

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, JUNE 10, 2002

SESSION OF 2002

186TH OF THE GENERAL ASSEMBLY

No. 45

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

PRAYER

REV. ROBERT A. GRAYBILL, Chaplain of the House of Representatives, offered the following prayer:

Shall you be in the spirit of prayer as I offer these words:

We pause to invite the presence of our Lord God to rise up and dawn afresh upon our souls as we gather within these chambers. Like the morning sun that arises in the east bringing forth a new day, we ask of You, O God, to arise within our souls and create new energy for the working of this body.

Over the past few days a dark cloud of sincere concern settled in on this body as the word was shared about their leader, the man with a gentle heart and a strong will, for he now stands face to face with serious illness. O Lord, come and arise within his spirit so his determination shall help him to look the illness in the face and remain strong in the fight and victorious in the battle. O Lord, come and renew his heart with the love and prayers of his brethren, these men and women gathered here, so together their hearts will be filled with the calming and gentle spirit of Thee.

As the warming sun arises over the dark of night, so shall Your Spirit arise over the darkness of illness and fill our days with Your love and strength.

As they work together this day on the tasks that are before them, may their efforts be productive and their spirits be renewed with Your Spirit, O God. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Wednesday, June 5, 2002, will be postponed until printed. The Chair hears no objection.

JOURNAL APPROVED

The SPEAKER pro tempore. However, the Journal for Tuesday, February 12, 2002, is approved. Those in favor of approval will say "aye"; those opposed, "nay." The "ayes" have it.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2684 By Representatives STAIRS, M. BAKER, BASTIAN, BELFANTI, BENNINGHOFF, CAPPELLI, CORRIGAN, CREIGHTON, DALEY, DeLUCA, DeWEESE, J. EVANS, FAIRCHILD, FLICK, FRANKEL, GEIST, GEORGE, GRUCELA, HALUSKA, HARHAI, HERMAN, HERSHEY, HESS, HUTCHINSON, KELLER, KREBS, LAUGHLIN, MANN, MARKOSEK, McCALL, MELIO, R. MILLER, S. MILLER, PETRARCA, ROBERTS, RUBLEY, SCHULER, SEMMEL, SHANER, B. SMITH, SOLOBAY, STEIL, T. STEVENSON, SURRA, TANGRETTI, E. Z. TAYLOR, TIGUE, TRICH, WALKO, WANSACZ, WOJNAROSKI, YOUNGBLOOD, YUDICHAK, TRAVAGLIO and THOMAS

An Act providing for the establishment and implementation of a Vocational and Technical Education Marketing Strategy and an advisory committee and its powers and duties.

Referred to Committee on EDUCATION, June 6, 2002.

No. 2685 By Representatives GRUCELA, STABACK, FRANKEL, DALEY, COY, CRUZ, DeLUCA, GEORGE, HARHAI, KELLER, LAUGHLIN, MELIO, MYERS, PISTELLA, ROBINSON, ROONEY, SHANER, THOMAS, TIGUE, WALKO, WASHINGTON, YOUNGBLOOD, YUDICHAK, COSTA and M. COHEN

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for child day-care centers.

Referred to Committee on CHILDREN AND YOUTH, June 6, 2002.

No. 2686 By Representatives PISTELLA, SCHULER, BEBKO-JONES, CAPPELLI, CORRIGAN, COSTA, CURRY, DeLUCA, FREEMAN, GEORGE, GRUCELA, HARHAI, HORSEY, JAMES, JOSEPHS, KELLER, LAUGHLIN, LEDERER, McGEEHAN, MELIO, MICHLOVIC, PIPPY, READSHAW, SAINATO, SHANER, SOLOBAY, E. Z. TAYLOR, TIGUE, VEON, WALKO, WANSACZ, WOJNAROSKI, M. WRIGHT, YOUNGBLOOD, YUDICHAK, M. COHEN and BROWNE

An Act establishing the Enhanced Senior Services Demonstration Program; and conferring powers and imposing duties on the Department of Aging, the Department of Public Welfare and the Pennsylvania Housing Finance Agency.

Referred to Committee on AGING AND OLDER ADULT SERVICES, June 6, 2002.

No. 2687 By Representative ROBINSON

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, prohibiting certain persons from holding elected office.

Referred to Committee on STATE GOVERNMENT, June 6, 2002.

No. 2688 By Representatives ARMSTRONG, CREIGHTON, GEORGE, GODSHALL, GRUCELA, HORSEY, LAUGHLIN, McILHATTAN, MYERS, PISTELLA, READSHAW, SHANER, SOLOBAY, STABACK, WASHINGTON and MELIO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for exemptions from jury duty.

Referred to Committee on JUDICIARY, June 10, 2002.

No. 2689 By Representatives SCRIMENTI, WASHINGTON, SHANER, YOUNGBLOOD, SOLOBAY, CLARK, HORSEY, McGEEHAN, J. WILLIAMS, PISTELLA and HENNESSEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for confidentiality agreements in certain civil actions.

Referred to Committee on JUDICIARY, June 10, 2002.

No. 2690 By Representatives PALLONE, BELFANTI, BROWNE, BUNT, CAPPELLI, M. COHEN, COY, CREIGHTON, CURRY, DALLY, DeWEESE, FRANKEL, GEORGE, GRUCELA, HARHAI, HARPER, HENNESSEY, HUTCHINSON, JOSEPHS, KELLER, MANDERINO, MARKOSEK, McCALL, MELIO, S. MILLER, MYERS, PETRARCA, PISTELLA, ROSS, SCRIMENTI, SHANER, SOLOBAY, TANGRETTI, TIGUE, TRAVAGLIO, TRICH, WALKO, WANSACZ, YOUNGBLOOD, YUDICHAK, J. WILLIAMS and BROOKS

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for exemptions and special provisions for taxation.

Referred to Committee on FINANCE, June 10, 2002.

No. 2691 By Representatives PALLONE, BELFANTI, BROWNE, BUNT, CAPPELLI, M. COHEN, COY, CREIGHTON, CURRY, DALLY, DeWEESE, FRANKEL, GEORGE, GRUCELA, HARHAI, HARPER, HENNESSEY, HUTCHINSON, JOSEPHS, KELLER, MANDERINO, MARKOSEK, McCALL, MELIO, S. MILLER, MYERS, PETRARCA, PISTELLA, ROSS, SCRIMENTI, SHANER, SOLOBAY, TANGRETTI, TIGUE, TRAVAGLIO, TRICH,

WALKO, WANSACZ, YOUNGBLOOD, YUDICHAK, J. WILLIAMS and BROOKS

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for exemption for qualified disability trusts.

Referred to Committee on FINANCE, June 10, 2002.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 602 By Representatives GEIST, SEMMEL, M. BAKER, BELFANTI, BENNINGHOFF, BUNT, CALTAGIRONE, CAPPELLI, L. I. COHEN, CORRIGAN, COY, CREIGHTON, CRUZ, DeWEESE, J. EVANS, FAIRCHILD, FICHTER, FLICK, GRUCELA, HARHAI, HENNESSEY, HERMAN, HESS, HORSEY, KELLER, KENNEY, LAUGHLIN, LEDERER, LEH, LESCOVITZ, LEWIS, LUCYK, MAJOR, MARKOSEK, MCGILL, MELIO, METCALFE, S. MILLER, MYERS, PICKETT, READSHAW, ROBERTS, ROHRER, RUBYER, SATHER, SAYLOR, SCHULER, SHANER, STABACK, STAIRS, E. Z. TAYLOR, TURZAI, WALKO, WANSACZ, WATSON, WILT, WOJNAROSKI, G. WRIGHT, YOUNGBLOOD, ZUG, PIPPY and BROWNE

A Resolution urging the Secretary of the Army to review the reconsideration request for the 110th Regimental Combat Team's Presidential Unit Citation for its actions in World War II.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 6, 2002.

No. 605 By Representatives ARMSTRONG, ALLEN, BARRAR, BASTIAN, BENNINGHOFF, BISHOP, BUNT, CAPPELLI, COLEMAN, CREIGHTON, CRUZ, DALEY, DeLUCA, FAIRCHILD, FLEAGLE, GABIG, GEIST, GEORGE, GODSHALL, GORDNER, GRUCELA, HERSHEY, HESS, HORSEY, HUTCHINSON, JAMES, KELLER, LAUGHLIN, MCGILL, McILHATTAN, McNAUGHTON, MICOZZIE, S. MILLER, MYERS, PETRARCA, PICKETT, PIPPY, READSHAW, ROBINSON, ROHRER, SCHULER, SHANER, SOLOBAY, STABACK, STERN, R. STEVENSON, E. Z. TAYLOR, TIGUE, WASHINGTON, WILT, YEWIC, ZIMMERMAN, HARHAI, HENNESSEY and MELIO

A Resolution memorializing the Congress of the United States to pass an amendment to the Constitution of the United States to allow for voluntary school prayer and the protection of public religious speech.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, June 10, 2002.

SENATE BILL FOR CONCURRENCE

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

SB 1324, PN 2038

Referred to Committee on HEALTH AND HUMAN SERVICES, June 6, 2002.

ACTUARIAL NOTE

The SPEAKER pro tempore. The Chair acknowledges receipt of an actuarial note for amendment No. 2511 to HB 1043, PN 1188.

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

BILLS REMOVED FROM TABLE

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

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

HB 1898;
SB 824;
SB 984;
SB 1035; and
SB 1383.

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

BILLS ON SECOND CONSIDERATION

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

HB 1898, PN 3201; SB 824, PN 1954; SB 984, PN 1195; SB 1035, PN 1292; and SB 1383, PN 1880.

BILLS RECOMMITTED

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

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

HB 1898;
SB 824;
SB 984;
SB 1035; and
SB 1383.

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

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Madam Speaker, I move that HB 2350, PN 3262, be taken off the table.

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

BILL TABLED

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

Mr. PERZEL. Madam Speaker, I move that HB 2350, PN 3262, be placed on the table.

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

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 481, PN 3946**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 1117, PN 3977 (Amended) By Rep. SCHULER

An Act amending the act of December 10, 1986 (P.L.1477, No.150), known as the Attendant Care Services Act, further defining "personal care attendant."

AGING AND OLDER ADULT SERVICES.

LEAVES OF ABSENCE

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

The Chair recognizes the majority whip, who asks that the lady, Mrs. RUBLEY, from Chester County and the gentleman, Mr. TAYLOR, from Philadelphia be placed on leave for the day. Without objection, the leaves are granted.

The Chair recognizes the minority whip, who moves that the gentleman from Luzerne County, Mr. BLAUM; the gentleman from Philadelphia County, Mr. CRUZ; the gentleman from Westmoreland County, Mr. TANGRETTI; and the gentleman from Philadelphia County, Mr. ROEBUCK, be placed on leave for the day. Without objection, the leaves are granted.

As an addition to the leaves of absence, the gentleman, Mr. Blaum, is on leave for the week. The Chair again hears no objection. The leave is granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—195

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Blaum	Roebuck	Tangretti	Taylor, J.
Cruz	Rubley		

LEAVES ADDED—5

Bishop	James	Waters	Youngblood
Horsey			

LEAVES CANCELED—1

Youngblood

FILMING PERMISSION

The SPEAKER pro tempore. The Chair wishes to advise members that permission has been given to Mike Geisinger from WGAL-TV to videotape with audio for 10 minutes.

RULES COMMITTEE MEETING

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

BILLS REREPORTED FROM COMMITTEE

HB 1043, PN 1188

By Rep. PERZEL

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for retention and reinstatement of service credits.

RULES.

HB 2335, PN 3229

By Rep. PERZEL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "taxable income" for corporate net income tax.

RULES.

HB 2348, PN 3260

By Rep. PERZEL

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 net operating lost tax credits.

RULES.

HB 2584, PN 3942

By Rep. PERZEL

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 a limited exclusion from certain classes of income.

RULES.

HB 2594, PN 3943

By Rep. PERZEL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "taxable income" for purposes of corporate net income tax.

RULES.

HB 2619, PN 3949

By Rep. PERZEL

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for mastectomy and breast cancer reconstruction.

RULES.

HB 2668, PN 3921

By Rep. PERZEL

An Act repealing certain acts and parts thereof relating to taxation.

RULES.

HB 2669, PN 3922

By Rep. PERZEL

An Act repealing obsolete provisions on tax extensions.

RULES.

HB 2674, PN 3936

By Rep. PERZEL

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for application of part, for definitions, for public access to procurement information, for reciprocal limitations, for procurement responsibility, for Board of Commissioners of Public Grounds and Buildings, for method of source selection and for competitive sealed bidding; providing for competitive electronic auction bidding; further providing for competitive sealed proposals, for small procurements, for sole source procurement, for multiple awards, for competitive selection procedures for certain services, for selection procedure for insurance and notary bonds, for cancellation of invitations for bids or requests for proposals, for debarment or suspension, for security and performance bonds, for printing, for anticompetitive practices, for bid or proposal security and for contract performance security and payment bonds; providing for letters of intent, for protests of solicitations or awards and for contract controversies; further providing for the Board of Claims and for compliance of public procurement units; and making repeals.

RULES.

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 96, PN 3930

By Rep. PERZEL

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for advance directives for health care, for definitions and for emergency medical services; and providing for out-of-hospital nonresuscitation.

RULES.

HB 481, PN 3946

By Rep. PERZEL

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

RULES.

HB 1237, PN 3774

By Rep. PERZEL

An Act providing for the transferring of liquefied petroleum gas, for registration, for fees, for inspection, for records, for training, for permits and for appeal; establishing the Liquefied Petroleum Gas Advisory Board; providing for insurance, for prohibitions and for penalties; and making repeals.

RULES.

HB 1546, PN 3866

By Rep. PERZEL

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for identity theft; and providing for the statute of limitations for the civil cause of action for identity theft and for damages in actions for identity theft.

RULES.

HB 2527, PN 3834

By Rep. PERZEL

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

RULES.

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 2335, PN 3229; HB 2348, PN 3260; HB 2584, PN 3942; HB 2594, PN 3943; HB 2619, PN 3949; HB 2668, PN 3921; HB 2669, PN 3922; and HB 2674, PN 3936.

BILLS RECOMMENDED

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

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

HB 2335;
HB 2348;
HB 2584;
HB 2594;
HB 2619;
HB 2668;
HB 2669; and
HB 2674.

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House Emily Miller, who is a fifth grade student from Mount Lebanon, Allegheny County. Emily attends Markham School and is here today with her parents, Kurt and Elizabeth, her brother, Benjamin, and her sister, Anna, all who are seated to the left of the Speaker. Emily is the winner of Representative Tom Stevenson’s fifth annual “There Ought To Be a Law” contest. She is visiting the Capitol today with her family as the guests of Representative Stevenson, who will be introducing her bill today. Will all of the guests please rise.

The Chair is also pleased to welcome to the hall of the House Karl Weist, as a guest page for Representative Peter Zug. Karl is a cousin of Representative Zug’s and will be shadowing him for several days. Would the young man please rise. He is over here to the left of the Speaker.

The Chair is also pleased to welcome to the hall of the House Neil Slotterback, who is shadowing Representative Russ Fairchild. He is seated to the left of the Speaker. Would he please rise.

The Chair is also pleased to welcome to the House Joe, Cathy, and Jasmine Farara and Dennis and Nancy Farara, who are guests of Representative Lita Cohen. They are seated in the House gallery. Would they please rise.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence.

The minority whip requests that the lady, Ms. YOUNGBLOOD, from Philadelphia be placed on leave for the rest of the day. The Chair hears no objection.

CALENDAR

RESOLUTION PURSUANT TO RULE 35

Mr. YEWCIC called up **HR 595, PN 3950**, entitled:

A Resolution recognizing the significant contributions to the history and economic growth of this Commonwealth that have been made by coal miners and observing Saturday, June 15, 2002, as “Coal Miners’ Memorial Day.”

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

Adolph	Evans, J.	Maher	Scavello
Allen	Fairchild	Maitland	Schroder
Argall	Feese	Major	Schuler
Armstrong	Fichter	Manderino	Scrimenti
Baker, J.	Fleagle	Mann	Semmel
Baker, M.	Flick	Markosek	Shaner
Bard	Forcier	Marsico	Smith, B.

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

NAYS—0

NOT VOTING—2

Butkovitz	Preston
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EXCUSED—7

Blaum	Roebuck	Tangretti	Youngblood
Cruz	Rubley	Taylor, J.	

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

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the caucus chair, Mr. Feese, for the purpose of an announcement.

Mr. FEESE. Thank you, Madam Speaker.

Madam Speaker, the Republicans will caucus immediately upon the call of the recess. We expect to be able to return to the floor at 3 o’clock.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. Does the gentleman, Mr. Cohen, wish to make an announcement? The Chair recognizes the gentleman from Philadelphia.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, the Democrats will also caucus immediately upon the call of recess. It seems to me that we should be through by 3 o'clock.

INSURANCE COMMITTEE MEETING

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Micozzie, rise?

Mr. MICOZZIE. Thank you, Madam Speaker.

At the call of the recess there is a meeting in room 39E for the House Insurance Committee.

The SPEAKER pro tempore. The Chair thanks the gentleman.

In case everyone did not hear Mr. Micozzie, the Insurance Committee will meet in room 39E at the call of the recess.

RECESS

The SPEAKER pro tempore. Are there any further announcements?

The House now stands in recess until 3 p.m.

RECESS EXTENDED

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

AFTER RECESS

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

**THE SPEAKER (MATTHEW J. RYAN)
PRESIDING****LEAVES OF ABSENCE**

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Veon, who requests a leave for the gentleman from Philadelphia County, Mr. HORSEY, for the balance of today's session; in addition, the gentleman from Philadelphia County, Mr. JAMES, for today's session.

On the question of the leaves, without objection, the leaves will be granted. The Chair hears no objection. The leaves are granted.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence in the hall of the House of the lady, Ms. Youngblood, and asks that she be added to the master roll call.

BILL SIGNED BY SPEAKER

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

SB 1017, PN 1867

An Act amending the act of December 4, 1996 (P.L.893, No.141), known as the Volunteer Health Services Act, further defining "volunteer license"; further providing for volunteer status, for regulations and for exemptions; and providing for indemnity and defense for active practitioners and for optional liability coverage.

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

SUPPLEMENTAL CALENDAR A**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 96, PN 3930**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for advance directives for health care, for definitions and for emergency medical services; and providing for out-of-hospital nonresuscitation.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—194

Adolph	Evans, D.	Maitland	Scavello
Allen	Evans, J.	Major	Schroder
Argall	Fairchild	Manderino	Schuler
Armstrong	Feese	Mann	Scrimenti
Baker, J.	Fichter	Markosek	Semmel
Baker, M.	Fleagle	Marsico	Shaner
Bard	Flick	Mayernik	Smith, B.
Barrar	Forcier	McCall	Smith, S. H.
Bastian	Frankel	McGeehan	Solobay
Bebko-Jones	Freeman	McGill	Staback
Belardi	Gabig	McIlhattan	Stairs
Belfanti	Gannon	McIlhinney	Steelman
Benninghoff	Geist	McNaughton	Steil
Birmelin	George	Melio	Stern
Bishop	Godshall	Metcalfe	Stetler
Boyes	Gordner	Michlovic	Stevenson, R.
Brooks	Grucela	Micozzie	Stevenson, T.
Browne	Gruitza	Miller, R.	Strittmatter
Bunt	Habay	Miller, S.	Sturla
Butkovitz	Haluska	Mundy	Surra
Buxton	Hanna	Myers	Taylor, E. Z.
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.	Hutchinson	Phillips	Veon
Colafella	Jadlowiec	Pickett	Vitali
Coleman	Josephs	Pippy	Walko
Cornell	Kaiser	Pistella	Wansacz
Corrigan	Keller	Preston	Washington
Costa	Kenney	Raymond	Waters
Coy	Kirkland	Readshaw	Watson
Creighton	Krebs	Reinard	Williams, J.
Curry	LaGrotta	Rieger	Wilt
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright, G.
Dally	Lederer	Rohrer	Wright, M.
DeLuca	Leh	Rooney	Yewcic
Dermody	Lescovitz	Ross	Youngblood
DeWeese	Levdansky	Ruffing	Yudichak
DiGirolamo	Lewis	Sainato	Zimmerman
Diven	Lucyk	Samuelson	Zug
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	Ryan,
Egolf	Maher	Saylor	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—8

Blaum	Horse	Roebuck	Tangretti
Cruz	James	Rubley	Taylor, J.

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 481, PN 3946**, entitled:

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

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—194

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

Boyes	Gordner	Michlovic	Stevenson, R.
Brooks	Grucela	Micozzie	Stevenson, T.
Browne	Gruitza	Miller, R.	Strittmatter
Bunt	Habay	Miller, S.	Sturla
Butkovitz	Haluska	Mundy	Surra
Buxton	Hanna	Myers	Taylor, E. Z.
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.	Hutchinson	Phillips	Veon
Colafella	Jadlowiec	Pickett	Vitali
Coleman	Josephs	Pippy	Walko
Cornell	Kaiser	Pistella	Wansacz
Corrigan	Keller	Preston	Washington
Costa	Kenney	Raymond	Waters
Coy	Kirkland	Readshaw	Watson
Creighton	Krebs	Reinard	Williams, J.
Curry	LaGrotta	Rieger	Wilt
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright, G.
Dally	Lederer	Rohrer	Wright, M.
DeLuca	Leh	Rooney	Yewcic
Dermody	Lescovitz	Ross	Youngblood
DeWeese	Levdansky	Ruffing	Yudichak
DiGirolamo	Lewis	Sainato	Zimmerman
Diven	Lucyk	Samuelson	Zug
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	Ryan,
Egolf	Maher	Saylor	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—8

Blaum	Horse	Roebuck	Tangretti
Cruz	James	Rubley	Taylor, J.

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1237, PN 3774**, entitled:

An Act providing for the transferring of liquefied petroleum gas, for registration, for fees, for inspection, for records, for training, for permits and for appeal; establishing the Liquefied Petroleum Gas Advisory Board; providing for insurance, for prohibitions and for penalties; and making repeals.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS-194

Adolph	Evans, D.	Maitland	Scavello
Allen	Evans, J.	Major	Schroder
Argall	Fairchild	Manderino	Schuler
Armstrong	Feese	Mann	Scrimenti
Baker, J.	Fichter	Markosek	Semmel
Baker, M.	Fleagle	Marsico	Shaner
Bard	Flick	Mayernik	Smith, B.
Barrar	Forcier	McCall	Smith, S. H.
Bastian	Frankel	McGeehan	Solobay
Bebko-Jones	Freeman	McGill	Staback
Belardi	Gabig	McIlhattan	Stairs
Belfanti	Gannon	McIlhinney	Steelman
Benninghoff	Geist	McNaughton	Steil
Birmelin	George	Melio	Stern
Bishop	Godshall	Metcalfe	Stetler
Boyes	Gordner	Michlovic	Stevenson, R.
Brooks	Grucela	Micozzie	Stevenson, T.
Browne	Gruitza	Miller, R.	Strittmatter
Bunt	Habay	Miller, S.	Sturla
Butkovitz	Haluska	Mundy	Surra
Buxton	Hanna	Myers	Taylor, E. Z.
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.	Hutchinson	Phillips	Veon
Colafella	Jadlowiec	Pickett	Vitali
Coleman	Josephs	Pippy	Walko
Cornell	Kaiser	Pistella	Wansacz
Corrigan	Keller	Preston	Washington
Costa	Kenney	Raymond	Waters
Coy	Kirkland	Readshaw	Watson
Creighton	Krebs	Reinard	Williams, J.
Curry	LaGrotta	Rieger	Wilt
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright, G.
Dally	Lederer	Rohrer	Wright, M.
DeLuca	Leh	Rooney	Yewcic
Dermody	Lescovitz	Ross	Youngblood
DeWeese	Levdansky	Ruffing	Yudichak
DiGirolamo	Lewis	Sainato	Zimmerman
Diven	Lucyk	Samuelson	Zug
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	Ryan,
Egolf	Maher	Saylor	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-8

Blaum	Horsey	Roebuck	Tangretti
Cruz	James	Rubley	Taylor, J.

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1546, PN 3866**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for identity theft; and providing for the statute of limitations for the civil cause of action for identity theft and for damages in actions for identity theft.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS-194

Adolph	Evans, D.	Maitland	Scavello
Allen	Evans, J.	Major	Schroder
Argall	Fairchild	Manderino	Schuler
Armstrong	Feese	Mann	Scrimenti
Baker, J.	Fichter	Markosek	Semmel
Baker, M.	Fleagle	Marsico	Shaner
Bard	Flick	Mayernik	Smith, B.
Barrar	Forcier	McCall	Smith, S. H.
Bastian	Frankel	McGeehan	Solobay
Bebko-Jones	Freeman	McGill	Staback
Belardi	Gabig	McIlhattan	Stairs
Belfanti	Gannon	McIlhinney	Steelman
Benninghoff	Geist	McNaughton	Steil
Birmelin	George	Melio	Stern
Bishop	Godshall	Metcalfe	Stetler
Boyes	Gordner	Michlovic	Stevenson, R.
Brooks	Grucela	Micozzie	Stevenson, T.
Browne	Gruitza	Miller, R.	Strittmatter
Bunt	Habay	Miller, S.	Sturla
Butkovitz	Haluska	Mundy	Surra
Buxton	Hanna	Myers	Taylor, E. Z.
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.	Hutchinson	Phillips	Veon
Colafella	Jadlowiec	Pickett	Vitali
Coleman	Josephs	Pippy	Walko
Cornell	Kaiser	Pistella	Wansacz
Corrigan	Keller	Preston	Washington
Costa	Kenney	Raymond	Waters
Coy	Kirkland	Readshaw	Watson
Creighton	Krebs	Reinard	Williams, J.
Curry	LaGrotta	Rieger	Wilt
Dailey	Laughlin	Roberts	Wojnaroski
Daley	Lawless	Robinson	Wright, G.
Dally	Lederer	Rohrer	Wright, M.
DeLuca	Leh	Rooney	Yewcic
Dermody	Lescovitz	Ross	Youngblood
DeWeese	Levdansky	Ruffing	Yudichak
DiGirolamo	Lewis	Sainato	Zimmerman
Diven	Lucyk	Samuelson	Zug
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	Ryan,
Egolf	Maher	Saylor	Speaker

NAYS-0

NOT VOTING—0

EXCUSED—8

Blaum	Horsley	Roebuck	Tangretti
Cruz	James	Rubley	Taylor, J.

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

Ordered, That the clerk inform the Senate accordingly.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 656, PN 1864**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for definitions, for unlawful use of computer and for bases of personal jurisdiction over persons outside this Commonwealth.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that SB 656 be recommitted to Rules.

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

* * *

The House proceeded to third consideration of **HB 1392, PN 3856**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, prohibiting profits received by third party persons from the commission of a crime.

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

Miss MANN offered the following amendment No. **A2620**:

Amend Sec. 1 (Sec. 8312), page 12, line 14, by striking out “OR” and inserting a comma

Amend Sec. 1 (Sec. 8312), page 12, line 15, by removing the period after “PROGRAM” and inserting

, videotape, sound recording, interview, radio program or live presentation of any kind.

Amend Sec. 1 (Sec. 8312), page 13, line 12, by striking out all of

said line and inserting
of the crime.

The term shall not include any item of publication, property or memorabilia that has expressive value or is protected by the first amendment to the Constitution of the United States or income generated from any item of publication, property or memorabilia that has expressive value or is protected by the first amendment.

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

The SPEAKER. On the question of the adoption of the Mann amendment, the lady is recognized.

Miss MANN. Thank you, Mr. Speaker.

Just very quickly, this amendment further defines the term “memorabilia” in the legislation and was worked on to take care of those concerns regarding the First Amendment. Thank you.

The SPEAKER. The Chair thanks the lady.

LEAVES OF ABSENCE

The SPEAKER. The Chair interrupts the vote to add the lady, Ms. BISHOP, and the gentleman, Mr. WATERS, both from Philadelphia, to today’s leave. Without objection, these leaves will be granted. The Chair hears no objection.

CONSIDERATION OF HB 1392 CONTINUED

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

The following roll call was recorded:

YEAS—192

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

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Bishop	Horsey	Rubley	Taylor, J.
Blaum	James	Tangretti	Waters
Cruz	Roebuck		

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

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—192

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

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Bishop	Horsey	Rubley	Taylor, J.
Blaum	James	Tangretti	Waters
Cruz	Roebuck		

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 SIGNED BY SPEAKER

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

HB 96, PN 3930

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for advance directives for health care, for definitions and for emergency medical services; and providing for out-of-hospital nonresuscitation.

HB 481, PN 3946

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

HB 1237, PN 3774

An Act providing for the transferring of liquefied petroleum gas, for registration, for fees, for inspection, for records, for training, for permits and for appeal; establishing the Liquefied Petroleum Gas Advisory Board; providing for insurance, for prohibitions and for penalties; and making repeals.

HB 1546, PN 3866

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for identity theft; and providing for the statute of limitations for the civil cause of action for identity theft and for damages in actions for identity theft.

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

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Stephanie Pence, a constituent of Representative Jim Lynch. She is here today as a guest page, attends the Youngsville Area High School, will be a sophomore this fall, and is interested in pursuing a career in law or medicine. Would the guest page kindly rise.

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1043, PN 1188**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for retention and reinstatement of service credits.

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

Mr. **BENNINGHOFF** offered the following amendment No. **A1060**:

Amend Title, page 1, line 2, by inserting after “for” creditable leaves of absence and for

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

Section 1. Section 5302(b) of Title 71 of the Pennsylvania Consolidated Statutes is amended to read:
§ 5302. Credited State service.

* * *

(b) Creditable leaves of absence.—

(1) A member on leave without pay who is studying under a Federal grant approved by the head of his department or who is engaged up to a maximum of two years of temporary service with the United States Government, another state or a local government under the Intergovernmental Personnel Act of 1970, 5 U.S.C. §§ 1304, 3371-3376; 42 U.S.C. §§ 4701-4772, shall be eligible for credit for such service: Provided, That contributions are made in accordance with sections 5501 (relating to regular member contributions for current service), 5505.1 (relating to additional member contributions) and 5507 (relating to contributions by the Commonwealth and other employers), the member returns from

leave without pay to active State service for a period of at least one year, and he is not entitled to retirement benefits for such service under a retirement system administered by any other governmental agency.

(2) An active member on paid leave granted by an employer for purposes of serving as an appointed full-time official at his union rate of compensation or as an elected full-time officer for a Statewide employee organization which is a collective bargaining representative under the act of July 23, 1970 (P.L.563, No.195), known as the Public Employe Relations Act: Provided, That [such leave shall not be for more than three consecutive terms of the same office; that] the employer shall fully compensate the member, including, but not limited to, salary, wages, pension and retirement contributions and benefits, other benefits and seniority, as if he were in full-time active service; and that the Statewide employee organization shall fully reimburse the employer for all expenses and costs of such paid leave, including, but not limited to, contributions and payment in accordance with sections 5501, 5505.1 and 5507, if the employee organization either directly pays, or reimburses the Commonwealth or other employer for, contributions made in accordance with section 5507.

* * *

Section 2. Section 5303 of Title 71 is amended by adding a subsection to read:

Amend Sec. 2, page 3, line 5, by striking out “2” and inserting
3

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

The following roll call was recorded:

YEAS—192

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

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Bishop	Horsey	Rubley	Taylor, J.
Blaum	James	Tangretti	Waters
Cruz	Roebuck		

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. **FREEMAN** offered the following amendment No. **A2511**:

Amend Sec. 1 (Sec. 5303), page 1, line 10, by striking out “(g)” and inserting

(h)

Amend Sec. 1 (Sec. 5303), page 1, line 17, by striking out “April 11, 1976” and inserting
September 1, 1973

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

The following roll call was recorded:

YEAS—192

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

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Bishop	Horsey	Rubley	Taylor, J.
Blaum	James	Tangretti	Waters
Cruz	Roebuck		

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. **LUCYK** offered the following amendment No. **A2933**:

Amend Title, page 1, line 3, by removing the period after “credits” and inserting
and for creditable nonstate service.

Amend Sec. 1 (Sec. 5303), page 1, line 10, by striking out “(g)” and inserting

(h)

Amend Bill, page 3, by inserting between lines 4 and 5
Section 2. Section 5304(a) of Title 71 is amended to read:
§ 5304. Creditable nonstate service.

(a) Eligibility.—An active member or a multiple service member who is a school employee and an active member of the Public School Employees’ Retirement System shall be eligible for Class A service credit for creditable nonstate service as set forth in subsections (b) and (c) except that [intervening];

(1) Intervening military service shall be credited in the class of service for which the member was eligible at the time of entering into military service and for which he makes the required contributions and except that a multiple service member who is a school employee and an active member of the Public School Employees’ Retirement System shall not be eligible to purchase

service credit for creditable nonstate service set forth in subsection (c)(5).

(2) Nonintervening military service shall be credited in the class of service for which the member is eligible at the time he elects to purchase nonintervening military service credit and for which he makes the required contributions.

* * *

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

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

The following roll call was recorded:

YEAS—192

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

NAYS—0

NOT VOTING—0

EXCUSED—10

Bishop	Horse	Rubley	Taylor, J.
Blaum	James	Tangretti	Waters
Cruz	Roebuck		

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—192

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

Egolf Evans, D.	Maher Maitland	Saylor	Ryan, Speaker
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NAYS-0

NOT VOTING-0

EXCUSED-10

Bishop Blaum Cruz	Horsley James Roebuck	Rubley Tangretti	Taylor, J. Waters
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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.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2122, PN 3655**, entitled:

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.

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

Mr. **GEORGE** offered the following amendment No. **A2161**:

Amend Sec. 3 (Sec. 7), page 7, by inserting between lines 18 and 19

(F) Ways that consumers, purchasers and providers can find additional information on health maintenance organizations from other Commonwealth agencies, including the Insurance Department and the Department of Health and which Commonwealth agencies they may contact if they have a problem with their health maintenance organization.

Amend Sec. 3 (Sec. 7), page 7, by inserting between lines 21 and 22

(iii) The council shall publish the annual report on the council's Internet home page and provide easily accessible electronic means to view the information described in subparagraph (ii)(F), including any relevant electronic complaint forms already available online from the Commonwealth.

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

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

Mr. GEORGE. Very quickly, Mr. Speaker, this amendment insists on a report card, something that all of us ought to know,

because the complaints come to us on these HMOs (health maintenance organizations). The amendment just states that these report cards should contain ways that consumers can find additional information from other Commonwealth agencies, and I believe that we ought to adopt this amendment. Thank you.

The SPEAKER. On the question of the adoption of the amendment, the gentleman, Mr. Browne.

Mr. BROWNE. Mr. Speaker, this is an agreed-to amendment. The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-192

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

NAYS-0
NOT VOTING-0

EXCUSED—10

Bishop	Horsey	Rubley	Taylor, J.
Blaum	James	Tangretti	Waters
Cruz	Roebuck		

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The gentleman, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I just wonder if the maker of the bill would rise for a moment for two questions.

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

Mr. BENNINGHOFF. Thank you.

The SPEAKER. The gentleman will yield.

Please. The House will come to order.

Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I was recently reading through a report put out by the Pennsylvania Health Care Cost Containment Council, and I was curious as I read through this; it was a pretty comprehensive report on what our managed-care organizations are doing here in the Commonwealth. Specifically, it talks about patient safety, patient satisfaction, what services are available, referrals to the managed-care organizations, and what was denied. I was just curious if this legislation is really going to provide anything differently.

I think it is important to note that here in the Commonwealth we have a lot of information already available to us. In the sake of trying to maintain costs here in the Commonwealth, I do not want to be redundant in order to do that, and I see as I look through this current legislation that we will be appropriating another \$100,000 to provide a report that is already available to us.

Additionally, the National Committee for Quality Assurance program could be accessed on the Net through "www.ncqa.org" for those who are computer literate and able to access information through the Internet. So I think this information is readily available, and I am concerned that as a government we are being redundant. I would like to ask the maker if he feels that there is something else that will be provided through this legislation that is not currently available in this report.

Mr. BROWNE. Mr. Speaker, the purpose of this legislation, as it was last year, is to provide a statutory mandate for what HC-4 is doing. HC-4 is providing performance-based measures now, but there is no statutory mandate for it, so I believe with the change in administrations, the priorities in terms of what HC-4 does and how they report information delivered to them from hospitals and national data sets may change. I think the General Assembly has a vested interest in making sure that we continue this process, and the primary purpose of this legislation is to give a statutory

mandate for this.

Mr. BENNINGHOFF. Mr. Speaker, just to follow that up, while I have the greatest respect for the gentleman who has introduced this legislation, my second question, is there going to be an annual cost of \$100,000 to do this or will that be the initial cost?

Mr. BROWNE. The annual cost, fiscal note annual cost, is \$100,000 a year.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I guess I would ask the members to take that into consideration at a time we are looking at some fiscal constraints in our budget and vote accordingly. One hundred thousand dollars is a significant amount of money. While I appreciate the efforts of the member, I do believe as a government body we need to not be redundant in the services that we provide, and more importantly, I believe this report is very comprehensive.

Thank you, Mr. Speaker, and I thank the maker of the bill for his comments.

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

Mr. NICKOL. Thank you, Mr. Speaker.

I would like to agree with the concerns expressed by Representative Benninghoff.

First of all, the sponsor said there is no statutory mandate for H-4C to produce this report, and he is correct about that. However, Act 68 of 1998, the patients' bill of rights legislation that most of us voted for and we passed back in 1998, does require all Pennsylvania-based HMOs to be accredited by the NCQA or a similar organization, and NCQA is essentially the Good Housekeeping seal of approval for managed-care plans nationwide, and they maintain this Web site with this information on all the HMOs or virtually all of them in Pennsylvania.

I am very familiar with their Web site. I am a member of the Public School Employees' Retirement System. We maintain HMOs for many of the retirees across the State, and I researched NCQA just to judge the quality of the HMOs that we are making available to our members to participate, and in looking at those, I mean, all you have to do is put in your ZIP Code and it gives you all kinds of detailed information on all the Pennsylvania HMOs.

So my question, similar to Representative Benninghoff's, is, why do we need this? Why do we have to spend additional money through the Pennsylvania Health Care Cost Containment Council to give us something, information we have already required by law and is already available? I would urge members to take careful consideration in approving this bill for that reason. Thank you.

The SPEAKER. The gentleman, Mr. Browne.

Mr. BROWNE. Thank you, Mr. Speaker.

While I appreciate the comments of the prior speaker in regard to the merits of this bill, the report put out by NCQA is a report that is based exclusively on a HEDIS (Health Plan Employer Data and Information Set) data set, and they structure it in such a way that it aligns itself in four major categories, unlike HC-4's report that takes a lot of that information and splits it out so it is a lot more specific for different measures of treatment. Both reports actually encompass a customer satisfaction survey, but in the HC-4 report it takes the customer satisfaction survey and makes it in a lot more detailed, a lot more customer-friendly method.

One of the things that makes this bill valuable and a merit to the citizens of Pennsylvania is HC-4 can structure their report to meet the needs of the citizens of the State, specifically in treatment and in prevention that may be different for Pennsylvania as opposed to

other places throughout the country. NCQA's report is something that is a national report, and they could set generic standards for the entire country.

You must understand that HC-4 is a product of State government; NCQA is not, and it is a function primarily financed by the insurance industry, and we have a lot more independent control over what is reported by HC-4 in terms of what is important to Pennsylvania consumers. It is an independent agency that we can rely on to provide customer-based satisfaction measures and performance-based measures on our health plans.

So in terms of the independence of HC-4, the differences in the reports, the differences in the information that they report on, I think it has value outside of what NCQA reports, and that is why this investment by our Health Care Cost Containment Council is important, and I ask the members to consider that when casting their vote.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—173

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

Evans, J. Mackereth Sather Speaker

NAYS—19

Armstrong	Egolf	Nickol	Taylor, E. Z.
Bastian	Jadlowiec	Pickett	Turzai
Benninghoff	Lynch	Reinard	Vance
Clark	Major	Stern	Zimmerman
Creighton	Metcalfe	Stevenson, R.	

NOT VOTING—0

EXCUSED—10

Bishop	Horsey	Rubley	Taylor, J.
Blaum	James	Tangretti	Waters
Cruz	Roebuck		

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

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

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

APPROPRIATIONS COMMITTEE MEETING

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

There will be an immediate meeting of the Appropriations Committee in the Appropriations conference room on the declaration of a recess or adjournment.

STATEMENT BY MR. LAWLESS

The SPEAKER. Mr. Lawless, do you seek unanimous consent? The Chair recognizes the gent— May I have your attention, please?

Members, please come to order. There will be no further votes. The Chair, however, has recognized Mr. Lawless for unanimous consent. Please be courteous enough to be quiet.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, I am sorry to hear of your illness, and I did not want to bring this up today because I just sent you a letter last week concerning an issue I believe needs to be addressed on the House floor.

Mr. Speaker, the Republicans decided to come into my district and do a push poll. We all know what a push poll is. They have misled the public into believing what my record is. They have stated that I have missed 39 percent of committee meetings. Mr. Speaker, after looking at the Chief Clerk's record, there is a drastic difference. It is clearly misleading the public. Mr. Speaker, I inquired about this poll because it was given to me anonymously through a Republican staffer, and I thank that staffer for taking that risk at losing his job.

Mr. Speaker, politics is what it is, we all understand; we all understand the election process, but to blatantly mislead my constituents into my record is an attack on me, my family, and the people that I represent. Mr. Speaker, therefore, under rule 64 of

this House, it is my understanding, and I am sure the Parliamentarian could clear this up for us, the sentence says, “No member shall be permitted to vote and have his vote recorded on the roll unless he is present in the Hall of the House during the roll call vote.”

Mr. Speaker, it is my understanding that the poll that was done on me about my record in my district, which misled the public, was done by the majority leader and ordered by the majority leader. Mr. Speaker, the majority leader was not on the House floor for any votes today, and yet he was recorded on the House floor.

Mr. Speaker, I intend in the future, if this is the way we are going to do it, and I know that your answer will be, we give latitude to the leaders, but the House rules do not talk about latitude to leaders. In fact, the majority leader sets the time and the date as to when we will be on the House floor, so he should not have any meetings, because it is his ability to set the date and the time for the rest of us to be present on the House floor. Therefore, his schedule is even more flexible than each of us House members. Therefore, it would be my wish that you as Speaker of this House would enforce House rule 64, because if in fact I am going to be judged and misled in my district with my attendance record, I will challenge the majority leader’s record as to my attendance versus his attendance on this House floor any day, any week, any year that we have been in session.

Thank you, Mr. Speaker.

The SPEAKER. Is there any further business to come before the House?

The Chair is going to hold the desk open awaiting the report of the Appropriations Committee. Other than that, there is no further business.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

I would have thought if the Lieutenant Governor or any other member of this chamber had a problem with me, they could have bothered to stop by or even talk to me in person. I just got back from the bathroom, Mr. Speaker; I apologize to the members for missing the floor for a little bit, but I trust, Mr. Speaker, I will be here to make sure that we can all see one another.

Thank you.

BILLS REREPORTED FROM COMMITTEE

HB 487, PN 2190 By Rep. ARGALL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting possession of certain tobacco paraphernalia by minors.

APPROPRIATIONS.

HB 1700, PN 3892 By Rep. ARGALL

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for definitions.

APPROPRIATIONS.

HB 2081, PN 3860 By Rep. ARGALL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for identity theft and for requirements for governmental access to certain electronic communications.

APPROPRIATIONS.

HB 2082, PN 3987 (Amended) By Rep. ARGALL

An Act requiring the Office of Attorney General to establish a regional identity theft unit pilot project and an identity theft victim database.

APPROPRIATIONS.

HB 2083, PN 3861 By Rep. ARGALL

An Act amending the act of August 21, 1953 (P.L.1323, No.373), known as The Notary Public Law, further providing for register, for copies of records and for certain powers of notaries.

APPROPRIATIONS.

HB 2190, PN 3988 (Amended) By Rep. ARGALL

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

APPROPRIATIONS.

HB 2229, PN 3865 By Rep. ARGALL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, authorizing boards of school directors to establish a program to provide high school diplomas to certain veterans.

APPROPRIATIONS.

HB 2345, PN 3989 (Amended) By Rep. ARGALL

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, further providing for legislative findings, for the Environmental Stewardship Fund and for extension of fees; and establishing the Community Renewal Account, the Conservation Heritage Account and the Volunteer Fire Company Fund.

APPROPRIATIONS.

HB 2424, PN 3440 By Rep. ARGALL

An Act amending the act of July 6, 1995 (P.L.255, No.34), known as the Dual Party Relay Service and Telecommunication Device Distribution Program Act, further defining “persons with a disability” or “people with disabilities.”

APPROPRIATIONS.

HB 2470, PN 3536

By Rep. ARGALL

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for municipal certificate prior to payment of fire loss claims; and making editorial changes.

APPROPRIATIONS.

HB 2552, PN 3890

By Rep. ARGALL

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

APPROPRIATIONS.

HB 2591, PN 3878

By Rep. ARGALL

An Act amending the act of August 31, 1971 (P.L.398, No.96), known as the County Pension Law, changing vesting rights; and providing additional class options.

APPROPRIATIONS.

HB 2635, PN 3847

By Rep. ARGALL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for restitution for identity theft.

APPROPRIATIONS.

SB 380, PN 2060 (Amended)

By Rep. ARGALL

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, further providing for definitions, for rights of victims, for responsibilities of State and local law enforcement agencies and for powers and duties of bureau; amending provisions relating to compensation; and further providing for establishment of basic services for victims of crime.

APPROPRIATIONS.

SB 391, PN 1903

By Rep. ARGALL

An Act authorizing the Commonwealth of Pennsylvania to join the Interstate Compact for the Supervision of Adult Offenders; providing for the form of the compact; imposing additional powers and duties on the Governor, the Secretary of the Commonwealth and the Compact Administrator; and making a repeal.

APPROPRIATIONS.

SB 1248, PN 1836

By Rep. ARGALL

An Act authorizing the Department of General Services, with the approval of the Department of Transportation and the Governor, to grant and convey to the Heritage Conservancy Inc., certain lands in the Borough of Doylestown, Bucks County.

APPROPRIATIONS.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED****SB 1417, PN 1935**

By Rep. MICOZZIE

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for mastectomy and breast cancer reconstruction.

INSURANCE.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Is there any further business? Majority leader or minority leader have any further business?

Hearing none, the Chair recognizes the lady, Mrs. Mackereth.

Mrs. MACKERETH. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 11, 2002, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:43 p.m., e.d.t., the House adjourned.