

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, APRIL 10, 2002

SESSION OF 2002

186TH OF THE GENERAL ASSEMBLY

No. 27

HOUSE OF REPRESENTATIVES

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

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

PRAYER

REV. JULIANN PUGH, Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Lord, the world is Yours and all its peoples. There is no place where we could not find You and nothing that does not bear the mark of Your creation. Yet in this time of prayer we are gathered in a special hope of being near You, and we pray that You may kindle the members of this House and all gathered here this morning in expectancy of Your presence.

We thank You for this glorious spring morning when the expanse of blue sky stretches before us and we are reminded of the gloriousness of creation. We are joyful to have yet one more moment on Your earth. Keep us from being lethargic to all the wonders of Your love being laid out before us. May we be thankful every day no matter what color the sky, for each moment of life is a gift to be treasured. Save us, we pray, from trivial purpose and inadequate motive. Teach us to serve the people of this Commonwealth with dignity, integrity, and joy.

We thank You for the rain that helps the flowers to grow, resplendent in their beauty in every color of Your rainbow. Help us to realize that when rain falls on our lives, it, too, encourages growth. Growth is not always pleasant, more often it is painful, but eventually we go from bulbs to beautiful flowers, our pain only making our color more vibrant.

As this day stretches before us, may we commit ourselves to Your leading and accomplish the plans You have laid aside for us. When doing great deeds for others, keep us from attracting attention to ourselves. Persuade us to point the way to You. Cut out of us the frailty that makes us dread the thought of ever being found in error. Plow up from us the fear that leaves us so often positive and wrong. Burn away from us the selfishness that draws us from Your will.

In our heart of hearts we love You and fear You. Convince us that the world is in Your keeping, that anything possible is possible with You, that only truth is everlasting and only righteousness eternal. Lift up our eyes. Command our hearts. Hear this our common prayer. 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 Tuesday, April 9, 2002, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2543 By Representatives MELIO, BELFANTI, BEBKO-JONES, BELARDI, CASORIO, COY, CRUZ, DeLUCA, FREEMAN, GEORGE, GRUITZA, HENNESSEY, JAMES, LUCYK, READSHAW, SCHRODER, TANGRETTI, WASHINGTON, M. WRIGHT, COSTA, CREIGHTON, DALEY, FAIRCHILD, GEIST, GRUCELA, HARHAI, HORSEY, LAUGHLIN, S. MILLER, SATHER, R. STEVENSON, THOMAS, WOJNAROSKI and G. WRIGHT

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone and Keystone Opportunity Expansion Zone Act, further providing for the zone authorization and duration of program.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, April 10, 2002.

No. 2544 By Representatives YOUNGBLOOD, CRUZ, HORSEY and TIGUE

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further defining "assistance group"; and further providing for eligibility and determination of need related to recipients of temporary assistance to needy families.

Referred to Committee on HEALTH AND HUMAN SERVICES, April 10, 2002.

No. 2546 By Representatives COLAFELLA, DeWEESE, D. EVANS, GRUCELA, ROEBUCK, STEELMAN, STURLA, BEBKO-JONES, BELARDI, BELFANTI, BISHOP, BROWNE, CAPPELLI, M. COHEN, COSTA, CRUZ, DALLY, DeLUCA, DIVEN, GEORGE, HARHAI, HASAY, HESS, JOSEPHS, KIRKLAND, LaGROTTA, LAUGHLIN, LESCOVITZ, MARKOSEK, McCALL, MELIO, PALLONE, PETRARCA, PETRONE, ROBERTS, SHANER, SOLOBAY, STABACK,

THOMAS, TRAVAGLIO, TRELLO, WALKO, WANSACZ, J. WILLIAMS, G. WRIGHT, YOUNGBLOOD and YUDICHAK

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 the State share of total actual instructional cost.

Referred to Committee on EDUCATION, April 10, 2002.

No. 2547 By Representatives MAITLAND, BROOKS, WOJNAROSKI, M. BAKER, BEBKO-JONES, BELARDI, BELFANTI, BUNT, CAPPELLI, CASORIO, CLARK, COSTA, COY, CREIGHTON, DALEY, DIVEN, FAIRCHILD, FEESE, FORCIER, FREEMAN, GEIST, GEORGE, GRUCELA, HALUSKA, HARHAI, HASAY, HENNESSEY, HERMAN, HERSHEY, HORSEY, JAMES, KELLER, LAUGHLIN, LEDERER, LEH, LESCOVITZ, LEWIS, MACKERETH, MANDERINO, MARSICO, McGEEHAN, McILHATTAN, McNAUGHTON, MICOZZIE, R. MILLER, S. MILLER, NICKOL, PETRARCA, PICKETT, PIPPY, READSHAW, ROSS, SAINATO, SAMUELSON, SAYLOR, SCRIMENTI, SHANER, B. SMITH, SOLOBAY, STABACK, STEELMAN, R. STEVENSON, SURRA, TANGRETTI, E. Z. TAYLOR, TIGUE, TRICH, TURZAI, WALKO, WANSACZ, WATERS, M. WRIGHT, YOUNGBLOOD, YUDICHAK and ZUG

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, defining "collect call"; and further providing for unlawful acts and penalties.

Referred to Committee on CONSUMER AFFAIRS, April 10, 2002.

No. 2548 By Representatives MAITLAND, BUNT, YOUNGBLOOD, CREIGHTON, DALEY, DALLY, DeWEESE, FICHTER, HERSHEY, HORSEY, JAMES, LEDERER, LEWIS, R. MILLER, S. MILLER, SCHULER, SHANER, THOMAS, TRICH and G. WRIGHT

An Act amending the act of July 6, 1984 (P.L.614, No.127), known as the Sheriff Fee Act, further providing for fees in civil and criminal actions, in real estate executions, in executing writs, orders and decrees, in property claims, in venire facias, in writs of ejectment or possession and in warrants and attachments and for costs and surcharges to be additional.

Referred to Committee on JUDICIARY, April 10, 2002.

No. 2549 By Representatives LAUGHLIN, WALKO, RUBLEY, READSHAW, GEORGE, CASORIO, ROONEY, SHANER, D. EVANS, COY, ARMSTRONG, MELIO, SOLOBAY, SATHER, MARKOSEK, WANSACZ, STABACK, LESCOVITZ, JOSEPHS, DeWEESE, HARHAI, BUNT, THOMAS, GRUCELA, MUNDY, YUDICHAK, TIGUE, STEELMAN, YOUNGBLOOD, McCALL, LEVDANSKY, BROWNE, BELARDI, DeLUCA, MARSICO, COSTA, J. WILLIAMS, FREEMAN, HUTCHINSON, BEBKO-JONES, CORRIGAN, PISTELLA, SAMUELSON, CURRY, WASHINGTON, TRELLO, HORSEY, CAWLEY, SAINATO and E. Z. TAYLOR

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further defining "income" for the Pharmaceutical Assistance Contract for the Elderly program and for the Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier program.

Referred to Committee on FINANCE, April 10, 2002.

No. 2550 By Representatives WATERS, J. WILLIAMS, WASHINGTON, BISHOP, THOMAS, ROBINSON, MELIO, KENNEY, M. COHEN, BEBKO-JONES, YOUNGBLOOD, CRUZ, PETRARCA, LEDERER and CORRIGAN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, defining "mobile phone"; prohibiting the use of mobile phone in school zone; and imposing a penalty.

Referred to Committee on TRANSPORTATION, April 10, 2002.

No. 2551 By Representatives WATERS, J. WILLIAMS, BISHOP, MYERS, THOMAS, ROBINSON, YOUNGBLOOD, HERSHEY, LEDERER, PALLONE, STABACK, SURRA, CREIGHTON, CRUZ, JAMES, LAUGHLIN, MELIO, READSHAW, STURLA, TRELLO and HENNESSEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentencing generally; providing for drug treatment program; and further providing for partial confinement.

Referred to Committee on JUDICIARY, April 10, 2002.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 517 By Representatives BENNINGHOFF, HERMAN, MICHLOVIC, BARRAR, BEBKO-JONES, MARSICO, HARHAI, LUCYK, TRICH, ARMSTRONG, M. BAKER, BROWNE, BUNT, CAPPELLI, CIVERA, CREIGHTON, DALEY, DONATUCCI, FICHTER, FREEMAN, GEIST, HESS, JAMES, LAUGHLIN, LEDERER, MANN, McGILL, McNAUGHTON, PALLONE, PICKETT, PISTELLA, ROHRER, SAYLOR, SCHULER, SHANER, STABACK, E. Z. TAYLOR, THOMAS, WILT, YOUNGBLOOD and G. WRIGHT

A Resolution directing the Committee on Veterans Affairs and Emergency Preparedness to study the need for a Statewide advisory board to oversee the search, rescue and recovery of missing persons operations in this Commonwealth.

Referred to Committee on RULES, April 10, 2002.

SENATE BILL FOR CONCURRENCE

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

SB 813, PN 931

Referred to Committee on LABOR RELATIONS, April 10, 2002.

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

The clerk of the Senate, being introduced, returned **HB 1289, PN 3616**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence and recognizes the gentleman, Mr. Smith, who requests a leave for the lady from Chester County, Mrs. TAYLOR, for today's session. Without objection, the leave will be granted. The Chair hears no objection.

The gentleman, Mr. Veon, indicates there is no request for leave on the Democratic side.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move SB 369 and SB 1007 from the table.

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:

SB 369, PN 1870; and SB 1007, PN 1868.

BILLS RECOMMITTED

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

Mr. ARGALL. Mr. Speaker, I move that SB 369 and SB 1007 be recommitted to the Committee on Appropriations.

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 HB 208 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 that HB 208 be returned to the tabled calendar.

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

ACTUARIAL NOTES

The SPEAKER. The Chair acknowledges receipt of actuarial notes on amendment 1286 to HB 84, PN 2913, and amendment 1271 to HB 1043, PN 1188.

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

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

SB 212, PN 219

By Rep. BIRMELIN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for tolling the statute of limitations in childhood sexual abuse cases.

CHILDREN AND YOUTH.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take today's master roll call. Members, please report to the floor. Please report to the floor. Members will proceed to vote.

The following roll call was recorded:

PRESENT—197

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

Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED**

HB 1723, PN 3650 (Amended) By Rep. STAIRS

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further defining “maternity leave of absence”; and further providing for creditable nonschool service.

EDUCATION.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Scrimenti, Mr. and Mrs. Rembrandt Muffie, who are seated, I think, to the left of the Speaker; yes. Would the guests please rise.

The Chair is pleased to welcome to the hall of the House today, as the guests of Representative McIlhinney, a group of seniors from Solebury Township, Bucks County, who refer to themselves as the Trinity Travelers. They are seated in the gallery, and we would ask that they wave so we can acknowledge their presence.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. READSHAW called up **HR 511, PN 3617**, entitled:

A Resolution proclaiming the week of May 5 through 11, 2002, as “Pennsylvania Small Business Week.”

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Egolf	Mackereth	Saylor
Allen	Evans, D.	Maher	Schroder
Argall	Evans, J.	Maitland	Schuler
Armstrong	Fairchild	Major	Scrimenti
Baker, J.	Feeze	Manderino	Semmel
Baker, M.	Fichter	Mann	Shaner
Bard	Fleagle	Markosek	Smith, B.
Barrar	Flick	Marsico	Smith, S. H.
Bastian	Forcier	Mayernik	Solobay
Bebko-Jones	Frankel	McCall	Staback
Belardi	Freeman	McGeehan	Stairs
Belfanti	Gabig	McGill	Steelman
Benninghoff	Gannon	McIlhattan	Steil
Birmelin	Geist	McIlhinney	Stern
Bishop	George	McNaughton	Stetler
Blaum	Godshall	Melio	Stevenson, R.
Boyes	Gordner	Metcalfe	Stevenson, T.
Brooks	Grucela	Michlovic	Strittmatter
Browne	Gruitza	Micozzie	Sturla
Bunt	Habay	Miller, R.	Surra
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, J.
Caltagirone	Harhai	Nailor	Thomas
Cappelli	Harhart	Nickol	Tigue
Casorio	Harper	O’Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today— May I have the attention of the House? We are going to scare off one of our candidates.

I at this time would like to introduce the Republican candidate for the House for the seat presently held by our good friend, Mrs. Cohen – Melissa Murphy Weber. She is a Montgomery County assistant district attorney. She is seated to the left of the Chair, and she will be a welcome addition to our caucus. I had to say it.

RESOLUTIONS PURSUANT TO RULE 35

Mrs. COHEN called up **HR 512, PN 3618**, entitled:

A Resolution recognizing the month of April 2002 as “Autism Awareness Month” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. WILLIAMS called up **HR 513, PN 3619**, entitled:

A Resolution honoring Denzel Washington for his exceptional achievement in winning the Best Actor Academy Award for his work in the movie “Training Day.”

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Egolf	Mackereth	Saylor
Allen	Evans, D.	Maher	Schroder
Argall	Evans, J.	Maitland	Schuler
Armstrong	Fairchild	Major	Scrimenti
Baker, J.	Feese	Manderino	Semmel
Baker, M.	Fichter	Mann	Shaner
Bard	Fleagle	Markosek	Smith, B.
Barrar	Flick	Marsico	Smith, S. H.
Bastian	Forcier	Mayernik	Solobay
Bebko-Jones	Frankel	McCall	Staback
Belardi	Freeman	McGeehan	Stairs
Belfanti	Gabig	McGill	Steelman
Benninghoff	Gannon	McIlhattan	Steil
Birmelin	Geist	McIlhinney	Stern
Bishop	George	McNaughton	Stetler
Blaum	Godshall	Melio	Stevenson, R.
Boyes	Gordner	Metcalfe	Stevenson, T.
Brooks	Grucela	Michlovic	Strittmatter
Browne	Gruitza	Micozzie	Sturla
Bunt	Habay	Miller, R.	Surra
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, J.
Caltagirone	Harhai	Nailor	Thomas
Cappelli	Harhart	Nickol	Tigue
Casorio	Harper	O’Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mrs. VANCE called up **HR 514, PN 3626**, entitled:

A Resolution designating the month of April 2002 as "Lupus Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
Cohen, M.	Horshey	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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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 2489, PN 3568; HB 2523, PN 3601; HB 2524, PN 3602; HB 2525, PN 3603; HB 2526, PN 3604; HB 2527, PN 3605; HB 2528, PN 3606; HB 2529, PN 3607; HB 2531, PN 3609; HB 2532, PN 3610; HB 2490, PN 3569; HB 2491, PN 3570; HB 2492, PN 3571; HB 2493, PN 3572; HB 2494, PN 3573; HB 2495, PN 3574; HB 2496, PN 3575; HB 2497, PN 3576; HB 2498, PN 3577; HB 2499, PN 3578; HB 2501, PN 3579; HB 2502, PN 3580; HB 2503, PN 3581; HB 2504, PN 3582; HB 2505, PN 3583; HB 2506, PN 3584; HB 2507, PN 3585; HB 2508, PN 3586; HB 2509, PN 3587; HB 2510, PN 3588; HB 2511, PN 3589; HB 2512, PN 3590; HB 2513, PN 3591; HB 2514, PN 3592; HB 2515, PN 3593; HB 2516, PN 3594; HB 2517, PN 3595; HB 2518, PN 3596; HB 2519, PN 3597; HB 2520, PN 3598; HB 2521, PN 3599; and HB 2522, PN 3600.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2398, PN 3366**, entitled:

An Act amending the act of June 29, 1996 (P.L.434, No.67), known as the Job Enhancement Act, further providing for small business definitions and loan eligibility and terms.

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

Mr. BUNT offered the following amendment No. A1379:

Amend Sec. 1, page 1, lines 15 and 16, by striking out “definitions of ‘capital development project’ and” and inserting definition of

Amend Sec. 1 (Sec. 1301), page 2, line 5, by inserting after “person”
or entity

Amend Sec. 1 (Sec. 1301), page 2, lines 9 through 30, page 3, lines 1 through 6, by striking out all of said lines on said pages and inserting

“Natural disaster.” As defined in 35 Pa.C.S. § 7102 (relating to definitions).

Amend Sec. 1 (Sec. 1301), page 3, line 15, by inserting brackets before and after “or” and inserting immediately thereafter an underscored comma

Amend Sec. 1 (Sec. 1301), page 3, line 15, by inserting after “proprietorship”

limited liability company or other entity

Amend Sec. 2, page 3, lines 27 and 28, by striking out “and the section is amended by adding a subsection”

Amend Sec. 2 (Sec. 1303), page 5, lines 3 through 25, by striking out all of said lines

Amend Sec. 2 (Sec. 1303), page 6, line 3, by inserting brackets before and after the period after “opportunities” and inserting immediately thereafter

or, in the case of a small business enterprise that is an agricultural producer, loans which demonstrate a substantial likelihood of the enhancement and growth of normal agricultural operations.

Amend Sec. 2 (Sec. 1303), page 6, line 3, by inserting after “loans”
except loans provided to a small business enterprise which is an agricultural producer.

Amend Bill, page 6, by inserting between lines 26 and 27

Section 3. Section 1310 of the act is amended to read:

Section 1310. [Transitional] Eligibility provisions.

The following eligibility requirements and eligible uses shall apply to all requests for funding [received after this chapter becomes effective and before submission of the first annual financing strategy]:

(1) A small business enterprise with 100 full-time employees or less that proposes to undertake a capital development.

(2) (i) The maximum loan amount for land, buildings and machinery and equipment is \$200,000 or 50% of the total eligible project costs, whichever is less. The maximum loan amount for working capital is \$100,000 or 50% of the total eligible project costs, whichever is less.

(ii) Loans used for real estate shall have a repayment period of up to ten years. Loans used for machinery and equipment shall have a repayment period of up to seven years. Loans used for working capital shall have a repayment period of up to three years. In projects where two or more uses of funds are planned, the loan terms may be blended.

(iii) Interest rates shall [be fixed at 5%.] not exceed 5%, except as provided in clause (iv).

(iv) Loans made to a small business enterprise that is an agricultural producer shall be made at an interest rate of not less than 2% for the term of the loan if a declaration under 35 Pa.C.S. § 7301(c) (relating to general authority of Governor) is in effect for a natural disaster. A small business enterprise that is an agricultural producer must be physically located in the area of the natural disaster

and must make loan application within nine months of a declaration specified in this subparagraph.

[(iv)] (v) All loans must be adequately secured.

(3) (i) Applications for assistance under the Capital Loan Fund Act which have been approved prior to the effective date of this chapter will be processed in accordance with the act of July 2, 1984 (P.L.545, No.109), known as the Capital Loan Fund Act. Applications for assistance which have been received but which have not been approved prior to the effective date of this chapter will be evaluated and processed in accordance with this chapter.

(ii) Applications for assistance under section 7.13 of the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, section 709 of the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, and the Recycling Incentive Development Account which have been approved prior to the effective date of this chapter shall be processed in accordance with those respective provisions. Applications for assistance which have been received but which have not been approved prior to the effective date of this chapter shall be evaluated and processed in accordance with this chapter.

Amend Sec. 3, page 6, line 27, by striking out “3” and inserting
4

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

The following roll call was recorded:

YEAS—197

Adolph	Egolf	Mackereth	Saylor
Allen	Evans, D.	Maher	Schroder
Argall	Evans, J.	Maitland	Schuler
Armstrong	Fairchild	Major	Scrimenti
Baker, J.	Feese	Manderino	Semmel
Baker, M.	Fichter	Mann	Shaner
Bard	Fleagle	Markosek	Smith, B.
Barrar	Flick	Marsico	Smith, S. H.
Bastian	Forcier	Mayernik	Solobay
Bebko-Jones	Frankel	McCall	Staback
Belardi	Freeman	McGeehan	Stairs
Belfanti	Gabig	McGill	Steelman
Benninghoff	Gannon	McIlhattan	Steil
Birmelin	Geist	McIlhinney	Stern
Bishop	George	McNaughton	Stetler
Blaum	Godshall	Melio	Stevenson, R.
Boyes	Gordner	Metcalfe	Stevenson, T.
Brooks	Grucela	Michlovic	Strittmatter
Browne	Gruitza	Micozzie	Sturla
Bunt	Habay	Miller, R.	Surra
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, J.
Caltagirone	Harhai	Nailor	Thomas
Cappelli	Harhart	Nickol	Tigue
Casorio	Harper	O'Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
Cohen, M.	Horsey	Phillips	Veon
Colafrilla	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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

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

Mr. **GEORGE** offered the following amendment No. **A1393**:

Amend Bill, page 6, by inserting between lines 26 and 27 Section 3. The act is amended by adding a section to read:

Section 5106.2. Reporting to General Assembly.

In addition to the annual financing strategy submitted to the General Assembly, in accordance with section 301, the department shall report to the General Assembly in January and June for each of their programs on the number and type of requests for department financing during the current fiscal year, the number, amount and description of approvals and the available financing still remaining.

Amend Sec. 3, page 6, line 27, by striking out "3" and inserting
4

On the question,

Will the House agree to the amendment?

The **SPEAKER**. On the question of the adoption of the amendment, those in favor will vote "aye"— Mr. George, do you seek recognition? Do you desire recognition, Mr. George?

Mr. **GEORGE**. Yes.

The **SPEAKER**. The gentleman, Mr. George, is recognized.

Mr. **GEORGE**. Thank you, Mr. Speaker.

Mr. Speaker, I am privileged that the gentleman, the chairman of the Ag Committee, is in support of this, and I congratulate him. And I want those members who are supportive of agriculture to understand that the loan program that so many of our smaller farmers need so badly is going to be cut by 50 percent, and both Mr. Bunt and I have been notified that many times our small farmers apply for these loan programs only to find that the money has already been disbursed and there is no more money. So what the amendment does is simply verify whether or not there is any money left in the program by getting on the tube. I think we owe

this to the people in Pennsylvania so that they do not waste all the time and effort and place their hopes and dreams on a program that there is not going to be any money in.

I would urge that we adopt it, and thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-197

Adolph	Egolf	Mackereth	Saylor
Allen	Evans, D.	Maher	Schroder
Argall	Evans, J.	Maitland	Schuler
Armstrong	Fairchild	Major	Scrimenti
Baker, J.	Feese	Manderino	Semmel
Baker, M.	Fichter	Mann	Shaner
Bard	Fleagle	Markosek	Smith, B.
Barrar	Flick	Marsico	Smith, S. H.
Bastian	Forcier	Mayernik	Solobay
Bebko-Jones	Frankel	McCall	Staback
Belardi	Freeman	McGeehan	Stairs
Belfanti	Gabig	McGill	Steelman
Benninghoff	Gannon	McIlhattan	Steil
Birmelin	Geist	McIlhinney	Stern
Bishop	George	McNaughton	Stetler
Blaum	Godshall	Melio	Stevenson, R.
Boyes	Gordner	Metcalfe	Stevenson, T.
Brooks	Grucela	Michlovic	Strittmatter
Browne	Gruitza	Micozzie	Sturla
Bunt	Habay	Miller, R.	Surra
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, J.
Caltagirone	Harhai	Nailor	Thomas
Cappelli	Harhart	Nickol	Tigue
Casorio	Harper	O'Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

Adolph	Egolf	Mackereth	Saylor
Allen	Evans, D.	Maher	Schroder
Argall	Evans, J.	Maitland	Schuler
Armstrong	Fairchild	Major	Scrimenti
Baker, J.	Feese	Manderino	Semmel
Baker, M.	Fichter	Mann	Shaner
Bard	Fleagle	Markosek	Smith, B.
Barrar	Flick	Marsico	Smith, S. H.
Bastian	Forcier	Mayernik	Solobay
Bebko-Jones	Frankel	McCall	Staback
Belardi	Freeman	McGeehan	Stairs
Belfanti	Gabig	McGill	Steelman
Benninghoff	Gannon	McIlhattan	Steil
Birmelin	Geist	McIlhinney	Stern
Bishop	George	McNaughton	Stetler
Blaum	Godshall	Melio	Stevenson, R.
Boyes	Gordner	Metcalfe	Stevenson, T.
Brooks	Grucela	Michlovic	Strittmatter
Browne	Gruitza	Micozzie	Sturla
Bunt	Habay	Miller, R.	Surra
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, J.
Caltagirone	Harhai	Nailor	Thomas
Cappelli	Harhart	Nickol	Tigue
Casorio	Harper	O'Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS—0
NOT VOTING—0

EXCUSED—4

Myers Ruffing Taylor, E. Z. Zimmerman

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

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

* * *

BILL PASSED OVER

The SPEAKER. HB 19 is over.

* * *

The House proceeded to third consideration of **SB 705, PN 1860**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for integrated pest management programs in schools.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

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

Cappelli	Harhart	Nickol	Tigue
Casorio	Harper	O'Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
Cohen, M.	Horshey	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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rublely	Zug
DiGiolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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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 with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **HB 2349, PN 3407**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for the sale or transfer of unused research and development tax credits.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-197

Adolph	Egolf	Mackereth	Saylor
Allen	Evans, D.	Maher	Schroder
Argall	Evans, J.	Maitland	Schuler
Armstrong	Fairchild	Major	Scrimenti
Baker, J.	Feese	Manderino	Semmel
Baker, M.	Fichter	Mann	Shaner
Bard	Fleagle	Markosek	Smith, B.
Barrar	Flick	Marsico	Smith, S. H.
Bastian	Forcier	Mayernik	Solobay
Bebko-Jones	Frankel	McCall	Staback
Belardi	Freeman	McGeehan	Stairs
Belfanti	Gabig	McGill	Steelman
Benninghoff	Gannon	McIlhattan	Steil
Birmelin	Geist	McIlhinney	Stern
Bishop	George	McNaughton	Stetler
Blaum	Godshall	Melio	Stevenson, R.
Boyes	Gordner	Metcalfe	Stevenson, T.
Brooks	Grucela	Michlovic	Strittmatter
Browne	Gruitza	Micozzie	Sturla
Bunt	Habay	Miller, R.	Surra
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, J.
Caltagirone	Harhai	Nailor	Thomas
Cappelli	Harhart	Nickol	Tigue
Casorio	Harper	O'Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
Cohen, M.	Horshey	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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rublely	Zug
DiGiolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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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 present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 1804, PN 3377**, entitled:

An Act providing for pooled trusts for persons with disabilities.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

Adolph	Egolf	Mackereth	Saylor
Allen	Evans, D.	Maher	Schroder
Argall	Evans, J.	Maitland	Schuler
Armstrong	Fairchild	Major	Scrimenti
Baker, J.	Feese	Manderino	Semmel
Baker, M.	Fichter	Mann	Shaner
Bard	Fleagle	Markosek	Smith, B.
Barrar	Flick	Marsico	Smith, S. H.
Bastian	Forcier	Mayernik	Solobay
Bebko-Jones	Frankel	McCall	Staback
Belardi	Freeman	McGeehan	Stairs
Belfanti	Gabig	McGill	Steelman
Benninghoff	Gannon	McIlhattan	Steil
Birmelin	Geist	McIlhinney	Stern
Bishop	George	McNaughton	Stetler
Blaum	Godshall	Melio	Stevenson, R.
Boyes	Gordner	Metcalfe	Stevenson, T.
Brooks	Grucela	Michlovic	Strittmatter
Browne	Gruitza	Micozzie	Sturla
Bunt	Habay	Miller, R.	Surra
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, J.
Caltagirone	Harhai	Nailor	Thomas
Cappelli	Harhart	Nickol	Tigue
Casorio	Harper	O'Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Myers Ruffing Taylor, E. Z. Zimmerman

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

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

FILMING PERMISSION

The SPEAKER. The members are advised that permission has been granted to Erick Regan of WTAE-TV, Pittsburgh, to videotape with audio on the floor for the next 10 minutes.

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER

The SPEAKER. HBs 1560, 391, and 1616 are over.

* * *

The House proceeded to third consideration of **HB 1326, PN 3270**, 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 township and special tax levies.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

Adolph	Egolf	Mackereth	Saylor
Allen	Evans, D.	Maher	Schroder
Argall	Evans, J.	Maitland	Schuler
Armstrong	Fairchild	Major	Scrimenti
Baker, J.	Feese	Manderino	Semmel
Baker, M.	Fichter	Mann	Shaner
Bard	Fleagle	Markosek	Smith, B.
Barrar	Flick	Marsico	Smith, S. H.
Bastian	Forcier	Mayernik	Solobay
Bebko-Jones	Frankel	McCall	Staback
Belardi	Freeman	McGeehan	Stairs
Belfanti	Gabig	McGill	Steelman
Benninghoff	Gannon	McIlhattan	Steil
Birmelin	Geist	McIlhinney	Stern

Bishop	George	McNaughton	Stetler
Blaum	Godshall	Melio	Stevenson, R.
Boyes	Gordner	Metcalfe	Stevenson, T.
Brooks	Grucela	Michlovic	Strittmatter
Browne	Gruitza	Micozzie	Sturla
Bunt	Habay	Miller, R.	Surra
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, J.
Caltagirone	Harhai	Nailor	Thomas
Cappelli	Harhart	Nickol	Tigue
Casorio	Harper	O'Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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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 present the same to the Senate for concurrence.

* * *

BILLS PASSED OVER

The SPEAKER. Page 11 of today's calendar. HBs 1327 and 1328 are over.

* * *

The House proceeded to third consideration of **HB 2005, PN 2629**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for compensation of solicitors appointed by county officers.

On the question,

Will the House agree to the bill on third consideration?

Mr. **GEORGE** offered the following amendment No. **A1240**:

Amend Title, page 1, line 10, by removing the period after "officers" and inserting ; and providing for investigative powers relating to solid waste disposal.

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

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

§ 2102. Investigative powers relating to solid waste disposal.

The county commissioners may designate a county employee and an authority established under 53 Pa.C.S. Ch. 56 (relating to municipal authorities) and may designate an authority employee with the investigative power granted to the Department of Environmental Protection under section 1707 of the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, on property or facilities that are presently permitted by the department under the environmental laws and regulations of the Commonwealth in order to investigate whether solid waste is being disposed of within the county in violation of the Municipal Waste Planning, Recycling and Waste Reduction Act. Such designated employees are authorized to share information gathered in this investigation with their employer, State and local government officials and the courts.

Section 3. This act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. Strike the vote.

Mr. Ross, I am sorry. I did not see you standing.

Mr. ROSS. Thank you, Mr. Speaker.

The SPEAKER. The gentleman will yield.

Members, please be seated. Mr. Ross has the floor. Members and staff, please be seated.

Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

The bill we have under consideration here is a Local Government Commission bill. It is correcting an inconsistency in the code, a very simple inconsistency, which currently does not explicitly allow for solicitors for controllers, and I would ask the members to oppose all amendments to it so that we can get it out cleanly. It is a very simple bill, and I do not think it ought to be a vehicle for other more complicated issues.

Thank you.

The SPEAKER. Mr. George, on your amendment? Do you wish recognition on your amendment?

Mr. GEORGE. I am sorry. I did not hear something that was said.

The SPEAKER. He said your amendment was not worth voting for. Now it is your turn.

Mr. GEORGE. I would hope that a man of your intellect would not be taken in with such dribble.

The SPEAKER. Not without listening to you, no.

Mr. GEORGE. You know, Mr. Speaker, if individuals such as this lowly individual do not stand up on this House of

Representatives, which I have been privileged to be a part of for 28 years, coming from a rural area, I may not be much, but it is the best they have, and I am going to continue— Oh, you go ahead and holler, because there will be a day when things will change, and I pray to God that I will be here when they do, because I do not believe there is much difference in a Republican or a Democrat when we are hurting or we are bleeding—

The SPEAKER. Mr. George, on the amendment.

Mr. GEORGE. I am on the amendment. I just take a heck of a long time to get there, Mr. Speaker.

The SPEAKER. You are right again.

Mr. GEORGE. So, Mr. Speaker, I got a call from my solid waste county organization here 2 weeks ago, and they said, you know, we see trucks that are going into this dripping, and they are dumping solid waste illegally, and I said, well, why do you not go in there and do something about it? Down here in Harrisburg we are all talking about that we need to handle that waste project, but no way should we be relegated to accept what they are doing to us. Dave Hess and his troops are out daily to stop the infiltration of solid illegal waste. They are out there daily, Mr. Speaker, trying to stop these trucks and their illegal actions. And it is only the actions of a small few; it is not all of them, but they say we have no authority to go in there and look, only the DEP (Department of Environmental Protection) does. So by the time you call the DEP and they come down the road 2 days later, that big bulldozer has bulldozed all of that solid waste in with a couple hundred thousand tons of soil that you could not even have a trace.

So the amendment is not any good? Maybe you think it is not, but I think there are a lot of people in Pennsylvania that will agree with us that we ought to be able to have our local authorities and give them the authority to go in and investigate these matters. I think it is a heck of a good idea, I think it is an idea that has long gone by, and I think responsible people will join with me. If you do not, we will be back.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman, Mr. George. Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I certainly think that local officials ought to have the opportunity to check landfills. They do have that authority under the acts right now. It is possible for a host municipality, even closer than the county, to be able to inspect the landfills and check what is going on there. So this amendment is really not necessary.

Thank you.

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

The following roll call was recorded:

YEAS—104

Allen	Evans, D.	Mann	Staback
Bebko-Jones	Fairchild	Markosek	Stairs
Belardi	Frankel	Mayernik	Steelman
Belfanti	Freeman	McCall	Stetler
Bishop	George	McGeehan	Sturla
Blaum	Gordner	Melio	Surra
Butkovitz	Grucela	Michlovic	Tangretti
Buxton	Gruitza	Mundy	Thomas
Caltagirone	Haluska	Oliver	Tigue
Casorio	Hanna	Pallone	Travaglio
Cawley	Harhai	Petrarca	Trello

Cohen, M.	Horsey	Petrone	Trich
Colafrilla	James	Pistella	Tulli
Corrigan	Josephs	Preston	Veon
Costa	Kaiser	Readshaw	Vitali
Coy	Keller	Rieger	Walko
Cruz	Kirkland	Roberts	Wansacz
Curry	Krebs	Robinson	Washington
Daley	LaGrotta	Roebuck	Waters
Dally	Laughlin	Rooney	Williams, J.
DeLuca	Lawless	Sainato	Wilt
Dermody	Lederer	Samuelson	Wojnaroski
DeWeese	Lescovitz	Santoni	Wright, G.
Diven	Levdansky	Scrimenti	Yewcic
Donatucci	Lucyk	Shaner	Youngblood
Eachus	Manderino	Solobay	Yudichak

NAYS—93

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

NOT VOTING—0

EXCUSED—4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

Mr. ROBERTS offered the following amendment No. A1251:

Amend Bill, page 1, lines 13 through 15, by striking out all of said lines and inserting

Section 1. Section 1620 of the act of August 9, 1955 (P.L.323, No.130), known as The County Code, amended June 29, 1976 (P.L.460, No.115), is amended to read:

Section 1620. Salaries and Compensation.—The salaries and compensation of county officers shall be as now or hereafter fixed by law. The salaries and compensation of all appointed officers and employes who are paid from the county treasury, including the salary of the solicitor to the controller, which shall be proportional to that of the county solicitor, shall be fixed by the salary board created by this act for such

purposes: Provided, however, That with respect to representation proceedings before the Pennsylvania Labor Relations Board or collective bargaining negotiations involving any or all employes paid from the county treasury, the board of county commissioners shall have the sole power and responsibility to represent judges of the court of common pleas, the county and all elected or appointed county officers having any employment powers over the affected employes. The exercise of such responsibilities by the county commissioners shall in no way affect the hiring, discharging and supervising rights and obligations with respect to such employes as may be vested in the judges or other county officers.

Section 2. Section 1630 of the act, amended December 6, 1972 (P.L.1421, No.309), is amended to read:

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

3

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

The following roll call was recorded:

YEAS-163

Adolph	Egolf	Manderino	Semmel
Allen	Evans, D.	Mann	Shaner
Argall	Evans, J.	Markosek	Smith, B.
Armstrong	Fairchild	Marsico	Smith, S. H.
Baker, J.	Fichter	Mayernik	Solobay
Bard	Flick	McCall	Staback
Barrar	Forcier	McGeehan	Stairs
Bebko-Jones	Frankel	McIlhattan	Steelman
Belardi	Freeman	McIlhinney	Steil
Belfanti	Gabig	McNaughton	Stetler
Benninghoff	Gannon	Melio	Stevenson, R.
Bishop	George	Metcalfe	Stevenson, T.
Blaum	Godshall	Michlovic	Strittmatter
Boyes	Gordner	Micozzie	Sturla
Brooks	Grucela	Miller, R.	Surra
Browne	Gruitza	Miller, S.	Tangretti
Bunt	Habay	Mundy	Taylor, J.
Butkovitz	Haluska	Nailor	Thomas
Buxton	Harhai	O'Brien	Tigue
Caltagirone	Hennessey	Oliver	Travaglio
Cawley	Horsey	Pallone	Trello
Civera	Hutchinson	Perzel	Trich
Cohen, L. I.	James	Petrarca	Tulli
Cohen, M.	Josephs	Petrone	Turzai
Colafella	Kaiser	Pippy	Veon
Coleman	Keller	Pistella	Vitali
Cornell	Kenney	Preston	Walko
Corrigan	Kirkland	Readshaw	Wansacz
Costa	Krebs	Reinard	Washington
Coy	LaGrotta	Rieger	Waters
Creighton	Laughlin	Roberts	Williams, J.
Cruz	Lawless	Robinson	Wojnaroski
Curry	Lederer	Roebuck	Wright, G.
Dailey	Lescovitz	Rooney	Wright, M.
Daley	Levdansky	Rubley	Yeweic
DeLuca	Lucyk	Sainato	Youngblood
Dermody	Lynch	Santoni	Yudichak
DeWeese	Mackereth	Saylor	Zug
DiGirolamo	Maher	Schroder	
Diven	Maitland	Schuler	Ryan,
Donatucci	Major	Scrimenti	Speaker
Eachus			

NAYS-34

Baker, M.	Fleagle	Jadlowiec	Rohrer
Bastian	Geist	Leh	Ross

Birmelin	Hanna	Lewis	Samuelson
Cappelli	Harhart	McGill	Sather
Casorio	Harper	Nickol	Stern
Clark	Hasay	Phillips	Vance
Clymer	Herman	Pickett	Watson
Dally	Hershey	Raymond	Wilt
Feese	Hess		

NOT VOTING-0

EXCUSED-4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

Mr. ROBERTS offered the following amendment No. A1340:

Amend Title, page 1, line 9, by inserting after "for" deputies to act in certain cases, for salaries and compensation and for

Amend Bill, page 1, lines 13 through 15, by striking out all of said lines and inserting

Section 1. Section 408 of the act of August 9, 1955 (P.L.323, No.130), known as The County Code, amended December 7, 1990 (P.L.633, No.163), is amended to read:

Section 408. Deputies to Act in Certain Cases.—(a) Whenever any county officer is authorized or required to appoint a deputy or deputies, such deputy or principal deputy, where there are more than one, shall, during the necessary or temporary absence of his principal, perform all duties of such principal, including, but not limited to, signing of checks, attendance and voting at board meetings and approval of purchases where such duties are appropriate and also, in case of a vacancy or as provided in section 401(b), until a successor is qualified. While fulfilling these duties, in the case of a vacancy, the deputy shall receive the salary provided by law for the principal or the salary provided for the deputy, whichever is greater.

(b) No person temporarily succeeding to any county office by reason of the death, resignation or removal of the duly elected or appointed officer, shall execute any of the duties of such office until he has first taken oath and filed the bond required of the principal officer.

Section 2. Section 1620 of the act, amended June 29, 1976 (P.L.460, No.115), is amended to read:

Section 1620. Salaries and Compensation.—The salaries and compensation of county officers shall be as now or hereafter fixed by law. The salaries and compensation of all appointed officers and employes who are paid from the county treasury including the salaries of any solicitor appointed pursuant to this act which include sheriff, prothonotary, register of wills, recorder of deeds, clerk of courts of quarter sessions and over and terminer, coroner and county controller or a clerk of orphans' court or the county auditors which shall maintain a proportionality of at least equal to or greater than twenty-five per centum of that of the county solicitor shall be fixed by the salary board created by this act for such purposes: Provided, however, That with respect to representation proceedings before the Pennsylvania Labor Relations Board or collective bargaining negotiations involving any or all employes paid from the county treasury, the board of county commissioners shall have the sole power and responsibility to represent judges of the court of common pleas, the county and all elected or appointed county officers having any employment powers over the affected employes. The exercise

of such responsibilities by the county commissioners shall in no way affect the hiring, discharging and supervising rights and obligations with respect to such employes as may be vested in the judges or other county officers.

Section 3. Section 1630 of the act is amended to read:
Amend Sec. 2, page 2, line 2, by striking out “2” and inserting
4

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

The following roll call was recorded:

YEAS—152

Adolph	Diven	Mann	Semmel
Allen	Donatucci	Markosek	Smith, B.
Argall	Eachus	Mayernik	Smith, S. H.
Armstrong	Evans, D.	McCall	Solobay
Baker, J.	Evans, J.	McGeehan	Staback
Bard	Fichter	McGill	Stairs
Barrar	Flick	McIlhattan	Steelman
Bebko-Jones	Forcier	McIlhinney	Steil
Belardi	Frankel	McNaughton	Stetler
Belfanti	Freeman	Melio	Stevenson, R.
Benninghoff	Gabig	Metcalfe	Stevenson, T.
Bishop	Gannon	Michlovic	Strittmatter
Blaum	George	Micozzie	Sturla
Brooks	Grucela	Miller, S.	Surra
Browne	Gruitza	Mundy	Tangretti
Bunt	Habay	O'Brien	Taylor, J.
Butkovitz	Haluska	Oliver	Thomas
Buxton	Harhai	Pallone	Tigue
Caltagirone	Harhart	Perzel	Travaglio
Cawley	Hennessey	Petrarca	Trello
Civera	Hershey	Petrone	Trich
Clymer	Horsey	Pippy	Tulli
Cohen, L. I.	Hutchinson	Pistella	Veon
Cohen, M.	James	Preston	Vitali
Colafella	Josephs	Raymond	Walko
Coleman	Kaiser	Readshaw	Wansacz
Cornell	Keller	Reinard	Washington
Corrigan	Kenney	Rieger	Waters
Costa	Kirkland	Roberts	Williams, J.
Coy	Krebs	Robinson	Wojnaroski
Creighton	LaGrotta	Roebuck	Wright, G.
Cruz	Laughlin	Rooney	Wright, M.
Curry	Lawless	Rublely	Youngblood
Dailey	Lederer	Sainato	Yudichak
Daley	Lescovitz	Santoni	Zug
DeLuca	Levdansky	Schroder	
Dermody	Lucyk	Schuler	
DeWeese	Maher	Scrimenti	Ryan,
DiGirolamo	Manderino		Speaker

NAYS—45

Baker, M.	Geist	Lynch	Ross
Bastian	Godshall	Mackereth	Samuelson
Birmelin	Gordner	Maitland	Sather
Boyes	Hanna	Major	Saylor
Cappelli	Harper	Marsico	Shaner
Casorio	Hasay	Miller, R.	Stern
Clark	Herman	Nailor	Turzai
Dally	Hess	Nickol	Vance
Egolf	Jadlowiec	Phillips	Watson
Fairchild	Leh	Pickett	Wilt
Feese	Lewis	Rohrer	Yewcic
Fleagle			

NOT VOTING—0

EXCUSED—4

Myers Ruffing Taylor, E. Z. Zimmerman

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

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

Mr. **ROBERTS** offered the following amendment No. **A1296**:

Amend Bill, page 1, lines 13 through 15, by striking out all of said lines and inserting

Section 1. Section 1620 of the act of August 9, 1955 (P.L.323, No.130), known as The County Code, amended June 29, 1976 (P.L.460, No.115), is amended to read:

Section 1620. Salaries and Compensation.—The salaries and compensation of county officers shall be as now or hereafter fixed by law. The salaries and compensation of all appointed officers and employes who are paid from the county treasury, including the salary of the solicitor to the controller, which shall be proportional to that of the county solicitor, shall be fixed by the salary board created by this act for such purposes: Provided, however, That with respect to representation proceedings before the Pennsylvania Labor Relations Board or collective bargaining negotiations involving any or all employes paid from the county treasury, the board of county commissioners shall have the sole power and responsibility to represent judges of the court of common pleas, the county and all elected or appointed county officers having any employment powers over the affected employes. The exercise of such responsibilities by the county commissioners shall in no way affect the hiring, discharging and supervising rights and obligations with respect to such employes as may be vested in the judges or other county officers.

Section 2. Section 1630 of the act, amended December 6, 1972 (P.L.1421, No.309), is amended to read:

Amend Sec. 1 (Sec. 1630), page 1, line 17, by inserting brackets before and after “may” and inserting immediately thereafter

shall

Amend Sec. 1 (Sec. 1630), page 1, line 21, by inserting after “or]” and county controller

Amend Sec. 1 (Sec. 1630), page 2, line 1, by striking out “county controller or the

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

3

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

The following roll call was recorded:

YEAS—146

Adolph	Donatucci	Mayernik	Shaner
Allen	Eachus	McCall	Smith, B.
Argall	Evans, D.	McGeehan	Smith, S. H.
Armstrong	Fichter	McGill	Solobay
Bard	Flick	McIlhinney	Staback
Barrar	Frankel	McNaughton	Stairs
Bebko-Jones	Freeman	Melio	Steelman
Belardi	Gabig	Metcalfe	Steil
Belfanti	Gannon	Michlovic	Stetler
Bishop	George	Micozzie	Stevenson, T.

Blaum	Godshall	Miller, S.	Strittmatter
Brooks	Grucela	Mundy	Sturla
Browne	Gruitza	Nailor	Surra
Bunt	Haluska	O'Brien	Tangretti
Butkovitz	Harhai	Oliver	Taylor, J.
Buxton	Hennessey	Pallone	Thomas
Caltagirone	Hershey	Perzel	Tigue
Cawley	Horsy	Petrarca	Travaglio
Civera	James	Petrone	Trello
Cohen, L. I.	Josephs	Pippy	Trich
Cohen, M.	Kaiser	Pistella	Tulli
Colafella	Keller	Preston	Veon
Coleman	Kenney	Raymond	Vitali
Cornell	Kirkland	Readshaw	Walko
Corrigan	Krebs	Reinard	Wansacz
Costa	LaGrotta	Rieger	Washington
Coy	Laughlin	Roberts	Waters
Creighton	Lawless	Robinson	Williams, J.
Cruz	Lederer	Roebuck	Wojnaroski
Curry	Lescovitz	Rooney	Wright, G.
Dailey	Levdansky	Rubley	Wright, M.
Daley	Lucyk	Sainato	Youngblood
DeLuca	Maher	Santoni	Yudichak
Dermody	Manderino	Schroder	Zug
DeWeese	Mann	Schuler	
DiGirolamo	Markosek	Scrimenti	Ryan,
Diven	Marsico	Semmel	Speaker

NAYS-51

Baker, J.	Fairchild	Hutchinson	Rohrer
Baker, M.	Feese	Jadlowiec	Ross
Bastian	Fleagle	Leh	Samuelson
Benninghoff	Forcier	Lewis	Sather
Birmelin	Geist	Lynch	Saylor
Boyes	Gordner	Mackereth	Stern
Cappelli	Habay	Maitland	Stevenson, R.
Casorio	Hanna	Major	Turzai
Clark	Harhart	McIlhattan	Vance
Clymer	Harper	Miller, R.	Watson
Dally	Hasay	Nickol	Wilt
Egolf	Herman	Phillips	Yewcic
Evans, J.	Hess	Pickett	

NOT VOTING-0

EXCUSED-4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-197

Adolph	Egolf	Mackereth	Saylor
Allen	Evans, D.	Maher	Schroder

Argall	Evans, J.	Maitland	Schuler
Armstrong	Fairchild	Major	Scrimenti
Baker, J.	Feese	Manderino	Semmel
Baker, M.	Fichter	Mann	Shaner
Bard	Fleagle	Markosek	Smith, B.
Barrar	Flick	Marsico	Smith, S. H.
Bastian	Forcier	Mayernik	Solobay
Bebko-Jones	Frankel	McCall	Staback
Belardi	Freeman	McGeehan	Stairs
Belfanti	Gabig	McGill	Steelman
Benninghoff	Gannon	McIlhattan	Steil
Birmelin	Geist	McIlhinney	Stern
Bishop	George	McNaughton	Stetler
Blaum	Godshall	Melio	Stevenson, R.
Boyes	Gordner	Metcalfe	Stevenson, T.
Brooks	Grucela	Michlovic	Strittmatter
Browne	Gruitza	Micozzie	Sturla
Bunt	Habay	Miller, R.	Surra
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, J.
Caltagirone	Harhai	Nailor	Thomas
Cappelli	Harhart	Nickol	Tigue
Casorio	Harper	O'Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
Cohen, M.	Horsy	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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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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 present the same to the Senate for concurrence.

* * *

BILLS PASSED OVER

The SPEAKER. The balance of the bills on page 11 are over.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that the rules of the House be suspended to permit for the immediate consideration of the following resolutions: HRs 401, 488, and concurrent resolution 387.

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

The following roll call was recorded:

YEAS—197

Adolph	Egolf	Mackereth	Saylor
Allen	Evans, D.	Maher	Schroder
Argall	Evans, J.	Maitland	Schuler
Armstrong	Fairchild	Major	Scrimenti
Baker, J.	Feese	Manderino	Semmel
Baker, M.	Fichter	Mann	Shaner
Bard	Fleagle	Markosek	Smith, B.
Barrar	Flick	Marsico	Smith, S. H.
Bastian	Forcier	Mayernik	Solobay
Bebko-Jones	Frankel	McCall	Staback
Belardi	Freeman	McGeehan	Stairs
Belfanti	Gabig	McGill	Steelman
Benninghoff	Gannon	McIlhattan	Steil
Birmelin	Geist	McIlhinney	Stern
Bishop	George	McNaughton	Stetler
Blaum	Godshall	Melio	Stevenson, R.
Boyes	Gordner	Metcalfe	Stevenson, T.
Brooks	Grucela	Michlovic	Strittmatter
Browne	Gruitza	Micozzie	Sturla
Bunt	Habay	Miller, R.	Surra
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, J.
Caltagirone	Harhai	Nailor	Thomas
Cappelli	Harhart	Nickol	Tigue
Casorio	Harper	O'Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Myers Ruffing Taylor, E. Z. Zimmerman

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

RESOLUTIONS

Mrs. RUBLEY called up **HR 401, PN 3204**, entitled:

A Resolution memorializing the Congress of the United States to authorize funding for the National Park Service to purchase the Schwobel Tract, which lies within the boundaries of the Valley Forge National Historical Park.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

Adolph	Egolf	Mackereth	Saylor
Allen	Evans, D.	Maher	Schroder
Argall	Evans, J.	Maitland	Schuler
Armstrong	Fairchild	Major	Scrimenti
Baker, J.	Feese	Manderino	Semmel
Baker, M.	Fichter	Mann	Shaner
Bard	Fleagle	Markosek	Smith, B.
Barrar	Flick	Marsico	Smith, S. H.
Bastian	Forcier	Mayernik	Solobay
Bebko-Jones	Frankel	McCall	Staback
Belardi	Freeman	McGeehan	Stairs
Belfanti	Gabig	McGill	Steelman
Benninghoff	Gannon	McIlhattan	Steil
Birmelin	Geist	McIlhinney	Stern
Bishop	George	McNaughton	Stetler
Blaum	Godshall	Melio	Stevenson, R.
Boyes	Gordner	Metcalfe	Stevenson, T.
Brooks	Grucela	Michlovic	Strittmatter
Browne	Gruitza	Micozzie	Sturla
Bunt	Habay	Miller, R.	Surra
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, J.
Caltagirone	Harhai	Nailor	Thomas
Cappelli	Harhart	Nickol	Tigue
Casorio	Harper	O'Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. LESCOVITZ called up **HR 488, PN 3520**, entitled:

A Resolution urging the President and Congress of the United States to provide Federal relief for steel industry retiree health care costs.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

Adolph	Egolf	Mackereth	Saylor
Allen	Evans, D.	Maher	Schroder
Argall	Evans, J.	Maitland	Schuler
Armstrong	Fairchild	Major	Scrimenti
Baker, J.	Feese	Manderino	Semmel
Baker, M.	Fichter	Mann	Shaner
Bard	Fleagle	Markosek	Smith, B.
Barrar	Flick	Marsico	Smith, S. H.
Bastian	Forcier	Mayernik	Solobay
Bebko-Jones	Frankel	McCall	Staback
Belardi	Freeman	McGeehan	Stairs
Belfanti	Gabig	McGill	Steelman
Benninghoff	Gannon	McIlhattan	Steil
Birmelin	Geist	McIlhinney	Stern
Bishop	George	McNaughton	Stetler
Blaum	Godshall	Melio	Stevenson, R.
Boyes	Gordner	Metcalfe	Stevenson, T.
Brooks	Grucela	Michlovic	Strittmatter
Browne	Gruitza	Micozzie	Sturla
Bunt	Habay	Miller, R.	Surra
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, J.
Caltagirone	Harhai	Nailor	Thomas
Cappelli	Harhart	Nickol	Tigue
Casorio	Harper	O'Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. SCRIMENTI called up **HR 387, PN 3629**, entitled:

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

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

Casorio	Harper	O'Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I request that the rules of the House be suspended to permit for the immediate consideration of SR 97, PN 1288.

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

The following roll call was recorded:

YEAS-197

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

Benninghoff	Gannon	McIlhattan	Steil
Birmelin	Geist	McIlhinney	Stern
Bishop	George	McNaughton	Stetler
Blaum	Godshall	Melio	Stevenson, R.
Boyes	Gordner	Metcalfe	Stevenson, T.
Brooks	Grucela	Michlovic	Strittmatter
Browne	Gruitza	Micozzie	Sturla
Bunt	Habay	Miller, R.	Surra
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, J.
Caltagirone	Harhai	Nailor	Thomas
Cappelli	Harhart	Nickol	Tigue
Casorio	Harper	O'Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Myers	Ruffing	Taylor, E. Z.	Zimmerman
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A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

RESOLUTION

Mr. PERZEL called up **SR 97, PN 1288**, entitled:

A Concurrent Resolution memorializing Congress to honor Commodore John Barry as the first flag officer of the United States Navy.

On the question,
Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS-197

Adolph	Egolf	Mackereth	Saylor
Allen	Evans, D.	Maher	Schroder

Argall	Evans, J.	Maitland	Schuler
Armstrong	Fairchild	Major	Scrimenti
Baker, J.	Feese	Manderino	Semmel
Baker, M.	Fichter	Mann	Shaner
Bard	Fleagle	Markosek	Smith, B.
Barrar	Flick	Marsico	Smith, S. H.
Bastian	Forcier	Mayernik	Solobay
Bebko-Jones	Frankel	McCall	Staback
Belardi	Freeman	McGeehan	Stairs
Belfanti	Gabig	McGill	Steelman
Benninghoff	Gannon	McIlhatten	Steil
Birmelin	Geist	McIlhinney	Stern
Bishop	George	McNaughton	Stetler
Blaum	Godshall	Melio	Stevenson, R.
Boyes	Gordner	Metcalfe	Stevenson, T.
Brooks	Grucela	Michlovic	Strittmatter
Browne	Gruitza	Micozzie	Sturla
Bunt	Habay	Miller, R.	Surra
Butkovitz	Haluska	Miller, S.	Tangretti
Buxton	Hanna	Mundy	Taylor, J.
Caltagirone	Harhai	Nailor	Thomas
Cappelli	Harhart	Nickol	Tigue
Casorio	Harper	O'Brien	Travaglio
Cawley	Hasay	Oliver	Trello
Civera	Hennessey	Pallone	Trich
Clark	Herman	Perzel	Tulli
Clymer	Hershey	Petrarca	Turzai
Cohen, L. I.	Hess	Petrone	Vance
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	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Yudichak
DeWeese	Lescovitz	Rubley	Zug
DiGiolamo	Levdansky	Sainato	
Diven	Lewis	Samuelson	
Donatucci	Lucyk	Santoni	Ryan,
Eachus	Lynch	Sather	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—4

Myers Ruffing Taylor, E. Z. Zimmerman

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

Ordered, That the clerk inform the Senate accordingly.

RULES COMMITTEE MEETING

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

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Mr. Joseph Camut of Downingtown. He is the guest of Representative Curt Schroder and Representative Wojnaroski. He is a constituent of Mr. Schroder's and the grandson of Anthony Perry, who is the legislative assistant to Representative Wojnaroski in his district office. Would the gentleman please rise. He is seated to the left of the Chair.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2552 By Representatives MANN, BROWNE, DALLY, THOMAS, GEORGE, HERMAN, PICKETT, McILHINNEY, BUNT, DeWEESE, GRUCELA, FREEMAN, R. MILLER, GEIST, JAMES, CREIGHTON, CURRY, TURZAI, SAMUELSON, L. I. COHEN, TRELLO, McCALL, YOUNGBLOOD, HARHAI, FORCIER, SAINATO, HARHART, STEELMAN, WASHINGTON, JOSEPHS and SEMMEL

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, further providing for qualifications of directors.

Referred to Committee on STATE GOVERNMENT, April 10, 2002.

No. 2554 By Representatives DeWEESE and VEON

An Act apportioning this Commonwealth into congressional districts in conformity with constitutional requirements; providing for the nomination and election of Congressmen; requiring publication of notice of the establishment of congressional districts following the Federal decennial census; and making a repeal.

Referred to Committee on STATE GOVERNMENT, April 10, 2002.

RESOLUTION REPORTED FROM COMMITTEE

HR 446, PN 3383

By Rep. PERZEL

A Resolution urging public school directors to study the effect of beginning the school year prior to Labor Day.

RULES.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. May I have your attention, please? There is still a vote to be taken, but I thought I would interrupt at this time to give you some good news. The good news is we are going to be in session next Wednesday, which had been scheduled as an off day, and I know you all would rather be here than back in your districts. So we will be here in session next Wednesday, and it will be a voting session.

Tomorrow, we will be in session tomorrow, but it will be a nonvoting session. We will be in session for the purpose of advancing at least one bill, maybe other bills.

SUPPLEMENTAL CALENDAR A

RESOLUTION

Mr. GODSHALL called up **HR 446, PN 3383**, entitled:

A Resolution urging public school directors to study the effect of beginning the school year prior to Labor Day.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—183

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

NAYS—14

Baker, J.	Geist	Miller, R.	Sather
Benninghoff	Hasay	Nickol	Schroder
Clark	Mackereth	Rubley	Yewcic
Cohen, L. I.	Metcalfe		

NOT VOTING—0

EXCUSED—4

Myers Ruffing Taylor, E. Z. Zimmerman

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 2365, PN 3652 (Amended) By Rep. FLICK

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for the payment of compensation to widows, widowers and children.

LABOR RELATIONS.

SB 106, PN 113 By Rep. FLICK

An Act amending the act of December 1, 1977 (P.L.249, No.83), entitled, as amended, "An act prohibiting employers from firing employees who lose time from employment in the line of duty as volunteer firemen, fire police and volunteer members of ambulance services and rescue squads; and providing penalties," extending the provisions of the act to include members of volunteer firefighter support service organizations.

LABOR RELATIONS.

**STATE GOVERNMENT
COMMITTEE MEETING**

The SPEAKER. Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, at the call of recess by the Chair, State Government will be meeting in the rear of the hall, and I would ask all members to attend this meeting. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY MR. COHEN

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

Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, at the call of the recess there will be informal discussions in the House Democratic caucus room.

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

HB 533, PN 3653 (Amended) By Rep. KENNEY

An Act directing the Department of Public Welfare to develop and submit a plan to eliminate the waiting list for community services for persons diagnosed with mental retardation.

HEALTH AND HUMAN SERVICES.

HB 1750, PN 3654 (Amended) By Rep. KENNEY

An Act providing medical assistance to certain eligible women for breast and cervical cancer treatment and follow-up care; and providing for the powers and duties of the Department of Public Welfare.

HEALTH AND HUMAN SERVICES.

HB 2122, PN 3655 (Amended) By Rep. KENNEY

An Act amending the act of July 8, 1986 (P.L.408, No.89), known as the Health Care Cost Containment Act, further providing for definitions, for data submission and collection and for data dissemination and publication.

HEALTH AND HUMAN SERVICES.

PARLIAMENTARY INQUIRY

The SPEAKER. Mr. Coy.

Mr. COY. A point of information, Mr. Speaker.

Can you tell us what bill—

The SPEAKER. The gentleman will please yield.

Members, please. The House will come to order. The House will please come to order.

Mr. Coy.

Mr. COY. Can you inform the House what the bill number is that will be considered tomorrow?

The SPEAKER. HB 2545.

Mr. COY. And that is the bill that will encompass consideration of reapportionment of Congress?

The SPEAKER. It is a draft of a bill on reapportionment that we are trying to advance, yes.

Mr. COY. And so you would move it up tomorrow to be considered at a session later.

The SPEAKER. Yes. We cannot consider it tomorrow. I believe it would be in a position to be voted on as early as Monday.

Mr. COY. And it is 2045?

The SPEAKER. 24— Wait a minute. 2545.

Mr. COY. 2545. And then, Mr. Speaker, what would be the deadline to file amendments to the bill when it is considered?

The SPEAKER. Tomorrow at 2 o'clock.

Mr. COY. So the bill will be read for the second time tomorrow.

The SPEAKER. It will be.

Mr. COY. And therefore, the deadline to file amendments to it for consideration at a later time is 2 o'clock tomorrow.

The SPEAKER. That is correct. I believe that is the rule, yes.

Mr. COY. And it is a House bill?

The SPEAKER. It is a House bill, HB 2545.

Mr. COY. Thank you, Mr. Speaker.

The SPEAKER. Now, it may be the Senate is doing the same thing; I am not sure about that.

VOTE CORRECTION

The SPEAKER. Mrs. Vance.

Mrs. VANCE. Thank you, Mr. Speaker.

On HR 446 my switch malfunctioned. I wish to be recorded in the negative.

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

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. Vitali.

Mr. VITALI. A parliamentary inquiry.

We have a bill to be considered tomorrow. I do not believe that has been considered by committee yet. Are we in compliance with our House rules concerning notice by having that bill heard tomorrow, since it has not been considered by a committee—

The SPEAKER. The committee is meeting as you speak on that bill. When I made the announcement and when I replied to the questions of Mr. Coy, it was in anticipation that the bill would be reported out. Rather than hold everyone here until the committee actually met and then go through it, I responded to the gentleman, Mr. Coy.

Mr. DeWEESE. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER. Just a moment.

All right, Mr. Vitali?

Mr. VITALI. I will yield to the minority leader.

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Mr. Speaker—

The SPEAKER. Yes?

Mr. DeWEESE. —is it possible, let alone appropriate, for a committee meeting to be going on while we are still debating an issue? We are not in recess, and I am only asking for the Parliamentarian's perspective on the appropriateness, the legality, of us having a committee meeting.

The SPEAKER. Yes, it is permitted. The only thing that is prohibited by the rules would be the taking of a vote while the committee is meeting.

Mr. DeWEESE. Thank you, Mr. Speaker.

The SPEAKER. Mr. Vitali.

Mr. VITALI. I just want to make sure I have the rules correct. We need to give notice of a vote 2 days before the vote is considered, do we not, to consider it? In other words, by 5 o'clock—

The SPEAKER. The bill will be posted by 4:30 today, and tomorrow is a session day, and it theoretically could be voted on on Monday. That is another session day.

Mr. VITALI. Oh, you are going to use tomorrow to move it one step further.

The SPEAKER. Yes.

Mr. VITALI. Okay. Thank you.

VOTE CORRECTION

The SPEAKER. Mr. Turzai.

Mr. TURZAI. Thank you, Mr. Speaker.

Mr. Speaker, HR 446, I would like my vote to be recorded in

the negative on HR 446.

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

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest of Representative Sturla, Ismail Smith-Wade-el, a seventh grade student at the Janus School of Lancaster. He is shadowing Mr. Sturla today, and he is seated to the left of the Speaker. Would the gentleman please rise. Thank you.

RECESS

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

The meeting, continue. The House will be in recess awaiting the decision of the committee as to the bill it is considering.

AFTER RECESS

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2545, PN 3637

By Rep. CLYMER

An Act apportioning this Commonwealth into congressional districts in conformity with constitutional requirements; providing for the nomination and election of Congressmen; and requiring publication of notice of the establishment of congressional districts following the Federal decennial census; imposing duties on the Secretary of the Commonwealth and the Legislative Reference Bureau; and making a repeal.

STATE GOVERNMENT.

STATEMENT BY DEMOCRATIC LEADER

The SPEAKER. The gentleman, Mr. DeWeese. Do you desire recognition?

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

Just a momentary comment on the State Government Committee's report. The measure that was just brought forward from committee through the Speaker's dais and will be reported to the floor in short order on congressional reapportionment is one that needs a couple minutes of commentary.

I feel that what was reported was just a rendition of the unconstitutional work that came from this process not too long ago. The committee that just met a couple minutes ago in the back of the hall of the House had the chance to incorporate a bill that I had introduced on behalf of my colleagues – we were attempting to make it an amendment – and it was tacitly agreed to by the court. It would have allowed for zero deviation; number two, it would have allowed for fewer incumbents to be pitted against each other, in conformance with Federal case law; and it would have allowed for zero precincts in the State to be sundered.

These were three manifestly important elements of the court

decision that hurled reapportionment back to us, Mr. Speaker. If we had fewer incumbents running against each other and fewer precincts sundered and we comported with Federal case law, as our amendment did, on deviation, then we think that we would have had a rock-solid piece of legislation to be voted on and signed by the Governor.

Notwithstanding the party-line vote, with one exception, our effort did fail, and we will be anxious to debate the issue in subsequent opportunities here on the floor.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MAJORITY LEADER

The SPEAKER. Mr. Perzel, the majority leader, is recognized.

Mr. PERZEL. Thank you, Mr. Speaker.

It is interesting that we would hear about a no-deviation plan. The gentleman voted along with me when we did the House reapportionment for the House of Representatives and the Senate where we had a deviation of around 1,500, plus or minus. So nobody could have expected that the courts would have thrown out a plan that had a deviation of, plus or minus, roughly 19, Mr. Speaker.

Nobody mentioned in any of the decisions that we saw the fact that there were fewer incumbents who were put together; no one mentioned that fact whatsoever.

The plan as we have it right now, which we expect to be amended probably Monday, will not have any broken precincts in it, Mr. Speaker.

So the issues that the court brought up will be directed and will be fixed. We will have a standard deviation of zero, Mr. Speaker, when we are done with the plan, and we will make sure that we do not break any precincts, and that should take the test of the Constitution out of the courts, put it back where it belongs, allow the reapportionment plan to go forward, and have our primary on the day that was selected of May 21, Mr. Speaker.

So we are hoping to be able to accomplish that. The vote on this will be on Monday, and I believe that we will have a majority of the members of both parties, as we did last time, for this plan.

So thank you, Mr. Speaker.

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. Just to make certain that the record reflects, Mr. Speaker, that the reason I voted on final passage for the last plan was, it was the best alternative at the moment. It was certainly unpalatable, but as this process reflects again and again and again and as I have said at least 10 times in 26 years, Bismarck said that politics is the art of the possible, the art of the next best, the art of the deal. I want the record to reflect that although I did vote, as the gentleman from Philadelphia has observed, on final passage in favor of the measure, I did so with great reluctance and dubiety.

I would like to add one additional point before I relinquish the microphone, Mr. Speaker, and that would be that as much as I am favorably disposed and full of admiration for the majority party's effort to go to zero deviation and to sunder no precincts, I still believe there is potentially a fatal flaw in the proposal, and that is that we still, against Federal case law, are pitting incumbent against incumbent and incumbent against incumbent and incumbent against incumbent, and it is unnecessary; it just is unnecessary. So we still may be stymied by our jurisprudential brothers and sisters on the Federal court because of this phenomenon.

We have some time to think about it, and hopefully in the spirit of harmony, we will come up with a good proposal that will be acceptable to the United States Federal courts. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

Mr. PERZEL. Mr. Speaker?

The SPEAKER. Mr. Perzel.

Mr. PERZEL. I wish the gentleman on the other side of the aisle had felt the same way on reapportionment for the House of Representatives, where we did try to protect incumbents from having their seats done away with, but he did not bother to practice what he is preaching to us right now when it was his turn to do so for the House of Representatives. So I would just like to bring that up, and we are not, I guess, in the business of protecting incumbents; we are in the business of making sure that our congressional delegation goes from the 21 it has now to 19, because that is what we are mandated by the Federal government to do, Mr. Speaker.

We are doing everything possible right now, Mr. Speaker, to avoid a September primary, and I would hope that we do not have to go to something like that.

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. The gentleman's lamentations to the contrary notwithstanding, he voted for it along with me.

The SPEAKER. So did I.

Mr. DeWEESE. And so did the honorable Speaker.

But anyway, again, for the record, there is a different body of case law. The Federal case law obviously is different than the State case law, and again, for the record, I do momentarily feel that the absence of some of our future departed members will be keenly felt by all of us.

PARLIAMENTARY INQUIRY

The SPEAKER. Mr. Rooney, do you desire recognition on this?

Mr. ROONEY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. ROONEY. I know it was stated earlier, but if you would be kind enough to restate the timeline for filing amendments to the bill that was just reported from committee.

The SPEAKER. Under the rules of the House, it would be necessary to file amendments by 2 o'clock tomorrow, unless the rules are suspended at some later date. Without suspension of the rules, you must file your amendments by 2 o'clock Thursday.

Mr. ROONEY. Thank you, Mr. Speaker.

The SPEAKER. Any further business?

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HB 2545 be taken from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

RESOLUTIONS PASSED OVER

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

ADJOURNMENT

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

Hearing none, the Chair recognizes the lady from Bucks County, Mrs. Watson.

Mrs. WATSON. Mr. Speaker, I move that this House do now adjourn until Thursday, April 11, 2002, at 10 a.m., e.d.t., unless sooner recalled by the Chair.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 12:39 p.m., e.d.t., the House adjourned.