

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, DECEMBER 5, 2001

SESSION OF 2001

185TH OF THE GENERAL ASSEMBLY

No. 69

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

PRAYER

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

Thank You, Lord, today for the opportunity to serve You and to serve this great Commonwealth.

Father, I want to pray today for the security of this great State, this great Commonwealth, and our country. Lord, Your Word says that I will lift up my eyes to the hills. Where does my help come from? My help comes from the Lord, the maker of heaven and earth. Lord, it is very important that the leadership in this room and throughout this building and this Commonwealth understand that they are safe and secure, and so I ask that You would protect the leadership here and their families, and I ask You to protect our country, Lord, and keep terrorism at bay today, Father.

Lord, I also ask that You would give the leadership here servanthood, Father. Your Word says to do nothing out of selfish ambition or vain conceit, but in humility, consider others better than yourselves. Well, we are here to serve. We are not here to puff up or to make ourselves look better, but we are here to serve this Commonwealth. And so I pray for these people here today who serve this Commonwealth and the people of this Commonwealth that they will serve with a servant's heart, Father.

And I pray also for unity today. Lord, You said Yourself, may they be one as we are one, or we can get nothing done without unity.

And, Lord, I also ask this last thing: Lord, Your Word says that if Your people who are called by Your name will humble themselves and pray and seek Your face and turn from their wicked ways, then You will hear from heaven and will forgive their sin and will heal their land. Lord, if there was ever a time we needed You to heal our land, it is today, and so we ask You to do that and to bless this leadership as they do the work, as they serve this Commonwealth today, and may they do Your will in the name of the prince of peace. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Tuesday, December 4, 2001, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2010 By Representatives TANGRETTI, ARGALL, ADOLPH, ARMSTRONG, M. BAKER, BARD, BARRAR, BASTIAN, BEBKO-JONES, BELARDI, BELFANTI, BENNINGHOFF, BIRMELIN, BISHOP, BOYES, BROWNE, BUNT, BUXTON, CALTAGIRONE, CAPPELLI, CASORIO, CAWLEY, CIVERA, CLYMER, L. I. COHEN, M. COHEN, COLAFELLA, COLEMAN, CORRIGAN, COSTA, COY, CREIGHTON, CRUZ, CURRY, DAILEY, DALEY, DALLY, DeLUCA, DERMODY, DeWEESE, DIVEN, DONATUCCI, EACHUS, FAIRCHILD, FEESE, FICHTER, FRANKEL, FREEMAN, GABIG, GEIST, GEORGE, GODSHALL, GORDNER, GRUCELA, GRUITZA, HALUSKA, HANNA, HARHAI, HARPER, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, HORSEY, HUTCHINSON, JAMES, JOSEPHS, KAISER, KELLER, KENNEY, KIRKLAND, KREBS, LaGROTTA, LAUGHLIN, LEDERER, LESCOVITZ, LEVDANSKY, LUCYK, LYNCH, MACKERETH, MAHER, MAITLAND, MANDERINO, MANN, MARKOSEK, MAYERNIK, McCALL, McGEEHAN, McILHATTAN, McILHINNEY, McNAUGHTON, MELIO, MICHLOVIC, MICOZZIE, S. MILLER, MUNDY, MYERS, NAILOR, NICKOL, OLIVER, PALLONE, PERZEL, PETRARCA, PETRONE, PHILLIPS, PIPPY, PISTELLA, PRESTON, READSHAW, ROBERTS, ROBINSON, ROEBUCK, ROHRER, ROONEY, ROSS, RUBLEY, RUFFING, SAINATO, SAMUELSON, SANTONI, SATHER, SAYLOR, SCHRODER, SCHULER, SCRIMENTI, SHANER, B. SMITH, SOLOBAY, STABACK, STAIRS, STEELMAN, STEIL, STERN, STETLER, R. STEVENSON, T. STEVENSON, STRITTMATTER, STURLA, SURRA, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, TRAVAGLIO, TRELLO, TRICH, TULLI, VANCE, VEON, VITALI, WALKO, WANSACZ, WASHINGTON, WATERS, WATSON, J. WILLIAMS, WILT, WOJNAROSKI, G. WRIGHT, YOUNGBLOOD and YUDICHAK

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for sales and use tax definitions, for sales and use tax exclusions, for personal income tax definitions and for classes of personal income; providing for a credit against personal income tax; further providing for realty transfer tax definitions, for realty transfer tax exclusions and for penalties for

failing to fulfill a historic covenant; and conferring powers and duties on the Pennsylvania Historical and Museum Commission.

Referred to Committee on FINANCE, December 5, 2001.

No. 2011 By Representatives TANGRETTI, ARGALL, ADOLPH, ARMSTRONG, M. BAKER, BARD, BARRAR, BASTIAN, BEBKO-JONES, BELARDI, BELFANTI, BENNINGHOFF, BIRMELIN, BISHOP, BOYES, BROWNE, BUNT, BUXTON, CALTAGRONE, CAPPELLI, CASORIO, CAWLEY, CIVERA, CLYMER, L. I. COHEN, M. COHEN, COLAFELLA, COLEMAN, CORRIGAN, COSTA, COY, CREIGHTON, CRUZ, CURRY, DAILEY, DALEY, DALLY, DeLUCA, DERMODY, DeWEESE, DIVEN, DONATUCCI, EACHUS, FAIRCHILD, FEESE, FICHTER, FRANKEL, FREEMAN, GABIG, GEIST, GEORGE, GODSHALL, GORDNER, GRUCELA, GRUITZA, HALUSKA, HANNA, HARHAI, HARPER, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, HORSEY, HUTCHINSON, JAMES, JOSEPHS, KAISER, KELLER, KENNEY, KIRKLAND, KREBS, LaGROTTA, LAUGHLIN, LEDERER, LESCOVITZ, LEVDANSKY, LUCYK, LYNCH, MACKERETH, MAHER, MAITLAND, MANDERINO, MANN, MARKOSEK, MAYERNIK, McCALL, McGEEHAN, McILHATTAN, McNAUGHTON, MELIO, MICHLOVIC, MICOZZIE, S. MILLER, MUNDY, MYERS, NICKOL, OLIVER, PALLONE, PERZEL, YUDICHAK, PETRARCA, PETRONE, PHILLIPS, PIPPY, PISTELLA, PRESTON, READSHAW, ROBERTS, ROBINSON, ROEBUCK, ROHRER, ROONEY, ROSS, RUBLEY, RUFFING, SAINATO, SAMUELSON, SANTONI, SATHER, SAYLOR, SCHRODER, SCHULER, SCRIMENTI, SHANER, B. SMITH, SOLOBAY, STABACK, STAIRS, STEELMAN, STEIL, STERN, STETLER, R. STEVENSON, T. STEVENSON, STRITTMATTER, STURLA, SURRA, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, TRAVAGLIO, TRELLO, TRICH, TULLI, VANCE, VEON, VITALI, WALKO, WANSACZ, WASHINGTON, WATERS, WATSON, J. WILLIAMS, WILT, WOJNAROSKI, G. WRIGHT, YOUNGBLOOD and McILHINNEY

An Act providing for grants for historic commercial homesites; imposing powers and duties on the Pennsylvania Historical and Museum Commission; establishing the Historic Site Grant Fund; and making an appropriation.

Referred to Committee on STATE GOVERNMENT, December 5, 2001.

No. 2208 By Representatives RUFFING, WALKO, COSTA, CASORIO, CORRIGAN, CREIGHTON, HARHAI, KELLER, SHANER, SOLOBAY, STABACK, STEELMAN, J. TAYLOR, THOMAS, TRELLO, J. WILLIAMS, WOJNAROSKI and G. WRIGHT

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting weapons on bottle club premises; and prescribing a penalty.

Referred to Committee on JUDICIARY, December 5, 2001.

No. 2209 By Representatives RUFFING, WALKO, CASORIO, CORRIGAN, COSTA, CREIGHTON, HARHAI, KELLER, SHANER, SOLOBAY, STABACK, STEELMAN,

J. TAYLOR, THOMAS, TIGUE, TRELLO, J. WILLIAMS, WOJNAROSKI and G. WRIGHT

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the storage, consumption and sale of alcoholic beverages on unlicensed business premises.

Referred to Committee on JUDICIARY, December 5, 2001.

No. 2210 By Representatives HUTCHINSON, ALLEN, M. BAKER, BEBKO-JONES, BENNINGHOFF, BROWNE, BUNT, CAPPELLI, COLEMAN, CORNELL, CORRIGAN, CREIGHTON, DALLY, J. EVANS, FAIRCHILD, FLICK, GABIG, GEIST, GEORGE, HARHART, HASAY, HERSHEY, HESS, LEWIS, LUCYK, MAHER, McILHATTAN, R. MILLER, ROBERTS, SAYLOR, SCHULER, SHANER, B. SMITH, R. STEVENSON, T. STEVENSON, E. Z. TAYLOR, TRELLO, WATSON, M. WRIGHT and YOUNGBLOOD

An Act designating the Keystone Building as the Tom Ridge Keystone Building.

Referred to Committee on STATE GOVERNMENT, December 5, 2001.

No. 2211 By Representatives HUTCHINSON, ALLEN, BEBKO-JONES, BENNINGHOFF, BUNT, CAPPELLI, COLEMAN, CORNELL, CORRIGAN, CREIGHTON, DALEY, DALLY, J. EVANS, FAIRCHILD, FLICK, FREEMAN, GABIG, GEIST, GEORGE, HARHART, HASAY, HERMAN, HERSHEY, HESS, LAUGHLIN, LEWIS, LUCYK, MAHER, McILHATTAN, R. MILLER, PISTELLA, ROBERTS, SAYLOR, SCHULER, SHANER, B. SMITH, STERN, T. STEVENSON, E. Z. TAYLOR, TRELLO, WATSON, M. WRIGHT and YOUNGBLOOD

An Act designating the Farm Show Building as the Samuel E. Hayes Agriculture and Exposition Center.

Referred to Committee on STATE GOVERNMENT, December 5, 2001.

No. 2212 By Representatives MARKOSEK, JAMES, MANN, STABACK, TIGUE, WANSACZ, MUNDY, WALKO, FREEMAN, CAPPELLI, FRANKEL, SOLOBAY, HORSEY, MANDERINO, FEESE, TRICH, COY, BELARDI, PALLONE, FAIRCHILD, DALEY, ZIMMERMAN, CLARK, WOJNAROSKI, CREIGHTON, MELIO, BELFANTI, PRESTON, McGEEHAN, R. STEVENSON, GRUCELA, HARHAI, McCALL, SHANER, YOUNGBLOOD, LAUGHLIN, G. WRIGHT and COSTA

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for unfair methods of competition and unfair or deceptive acts or practices.

Referred to Committee on CONSUMER AFFAIRS, December 5, 2001.

No. 2213 By Representatives PISTELLA, SCHULER, PALLONE, WOJNAROSKI, CAPPELLI, ZIMMERMAN, DeWEESE, GEORGE, WALKO, JAMES, BELFANTI, DALEY, DeLUCA, FRANKEL, FREEMAN, HARHAI, HORSEY, LESCOVITZ, SHANER, SOLOBAY, TRELLO, TRICH, WASHINGTON and YOUNGBLOOD

An Act establishing the Intragovernmental Council on Long-term Care and providing for its powers and duties; and making a repeal.

Referred to Committee on AGING AND OLDER ADULT SERVICES, December 5, 2001.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 376 By Representatives ROEBUCK, D. EVANS, JAMES, WOJNAROSKI, HERMAN, SHANER, YOUNGBLOOD, CURRY, BELFANTI, CREIGHTON, GRUCELA, JOSEPHS, MELIO, CRUZ, THOMAS and HORSEY

A Resolution directing the Joint State Government Commission to establish a task force to study issues relating to the quality of education and the increased employment of part-time faculty at the Commonwealth's institutions of higher education and to make a report to the House of Representatives.

Referred to Committee on RULES, December 5, 2001.

SENATE BILLS FOR CONCURRENCE

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

SB 984, PN 1195

Referred to Committee on STATE GOVERNMENT, December 5, 2001.

SB 1035, PN 1292

Referred to Committee on STATE GOVERNMENT, December 5, 2001.

SB 1160, PN 1451

Referred to Committee on STATE GOVERNMENT, December 5, 2001.

SB 1171, PN 1476

Referred to Committee on STATE GOVERNMENT, December 5, 2001.

SB 1180, PN 1511

Referred to Committee on URBAN AFFAIRS, December 5, 2001.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1219, PN 2849**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILLS REMOVED FROM TABLE

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

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

HB 1478;
HB 582;
HB 601;
HB 1406;
HB 1696;
HB 2016;
HB 2129;
HB 2135; and
HB 2182.

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

BILLS ON SECOND CONSIDERATION

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

HB 1478, PN 2104; HB 582, PN 2996; HB 601, PN 2787; HB 1406, PN 1652; HB 1696, PN 2093; HB 2016, PN 2851; HB 2129, PN 2841; HB 2135, PN 2847; and HB 2182, PN 2939.

BILLS RECOMMITTED

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

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

HB 1478;
HB 582;
HB 601;
HB 1406;
HB 1696;
HB 2016;
HB 2129;
HB 2135; and
HB 2182.

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

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Madam Speaker, I move that HB 208, PN 188, be removed from the table.

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

BILL TABLED

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

Mr. PERZEL. Madam Speaker, I move that HB 208, PN 188, be placed on the table.

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

LEAVES OF ABSENCE

The SPEAKER pro tempore. Are there requests for leaves of absence?

The Chair recognizes the majority whip, who moves that the gentleman from Bucks County, Mr. STEIL; from Chester County, Mrs. RUBLEY; from Montgomery County, Ms. BARD; and from Chester County, Mrs. TAYLOR, be placed on leave for the day. Without objection, the leaves are granted.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 102, PN 3011 (Amended) By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for superintendent compliance with board of school directors action.

EDUCATION.

HB 641, PN 697 By Rep. GANNON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, repealing provisions relating to certain appeals from the Pennsylvania Labor Relations Board.

JUDICIARY.

HB 1285, PN 3012 (Amended) By Rep. GANNON

An Act prohibiting false claims; imposing duties on the Attorney General and on district attorneys; and providing for procedures and for penalties.

JUDICIARY.

HB 2130, PN 3013 (Amended) By Rep. GANNON

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

JUDICIARY.

SB 820, PN 1583 (Amended) By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further prohibiting contraband.

JUDICIARY.

INTERNS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House the following interns who are part of the Harrisburg Internship Semester, sponsored by the State System of Higher Education. They are under the direction of Dr. Mary Jo Campbell. This program takes one student from each State school and places them in a government agency or office, and the students receive 15 credits for their time.

I am pleased to introduce the students, who are seated in the rear of the hall of the House, and when I introduce you, would you please rise: Beth Buckley, from California University, who is interning with the Office of the First Lady; Daria Sevastianova, from Slippery Rock University, interning for the Department of Community and Economic Development; Leslie Dismuke, from Indiana University of Pennsylvania, interning for Representative Frank LaGrotta; Chris McLaud, from Shippensburg University, who is interning with the Governor's Rural Development Council; Katie Berkowitz, from Lock Haven University, who is interning for the Office of Public Welfare Policy Office; Laura Whitford, from Edinboro University, who is interning for the Department of Education; Liz Visotski, from Mansfield University, who is interning for the Republican House Video; and Matthew J. Ryan interns are Audrey Rose, from Dickinson College; William Wagner, from Dickinson College; Tom Santanna, who is a recent graduate of Shippensburg University; and Julia Harper, from West Chester University.

Could we please give these fine students some applause.

MASTER ROLL CALL

The SPEAKER pro tempore. The Chair is about to take the master roll. Members will proceed to vote.

The following roll call was recorded:

PRESENT—196

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

LEAVES ADDED—3

Michlovic	Reinard	Ruffing
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CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 957, PN 2968**, entitled:

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

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

Mr. NAILOR offered the following amendment No. A4465:

Amend Sec. 1 (Sec. 204), page 2, by inserting between lines 25 and 26

(64) Fees charged by nonprofit humane organizations to transfer custody and possession of animals that are used as household pets.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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. LESCOVITZ offered the following amendment No. A4470:

Amend Bill, page 2, by inserting between lines 25 and 26
(64) In accordance with regulations of the department, the sale at retail or use of tangible personal property during the period from December 23, 2001, to January 3, 2002.

Section 2. The Department of Revenue shall promulgate regulations to require reports from persons required to collect the tax under Article II of the act. The reports shall state the amount of tax which would have been collected but for the addition of section 204(64) of the act.

Amend Sec. 2, page 2, line 26, by striking out "2" and inserting
 3

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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

On the question recurring,

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

Mr. SAMUELSON offered the following amendment No. A4482:

Amend Sec. 1 (Sec. 204), page 2, by inserting between lines 25 and 26

(64) The sale at retail or use of books.

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman from Allegheny County, Mr. DeLuca.

Mr. DeLUCA. Thank you, Madam Speaker.

This HB 957 addresses a few sections of the Tax Code that need to be updated to better reflect the world in which we live today, in our homes and in our schools.

Now, when I first discussed exempting fire safety equipment from sales tax, people were surprised to know that such important items, things that should be in every home, such as smoke detectors and fire extinguishers, were not tax exempt. Each spring and fall fire companies across our nation, Madam Speaker, conduct campaigns urging everyone to check their smoke detectors. Now, we all know that these devices save lives; they are essential, yet currently under the Tax Code they are treated as luxuries and taxed as such.

Additionally, Madam Speaker, in our schools, parent-teacher organizations are run by volunteers who give countless hours to those schools and to the children. Currently Pennsylvania is only one of a handful of States nationwide that does not include

parent-teacher organizations in the list of groups that are exempt from paying sales tax.

We exempt, Madam Speaker, several organizations. However, PTAs (parent-teacher associations) and PTOs continue to have to pay sales tax on items they purchase for our children and for our schools. These parent organizations provide a valuable service to our schools and communities. Their budgets are often extremely limited, yet the work they undertake, Madam Speaker, to benefit our schools is irreplaceable. These groups provide much-needed materials, supplies, and programs for our children while relying solely on fundraisers and donations for their very limited income.

This bill, Madam Speaker, removes cumbersome burdens we place on these valuable parent-teacher organizations by exempting them from paying sales tax for the items they buy and are used in our schools.

The SPEAKER pro tempore. Would the gentleman cease just one moment.

The gentleman really does deserve to be heard. It is very loud on the floor of the House. Could we please have the members take their seats.

You may proceed.

Mr. DeLUCA. Thank you, Madam Speaker.

This also addresses a cycle that these groups are caught in by exempting them from having to calibrate their sales items sold on each of their needed funds. You see, Madam Speaker, these volunteers must collect and remit sales tax when they raise money for their schools, and then they must also pay when they use these same items, funds, to purchase material for our schools. Therefore, Madam Speaker, I believe the time has come to exempt these items from the sales tax.

I certainly would appreciate an affirmative vote on HB 957. Thank you, Madam Speaker.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Lescovitz, who wishes to submit remarks for the record. Thank you. The Chair thanks the gentleman.

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

Thank you, Madam Speaker.

Today I rise to ask for a vote to suspend the rules so that I may offer my amendment to HB 957, which would allow for a real tax holiday for working families in Pennsylvania. Voting “no” to suspend the rules will be the same as voting “no” for tax cuts for working families this holiday season. In the very least, suspend the rules so the merits of the measure can be debated. Republicans are the party of the tax cut. Now is the time to walk.... Your.... talk.

Give working families in Pennsylvania at least the same consideration that has been showered upon big business over the last 7 years. I urge every member to take a stand for working families in their own hometowns who desperately need this help, especially during the holiday season. I urge a vote “yes” to suspend the rules so that we can, for 2 weeks, provide families across the State with real help with immediate benefits. If tax cuts are that of which the Republican Party is so proud, then a “no” vote to suspend the rules shows tax cuts are only for big corporations and the wealthy 1 percent of the Commonwealth.

My amendment would provide for a holiday on the State sales tax from December 23 to January 3. As the holidays approach and in the aftermath of September 11, we stand in unprecedented times.

What began as a Federal initiative to provide temporary relief to working families in this country has become another victim of partisan bickering in Washington. However, that can change and we in Harrisburg have the power to affect that change. A 2-week holiday will put money in the pockets of Pennsylvanians immediately. It will prevent the State from spending \$12 million to administer the program and allow working families across this State to afford items they might not otherwise consider. In turn, it would spur the local economy, sending dollars to the companies now fleeing this State taking jobs and livelihoods with them.

I urge a vote "yes" on my measure so that we can give back to Pennsylvania's working families during these unparalleled times.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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 1731, PN 2174**, entitled:

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

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

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

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

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

The question is, shall the bill pass finally?

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

Mr. DeLUCA. Madam Speaker, I withdrew my amendment, but I would like to make a comment on that amendment before I withdraw. Is that possible? Is that permissible?

The SPEAKER pro tempore. Sir, we are really on final passage now, but under unanimous consent, you may proceed.

Mr. DeLUCA. Thank you very much.

I understand that HB 1731 is a very important bill for the Representative on the other side, and that is why I withdrew this amendment, but I think this amendment needs to be addressed, and I have been trying to get this amendment out of Consumer Affairs.

Just let me alert the membership of what this amendment would have done. Presently there are almost 50,000 gift certificates in the Commonwealth of Pennsylvania that go unclaimed, as unclaimed property. Now, this morning I pulled some currency out of my pocket, and I do not see anything on here that says this money expires. So I do not see why people who are buying gift certificates in this Commonwealth to give out with good earned money have to have these gift certificates expire.

Now, last year there were approximately only 329 gift certificates reclaimed. It is ludicrous that this bill cannot come

out and be voted on by this body. So I would appreciate the majority and the minority chairmen of Consumer Affairs to give this bill a chance, bring it up for a “yes” or “no” vote on the floor of the House, because it is a very important piece of legislation. Treasurer Hafer has been trying to push it; the news media has been trying to push it to get this bill passed, and I think the time has come to say, hey, when you pay good money, it should never expire.

Thank you, Madam Speaker.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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

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

GUESTS INTRODUCED

The SPEAKER pro tempore. Could I please have your attention. We have some important guests for you to meet.

The Chair is pleased to welcome to the hall of the House, as guests of Representative Kerry Benninghoff, a constituent, Melody Kehm, and the Honorable Katherine Klausmeier, who is a member of the House of Delegates of Maryland. They are seated to the left of the Chair. Would they please rise.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1805, PN 2515**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mrs. **HARHART** offered the following amendment No. **A4514**:

Amend Title, page 1, line 2, by inserting after “for”
aggravated assault and for

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

Section 1. Section 2702(c) of Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a paragraph to read:

§ 2702. Aggravated assault.

(c) Officers, employees, etc., enumerated.—The officers, agents, employees and other persons referred to in subsection (a) shall be as follows:

(28) An employee of a county children and youth social service agency.

Section 2. Sections 3124.1 and 3126(b) of Title 18 are amended to read:

Amend Sec. 2, page 3, line 23, by striking out “2” and inserting

3

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

Ryan,
Speaker

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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 1483**, **PN 1802**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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 2048**, **PN 2698**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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 2063, PN 2726**, entitled:

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

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

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

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

The following roll call was recorded:

YEAS—196

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

Eachus	Mackereth	Sather	
Evans, D.	Maher	Saylor	Ryan,
Evans, J.	Maitland		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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 COMMITTEE MEETING

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

RESOLUTIONS REPORTED FROM COMMITTEE

HR 368, PN 2955 By Rep. PERZEL

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

RULES.

HR 376, PN 3002 By Rep. PERZEL

A Resolution directing the Joint State Government Commission to establish a task force to study issues relating to the quality of education and the increased employment of part-time faculty at the Commonwealth's institutions of higher education and to make a report to the House of Representatives.

RULES.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1716, PN 3017 (Amended) By Rep. FLICK

An Act regulating professional employer organizations; providing for penalties and remedies; and conferring powers and duties on the Department of Labor and Industry.

LABOR RELATIONS.

HB 1923, PN 3018 (Amended) By Rep. HERMAN

An Act amending the act of April 8, 1982 (P.L.310, No.87), referred to as the Recorder of Deeds Fee Law, further providing for a fee for recording a document in counties of the second A, third, fourth,

fifth, sixth, seventh and eighth classes and home rule charter counties of these classes.

LOCAL GOVERNMENT.

HB 2126, PN 3019 (Amended) By Rep. HERMAN

An Act amending the act of June 22, 2001 (P.L.374, No.24), known as the Optional Occupation Tax Elimination Act, further providing for the definitions of "governing body" and "political subdivision," for earned income tax limits and for certain prohibition of occupation tax; and making an editorial correction.

LOCAL GOVERNMENT.

HB 2203, PN 3015 (Amended) By Rep. KENNEY

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.

URBAN AFFAIRS.

SB 16, PN 1585 (Amended) By Rep. HERMAN

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

LOCAL GOVERNMENT.

SUPPLEMENTAL CALENDAR A

RESOLUTION

Mr. HORSEY called up **HR 368, PN 2955**, entitled:

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

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

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

NAYS-1

Gabig

NOT VOTING-0

EXCUSED-6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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 206, PN 186**, entitled:

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

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

Mr. STAIRS offered the following amendment No. **A4238**:

Amend Title, page 1, line 6, by removing the period after "supplies" and inserting
and for mandated waivers for charter schools.

Amend Bill, page 2, line 11, by striking out all of said line and inserting

Section 2. Section 1714-B(g) of the act, added May 10, 2000 (P.L.44, No.16), is amended to read:

Section 1714-B. Mandate Waiver Program.—* * *

(g) The following provisions of this act shall not be subject to waiver pursuant to this section: sections 108, 110, 111, 321, 322, 323, 324, 325, 326, 327, 431, 436, 437, 440.1, 443, 510, 513, 518, 527, 701.1, 708, 736, 737, 738, 739, 740, 741, 751, 751.1, 752, 753, 755, 771, 776, 777, 808, 809, 810, 1303(a), 1310, 1317, 1317.1, 1317.2, 1318, 1327, 1327.1, 1330, 1332, 1361, 1366, 1501, 1502, 1513, 1517, 1518, 1521, 1523, 1546 [and], 1547, and 1715-B; provisions prohibiting discrimination; Articles VI, XI, XI-A, XII, XIII-A, XIV and XVII-A and this article.

* * *

Section 3. This act shall take effect as follows:

(1) The amendment of section 511(e) of the act shall take effect in 60 days.

(2) The amendment of section 1714-B of the act shall take effect immediately.

(3) This section shall take effect in 60 days.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Westmoreland, Mr. STAIRS.

Mr. STAIRS. Thank you, Madam Speaker.

I appreciate your recognizing me for this, I think, very important amendment.

This amendment that I am offering is in the form of a bill. Representative Bunt had the foresight to circulate a bill that does what this amendment does, and the reason I am offering the amendment is there is an opportune time to move this, and he certainly encouraged me to offer this amendment, so I am doing that.

This is a unique amendment where both the business community and the labor community are in agreement. So being a veteran legislator, which many of you are, very few times that this happens in this chamber, but the building contractors and the trade workers are in harmony, and they want to have addressed legislation that we passed a couple years ago, Act 16 of the year 2000, to prevent the Department of Education to arbitrarily use their discretion to kind of undo some of the laws that we have in this Commonwealth.

Now, I suspect there may be a couple cases where some members have a school district that did this, and maybe it may have temporarily benefited them, but I think overall the law that we passed should not come under arbitrary discretion by the Department of Education, and we want to maintain Act 16 that we passed in the year 2000. So I ask the members to support this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Chester County, Mr. FLICK.

Mr. FLICK. Thank you, Madam Speaker.

I rise to oppose this amendment, and while the gentleman indicated that the business community and the labor community are in agreement on this, I would like to suggest that the taxpaying public is not in agreement with this, because the mandate waiver provisions that we enacted last term were very important to taxpayers in that a school district with a waiver could contract with an individual contractor to make improvements to the school. The district could bid that at the

lowest price and save taxpayers money. We all know that school taxes are rising, they continue to rise, and they are costing a lot of our taxpayers great amounts of money and a high percentage of their income. By allowing this mandate waiver to stay in effect, we can help keep those costs down, and I think it is important that we do that, and I urge this chamber to defeat the Stairs amendment.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lebanon County, Mr. Zug.

Mr. ZUG. Thank you, Madam Speaker.

In speaking to one of my local school districts' business manager, Cornwall-Lebanon, they said that they are in the process of building a pavilion, a small project by certainly school district standards. The total cost of the pavilion is \$20,000, not a large project, and they got waivers to do it. If they were not allowed to get waivers for this project, they would have to pay additional costs, and we are not really talking about labor costs; we are talking about legal notices, which are about \$1,500 apiece, which is 2 times, \$3,000, and architectural fees, because to get the bidding process going through the Department of Labor and Industry and to build this thing, you need \$5,000, \$6,000, \$7,000 of architectural fees. So they are really saving somewhere between \$8,000 and \$10,000 on a \$20,000 project by getting waivers. In our case, we got the architectural fees donated because we do not have to go through the process of bidding this thing; we could do it through waivers.

So this is really an avenue where our local school districts can save money in other ways, not labor costs but simply legal notices and architectural fees. So I do not think that this amendment is a good way to go for the taxpayers of the Commonwealth.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Tioga County, Mr. Baker.

Mr. BAKER. Thank you, Madam Speaker.

I rise to respectfully oppose this amendment for many of the reasons my previous colleagues have spoken about. You know, we are often talking about saving our taxpayers dollars and tax reform and trying to alleviate the tax burden on our school district taxpayers. Well, this is an opportunity to vote against this legislation to save some of those tax dollars. I was one of those legislators whose school district, my home school district, the Wellsboro Area School District, submitted an application for mandate waiver relief, and it was granted, and I understand that there have not been too many to date, but as this legislation was envisioned, this would save taxpayers money at the local school district level.

And I can tell you, the School Boards Association adamantly and vehemently opposes this amendment. They would like to see this amendment defeated. Most of our taxpayers would probably like to see this amendment defeated, because it will save money. Indeed, it saved a lot of money in the Wellsboro Area School District, and I just think that if we are truly genuine about trying to save some money in our local school districts and trying to embrace mandate relief — and I have heard many members talk about mandate relief on the floor of this House over the last five terms — then we need to defeat this legislation.

Thank you very much, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Chester County, Mr. Schroder.

Mr. SCHRODER. Thank you, Madam Speaker.

Madam Speaker, I, too, rise in opposition to this amendment. In addition to some of the other very compelling arguments that have been given so far against this amendment, I think it is important for members to know that there are school districts who have applications pending before the Department of Education right now for this very type of mandate relief from the Separations Act, and what we would be doing today by passing this amendment is pulling the rug out from under those school districts who are counting on and hoping for this important type of mandate relief. And by voting "yes" for this amendment, Madam Speaker, all we are doing is raising the property taxes in those school districts. That is what this really comes down to. It is a property tax increase on those school districts for their construction projects.

So I, too, ask for a "no" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Could we please have some order in the House. There are many speakers. They deserve to be heard. Could we ask people to leave around the minority leader's desk, please.

The Chair recognizes the gentleman from Montgomery County, Mr. Bunt.

Mr. BUNT. Thank you, Madam Speaker.

Madam Speaker, I rise to support the amendment and to join with Representative Stairs.

Madam Speaker, I have not heard from any school districts within my legislative district being in opposition to this, and the primary reason that I have not is because of the arbitrary way in which the Secretary of Education okays or disapproves these waivers. Now, this is something that came up in the last session. Most members had not been aware of their vote and what it did to change what we did, and so we are only trying to put it back into place.

Again, this waiver program is arbitrarily applied. This is something that every one of your heating-ventilation-air conditioning contractors, your electrical contractors, plumbing, every one of your small business people who depend, who depend on getting small government contracts, they depend on this, and that is the way we have operated for years. We are just trying to take away that arbitrary nature of application by the Secretary of Education.

I support its approval.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Stairs, from Westmoreland County.

Mr. STAIRS. As I sum up my remarks, certainly I think I can wholeheartedly agree with Representative Bunt in his statements that the Secretary of the Department of Education has arbitrarily, you might say unfetteredly arbitrarily, if I can use those big words, disregarded contracts and put small businesses, particularly Pennsylvania small businesses, at risk by not letting them be involved in this bidding process, and there are a number of avenues that they can go. There are seven or eight different ways in which they can deny a small business and Pennsylvania workers from doing this work in a competitive bidding process.

It was mentioned about taking away from the taxpayers, raising property taxes. These are competitive bids. They are not

bids that are exorbitant but the lowest best price. And who is to say that the lowest best responsible bid is excessive costs? You know, I can come in and undercut you, but is the quality going to be there in the long run? You know, you pay me now or pay me later. So people can make statements, oh, yeah, I can get it done cheaper, but can they prove that there is going to be the quality there and in the long term they are going to save taxpayers money? I think they are going to save taxpayers money by doing the job right in the first place instead of trying to undercut, underbid, and do shoddy or not the quality of workmanship.

So I think you pay me now or pay me later. Let us do it now, get the best price and get the quality, and I appreciate your support for an amendment that both the business community and the labor community support.

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

Mr. STURLA. Thank you, Madam Speaker.

Would the sponsor of the amendment please rise for a brief interrogation?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. STURLA. Thank you.

I have a question concerning this amendment, and I in general agree with the comments that you have made regarding the fact that competitive bids help keep costs down, and 99.9 percent of the time I believe I would have a tendency to vote with this amendment. I have a question, though, in particular because I have a situation in my school district where the school district had built a school that is only about 5 years old to the tune of multimillion dollars, and it is falling apart right now, and we are in the process of, we have had to relocate students; we are in the process of trying to get an assessment together of exactly how we can save this school from having to be torn down 5 years after it was built, and what we have done is we have asked for a waiver from the department because we are trying to expedite this project so that we can get kids back into the school, into a safe school, because it is costing us more than \$1 million a year to keep those kids out of that school. So while we think that it may cost us a little more not to go through the low-bid process in terms of the actual costs of construction, that we may more than save those dollars in the terms of relocation costs. Would the type of relocation and the type of exemption that I am talking about here be allowed under your amendment for an emergency situation?

Mr. STAIRS. Well, I cannot address a specific situation. I am somewhat aware of the Lancaster problem that you have, and certainly for me to answer if my amendment would help or hurt you, you know, I am not prepared to make that statement. Certainly I do believe that we need a structure for bidding, and of course, if indeed the school district has to make these emergency changes quickly, then I would hope that we could expedite the system and make the system work for this school district. But to answer you a specific case that I am not familiar with, I really would rather not answer. But I do feel that the present way that we have arbitrarily come in and changed the rules in the middle of the game, I think that is wrong, and I disapprove of the concept.

Now, specifically in Lancaster, I do not know the answer to that question.

Mr. STURLA. Thank you.

Thank you, Mr. Speaker. If I could make a comment, please?

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I believe the gentleman, Mr. Stairs, is correct, that in the vast majority of cases, this will help school districts. However, I have a particular situation right now in my school district, and perhaps we need to craft language that would address that specific type of situation, because I, too, believe that the Secretary of Education has been given a little too much discretion in terms of waiving this mandate that actually saves taxpayers' dollars. But given the fact that I have a situation right now, I will probably vote "no" now and hope that we can come back within a year or so and clamp down on this a little bit more, because I agree that the gentleman is correct in his assessment of what this amendment will do in terms of saving taxpayers' dollars, in terms of leveling the playing field, in terms of allowing for a lowest possible bid. I know I have an exception in my school district right now where we need that waiver to save dollars, which is not the case in most situations that this mandate would be waived. So I reluctantly will probably vote against this amendment but think that it has merit.

The SPEAKER. The gentleman, Mr. Trello.

Mr. TRELLO. Mr. Speaker, I rise to support the amendment. The question is, should we get the job done cheap or should we get it done right? When we built the Greater Pittsburgh International Airport, we did it right. We were 6 months ahead of schedule and saved \$200 million. In Denver, Colorado, when they built their airport, they did it wrong. They were 2 years behind schedule and \$400 million over budget. So what the gentleman says, you can pay me now or pay me later, I do not want the job done cheap; I want the job done right, because in the end, the job that is done cheap is going to cost you a heck of a lot more money, and I ask for a positive vote, because the Greater Pittsburgh International Airport is living proof of that.

I say "yes" on the amendment. Thank you.

The SPEAKER. The gentleman, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support this amendment. There basically is no proof that relief of these mandates actually saves money. Where this has been done anywhere across the country, in fact costs for projects have not gone down. What has gone down is the quality of construction and the quality of work.

Mr. Speaker, the legislation that passed that allowed this to happen, in my opinion, did not allow the Secretary of Education to just arbitrarily waive the mandates that he has. These are mandates that are there to protect the taxpayers' dollars, to ensure that we get quality construction, quality work, done on time, and this legislation will put this back in and protect our taxpayers, protect our small businesses, and I encourage a positive vote.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. Vitali, from Delaware.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

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

Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker, and I apologize for the basic nature of my question.

This amendment just applies to architects and engineers who do work for charter schools. Is that the scope of the amendment, bidding for architectural and engineering services with regard to charter schools? Is that correct?

Mr. STAIRS. I know that charter schools are exempt from many regulations and requirements, and my initial reaction would be they are exempted from this, but I would want to check to be sure. But my initial reaction would be they would be exempted, charter schools would be, because they are exempted from many other mandates. But that is not an answer that I want to give you with complete confidence, though.

Mr. VITALI. Because really, frankly, I have no opinion on this amendment one way or the other as we speak, but I am trying to figure out what it is, and I am basing that on the summary on our report, and it seems to say it deals with bidding for the services of architects and engineers with regard to charter schools and whether the bidding requirement should be waived. Now, if that is not what the amendment purports to do, maybe you could just tell me what it does do, so—

Mr. STAIRS. Well, certainly the amendment addresses the normal schools as we know them, the 501 school districts in Pennsylvania as we know them, and, of course, in their bidding requirements. A charter school is certainly a public school and a part of that school district, but it is still separate from it. But it does direct, this amendment does address itself to the school districts across the Commonwealth.

Mr. VITALI. Oh; so this amendment is not limited to charter schools but it applies to all school districts?

Mr. STAIRS. Right.

Mr. VITALI. Okay. Now, is it safe to say then it deals with just the services of architectural and engineering professionals and the bidding for those services? Is that what the amendment deals with?

Mr. STAIRS. Well, it is not just the bidding and the architectural services but it goes into the actual construction, the subcontractors of the different trades that are part of building a building. Whether it be the masons to the plumbers on down the line, the subcontractors are very much a part of this as would be the main contractor, yes.

Mr. VITALI. Okay. So it seems like the scope is much broader than this would indicate. So it deals with the bidding of services generally for public school construction projects, and a “yes” vote for your amendment would require competitive bidding, require—

Mr. STAIRS. It would prohibit a Secretary of Education to come in and arbitrarily say, well, we can exempt this because I do not think you have to do this; you can do what you want to do, or you can exempt this procedure that we have or the companies to do these jobs; you can exempt this agreement; you can take a shortcut and maybe have faulty or maybe not do the work as it should be done.

Mr. VITALI. Current law is what? Current law with regard to bidding is what? Current law is you must competitive bid?

Mr. STAIRS. Right; oh yeah, and I have a sheet in front of me that specifically states the requirements, that you must have competitive biddings; and then not only the lowest responsible

bidder, you have a requirement for separate prime bids, the authority to advertise for single bids for prefabricated units. So the list goes on and on—

Mr. VITALI. Okay.

Mr. STAIRS. —of the requirements that they must abide by—

Mr. VITALI. But help me understand—

Mr. STAIRS. —and the district would certainly try to get a waiver from this, yeah.

Mr. VITALI. If current law requires competitive bidding and a “yes” vote on your amendment—

Mr. STAIRS. —would maintain that.

Mr. VITALI —maintain, why do you need the amendment? Because the bill in chief would take it out? Is that it?

Mr. STAIRS. Well, the possibility would exist and it has existed in Pennsylvania where the Department of Education would waive the law, and I think that the legislation that was passed by this body, he is not fulfilling the intent of the legislature.

Mr. VITALI. What is the position of the Pennsylvania School Boards Association on the issue, if you know it?

Mr. STAIRS. I have not got any formal notification from them one way or the other. So they may want to talk to members individually, but they have not circulated any position statement to my knowledge.

Mr. VITALI. Okay. Again, I am perhaps asking the wrong person this question, but just bear with me.

Previous speakers maintain that a “no” vote would save school districts money. Now, do you know what their theory is on that?

Mr. STAIRS. Well, you know, I question that, not to belabor something that was brought up earlier. There is no proof by an independent third party that it saves money. Some may say that, but they have no proof to back that up. So that is an assumption that it saves money.

Just as Representative Trello said and I and other speakers have said, if you want quality workmanship, maybe the day you pay the bill it may cost a little more, but in the long term, you know, are you saving money? So I do not think there has been any proof one way or the other that taxpayers are winning or losing regardless of what happens here. I do not think there is any statistical survey that was done that is very valid that says, you know, one way or the other, yeah.

Mr. VITALI. I mean, one would think that competitive bidding would save money, so that is why that statement confused me. Do you have any comment on that?

Mr. STAIRS. Well, I would hope that, as in many businesses, the lowest responsible bid is the best bid, and I say lowest responsible bid; I did not say the lowest bid. The lowest responsible bid generally, in most cases, does save money, yeah.

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

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Northumberland County, Mr. Belfanti.

Mr. BELFANTI. Thank you, Madam Speaker, and that would be the Great Karnak again.

The answer to the question is, we told you this could happen. The question is, are you certain that the adoption of SB 652 will not be misread or misinterpreted by the courts? That debate took place in this hall a year ago, and during the course of the debate the question was asked over and over again, are you certain that the Secretary of Education nor the courts can allow certain waivers on procurement of foreign steel to be waived in school construction, the requirement for separate bids for mechanical-electrical contractors, heating and air conditioning contractors, so that we do not have unqualified folks working for a general contractor trying to install the types of devices that can cause a building to burn to the ground or contaminate the air for our kids, and other questions were posed, many, many of them, and we were continually told by the promoters of SB 652 that in the bill, in 652, it was very plainly spelled out that section 751, 751.1, 755 which deals with discrimination of contractors, 756 which requires additional bonds by contractors that are building our schools, that they are properly bonded in case the school project goes over cost, that the taxpayers will not be saddled with the extra bill, and the entire issue of payment of subcontractors. "Don't worry, Mr. Belfanti, all of those are very well spelled out in SB 652." So what brings us here today? What brings us here today is the Secretary of Education has chosen to ignore the language that was written into the bill. In fact, some of the people whom we talked to about this language said, we do not need to repeat language that is already part of the School Code; why are we repeating it? Well, we want to make sure that legislative intent is not superseded by the courts. Madam Speaker, the General Contractors Association, the heating-mechanical-electrical contractors, both union, and the Associated Builders and Contractors, predominantly nonunion contractors, oppose the waivers that were misinterpreted by the court.

The Stairs amendment, like the Veon amendment which may be voted upon if the Stairs amendment goes down, the Stairs amendment simply returns into law what we were assured we were voting on last year. It simply restores legislative intent, and it protects our local taxpayers. So whether you are a construction worker or whether you work in any of the fields of the construction industry or whether you are a taxpayer who is concerned that a bond be posted to ensure that the project is completed on time and on budget, and if not, the taxpayers will not be saddled with the overruns or the excess costs, and that bond will ensure that if any kid gets sick because the ventilating system was improperly installed or a school burns down during a basketball game because the wiring was not installed properly by electrical contractors, that is what the Stairs amendment restores in language to the legislation before us.

I strongly urge adoption of the Stairs amendment. If the Stairs amendment, which is a bit weaker, I believe, than the Veon amendment, is placed back into law as a result of adding into HB 206, I believe Mr. Veon will withdraw his amendment and we will be satisfied to restore only those things that we all agreed were in this bill or were in the law when we adopted SB 652 last year.

I strongly urge adoption in a bipartisan manner of this amendment. Thank you.

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

The SPEAKER. The gentleman, Mr. Flick, for the second time on the issue.

Mr. FLICK. Thank you, Mr. Speaker.

We have heard a lot over the past 30 minutes about how we need to protect the school students, the families, the contractors, but, you know, that is not what we are doing. What this amendment does would take away the ability of the Secretary of Education, when given all the information to document what a school district wants to do, take away the Secretary's ability to grant a waiver, to grant that waiver to allow a school district to contract with one individual, a general contractor, to build or make improvements to the buildings in the school district. We are not talking about a shoddy builder; we are talking about lowest responsible bidder. All we are talking about is the bid process. If you vote for the Stairs amendment, you will require school districts to continue to have five separate contracts bid in any improvement project or any building. If you vote against the Stairs amendment, you will allow the Secretary of Education, upon prudent evidence, allow the Secretary of Education to grant a waiver to allow that school district to contract with one general contractor, who then will take care of all the components of construction. It is very simple. We are not talking about putting students at risk; we are just talking about the way the bid contract proposals work in school districts.

So I rest my case. If you want to make certain that the school districts have flexibility, if you want to try to control the property taxes, then allow the waiver provision to continue. If you are not concerned about those issues, then go ahead and vote for the Stairs amendment. Thank you.

The SPEAKER. The gentleman, Mr. George. Mr. George, on the amendment. The gentleman, Mr. George, waives off.

Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, when some members talk about this House providing mandates, it is like we are doing the wrong thing. We institute mandates around here and insist on mandates so that we can protect the school district so that shoddy things do not happen in particular school districts which we fund. Mr. Speaker, in addition to that, we require school districts to have competitive bidding, and we do it so that they will be responsible, so that architectural things that are bid out are bid to the lowest responsible bidder. What Representative Stairs is trying to do is to prevent charter schools from adhering to the same rules and regulations that we enact to public schools, and that is not right. If we are to be responsible, we should insist on charter schools that when you want to build something, that you competitive bid and you take the lowest responsible bidder, which is good for the taxpayers of that particular school district.

For those reasons, Mr. Speaker, I urge a positive vote for Representative Stairs.

The SPEAKER. The gentleman, Mr. Schroder, for the second time.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, I just rise for a second time to hopefully clarify an issue that came up during an earlier colloquy between two members where the question was asked about the position of the Pennsylvania School Boards Association. I have a letter in my hand from the School Boards Association dated today,

December 5, which clearly states that the Pennsylvania School Boards Association is opposed to this amendment. So they have taken a clear, unequivocal position in opposition to this amendment, and they have done so, Mr. Speaker, because of the many reasons already given; primarily, by pulling the rug out from under them by taking away this option of mandate relief, it is going to result in higher costs, higher construction costs, and therefore, higher property taxes, as we have said earlier.

It has been suggested that these mandates have been relieved in an unreliable fashion. Indeed, according to the information from the school board, it says that "Each...district that applies for a waiver must demonstrate and document in measurable terms how relief from a certain mandate will result in either an improved instructional program or permit the district to operate in a more effective, efficient or economical manner," and that is really what this is all about, Mr. Speaker, allowing our school boards and our school districts to operate in a more efficient, effective, and economical manner and not have Harrisburg stand in the way of that. Why should we stand in the way of the ability of our school districts to do that, to save money for our constituents and to keep their property taxes down.

Mr. Speaker, I ask for a "no" vote once again on this amendment. Thank you.

The SPEAKER. The gentleman, Mr. Kaiser.

Mr. KAISER. Thank you, Mr. Speaker.

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

I believe very firmly if you have qualified people on the jobsite, the winner will be the taxpayer, and I just want to make sure everyone realizes that those workers on the jobsite go through an apprenticeship program, and when they arrive at the jobsite, they know the job and they know how to do it. When you have unqualified people, contractors that do not know what they are doing, the bottom line is the taxpayers are going to pay additional dollars.

I support the Stairs amendment, and on a point of clarification, Mr. Speaker, one of the previous speakers had mentioned regarding emergency situations. Well, under section 751 of the School Code, in emergency situations they are allowed to solicit at least three bids. So I think the Stairs amendment is a good amendment, we should vote for it, and it not only helps school districts but it also helps the taxpayers.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Sturla, for the second time.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, earlier I had risen and I had some concerns about whether or not there would be an emergency provision for a situation like Lancaster has right now. I believe the gentleman, Mr. Kaiser, just responded and I have talked to some other members who have indicated that in the current mandate, there is a provision for emergency situations, and so I think that in fact that ability exists, and I would encourage all members to now vote "yes" for the Stairs amendment. I always thought it was a pretty good amendment anyway for 99.9 percent of the situations. I think now it probably covers 100 percent of the situations also. So thank you, Mr. Speaker.

The SPEAKER. The question recurs, will the House agree to the amendment?

Mr. Stairs, you have been recognized twice on this question.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—138

Adolph	Donatucci	Manderino	Santoni
Argall	Eachus	Mann	Saylor
Barrar	Evans, D.	Markosek	Scrimenti
Bebko-Jones	Evans, J.	Mayernik	Semmel
Belardi	Fairchild	McCall	Shaner
Belfanti	Fichter	McGeehan	Smith, B.
Bishop	Frankel	McGill	Smith, S. H.
Blaum	Freeman	McIlhattan	Solobay
Boyes	Gannon	McNaughton	Staback
Browne	Geist	Melio	Stairs
Bunt	George	Michlovic	Steelman
Butkovitz	Godshall	Micozzie	Stetler
Buxton	Gordner	Mundy	Sturla
Caltagirone	Grucela	Myers	Surra
Cappelli	Gruitza	O'Brien	Tangretti
Casorio	Habay	Oliver	Taylor, J.
Cawley	Haluska	Pallone	Thomas
Civera	Hanna	Perzel	Tigue
Cohen, L. I.	Harhai	Petrarca	Travaglio
Cohen, M.	Harhart	Petrone	Trello
Colafella	Hasay	Phillips	Trich
Coleman	Horsey	Pippy	Tulli
Cornell	Hutchinson	Pistella	Veon
Corrigan	James	Preston	Walko
Costa	Josephs	Raymond	Wansacz
Coy	Kaiser	Readshaw	Washington
Cruz	Keller	Rieger	Waters
Curry	Kenney	Roberts	Williams, J.
Daley	Kirkland	Robinson	Wogan
Dally	LaGrotta	Roebuck	Wojnaroski
DeLuca	Laughlin	Rooney	Wright, G.
Dermody	Lederer	Ruffing	Yewcic
DeWeese	Lescovitz	Sainato	Youngblood
DiGirolamo	Levdansky	Samuelson	Yudichak
Diven	Lucyk		

NAYS—58

Armstrong	Gabig	Major	Stern
Baker, J.	Harper	Marsico	Stevenson, R.
Baker, M.	Hennessey	McIlhinney	Stevenson, T.
Barley	Herman	Metcalfe	Strittmatter
Bastian	Hershey	Miller, R.	Turzai
Benninghoff	Hess	Miller, S.	Vance
Birmelin	Jadlowiec	Nailor	Vitali
Clark	Krebs	Nickol	Watson
Clymer	Lawless	Pickett	Wilt
Creighton	Leh	Reinard	Wright, M.
Dailey	Lewis	Rohrer	Zimmerman
Feese	Lynch	Ross	Zug
Fleagle	Mackereth	Sather	
Flick	Maher	Schroder	Ryan,
Forcier	Maitland	Schuler	Speaker

NOT VOTING—0

EXCUSED—6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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. It is the understanding of the Chair that all further amendments have been withdrawn.

Mr. Colafella, is that inaccurate? Mr. Colafella, do you have an amendment?

Mr. COLAFELLA. Yes, Mr. Speaker.

The SPEAKER. Would you give us the number of that amendment?

Mr. COLAFELLA. 4404.

The SPEAKER. The clerk will read the amendment.

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

Mr. COLAFELLA offered the following amendment No. A4404:

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

; and providing for conditional employment.

Amend Bill, page 2, by inserting between lines 10 and 11

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

Section 1109.2. Conditional Employment.—A board of school directors may enter into a provisional contract to employ an individual as a temporary professional employe who presents a letter within six months of the date of expected graduation from an approved Pennsylvania college or university verifying that he is enrolled in an approved teacher preparation program in that institution and will complete all requirements for the awarding of a bachelor's degree on a date certain as specified. The validity of the provisional contract shall be contingent upon the following conditions being met prior to the actual commencement of employment: the awarding of a bachelor's degree; and, the individual having obtained the appropriate teaching certificate in the area of assignment for which the contract is being entered.

Amend Sec. 2, page 2, line 11, by striking out "2" and inserting 3

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

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

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment passed the House last year unanimously, and basically what this amendment simply does is this: It affords the opportunity for a school superintendent to hire a prospective teacher who has not graduated up to 6 months, but after 6 months, the student has to provide their bachelor's degree and all other requirements.

What is happening is, surrounding States around us, superintendents are hiring our best students in February and March, and then when they graduate, they then provide their credentials. This particular amendment will enable Pennsylvania to be able to compete with these other States, and

it is recommended by the State-owned universities because they feel that our best young teachers are leaving Pennsylvania and taking an early hiring, knowing that they are guaranteed a job.

The SPEAKER. Mr. Stairs, on the Colafella amendment.

Mr. STAIRS. Thank you, Mr. Speaker.

I definitely support the Colafella amendment, and just for the record, a little later on today the Keystone Commission is going to issue its report, and that is one of their recommendations. So I applaud Representative Colafella for introducing this amendment.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—196

Table with 4 columns of names: Adolph, Argall, Armstrong, Baker, J., Baker, M., Barley, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Cawley, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Coleman, Cornell, Corrigan, Costa, Coy, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Evans, D., Evans, J., Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Jadlowiec, James, Josephs, Kaiser, Keller, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lewis, Lucyk, Lynch, Mackereth, Maher, Maitland, Major, 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, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Stern, Stetler, Stevenson, R., Stevenson, T., Strittmatter, Sturla, Surra, Tangretti, Taylor, J., Thomas, Tighe, Travaglio, Trello, Trich, Tulli, Turzai, Vance, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Williams, J., Wilt, Wogan, Wojnaroski, Wright, G., Wright, M., Yewcic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker

NOT VOTING—0

EXCUSED—6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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—183

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

Eachus	Major	Sather	Ryan,
Evans, D.	Manderino	Saylor	Speaker
Evans, J.			

NAYS—13

Birmelin	Gabig	Krebs	Schroder
Clark	Hennessey	Maitland	Wilt
Dailey	Hershey	McIlhinney	Zug
Feese			

NOT VOTING—0

EXCUSED—6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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

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

The House proceeded to third consideration of **SB 907, PN 1512**, entitled:

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

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

Mr. **STETLER** offered the following amendment No. **A4375**:

Amend Sec. 4, page 2, line 5, by inserting after "GEORGE"
M.
Amend Sec. 4, page 2, line 10, by inserting after "GEORGE"
M.

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

The following roll call was recorded:

YEAS—196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rublely		

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. MELIO offered the following amendment No. A4389:

Amend Title, page 1, line 2, by striking out "AND" and inserting a comma

Amend Title, page 1, line 3, by inserting after "HIGHWAY" , a portion of State Route 413 between its intersection with State Route 13 and the Pennsylvania Turnpike in Bristol Township, Bucks County, as Veterans Highway

Amend Sec. 2, page 1, line 15, by inserting after "HIGHWAY" in Indiana County

Amend Sec. 3, page 2, lines 1 through 4, by striking out all of said lines and inserting

Section 3. Veterans Highway in Bristol Township, Bucks County. The portion of State Route 413 between its intersection with State Route 13 and the Pennsylvania Turnpike in Bristol Township, Bucks County, is hereby designated as Veterans Highway.

Amend Sec. 4, page 2, line 7, by striking out "(A) DESIGNATION."

Amend Bill, page 2, lines 11 and 12, by striking out all of said lines and inserting

Section 5. Signs.

The Department of Transportation shall erect and maintain appropriate signs displaying the names of the highways and bridge designated in this act to traffic in both directions.

Amend Sec. 5, page 2, line 13, by striking out "5" and inserting

6

On the question,

Will the House agree to the amendment?

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

Mr. MELIO. Thank you, Mr. Speaker.

Patriotism, valor, conviction, dedication: all of these words describe the men and women who have devoted a portion of their lives to protecting and defending the freedoms that we enjoy in the United States. These words describe the men and women serving in our military, and they describe our veterans, Mr. Speaker. My amendment will designate a highway in Bucks County as the Veterans Highway in recognition of the efforts of the men and women who have served in our Armed Forces in the past, the ones now serving, and to those who will serve in the future.

Mr. Speaker, we must never forget that there is a price we pay for freedom. Never has this price been so realistic as in September when our own country came under attack. Our military showed it was ready, and the true meaning of patriotism became crystallized in everyone's minds. Designating a highway is just one small way we can honor our veterans.

Even as we honor veterans, we must look ahead with a firm resolve that we will continue to defend the valor, dignity, and principles of freedom that we enjoy in the United States. United we will prevail.

I ask my members for their support. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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

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

Mr. WALKO offered the following amendment No. A4581:

Amend Title, page 1, line 2, by striking out "AND" and inserting a semicolon

Amend Title, page 1, line 4, by striking out "AND" and inserting a semicolon

Amend Title, page 1, line 5, by removing the period after "BRIDGE" and inserting

; and the ramp from the I-279S HOV lane to Anderson Street in Allegheny County as Cigna's Way.

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

(a) Designation.—

Amend Sec. 1, page 1, by inserting between lines 14 and 15

(b) Signs.—The Department of Transportation shall, in appropriate locations, erect and maintain signs displaying the name designated under subsection (a).

Amend Sec. 2, page 1, line 16, by inserting before "THE"

(a) Designation.—

Amend Sec. 2, page 1, by inserting after line 18
(b) Signs.—The Department of Transportation shall, in appropriate locations, erect and maintain signs displaying the name designated under subsection (a).

Amend Sec. 3, page 2, lines 1 through 4, by striking out all of said lines

Amend Sec. 4, page 2, line 5, by striking out "4" and inserting 3

Amend Sec. 4, page 2, line 11, by inserting after "SHALL" , in appropriate locations,

Amend Sec. 4, page 2, line 12, by striking out "OF THE BRIDGE" and inserting

designated under subsection (a)

Amend Bill, page 2, by inserting between lines 12 and 13 Section 4. Exit ramp from I-279S.

(a) Designation.—The exit ramp from the Interstate 279S High Occupancy Vehicle, or HOV, lane to Anderson Street in Allegheny County is hereby designated and shall be known as Cigna's Way.

(b) Signs.—The Department of Transportation shall, in appropriate locations, erect and maintain signs displaying the name designated under subsection (a).

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

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rublely		

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

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

Mr. SURRA offered the following amendment No. A4505:

Amend Title, page 1, line 2, by striking out "AND" and inserting a comma

Amend Title, page 1, line 3, by inserting after "HIGHWAY" and a section of SR 1011 in Clearfield, Cameron and Elk Counties as the Quehanna Highway

Amend Bill, page 1, by inserting after line 18

Section 3. Quehanna Highway.

(a) Designation.—The section of State Route 1011 that runs from Route 879 near Karthaus, in Clearfield County through the Quehanna Wild Area in Cameron and Elk Counties and ends at State Route 555 at Medix Run in Elk County, is designated and shall be known as the Quehanna Highway.

Amend Sec. 3, page 2, line 1, by striking out "3" and inserting 4

Amend Sec. 4, page 2, line 5, by striking out "4" and inserting 5

Amend Sec. 5, page 2, line 13, by striking out "5" and inserting 6

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

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rublely		

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?

The Chair recognizes the lady, Ms. Steelman.

Ms. STEELMAN. Thank you, Mr. Speaker.

I just wanted to comment on the fact that part of the bill will designate a portion of Highway 119 in Indiana County as the Patrick J. Stapleton Memorial Highway. During the last dozen years of his long tenure in the Senate, Senator Stapleton worked constantly to overcome the obstacles that we faced in improving that stretch of Highway 119, and now that construction has finally started on those improvements, I think it is extremely appropriate that we name this section of the highway after

Senator Stapleton, who did as much as any one legislator in Pennsylvania to make sure that we are finally going to have a four-lane highway connection to our county seat.

The SPEAKER. On final passage, those in favor will vote "aye"; opposed, "no." Mr. Coy. Pardon me; I am sorry.

Mr. COY. Thank you, Mr. Speaker.

I just want to associate myself with the remarks of the gentlelady, Ms. Steelman, on the subject of Senator Stapleton's contributions to the Commonwealth. While we often have opportunities to memorialize members of the House of Representatives, some of our colleagues in the Senate who have served well and long and go to a greater reward are not always memorialized here, and this seems like an appropriate time for us to join with the gentlelady, Ms. Steelman, in helping to memorialize the work and the efforts and the long service of Patrick J. Stapleton.

He was a member of the Board of Governors of the State System of Higher Education, was a member and chairman of the board of trustees of Indiana University of Pennsylvania for many, many years, and his service both at that university and to the Board of Governors of the State System is legendary. He is indeed an individual that we should be able to do a lot more for other than simply this naming that we are doing today.

But I suspect we can never repay all of the efforts of Patrick J. Stapleton as he served both the people of Indiana and of the Commonwealth of Pennsylvania, and I offer simply my thoughts and remembrance at this point in time as it seems appropriate to do, and I join with the gentlelady, Ms. Steelman, and others who share these feelings and thoughts about Patrick Stapleton.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mrs. Vance, do you desire recognition? The lady is recognized.

Mrs. VANCE. Thank you, Mr. Speaker.

I just want to briefly commend the sponsor of this for honoring my good friend, George Leader. Although we may not be of the same political persuasion, we have been friends for many years. We have served as cochair of committee, and his energy and entrepreneurship are incredible as well as his intelligence, and I am very delighted that we are honoring him today.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

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—195

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

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

NAYS—1

Krebs

NOT VOTING—0

EXCUSED—6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

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

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

RULES SUSPENDED

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

Mr. ROEBUCK. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HR 376.

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Allen	Egolf	Steil	Taylor, E. Z.
Bard	Rubley		

SUPPLEMENTAL CALENDAR A CONTINUED

RESOLUTION

Mr. ROEBUCK called up HR 376, PN 3002, entitled:

A Resolution directing the Joint State Government Commission to establish a task force to study issues relating to the quality of education and the increased employment of part-time faculty at the Commonwealth's institutions of higher education and to make a report to the House of Representatives.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

NAYS—0

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.

NOT VOTING—0

EXCUSED—6

Allen Bard	Egolf Rubley	Steil	Taylor, E. Z.
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

BILLS SIGNED BY SPEAKER

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

SB 370, PN 383

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

SB 371, PN 734

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

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

DEMOCRATIC CAUCUS

The SPEAKER. May I have your attention, please.

It will be necessary for us to break down now for a while, so what we are going to suggest or what we are suggesting is that I put the House in recess until 1:30; that the Democrats need a short caucus, that they go to their caucus room at 1:15, have lunch, go to their caucus room at 1:15, come back on the floor at 1:30.

Mr. Argall, is that satisfactory with you?

Mr. ARGALL. We do not need a caucus.

The SPEAKER. The Republicans do not need a caucus.

So we will return to the floor at 1:30; the Democratic Caucus will meet at 1:15. Mr. Cohen, is that— Thank you.

RECESS

The SPEAKER. Are there any further announcements by the leaders? Corrections to the record?

Hearing none, this House will stand in recess till 1:30.

AFTER RECESS

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

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence.

The gentleman, Mr. RUFFING, of Allegheny County is added to the leave list for today's session. Without objection, leave will be granted. The Chair hears no objection.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HB 2115 be taken from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL RECOMMITTED

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

Mr. BARLEY. Mr. Speaker, I move that HB 2115 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Smith, who asks that the gentleman from Bucks, Mr. REINARD, be added to the leave list for the balance of today's session. Without objection, the leave will be granted. The Chair hears no objection.

CALENDAR CONTINUED**RULES SUSPENDED**

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

Mr. PETRONE. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HR 255.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—194

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Allen	Egolf	Rubley	Steil
Bard	Reinard	Ruffing	Taylor, E. Z.

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

RESOLUTION

Mr. PETRONE called up HR 255, PN 2297, entitled:

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.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Allen	Egolf	Rubley	Steil
Bard	Reinard	Ruffing	Taylor, E. Z.

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

RULES SUSPENDED

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

Mr. COLAFELLA. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HR 331.

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Allen Bard	Egolf Reinard	Rubley Ruffing	Steil Taylor, E. Z.
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A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

RESOLUTION

Mr. COLAFELLA called up **HR 331, PN 2686**, entitled:

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.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

Eachus Evans, D.	Lynch Mackereth	Sather Saylor	Ryan, Speaker
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NAYS—0

NOT VOTING—0

EXCUSED—8

Allen Bard	Egolf Reinard	Ruble Ruffing	Steil Taylor, E. Z.
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

RULES SUSPENDED

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

Mrs. LAUGHLIN. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HR 335.

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

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Allen Bard	Egolf Reinard	Ruble Ruffing	Steil Taylor, E. Z.
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A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

RESOLUTION

Mrs. LAUGHLIN called up HR 335, PN 2745, entitled:

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.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Allen	Egolf	Rubley	Steil
Bard	Reinard	Ruffing	Taylor, E. Z.

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

RULES SUSPENDED

The **SPEAKER**. The Chair recognizes the lady, Mrs. Laughlin.

Mrs. **LAUGHLIN**. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HR 336.

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

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Allen	Egolf	Rubley	Steil
Bard	Reinard	Ruffing	Taylor, E. Z.

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

RESOLUTION

Mrs. **LAUGHLIN** called up **HR 336, PN 2746**, entitled:

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.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Allen	Egolf	Rubley	Steil
Bard	Reinard	Ruffing	Taylor, E. Z.

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

RULES SUSPENDED

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

Mr. WILT. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of House concurrent resolution 53.

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

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Allen	Egolf	Rubley	Steil
Bard	Reinard	Ruffing	Taylor, E. Z.

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

RESOLUTION

Mr. WILT called up HR 53, PN 715, entitled:

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

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Allen	Egolf	Rubley	Steil
Bard	Reinard	Ruffing	Taylor, E. Z.

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

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

HR 331 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel, who moves that the vote by which HR 331, PN 2686, passed on the 5th day of December be reconsidered.

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Allen	Egolf	Rubley	Steil
Bard	Reinard	Ruffing	Taylor, E. Z.

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?

Mr. KELLER offered the following amendment No. A4500:

Amend Title, page 1, line 3, by inserting after "nation"
and their employees

Amend First Resolve Clause, page 2, line 19, by inserting after
"States"
and their employees

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

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Allen	Egolf	Rubley	Steil
Bard	Reinard	Ruffing	Taylor, E. Z.

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

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

The following roll call was recorded:

YEAS—194

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

DeWeese	Lescovitz	Ross	Yudichak
DiGirolamo	Levdansky	Sainato	Zimmerman
Diven	Lewis	Samuelson	Zug
Donatucci	Lucyk	Santoni	
Eachus	Lynch	Sather	Ryan,
Evans, D.	Mackereth	Saylor	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—8

Allen	Egolf	Rubley	Steil
Bard	Reinard	Ruffing	Taylor, E. Z.

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of SB 216.

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

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Allen	Egolf	Rubley	Steil
Bard	Reinard	Ruffing	Taylor, E. Z.

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 SB 216, PN 1576, entitled:

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.

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

The SPEAKER. It is the understanding of the Chair that all amendments to SB 216, PN 1576, have been withdrawn.

Mr. Vitali, do you take issue with that? Mr. Vitali, are you looking for recognition at this point?

Mr. VITALI. On final passage.

The SPEAKER. All right. Very good.

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?

The Chair recognizes the gentleman from Delaware, Mr. Vitali, on the question of final passage of this bill. Mr. Vitali.

Mr. VITALI. Mr. Speaker, is there anyone in the chamber who would stand for interrogation on this bill? The chairman of the Judiciary Committee, perhaps?

The SPEAKER. The gentleman, Mr. Gannon, is prepared to answer interrogation — more fully than yesterday, I am sure.

Mr. GANNON. Not.

The SPEAKER. You may proceed, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I am really just trying to get to how this changes existing law. I am assuming it has something to do with the 2-year statute of limitations and when that 2-year period begins. Is that right?

Mr. GANNON. That is correct, Mr. Speaker.

Mr. VITALI. And could you tell me, what is existing law with regard— And we are talking about when a person who has I assume it is asbestosis or some asbestos-related disease and the theory of liability, how long he has to sue the person he believes is liable for that. What is existing law as far as when that 2-year period to sue begins, and how would this change that?

Mr. GANNON. Under existing law, a 2-year statute of limitations begins to run from the date that the individual knew or in the exercise of due diligence or reasonable diligence would have known that the disease that they have was related to asbestosis or caused by the asbestosis.

Mr. VITALI. That is current law or that is this bill?

Mr. GANNON. That is current law.

Mr. VITALI. So when the person knew or should have known he had asbestosis; that is current law?

Mr. GANNON. In the exercise of due diligence, yes.

Mr. VITALI. And how does that change that?

Mr. GANNON. This is more specific in that the statute of limitations would now begin to run when the person is told by a health-care provider as listed in the bill that in fact that person has, the cause of their disease is the asbestosis.

Mr. VITALI. So in effect, this would in effect extend, in a sense make a more liberal statute of limitations, or would it constrict it?

Mr. GANNON. It is not quite that. It is more specific as opposed to this general statement that the person knew or should have known or in the exercise of due diligence knew or should have known that the disease was caused by the asbestosis. Now it is very specific that this person was told by a health-care provider, and there is set out in the bill what specific health-care providers this applies to, so they would have to be told specifically by that health-care provider the disease that you have is caused by the asbestosis exposure that you had, and at that point in time, the statute of limitations begins to run.

Mr. VITALI. Okay. So it seems like it is a more plaintiff-friendly statute of limitations? Would it be safe to say that your amendment or your bill is creating a more plaintiff-friendly statute of limitations or a more defense-friendly statute of limitations?

Mr. GANNON. No. It levels the playing field. It is not tilted towards the plaintiff or tilted towards the defendant. What it has done is it has leveled the playing field with respect to defendants and plaintiffs as to when a person knew that the disease that they have was in fact caused by asbestosis exposure. So I would not characterize this as leaning one way or the other.

Mr. VITALI. Okay. Have any groups, I am thinking the trial lawyers or the insurance industry or any other groups, weighed in on this bill one way or the other?

Mr. GANNON. No group has come to me specifically about this legislation. I have had conversations with Senator Tartaglione's office about this, but that has been the extent of my communication with parties of interest, and

because it is Senator Tartaglione's bill, it just makes sense that she would have a strong interest in it.

Mr. VITALI. Do you know the need, the factual need, out there that was the genesis of this bill? In other words, what conditions out there are we trying to address? What is the problem this bill seeks to address?

Mr. GANNON. I do not have any specific examples to give you, but I would surmise that some folks had contracted asbestosis, the disease, and there may have been other things happening in their lives, and ultimately, when they finally got to the point that they were seeking the person who caused the disease accountable, the defendant, because of time, circumstances, and factual, I guess, circumstances and legal circumstances, they were precluded from presenting their claim, plus it is my understanding this whole issue became quite muddled with respect to when the person knew or should have known. One of the things that we did here was made it very specific as to a communication that that person receives from a health-care provider that in fact the disease that they have is asbestosis and it was caused by exposure to asbestos. That is a very specific event, and now it is a lot easier to define when that statute begins as to when it is a whole bunch of mushy circumstances and arguments and innuendo.

Mr. VITALI. Thank you.

That concludes my questioning, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. Hennessey.

Mr. HENNESSEY. Thank you, Mr. Speaker.

May I interrogate the chairman of the Judiciary Committee?

The SPEAKER. The gentleman, Mr. Gannon, would be pleased to enter into debate with you on this subject.

Mr. HENNESSEY. Thank you, Mr. Speaker.

For the purpose of legislative intent, I would like to ask you a couple of questions with regard to the term "trier of fact" as that term is used on line 11, page 7.

In the situation where a jury trial is involved, is the trier of fact the jury, or in terms of any kind of pretrial motions or motions for summary judgment, does the trial judge act as the trier of fact?

Mr. GANNON. If there was a preliminary motion such as a demurrer to the pleadings, preliminary objections, new matter, summary judgment, the court, the judge, would essentially be determining factually from the information that would be provided in that proceeding when in fact the statute of limitations began to commence.

Mr. HENNESSEY. Okay. So for the purpose of legislative intent, as you use the term "trier of fact" in this SB 216, we are talking about trial judges being the triers of fact and making determinations on motions for summary judgment, in a sense on a whole array of pretrial matters, including the statute of limitations arguments.

Mr. GANNON. In the context of this particular legislation, because of the way the nuances are in there and the information where it came from and when, the trial judge in those circumstances would be a finder of fact of necessity in order to dispose of those motions, so the answer is, yes, the trial judge would be the finder of fact at that point in time.

Mr. HENNESSEY. Okay. The term specifically, though, is the "trier of fact," not the "finder of fact," and I am simply trying to get to the question, if someone wants to raise a statute-of-limitations defense, under the language of SB 216 as

it is presented to the House today, does the trial judge make that determination or must it be submitted to the jury as part of the case in chief?

Mr. GANNON. I am sorry, Mr. Speaker. Would you repeat that question?

Mr. HENNESSEY. I said, as the term “trier of fact” is used in SB 216, on page 7, line 11, does the trial judge make the determination on a statute-of-limitations issue, or is that— Well, does the trial judge make that rather than the jury?

Mr. GANNON. On these preliminary matters, and once again, that would be up to the litigants whether or not they wanted to move forward on that issue preliminarily in the form of new matter or preliminary objections or summary judgment. If the litigants, one or both of the litigants, move forward, then the trial judge would in fact be the trier of fact or the finder of fact – I am using those terms interchangeably – to determine what that date was in order to dispose of the motion. So the answer is, yes, they would have to make that factual determination in order to dispose of the motion as to whether or not the statute of limitations had run or commenced.

Mr. HENNESSEY. Okay. Thank you, Mr. Speaker.

That concludes my interrogation.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE

Mr. COY. Mr. Speaker?

The SPEAKER. Mr. Coy.

Mr. COY. Return to the order of business of leaves of absence and place the gentleman from Allegheny, Mr. MICHLOVIC, on leave for the balance of the day.

The SPEAKER. Without objection, the gentleman will be added to the leave list and his leave approved. The Chair hears no objections.

CONSIDERATION OF SB 216 CONTINUED

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

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

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

NAYS—1

Pallone

NOT VOTING—0

EXCUSED—9

Allen	Michlovic	Rublely	Steil
Bard	Reinard	Ruffing	Taylor, E. Z.
Egolf			

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 **SB 421, PN 1550**, entitled:

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

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

RULES SUSPENDED

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

Mr. GANNON. Mr. Speaker, I move that the rules of the House be suspended to permit me to offer amendment 4531.

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Michlovic	Rubley	Steil
Bard	Reinard	Ruffing	Taylor, E. Z.
Egolf			

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

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

Mr. GANNON offered the following amendment No. A4531:

Amend Title, page 1, line 7, by striking out "AND" and inserting a comma

Amend Title, page 1, line 8, by removing the period after "SENTENCES" and inserting
and for the filling of certain new judgeships.

Amend Bill, page 20, line 21, by striking out all of said line and inserting

Section 6. Section 7 of the act of December 20, 2000 (P.L.742, No.105), entitled "An act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the number of judges of the courts of common pleas in certain judicial districts; providing for reimbursement for common pleas court costs and for judgment by confession filed against incorrectly identified debtors; further providing for county judicial center or courthouse, for composition of investigating grand jury and for confidential communications with sexual assault counselors; providing for confidential communications to crime stopper or similar anticrime program; and further providing for exemption from attachment of retirement funds and accounts," is amended to read:

Section 7. (a) The provisions of 42 Pa.C.S. § 3135 shall not be applicable to the selection of judges for the judgeships created in the amendment of 42 Pa.C.S. § 911(a).

(b) (1) Except as provided in paragraphs (2), (3), (4) and (5), the new judgeships added by the amendment of 42 Pa.C.S. § 911(a) shall be created on January [2] 2, 2002, and shall be initially filled by election at the 2001 municipal election.

(2) The new judgeships for the second district added by the amendment of 42 Pa.C.S. § 911(a) shall be created as follows:

(i) One judgeship shall be created on January [2] 2, 2002, and shall be initially filled at the 2001 municipal election.

(ii) One judgeship shall be created on January 5, 2004, and shall be initially filled at the 2003 municipal election.

(3) The new judgeships for the fifteenth district added by the amendment of 42 Pa.C.S. § 911(a) shall be created on January 5, 2004, and shall be initially filled at the 2003 municipal election.

(4) The new judgeship for the thirty-first district added by the amendment of 42 Pa.C.S. § 911(a) shall be created on January 5, 2004, and shall be initially filled at the 2003 municipal election.

(5) The new judgeship for the nineteenth district added by the amendment of 42 Pa.C.S. § 911(a) shall be created on January 5, 2004, and shall be initially filled at the 2003 municipal election.

Section 7. This act shall take effect as follows:

(1) The amendment of section 7 of the act of December 20, 2000 (P.L.742, No.105), entitled "An act

amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the number of judges of the courts of common pleas in certain judicial districts; providing for reimbursement for common pleas court costs and for judgment by confession filed against incorrectly identified debtors; further providing for county judicial center or courthouse, for composition of investigating grand jury and for confidential communications with sexual assault counselors; providing for confidential communications to crime stopper or similar anticrime program; and further providing for exemption from attachment of retirement funds and accounts," and this section shall take effect immediately.

(2) The remainder of this act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

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

Mr. GANNON. Thank you, Mr. Speaker.

This amendment simply changes the effective date of some judicial appointments.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—193

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

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

NAYS—0

NOT VOTING—0

EXCUSED—9

Allen	Michlovic	Rublely	Steil
Bard	Reinard	Ruffing	Taylor, E. Z.
Egolf			

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. Cohen, who moves that the rules of the House be suspended to permit him to offer— I am sorry. Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I had discussed with some people about making amendments to this act, and I have decided not to offer amendments, but I would like to discuss for the record my concerns with what we are doing here.

The Supreme Court in August of 2000 ruled in a decision you have on your desks that when there is a specific act and a general act and a person violates both those acts through the same set of facts, the person who violates both those acts through the same set of facts can be prosecuted for the specific act and not the general act. What this bill before us does is it reverses that decision by changing the rule of statutory construction which a Supreme Court relied upon in making its decision. Since the 1930s, in the current act, and according to some sources, before that, in previous acts, the rule the Supreme Court relied upon in its decision has been the rule of Pennsylvania. What we are doing in this legislation is saying that if the same set of facts violate both a specific act and a general act, people who do that can be prosecuted for both acts.

In certain cases, that may result in an injustice, as people may be punished far in excess of the severity of the crime that they have committed. The act does serve the purpose of giving the district attorneys' offices throughout the State more leverage for plea bargaining, and in many cases, I am sure the D.A.'s office will settle on one of the crimes to prosecute.

I would say, Mr. Speaker, that I am uncomfortable with this bill before us in the provision in which it deals with both specific and general acts, because we do not even know all the specific acts that exist in the Commonwealth of Pennsylvania. They have been passed year by year for well over 100 years, and we are in effect limiting drastically the effectiveness of these specific acts by passing this legislation. I would hope that the Senate would carefully look at this and see if they could

craft some language that would deal with both the concerns of the District Attorneys Association and the concerns of myself and the American Civil Liberties Union and others who have raised these concerns.

It is certainly not our intention in the General Assembly when we pass specific acts to create loopholes, and it is certainly not our intention in the General Assembly when we pass specific acts that they will basically be ignored and the general acts will cover it. If it was our intention that the specific acts would have little meaning, we would not be passing them in the first place.

So I think this is a very, very complicated situation that really deserves a very, very intense study of the Judiciary Committee and others and the intense study of the State Senate in passing this bill and thereafter. It would be my hope that there would be some sort of inventory of all the specific acts in this Commonwealth, that we would look and see what the differences are between the specific acts and the general acts, and that we would calmly and rationally make decisions about what the interrelationships between the specific acts and the general acts should be in the diverse situations in which this issue will arise.

Thank you, Mr. Speaker.

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?

The Chair recognizes the gentleman from Luzerne County, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of SB 421.

This is obviously involved with everything we have been doing this week, all of our committees moving rapidly to produce for the General Assembly and hopefully for the Governor's desk before too long a package of bills dealing with terrorism. This bill is a very important piece of that. I want to congratulate the chairman of Judiciary, Representative Gannon; his members; the Democratic members of Judiciary; the Republican and Democratic Judiciary Committee staff, who worked overtime to produce very important pieces of legislation for your consideration.

SB 421 is a piece of that. SB 421 dramatically increases the penalties for anyone who will conduct an act of terrorism within the boundaries of the Commonwealth. It increases the time in prison, increases the monetary fines, and perhaps most importantly, applies what you may know as the drug forfeiture laws, similar language, to be involved in combating terrorism, meaning it gives us the ability to confiscate assets, property, moneys, accounts, of anyone who would conduct an act of terrorism within the boundaries of Pennsylvania.

Mr. Speaker, we deal from time to time with all kinds of decisions handed down by the Pennsylvania Supreme Court. There was a decision recently which tied the hands of law enforcement and our district attorneys in our 67 counties in

prosecuting crime, everyday crime we see in our areas; also in many ways has tied their hands in dealing with organized crime; but especially, it has been placed into this bill for how this corrective language can be used to combat terrorism.

Again, I am very proud of the work of the Judiciary Committee, all members, both sides, in producing this bill for your consideration today. Let us send it back to the Senate, and I ask for an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On final passage, Ms. Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

I just want to briefly reiterate the point made by Representative Cohen in his remarks. The section that he talked about with regard to general and specific crimes is really not an antiterrorism issue. It is an issue of longstanding jurisprudence in this Commonwealth.

I am going to vote "no" on this, because I think it is a very slippery slope that we are going to regret in the future, to overturn 100 years' worth of jurisprudence on letting specifically legislated crimes not take precedence over general crimes. That has been the longstanding way in Pennsylvania. To my knowledge, that is the longstanding way in every State in these United States, and I am not aware of any other State in the United States of America that is changing the statutorily constructed and longstanding jurisprudence the way that we are doing today, and I just think that it is unnecessary legislation, that with proper handling of cases and charging and prosecuting of cases, any potential errors or loopholes or sloppiness would not be occurring, and that we are making a real mistake with the changes we are proposing today.

Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—175

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

Cohen, L. I.	Hershey	Petrone	Turzai
Colafella	Hess	Phillips	Vance
Coleman	Horsley	Pickett	Vitali
Cornell	Hutchinson	Pippy	Wansacz
Corrigan	Jadlowiec	Pistella	Watson
Costa	Kaiser	Preston	Wilt
Coy	Keller	Raymond	Wogan
Creighton	Kenney	Readshaw	Wojnaroski
Dailey	Krebs	Rieger	Wright, G.
Daley	LaGrotta	Roberts	Wright, M.
Dally	Laughlin	Robinson	Yewcic
DeLuca	Lawless	Rohrer	Youngblood
Dermody	Lederer	Rooney	Yudichak
DeWeese	Leh	Ross	Zimmerman
DiGirolamo	Lescovitz	Sainato	Zug
Diven	Levdansky	Samuelson	
Donatucci	Lewis	Santoni	Ryan,
Eachus	Lucy	Sather	Speaker
Evans, D.			

NAYS—17

Bishop	Kirkland	Petrarca	Walko
Cohen, M.	Manderino	Roebuck	Washington
Curry	Melio	Thomas	Waters
James	Myers	Veon	Williams, J.
Josephs			

NOT VOTING—1

Cruz

EXCUSED—9

Allen	Michlovic	Rubley	Steil
Bard	Reinard	Ruffing	Taylor, E. Z.
Egolf			

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.

LOCAL GOVERNMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Centre County, Mr. Herman.

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

There will be a meeting of the Local Government Committee immediately upon the conclusion of this session at the rear of the hall, in the back of the House. Thank you.

The SPEAKER. The Chair thanks the gentleman.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. Any further announcements? Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, when we conclude today's session, there will be a meeting of the State Government Committee in the North Office Building, in room No. 3. We will be finishing up our work on the issue of open records. We are close to coming to some very important conclusions. I would ask that all the

members of the State Government Committee attend that meeting upon the conclusion of today's session. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Any further announcements? Majority leader or minority leader have any announcements?

SENATE BILL FOR CONCURRENCE

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

SB 1215, PN 1582

Referred to Committee on LOCAL GOVERNMENT, December 5, 2001.

The SPEAKER. There will be no further votes.

The Chair is going to hold the desk open, awaiting a report of the committees, if any.

RESOLUTION PURSUANT TO RULE 35

Mr. PERZEL called up HR 375, PN 2995, entitled:

A Resolution honoring the memory of those who defended the nation in the attack on Pearl Harbor 60 years ago.

On the question,

Will the House adopt the resolution?

RESOLUTION RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HR 375 be recommitted to the Rules Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 1215, PN 1582

By Rep. HERMAN

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for parking authority purposes and powers, bonds and facility transfers and for municipal authority definitions, method of incorporation, school district projects, purposes and powers, bonds, bondholders, governing bodies, contracting, property, termination and conveyances; and providing for continuation in office.

LOCAL GOVERNMENT.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that SB 1215 be taken from the table.

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

MOTION TO RECOMMIT

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

Mr. BARLEY. Mr. Speaker, I move that SB 1215 be recommitted to Appropriations.

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

MOTION WITHDRAWN

The SPEAKER. The motion to recommit to Appropriations was withdrawn before the vote was taken.

BILLS PASSED OVER

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

ADJOURNMENT

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

Hearing none, the Chair recognizes the gentleman, Mr. Evans.

Mr. J. EVANS. Mr. Speaker, I move that this House do now adjourn until Monday, December 10, 2001, at 1 p.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 2:47 p.m., e.s.t., the House adjourned.