

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, FEBRUARY 11, 2002

SESSION OF 2002

186TH OF THE GENERAL ASSEMBLY

No. 13

HOUSE OF REPRESENTATIVES

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

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

PRAYER

DR. KIRBY NELSON KELLER, Chaplain of the House of Representatives and president of Evangelical School of Theology, Myerstown, Pennsylvania, offered the following prayer:

Let us pray:

God our Father, centuries ago Your servant, King David, wrote, "The Lord is my shepherd, I shall not want." These ancient words, Lord, still resonate with our hearts today, because when the veneer of our public persona is stripped away, we all feel lost, lonely, and afraid. We all long for someone to love us, forgive us, or protect us.

At every desk in this chamber sits a human being in Your image who carries burdens, faces struggles, and often copes with pain. In every office of this Capitol today, staff goes about their work while bearing heavy burdens. We pray for all who struggle today.

Bless us, Lord, with Your love, which overcomes all barriers, even the barriers of partisanship, so that we will not be too proud to seek Your help or offer a hand of friendship to one another. We pray this in the name of the Good Shepherd. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, the 6th of February of the year 2002, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2352 By Representatives WALKO, DeLUCA, LESCOVITZ, CLARK, M. COHEN, MARKOSEK, LAUGHLIN, COSTA, PISTELLA, PALLONE, BELFANTI, PETRONE, FRANKEL, SHANER, WASHINGTON and LEVDANSKY

An Act amending the act of June 21, 1939 (P.L.626, No.294), referred to as the Second Class County Assessment Law, further providing for assessments and hearings; and providing for refunds.

Referred to Committee on URBAN AFFAIRS, February 11, 2002.

No. 2353 By Representatives WALKO, DeLUCA, GEORGE, MARKOSEK, READSHAW, PIPPY, SOLOBAY, ROBERTS, LEVDANSKY, FRANKEL, MICHLOVIC, T. STEVENSON, MYERS, PALLONE, LAUGHLIN, HABAY, YOUNGBLOOD, CREIGHTON, HORSEY, LESCOVITZ, TRELLO, COSTA, DERMODY, KIRKLAND, PISTELLA and WASHINGTON

An Act amending the act of June 21, 1939 (P.L.626, No.294), referred to as the Second Class County Assessment Law, further providing for assessments, hearings and refunds; and providing for reduction in assessment.

Referred to Committee on URBAN AFFAIRS, February 11, 2002.

No. 2354 By Representatives WOJNAROSKI, READSHAW, WALKO, GEORGE, PETRARCA, TRICH, SHANER, LAUGHLIN, HALUSKA, JAMES, BELFANTI, SOLOBAY, DeWEESE, YOUNGBLOOD, WOGAN, DALEY, HORSEY, SAINATO, M. COHEN, STERN, GRUCELA, L. I. COHEN, HARHAI, McGEEHAN, G. WRIGHT and STEELMAN

An Act amending the act of June 28, 1935 (P.L.477, No.193), referred to as the Enforcement Officer Disability Benefits Law, extending benefits to inspectors employed by the Pennsylvania Public Utility Commission.

Referred to Committee on JUDICIARY, February 11, 2002.

No. 2355 By Representatives McCALL, M. COHEN, CORRIGAN, COY, CREIGHTON, CURRY, J. EVANS, FAIRCHILD, GEORGE, GRUCELA, HARHAI, KIRKLAND, PRESTON, SHANER, SOLOBAY, STABACK, STEELMAN, SURRA, THOMAS, TIGUE, WANSACZ, WASHINGTON, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, requiring Commonwealth agencies to allow certain persons to examine certain files, documents and information.

Referred to Committee on STATE GOVERNMENT, February 11, 2002.

No. 2356 By Representatives McCALL, M. COHEN, CORRIGAN, COY, CREIGHTON, CURRY, J. EVANS, FAIRCHILD, GEORGE, GRUCELA, HARHAI, KIRKLAND, PRESTON, SHANER, SOLOBAY, STABACK, STEELMAN, SURRA, THOMAS, TIGUE, WANSACZ, WASHINGTON, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, requiring Commonwealth departments and agencies to allow certain persons to examine certain files, documents and information.

Referred to Committee on STATE GOVERNMENT, February 11, 2002.

No. 2357 By Representatives McCALL, M. COHEN, CORRIGAN, COY, CREIGHTON, CURRY, J. EVANS, FAIRCHILD, GEORGE, GRUCELA, HARHAI, KIRKLAND, PRESTON, SHANER, SOLOBAY, STABACK, STEELMAN, THOMAS, TIGUE, WANSACZ, WASHINGTON, WOJNAROSKI, YOUNGBLOOD and SURRA

An Act amending the act of June 21, 1957 (P.L.390, No.212), referred to as the Right-to-Know Law, providing for certain rights of persons doing or attempting to do business with the Commonwealth.

Referred to Committee on STATE GOVERNMENT, February 11, 2002.

No. 2358 By Representatives GORDNER, BUNT, L. I. COHEN, CREIGHTON, CRUZ, DALEY, DeLUCA, DeWEESE, FEESE, FREEMAN, GEORGE, HARHART, HASAY, HERSHEY, HORSEY, LAUGHLIN, LESCOVITZ, MAHER, MAITLAND, McILHATTAN, S. MILLER, PALLONE, PICKETT, PISTELLA, READSHAW, SATHER, SCHULER, SCRIMENTI, SHANER, B. SMITH, STERN, E. Z. TAYLOR, WILT, WOJNAROSKI, G. WRIGHT, YOUNGBLOOD, ZIMMERMAN and SEMMEL

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

Referred to Committee on FINANCE, February 11, 2002.

No. 2359 By Representatives STAIRS, COLAFELLA, MUNDY, SAYLOR, STEIL, SURRA, M. BAKER, BROWNE, BUNT, CAPPELLI, L. I. COHEN, CREIGHTON, CURRY, DeLUCA, DeWEESE, J. EVANS, FAIRCHILD, FLEAGLE, GEIST, GORDNER, GRUCELA, HARHAI, HERMAN, HESS, HORSEY, JOSEPHS, KREBS, LAUGHLIN, MANN, MARSICO, McCALL, McILHATTAN, MELIO, R. MILLER, S. MILLER, MYERS, PIPPY, READSHAW, ROBERTS, ROBINSON, ROEBUCK, SAINATO, SATHER, SCRIMENTI, SEMMEL, SHANER, B. SMITH, STEELMAN, E. Z. TAYLOR, TRELLO, TRICH, WALKO, WANSACZ, G. WRIGHT, YUDICHAK and WASHINGTON

An Act providing for the establishment of the Office of Community, Business and Education Partnerships and its powers and duties.

Referred to Committee on EDUCATION, February 11, 2002.

No. 2360 By Representatives STEELMAN, THOMAS, BEBKO-JONES, CRUZ, CURRY, FREEMAN, GRUCELA, HALUSKA, JOSEPHS, KIRKLAND, KREBS, LESCOVITZ, MELIO, NAILOR, PISTELLA, ROBERTS, SAMUELSON, SCRIMENTI, SHANER, STURLA, TANGRETTI, TIGUE, WASHINGTON and PALLONE

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for a Legislative and Congressional Reapportionment Bureau for the purpose of reapportioning and redistricting the Commonwealth of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, February 11, 2002.

No. 2361 By Representatives MYERS, YOUNGBLOOD, THOMAS, HORSEY, JAMES, M. COHEN, WATERS, BISHOP, KIRKLAND, OLIVER, WASHINGTON and J. WILLIAMS

An Act amending the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, further providing for local regulation of dogs.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, February 11, 2002.

No. 2362 By Representatives JAMES, WATERS, STEELMAN, WASHINGTON, J. WILLIAMS, KIRKLAND, LEVDANSKY, MYERS, D. EVANS, THOMAS, CALTAGIRONE, BEBKO-JONES, LAUGHLIN, ROBINSON, TRICH and YOUNGBLOOD

An Act providing for election day registration; and imposing penalties.

Referred to Committee on STATE GOVERNMENT, February 11, 2002.

JOURNALS APPROVED

The SPEAKER. Without objection, the Journals for Monday, November 19, 2001; Tuesday, January 1, 2002; and Wednesday, January 2, 2002, will stand approved. The Chair hears no objection.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1519, PN 3264**; and **HB 1830, PN 3242**, 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. The Chair recognizes the majority leader, Mr. Perzel.

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

HB 888;
 HB 889;
 HB 890;
 HB 892;
 HB 1043;
 HB 2200;
 HB 2223; and
 HB 2305.

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 888, PN 3266; HB 889, PN 3267; HB 890, PN 3268; HB 892, PN 3269; HB 1043, PN 1188; HB 2200, PN 2965; HB 2223, PN 3032; and HB 2305, PN 3171.

BILLS RECOMMENDED

The SPEAKER. The Chair recognizes the gentleman from Lancaster County, the chairman of the Appropriations Committee.

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

HB 888;
 HB 889;
 HB 890;
 HB 892;
 HB 1043;
 HB 2200;
 HB 2223; and
 HB 2305.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 659 be taken from the table.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move HB 659 be returned to the table.

On the question,

Will the House agree to the motion?
 Motion was agreed to.

COMMUNICATION FROM JOINT LEGISLATIVE AIR AND WATER POLLUTION CONTROL AND CONSERVATION COMMITTEE

The SPEAKER. The Chair acknowledges receipt of the report of the infiltration task force submitted by the Joint Legislative Air and Water Pollution Control and Conservation Committee.

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

COMMUNICATION FROM JOINT STATE GOVERNMENT COMMISSION

The SPEAKER. The Chair also acknowledges receipt of the Information Disclosure of the State-Related Universities submitted by the Joint State Government Commission.

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

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman, Mr. Smith, who indicates there is no request for leaves for the Republican Caucus.

The gentleman, Mr. Veon, desires recognition. Mr. Veon requests a leave of absence for the gentleman from Luzerne, Mr. EACHUS; the gentleman from Philadelphia County, Mr. THOMAS; the gentleman from Elk County, Mr. SURRA. The leave requested for Mr. Surra is for the week.

Without objection, the leaves will be granted. The Chair hears no objection.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—198

Adolph	Evans, D.	Maher	Sather
Allen	Evans, J.	Maitland	Saylor
Argall	Fairchild	Major	Schroder
Armstrong	Feese	Manderino	Schuler
Baker, J.	Fichter	Mann	Scrimenti
Baker, M.	Fleagle	Markosek	Semmel
Bard	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	Steil
Birmelin	Godshall	Melio	Stern
Bishop	Gordner	Metcalfe	Stetler
Blaum	Grucela	Michlovic	Stevenson, R.
Boyes	Gruitza	Micozzie	Stevenson, T.

Browne	Habay	Miller, R.	Strittmatter
Bunt	Haluska	Miller, S.	Sturla
Butkovitz	Hanna	Mundy	Tangretti
Buxton	Harhai	Myers	Taylor, E. Z.
Caltagirone	Harhart	Nailor	Taylor, J.
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	Wojnaroski
Dailey	Laughlin	Robinson	Wright, G.
Daley	Lawless	Roebuck	Wright, M.
Dally	Lederer	Rohrer	Yewcic
DeLuca	Leh	Rooney	Youngblood
Dermody	Lescovitz	Ross	Yudichak
DeWeese	Levdansky	Rubley	Zimmerman
DiGirolamo	Lewis	Ruffing	Zug
Diven	Lucyk	Sainato	
Donatucci	Lynch	Samuelson	Ryan,
Egolf	Mackereth	Santoni	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Eachus	Surra	Thomas
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LEAVES ADDED—4

Armstrong	Belfanti	Lawless	Vitali
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**ROSA PARKS REMEMBRANCE DAY
REMARKS**

The SPEAKER. The House will please come to order. Members will take their seats. Guests will please be seated. Members will please take their seats.

The Chair at this time recognizes the lady from Philadelphia County, Louise Bishop. The lady will yield.

Please. Please take your seats.

Ms. Bishop.

Ms. BISHOP. Thank you, Mr. Speaker.

Today we mark the first-ever remembrance of a woman called by many the mother of the civil rights movement, a much-deserved honor from the Pennsylvania House of Representatives. The measure establishes the first Monday after Rosa Parks' birthday as "Rosa Parks Remembrance Day," and we celebrate yearly hereafter.

We gather here to remember and to celebrate Parks' legacy as part of Black History Month. Our action here today marks one of the most important functions of a cultured society. We are emphasizing the connection with the people whose historic actions

paved our way to a better future. In marking this "Rosa Parks Remembrance Day," we are acknowledging not only her singular act of bravery and vision, but we are also standing in humility and thankfulness for an act that will live for all times, lauded and applauded from one generation to the next.

The indelible imprint of Rosa Parks' footsteps will guide us through the ages just as she herself was following the tradition and the footsteps of the great abolitionist Sojourner Truth. This great black woman escaped slavery in the early 1800s, but not before she did hard labor in the fields of the unjust slavemasters, gave birth to five children, and withstood the horrendous pain of having some of them taken from her and sold into slavery. After her escape from that purgatory, she became a highly reputed speaker, championing the abolitionist movement slowly gaining steam across a conflicted United States.

She was scheduled to speak before a women's rights convention in Akron, Ohio, and some of the organizers were afraid to let Sojourner Truth speak. They claimed that they did not want to get "mixed up" in the antislavery movement. Well, the leadership decided to let her speak anyway, no doubt because they knew, white or black, in 1851, without the right to vote, all women were compromised; all women were in some form of chains. That day, Sojourner Truth delivered her now famous "Ain't I A Woman" speech. Her extraordinary oratory brought down the house. All the righteous people gathered around, hailing her as a hero, and those who wanted her silenced were themselves made silent.

Sojourner Truth struck major blows to freedom, eventually counseling President Lincoln, sensitizing him to the African-American reality in Civil War America.

Well, 104 years later the business of cleaning up inequality needed another standup woman, someone willing to sacrifice, unafraid to go to jail and be handled by some of the wrongest-headed people in Alabama, someone of supreme courage and integrity. That someone, ladies and gentlemen, was Rosa Parks.

And so on that late November day in 1955, in a racially hostile Montgomery, Alabama, she simply refused to get up and move to the back of the bus, and for that she was arrested. She was arrested for sitting where she pleased. The struggle she sparked brought a young Martin Luther King, Jr., to national prominence as he spearheaded what became the Montgomery, Alabama, bus boycott, and later on Martin marked the historic connection saying the Montgomery bus boycott led to the Voting Rights Act of 1965.

And I am here today to tell you, Rosa Parks taking a stand and saying "I will sit wherever I please" is responsible for me sitting in the Pennsylvania legislature, and all of the great women who stood up before us have us standing on their shoulders. And remember, for years Rosa Parks was the lone female image in a sea of male leadership, and that transcends race. All the women who serve, all the women who serve in the State House, all the women who serve in the Senate, and both Federal Houses – Congress – regardless of color, all the women serving in the Cabinets across the country, all of us are sisters linked to this great freedom fighter. Without them, where would we be today?

So we say thank you, Rosa, for having the courage to stand, for her quiet defiance and unswerving courage that launched thousands of careers for women in public service. You cannot get to the front of the seniority chain without getting to the front of the bus first. We have gone from chains that cripple and bind to chains of high command.

Thank you, Rosa. Without you, we could not have done it.

Another towering intellect of our time wraps it up this morning, Maya Angelou. She writes about the sources of inner strength that epitomize Rosa Parks' ability to rise:

You may write me down in history
With your bitter, twisted lies,
You may trod me in the very dirt
But still, like dust, I'll rise.

You may shoot me with your words,
You may cut me with your eyes,
You may kill me with your hatefulness,
But still, like air, I'll rise.

Leaving behind nights of terror and fear
I rise
Into a daybreak that's wondrously clear
I rise
Bringing the gifts that my ancestors gave,
I am the dream and the hope of the slave.
I rise

I rise
I rise.

Thank you for making this possible.

ALICE WEISER PRESENTED

The SPEAKER. Members, please take your seats again for a moment. We have another important lady, important to all of us, that we would like to wish well today.

Conferences on the floor, please.

Mr. Nailor.

Mr. NAILOR. Thank you, Mr. Speaker.

I cannot tell you what a privilege it is to be here with you today with Alice Weiser, R.N. We know her very well from all the years that we have been here and others before us, and she is going to retire. She is going to enjoy life a little bit more after serving the Commonwealth for over 30 years in the General Assembly – the House of Representatives and the Senate, as well as our staff.

We have all gotten to know her well. We love her smile. She is always so friendly to each and every one of us and yet caring about our medical needs when we become ill when we are here in the Capitol. She has been there for all of us. And she is going to leave; I have a citation that I would like to take just a moment to read:

WHEREAS, Alice Weiser, R.N., is retiring on March 1, 2002, from the House of Representatives of Pennsylvania as Health Services Supervisor after thirty years of dedicated and distinguished service; and

WHEREAS, On October 1, 1971, Mrs. Weiser was hired by the House of Representatives as Legislative Nurse. Over the years, she has provided excellent health services to the Senate, House of Representatives and Governor's Office of Pennsylvania. On October 1, 1981, she was promoted to Supervisory Legislative Nurse, which

was renamed Health Services Supervisor and is the position from which she is retiring; and

WHEREAS, Throughout her tenure, Mrs. Weiser

has displayed outstanding ability, knowledge, professionalism, leadership and integrity in carrying out her many responsibilities, thus earning the respect and admiration of all those who have benefited from her tireless devotion to duty.

NOW THEREFORE, The House of Representatives of the Commonwealth of Pennsylvania congratulates Alice Weiser, R.N., upon her richly deserved retirement; offers best wishes for a happy and rewarding future....

Alice, would you like to say a few words?

Mrs. WEISER. Mr. Speaker, Republican and Democrat leaders, members, and staff, some of you may recall the Frank Sinatra song that goes "I've got you under my skin...deep in the heart of me." Well, that is how I feel about this place, and I did not want to let it go. But there comes a time that you realize that there are other things in this life that you want to experience and accomplish, so it is that time for me.

I thank you for these many years of love and friendship, and I wish good health and good fortune to all of you. I hope you experience the satisfaction and pride I feel at this time.

Thank you, and God bless you.

ALEXANDRA "SASHA" OVETSKY PRESENTED

The SPEAKER. The Chair recognizes the lady from Philadelphia County, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

Good afternoon. I am happy to have—

The SPEAKER. The lady will yield, please.

Ms. JOSEPHS. Sure.

The SPEAKER. Please. Members, take your seats.

Ms. Josephs, I apologize.

Ms. JOSEPHS. Thank you.

Ladies and gentlemen, friends, I am happy to have the opportunity here to introduce an outstanding young woman to you and very inspired to hear Representative Bishop's words about women. I think this is right in that tradition.

This young woman, Alexandra, who is known as Sasha to everybody, is actually not my constituent but the constituent of John Perzel, whom we all know, of course. However, I have a really good reason for being interested in her and in her achievement, because she is a young woman at a formerly all-boys high school, Central High School, in Philadelphia, and the first class of girls who went to Central High School included my daughter, who was the named plaintiff in the suit which brought young women students to Central High School.

I am very happy to have the opportunity to introduce Sasha; her teacher and research coordinator, Dennis Erlick, who is right here; and her parents, who are with us today, Boris and Elina Ovetsky, sitting over with the guests.

I am not going to read the entire citation; I am just going to say a couple sentences about Sasha's achievement which impressed me the most. In her award-winning research, which indeed won Sasha a \$50,000 college scholarship in national competition, she introduced the mathematical concept of surreal dimensions and showed that surreal dimensions were more accurate than previously developed dimensions in measuring nature's irregularities. She also is involved in the literary magazine, and she

plays tennis.

I am very happy to have this outstanding young woman here. I want to give her this citation, and I want to leave us all with three things to remember. First, she is the first student in recent memory that we have honored for academic rather than athletic achievement; second, her achievement shows that public school students can excel; and her great launch on her career shows that young women and girls make terrific mathematicians and scientists.

I am very honored, and I hope that we will give Sasha, her parents, and her teacher a great big hand of applause. Thank you.

Miss OVETSKY. I just want to thank everybody here for this great honor, and I want to thank my school, Central High School, for providing me with the opportunity to achieve. Thank you.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest of the Democratic whip, Mr. Veon, Brittany Rexroad, daughter of Mr. and Mrs. William Rexroad, Jr., of Rochester, Pennsylvania, a senior at the Freedom Area High School who was awarded the title of Pennsylvania's Outstanding Young Woman after winning a statewide competition in Reading. In addition to the honor, she was awarded \$11,000 in, I do not know whether that is cash or scholarships for winning that great honor. She is here today with Luci Adams and Norman Adams of Kutztown, Pennsylvania. Luci is the State chaperon for the event. Yvette Adams, daughter of Luci and Norman, is with them, as well as Tom DeFroschia, chairman of the event. Would these guests please rise or acknowledge their presence.

The Chair is also pleased to welcome to the hall of the House today Mayor Sam Fenton; township manager Susan Newsome; and Bristol Township solicitor Tom Timby, who, incidentally, was a student of mine when I was teaching at Villanova some many, many, many years ago. They are here today as the guests of Representative Melio, seated to the left of the Speaker. Would the guests please rise.

RICK JACOBS INTRODUCED

The SPEAKER. The Chair recognizes, under unanimous consent, the gentleman from Montgomery County, Mr. Lawless, for the purpose of introducing a guest. The gentleman will yield for a moment.

Members, please take your seats. Staff conference in the vicinity of Mr. Lawless, please break up.

Mr. Lawless.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, as you know, over the last couple of weeks I have been standing and bringing attention to a little girl from my district named Erin Jacobs. Today we have a real hero on the House floor. Over in the corner – if you will stand, Rick – is Rick Jacobs, the father of Erin.

Rick, on January 22, donated to Erin his kidney. As you know, over the past 15 months Erin has been on dialysis. You know the story: she has lost two of her kidneys; she has lost her appendix; she has lost 80 percent of her colon as a result of the E. coli bacteria.

If I may, Mr. Speaker, this is a photo of Erin. I am also pleased

to tell the House that as of Friday, although she is not allowed to have visitors, Erin is home, and she is doing quite well.

The purpose, again, in our legislation is to protect families of the future, but I want Rick to see everyone on this floor today, because, Rick, you need to know why we are having some problems passing this legislation, that on behalf of your daughter, everyone in this room that was present that day in June when we passed this legislation voted for your daughter in Erin's bill. So you are in a house of friends here, but I just wanted to make sure you were introduced.

On behalf of myself, as many of you know, Erin caught this at being at a petting zoo. Her mother writes in her March 21 letter to me, a year ago, "At a time in her life when she should be dreaming of princesses and fairies, of Santa Claus and happily ever after, she now faces daily, the awakening truth of catheters, dialysis, renal failure and hospitalization." Rick, we cannot bring that back to Erin, and we can attempt to get Erin's Law passed in the Senate, but on behalf – if it is okay with the Speaker – on behalf of the entire House of Representatives, who feel very strongly about this legislation, I would like to present a dog for you to take home to Erin.

Thank you, Mr. Speaker.

The SPEAKER. I looked down and I thought we had a new member.

REPUBLICAN CAUCUS

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

Mr. ARGALL. Thank you, Mr. Speaker.

The House Republicans will caucus downstairs at the announcement of the recess. I understand we can be back on the floor by 3.

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen.

Mr. COHEN. There also will be a Democratic caucus to go over the schedule for today and tomorrow.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Barley, announces an Appropriations Committee meeting immediately on the declaration of the recess in the Appropriations conference room.

HEALTH AND HUMAN SERVICES COMMITTEE MEETING

The SPEAKER. Mr. Kenney, I know you want a meeting. Would you tell us where and when?

Mr. KENNEY. Thank you, Mr. Speaker.

The Health and Human Services Committee will meet in room 205 of the Ryan Office Building at the call of the recess. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. Anything further from the leaders prior to the declaration of the recess? Mr. Cohen, 3 o'clock all right by you?

Without more, this House will stand in recess until 3 p.m., unless sooner recalled by the Chair or extended by the Chair.

RECESS EXTENDED

The time of recess was extended until 3:30 p.m.; further extended until 4 p.m.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 19, PN 3288 (Amended) By Rep. BARLEY

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for continuing professional development; and directing school districts to establish policies regarding student possession and self-administration of certain asthma medications.

APPROPRIATIONS.

HB 66, PN 3289 (Amended) By Rep. BARLEY

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

APPROPRIATIONS.

HB 102, PN 3290 (Amended) By Rep. BARLEY

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

APPROPRIATIONS.

HB 326, PN 3291 (Amended) By Rep. BARLEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting certain pointing of laser beams.

APPROPRIATIONS.

HB 367, PN 3292 (Amended) By Rep. BARLEY

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

APPROPRIATIONS.

HB 411, PN 3293 (Amended) By Rep. BARLEY

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

APPROPRIATIONS.

HB 412, PN 3294 (Amended) By Rep. BARLEY

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

APPROPRIATIONS.

HB 2020, PN 3287 (Amended) By Rep. BARLEY

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

APPROPRIATIONS.

HB 2053, PN 3295 (Amended) By Rep. BARLEY

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, further providing for the order of distribution of claims from insurer's estate.

APPROPRIATIONS.

SB 765, PN 855 By Rep. BARLEY

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for the State Association of Boroughs and for regional borough associations.

APPROPRIATIONS.

SB 766, PN 1670 By Rep. BARLEY

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for certain reimbursement, for members of the civil service commission and for organization and quorum of the commission.

APPROPRIATIONS.

SB 767, PN 857 By Rep. BARLEY

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for county associations and for the State Association of Township Supervisors.

APPROPRIATIONS.

SB 768, PN 858

By Rep. BARLEY

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for borough councils' and mayors' salaries.

APPROPRIATIONS.

SB 769, PN 1671

By Rep. BARLEY

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for members of the civil service commission, for organization and a quorum of the commission and for compensation.

APPROPRIATIONS.

SB 978, PN 1174

By Rep. BARLEY

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, providing for the alternative collection of taxes.

APPROPRIATIONS.

SB 1169, PN 1714

By Rep. BARLEY

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Indiana County, certain lands situate in the Borough of Indiana, Indiana County; and to grant and convey to Collier Development Company, Inc., certain land situate in Collier Township, Allegheny County.

APPROPRIATIONS.

BILL ON SECOND CONSIDERATION

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

HB 2053, PN 3295.

LEAVES OF ABSENCE

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

The gentleman, Mr. Veon, asks that the gentleman from Northumberland County, Mr. BELFANTI, be placed on leave for the balance of today's session. Without objection, the leave will be granted. The Chair hears no objection.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a group here as the guests of the gentleman, Mr. Petrone, from the University of Pittsburgh School of Education. They include Dr. Jere Gallagher, the associate dean – would you please rise, Dean? – Dr. Grace Ghoshhajra,

alumni volunteer; Mary Ellen Kubit, the director of development. The House welcomes you to Harrisburg.

CALENDAR

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1401, PN 2289**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, exempting certain persons from Federal law relating to public assistance.

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

Mr. DeWEESE offered the following amendment No. **A0381**:

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

Amend Bill, page 1, lines 24 through 26, by striking out all of said lines and inserting

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

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

* * *

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

Section 2. Section 2301 of the act, amended July 13, 1957 (P.L.852, No.390), is amended to read:

Amend Sec. 2, page 2, line 20, by striking out "2" and inserting

3

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

The following roll call was recorded:

YEAS—193

Adolph	Fairchild	Maitland	Saylor
Allen	Feese	Major	Schroder
Argall	Fichter	Manderino	Schuler
Baker, J.	Fleagle	Mann	Scrimenti
Baker, M.	Flick	Markosek	Semmel
Bard	Forcier	Marsico	Shaner
Barley	Frankel	Mayernik	Smith, B.
Barrar	Freeman	McCall	Smith, S. H.
Bastian	Gabig	McGeehan	Solobay
Bebko-Jones	Gannon	McGill	Staback
Belardi	Geist	McIlhattan	Stairs
Benninghoff	George	McIlhinney	Steelman
Birmelin	Godshall	McNaughton	Stern
Bishop	Gordner	Melio	Stetler
Blaum	Grucela	Michlovic	Stevenson, R.
Boyes	Gruitza	Micozzie	Stevenson, T.
Browne	Habay	Miller, R.	Strittmatter
Bunt	Haluska	Miller, S.	Sturla
Butkovitz	Hanna	Mundy	Tangretti
Buxton	Harhai	Myers	Taylor, E. Z.
Caltagirone	Harhart	Nailor	Taylor, J.
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	Wojnaroski
Dailey	Laughlin	Robinson	Wright, G.
Daley	Lawless	Roebuck	Wright, M.
Dally	Lederer	Rohrer	Yewcic
DeLuca	Leh	Rooney	Youngblood
Dermody	Lescovitz	Ross	Yudichak
DeWeese	Levdansky	Rubley	Zimmerman
DiGirolo	Lewis	Ruffing	Zug
Diven	Lucyk	Sainato	
Donatucci	Lynch	Samuelson	
Evans, D.	Mackereth	Santoni	Ryan,
Evans, J.	Maher	Sather	Speaker

NAYS—3

Egolf	Metcalfe	Steil
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NOT VOTING—0

EXCUSED—5

Armstrong	Eachus	Surra	Thomas
Belfanti			

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

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

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

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—177

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

NAYS—19

Argall	Egolf	Major	Stevenson, R.
Baker, M.	Gabig	McIlhattan	Turzai
Bastian	Harhart	Metcalfe	Yewcic
Benninghoff	Herman	Pickett	Zug
Cappelli	Hutchinson	Rohrer	

NOT VOTING—0

EXCUSED—5

Armstrong Eachus Surra Thomas
Belfanti

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. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee.

RESOLUTION REPORTED FROM COMMITTEE

HR 396, PN 3162 By Rep. PERZEL

A Resolution condemning the Aryan Nations and its Youth Congress scheduled to be held April 20, 2002, in Ulysses, Potter County, Pennsylvania.

RULES.

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 1519, PN 3264 By Rep. PERZEL

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, adding definitions; further providing for terms of members of the board and for special occasion permits; providing for shipment of wine into the Commonwealth; further providing for general powers of the board, for sales by Pennsylvania liquor stores, for applications for hotel, restaurant and club liquor licenses, for public venue license, for performing arts facility license; providing for a continuing care retirement community retail license not subject to the quota system and for malt and brewed beverages alternating brewers' licenses; further providing for application for distributors', importing distributors' and retail dispensers' licenses, for limiting number of retail licenses to be issued in each county, for places of amusement not to be licensed and penalty, for licenses not assignable and transfers, for revocation and suspension of licenses and fines, for local option, for clubs, for privately owned public golf courses, for establishments proximate to interstate highways not to be licensed, for applicants to provide State tax identification numbers and statement of State tax status and waiver of confidentiality of information in the possession of the Department of Revenue and other departments and review of State tax status, for unlawful acts relative to liquor, malt and brewed beverages and licensees, for identification cards and licensees and State liquor store employees saved from prosecution, for reporting of worthless checks, for unlawful advertising and for premises to be vacated by patrons; and making an editorial change.

RULES.

HB 1830, PN 3242 By Rep. PERZEL

An Act amending the act of November 18, 1968 (P.L.1052, No.322), known as the Sewage Treatment Plant and Waterworks Operators' Certification Act, amending the title; further providing for definitions, for the State Board for Certification of Sewage Treatment Plant and

Waterworks, for certification, for professional engineers, for special certificates, for reciprocity, for suspension and revocation, for administrative procedure and judicial review, for fees, for operation of plants, for penalties and enforcement, and for civil relief; establishing the Certification Program Advisory Committee; providing for continuing education and for interim program authorization; and making editorial changes.

RULES.

SUPPLEMENTAL CALENDAR A

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1830, PN 3242**, entitled:

An Act amending the act of November 18, 1968 (P.L.1052, No.322), known as the Sewage Treatment Plant and Waterworks Operators' Certification Act, amending the title; further providing for definitions, for the State Board for Certification of Sewage Treatment Plant and Waterworks, for certification, for professional engineers, for special certificates, for reciprocity, for suspension and revocation, for administrative procedure and judicial review, for fees, for operation of plants, for penalties and enforcement, and for civil relief; establishing the Certification Program Advisory Committee; providing for continuing education and for interim program authorization; and making editorial changes.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Armstrong	Eachus	Surra	Thomas
Belfanti			

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR B

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 765, PN 855**, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for the State Association of Boroughs and for regional borough associations.

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

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—193

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

NAYS—3

Scrimenti	Vance	Yewcic
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NOT VOTING—0

EXCUSED—5

Armstrong	Eachus	Surra	Thomas
Belfanti			

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

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

* * *

The House proceeded to third consideration of **SB 766, PN 1670**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for certain reimbursement, for members of the civil service commission and for organization and quorum of the commission.

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

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

(The bill analysis was read.)

The SPEAKER. Members, please, may we have your attention?
The Chair recognizes the lady from Berks County, Mrs. Miller.
The lady will yield.

Conferences in the aisles, please; please break up.
Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, we are dealing with a series of bills here this afternoon that are amending the various codes. One of the questions that I had specifically when it applies to townships, as we are dealing with with SB 766 and later SB 767, is, how do we deal with those people who are serving as supervisors who do not in fact take a wage or salary? They may be perhaps self-employed business owners or farmers. I certainly do not want to discourage those individuals who are serving in the capacity of supervisor who are self-employed or farmers from attending their State conventions, and I am very concerned about the fact that the way this legislation is written, it could mean that in fact if they do not have paperwork to document the fact that they have a daily wage or a salary, that there might be some question.

So, Mr. Speaker, I would like to state for the record that the intent of this legislation should not be to preclude these individuals from receiving compensation but to include them if this legislation becomes law and if the other supervisors are so compensated for attending the conventions.

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—192

Adolph	Evans, J.	Maher	Santoni
Allen	Fairchild	Maitland	Sather
Argall	Feese	Major	Saylor
Baker, J.	Fichter	Manderino	Schroder
Baker, M.	Fleagle	Mann	Schuler
Bard	Flick	Markosek	Semmel
Barley	Forcier	Marsico	Shaner

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

NAYS—4

McIlhinney	Scrimenti	Vance	Yewcic
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NOT VOTING—0

EXCUSED—5

Armstrong	Eachus	Surra	Thomas
Belfanti			

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 767, PN 857**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for county associations and for the State Association of Township Supervisors.

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

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

(The bill analysis was read.)

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—189

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

Donatucci Egolf	Lucyk Lynch	Samuelson Santoni	Ryan, Speaker
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NAYS—7

Fairchild Mackereth	McIlhinney Nickol	Scrimenti Vance	Yewcic
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NOT VOTING—0

EXCUSED—5

Armstrong Belfanti	Eachus	Surra	Thomas
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

* * *

BILL PASSED OVER TEMPORARILY

The SPEAKER. SB 978 is over temporarily.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Veon, who requests that the gentleman from Montgomery, Mr. LAWLESS, be placed on leave for the balance of today's session. Without objection, leave is granted. The Chair hears no objection.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2020, PN 3287**, entitled:

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

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

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

(The bill analysis was read.)

RULES SUSPENDED

The SPEAKER. It has been called to the attention of the Chair that prior to considering HB 2020, it will be necessary to suspend the rules of the House.

The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that the House suspend its rules to permit HB 2020 to be considered immediately.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Armstrong	Eachus	Surra	Thomas
Belfanti	Lawless		

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Armstrong	Eachus	Surra	Thomas
Belfanti	Lawless		

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 1169, PN 1581**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Indiana County, certain lands situate in the Borough of Indiana, Indiana County; and to grant and convey to Collier Development Company, Inc., certain land situate in Collier Township, Allegheny County.

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

Mrs. **MILLER** offered the following amendment No. **A0407**:

Amend Bill, page 6, line 6, by striking out all of said line and inserting

(g) Disposition of proceeds.—The proceeds from the sale of the land described in this section shall be credited to the Agricultural Conservation Easement Purchase Fund.

Section 3. Effective date.

This act shall take effect immediately.

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Armstrong	Eachus	Surra	Thomas
Belfanti	Lawless		

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

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

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

(The bill analysis was read.)

The SPEAKER. The gentleman, Mr. Michlovic.
Mr. MICHLOVIC. Thank you, Mr. Speaker.
May I interrogate somebody about the contents of this legislation, with respect to the Collier Township development corporation.

The SPEAKER. Mr. Hershey, are you prepared to—
Mr. Hershey? Or Mr. Clymer? This is a State Government bill.
Are you familiar with it?

Please. The conference in the vicinity of the gentleman,
Mr. Clymer—
The gentleman may proceed with his interrogation.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, with regard to the Collier Township grant, it is being conveyed to the Collier Development Company. Is that a community development corporation or is that a private entity?

Mr. CLYMER. Mr. Speaker, the Collier Company is a private enterprise, and it is a 1.8-acre parcel of land that has been added.

Mr. MICHLOVIC. I understand that the acreage on this property is about 8.1 acres?

Mr. CLYMER. That is correct.

Mr. MICHLOVIC. And it is being transmitted for consideration of \$20,000? Is this land grant to a private company, is that price a market price for that property in Collier Township?

Mr. CLYMER. Mr. Speaker, this is a fair market value of the property. Fair consideration consists of \$20,000 cash plus \$60,000 in costs for abatement of environmental problems.

Mr. MICHLOVIC. Mr. Speaker, is this property the former Woodville Hospital?

Mr. CLYMER. Yes.

Mr. MICHLOVIC. Okay.

Thank you, Mr. Speaker. I am done with my interrogation. I would like to comment.

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

Mr. MICHLOVIC. Mr. Speaker, in the past we have generally taken these kinds of bills, you know, pro forma. However, I believe at a time when we are in Allegheny County going through a real critical evaluation of property values and assessments,

8.1 acres located in one of the fastest growing residential areas in the Commonwealth, where \$20,000 cash remittances is far from market value, and I think we need to take another look at whoever is determining market values on these properties, because there is no way that that kind of price— Anybody in Allegheny County would be purchasing that if they had access to that.

So I am going to vote against the bill. I just do not like that kind of low appraisal of the property here, and I think we have to be a little more attentive and the agencies assessing these values and market values on this have to be a little more attentive to what is going on here.

To me, this smells like a sweetheart deal. I am going to vote against it. Thank you, Mr. Speaker.

The SPEAKER. Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I can understand the concerns and the comments of the previous speaker. However, this is approved by the Department of General Services. There was an independent appraisal made on the 8.1 acres, and as I mentioned before, the fair consideration consists of \$20,000 cash, but there are serious environmental problems on the property, and that is why you have the \$60,000 cost for the abatement of these problems.

I would therefore ask the members on both sides to vote in the affirmative on this bill.

MOTION TO TABLE

The SPEAKER. The gentleman, Mr. Michlovic.

Mr. MICHLOVIC. Mr. Speaker, I would like to move to table this bill to get a little more time to review the evaluations by the Department of General Services and these prices.

On the question,

Will the House agree to the motion?

The SPEAKER. This is not debatable, Mr. Clymer. Do you

have some brief message you wanted to— Mr. Smith.

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

Mr. Speaker, this particular element of the bill that has to do with the transfer in Allegheny County, as previously stated, went through the normal Department of General Services process. While I respect the gentleman's interest in getting additional information, I would urge the members to vote against the motion to table the bill.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—95

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

NAYS—100

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

NOT VOTING—0

EXCUSED—6

Armstrong Eachus Surra Thomas
Belfanti Lawless

Less than the majority having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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—158

Adolph	Egolf	Lucyk	Ruffing
Allen	Evans, D.	Lynch	Sainato
Argall	Evans, J.	Mackereth	Santoni
Baker, J.	Fairchild	Maher	Sather
Baker, M.	Feese	Maitland	Saylor
Bard	Fichter	Major	Schroder
Barley	Fleagle	Manderino	Schuler
Barrar	Flick	Marsico	Semmel
Bastian	Forcier	Mayernik	Shaner
Bebko-Jones	Gabig	McCall	Smith, B.
Belardi	Gannon	McGeehan	Smith, S. H.
Benninghoff	Geist	McGill	Staback
Birmelin	George	McIlhattan	Stairs
Bishop	Godshall	McIlhinney	Steelman
Boyes	Gordner	McNaughton	Steil
Browne	Gruitza	Melio	Stern
Bunt	Habay	Metcalfe	Stevenson, R.
Butkovitz	Hanna	Micozzie	Stevenson, T.
Buxton	Harhai	Miller, R.	Strittmatter
Caltagirone	Harhart	Miller, S.	Tangretti
Cappelli	Harper	Myers	Taylor, E. Z.
Casorio	Hasay	Nailor	Taylor, J.
Civera	Hennessey	Nickol	Travaglio
Clark	Herman	O'Brien	Trich
Clymer	Hershey	Oliver	Tulli
Cohen, L. I.	Hess	Perzel	Turzai
Colafella	Horsey	Petrarca	Vance
Coleman	Hutchinson	Petrone	Washington
Cornell	Jadlowiec	Phillips	Waters
Corrigan	James	Pickett	Watson
Coy	Josephs	Pippy	Wilt
Creighton	Kaiser	Raymond	Wright, G.
Cruz	Keller	Reinard	Wright, M.
Dailey	Kenny	Rieger	Youngblood
Daley	Kirkland	Roberts	Yudichak
Dally	LaGrotta	Roebuck	Zimmerman
DeLuca	Lederer	Rohrer	Zug
Dermody	Leh	Rooney	
DiGirolo	Lescovitz	Ross	Ryan,
Donatucci	Lewis	Rubley	Speaker

NAYS—37

Blaum	Haluska	Pistella	Tigue
Cawley	Krebs	Preston	Trello
Cohen, M.	Laughlin	Readshaw	Veon
Costa	Levdansky	Robinson	Vitali
Curry	Mann	Samuelson	Walko
DeWeese	Markosek	Scrimenti	Wansacz
Diven	Michlovic	Solobay	Williams, J.
Frankel	Mundy	Stetler	Wojnarowski

Freeman Pallone Sturla Yewcic
Grucela

NOT VOTING—0

EXCUSED—6

Armstrong Eachus Surra Thomas
Belfanti Lawless

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.

SUPPLEMENTAL CALENDAR C

RESOLUTION PURSUANT TO RULE 35

Mrs. HARHART called up **HR 425, PN 3286**, entitled:

A Resolution recognizing TEACH Early Childhood Pennsylvania scholarship recipients upon the successful completion of their degree or certificate programs.

On the question,
Will the House adopt the resolution?

The SPEAKER. Mrs. Harhart.

Mrs. HARHART. Thank you, Mr. Speaker.

I would just like to make a brief remark about HR 425.

It is to acknowledge the noteworthy accomplishments of the first class of the TEACH (Teacher Education and Compensation Helps) Early Childhood Pennsylvania scholarship program graduates. There are 67 individuals to be commended for their diligence and hard work in garnering their associate of arts degree or child development associate credentials.

In fact, more than 300,000 Pennsylvania children under age 5 are involved in some sort of early child-care program. TEACH has helped to diminish turnover rates among recipients and has even resulted in career advancement and better pay, but perhaps even more importantly, the TEACH scholarship program has helped to enable those individuals who are passionate about caring for our children to remain in those chosen professions.

I appreciate your support for HR 425. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Armstrong	Eachus	Surra	Thomas
Belfanti	Lawless		

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 959, PN 1100 By Rep. KENNEY

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for additional services for medically needy recipients.

HEALTH AND HUMAN SERVICES.

SB 955, PN 1630 By Rep. KENNEY

An Act providing for vaccination against meningococcal disease for students at institutions of higher education and for duties of the Department of Health.

HEALTH AND HUMAN SERVICES.

BILL SIGNED BY SPEAKER

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

HB 1830, PN 3242

An Act amending the act of November 18, 1968 (P.L.1052, No.322), known as the Sewage Treatment Plant and Waterworks Operators' Certification Act, amending the title; further providing for definitions, for the State Board for Certification of Sewage Treatment Plant and Waterworks, for certification, for professional engineers, for special certificates, for reciprocity, for suspension and revocation, for administrative procedure and judicial review, for fees, for operation of plants, for penalties and enforcement, and for civil relief; establishing the Certification Program Advisory Committee; providing for continuing education and for interim program authorization; and making editorial changes.

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

SUPPLEMENTAL CALENDAR A CONTINUED

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1519, PN 3264**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, adding definitions; further providing for terms of members of the board and for special occasion permits; providing for shipment of wine into the Commonwealth; further providing for general powers of the board, for sales by Pennsylvania liquor stores, for applications for hotel, restaurant and club liquor licenses, for public venue license, for performing arts facility license; providing for a continuing care retirement community retail license not subject to the quota system and for malt and brewed beverages alternating brewers' licenses; further providing for application for distributors', importing distributors' and retail dispensers' licenses, for limiting number of retail licenses to be issued in each county, for places of amusement not to be licensed and penalty, for licenses not assignable and transfers, for revocation and suspension of licenses and fines, for local option, for clubs, for privately owned public golf courses, for establishments proximate to interstate highways not to be licensed, for applicants to provide State tax identification numbers and statement of State tax status and waiver of confidentiality of information in the possession of the Department of Revenue and other departments and review of State tax status, for unlawful acts relative to liquor, malt and brewed beverages and licensees, for identification cards and licensees and State liquor store employees saved from prosecution, for reporting of worthless checks, for unlawful advertising and for premises to be vacated by patrons; and making an editorial change.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. Mr. Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

I would like to interrogate the maker of the bill, please.

The SPEAKER. The gentleman, Mr. Reinard, indicates he will stand for interrogation. Will the gentleman yield for a moment.

Members, this bill, I am told, could generate anywhere from 15 minutes to a couple of hours of debate. That being the case, I can only suggest it will move quicker if there is attention paid to what is going on and I am not interrupting all the time.

So I am asking you to please hold your conferences off the floor. Staff people not involved in this bill that has come from the Liquor Committee should not be on the floor. It has nothing to do with any of the other problems that your respective committees may ordinarily handle. But if you are on the floor, I want you to stay seated and out of conversation.

Mr. Casorio. I apologize.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, is there a fiscal note for this bill?

Mr. REINARD. Yes, there is.

Mr. CASORIO. I do not believe that it has been distributed. If it is, I do not have it. Is there a way we can get a copy of that?

Mr. REINARD. I have a copy of it, but if you would like, I could read you probably the most important portion of the fiscal note, which says, "No General Fund tax losses are anticipated as a result of the Internet wine sales."

Mr. CASORIO. Can we get a copy of that, Mr. Speaker?

The SPEAKER. Will one of the pages copy the fiscal note that Mr. Reinard has. It is on the system as well.

Mr. CASORIO. You will get me a copy of that, Mr. Speaker? I am sorry.

The SPEAKER. There is a page running off a copy now.

Mr. CASORIO. Thank you very much.

I will move on until I see that.

Mr. Speaker, in the bill – this is, of course, the part I am concerned about, is the Internet sale of wine – the bill permits, further permits, the Liquor Control Board to charge the resident – that is the individual resident of the Commonwealth of Pennsylvania who is purchasing wine over the Internet – to charge the resident a fee to cover the cost associated with processing the Internet order. Do we have any idea what that fee may entail, Mr. Speaker?

Mr. REINARD. As this body always does, we leave the important details to the body that is the regulator. In this case, it is up to the Liquor Control Board to determine what the fiscal cost will be and then associate that cost on any purchases that come across and through their system.

Mr. CASORIO. Do you have any – and I understand it is up to the LCB – do you have any guess what that – To charge a resident a fee, I am also leery of an open-ended process to charge someone a fee. Do we have any idea what that price range may be?

Mr. REINARD. I can give you an estimate on what it is presently if you go to a State store and SLO, or special liquor order. In the case I do it, I do it very often. I go; in fact, I got a case right now that I ordered. In that case, it is roughly about a handling fee of around \$1, \$1.12. It can range based on the value of the wine, but that is roughly what I have been paying on my special liquor orders in order to get the wine that I want into our State stores through our system.

Mr. CASORIO. But again, that fee, we do not have any certainty at this moment to know what the LCB would charge a

resident ordering wine over the Internet. Is that correct?

Mr. REINARD. To be very honest with you, I do not even see any relevance why this House worries about what the fee is going to be. As long as we give the regulator and the people who are responsible by statute to put a fee on it, I think we have done our job.

Mr. CASORIO. So, Mr. Speaker, we do not have really any concrete idea of what this fee may be. It may be a couple of dollars. It may be changed in a year or two.

My point is, and again, you have been kind enough to give me a fiscal note, and you are correct, it says no fiscal impact, but also it says, "The provisions of this bill relating to Internet wine sales are expected to result in a first year loss of approximately \$2,500,000 to the State Stores Fund"; \$2,500,000 in the first year of losses to the State Stores Fund. And I would be leery of leaving an open-ended fee, so I think it is of great concern to this body and their constituents what fee we charge our constituents to use the State store system to order wine over the Internet, and obviously, there is no way to determine what that exact cost will be, so I think that is a sticking point, Mr. Speaker, and I would look very closely at that.

Let me go to another section, if I could.

Mr. REINARD. Mr. Speaker, the gentleman did read the fiscal note, I am sure, and quickly he read enough to come up with only a partial comment. However, if he kept reading the fiscal note, it does say the LCB has estimated a calculation of about \$4 a transaction.

Mr. CASORIO. Mr. Speaker, I was just given this fiscal note, as you well know, only a few minutes ago, and it is four pages long. If you would like to give me the luxury of reading it all, I would be glad to do that, but I am sure we do not need to delay the process.

I was pointing— In fact, I have a copy of the underlined portion that I read, that came to me, I guess, from the speaker, from the gentleman who is the sponsor of this bill, and that is where I pulled off at least my initial statements of approximately \$2,500,000 losses to the State store system.

Mr. Speaker, in another portion of this bill, with regard to prohibitions against print advertisement of alcoholic beverages within 300 feet of any church, school, or public playground, the bill provides that "This prohibition shall not preclude any point of sale advertisement...or other print advertisement regarding alcoholic beverages inside the licensed premises," and I think this is of great concern to those folks in more urban settings.

Mr. Speaker, if I am reading that correctly – and correct me if I am wrong – is an establishment currently prohibited from placing an alcoholic beverage sign within 300 feet of a church, school, or playground? Is that current law?

Mr. REINARD. Mr. Speaker, first off, I believe, if I am not mistaken, we are speaking on concurrence, and the section that you are talking about is language that this House has already debated and already talked about when it came through as original House language. I do not believe the subsection you are reading now is the Senate language.

The SPEAKER. I thank the gentleman for that.

It occurred to me that we were straying from concurrence, and I just asked the Parliamentarian to check on that point. The only thing that we are permitted to debate at this time is the changes that were inserted by the Senate. This could be a lengthy debate, so really, hold it down to what the Senate did and what we agree or disagree with in the bill as it now is before us.

Mr. CASORIO. Thank you, Mr. Speaker, and with all due respect – and I take your advice – the only reason I bring up that point is, again, and I will point out that as a member of the Liquor Committee, we did not have a chance to meet on this bill. This is my chance to address the chairman in front of the body. I will address that, if I could, in my remarks other than my interrogation of the maker.

Mr. Speaker, also in the bill, in the Senate portion, it provides that a direct shipper may ship wine pursuant to an Internet order provided it is shipped to a Pennsylvania liquor store selected by the resident. Mr. Speaker, if we are ordering wine off an Internet supplier from California, for example, what provisions have been established that the individual shipper in California or in Missouri or Texas will have the ability to know that when a person orders a case of wine from any legislative district, which liquor store, which State store, is closest to that individual?

Mr. REINARD. Mr. Speaker, I will answer this question, but I do want to remind you, this is not language that the Senate has put in, and in fact, you and I had a very lengthy debate on this exact language, and as I told you then, the LCB, the regulator, is going to be responsible for all the design, all of the requirements, that it takes for a direct shipper to do business in this Commonwealth. They will establish all the rules, all the regulations, all the requirements, all the filings; they will do all of the charges; they will make sure the mailing comes to the right place – all of those issues that you laboriously addressed the last time the House language was before the House. I would be glad to talk to you. In fact, for the last week, I would have been glad to talk to you about the House language. But right now we have the Senate language to concur or nonconcur on.

But that is the best answer I can give you on that comment.

Mr. CASORIO. Thank you, Mr. Speaker, and as you have reiterated your point, I will do the same. We did not have a chance to meet on this bill in committee, and I am taking this opportunity to ask you these questions in front of the membership.

Mr. Speaker, again, we have given, I guess, great latitude to the LCB. We have given them an open-ended ability in the Senate-amended portion to charge the resident a fee to cover the cost associated with processing the Internet order. We do not know what that fee is, quite frankly, and I am leery of subjecting my constituents to a fee where a bureaucratic arm of the State government can subject a fee on my constituents, whatever they deem fit.

Mr. Speaker, the residents are going to pay all taxes due on the wine at the time the wine is picked up from the Pennsylvania State store. Is that correct?

Mr. REINARD. Mr. Speaker, that is again a House premise that has not changed since it went to the Senate. I really am not sure where you are going with this, but I would love to debate with you, but if we could get to the Senate amendments, it would be a lot more entertaining to the House.

Mr. CASORIO. Mr. Speaker, it may be entertaining for the House, but on the portion of the Senate amendments that we talked about, I do not think it is the least bit entertaining for my constituents that you are going to allow the LCB to charge them a fee of which you do not know what the price is.

Mr. REINARD. Mr. Speaker, the LCB already charges your people a fee. They charge them a 30-percent markup, they charge them an 18-percent Johnstown flood tax, and they charge them a 6-percent sales tax, and if you special liquor order, you get a charge

per bottle for every bottle you order presently. That is what they do now. All we are doing here is making the Internet wine sale still also have the handling charge, so the LCB's cost from when it arrives at their warehouse to when it gets to the store is not assumed by taxpayers but by the purchasers themselves. I think that is responsible. That is what we do with special liquor orders, and I think it makes a lot of sense.

Mr. CASORIO. Mr. Speaker, if this Internet sales provision goes through, do you foresee a loss in revenue to the State store system based on – and I understand you are correct that we will still collect the 6-percent sales tax and the Johnstown flood tax; we will still collect that – will there be a loss in State revenue, in your estimation, based on the lack of internal markup for the price of alcohol that is currently available at the State store?

Mr. REINARD. No, sir. In fact, if you read and if the members of the House read the fiscal note, which is a very extensive note, it will go through all types of gyrations of where revenues come from the Commonwealth and where expenses are in the Commonwealth, but the bottom line is, the very last paragraph says, when you digest all of those expenses, in fact, quote, “No General Fund tax losses are anticipated as a result of Internet wine sales.”

Mr. CASORIO. Mr. Speaker, I would like the House to read this, but they do not have copies of it, so that is why we are having this entertaining, as you said, debate. They did not have the opportunity to read four pages of a fiscal note.

Mr. Speaker, on the bill, please?

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

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, in the portion of the bill that I was unable to previously address, let me read that to you again. With regard to prohibitions against print advertisement of alcoholic beverages within 300 feet of any church, school, or public playground, the bill provides that “This prohibition shall not preclude any point of sale advertisement...regarding alcoholic beverages inside the licensed premises.”

So, Mr. Speaker, as I read this, if you place a sign inside a window of a retail establishment, of a liquor establishment, inside the store, visible from the window, that would certainly be within the 300 feet of any church, school, or playground, and I would find that objectionable in any legislative district, Mr. Speaker, but especially in more urban settings, where the law currently reads that 300 feet within any church, school, or public playground, advertisements for alcohol shall not be permitted.

Mr. Speaker, we have questions on what the fee will be for the Internet sales. We have questions, Mr. Speaker, on exactly how great of a loss in millions of dollars will be to the Commonwealth when we are in a recession now, Mr. Speaker, after hearing the Governor last week in his budget address.

Mr. Speaker, there are many questions on this House bill on concurrence that I have not had the opportunity to be addressed in committee because we did not meet and I have not had the chance to have addressed on the floor, Mr. Speaker.

With that said, with unanswered questions, with the hidden tax for residents of my legislative district, with potential loss in the millions of dollars, and with the potential for sale signs to be closer to places of worship and playgrounds and schools, I find some of these measures, Mr. Speaker, objectionable, and I would ask for a “no” vote, as the State store clerks, State store managers union has asked for, the ISSU (Independent State Store Union), I would ask for a “no” vote on HB 1519.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, this General Assembly historically has done much to help older Pennsylvanians. We have promoted the PACE (Pharmaceutical Assistance Contract for the Elderly) program, property tax and rebate program. We have tried to take care of them when they go to retirement homes against abuse and theft. And yet I am going to talk specifically about a provision in this legislation that came back from the Senate, amended into the bill by the Senate, continuing-care retirement community retail licenses, and, Mr. Speaker, I do not think it is a good idea.

Based on what I just said, is it our intent to allow older Pennsylvanians, especially those who may be 70 and 80, to partake of alcohol and then go out driving? Many of them have some difficulty now, and I can imagine the problems they are going to have when they have this license. And of course, they, the retail community, can get this retail license without going through the procedures that many of the other establishments have to go through.

I also see a problem, Mr. Speaker, with older Pennsylvanians, many of them in these retirement communities, who are on medication. Now we are going to give them alcohol; we are going to mix alcohol with their medication. Is that a good idea?

Mr. Speaker, undoubtedly, there are a number of people in these retirement villages that are former alcoholics, and so when you present alcohol in an area, it is very possible for them to go back to that very bad habit.

And then, Mr. Speaker, it says that sales may not occur from 2 a.m. to 7 a.m. Why would you want to have the establishment open, selling alcoholic beverages in a retail community, up to 2 o'clock in the morning? Now, it does say that their guests can partake, so that could create a problem. You know, some people cannot control their alcohol intake, and they become very rowdy and disorderly, and is this the kind of scenario we want to see develop in our retirement communities?

Mr. Speaker, these are just a few of the problems that I see. I do not think that provision that was put in by the Senate is a very good bill in trying to protect and assist older Pennsylvanians, and for that and for some other reasons, I am going to vote "no" on this legislation.

The SPEAKER. The gentleman from Dauphin County, Mr. McNaughton.

Mr. McNAUGHTON. Thank you, Mr. Speaker.

Mr. Speaker, I am going to try to be brief, as my colleague before me. I am going to address the specific issue that he was just talking about, the continuing-care retirement community retail license.

We had this bill originally, 1519, and we sent it to the Senate, and it was a great work in progress. It contained everything that we wanted to do here in the House of Representatives, and then it comes back with this amendment in it that frankly came out of nowhere and serves absolutely no purpose, and I do not understand

why we are subjecting ourselves to a concurrence in this amendment.

This particular provision allows for congregate-care facilities, convalescent homes, and so forth, to be able to serve alcoholic beverages to their residents. I have no problem with that aspect. But we have worked long and hard in the Liquor Committee to rid

ourselves of problem licenses. Chairman Jones has pounded us in the Liquor Committee for years to get rid of licenses that were not necessary. We have been able to do that in the Commonwealth of Pennsylvania, and what do we do? We turn around and we create a new license that is completely outside of the quota system here in the Commonwealth of Pennsylvania.

We have worked diligently to bring our license system under control, and we turn around and we let the cat out of the bag with this amendment inserted from the Senate at the last minute. I do not think it is necessary. It is not a good provision in this bill.

I would ask the members to nonconcur so we can go ahead and do 1519 the correct way, the way it left the House. Thank you.

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I share many of the concerns that have been raised already, and I have an additional concern about the Senate amendments to this bill.

On pages 29 and 30, there is a sentence saying that "The board shall only reverse the decision of the administrative law judge if the administrative law judge committed an error of law, abused its discretion or if its decision is not based on substantial evidence." The net effect of this sentence is to dramatically reduce the ability of the Liquor Control Board to administer the liquor control system.

Under current law, the Liquor Control Board can make decisions, according to its discretion, as to what is in the best interest of Pennsylvania. Under this proposal, the Liquor Control Board will be substantially limited in its review of administrative law board decisions. The administrative law judge will be in many ways a higher position than a member of the Liquor Control Board. Now, the administrative law judges have lifetime tenure. The Liquor Control Board is appointed by the Governor and could be removed by the Governor at the expiration of their term.

The effect of this is to extend the control of existing administrative law judges over the daily operations of the system far into the future and leave whoever is elected Governor in 2002, in 2006, in 2010, substantially at the mercy of the administrative law judges. I think this is a mistake. The Liquor Control Board ought to have the ability to overrule the administrative law judges as it sees fit. It ought not to face the prospect of extensive litigation if it overrules the administrative law judges. I think this alone is a good reason to vote against this bill.

The SPEAKER. The gentleman, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I would like to interrogate the chairman of the Liquor Control Committee.

One provision of the bill that the Senate inserted talks about—
The SPEAKER. Will the gentleman yield.

LEAVE OF ABSENCE

The SPEAKER. While I am thinking of it, the Chair returns to leaves of absence and recognizes the gentleman, Mr. Veon, who requests that the gentleman from Delaware, Mr. VITALI, be placed on leave for the balance of today's session. Without objection, the leave is granted. The Chair hears no objection.

CONSIDERATION OF HB 1519 CONTINUED

The SPEAKER. The gentleman, Mr. Reinard, will stand for interrogation. Mr. Samuelson, I apologize for interrupting you.

Mr. SAMUELSON. Thank you, Mr. Speaker.

The provision that the Senate inserted about terms of the members of the Liquor Control Board being extended for 6 months beyond the expiration of a term if a successor has not been duly appointed and qualified, I just want to make sure I understand that section. The current term is 5 years? Is that correct?

Mr. REINARD. Mr. Speaker, some of the confusion is because when we established the board, they established – this House and the Senate established – staggered terms of 2, 4, and 5 years. After that time of office would expire, it would revert to 4-year terms.

Mr. SAMUELSON. When would the provision about a 6-month extension of the term kick in? If a Governor has appointed a new member of the Liquor Control Board but the Senate has not yet acted on confirmation, would the old term continue automatically?

Mr. REINARD. Mr. Speaker, this language was a request, actually, of the Liquor Control Board. The problem with the board is, there are only three members. It takes a majority to do action and do work. And during the course of a confirmation process, although a candidate might be picked, the board could be stymied because two board members may be up at the same exact time, and you may only have one active board member, so then you may have a period of and the board envisioned a period of up to 6 months where there may not be any ability to do any actions, any citations, or move anything forward because there is no actual member to concur with the other sitting member. So in this case, what you are saying is, there are 6 months or as soon as a confirmation takes place, whatever happens sooner, and obviously, the purpose of it is to keep the board functioning during a period of time when term of offices could be two vacancies occurring at one time.

Mr. SAMUELSON. Thank you.

The other question I had was concerning the provision that the gentleman from the 145th District raised. The Senate inserted language about liquor licenses in continuing-care retirement communities. My question: I serve as a member of the House Aging and Older Adult Services Committee, and 2 years, the last session, I was on the Aging and Youth Committee. We have had no discussions in that committee about requests from retirement communities, continuing-care retirement communities, for liquor licenses. My question is, has the House Liquor Control Committee had any discussion about requests from retirement communities for liquor licenses?

Mr. REINARD. We have not taken any official position on it. However, I have personally been involved with a facility, although this is Senate language, that to understand the growing trend that is happening in continuing care, you will have maybe an idea of what the purpose is.

When more and more folks are retiring at the age of 55 – these care facilities begin at 55 – you have the option of buying property while you and your wife are still able to keep a house, have a car, but you want to have a progression to take care of your living and your health care as you age. These care facilities have units where you have dependent care, where you are dependent upon yourself. Then it moves on. When you no longer can take care of your own unit, you move to an assisted-living care, where, again, you are taken care of but you have to walk. And then you finally have the

convalescent. Included in that and the reason for all this is the cost of health care is included from the day you enter or day you would go into these facilities, but also included in these facilities is your meals. So the problem you have here is, my grandmother, who has lived in one of these for over 7 years, as an example, can in her unit have alcohol. She can have her own; she can bring her own to her room, to the dining hall, but the dining hall does not have the ability to provide it or furnish it, and because their meal plan gives them meals through a 12-month period, it is not that you are competing and it is not that you are taking away drink and food from another licensed establishment. It is for that reason why the Senate put this in, and that is their thinking in the process of this language.

Mr. SAMUELSON. I would like to inquire about how many continuing-care retirement communities in Pennsylvania would be eligible for liquor licenses if this provision would become law.

Mr. REINARD. I do not have a number.

Mr. SAMUELSON. One more question about that section of the law. I am looking at page 15 of the bill, where it says, “SALES OF LIQUOR AND MALT OR BREWED BEVERAGES ARE LIMITED TO RESIDENTS OF THE CONTINUING CARE RETIREMENT COMMUNITY AND THE GUESTS OF RESIDENTS IN CONJUNCTION WITH THE NORMAL, REGULARLY SCHEDULED DINING, ENTERTAINMENT OR SOCIAL ACTIVITIES OF THE CONTINUING CARE RETIREMENT COMMUNITY.” Is there any definition in this bill about what would qualify as a guest or whether there would be any limits on the number of guests?

Mr. REINARD. There is nothing on numbers of guests or limits of guests. The importance of the license is that the license is only within the borders of the facility, not external, and in my grandmother’s case, Valentine’s Day, they may have a Valentine’s Day party, and our grandparents may have my parents going to visit them, and during this party, that is when this provision would kick in.

Mr. SAMUELSON. What if your family reunion had 75 people? Would that also qualify?

Mr. REINARD. There is nothing that prohibits as many people as the facility either has room for or the number of guests. I would tell you, my grandmother would love to see 75 guests come visit her.

Mr. SAMUELSON. Thank you, Mr. Speaker.

If I may speak on the bill?

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

Mr. SAMUELSON. Thank you.

I do have concerns about a couple of provisions that were inserted by the Senate. The provision about the extension of a term until the legislative branch – in this case, the Senate – takes action, my concern is, what would prohibit a Governor making an appointment on the very last day of a 4-year term, knowing full well that it would take the Senate some time to consider the nomination? Would that not be in effect providing for an automatic extension of a term where we do have in place an advise-and-consent of the State Senate?

The other concern is, on this provision about the retirement-care communities, I wish we would have an opportunity in one of our House committees to review this. As I have previously stated, we have not reviewed this aspect of the Senate proposal in the House Aging and Older Adult Services Committee. I would like the Liquor Control Committee to take that opportunity.

MOTION TO RECOMMIT

Mr. SAMUELSON. I would like to move, Mr. Speaker, that this bill be recommitted to the House Liquor Control Committee for further review.

The SPEAKER. The gentleman, Mr. Samuelson, moves that HB 1519, PN 3264, on concurrence in Senate amendments be recommitted to the Committee on Liquor Control.

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

The SPEAKER. Mr. Reinard, on the question of recommittal.
Mr. REINARD. Mr. Speaker, thank you on recommittal.

First off, I would like to request that we do not recommit, the main reason being that the gentleman's question he is bringing before the House is already what is in statute for how we handle vacancies on boards for the Department of State boards and the PUC (Public Utility Commission) boards. The Liquor Control Board would be consistent with what this House has already done in the past regarding other boards.

So on those reasons, I would request that we vote "no."

The SPEAKER. Mr. Samuelson.

Mr. SAMUELSON. And I would ask for a "yes" vote.

Another one of the questions that we just asked was, how many continuing-care retirement communities would be affected by this bill, and the gentleman did not have a number for how many there are in Pennsylvania. Also, the number of guests that would be permitted, whether it would be 75 in the case that we talked about or several hundred.

I hope that the Liquor Control Committee could take some time to have some public hearings, receive some input, and examine this issue so they would be able to give us some more definite answers.

The SPEAKER. Does the gentleman, Mr. Veon, desire recognition on recommittal? The gentleman is recognized. Will the gentleman yield for a moment.

Please. The Chair has recognized the Democratic whip on the question of recommittal. Members, please take your seats.

Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the motion to recommit.

I would hope that soon I will have an opportunity, as we get the chance to continue to debate the bill, to talk about some very important provisions that are in this bill that are extremely time sensitive all across the State of Pennsylvania, and I appreciate the questions the gentleman from the Lehigh Valley is raising here, but I think we can adequately answer those and still meet the very important timetables that have to be met with the passage of this bill, and therefore, I would strongly oppose the motion to recommit at this time.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—43

Bebko-Jones	Freeman	Markosek	Scrimenti
Birmelin	Gordner	Mayernik	Steil

Bishop	Haluska	McGill	Tigue
Blaum	Harhai	McIlhattan	Travaglio
Casorio	Hasay	Preston	Trello
Cawley	Hutchinson	Readshaw	Walko
Clark	James	Roberts	Washington
Clymer	Josephs	Robinson	Williams, J.
Coleman	Kaiser	Rooney	Wojnaroski
Cruz	Kirkland	Ruffing	Wright, G.
Curry	Maitland	Samuelson	

NAYS—150

Adolph	Evans, J.	Maher	Sather
Allen	Fairchild	Major	Saylor
Argall	Feese	Manderino	Schroder
Baker, J.	Fichter	Mann	Schuler
Baker, M.	Fleagle	Marsico	Semmel
Bard	Flick	McCall	Shaner
Barley	Forcier	McGeehan	Smith, B.
Barrar	Frankel	McIlhinney	Smith, S. H.
Bastian	Gabig	McNaughton	Solobay
Belardi	Gannon	Melio	Staback
Benninghoff	Geist	Metcalfe	Stairs
Boyes	George	Michlovic	Steelman
Browne	Godshall	Micozzie	Stern
Bunt	Grucela	Miller, R.	Stetler
Butkovitz	Gruitza	Miller, S.	Stevenson, R.
Buxton	Habay	Mundy	Stevenson, T.
Caltagirone	Hanna	Myers	Sturla
Cappelli	Harhart	Nailor	Tangretti
Civera	Harper	Nickol	Taylor, E. Z.
Cohen, L. I.	Hennessey	O'Brien	Taylor, J.
Cohen, M.	Herman	Oliver	Trich
Colafella	Hershey	Pallone	Tulli
Cornell	Hess	Perzel	Turzai
Corrigan	Horsey	Petrarca	Vance
Costa	Jadlowiec	Petrone	Veon
Coy	Keller	Phillips	Wansacz
Creighton	Kenney	Pickett	Waters
Dailey	Krebs	Pippy	Watson
Daley	LaGrotta	Pistella	Wilt
Dally	Laughlin	Raymond	Wright, M.
DeLuca	Lederer	Reinard	Yewcic
Dermody	Leh	Rieger	Youngblood
DeWeese	Lescovitz	Roebuck	Yudichak
DiGirolamo	Levdansky	Rohrer	Zimmerman
Diven	Lewis	Ross	Zug
Donatucci	Lucyk	Rubley	
Egolf	Lynch	Sainato	Ryan,
Evans, D.	Mackereth	Santoni	Speaker

NOT VOTING—1

Strittmatter

EXCUSED—7

Armstrong	Eachus	Surra	Vitali
Belfanti	Lawless	Thomas	

Less than the majority having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House concur in Senate amendments?

The SPEAKER. On that question, Mr. Veon, do you desire recognition on concurrence? The gentleman is recognized.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask the members of the House to concur in the Senate amendments and pass this bill here today.

I believe the Senate in fact made some significant changes on the language dealing with Internet sales. I opposed that provision as we dealt with it here in the House and sent that bill over to the Senate, and I think it is fair to say that the Senate did narrow and did improve on the language dealing with Internet sales.

If I had my way, myself, writing this bill, passing it by myself, signing it into law by myself, I would leave that provision out of this bill, but we all know, having been here for any length of time, that every Liquor Code bill that comes before the House is always a collection of desires, needs, language, that members of the House and the Senate have patched together to get a bill that can in fact pass this chamber.

So I would leave that out if it were up to me, but it is not up to me, and I am one of 203 House members that has a chance to have a say about this bill, and in total, there are some very important provisions in this bill.

Mr. Speaker, one of the things that many of us always fight for in Liquor Code bills, from time to time each of us has an issue in our own area where they need a license, they need a special permit, they need an opportunity, and in this case, Mr. Speaker, there are some important ones in this bill, and we passed this bill, and in the Senate they did not remove this important language. That is why we need to concur.

Some very important language for Seven Springs Resort; timely requirements. There is very important language in here for the city of Erie, an amphitheater that they need a special license for. And probably most important to me at the moment, there is very important language in here for Washington County. The gentleman from Washington County who is retiring this year has worked for 3 years to build a baseball complex in that county, and, Mr. Speaker, fortunately or unfortunately, in this bill in front of us here today is language that would provide a license to that baseball facility in Washington County, and if that does not pass today, that team has the ability to leave that project altogether, and all was for naught, the work over the last 3 years that the gentleman from Washington County has put in. And for that alone, Mr. Speaker, I would stand here today and ask for concurrence with the Senate amendments.

And I think the gentlemen, Mr. Samuelson and Mr. Clymer, and others have raised some fair questions, but on balance, this bill needs to pass today, and I would strongly urge and encourage a "yes" vote on concurrence in HB 1519.

Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—122

Adolph	Evans, J.	Manderino	Scrimenti
Allen	Feese	Mann	Semmel
Argall	Fichter	Markosek	Shaner
Bard	Flick	Marsico	Solobay
Barrar	Frankel	Mayernik	Staback
Bastian	Freeman	McCall	Stairs
Bebko-Jones	Gabig	McGeehan	Steelman
Belardi	Gannon	McIlhinney	Stetler

Bishop	Grucela	Melio	Stevenson, R.
Boyes	Gruitza	Michlovic	Stevenson, T.
Bunt	Haluska	Micozzie	Sturla
Butkovitz	Hanna	Nailor	Tangretti
Buxton	Harhai	Nickol	Taylor, E. Z.
Caltagirone	Harper	O'Brien	Taylor, J.
Civera	Hennessey	Oliver	Travaglio
Cohen, L. I.	Horsley	Perzel	Trich
Colafella	Jadlowiec	Petrone	Tulli
Cornell	James	Pippy	Turzai
Corrigan	Josephs	Pistella	Veon
Costa	Keller	Preston	Wansacz
Cruz	Kenney	Raymond	Washington
Curry	Laughlin	Reinard	Waters
Dailey	Lederer	Rieger	Williams, J.
Daley	Leh	Roberts	Wilt
DeLuca	Lescovitz	Robinson	Wright, G.
Dermody	Levdansky	Roebuck	Wright, M.
DeWeese	Lewis	Rooney	Youngblood
DiGirolo	Lucyk	Ross	Yudichak
Diven	Lynch	Rublely	
Donatucci	Mackereth	Santoni	Ryan,
Evans, D.	Maher	Schroder	Speaker

NAYS—72

Baker, J.	Fairchild	Maitland	Samuelson
Baker, M.	Fleagle	Major	Sather
Barley	Forcier	McGill	Saylor
Benninghoff	Geist	McIlhatten	Schuler
Birmelin	George	McNaughton	Smith, B.
Blaum	Godshall	Metcalfe	Smith, S. H.
Browne	Gordner	Miller, R.	Steil
Cappelli	Habay	Miller, S.	Stern
Casorio	Harhart	Mundy	Strittmatter
Cawley	Hasay	Myers	Tigue
Clark	Herman	Pallone	Trello
Clymer	Hershey	Petrarca	Vance
Cohen, M.	Hess	Phillips	Walko
Coleman	Hutchinson	Pickett	Watson
Coy	Kaiser	Readshaw	Wojnaroski
Creighton	Kirkland	Rohrer	Yewcic
Dally	Krebs	Ruffing	Zimmerman
Egolf	LaGrotta	Sainato	Zug

NOT VOTING—0

EXCUSED—7

Armstrong	Eachus	Surra	Vitali
Belfanti	Lawless	Thomas	

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

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 1519, PN 3264

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, adding definitions; further providing for terms of members of the board and for special occasion permits; providing for shipment of wine into the Commonwealth; further providing for general powers of the board, for sales by Pennsylvania liquor stores, for applications for hotel, restaurant and club liquor licenses, for public venue license, for performing arts facility license; providing for a continuing care retirement community retail license not subject to the quota system and for malt and brewed beverages alternating brewers' licenses; further providing for application for distributors', importing distributors' and retail dispensers' licenses, for limiting number of retail licenses to be issued in each county, for places of amusement not to be licensed and penalty, for licenses not assignable and transfers, for revocation and suspension of licenses and fines, for local option, for clubs, for privately owned public golf courses, for establishments proximate to interstate highways not to be licensed, for applicants to provide State tax identification numbers and statement of State tax status and waiver of confidentiality of information in the possession of the Department of Revenue and other departments and review of State tax status, for unlawful acts relative to liquor, malt and brewed beverages and licensees, for identification cards and licensees and State liquor store employees saved from prosecution, for reporting of worthless checks, for unlawful advertising and for premises to be vacated by patrons; and making an editorial change.

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

The SPEAKER. The Chair is advised that there will be no more votes today.

Does the majority leader or minority leader have any comments, any further business?

Any committee chairmen have committee meetings to call for tomorrow?

AGRICULTURE AND RURAL AFFAIRS COMMITTEE MEETING

The SPEAKER. Mr. Bunt.

Mr. BUNT. Mr. Speaker, I earlier sent out a memo to the members of the Ag Committee for a hearing tomorrow morning to report out three bills. The members have that memo before them for 10 o'clock tomorrow morning at the room specified.

The SPEAKER. The Chair thanks the gentleman.

Any further announcements? Any further announcements?
Corrections to the record?

LABOR RELATIONS COMMITTEE MEETING

The SPEAKER. Mr. Flick.

Mr. FLICK. Thank you, Mr. Speaker.

There will be a meeting of the Labor Relations Committee Wednesday morning at 10 a.m., and I have circulated a memo with the appropriate room, and we will let the members know.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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. The Chair at this time recognizes the lady from Bradford, Ms. Pickett.

Ms. PICKETT. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 12, 2002, at 11 a.m., e.s.t., unless sooner recalled by the Chair.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:32 p.m., e.s.t., the House adjourned.