

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, NOVEMBER 20, 2001

SESSION OF 2001

185TH OF THE GENERAL ASSEMBLY

No. 65

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (BRETT FEESE) PRESIDING

PRAYER

VERY REV. WILLIAM C. FORREY, Chaplain of the House of Representatives and Secretary for Parish and Special Ministries, Diocese of Harrisburg, Harrisburg, Pennsylvania, offered the following prayer:

Let us pray:

All-knowing God, we gather to celebrate Your presence among us and to pray for Your guidance as we seek to enact laws and create legislation that will benefit Your people. Enlighten our minds with understanding and perception that we may continue to discover Your truth. Endow our wills with the strength to strive for justice. Fill our hearts with love for the peace You alone can give, that we may be at peace with one another. May our efforts serve the good of all the people of our land.

As we approach Thanksgiving Day, we are ever mindful that our roots in America are religious, that our Founding Fathers were intensely aware of Your presence and of Your divine providence. We gather as a people representing many faith traditions, and we stand before You grateful for Your mercy and generous love that knows no boundaries or limits.

As President Abraham Lincoln wrote 138 years ago, "The year is drawing toward its close and has been filled with blessings of fruitful fields and healthful skies, to these bounties, which are so constantly enjoyed that we are prone to forget the source from which they come...." We pray during this season of Thanksgiving that we will never forget the source of life and all that is good and holy.

Lord of all, let us love all that is just and lifegiving. Instill in us the desire for Your glory and the well-being of all people. Help us to find constructive answers to the problems that confront the citizens of Pennsylvania. May legislators and all public servants be worthy stewards of Your gifts of peace and freedom.

Almighty God, we ask all these things in Your name. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Monday, November 19, 2001, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2178 By Representatives MUNDY, G. WRIGHT, BEBKO-JONES, SATHER, BELFANTI, COY, CREIGHTON, CURRY, DALEY, FRANKEL, FREEMAN, GEORGE, HARHAL, HORSEY, JAMES, JOSEPHS, LaGROTTA, LAUGHLIN, LESCOVITZ, MANDERINO, PISTELLA, ROONEY, SHANER, TANGRETTI, TIGUE, TRICH, WASHINGTON, YOUNGBLOOD, PALLONE and WANSACZ

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, further providing for issuance of license.

Referred to Committee on HEALTH AND HUMAN SERVICES, November 20, 2001.

No. 2179 By Representative DALEY

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to California Borough, Washington County, certain parcels or tracts of land located in the borough.

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

No. 2181 By Representatives McNAUGHTON, BARLEY, SAYLOR, S. H. SMITH, BARRAR, BUXTON, CREIGHTON, FEESE, GODSHALL, HENNESSEY, HORSEY, HUTCHINSON, LEWIS, MAITLAND, McCALL, PHILLIPS, PISTELLA, ROHRER, SATHER, STERN, E. Z. TAYLOR, TIGUE, VANCE, WILT and YOUNGBLOOD

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further defining "agency" and "regulation" to make certain actions of the Pennsylvania Game Commission subject to regulatory review.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, November 20, 2001.

No. 2182 By Representatives MELIO, McCALL, GEIST, SANTONI, SEMMEL, MICHLOVIC and LUCYK

An Act designating the portion of State Route 413 between its intersection with State Route 13 and the Pennsylvania Turnpike in Bristol Township, Bucks County, as Veterans Memorial Highway.

Referred to Committee on TRANSPORTATION, November 20, 2001.

No. 2183 By Representatives BUTKOVITZ, KELLER, LEDERER, WATERS, McGEEHAN, YOUNGBLOOD, WOGAN, E. Z. TAYLOR, PIPPY, READSHAW, WOJNAROSKI, RUFFING, KAISER, DeLUCA, DIVEN, PISTELLA, J. WILLIAMS, TANGRETTI and PETRARCA

An Act specifically authorizing collective bargaining between first-level supervisors and their public employers; providing for arbitration in order to settle disputes rather than striking; and requiring compliance with collective bargaining agreements and findings of arbitrators.

Referred to Committee on LABOR RELATIONS, November 20, 2001.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 361 By Representative WOGAN

A Resolution directing the Pennsylvania Public Utility Commission to conduct a comprehensive study of the safety and security policies adopted by utility service providers that protect critical utility infrastructures, including operative and nonoperative nuclear power plant facilities, private electric and natural gas generating plants and independent electric system operators and to recommend prudent strategies to enhance the standards for the physical security of utility facilities that create, possess, handle, store or transport energy in this Commonwealth.

Referred to Committee on CONSUMER AFFAIRS, November 20, 2001.

No. 364 By Representatives WASHINGTON, MYERS, HERSHEY, WATERS, BISHOP, BEBKO-JONES, BELARDI, CALTAGIRONE, CLYMER, L. I. COHEN, CORRIGAN, CREIGHTON, DALEY, DeLUCA, DeWEESE, D. EVANS, J. EVANS, FAIRCHILD, FICHTER, FRANKEL, GABIG, GEIST, GEORGE, GRUCELA, HARHAI, HORSEY, JAMES, JOSEPHS, KELLER, KIRKLAND, LAUGHLIN, LEDERER, LESCOVITZ, McCALL, NAILOR, OLIVER, PALLONE, PIPPY, PISTELLA, READSHAW, ROEBUCK, RUBLEY, SAINATO, SANTONI, SAYLOR, SCHRODER, SHANER, SOLOBAY, J. TAYLOR, THOMAS, TRICH, WALKO, J. WILLIAMS, WOJNAROSKI and YOUNGBLOOD

A Resolution congratulating Bernard Hopkins on becoming the undisputed middleweight boxing champion.

Referred to Committee on RULES, November 20, 2001.

No. 366 By Representatives CORNELL, S. H. SMITH, VANCE and E. Z. TAYLOR

A Concurrent Resolution directing the boards of directors of the regional biotechnology research centers to make their top priority the creation and enhancement of research and development of commercially

useful products or intellectual property to mitigate biological agents or toxins.

Referred to Committee on RULES, November 20, 2001.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 17, PN 2740**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

ADJOURNMENT RESOLUTION
FOR CONCURRENCE

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

In the Senate
November 19, 2001

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, December 3, 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, December 3, 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.

BILLS REMOVED FROM TABLE

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

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

HB 1469;
HB 2024;
HB 2149;
HB 2150;
HB 2151;
HB 2152;
HB 2153;
HB 2154;
SB 280; and
SB 400.

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 1469, PN 2872; HB 2024, PN 2852; HB 2149, PN 2879; HB 2150, PN 2880; HB 2151, PN 2881; HB 2152, PN 2882; HB 2153, PN 2883; HB 2154, PN 2884; SB 280, PN 286; and SB 400, PN 1466.

BILLS RECOMMITTED

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

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

- HB 1469;
- HB 2024;
- HB 2149;
- HB 2150;
- HB 2151;
- HB 2152;
- HB 2153;
- HB 2154;
- SB 280; and
- SB 400.

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

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that HB 1733, PN 2176, be removed from the table.

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

BILL TABLED

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

Mr. PERZEL. Mr. Speaker, I move that HB 1733, PN 2176, be laid on the table.

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

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the majority whip, Mr. Smith, who requests a leave of absence for today's session for the lady from Chester County, Mrs. RUBLEY; the gentleman from Perry County, Mr. EGOLF; the gentleman from Montgomery County, Mr. MCGILL; the gentleman from Chester County, Mr. SCHRODER; and the gentleman from Delaware County, Mr. RYAN. Without objection, the leaves will be granted. The Chair hears no objection.

The Chair turns to the Democratic whip, Mr. Veon, who requests a leave of absence for the gentleman from Carbon County, Mr. McCALL, and the gentleman from Philadelphia County, Mr. EVANS. Without objection, the leaves will be granted. The Chair hears no objection.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—194

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

DeWeese	Levdansky	Samuelson	Youngblood
DiGirolamo	Lewis	Santoni	Yudichak
Diven	Lucyk	Sather	Zimmerman
Donatucci	Lynch	Saylor	Zug
Eachus	Mackereth		

ADDITIONS—0

NOT VOTING—0

EXCUSED—9

Corrigan	McCall	Rubley	Ryan,
Egolf	McGill	Schroder	Speaker
Evans, D.	Micozzie		

LEAVES ADDED—1

Lynch

LEAVES CANCELED—4

McCall	McGill	Rubley	Ryan,
			Speaker

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome today, as the guest of Representative Victor Lescovitz, Elio Chiarelli. Elio has been selected by the National Future Farmers of America as the 2001-2002 National Future Farmers of America eastern region vice president. Elio is seated to the left of the Speaker. Elio, would you please stand, and welcome to the hall of the House.

As the guest of Representative Stephen Barrar today we have serving as our guest page, one of our guest pages, Ryan Gelinas. Ryan is a junior at Garnet Valley High School. Ryan, would you please rise. Welcome to the hall of the House, Ryan.

Also serving as guest pages today, as the guests of Representative Chris Ross from Chester County, are Verena Woloson, Shaun Staley, Alex Martinez, and Sean McDermott. Their families are also seated to the left of the Speaker. Will our guest pages please rise.

As guests of Representative Lawrence Curry today we have seated in the gallery Mr. and Mrs. Peter Demkovitz and their daughters, Zoe and Olivia. They live in Wyndmoor in the 154th District. The young ladies, who attend Holy Martyrs School, have been looking forward to seeing how our government works. Would you please rise. Welcome to the hall of the House.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1110, PN 1286**, entitled:

An Act regulating religious child-care facilities; providing for the powers and duties of the Department of Public Welfare; and imposing penalties.

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

BILL RECOMMENDED

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

Mr. PERZEL. Mr. Speaker, I move that HB 1110, PN 1286, be recommitted to the Committee on Rules.

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

The House proceeded to third consideration of **HB 539, PN 582**, entitled:

An Act providing for water resources conservation, planning and management; providing for drought response authority; imposing powers and duties on the Department of Environmental Protection in relation thereto; providing for penalties and enforcement; establishing the Water Conservation Fund; and making repeals.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Corrigan	McCall	Rubley	Ryan,
Egolf	McGill	Schroder	Speaker
Evans, D.	Micozzie		

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 1535, PN 1862**, entitled:

An Act redesignating the Apollo Bridge carrying State Route 66 between Oklahoma Borough, Westmoreland County, and Apollo Borough, Armstrong County, as the Leonard C. Miller Bridge.

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

Mr. **PETRARCA** offered the following amendment No. **A3951**:

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

and designating a portion of US Route 119 in Indiana County as the Patrick J. Stapleton Memorial Highway.

Amend Bill, page 1, by inserting after line 14 Section 2. Patrick J. Stapleton Memorial Highway.

(a) Designation.—The portion of US Route 119 in Indiana County between US Route 422 and US Route 22 is hereby designated as the Patrick J. Stapleton Memorial Highway.

(b) Signs.—The Department of Transportation shall erect and maintain appropriate signs to indicate the designation in subsection (a).

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

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

The **SPEAKER** pro tempore. Will the gentleman, Mr. Petrarca, please come to the rostrum.

(Conference held at Speaker's podium.)

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

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING—0

EXCUSED—9

Corrigan	McCall	Ruble	Ryan,
Egolf	McGill	Schroder	Speaker
Evans, D.	Micozzie		

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

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Petrarca, for the purpose of a motion.

Mr. PETRARCA. Thank you, Mr. Speaker.

I make a motion to suspend the rules to offer an amendment.

The SPEAKER pro tempore. What is the amendment number, Mr. Petrarca?

Mr. PETRARCA. A4187. I believe that amendment is in your possession.

The SPEAKER pro tempore. 4187 or 4147?

Mr. PETRARCA. 4147. Thank you.

The SPEAKER pro tempore. The gentleman, Mr. Petrarca, moves to suspend the rules of the House for the immediate consideration of amendment 4147.

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

The following roll call was recorded:

YEAS—193

Adolph	Evans, J.	Mackereth	Saylor
Allen	Fairchild	Maher	Schuler
Argall	Feese	Maitland	Scrimenti
Armstrong	Fichter	Major	Semmel
Baker, J.	Fleagle	Manderino	Shaner
Baker, M.	Flick	Mann	Smith, B.
Bard	Forcier	Markosek	Smith, S. H.
Barley	Frankel	Marsico	Solobay
Barrar	Freeman	Mayernik	Staback
Bastian	Gabig	McGeehan	Stairs
Bebko-Jones	Gannon	McIlhattan	Steelman
Belardi	Geist	McIlhinney	Steil
Belfanti	George	McNaughton	Stern
Benninghoff	Godshall	Melio	Stetler
Birmelin	Gordner	Metcalfe	Stevenson, R.
Bishop	Grucela	Michlovic	Strittmatter
Blaum	Gruitza	Miller, R.	Sturla
Boyes	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	Pallone	Trello
Cawley	Herman	Perzel	Trich
Civera	Hershey	Petrarca	Tulli

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

NAYS—0

NOT VOTING—1

Stevenson, T.

EXCUSED—9

Corrigan	McCall	Ruble	Ryan,
Egolf	McGill	Schroder	Speaker
Evans, D.	Micozzie		

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. PETRARCA offered the following amendment No. A4147:

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

; and designating a portion of State Route 1026 in the City of Latrobe, Westmoreland County, as DePasquale Way.

Amend Bill, page 1, by inserting after line 14 Section 2. DePasquale Way.

(a) Designation.—The portion of State Route 1026 located on the underpass under the Norfolk Southern Railway at the nearest intersection of State Route 981 in the City of Latrobe in Westmoreland County is hereby designated as DePasquale Way.

(b) Signs.—The Department of Transportation shall erect and maintain appropriate signs to indicate the designation in subsection (a).

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

3

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

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

Mr. SAMUELSON. That amendment is not coming up on the computer, and I just wanted to ask the maker of the amendment to give a description of amendment 4147.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Will the gentleman, Mr. Petrarca, provide the House with a description of the amendment.

Mr. PETRARCA. Yes. Thank you, Mr. Speaker.

This amendment names a portion of roadway outside the city of Latrobe for a councilman that served 40 years on town council. It designates a portion of the roadway "DePasquale Way." Thank you.

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Corrigan	McCall	Rubley	Ryan,
Egolf	McGill	Schroder	Speaker
Evans, D.	Micozzie		

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

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

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

On that question, the Chair recognizes the gentleman from Armstrong County, Mr. Coleman.

Mr. COLEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise today along with my good friend, Representative Joe Petrarca, to ask my colleagues to support HB 1535, the bill renaming the bridge between Oklahoma Borough in Westmoreland County and my hometown of Apollo, Pennsylvania, as the "Leonard C. Miller Bridge."

Mr. Speaker, if my colleagues will permit for a moment, prior to the vote, I would like them to know about the legacy of Leonard Miller and why it is altogether fitting and proper to name this bridge in his honor.

On January 3, 1980, 21-year-old police officer Leonard Miller reported for his third day on the job with the Apollo Police Department, brimming with eagerness to protect and do good for the people of Apollo. That day, Officer Miller dutifully and without hesitation chased a speeding vehicle across the Apollo Bridge.

After crossing the bridge, the car stopped. The driver got out and unexpectedly fired hot lead into the young officer, Leonard Miller's body. EMTs (emergency medical technicians) and paramedics tried to save his life but to no avail. The wounds from the gunshots were fatal.

At his funeral in Apollo, hundreds of police officers from every corner of Pennsylvania came to pay tribute to his life and honor the valiant manner in which it was tragically and abruptly ended.

A scholarship fund has been named in his honor and is awarded each year to an individual pursuing a career in law enforcement.

Our town square bears his name, and perhaps the greatest tribute to this brave Pennsylvanian is the Adelphoi Village Leonard C. Miller Home, a treatment center for boys and girls in Pennsylvania to learn the right way to respond to life's pressures and challenges, a place where they can get a fresh start.

GUESTS INTRODUCED

Mr. COLEMAN. Today I would like to introduce you to some of Leonard's friends and colleagues who join me today in the balcony and on the floor of the House. I would ask each of them to—

The SPEAKER pro tempore. Will the gentleman suspend, please.

Will the House come to order. Conferences on this floor, please break up. Will the Sergeants at Arms—

Mr. COLEMAN. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Will the gentleman suspend.

Will the Sergeants at Arms clear the aisles, please. Will the House please come to order.

The gentleman, Mr. Coleman.

Mr. COLEMAN. Mr. Speaker, thank you.

Today some of Leonard's friends and colleagues join me on the floor of the House and in the balcony. I would ask them to stand when I call their names. The current Apollo police chief and the first female police chief in the Kiski Valley, Chief Robin Davis. Chief. Retired Apollo police chief Jim Clawson. In the balcony, school superintendent and close friend of Officer Miller, Dr. William Kerr. Apollo borough secretary Coleen Milie, also in the balcony. And also on the floor, Chief Davis' daughter, Sarah Davis.

Finally, Dr. Kerr and Chief Clawson have written a poem to commemorate this legislation and the life of Officer Miller. A copy has been distributed to each of my colleagues. I hope you will take the time to read it.

Mr. Speaker, thank you for the opportunity to speak on HB 1535. I respectfully urge my colleagues to give the residents of Apollo a lasting and meaningful tribute to the life of Leonard C. Miller by adopting this bill.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland County, Mr. Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

I am also proud to be here to cosponsor this piece of legislation with Representative Coleman.

Leonard Miller was a police officer, as you have heard, whose life was taken away from him much, much earlier than it should have been. Leonard Miller was a well-respected police officer who always had a smile on his face, who was very hardworking, diligent, a diligent police officer that has been missed since 1980. His murder changed the lives of all of us in the Kiski Valley forever and certainly has changed our view of local law enforcement.

The bridge we are naming is the bridge that Officer Miller crossed literally minutes before his murder as part of the kill-for-thrills murder spree in 1980. I am honored to be here to speak on Officer Miller's memory, to speak in his memory. He certainly was a hero, a true hero, that paid the ultimate price in keeping our community safe. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Corrigan	McCall	Rubley	Ryan,
Egolf	McGill	Schroder	Speaker
Evans, D.	Micozzie		

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 1758, PN 2232**, entitled:

An Act designating a bridge on SR 1038, over the Allegheny River in Armstrong County, as the Kittanning Citizens' Bridge.

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

The SPEAKER pro tempore. The gentleman, Mr. Petrarca, withdraws an amendment to HB 1758.

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

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

For what purpose does the gentleman, Mr. Coleman, rise?
Mr. COLEMAN. Mr. Speaker, I rise to urge my colleagues to support HB 1758.

Joining me in this effort are Representative Dick Stevenson and Mr. Ben Simsik. Ben is the winner of Kittanning Middle School's 2001 essay contest to designate, by legislative action, the name of the bridge over the Allegheny River on State Route 1038.

Mr. Speaker, his activism has resulted in HB 1758, which officially renames the bridge the "Kittanning Citizens' Bridge." The name is a fitting tribute to the citizens and taxpayers of Kittanning.

Beyond that, Ben has proved that civic action can lead to action that local residents around the Commonwealth want and need to see from the next generation.

GUESTS INTRODUCED

Mr. COLEMAN. So if my colleagues will help me in welcoming Ben and his parents, Mr. and Mrs. Brad Simsik, and I certainly urge their consideration and support for HB 1758.

Thank you, Mr. Speaker.
The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?
The SPEAKER pro tempore. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—194

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

Barrar	Freeman	McGeehan	Stairs
Bastian	Gabig	McIlhattan	Steelman
Bebko-Jones	Gannon	McIlhinney	Steil
Belardi	Geist	McNaughton	Stern
Belfanti	George	Melio	Stetler
Benninghoff	Godshall	Metcalfe	Stevenson, R.
Birmelin	Gordner	Michlovic	Stevenson, T.
Bishop	Grucela	Miller, R.	Strittmatter
Blaum	Gruitza	Miller, S.	Sturla
Boyes	Habay	Mundy	Surra
Browne	Haluska	Myers	Tangretti
Bunt	Hanna	Nailor	Taylor, E. Z.
Butkovitz	Harhai	Nickol	Taylor, J.
Buxton	Harhart	O'Brien	Thomas
Caltagirone	Harper	Oliver	Tigue
Cappelli	Hasay	Pallone	Travaglio
Casorio	Hennessey	Perzel	Trello
Cawley	Herman	Petrarca	Trich
Civera	Hershey	Petrone	Tulli
Clark	Hess	Phillips	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
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, C.
Cruz	Krebs	Robinson	Williams, J.
Curry	LaGrotta	Roebuck	Wilt
Dailey	Laughlin	Rohrer	Wogan
Daley	Lawless	Rooney	Wojnaroski
Dally	Lederer	Ross	Wright, G.
DeLuca	Leh	Ruffing	Wright, M.
Dermody	Lescovitz	Sainato	Yewcic
DeWeese	Levdansky	Samuelson	Youngblood
DiGiolarno	Lewis	Santoni	Yudichak
Diven	Lucyk	Sather	Zimmerman
Donatucci	Lynch	Saylor	Zug
Eachus	Mackereth		

NAYS—0

NOT VOTING—0

EXCUSED—9

Corrigan	McCall	Rubley	Ryan,
Egolf	McGill	Schroder	Speaker
Evans, D.	Micozzie		

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 1655, PN 2861**, entitled:

An Act establishing the family support services program for certain families with persons with disabilities; providing for the powers and duties of the Department of Public Welfare; establishing a Statewide Family Support Advisory Council; and providing for regional advisory councils.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Corrigan	McCall	Rubley	Ryan,
Egolf	McGill	Schroder	Speaker
Evans, D.	Micozzie		

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 pro tempore. The Chair is pleased to welcome today to the hall of the House, as the guests of Representative Teresa Forcier, representatives from the Pennsylvania Towing Association. These guests are here today to witness the passage of HR 350, the Pennsylvania Towing Safety Day. The guests are seated in the gallery. The guests are Paul Johnson, president of the association; Jim Feller, past president; Charles Beard, past president; Mike Tarquinio, first vice president; and Harold Wheeler, executive director. Would these guests please rise. Welcome to the House.

RESOLUTIONS PURSUANT TO RULE 35

Mrs. FORCIER called up HR 350, PN 2823, entitled:

A Resolution designating November 20, 2001, as "Towing Safety Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

Civera	Hershey	Petrone	Tulli
Clark	Hess	Phillips	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
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, C.
Cruz	Krebs	Robinson	Williams, J.
Curry	LaGrotta	Roebuck	Wilt
Dailey	Laughlin	Rohrer	Wogan
Daley	Lawless	Rooney	Wojnaroski
Dally	Lederer	Ross	Wright, G.
DeLuca	Leh	Ruffing	Wright, M.
Dermody	Lescovitz	Sainato	Yewcic
DeWeese	Levdansky	Samuelson	Youngblood
DiGiroloamo	Lewis	Santoni	Yudichak
Diven	Lucyk	Sather	Zimmerman
Donatucci	Lynch	Saylor	Zug
Eachus	Mackereth		

NAYS—0

NOT VOTING—0

EXCUSED—9

Corrigan	McCall	Rubley	Ryan,
Egolf	McGill	Schroder	Speaker
Evans, D.	Micozzie		

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

* * *

Miss MANN called up **HR 357, PN 2886**, entitled:

A Resolution declaring December 3 through December 7, 2001, as "Dream Come True Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

Browne	Haluska	Myers	Tangretti
Bunt	Hanna	Nailor	Taylor, E. Z.
Butkowitz	Harhai	Nickol	Taylor, J.
Buxton	Harhart	O'Brien	Thomas
Caltagirone	Harper	Oliver	Tigue
Cappelli	Hasay	Pallone	Travaglio
Casorio	Hennessey	Perzel	Trello
Cawley	Herman	Petrarca	Trich
Civera	Hershey	Petrone	Tulli
Clark	Hess	Phillips	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
Costa	Keller	Reinard	Waters
Coy	Kenney	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, C.
Cruz	Krebs	Robinson	Williams, J.
Curry	LaGrotta	Roebuck	Wilt
Dailey	Laughlin	Rohrer	Wogan
Daley	Lawless	Rooney	Wojnaroski
Dally	Lederer	Ross	Wright, G.
DeLuca	Leh	Ruffing	Wright, M.
Dermody	Lescovitz	Sainato	Yewcic
DeWeese	Levdansky	Samuelson	Youngblood
DiGiroloamo	Lewis	Santoni	Yudichak
Diven	Lucyk	Sather	Zimmerman
Donatucci	Lynch	Saylor	Zug
Eachus	Mackereth		

NAYS—0

NOT VOTING—0

EXCUSED—9

Corrigan	McCall	Rubley	Ryan,
Egolf	McGill	Schroder	Speaker
Evans, D.	Micozzie		

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

* * *

Mr. TURZAI called up **HR 358, PN 2887**, entitled:

A Resolution designating the week of November 25 through December 1, 2001, as "Pancreatic Cancer Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Corrigan	McCall	Rubley	Ryan,
Egolf	McGill	Schroder	Speaker
Evans, D.	Micozzie		

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 993, PN 1255**, entitled:

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

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

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

Does the lady, Ms. Josephs, desire recognition? The lady, Ms. Josephs, is recognized and may proceed.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I had a number of amendments to this bill, which, because I have been assured an opportunity to work on them in a different context, I am going to withdraw for today, but before I do that, I would like to make a brief statement about the bill and about my amendments, if I may do that, Mr. Speaker.

The SPEAKER pro tempore. The lady is in order.

Ms. JOSEPHS. Thank you.

As we will learn, HB 993 would provide tobacco retailers in the State with a 4-year State tax credit, which might cost us up to \$10 million, to purchase driver's license scanners in order to assist them, to assist the retailers, in detecting underage purchasers of tobacco who use some kind of driver's license ID in order to convince the clerk at the store that they are indeed of age.

I have some problems with this bill, which is why I had amendments.

First of all, what really discourages teenagers from buying tobacco is raising the price of cigarettes. If we raise the price of each pack of cigarettes through taxes, even only 2 percent, the average tobacco retailer who sells about 45,000 packs a year would generate \$900 annually in additional revenue for the State, which in a time of looming deficits seems to me is a very good policy, much better than raiding the fisc, the public fisc, for tax credits.

My amendments to this bill would have really cut into youth smoking. My amendments would have required that retailers post a sign at the counter, stating tobacco customers under—

The SPEAKER pro tempore. Will the lady suspend.

Ms. JOSEPHS. Certainly.

The SPEAKER pro tempore. Will the House please come to order. Some of the members are having difficulty hearing the lady.

Will the conference near the Democrat floor leader's desk please break up. Please break up.

The lady, Ms. Josephs.

Ms. JOSEPHS. Thank you.

My amendments would have principally required the retailer to post a sign at his counter—its counter, I guess, not his—saying that tobacco customers under 27 years of age must present official photo identification. It would require that retailers place all tobacco products behind the retail counter, where they would be inaccessible to youthful customers, and it would restrict tobacco product advertisements to locations not visible from outside the store if within 1,000 feet of a school or a playground, and it would require these advertisements to be no less than 5 feet above the store floor.

These amendments, along with raising the tobacco tax, would have a very serious impact on discouraging youth smoking, which although I compliment the lady in her endeavor to cut youth smoking through this bill, I fear will not accomplish the purpose as now written.

It is highly doubtful that HB 993 will reduce illegal, underage smoking for the following reasons: Nearly all tobacco sales to minors who are under 18 occur because ID is just not asked for by the retailer. Underage tobacco customers who are asked for ID

almost never show retailers their driver's license since it lists their birth date, but rather, they claim that they forgot it and they show another ID or they claim they lost their driver's license or they do not have one. Since the retailer would still have to request, obtain, and evaluate a license to ensure the photo resembles the customer, the only real benefit provided by the scanner is to verify the age of the customer, and the customer's age is already written on the customer's driver's license. And finally, we fear that most retailers who sell tobacco products illegally to minors will not even apply for this fund, will not be interested in the program, will not want a scanner in their store, and will continue to sell tobacco to Pennsylvania minors, as they should not.

As I said, I compliment the lady. I know I unfortunately cannot vote for her bill. I appreciate her effort. I hope we have an opportunity to work in further months on this issue along with members from both sides of the aisle. I do not think this is a partisan issue. I think this is an issue where we all care about underage smoking, and that together, both Democrats and Republicans can make sure that if a third party comes into our State who can do a scientific survey of underage smoking, that we will begin to see that line go down, we will begin to see fewer and fewer of our children smoking, and we will have a more healthy society in the future.

I thank the lady, and I thank you, Mr. Speaker, for indulging me in my statement.

The SPEAKER pro tempore. The Chair thanks the lady.

On final passage, the Chair recognizes the lady from Montgomery County, Mrs. Cohen.

Mrs. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, what this bill does is help retailers, particularly individually owned, small shop owners who are at risk, who are liable, if they even mistakenly sell tobacco products to minors. This bill will help them and assist the small retailers, as I said, particularly, in getting a tax credit when they purchase equipment which will help them scan driver's licenses to make sure that they are not selling tobacco products to minors.

This is just a way that we can help the business community in Pennsylvania, and I would urge our Representatives to approve this and to vote "yes" on this bill. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—190

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

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

NAYS—4

Josephs	Lewis	Steelman	Tigue
---------	-------	----------	-------

NOT VOTING—0

EXCUSED—9

Corrigan	McCall	Rubley	Ryan,
Egolf	McGill	Schroder	Speaker
Evans, D.	Micozzie		

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 pro tempore. The Chair is pleased to welcome today additional guest pages.

As the guest pages of Representative John Taylor, we have Dan Glatfelter and Jake Hopkins. Would these two guest pages please rise.

Also today as a guest page of Representative Stan Saylor, we have Anupa Dalal, who is currently a freshman at Central York High School. Will Anupa please rise.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 974, PN 2854**, entitled:

An Act amending the act of May 13, 1915 (P.L.286, No.177), known as the Child Labor Law, providing for youth peddling.

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

Ms. **WILLIAMS** offered the following amendment No. **A4182**:

Amend Title, page 1, line 22, by inserting after "therewith," " further providing for regulated employment; and
Amend Bill, page 2, by inserting after line 30
Section 2. Section 4 of the act, amended October 4, 1989 (P.L.584, No.62), is amended to read:

Section 4. No minor under eighteen years of age shall be employed or permitted to work in, about, or in connection with any establishment, or in any occupation, for more than six consecutive days in any one week, or more than forty-four hours in any one week, or more than eight hours in any one day: Provided, That messengers employed by telegraph companies at offices where only one such minor is employed as a messenger in which case such minor shall not be employed for more than six consecutive days in any one week, or more than fifty-one hours in any one week, or more than nine hours in any one day: And provided further, That no minor under eighteen years of age, who is enrolled in regular day school and working outside school hours, shall be employed or permitted to work for more than twenty-eight hours during a school week.

No minor under sixteen years of age shall be employed or permitted to work in, about, or in connection with, any establishment or in any occupation before seven o'clock in the morning or after seven o'clock in the evening of any day except during school vacation period from June to Labor Day when such minor may work between the hours of seven o'clock in the morning and ten o'clock in the evening nor shall such a minor who is enrolled in school and working outside school hours be employed or permitted to work in, about, or in connection with, any establishment or in any occupation more than four hours on a school day, or more than eight hours on any other day, or more than eighteen hours during a school week: Provided, That, students fourteen years of age and over whose employment is part of a recognized school-work program, supervised by a recognized school authority, may be employed for hours which, combined with the hours spent in school, do not exceed eight a day: [And further provided, That minors over the age of fourteen may be employed in the distribution, sale, exposing or offering for sale, of any newspaper, magazine, periodical or other publication for not more than fifty-one hours in any one week, or more than nine hours in any one day, and after six o'clock in the morning and before eight o'clock in the evening:] And further provided, That a minor under sixteen years of age employed on a farm by a person other than the farmer in the hatching, raising or harvesting of poultry may be employed or permitted to work until 10 o'clock in the evening as long as the minor is not working in an agricultural occupation declared hazardous by the United States Secretary of Labor.

No minor under eighteen years of age shall be employed or permitted to work for more than five hours continuously in, about, or in connection with, any establishment without an interval of at least thirty minutes for a lunch period and no period of less than thirty minutes shall be deemed to interrupt a continuous period of work.

No minor under eighteen years of age shall be employed or permitted to work in, about, or in connection with, any establishment between the hours of twelve in the evening and six in the morning if such minor is enrolled in regular day school: Provided, That, minors sixteen and seventeen years of age may be employed until, but not after,

one o'clock in the morning on Fridays and Saturdays, and on days preceding a school vacation occurring during the school year, excepting the last day of such vacation period.

Notwithstanding any other provision of this section, a minor who is sixteen or seventeen years of age who is employed during the months of June, July, August or September by a summer resident camp or a conference or retreat operated by a religious or scout organization shall receive one day of rest (twenty-four consecutive hours of rest) during every seven-day period: Provided, That this paragraph shall not apply to a minor employed primarily for general maintenance work or food service activities.

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

Amend Sec. 3, page 3, line 23, by striking out "3" and inserting
4

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Corrigan	McCall	Rubley	Ryan,
Egolf	McGill	Schroder	Speaker
Evans, D.	Micozzie		

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Evans, J.	Maher	Schuler
Allen	Fairchild	Maitland	Scrimenti
Argall	Feese	Major	Semmel
Armstrong	Fichter	Manderino	Shaner
Baker, J.	Fleagle	Mann	Smith, B.
Baker, M.	Flick	Markosek	Smith, S. H.
Bard	Forcier	Marsico	Solobay
Barley	Frankel	Mayernik	Staback
Barrar	Freeman	McGeehan	Stairs
Bastian	Gabig	McIlhatten	Steelman
Bebko-Jones	Gannon	McIlhinney	Steil
Belardi	Geist	McNaughton	Stern
Belfanti	George	Melio	Stetler
Benninghoff	Godshall	Metcalfe	Stevenson, R.
Birmelin	Gordner	Michlovic	Stevenson, T.
Bishop	Grucela	Miller, R.	Strittmatter
Blaum	Gruitza	Miller, S.	Sturla
Boyes	Habay	Mundy	Surra
Browne	Haluska	Myers	Tangretti
Bunt	Hanna	Nailor	Taylor, E. Z.
Butkovitz	Harhai	Nickol	Taylor, J.
Buxton	Harhart	O'Brien	Thomas
Caltagirone	Harper	Oliver	Tigue
Cappelli	Hasay	Pallone	Travaglio
Casorio	Hennessey	Perzel	Trello
Cawley	Herman	Petrarca	Trich
Civera	Hershey	Petrone	Tulli
Clark	Hess	Phillips	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
Costa	Keller	Reinard	Waters
Coy	Kenny	Rieger	Watson
Creighton	Kirkland	Roberts	Williams, C.
Cruz	Krebs	Robinson	Williams, J.
Curry	LaGrotta	Roebuck	Wilt
Dailey	Laughlin	Rohrer	Wogan

Daley	Lawless	Rooney	Wojnaroski
Dally	Lederer	Ross	Wright, G.
DeLuca	Leh	Ruffing	Wright, M.
Dermody	Lescovitz	Sainato	Yewcic
DeWeese	Levdansky	Samuelson	Youngblood
DiGirolamo	Lewis	Santoni	Yudichak
Diven	Lucyk	Sather	Zimmerman
Donatucci	Lynch	Saylor	Zug
Eachus	Mackereth		

NAYS—0

NOT VOTING—0

EXCUSED—9

Corrigan	McCall	Rubley	Ryan,
Egolf	McGill	Schroder	Speaker
Evans, D.	Micozzie		

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.

ANNOUNCEMENT BY MR. ARGALL

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Schuylkill County, Mr. Argall.

Mr. ARGALL. Just a reminder, Mr. Speaker.

Immediately upon the declaration of the recess, Representative Cornell, our policy chairman, has called a meeting to review some higher education issues, and that will be followed by a 1 o'clock caucus for our members on some tort reform, Medical CAT Fund (Medical Professional Liability Catastrophe Loss Fund) issues.

The SPEAKER pro tempore. The Chair thanks the gentleman.

CONSUMER AFFAIRS
COMMITTEE MEETING

The SPEAKER pro tempore. Does the gentleman, Mr. Wogan, desire recognition for the purpose of an announcement?

Mr. WOGAN. Yes. Thank you, Mr. Speaker.

At the call of the lunch recess, there will be an immediate meeting in the back of the House floor of the House Consumer Affairs Committee.

The SPEAKER pro tempore. The Chair thanks the gentleman.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Geist, for the purpose of an announcement.

Mr. GEIST. Thank you very much.

There will be a meeting of the Transportation Committee in the Ryan Office Building, room 205, at 12:45; Transportation Committee will meet in the Ryan Office Building, room 205, at 12:45. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. Does the gentleman from Bucks County, Mr. Reinard, desire recognition? The gentleman is in order.

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, I have some comments I would like to submit for a matter of record.

The SPEAKER pro tempore. The gentleman will submit his comments to the clerk.

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the names of 12 students in the Council Rock School District who recently participated in an essay contest on "Fire Safety in the Home."

Mr. Speaker, the contest was sponsored by the Society of Chartered Property and Casualty Underwriters and was cosponsored by the school district.

Whereas, fire safety in the home is an important subject for the entire family to discuss and practice. The knowledge of understanding what to do in case of a fire can help save a life or prevent serious injury from occurring.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the names of the outstanding students: Alyssa Steeger, Joseph Thompson, Julia Meinster, Jeremy Wortzel, Allyson Hauptman, Andrew Jones, Bill Reick, Jake Magida, Joshua Wortzel, Jessica Radlow, Jenn Cillingin, and Dayle Magida.

**STATE GOVERNMENT
COMMITTEE MEETING**

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, at the call of recess, there will be a brief meeting of State Government. We will meet in the rear of the hall upon recess. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be a caucus at the call of the recess for both formal and informal discussions. Among the things on our agenda is going over the Crown Cork & Seal amendment that we are likely to vote on later this afternoon.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For the information of the members, there are no more votes scheduled this morning. We will be returning at 2 o'clock.

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

HB 2125, PN 2837

By Rep. B. SMITH

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, increasing the penalty for safety zone violations.

GAME AND FISHERIES.

RECESS

The SPEAKER pro tempore. Does the majority leader or the minority leader have any further business?

Hearing none, this House stands in recess until 2 o'clock, unless sooner recalled by the Chair.

RECESS EXTENDED

The time of recess was extended until 2:30 p.m.

AFTER RECESS

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

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 829, PN 923**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 100, PN 1517**.

**COMMUNICATION FROM
MEDICAL PROFESSIONAL LIABILITY
CATASTROPHE LOSS FUND
ADVISORY BOARD**

The SPEAKER pro tempore. The Chair acknowledges receipt of the Annual Report of the Medical Professional Liability Catastrophe Loss Fund Advisory Board.

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

**COMMUNICATION FROM
TEMPLE UNIVERSITY**

The SPEAKER pro tempore. The Chair acknowledges receipt of the audited financial statements of Temple University for fiscal year 2000-2001.

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

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

HB 2163, PN 2941 (Amended) By Rep. GEIST

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for deputy secretaries in the Department of Transportation.

TRANSPORTATION.

HB 2164, PN 2940 (Amended) By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, imposing penalties on department employees or agents who issue a fraudulent driver's license.

TRANSPORTATION.

HB 2165, PN 2900 By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the issuance and renewal of resident and nonresident commercial drivers' licenses.

TRANSPORTATION.

HB 2166, PN 2901 By Rep. GEIST

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

TRANSPORTATION.

HB 2182, PN 2939 (Amended) By Rep. GEIST

An Act designating the portion of State Route 413 between its intersection with State Route 13 and the Pennsylvania Turnpike in Bristol Township, Bucks County, as Veterans Memorial Highway.

TRANSPORTATION.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1410, PN 2589**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for definitions, for property held by courts and public officers and agencies; and making editorial changes.

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

BILL RECOMMITTED

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

Mr. PERZEL. Mr. Speaker, I move that HB 1410 be recommitted to the Committee on Rules.

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

* * *

The House proceeded to third consideration of **HB 1411, PN 1657**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for reports to the Secretary of Revenue.

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

BILL RECOMMITTED

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

Mr. PERZEL. Mr. Speaker, I move that HB 1411 be recommitted to the Committee on Rules.

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

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. KENNEY called up **HR 365, PN 2928**, entitled:

A Resolution honoring the memory of Police Officer Daniel Faulkner, murdered in the line of duty, on the 20th anniversary of his death.

On the question,
Will the House adopt the resolution?

(Members proceeded to vote.)

LEAVES OF ABSENCE CANCELED

The SPEAKER pro tempore. Mr. McGill, there is nothing in order at this time. For what purpose does the gentleman rise?

Mr. MCGILL. Mr. Speaker, I would like to be put back on the roll — I was not here this morning — so that I could vote on this.

The SPEAKER pro tempore. The gentleman's name will be placed on the roll, and the Chair recognizes the presence of the lady, Mrs. Rubley, who will also be placed back on the roll.

CONSIDERATION OF HR 365 CONTINUED

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Corrigan	Evans, D.	Micozzie	Ryan,
Egolf	McCall	Schroder	Speaker

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. WATERS called up **HR 363, PN 2926**, entitled:

A Resolution commending Johnny Sample on his accomplishments.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Corrigan	Evans, D.	Micozzie	Ryan,
Egolf	McCall	Schroder	Speaker

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

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair returns to leaves of absence and notes the presence of the gentleman, Mr. McCall, on the House floor. He will be placed back on the master roll.

LEAVE OF ABSENCE

The SPEAKER pro tempore. Without objection, the Chair returns to leaves of absence and recognizes the majority whip, Mr. Smith, who requests a leave of absence for the gentleman from Warren County, Mr. LYNCH, for the remainder of the day. Without objection, the leave will be granted. The Chair hears no objection.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair returns to leaves of absence and notes the presence of the gentleman from Delaware County, Mr. Ryan. His name will be placed back on the master roll.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2070, PN 2748**, entitled:

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

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

Mr. SCRIMENTI offered the following amendment No. **A4181**:

Amend Title, page 1, line 2, by removing the period after "assault" and inserting

and for the crime of retaliation against prosecutor or judicial officer.

Amend Sec. 1, page 1, lines 5 through 7, by striking out all of said lines and inserting

Section 1. Sections 2701 and 4953.1(b) of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:

Amend Sec. 1, page 2, by inserting between lines 16 and 17 § 4953.1. Retaliation against prosecutor or judicial official.

(b) Grading.—The offense is a felony of the second degree if any of the following apply:

(1) The actor employs force, violence or deception, or attempts or threatens to employ force, violence or deception, upon the prosecutor or judicial official [or, with the requisite intent or knowledge, upon any other person].

(2) The actor's conduct is in furtherance of a conspiracy to retaliate against a prosecutor or judicial official.

(3) The actor solicits another to or accepts or agrees to accept any pecuniary or other benefit to retaliate against a prosecutor or judicial official.

(4) The actor has suffered any prior conviction for any violation of this title or any predecessor law hereto, or has been convicted, under any Federal statute or statute of any other state, of an act which would be a violation of this title if committed in this Commonwealth.

(5) The actor causes property damage or loss in excess of \$1,000.

Otherwise the offense is a misdemeanor of the first degree.

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

(Members proceeded to vote.)

Mr. COHEN. Mr. Speaker?

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

Mr. COHEN. Mr. Speaker, at least members of the Democratic Caucus do not have the amendment on the screen. Do we have it now? Okay. Could we hold the vote for a minute or so to make sure everybody reads the amendment.

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

The following roll call was recorded:

YEAS—197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Corrigan	Evans, D.	Micozzie	Schroder
Egolf	Lynch		

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

The following roll call was recorded:

YEAS-197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Corrigan	Evans, D.	Micozzie	Schroder
Egolf	Lynch		

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 1958, PN 2512**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for motorcycle fees.

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

Mr. SAYLOR offered the following amendment No. A4129:

Amend Title, page 1, line 2, by inserting after "Statutes," requiring compliance with Federal selective service requirements as part of application for learners' permits or drivers' licenses; and

Amend Bill, page 1, lines 5 and 6, by striking out all of said lines and inserting

Section 1. Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 1521. Compliance with Federal selective service requirements.

(a) General rule.—Any United States citizen or immigrant who is male, applies for a learner's permit or driver's license or a renewal of any such permit or license and who is at least 18 years of age, but less than 26 years of age, must be registered in compliance with the requirements of section 3 of the Military Selective Service Act (62 Stat. 604, 50 U.S.C. App. § 451 et seq.).

(b) Effect of applicant's signature.—The applicant's signature on the application shall serve as an indication that the applicant either has already registered with the selective service system or that the applicant authorizes the department to forward the necessary personal information to the selective service system.

(c) Notification to applicant.—The department shall notify the applicant at the time of application that the applicant's signature constitutes authorization for the department to submit the necessary personal information of the applicant for registration with the selective service system, if the applicant has not already so registered.

(d) Reporting of information.—The department shall forward to the selective service system, in an electronic format acceptable to the selective service system, the necessary personal information of the applicants required to comply with subsection (a).

Section 2. Section 7904 of Title 75 is amended to read:

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

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

The following roll call was recorded:

YEAS—195

- 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, Cawley, Civera, Clark, 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, Manderino, Mann, Markosek, Marsico, Mayernik, McCall, McGeehan, McGill, McIlhatten, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Miller, R., Miller, S., Mundy, Myers, Nailor, Nickol, O'Brien, Oliver, Pallone, Perzel, Petrarca, Petrone, Phillips, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Trich, Tulli, Turzai

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

NAYS—2

- Casorio, Vitali

NOT VOTING—0

EXCUSED—6

- Corrigan, Egolf, Evans, D., Lynch, Micozzie, Schroder

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. HANNA offered the following amendment No. A4178:

Amend Title, page 1, line 2, by inserting after "providing" for size, weight and load scope and application and

Amend Title, page 1, line 2, by removing the period after "fees" and inserting ; and abrogating a regulation.

Amend Sec. 1, page 1, lines 5 and 6, by striking out all of said lines and inserting

Section 1. Sections 4901(c)(2) and 7904 of Title 75 of the Pennsylvania Consolidated Statutes are amended to read:

§ 4901. Scope and application of chapter.

(c) Permit authorizing prohibited movement.— If an overweight or oversize movement cannot be made in any other feasible manner, the permit may authorize the movement to be made in contravention to any provision of this title provided that:

(2) the movement is escorted, while any provision of this title is being contravened, by:

(i) off-duty personnel of the Pennsylvania State Police, paid for by the permittee; or

(ii) department personnel [while any provision of this title is being contravened].

Amend Bill, page 2, by inserting between lines 7 and 8
Section 2. The provisions of 67 Pa.Code § 179.10(12)
are abrogated insofar as they are inconsistent with the amendment of
75 Pa.C.S. § 4901(c)(2).

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

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

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

Mr. GEIST. Thank you, Mr. Speaker.

I rise to reluctantly oppose the amendment. Many on-duty
policemen are assigned to this duty, and if off-duty policemen were
the only people that could do it, a lot of these moves would not be
made, and for that reason I oppose the amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. The Chair recognizes the
gentleman from Clinton County, Mr. Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

I will withdraw the amendment at this time.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. DeLUCA offered the following amendment No. A4169:

Amend Title, page 1, line 2, by inserting after "for"
stop intersections or junctions, for traffic-control
devices and for

Amend Sec. 1, page 1, lines 5 and 6, by striking out all of said lines
and inserting

Section 1. Sections 6109(e), 6122(a) and 7904 of Title 75 of the
Pennsylvania Consolidated Statutes are amended to read:
§ 6109. Specific powers of department and local authorities.

(e) Engineering and traffic investigation required.—

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

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

§ 6122. Authority to erect traffic-control devices.

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

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

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

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

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

The SPEAKER pro tempore. On that question, those in favor
of the amendment will vote "aye"; those opposed, "nay"—

POINT OF ORDER

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

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

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

Mr. VITALI. Mr. Speaker, the House rules require that before
an amendment is run, a description of the amendment will be given
by the maker. Now, we have not as a practical matter been
enforcing this rule, because no one has called, I think, us on it, but
the reality is, that is the rule. It is clearly stated in the rules, and I
am asking that that be enforced. We have just actually voted on at
least one relatively controversial amendment, unbeknownst to most
of the members in this chamber. My feeling is, that is going to
continue to happen. I am simply going to ask that the rule be
enforced that requires the maker of the amendment to give a brief
description of it prior to its being run.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The amendments are on the screen, and the individuals who
sponsored the amendment indicated that they thought it was
appropriate to run.

The Chair thanks the gentleman and recognizes the gentleman,
Mr. DeLuca.

For what purpose does the gentleman, Mr. Vitali, rise?

Mr. VITALI. Point of clarification, Mr. Speaker.

I am trying to get a ruling on the rule that requires the maker of
the amendment to give a brief description of it prior to being run.
I am trying to get a ruling on that amendment. If I am hearing the
Speaker correctly, he seems to be saying that simply the
appearance of the amendment on the screen fulfills that
requirement of the rule. Is that what the Speaker is saying?

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair did not make a ruling, Mr. Vitali. The Chair merely
made it a comment, moved on to Mr. DeLuca, and asked
Mr. DeLuca to explain his amendment. There is no issue before the
Chair to decide.

The Chair thanks the gentleman.

The gentleman, Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

This amendment is an agreed-to amendment. What it does is,
municipalities out there today are going through expensive,

extensive surveys to erect stop signs out in their local municipalities. What this amendment specifies is the local municipality, the police department, who has control of the roads be able to go out there and put the stop signs out without going through an extensive survey that costs a tremendous amount of money for the taxpayers.

It is a simple amendment, it is an agreed-to amendment, and I would certainly appreciate an affirmative vote on behalf of this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Geist.

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

This is an agreed-to amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

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

Eachus	Maitland	Schuler	Ryan,
Evans, J.	Major	Scrimenti	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Corrigan	Evans, D.	Micozzie	Schroder
Egolf	Lynch		

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

On the question recurring,

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

The SPEAKER pro tempore. The Chair has been advised that all other amendments have been withdrawn from the bill.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman, Mr. Geist, on the bill.

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

Just a few words before we run final passage.

I would like to thank all the folks who worked on this, especially the members of ABATE (Alliance of Bikers Aimed Toward Education). We have a very serious problem with the number of people who are riding motorcycles and new riders who are getting killed, and this bill goes a long way to ensure that a lot of those people are going to have a very safe and productive time riding motorcycles, and I just want to thank everybody that has been involved with it and urge a "yes" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—185

Adolph	Evans, J.	Markosek	Smith, B.
Allen	Fairchild	Marsico	Smith, S. H.
Argall	Feese	Mayernik	Solobay
Armstrong	Fichter	McCall	Staback
Baker, J.	Fleagle	McGeehan	Stairs
Baker, M.	Flick	McGill	Steelman
Bard	Frankel	McIlhatten	Steil
Barley	Freeman	McIlhinney	Stern
Barrar	Gabig	McNaughton	Stetler

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

NAYS-12

Browne	Gordner	Hasay	Rohrer
Casorio	Habay	Lewis	Scrimenti
Forcier	Harhart	Metcalfe	Yewcic

NOT VOTING-0

EXCUSED-6

Corrigan	Evans, D.	Micozzie	Schroder
Egolf	Lynch		

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

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

The House proceeded to third consideration of SB 818, PN 1514, entitled:

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

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

RULES SUSPENDED

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

Mr. PERZEL. Mr. Speaker, I move that the House suspend its rules for the immediate consideration of amendment 4234.

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

Mr. COHEN. Mr. Speaker?

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

Mr. COHEN. Mr. Speaker, I rise to oppose the motion to suspend the rules.

The SPEAKER pro tempore. Will the gentleman suspend? The gentleman, Mr. Perzel, has not yet been recognized on the motion.

Mr. COHEN. Thank you.

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

Mr. PERZEL. Mr. Speaker, we are only asking for a suspension of the rules in order to have an opportunity of running the Crown Cork & Seal amendment, Mr. Speaker.

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the Crown Cork & Seal amendment is an extremely complex amendment. We spent a couple of hours or more debating it the last time it came before us. It takes a two-thirds vote to pass a motion to suspend the rules. We are very, very close to Thanksgiving. The lobbying community has had an opportunity to talk to some members; it has not had an opportunity to talk to many members. It seems to me that given the complexity of this amendment and the controversy associated with it and given the closeness to Thanksgiving and given the fact that the Senate has already recessed and cannot act on it today, even if we pass it today, it would seem, given all these factors, the best result would be for us to come back on December 3 and vote the pros and cons of this legislation.

The inherent complexity of this legislation, the many questions of law involved, the many questions of equity, the deep divisions in both the Democratic and Republican Caucuses, the extended likelihood of debate, all operate to urge that we not suspend the rules and that we vote on this amendment at a subsequent date.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The question before the House is, should the rules of the House be suspended for the immediate consideration of amendment 4234?

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

The following roll call was recorded:

YEAS-136

Adolph	Donatucci	Mackereth	Ross
Allen	Eachus	Maher	Rubley
Argall	Evans, J.	Maitland	Sather
Armstrong	Fairchild	Major	Saylor

Baker, J.	Feese	Mann	Schuler
Baker, M.	Fichter	Markosek	Semmel
Bard	Fleagle	Marsico	Shaner
Barley	Flick	McCall	Smith, B.
Barrar	Forcier	McGeehan	Smith, S. H.
Bastian	Gabig	McGill	Solobay
Benninghoff	Gannon	McIlhattan	Stairs
Birmelin	Geist	McIlhinney	Steil
Bishop	George	McNaughton	Stern
Boyes	Godshall	Metcalfe	Stevenson, R.
Browne	Gordner	Michlovic	Stevenson, T.
Bunt	Habay	Miller, R.	Strittmatter
Butkovitz	Harhart	Miller, S.	Taylor, E. Z.
Cappelli	Harper	Nailor	Taylor, J.
Civera	Hasay	Nickol	Thomas
Clark	Hennessey	O'Brien	Trello
Clymer	Herman	Oliver	Trich
Cohen, L. I.	Hershey	Perzel	Tulli
Coleman	Hess	Petrone	Turzai
Cornell	Horsey	Phillips	Vance
Costa	Hutchinson	Pickett	Watson
Coy	Jadlowiec	Pippy	Wilt
Creighton	Kaiser	Pistella	Wogan
Cruz	Keller	Raymond	Wright, M.
Dailey	Kenney	Readshaw	Yudichan
Daley	Krebs	Reinard	Zimmerman
Dally	Lederer	Rieger	Zug
DeLuca	Leh	Roberts	
DeWeese	Lescovitz	Robinson	
DiGirolamo	Lewis	Rohrer	Ryan, Speaker
Diven	Lucyk		

NAYS-60

Bebko-Jones	Gruitza	Pallone	Tangretti
Belardi	Haluska	Petrarca	Tigue
Belfanti	Hanna	Preston	Travaglio
Blaum	Harhai	Roebuck	Veon
Buxton	James	Rooney	Vitali
Caltagirone	Josephs	Ruffing	Walko
Casorio	Kirkland	Sainato	Wansacz
Cawley	LaGrotta	Samuelson	Washington
Cohen, M.	Laughlin	Santoni	Waters
Colafella	Lawless	Scrimenti	Williams, C.
Curry	Levdansky	Staback	Williams, J.
Dermody	Manderino	Steelman	Wojnaroski
Frankel	Melio	Stetler	Wright, G.
Freeman	Mundy	Sturla	Yewcic
Grucela	Myers	Surra	Youngblood

NOT VOTING-1

Mayernik

EXCUSED-6

Corrigan	Evans, D.	Micozzie	Schroder
Egolf	Lynch		

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. PERZEL offered the following amendment No. A4234:

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

; and providing for limitations on asbestos-related liabilities relating to certain mergers or consolidations.

Amend Bill, page 4, line 1, by striking out all of said line and inserting

Section 2. Title 42 is amended by adding a section to read:

§ 7104. Limitations on asbestos-related liabilities relating to certain mergers or consolidations.

(a) Limitations on successor asbestos-related liabilities.—

(1) Except as further limited in paragraph (2), the cumulative successor asbestos-related liabilities of a domestic corporation that was incorporated in this Commonwealth prior to May 1, 2001, shall be limited to the fair market value of the total assets of the transferor determined at the time of the merger or consolidation and such corporation shall have no responsibility for successor asbestos-related liabilities in excess of such limitation.

(2) If the transferor had assumed or incurred successor asbestos-related liabilities in connection with a prior merger or consolidation with a prior transferor, then the fair market value of the total assets of the prior transferor, determined at the time of such earlier merger or consolidation, shall be substituted for the limitation set forth in paragraph (1) for purposes of determining the limitation of liability of a domestic corporation.

(b) Limitation on total assets available to satisfy successor asbestos-related liabilities.—

(1) Except as further limited in paragraph (2), the assets of a domestic corporation that was incorporated in this Commonwealth prior to May 1, 2001, shall be exempt from restraint, attachment or execution on judgments related to claims for successor asbestos-related liabilities to the extent that the cumulative amounts which, after the time of the merger or consolidation as to which the fair market value of total assets is determined for purposes of this subsection and subsection (a), are paid or committed to be paid by or on behalf of the corporation, or by or on behalf of a transferor, in connection with settlements, judgments or other discharges of claims of asbestos-related liabilities, exceeds the fair market value of the total assets of the transferor, determined at the time of the merger or consolidation.

(2) If the transferor had assumed or incurred successor asbestos-related liabilities in connection with a prior merger or consolidation with a prior transferor, then the fair market value of the total assets of the prior transferor, determined at the time of such earlier merger or consolidation, shall be substituted for the limitation set forth in paragraph (1) for purposes of determining the extent of the exemption of the assets of a domestic corporation.

(c) Fair market value of total assets.—

(1) A domestic corporation may establish the fair market value of total assets through any method that is reasonable in the circumstances, including, but not limited to, by reference to the purchase price paid for such assets in an arm's length transaction and the value of such assets recorded on a balance sheet. Any such showing by the domestic corporation of a reasonable determination of the fair market value of assets shall be prima facie evidence of such fair market value.

(2) Once a reasonable determination of the fair market value of total assets has been thus established by a domestic corporation, a claimant disputing that determination of value shall then have the burden of establishing a different fair market value of such assets.

(3) For the purpose of adjusting the limitations set forth in subsections (a) and (b) to account for the passage of time, the fair market value of total assets at the time of a merger or consolidation shall be increased annually, until the earlier of:

(i) the date of the settlement, judgment or other discharge to which the limitations in subsections (a) and (b) are being applied; or

(ii) the date on which such adjusted fair market value is first exceeded by the cumulative amounts paid or committed to be paid by or on behalf of the corporation, or by or on behalf of a transferor, after the time of the merger or consolidation as to which the fair market value of total assets is determined for purposes of subsections (a) and (b), in connection with settlements, judgments or other discharges of the successor asbestos-related liabilities,

at the rate equal to the prime rate as listed in the first edition of the Wall Street Journal published for each calendar year since such merger or consolidation, plus 1%, not compounded.

(d) Transfer of claim to avoid policy of Commonwealth.—The provisions of section 8128 (relating to transfer of claim to avoid policy of Commonwealth) shall apply to the limitation on assets set forth in subsection (b).

(e) Application.—

(1) The limitations set forth in subsections (a) and (b) shall apply to mergers or consolidations effected under the laws of this Commonwealth or another jurisdiction consummated before May 1, 2001.

(2) The limitations set forth in subsections (a) and (b) shall apply to all asbestos claims, including existing asbestos claims, and all litigation, including existing litigation, and shall apply to successors of a domestic corporation to which this section applies.

(3) The limitations set forth in subsections (a) and (b) shall not apply to workers' compensation benefits paid by or on behalf of an employer to an employee pursuant to the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, or comparable workers' compensation law of another jurisdiction.

(4) The limitations set forth in subsections (a) and (b) shall not apply to any claim against a domestic corporation that does not constitute a successor asbestos-related liability.

(5) This section shall not apply to an insurance corporation as defined in 15 Pa.C.S. § 3102 (relating to definitions).

(6) The limitations set forth in subsections (a) and (b) shall not apply to any obligations arising under the National Labor Relations Act (49 Stat. 449, 29 U.S.C. § 151 et seq.), or under any collective bargaining agreement.

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

"Asbestos claim." Any claim, wherever or whenever made, for damages, losses, indemnification, contribution or other relief, arising out of, based on or in any way related to asbestos, including, but not limited to, property damage caused by the installation, presence or removal of asbestos, the health effects of exposure to asbestos, including any claim for personal injury, death, mental or emotional injury, risk of disease or other injury or the costs of medical monitoring or surveillance. The term also includes any claim made by or on behalf of any person exposed to asbestos or any representative, spouse, parent, child or other relative of any such person.

"Domestic corporation." A domestic corporation as defined in 15 Pa.C.S. § 102 (relating to definitions).

"Successor asbestos-related liabilities." Any liabilities whether known or unknown, asserted or unasserted, absolute or contingent, accrued or unaccrued, liquidated or unliquidated or due or to become due, related in any way to asbestos claims, that were assumed or incurred by a corporation as a result of or in connection with a merger or consolidation, or the plan of merger or consolidation related thereto, with or into another corporation effected under the laws of this Commonwealth or another jurisdiction or which are related in any way to asbestos claims based on the exercise of control or the ownership of stock of such corporation prior to such merger or consolidation. The term shall include liabilities which, after the time of the merger or consolidation as to which the fair market value of total assets is determined for purposes of

subsections (a) and (b), were or are paid or otherwise discharged or committed to be paid or otherwise discharged, by or on behalf of the corporation, or by or on behalf of a transferor, in connection with settlements, judgments or other discharges in this Commonwealth or another jurisdiction.

"Transferor." A corporation from whom successor asbestos-related liabilities are assumed or incurred.

Section 3. This act shall take effect immediately.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. Those in favor of the amendment will vote "aye"; those—

POINT OF ORDER

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

Mr. VITALI. Mr. Speaker, I am confused.

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

Mr. VITALI. Mr. Speaker, the last time I rose to the microphone, I raised a point of order, and I am not sure it was addressed by you. I thought you understood the point.

Mr. Speaker, rule 27 of our House rules, the rules by which we govern ourselves, clearly states, "The sponsor of the amendment shall explain the amendment prior to consideration...."

Mr. Speaker, we are a House of rules. We have rules which govern ourselves. We cannot routinely ignore them at our convenience, and I am very insulted being a part of this chamber that is simply ignoring those rules, Mr. Speaker. I am simply asking you to enforce the House rules. I am not sure why it was not done last time, and I am very disappointed it was not done this time.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment, as was mentioned earlier, had been debated an awful lot during June. It was basically about saving 1,000 jobs in Philadelphia, four locations; it is Hanover, Wilkes-Barre, Philadelphia. By and large, they are union jobs, Mr. Speaker.

This company is in danger of absolutely going bankrupt over the next year to 2 years. All we were asking for was an opportunity of letting them come out from under a group of asbestos claims, a product that they never, ever made, Mr. Speaker. I think the members heard it earlier. They bought a company in 1963. They never manufactured any asbestos whatsoever. They bought it for a bottle cap manufacturing company. Later on, about 2 years later, they divested themselves of the company that was not making anything whatsoever. They sold the machinery, they sold all the equipment that was used to make the stuff, and they sold the book of business, Mr. Speaker. So they never manufactured a product.

I went on the Internet today at Dow Jones, and it said that in February of 2002 this company has to make a bond payment of \$400 million; in September of 2002 they have to pay a \$350-million bond payment. They must sell assets in order to start making their bond payments beginning in September of 2002 or

this company, in order to be able to do this, either this company will have to restructure its bonds or either inside or outside of bankruptcy take care of its problem, Mr. Speaker.

I am asking you to help a Pennsylvania Fortune 500 company. I am asking you to try and keep this company here and keep those jobs here, Mr. Speaker. So I am asking for a "yes" vote on the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the lady from Luzerne County, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I am really not sure what has changed since we voted this issue back in June, but in June I rose in opposition to doing tort reform and liability reform and successor liability reform one company at a time in Pennsylvania. Nothing has changed since then.

Basically what we are talking about is a company that has lawsuits in Pennsylvania and lawsuits in other States filed against it. All we would be doing by taking this action is to take away the rights of Pennsylvania's workers to stake a claim if they have asbestos injuries. How is this helpful to the health of this company? Mr. Perzel tells us that we are to look to the Dow Jones Web site, I guess, to judge the health of the company, that they are in dire straits. We have a letter from an officer of the company on our desks. The letter says, "The trial lawyers would have you believe that Crown is a perfectly healthy company. But it is not." Well, I am not worried about what the trial lawyers are saying. I would refer you to Crown Cork & Seal's 2000 annual report. Look at page 12, which is the beginning of the notes on consolidated financial statements; that is the beginning of it, and you have several pages that outline various aspects of the financial statements. Then we get to page 15 of Crown Cork & Seal's annual report for 2000, the section K, "Commitments and Contingent Liabilities," and under that section on the following page, Crown Cork & Seal makes the following statement to its shareholders: "While it is not possible to predict with certainty the ultimate outcome of these lawsuits and contingencies, the Company believes, after consultation with counsel, that resolution of these matters is not expected to have a material adverse effect on the Company's financial position." Well, do we believe the company's own words in its annual report to shareholders or do we believe the company's own words in a letter to Mr. Perzel? I am baffled; I truly am. If I were a shareholder in Crown Cork & Seal and I were listening to this debate, I would have to be asking my attorney what I should be doing to protect my interests.

We should not be doing tort reform one company at a time. We should not be preventing Pennsylvania's workers as opposed to Texas' workers and Mississippi's workers who will have an ability to get a claim paid if this lawsuit is successful, if these various lawsuits are successful. If we need to do tort reform to protect Pennsylvania's companies, let us do it.

I look forward to the bill that Mr. Perzel brings to this House floor that will reform tort so that everyone gets a fair and just hearing on injuries and that companies are not unjustly or unduly damaged by liability law, but until then, it is not right to limit the protections we have in place for Crown Cork & Seal's Pennsylvania employees, certainly not when they, in their annual report, claim to be a very healthy company.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

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

Mr. NICKOL. Thank you, Mr. Speaker.

When discussing this issue, it is easy to begin to focus on Crown Cork & Seal as some faceless corporate entity, but the jobs of real Pennsylvania workers hang in the balance here today. Real Pennsylvania citizens with homes and families are counting on us to do what is right and support this amendment.

I would like to provide my colleagues with a closer look at the thoughts and concerns of some of the Pennsylvanians who are depending on us today. I will give direct voice to some of the concerns by reading excerpts from some of the letters that I have received.

Kelly, from Philadelphia: "I am a single woman working to support myself in Northeast Philly, and I began working with Crown earlier this year. I find it very disturbing that the jobs of countless Pennsylvania residents — including my own — are being threatened in order that absurd claims (the vast majority of which are from out-of-state) can bleed this Pennsylvania-based company dry."

John, from Hanover, in my district: "By the accepted standards of 1963, there was nothing known to be harmful with asbestos. In fact, I can remember using asbestos gloves to hold test tubes over a burner in school! Does that make the school system and thus the government in general responsible for the asbestos if it causes me problems later in life?" And John asks, "Where will it all end?"

His thoughts were echoed by another person who wrote to me: "I have a problem understanding why anyone could blame my company for something that they never produced. I realize the law is the law, but it's time to" come to reality and "realize the law is wrong!"

Linda, from Philadelphia: "My job is in jeopardy due to these lawsuits. I need my job because I have a daughter who will be going to college in the fall of 2002 and higher education is very expensive."

Another letter: "While these out of state trial lawyers are making millions, we the Pennsylvania residents are in jeopardy of losing our jobs. I write to you because this directly affects me! It affects my husband, my three children, our medical benefits, where we will live, and where our children will go to school. Not to mention the financial viability of thousands of retirees. What are they" going "to do without medical benefits when they need them most? We need your help."

I have gotten hundreds of letters on this subject. These are just the comments of a few people in their own voices.

For my colleagues who are considering this vote here today, I urge you to take in account the sentiments of these people. This is not a vote for the special interests that are roaming the halls of this Capitol Building urging us to vote one way or another. This is a vote for the residents of Pennsylvania. We have the opportunity today to make a real difference in the lives of these individuals.

We all know that Crown has done nothing wrong. They do not deserve this avalanche of lawsuits they are facing. More importantly, these workers do not deserve to have their elected officials turn their backs on them when they need it most. Pennsylvania workers and their families are counting on us to do

the right thing. Please support this amendment; support Pennsylvania workers.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the lady, Ms. Manderino.
Ms. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, it is not lost on me and I am sure many of the members of this chamber that letters would be received like those that were just read. We saw this last year with regard to another Pennsylvania company, whom I will not name on the floor but we all know whom we are talking about, who worked up all of their employees to come up here and lobby us at the eleventh hour when we were in the makeshift chambers down in room 8E of the East Wing, very sincere citizens of Pennsylvania convinced that they would lose their jobs but for if we passed this legislation. I fear, just as in that case, they were hoodwinked by their corporate employers, and irrespective of whatever we did, that company changed its corporate headquarters, those people lost their jobs, and they came back to us 6 months later and said, you were right; we were being used as pawns.

There has been a lot of misinformation and half-truths being put out on this issue, and I would like to at least go through some of the facts and the realities.

The SPEAKER. Will the lady yield.

There are entirely too many conferences going on on the floor. Please, this aisle, please take your seats.

Ms. Manderino. I am sorry.

Ms. MANDERINO. Thank you, Mr. Speaker.

Representative Mundy read from the 2000 annual report of Crown Cork & Seal. Now, some might say that that is year-old information. So let me update you.

The most recent SEC (Securities and Exchange Commission) filing by Crown Cork & Seal, dated November 14, 5 days ago, with figures effective since September 30 of this year, about a month, 6 weeks ago, in the same section on commitments and contingent liabilities, in part it says – the same thing it said in the annual report – “While it is not possible to predict with certainty the ultimate outcome of these lawsuits...,” referring to the asbestosis liabilities, “the Company believes, after consultation with counsel, that resolution of these matters is not,” I repeat, “not expected to have a material adverse effect on the Company’s financial position.” That is their most recent SEC filing, effective September 30, 2001, filed just a couple of days ago.

We also had on our desk today from the majority leader a letter from a vice president of Crown Cork & Seal. Attached to that letter is a 2-page document called “Myths About the Legislative Remedy Affecting Crown Cork and Seal.” Now, I do not know whom to attribute this document to, whether it was an attachment that came with the letter from corporate Crown Cork & Seal or whether this was an attachment that was prepared by somebody here, but be that as it may, it was distributed to all of us members, and while purporting to set out the myths versus reality, it really is filled with its own share of half-truths.

For example, in trying to refute the impact that this legislation would have on the rights of Pennsylvania citizens, they admit in their document that probably only about 2 percent of the claims that their company is facing come from Pennsylvania plaintiffs, and then they try to convince us that by changing our Pennsylvania law, we will be able to affect not only those 2 percent but the other 98 percent of the claims that they are facing from plaintiffs in other parts of the country. That is just not accurate.

They talk about claims with jury verdicts in Texas and Mississippi. Under the full faith and credit of our laws in these common United States, once there is an award and a court order in another State, the States where— So in Texas and Mississippi, for example, Pennsylvania has to give full faith and credit to the award that was given in those other States. We cannot change our law and affect the full faith and credit; we cannot do that. The only people that we will be affecting by changing our laws are the people who live in Pennsylvania, that 2 percent.

Another myth and reality that we are being sold is this is not about tort law; this is about corporate law. Well, I will point you very simply to the fact that corporate law in Pennsylvania and corporate law with regard to these issues would be found in Title 15. Look at the bill in front of you. It is a Title 42 Judicial Code bill where all of the tort legislation can be found.

Another myth that we are told is that because there are decisions being made in other States with regard to their juries and awards and the trials, they have to look to the corporate merger law in the State in which the merger took place, and then they proceed to tell us that the Pennsylvania legislature, if we adopt reasonable limits to our merger liability, will force these out-of-State courts to comply. Even if you want to ignore my argument about full faith and credit, the last time I checked, the merger law that applied in Crown Cork & Seal when they merged back in the sixties was the law of New York State where they were incorporated. So any law changes that we make to Pennsylvania law and attempt to impact retroactively will not have an effect on this because they were a corporate entity in New York when the merger between Crown Cork and Mundet happened many, many years ago.

So the bottom line, I guess, that I would ask you is, in light of all of the potential challenges that we know this law is going to face – and I am not going to make a motion here for constitutionality, because I know, based on the earlier procedural vote, that I will just be wasting your time, but trust me, it will go to court, and trust me, the issue of constitutionality is very far from clear-cut and at least I would argue it is very clearly an issue that has extremely significant constitutional ramifications and will likely be found to be unconstitutional – but do we as a legislative body want to set a precedent up again and again and again for specialty legislation written for one particular company, that every time that particular company wants to make some sort of financial or business decision, that they are going to run to us for a special piece of legislation to improve their corporate financial posturing? I would submit to you that that is the worst kind of legislation that we can pass and that we can be a part of, and this is not the first time we have seen it. And if we do this today, this will not be the last time we will see it, but it will become a regular course of business where we will be pitted against citizens of Pennsylvania, workers of Pennsylvania, companies of Pennsylvania holding us hostage for specialty legislation that is not only unconstitutional but bad public policy to do.

The bottom line is today we will be affecting very little, if at all, the bottom line of a particular Pennsylvania company but we will be setting a bad precedent, and if we are affecting anybody’s rights, it will be only the rights of Pennsylvania citizens who live in Pennsylvania and who may potentially have a health-related asbestosis claim arising out of this litigation. It is not a good thing to do. I urge you, please, to be sensible and vote “no.”

The SPEAKER. The Chair thanks the lady.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Prior to recognizing the lady from Philadelphia, Mrs. Lederer, I have an important announcement.

Today is the 55th birthday of the Chief Clerk, Ted Mazia. No one thought he would make it.

CONSIDERATION OF SB 818 CONTINUED

The SPEAKER. Mrs. Lederer.

Mrs. LEDERER. Thank you, Mr. Speaker.

I will not speak on the law. We have many lawyers here who do that all the time.

I want to speak just a wee bit about Crown Cork. Crown Cork places \$1 billion a year into the Pennsylvania economy. They employ 1,000 people in our State who also add to our economy. Crown is an international company who could have opened their international headquarters in any one of the 60-odd countries in which they do business. They chose Pennsylvania. They put their confidence in us. It is time for us to step up to the plate and consider the fact that 1,000 of our constituents will lose their jobs if we do not pass this bill. We owe it to the employees, we owe it to the State, and we owe it to our city of Philadelphia and the other counties to protect their constituents.

Please vote "yes." Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, this will be an effort in futility, I can assure you, in that no matter how long we as individuals have been here, this will probably be one of the few times that we will have an opportunity to vote our people against our people, our working men and women against our working men and women.

There is not anyone that wants to see jobs lost. Whether we can legitimately criticize those in our administration for attempting to bring jobs about and the fact we continue to lose employment is a great concern for all of us, but it just is very difficult now that I have begun to realize what this is all about, and what we are saying is that we want to protect the jobs yet we are doing very little to protect 1,000 people that have been injured. It would seem that those individuals that came before you and I that occupied the very seat that we occupy, that they at one time had to make a very difficult decision. They, too, had to make a decision of whether they were going to take a proper action to protect the working men and women in the workplace or whether they were going to simply say this is going to cost more money and therefore we could lose jobs.

For those that do not live near a coalfield, such as many of us do, and have experienced the situation where your constituents come to you in regard to lung disease, there are many people who still do not get it, still do not understand how terrifying, how debilitating a lung disease is. Whether it was caused by pneumoconiosis or silicosis or asbestosis, the fact remains it is a terrible, dreaded disease, and it is debilitating to say the least.

So as we stand here in a very difficult situation listening to the fine lady from Philadelphia, whom I like personally and believe that she has a very serious concern, there are those of us that have a serious concern about those individuals that have fallen through the crack.

The SPEAKER. Will the gentleman yield.

Mr. GEORGE. There is something—

The SPEAKER. Will the gentleman yield.

Conferences on the floor, please.

The Chair apologizes to the gentleman, Mr. George. You may continue.

Mr. GEORGE. Thank you, Mr. Speaker.

I apologize to the body, but no matter how long we are here, as I said earlier, we can be confused and we should be grateful to those that preceded us, and hopefully, those that might succeed us when the time comes will understand that many times we are placed in the position where we have to make a decision, and unfortunately, when that decision has to be made and that decision makes it more difficult on the working men and women, then we really have a tough decision.

Now, I have had many people that are under the misapprehension, well, this lung disease and how easy it is to be able to make a claim and have it attended to in a matter where there is no doubt that you are going to get an award or an entitlement, but the opposite is just true. The opposite is completely true in that the lung disease is always progressive. The opacities in your lung come about from the involvement and the infiltration of a foreign body, whether it be coal or whether it be stone or whether it be asbestos. The truth of the matter is, Mr. Speaker, that asbestos is a very terrifying contaminant that cuts the lungs to pieces.

Now we are standing here on the threshold of a bill that somebody says, well, we have to pass it or we are going to lose, we are going to lose some jobs, and that is true; we probably will. But again, are we going to continue to stand here and remove some of these rights from our men and women, those people at the workplace? Are we going to continue to take action to restrict them or take away a privilege or take away a protection?

It was said, and properly so, that these people that are looking for jobs and are going to lose them, their families will be put up against a very economic hardship, but by the same token, an individual that is debilitated with a lung disease is an individual that in most cases cannot work anymore, and if in fact he has that debilitation, it would be hard for him to find a job much less perform in that job.

And again, even though I have a quiet House, you people have made up your mind, but I apologize for taking up your time.

But now I come to realize that my purpose here is to protect those that need our help and need our protection. If those that came before us in a very conservative and unapproachable area of time when conservatism was all that we talked about, if they had the good wisdom, the good judgment to be concerned about our working men and women at the workplace, what are we doing in the 21st century to stand here and say, well, we certainly can protect one company? We did not protect Armstrong, we did not protect other companies, yet we are going to protect this company.

The decision is a tough decision; it is yours, but I simply cannot ignore the pleas and the cries and the anguish of thousands of people at this moment that have never been able to get an entitlement or those people in the future that will find it even more difficult to be able to get a General Assembly sympathetic to their problem, because now it will be, well, we did it for this company and we are going to do it for the other company. I do not understand it, and I do not understand how, I am told, the company

is spending \$100 million and yet was able to recoup \$127 million from the Federal government.

I only say that we all have a problem. I think we magnify that problem when we vote "yes" on the amendment. That is why in good conscience I am going to vote "no." Thank you.

The SPEAKER. The gentleman from Philadelphia County, Mr. Cohen.

The conference in the rear of the House, please. The caucus taking place in the rear of the House, please break up.

Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, my concerns fall into two categories. First, I am concerned about the impact of this legislation on the basis of the people who are directly involved with Crown Cork & Seal. Second, I am concerned with the impact of this legislation on everybody else.

Dealing with Crown Cork & Seal, there are many affected parties. Some of the affected parties are the stockholders, some of the affected parties are the workers at Crown Cork & Seal, but there are many, many other affected parties who are not stockholders or workers at Crown Cork & Seal. Many, many, many thousands of people in this Commonwealth worked in shipyards, powerplants, and other similar facilities from the 1960s on and used the materials containing very, very dangerous asbestos. There were 13 installation units across Pennsylvania distributing this dangerous material, and right now in the courts of Pennsylvania, I am reliably told there are 2,000 lawsuits pending, 2,000 lawsuits pending of people who have been seriously injured as a result of their exposure to asbestos. In addition to the 2,000 lawsuits already pending, it is believed there are many more thousands of lawsuits that may be pending at some time in the future.

The workers at Crown Cork & Seal are not the people who have been exposed to the asbestos. It is the end users of the product, the people who have been working hard doing worthwhile work in this society in shipyards, powerplants, and other similar facilities who have been exposed to this dangerous material, and because of this exposure, the asbestos workers strongly oppose this legislation.

Patrick J. Eiding, the business manager of the International Association of Heat and Frost Insulators and Asbestos Workers, wrote Representative Perzel, "Please be advised that the Asbestos Workers are opposed to any legislation that would create a precedent limiting the responsibility and liability of any company as it relates to Asbestos exposure.... The House Amendment attached to this Bill limiting asbestos related liability to certain companies is unconscionable" — "unconscionable," he wrote — "in that it will leave some workers who are debilitated and or dying from cancer no recourse for their exposure." Mr. Eiding, shortly before writing that letter, was elected leader of the Philadelphia council of the AFL-CIO.

Now, the financial difficulties of Crown Cork & Seal deal with far more than the asbestos litigation. They have noncurrent liabilities, according to their statement for the year 2000, of \$814 million and the asbestos litigation reserve fund is \$320 million, and they have already received a tax refund, based on their putting \$320 million in reserve, they received a tax refund of \$130 million from the Federal government. Therefore, their total cost, assuming they pay out all this money, is only \$190 million, and it is \$190 million out of roughly \$700 million.

So it is a little over a quarter of their total debts that are due to the people who are adversely affected by asbestos, and only the people affected by asbestos who are in Pennsylvania are certain to be affected by this legislation. People in Texas, people in other States are not going to be affected to any significant degree by this vote today. We are taking money away from thousands and thousands of Pennsylvania workers who are seriously ill because of their exposure to asbestos.

Now, beyond the effect of the people directly involved in the Crown Cork & Seal litigation, I am concerned about other people whose identity we do not know. As was stated in an earlier debate we had in June, nothing in this legislation mentions Crown Cork & Seal. All this legislation does is it sets up a new general rule that is designed to benefit Crown Cork & Seal, but nothing in this legislation limits it to Crown Cork & Seal. What this new general principle of law says is that anytime you have a company that is sold that is involved in asbestos-related litigation, the total money paid out to asbestos victims cannot exceed the value of the company as determined by the purchase price of that company. We do not know how many other companies might fall into the definition. The definition says here that it has to be a company that was sold before May 1, 2001.

There have been countless sales of companies before May of 2001 in Pennsylvania. This legislation broadly applies, and we have no idea precisely whom this applies to or how many thousands or tens of thousands or hundreds of thousands of workers will be adversely affected. We can be sure that when the legal reports are made and attorneys who are following the law read the passage of this bill and study it in detail to see if it affects their clients, at least some attorney somewhere in Pennsylvania will say, hey, this legislation affects us, and then as further litigation proceeds, there will be thousands of new people whose identities we do not know, whose situations we do not know, who will be adversely affected by the passage of this legislation.

This is the wrong way to go about change. We in the legislature are not equipped to make judgments about each individual case, either as it affects the individual case or as it sets new principles of law to be used in future cases. We ought not to be trying to turn Pennsylvania tort law into an equivalent version of the U.S. Tax Code, which has endless specifically tailored provisions for extremely narrowly defined companies and groups of companies.

This legislation is strongly against the public interest; it is strongly against the interests of many, many thousands of Pennsylvanians who have been exposed to asbestos and who are going to be doomed if this legislation passes and passes the House and the Senate and is upheld in constitutionality by the courts. There are going to be many, many thousands of Pennsylvanians who are seriously ill or seriously in need of medical care to deal with their illness. They are going to be doomed to be without the medical care they need, and they are going to be doomed to driving themselves into bankruptcy and to driving their families into bankruptcy by trying to get them the medical care they need.

This is bad legislation. It is bad for the people directly affected; it is bad as a precedent. It will be a serious mistake if the House of Representatives were to pass this legislation today. I strongly urge a negative vote on this legislation.

The SPEAKER. The gentleman from Philadelphia County, Mr. Horsey. Waives off. Thank you.

The gentleman from Philadelphia County, Mr. Kenney.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the Perzel amendment.

I am fortunate, Mr. Speaker. I have the headquarters of Crown Cork & Seal in my legislative district in Northeast Philadelphia, the home of some 400 employees, and let me just comment from a letter I received from one of their employees. It is from Dave, who asked a very simple question, a very commonsense approach to this issue, and he writes about he is enthusiastic about writing me but he just does not understand the unfairness that Crown Cork & Seal as a company is going through. He wants to know why a company that has never manufactured, sold, or installed a single asbestos-containing product has faced \$350 million in liability claims against that company. He says that does not make sense, and I agree with him, and he says it cries out for a legislative remedy.

And today, Mr. Speaker, we are here to find a legislative remedy to not only protect the 400 employees at Crown headquarters in Northeast Philadelphia but the 600 employees throughout the State and the thousands of pensioners who are dependent upon the health and welfare benefits, that are dependent upon the stock value.

So I believe this legislation is a legislative remedy that makes sense, it is fair, and this House should go on record in supporting it. I ask for an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Bucks County, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support amendment 4234.

I have reviewed the case history of this situation, and in my opinion, the litigation against Crown Cork & Seal is unmerited and unwanted. Obviously, if the litigation were to stand, it could easily bring this Pennsylvania company to financial bankruptcy.

Mr. Speaker, manufacturing is an important component in the State's strategy to move forward. Obviously, Crown Cork & Seal is a wonderful manufacturing company that has been of great benefit not only to the people of Philadelphia and to the city but to Pennsylvania at large.

The city of Philadelphia, as we all recognize, is always looking for money. How often do we hear members come before us and say, we need money for this and money for that or to build stadiums, and as a legislator, I have supported those initiatives. Many of us feel that we want to see the city of Philadelphia succeed. But now, Mr. Speaker, I would think, I would think that Philadelphia legislators would take the moment today to step up to the plate and to help one of their own. If they cannot help one of their own industries, then, Mr. Speaker, I think all of us in the suburban areas have to take a serious look about the assistance we have been giving to this city in the past.

Thank you.

The SPEAKER. The gentleman from Philadelphia County, Mr. Keller.

Mr. KELLER. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to join my colleague, Representative Kenney, in urging the members to support this worthwhile and fair piece of legislation.

I have in my hand a number of letters from unions, others and those represented by Crown Cork & Seal — the Teamsters Union, Council 53, 75,000 members; International Association of Machinists and Aerospace Workers, who nationally have 750,000 retired and active members; Glass, Molders, Pottery,

Plastics & Allied International Union, who are in support of this legislation; the Seafarers International Union is in support of it; and also Teamsters Local 229 from Scranton, who has 2,000 members in support of it.

Mr. Speaker, being a union member — I consider myself a union member — the people we are about to help, both union and nonunion members, may not live in our districts and they will probably never invite us to dinner, like some people do, and you can be sure they probably will not show up at our fundraisers, and like I said, being a union member for 25 years, they probably do not even like politicians, but I could tell you what they like. They like being able to afford to send their kids to better schools; they would like to be able to afford to have better houses for their families; they like getting up in the morning and going to a good, good-paying job that is secure.

All we have to do today is do our job. Vote for this legislation. Let us keep 1,000 people to work in Pennsylvania. I urge your support of this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Beaver County, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the Perzel amendment, and frankly, a number of—

The SPEAKER. Will the gentleman please yield.

There are only two or three more speakers. Please give them your attention. Please be seated.

Mr. Veon, I am sorry.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the Perzel amendment, and frankly, a number of members on the Democratic side I think have done a very good job already of articulating numerous reasons to be opposed to the Perzel amendment.

Mr. Speaker, I have to say that I have a tremendous amount of empathy and sympathy for all the members that have talked about at least their belief that this amendment and final passage of this legislation would in fact preserve jobs in their neighborhood, in their city, in their county, in their community, and I think that every member here has empathy for those members who certainly believe that. Even though I disagree, I would certainly understand their position here today.

Now, Mr. Speaker, I have to say that I am somewhat perplexed and surprised to hear so many members on the Republican side of the aisle talk about how important it is to protect this company with this legislation. I know, Mr. Speaker, in my county, in my part of Pennsylvania, I have an entire steel industry that has already gone bankrupt, and I already have thousands of people unemployed, and, Mr. Speaker, we will be back on this floor with legislation to help those workers, protect that industry, save those companies from bankruptcy with legislation, and I hope that my colleagues on the Republican side of the aisle will be as prepared to help the steel industry throughout Pennsylvania and the tens of thousands of workers already laid off in that industry as they seem to be prepared here today to help this one company with these several hundred workers in the State of Pennsylvania.

Mr. Speaker, the other thing that greatly concerns me about this amendment is that it is being held out as a way to save these jobs; it is being described as a way to make sure that these people continue to work at these companies in the State of Pennsylvania. I am very skeptical of the claims made by the company,

and I know that there are well-meaning members, Democrat and Republican, who have bought what this company has been selling and have bought into the line that they will in fact save these jobs. I am very skeptical that these jobs will in fact be saved. I think that some of us have even heard some members of this company or some representatives of this company that said we will probably be able to keep all of the jobs except for those jobs in Connellsville in southwestern Pennsylvania, which happens to be the only unionized plant that this company owns in the State of Pennsylvania. That company, that particular part of the company in Connellsville, they will not assure us that in fact those jobs will not be lost.

We have had so many experiences on this House floor, whether it be AMP right here in this backyard, that said, save us; protect us with special interest legislation, and we will keep the jobs. We help them, and then we lose the jobs anyhow.

So, Mr. Speaker, I just wanted to make sure the members understand at the appropriate time here today I am going to offer an amendment — if it requires a suspension of the rules, so be it — that will guarantee for 5 years after this legislation passes, that any company affected by the legislation that passes here today, for 5 years after the date that this act takes effect, they cannot lay off any worker in the State of Pennsylvania. It seems to me that if we are to pass this law today, that that is at least a fair trade. Let us guarantee those workers those jobs, if that is what this is all about.

And, Mr. Speaker, at the appropriate time upon passage of this amendment, I will ask for time to speak so that I may offer my amendment, which would require a suspension of the rules, that would at that time give the guarantee that these jobs will in fact be saved.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

I will attempt to be brief. I spoke at length in my caucus about this issue, and it seems as though things change around the House in very abbreviated periods of time. But I do want to at least continue upon the theme expressed by Representative Cohen of Philadelphia on the possible effects this singular legislation may have on many other companies, particularly those that are located in Pennsylvania.

Mr. Speaker, I think if we adopt this legislation, the best argument that I could make is that we open a can of worms whereby in the future other conglomerates who may have purchased a company, who 5 percent of which might have been Sherwin-Williams and may have manufactured lead-based paint back in the fifties and sixties and some of those employees who helped manufacture that paint either passed away or are suffering from cancer, that if we adopt this legislation with the successor liability laws on the books in all 50 States, that a new precedent will have been established, that a new company, a multibillion-dollar company with multibillion dollars' worth of assets, will be able to acquire a company whose ownership of even 5 percent of the total conglomerate manufactured some form of hazardous substance. Be it known at the time of the purchase the substance was hazardous or not, the laws of this land and the laws of this Commonwealth allow for people to collect and file claims for injuries suffered while working in the workplace, in plants that were manufacturing hazardous or carcinogenic materials. That is what is at risk here today, Mr. Speaker.

I cannot sympathize any more than any other member in this General Assembly about the 150 employees or 200 employees at the Connellsville plant and the other 800 Pennsylvania workers who have been told by Crown Cork that if Pennsylvania does not act unilaterally on this issue and carve out an exemption for us, your jobs are at risk.

I also sympathize with Crown Cork management in that I am aware that they never manufactured an ounce of asbestos the entire time between the purchase of the manufacturing company that at one time did manufacture asbestos. I sympathize with Crown Cork in their plight that they have been paying out tens and hundreds of millions of dollars in claims, particularly to out-of-State claimants, but, Mr. Speaker, I believe the members of this General Assembly ought to be very, very cautious today, because we are opening a Pandora's box where any company who is part of a class action suit or is part of a workers' compensation liability fund will look to this General Assembly and perhaps its leaders to say, you know, we have been paying into this fund since the seventies and we really should not have, because we bought this other company in the fifties, and we did not know they were making bad stuff, and we did not know people were going to die because they were helping to make that bad stuff, but we do not want to be part of paying any claims. That is what we have at risk here today, Mr. Speaker.

So as much as I sympathize with Crown Cork and I do believe that they are a decent company, even though most of their operations are not covered by collective-bargaining agreements, and I do believe that the employees, particularly from the Connellsville plant, are very much afraid of losing their jobs, I fear, Mr. Speaker, that if we adopt this legislation today, we open a brand-new Pandora's box insofar as any successor liability issue that is out there. There may be people from other firms and other companies watching how we have narrowly defined this bill and already have their bank of attorneys trying to figure out how to draft similar bills to help them out of a pickle that they or the attorneys that were supposed to look over the assets and liabilities and risk factors of a company that they purchased, and again, that is also the rub. Crown Cork at the time of the purchase of the asbestos manufacturer did have attorneys, and I am certain they were well paid to make sure they were not exposing the company to undue liability.

So, Mr. Speaker, for those reasons and even though I do share with many of the members of this hall sympathy for the company and its employees, I think the broader issue of opening up a can of worms far outweighs any reason to vote "yes" on this bill, and I am asking for a "no" vote.

The SPEAKER. The gentleman from Montgomery County, Mr. Lawless.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LAWLESS. Mr. Speaker, in the opinion of the Parliamentarian, does the Constitution prohibit the General Assembly from indirectly enacting any special law for a specific company or corporation?

The SPEAKER. That is not a parliamentary inquiry. That is what my Parliamentarian just told me.

Mr. LAWLESS. Okay. May I please interrogate the maker of the amendment?

The SPEAKER. The gentleman, Mr. Perzel, indicates he will stand for interrogation.

Mr. LAWLESS. Mr. Speaker, if Mr. Perzel would wait for 1 minute, I want to get back to, what direction would I ask that? Would I ask that to you?

The SPEAKER. I, frankly, had turned and spoken to the Parliamentarian to find out why I had ruled the way I had just ruled, and the answer to that is, you were seeking an opinion that was more of a legal nature than a parliamentary nature, and it is not my responsibility or the responsibility of the Chair to give legal opinions — free.

Mr. LAWLESS. And you are paid very well.

The SPEAKER. But not for legal opinions.

Mr. LAWLESS. May I interrogate the maker, Mr. Speaker?

The SPEAKER. The gentleman, Mr. Perzel, indicates he will stand for interrogation.

Mr. LAWLESS. Mr. Speaker, on page 1 of your amendment under section 2, paragraphs (1) and (2), you speak of exceptions such as, "Except as further limited in paragraph (2), the cumulative successor asbestos-related liabilities of a domestic corporation that was incorporated in this Commonwealth prior to May 1, 2001, shall be limited to the fair market value of the total assets of the transferor determined at the time of the merger..." It sounds to me like we are dealing with one company here, Mr. Speaker.

Mr. PERZEL. That would be a class of companies, Mr. Speaker. Any company—

Mr. LAWLESS. Wait a minute; wait a minute; wait—

Mr. PERZEL. —that fell within these guidelines would be eligible, Mr. Speaker.

Mr. LAWLESS. Thank you.

Can you name me the companies that you know of that fall within this guideline?

Mr. PERZEL. I am aware of Crown Cork & Seal because of the impact on the 1,000 jobs at this point in time and no other corporation.

Mr. LAWLESS. I am sorry. Did I hear you say that you know of no other corporation?

Mr. PERZEL. Yes, Mr. Speaker; that is what I said.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, on the amendment.

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

Mr. LAWLESS. Mr. Speaker, in the Constitution under Article III, I believe, it clearly states that you cannot, it is prohibited for this body to make any special law for a given company or corporation. Mr. Speaker, very clearly the majority leader just stated that we only are dealing with one company. Every speaker that rose today only mentioned one company. Once again, Mr. Speaker, we are violating the Constitution. We violate it in the Senate with having the Senate pro tem being the Lieutenant Governor and being the head of the Senate and every other thing, and now we have our leadership here in the House once again violating the oath of office that we protect the Constitution.

Mr. PERZEL. Mr. Speaker?

The SPEAKER. Mr. Lawless, yield, please.

I am struggling with your remarks. Are you questioning the constitutionality of the amendment, and if so, that really should be put to the House, because it is the House itself that determines constitutionality, no one member.

Mr. LAWLESS. Well, at this point I am giving an opinion of mine on whether I believe it is constitutional or not.

The SPEAKER. I just was not sure whether you were questioning constitutionality. If you were, I was going to make it a question to the House.

Mr. LAWLESS. We may get there, but not at this point.

Mr. Speaker, very clearly, again, we have a situation here where we are dealing with one company; we are overlooking what the Constitution states. We are doing this— Why are we doing this? We are doing this — why? — because lobbyists want us to do this. People who represent this company have come forward. We have plenty of issues. You heard other speakers talk about AMP. Those of you in central Pennsylvania, did we do this for AMP? No; they are gone. Did we do it for any other company? No. But you know what? These people have deep pockets. They have hired the right lobbyists. Those right lobbyists attend the right events for our majority leader. Therefore, we are going to make this an issue on the House floor. The fact of the matter is, the Senate has said they are not going to run it. So this is for nothing but political expediency and any way that we can move forward to once again make the people think they are getting something here in Pennsylvania, make the people of Philadelphia and the other areas where this company exists, make them think that they are getting something when in actuality they are getting nothing but another snow job by this General Assembly.

Thank you, Mr. Speaker.

The SPEAKER. I have two speakers left — Mr. DeWeese and Mr. Perzel. Mr. Perzel, I was holding you as the cleanup speaker, which is the usual course.

Mr. DeWeese.

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

In the high summer this issue came to us, and the most compelling argument—

The SPEAKER. Mr. DeWeese, pardon me. I hope I only have to do this one time.

Conferences on the floor, please break up. Members will please take their seats. Staff personnel, please take seats. Ms. Josephs, do you desire recognition?

Mr. DeWeese.

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

I would like for the membership to reflect momentarily upon the debate this past summer on this very issue, and the Republican membership decided to unfurl a conservative banner, and that banner was alluded to by the previous speaker, the gentleman from Montgomery County. But in the summer the Representative from the 134th District, the chairman from the 3d District, the young man from the Lehigh Valley's 131st District, the chairman from the 147th District — they decided, among others, to advocate an undiluted conservatism. The free market is revered by the warrior elders of the Republican Party, and any vote that embraces the Perzel amendment will gainsay the free market. How you can sleep so delectably with free-market ethos and then vote for this ersatz effort to save one company in a brazenly unconstitutional pirating effort is beyond me.

I would like to think that the gentlelady from the 148th District, and the honorable gentleman from the 146th District, and the 138th District, and the 5th District up along Lake Erie, and that solid soldier from the 85th District, and my good friend from the 70th District — these people in the last session of our summer days voted to conserve their Republican philosophy, voted to conserve

their business perspective, and not bail out one company with special legislation. The honorable advocate of the second amendment from the 6th Legislative District, and the gentelady from the 183d District, and the Representative from the 61st District, and the 26th District — those men and women this summer decided not to embrace this legislation which would prevail for one corporate entity. It has been said again and again and again that this legislation was designed for one corporate entity, and that is what the gentlemen from the 101st District and the 150th District and the 196th District decided this summer.

How we can avoid the interests of injured workers, Mr. Speaker, and embrace the interests of the boardroom is beyond me. I hope that we can receive the benefit of the support of the gentlemen from the 151st District and the 63d District, and especially, especially my athletic friend from the 104th District.

The very substructures of our Constitution prohibit special legislation. The Republican member who spoke before me alluded to that. I am not going to ask for a vote on constitutionality, because I know that the chamber will not necessarily look at the constitutional angles and inspirations but they will vote this measure on elements of concern that were already outlined. But if we have the support of the gentleman, the chairman, I believe, from the 92d District, and the chairman from the 59th District, and the idealist from the 31st District, and the two men with the same name from the 8th District and the 42d District, along with that stalwart from Lebanon County — Lebanon County, as he says — from the 102d District, you folks, you lions of free market and free enterprise, should preserve our Constitution, and you should vote against the Perzel amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. Perzel.

Mr. PERZEL. Mr. Speaker, when we stood on this floor and did workers' compensation reform and the business issues, that was what was good for Pennsylvania, Mr. Speaker. When we looked at education because 250,000 kids were in failed schools, we did that because it was good for Pennsylvania, Mr. Speaker. It was good for Pennsylvania and the students. The environmental issues we did yesterday, we did it because it was good for Pennsylvania, Mr. Speaker. When we did the utility dereg, the breakup of DER (Department of Environmental Resources), Mr. Speaker, when we had the tobacco settlement with millions and millions of dollars going for only health care in Pennsylvania, we did it because it was good for Pennsylvania, and when we do the terrorism acts that we are going to run through this General Assembly, Mr. Speaker, it is for the people of Pennsylvania, Mr. Speaker. I have never impugned another member's intentions on the floor of this House, and I would not have expected that any member would have done that to me, Mr. Speaker, particularly somebody that I have had fundraisers for, Mr. Speaker.

Mr. Speaker, there are thousands of companies in Pennsylvania. I do not know them all and I do not know how many companies will be affected by this piece of legislation, but I do know this, Mr. Speaker: You know, Mr. Cohen and Mr. George are right. People who suffer from asbestosis have a right to be compensated for their injuries. I do not want anyone to be confused, and Mr. Belfanti was 100 percent right: There was never any product produced by Crown Cork & Seal or any subsidiary of Crown Cork & Seal that made asbestos. That is the fact.

We cannot change that. They never, ever made that product, neither them nor the subsidiary they bought. Crown Cork & Seal had nothing to do with those injuries, Mr. Speaker — nothing. They never made any — any — asbestos whatsoever.

What we are doing here is trying to protect the 1,000 jobs, Mr. Speaker. This is a Pennsylvania company. We do not know what other States or what the courts will do. Everyone here that stood up and said the other States will be allowed to sue, they do not know that; that is what they are assuming, Mr. Speaker. We have it in this law that they cannot, but we cannot predict what the courts will do, Mr. Speaker. This is an indicator of what is going on with the company, Mr. Speaker, because it was said that this company is doing fine, and in May of 2000 when the stock price was about 50 bucks a share, it was. This afternoon it was around \$1.60, Mr. Speaker. The bond rating has gone from B to CCC to what they call junk-bond status, Mr. Speaker.

I would just like to very quickly do a couple of letters that I received this week. This one here: "Enactment of this legislation would bring balance to out of control asbestos litigation against employers whom the International Association of Machinists and Aerospace Workers has collective bargaining agreements with, but would not, in our view, adversely affect worthy claimants." That comes from Thomas Buffenbarger, international president of the International Association of Machinists and Aerospace Workers.

This comes from the Seafarers International Union, Mr. Speaker: "I am writing to thank you for supporting Crown Cork & Seal...."

This one comes from the Joint Teamsters Council No. 53: "I am writing to acknowledge Teamsters' support for this legislation to save the jobs at Crown Cork & Seal." Frank Gillen, president.

Teamsters Local 229: We are writing supporting Crown Cork & Seal. Jack McGrail.

Glass, Molders, Pottery, Plastics & Allied Workers International Union: We are for Crown Cork & Seal, Mr. Speaker.

The Pennsylvania Chamber of Commerce: The chamber supports the proposed changes in the corporate major successor liability law so that Crown Cork & Seal can stay viable.

USX: We are in support of Crown Cork & Seal.

Verizon: We are in support of Crown Cork & Seal.

We are only asking for what is fair for a company that never manufactured the product. Everybody here feels badly about anybody that has asbestosis, but Crown Cork & Seal had nothing to do with it. So I am asking you to vote "yes" for the Perzel amendment, and please, do it quickly.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—120

Adolph	Fleagle	McGeehan	Semmel
Allen	Flick	McGill	Shaner
Argall	Gabig	McIlhattan	Smith, S. H.
Armstrong	Gannon	McIlhinney	Solobay
Baker, M.	Geist	Metcalfe	Stairs
Bard	Godshall	Michlovic	Steil
Barley	Habay	Miller, R.	Stern
Barrar	Harhart	Miller, S.	Stevenson, T.

Bastian	Hasay	Myers	Strittmatter
Benninghoff	Herman	Nailor	Taylor, E. Z.
Birmelin	Hershey	Nickol	Taylor, J.
Bishop	Hess	O'Brien	Trich
Bunt	Horsey	Oliver	Tulli
Butkovitz	Hutchinson	Perzel	Turzai
Cappelli	Jadlowiec	Petrone	Vance
Civera	Kaiser	Phillips	Wansacz
Clark	Keller	Pickett	Washington
Clymer	Kenney	Pippy	Waters
Coleman	Kirkland	Preston	Watson
Cornell	Lederer	Raymond	Williams, J.
Costa	Leh	Reinard	Wilt
Coy	Lescovitz	Rieger	Wogan
Creighton	Lewis	Roberts	Wojnaroski
Cruz	Lucyk	Robinson	Wright, M.
Daley	Mackereth	Rohrer	Youngblood
Dally	Maher	Ross	Yudichak
DiGirolamo	Maitland	Rubley	Zimmerman
Diven	Major	Sather	
Donatucci	Mann	Saylor	
Eachus	Marsico	Schuler	Ryan,
Fairchild	McCall		Speaker

NAYS-76

Baker, J.	Evans, J.	Laughlin	Smith, B.
Bebko-Jones	Feese	Lawless	Staback
Belardi	Fichter	Levdansky	Steelman
Belfanti	Forcier	Manderino	Stetler
Blaum	Frankel	Markosek	Stevenson, R.
Boyes	Freeman	Mayernik	Sturla
Browne	George	McNaughton	Surra
Buxton	Gordner	Melio	Tangretti
Caltagirone	Grucela	Mundy	Thomas
Casorio	Gruitza	Petrarca	Tigue
Cawley	Haluska	Pistella	Travaglio
Cohen, L. I.	Hanna	Readshaw	Trello
Cohen, M.	Harhai	Roebuck	Veon
Colafella	Harper	Rooney	Vitali
Curry	Hennessey	Ruffing	Walko
Dailey	James	Sainato	Williams, C.
DeLuca	Josephs	Samuelson	Wright, G.
Dermody	Krebs	Santoni	Yewcic
DeWeese	LaGrotta	Scrimenti	Zug

NOT VOTING-1

Pallone

EXCUSED-6

Corrigan	Evans, D.	Micozzie	Schroder
Egolf	Lynch		

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

On the question,

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

The SPEAKER. Mr. Veon.

(Conference held at Speaker's podium.)

MOTION TO SUSPEND RULES

The SPEAKER. The Chair at this time recognizes the minority whip, Mr. Veon, who moves that the rules of the House be suspended to permit him to offer amendment— Mr. Veon, may I have the number of your— What is it? Amendment 4242.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question of suspension of the rules, a brief description, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I do rise and ask the members of this House to suspend the rules for the purpose of offering amendment 4242. As I indicated earlier, Mr. Speaker, a number of members, Republicans and Democrats, who voted for the Perzel amendment made the claim, made the case, that in fact what they were trying to do with passage of this amendment was to protect the jobs in Pennsylvania.

Mr. Speaker, I think this would be a great opportunity if we in fact would suspend these rules and allow me to offer an amendment that would allow this company to put its money where its mouth is, and, Mr. Speaker, they made the claim that this legislation will save these jobs in Pennsylvania. I think it is our duty, it is our obligation, to require them to save these jobs in Pennsylvania.

Mr. Speaker, if we would suspend these rules, I would be able to offer my amendment. My amendment would say very simply that upon passage of this legislation, for a period of 5 years, that no worker that works for this company affected by this legislation could be laid off in the State of Pennsylvania. It is clear; it is straightforward. I think it does what the company says they are going to do anyhow. I think it is our obligation to demand that not a single worker be laid off after this legislation is passed here today, so I would ask for a suspension of the rules so I may offer that amendment, Mr. Speaker.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. Perzel, on the question of suspension of the rules.

Mr. PERZEL. Mr. Speaker, the issue that we just voted on has been sitting in the General Assembly for roughly 7 months, Mr. Speaker. Everyone has had an opportunity to debate it; they have had an opportunity to read about it. They have had interviews with different people that have come to the offices to talk about this, about constituents from back at home who have worked for the company. But right now we have before us an amendment that was sprung on us today. We have no analysis whatsoever. We do not know the financial details, so I would ask the members to cast a "no" vote.

The SPEAKER. On the question of suspension—

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. Mr. DeWeese, we did this yesterday. Mr. Veon is recognized or Mr. Perzel is recognized. I assumed once again that you yielded to the gentleman, Mr. Veon. Was I wrong?

Mr. DeWEESE. Mr. Speaker, the—

The SPEAKER. Was I wrong?

Mr. DeWEESE. Yes, and may I explain?

The SPEAKER. All right. In the future—

Mr. DeWEESE. May I explain? May I explain?

The SPEAKER. In the future— Just a minute. In the future, no one will make any remarks on suspension other than the two principals, the majority leader and the minority leader. In the future, a Mr. Veon may not do what he just did. Mr. DeWeese, you have the right under the rules to speak on this.

PARLIAMENTARY INQUIRY

Mr. DeWEESE. I would like to ask a parliamentary question, then make a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. DeWEESE. Why?

The SPEAKER. Why what?

Mr. DeWEESE. Yesterday, I believe, with all due respect, Mr. Speaker, and I think we had a very amiable and productive conference—

The SPEAKER. If I may interrupt you, yes, we did, and you said I was right and you walked down—

Mr. DeWEESE. Yes, sir.

The SPEAKER.—and then today you try and reverse it, but we are not debating because I am not allowed to debate. Now, do not ask me why. If you have something to say by way of parliamentary inquiry, say it. If you have something to say on suspension of the rules, say it. Other than that, there is nothing before the House.

Mr. DeWEESE. My parliamentary observation, and I am having a very difficult time thinking of how to label it, would be that yesterday the gentleman, Mr. Levdansky, was the person that proffered the motion. Today — and I yielded to him — today the gentleman, Mr. Veon, offered a motion, and I would have yielded to him but he just made the motion. I did not really have time; it all happened at the same time. This was not concocted; this was not tactical, and I think that from time to time the honorable gentleman, Mr. Perzel, and myself will be less informed than many of our brothers and sisters in the chamber, and I would respectfully request that the Chair and the Parliamentarian not make a unilateral and abrupt decision, because it will not serve debate in this chamber. Many, many times—

The SPEAKER. Mr. DeWeese, please. Let me refresh my own recollection as to what just took place. I recognized Mr. Veon— In fact, I asked Mr. Veon to come up to the rostrum for a moment because I was not sure what he had in mind when he was asking for recognition. I misunderstood what he was doing. He quickly straightened it out that he was going to offer an amendment and that he wanted to suspend the rules in order to offer that amendment. I recognized him and I said to him, I think very pointedly, a short description, a brief description, of what you have contained in the amendment, which is what our rules provide. If you wanted to debate the part of the suspension of the rules, I think at that time you should have asked your whip to sit down in your favor rather than allow this set of circumstances to mislead me into thinking you had yielded to him.

Mr. DeWEESE. Mr. Speaker—

The SPEAKER. That is the position I find myself in.

Mr. DeWEESE. If the Chair will indulge me, I will demur from speaking at this juncture and accept the perspective of the Chair. I would like to think that in the future, however, that the ruling that we have been operating under, I think successfully, because of the expertise within the body, should prevail. And I will not debate this issue, but hopefully in the future when men and women here

on the floor know more about the issue than the majority leader and the minority leader, it would be very helpful for debate if we could keep the system we have kept, and I will demur from debating this issue.

The SPEAKER. I have no problem with keeping the system, but the system is one person speaks on suspension, and that person has the floor yielded to him by the respective floor leaders.

Mr. Perzel, do you have anything further on suspension?

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

The following roll call was recorded:

YEAS—95

Bebko-Jones	Freeman	Melio	Steelman
Belardi	George	Michlovic	Stetler
Belfanti	Grucela	Mundy	Sturla
Bishop	Gruitza	Myers	Surra
Blaum	Haluska	Oliver	Tangretti
Butkovitz	Hanna	Pallone	Thomas
Buxton	Harhai	Petrarca	Tigue
Caltagirone	James	Petrone	Travaglio
Casorio	Josephs	Pistella	Trello
Cawley	Keller	Preston	Trich
Cohen, M.	Kirkland	Readshaw	Veon
Colafella	LaGrotta	Rieger	Vitali
Costa	Laughlin	Roberts	Walko
Coy	Lawless	Robinson	Wansacz
Cruz	Lederer	Roebuck	Washington
Curry	Lescovitz	Rooney	Waters
Daley	Levdansky	Ruffing	Williams, C.
DeLuca	Lucyk	Sainato	Williams, J.
Demody	Manderino	Samuelson	Wojnaroski
DeWeese	Mann	Santoni	Wright, G.
Diven	Markosek	Scrimenti	Yewcic
Donatucci	Mayernik	Shaner	Youngblood
Eachus	McCall	Solobay	Yudichak
Frankel	McGeehan	Staback	

NAYS—100

Adolph	Evans, J.	Mackereth	Saylor
Allen	Fairchild	Maher	Schuler
Argall	Feese	Maitland	Semmel
Armstrong	Fichter	Major	Smith, B.
Baker, J.	Fleagle	Marsico	Smith, S. H.
Baker, M.	Flick	McGill	Stairs
Bard	Forcier	McIlhattan	Steil
Barley	Gabig	McIlhinney	Stern
Barrar	Gannon	McNaughton	Stevenson, R.
Bastian	Geist	Metcalfe	Stevenson, T.
Benninghoff	Godshall	Miller, R.	Strittmatter
Birmelin	Gordner	Miller, S.	Taylor, E. Z.
Boyes	Habay	Nailor	Taylor, J.
Browne	Harhart	Nickol	Tulli
Bunt	Harper	O'Brien	Turzai
Cappelli	Hasay	Perzel	Vance
Civera	Hennessey	Phillips	Watson
Clark	Herman	Pickett	Wilt
Clymer	Hershey	Pippy	Wogan
Cohen, L. I.	Hess	Raymond	Wright, M.
Coleman	Hutchinson	Reinard	Zimmerman
Cornell	Jadlowiec	Rohrer	Zug
Creighton	Kenney	Ross	
Dailey	Krebs	Rublely	Ryan,
Dally	Leh	Sather	Speaker
DiGirolo	Lewis		

NOT VOTING—2

Horsey Kaiser

EXCUSED—6

Corrigan Evans, D. Micozzie Schroder
Egolf Lynch

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House 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?

PARLIAMENTARY INQUIRY

The SPEAKER. Mr. Belfanti.
Mr. BELFANTI. Thank you, Mr. Speaker.
Mr. Speaker, some week or 2 weeks ago—
The SPEAKER. For what purpose does the gentleman rise?
Mr. BELFANTI. A point of parliamentary inquiry. I am sorry.
The SPEAKER. The gentleman will state it.
Mr. BELFANTI. Thank you, Mr. Speaker.
A week or two ago on the floor of this House legislation offered by the gentleman, Mr. Staback, which dealt with the paintball industry at large, was being debated, and I rose and asked a parliamentary inquiry insofar as the fact that I have a small share of stock in such a company, whether or not I would be permitted not only to debate the issue but to vote on final passage. Since the matter before the House today, as the majority leader claims and other speakers we have heard from, does not affect all successor liability companies, since it is so narrowly drafted that it only affects Crown Cork & Seal, then, Mr. Speaker, my question would be, if there are any members on the floor of the House that own stock in Crown Cork & Seal, since this issue only applies to them, would it be proper for those members to be allowed or permitted to vote on this issue since it only applies to one singular company?
Thank you, Mr. Speaker.

The SPEAKER. Mr. Belfanti, your question causes me to pause a moment. This amendment, as I understand it, is not drafted so tight that it applies only to Crown Cork & Seal. I have heard in the course of this discussion today that it could apply — it may not at the moment — but it could apply to other Pennsylvania companies. That being the case, it is generic, and the fact that I own a share, which I do not, of stock in that company would not put me in a conflict situation.

The other situation that occurs to me — and this is dicta; it is not a ruling — a minuscule amount of stock, we have over the years said, has no effect on a member's right to vote or not to vote. We allow teacher-members to vote on pay raises; we allow members to vote on pay raises, by way of example. And if, like you did last week, if a member is concerned, if he has 5 shares of stock,

500 shares of stock, 5,000 shares of stock, if he is concerned that he has a conflict situation, then he should ask the question and get a ruling on it. But I think without more, the mere— I hesitate to give an answer when there is no real issue, and there is no real issue as far as I am concerned until someone stands up and says, I have stock; what do I do?

Mr. BELFANTI. Thank you, Mr. Speaker. I accept your explanation. Thank you very much.

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—152

Adolph	Fleagle	Marsico	Semmel
Allen	Flick	Mayermik	Shaner
Argall	Forcier	McCall	Smith, B.
Armstrong	Frankel	McGeehan	Smith, S. H.
Baker, J.	Gabig	McGill	Solobay
Baker, M.	Gannon	McIlhattan	Stairs
Bard	Geist	McIlhinney	Steil
Barley	Godshall	McNaughton	Stern
Barrar	Gruitza	Metcalfe	Stetler
Bastian	Habay	Michlovic	Stevenson, R.
Bebko-Jones	Haluska	Miller, R.	Stevenson, T.
Belardi	Harhai	Miller, S.	Strittmatter
Birmelin	Harhart	Myers	Taylor, E. Z.
Bishop	Hasay	Nailor	Taylor, J.
Bunt	Hennessey	Nickol	Tigue
Butkovitz	Herman	O'Brien	Travaglio
Cappelli	Hershey	Oliver	Trello
Casorio	Hess	Perzel	Trich
Cawley	Horsey	Petrone	Tulli
Civera	Hutchinson	Phillips	Turzai
Clark	Jadlowiec	Pickett	Vance
Clymer	James	Pippy	Wansacz
Cohen, L. I.	Kaiser	Preston	Washington
Coleman	Keller	Raymond	Waters
Cornell	Kenney	Readshaw	Watson
Costa	Kirkland	Reinard	Williams, J.
Coy	LaGrotta	Rieger	Wilt
Creighton	Laughlin	Roberts	Wogan
Cruz	Lederer	Robinson	Wojnaroski
Curry	Leh	Rohrer	Wright, G.
Daley	Lescovitz	Rooney	Wright, M.
Dally	Lewis	Ross	Yewwic
DeLuca	Lucyk	Rublely	Youngblood
Dermody	Mackereth	Ruffing	Yudichak
DiGiolarno	Maher	Sainato	Zimmerman
Diven	Maitland	Sather	
Donatucci	Major	Saylor	
Eachus	Mann	Schuler	Ryan,
Fairchild	Markosek		Speaker

NAYS—42

Belfanti	Evans, J.	Lawless	Staback
Benninghoff	Feese	Levdansky	Steelman
Blaum	Fichter	Manderino	Sturla
Boyes	Freeman	Melio	Surra
Browne	George	Mundy	Tangretti
Buxton	Gordner	Pistella	Thomas
Caltagirone	Grucela	Roebuck	Veon
Cohen, M.	Hanna	Samuelson	Vitali
Colafella	Harper	Santoni	Williams, C.

Dailey Josephs Scrimenti Zug
DeWeese Krebs

NOT VOTING—3

Pallone Petrarca Walko

EXCUSED—6

Corrigan Evans, D. Micozzie Schroder
Egolf Lynch

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

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

BILLS SIGNED BY SPEAKER

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

HB 829, PN 923

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.

SB 100, PN 1517

An Act establishing the Infant Hearing Education, Assessment, Reporting and Referral Program; and providing for powers and duties of the Department of Health.

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

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

I have asked the lady from Montgomery County, Ms. Williams, to preside temporarily. This is, as I understand, her last day as a member of this House. She is going over to the Senate, as we know, and as is customary I would invite her to preside, and I will tell her now in the presence of the House that we ordered a gavel, but it did not arrive yet, an inscribed gavel.

**THE SPEAKER PRO TEMPORE
(CONSTANCE H. WILLIAMS) PRESIDING**

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Rebecca Gruitza, daughter of Representative Michael Gruitza, and her friend, Nathan Fridley. They are students at IUP (Indiana University of Pennsylvania), and they are sitting to the left of the Speaker.

SUPPLEMENTAL CALENDAR A CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mr. RYAN called up HR 362, PN 2925, entitled:

A Resolution expressing condolences to those affected by the terrorist attack of September 11, 2001.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Adolph	Feese	Manderino	Semmel
Allen	Fichter	Mann	Shaner
Argall	Fleagle	Markosek	Smith, B.
Armstrong	Flick	Marsico	Smith, S. H.
Baker, J.	Forcier	Mayernik	Solobay
Baker, M.	Frankel	McCall	Staback
Bard	Freeman	McGeehan	Stairs
Barley	Gabig	McGill	Steelman
Barrar	Gannon	McIlhattan	Steil
Bastian	Geist	McIlhinney	Stern
Belardi	George	McNaughton	Stetler
Belfanti	Godshall	Melio	Stevenson, R.
Benninghoff	Gordner	Metcalfe	Stevenson, T.
Birmelin	Grucela	Michlovic	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	O'Brien	Thomas
Buxton	Harper	Oliver	Tigue
Caltagirone	Hasay	Pallone	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
Costa	Kenney	Rieger	Watson
Coy	Kirkland	Roberts	Williams, C.
Creighton	Krebs	Robinson	Williams, J.
Cruz	LaGrotta	Roebuck	Wilt
Curry	Laughlin	Rohrer	Wogan
Dailey	Lawless	Rooney	Wojnaroski
Daley	Lederer	Ross	Wright, G.
Dally	Leh	Rublely	Wright, M.
Dermody	Lescovitz	Ruffing	Yewwic
DeWeese	Levdansky	Sainato	Youngblood
DiGirolamo	Lewis	Samuelson	Yudichak
Diven	Lucyk	Santoni	Zimmerman
Donatucci	Mackereth	Sather	Zug
Eachus	Maher	Saylor	
Evans, J.	Maitland	Schuler	Ryan,
Fairchild	Major	Scrimenti	Speaker

NAYS—0

NOT VOTING—3

Bebko-Jones DeLuca Nickol

EXCUSED—6

Corrigan Evans, D. Micozzie Schroder
Egolf Lynch

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

**FAREWELL ADDRESS
BY MS. WILLIAMS**

The SPEAKER pro tempore. My friends, this has been quite a fall, one that none of us will ever forget.

Shortly after September 11 one of my daughters wondered if there was anything good that could come from the tragedy. I must admit, when she first asked me, I had no answer, horrified as I was about the devastating impact that the incidents had on all of us and frustrated that there was little most of us could do. Slowly I found my answers as the strength of the American people brought out the best that is our country — the bravery of our firefighters, police, EMTs (emergency medical technicians), construction workers; our collective mourning with the families whose loved ones were lost; the generosity of people who sent blood, money, equipment, and prayers to the victims of the attacks; the determination and leadership of our President; our resolve to get back to a life as normal as possible; and the grief and pride that is so evident as we sing "God Bless America." So as we gather together this week to celebrate the truly American holiday Thanksgiving, there is much for which we can be thankful.

As I count my own blessings, I am thankful to have a loving and supportive family who understands the demands of public service. I am thankful to have had the privilege to serve the people of the 149th Legislative District and look forward to my responsibilities as the State Senator from the 17th Senatorial District.

I would like to thank Representative DeWeese for his esoteric oratory, his perchance pontifications, his Shakespearean soliloquies, and his eloquent articulations of our issues. I would like to thank Speaker Ryan for your continued courtesies which you have afforded me.

I am thankful for the many friends that I have made in the House, both Democrats and Republicans, and for how much I have learned from all of you. I am thankful for the citizens of Lower Merion, Upper Merion, and West Conshohocken who have become my friends. I am eager to take on my new responsibilities, to work with my new colleagues in the State Senate and with my new constituents for the common good.

I am proud and grateful to have been elected the new State Senator. I will miss you.

I am very thankful that I am an American.
God bless you. God bless America.

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

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

HB 2088, PN 2773

By Rep. GANNON

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

JUDICIARY.

HB 2109, PN 2819

By Rep. GANNON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for liability for violations of general and specific criminal statutes and for merger of sentences.

JUDICIARY.

HB 2131, PN 2843

By Rep. CLYMER

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, further providing for the Pennsylvania Historical and Museum Commission, for powers and duties of the commission and for publications and reproductions; and making a repeal.

STATE GOVERNMENT.

HB 2136, PN 2848

By Rep. CLYMER

An Act establishing the Heroes of Flight 93 Memorial Commission as a temporary commission to develop plans for the establishment of a State memorial honoring the passengers and crew of United Airlines Flight 93; requiring a report of findings, recommendations and proposed legislation; and making an appropriation.

STATE GOVERNMENT.

SB 286, PN 1181

By Rep. WOGAN

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, amending the title of the act; and further providing for definitions, for repair obligations, for manufacturer's duty for refund or replacement and for resale of returned motor vehicle.

CONSUMER AFFAIRS.

SB 421, PN 1550 (Amended)

By Rep. GANNON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for costs, for Commonwealth portion of fines, etc. and for the right of action regarding profits received as a result of the commission of a crime; and providing for liability for violations of general and specific criminal statutes, for sentencing for terrorism and for sentencing generally and for merger of sentences.

JUDICIARY.

SB 1109, PN 1551 (Amended)

By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for double jeopardy, for terroristic threats and for bomb threats; providing for weapons of mass destruction; and further providing for false alarms to agencies of

public safety, for false reports to law enforcement authorities, for dealing in proceeds of unlawful activities, for facsimile bombs, for interception of communications and for possessing or dealing in firearms.

JUDICIARY.

RESOLUTION REPORTED FROM COMMITTEE

HR 361, PN 2924

By Rep. WOGAN

A Resolution directing the Pennsylvania Public Utility Commission to conduct a comprehensive study of the safety and security policies adopted by utility service providers that protect critical utility infrastructures, including operative and nonoperative nuclear power plant facilities, private electric and natural gas generating plants and independent electric system operators and to recommend prudent strategies to enhance the standards for the physical security of utility facilities that create, possess, handle, store or transport energy in this Commonwealth.

CONSUMER AFFAIRS.

JUDICIARY COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Gannon, for the purpose of calling a Judiciary Committee meeting.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, immediately upon the declaration of the recess, the Judiciary Committee meeting of this morning will reconvene in the back of the hall of the House.

The SPEAKER. The Chair thanks the gentleman.

Members of the Judiciary Committee, on the declaration of the recess, please meet in the rear of the hall of the House.

VOTE CORRECTIONS

The SPEAKER. The gentleman, Mr. Walko.

Mr. WALKO. Thank you, Mr. Speaker.

I rise to correct the record.

On SB 818, final passage, my switch malfunctioned. I wish to be recorded in the negative.

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

Mr. Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

To correct the record.

I would like to be voted in the affirmative on final passage of SB 818.

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

Mr. PETRARCA. Thank you.

The SPEAKER. Mr. Tigie.

Mr. TIGUE. Mr. Speaker, on the final passage of SB 818, I should have been recorded in the negative. Thank you, Mr. Speaker.

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

Mr. Cawley.

Mr. CAWLEY. Thank you, Mr. Speaker.

I would like to be recorded in the negative also on 818.

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

Mr. Pallone.

Mr. PALLONE. Thank you, Mr. Speaker.

On the final vote for SB 818, my switch malfunctioned. I would like to be recorded in the negative.

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

Mr. PALLONE. Thank you, Mr. Speaker.

The SPEAKER. Mr. Curry.

Mr. CURRY. On final passage of 818, I would like to be recorded in the negative.

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

For the information of the House, there will be no further votes today, and tomorrow is a token session day. There will be no votes tomorrow. The Chair is going to hold the House open awaiting a report, if any, from the Judiciary Committee and any other committees that are meeting.

Drive carefully home. Have a good Thanksgiving holiday.

RECESS

The SPEAKER. This House will stand in recess to the call of the Chair.

AFTER RECESS

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND Tabled

HB 2180, PN 2914

By Rep. GANNON

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for legislative security officers.

JUDICIARY.

SB 372, PN 1553 (Amended)

By Rep. GANNON

An Act repealing, in part, a limitation on the complement of the Pennsylvania State Police.

JUDICIARY.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 2180 and SB 372 be taken from the table.

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

BILLS PASSED OVER

The SPEAKER. Without objection, all remaining bills on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. Does the majority leader or minority leader have any further business? Any changes to the record? Announcements by chairmen?

Hearing none, the Chair recognizes the gentleman from Mercer, Mr. Stevenson.

Mr. R. STEVENSON. Mr. Speaker, I move that this House do now adjourn until Wednesday, November 21, 2001, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 4:51 p.m., e.s.t., the House adjourned.