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LEGISLATIVE JOURNAL

MONDAY, DECEMBER 3, 2001

SESSION OF 2001

185TH OF THE GENERAL ASSEMBLY

No. 67

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER PRO TEMPORE
(BRETT FEESE) PRESIDING**

PRAYER

REV. BRUCE D. McINTOSH, Chaplain of the House of Representatives and assistant pastor of Faith Bible Fellowship Church, York, Pennsylvania, offered the following prayer:

Good afternoon.

Let us bow for prayer:

Heavenly Lord, we know that You are interested in the things that we do and You care about us, because You created all of this, and there is a lot to do in these 2 weeks before session ends, and the schedule is full. So, Father, I ask that You will intervene into the thoughts and the discussions and the things that take place today, this afternoon, this evening perhaps, and You will guide and You will bring to light the things that need to be recognized and You will help us sidestep things that are of little or no importance so that focus can be paid to all those things that will accomplish much.

Help us, Lord, to care that You care and to have our minds and our hearts open to the things that You want to accomplish here today through each person here.

And I thank You in advance, and I ask 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 Wednesday, November 21, 2001, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS

INTRODUCED AND REFERRED

No. 2184 By Representatives STURLA, DeWEESE, COLAFELLA, STEELMAN, BELFANTI, BROWNE, CAWLEY, CIVERA, M. COHEN, CORRIGAN, COSTA, CREIGHTON,

CRUZ, CURRY, DeLUCA, EACHUS, FREEMAN, GRUCELA, HARHAI, HORSEY, JOSEPHS, LAUGHLIN, MANDERINO, MANN, McCALL, McILHATTAN, MUNDY, MYERS, ORIE, PISTELLA, READSHAW, SAINATO, SHANER, SOLOBAY, STETLER, SURRA, THOMAS, TIGUE, TRELLO, WALKO, WASHINGTON, C. WILLIAMS, YOUNGBLOOD and YUDICHAK

An Act providing for an Instructional Support Grant Program in the Department of Education; and making an appropriation.

Referred to Committee on EDUCATION, November 26, 2001.

No. 2185 By Representatives STURLA, JOSEPHS, MANDERINO, THOMAS, YOUNGBLOOD, BEBKO-JONES, BELARDI, BELFANTI, CALTAGIRONE, CIVERA, COLAFELLA, CORRIGAN, DALLY, EACHUS, FRANKEL, FREEMAN, GEORGE, GRUCELA, HALUSKA, HARHAI, HORSEY, MANN, LaGROTTA, LAUGHLIN, LEDERER, McCALL, McILHATTAN, MELIO, MUNDY, NICKOL, PETRARCA, PIPPY, PISTELLA, READSHAW, ROEBUCK, ROONEY, SANTONI, SATHER, SHANER, SOLOBAY, STEELMAN, SURRA, TANGRETTI, TRAVAGLIO, TRELLO, TRICH, VEON, WALKO, WATERS, C. WILLIAMS, WOJNAROSKI and YUDICHAK

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for presumptive eligibility for free or subsidized health care insurance for children.

Referred to Committee on INSURANCE, November 26, 2001.

No. 2186 By Representatives REINARD, DONATUCCI, FLICK and MAYERNIK

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions and for when sales may be made at Pennsylvania liquor stores; providing for the shipment of wine; further providing for unlawful acts relative to liquor, alcohol and liquor licenses; and providing for a penalty.

Referred to Committee on LIQUOR CONTROL, November 26, 2001.

No. 2187 By Representatives M. BAKER and NICKOL

An Act amending Title 24 (Education) and Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service and creditable nonstate service for service performed as a crewleader with the Pennsylvania Conservation Corps.

Referred to Committee on STATE GOVERNMENT, November 26, 2001.

No. 2188 By Representatives ROHRER, THOMAS, CREIGHTON, CURRY, GEORGE, HARHAI, HENNESSEY, HORSEY, JAMES, McILHATTAN, R. MILLER, SATHER, SCHRODER, SCRIMENTI, SOLOBAY, E. Z. TAYLOR, TRELLO, TURZAI, YOUNGBLOOD, ZIMMERMAN and STEELMAN

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for prompt payment to health care providers of clean claims.

Referred to Committee on INSURANCE, November 26, 2001.

No. 2189 By Representative FREEMAN

An Act authorizing and directing the Department of Transportation, with the approval of the Governor, to convey to the Borough of Freemansburg a tract of land situate in the Borough of Freemansburg, Northampton County.

Referred to Committee on STATE GOVERNMENT, November 26, 2001.

No. 2190 By Representatives RUBLEY, M. WRIGHT, ADOLPH, ARGALL, BARD, BASTIAN, BUNT, CALTAGIRONE, CAPPELLI, CAWLEY, CLYMER, CORRIGAN, DAILEY, DeWEESE, FAIRCHILD, FICHTER, FRANKEL, GEORGE, GORDNER, GRUCELA, HENNESSEY, HERMAN, HERSHEY, HORSEY, KELLER, LEVDANSKY, LEWIS, MANN, McCALL, McILHINNEY, MELIO, MUNDY, NAILOR, PALLONE, ROSS, SANTONI, SATHER, SAYLOR, SCHRODER, B. SMITH, STABACK, STEELMAN, STEIL, STERN, SURRA, TANGRETTI, TIGUE, TRELLO, VANCE, VITALI, WATSON, WOJNAROSKI, G. WRIGHT, YOUNGBLOOD, SHANER, CREIGHTON and FREEMAN

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further providing for the recycling fee sunset provisions; and making a repeal.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, November 26, 2001.

No. 2191 By Representatives LESCOVITZ, DeLUCA, CASORIO, CRUZ, DeWEESE, GEORGE, HANNA, LEDERER, HARHAI, LAUGHLIN, McGEEHAN, PALLONE, PISTELLA, ROBERTS, ROONEY, SAINATO, SCRIMENTI, SOLOBAY, STABACK, STEELMAN, SURRA, TANGRETTI, WALKO, WOJNAROSKI, YOUNGBLOOD, YUDICHAK, BELARDI, BELFANTI and WASHINGTON

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

Referred to Committee on FINANCE, November 26, 2001.

No. 2192 By Representatives STEELMAN, BEBKO-JONES, CLYMER, L. I. COHEN, CORRIGAN, CREIGHTON, CRUZ, HARPER, HENNESSEY, HORSEY, JAMES, LEDERER, MELIO, PISTELLA, ROONEY, SCHULER, STABACK, WASHINGTON, WATSON, C. WILLIAMS and YOUNGBLOOD

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for the sale of certain containers of malt or brewed beverages by distributors and importing distributors.

Referred to Committee on LIQUOR CONTROL, November 26, 2001.

No. 2193 By Representative PETRARCA

An Act designating a portion of State Route 1026 in the Township of Unity, Westmoreland County, as DePasquale Way.

Referred to Committee on TRANSPORTATION, November 26, 2001.

No. 2194 By Representatives COLEMAN, CAPPELLI, L. I. COHEN, CREIGHTON, DALEY, DALLY, FLICK, GRUCELA, HARHAI, HUTCHINSON, JAMES, LAUGHLIN, MARKOSEK, McILHATTAN, PALLONE, PETRARCA, SCHULER, SOLOBAY, R. STEVENSON, E. Z. TAYLOR, THOMAS, TRELLO, WANSACZ and YOUNGBLOOD

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service; and making a repeal.

Referred to Committee on EDUCATION, December 3, 2001.

No. 2195 By Representatives GODSHALL, M. BAKER, BARD, BELFANTI, CAPPELLI, CASORIO, CLARK, L. I. COHEN, CORRIGAN, COSTA, CREIGHTON, CRUZ, DONATUCCI, FAIRCHILD, FRANKEL, HARHAI, HERSHEY, HESS, HORSEY, KELLER, LUCYK, MARSICO, McGEEHAN, MELIO, NAILOR, PICKETT, SATHER, SCHRODER, SHANER, B. SMITH, STABACK, E. Z. TAYLOR, TRELLO, TURZAI, WASHINGTON, WATSON, WOJNAROSKI, YOUNGBLOOD, PALLONE, ADOLPH and GRUCELA

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of delivery of facsimile biological or chemical agent; and imposing a penalty.

Referred to Committee on JUDICIARY, December 3, 2001.

No. 2196 By Representatives ALLEN, LUCYK, ARGALL, BARD, BUNT, CAPPELLI, CIVERA, CLARK, L. I. COHEN, CORRIGAN, COY, CREIGHTON, CRUZ, FRANKEL, GORDNER, HENNESSEY, HERSHEY, HORSEY, JAMES, KELLER, MANDERINO, McCALL, McGEEHAN, MELIO, R. MILLER, NAILOR, PETRARCA, PICKETT, READSHAW, SAMUELSON, SATHER, SCHRODER, SCRIMENTI, SHANER, B. SMITH, STABACK, STEELMAN, E. Z. TAYLOR, TIGUE, TRELLO, WASHINGTON, WATSON, WILT, WOJNAROSKI, YOUNGBLOOD, J. TAYLOR, PALLONE, COLEMAN and JOSEPHS

An Act providing for education for parents on what constitutes shaken baby syndrome and the physical impairments that can result from shaken baby syndrome; establishing the Shaken Baby Syndrome Education and Prevention Program and the Shaken Baby Syndrome Education and Prevention Fund; and providing for an appropriation.

Referred to Committee on CHILDREN AND YOUTH, December 3, 2001.

No. 2197 By Representatives BARD, HERMAN, FEESE, HENNESSEY, FRANKEL, E. Z. TAYLOR, CAPPELLI, L. I. COHEN, CREIGHTON, GEORGE, HORSEY, KELLER, LEDERER, MANDERINO, MARSICO, READSHAW, SATHER, SHANER, R. STEVENSON, TIGUE, TRELLO, WILT, WOJNAROSKI, YOUNGBLOOD and PALLONE

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, providing for separation requirements for adult uses.

Referred to Committee on LOCAL GOVERNMENT, December 3, 2001.

No. 2198 By Representatives VEON, BELFANTI, DeWEESE, GEORGE, ROONEY, BEBKO-JONES, COLAFELLA, SCRIMENTI, BELARDI, TIGUE, MANN, LESCOVITZ, TRELLO, CASORIO, SURRA, DALEY, MELIO, LEVDANSKY, YUDICHAK, WANSACZ, TRICH, CURRY, PALLONE, STEELMAN, MUNDY, GRUCELA, JAMES, LUCYK, WOJNAROSKI, CALTAGIRONE, SAINATO, THOMAS, HARHAI, DeLUCA, FRANKEL and J. WILLIAMS

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

Referred to Committee on EDUCATION, December 3, 2001.

No. 2199 By Representatives PRESTON, THOMAS, BELFANTI, CREIGHTON, FRANKEL, GEORGE, HORSEY, JAMES, ROBERTS, SHANER, SOLOBAY, TIGUE, WANSACZ, WASHINGTON, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, providing for violations of act and for remedies available to consumers.

Referred to Committee on PROFESSIONAL LICENSURE, December 3, 2001.

No. 2200 By Representatives DeLUCA, BUXTON, CAPPELLI, CIVERA, CORRIGAN, COSTA, CREIGHTON, HERSHEY, LaGROTTA, LAUGHLIN, MELIO, R. MILLER, S. MILLER, MUNDY, ROONEY, RUBLEY, SAINATO, SCRIMENTI, STEELMAN, TANGRETTI, TIGUE, WILT, G. WRIGHT and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, imposing penalties for submitting a false affidavit.

Referred to Committee on EDUCATION, December 3, 2001.

No. 2201 By Representative MAHER

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for use of driver's license or identification card to indicate organ or tissue donation.

Referred to Committee on TRANSPORTATION, December 3, 2001.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 368 By Representatives HORSEY, YOUNGBLOOD, KENNEY, McGEEHAN and CRUZ

A Resolution advising public school officials of the School District of Philadelphia of the necessity of open access to the public schools by State officials.

Referred to Committee on RULES, November 26, 2001.

No. 370 By Representatives JOSEPHS, GEIST, ARGALL, ARMSTRONG, BARD, BASTIAN, BEBKO-JONES, BELFANTI, BISHOP, BUXTON, CALTAGIRONE, CAPPELLI, L. I. COHEN, COLEMAN, COY, CREIGHTON, CURRY, DALEY, DeLUCA, DERMODY, DeWEESE, DONATUCCI, D. EVANS, FEESE, FICHTER, FRANKEL, FREEMAN, GEORGE, GRUCELA, HARHAI, HENNESSEY, HERMAN, HERSHEY, HORSEY, JAMES, LAUGHLIN, LEDERER, LESCOVITZ, LEWIS, MAHER, MANDERINO, MANN, MARKOSEK, MARSICO, MAYERNIK, McCALL, McGILL, McNAUGHTON, MELIO, MUNDY, PALLONE, PETRARCA, PISTELLA, PRESTON, RAYMOND, READSHAW, ROBERTS, ROBINSON, ROEBUCK, ROONEY, ROSS, RUBLEY, SAINATO, SATHER, SAYLOR, SCHRODER, SCHULER, SEMMEL, SHANER, B. SMITH, S. H. SMITH, SOLOBAY, STABACK, STEELMAN, STERN, STRITTMATTER, STURLA, TANGRETTI, THOMAS, TIGUE, TRAVAGLIO, WALKO, WASHINGTON, WATSON, WILT, WOJNAROSKI, M. WRIGHT, YOUNGBLOOD, YUDICHAK, G. WRIGHT and TURZAI

A Resolution urging the President and Congress to expand Amtrak's Acela rail service in Pennsylvania.

Referred to Committee on TRANSPORTATION, November 26, 2001.

No. 371 By Representatives C. WILLIAMS, BELFANTI, BENNINGHOFF, CAPPELLI, CORRIGAN, CURRY, D. EVANS, FRANKEL, HERSHEY, HORSEY, JAMES, JOSEPHS, LESCOVITZ, MANN, MELIO, ROONEY, RUBLEY, SCRIMENTI, SHANER, SOLOBAY, TANGRETTI, TIGUE, TRICH, WASHINGTON, YOUNGBLOOD, G. WRIGHT, STABACK, BROWNE and THOMAS

A Concurrent Resolution directing the Board of Medicine in consultation with the Board of Pharmacy to study the sale of prescription drugs in this Commonwealth via the Internet.

Referred to Committee on RULES, November 26, 2001.

SENATE BILLS FOR CONCURRENCE

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

SB 611, PN 662

Referred to Committee on CHILDREN AND YOUTH, November 26, 2001.

SB 705, PN 1405

Referred to Committee on EDUCATION, November 26, 2001.

SB 769, PN 861

Referred to Committee on LOCAL GOVERNMENT, November 26, 2001.

COMMUNICATIONS FROM GOVERNOR**APPROVAL OF HOUSE BILLS**

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

HB 494, HB 495, HB 1541, and HB 1603.

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 1222;
HB 1119;
HB 1516;
HB 2125;
HB 2131;
SB 286;
SB 421;
SB 834; and
SB 1109.

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 1222, PN 1413; HB 1119, PN 2711; HB 1516, PN 2712; HB 2125, PN 2837; HB 2131, PN 2843; SB 286, PN 1181; SB 421, PN 1550; SB 834, PN 1468; and SB 1109, PN 1551.

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 1222;
HB 1119;
HB 1516;
HB 2125;
HB 2131;
SB 286;
SB 421;
SB 834; and
SB 1109.

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

BILLS REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that HB 1696 and HB 1743 be removed from the table.

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

BILLS TABLED

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

Mr. PERZEL. Mr. Speaker, I move that HB 1696 and HB 1743 be laid on the table.

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

**COMMUNICATION FROM
TEMPLE UNIVERSITY**

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

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

COMMUNICATION FROM DEPARTMENT OF AGING

The SPEAKER pro tempore. The Chair acknowledges receipt of the report on Area Agency on Aging Waiting Lists submitted by the Department of Aging pursuant to Act 20 of 2000.

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

COMMUNICATION FROM PENN STATE UNIVERSITY

The SPEAKER pro tempore. The Chair acknowledges receipt of the audited financial statements submitted by the Pennsylvania State University for fiscal year ended June 30, 2001.

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

RULES COMMITTEE MEETING

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

BILLS REREPORTED FROM COMMITTEE

HB 1548, PN 1894

By Rep. PERZEL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining offenses relating to weapons of mass destruction.

RULES.

HB 1933, PN 2522

By Rep. PERZEL

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing police officers to record certain oral communications; and further providing for windshield obstructions and wipers.

RULES.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 152, PN 1519

By Rep. PERZEL

A Resolution memorializing the City of Philadelphia to discontinue the use of taxpayer dollars to fund programs that provide sterile syringe exchange to drug addicts.

RULES.

HR 366, PN 2929

By Rep. PERZEL

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.

RULES.

MIDDLETOWN AREA HIGH SCHOOL SOCCER TEAM PRESENTED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Tulli, for the purpose of a presentation.

Mr. TULLI. Thank you, Mr. Speaker.

Today I am proud to present to you the Middletown Area soccer team, who is sitting in the back. Their coach and captains are up front here with me. They are the 2001 PIAA Class AA men's soccer champions. These soccer players had a record of 26 and 1 to become the State champions, and in that regard, I wish to give them the congratulations of the House of Representatives and this citation honoring them for that championship.

Please join me in welcoming the PIAA Class AA soccer champs, the Middletown Area High School soccer team.

BLAINE PEFFLEY PRESENTED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Krebs, for the purpose of a presentation.

Mr. KREBS. Mr. Speaker, today I would like to present somebody that maybe a lot of the members would like to emulate. I have the 2001 PIAA golf champion from Cedar Crest High School. His name is Blaine Peffley. And just to tell you some of his accomplishments, up at Penn State on the blue course on the first day of the championship, he shot a round of 65. On the second day he fell off a little bit and was 1 over par, but his 2-day total of 138 is a new record for golf in the PIAA championship.

Also accompanying him today are his father, Gerald Peffley, and his coach, Fred Sherk, seated over here on our left.

So I would like to present Mr. Blaine Peffley with a citation, and if he continues the good work and he is going to the University of Arizona next fall, I do not know that he will have to worry about that as long as he keeps his swing. So I would like to present the citation to Blaine Peffley. Thank you.

MS. WHEELCHAIR PENNSYLVANIA PRESENTED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Wright, for the purpose of a presentation. Will the gentleman suspend.

Will the House come to order. Conferences in the aisles will please break up. We have a special guest Mr. Wright would like to introduce. The Chair thanks the House.

The gentleman, Mr. Wright.

Mr. WRIGHT. Thank you, Mr. Speaker.

Today I would like to introduce a special guest to the House of Representatives, Ms. Wheelchair Pennsylvania.

Ms. Wheelchair Pennsylvania comes from Levittown, Bucks County; extraordinary person. She is part of the national campaign to make awareness for people with disabilities; break down the barriers, difficulties of employment, society; and also lead a life to show others that productivity is a valid means of everyday life and trying to get society to meet the needs of people with disabilities.

Leona Gutherman is a special case. She was elected of all the different candidates from Pennsylvania. She will go on to nationals in the summertime. She has led a life. She had an accident, a diving accident, when she was 17. She is now married, has four kids, put herself through college, has a strong profession, gone back and got her master's degree, and she is an example of somebody that can lead a great life and show the signs and awareness to everybody in the communities that anybody that has a disability can rise up and can improve themselves.

Leona Gutherman is here seated to the side here. She is with her husband, George. I would like the House to give a warm welcome to Leona for her accomplishment of Ms. Wheelchair Pennsylvania.

ARMENIAN DELEGATION INTRODUCED

The SPEAKER pro tempore. For the information of the members, we have some very special guests from Armenia here that we would like to introduce. Could we have some order in the House, please.

Members, please take your seats. Sergeants at Arms, clear the aisles. The House will come to order. Conferences in the area of the Democrat floor leader's desk will please break up. Will the House please come to order.

We have very special guests from Armenia here today. The delegation is here under the auspices of the United States Department of the Interior. Their interpreter, Zaroui Pogossian, will introduce our guests. Please give her your full attention.

Ms. POGOSSIAN. Mr. Zaliko Barseghyan is the director of the Department of Economics of the Government of the Republic of Armenia.

Mr. Karen Gasparyan is the executive director of GSP Ltd., a leading member of the Association of Building Material Importers.

Mr. Samvel Gevorgyan is the executive director of the Business Support Center.

Mr. Ashot Markosyan is the First Deputy Minister of the Ministry of State Property Management of the Government of the Republic of Armenia.

Mr. Vahagn Movsesyan is the director of the Department of International Financial Relations of the Ministry of Finance and Economy.

They are accompanied by interpreter, Mr. Artur Hakobyan, and Mr. John Vartan, our host for lunch and a distinguished member of the Harrisburg community. Thank you.

The SPEAKER pro tempore. Will all of our guests please rise. Let us give our guests a warm welcome from the House.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Schuylkill County, Mr. Argall, for the purpose of a caucus announcement.

Mr. ARGALL. Mr. Speaker, the House Republicans will caucus downstairs immediately upon the call of the recess. It is my understanding we will require 90 minutes.

The SPEAKER pro tempore. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster County, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

I would like to call for a meeting of the House Appropriations Committee immediately on recess. We will meet in the conference room, room 245.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Lescovitz, for the purpose of a caucus announcement.

Mr. LESCOVITZ. Thank you, Mr. Speaker.

The Democrats will caucus immediately on the call of the recess back in our new headquarters on the fourth floor.

RECESS

The SPEAKER pro tempore. This House will stand in recess until 3 p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 3:15 p.m.

AFTER RECESS

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

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

RULES COMMITTEE MEETING

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

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 17, PN 2740

By Rep. PERZEL

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for intimidation of witnesses and victims; and providing for aggravated jury tampering.

RULES.

BILLS REREPORTED FROM COMMITTEE

HB 110, PN 94

By Rep. BARLEY

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, repealing the authority to destroy certain records.

APPROPRIATIONS.

HB 206, PN 186 By Rep. BARLEY

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

APPROPRIATIONS.

HB 481, PN 2853 By Rep. BARLEY

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for rescue volunteers.

APPROPRIATIONS.

HB 529, PN 572 By Rep. BARLEY

An Act amending the act of June 5, 1913 (P.L.419, No.276), entitled "An act to authorize the display of the State, county, city, borough, or other municipal flags on public buildings in the Commonwealth," providing for display of the Pennsylvania flag over memorials, caskets and at funerals of certain persons.

APPROPRIATIONS.

HB 593, PN 650 By Rep. BARLEY

An Act providing for procedures for students expelled from school and for powers and duties of boards of school directors.

APPROPRIATIONS.

HB 767, PN 2871 By Rep. BARLEY

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.

APPROPRIATIONS.

HB 957, PN 2968 (Amended) By Rep. BARLEY

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

APPROPRIATIONS.

HB 1483, PN 1802 By Rep. BARLEY

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Environmental Protection, to sell and convey to the Edinboro Regional Community Services, Inc., a certain tract of land situate in Washington Township, Erie County, Pennsylvania.

APPROPRIATIONS.

HB 1731, PN 2174

By Rep. BARLEY

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

APPROPRIATIONS.

HB 1805, PN 2515

By Rep. BARLEY

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

APPROPRIATIONS.

HB 1809, PN 2347

By Rep. BARLEY

An Act repealing the act of March 27, 1903 (P.L.100, No.80), entitled "An act to prevent the spread of the disease known as rabies, or hydrophobia; and to authorize the quarantine, restraint, confinement, or muzzling of dogs, during outbreaks of this disease; and to empower the State Live Stock Sanitary Board to enforce the provisions of this act."

APPROPRIATIONS.

HB 1955, PN 2873

By Rep. BARLEY

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

APPROPRIATIONS.

HB 1982, PN 2737

By Rep. BARLEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the definitions of "electronic communication system," "trap and trace device" and "wire communication"; providing for offenses relating to telecommunication identification interception devices; and further providing for the disclosure of certain evidence, for requirements for government access, for cost reimbursement, for mobile tracking devices and for issuance of an order for use of certain devices.

APPROPRIATIONS.

HB 1995, PN 2969 (Amended)

By Rep. BARLEY

An Act establishing the William Penn Liberty Medal of Honor; providing for awarding of medals, for an advisory board and for design and cost of medals.

APPROPRIATIONS.

HB 2013, PN 2850

By Rep. BARLEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a Pride in America registration plate.

APPROPRIATIONS.

HB 2018, PN 2647

By Rep. BARLEY

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

APPROPRIATIONS.

HB 2033, PN 2859 By Rep. BARLEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for suspension of operating privilege for certain convictions.

APPROPRIATIONS.

HB 2048, PN 2698 By Rep. BARLEY

An Act amending the act of June 25, 1999 (P.L.205, No.27), entitled, as amended, "An act authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County, and to convey to the trustees of the University of Pittsburgh certain land situate in the City of Pittsburgh, Allegheny County; authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical Society of Indiana County a tract of land situate in the Borough of Indiana, County of Indiana, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and Department of Transportation, to sell and convey to the Borough of Hollidaysburg certain land situate in the Borough of Hollidaysburg, Blair County, Pennsylvania; authorizing the Department of General Services, with the approval of the Governor, to convey a tract of land in the Borough of Selingsgrove, Snyder County, to the Eastern Snyder County Regional Authority in exchange for another tract of land in the Borough of Selingsgrove, Snyder County; and authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Snyder County certain lands situate in Penn Township," further providing for reversion of property.

APPROPRIATIONS.

HB 2060, PN 2723 By Rep. BARLEY

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for distribution of property of absentee and for notice to absentee.

APPROPRIATIONS.

HB 2063, PN 2726 By Rep. BARLEY

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the City of Harrisburg tracts of land and a building situate in the City of Harrisburg, Dauphin County.

APPROPRIATIONS.

HB 2088, PN 2773 By Rep. BARLEY

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

APPROPRIATIONS.

HB 2109, PN 2819 By Rep. BARLEY

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.

APPROPRIATIONS.

HB 2136, PN 2848 By Rep. BARLEY

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.

APPROPRIATIONS.

HB 2149, PN 2970 (Amended) By Rep. BARLEY

An Act amending the act of February 17, 1906 (1 Sp.Sess., P.L.45, No.11), entitled "An act to regulate the deposits of State funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits, to fix the rate of interest thereon, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," prohibiting investments in countries identified as sponsors of terrorism.

APPROPRIATIONS.

HB 2150, PN 2971 (Amended) By Rep. BARLEY

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, prohibiting investments in countries identified as sponsors of terrorism.

APPROPRIATIONS.

HB 2151, PN 2972 (Amended) By Rep. BARLEY

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing for prohibition of investments in countries identified as sponsors of terrorism.

APPROPRIATIONS.

HB 2152, PN 2973 (Amended) By Rep. BARLEY

An Act amending Title 17 (Credit Unions) of the Pennsylvania Consolidated Statutes, prohibiting investments in corporations doing business in countries which sponsor terrorism; and prohibiting deposits from and loans to such countries and corporations.

APPROPRIATIONS.

HB 2153, PN 2974 (Amended) By Rep. BARLEY

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, prohibiting investments in corporations doing business in countries which sponsor terrorism.

APPROPRIATIONS.

HB 2163, PN 2941 By Rep. BARLEY

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.

APPROPRIATIONS.

HB 2164, PN 2940

By Rep. BARLEY

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.

APPROPRIATIONS.

HB 2165, PN 2900

By Rep. BARLEY

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.

APPROPRIATIONS.

HB 2166, PN 2901

By Rep. BARLEY

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

APPROPRIATIONS.

HB 2180, PN 2914

By Rep. BARLEY

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

APPROPRIATIONS.

SB 372, PN 1553

By Rep. BARLEY

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

APPROPRIATIONS.

SB 421, PN 1550

By Rep. BARLEY

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.

APPROPRIATIONS.

SB 607, PN 1513

By Rep. BARLEY

An Act amending the act of November 1, 1971 (P.L.495, No.113), entitled, as amended, "An act providing for the compensation of county officers in counties of the second through eighth classes, for compensation of district attorneys in cities and counties of the first class, for compensation of district election officers in all counties, for the disposition of fees, for filing of bonds in certain cases and for duties of certain officers," further providing for the compensation of clerks of election and machine operators; and making a repeal.

APPROPRIATIONS.

SB 907, PN 1512

By Rep. BARLEY

An Act designating a portion of SR 11 in Salem Township, Luzerne County, as Salem Boulevard and a portion of US Route 119 in Indiana County as the Patrick J. Stapleton Memorial Highway and the North George Street Bridge in the City of York, York County, as the Governor George Leader Bridge.

APPROPRIATIONS.

SB 1109, PN 1551

By Rep. BARLEY

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.

APPROPRIATIONS.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence and recognizes the majority whip, who requests a leave for the gentleman from Bedford, Mr. HESS, for the day, and the gentleman from Perry, Mr. EGOLF, for the day. Without objection, leaves will be granted. The Chair hears no objection.

The Chair recognizes the minority whip, Mr. Veon, who requests a leave for the day for the gentleman from Philadelphia County, Mr. McGEEHAN, and the gentleman from Westmoreland County, Mr. HARHAI. Without objection, the leaves will be granted. The Chair hears no objection.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—198

Adolph	Evans, D.	Major	Schuler
Allen	Evans, J.	Manderino	Scrimenti
Argall	Fairchild	Mann	Semmel
Armstrong	Feese	Markosek	Shaner
Baker, J.	Fichter	Marsico	Smith, B.
Baker, M.	Fleagle	Mayernik	Smith, S. H.
Bard	Flick	McCall	Solobay
Barley	Forcier	McGill	Staback
Barrar	Frankel	McIlhattan	Stairs
Bastian	Freeman	McIlhinney	Steelman
Bebko-Jones	Gabig	McNaughton	Steil
Belardi	Gannon	Melio	Stern
Belfanti	Geist	Metcalfe	Stetler
Benninghoff	George	Michlovic	Stevenson, R.
Birmelin	Godshall	Micozzie	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	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	Horsley	Phillips	Turzai
Clymer	Hutchinson	Pickett	Vance
Cohen, L. I.	Jadlowiec	Pippy	Veon
Cohen, M.	James	Pistella	Vitali
Colafella	Josephs	Preston	Walko
Coleman	Kaiser	Raymond	Wansacz
Cornell	Keller	Readshaw	Washington
Corrigan	Kenney	Reinard	Waters
Costa	Kirkland	Rieger	Watson
Coy	Krebs	Roberts	Williams, J.
Creighton	LaGrotta	Robinson	Wilt
Cruz	Laughlin	Roebuck	Wogan
Curry	Lawless	Rohrer	Wojnaroski
Dailey	Lederer	Rooney	Wright, G.
Daley	Leh	Ross	Wright, M.
Dally	Lescovitz	Rubley	Yewcic
DeLuca	Levdansky	Ruffing	Youngblood
Dermody	Lewis	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zimmerman
DiGirolamo	Lynch	Santoni	Zug
Diven	Mackereth	Sather	
Donatucci	Maher	Saylor	Ryan,
Eachus	Maitland	Schroder	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Egolf	Harhai	Hess	McGeehan
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LEAVES ADDED—5

Allen	Preston	Yudichak	Zimmerman
Kirkland			

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Coy, who requests a leave be granted to the gentleman, Mr. YUDICHAK, for today's session. Without objection, leave will be granted. The Chair hears no objection.

RESIGNATION OF MEMBER

The SPEAKER. A communication from the Honorable Connie Williams, which the clerk will read.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

November 26, 2001

Honorable Matthew J. Ryan
Speaker, House of Representatives
139 Main Capitol Building
Harrisburg, PA 17120

Dear Speaker Ryan:

As you know, I was the successful candidate in the November 6th Special Election to fill the Senate vacancy created by the resignation of Senator Dick Tilghman.

It has been an honor, a privilege and a pleasure to have served in the Pennsylvania House of Representatives over these past five years representing the people of the 149th District. I will never forget the experience.

I am writing to inform you of my resignation as a member of the House of Representatives effective at the time of my swearing in to the Senate on Monday, December 3, 2001.

Sincerely,
Connie Williams
State Representative
149th Legislative District

cc: Honorable H. William DeWeese
Democratic Leader

CW/akf

WRIT OF SPECIAL ELECTION

The SPEAKER. The Chair submits for the record a copy of the writ of special election being called for the 12th day of February 2002 to fill the vacancy created by the resignation of Ms. Williams.

The clerk will file the notice.

The following writ of special election was submitted:

COMMONWEALTH OF PENNSYLVANIA, SS:

TO THE HONORABLE KIM PIZZINGRILLI, SECRETARY OF THE COMMONWEALTH, AND TO JAMES R. MATTHEWS, CHAIRMAN, RUTH S. DAMSKER AND MICHAEL D. MARINO, CONSTITUTING THE BOARD OF ELECTIONS OF MONTGOMERY COUNTY.

GREETINGS: WHEREAS, A vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the One Hundred Forty-ninth Legislative District of the County of Montgomery, consisting of the Townships of Lower Merion (part, wards 04, 05, 06, 07 {part, division 03}, 08, 10, 11, and 14) and Upper Merion and the Borough of West Conshohocken, caused by the reason of the resignation of Connie Williams, the 3rd day of December, two thousand one.

NOW THEREFORE, I, Matthew J. Ryan, Speaker of the House of Representatives, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania, and by the Act of Assembly in such case made and provided, do hereby command you:

That you cause an election to be held in the said County of Montgomery on the 12th day of February, A.D., two thousand and two to choose a person to represent said Legislative District in the House of Representatives of Pennsylvania, for the remainder of the term expiring November 30th, two thousand and two, and that you give due and public notice of said election throughout said District, in the form and manner directed by law.

Given under my hand and the seal of the House of Representatives at Harrisburg, Pennsylvania, this 3rd day of December, A.D., two thousand one.

Matthew Ryan (SEAL) Speaker of the House of Representatives

ATTEST: Ted Mazia Chief Clerk of the House of Representatives

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Steven Heckler, the head athletic trainer at Shippensburg University. He is here today as the guest of Representative Coy, seated to the left of the Chair. Would the gentleman please rise.

CALENDAR

RESOLUTION

Mr. WOGAN called up HR 361, PN 2924, entitled:

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.

On the question, Will the House adopt the resolution?

RULES SUSPENDED

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

Mr. WOGAN. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of an amendment to this resolution.

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

The following roll call was recorded:

YEAS-197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

- Egolf, Harhai, Hess, McGeehan, Yudichak

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 adopt the resolution?

Mr. WOGAN offered the following amendment No. A4412:

- Amend Title, page 1, line 1, by inserting after "Commission" and the Pennsylvania Emergency Management Agency
Amend Title, page 1, line 2, by striking out "study" and inserting assessment
Amend Title, page 1, line 2, by striking out "safety and"
Amend Title, page 1, lines 3 through 7, by striking out "utility service providers that protect critical" in line 3, all of lines 4 through 6, "operators and to" in line 7 and inserting regulated public utilities, operative and nonoperative nuclear power plants, electric generating companies, natural gas producers, independent electric system operators, cooperative associations, municipal corporations and

municipal authorities that protect critical utility infrastructures and

Amend Title, page 1, lines 8 through 10, by striking out "of utility facilities" in line 8, all of lines 9 and 10 and inserting and integrity of these facilities.

Amend Second Whereas Clause, page 1, line 17, by inserting after "States"

critical

Amend Third Whereas Clause, page 1, line 20, by striking out "safety" and inserting

security

Amend Third Whereas Clause, page 1, line 20, by striking out "the" where it appears the second time and inserting

critical

Amend Fourth Whereas Clause, page 2, line 1, by inserting after "destroy"

critical

Amend Fifth Whereas Clause, page 2, line 7, by inserting after "and" where it appears the second time

the Federal and

Amend Sixth Whereas Clause, page 2, line 10, by striking out "developing energy forecasts, conducting audits,"

Amend Seventh Whereas Clause, page 2, line 18, by striking out "continuous"

Amend Seventh Whereas Clause, page 2, line 18, by inserting after "interconnected"

critical

Amend Eighth Whereas Clause, page 2, line 20, by striking out "Any physical disruption of the operation of critical" and inserting

Critical

Amend Eighth Whereas Clause, page 2, line 21, by inserting after "must"

remain reliable such that any physical disruption will

Amend Resolution, page 2, by inserting between lines 24 and 25

WHEREAS, The Pennsylvania Emergency Management Agency is charged with the management and coordination of the Commonwealth's emergency management programs and administers the Commonwealth's Emergency Operations Center (EOC); and

WHEREAS, The Pennsylvania Emergency Management Council is responsible for overall policy and direction of Statewide disaster programs and response capabilities, is chaired by the Lieutenant Governor and has a membership that includes State agencies, county and local governments; and

Amend Tenth Whereas Clause, page 2, line 29, by striking out "privately managed" and inserting

private

Amend First Resolve Clause, page 3, line 11, by inserting after "Commission"

and the Pennsylvania Emergency Management Agency

Amend First Resolve Clause, page 3, lines 13 through 15, by striking out "privately owned and municipally" in line 13, all of lines 14 and 15 and inserting

operative and nonoperative nuclear power plants, electric generating companies, natural gas producers, independent electric system operators, cooperative associations, municipal corporations and municipal authorities, to review and evaluate

Amend First Resolve Clause, page 3, line 16, by striking out "the" and inserting

Pennsylvania's critical

Amend First Resolve Clause, page 3, line 17, by striking out "in this Commonwealth"

Amend Second Resolve Clause, page 3, line 19, by inserting after "Commission"

and the Pennsylvania Emergency Management Agency

Amend Resolution, page 3, by inserting between lines 23 and 24
RESOLVED, That proprietary, security and competitively sensitive information and trade secrets of regulated public utilities, operative and nonoperative nuclear power plants, electric generating companies, natural gas producers, independent electric system operators, cooperative associations, municipal corporations and municipal authorities shall not be public records for purposes of the act of June 21, 1957 (P.L.390, No.212), referred to as the Right-to-Know Law, and shall not be subject to mandatory public disclosure which would compromise the security and integrity of critical utility infrastructures; and be it further

Amend Third Resolve Clause, page 3, line 24, by inserting after "Commission"

and the Pennsylvania Emergency Management Agency

Amend Third Resolve Clause, page 3, line 25, by striking out "its" and inserting

their

Amend Third Resolve Clause, page 3, line 26, by striking out "July 15, 2002" and inserting

September 1, 2002

On the question,

Will the House agree to the amendment?

LEAVE OF ABSENCE

The SPEAKER. The Chair interrupts the business before the House and returns to leaves of absence and recognizes the gentleman, Mr. Coy, who requests that the gentleman from Allegheny County, Mr. PRESTON, be placed on the leave list. Without objection, leave will be granted. The Chair hears no objection.

CONSIDERATION OF HR 361 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—196

Adolph	Evans, D.	Major	Schuler
Allen	Evans, J.	Manderino	Scrimenti
Argall	Fairchild	Mann	Semmel
Armstrong	Feese	Markosek	Shaner
Baker, J.	Fichter	Marsico	Smith, B.
Baker, M.	Fleagle	Mayernik	Smith, S. H.
Bard	Flick	McCall	Solobay
Barley	Forcier	McGill	Staback
Barrar	Frankel	McIlhattan	Stairs
Bastian	Freeman	McIlhinney	Steelman
Bebko-Jones	Gabig	McNaughton	Steil
Belardi	Gannon	Melio	Stern
Belfanti	Geist	Metcalfe	Stetler
Benninghoff	George	Michlovic	Stevenson, R.
Birmelin	Godshall	Micozzie	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	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	Horsey	Phillips	Turzai
Clymer	Hutchinson	Pickett	Vance
Cohen, L. I.	Jadlowiec	Pippy	Veon
Cohen, M.	James	Pistella	Vitali
Colafella	Josephs	Raymond	Walko
Coleman	Kaiser	Readshaw	Wansacz
Cornell	Keller	Reinard	Washington
Corrigan	Kenney	Rieger	Waters
Costa	Kirkland	Roberts	Watson
Coy	Krebs	Robinson	Williams, J.
Creighton	LaGrotta	Roebuck	Wilt
Cruz	Laughlin	Rohrer	Wogan
Curry	Lawless	Rooney	Wojnaroski
Dailey	Lederer	Ross	Wright, G.
Daley	Leh	Rublely	Wright, M.
Dally	Lescovitz	Ruffing	Yewcic
DeLuca	Levdansky	Sainato	Youngblood
Dermody	Lewis	Samuelson	Zimmerman
DeWeese	Lucyk	Santoni	Zug
DiGirolamo	Lynch	Sather	
Diven	Mackereth	Saylor	Ryan,
Donatucci	Maher	Schroder	Speaker
Eachus	Maitland		

NAYS—0

NOT VOTING—0

EXCUSED—6

Egolf	Hess	Preston	Yudichak
Harhai	McGeehan		

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 adopt the resolution as amended?

The SPEAKER. Mr. Wogan, do you have more than one amendment?

Mr. WOGAN. Yes, Mr. Speaker.

The SPEAKER. And your motion to suspend the rules included the additional amendments?

Mr. WOGAN. Mr. Speaker, you are astute; yes, it did.

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

Mr. WOGAN offered the following amendment No. A4450:

Amend Resolution, page 3, by inserting between lines 23 and 24
RESOLVED, That recommendations be made by the Pennsylvania Public Utility Commission and the Pennsylvania Emergency Management Agency to the General Assembly concerning statutory changes to enable cost recovery mechanisms for any security modifications to utility infrastructures recommended by the Pennsylvania Public Utility Commission and the Pennsylvania Emergency Management Agency; and be it further

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

The following roll call was recorded:

YEAS—196

Adolph	Evans, D.	Major	Schuler
Allen	Evans, J.	Manderino	Scrimenti
Argall	Fairchild	Mann	Semmel
Armstrong	Feese	Markosek	Shaner
Baker, J.	Fichter	Marsico	Smith, B.
Baker, M.	Fleagle	Mayernik	Smith, S. H.
Bard	Flick	McCall	Solobay
Barley	Forcier	McGill	Staback
Barrar	Frankel	McIlhattan	Stairs
Bastian	Freeman	McIlhinney	Steelman
Bebko-Jones	Gabig	McNaughton	Steil
Belardi	Gannon	Melio	Stern
Belfanti	Geist	Metcalfe	Stetler
Benninghoff	George	Michlovic	Stevenson, R.
Birmelin	Godshall	Micozzie	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	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	Horsey	Phillips	Turzai
Clymer	Hutchinson	Pickett	Vance
Cohen, L. I.	Jadlowiec	Pippy	Veon
Cohen, M.	James	Pistella	Vitali
Colafella	Josephs	Raymond	Walko
Coleman	Kaiser	Readshaw	Wansacz
Cornell	Keller	Reinard	Washington
Corrigan	Kenney	Rieger	Waters
Costa	Kirkland	Roberts	Watson
Coy	Krebs	Robinson	Williams, J.
Creighton	LaGrotta	Roebuck	Wilt
Cruz	Laughlin	Rohrer	Wogan
Curry	Lawless	Rooney	Wojnaroski
Dailey	Lederer	Ross	Wright, G.
Daley	Leh	Rublely	Wright, M.
Dally	Lescovitz	Ruffing	Yewcic
DeLuca	Levdansky	Sainato	Youngblood
Dermody	Lewis	Samuelson	Zimmerman
DeWeese	Lucyk	Santoni	Zug
DiGirolamo	Lynch	Sather	
Diven	Mackereth	Saylor	Ryan,
Donatucci	Maher	Schroder	Speaker
Eachus	Maitland		

NAYS—0

NOT VOTING—0

EXCUSED—6

Egolf	Hess	Preston	Yudichak
Harhai	McGeehan		

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 adopt the resolution as amended?

The SPEAKER. Mr. Wogan, do you have any further amendments?

Mr. WOGAN. No, I do not, Mr. Speaker. Thank you for your courtesy.

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

The following roll call was recorded:

YEAS—196

Adolph	Evans, D.	Major	Schuler
Allen	Evans, J.	Manderino	Scrimenti
Argall	Fairchild	Mann	Semmel
Armstrong	Feese	Markosek	Shaner
Baker, J.	Fichter	Marsico	Smith, B.
Baker, M.	Fleagle	Mayernik	Smith, S. H.
Bard	Flick	McCall	Solobay
Barley	Forcier	McGill	Staback
Barrar	Frankel	McIlhattan	Stairs
Bastian	Freeman	McIlhinney	Steelman
Bebko-Jones	Gabig	McNaughton	Steil
Belardi	Gannon	Melio	Stern
Belfanti	Geist	Metcalfe	Stetler
Benninghoff	George	Michlovic	Stevenson, R.
Birmelin	Godshall	Micozzie	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	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	Horsey	Phillips	Turzai
Clymer	Hutchinson	Pickett	Vance
Cohen, L. I.	Jadlowiec	Pippy	Veon
Cohen, M.	James	Pistella	Vitali
Colafella	Josephs	Raymond	Walko
Coleman	Kaiser	Readshaw	Wansacz
Cornell	Keller	Reinard	Washington
Corrigan	Kenney	Rieger	Waters
Costa	Kirkland	Roberts	Watson
Coy	Krebs	Robinson	Williams, J.
Creighton	LaGrotta	Roebuck	Wilt
Cruz	Laughlin	Rohrer	Wogan
Curry	Lawless	Rooney	Wojnaroski
Dailey	Lederer	Ross	Wright, G.
Daley	Leh	Rubley	Wright, M.
Dally	Lescovitz	Ruffing	Yewcic
DeLuca	Levdansky	Sainato	Youngblood
Dermody	Lewis	Samuelson	Zimmerman
DeWeese	Lucyk	Santoni	Zug
DiGirolamo	Lynch	Sather	
Diven	Mackereth	Saylor	
Donatucci	Maher	Schroder	Ryan,
Eachus	Maitland		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Egolf	Hess	Preston	Yudichak
Harhai	McGeehan		

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

SUPPLEMENTAL CALENDAR C

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 481, PN 2853**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for rescue volunteers.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

Adolph	Evans, D.	Major	Schuler
Allen	Evans, J.	Manderino	Scrimenti
Argall	Fairchild	Mann	Semmel
Armstrong	Feese	Markosek	Shaner
Baker, J.	Fichter	Marsico	Smith, B.
Baker, M.	Fleagle	Mayernik	Smith, S. H.
Bard	Flick	McCall	Solobay
Barley	Forcier	McGill	Staback
Barrar	Frankel	McIlhattan	Stairs
Bastian	Freeman	McIlhinney	Steelman
Bebko-Jones	Gabig	McNaughton	Steil
Belardi	Gannon	Melio	Stern
Belfanti	Geist	Metcalfe	Stetler
Benninghoff	George	Michlovic	Stevenson, R.
Birmelin	Godshall	Micozzie	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	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	Horsey	Phillips	Turzai
Clymer	Hutchinson	Pickett	Vance
Cohen, L. I.	Jadlowiec	Pippy	Veon
Cohen, M.	James	Pistella	Vitali
Colafella	Josephs	Raymond	Walko
Coleman	Kaiser	Readshaw	Wansacz

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Egolf	Hess	Preston	Yudichak
Harhai	McGeehan		

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 529, PN 572**, entitled:

An Act amending the act of June 5, 1913 (P.L.419, No.276), entitled "An act to authorize the display of the State, county, city, borough, or other municipal flags on public buildings in the Commonwealth," providing for display of the Pennsylvania flag over memorials, caskets and at funerals of certain persons.

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

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

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

The following roll call was recorded:

YEAS-196

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

Barrar	Frankel	McIlhattan	Stairs
Bastian	Freeman	McIlhinney	Steelman
Bebko-Jones	Gabig	McNaughton	Steil
Belardi	Gannon	Melio	Stern
Belfanti	Geist	Metcalfe	Stetler
Benninghoff	George	Michlovic	Stevenson, R.
Birmelin	Godshall	Micozzie	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	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	Horsey	Phillips	Turzai
Clymer	Hutchinson	Pickett	Vance
Cohen, L. I.	Jadlowiec	Pippy	Veon
Cohen, M.	James	Pistella	Vitali
Colafella	Josephs	Raymond	Walko
Coleman	Kaiser	Readshaw	Wansacz
Cornell	Keller	Reinard	Washington
Corrigan	Kenney	Rieger	Waters
Costa	Kirkland	Roberts	Watson
Coy	Krebs	Robinson	Williams, J.
Creighton	LaGrotta	Roebuck	Wilt
Cruz	Laughlin	Rohrer	Wogan
Curry	Lawless	Rooney	Wojnaroski
Dailey	Lederer	Ross	Wright, G.
Daley	Leh	Rublely	Wright, M.
Dally	Lescovitz	Ruffing	Yewcic
DeLuca	Levdansky	Sainato	Youngblood
Dermody	Lewis	Samuelson	Zimmerman
DeWeese	Lucyk	Santoni	Zug
DiGirolamo	Lynch	Sather	
Diven	Mackereth	Saylor	
Donatucci	Maher	Schroder	Ryan,
Eachus	Maitland		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-6

Egolf	Hess	Preston	Yudichak
Harhai	McGeehan		

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

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

SUPPLEMENTAL CALENDAR A

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 17, PN 2740**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes,

further providing for intimidation of witnesses and victims; and providing for aggravated jury tampering.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—196

Adolph	Evans, D.	Major	Schuler
Allen	Evans, J.	Manderino	Scrimenti
Argall	Fairchild	Mann	Semmel
Armstrong	Feese	Markosek	Shaner
Baker, J.	Fichter	Marsico	Smith, B.
Baker, M.	Fleagle	Mayernik	Smith, S. H.
Bard	Flick	McCall	Solobay
Barley	Forcier	McGill	Staback
Barrar	Frankel	McIlhattan	Stairs
Bastian	Freeman	McIlhinney	Steelman
Bebko-Jones	Gabig	McNaughton	Steil
Belardi	Gannon	Melio	Stern
Belfanti	Geist	Metcalfe	Stetler
Benninghoff	George	Michlovic	Stevenson, R.
Birmelin	Godshall	Micozzie	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	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	Horsey	Phillips	Turzai
Clymer	Hutchinson	Pickett	Vance
Cohen, L. I.	Jadlowiec	Pippy	Veon
Cohen, M.	James	Pistella	Vitali
Colafella	Josephs	Raymond	Walko
Coleman	Kaiser	Readshaw	Wansacz
Cornell	Keller	Reinard	Washington
Corrigan	Kenney	Rieger	Waters
Costa	Kirkland	Roberts	Watson
Coy	Krebs	Robinson	Williams, J.
Creighton	LaGrotta	Roebuck	Wilt
Cruz	Laughlin	Rohrer	Wogan
Curry	Lawless	Rooney	Wojnaroski
Dailey	Lederer	Ross	Wright, G.
Daley	Leh	Rublely	Wright, M.
Dally	Lescovitz	Ruffing	Yewcic
DeLuca	Levdansky	Sainato	Youngblood
Dermody	Lewis	Samuelson	Zimmerman
DeWeese	Lucyk	Santoni	Zug
DiGirolamo	Lynch	Sather	
Diven	Mackereth	Saylor	
Donatucci	Maher	Schroder	
Eachus	Maitland		Ryan, Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Egolf	Hess	Preston	Yudichak
Harhai	McGeehan		

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR C CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1809, PN 2347**, entitled:

An Act repealing the act of March 27, 1903 (P.L.100. No.80), entitled "An act to prevent the spread of the disease known as rabies, or hydrophobia; and to authorize the quarantine, restraint, confinement, or muzzling of dogs, during outbreaks of this disease; and to empower the State Live Stock Sanitary Board to enforce the provisions of this act."

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

Adolph	Evans, D.	Major	Schuler
Allen	Evans, J.	Manderino	Scrimenti
Argall	Fairchild	Mann	Semmel
Armstrong	Feese	Markosek	Shaner
Baker, J.	Fichter	Marsico	Smith, B.
Baker, M.	Fleagle	Mayernik	Smith, S. H.
Bard	Flick	McCall	Solobay
Barley	Forcier	McGill	Staback
Barrar	Frankel	McIlhattan	Stairs
Bastian	Freeman	McIlhinney	Steelman
Bebko-Jones	Gabig	McNaughton	Steil
Belardi	Gannon	Melio	Stern
Belfanti	Geist	Metcalfe	Stetler
Benninghoff	George	Michlovic	Stevenson, R.
Birmelin	Godshall	Micozzie	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	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	Horsey	Phillips	Turzai
Clymer	Hutchinson	Pickett	Vance
Cohen, L. I.	Jadlowiec	Pippy	Veon
Cohen, M.	James	Pistella	Vitali
Colafella	Josephs	Raymond	Walko
Coleman	Kaiser	Readshaw	Wansacz
Cornell	Keller	Reinard	Washington
Corrigan	Kenney	Rieger	Waters
Costa	Kirkland	Roberts	Watson

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Egolf	Hess	Preston	Yudichak
Harhai	McGeehan		

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

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

SUPPLEMENTAL CALENDAR D

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1995, PN 2969**, entitled:

An Act establishing the William Penn Liberty Medal of Honor; providing for awarding of medals, for an advisory board and for design and cost of medals.

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

The **SPEAKER**. The Chair recognizes the gentleman, Mr. Daley, who offers the following amendment, which the clerk will read. Mr. Daley, 3836? Mr. Daley, do you have your amendments? The gentleman, Mr. Daley, indicates he withdraws amendments.

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

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

The question is, shall the bill pass finally?

Does the gentleman, Mr. Daley, wish recognition?
Mr. **DALEY**. Yes.
The **SPEAKER**. The gentleman is recognized.

Mr. **DALEY**. Thank you, Mr. Speaker.
In the final minutes of United Airlines Flight 93 on September 11, the cockpit voice recorder picked up the sounds of a desperate struggle. Shortly afterward, the plane went through a flight across southwestern Pennsylvania that brought the plane to full throttle, and that plane slammed into an old strip facility in Somerset County, in Representative Bastian's district. That minute, 44 people died on that plane, and it changed the history of western Pennsylvania and the United States for all time.

But the plane crash in Somerset County — not into the World Trade Center and not into the Capitol in Washington, DC; not into the White House — but before that plane went down, a telephone operator heard the now famous and almost infamous statement, "Let's roll."

With all our hearts and all our minds, we believe and the nation believes that there were truly heroes aboard Flight 93 that exhibited the kind of extraordinary bravery that ordinary Americans truly possess, and it is our lasting impression, that clear, poignant memory of valor, and we honor today the passing of this legislation recognizing those individuals on board Flight 93 as the initial recipients of the William Penn Liberty Medal of Honor.

In future years the Penn Medal will be awarded to Pennsylvania natives or Commonwealth residents who have distinguished themselves through a lifetime of great accomplishment or acts of great heroism — some singular, outstanding contribution to Pennsylvania, the United States, or even the world — or nonresidents who have accomplished those acts within the State or on behalf of the citizens of this great Commonwealth.

This legislation is not about Democrats or Republicans, liberals or conservatives; it is about Pennsylvania heroes. For too long we have not had a suitable way to recognize or honor them. There is no time like the present to change that fact.

Private contributions will pay the entire cost of designing and casting the medals. We have already received assurances from major corporate sponsors for support of this project, and with the overwhelming support of well over 105 members of this House of Representatives, including the Speaker and the House majority and minority leaders, I am hopeful that the Senate will move quickly to pass HB 1995.

This legislation will give the Governor the authority to appoint a 10-member advisory committee, and they can move toward awarding the first medals in an expeditious manner.

Mr. Speaker, I ask for an affirmative vote. Thank you, Mr. Speaker.

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

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS-196

Adolph	Evans, D.	Major	Schuler
Allen	Evans, J.	Manderino	Scrimenti
Argall	Fairchild	Mann	Semmel
Armstrong	Feese	Markosek	Shaner
Baker, J.	Fichter	Marsico	Smith, B.
Baker, M.	Fleagle	Mayernik	Smith, S. H.
Bard	Flick	McCall	Solobay

Barley	Forcier	McGill	Staback
Barrar	Frankel	McIlhattan	Stairs
Bastian	Freeman	McIlhinney	Steelman
Bebko-Jones	Gabig	McNaughton	Steil
Belardi	Gannon	Melio	Stern
Belfanti	Geist	Metcalfe	Stetler
Benninghoff	George	Michlovic	Stevenson, R.
Birmelin	Godshall	Micozzie	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	Harhart	O'Brien	Thomas
Caltagirone	Harper	Oliver	Tigre
Cappelli	Hasay	Pallone	Travaglio
Casorio	Hennessey	Perzel	Trello
Cawley	Herman	Petrarca	Trich
Civera	Hershey	Petrone	Tulli
Clark	Horsey	Phillips	Turzai
Clymer	Hutchinson	Pickett	Vance
Cohen, L. I.	Jadlowiec	Pippy	Veon
Cohen, M.	James	Pistella	Vitali
Colafella	Josephs	Raymond	Walko
Coleman	Kaiser	Readshaw	Wansacz
Cornell	Keller	Reinard	Washington
Corrigan	Kenney	Rieger	Waters
Costa	Kirkland	Roberts	Watson
Coy	Krebs	Robinson	Williams, J.
Creighton	LaGrotta	Roebuck	Wilt
Cruz	Laughlin	Rohrer	Wogan
Curry	Lawless	Rooney	Wojnaroski
Dailey	Lederer	Ross	Wright, G.
Daley	Leh	Rubley	Wright, M.
Dally	Lescovitz	Ruffing	Yewcic
DeLuca	Levdansky	Sainato	Youngblood
Dermody	Lewis	Samuelson	Zimmerman
DeWeese	Lucyk	Santoni	Zug
DiGirolamo	Lynch	Sather	
Diven	Mackereth	Saylor	
Donatucci	Maher	Schroder	Ryan,
Eachus	Maitland		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Egolf	Hess	Preston	Yudichak
Harhai	McGeehan		

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.

CONDOLENCE RESOLUTION

The SPEAKER. The Chair is going to interrupt today's deliberations for the purpose of taking up a condolence resolution on the death of a former member of this House.

Sergeants at Arms will close the doors of the House. Members will please take their seats.

The clerk will read the resolution.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

RESOLUTION

WHEREAS, The Honorable Russell J. LaMarca, a former member of the House of Representatives of Pennsylvania who served the 127th District in Berks County, and a former Director of the Legislative Reference Bureau, passed away October 2, 2001, at the age of seventy-two; and

WHEREAS, First elected to the House of Representatives in 1964, Mr. LaMarca served in that capacity from 1965 to 1975 and became the Chairman of the Majority Policy Committee. He was then elected the Director of the Legislative Reference Bureau in 1975 and held that position until 1977. A graduate of the University of Pittsburgh and the University of Pittsburgh Law School, he served as a sergeant in the United States Marine Corps during the Korean War. Mr. LaMarca was admitted to practice before the Pennsylvania Supreme and Superior Courts, the United States District Court and the United States Court of Appeals. He was an attorney in Reading since 1959, and he and his wife, Elizabeth, owned and operated the Brewery Inn Restaurant since 1981. Mr. LaMarca also served as a hearing master for the Berks County Family Court System. Additionally, he was a former solicitor for the Reading Redevelopment Authority and was named the Outstanding Italian-American of Berks County in 1968; and

WHEREAS, In the highest tradition of service, Mr. LaMarca generously contributed his time and energy to numerous worthwhile endeavors which have greatly enhanced the lives of the citizens of this Commonwealth. He truly exemplifies the finest virtues of American life and earned deep respect and gratitude for his tireless efforts to benefit society as a whole; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania note with great sadness the passing of the Honorable Russell J. LaMarca, beloved family member, esteemed governmental leader and community businessman; extend heartfelt condolences to his wife, Elizabeth A. Keiper LaMarca; daughters, Cynthia L. Albrecht and Marybeth Scoboria; and six grandchildren; and be it further

RESOLVED, That a copy of this resolution, sponsored by the Honorable Thomas R. Caltagirone, be transmitted to Mrs. Elizabeth A. Keiper LaMarca.

Matthew Ryan
Speaker of the House
ATTEST:
Ted Mazia
Chief Clerk of the House

On the question,
Will the House adopt the resolution?

The SPEAKER. Those in favor of the resolution will rise and remain standing as a mark of respect for the deceased former member. Guests will also please rise.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable Russell J. LaMarca.)

The SPEAKER. The resolution has been unanimously adopted. Sergeants at Arms will open the doors of the House.

BILL SIGNED BY SPEAKER

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

HB 17, PN 2740

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for intimidation of witnesses and victims; and providing for aggravated jury tampering.

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

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman, Mr. Smith, who asks that the gentleman, Mr. ZIMMERMAN, be placed on leave for the balance of today's session. Without objection, the leave is granted. The Chair hears none.

CALENDAR CONTINUED**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 370, PN 383**, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, providing for certification of athletic trainers by the State Board of Medicine; and making repeals.

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

The SPEAKER. The gentleman, Mr. Fleagle.

It is the understanding of the Chair that the gentleman, Mr. Fleagle, has withdrawn his amendment but would like to make a statement with respect to it.

The gentleman is recognized.

Mr. FLEAGLE. Thank you, Mr. Speaker.

Mr. Speaker, I had prepared an amendment for this bill and also a complementary amendment to SB 371 to address what I consider to be a wasteful and inefficient system of licensing medicine, that of having a State Board of Medicine and a State Board of Osteopathic Medicine.

Now, I fully realize in this philosophical approach to medicine, these two branches differ, but in today's health-care climate, we can ill afford to have a system in contention with itself. Probably most of my colleagues in this House have practices, medical practices, of general practitioners and primary-care providers that have both M.D.s and D.O.s. The relationship of these types of providers to other providers in their offices such as physician assistants and the differences in continuing education requirements point to an outmoded dual system of licensure.

I fully believe that the amendment that I was going to propose and the one I had prepared for SB 371 would make health-care delivery more efficient and consistent. However, I am not unaware of the controversy surrounding these amendments and the harm

that they would do in the progress of SBs 370 and 371. Knowing how important it is to pass these bills and the hard work that Representative Leh has done on our side and Senator Tomlinson has done on the Senate side and others have done on these bills over the years, I respectfully request support of these important bills on the calendar today and will respectfully withdraw my amendments.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence. The gentleman, Mr. KIRKLAND, is placed on leave, without objection. The Chair hears none.

CONSIDERATION OF SB 370 CONTINUED

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

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

Costa	Kenney	Rieger	Waters
Coy	Krebs	Roberts	Watson
Creighton	LaGrotta	Robinson	Williams, J.
Cruz	Laughlin	Roebuck	Wilt
Curry	Lawless	Rohrer	Wogan
Dailey	Lederer	Rooney	Wojnaroski
Daley	Leh	Ross	Wright, G.
Dally	Lescovitz	Ruble	Wright, M.
DeLuca	Levdansky	Ruffing	Yewcic
Dermody	Lewis	Sainato	Youngblood
DeWeese	Lucyk	Samuelson	Zug
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	Ryan,
Donatucci	Maher	Saylor	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-8

Egolf	Hess	McGeehan	Yudichak
Harhai	Kirkland	Preston	Zimmerman

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

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

The House proceeded to third consideration of SB 371, PN 734, entitled:

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, providing for certification of athletic trainers by the State Board of Osteopathic Medicine; and making repeals.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-194

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Egolf	Hess	McGeehan	Yudichak
Harhai	Kirkland	Preston	Zimmerman

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

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

The House proceeded to third consideration of HB 997, PN 1137, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring compliance with Federal selective service requirements as part of application for learners' permits or drivers' licenses.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that this bill, HB 997, be recommitted to Rules.

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

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1933, PN 2522**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing police officers to record certain oral communications; and further providing for windshield obstructions and wipers.

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

Mr. **MAYERNIK** offered the following amendment No. **A4037**:

Amend Sec. 1 (Sec. 5704), page 2, line 3, by striking out "home" and inserting

residence

Amend Sec. 1 (Sec. 5704), page 2, line 20, by striking out "requires" and inserting

required

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

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Egolf	Hess	McGeehan	Yudichak
Harhai	Kirkland	Preston	Zimmerman

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. Mayernik, I have you listed for two more amendments, one of which will require a suspension of the rules, but returning to your second amendment, the Chair recognizes the gentleman, who offers amendment 4116. Is that correct?

Mr. **MAYERNIK**. I would like to withdraw that amendment, sir.

The SPEAKER. The Chair thanks the gentleman.

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

RULES SUSPENDED

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

Mr. **MAYERNIK**. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of an amendment, being No. 4384.

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Egolf	Hess	McGeehan	Yudichak
Harhai	Kirkland	Preston	Zimmerman

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. MAYERNIK offered the following amendment No. A4384:

Amend Sec. 1 (Sec. 5704), page 1, line 15, by striking out all of said line and inserting

(16) A law enforcement officer, whether or not certified under section 5724 (relating to training), acting in the

Amend Sec. 1 (Sec. 5704), page 2, lines 1 through 3, by striking out "if, at" in line 1, all of lines 2 and 3 and inserting

in accordance with the following:

(i) At the time of the interception, the oral communication does not occur inside the residence of any of the individuals.

(ii) At the time of the interception, the law

Amend Sec. 1 (Sec. 5704), page 2, lines 17 and 18, by striking out all of said lines and inserting

(iii) The commander shall maintain all recordings of oral communications intercepted under this paragraph for a minimum of 31 days after the date of the interception. All recordings made under this paragraph shall be recorded over or otherwise destroyed no later than 90 days after the date of the recording unless any of the following apply:

(A) The contents of the recording may result in the issuance of a citation or the filing of criminal charges. Except as otherwise authorized under this subparagraph, if no criminal charges are filed within the applicable statute of limitations, any recording maintained under this clause shall be recorded over or destroyed no later than 90 days after the expiration of the statute of limitations. All recordings under this clause shall be maintained in accordance with section 5714(a), except that monitors need not be certified under section 5724.

(B) The commander or a law enforcement officer on the recording reasonably believes that the contents of the recording, or evidence derived from the recording, may be necessary in a proceeding for which disclosure is authorized under section 5717 or 5721.1 (relating to evidentiary disclosure of contents of intercepted communication or derivative evidence) or in a civil proceeding. All recordings under this clause shall be maintained in accordance with section 5714(a), except that monitors need not be certified under section 5724.

(C) A criminal defendant, who is a participant on the recording, reasonably believes that the recording may be useful for its evidentiary value at some later time in a specific criminal proceeding and, no later than 30 days following the filing of criminal charges, provides written notice to the commander indicating a desire that the recording be maintained. The written notice must specify the date, time and location of the recording; the names of the parties involved; and, if known, the case docket number.

(D) An individual who is a participant on the recording intends to pursue a civil action or has already initiated a civil action and, no later than 30 days after the date of the recording, gives written notice to the commander indicating a desire that the recording be maintained. The written notice must specify the date, time and location of the recording; the names of the parties involved; and, if a civil action has been initiated, the case caption and docket number.

(E) The commander intends to use the recording for training purposes.
(iv) In addition to any disclosure authorized under sections 5717 and 5721.1, any recording maintained:

(A) under subparagraph (iii)(D) shall be disclosed pursuant to an order of court or as required by the Pennsylvania Rules of Civil Procedure or the Pennsylvania Rules of Evidence; and

(B) under subparagraph (iii)(E) shall be disclosed consistent with written consent obtained from the law enforcement officer and all participants required to consent to such use.

(v) The Commissioner of the Pennsylvania State Police, in consultation with the Attorney General, shall promulgate regulations consistent with this paragraph setting forth procedures to be followed by law enforcement officers regarding the interception, maintenance and destruction of recordings made under this paragraph.

(vi) As used in this paragraph, the following words and phrases shall have the meanings given to them in this subparagraph:

“Commander.” The:

(A) commissioner or a designee, if the recording at issue was made by a member of the Pennsylvania State Police; or

(B) chief or a designee of the law enforcement agency which made the recording at issue.

“Law enforcement officer.” A member of the

Amend Sec. 1 (Sec. 5704), page 2, line 20, by striking out “that requires” and inserting who received

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

The SPEAKER. On the question of the adoption of the amendment, Mr. Mayernik, do you desire recognition or shall we roll it?

Mr. MAYERNIK. Please roll it, Mr. Speaker. Thank you.

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

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Egolf	Hess	McGeehan	Yudichak
Harhai	Kirkland	Preston	Zimmerman

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Ms. Josephs.

Ms. JOSEPHS. Mr. Speaker, I had a series of amendments which I said I would drop because they do not seem to be crafted correctly, but I would like to make a statement about them before we get to final passage, if I might.

The SPEAKER. We are on final passage.

Without objection, the lady is recognized under unanimous consent.

Ms. JOSEPHS. Thank you, Mr. Speaker.

The amendments which I had proposed and which I am withdrawing for the moment are or will become familiar, I hope, to everybody on the floor here. They have to do with tobacco and youth smoking.

I am very serious and I think we all ought to be very serious about crafting legislation that makes it more difficult for youth to smoke by making retailers behave in a responsible fashion. My amendments, which I am dropping, would have, for instance, allowed the State Police to operate sting operations with people who are under 18, if they are supervised correctly, to make sure that retailers are indeed not selling to underage children. It would increase fines — one of my amendments would have increased fines; they are now only \$25 — to retailers who are caught selling tobacco to underage children. It would require all tobacco products to be located behind retail counters. One of my amendments would restrict cigarette vending machines to areas that are inaccessible to minor children, and they would have required that retailers not specifically advertise to younger children.

What has happened in this State because we have not had these kinds of amendments is we have had not a diminution of youth smoking but an increase. That jeopardizes Federal money and it puts our youth at risk for their entire lives. The largest cause of preventable deaths and injuries in this State and in this country is smoking, smoking tobacco products, smoking cigarettes and other products. We know that when youth smoke, adults smoke.

I am looking forward to working on this project, making sure that we have fewer and fewer youth smokers. I will be doing that in the future. You will be hearing from me. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves and places the gentleman, Mr. ALLEN, on leave for the week, without objection. The Chair hears no objection.

CONSIDERATION OF HB 1933 CONTINUED

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—192

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

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

NAYS—0

NOT VOTING—1

Thomas

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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 1548, PN 1894**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining offenses relating to weapons of mass destruction.

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Readshaw. Mr. Readshaw, do I understand you have amendments?

Mr. READSHAW. Thank you, Mr. Speaker.

Yes, I do.

The SPEAKER. What amendment number are you offering?

Mr. READSHAW. This amendment number is A4267. It will require me requesting suspension of the rules.

RULES SUSPENDED

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

Mr. READSHAW. Mr. Speaker, I move the rules of the House be suspended to permit the immediate consideration of the amendment that I just referred to.

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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. READSHAW offered the following amendment No. A4267:

Amend Sec. 1, page 1, lines 8 through 17; pages 2 through 6, lines 1 through 30; page 7, lines 1 through 18, by striking out all of said lines on said pages and inserting

§ 2716. Weapons of mass destruction.
(a) Unlawful possession or manufacture.—A person commits an offense if the person, without lawful authority to do so, intentionally, knowingly or recklessly possesses or manufactures a weapon of mass destruction.

(b) Use.—A person commits an offense if the person, without lawful authority to do so, intentionally, knowingly or recklessly sells, purchases, transports or causes another to transport, delivers or causes to be delivered or uses a weapon of mass destruction and if such action causes any of the following:

(1) Illness or injury to another individual.

(2) Damage to or disruption of a water or food supply or public natural resources, including waterways, State forests and parks, surface water, groundwater and wildlife.

(3) Evacuation of a building, place of assembly or facility of public transportation.

(c) Grading.—

(1) A first offense under subsection (a) constitutes a felony of the second degree. A subsequent offense under subsection (a) constitutes a felony of the first degree.

(2) An offense under subsection (b)(1) constitutes a felony of the first degree. If the offense results in the death of an individual, the defendant shall be sentenced to life imprisonment.

(3) An offense under subsection (b)(2) or (3) constitutes a felony of the first degree.

(d) Restitution.—A person convicted of violating this section shall, in addition to any other sentence imposed or restitution ordered under 42 Pa.C.S. § 9721(c) (relating to sentencing generally), be sentenced to pay restitution in an amount equal to the cost of the evacuation, including, but not limited to, fire and police response; emergency medical service or emergency preparedness response; and transportation of an individual from the building, place of assembly or facility.

(e) Preservation of private remedies.—No judgment or order of restitution shall debar a person, by appropriate action, to recover from the offender as otherwise provided by law, provided that any civil award shall be reduced by the amount paid under the criminal judgment.

(f) Possession.—For purposes of this section, an individual shall not be deemed to be in possession of an agent if the individual is naturally exposed to or innocently infected or contaminated with the agent.

(g) Enforcement.—

(1) In addition to the authority conferred upon the Attorney General under sections 205 and 206 of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act,

the Attorney General has the authority to investigate and to institute criminal proceedings for a violation of this section committed:

- (i) anywhere in this Commonwealth;
- (ii) in different counties; or
- (iii) in this Commonwealth and another jurisdiction.

(2) Each district attorney has the authority to investigate and to institute criminal proceedings for a violation of this section.

(h) Jurisdiction.—No person charged with a violation of this section shall have standing to challenge the authority of the Attorney General under subsection (g)(1). If a challenge is made in violation of this subsection, the challenge shall be dismissed; and no relief shall be available in the courts of this Commonwealth to the person making the challenge.

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

“Biological agent.” A natural or genetically engineered pathogen, toxin, virus, bacteria, prion, fungus or microorganism, which causes infections, disease or bodily harm.

“Bomb.” An explosive device used for unlawful purposes.

“Chemical agent.” Any of the following:

(1) A nerve agent, including tabun (GA), sarin (GB), soman (GD), GF and VX.

(2) A choking agent, including phosgene (CG) and diphosgene (DP).

(3) A blood agent, including hydrogen cyanide (AC), cyanogens chloride (CK) and arsine (SA).

(4) A blister agent. This paragraph includes:

- (i) Mustard (H).
- (ii) Sulfur mustard (HD).
- (iii) HN-1.
- (iv) HN-2.
- (v) Nitrogen mustard (HN-3).
- (vi) An arsenical, such as lewisite (L).
- (vii) An urticant, such as CX.
- (viii) An incapacitating agent, such as B2.

(5) Any other chemical element or compound which causes death or bodily harm.

“Nuclear agent.” A radioactive material.

“Weapon of mass destruction.” A biological agent, bomb, chemical agent or nuclear agent.

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

The following roll call was recorded:

YEAS—193

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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

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

RULES SUSPENDED

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

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

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

The following roll call was recorded:

YEAS—193

Adolph	Evans, D.	Major	Schuler
Argall	Evans, J.	Manderino	Scrimenti
Armstrong	Fairchild	Mann	Semmel
Baker, J.	Feese	Markosek	Shaner

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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. BENNINGHOFF offered the following amendment No. A4278:

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

; and further providing for facsimile bombs.

Amend Bill, page 7, by inserting between lines 18 and 19

Section 2. Section 5516 of Title 18 is amended to read:

§ 5516. Facsimile [bombs] weapons of mass destruction.

(a) Offense defined.—A person commits an offense if the person intentionally, knowingly or recklessly manufactures, sells, purchases, transports or causes another to transport, delivers or causes another to deliver, possesses or uses a facsimile [bomb with the intent to do] weapon of mass destruction and, by such action, causes any of the following:

(1) [Terrify, intimidate, threaten] Terrifying, intimidating, threatening or [harass] harassing an individual.

(2) [Cause alarm] Alarm or reaction on the part of any of the following:

(i) A public or volunteer organization that deals with emergencies involving danger to life or property.

(ii) A law enforcement organization.

(3) Evacuation of a building, place of assembly or facility of public transportation.

(4) Serious public inconvenience.

(b) Grading.—An offense under this section is a [misdemeanor] felony of the [second] third degree.

(b.1) Restitution.—A person convicted of violating this section shall, in addition to any other sentence imposed or restitution ordered under 42 Pa.C.S. § 9721(c) (relating to sentencing generally), be sentenced to pay restitution in an amount equal to the cost of the evacuation, including, but not limited to, fire and police response; emergency medical service or emergency preparedness response; and transportation of an individual from the building, place of assembly or facility.

(b.2) Preservation of private remedies.—No judgment or order of restitution shall debar a person, by appropriate action, to recover from the offender as otherwise provided by law, provided that any civil award shall be reduced by the amount paid under the criminal judgment.

(b.3) Enforcement.—

(1) In addition to the authority conferred upon the Attorney General under sections 205 and 206 of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act, the Attorney General has the authority to investigate and to institute criminal proceedings for a violation of this section committed:

(i) anywhere in this Commonwealth;

(ii) in different counties; or

(iii) in this Commonwealth and another jurisdiction.

(2) Each district attorney has the authority to investigate and to institute criminal proceedings for a violation of this section.

(b.4) Jurisdiction.—No person charged with a violation of this section shall have standing to challenge the authority of the Attorney General under subsection (g)(1). If a challenge is made in violation of this subsection, the challenge shall be dismissed; and no relief shall be available in the courts of this Commonwealth to the person making the challenge.

(c) [Definition] Definitions.—As used in this section, the [term "facsimile bomb" means a] following words and phrases shall have the meanings given to them in this subsection:

"Facsimile biological agent." A material or substance which:

(1) resembles in appearance and external qualities a natural or genetically engineered pathogen, toxin, virus, bacteria, prion, fungus or microorganism, which causes infections, disease or bodily harm; but

(2) does not have the capacity to cause infectious disease or bodily harm.

“Facsimile bomb.” A device which:

(1) resembles in appearance and external qualities an explosive or incendiary device; but

(2) does not have the capability to cause an explosion or fire.

“Facsimile chemical agent.” A material or substance which does not have the capacity to cause death or bodily harm but which resembles in appearance and external qualities any of the following:

(1) A nerve agent, including tabun (GA), sarin (GB), soman (GD), GF and VX.

(2) A choking agent, including phosgene (CG) and diphosgene (DP).

(3) A blood agent, including hydrogen cyanide (AC), cyanogens chloride (CK) and arsine (SA).

(4) A blister agent. This paragraph includes:

(i) Mustard (H).

(ii) Sulfur mustard (HD).

(iii) HN-1.

(iv) HN-2.

(v) Nitrogen mustard (HN-3).

(vi) An arsenical, such as lewisite (L).

(vii) An urticant, such as CX.

(viii) An incapacitating agent, such as B2.

(5) Any other chemical element or compound which causes death or bodily harm.

“Facsimile nuclear agent.” A device, material or substance which:

(1) resembles in appearance and external qualities a radioactive material; but

(2) is not radioactive.

“Facsimile weapon of mass destruction.” A facsimile biological agent, facsimile bomb, facsimile chemical agent or facsimile nuclear agent.

Amend Sec. 2, page 7, line 19, by striking out “2” and inserting

3

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—193

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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

On the question recurring,

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

RULES SUSPENDED

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

Mr. GABIG. Mr. Speaker, I move the rules of the House be suspended to permit me to offer the following amendment 4265.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—193

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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. GABIG offered the following amendment No. A4265:

Amend Title, page 1, line 2, by inserting after "Statutes," further providing for bomb threats; and

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 2715 of Title 18 of the Pennsylvania Consolidated Statutes is amended to read:

§ 2715. [Bomb threats] Threat to use weapons of mass destruction.

(a) Offense defined.—A person who intentionally:

- [(1) places or sets a bomb;
- (2) causes the placement or setting of a bomb;]

(3) reports without factual basis of knowledge the existence or potential existence of a [bomb] weapon of mass destruction; or
(4) threatens by any means the placement or setting of a [bomb] weapon of mass destruction;
commits an offense under this section. A separate offense shall occur for each [placement or setting of a bomb or each] report or threat to place or set a [bomb] weapon of mass destruction.

(b) Penalty.—An offense under this section shall be graded as follows:

(1) Except as set forth in paragraph (2), a misdemeanor of the first degree [for a first offense; or].

(2) If the report or threat causes the occupants of a building, place of assembly or facility of public transportation to be diverted from their normal or customary operations, a felony of the third degree [for a second or subsequent offense].

(3) A felony of the second degree if the offense occurs during a declared state of emergency and the threat causes disruption to the operations of any person, business entity or governmental agency where the bomb is placed, set or reported to exist or threatened to be placed or set.

(c) Emergency response costs.—[In] A person convicted of violating this section shall, in addition to any [fines, fees, costs] other sentence imposed or restitution [provided for by law, the court may order a person convicted] ordered under [this section to reimburse the State, county or municipal corporation for the costs incurred incident to a bomb threat for emergency response resources reasonably necessary to protect life and property.] 42 Pa.C.S. § 9721(c) (relating to sentencing generally), be sentenced to pay restitution in an amount equal to the cost of the evacuation, including, but not limited to, fire and police response; emergency medical service or emergency preparedness response; and transportation of an individual from the building, place of assembly or facility.

(c.1) Preservation of private remedies.—No judgment or order of restitution shall debar a person, by appropriate action, to recover from the offender as otherwise provided by law, provided that any civil award shall be reduced by the amount paid under the criminal judgment.

(d) [Definition] Definitions.—As used in this section, the [term "bomb" means an] following words and phrases shall have the meanings given to them in this subsection:

"Biological agent." A natural or genetically engineered pathogen, toxin, virus, bacteria, prion, fungus or microorganism, which causes infections, disease or bodily harm.

"Bomb." An explosive device used for unlawful purposes.

"Chemical agent." Any of the following:

(1) A nerve agent, including tabun (GA), sarin (GB), soman (GD), GF and VX.

(2) A choking agent, including phosgene (CG) and diphosgene (DP).

(3) A blood agent, including hydrogen cyanide (AC), cyanogens chloride (CK) and arsine (SA).

(4) A blister agent. This paragraph includes:

(i) Mustard (H).

(ii) Sulfur mustard (HD).

(iii) HN-1.

(iv) HN-2.

(v) Sulfur mustard (HN-3).

(vi) An arsenical, such as lewisite (L).

(vii) An urticant, such as CX.

(viii) An incapacitating agent, such as B2.

(5) any other chemical element or compound which causes death or bodily harm.

"Nuclear agent." A radioactive material.

"Weapon of mass destruction." A bomb, biological agent, chemical agent or nuclear agent.

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

Amend Sec. 2, page 7, line 19, by striking out "2" and inserting

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

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

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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

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

RESOLUTION

Mr. CORNELL called up **HR 366, PN 2929**, entitled:

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.

On the question,
Will the House adopt the resolution?

RULES SUSPENDED

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

Mr. SURRA. Mr. Speaker, I move the rules of the House be suspended to permit me to offer an amendment to this concurrent resolution.

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

The following roll call was recorded:

YEAS—193

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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 adopt the resolution?

Mr. SURRA offered the following amendment No. A4419:

Amend Title, page 1, line 1, by striking out "Directing" and inserting

Urging

Amend Title, page 1, line 2, by striking out "make their top priority" and inserting

give priority consideration to investments and business strategies that facilitate

Amend Third Whereas Clause, page 1, line 11, by striking out "response" and inserting development

Amend Resolution, page 1, by inserting between lines 12 and 13 WHEREAS, The health and safety of all Pennsylvanians and the nation will be improved through a more coordinated research and development effort for bioterrorism response products; and

Amend Resolution, page 1, by inserting between lines 18 and 19 WHEREAS, The guiding principles of the Tobacco Settlement Act are to ensure the health and safety of all Pennsylvanians; and

WHEREAS, Since bioterrorism is a public health concern in this Commonwealth, the development of bioterrorism response products should be given every consideration and priority; and

Amend First Resolve Clause, page 2, lines 12 and 13, by striking out all of said lines and inserting urge regional biotechnology centers to give priority consideration to the implementation of

business plans, investments and business strategies that facilitate the development of bioterrorism response products and technologies;

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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 adopt the resolution as amended?

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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

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

SUPPLEMENTAL CALENDAR C CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2060, PN 2723**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for distribution of property of absentee and for notice to absentee.

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

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

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

The following roll call was recorded:

YEAS—193

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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 2088, PN 2773**, entitled:

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

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

The SPEAKER. It is the understanding of the Chair all amendments have been withdrawn.

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

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

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

The following roll call was recorded:

YEAS—193

Adolph	Evans, D.	Major	Schuler
Argall	Evans, J.	Manderino	Scrimenti
Armstrong	Fairchild	Mann	Semmel
Baker, J.	Feese	Markosek	Shaner
Baker, M.	Fichter	Marsico	Smith, B.
Bard	Fleagle	Mayemik	Smith, S. H.

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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 2136, PN 2848**, entitled:

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.

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

RULES SUSPENDED

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

Mr. DeWEESE. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of amendment 4439.

The SPEAKER. Amendment 4439 has Mr. Yudichak's name on it. The gentleman, Mr. DeWeese, offers it. First, it is necessary to suspend the rules.

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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. DeWEESE offered the following amendment No. A4439:

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

Amend Sec. 3, page 3, by inserting between lines 7 and 8
(7) A representative of the National Park Service.

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

The following roll call was recorded:

YEAS—193

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

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

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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 2163, PN 2941**, entitled:

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.

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

Mr. **HALUSKA** offered the following amendment No. **A4266**:

Amend Title, page 1, line 20, by inserting after "for" the creation of voluntary leave pools for employees of the Commonwealth and for

Amend Bill, page 1, lines 25 through 27; page 2, line 1, by striking out all of said lines on said pages and inserting

Section 1. The act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended by adding a section to read:

Section 221.1. Catastrophic Leave Pool.—(a) The governing body of a State agency shall, through the establishment of a program, allow an employe to voluntarily transfer to a leave pool annual, sick or personal leave earned by the employe. The pool administrator shall administer the leave pool.

(b) An employe of a State agency may request in writing that a specified number of hours of his accrued annual, sick or personal leave be transferred to the leave pool. An employe may not transfer to the leave pool any hours of leave if the balance of his annual and personal leave after the transfer is less than one hundred twenty (120) hours. The pool administrator shall credit the leave pool with the amount of time contributed by an employe and deduct a corresponding amount of time from the employe's earned annual, sick or personal leave as if the employe had used the time for personal purposes. Any hours of annual, sick or personal leave which are transferred from any employe's time to the leave pool may not be returned or restored to the originating employe, except that the employe shall not be prevented from receiving time from the leave pool if eligible.

(c) An employe is eligible to use time contributed to the leave pool of the State agency if the employe has exhausted the balance of annual, personal and sick leave because of a catastrophic illness or injury that incapacitates the employe and requires a lengthy convalescence or is life threatening; a catastrophic illness or injury that incapacitates a member of the employe's immediate family and requires a lengthy convalescence or is life threatening; or a death in the employe's immediate family. The pool administrator at the direction of the governing body of the State agency may adopt further criteria as is appropriate.

(d) An employe may apply in writing to the pool administrator for permission to withdraw time from the leave pool. The request must include the employe's name, title and classification; a statement providing sufficient information regarding the illness or event resulting in the need for supplemental leave time. The governing body of the applicable State agency may require a written certificate from a physician or other licensed practitioner who is treating the employe or the member of the employe's immediate family; and the anticipated duration of leave required to cope with the event. An employe may not withdraw time from the leave pool in an amount that exceeds one-third of the total time in the pool; or ninety (90) days. If an employe requires additional time beyond the amount requested and used, the employe may apply for additional leave time in the same manner prescribed in this subsection through the same procedure.

(e) The governing body of the State agency may approve the transfer of a specified number of hours of leave from the leave pool to an employe who the governing body determines is eligible to receive such leave. Upon approval of the governing body of the State agency, the pool administrator shall transfer the time from the leave pool and shall credit the time to the employe.

(f) The governing body of the State agency shall have the authority to periodically review the status of an employe using time from the leave pool to determine if the need to take leave continues to exist. The governing body of the State agency may require a written certificate from a physician or other licensed practitioner that the reason for the leave still exists and remains necessary. The governing body of the State agency shall not grant any hours of leave from the leave pool after the need to take leave ceases to exist or the employe who is receiving the leave resigns, retires or his employment with the State agency is terminated. Any leave received from the leave pool that was not used shall be returned to the leave pool.

(g) Each State agency administering a leave pool shall maintain records and shall issue a report to the General Assembly no later than eighteen (18) months after the effective date of this section any information related to the use, effectiveness and cost to carry out the provisions of this section.

(h) Each State agency shall promulgate rules to administer the provisions of this section.

(i) As used in this section:

"Employe" means an individual employed by a State agency for a minimum of one year.

"Immediate family" means the employe's spouse, child, stepchild, grandchild, grandparent or parent.

"Leave pool" means a catastrophic leave pool established to accumulate and disburse voluntarily and irrevocably contributed

leave time from State employes for the purpose of providing supplemental leave time to eligible employes.

“Pool administrator” means the individual appointed by the governing body of the agency to administer the State agency’s leave pool.

“State agency” means any agency, board, commission, authority or department of the Commonwealth and the General Assembly.

Section 2. Section 2001.3(a) of the act, amended June 22, 1982 (P.L.573, No.166), is amended and the section is amended by adding a subsection to read:

Amend Sec. 2, page 2, line 22, by striking out “2” and inserting
3

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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

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

RULES SUSPENDED

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

Mr. DeWEESE. Mr. Speaker, I move the rules of the House be suspended to permit me to offer amendment 4443.

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

The following roll call was recorded:

YEAS—193

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

Dailey	Lederer	Rooney	Wojnaroski
Daley	Leh	Ross	Wright, G.
Dally	Lescovitz	Rubley	Wright, M.
DeLuca	Levdansky	Ruffing	Yewcic
Dermody	Lewis	Sainato	Youngblood
DeWeese	Lucyk	Samuelson	Zug
DiGirolamo	Lynch	Santoni	
Diven	Mackereth	Sather	
Donatucci	Maher	Saylor	Ryan,
Eachus	Maitland	Schroder	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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. DeWEESE offered the following amendment No. A4443:

Amend Title, page 1, line 20, by inserting after "determined," " further providing for furnishing lists of employees to certain State officers; and

Amend Bill, page 1, lines 25 through 27; page 2, line 1, by striking out all of said lines on said pages and inserting

Section 1. Section 614(a) and (c) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, amended November 26, 1997 (P.L.530, No.57), is amended to read:

Section 614. List of Employees to be Furnished to Certain State Officers.—(a) All administrative departments, boards, and commissions and the Attorney General shall on July 15 of each year, transmit to the Auditor General, the State Treasurer and Secretary of the Budget a complete list, and to the Legislative Data Processing Center a computer tape of such list, as of July 1 preceding, of the names of all persons, except day-laborers, entitled to receive compensation from the Commonwealth for services rendered in or to the department, board, or commission, as the case may be. Such list shall show the position occupied by each such person, the date of birth and voting residence of such person, the salary at which or other basis upon which such person is entitled to be paid, the date when such person entered the service of the Commonwealth, whether such person has been continuously employed by the Commonwealth since that date, and all periods of service and positions held as an employe of the Commonwealth, or such part of such information as the Governor may prescribe. Notwithstanding the preceding requirement, the lists of persons furnished by the Department of Corrections, the Board of Probation and Parole and the Pardons Board shall also list the county of residence of each person.

(c) The information received by the Auditor General, the State Treasurer and the Secretary of the Budget, under this section, shall be public information[.], except that the information identifying the voting residence of the persons furnished by the Department of Corrections, the Board of Probation and Parole and the Pardons Board is not public information and may not be treated as such.

Section 2. Section 2001.3(a) of the act, amended June 22, 1982 (P.L.573, No.166), is amended and the section is amended by adding a subsection to read:

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

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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. S. SMITH

The SPEAKER. The Chair recognizes the gentleman, Mr. Smith, under unanimous consent.

Mr. S. SMITH. Thank you, Mr. Speaker.

Mr. Speaker, there is a resolution that is going to be introduced, and it is my understanding we would like all of the members on as cosponsors. I guess I am going to ask that as a question of the Chair, and the procedure for doing that is something that calls a question from time to time.

The SPEAKER. I will take care of that part of it. Why do you not explain what the resolution is and see if you can get everybody to cosponsor it.

Mr. S. SMITH. Thank you, Mr. Speaker.

The resolution, basically, is a catchall resolution to try to make sure that we are doing everything we can in Pennsylvania to address the concerns subsequent to the 9/11 terrorism event.

It basically resolves that the Commerce and Economic Development Committee will evaluate how the Commonwealth is investing money to make sure that we are not indirectly supporting terrorism somehow through our current investment programs. It resolves that the Consumer Affairs Committee develop recommendations relative to the protection of public utilities and infrastructure, resolves that the Finance Committee evaluate legislation for tax changes which contribute toward the fighting of terrorism, that the Judiciary Committee develop recommendations relative to the Commonwealth's criminal statutes and judicial proceedings, resolves that the Local Government Committee provide recommendations on legislation for local government officials as to how they might respond to emergency situations, and resolves that the Transportation Committee investigate legislative changes that might enhance transportation security, and finally, that the Veterans Affairs and Emergency Preparedness Committee develop recommendations to enhance security through enhanced training.

So, Mr. Speaker, this resolution is going to be introduced, and we are encouraging all members of the House to allow their name to be signed on as a cosponsor. Thank you, Mr. Speaker.

The SPEAKER. Without objection, rather than having the members crowding up to the amendment clerk to cosign the resolution, the Chair will take upon itself the authority to authorize the clerk to include every member of the House as a cosponsor, unless — unless — you prefer not to be a cosponsor, in which case I would ask that you advise the clerk accordingly and your name will not be included as a cosponsor. Does anyone object to that?

All right, Mr. Smith. Mr. Smith, you should turn the original in to the clerk for the purpose of having members added. Thank you.

RULES SUSPENDED

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

Mr. PERZEL. Mr. Speaker, I move that the rules of the House be suspended to permit the consideration of HBs 2151 and 2149.

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

SUPPLEMENTAL CALENDAR D CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2151, PN 2972**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing for prohibition of investments in countries identified as sponsors of terrorism.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

- | | | | |
|--------|----------|----------|-----------|
| Allen | Hess | McGeehan | Yudichak |
| Egolf | Kirkland | Preston | Zimmerman |
| Harhai | | | |

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.

POINT OF ORDER

The SPEAKER. Mr. Thomas.

Mr. THOMAS. Mr. Speaker, point of order.

Mr. Speaker, the last vote that was taken, was that HB 2149 or 2151?

The SPEAKER. 51.

Mr. THOMAS. Okay. Because in your original comments, you called for 2149.

The SPEAKER. I apologize and would ask that the record be changed.

Are you sure? Our records up here, including the chief stenographer's records, indicate that I said 51, but we will do 49 right now, if you like.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2149, PN 2970**, entitled:

An Act amending the act of February 17, 1906 (1 Sp.Sess., P.L.45, No.11), entitled "An act to regulate the deposits of State funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits, to fix the rate of interest thereon, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a

misdeemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," prohibiting investments in countries identified as sponsors of terrorism.

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

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

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—9

- | | | | |
|--------|----------|----------|-----------|
| Allen | Hess | McGeehan | Yudichak |
| Egolf | Kirkland | Preston | Zimmerman |
| Harhai | | | |

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

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

SUPPLEMENTAL CALENDAR C CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2164, PN 2940**, entitled:

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.

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

Mr. **GEORGE** offered the following amendment No. **A4268**:

Amend Sec. 2, page 2, line 18, by striking out "in 60 days" and inserting
immediately

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

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

Mr. **GEORGE**. Mr. Speaker, this bill calls for 60 days from the time that the bill takes effect, and this amendment simply insists that it ought to take effect immediately. We are talking about an action that had prevailed upon the people of this Commonwealth when these individuals took it on their own to process a license that was an illegal venture to start with and that much harm had come about.

So what we are asking in this amendment is that we make it effective immediately, Mr. Speaker. Thank you.

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

The following roll call was recorded:

YEAS—193

- | | | | |
|-----------|-----------|-----------|--------------|
| Adolph | Evans, D. | Major | Schuler |
| Argall | Evans, J. | Manderino | Scrimenti |
| Armstrong | Fairchild | Mann | Semmel |
| Baker, J. | Feese | Markosek | Shaner |
| Baker, M. | Fichter | Marsico | Smith, B. |
| Bard | Fleagle | Mayernik | Smith, S. H. |
| Barley | Flick | McCall | Solobay |
| Barrar | Forcier | McGill | Staback |

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Mr. Geist.

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

On all these terrorism bills, one of the things that we have to remember is that those folks are now amongst us, as we say, and

this bill goes a long way to prevent them from getting licenses, and I would urge that we vote "yes" on it. After the experience in Virginia and the experience in Pittsburgh, this is a very good piece of legislation. Thank you.

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-193

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

NAYS-0

NOT VOTING-0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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 2165, PN 2900**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Mr. GRUCELA offered the following amendment No. **A4253**:

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

and for penalties for exceeding maximum weights.

Amend Bill, page 3, line 8, by striking out all of said line and inserting

Section 2. Section 4945(a) of Title 75 is amended by adding a paragraph to read:

§ 4945. Penalties for exceeding maximum weights.

(a) Gross weight violations.—

* * *

(3) If the gross weight of any vehicle or combination that transports municipal waste subject to the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, exceeds the applicable gross weight allowed by section 4941 or the registered gross weight allowed by section 4942, whichever is less, the fine imposed under this subsection shall be doubled.

* * *

Section 3. This act shall take effect as follows:

(1) The addition of 75 Pa.C.S. § 4945(a)(3) shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

It was our understanding that that amendment was withdrawn.

The SPEAKER. You are correct. Mr. Grucela acknowledges that. The Chair had not been advised of it.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. GEORGE offered the following amendment No. **A4274**:

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

; and providing for responsibilities involved in disposal of municipal or residual waste involved in accident.

Amend Bill, page 3, by inserting between lines 7 and 8

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

§ 3709.1. Disposal of municipal or residual waste involved in accident.

(a) Department's duty; financial responsibility of owner.—When municipal or residual waste is collected, transported and disposed under section 3709 (relating to depositing waste and other material on highway, property or waters), the department shall pay for all reasonable costs for collection, transportation and disposal of this waste. The owner or owners of the vehicle transporting the waste shall be financially responsible to reimburse the department for all reasonable costs resulting from an accident involving any of the owner's vehicles.

(b) Registration suspension.—Failure to reimburse the department for these costs within 120 days of the accident shall result in the temporary suspension of the registration for that vehicle by the department and a temporary suspension of any applicable permits or licenses granted by other agencies of the Commonwealth for the transporting of municipal or residual waste.

(c) Waiver.—The department shall be authorized to grant a waiver to the reimbursement requirement if it determines that the owner and driver of the vehicle transporting the waste are not at fault for the release of the municipal or residual waste. In the case of a waiver, the department is authorized to seek reimbursement from the party or parties responsible for the release of the municipal or residual waste.

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

3

On the question,

Will the House agree to the amendment?

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

Mr. GEIST. Mr. Speaker?

The SPEAKER. Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

It was our understanding that 74 was also deleted.

The SPEAKER. I am sorry. This amendment? I asked Mr. George, and he indicates that 4275 was withdrawn but not 74. Is that correct? Oh, I have it backwards.

Mr. George, straighten me out, please. You have been waiting to do it.

Mr. GEORGE. If I can, Mr. Speaker.

To the gentleman, Mr. Geist, the amendments are similar to the two different bills. We will accept any one. They are both important. They both will save lives, so you can run any one you want.

Mr. GEIST. Thank you, Mr. Speaker.

75 is the agreed-to amendment.

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman, Mr. George, withdraws 4274 and offers 4275.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. GEORGE offered the following amendment No. A4275:

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

; and providing for Pennsylvania State Police duties regarding towing.

Amend Bill, page 3, by inserting between lines 7 and 8

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

§ 3709.1. Pennsylvania State Police duties regarding towing.

When a Pennsylvania State Police officer responds to an emergency situation requiring the removal of vehicles or other debris from the accident scene, the officer may call any towing company that he or she believes is capable of completing the necessary work if the officer determines after reasonable investigation that there will be an unreasonable delay in the response time leading to serious public danger if the accident is not removed immediately.

Amend Sec. 2, page 3, 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—193

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

- DiGirolamo, Diven, Donatucci, Eachus, Lynch, Mackereth, Maher, Maitland, Santoni, Sather, Saylor, Schroder, Ryan, Speaker

NAYS—0

NOT VOTING—0

EXCUSED—9

- Allen, Egolf, Harhai, Hess, Kirkland, McGeehan, Preston, Yudichak, Zimmerman

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. COSTA offered the following amendment No. A4244:

Amend Sec. 1 (Sec. 1610), page 2, line 18, by striking out "the applicant" and inserting an applicant for an H, N or X endorsement

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

The SPEAKER. Mr. Geist. Mr. GEIST. Thank you, Mr. Speaker.

I reluctantly rise to oppose this amendment. We had discussed it with the Democratic chairman, and we are going to put some stuff on the record.

Mr. Costa wants to run the amendment, and that is fair, but right now I believe that there are inconveniences that all of us in America have had to make and to accept since 9/11. And if we are going to do the CDL (commercial driver's license) across the board, then some people will be inconvenienced and some people will moan and some people will complain, but I believe in the long run, this is an amendment that is not good for the order and would oppose it. Thank you.

The SPEAKER. Mr. Costa, on the amendment.

Mr. COSTA. Thank you, Mr. Speaker.

How are you doing today?

Actually, what this amendment does is— I am sorry; let me go back. What the bill does, anyone trying to get a CDL license would have to get fingerprinted; that includes local, municipal employees, people that are driving schoolbuses, the snowplow people. What I am trying to do with my amendment, to only include the people that are authorized the transportation of hazardous materials, driving a tank vehicle, or a combination of the two. I am trying not to make the municipal employees, for instance, have to be fingerprinted, and that is all I am trying.

So I would appreciate a positive vote on this amendment.

The SPEAKER. Mr. Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

I rise also to support the Costa amendment.

I think it is important to note that we are here today to address terrorist issues, and I daresay I challenged the State Police and also the Department of Transportation to name one incidence in Pennsylvania or anyplace in America, for that matter, that a terrorist act has taken place with a commercial driver's license. No one could recall any such item. You may think perhaps the bombing in Oklahoma City was perpetrated by a CDL licensee. That is not the case. That vehicle was a smaller unit and did not come under the commercial driver's license law of the United States or the State of Oklahoma.

You have to bear in mind that this legislation will require your township supervisors or their employees, your borough employees, your schoolbus drivers, your local men and women, and I would call these the middle-class workers of America, to get full-fingerprinted, submit it to the State Police who will probably, in all likelihood, have to tap into the FBI fingerprint bureau, and why? Why should we do this? Why should we require these honest men and women in your community to go through this process? It is going to put them at a competitive disadvantage. Why should they take their time to do this when there is not really a problem?

You might say, well, what about a terrorist truck driver, and look what happened on September 11. Remember that on September 11 it was not the pilots of the plane; it was the terrorists who hijacked the plane. There is nothing in this legislation and nothing we can do to stop someone from hijacking a car, a commercial vehicle, or any other type of vehicle that is on the road today.

This is just going a little bit too far, and I support the Costa amendment. I think Representative Geist has a very good bill, but this just takes it a little too far, and you have to think whether we are going a little bit too far with these issues.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, I would agree with the previous speaker. I think what the gentleman, Mr. Geist, is doing is admirable, but I think it goes too far. I do not think we want to test or fingerprint every person in this Commonwealth that has a CDL license, from garbage truck drivers to furniture drivers to snowplow drivers to schoolbus drivers to municipal service employees, the people who drive your furniture truck. I think it goes way too far.

I think the amendment that the gentleman, Mr. Costa, wants to have inserted in this bill to require hazmat, tanker, and combination trucks to be fingerprinted is enough, goes far enough, and I would ask that we support the amendment.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Phillips.

Mr. Geist, I am not ignoring you. I am holding you to last.

Mr. Phillips.

Mr. PHILLIPS. Thank you, Mr. Speaker.

I rise also to support this amendment.

I think it is a good amendment as it is a good bill, but I think we are going just a little too far when we require every CDL license to have those individuals be fingerprinted.

You know, there is no one here that wants to curb terrorism more than, say, I do or anybody else here, but it is my opinion that by doing this, you are doing exactly nothing; it is not helping anything, because if a terrorist wants to use a truck or anything to bomb any area, he can take that truck that is under 17,000 pounds

and he can use it and get the same results. So I think we have taken it a little too far.

And furthermore, if the State of Ohio or any other State around us does not have the same requirements on a CDL, what good does it do? They can come through the State and do the same thing.

So therefore, I think this is a very good amendment. It would be a good bill if this amendment goes in. Thank you very much.

The SPEAKER. The gentleman, Mr. Rohrer.

Mr. ROHRER. Thank you, Mr. Speaker.

I rise in support of the Costa amendment as well.

I think that the arguments that have been made thus far to me ring very, very true. I mean, we all know why we are kind of going through this. The things that we can do legitimately we ought to do, and I think the bill does a lot of that, but it goes too far and I think goes beyond when it takes and demands your average mother who is driving a schoolbus — could be your wife or my wife, law-abiding citizens, not the terrorists — to basically have to go and submit to fingerprinting, a criminal thing that we do to track criminals. It goes beyond the pale. Representative Phillips mentioned that. I agree with that.

I think that this does not fix a problem, does not guarantee to prevent a problem, but it does guarantee to prevent aggravation, perhaps even to make a violation of what many would think to be their own rights. It would not make any difference if we were to require that every person in this country submit to fingerprinting. We would not be safer. That is not the issue.

I think that we are going beyond today on this, and I think the Costa amendment is just a reasonable thing, and therefore, I would ask support of his reasonable amendment.

Thank you, Mr. Speaker.

The SPEAKER. Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the Costa amendment. The reason I do that is the fact that I do not believe that we should be putting our drivers in the Commonwealth of Pennsylvania, our commercial driver's licensees in the Commonwealth of Pennsylvania, at a disadvantage to other States surrounding us or throughout this country.

Now, the bill that Representative Geist has introduced is a good bill, but I think it goes too far. The Federal government is only talking about, right now, background checks and fingerprints for hazardous waste handlers. So I do not believe that we should be putting our commercial driver's license operators at a disadvantage to other States in this Commonwealth. If we are going to do it, we should do it nationally, and we should not put our drivers at a disadvantage, and I think the Geist bill, although it is a good bill, goes too far, and this amendment will make it a better bill on behalf of all the citizens of the Commonwealth of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. Mr. Geist.

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

What we are talking about is a preventive measure in the way of screening. It is an inconvenience for some, but it is going to be a benefit. In a society where those who want to destroy us put sleepers in, try to get people employed in airports, this could be a great preventative measure. It was drafted that way, and I would urge that those who are for it and want to prevent these kinds of people from getting these licenses would vote against the Costa amendment.

The bill was well thought out. I think that you are going to be seeing within the next 2 or 3 years at the Federal level the requirement for the CDL, and I believe that the primacy issue, once again, with the States, we should be a leader, and this is an excellent piece of legislation, and I do not believe it should be weakened.

Thank you.

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

The following roll call was recorded:

YEAS—177

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

NAYS—16

Bard	Kenney	McGill	Zug
Cohen, L. I.	Lewis	Perzel	
Creighton	Maher	Rubley	Ryan,
Dally	Maitland	Smith, S. H.	Speaker
Marsico			

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Mr. McCall.

Mr. McCALL. On final passage.

The SPEAKER. The gentleman is recognized on final passage.

Mr. McCALL. Mr. Speaker, I would like to interrogate the gentleman, Mr. Geist.

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

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, with the passage of the USA PATRIOT (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism) Act that the President signed in October of 2001, there were a couple provisions in that act that prohibit States from issuing or renewing a license to operate a motor vehicle if you are transporting hazardous materials unless the Department of Transportation first determines that the applicant does not pose a security risk, number one. In addition to that, it further requires the United States Department of Justice to perform criminal background checks as well.

My question to you is, are we going, under the language contained in this bill, going to require the State Police background checks in addition to those two background checks? Are there going to be additional checks once the Federal law takes place? Will there be a third check by the State Police?

Mr. GEIST. No, I do not believe it will be a third check. I believe once the Federal law takes place and is in place, it will take primacy.

Mr. McCALL. So the intent is that we will not duplicate the work of the USA PATRIOT Act.

Mr. GEIST. No, we do not want to duplicate anybody's work. We just want to make sure that everybody is screened.

Mr. McCALL. Thank you, Mr. Speaker.

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—192

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

NAYS—1

Maher

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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 2166, PN 2901**, entitled:

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

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

Mr. **DERMODY** offered the following amendment No. **A4245**:

Amend Title, page 1, line 3, by removing the period after "licensing" and inserting
and for notice of change of address.

Amend Sec. 1, page 1, line 6, by striking out "Section 1503(a)" and inserting

Sections 1503(a) and 1515

Amend Sec. 1, page 1, line 7, by striking out "is" and inserting
are

Amend Sec. 1, page 2, by inserting between lines 24 and 25 § 1515. Notice of change of name or address.

(a) General rule.—Whenever any person after applying for or receiving a driver's license moves from the address named in the application or in the driver's license issued or when the name of a licensee is changed such person shall, within 15 days thereafter, notify the department in writing of the old and new addresses or of such former and new names and of the number of any license then held by the person.

(b) Nonresident.—The department shall not change the address on the driver's license of a person who is no longer a resident of this Commonwealth and shall cancel the driver's license after giving 30 days' notice, unless the person is an employee of the Federal or State Government or is in the service of the armed forces of the United States.

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

The following roll call was recorded:

YEAS—193

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

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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

On the question,

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

Mr. GEORGE offered the following amendment No. A4276:

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

; and providing for Pennsylvania State Police duties regarding towing.

Amend Bill, page 2, by inserting between lines 24 and 25

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

§ 3709.1. Pennsylvania State Police duties regarding towing.

When a Pennsylvania State Police officer responds to an emergency situation requiring the removal of vehicles or other debris from the accident scene, the officer may call any towing company that he or she believes is capable of completing the necessary work if the officer determines after reasonable investigation that there will be an unreasonable delay in the response time leading to serious public danger if the accident is not removed immediately.

Amend Sec. 2, page 2, line 25, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-193

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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

REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The clerk will read the following supplemental report of the Committee on Committees.

The following report was read:

SUPPLEMENTAL REPORT
COMMITTEE ON COMMITTEES

In the House of Representatives
December 3, 2001

RESOLVED THAT,

Representative John Lawless, Montgomery County, is elected a member of the Education Committee vice Representative Connie Williams resigned.

Representative John Lawless, Montgomery County, is elected a member of the Finance Committee vice Representative Connie Williams resigned.

Representative John Lawless, Montgomery County, is elected a member of the Insurance Committee vice Representative LeAnna Washington resigned.

Representative LeAnna Washington, Philadelphia County, is elected a member of the Children and Youth Committee vice Representative Connie Williams resigned.

Respectfully submitted,
Rep. Joseph Markosek
Democratic Chairman
Committee on Committees

On the question,
Will the House adopt the resolution?
Resolution was adopted.

CONSIDERATION OF HB 2166 CONTINUED

The SPEAKER. The Chair apologizes. In its rush through the calendar, I neglected to run 2166 on final passage. The amendments have been completed.

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

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

Mr. Geist, do you wish to be recognized on this bill?
Mr. GEIST. Yes. Mr. Speaker, I want to thank everybody that has worked on this package — Keith McCall and his staff, our staff, and everybody from outside who has been involved with this. I think we have done some awfully good work on the floor of the House today, and I would like to congratulate Mr. Costa on passing his amendment and also not for beating our football team up.

Thank you.
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—193

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Hess	McGeehan	Yudichak
Egolf	Kirkland	Preston	Zimmerman
Harhai			

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

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Argall. Any announcements for tomorrow morning? Mr. Cohen, do you have any announcements, caucus announcements, for tomorrow?

There will be no further votes. Does the majority leader or minority leader have any further business?

The House will be at ease. The only vote that will be taken will be the vote on the report of the Committee on Committees of the Republican Caucus on replacing Mr. Lawless' committees.

VOTE CORRECTIONS

The SPEAKER. Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, my vote malfunctioned on amendment 4037 to HB 1933 and amendment 4384 to the same House bill. My vote should have been recorded in the negative.

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

REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The Chair recognizes the gentleman, Mr. Hasay, who makes the following report on behalf of the Committee on Committees.

The following report was read:

House of Representatives
Commonwealth of Pennsylvania
Main Capitol Building
Harrisburg, Pennsylvania 17120

December 3, 2001

REPORT OF COMMITTEE ON COMMITTEES

APPROPRIATIONS

Representative John Lawless resigns from the House Standing Committee on Appropriations.

Representative Eugene McGill is appointed to fill the vacancy on the House Standing Committee on Appropriations.

CONSUMER AFFAIRS

Representative John Lawless resigns from the House Standing Committee on Consumer Affairs.

Representative Ellen Bard is appointed to fill the vacancy on the House Standing Committee on Consumer Affairs.

EDUCATION

Representative John Lawless resigns from the House Standing Committee on Education.

Representative Beverly Mackereth is appointed to fill the vacancy on the House Standing Committee on Education.

INSURANCE

Representative John Lawless resigns from the House Standing Committee on Insurance.

Representative Tim Hennessey is appointed to fill the vacancy on the House Standing Committee on Insurance.

PROFESSIONAL LICENSURE

Representative John Lawless resigns from the House Standing Committee on Professional Licensure.

Representative Kerry Benninghoff is appointed to fill the vacancy on the House Standing Committee on Professional Licensure.

Respectfully submitted,
George C. Hasay, Chairman
Committee on Committees

One the question,
Will the House adopt the resolution?
Resolution was adopted.

BILL PASSED OVER

The SPEAKER. Without objection, the remaining bill 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?

Hearing none, the Chair recognizes the gentleman from Armstrong, Mr. Coleman.

Mr. COLEMAN. Mr. Speaker, I move that this House do now adjourn until Tuesday, December 4, 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 5:19 p.m., e.s.t., the House adjourned.