceable and that it is not going to do the very thing that the maker has indicated in his amendment, and I would ask for a "no" vote.

The SPEAKER. The gentleman, Mr. Wright, from Bucks County.

Mr. WRIGHT. Thank you, Mr. Speaker.

I would like to ask a question of the maker of the amendment, please.

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

Mr. WRIGHT. Along the same lines that were just discussed, what happens if the person who is calling works for the company and they are an out-of-State company? What recourse do we have to prosecute somebody who is calling from another State?

Mr. GEORGE. I do not know what process I could recommend other than the Federal Communications in Washington will have some say over this.

All I know is, Mr. Speaker, that in good conscience you and I voted for this amendment some time ago, and it passed the House unanimously, and all at once now we see some error in judgment, and the only error that I see we would make would be the fact that we would ignore the matter of all of these people that continue to call and there is nothing that can be done about the harassment or whatever they do at various hours.

The SPEAKER. Mr. George, you are debating your amendment. You are under interrogation.

Mr. GEORGE. I apologize.

The SPEAKER. You will have plenty of time to debate and make your comments.

Mr. GEORGE. I apologize.

Mr. WRIGHT. An additional question. As I look at the amendment, the amendment says that the actual person would be guilty and could receive a penalty if found guilty or is it the company?

Mr. GEORGE. It would be the representative who is representing the company would make the company responsible. After all—

Mr. WRIGHT. I would assume that means the caller.

Mr. GEORGE. No. I would assume it means the person that he or she works for.

You know, there are certain rights, Mr. Speaker, and I am not going to debate it, as the Speaker warned me, but there are

certain rights, and we can stand here all night; I do not want to do that, but there are certain rights that we ought to have as far as our privacy is concerned. We ought to be able to dictate, if you will, Mr. Speaker, when they can call, and if we say we want to know why you are calling at odd hours and they do not tell us, there is certainly, in this technology, a way to handle that. I will not debate it any longer.

Mr. WRIGHT. Thank you, Mr. Speaker.

That is all the questions I have for now.

I just want to raise some points. I think I obviously support the cause that he said he is trying to work towards. I think the amendment has a lot of particular flaws with it, going after, as I read it, going after the particular employee that actually is calling on the phone, which I do not think is whom we really want to go after. I think it is the company.

Also, the vast majority of these calls that are coming to Pennsylvania are coming from out of State, and I am not 100 percent sure that we are going to be very successful at going after them. And in fact, if I remember correctly, sitting on the Consumer Affairs Committee, we have had testimony on these issues, and I think, really, our Attorney General has to go to that particular State where the offense occurred and get their Attorney General involved, and we have heard that that effectively does not happen because the other State does not have the interest that ours would have.

I am very much concerned with many of the particular points here. I do applaud his efforts though, but I think the actual amendment is very flawed. Thank you.

The SPEAKER. The gentleman, Mr. Evans.

Mr. J. EVANS. Thank you, Mr. Speaker.

If I may interrogate the maker of the amendment?

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

Mr. J. EVANS. Mr. Speaker, it is my understanding that most consumers do have the option of not accepting blocked calls in their homes. That to me would eliminate the problem with telemarketers who do not list their telephone number on the caller ID. If you do not accept the call into your residence, would that not take care of the problem and avoid this perhaps unnecessary amendment, Mr. Speaker?

Mr. GEORGE. Mr. Speaker, I do not believe that is entirely accurate. I really believe that you can block calls off by simply adapting a procedure with the company to stop calls, but there is a certain type of calls that come in that if you are not aware of them and they are newly formed, you would not have had a chance to block them. They are just not going to block all calls that are made to your home or to your business, but you can—again, you are absolutely accurate—you can ask for certain calls to be blocked, but there are certain people that take precedence day in and day out, new organizations, new callers, and here is what they continue to do. So, Mr. Speaker, there is a procedure you can use, but it will not work for all of them.

Mr. J. EVANS. Mr. Speaker, I would also agree that sometimes phone calls are annoying from telemarketers that you receive at your residence, but it does seem to me that enforcement would be a big problem with this. If a person fails to give that name or telephone number, it would be very difficult to trace and therefore prosecute, and the prosecutorial aspect would be, to me, very hard to enforce.

Mr. Speaker, that would be all I would have to say on that.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. GEORGE. Mr. Speaker, I am going to respect you and this body tonight. We have just had a very long day, and I can imagine for those who feel inclined not to want to vote for this, that is the way it is going to be, but I am not going to try to belittle their intelligence or even what little I may possess.

Most of us have caller ID, so we do not have to go through a lot of rigmarole to find the number that is calling us. I can guarantee you, if you call me sometime in the evening, I have got your number, because all I have to do is hit a button and up it comes. Now, maybe you cannot afford the high, sophisticated technology that I can, but I worked long and hard as I was young and I saved my money, because I have that caller ID. Thank you, Mr. Speaker.

The SPEAKER. Mr. Wright.

Mr. WRIGHT. Real quick. What I always recommend to everybody, and I try to support these issues, but the best advice that we could possibly give is just hang up; that is all.

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

The following roll call was recorded:

YEAS—111

Bebko-Jones	Freeman	Lucyk	Shaner
Belfanti	George	Manderino	Solobay
Benninghoff	Gordner	Mann	Staback
Bishop	Grucela	Markosek	Stairs
Blaum	Gruitza	Mayermik	Steelman
Browne	Habay	McCall	Stetler
Butkovitz	Haluska	McGeehan	Sturla
Buxton	Hanna	Melio	Surra
Caltagirone	Harhai	Michlovic	Tangretti
Casorio	Hasay	Mundy	Thomas
Cawley	Hennessey	Myers	Tigue
Civera	Herman	Oliver	Travaglio
Cohen, M.	Horshey	Pallone	Trelo
Cornell	Jadlowiec	Petrone	Trich
Corrigan	James	Pistella	Veon
Costa	Josephs	Preston	Vitali
Coy	Kaiser	Readshaw	Walke
Cruz	Keller	Rieger	Wansacz
Curry	Kenney	Roberts	Washington
Daley	Kirkland	Robinson	Waters
DeLuca	Krebs	Roebuck	Williams, J.
Dermody	LaGrotta	Rooney	Wojnaroski
DeWeese	Laughlin	Ruffing	Yewcic
DiGirolamo	Lawless	Sainato	Youngblood
Diven	Lederer	Samuelson	Yudichak
Donatucci	Leh	Santoni	Ryan,
Eachus	Lescovitz	Schroder	Speaker
Evans, D.	Levdansky	Scrimenti	
Frankel			

NAYS—80

Adolph	Fairchild	Major	Saylor
Allen	Feese	Marsico	Schuler
Baker, J.	Fichter	McGill	Semmel
Baker, M.	Fleagle	McIlhattan	Smith, B.
Bard	Flick	McNaughton	Steil
Barley	Forcier	Metcalfe	Stern
Barrar	Gabig	Micozzie	Stevenson, R.
Bastian	Gannon	Miller, R.	Stevenson, T.
Birmelin	Geist	Miller, S.	Strittmatter
Boyes	Godshall	Nailor	Taylor, E. Z.
Bunt	Harhart	Nickol	Taylor, J.
Cappelli	Harper	O'Brien	Tulli
Clark	Hershey	Perzel	Vance

Clymer	Hess	Pickett	Watson
Cohen, L. I.	Hutchinson	Pippy	Williams, C.
Coleman	Lewis	Raymond	Wilt
Creighton	Lynch	Rohrer	Wogan
Dailey	Mackereth	Ross	Wright
Dally	Maher	Rublely	Zimmerman
Evans, J.	Maitland	Sather	Zug

NOT VOTING—5

Argall	Egolf	Phillips	Smith, S. H.
Armstrong			

EXCUSED—5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

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

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

RULES SUSPENDED

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

Mr. GANNON. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of an amendment.

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

The following roll call was recorded:

YEAS—195

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

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

NAYS-1

Steelman

NOT VOTING-0

EXCUSED-5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

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

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

Mr. GANNON offered the following amendment No. A3232:

Amend Sec. 1 (Sec. 6308), page 2, by inserting between lines 14 and 15

(ii) The individual does not, in response to a request by a person licensed to sell liquor or malt or brewed beverages, orally misrepresent the individual's age.

Amend Sec. 1 (Sec. 6308), page 2, line 15, by striking out "(II)" and inserting

(iii)

Amend Sec. 1 (Sec. 6308), page 2, line 22, by striking out "(III)" and inserting

(iv)

Amend Sec. 1 (Sec. 6308), page 2, line 24, by striking out "(IV)" and inserting

(v)

Amend Sec. 1 (Sec. 6308), page 2, line 26, by striking out "(V)" and inserting

(vi)

Amend Sec. 1 (Sec. 6308), page 3, line 16, by striking out "(3)" and inserting

(3)(ii)

Amend Sec. 1 (Sec. 6310), page 4, by inserting between lines 6 and 7

(ii) The individual does not, in response to a request by a person licensed to sell liquor or malt or

brewed beverages, orally misrepresent the individual's age.

Amend Sec. 1 (Sec. 6310), page 4, line 7, by striking out "(II)" and inserting

(iii)

Amend Sec. 1 (Sec. 6310), page 4, line 14, by striking out "(III)" and inserting

(iv)

Amend Sec. 1 (Sec. 6310), page 4, line 16, by striking out "(IV)" and inserting

(v)

Amend Sec. 1 (Sec. 6310), page 4, line 18, by striking out "(V)" and inserting

(vi)

Amend Sec. 1 (Sec. 6310), page 5, line 8, by striking out "(3)" and inserting

(3)(ii)

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

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, all this amendment does is says that if an enforcement officer enters a licensed establishment and they are checking enforcement, they are checking compliance, they are doing a compliance check, and that enforcement officer is underage – that is, under 21 – and an employee or the licensee asks that individual how old you are, they cannot misrepresent their age orally to that licensee. Basically, the police officer cannot lie about his age to induce the purchase of alcoholic beverages.

The SPEAKER. On the question of the adoption of the Gannon amendment, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, we think the bill has language in it that will take care of it, but we do support the amendment and would ask the members to vote for the Gannon amendment.

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

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Belardi	Mellhinney	Petrarca	Reinard
Colafella			

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Mr. Vitali, for what purpose do you rise? For final passage?

Mr. VITALI. Yes, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. VITALI. Mr. Speaker, actually, I wanted to interrogate the maker of the bill. I have read it a couple of times, and I am just trying to figure out what it is doing. How does it change—

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

Mr. VITALI. Thank you, Mr. Speaker.

What does this bill do and how does it change existing law?

Mr. CLYMER. Mr. Speaker, what we are providing for is a law enforcement officer between the ages of 18 yet under 21, and that person, who would be a law enforcement officer of the Liquor Control or the State Police or local police, allows them to be properly trained under guidelines under the supervisors under which they serve to go into any liquor license

establishment and to ask for a sale of beverage, and if there is a sale of beverage, then of course, then the citation would take place. We are involving others than just people who are members of the Liquor Control Commission. We are involving local police and State Police, but we are involving a particular and specific age of 18, under 21.

Mr. VITALI. Okay. I was only hearing some of that, but what I did get was this only applies to liquor enforcement people between 18 and 21. What could they not do before this law would be passed and what can they do after?

Mr. CLYMER. Mr. Speaker, what we have here is that the district attorney will certify those who are underage, and I think that is the issue that is so important. It will allow that individual who has been, again, certified by the district attorney to go into a liquor license establishment and ask for the purchase of beverages.

Mr. VITALI. Thank you, Mr. Speaker. That concludes my interrogation.

The SPEAKER. Mr. Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I wondered if the maker of the amendment would stand for brief interrogation?

The SPEAKER. The sponsor of the bill or Mr. Gannon, the maker of that original amendment?

Mr. ROEBUCK. Whoever, Mr. Speaker. It does not matter.

The SPEAKER. Mr. Clymer indicates he will stand for interrogation.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I wondered if you could tell me how many individuals are impacted by this particular language that you propose?

Mr. CLYMER. Mr. Speaker, I do not have a number, to be honest with you, but it would be the employees of the liquor enforcement commission, it would be the interns, and it would be the officers themselves that would be employed and doing these particular checks into the liquor license establishments.

Mr. ROEBUCK. Mr. Speaker, are those who are liquor enforcement agents required to meet the same entry requirements as members of the State Police?

Mr. CLYMER. That they would; yes.

Mr. ROEBUCK. Well, State Police, Mr. Speaker, and if I understand correctly, are required presently to have 2 years of college, so that I am having trouble understanding what category we are dealing with here. If a student graduates at 17 or 18 years old and has 2 years of college, which makes them 20, and they go through training to be a State policeman or a Liquor Control agent, who is impacted by this legislation?

Mr. CLYMER. Mr. Speaker, it is not all State Police that are over age 21, and again, it is interns and employees that could qualify for this position, and they, of course, would be under 21.

Mr. ROEBUCK. I am sorry, Mr. Speaker. I am having trouble hearing the response.

Mr. CLYMER. Mr. Speaker, what I am saying is that not all State Police are age 21, and secondly, it is an employee of the Liquor — it is the Pennsylvania State Police, the Liquor Control enforcement officer, and local enforcement officer. What I am saying is that they can be in that age bracket. I know that specifically you asked about the Pennsylvania State Police, but there are Pennsylvania State Police under the age of 21. They can be enrolled and certified by the district attorney to perform these duties as outlined in the bill.

Mr. ROEBUCK. Again, Mr. Speaker, I guess again I am looking at, what are we actually talking about, Mr. Speaker? We are doing this for a fairly limited number of individuals. I mean, there is a problem. I assume there is a problem; that is why we are doing this. So, I mean, I assume there have to be large numbers or a significant number of individuals who are impacted presently as the law exists. If I am understanding correctly, there has to be — there is some specific problem we are trying to remedy?

Mr. CLYMER. Mr. Speaker, I think that in this hall of the House over the many years we have recognized the fact that alcohol addiction and underage drinking have been a problem. This is just a compliance check. This is another tool in the arsenal that we are using to try to curb DUIs (driving under the influence), unruly driving on the highways, and this is the purpose of it.

I just heard, just not that many days ago, that life is precious and that as many lives as we can save, that is a step in the right direction, and so if we can use these interns from the State Police and other personnel to try and send a message. I have heard many members indicate that we have to send that message, that drinking and driving is not the thing that we want to see occurring in Pennsylvania, and so it is for those reasons that we are looking at HB 850 and seeking support for it today.

Mr. ROEBUCK. Thank you, Mr. Speaker.

If I could just speak on the bill?

The SPEAKER. The gentleman is in order and may continue.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I would like to believe that when we pass legislation, we are doing it because we have a specific problem and we are seeking a specific remedy to a problem. I am not clear from the responses I just got from the gentleman who is speaking on behalf of this bill that we have a problem that needs to be remedied. If I understand correctly, given the current requirements to be a State policeman, which also impacts upon those who are Liquor Control agents, you have to have not only a high school education, you also have to have 2 years of college, which puts you at least, in most cases, at the age of 20, and if you count then the time it takes for training, I am not certain that there is really a problem here we are trying to remedy. It seems to me almost every person who comes into this job is already going to be 21.

Now, I am certainly against underage drinking. I think we ought to do everything we can aggressively do to curtail it, but if we have a problem, let us solve that problem and do it in a way that addresses the problem correctly. I do not believe that this does that, Mr. Speaker, and I would certainly think that we ought to give very serious consideration to adopting legislation that gives the illusion of solving a problem when it really does not solve that problem or address the real issue.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of final passage, the gentleman, Mr. Blaum, is recognized.

Mr. BLAUM. Thank you, Mr. Speaker.

Just to clarify. What this bill does and provides, I think, is a very good piece of legislation. Right now it is against the law for anyone in Pennsylvania to attempt to purchase, purchase, consume, transport, or possess alcoholic beverages under the age of 21. What this bill does is it says you can attempt to

purchase now under the age of 21 if under the supervision of law enforcement, the State Police liquor enforcement agents, and some of those under the age of 21 who will be allowed to attempt to purchase under this bill, as long as they are under the supervision of the State Police, may or may not be law enforcement officials. If you read the bill, it also allows State Police interns, and it exists in several other States, and many times when liquor enforcement agents have bars that repeatedly sell and market alcohol to those under the age of 21, this gives law enforcement a tool to go after that bar which is repeatedly selling to kids.

What the Gannon amendment did was simply say that if the bartender asks that underage person working for law enforcement how old are you, we said that that underage person cannot lie to the licensee, and if they do lie, that that would be a defense that could be used in the licensee's defense.

This is a very good bill. All it does is allow those under the age of 21, 18 to 21, under the supervision of the State Police, to attempt to purchase for the purpose of attempting to curb underage drinking in Pennsylvania, and I would ask for an affirmative vote.

THE SPEAKER PRO TEMPORE (BRETT FEESE) PRESIDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia County, Mr. Horsey.

Mr. HORSEY. Mr. Speaker, I am going to support the bill, but I want to go on record to say this is bad law. It is bad law to use minors in law enforcement when adults are available. You can use a 21-year-old who can pass for 18 to do this type of duty, and it is bad to involve minors, because at some point in time you may have that minor's testimony against an adult and it may mean something in a court of law.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Evans, J.	Maher	Schroder
Allen	Fairchild	Maitland	Schuler
Argall	Feese	Major	Scrimenti
Armstrong	Fichter	Manderino	Semmel
Baker, J.	Fleagle	Mann	Shaner
Baker, M.	Flick	Markosek	Smith, B.
Bard	Forcier	Marsico	Smith, S. H.
Barley	Frankel	Mayernik	Solobay
Barrar	Freeman	McCall	Staback
Bastian	Gabig	McGeehan	Stairs
Bebko-Jones	Gannon	McGill	Steelman
Belfanti	Geist	McIlhattan	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	Thomas
Casorio	Hasay	O'Brien	Tigue
Cawley	Hennessey	Oliver	Trello
Civera	Herman	Pallone	Trich
Clark	Hershey	Perzel	Tulli
Clymer	Hess	Petrone	Vance
Cohen, L. I.	Horse	Phillips	Veon
Cohen, M.	Hutchinson	Pickett	Vitali
Coleman	Jadlowiec	Pippy	Walko
Cornell	James	Pistella	Wansacz
Corrigan	Josephs	Preston	Washington
Coy	Kaiser	Raymond	Waters
Creighton	Keller	Readshaw	Watson
Cruz	Kenney	Rieger	Williams, C.
Curry	Kirkland	Roberts	Williams, J.
Dailey	Krebs	Robinson	Wilt
Daley	LaGrotta	Roebuck	Wogan
Dally	Laughlin	Rohrer	Wojnaroski
DeLuca	Lawless	Rooney	Wright
Dermody	Lederer	Ross	Yewcic
DeWeese	Leh	Rubley	Youngblood
DiGirolamo	Lescovitz	Ruffing	Yudichak
Diven	Levdansky	Sainato	Zimmerman
Donatucci	Lewis	Samuelson	Zug
Eachus	Lucyk	Santoni	
Egolf	Lynch	Sather	Ryan,
Evans, D.	Mackereth	Saylor	Speaker

NAYS-2

Costa	Travaglio
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NOT VOTING-0

EXCUSED-5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

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.

RESOLUTION

Mr. CRUZ called up HR 11, PN 11, entitled:

A Resolution noting with great concern the current conflict between the United States Navy and the citizens of Vieques, Puerto Rico.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-152

Adolph	Evans, J.	Manderino	Semmel
Allen	Fairchild	Mann	Shaner
Argall	Feese	Markosek	Smith, B.
Armstrong	Fichter	Mayernik	Solobay
Baker, J.	Fleagle	McCall	Staback
Baker, M.	Flick	McGeehan	Steelman
Barley	Frankel	McNaughton	Stern
Barrar	Freeman	Michlovic	Stetler

Bebko-Jones	Gannon	Micozzie	Strittmatter
Belfanti	Geist	Miller, R.	Sturla
Birmelin	George	Mundy	Surra
Bishop	Godshall	Myers	Tangretti
Blaum	Grucela	Nailor	Taylor, E. Z.
Browne	Gruitza	Nickol	Taylor, J.
Bunt	Hanna	Oliver	Thomas
Butkovitz	Harhai	Pallone	Tigue
Buxton	Harper	Perzel	Travaglio
Caltagirone	Hasay	Petrone	Trello
Cappelli	Hennessey	Phillips	Trich
Casorio	Herman	Pickett	Vance
Cawley	Hershey	Pistella	Veon
Civera	Hess	Preston	Vitali
Cohen, M.	Horse	Raymond	Walko
Cornell	James	Readshaw	Wansacz
Corrigan	Josephs	Rieger	Washington
Costa	Kaiser	Roberts	Waters
Coy	Keller	Robinson	Watson
Curry	Kenney	Roebuck	Williams, C.
Dailey	Kirkland	Ross	Williams, J.
Daley	Krebs	Rubley	Wogan
DeLuca	LaGrotta	Ruffing	Wojnaroski
Dermody	Lederer	Sainato	Yewcic
DeWeese	Lescovitz	Samuelson	Youngblood
DiGirolamo	Levdansky	Santoni	Yudichak
Diven	Lucyk	Sather	Zimmerman
Donatucci	Mackereth	Saylor	
Eachus	Maitland	Schuler	Ryan,
Evans, D.	Major	Scrimenti	Speaker

NAYS-43

Bard	Forcier	Maher	Schroder
Bastian	Gabig	Marsico	Smith, S. H.
Benninghoff	Gordner	McGill	Stairs
Boyes	Habay	McIlhattan	Steil
Clark	Haluska	Melio	Stevenson, R.
Clymer	Harhart	Metcalfe	Stevenson, T.
Cohen, L. I.	Hutchinson	Miller, S.	Tulli
Coleman	Jadlowiec	O'Brien	Wilt
Creighton	Lawless	Pippy	Wright
Dally	Leh	Rohrer	Zug
Egolf	Lewis	Rooney	

NOT VOTING-1

Lynch

EXCUSED-5

Belardi	McIlhinney	Petrarca	Reinard
Colafella			

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster County, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

While we are at ease, I would like to call a meeting of the House Appropriations Committee in the Appropriations conference room, room 245; a very brief meeting.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The House will be temporarily at ease.

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

The SPEAKER. The House will come to order.
There will be no further votes this evening.

We will go into session – may I have your attention just for a moment – we will go into session tomorrow morning at 10 a.m. We are going to have a big day again tomorrow. We expect to have dinner again here in the State Capitol tomorrow night, so it is not just an in-and-out day. We fully expect that the calendar will move at 10 o'clock, and I am asking you to be here on the floor at 10 o'clock. There are a number of important bills including tobacco, the School Code, and other bills that are going to be considered tomorrow.

Does the majority leader or Democratic floor leaders have any further business? Are there any announcements or corrections to the record?

The Chair will hold the desk open for a while to receive the report of the Appropriations Committee.

VOTE CORRECTION

The SPEAKER. Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, my vote malfunctioned on SB 1. I would like to be recorded in the negative.

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

BILL REREPORTED FROM COMMITTEE

HB 1573, PN 2342 (Amended) By Rep. BARLEY

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, establishing sanitation standards for animal exhibitions; requiring physicians and health care facilities to report E. coli infection to the Commonwealth; and imposing penalties.

APPROPRIATIONS.

RECESS

The SPEAKER. Any further business before the House? Corrections to the record? Notice of meetings?

The Chair is going to declare a recess. It is unlikely that we will be back into active session prior to 9:45 tomorrow morning, but if something comes up and the Chair has to call us back in, that will happen.

So the House is now declared to be in recess.

AFTER RECESS

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Barley, who calls for an immediate meeting of the Committee on Appropriations in the Appropriations Committee

meeting room, 245, on the second floor, center. The members will please proceed to that meeting.

BILL REREPORTED FROM COMMITTEE

SB 926, PN 1087

By Rep. BARLEY

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, further providing for State library, for library trainees and for library resource centers.

APPROPRIATIONS.

BILL ON SECOND CONSIDERATION

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

SB 926, PN 1087.

BILLS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Do the Republican or Democratic leaders have any further business in Wednesday's session?

Hearing none, the Chair recognizes the lady, Ms. Harper.

Ms. HARPER. Mr. Speaker, I move that this House do now adjourn until Thursday, June 21, 2001, at 10:15 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 11:59 p.m., e.d.t., the House adjourned.