

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, DECEMBER 4, 2001

SESSION OF 2001

185TH OF THE GENERAL ASSEMBLY

No. 68

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (MATTHEW J. RYAN)
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:

Thank you, Mr. Speaker.

Good morning, ladies and gentlemen. Allow me a moment just before I pray.

This morning as I was washing the inkstains off my hands from putting ink in my printer, being the good minister I am, I thought there has got to be a lesson here somewhere. Maybe you know some ministers like me. I found a lesson: We all have our own spots, depending on which side of the aisle we sit or which committees we are on or what our personal pet project happens to be that we are focusing on this month or this week or this year, and a lot of things are rushed and the agenda is heavy as we close our sessions for the year here. So if you find yourself in a committee meeting hashing something out today, or hopefully not, but if you are late tonight and you are wishing you were home and you are hashing something out, give that person who has different spots than you, who is coming from a different viewpoint than you, give them the respect that you want them to give you. And those spots that are unnecessary, hey, wash those out and get rid of them. But keep the ones that count; that is what makes it work.

Okay. Now let us pray:

Heavenly Lord, we are grateful to You for as patient as You are with us and as loving as You are with us, and as these fine people conduct the business of the State of Pennsylvania today and this week and next week, Lord, I ask that each one of them will get the respect and the time from each other that they deserve. There is much to accomplish; help them to accomplish much, and I ask it in Your most holy name. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Monday, December 3, 2001, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2202 By Representatives SCHULER, T. STEVENSON, J. EVANS, SATHER, CREIGHTON, HENNESSEY, McCALL, KELLER, DALEY, G. WRIGHT, GEIST, BARD, STABACK, FAIRCHILD, BELFANTI, E. Z. TAYLOR, CAPPELLI, ZIMMERMAN, McNAUGHTON, PALLONE, MANN, FRANKEL, YUDICHAK, COSTA, ARGALL, HARHAI, SHANER, HERSHEY, DERMODY, BUXTON, ROONEY, MARKOSEK, YOUNGBLOOD, PISTELLA, HABAY and TULLI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "vehicle"; defining "electric personal assistive mobility device" or "EPAMD"; and further providing for driving upon sidewalk.

Referred to Committee on AGING AND OLDER ADULT SERVICES, December 4, 2001.

No. 2203 By Representatives ZUG, NICKOL and ARGALL

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, further providing for requirement for home inspectors and for required contractual provision regarding home inspections.

Referred to Committee on URBAN AFFAIRS, December 4, 2001.

No. 2204 By Representatives DeLUCA, THOMAS, ADOLPH, M. BAKER, BARD, BEBKO-JONES, BELARDI, BELFANTI, BISHOP, BLAUM, CAPPELLI, CASORIO, CORRIGAN, COSTA, CREIGHTON, CURRY, D. EVANS, FICHTER, FRANKEL, GRUCELA, HARHAI, HASAY, HERMAN, HORSEY, JAMES, JOSEPHS, LEDERER, McGEEHAN, MELIO, R. MILLER, MUNDY, PALLONE, PETRARCA, READSHAW, ROONEY, RUBLEY, SAINATO, SAYLOR, SHANER, SOLOBAY, STABACK, STEELMAN, TRELLO, TRICH, WALKO, WANSACZ, C. WILLIAMS, J. WILLIAMS, WOJNAROSKI, M. WRIGHT, G. WRIGHT and TURZAI

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

Referred to Committee on TRANSPORTATION, December 4, 2001.

No. 2205 By Representatives SEMMEL, MAHER, THOMAS, CAPPELLI, CLARK, CREIGHTON, GEIST, GEORGE, HERSHEY, LEH, ROHRER, SATHER, SCHULER, SOLOBAY, E. Z. TAYLOR, TIGUE, TRELLO and YOUNGBLOOD

An Act providing a procedure for government agencies relating to the provision of electronic services that compete with the private sector.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, December 4, 2001.

No. 2206 By Representatives CORRIGAN, CAPPELLI, CREIGHTON, DALEY, GEORGE, GRUCELA, MELIO, WOJNAROSKI, SHANER and STABACK

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, providing for recycling of cathode ray tubes; and making editorial changes.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, December 4, 2001.

No. 2207 By Representatives DALLY, R. MILLER, THOMAS, WATSON, FAIRCHILD, CREIGHTON, CLARK, CAPPELLI, HERSHEY, MELIO, McILHATTAN, HORSEY, ROEBUCK, STABACK, YOUNGBLOOD, HENNESSEY, TRELLO, ROBERTS, BELFANTI, CORRIGAN, STEELMAN, KELLER, WASHINGTON, PALLONE and McGILL

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

Referred to Committee on PROFESSIONAL LICENSURE, December 4, 2001.

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

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

In the Senate
December 3, 2001

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, December 10, 2001, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, December 10, 2001, unless sooner recalled by the Speaker of the House of Representatives.

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

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

COMMUNICATIONS FROM SPEAKER

The SPEAKER. The clerk will read the following communications from the Speaker.

The following communications were read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

December 4, 2001

The Honorable Steve Nickol
B-12 Main Capitol Building
Harrisburg, PA 17120

Dear Steve:

I am pleased to appoint you Vice-Chairman of the Insurance Committee replacing The Honorable John Lawless.

Very truly yours,
Matthew J. Ryan
The Speaker

MJR:cr

cc: The Honorable Nicholas Micozzie

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

December 4, 2001

The Honorable John Pippy
402 South Office Building
Harrisburg, PA 17120

Dear John:

I am pleased to appoint you Secretary of the Insurance Committee replacing The Honorable Steve Nickol.

Very truly yours,
Matthew J. Ryan
The Speaker

MJR:cr

cc: The Honorable Steve Nickol
The Honorable Nicholas Micozzie

ACTUARIAL NOTES

The SPEAKER. The Chair acknowledges receipt of the following actuarial notes: HB 2151, PN 2881, as amended by amendment 4401; HB 2150, PN 2880, as amended by A4400; and HB 2149, PN 2879, as amended by A4407.

(Copies of actuarial notes are on file with the Journal clerk.)

BILLS REMOVED FROM TABLE

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

- HB 167;
- HB 614;
- HB 979;
- HB 1104; and
- HB 1245.

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

BILLS TABLED

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

- HB 167;
- HB 614;
- HB 979;
- HB 1104; and
- HB 1245.

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

REPORT SUBMITTED

The SPEAKER. The Chair acknowledges receipt of the Joint State Government Commission Status Report submitted pursuant to Senate concurrent resolution 114.

(Copy of report is on file with the Chief Clerk.)

**COMMUNICATION FROM
JOINT STATE GOVERNMENT COMMISSION**

The SPEAKER. The Chair acknowledges receipt of the Report on Driving Distractions and Traffic Safety submitted by the Joint State Government Commission.

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

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a number of guests who are here as the guests of Representative Dante Santoni. They include Kate Swisher and Ross Hodgekins, students at Antietam High School, Berks County, and Matt Dobrosky, a legislative assistant in the district office of the Representative. Would these guests please rise, in the balcony.

The Chair is pleased to welcome to the hall of the House today, seated in the balcony, Dr. John Cassidy, as the guest of Representative Sam Rohrer. He is a resident of Elverson, PA, a successful businessman with 30 years' experience in industry, including that of being the CFO (chief financial officer) and senior vice president of a New York Stock Exchange company. Would the guest please rise.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, Mr. Smith, who requests a leave of absence for the week for the gentleman from Schuylkill County, Mr. ALLEN. Without objection, the leave will be granted. The Chair hears no objection.

The gentleman, Mr. Veon, the minority whip, requests a leave of absence for the gentleman from Luzerne, Mr. YUDICHAK, for today's session. The Chair hears no objection. The leave will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—199

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Allen	Egolf	Yudichak
-------	-------	----------

LEAVES ADDED—2

Casorio	Cruz
---------	------

HILLARY MINTZ PRESENTED

The SPEAKER. The Chair requests the gentleman, Mr. DiGirolamo, to come to the desk.

The House will please come to order. Conferences in the well of the House, please break up. Conferences in the well of the House, please break up. Conferences on the floor, please.

Mr. DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Determination and hard work. How many times have we seen a combination of those two qualities result in success for an individual?

Mr. Speaker, members of the General Assembly, and guests, it is my pleasure to introduce to you today a young lady from Bensalem High School, a junior, which is in my legislative district, who gives new meaning to the words "hard work" and "determination." She is up here with me today, Hillary Mintz. She is the 2001 PIAA Class AAA girls single State tennis champion. Join me, please, in giving her a warm House of Representatives welcome.

Thank you, Mr. Speaker. I have a citation that I am going to present to Hillary today, and I am not going to read it. I can assure you, her list of athletic accomplishments is substantial. But as someone who has known her personally for a good number of years, I can also assure you that she is a simply outstanding student and a wonderful and delightful young lady. And as you might expect, she has a group of people who support and love her very much, and some of them have traveled from Bensalem and are with us today, and I would like to introduce and recognize them. First, two people who have

been very good friends of mine for a long time — they are neighbors; her biggest fans; they have every right to be very, very proud of her — her mom and dad, Dr. Robert Mintz and his lovely wife, Lyn Mintz. Also with us today are Hillary's tennis coach at Bensalem High School — she also teaches in the school district — Eileen Mika; also her personal coach, Seth Miller; and a gentleman, the principal at Bensalem High School, a gentleman whom I consider one of the best and most innovative principals in Pennsylvania, Elliot Lewis. Would you please stand also. And I would also like to acknowledge two people who could not be here today but played a big part in her success: the athletic director of Bensalem High School, Sheldon Per, and another young lady whom we are very proud of, Hillary's sister, Monica, who could not be here today. She is taking final exams at Villanova Law School. Monica also worked in my district office as a volunteer these past two summers.

And if I might add and just close with, Hillary is only a junior this year, and we do not want to put any pressure on her, but I would not be surprised to see her back here next year at the same time.

Thank you, Mr. Speaker.

**TULPEHOCKEN HIGH SCHOOL
BOYS SOCCER TEAM PRESENTED**

The SPEAKER. The Chair recognizes the lady, Mrs. Miller. Mrs. MILLER. Thank you, Mr. Speaker.

It gives me great pleasure to introduce to the ladies and gentlemen of the House of Representatives this morning an exceptional group of young men from Berks County. The blue and gold of our Commonwealth, our State's colors, is mirrored by the blue and gold of our State's PIAA Class A high school boys soccer team champions, the Tulpehocken Trojans.

These athletes captured this year's State title through hard work and determination, as we just recently heard about our State tennis champion, bringing statewide recognition to Tulpehocken High School once again. It has been more than a decade since the last State title for Tulpehocken, but the talent of these young men and their commitment to their sport and to each other have made this year's title an achievable goal.

The school and our community are very proud of these young men, not just because they won the PIAA Class A championship but because of how they won it. They worked together for the good of the team, and as a result, they enjoyed convincing victories throughout the district and State playoffs. And I would like you, if you could, to pay attention to this great statistic, that in their eight playoff games, the Trojans outscored their opponents by a cumulative score of 31 to 2.

I would like to introduce today to you some of the championship players who are with us today. Standing behind me, and I will ask them to just wave their hand as I introduce them, are the senior cocaptains, Josh Balthaser, Kevin Bordner, and Kevin Frantz, and also their coach, Coach Murphy.

In the back of the chamber— Join me in applause. Thank you.

In the back of the chamber, and I will ask these young men to stand as their name is called, are Tom Benz, Tulpehocken's leading scorer; Cody Keeney; Nick Zerbe; Adam White; Scott Bond; Jared Peters; Adam Fornwalt; David Nye;

Michael Ruppert; Derek Behney; Joel Bond; Zachary Stump; Jason Balthaser; Kyle Brautigan; Justinn Nein; Jeff Ludwig; Dustin Stoltz; and Brian Hess.

Congratulations to you; your head coach, Sean Murphy; assistant coaches Tim Frantz, who could not be with us today, Tom Balthaser, who is here, and Mike Cahn. So if they would also rise, please.

And as I present their citation I would also like to recognize their high school principal who was with them at that championship game and throughout the season, Steve Gerhart, and athletic director Lynn Schaeffer, who is also seated in the back of the chamber.

You did a great job, guys, and as Emilie Miller's mom and one of your classmates, I want to say congratulations as I present this citation. Congratulations to all.

Thank you, Mr. Speaker.

CALENDAR

RULES SUSPENDED

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

Mr. HASAY. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HB 2150.

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

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Allen	Egolf	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.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2150, PN 2971**, entitled:

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

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

The SPEAKER. The Chair recognizes at this time the gentleman, Mr. Coy. The gentleman will yield for a moment.

The gentleman, Mr. Coy, has been recognized. Conferences, please, hold off.

Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I have filed an amendment to this bill and to a few other bills that provides for a cost-of-living adjustment for retirees, State retirees as well as public school retirees. Now, as I understand the law, not the rules of the House but the law requires an actuarial note to be prepared and submitted to the General Assembly from the Public Employee Retirement Study Commission before we may consider an amendment like this. So I could not even offer a motion to suspend the rules, because we are not suspending a rule; it is actually the law. So we have not yet received that actuarial note, although I am told that the Public Employee Retirement Study Commission will issue the actuarial note later this week.

So I just want to indicate to members that I will offer this amendment to any legislative vehicle next week which may be germane and, at that time, have the actuarial note in hand.

Therefore, the amendment to this bill is withdrawn, Mr. Speaker.

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

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 2150 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—198

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

DeLuca	Leh	Rooney	Wright, G.
Dermody	Lescovitz	Ross	Wright, M.
DeWeese	Levdansky	Rubley	Yewwic
DiGirolamo	Lewis	Ruffing	Youngblood
Diven	Lucyk	Sainato	Zimmerman
Donatucci	Lynch	Samuelson	Zug
Eachus	Mackereth	Santoni	
Evans, D.	Maher	Sather	Ryan,
Evans, J.	Maitland	Saylor	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Allen	Casorio	Egolf	Yudichak
-------	---------	-------	----------

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

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

RULES SUSPENDED

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

Mr. HASAY. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HB 2152.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Allen	Casorio	Egolf	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.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2152, PN 2973**, entitled:

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.

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—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Allen	Casorio	Egolf	Yudichak
-------	---------	-------	----------

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

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

RULES SUSPENDED

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

Mr. **CALTAGIRONE**. Mr. Speaker, I ask that the rules of the House be suspended to permit the immediate consideration of **HB 2153**.

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Allen	Casorio	Egolf	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.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2153, PN 2974**, entitled:

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.

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

The **SPEAKER**. It is my understanding, Mr. Vitali, that your amendment has been withdrawn. Mr. Vitali, your amendment has— Your amendment is— Thank you.

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—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Allen	Casorio	Egolf	Yudichak
-------	---------	-------	----------

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 767, PN 2871**, entitled:

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.

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—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Allen	Casorio	Egolf	Yudichak
-------	---------	-------	----------

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 1955, PN 2873**, entitled:

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

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?

It is the understanding of the Chair that the gentleman, Mr. Metcalfe, has withdrawn his amendments to this bill.

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—198

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Allen	Casorio	Egolf	Yudichak
-------	---------	-------	----------

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

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

BILL PASSED OVER

The SPEAKER. HB 206 is over.

The House proceeded to third consideration of **HB 593, PN 650**, entitled:

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

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

Ms. STEELMAN offered the following amendment No. **A2190**:

Amend Sec. 4, page 4, line 25, by inserting after "entity."
A board may not schedule the hours of community service during a time or at a location that conflicts with the paid employment of the individual assigned to complete the community service.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Allen	Casorio	Egolf	Yudichak
-------	---------	-------	----------

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. Scrimenti, do you desire recognition on this bill?

Mr. SCRIMENTI. Yes, Mr. Speaker.

The SPEAKER. The gentleman is recognized. The gentleman will yield.

Mr. Scrimenti has been recognized. Please give him your attention.

Mr. SCRIMENTI. Thank you, Mr. Speaker.

There are two concerns that I have relative to this legislation that we have under consideration at this time. The first concern that I have relates to the basic subsidy that school districts receive, and for an expelled student, a school district may still receive the basic subsidy funding; however, a parent or a student and his family could be assessed the total cost of that child's education without subtracting that basic subsidy from the total cost of educating that expelled student. That is my first point of concern with this legislation.

The second point of concern that I have is that this legislation allows the 501 school districts in this State to require — let me repeat that — to require parents of an expelled student to do community service. I would like you to think about that before you vote on this legislation.

Thank you.

The SPEAKER. On the question, the gentleman, Mr. Cohen, from Philadelphia County.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I think Mr. Scrimenti raises a very valid point. The essence of the criminal justice system is individual responsibility, and under our normal laws, people should be punished for their own actions. What this language does is it creates the possibility of punishment for parents, and it is not just civil punishment but it is also work time. You know, parents ought to be responsible for their children, perhaps in some circumstances there ought to be financial liability by parents, but this is extending the concept of parental responsibility into cleaning grounds and doing whatever minor remedial tasks that the school district comes up with.

I think this goes really a bit too far, and I think Mr. Scrimenti is to be commended for bringing this to our attention. I would join him in urging a "no" vote on this bill.

The SPEAKER. Agreeable to the provisions of the— Ms. Mundy. I am sorry.

Ms. MUNDY. Thank you, Mr. Speaker.

I reluctantly rise in opposition to HB 593 because I believe in the concept of parental responsibility and parental participation in the public school system, but as the parent of a boy, who is now a man, and to have endured his teenage years — and I have to say that my own son was not a bad kid; he was a good student, but he had his moments — and I can honestly say that there were times during his teenage years when I had very little control over my son and his behavior. And I would like to think that the way we raised him, my parents and I raised him, had a good effect and kept him out of the worst kinds of trouble, but I can understand a situation where other single mothers who do not have help and support from their families or their communities, who perhaps have young children at home that they are trying to support through working, and now being required, even though obviously this was not the path they would have chosen for their child, their older child who has now been expelled from school, would be required to either take time from the younger children or take time off from work to perform community service related to this bill.

Now, in the Education Committee when we discussed this bill at length, and many times we discussed it, the issue was parental participation; maybe this bill will finally force parents to be involved with their kids. And I have to say that if we are waiting until a child gets expelled from school to encourage parental participation, we have waited until it is way too late. We need to begin to encourage parental participation and involvement with that child and his school career from the very earliest moments of that child's life. That is a sustained effort and one that we really have not put much into in this General Assembly.

So I am going to reluctantly vote "no" on this bill. I understand the concept and I understand the maker of the bill's good intentions, but I think it will have adverse consequences on people who really are doing the best they can and who at points in their lives have lost control over their teenage children.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The gentleman, Mr. Stairs, do you desire recognition?

Mr. STAIRS. Yes.

The SPEAKER. The gentleman is recognized.

Mr. STAIRS. Thank you, Mr. Speaker.

Just a few remarks. A couple of people got up to speak on this bill and its final passage, and I just wanted to make a few

brief remarks to encourage the members to support this legislation.

The prior speaker spoke in opposition of this legislation, and I do believe that maybe most of those concerns should have been addressed by a previous amendment. I think by the Steelman amendment that was offered regarding this legislation, I think that would be taken care of.

But just briefly, I think why we need this legislation is the fact that certainly this will give the parents more involvement. Unfortunately, it is the eleventh hour, at the expulsion. Obviously the parents should be involved in the first hour, not the eleventh hour, but I would hope that the ripple effect here is the parents would get involved much, much before an expulsion would take place.

This is to protect the other students if you have a student who does something very, very serious to merit an expulsion. This is very serious, and we are trying to provide the education to the other kids. And certainly this student would be removed, but there is a caveat here that the courts would have to resolve that the parents are unable to afford this education, and if they are, then of course the school boards would have to provide that. We have to provide education for every student in our schools. So this only goes after the parents who are financially able to provide the funding. Those that cannot would go back to the school board, and they would have to provide the education. But I think the concept here is great: to get parental involvement, to protect the other students, and to bring fiscal responsibility to our school districts who are under a difficult financial crunch these days.

So Representative Egolf had very good intent in this legislation. It passed the Education Committee 21 to 3, and I would hope that we could continue moving this bill along to ensure that parents who are fiscally responsible are able to maintain the cost when a child is expelled.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I wonder if the sponsor of this legislation would stand for brief interrogation.

The SPEAKER. The gentleman, Mr. Stairs, will stand for interrogation.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I want to be clear, Mr. Speaker, in terms of the process involved in this bill. If a student is expelled from a nonpublic school, is a public school under the language of this bill required to accept that student?

Mr. STAIRS. I guess it comes down to the fact of the offense in question, whatever that may be. If it is the same offense that you could be expelled for in a public school, then I guess the answer would be yes then, if it is the same offense that they would expel somebody for.

Mr. ROEBUCK. The answer is yes? I am having trouble hearing, Mr. Speaker.

Mr. STAIRS. Yes. If I understand you correctly, the answer is yes.

The SPEAKER. The gentleman will yield.

Conferences, please break up. The members debating are unable to hear the questions and answers. Conferences, please break up.

Mr. Roebuck, would you ask your question again.

Mr. ROEBUCK. Yes. I want a clarification as to whether, if a student were expelled from a nonpublic school, is a public school required to take that student under the language of this legislation, and I understood the answer to be yes. Did I understand correctly?

Mr. STAIRS. Let me, once I hear you better now, let me think this through a little more.

You know, I am answering you and it will be in a vague term. The answer would be no, but there could be exceptions, and the exceptions could be based upon the type of offense. So generally I give you an answer of no, but there may be some times when they would have to, yes. Now you are probably going to ask me what times they are.

Mr. ROEBUCK. Okay. Thank you, Mr. Speaker.

If I could just speak briefly on the bill.

The SPEAKER. The gentleman is in order.

Mr. ROEBUCK. Thank you.

Mr. Speaker, I have very real concerns that we are creating and reinforcing a system that allows schools that have problem kids, particularly if they are nonpublic kids, to then transfer those problems to public schools and expect the public schools to resolve those problems. I think that is wrong. I think it is wrong in terms of what it does to the basic security of the public schools in that they are forced to take in students that are inappropriate, oftentimes problems. I think it is also wrong in terms of the cost that that imposes upon those schools. I would therefore urge, Mr. Speaker, that we look very carefully at this legislation.

Now, I am assured or reassured that perhaps in some cases that might not happen, but if it happens in any case, I believe it is wrong, and I think there ought to be language in this kind of bill that specifically does not allow public schools to become a dumping ground for the problems of other schools, and I think that unless we have that kind of clarity, then we should certainly not vote in favor of this particular bill.

We should not continue to criticize our public schools for not doing a good job yet give them all the problems that no one else wants. We should not continue to talk about violence in public schools and give them all the kids that create the violence. If indeed we are concerned about how we deliver education, Mr. Speaker, we ought to make the process fair, and I think if this indeed is the intent of the author of the legislation, then indeed that language ought to be clear that it does not allow schools to dump all of the discipline problems into the public system and then expect that system to function well. It simply will not happen, Mr. Speaker, and I would urge then that unless that language is clarified, that the members of the Assembly would vote against this proposal.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Lescovitz.

Mr. LESCOVITZ. Thank you.

Mr. Speaker, would the prime sponsor of the bill stand for a brief interrogation?

The SPEAKER. The gentleman, Mr. Stairs, will stand for interrogation.

Mr. LESCOVITZ. Thank you, Mr. Speaker.

Mr. Speaker, if I read this bill correctly, at least under "Section 8. Failure to comply," if an individual parent refuses to either do community service or now pay for its student or child to go to the public institution, what happens?

Mr. STAIRS. Well, I guess it would bring on the compulsory education requirements and kick that in, and the parents would be fined then for not sending the child to school.

Mr. LESCOVITZ. Mr. Speaker, what happens if I say, yes, my child can go to school; I am just not going to pay, I am not going to pay for my child to go to school? How does that not comply with compulsory attendance requirements under the School Code?

Mr. STAIRS. Well, if indeed there is a question here, the court would answer that, and if they were not able to afford it, then the community service would be in lieu of paying for that, but the courts would make that decision.

Mr. LESCOVITZ. My question, though, underneath the current Constitution, every child is entitled to a free and efficient public education. Underneath this legislation now, you are going to require a parent to pay for a public education for their student, either through fees to go to public school or through community service. Is that correct or not correct?

Mr. STAIRS. I think in answering you, the parents would have to provide the education for 30 days, pay for that for 30 days, and then the process would begin, and you know, the courts would resolve who would be responsible then for this.

Mr. LESCOVITZ. Mr. Speaker, the Constitution is the provision of the law, in the Constitution, that every student is entitled to a free, efficient form of education. Underneath this legislation now, we are going to require that the parent pay for that free and efficient education. Is that not correct?

Mr. STAIRS. If they are financially capable, yes, because the student was expelled from the free education, yes.

Mr. LESCOVITZ. Mr. Speaker?

The SPEAKER. Mr. Lescovitz.

Mr. LESCOVITZ. Mr. Speaker, what I would like to do right now is make a motion to table this legislation. Mr. Speaker, I would like to make a motion to at least go over this legislation until we have a better chance of reviewing it.

The SPEAKER. I note the gentleman, Mr. Smith, is agreeing with you. I assume that—

BILL PASSED OVER

The SPEAKER. Mr. Stairs, without objection, this bill will go over.

Mr. STAIRS. Thank you.

The SPEAKER. Thank you.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Ms. Kelley Everling, an intern with Hawkins Associates and the guest today of Representative Curt Schroder. Would the guest please rise.

Guest pages of Representative Lita Cohen: Marc Goldwein and Emily Kramer-Golinkoff. Would these guests please rise. They are guest pages.

CHILDREN AND YOUTH COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Birmelin, is recognized. He is calling a meeting of the Children and Youth Committee at the break in the back of the House.

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen, do you have an announcement?

Mr. COHEN. Mr. Speaker, at such time as there is a break — I understand we still have a little more to do before there is a break — but at such time as there is a break, there will be a Democratic caucus to go over some extra legislation and to have some informal discussions.

I urge the attendance of all the members.

URBAN AFFAIRS COMMITTEE MEETING

The SPEAKER. Mr. Kenney, do you have an announcement?

Mr. KENNEY. Yes, Mr. Speaker.

The House Urban Affairs Committee will continue its meeting in room 40E at the break.

The SPEAKER. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

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

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. There is a HR 375 honoring Pearl Harbor Day. It has been suggested that all of the members of the House should cosponsor this particular resolution.

Without objection, I will include the names of all the members on the resolution. Anyone not caring to be on it should notify the amendment clerk. Anyone object to that procedure on this?

REPUBLICAN CAUCUS

The SPEAKER. Mr. Argall, do you have any announcements?

Mr. ARGALL. Thank you, Mr. Speaker.

Upon the call of the recess, the House Republicans will need 30 minutes for caucus downstairs.

RECESS

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

Without objection, the Chair will declare a recess until 1:30.

AFTER RECESS

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

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

HB 1459, PN 1741 By Rep. KENNEY

An Act prohibiting a political subdivision or its authority or agency from requiring a proportion of workers on a construction project to be residents of a particular municipality.

URBAN AFFAIRS.

HB 1953, PN 2542 By Rep. KENNEY

An Act establishing a grant program for municipalities to establish code enforcement programs and hire code enforcement personnel; providing for powers and duties of the Department of Community and Economic Development; and making an appropriation.

URBAN AFFAIRS.

**RESOLUTIONS REPORTED
FROM COMMITTEE**

HR 53, PN 715 By Rep. RAYMOND

A Concurrent Resolution urging the Congress of the United States to reexamine the Federal Unemployment Tax Act as it relates to corporate officers.

INTERGOVERNMENTAL AFFAIRS.

HR 255, PN 2297 By Rep. RAYMOND

A Resolution memorializing the Congress of the United States to pass Senate Bill No. 548 to provide enhanced reimbursements for and expanded capacity to mammography services under the Medicare program.

INTERGOVERNMENTAL AFFAIRS.

HR 331, PN 2686 By Rep. RAYMOND

A Resolution memorializing Congress to pass legislation providing financial assistance to the commercial airline companies of this nation, memorializing the President to enact it, and promising State assistance.

INTERGOVERNMENTAL AFFAIRS.

HR 335, PN 2745 By Rep. RAYMOND

A Resolution memorializing the Citizens' Stamp Advisory Committee of the United States Postal Service to consider and recommend to the United States Postal Service Board of Governors the issuance of a commemorative stamp recognizing the national historic importance of the Logstown-Legion Ville historical site.

INTERGOVERNMENTAL AFFAIRS.

HR 336, PN 2746 By Rep. RAYMOND

A Resolution memorializing the Citizens' Stamp Advisory Committee of the United States Postal Service to consider and recommend to the United States Postal Service Board of Governors the issuance of a commemorative stamp honoring Old Economy Village.

INTERGOVERNMENTAL AFFAIRS.

REPORT SUBMITTED

The SPEAKER. The Chair acknowledges receipt of the report of the House Professional Licensure Committee on the shortage of health-care professionals pursuant to HR 26, submitted by the gentleman from Delaware, Mr. Civera.

(Copy of report is on file with the Chief Clerk.)

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

HB 582, PN 2996 (Amended) By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for criminal mischief and for institutional vandalism; and further providing for the revocation or suspension of operating privilege.

JUDICIARY.

HB 2129, PN 2841 By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of unlawful possession of retail or library theft instruments.

JUDICIARY.

HB 2135, PN 2847 By Rep. GANNON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driving under influence of alcohol or controlled substance.

JUDICIARY.

BILL REREPORTED FROM COMMITTEE

SB 216, PN 1576 (Amended) By Rep. GANNON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for costs, for Commonwealth portion of fines and for limitations of actions.

JUDICIARY.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today two guest pages, Brady and Jonathan Gibbs. They are the guest pages of Representative Saylor, both students at Central York High School. Their parents, Debbie and Paul Gibbs, are also with us, seated in the balcony. Would the Gibbs family please acknowledge their presence.

CALENDAR CONTINUED

RESOLUTION

Mr. CRUZ called up **HR 152, PN 1519**, entitled:

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.

On the question,
Will the House adopt the resolution?

(Members proceeded to vote.)

Mr. VITALI. Mr. Speaker?

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

Mr. VITALI. To ask that the vote be stricken.

The SPEAKER. Why?

Mr. VITALI. There seems to be some confusion as to its content, and there is the potential it is of a controversial nature.

The SPEAKER. Mr. Vitali, under the rules of the House and usage of the House on the roll calls being taken, that would not be in order. We will finish the roll, and if you are not satisfied, you can ask that the matter be reconsidered.

Mr. VITALI. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—1

Vitali

NOT VOTING—2

Freeman Manderino

EXCUSED—4

Allen Casorio Egolf Yudichak

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

RESOLUTIONS PURSUANT TO RULE 35

Mr. BENNINGHOFF called up **HR 367, PN 2954**, entitled:

A Resolution commemorating December 7, 2001, as "Pearl Harbor Remembrance Day."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

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

NAYS-0

NOT VOTING-1

Manderino

EXCUSED-4

Allen	Casorio	Egolf	Yudichak
-------	---------	-------	----------

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

The SPEAKER. The gentleman, Mr. Michlovic.

Mr. MICHLOVIC. Mr. Speaker, on that last resolution commemorating the survivors and the heroism during the 60th anniversary of Pearl Harbor this Friday, may I request that all the members' names be added to that resolution?

The SPEAKER. Mr. Michlovic, I did that prior to the lunch break.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mrs. WRIGHT called up **HR 372, PN 2958**, entitled:

A Resolution designating the week of January 14 through 21, 2002, as "Martin Luther King, Jr., Holiday Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

Adolph	Fairchild	Major	Schroder
Argall	Feese	Manderino	Schuler
Armstrong	Fichter	Mann	Scrimanti

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Allen	Casorio	Egolf	Yudichak
-------	---------	-------	----------

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mrs. HARHART called up **HR 373, PN 2985**, entitled:

A Resolution supporting the United States' war against terrorism; encouraging the efforts to establish a stable government in Afghanistan; and encouraging humanitarian aid and relief for the people of Afghanistan.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Allen	Casorio	Egolf	Yudichak
-------	---------	-------	----------

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

* * *

Mr. PERZEL called up HR 374, PN 2986, entitled:

A Resolution requiring review of legislation and legislative recommendations on terrorism.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Allen	Casorio	Egolf	Yudichak
-------	---------	-------	----------

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 110, PN 94**, entitled:

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.

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—198

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

DeLuca	Leh	Rooney	Wright, G.
Dermody	Lescovitz	Ross	Wright, M.
DeWeese	Levdansky	Rubley	Yewcic
DiGirolamo	Lewis	Ruffing	Youngblood
Diven	Lucyk	Sainato	Zimmerman
Donatucci	Lynch	Samuelson	Zug
Eachus	Mackereth	Santoni	
Evans, D.	Maher	Sather	Ryan,
Evans, J.	Maitland	Saylor	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Allen	Casorio	Egolf	Yudichak
-------	---------	-------	----------

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

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

BILLS PASSED OVER

The **SPEAKER**. HBs 1731, 1805, and 2018 are over for the day.

HR 152 RECONSIDERED

The **SPEAKER**. The Chair recognizes the gentleman, Mr. Vitali, who moves that the vote by which HR 152, PN 1519, passed on the 4th of December be reconsidered.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Allen	Casorio	Egolf	Yudichak
-------	---------	-------	----------

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

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

The SPEAKER. On the question of the adoption of the resolution, Mr. Vitali, you desire recognition? Ms. Manderino, pardon me.

Ms. MANDERINO. Thank you, Mr. Speaker.

I just wanted to draw to people's attention in case they wanted to consider their vote on this issue that this is in relation to safe needle exchange, and in there, there is a whereas clause that says that exchange of sterile needles is not proven effective as a combat for AIDS (acquired immune deficiency syndrome) and other blood-transmitted diseases. I do not believe that that is accurate, for one, and I think that there is both the public health issue here as well as the drug issue and that the notion behind needle exchanges has always been the public health issue and not the illegal drug use issue.

So I just wanted to draw to your attention that that language is in this resolution before you vote. Thank you.

The SPEAKER. On the question of the adoption of the resolution, Mr. Vitali.

Mr. VITALI. Would the maker stand for a brief interrogation?

The SPEAKER. The gentleman, Mr. Cruz. The gentleman apparently is not available at the moment.

Mr. Horsey.

Mr. HORSEY. Yes, Mr. Speaker.

It is probably true that it is related to public health and to illegal drugs, but in my community it is the issue of illegal drugs, Mr. Speaker. I am going to support the resolution and ask other folks to do the same, because in the city of Philadelphia, there is a disproportionate impact of AIDS on minorities, and I think at this point in time, for my community, we need to address the issue of illegal drugs, and I think that this resolution helps to do that.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-185

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

NAYS-11

Bishop	Frankel	Michlovic	Vitali
Curry	Josephs	Pallone	Walko
Dermody	Manderino	Roebuck	

NOT VOTING—2

Freeman Thomas

EXCUSED—4

Allen Casorio Egolf Yudichak

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1982, PN 2737**, entitled:

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.

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

Mr. GANNON offered the following amendment No. **A4290**:

Amend Sec. 3 (Sec. 5712), page 5, line 20, by striking out "MULTIPOINT" and inserting

Target-specific

Amend Sec. 3 (Sec. 5712), page 5, line 21, by inserting a comma after "(3)"

Amend Sec. 3 (Sec. 5712), page 5, line 23, by inserting after "INTERCEPTED"

, and section 5709(3)(v) (relating to application for order)

Amend Sec. 3 (Sec. 5712), page 5, lines 24 through 30, by striking out all of said lines and inserting

(1) In the case of an application with respect to the interception of an oral communication:

(i) the application contains a full and complete statement as to why specification is not practical, and

Amend Sec. 3 (Sec. 5712), page 6, line 3, by striking out all of said line and inserting

(ii) the judge finds that specification is not

Amend Sec. 3 (Sec. 5712), page 6, by inserting between lines 4 and 5

(2) In the case of an application with respect to a wire or electronic communication:

(i) the application identifies the person believed to be committing the offense and whose communications are to be intercepted and the applicant makes a showing of a purpose, on the part of that person, to thwart interception by changing facilities; and

(ii) the judge finds that the purpose has been adequately shown.

Amend Sec. 3 (Sec. 5712), page 6, lines 5 and 6, by striking out all of said lines

Amend Sec. 5, page 8, line 30, by striking out "SECTION 5761 (B) OF TITLE 18 IS" and inserting

Sections 5761(b) and 5772(a) of Title 18 are

Amend Sec. 5 (Sec. 5761), page 9, line 8, by inserting after "COMMONWEALTH."

The court issuing the order must have jurisdiction over the offense under investigation.

Amend Sec. 5, page 9, by inserting between lines 9 and 10 § 5772. Application for an order for use of certain devices.

(a) Application.—The Attorney General or a deputy attorney general designated in writing by the Attorney General or a district attorney or an assistant district attorney designated in writing by the district attorney may make application for an order or an extension of an order under section 5773 (relating to issuance of an order for use of certain devices) authorizing or approving the installation and use of a pen register, a trap and trace device or a telecommunication identification interception device under this subchapter, in writing, under oath or equivalent affirmation, to a court of common pleas having jurisdiction over the offense under investigation or to any Superior Court judge when an application for an order authorizing interception of wire or electronic communications is or has been made for the targeted telephone or another application for interception under this subchapter has been made involving the same investigation.

Amend Bill, page 10, lines 5 through 18, by striking out all of said lines and inserting

Section 7. Section 5781 of Title 18 is amended to read:

§ 5781. Expiration of chapter.

This chapter expires December 31, [2004] 2006, unless extended by statute.

Amend Sec. 7, page 10, line 19, by striking out "7" and inserting 8

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. Strike the vote.

Mr. Vitali.

Mr. VITALI. Mr. Speaker, I just wanted to know if the maker of the amendment would just give a brief explanation of it.

The SPEAKER. Mr. Gannon, would you briefly describe the amendment.

Mr. GANNON. Thank you, Mr. Speaker.

The SPEAKER. Mr. Gannon, you are up.

Mr. GANNON. Mr. Speaker, could we respectfully stand at ease for a moment.

Mr. Speaker, I could answer interrogation from Representative Vitali.

The SPEAKER. You can?

Mr. GANNON. Right now, yes.

The SPEAKER. Mr. Vitali, you may proceed.

Mr. VITALI. Mr. Speaker, could we have a brief explanation of what the amendment does?

The SPEAKER. A brief explanation, Mr. Gannon, of your amendment.

Mr. GANNON. This makes the criminal law a lot better.

The SPEAKER. Having said that, could we go beyond that and maybe tell us how?

Mr. GANNON. If you insist.

Mr. Speaker, one of the problems that we have had with enforcement is tracking individuals who are under surveillance through a legal court order, an appropriately obtained court

order. With modern technology, these criminals have been able to avoid that court-ordered surveillance by switching telephones and switching methods of communication. What this amendment would allow law enforcement to do in appropriate circumstances is to be able to continue to track and surveil that individual under a proper court order, even if they attempted to use different telephones or different methods of communication. That is basically what the amendment does, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of the adoption of the amendment, Mr. Vitali.

Mr. VITALI. I am just going to continue my interrogation, if I could.

The SPEAKER. Oh, forgive me. The gentleman may continue.

Mr. VITALI. So under existing wiretap law, the court order allows for specific phone numbers to be tapped or specific locations to be tapped, but under your language it would simply follow the person around, so wherever he is and whatever phone number he might be using and whatever place he might be in, that particular location or phone number could be tapped. Is that the change?

Mr. GANNON. Mr. Speaker, that is partially correct. What this does is it permits the law enforcement, under a proper court order, to target the individual for surveillance as opposed to a specific telephone number. All of the other safeguards are in place with respect to surveillance, and that would mean that if an individual was not subject to a court-ordered surveillance, law enforcement could not intercept that telephone conversation, even though that telephone may have been used at some time before or after by the person under surveillance. It does not change existing law with respect to those individuals who are not subject to an appropriate court order for surveillance.

Mr. VITALI. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—197

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

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

NAYS—1

Bishop

NOT VOTING—0

EXCUSED—4

Allen	Casorio	Egolf	Yudichak
-------	---------	-------	----------

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—198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Allen	Casorio	Egolf	Yudichak
-------	---------	-------	----------

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

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

BILL REREPORTED FROM COMMITTEE

HB 900, PN 2646

By Rep. BARLEY

An Act providing for multistate sales and use tax administration for commerce.

APPROPRIATIONS.

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 900, PN 2646**, entitled:

An Act providing for multistate sales and use tax administration for commerce.

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

Mr. STETLER offered the following amendment No. **A3658**:

Amend Sec. 4, page 3, lines 12 through 16, by striking out all of said lines and inserting

(5) The Minority Leader of the Senate or a designee.

(6) The Minority Leader of the House of Representatives or a designee.

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

The SPEAKER. On the question of the Stetler amendment, Mr. Steil, do you desire recognition on this?

Mr. STEIL. Yes, Mr. Speaker.

This is an agreed-to amendment.

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

The following roll call was recorded:

YEAS-198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Allen	Casorio	Egolf	Yudichak
-------	---------	-------	----------

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. GABIG offered the following amendment No. A3878:

Amend Sec. 3, page 2, by inserting between lines 18 and 19 "Internet." The myriad of computer and telecommunications facilities, including equipment and operating software, which comprise the interconnected worldwide network of networks that employ the transmission control protocol/Internet protocol, or any predecessor or successor protocols to such protocol, to communicate information of all kinds by wire or radio.

Amend Sec. 3, page 2, by inserting between lines 21 and 22 "Remote sale." A sale involving a transaction made through mail-order, catalog or Internet services.

Amend Sec. 7, page 4, line 6, by inserting after "requirements" and prohibitions

Amend Sec. 7, page 4, line 7, by inserting before "The" (a) Requirements.—

Amend Sec. 7, page 6, by inserting between lines 5 and 6 (b) Prohibition.—

(1) Except as set forth in paragraph (2), the delegates, in negotiating the tax agreement, do not have the authority to bind the Commonwealth to do any of the following:

(i) Make, impose, assess, attempt to collect or assist another state or political subdivision in the collection of a tax or fee directly or indirectly imposed on a remote sale involving an out-of-State consumer and a seller located in this Commonwealth if the product arrives through the Internet or interactive computer services, a common carrier or the United States Postal Service.

(ii) Authorize a political subdivision to make, impose, assess, attempt to collect or assist another state or political subdivision in the collection of a tax or fee

directly or indirectly imposed on a remote sale involving an out-of-State consumer and a seller located in this Commonwealth if the product arrives through the Internet or interactive computer services, a common carrier or the United States Postal Service.

(2) The prohibition contained in paragraph (1) shall not do any of the following:

(i) Apply to taxes imposed on and measured by net income derived from the Internet or interactive computer services.

(ii) Apply to fairly apportioned business license taxes applied to businesses that have a business location in this Commonwealth.

(iii) Affect the authority of the Commonwealth or its political subdivisions to impose a tax on other transactions affected by use of the Internet or interactive computer services if the tax is the same as the tax imposed and collected by a state or political subdivision thereof on similar transactions within its taxing jurisdiction.

On the question,

Will the House agree to the amendment?

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and places the gentleman, Mr. CRUZ, on leave, without objection. The Chair hears none.

CONSIDERATION OF HB 900 CONTINUED

The SPEAKER. On the question of the Gabig amendment, Mr. Steil.

Mr. STEIL. Thank you, Mr. Speaker.

This is an agreed-to amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Allen	Cruz	Egolf	Yudichak
Casorio			

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. Rohrer, do you desire recognition on this bill?

Mr. ROHRER. Yes.

The SPEAKER. The gentleman is recognized.

Mr. ROHRER. Thank you, Mr. Speaker.

Mr. Speaker, I do not know whether all of the members really understand what is happening with this bill. This bill has had a lot of discussion. I know the prime sponsor will probably speak on it as well, and I know that there have been a lot of things said about what this bill will do or what it will not do, but I think it is critical to understand that one thing for sure this bill will do is get us much closer to the imposition of taxing the Internet purchases. Each of us who right now buys things over the Internet does not have to pay those taxes. This bill, by establishing this panel, moves us towards that.

Now, I know the bill on its face does not impose taxes, and so to the extent that it does not impose taxes, many who support it would say that this is not a tax bill; this is not a vote for

increased taxes. And to that extent, it is accurate. However, as we have heard in committee by testimony, the imposition of Internet taxes nationally or within a State will not occur if this panel of multistate members does not occur.

So I would look at it in this fashion: It is kind of like you want to get 20 miles down the road. There is no way to get there. The tax train is behind you. How do you get from there to there? You lay the tracks. This bill lays the tracks for the tax train. That cannot be denied. That has been stated within committee hearings.

Clearly, this bill would allow Pennsylvania to be a member on the panel. Is that bad? Not bad that we are a part of the committee. Is it good that we have input? I suppose that it is. What is the problem then? The problem is that the National Governors Association has been out front and public on wanting to impose Internet taxes. Congress has not wanted to impose Internet taxes. That is why there is a moratorium. They have said that a vehicle needs to be in place in order to bring together and simplify the Tax Code that is out there to make it happen. This panel essentially moves us that direction.

Now, Pennsylvania is important as a State because of our size. Therefore, it is desired that Pennsylvania is a part of this panel.

There are two ways to look at it. We can look at it and say, well, it is going to happen; therefore, we ought to be a part of it. The other side says, no, it is not necessarily going to happen, and if we do not join, it will send a strong signal that we do not want taxes, and therefore, it may not happen.

That is the direction that I prefer to come from. I say this makes Internet taxes, imposing new taxes, almost a reality in that this lays the tracks for the tax train. I view it as a vote for increasing taxes. I do not want to go that way; I do not think we need to go that way, and therefore, Mr. Speaker, I am going to be voting against this on final passage and would like to ask colleagues to consider doing the same thing as well.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Tigie.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, I stand to support HB 900.

Some of the information we were just given, I believe, is not correct. What Congress has prohibited, and which they just recently extended, is the tax on access to the Internet. It has nothing to do with sales tax. In fact, those of us who purchase things on the Internet are responsible personally for paying the tax.

Having said that, and I support collecting sales taxes no matter where the nexus is, no matter where the transaction is, but that is not what we are talking about in HB 900. HB 900 is talking about allowing Pennsylvania to join with other States in a multistate forum so that we could discuss how we address the idea of transactions that are made outside of your State.

Think about the fairness involved if you sell a particular product here in Pennsylvania and someone buys it on the Internet and they do not have to pay taxes. Where does it stop? We can argue about what is a fair tax, how much the percentage should be, what should be taxed, and if you read the bill, if you read the bill, it specifically says that implementation of any condition of the agreement must be done in this Commonwealth by legislative action.

So all we are doing is allowing a group of people to be appointed so they can participate in a discussion to try to come

up with an agreement, a consensus, if you will, of the problem of transactions which occur outside the State. This is nothing new except for the fact that more and more transactions are being accomplished through the Internet.

So I would ask you to support the idea and let Pennsylvania sit down with other States to say, we have a vested interest in this and we would like to participate and see what the responses are and what the solutions are to this problem.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. Armstrong.

Mr. ARMSTRONG. Mr. Speaker, thank you.

I wanted to point out another inaccuracy that I had heard, and that was that if we do not do this, this will mean that we will not see taxes on the Internet. That is not true. The Federal government is the one who regulates whether we have taxes that cross State lines through interstate commerce, so they can come and they can mandate this a couple years down the road. We should at least be at the table so that we have our say as to what could happen.

The biggest function of this whole discussion at this point is the matter of reducing the regulations and conforming some of our language across State lines as to what per se a boot is. In some States boots mean different things. But being able to come to a common set of definitions is a major, major critical element. If we can reach and we can simplify for our business communities, we all win; we all win. In fact, the retailers themselves can afford to reduce the price of their overhead, the cost of their overhead, which in essence could reduce the prices of the products themselves, because they do not have to pay for all that extra overhead of taxes, collection, and disbursement back to the States.

We need to be at the table. This is what this bill is about. It is being at the table; it is being able to participate in those discussions, and that is all that it is about.

Thank you, Mr. Speaker.

The SPEAKER. Mr. Steil.

Mr. STEIL. Thank you, Mr. Speaker.

There are two reasons why I ask for support of this legislation. The first relates to the fact that there are over 2,700 taxing jurisdictions in this country. All Pennsylvania businesses that operate in other States collect sales taxes within those States if they have a physical presence. It means that they must follow the procedures of that State in collecting and remitting the sales taxes. In many States sales taxes are not just administered at the State level but also at the county and local levels, and in many other States, those county and local levels are free to determine which items are the subject of taxation, the rates of taxation, and the types of taxes themselves. This means that we introduce enormous complexity into what our businesses must report and act upon each year.

The purpose of the States moving together to try and simplify sales tax administration is to eliminate the differences between these 2,700 taxing jurisdictions. Pennsylvania's sales tax policy and collection law is actually relatively simple. We are not the problem, but if we do not participate in this process, we might become part of the problem because we have not had our role at the table. Pennsylvania is a large and powerful State. It carries enormous weight in these conversations. It will not carry this weight unless we are a voting participant.

And the second reason that we ought to support this legislation is very simply because nothing as a result of this legislation — as a matter of fact, this legislation is not even a Revenue Code bill — nothing happens as a result of our participating in the process unless there is further action and further legislation in this House — proposed, debated, and passed.

Therefore, Mr. Speaker, I ask for support of HB 900. 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—164

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

NAYS—31

Baker, M.	Fairchild	Hutchinson	Pickett
Birmelin	Forcier	LaGrotta	Rohrer
Boyes	Geist	Lawless	Sainato
Browne	Godshall	Leh	Stern
Coleman	Hanna	Lewis	Turzai
Creighton	Harhart	McIlhattan	Wilt
Dally	Hasay	Metcalfe	Yewcic
Evans, J.	Hess	Phillips	

NOT VOTING-2

Mayernik McCall

EXCUSED-5

Allen Cruz Egolf Yudichak
Casorio

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.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 1109, PN 1551, entitled:

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.

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

Mr. CLARK offered the following amendment No. A4434:

Amend Sec. 1 (Sec. 2715), page 4, line 15, by inserting after "the"

report or

Amend Sec. 1 (Sec. 2715), page 4, line 17, by striking out "bomb is placed, set or" and inserting

weapon of mass destruction is

Amend Sec. 4 (Sec. 5111), page 14, line 1, by inserting after "GENERAL."

The Attorney General shall distribute a copy of reports received pursuant to this paragraph to the district attorney of each county having venue over the reported unlawful activity or offense. This paragraph shall not take effect until the Attorney General has certified, by publishing a notice in the Pennsylvania Bulletin, that a fully operational, highly secure network has been established to allow financial institutions to file the required reports electronically in a manner of filing compatible with, and utilizing the same form and format accepted by, the Financial Crimes Enforcement Network of the United States Treasury Department.

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

The following roll call was recorded:

YEAS-197

Adolph Feese Manderino Schuler
Argall Fichter Mann Scrimenti
Armstrong Fleagle Markosek Semmel

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Allen Cruz Egolf Yudichak
Casorio

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. The Chair recognizes the gentleman, Mr. George. Mr. George, I understand you withdraw your amendment but desire unanimous consent to make a statement.

Mr. GEORGE. Mr. Speaker, we find there is an error in that amendment, so we are withdrawing it, please.

The SPEAKER. The Chair thanks the gentleman.

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—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

- | | | | |
|---------|------|-------|----------|
| Allen | Cruz | Egolf | Yudichak |
| Casorio | | | |

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

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

The House proceeded to third consideration of **HB 680, PN 2184**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further defining "public venue"; and further providing for special occasion permits.

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

BILL RECOMMITTED

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

Mr. WILT. Mr. Speaker, I move that this bill be recommitted to Rules.

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

BILLS PASSED OVER

The SPEAKER. The bills on page 6 are over.
The House will be momentarily at ease until we get the calendar straightened out.

The House proceeded to third consideration of **HB 2013, PN 2850**, entitled:

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

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

Mr. VITALI offered the following amendment No. **A4321**:

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

and for a study by the Legislative Budget and Finance Committee.

Amend Bill, page 2, by inserting between lines 16 and 17 Section 2. (a) The Legislative Budget and Finance Committee shall conduct a study of the following:

- (1) The feasibility of consolidating the Pennsylvania Turnpike Commission with the Department of Transportation.
(2) Competitive bidding of bonds issued by the Pennsylvania Turnpike Commission.
(3) Eliminating patronage practices in filling positions within the Pennsylvania Turnpike Commission and including these positions within the classified service under the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act.
(4) Contracting procedures and practices.

(b) The results of the study, including the recommendations of the Legislative Budget and Finance Committee, shall be completed and made available to the General Assembly six months after the effective date of this section.

Amend Sec. 2, page 2, line 17, by striking out "2" and inserting 3

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

The following roll call was recorded:

YEAS-194

Table listing names of members who voted 'YEAS' in 194, including 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, Cawley, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Coleman, Cornell, Corrigan, Costa, Coy, Creighton, Curry, Dailey, Daley, Dally, DeLuca, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Hasay, Hennessey, Herman, Hershey, Hess, Hutchinson, Jadlowiec, James, Josephs, Kaiser, Keller, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lewis, Lucyk, Lynch, Mackereth, Manderino, Mann, Markosek, Marsico, Mayernik, McCall, McGeehan, 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, Preston, Raymond, Readshaw, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Strittmatter, Surla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Trich, Tulli, Turzai, Vance, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Williams, J., Wogan, Wojnaroski, Wright, G., Wright, M., Yewcic, Youngblood, Zimmerman, Zug.

Table listing names of members who voted 'NAYS' or 'NOT VOTING' or 'EXCUSED': Eachus, Evans, D., Evans, J., Maher, Maitland, Major, Santoni, Sather, Saylor, Ryan, Speaker, Harper, Horsey, Wilt, Allen, Casorio, Cruz, Egolf, Yudichak.

NAYS-3

NOT VOTING-0

EXCUSED-5

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. McCALL offered the following amendment No. A4062:

- Amend Sec. 1 (Sec. 1361), page 1, lines 9 and 10, by striking out "at least \$50"
Amend Sec. 1 (Sec. 1361), page 1, line 15, by striking out "and such documentation as the department shall require"
Amend Sec. 1 (Sec. 1361), page 2, line 1, by striking out "special"
Amend Sec. 1 (Sec. 1361), page 2, lines 4 through 14, by striking out "The Department of State shall identify" in line 4 and all of lines 5 through 13 and "DEPARTMENT OF DEFENSE" in line 14

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

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

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, my amendment would eliminate the requirement contained in this bill to contribute any set amount of money to a charitable organization to secure this license plate. I think that the \$50 requirement certainly is discriminatory. It discriminates against those individuals that cannot afford to pay \$50.

I would submit that we are all proud Americans, every one of us in this chamber and every mother, daughter, son who contributes to local fire departments, who contributes to local charities that do not come under the auspices of this legislation, that we should be allowing any individual that contributes to any charitable organization, be it \$1, be it \$5, be it \$1 a week, to be able to get this Pride in America plate. I think it is discriminatory to force people to pay \$50. They should not have to do that.

I would submit that we are discriminating against those individuals and we should remove that requirement and adopt this amendment.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. Habay.

Mr. HABAY. Mr. Speaker, parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. HABAY. Does the sponsor of this amendment have a fiscal note?

Mr. McCALL. Mr. Speaker, I do not, but can I further add something? The amendment that I am offering would negate any cost to the Department of Transportation and the Department of State. My bill actually reduces the cost that this bill is already promulgating on the Department of State and the Department of Transportation. My bill would negate the cost.

The SPEAKER. Will the gentleman yield.

It is the opinion of the Chair, after a brief conference with the Parliamentarian, that this amendment, as we understand it, does not affect the financial house of any governmental unit but rather a charitable unit of our lives, which is not covered by the requirement for a fiscal note. It is only municipalities and government agencies when they are affected that a fiscal note is required. So under the circumstances, no fiscal note is necessary.

Mr. Habay, on the amendment?

Mr. HABAY. Yes, Mr. Speaker.

The amendment essentially defeats the purpose of the bill. When we looked over this bill within the House Transportation Committee — incidentally, in the House Transportation Committee it was voted on unanimously by all Democrats and Republicans on the Transportation Committee — this bill in its essence is designed to do two things: not only to let us express our patriotic pride as Pennsylvanians but it also enables us to do the prime purpose of the legislation of why this legislation has got such great statewide appeal around this State and such great recognition, because it enables the money to go to the victims of the September 11 charity.

Not only that, not only does it help the victims that died in the Somerset crash of Flight 93 in Somerset County, not only does it help the victims of the September 11 terrorist attack on the World Trade Center, not only does it help with the charities and helping those beleaguered families who suffered the loss of loved ones at the Pentagon, this would also be set up to be an ongoing trust as we fight the war on terror, as we fight the war on terror in Afghanistan, throughout the Middle East, and even at home. This would help the charities of those families who lost the lives of the people fighting in Afghanistan. This is something that we have to consider. This is the purpose of the bill, to give to this. This plate would be no different than a square dance license plate or another vanity license plate if this amendment is passed. I would urge strongly that we help those families and that we vote “no” on the McCall amendment.

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

Mr. McCALL. Mr. Speaker, would the gentleman stand for brief interrogation?

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

Mr. Habay?

Mr. HABAY. Yes, I consent, Mr. Speaker.

Mr. McCALL. Mr. Speaker, in your remarks you said that there is a trust fund set up. Could you explain to me what trust fund is set up under this legislation?

Mr. HABAY. There actually is no trust fund set up under this legislation. You may have heard that a little bit differently. The way it is set up is, for example, in Maryland, in the State of Maryland the way it works in the Department of Transportation, if you want to have a conservation plate, under the Department of Transportation in Maryland you are actually able to utilize by giving to, let us say, a wetland or the Chesapeake Bay fund in Maryland. If you go and give the status of that, that you have given, to the Department of Transportation, they can okay your conservation plate. We use the same type of thing here in Pennsylvania.

Mr. McCALL. So if I contribute to a fund, however, that is not registered with the Department of State — and we have a number of charities that do not raise up to \$25,000 that would become registered with the Department of State — so if I as a local fire department from my district that goes to New York and volunteers their time but they are not a registered charity, would they be eligible under your bill?

Mr. HABAY. They are not precluded in my bill, and they may go ahead and register at any later time; they have that option, and that is the beauty of this legislation.

Mr. McCALL. But does not your legislation say to all registered charitable organizations?

Mr. HABAY. I am sorry. Could you repeat that, Mr. Speaker?

Mr. McCALL. Does not your legislation specifically say that the Department of Transportation would have to interface with the Department of State to ensure that they are registered charitable organizations in this Commonwealth?

Mr. HABAY. That is correct.

Mr. McCALL. Thank you, Mr. Speaker. That ends my interrogation.

On the bill?

The SPEAKER. The gentleman is in order.

Mr. McCALL. Mr. Speaker, again, you know, I have constituents in my district, volunteers that have traversed up to New York and volunteered their time. They are not registered as a charity. They would not be eligible for this plate. I have a mother, as well as you do, who contributes, you know, every week to charitable organizations. She would be precluded from having this plate.

I would submit that every person in this Commonwealth is a proud American, and we should not be precluding these proud Americans from obtaining this license plate and forcing them to pay this \$50 fee, and that is exactly what it is. They have to spend that \$50. They have to spend \$36 for the plate and \$20 for— They are going to spend \$106 to get this license plate. The fact of the matter is that we have many proud Americans who are going to come into our office and want this license plate, and if they are not contributing to a certified charity, they are not going to be able to get the plate.

I would ask you to adopt the amendment.

The SPEAKER. On the question, Mr. Habay, for the second time.

Mr. HABAY. Thank you, Mr. Speaker.

Very briefly, if the McCall amendment was adopted, we looked at what the bill would look like if it was adopted, and it would very clearly continue to have a fee that would be out

there. Sure, it would not be what we are requesting, but what we have to appeal is, if you were a rescue worker as well, if you went and you were a firefighter and you helped out in crash 93 in Somerset County, if you went to New York City, if you went to the Pentagon to help out in that case, you would have in here, and let me read it in the bill and make it very clear for Mr. McCall, "...or served as a rescue or recovery worker for victims of terrorism or war anytime beginning September 11, 2001, or thereafter, accompanied by a fee of \$20...."

The McCall amendment, sure, it would strip part of the bill out, but it takes a contribution; it still leaves the words "a contribution is necessary." What would Mr. McCall do? Would it be a contribution of \$1? Would it be a contribution of time?

I think we have looked over this legislation in the Transportation Committee. The bill was voted on unanimously. They had plenty of time to draft these amendments and to bring it up there. We had no objection on that day in front of the Transportation Committee.

I urge us, let us do the right thing for the victims of the terrorist attacks against the United States. Let us pass this legislation and be the first State in the nation to do so. Thank you, Mr. Speaker.

The SPEAKER. On the question of the adoption of the McCall amendment, Mr. Grucela.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the McCall amendment for all the reasons, actually, that Representative McCall stated.

We really should not be discriminating against anyone to have a license plate that says Pride in America. What about those individuals, senior citizens or others, who call our offices all the time? They are struggling to pay for their property taxes and their prescription drugs and everything else and now we are going to deny them a Pride in America plate because they have to pay \$50. I just do not think that is right. I do not think it is something that we should be doing.

So I would ask the members to support the McCall amendment to this bill. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—141

Adolph	Geist	McCall	Solobay
Argall	George	McGeehan	Staback
Baker, M.	Godshall	McIlhattan	Stairs
Bebko-Jones	Gordner	McIlhinney	Steelman
Belardi	Grucela	McNaughton	Steil
Belfanti	Gruitza	Melio	Stern
Bishop	Haluska	Michlovic	Stetler
Blaum	Hanna	Micozzie	Stevenson, R.
Butkovitz	Harhai	Miller, R.	Sturla
Buxton	Harhart	Mundy	Surra
Caltagirone	Hasay	Myers	Tangretti
Cappelli	Hennessey	Nailor	Taylor, E. Z.
Cawley	Hess	Nickol	Taylor, J.
Civera	Horsey	O'Brien	Thomas
Cohen, M.	Hutchinson	Oliver	Tigue
Colafella	James	Pallone	Travaglio
Corrigan	Josephs	Petrarca	Trello
Costa	Kaiser	Petrone	Trich
Coy	Keller	Pickett	Vance
Curry	Kenney	Pistella	Veon

Daley	Kirkland	Preston	Vitali
Dally	Krebs	Raymond	Walko
DeLuca	LaGrotta	Readshaw	Wansacz
Dermody	Laughlin	Reinard	Washington
DeWeese	Lederer	Rieger	Waters
DiGirolamo	Leh	Roberts	Watson
Diven	Lescovitz	Roebuck	Williams, J.
Donatucci	Levdanskyy	Rooney	Wogan
Eachus	Lucyk	Ruffing	Wojnaroski
Evans, D.	Lynch	Sainato	Wright, G.
Fairchild	Mackereth	Samuelson	Wright, M.
Fleagle	Manderino	Santoni	Youngblood
Flick	Mann	Sather	
Frankel	Markosek	Saylor	
Freeman	Marsico	Scrimenti	Ryan,
Gannon	Mayernik	Shaner	Speaker

NAYS—54

Armstrong	Coleman	Maher	Schroder
Baker, J.	Cornell	Maitland	Schuler
Bard	Dailey	Major	Semmel
Barley	Evans, J.	McGill	Smith, B.
Barrar	Feese	Metcalfe	Smith, S. H.
Bastian	Fichter	Miller, S.	Stevenson, T.
Benninghoff	Forcier	Perzel	Strittmatter
Birmelin	Gabig	Phillips	Tulli
Boyes	Habay	Pippy	Turzai
Browne	Harper	Robinson	Wilt
Bunt	Hershey	Rohrer	Yewcic
Clark	Jadlowiec	Ross	Zimmerman
Clymer	Lawless	Rubley	Zug
Cohen, L. I.	Lewis		

NOT VOTING—2

Creighton	Herman
-----------	--------

EXCUSED—5

Allen	Cruz	Egolf	Yudichak
Casorio			

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—197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Allen	Cruz	Egolf	Yudichak
Casorio			

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.

VOTE CORRECTION

The SPEAKER. Mr. Trello, I am sorry. For what purpose do you rise?

Mr. TRELLO. Mr. Speaker, would it be appropriate at this time to change the record on an amendment from the last bill?

The SPEAKER. The gentleman is recognized.

Mr. TRELLO. Well, on HB 2013, the Vitali amendment A4321, I voted in the affirmative. I would like to be recorded in the negative.

The SPEAKER. The Chair thanks the gentleman.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 372, PN 1553, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. MARSICO offered the following amendment No. A4421:

Amend Sec. 1, page 2, line 22, by striking out "4,040" and inserting 4,310

On the question,

Will the House agree to the amendment?

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

Mr. MARSICO. Thank you, Mr. Speaker.

I will just take a moment to explain my amendment.

The amendment increases the statutory cap on the size of the Pennsylvania State Police force to 4,310, an increase of 370 officers over the current cap, which was set back in 1972 at 3,940. This new increase is based on the Legislative Budget and Finance Committee report that has recommended the new number of 370 police officers. This should better meet the needs of our State Police force, and I must say that this increase and this complement is long, long overdue.

This amendment is supported by the Governor's Office, and I would appreciate an affirmative vote. Thank you.

The SPEAKER. On the question of the adoption of the Marsico amendment, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, will the maker of the amendment rise for a brief interrogation?

The SPEAKER. The gentleman, Mr. Marsico, indicates he will stand for interrogation. You may begin.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, the increased numbers, will those be used for any specific purpose – for instance, to fight terrorism or to set up special units – or is this just to increase the patrols around the State, the highway patrols?

Mr. MARSICO. Mr. Speaker, the amendment does not speak to that. We would certainly look for the State Police Commissioner to make those determinations.

As you know, our State Police force is spread very thin, especially since before and after September 11. Many of our State Police officers are now protecting the infrastructure in this State, nuclear plants, et cetera. So there was not any specific designation. Again, it would be determined by the State Police Commissioner.

Mr. STURLA. Thank you, Mr. Speaker.

That ends my interrogation. If I could make a few comments?

The SPEAKER. The gentleman is in order.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I am encouraged by the fact that there is the possibility that there be some special units set up and that we use some of these State Police for the additional protection we need for nuclear powerplants and other facilities in the State as a result of the September 11 attacks. I would hope and encourage everyone to ensure that in fact that is where these additional police get used.

I am probably going to vote for this today, but I just want to point out that we have consistently — and I voted for it along with everyone else in the House — funded the State Police in Pennsylvania, and they do a yeoman's job. They do some work in all our districts in terms of special investigations and things like that, but by and large, they patrol the areas of the State that do not have police departments paid for with local tax dollars, and what that means is that the taxpayers in those districts where you have a local paid police department, those taxpayers pay for their local police and then they pay for the State Police to go patrol in someone else's district, and there are some people that are paying—

The SPEAKER. Mr. Sturla, stay on the amendment. You are off on another field.

Mr. STURLA. Mr. Speaker, what I am talking about here is the increased cost of providing an additional 100 police officers in the State of Pennsylvania. That increased cost is borne by constituents in my district and constituents in other districts that have their local paid police departments, and what that means is that those people are paying for those 100 police officers to go patrol the roads in those townships that do not have paid police departments. And at some point in time I would hope that in addition to these 100 police officers that we are getting for those areas that do not pay for their police protection, we would provide some sort of police protection or additional supplements to those areas that do pay for their police protection over and above the cost of the State Police.

So while I will support this amendment today, I would hope that we could at least in the future limit the use of these police officers to terrorist activities or activities that support police patrolling in the entire State and not just to those areas that do not pay for local police protection.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. Maitland.

Mr. MAITLAND. Thank you, Mr. Speaker.

I rise in support of the Marsico amendment, and I wanted to give the members another thought to consider in supporting the amendment.

I recently had a conversation with a colonel in the Pennsylvania Air National Guard based at Willow Grove, and unsolicited, he remarked to me — we were talking about employers and how employers support the Guard — and he commented to me that one of the best employers supporting the Pennsylvania National Guard is the State Police, because so many of our troopers have military experience and they are active members in the Guard and Reserves. By supporting additional State Police officers, you will also be supporting the Pennsylvania National Guard.

So I urge your support of the Marsico amendment. Thank you, Mr. Speaker.

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

Mr. GABIG. Thank you, Mr. Speaker.

I just wanted to respond to the remarks about if there was a local police department, that those people were getting double-billed, so to speak, on this. That is absolutely not true, Mr. Speaker. There are people that come from Delaware County and Lancaster County that drive through Cumberland County on the turnpike; there are people from Cumberland County that go into Lancaster. We are all in this together, and to try to divide and conquer based on that theory of a local police department is just absolutely not true. We need these State Police.

We passed out of this House an increase of 100. Since then we have had September 11, where the police are now at the nuclear facilities and other facilities. This is a great amendment. I want to commend Representative Marsico and Representative Ross for their leadership in this area, and I would ask my colleagues to support this.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Ross.

The debate is on the increased number of police officers.

Mr. ROSS. Thank you, Mr. Speaker.

I am actually supporting this amendment, although I wish that we were able to eliminate the cap entirely. The idea of increasing the cap is definitely something that we need.

I would point out that the importance of this is because we currently are providing services to many people that are otherwise protected by municipal police, that troopers are being pulled off their regular duties right now to provide support in the powerplants and also in the airports, which are services that all of us use regardless of whether we use local police or not. Those troopers are already being dedicated to that purpose.

The cap has not been raised in over 25 years. It is high time for us to raise the cap and get some more troopers, and ultimately I hope we take the correct step, which is to eliminate the cap. Thank you.

The SPEAKER. Mr. Marsico, for the second time.

Mr. MARSICO. Thank you, Mr. Speaker.

I just wanted to inform the members that this is almost four times the amount of troopers that the Governor had initially requested at his inauguration, and so with that in mind, you know, we are looking at four times the amount, almost 400 new troopers, 370 as a matter of fact, and also that the Governor does support this initiative, this amendment.

So again I want to thank you for looking to support this amendment. Thank you.

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

The following roll call was recorded:

YEAS—197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Allen	Cruz	Egolf	Yudichak
Casorio			

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-197

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Allen	Cruz	Egolf	Yudichak
Casorio			

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

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 2087, PN 2772

By Rep. KENNEY

An Act amending the act of July 6, 1984 (P.L.614, No.127), known as the Sheriff Fee Act, providing for the establishment and modification of fees and for an additional fee in counties of the second class.

URBAN AFFAIRS.

SB 611, PN 662

By Rep. BIRMELIN

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for information relating to prospective child-care personnel.

CHILDREN AND YOUTH.

The SPEAKER. There will be no further votes.

ANNOUNCEMENT BY MR. TAYLOR

The SPEAKER. Mr. Taylor, do you desire recognition?

Mr. TAYLOR. Yes, Mr. Speaker.

A committee announcement, Mr. Speaker.

I would like to announce a meeting of the Subcommittee on the Cities of the First Class of the Urban Affairs Committee immediately upon the adjournment at the rear of the House, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY MR. STEIL

The SPEAKER. Mr. Steil.

Mr. STEIL. Thank you, Mr. Speaker.

The committee meeting of the House local tax policy committee for chairmen and committee cochairs will meet in room 421 immediately upon adjournment. Thank you.

VOTE CORRECTION

The SPEAKER. Mr. Herman.

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

I would like to correct the vote on HB 2013, amendment 4062. I was attempting to vote in the negative on this amendment, and my voting switch, Mr. Speaker, was stuck in neutral. I would like to be recorded in the negative. Thank you, Mr. Speaker.

JUDICIARY COMMITTEE MEETING

The SPEAKER. Mr. Clark.

Mr. CLARK. Mr. Speaker, the Judiciary Committee meeting from this morning will reconvene in room 39 of the East Wing upon the recess. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Tomorrow will be a voting day.

BILLS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Any further announcements? Reports of committee? Majority or minority leader?

Hearing none, the Chair recognizes the gentleman from Lancaster, Mr. Creighton.

Mr. CREIGHTON. Mr. Speaker, I move that this House do now adjourn until Wednesday, December 5, 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 2:58 p.m., e.s.t., the House adjourned.