

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 16, 2001

SESSION OF 2001

185TH OF THE GENERAL ASSEMBLY

No. 55

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN)
PRESIDING

PRAYER

The SPEAKER. The prayer will be offered by our Chaplain today, the Reverend Christopher Connell, who, incidentally, is an employee of the Capitol Preservation Committee, and we are very pleased to have him here in both capacities.

REV. CHRISTOPHER T. CONNELL, Chaplain of the House of Representatives, from Way of the Cross Ministries, Grantham, Pennsylvania, offered the following prayer:

Dear Heavenly Father, thank You for this day and the opportunity to pray a blessing upon these Representatives in this House.

Recent national and State events have increased our awareness of our dependency upon You. We recognize that there are a lot of gray issues in this life and these legislators have the great responsibility of deciphering right and wrong in the midst of these issues. They, these legislators, represent the great citizens of this great Commonwealth in deciding the black and white in the fine print of the gray. What they do today and throughout their tenure affects millions of people for generations to come. So, Lord, I know it is very important that they understand what truth is, what separates right from wrong, good from evil.

You said Yourself and it is written on the ceiling of this House, "...you shall know the truth and the truth shall set you free." Truth is a true mark of character, to do what is right no matter the consequence. Give these legislators today the courage to do what is right and just by Your Word. May they not turn from it to the right or to the left. May they have Your richest blessing and Your hand of favor, and may they strive to be honorable enough to warrant such blessing and favor.

And may they take inspiration from the forefathers of this great Commonwealth, for Your Word also says and it is also written in this House, "Remember the days of old; consider the generations long past. Ask your father and he will tell you, your elders, and they will explain to you."

And further, may these Representatives take motivation for their service and servanthood to the great people of the Commonwealth from Your own unselfish love and undying affection for them as individuals. Father, may they truly know this love.

In the name of the Prince of Peace. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Monday, October 15, 2001, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2019 By Representatives WOJNAROSKI, READSHAW, BARD, GEORGE, FICHTER, LUCYK, STABACK, TRICH, CORRIGAN, PALLONE, TIGUE, COY, CAWLEY, TANGRETTI, JADLOWIEC, McGEEHAN, HUTCHINSON, DeWEESE, LaGROTTA, BUNT, SCHULER, BEBKO-JONES, SHANER, CAPPELLI, SOLOBAY, KELLER, HENNESSEY, GRUCELA, GORDNER, LAUGHLIN, WILT, DERMODY, HARHAI, YUDICHAK and MELIO

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for classification of personal income.

Referred to Committee on FINANCE, October 16, 2001.

No. 2020 By Representatives NAILOR, GODSHALL, DeLUCA, GABIG, ALLEN, CAPPELLI, COLEMAN, CORRIGAN, GEORGE, MAITLAND, ROBERTS, ROHRER, STABACK, TRELLO, WATERS, WATSON and YOUNGBLOOD

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for the definition of "School of Cosmetology," for practice of cosmetology without license prohibited, requirements to practice, eligibility requirements for examination, for management of cosmetology shops, for requirements of a school of cosmetology, for exceptions to examination requirements, for shared shops, for regulations by the board, for examinations and issuance of licenses, for temporary licenses, for sanitary rules, for fees and for penalties.

Referred to Committee on PROFESSIONAL LICENSURE, October 16, 2001.

No. 2022 By Representatives MANN, BEBKO-JONES, BELFANTI, CAPPELLI, CORRIGAN, CREIGHTON, CRUZ, CURRY, DALEY, DeLUCA, DIVEN, D. EVANS, FRANKEL,

FREEMAN, GEORGE, GRUCELA, HARHAI, JAMES, JOSEPHS, LAUGHLIN, LEDERER, MANDERINO, MELIO, MUNDY, PALLONE, PISTELLA, SEMMEL, SOLOBAY, STABACK, STEELMAN, R. STEVENSON, THOMAS, TIGUE, TRELLO, TRICH, WATSON, C. WILLIAMS, J. WILLIAMS, YOUNGBLOOD and YUDICHAK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for kindergartens and for the definition of "compulsory school age."

Referred to Committee on EDUCATION, October 16, 2001.

No. 2023 By Representatives GORDNER, McCALL, ALLEN, M. BAKER, BASTIAN, CALTAGIRONE, CAPPELLI, CIVERA, CLYMER, CREIGHTON, FEESE, FREEMAN, GODSHALL, HARHAI, HARHART, HERMAN, HERSHEY, HORSEY, KAISER, KELLER, LAUGHLIN, MAHER, S. MILLER, NAILOR, PALLONE, RAYMOND, READSHAW, ROSS, SATHER, SAYLOR, SCHULER, SCRIMENTI, STAIRS, STEELMAN, STERN, THOMAS, TIGUE, TRICH, WATSON, WILT and WOJNAROSKI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the Alternative Fuels Incentive Grant Fund.

Referred to Committee on TRANSPORTATION, October 16, 2001.

No. 2024 By Representative WANSACZ

An Act authorizing and directing the Department of General Services, with the approval of the Department of Environmental Protection and the Governor, to grant and convey to Moosic Realty Company, certain lands situate in the Borough of Moosic, County of Lackawanna.

Referred to Committee on STATE GOVERNMENT, October 16, 2001.

No. 2025 By Representatives WANSACZ, ARMSTRONG, BELFANTI, CAPPELLI, M. COHEN, DALEY, DeWEESE, DIVEN, FRANKEL, GRUCELA, HARHAI, HESS, HORSEY, HUTCHINSON, JAMES, LAUGHLIN, LEH, LESCOVITZ, LUCYK, MARKOSEK, MAYERNIK, YUDICHAK, YOUNGBLOOD, WOJNAROSKI, NAILOR, PALLONE, PETRARCA, PISTELLA, READSHAW, ROBERTS, SHANER, B. SMITH, TRAVAGLIO, TRICH, J. WILLIAMS and WOGAN

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for credited school service and for the definition of State service.

Referred to Committee on STATE GOVERNMENT, October 16, 2001.

No. 2026 By Representatives ZUG, BROWNE, PERZEL, ALLEN, BASTIAN, BEBKO-JONES, BELARDI, CLARK, L. I. COHEN, COLAFELLA, COLEMAN, CORRIGAN, CREIGHTON, EGOLF, GRUCELA, HARHAI, HENNESSEY, HORSEY, KENNEY, MANN, MARSICO, MELIO,

S. MILLER, PALLONE, PETRARCA, PISTELLA, ROBERTS, SATHER, SHANER, B. SMITH, SOLOBAY, STABACK, STEELMAN, THOMAS, TIGUE, WATERS, WILT, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of sexual intimidation of children; and prescribing a penalty.

Referred to Committee on JUDICIARY, October 16, 2001.

No. 2027 By Representatives L. I. COHEN and YOUNGBLOOD

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for civil claim for damages intercept.

Referred to Committee on JUDICIARY, October 16, 2001.

No. 2028 By Representatives STABACK, BELFANTI, BENNINGHOFF, CAPPELLI, CORRIGAN, COY, CREIGHTON, DALEY, D. EVANS, GODSHALL, HALUSKA, HANNA, HERSHEY, HESS, JAMES, LESCOVITZ, LEVDANSKY, PISTELLA, READSHAW, ROBERTS, SHANER, SOLOBAY, STERN, SURRA, TIGUE, WILT and WOGAN

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for unlawful devices and methods.

Referred to Committee on GAME AND FISHERIES, October 16, 2001.

No. 2030 By Representatives L. I. COHEN, M. BAKER, BEBKO-JONES, CORNELL, CREIGHTON, FICHTER, FLICK, FRANKEL, HORSEY, LEDERER, LEVDANSKY, McILHATTAN, MELIO, R. MILLER, PISTELLA, SATHER, SAYLOR, SCHRODER, SCRIMENTI, SOLOBAY, STABACK, THOMAS, TIGUE, TRICH, WANSACZ, WILT, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for the payment of interest and penalties for the failure to collect sales tax.

Referred to Committee on FINANCE, October 16, 2001.

No. 2031 By Representatives SAYLOR, GEIST, SEMMEL, CALTAGIRONE, BARRAR, BUNT, CAPPELLI, DALEY, FRANKEL, HARPER, HENNESSEY, KIRKLAND, LEWIS, R. MILLER, READSHAW, SATHER, STABACK, STEELMAN, STETLER, J. TAYLOR, THOMAS, TIGUE, WASHINGTON, WILT, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of January 30, 1974 (P.L.13, No.6), referred to as the Loan Interest and Protection Law, further defining "residential mortgage."

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, October 16, 2001.

No. 2032 By Representatives MARSICO, BARD, BARRAR, CAPPELLI, CLARK, L. I. COHEN, CORRIGAN, COY, CREIGHTON, DALEY, DeLUCA, EGOLF, FICHTER, FRANKEL, GABIG, HARHAI, HARPER, HENNESSEY, LEH, LEWIS, MELIO, NAILOR, PETRONE, PIPPY, RAYMOND, RUBLEY, SAMUELSON, SOLOBAY, STEELMAN, SURRA, E. Z. TAYLOR, VANCE, WATSON and C. WILLIAMS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for maximum speed limits, for alteration of maximum speed limits and for regulation of traffic on the Pennsylvania Turnpike.

Referred to Committee on TRANSPORTATION, October 16, 2001.

No. 2033 By Representatives BOYES, GEIST, CORRIGAN, J. EVANS, CAPPELLI, CAWLEY, CIVERA, L. I. COHEN, COY, CREIGHTON, DALEY, EACHUS, FORCIER, HARHAI, HORSEY, LEWIS, MANN, MARSICO, McILHATTAN, SHANER, E. Z. TAYLOR, WANSACZ, WATSON, YOUNGBLOOD and BEBKO-JONES

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for duty of driver in construction and maintenance areas.

Referred to Committee on TRANSPORTATION, October 16, 2001.

No. 2034 By Representatives COY, SCHULER, THOMAS, CORRIGAN, DeWEESE, FREEMAN, GANNON, KAISER, LESCOVITZ, SURRA, COLEMAN, ARMSTRONG, SCHRODER, MANDERINO, SCRIMENTI, McCALL, SANTONI, RAYMOND, OLIVER, GORDNER, HERMAN, SAINATO, WOGAN, WOJNAROSKI, ROBERTS, RUFFING, DALLY, BARD, MAHER, C. WILLIAMS, STEELMAN, READSHAW, TANGRETTI, SOLOBAY, BEBKO-JONES, FEESE, MANN, EACHUS, MARKOSEK, YOUNGBLOOD, HARHAI, PALLONE, YEWIC, JOSEPHS, YUDICHAK, DeLUCA, ROBINSON, McILHATTAN, PETRARCA, DALEY, M. BAKER, LEVDANSKY, TIGUE, WASHINGTON, HORSEY, WALKO, JAMES, BUNT, CIVERA, MUNDY, CASORIO, PISTELLA, HALUSKA, KREBS, COSTA, STURLA, CREIGHTON, TRICH, STEIL, LEH, E. Z. TAYLOR, LUCYK, MACKERETH, LEDERER, CORNELL, LaGROTTA, CAWLEY, STABACK, HARHART, T. STEVENSON, GRUCELA, STRITTMATTER, HUTCHINSON, TRELLO, FICHTER, LAUGHLIN, TRAVAGLIO, PETRONE, MELIO, COLAFELLA, WANSACZ, CURRY, SEMMEL, SHANER, FLEAGLE, STAIRS, FRANKEL, KENNEY, DERMODY, STERN, CLYMER, L. I. COHEN and GEORGE

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing for cost-of-living increases for retirees.

Referred to Committee on EDUCATION, October 16, 2001.

No. 2035 By Representatives SCHULER, L. I. COHEN, McILHATTAN, KREBS, ARMSTRONG, LYNCH, GORDNER, WOJNAROSKI, CAPPELLI, TRAVAGLIO, TRICH, FAIRCHILD, FLEAGLE, HALUSKA, MELIO, SATHER, HERMAN, T. STEVENSON, STERN, SOLOBAY, YEWIC, MARKOSEK, WILT, RAYMOND, BELARDI, BUXTON, LAUGHLIN, READSHAW, RUBLEY, GRUCELA, MARSICO, B. SMITH, BELFANTI, SANTONI, M. BAKER, MUNDY, STABACK, SCHRODER, SURRA, HANNA, GEORGE, FICHTER, SAYLOR, CRUZ, HARHAI, C. WILLIAMS, E. Z. TAYLOR, HUTCHINSON, LEDERER, CREIGHTON, LUCYK, KENNEY, McNAUGHTON, HORSEY, MAJOR, MAITLAND, DiGIROLAMO, TANGRETTI, ROBERTS, NAILOR, R. STEVENSON, FRANKEL, TIGUE, WANSACZ, HESS, LEVDANSKY, PISTELLA, WATSON, J. EVANS, SEMMEL, DALEY, STAIRS, CORRIGAN, GEIST, LEH, GRUITZA, HARHART, McCALL, COY, MANDERINO, CIVERA, DeLUCA, BASTIAN, LaGROTTA, SAINATO, BENNINGHOFF, WALKO, BEBKO-JONES, BOYES, BUNT, DeWEESE, FEESE, YOUNGBLOOD, STURLA, SCRIMENTI, ADOLPH, BARD, COLEMAN, CLYMER, PALLONE, McILHINNEY, THOMAS, JOSEPHS, DALLY, OLIVER, FREEMAN, COSTA, COLAFELLA, STEELMAN, CAWLEY, JADLOWIEC, HENNESSEY, EACHUS, TRELLO, S. MILLER and STRITTMATTER

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

Referred to Committee on EDUCATION, October 16, 2001.

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

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

In the Senate
October 15, 2001

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, October 22, 2001, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, October 22, 2001, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Keith McCall, Laura Kennedy and Stephanie Jones, both senior students at Marian Catholic School. They are shadowing an elected official — that is, Mr. McCall — as a class project. They are seated to the left of the Speaker. Would these young ladies please rise. Parents John Kennedy and Joan Kennedy are in the balcony, if they would rise to be acknowledged.

We have with us today a graduate student from Lehigh University who is interning in Representative Freeman's district office. Mark Reccek is seated in the balcony and is the guest of Representative Freeman. Would he please rise.

Here today as the guest page of Representative Mark McNaughton is Erika Ruff, who is standing over on the side with Mr. McNaughton.

Here today as the guests of Representative Wilt are two students from his district serving as guest pages, Julie McElhinny of St. Michael School and Amanda Celsi of St. Michael School. They are both in the seventh grade. Would these guest pages please rise.

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:

HB 1934;
 HB 1935;
 HB 1936;
 HB 1937;
 HB 1938;
 HB 1939;
 HB 1940;
 HB 1941;
 HB 1942;
 HB 1943;
 HB 1944;
 HB 1945;
 HB 1946;
 HB 1947;
 HB 1948;
 HB 1950;
 HB 1952;
 SB 100;
 SB 696; and
 SB 837.

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

BILLS ON SECOND CONSIDERATION

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

HB 1934, PN 2523; HB 1935, PN 2557; HB 1936, PN 2525; HB 1937, PN 2526; HB 1938, PN 2527; HB 1939, PN 2528; HB 1940, PN 2529; HB 1941, PN 2530; HB 1942, PN 2531; HB 1943, PN 2532; HB 1944, PN 2533; HB 1945, PN 2534; HB 1946, PN 2535; HB 1947, PN 2536; HB 1948, PN 2537; HB 1950, PN 2539; HB 1952, PN 2541; SB 100, PN 1437; SB 696, PN 1360; and SB 837, PN 1361.

BILLS RECOMMENDED

The SPEAKER. The gentleman from Lancaster County, Mr. Barley.

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

HB 1934;
 HB 1935;
 HB 1936;
 HB 1937;
 HB 1938;
 HB 1939;
 HB 1940;
 HB 1941;
 HB 1942;
 HB 1943;
 HB 1944;
 HB 1945;
 HB 1946;
 HB 1947;
 HB 1948;
 HB 1950;
 HB 1952;
 SB 100;
 SB 696; and
 SB 837.

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

GUESTS INTRODUCED

The SPEAKER. Today Representative David Argall has guests visiting, Marian High School students. They are students at Marian High School in Schuylkill County — Jim Kash, John Miller, Jennifer Fisher, and Alicia Rathosky — and these students are seated to the left of the Speaker. Would they please rise. Come on, up.

The chairman of the House Transportation Committee, Mr. Geist, has with him today as guests Chris Brady, the president of Transrapid, and Reed Tanger, the project manager of Transrapid. Would these guests please rise, to the left of the Speaker.

**COMMUNICATION FROM
AUDITOR GENERAL**

The SPEAKER. The Chair acknowledges receipt of the Auditor General's certificate pursuant to Article VIII,

section 7(a)(4), of the Constitution of Pennsylvania and section 304 of the Capital Facilities Debt Enabling Act.

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

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

HB 411, PN 2675 (Amended) By Rep. HERMAN

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for purpose of act; defining "no-impact home-based business"; and further providing for ordinance provisions.

LOCAL GOVERNMENT.

HB 1409, PN 2676 (Amended) By Rep. HERMAN

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for construction, for planning commission membership and business, for planning agency powers and duties, for official municipality maps, for county planning agency jurisdiction, for subdivision and land development ordinances, for plat approval and recording, for municipal curative amendments, for zoning appeals, for jurisdiction of county planning agencies, for standards and conditions for planned residential development and for zoning hearing board membership, organization and jurisdiction.

LOCAL GOVERNMENT.

HB 1458, PN 2677 (Amended) By Rep. HERMAN

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for bonds for county officers, for bonds of deputies and other appointees, for taking money and property by gift, for creation of a capital reserve fund, for the operating reserve fund, for billing and collecting by the county treasurer, for functions of the controller, for custody of documents, for books of fiscal affairs, for claims against a county, for reports to commissioners, for fees of witnesses and jurors, for receipts and accounts of money due a county, for preparation of proposed annual budget, for amending budgets, for levies, for tax rates, for appropriations, for filing the budget, for notice and for the preparation of uniform forms; providing for refusal to submit to examination and for the procedure for approval; and making an editorial change.

LOCAL GOVERNMENT.

GUESTS INTRODUCED

The SPEAKER. Here today as the guests of Representative Jerry Birmelin are Mr. and Mrs. Stan Eskra, together with their grandchildren, Courtney and Jonathan Shaffer. They are seated in the balcony. Would these guests please rise to be acknowledged.

Here today as the guest of Representative Bebkö-Jones is the Honorable Stephanie Domitrovich, a common pleas court judge of Erie County. She is seated to the left of the Speaker. Would she please rise. Judge. Keith, you are hiding the judge from the members.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who requests a leave of absence for the gentleman from Northampton County, Mr. DALLY, for today's session, and the minority whip, who requests a leave of absence for the gentleman from Philadelphia, Mr. CRUZ, for today's session. Without objection, these leaves will be granted. The Chair hears no objection.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—201

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Cruz Dally

LEAVES ADDED—1

Pallone

LEAVES CANCELED—1

Dally

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. WOJNAROSKI called up HR 319, PN 2618, entitled:

A Resolution designating the month of November 2001 as "Alzheimer's Disease Awareness Month" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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

- Diven, Donatucci, Eachus, Egolf, Evans, D., Evans, J., Lucyk, Lynch, Mackereth, Maher, Maitland, Major, Samuelson, Santoni, Sather, Saylor, Schroder, Schuler, Zimmerman, Zug, Ryan, Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Cruz Dally

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

Mr. ROEBUCK called up HR 320, PN 2634, entitled:

A Resolution recognizing the week of November 4 through 10, 2001, as "National Chemistry Week" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Cruz Dally

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

* * *

Mr. SOLOBAY called up **HR 321, PN 2635**, entitled:

A Resolution designating the week of November 4 through 10, 2001, as "National Radiologic Technology Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Cruz Dally

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

* * *

Mr. HORSEY called up **HR 325, PN 2652**, entitled:

A Resolution designating October 22, 2001, as "Quincy Jones Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Dally

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

Mrs. COHEN called up HR 326, PN 2656, entitled:

A Resolution commending the Governor for proclaiming the month of October 2001 as "Breast Cancer Awareness Month" and October 19, 2001, as "National Mammography Day" in this Commonwealth and urging all citizens of this Commonwealth to join in its observance by renewing their awareness of breast cancer and by becoming knowledgeable about the most current medical developments regarding this tragic disease.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-201

Adolph	Fairchild	Manderino	Scrimenti
Allen	Feese	Mann	Semmel
Argall	Fichter	Markosek	Shaner
Armstrong	Fleagle	Marsico	Smith, B.
Baker, J.	Flick	Mayernik	Smith, S. H.
Baker, M.	Forcier	McCall	Solobay
Bard	Frankel	McGeehan	Staback
Barley	Freeman	McGill	Stairs
Barrar	Gabig	McIlhattan	Steelman
Bastian	Gannon	McIlhinney	Steil
Bebko-Jones	Geist	McNaughton	Stern
Belardi	George	Melio	Stetler
Belfanti	Godshall	Metcalf	Stevenson, R.

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Dally

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

Ms. WILLIAMS called up HR 327, PN 2657, entitled:

A Resolution recognizing October 15 through 19, 2001, as "National Business Women's Week" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Dally

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

SUPPLEMENTAL CALENDAR B

RESOLUTION PURSUANT TO RULE 35

Mr. SCRIMENTI called up **HR 329, PN 2674**, entitled:

A Resolution declaring November 2001 as "Pennsylvania Hospice Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Dally

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

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes at this time the gentleman, Mr. Argall, with respect to any caucus announcement the Republican Party may make.

Mr. ARGALL. Thank you, Mr. Speaker.
At the call of recess, House Republicans require a brief caucus downstairs in the caucus room.

GUEST INTRODUCED

The SPEAKER. May I have your attention, please.
Prior to recognizing Mr. Coy, I would like to first introduce Mrs. Blanche Melms, the mother of State Representative Gayle Wright, our newest member. She is seated to the left of the Chair. We welcome her to Harrisburg.

DEMOCRATIC CAUCUS

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

Mr. COY. Mr. Speaker, we will have an immediate meeting of the Democratic Caucus to discuss this afternoon's voting schedule in the caucus room. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. Coy, do you have any thoughts on the amount of time you will need?

Mr. COY. 30 minutes.

The SPEAKER. Mr. Argall, how much time will you need to caucus? Mr. Coy is working on 30 minutes.

Mr. ARGALL. I would say 30 minutes.

The SPEAKER. And how much time do you need to eat?

Mr. ARGALL. That is up to the discretion of the Speaker.

The SPEAKER. All day.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE MEETING

The SPEAKER. Mr. Semmel, you desire recognition for an announcement.

Mr. SEMMEL. Thank you, Mr. Speaker.

I am going to call a meeting of the Veterans Affairs and Emergency Preparedness Committee immediately on the call of the recess at the rear of the hall of the House. Thank you.

RECESS

The SPEAKER. Without more, the Chair is going to declare recess until 1 p.m., unless extended by the Chair or called back sooner by the Chair. This House stands in recess.

AFTER RECESS

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

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair returns to leaves of absence and notes the presence on the floor of the House of the gentleman from Northumberland, Mr. Dally, and asks that his name be removed from the leave list.

LEAVE OF ABSENCE

The SPEAKER. The minority whip requests that the gentleman from Allegheny, Mr. PALLONE, be placed on leave for the balance of today. Without objection, leave will be granted. The Chair hears none.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Gordner, students from Bloomsburg University. These students are seated in the balcony. Would they wave their hands or stand up and let us see where they are. There you go. Welcome to the Capitol.

SUPPLEMENTAL CALENDAR C

RESOLUTION PURSUANT TO RULE 35

Mr. HERMAN called up **HR 330, PN 2678**, entitled:

A Resolution honoring the German Department at The Pennsylvania State University.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

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

NAYS—0

NOT VOTING—1

Michlovic

EXCUSED—2

Cruz Pallone

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

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?

Mr. **SAMUELSON** offered the following amendment No. **A3571**:

Amend Sec. 2, page 3, lines 27 through 30; page 4, lines 1 through 3, by striking out all of said lines on said pages and inserting "Facility." The term may include any of the following:

(1) A long-term care nursing facility as defined in section 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

(2) A personal care home as defined in section 1001 of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code.

"Fundamental alteration." A change or modification to the program or building that the facility can demonstrate would cause it to suffer an undue hardship with regard to cost, nature and scope.

Amend Sec. 2, page 4, by inserting between lines 17 and 18

"Transfer and discharge." Includes movement of a resident to a bed outside of the facility whether that bed is in the same physical plant or not. Transfer and discharge do not refer to movement of a resident to a bed within the same facility.

Amend Sec. 3, page 4, line 29, by inserting after "facility"
, its staff and its residents

Amend Sec. 4, page 5, line 16, by inserting after "care"
service and providers

Amend Sec. 4, page 6, line 24, by striking out "change of room or roommate" and inserting

room or roommate and ability of consumer to arrange for supplemental services to permit aging in place

Amend Sec. 4, page 6, line 27, by inserting after "preferences," including the ability of the resident to arrange for supplemental services to permit aging in place,

Amend Sec. 4, page 7, by inserting between lines 4 and 5

(h) Public funding.—A resident has the right to apply for and receive, if determined eligible, available public funding for care and services at any time prior to or during residency. An applicant who is eligible for public funding may not be required to reside as a private pay resident for any duration of time as a condition of admission or residency.

Amend Sec. 5, page 7, line 21, by striking out "15" and inserting 10

Amend Sec. 5, page 8, by inserting between lines 11 and 12

(d) Retention.—A facility shall retain and not transfer or discharge a resident unless:

(1) There is nonpayment of fees required under the contract, after reasonable good faith efforts to obtain payment, including, where appropriate, application for available public funding.

(2) The resident develops a condition of a nature and severity that the licensing department precludes by regulation from being served in that facility type.

(3) The resident's needs cannot be met by the facility, even with the resident bringing in supplemental services from an outside provider, without a fundamental alteration to the program or facility.

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

Amend Sec. 5, page 8, line 15, by striking out "history" and inserting

record

Amend Sec. 5, page 8, by inserting between lines 20 and 21

(f) Accommodation.—Resident preferences shall be reasonably accommodated by the facility.

Amend Sec. 5, page 8, line 21, by striking out "(e)" and inserting (g)

Amend Sec. 5, page 8, line 24, by inserting after "thereafter" or if any of the following are changed

Amend Sec. 5, page 8, line 30, by inserting after "complaints." Each licensing entity shall determine uniform standards for facilities to follow in resolving internal grievances.

Amend Sec. 5, page 9, line 27, by striking out "(f)" and inserting (h)

Amend Sec. 5, page 9, line 28, by striking out "(e)(5)" and inserting

(g)(5)

Amend Sec. 6, page 10, line 12, by inserting after "requirements,"

which shall comply with section 5,

Amend Sec. 6, page 11, lines 9 and 10, by striking out "a facility requires the execution of" and inserting

the facility is required to have

Amend Sec. 6, page 11, line 13, by inserting after "section" and other licensing requirements

Amend Sec. 8, page 12, line 11, by striking out "who is Medicaid eligible"

Amend Sec. 8, page 12, line 14, by removing the period after "law" and inserting

, notify the applicant and legal representative of the facility's determination and other care settings identified, refer the applicant and legal

representative to the county agency that can assist in placement in other care settings.

Amend Sec. 8, page 12, line 19, by inserting after "cannot" with reasonable accommodation

Amend Sec. 8, page 12, line 20, by inserting after "facility."

Reasonable accommodation shall include the allowance of obtaining supplemental services from a provider outside of the long-term care facility and shall preclude fundamental alterations in the facility's basic program or building.

Amend Sec. 8, page 12, line 25, by inserting after "The" facility has made a good faith effort to obtain payment of contractual fees and the

Amend Sec. 8, page 14, line 5, by inserting after "State" and local

Amend Sec. 8, page 14, line 21, by striking out "appropriate to" and inserting

to a setting capable of meeting

Amend Sec. 8, page 14, by inserting between lines 22 and 23

(1) A facility may not discharge a resident without written notice pursuant to this act being provided to the resident and legal representative indicating the reason for the proposed transfer or discharge.

Amend Sec. 8, page 14, line 23, by striking out "(1)" and inserting

(2)

Amend Sec. 8, page 14, line 27, by inserting after "facility" or other residential setting

Amend Sec. 8, page 14, line 30, by inserting after "complete" and how those needs will be met by the facility

Amend Sec. 8, page 14, by inserting after line 30

(iii) A list of the medical and care needs that the resident will need after the transfer is complete and how they will be met.

(iv) The reason the facility is discharging or transferring the resident.

Amend Sec. 8, page 15, line 1, by striking out "(iii)" and inserting

(v)

Amend Sec. 8, page 15, line 3, by striking out "(2)" and inserting

(3)

Amend Sec. 8, page 15, line 4, by inserting after "facility" or other service provider

Amend Sec. 9, page 15, line 11, by inserting after "facility" nor may a facility require a resident to make the facility the representative payee as a condition of admission or retention

Amend Sec. 9, page 16, line 1, by inserting after "resident."

The administrator must insure that residents have prompt access to their funds.

Amend Sec. 9, page 16, line 2, by inserting after "be" summarized in monthly statements provided to and otherwise

Amend Sec. 9, page 16, lines 6 through 8, by striking out all of said lines and inserting

30 days an estimated accounting of the resident's funds deposited at the facility, an estimate of the final charges based on prior monthly charges and other available information, and the amount of funds on deposit that exceed the estimated final charges to the individual or probate jurisdiction administering the resident's estate. Within 60 days of the death of a resident with personal funds deposited with the facility, the facility must convey a final accounting and disperse any remaining resident's funds to the individual or probate jurisdiction administering the resident's estate.

Amend Sec. 9, page 16, lines 10 through 15, by striking out "the funds and" in line 10, all of lines 11 through 15 and inserting

the facility shall notify the Department of Public Welfare of the death and the name of the person known to be executor of the estate.

Amend Sec 11, page 17, by inserting between lines 5 and 6

(3) Assurance that the focus is on his or her well-being.

It is essential that the focus in grievance resolution remain on insuring the health, safety and well-being of the residents in long-term care facilities in this Commonwealth.

(4) Protection against retaliating action. The facility shall not take any action against a resident in retaliation, including, but not limited to, threatening to transfer or discharge, transferring or discharging, threatening to infringe or infringing on any of the consumer rights articulated in this act, for the resident's voicing of grievances.

Amend Sec. 18, page 19, line 27, by inserting after "abuse," neglect, financial exploitation,

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-201

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

Egolf Evans, D.	Maher Maitland	Schroder Schuler	Ryan, Speaker
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NAYS-0

NOT VOTING-0

EXCUSED-2

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

On the question,

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

Mr. GEORGE offered the following amendment No. A2964:

Amend Title, page 1, line 4, by striking out "and for remedies." and inserting

, for remedies and for report to General Assembly.

Amend Bill, page 20, by inserting between lines 14 and 15 Section 21. Report to General Assembly.

Within one year of the effective date of this section, the department shall provide to the General Assembly a report on programs within this Commonwealth and throughout the United States that seek to maximize the effectiveness of charitable pharmaceutical programs and to provide recommendations for new laws and initiatives within this Commonwealth to enhance the ability of Pennsylvanians to take advantage of such programs.

Amend Sec. 21, page 20, line 15, by striking out "21" and inserting

22

Amend Sec. 21, page 20, line 16, by striking out "in 180 days." and inserting as follows:

- (1) Section 21 shall take effect immediately.
- (2) This section shall take effect immediately.
- (3) The remainder of this act shall take effect in 180 days.

On the question,

Will the House agree to the amendment?

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, this amendment requires the Pennsylvania Department of Aging to submit a report on the effectiveness of charitable pharmaceutical programs and to provide new recommendations on how to improve these programs. I ask for your support.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-200

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

NAYS-0

NOT VOTING-1

Boyes

EXCUSED-2

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

On the question recurring,

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

Mr. O'BRIEN offered the following amendment No. A3553:

Amend Sec. 5, page 7, line 28, by removing the period after "assessment" and inserting by an appropriate assessor as permitted by law. All applicants shall be informed of their right to an independent assessment by an appropriate assessor located at an area agency on aging or another site not affiliated with the facility.

Amend Sec. 5, page 7, lines 29 and 30; page 8, lines 1 through 11, by striking out all of said lines on said pages and inserting assessment shall contain:

- (1) A medical evaluation by the applicant's physician indicating the resident's health status and certifying the resident's level of care needs and appropriateness for the facility type.
- (2) Relevant medical history including:
 - (i) Necessary and contraindicated medications.
 - (ii) Relevant diagnosis and conditions.
 - (iii) Allergies.
 - (iv) Significant known behaviors or symptoms that may cause concern or require special care.
 - (v) Dietary specifications.
 - (vi) Personal care needs as identified by the evaluation and assessment.

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

The following roll call was recorded:

YEAS-201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Pallone

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. GRUCELA offered the following amendment No. A3560:

- Amend Sec. 4, page 6, by inserting between lines 25 and 26
 - (1) Reside and receive care and services in the facility 365 days a year with no planned or intermittent interruptions. Nothing in this paragraph shall preclude facilities from adjusting their staffing levels in accordance with a resident being absent from a facility for holidays or vacations.
- Amend Sec. 4, page 6, line 26, by striking out "(1)" and inserting (2)
- Amend Sec. 4, page 6, line 30, by striking out "(2)" and inserting (3)

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

The following roll call was recorded:

YEAS-201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Pallone

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Pallone

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.

BILL PASSED OVER

The SPEAKER. HB 1302 is over.

The House proceeded to third consideration of **HB 57, PN 2284**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for false reports to law enforcement authorities.

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 57 be recommitted to Rules.

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

BILL PASSED OVER

The SPEAKER. Page 2. HB 487 is over.

The House proceeded to third consideration of **HB 1806**, PN 2321, entitled:

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

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-201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

- | | |
|------|---------|
| Cruz | Pallone |
|------|---------|

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.

BILL PASSED OVER

The SPEAKER. HB 1536 is over.

The House proceeded to third consideration of **HB 941**, PN 1060, entitled:

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

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-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Pallone

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 1813, PN 2351**, entitled:

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for the definition of "practice of professional counseling" and for exemption from licensure.

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

RULES SUSPENDED

The **SPEAKER**. The Chair recognizes the gentleman, Mr. Gordner.

Mr. **GORDNER**. Mr. Speaker, I move that the rules of the House be suspended to permit the offering of amendment A3652.

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

The **SPEAKER**. Mr. DeWeese.

Mr. **DeWEESE**. Mr. Speaker, in the interest of renascent bipartisanship, I would like to advocate a favorable vote.

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

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

The following roll call was recorded:

YEAS-196

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

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

NAYS-5

Casorio	Mundy	Rooney	Steelman
Grucela			

NOT VOTING-0

EXCUSED-2

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

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

Mr. GORDNER offered the following amendment No. A3652:

Amend Sec. 2 (Sec. 9), page 3, lines 4 and 5, by inserting a bracket before "and" in line 4 and after "Commonwealth" in line 5

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

The following roll call was recorded:

YEAS-200

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

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

NAYS-1

Rooney

NOT VOTING-0

EXCUSED-2

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

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

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

The following roll call was recorded:

YEAS-200

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

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

NAYS-1

Rooney

NOT VOTING-0

EXCUSED-2

Cruz Pallone

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 829, PN 923**, entitled:

An Act providing for the designation of certain land on the grounds of the State Capitol in Harrisburg to be known as "Emergency Responder Plaza" in honor of the Commonwealth's past and present police officers, law enforcement officials, firefighters and emergency medical services personnel.

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. Clymer, on the question of final passage of 829.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, just to bring to the attention of the House members, HB 829 – the sponsor is Representative Semmel – is the Emergency Responder Plaza to honor the present police officers, law enforcement officers, firefighters, and emergency medical personnel, and as we reflect some 30 days ago of the heroics of these men and women in New York City, I just felt it was timely and fitting to bring this fact to the attention of the members that this would provide an Emergency Responder Plaza here in the Commonwealth of Pennsylvania, right here within close proximity of the Capitol grounds.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS-201

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

Egolf	Maher	Schroder	Ryan,
Evans, D.	Maitland	Schuler	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Pallone

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.

BILLS PASSED OVER

The SPEAKER. HBs 924 and 1057 are over. Page 4 of today's calendar. HB 188 is over.

The House proceeded to third consideration of HB 592, PN 2326, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for the display of the United States flag and for relating ceremonies.

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

Mr. CURRY offered the following amendment No. A3550:

Amend Title, page 1, line 6, by removing the period after "ceremonies" and inserting and for disqualifications for teacher's certificate.

Amend Bill, page 3, by inserting between lines 13 and 14

Section 2. Section 1209 of the act, amended April 15, 1959 (P.L.41, No.16) and June 24, 1959 (P.L.485, No.110), is amended to read:

Section 1209. Disqualifications.—No teacher's certificate shall be granted to any person who has not submitted, upon a blank furnished by the [Superintendent of Public Instruction] Secretary of Education, a certificate from a physician legally qualified to practice medicine in this Commonwealth, or in any other state or the District of Columbia, setting forth that said applicant [is neither mentally nor physically disqualified, by reason of tuberculosis or any other communicable disease or by reason of mental disorder from successful performance of the duties of a teacher; nor to any person who has not a good moral character, or who is in the habit of using opium or other narcotic drugs in any form, or any intoxicating drink as a beverage, or to any applicant who has a major physical disability or defect unless such a person submits a certificate signed by an official of the college or university from which he was graduated or of an appropriate rehabilitation agency, certifying that in the opinion of such official the applicant, by his work and activities, demonstrated that he is sufficiently adjusted, trained and motivated to perform the duties of a teacher, notwithstanding his impediment.] has no current mental or physical impairment which prevents said applicant from performing the

essential functions of a teaching position with or without reasonable accommodation and that said applicant does not currently use illegal drug substances.

Amend Sec. 2, page 3, line 14, by striking out "2" and inserting 3

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

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Pallone

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

On the question,

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

Mr. **KIRKLAND** offered the following amendment No. **A3552**:

Amend Title, page 1, line 6, by removing the period after "ceremonies" and inserting

and for meditation and prayer periods.

Amend Bill, page 3, by inserting between lines 13 and 14

Section 2. Section 1516.1 of the act, added December 6, 1972 (P.L. 1412, No. 305), is amended to read:

Section 1516.1. Meditation and Prayer Periods.—(a) In each public school classroom, the teacher in charge [may, or if so authorized or directed by the board of school directors by which he is employed,] shall, at the opening of school upon every school day, conduct a brief period of silent prayer or meditation with the participation of all the pupils therein assembled.

(b) The silent prayer or meditation authorized by subsection (a) of this section is not intended to be, and shall not be conducted as, a religious service or exercise, but shall be considered as an opportunity for silent prayer or meditation on a religious theme by those who are so disposed, or a moment of silent reflection on the anticipated activities of the day.

Amend Sec. 2, page 3, line 14, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—200

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

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

NAYS—1

Curry

NOT VOTING—0

EXCUSED—2

Cruz

Pallone

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

On the question recurring,

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

RULES SUSPENDED

The **SPEAKER**. The Chair recognizes the gentleman, Mr. DeLuca.

Mr. DeLUCA. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of amendment A3634.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Pallone

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. DeLUCA offered the following amendment No. A3634:

Amend Title, page 1, line 6, by removing the period after "ceremonies" and inserting

and for days schools not to be kept open.

Amend Bill, page 3, by inserting between lines 13 and 14

Section 2. Section 1502(a) of the act, amended June 25, 1997 (P.L.297, No.30), is amended to read:

Section 1502. Days Schools not to be Kept Open.—(a) Except as provided in subsection (c), no school shall be kept open on any Saturday for the purpose of ordinary instruction, except when Monday is fixed by the board of school directors as the weekly holiday, or on Sunday, Memorial Day, Fourth of July, [Christmas] Veterans Day, Thanksgiving, Christmas, the First of January and up to five additional days designated as local holidays in the adopted school calendar by the board of school directors as official local school district holidays, nor shall any school be kept open in any district during the time of holding the teachers' institute for such district. The board of school directors may cancel any day designated as a local holiday in the event of a weather emergency or natural disaster.

Amend Sec. 2, page 3, line 14, by striking out "2" and inserting 3

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

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Pallone

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

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

RULES SUSPENDED

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

Mr. LESCOVITZ. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of amendment A3644.

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

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Cruz Pallone

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. LESCOVITZ offered the following amendment No. A3644:

Amend Title, page 1, line 6, by removing the period after "ceremonies" and inserting ; and requiring the Department of Education to pay for all flags.

Amend Bill, page 3, by inserting between lines 13 and 14 Section 2. The Department of Education shall provide or pay for all flags required by this act.

Amend Sec. 2, page 3, line 14, by striking out "2" and inserting 3

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

The SPEAKER. The amendments are not on the machine? Mr. Lescovitz?

This amendment, for the benefit of the members, this amendment was turned in just moments ago. I am going to ask the gentleman, Mr. Lescovitz, to explain the amendment. If anyone has a problem after that, we will just put the bill over until we get the amendment in hard-copy form or on the machines.

Mr. Lescovitz.
Mr. LESCOVITZ. Thank you, Mr. Speaker.

Mr. Speaker, what this amendment does is require that the Department of Education pay for all the flags so the school districts do not have to pay for them.

The SPEAKER. Any questions of Mr. Lescovitz on the amendment?

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

The following roll call was recorded:

YEAS—201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Pallone

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?

On the question of final passage, the Chair recognizes the gentleman from Delaware County, Mr. Vitali. The gentleman will yield for a moment.

Members, please take your seats. The gentleman, Mr. Vitali, desires the courtesy of the floor.

Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the bill stand for brief interrogation?

The SPEAKER. Mr. Egolf? Mr. Egolf indicates he will stand for interrogation. You may begin.

Mr. VITALI. Mr. Speaker, how does this differ from current law? Every classroom I have been in, there has been a flag, and every class I have seen commence, the Pledge of Allegiance has been recited. How does this differ from current law?

Mr. EGOLF. Current law does not require that there be a flag in every classroom. It does not require that every schoolday is started with the pledge or national anthem. This bill would require that, but students could opt out of it. It is not a requirement that they do the pledge, but it is a requirement that the school offer it. Current law does not require that. Current law just says that a school must have a flag on the school property and that they have to provide some instruction on the flag, the care of the flag, history, and so on.

Mr. VITALI. Now, is there any problem we are trying to address here? Are you aware of any instances where there are not flags or there are not recitations at the appropriate times?

Mr. EGOLF. Yes. In fact, members of the veterans organization had come to me and said that there were problems out there, that a lot of schools were not doing it anymore, as we were all used to when we grew up, and would I be interested in putting legislation to require it. So I was not aware of a problem either, so I thought I would check, and the first student that I asked in my home district, who happened to be a piano student of my wife's, I asked her if they started the day off with the Pledge of Allegiance to the flag, and she said, well, at the beginning, on the first day of school, the teacher asked the students how many would like to do this, and as we know, students are reluctant to put their hand up first; none of them did, and so they did not do it. They said, okay, we will not do the pledge, and they did not do it for the rest of the year. That was the first incident, and then I found out that a number— Well, there is one school in the local area here that does it once a week, and I have been told of other incidents. I do not know the numbers, but yes, there certainly are schools that I have been told that do not have this as a regular tradition.

Mr. VITALI. Now, this bill, as I understand it or as I read it quickly, if a student did not want to recite the Pledge of Allegiance, the only way he could not do that would be to get his parents' permission not to do it?

Mr. EGOLF. Right. Maybe for religious reasons or whatever, so if the parents want to— Apparently, there are some religions that do not do the pledge, so they can opt their child out of that.

Mr. VITALI. And to what grades does this law apply?

Mr. EGOLF. To what grades?

Mr. VITALI. Yeah.

Mr. EGOLF. To all grades, 1 through 12.

Mr. VITALI. So if you had a senior who, for whatever misguided or exploratory reasons, decided he simply did not want to do this and his parent would not give him permission not to, he could be compelled to say the Pledge of Allegiance?

Mr. EGOLF. Well, it is offered for them. I assume, you know, it is up to the classroom teacher. Just like anything else, if the student does not want to participate in class, the teachers do whatever they can to get them to participate, so I would assume they would do the same here, unless the parents have actually opted the student out of it. But, you know, that is up to them locally. You cannot make a person say something, I suppose, but if they stand there and do not create a disturbance, that is up to the teacher.

Mr. VITALI. What would be the sanctions for noncompliance with this law of having a flag or not saying the Pledge of Allegiance?

Mr. EGOLF. It would be whatever sanctions the school does for other disciplinary things. If there are other things, which we know the school requires a lot of things that the students must do, and if they do not, then it is the local school's determination how they want to handle it.

Mr. VITALI. So the law itself does not provide any sanctions?

Mr. EGOLF. There is no punishment in the bill; nothing specified. It is just like all the other requirements in school. Again, it is the local school's determination how they want to handle any disciplinary action.

Mr. VITALI. Has the School Boards Association taken a position on this bill?

Mr. EGOLF. They have not. It is more neutral. They say that there are provisions now for schools to have flags. I am not sure— They say that they already do it.

They really say there is not a problem. They are not opposed to it at all. They just say that they think it is being handled now, but obviously, from my findings, it is not.

Mr. VITALI. Okay. Thank you.

That concludes my interrogation. I would just like to speak briefly.

The SPEAKER. Are you going to advocate that those who do not comply be drafted?

Mr. VITALI. No; no.

The SPEAKER. That would have been my suggestion.

Mr. VITALI. I know I am too old.

The SPEAKER. The gentleman, Mr. Vitali. I am sorry.

Mr. VITALI. Thank you, Mr. Speaker.

I love my country as much as everyone else, and it is important to be united in these times. I am just a little uneasy about government compulsion of pledging allegiance to the government, and there is just something I am a little uneasy with here. I expect to vote for this, but I am just a little uneasy with what we are doing here. Thank you.

The SPEAKER. Ms. Josephs.

Ms. JOSEPHS. May I interrogate the maker of this bill, please?

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

Ms. JOSEPHS. Thank you, Mr. Speaker.

Mr. Speaker, we have gone through a dialogue about a child who does not want to say the pledge and what may or may not happen to that child. Teachers, principals, administrators, adults employed by the school district may have religious and moral reasons for not wanting to participate in a fairly compulsory exercise, proving basically nothing. What answer does your bill have for a teacher who never salutes the flag and does not particularly want his or her students to be put under this regime?

Mr. EGOLF. My bill does not address that. I am sure that is in the School Code now as to how the school would handle teachers who become a problem and do not fulfill the requirements of the—

Ms. JOSEPHS. I am sorry. I am really having a hard time hearing you.

The SPEAKER. Will the lady yield.

Let the gentleman, Mr. Egolf, answer the lady's question, please.

Mr. EGOLF. Okay. If I understand, your question was a teacher that does not want to fulfill this requirement, does not want to offer the pledge at the start of the schoolday. My bill does not address that, because the School Code would address how a school would handle teachers that do not do what they are supposed to do now under the School Code. I am sure the code addresses that; my bill does not.

Ms. JOSEPHS. Thank you, Mr. Speaker.

My interrogation is finished. May I address the issue?

The SPEAKER. The lady is in order.

Ms. JOSEPHS. Thank you.

It appears by the answer of the speaker to my interrogation that the problems that he talked about in various school districts, where administrators and teachers were not following the code as it now stands, will not be in any way changed by this legislation. So the problems that he seeks to address by his own admission are not going to be addressed, and I would suggest that this is a burden on our children, proves nothing.

We have schools in this district, we have plenty of schools in this State that do not even have books. Let us work on the books, not the flags. Thank you, Mr. Speaker.

The SPEAKER. Go ahead.

Mr. DeLUCA. Mr. Speaker, I was just sitting back here, and I just had to make this comment: I would hope there would never be a teacher in our schools who would not follow this bill, and if they are in our schools, then I hope we terminate them.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—200

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

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

NAYS-1

Josephs

NOT VOTING-0

EXCUSED-2

Cruz Pallone

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.

GUESTS INTRODUCED

The SPEAKER. We have with us today, as the guests of Representative Karl Boyes of Erie County, Harold Wesmiller and Harry Fronalczyk, members of the Greater Erie Community Action Council, RSVP (Retired Senior Volunteer Program). Would these guests please rise, in the balcony.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 1520, PN 1844, entitled:

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

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

Mr. NAILOR offered the following amendment No. A3591:

Amend Sec. 2 (Sec. 1), page 2, line 11, by inserting after "subdivision"

, or in the case of National Guard members, the Adjutant General.

Amend Sec. 2 (Sec. 1), page 3, line 26, by striking out the bracket before "or"

Amend Sec. 2 (Sec. 1), page 3, line 26, by striking out "]"

Amend Sec. 2 (Sec. 1), page 3, line 27, by striking out "or National Guard member"

Amend Sec. 2 (Sec. 1), page 3, line 30, by striking out the bracket before "or"

Amend Sec. 2 (Sec. 1), page 3, line 30, by striking out "]"

Amend Sec. 2 (Sec. 1), page 4, line 1, by striking out "or National Guard member"

Amend Sec. 2 (Sec. 1), page 4, line 4, by inserting after "a" National Guard member.

Amend Sec. 2 (Sec. 1), page 4, line 9, by inserting after "such" National Guard member.

Amend Sec. 2 (Sec. 1), page 4, line 11, by inserting after "the" where it appears the first time

National Guard member or

Amend Sec. 2 (Sec. 1), page 4, lines 22 through 26, by striking out "when" in line 22 and all of lines 23 through 26 and inserting when:

(1) his death occurs in an official duty status authorized under 51 Pa.C.S. § 508 (relating to active State duty for emergency); or

(2) going directly to or from the place of such duties.

Amend Sec. 3, page 5, line 1, by striking out "in 60 days" and inserting

immediately

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

The following roll call was recorded:

YEAS-201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Pallone

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-201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Cruz Pallone

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

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

The SPEAKER. Prior to adjournment, I have to take reports of committees.

Are there any announcements for tomorrow's committee meetings?

There will be no further votes today. Tomorrow is a token session day; tomorrow is a token session day.

ANNOUNCEMENT BY MR. DALEY

The SPEAKER. Mr. Daley.

Mr. DALEY. Mr. Speaker, the coal caucus will be meeting tomorrow morning, 9 o'clock, room 8E, to reorganize. So all members of the coal caucus, please be present.

The SPEAKER. The Chair thanks the gentleman.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 340, PN 2682 (Amended) By Rep. GANNON

An Act establishing the Privately Employed Agents Training and Certification Program; regulating privately employed agents; and providing for powers and duties of the Commissioner of the Pennsylvania State Police.

JUDICIARY.

HB 388, PN 405 By Rep. GANNON

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for attachment of income.

JUDICIARY.

HB 1293, PN 1523

By Rep. BOYES

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, excluding from sales tax all equipment and devices which prohibit a weapon or firearm from being fired without a key or combination.

FINANCE.

HB 2018, PN 2647

By Rep. BOYES

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for classes of income for purposes of personal income taxation.

FINANCE.

SB 977, PN 1441 (Amended)

By Rep. GANNON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for senior judge operational support grants.

JUDICIARY.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 340 be taken from the table.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority Appropriations Committee chairman.
Mr. BARLEY. Mr. Speaker, I move that HB 340 be recommitted to the Committee on Appropriations.

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

ADJOURNMENT

The SPEAKER. Do the majority or minority leaders have any further business? Any further announcements? Corrections to the record?

The Chair recognizes the lady from Erie County, Mrs. Wright.

Mrs. WRIGHT. Mr. Speaker, I move that this House do now adjourn until Wednesday, October 17, 2001, at 11 a.m., e.d.t., unless sooner recalled by the Chair.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 1:53 p.m., e.d.t., the House adjourned.