

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 12, 2002

SESSION OF 2002

186TH OF THE GENERAL ASSEMBLY

No. 47

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

PRAYER

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

Yesterday I said a word before I offered a prayer. Church and state, though we are separate, as I look at you and think of the institutional church, we have much in common at times in the way we do our business. Today perhaps my prayer is for you and me both, in the sense as a minister, a young man once asked me, what must we do in order to survive in ministry? Well, you have to be a preacher, and you have to learn how to lead, and you also need to know how to politick. And perhaps there is a little bit of politician in me and a little bit of minister in you, and so let us pause and think that we pray for each other.

We pause before the Lord, our God, who has refreshed this old earth with cool waters from heaven and who has refreshed each of us with a night of rest and revived hope for today.

O Lord God, come among us now as men and women as we begin this session so that we can have You as our quiet guide, a presence that will bring a fresh look to our day's work. Oh, it is easy at times to become dulled by the routine of government or deaf to all the different cries for help from so many different people. At times it feels like we have heard it all before, so why listen; there is nothing new.

O God, in the face of our dulled senses, I ask that we can feel again the sincere needs of people who we serve, that we can approach the old problems with a new insight, and that we can find renewed drive within each of us for those solutions that will lead us to God's grace.

So as the earth opens itself to the raindrops from heaven, O God, help each of us to open ourselves to You this day. May our souls be refreshed with the outpouring of His Spirit. 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, June 11, 2002, will be postponed until printed. The Chair hears no objection.

HOUSE BILL INTRODUCED AND REFERRED

No. 2702 By Representatives BISHOP, McNAUGHTON, PHILLIPS, HORSEY, LAUGHLIN, SHANER, MYERS, YOUNGBLOOD, HARHAI, E. Z. TAYLOR, PISTELLA, THOMAS, L. I. COHEN, WATERS, OLIVER, BROWNE and J. WILLIAMS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for life imprisonment for certain violent sex offenses.

Referred to Committee on JUDICIARY, June 12, 2002.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 246, PN 2063

Referred to Committee on RULES, June 12, 2002.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1360, PN 4010; HB 1363, PN 3981; and HB 1848, PN 3982**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 2312, PN 3676**, with information that the Senate has passed the same without amendment.

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

HB 2401, PN 4017 (Amended) By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for a Statewide system of licensing and oversight of cyber schools and for payments.

EDUCATION.

**RESOLUTIONS REPORTED
FROM COMMITTEE**

HR 570, PN 3816 By Rep. J. TAYLOR

A Concurrent Resolution memorializing the Congress of the United States to develop a nationwide reciprocity agreement among the states regarding individual income taxes.

INTERGOVERNMENTAL AFFAIRS.

HR 576, PN 4018 (Amended) By Rep. J. TAYLOR

A Resolution urging the Congress of the United States to permanently eliminate the 15% cut in the Medicare home health benefit scheduled to go into effect on October 1, 2002, and extend the 10% rural add-on to Medicare home health providers and calling upon the President to support the Congress in this effort.

INTERGOVERNMENTAL AFFAIRS.

HR 583, PN 3893 By Rep. J. TAYLOR

A Resolution urging the Congress to amend Title 10, United States Code, to permit full concurrent receipt of military retired pay and other veterans compensation, including dependents' allowances.

INTERGOVERNMENTAL AFFAIRS.

HR 585, PN 3895 By Rep. J. TAYLOR

A Resolution calling on the Congress of the United States to redraft and enact legislation similar to the Child Pornography Prevention Act of 1996 in a form which will pass constitutional muster.

INTERGOVERNMENTAL AFFAIRS.

HR 588, PN 3916 By Rep. J. TAYLOR

A Concurrent Resolution memorializing the Congress of the United States to approve legislation eliminating the requirement in the

Clean Air Act for 2% of content by weight oxygenate in reformulated gasoline and phasing out the use of MTBE.

INTERGOVERNMENTAL AFFAIRS.

GUESTS INTRODUCED

The SPEAKER. May I have the attention of the House, please.

The Chair is pleased to welcome to the hall of the House today the brother of Representative Keith McCall, Tom McCall, here today with Keith's cousin, Vince Falzone, and Charlotte Ekanger, who is also a cousin, visiting from Las Vegas. Would these guests, who are seated to the left of the Speaker, please rise.

COMMUNICATION FROM GOVERNOR

APPROVAL OF HOUSE BILL

The Speaker laid before the House a communication in writing from the office of His Excellency, the Governor of the Commonwealth, advising that the following House bill had been approved and signed by the Governor:

HB 1933.

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Marc Gergely, who is a newly elected candidate for the 35th District. He will be a member of this House in that he has no opponent in the fall election. Marc, would you please rise and say hello. He is over here in the corner by the wall. He is here today as the guest of the Allegheny County delegation and particularly Tom Michlovic, who he will be replacing in the coming session.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that SB 1417 be taken from the table.

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

BILL ON SECOND CONSIDERATION

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

SB 1417, PN 1935.

BILL RECOMMITTED

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

Mr. ARGALL. Mr. Speaker, I move that SB 1417 be recommitted to the Committee on Appropriations.

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

BILL SIGNED BY SPEAKER

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

HB 2312, PN 3676

An Act designating a portion of Pennsylvania State Route 33 in Northampton County as the General Anthony Clement McAuliffe 101st Airborne Memorial Highway.

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

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House guests seated in the balcony, the State and local government class from Bloomsburg University, here today as the guests of Representative Gordner. They are seated in the balcony, as I said. Would these guests please rise.

Here today as the guests of Representative Jeff Coleman are Greg Dowell and Bob Borkovec. They are seated in the gallery, and they are the guests of Representative Coleman. Would these guests rise.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence and recognizes the majority whip, who requests a leave for the lady from Cumberland, Mrs. VANCE; the gentleman from Northumberland, Mr. PHILLIPS; and the lady from Montgomery, Ms. HARPER, for today's session.

The minority whip, Mr. Veon, requests leave for the gentleman from Philadelphia, Mr. CRUZ.

Mr. COY. Mr. Speaker?

The SPEAKER. Mr. Coy.

Mr. COY. Would you also add to the list of leaves of absence the gentleman, Mr. HALUSKA.

The SPEAKER. Mr. Haluska is also requesting leave for today's session.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. May I have your attention, please. Members, may I have your attention, please.

We were just advised today of the passing of Dr. Haluska, Representative Gary Haluska's father. His father was a former member of this House.

The arrangements, I am advised, are as follows: There will be a viewing on Friday, the 14th, at Stevens Funeral Home in Patton, Pennsylvania, from 2 to 4 and 7 to 9 and a Mass on Saturday morning, the 15th, at 11 o'clock at the Queen of Peace Catholic Church in Patton.

There are three possible organizations that might benefit from your contribution rather than flowers, and the Chief Clerk will send a copy of a memorandum to each of the members through e-mail, I suppose.

So our thoughts are with Gary Haluska, our member, at this time.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—196

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Blaum	Haluska	Phillips	Vance
Cruz	Harper		

LEAVES ADDED—1

Gannon

LEAVES CANCELED—1

Harper

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HBs 621 and 2402 be removed from the table.

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

BILLS TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HBs 621 and 2402 be placed back upon the table.

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

ACTUARIAL NOTE

The SPEAKER. The Chair acknowledges receipt of an actuarial note for amendment 3218 to HB 2591, PN 3878.

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

COMMUNICATION FROM TASK FORCE ON 21ST CENTURY ENERGY POLICY

FOR PENNSYLVANIA

The SPEAKER. The Chair also acknowledges receipt of the final report of the Task Force on 21st Century Energy Policy for the Commonwealth of Pennsylvania.

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

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Mackereth, Drew Sindlinger and Matt Daggett. They are here today as guest pages. Would these gentlemen please rise. Drew is a sophomore at George Washington University; Matt, a senior at West York High School. Would these two guests please rise. They are here in front of the Speaker.

Representative Lita Cohen has two guest pages with her today – Joseph Collins and Steven Dean. They are here with their parents, Mr. and Mrs. Collins and Mary Dean, and the parents are seated in the balcony. Would they please rise and the guest pages please rise. They are in front of the Speaker.

The Chair is pleased to welcome to the hall today, as the guests of Representative Scavello, John Curtin III, a senior at Stroudsburg High School, and Ryan Compher, who is a senior at Notre Dame High School. Both are serving as guest pages today. Would they please rise.

VETERANS OF BATTLE OF MIDWAY PRESENTED

The SPEAKER. The Democratic floor leader has a number of guests today that deserve our attention and certainly our recognition, and at this time I would request that the gentleman, Mr. DeWeese, take the rostrum, take the podium, for the purpose of introducing his guests.

THE SPEAKER PRO TEMPORE (H. WILLIAM DeWEESE) PRESIDING

The SPEAKER pro tempore. Thank you, Mr. Speaker.

The gentleman from Delaware indicated that I should keep my white shoes hidden, but they are the same style as worn by United States naval personnel and Marine dress uniforms that he and I both have donned in the past.

It is a moment of high esteem for me to be here and have a moment to commemorate, celebrate, and focus upon people who strived so valiantly and so gallantly 60 years ago this week in a faraway Pacific atoll.

There are six Pennsylvanians who served on the United States ship Yorktown, and they are from our State, and they are surviving veterans of the Battle of Midway. Three of these six veterans are here today with us as well as two individuals who are associate members of the association that has preserved the legacy of that battle, that crucial battle.

We have a House resolution, HR 603, that our House of Representatives will honor our veterans with, the veterans that participated at Midway, which, as many of you know, especially Tommy Petrone, who is a historical aficionado of the Pacific

campaigns, was a turning point if not the turning point in the strife in the South Pacific.

As I said, with the 60th anniversary of the battle, I would like – and they are all to the left of Speaker Ryan and myself – I would like Barbara Olson and John Romano, who are two of our Yorktown associates, to please stand up and be recognized, and they are going to make their way to the podium. And please hold your applause while I also ask— In fact, let me say parenthetically that they are here on behalf of their late father, Ralph A. Romano, a private in the United States Marine Corps and an ammunition handler on the Yorktown, and their late uncle, William Romano, also a private, USMC, ammunition handler. Both of these men were natives of South Philadelphia and were stationed on the same 20 mm gun on the starboard side of the carrier Yorktown. This was at a time in the United States naval service when brothers were together on the same ships.

The three veterans who are also with us today: Norman Stevenson, United States Navy, a seaman attached to the Yorktown's bomber squadron. He is a resident of Royersford, Pennsylvania. Norman W. Ulmer, United States Navy, seaman first class and the junior man in Admiral Fletcher's flag allowance. He is a resident of Lewistown, Pennsylvania, and he is accompanied by his wife, Peggy, and daughter, Nancy Myers. And finally, Raymond W. Kerr, sergeant, United States Marine Corps. He was a gunner stationed on the 20 mm gun portside aft of the carrier Yorktown. He is a resident of Ridley Park, Pennsylvania. He is accompanied by his wife, Dorothy, and his son, Dan.

Before I recognize them any further, I just wanted to reflect one 30- or 60-second moment with you, and that is that when the strife had concluded and the Yorktown had gone down, four Japanese carriers had also met their doom, and when the telegraph tickers in the bunkers in Tokyo related that melancholy news and it was dispatched by runner to the Imperial Palace, the warlords of Japan realized for the first time that the gods of war no longer smiled in the Land of the Rising Sun, and one of the reasons is because of the intrepidity and undaunted courage of the men who stand to our left today.

Ladies and gentlemen of the House of Representatives, please give them a warm House welcome. Thank you.

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

CALENDAR

RESOLUTION PURSUANT TO RULE 35

The SPEAKER. The Chair calls up HR 603 on page 7, which is a resolution commemorating the veterans of this battle that these gentlemen participated in.

Mr. RYAN called up **HR 603, PN 3966**, entitled:

A Resolution commending the veterans of the United States Army, the United States Navy and the United States Marine Corps who fought at the Battle of Midway and honoring those men who lost their lives there.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Blaum	Haluska	Phillips	Vance
Cruz	Harper		

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2619, PN 3949**, entitled:

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.

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

The SPEAKER. It is the understanding of the Chair that amendments have been withdrawn to this bill.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Blaum	Haluska	Phillips	Vance
Cruz	Harper		

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 TEMPORARILY

The SPEAKER. HB 2470 is over temporarily.

* * *

The House proceeded to third consideration of **HB 487, PN 2190**, entitled:

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

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 HB 487 be recommitted to the Committee on Rules.

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

* * *

The House proceeded to third consideration of **SB 380, PN 2060**, entitled:

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.

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—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Blaum	Haluska	Phillips	Vance
Cruz	Harper		

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 1898, PN 3201**, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, providing for relief from certain employer charges.

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—196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Blaum	Haluska	Phillips	Vance
Cruz	Harper		

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

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

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a group of fourth grade students from the Spring Garden Elementary School in Bethlehem. They are here as the guests of Representative Samuelson and are seated in the balcony. Would these guests please rise.

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER TEMPORARILY

The SPEAKER. The next two bills are over temporarily. HB 2674 on page 4 is over temporarily.

* * *

The House proceeded to third consideration of SB 1192, PN 1823, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Pennsylvania American Water Company, certain lands situate in East Vincent Township, Chester County.

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-196

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Blaum	Haluska	Phillips	Vance
Cruz	Harper		

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

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

* * *

The House proceeded to third consideration of **SB 1249, PN 1621**, entitled:

An Act designating a road in Towanda Borough and North Towanda Township, Bradford County, as the John B. Merrill Parkway.

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—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Blaum	Haluska	Phillips	Vance
Cruz	Harper		

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

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

* * *

The House proceeded to third consideration of **SB 1093, PN 1524**, entitled:

An Act amending the act of April 8, 1868 (P.L.73, No.37), entitled, "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," further providing for the recording of final discharges and reports of separation and similar forms.

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—196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Blaum	Haluska	Phillips	Vance
Cruz	Harper		

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

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

RESOLUTION

Mr. GEIST called up **HR 602, PN 3965**, entitled:

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.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Blaum	Haluska	Phillips	Vance
Cruz	Harper		

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2183, PN 4012**, entitled:

An Act specifically authorizing collective bargaining between first-level supervisors and their public employer; providing for arbitration in order to settle disputes rather than striking; and requiring compliance with collective bargaining agreements and findings of arbitrators.

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

The SPEAKER. It is the understanding of the Chair that the gentleman, Mr. Flick, has filed a late amendment, and a suspension of the rules of the House is required.

The Chair will shortly recognize the gentleman, Mr. Flick.

RULES SUSPENDED

The SPEAKER. The gentleman, Mr. Flick.

Mr. FLICK. Thank you, Mr. Speaker.

This is a technical amendment which I believe has the support of the prime sponsor of the bill.

The SPEAKER. The gentleman, Mr. Flick, moves that the rules of the House be suspended to permit him to offer amendment—
What number is that, Mr. Flick?

Mr. FLICK. That is a very good question, Mr. Speaker. Wait a second. 3307.

The SPEAKER. 3307.

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Blaum	Haluska	Phillips	Vance
Cruz	Harper		

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

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

Mr. **FLICK** offered the following amendment No. **A3307**:

Amend Sec. 401, page 7, lines 10 through 14, by striking out all of said lines

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

The SPEAKER. Mr. Vitali.

Mr. VITALI. I just wanted to find out what that amendment did, Mr. Speaker.

The SPEAKER. Mr. Flick described it as a technical amendment. Mr. Flick, will you elaborate to a greater extent on that amendment?

Mr. FLICK. Mr. Speaker, the bill was amended in committee, in the Appropriations Committee, to basically apply the legislation only to the Turnpike Commission. The amendment I offer strikes out certain words which were not taken out of the bill, referring to the Commonwealth, its employees and agents.

My amendment helps define the bill, so it is just referring to the Turnpike Commission.

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

The following roll call was recorded:

YEAS—196

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Blaum	Haluska	Phillips	Vance
Cruz	Harper		

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-153

Adolph	Eachus	Mann	Smith, B.
Allen	Evans, D.	Markosek	Solobay
Argall	Evans, J.	Marsico	Staback
Baker, J.	Feese	Mayernik	Stairs
Bard	Fichter	McCall	Steelman
Barrar	Fleagle	McGeehan	Stern
Bebko-Jones	Frankel	McGill	Stetler
Belardi	Freeman	McNaughton	Stevenson, T.
Belfanti	Gannon	Melio	Sturla
Bishop	George	Michlovic	Surra
Boyes	Godshall	Micozzie	Tangretti
Brooks	Gordner	Mundy	Taylor, J.
Browne	Grucela	Myers	Thomas
Bunt	Gruitza	O'Brien	Tigue
Butkovitz	Habay	Oliver	Travaglio
Buxton	Hanna	Pallone	Trello
Caltagirone	Harhai	Perzel	Trich
Cappelli	Harhart	Petrarca	Tulli
Casorio	Hennessey	Petrone	Veon
Cawley	Hershey	Pippy	Vitali
Civera	Horsey	Pistella	Walko
Clymer	James	Preston	Wansacz
Cohen, L. I.	Josephs	Raymond	Washington
Cohen, M.	Kaiser	Readshaw	Waters
Colafella	Keller	Rieger	Watson
Cornell	Kenney	Roberts	Williams, J.
Corrigan	Kirkland	Robinson	Wilt
Costa	Krebs	Roebuck	Wojnaroski
Coy	LaGrotta	Rooney	Wright, G.
Curry	Laughlin	Rubley	Wright, M.
Dailey	Lawless	Ruffing	Yewcic
Daley	Lederer	Sainato	Youngblood
Dally	Leh	Samuelson	Yudichak
DeLuca	Lescovitz	Santoni	Zimmerman
Dermody	Levdansky	Scavello	Zug
DeWeese	Lucyk	Schuler	
DiGirolo	Lynch	Scrimenti	
Diven	Maher	Semmel	Ryan,
Donatucci	Manderino	Shaner	Speaker

NAYS-43

Armstrong	Forcier	Major	Ross
Baker, M.	Gabig	McIlhattan	Sather
Bastian	Geist	McIlhinney	Saylor
Benninghoff	Hasay	Metcalfe	Schroder
Birmelin	Herman	Miller, R.	Smith, S. H.
Clark	Hess	Miller, S.	Steil
Coleman	Hutchinson	Nailor	Stevenson, R.
Creighton	Jadlowiec	Nickol	Strittmatter
Egolf	Lewis	Pickett	Taylor, E. Z.
Fairchild	Mackereth	Reinard	Turzai
Flick	Maitland	Rohrer	

NOT VOTING-0

EXCUSED-6

Blaum	Haluska	Phillips	Vance
Cruz	Harper		

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.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence. The majority whip requests that Mr. GANNON be added to the leave for the balance of today's session. Without objection, the leave is granted. The Chair hears none.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1553, PN 1899**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for footrests and handlebars on motorcycles.

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

Mr. **SOLOBAY** offered the following amendment No. **A3039**:

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

; and providing for restrictions on motorcycle tolls.

Amend Bill, page 1, by inserting after line 14

Section 2. Title 75 is amended by adding a section to read:

§ 8917. Motorcycle tolls.

Tolls for motorcycles on the Pennsylvania Turnpike shall be limited to no more than one-half of the lowest rate of passenger car tolls.

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

3

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

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

Mr. VITALI. Thank you, Mr. Speaker.

Would the maker of the amendment stand for brief interrogation?

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

Mr. VITALI. The amendment provides that motorcycle tolls be limited to no more than one-half of the lowest rate for passenger car tolls. Is that correct?

Mr. SOLOBAY. That is correct, Mr. Speaker.

Mr. VITALI. Right now are they the same?

Mr. SOLOBAY. That is also correct.

Mr. VITALI. Has the Turnpike Commission taken a position on this amendment?

Mr. SOLOBAY. We have not heard from them at this point.

Mr. VITALI. Do you know if they are aware of it?

Mr. SOLOBAY. Yes. We offered a similar amendment last year and pulled it off a bill at that time, and the Turnpike Commission, along with some other folks, were going to get together, and to this date, there is a letter from them I have in the office that says they are looking strongly at it, so we are just

trying to help give them a push.

Mr. VITALI. I am sorry; I had trouble hearing that.

Let me ask the question again. Last time around did they support or oppose or take no position?

Mr. SOLOBAY. At the time they said they were going to look at the bill. We have received a letter back from them stating that purpose, so at that time they asked us to pull it. We have not got any information back from them at this time asking us to take it off.

Mr. VITALI. Okay. I assume there has been a fiscal note on this. I just do not have it. Is there a fiscal note on this?

Mr. SOLOBAY. I do not think it has been submitted yet; that is correct.

Mr. VITALI. Okay. Do you have any idea what the fiscal impact of this would be and how it might result in the increase to fees for passenger cars?

Mr. SOLOBAY. Well, there is obviously going to be some impact. I am not sure. The total number of motorcycles that utilize the turnpike each year, whether or not they would show any change on passenger rates has not been determined at this time.

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

Mr. VITALI. Just for the record, that concludes my interrogation.

Mr. GEIST. Thank you, Mr. Speaker.

I think this amendment is very well intended, but I would ask the gentleman to withdraw it. Maybe we can attach it to something else later, get a fiscal note on it, get the information from the turnpike on it, and kind of do it the right way, and I think he is headed in the right direction now.

The SPEAKER. Mr. Solobay, there is some question in my mind and in the mind of the Parliamentarian as to whether or not a fiscal note is required of the Turnpike Commission. The rules of the House deal with the Commonwealth or any of its political subdivisions. I am of an opinion that the Turnpike Commission, I believe, is an authority, which would be a political subdivision of the Commonwealth. Under those circumstances, I believe a fiscal note is in order before we can consider the amendment.

Mr. SOLOBAY. Mr. Speaker, would it be appropriate to hold the bill over until we can have that taken care of?

The SPEAKER. Would you discuss that with the floor leader's aide.

Mr. SOLOBAY. Thank you.

BILL PASSED OVER TEMPORARILY

The SPEAKER. The bill will go over temporarily for a moment though.

RULES COMMITTEE MEETING

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

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 1360, PN 4010

By Rep. PERZEL

An Act amending the act of December 14, 1988 (P.L.1192, No.147), known as the Special Ad Hoc Municipal Police and Firefighter Postretirement Adjustment Act, further providing for definitions, for special ad hoc postretirement adjustments and for the administration of the Commonwealth's reimbursements for these adjustments; and making editorial changes.

RULES.

HB 1363, PN 3981

By Rep. PERZEL

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further providing for payments under existing pension plans and for service increments to pensions of police and firefighters.

RULES.

SUPPLEMENTAL CALENDAR A

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1360, PN 4010**, entitled:

An Act amending the act of December 14, 1988 (P.L.1192, No.147), known as the Special Ad Hoc Municipal Police and Firefighter Postretirement Adjustment Act, further providing for definitions, for special ad hoc postretirement adjustments and for the administration of the Commonwealth's reimbursements for these adjustments; and making editorial changes.

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

The SPEAKER. On that question, Mr. Vitali.

Mr. VITALI. I rise to interrogate the appropriate person on this bill.

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

Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Could we start with just a brief explanation of the amendments made over in the Senate?

Mr. NICKOL. Yes, Mr. Speaker.

The SPEAKER. Mr. Nickol.

Mr. NICKOL. I would be glad to explain the two amendments added by the Senate.

The first one, because of the lapse of time since the House initially passed HB 1360, there had to be a change in the effective date of the legislation so that the application is not retroactive.

The second change was a technical change sought by the Public Employee Retirement Commission to satisfy some concerns expressed by the city of Pittsburgh, and it clarifies how debt – that is pension bond debt – is treated in the application of the ratio used in the calculation of the COLA (cost-of-living adjustment) provided under this bill. Like I said, it was requested by the Public Employee Retirement Commission, and they have issued a letter on that, indicating that it has no cost.

Mr. VITALI. I just want to be clear. There is a bill I have my eye out for. I want to make sure it is not this.

We discussed a bill in caucus that would require municipalities to pay a COLA for pension benefits for police officers prior to 1996. Is that this one, or is that another one?

Mr. NICKOL. That is this piece of legislation. That was passed by the House of Representatives. The Senate did not make any changes with regard to that requirement except in the effective date.

Mr. VITALI. I have some concerns about that aspect of this bill, Mr. Speaker. I just do not want to—

The SPEAKER. Mr. Vitali, that is a closed issue. What is before the House is the amendments inserted by the Senate, and as I understand the gentleman, Mr. Nickol, the only thing that would affect what you are talking about is the effective date. The substance of the bill, we have already passed. We are not going to redo it. We are not going to redebate it. We debate only the Senate amendments.

Mr. VITALI. Thank you, Mr. Speaker.

That would conclude my interrogation.

The SPEAKER. The Chair thanks the gentleman.

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

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

The following roll call was recorded:

YEAS—195

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

Dally	Lescovitz	Ross	Wright, M.
DeLuca	Levdansky	Rubley	Yewcic
Dermody	Lewis	Ruffing	Youngblood
DeWeese	Lucyk	Sainato	Yudichak
DiGirolamo	Lynch	Samuelson	Zimmerman
Diven	Mackereth	Santoni	Zug
Donatucci	Maher	Sather	
Eachus	Maitland	Saylor	Ryan,
Egolf	Major	Scavello	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—7

Blaum	Gannon	Harper	Vance
Cruz	Haluska	Phillips	

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 1363, PN 3981**, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further providing for payments under existing pension plans and for service increments to pensions of police and firefighters.

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—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Blaum	Gannon	Harper	Vance
Cruz	Haluska	Phillips	

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.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Argall, you desire recognition for the purpose of announcing a meeting?

Mr. ARGALL. Thank you, Mr. Speaker.

At the declaration of the recess, the House Appropriations Committee will meet in room 245.

COMMERCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Hasay.

Mr. HASAY. Mr. Speaker, there will be a meeting of the House Commerce and Economic Development Committee in the Ryan Building on the second floor at the lunch break, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Any further announcements?

ANNOUNCEMENT BY MR. COHEN

The SPEAKER. Mr. Cohen.
Mr. COHEN. Thank you.

Mr. Speaker, at the declaration of the recess, there will be informal discussions in the House Democratic caucus room as well as discussion of any last-minute amendments.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY MR. DeLUCA

The SPEAKER. Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

This is just a notice for some of our members out there. A lot of times through our mail some of the cosponsorship memos get lost. Today I will be introducing a piece of legislation that I think everyone should pay attention to. It is going to set up a dedicated fund for our volunteer fire services out there. Now, we have talked many, many years of trying to provide them a permanent funding mechanism. Today we have 65 cosponsors, and what we will be doing is introducing this, and as the majority leader has mentioned the fact that we are going to address the volunteer fire funding out there next week, next week, but we want to make sure that this is not a one-time shot again. This legislation would set up a permanent dedicated funding for our volunteer and ambulance services throughout the Commonwealth, \$35 million-plus, utilizing 3.4 cents of the tobacco tax.

I am going to leave it up here on the counter before I introduce it. If anybody would want to sign these two companion bills, it will be here, but we are introducing it today.

Thank you very much, Mr. Speaker.

STATEMENT BY MR. FAIRCHILD

The SPEAKER. The gentleman, Mr. Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

I would like to thank both you and the minority leader for the presentation on the veterans.

The SPEAKER. Will the gentleman yield.

The House will come to order.

Mr. Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

I would like to thank you and Representative DeWeese for the presentation to the veterans that were present here, but I would like to make one small correction for the record.

Mr. Ulmer and his wife and family have lived in Lewisburg, not Lewistown, all their life, and they requested that I do correct the record.

Thank you very much again.

The SPEAKER. That is an important correction. I do not blame you a bit. The remarks of the gentleman, of course, will be spread upon the record.

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman, Mr. Scavello, who indicates that he would like his vote to be recorded in the negative on HB 2183. The remarks of the gentleman will be spread upon the record.

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 1360, PN 4010

An Act amending the act of December 14, 1988 (P.L.1192, No.147), known as the Special Ad Hoc Municipal Police and Firefighter Postretirement Adjustment Act, further providing for definitions, for special ad hoc postretirement adjustments and for the administration of the Commonwealth's reimbursements for these adjustments; and making editorial changes.

HB 1363, PN 3981

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further providing for payments under existing pension plans and for service increments to pensions of police and firefighters.

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

The SPEAKER. We are going to break until 1:15. There will be no further votes till then.

VOTE CORRECTION

The SPEAKER. Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

On HB 2183 I intended to vote in the negative, but the vote registered in the affirmative. Thank you.

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

RECESS

The SPEAKER. Any further announcements? Corrections to the record?

Hearing none, this House will stand in recess until 1:15, unless extended or called back sooner by the Chair.

RECESS EXTENDED

The time of recess was extended until 1:30 p.m.

AFTER RECESS

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

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

HB 778, PN 4020 (Amended) By Rep. FLICK

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for compensation rates.

LABOR RELATIONS.

HB 1542, PN 4021 (Amended) By Rep. FLICK

An Act amending the act of February 11, 1998 (P.L.58, No.15), known as the Combustible and Flammable Liquids Act, further providing for self-service dispensing stations, for prohibition and for penalties.

LABOR RELATIONS.

HB 1978, PN 2571 By Rep. FLICK

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for compensation rates.

LABOR RELATIONS.

HB 2246, PN 3098 By Rep. B. SMITH

An Act authorizing the Commonwealth of Pennsylvania to join the Interstate Wildlife Violator Compact; providing for the form of the compact; imposing additional powers and duties on the Governor and the Compact Administrator; and limiting the applicability of suspension powers.

GAME AND FISHERIES.

HB 2574, PN 3713 By Rep. REINARD

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, providing for the entering into agreements by the board and license applicants regarding the pending application.

LIQUOR CONTROL.

HB 2609, PN 3787 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 periodic payment of compensation, for powers of referees and for penalties.

LABOR RELATIONS.

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

SB 596, PN 2076 (Amended) By Rep. HERMAN

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for election and eligibility of supervisors.

LOCAL GOVERNMENT.

SB 1100, PN 2077 (Amended) By Rep. HERMAN

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for governing body of municipal authorities and for certain fiscal reporting.

LOCAL GOVERNMENT.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence on the floor of the House of the lady, Ms. Harper, and asks that she be placed back on the master roll.

CALENDAR CONTINUED

CONSIDERATION OF HB 1553 CONTINUED

AMENDMENT WITHDRAWN

The SPEAKER. The Chair is advised Mr. Solobay withdraws his amendment.

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

Mr. HANNA offered the following amendment No. **A3236**:

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

and for scope and application of provisions relating to size, weight and load.

Amend Bill, page 1, by inserting after line 14

Section 2. Section 4901(c) of Title 75 is amended and the section is amended by adding a subsection to read:

§ 4901. Scope and application of chapter.

* * *

(c) Permit authorizing prohibited movement.—If an overweight or oversize movement cannot be made in any other feasible manner, the permit may authorize the movement to be made in contravention to any provision of this title provided that:

(1) the department or local authority determines that the movement is in the public interest; and

(2) the movement is escorted by the Pennsylvania State Police, extra-duty Pennsylvania State Police or department personnel [while any provision of this title is being contravened]. If the movement is escorted by extra-duty Pennsylvania State Police or department personnel, the following shall apply:

(i) Approval must be obtained from the Pennsylvania State Police.

(ii) The permittee shall bear the expense of escorting the movement.

(iii) Extra-duty Pennsylvania State Police and department personnel shall be immune from civil or criminal liability arising from escorting a movement in accordance with this paragraph.

* * *

(e) Definition—As used in this section, the term "extra-duty Pennsylvania State Police" means sworn members of the Pennsylvania State Police assigned, on a voluntary basis, to perform work outside of their regularly scheduled shift on an overtime basis, to a detail that is the exclusive activity to be performed during the shift assignment.

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

3

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Blaum	Gannon	Phillips	Vance
Cruz	Haluska		

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. SCRIMENTI offered the following amendment No. **A3270**:

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

; providing for lighted lamp requirements for motorcycles; and further providing for periods for requiring lighted lamps.

Amend Bill, page 1, by inserting after line 14

Section 2. Title 75 is amended by adding a section to read:

§ 3526. Lighted lamp requirements for motorcycles.

Notwithstanding the provisions of section 4302 (relating to periods for requiring lighted lamps), the operator of a motorcycle, manufactured during or after 1973, upon a highway shall display the lighted head lamps and other lamps and illuminating devices required under Chapter 43 (relating to lighting equipment) at all times.

Section 3. Section 4302 of Title 75 is amended by adding a subsection to read:

§ 4302. Periods for requiring lighted lamps.

* * *

(c) Applicability.—This section shall not apply to motorcycles.

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

4

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

The following roll call was recorded:

YEAS—196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Blaum	Gannon	Phillips	Vance
Cruz	Haluska		

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-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Blaum	Gannon	Phillips	Vance
Cruz	Haluska		

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 ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2674, PN 3936**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. It is the understanding of the Chair Mr. McCall has withdrawn his amendments.

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

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

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Blaum	Gannon	Phillips	Vance
Cruz	Haluska		

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.

STATEMENT BY MR. DALEY

The SPEAKER. Mr. Daley, do you seek recognition?

Mr. DALEY. Yes, Mr. Speaker.

Point of parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. DALEY. Before we broke, we were on bills on concurrence in Senate amendments. HB 1493, PN 3723, appeared to be next on the agenda. I do not know if that is going to be voted today, but I need to advise members that that bill is absolutely, completely different than the bill that we sent over. Representative Bunt was the prime sponsor and I was second sponsor on that bill. It was an agricultural terrorism bill. It is now an ethnic intimidation bill, and I think— We are not going to be voting it today?

Well, let me just announce that any members who wish to have their name withdrawn from that bill because it is no longer an agricultural terrorism bill; it is now something completely different, they need to look at the bill, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman for that information.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1700, PN 3892**, entitled:

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.

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

Mr. **GEORGE** offered the following amendment No. **A3202**:

Amend Title, page 1, line 22, by inserting after “for”
delegation of taxing powers and restrictions and for

Amend Bill, page 2, lines 2 through 5, by striking out all of said lines and inserting

Section 1. Section 2 of the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, amended or added October 11, 1984 (P.L.885, No.172) and July 9, 1987 (P.L.203, No.30), is amended to read:

Section 2. Delegation of Taxing Powers and Restrictions Thereon.—

The duly constituted authorities of the following political subdivisions, cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class, and school districts of the fourth class, in all cases including independent school districts, may, in their discretion, by ordinance or resolution, for general revenue purposes, levy, assess and collect or provide for the levying, assessment and collection of such taxes as they shall determine on persons, transactions, occupations, privileges, subjects and personal property within the limits of such political subdivisions, and upon the transfer of real property, or of any interest in real property, situate within the political subdivision levying and assessing the tax, regardless of where the instruments making the transfers are made, executed or delivered or where the actual settlements on such transfer take place. The taxing authority may provide that the transferee shall remain liable for any unpaid realty transfer taxes imposed by virtue of this act. Each local taxing authority may, by ordinance or resolution, exempt any person whose total income from all sources is less than [five thousand dollars (\$5,000)] ten thousand dollars (\$10,000) per annum from the per capita or similar head tax, occupation tax and occupational privilege tax, or earned income tax, or any portion thereof, and may adopt regulations for the processing of claims for exemptions. Such local authorities shall not have authority by virtue of this act:

(1) To levy, assess and collect or provide for the levying, assessment and collection of any tax on the transfer of real property when the transfer is by will or mortgage or the intestate laws of this Commonwealth or on a transfer by the owner of previously occupied residential premises to a builder of new residential premises when such previously occupied residential premises is taken in trade by such builder as part of the consideration from the purchaser of a new previously unoccupied single family residential premises or on a transfer between corporations operating housing projects pursuant to the housing and redevelopment assistance law and the shareholders thereof, or on a transfer between nonprofit industrial development agencies and industrial corporations purchasing from them, or on transfer to or from nonprofit industrial development agencies, or on a transfer between husband and wife, or on a transfer between persons who were previously husband and wife but who have since been divorced; provided such transfer is made within three months of the date of the granting of the final decree in divorce, or the decree of equitable distribution of marital property, whichever is later, and the property or interest therein, subject to such transfer, was acquired by the husband and wife, or husband or wife, prior to the granting of the final decree in divorce, or on a transfer between parent and child or the spouse of such a child, or between parent and trustee for the benefit of a child or the spouse of such child, or on a transfer between a grandparent and grandchild or the spouse of such grandchild, or on a transfer between brother and sister or brother and brother or sister and sister or the spouse of such brother or sister, or on a transfer to a conservancy which possesses a tax-exempt status pursuant to section 501(c)(3) of the Internal Revenue Code, and which has as its primary purpose the preservation of land for historic, recreational, scenic, agricultural or open space opportunities, by and between a principal and straw party for the purpose of placing a mortgage or ground rent upon the premises, or on a correctional deed without consideration, or on a transfer to the United States, the Commonwealth of Pennsylvania, or to any of their instrumentalities, agencies or political subdivisions, by gift, dedication or deed in lieu of condemnation, or deed of confirmation in connection with condemnation proceedings, or reconveyance by the condemning body of the property condemned to the owner of record at the time of condemnation which reconveyance may include property line adjustments provided said reconveyance is made within one year from the date of condemnation, leases, or on a conveyance to a trustee under a recorded trust agreement for the express purpose of holding title in trust as security for a debt contracted at the time of the conveyance under which the trustee is not the lender and requiring the trustee to make reconveyance to the grantor-borrower upon the repayment of the debt, or a transfer within a family from a sole proprietor family member to a

family farm corporation, or in any sheriff sale instituted by a mortgagee in which the purchaser of said sheriff sale is the mortgagee who instituted said sale, or on a privilege, transaction, subject, occupation or personal property which is now or does hereafter become subject to a State tax or license fee;

(2) To levy, assess or collect a tax on the gross receipts from utility service of any person or company whose rates and services are fixed and regulated by the Pennsylvania Public Utility Commission or on any public utility services rendered by any such person or company or on any privilege or transaction involving the rendering of any such public utility service;

(3) Except on sales of admission to places of amusement or on sales or other transfers of title or possession of property, to levy, assess or collect a tax on the privilege of employing such tangible property as is now or does hereafter become subject to a State tax; and for the purposes of this clause, real property rented for camping purposes shall not be considered a place of amusement.

(4) To levy, assess and collect a tax on goods and articles manufactured in such political subdivision or on the by-products of manufacture, or on minerals, timber, natural resources and farm products produced in such political subdivision or on the preparation or processing thereof for use or market, or on any privilege, act or transaction related to the business of manufacturing, the production, preparation or processing of minerals, timber and natural resources, or farm products, by manufacturers, by producers and by farmers with respect to the goods, articles and products of their own manufacture, production or growth, or on any privilege, act or transaction relating to the business of processing by-products of manufacture, or on the transportation, loading, unloading or dumping or storage of such goods, articles, products or by-products; except that local authorities may levy, assess and collect taxes on the occupation, occupational privilege, per capita and earned income or net profits of natural persons engaged in the above activities whether doing business as individual proprietorship or as members of partnerships or other associations;

(5) To levy, assess or collect a tax on salaries, wages, commissions, compensation and earned income of nonresidents of the political subdivisions: Provided, That this limitation (5) shall apply only to school districts of the second, third and fourth classes;

(6) To levy, assess or collect a tax on personal property subject to taxation by counties or on personal property owned by persons, associations and corporations specifically exempted by law from taxation under the county personal property tax law: Provided, That this limitation (6) shall not apply to cities of the second class;

(7) To levy, assess or collect a tax on membership in or membership dues, fees or assessment of charitable, religious, beneficial or nonprofit organizations including but not limited to sportsmens, recreational, golf and tennis clubs, girl and boy scout troops and councils;

(8) To levy, assess or collect any tax on a mobilehome or house trailer subject to a real property tax unless the same tax is levied, assessed and collected on other real property in the political subdivision.

(9) To levy, assess or collect any tax on individuals for the privilege of engaging in an occupation (occupational privilege tax) except that such a tax may be levied, assessed and collected only by the political subdivision of the taxpayer's place of employment.

Payment of any occupational privilege tax to any political subdivision by any person pursuant to an ordinance or resolution passed or adopted under the authority of this act shall be limited to ten dollars (\$10) on each person for each calendar year.

The situs of such tax shall be the place of employment, but, in the event a person is engaged in more than one occupation, or an occupation which requires his working in more than one political subdivision during the calendar year, the priority of claim to collect such occupational privilege tax shall be in the following order: first, the political subdivision in which a person maintains his principal office or is principally employed; second, the political subdivision in which the person resides and works, if such a tax is levied by that political subdivision; third, the political subdivision in which a person is employed and which imposes

the tax nearest in miles to the person’s home. The place of employment shall be determined as of the day the taxpayer first becomes subject to the tax during the calendar year.

It is the intent of this provision that no person shall pay more than ten dollars (\$10) in any calendar year as an occupational privilege tax irrespective of the number of political subdivisions within which such person may be employed within any given calendar year.

In case of dispute, a tax receipt of the taxing authority for that calendar year declaring that the taxpayer has made prior payment which constitutes prima facie certification of payment to all other political subdivisions.

(10) To levy, assess or collect a tax on admissions to motion picture theatres: Provided, That this limitation (10) shall not apply to cities of the second class.

(11) To levy, assess or collect a tax on the construction of or improvement to residential dwellings or upon the application for or issuance of permits for the construction of or improvements to residential dwellings.

(12) To levy, assess and collect a mercantile or business privilege tax on gross receipts or part thereof which are: (i) discounts allowed to purchasers as cash discounts for prompt payment of their bills; (ii) charges advanced by a seller for freight, delivery or other transportation for the purchaser in accordance with the terms of a contract of sale; (iii) received upon the sale of an article of personal property which was acquired by the seller as a trade-in to the extent that the gross receipts in the sale of the article taken in trade does not exceed the amount of trade-in allowance made in acquiring such article; (iv) refunds, credits or allowances given to a purchaser on account of defects in goods sold or merchandise returned; (v) Pennsylvania sales tax; (vi) based on the value of exchanges or transfers between one seller and another seller who transfers property with the understanding that property of an identical description will be returned at a subsequent date; however, when sellers engaged in similar lines of business exchange property and one of them makes payment to the other in addition to the property exchanged, the additional payment received may be included in the gross receipts of the seller receiving such additional cash payments; (vii) of sellers from sales to other sellers in the same line where the seller transfers the title or possession at the same price for which the seller acquired the merchandise; or (viii) transfers between one department, branch or division of a corporation or other business entity of goods, wares and merchandise to another department, branch or division of the same corporation or business entity and which are recorded on the books to reflect such interdepartmental transactions.

(13) To levy, assess or collect an amusement or admissions tax on membership, membership dues, fees or assessments, donations, contributions or monetary charges of any character whatsoever paid by the general public, or a limited or selected number thereof, for such persons to enter into any place, indoors or outdoors, to engage in any activities, the predominant purpose or nature of which is exercise, fitness, health maintenance, improvement or rehabilitation, health or nutrition education, or weight control.

Section 2. The definitions of “earned income” and “net profits” in section 13 I of the act, amended December 20, 2000 (P.L. 781, No. 110), are amended to read:

Amend Sec. 2, page 4, line 17, by striking out “2” and inserting
3

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

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, as you well know, current law provides that local taxing authorities may exempt any person whose total income from all sources is less than \$5,000 per annum from the per capita or

similar head tax, occupation tax, and occupational privilege tax. My amendment raises the threshold to \$10,000.

It is a “may” bill, Mr. Speaker. We have got to start doing something for these citizens that are having a bad time meeting their obligations. I think everyone would want to support this amendment. Thank you.

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. Browne.

Mr. BROWNE. Mr. Speaker, may I interrogate the sponsor of the amendment?

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

Mr. BROWNE. Just one question, Mr. Speaker.

With your change, if a municipality wished to exempt an individual by ordinance for their earned income, would it have to be \$10,000 or could it be any amount of \$10,000 or less?

Mr. GEORGE. I would believe that it would be \$10,000 or less, Mr. Speaker.

Mr. BROWNE. \$10,000 or less?

Mr. GEORGE. Yes.

Mr. BROWNE. All right.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—191

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

Daley	Leh	Ross	Wright, G.
Dally	Lescovitz	Rubley	Wright, M.
DeLuca	Levdansky	Ruffing	Yewcic
Dermody	Lucyk	Sainato	Youngblood
DeWeese	Lynch	Samuelson	Yudichak
DiGirolamo	Mackereth	Santoni	Zimmerman
Diven	Maher	Sather	Zug
Donatucci	Maitland	Saylor	
Eachus	Major	Scavello	Ryan,
Egolf	Manderino	Schroder	Speaker
Evans, D.			

NAYS-5

Creighton	Jadlowiec	Lewis	Metcalfe
Forcier			

NOT VOTING-0

EXCUSED-6

Blaum	Gannon	Phillips	Vance
Cruz	Haluska		

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 Chair recognizes the gentleman, Mr. Maher, on final passage.

Mr. MAHER. Thank you, Mr. Speaker.

I thank the members of the House for looking out for our smaller communities and small taxing bodies and those that have to pay taxes. This bill serves to end a lot of confusion which has burdened local taxpayers and local tax collectors.

I do want to note for the record a concern that was raised by the farm community that this bill's intent does not supersede the decision in the case known as O'Reilly v. Fox Chapel, and that is to say that net income or losses and their application, vis-a-vis compensation, is not changed by this bill and is not the intent that it be changed.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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-196

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Blaum	Gannon	Phillips	Vance
Cruz	Haluska		

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 2190, PN 3988**, entitled:

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.

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

Mr. **GODSHALL** offered the following amendment No. **A3267**:

Amend Title, page 1, line 17, by inserting after "provisions"
, for rewarding of grants

Amend Sec. 2, page 2, line 17, by inserting after "701(D)"
, 905(c)

Amend Sec. 2, page 2, by inserting between lines 24 and 25
Section 905. General limitations.

* * *

(c) Other limitations on grants.—The department may not award any grant under this chapter to any county or municipality that has failed to comply with the conditions set forth in previously awarded grants under this chapter, the requirements of this chapter and any regulations promulgated pursuant thereto provided that the department shall not prohibit the award of any grant to a county or municipality that has adopted an ordinance allowing the limited burning of yard waste.

* * *

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

(Members proceeded to vote.)

The SPEAKER. Mr. Vitali, for what purpose do you rise?

Mr. VITALI. Mr. Speaker, I was up before you called this, and you did not happen to look up to recognize me, though.

I want to speak on the amendment and interrogate the maker.

VOTE STRICKEN

The SPEAKER. Strike the board.

The gentleman, Mr. Vitali, is recognized on the Godshall amendment.

Mr. VITALI. Thank you, Mr. Speaker.

Perhaps we could just start with a brief explanation of the amendment?

The SPEAKER. Are you going to do that or are you asking for interrogation?

Mr. VITALI. I apologize, Mr. Speaker.

I would ask that the maker of the amendment stand for interrogation and ask for a brief explanation.

The SPEAKER. Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

The SPEAKER. The gentleman has requested you give a brief explanation of the amendment.

Mr. GODSHALL. Presently under Act 101, a municipality — this does not affect municipalities that are not required to recycle under the Pennsylvania recycling law, but if you do recycle, then you are entitled to recycling grants, funds, to continue that

recycling operation. Presently the way Act 101 was written — and this is basically a technical amendment — when Act 101 was put in place, if you have an ordinance in place that eliminates any kind of burning at all, there is no burning at all in that municipality, you are entitled to recycling grants. If you at the same time—

The SPEAKER. Will the gentleman yield, please.

The noise level is unacceptable.

Mr. GODSHALL. At the same—

The SPEAKER. Will the gentleman yield.

Conferences on the floor, please break up.

Mr. Godshall, I apologize. You may continue.

Mr. GODSHALL. Thank you, Mr. Speaker.

I just want to say, if there is an anti-burning ordinance in place, which means there is no burning at all in the township, you are entitled to recycling grants to continue your recycling operations. At the same time, if there is no ordinance in place at all, which means you have unlimited burning — you can burn 365 days a year; you can burn anything — if you want to, you are entitled, again, to the same recycling moneys, recycling grants. But if you have a limited no-burning ordinance in place, which many municipalities in the area where I live have, saying that you can burn like tree limbs and so forth maybe 1 or 2 months out of the year, by having that limited anti-burning ordinance in place, they are eliminated from recycling grants. So in other words, if you burn anytime at all, if you can burn anytime at all anything you want to burn, you are entitled. If there is a no-burning ordinance in place, you are entitled, but if you have a limited burning— And it was a quirk in the law; it is the way the law was written. At one time DEP (Department of Environmental Protection) paid all of us recycling grants, but as of about 2 years ago, their lawyers discovered the way the law was written, if you had a limited burning ordinance in place, then you were eliminated, and so this corrects that problem.

Mr. VITALI. I mean, is it fair to say that the intent of the legislature was to discourage the open burning of yard waste because of its attendant pollution problems and that is why they put the provision into Act 101?

Mr. GODSHALL. I would say that that probably would be incorrect or else why would they allow open burning with no restrictions at all on burning anything, garbage, anything you want to burn?

Mr. VITALI. Would that be the quirk-in-the-law part of it?

Mr. GODSHALL. That was probably where the quirk in the law came. But as the law now exists, you know, the only ones that are eliminated from the recycling grants, and this is only municipalities where recycling is required by law, if you have a limited burning ordinance in place, that eliminates you from those same recycling grants that if you have no ordinance in place, you get.

Mr. VITALI. That concludes my interrogation.

I would like to speak on the amendment.

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

Mr. VITALI. It is my understanding and it seems very logical that it was the policy of the legislature when we passed Act 101 to discourage the open burning of yard waste. Yard waste are things that can be more environmental, can be compost, which is a more environmentally benign way to deal with yard waste. Simply open burning, I think almost all of us realize open burning is not a good thing because of the particulate matter and other pollution that occurs. So it seems pretty clear to me and pretty logical that we want to discourage opening burning because it is not a good thing

to do environmentally.

Therefore, the Godshall amendment, it seems to me, is undercutting the purpose of Act 101, which is to discourage this by using, as an incentive, recycling funds. If that quirk and another quirk in Act 101 needs to be dealt with, fine, but I think what the maker of this amendment is trying to do is to undercut the whole policy, not to deal with the defect; to eliminate the whole policy, not to correct the loophole, but just to undercut the whole policy, and that policy is to discourage open burning.

So I would ask for a “no” vote.

The SPEAKER. Mr. Godshall.

Mr. GODSHALL. I would have to honestly say that it is exactly the opposite, because the Department of Environmental Protection, DEP, has been paying municipalities for years, since we passed Act 101, that have absolutely no burning ordinance in place at all, meaning that they are allowing unlimited burning.

We, in some of our municipalities, which are semirural, semiurban, we cannot rake leaves to the side of the road. There are a lot of things we cannot do you can in boroughs and so forth. So we should be entitled to the same compensation from the recycling commission. We are paying that money. That money is in the recycling, in the fund, because our people are paying into it. There is just one group of people that is not getting moneys out that other people are getting, and the people that are not getting the money out are the people that have limited burning ordinances. So all this does is clarify that what was— And in fact, DEP was paying to those municipalities, up until the last 2 years, recycling moneys to which they are entitled. All we are asking for is the money that we paid in to come back to us.

Thank you, and I appreciate your support of the amendment.

The SPEAKER. On the question, Mr. Vitali.

Mr. VITALI. Just in final rebuttal, it seems like the appropriate amendment then should be to also prohibit people with no burning ordinances, no prohibition of burning, to be prohibited from getting that Recycling Fund, not what you are doing today. And it seems like there is one way for any municipality that wants that Recycling Fund to get that money, which is to not allow, not allow this open burning, to pass a law prohibiting the open burning. So there is a way for any municipality who wants it to get this money.

So I would ask for a “no” vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—179

Adolph	Evans, D.	Major	Schroder
Allen	Evans, J.	Mann	Schuler
Argall	Fairchild	Markosek	Scrimenti
Armstrong	Feese	Marsico	Semmel
Baker, J.	Fichter	Mayernik	Shaner
Baker, M.	Fleagle	McCall	Smith, B.
Bard	Flick	McGeehan	Smith, S. H.
Barrar	Forcier	McGill	Solobay
Bastian	Frankel	McIlhattan	Staback
Bebko-Jones	Gabig	McIlhinney	Stairs
Belardi	Geist	McNaughton	Steelman
Belfanti	George	Metcalfe	Stern
Benninghoff	Godshall	Michlovic	Stevenson, R.
Birmelin	Gordner	Micozzie	Stevenson, T.
Bishop	Grucela	Miller, R.	Strittmatter

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

NAYS—17

Casorio	Kirkland	Melio	Steil
Cawley	Lescovitz	Mundy	Stetler
Curry	Lucyk	Readshaw	Sturla
Freeman	Manderino	Santoni	Vitali
Josephs			

NOT VOTING—0

EXCUSED—6

Blaum	Gannon	Phillips	Vance
Cruz	Haluska		

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. SURRA offered the following amendment No. A3275:

Amend Sec. 2, page 2, line 17, by striking out “1301(E)” and inserting

1301(b) and (e)

Amend Sec. 2 (Sec. 1301), page 2, by inserting between lines 25 and 26

(b) Amount.—The fee is [\$1] \$2 per ton of weighed solid waste or \$1 per three cubic yards of volume-measured solid waste for all solid waste received at a landfill or facility. Any amounts paid by an operator to a host municipality pursuant to a preexisting agreement shall serve as a credit against the fee amount imposed by this section.

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—178

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

NAYS—18

Casorio	Metcalf	Sainato	Tigue
Curry	Petrarca	Samuelson	Travaglio
Harhai	Readshaw	Shaner	Wright, G.
Harhart	Rohrer	Tangretti	Yudichak
Hasay	Rooney		

NOT VOTING—0

EXCUSED—6

Blaum	Gannon	Phillips	Vance
Cruz	Haluska		

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?

The SPEAKER. The Chair recognizes the lady, Mrs. Rubley. Mrs. Rubley, do you have a late amendment for this bill?

Mrs. RUBLEY. Yes, Mr. Speaker, I do. It is amendment A3286, please.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the lady, Mrs. Rubley. Mrs. RUBLEY. Mr. Speaker, I move that the rules of the House be suspended to permit me to offer amendment 3286.

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

The following roll call was recorded:

YEAS—196

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

Evans, D. Major Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Blaum Gannon Phillips Vance
Cruz Haluska

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

On the question recurring,

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

Mrs. **RUBLEY** offered the following amendment No. **A3286**:

Amend Title, page 1, lines 15 and 16, by striking out “DEFINING “HOST MUNICIPALITY”; FURTHER”

Amend Title, page 1, line 17, by striking out “AND FOR THE HOST MUNICIPALITY BENEFIT FEE”

Amend Bill, page 2, lines 4 through 18, by striking out all of said lines and inserting

Section 1. Section 701(d) of the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, is amended to read:

Amend Sec. 2 (Sec. 1301), page 2, lines 25 through 30; page 3, lines 1 and 2, by striking out all of said lines on said pages

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

Amend Sec. 4, page 3, line 5, by striking out “4” and inserting
3

On the question,

Will the House agree to the amendment?

The **SPEAKER**. On the question of the adoption of the Rubley amendment, the Chair recognizes— Mr. Cohen, do you seek recognition?

Mr. **COHEN**. I yield to Mr. Vitali.

The **SPEAKER**. Mr. Vitali.

Mr. **VITALI**. Thank you, Mr. Speaker.

I was, on interrogation, simply going to ask the gentlelady to first explain the amendment.

The **SPEAKER**. Mrs. Rubley indicates she will stand for interrogation. You may begin.

Mrs. **RUBLEY**. Thank you, Mr. Speaker.

This amendment removes language which was inserted by the Appropriations Committee, and the language that we are trying to remove would include counties in the definition of “host municipality.” This presents problems, because Act 101 was written with a very specific definition of what a host municipality’s powers are, and it was not meant to include the counties. So we want to revert back to the language which was originally in the amendment and also in Act 101 as it was passed.

Mr. **VITALI**. Thank you, Mr. Speaker.

Now, by way of further interrogation, what is the practical effect? How would the change to include counties affect the current working of the act and why do we want to not have that happen?

Mrs. **RUBLEY**. Well, one example, Mr. Speaker, is that counties would then be eligible for another \$1 bond fee from the tipping fee. So it would add an additional dollar that would go to counties, and yet in Act 101 itself, it really does not spell out what the role of counties is in regard to landfills and resource recovery facilities.

Another example is that under—

Mr. **VITALI**. If I can just stop you right there.

That \$1 you are talking about, would that be an additional dollar that the, you know, disposer would pay or would that be a dollar that would come out of what is already being paid to a township or some other—

Mrs. **RUBLEY**. Yes. Mr. Speaker, it is my understanding it would be an additional dollar that would be paid by the disposer.

Mr. **VITALI**. Okay.

I am sorry to interrupt, but you were going to explain another part of the bill.

Mrs. **RUBLEY**. Okay. Another example is, under Act 101 there is a provision where the host municipality can have a host municipal inspector, and there is a whole set of criteria under what that host municipal inspector’s responsibilities would be, and it was never intended to include counties. Also, if this money were then to go to counties, there is no provision in the law itself directing the county on how that money should be spent.

Mr. **VITALI**. Okay. Are there any other significant elements to this amendment?

Mrs. **RUBLEY**. I think those are the main ones.

Mr. **VITALI**. Thank you. That concludes my interrogation.

The **SPEAKER**. Mr. Freeman, do you desire recognition? The gentleman is recognized.

Mr. **FREEMAN**. Thank you, Mr. Speaker.

Mr. Speaker, I wonder if the lady, Mrs. Rubley, would stand for a brief interrogation?

The **SPEAKER**. The lady indicates she will. You may begin.

Mr. **FREEMAN**. Mr. Speaker, my apologies. I tried to follow the interrogation conducted by the gentleman, Mr. Vitali, but it was rather difficult to do so in the chamber.

If the lady would not mind answering, does her amendment add the counties as a level of municipal government thereby entitling them to a host municipality fee or does it take counties out?

Mrs. **RUBLEY**. Mr. Speaker, this amendment would remove counties from the definition of “host municipality.” It is reverting back to what the language in Act 101 was.

Mr. **FREEMAN**. So as I understand it, Mr. Speaker, we are simply returning to the notion that only municipalities could serve as host municipalities—

Mrs. **RUBLEY**. That is correct.

Mr. **FREEMAN**. —not counties as well.

Mrs. **RUBLEY**. That is correct.

Mr. **FREEMAN**. Thank you. That was my clarification.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—186

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

NAYS-10

Casorio	Pallone	Sainato	Solobay
Harhai	Petrarca	Shaner	Travaglio
Melio	Roberts		

NOT VOTING-0

EXCUSED-6

Blaum	Gannon	Phillips	Vance
Cruz	Haluska		

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The SPEAKER. On final passage, Mr. Levdansky, do you desire recognition on final passage?

Mr. LEVDANSKY. Yes, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, this piece of legislation does something relatively significant. In committee I offered an amendment that was supported by the sponsor of this legislation to not just extend the sunset provision in the recycling law but to eliminate the sunset provision. That amendment passed with bipartisan support, and what that does, what that does, Mr. Speaker, is it makes it clear that we will have \$2 a ton available in the Recycling Fund to support the recycling efforts in Pennsylvania. That means in addition to having stable, long-term financing available for municipal recycling efforts, it will also serve to encourage those people interested in market development, in product research. That is what really needs to be spurred next in Pennsylvania so that we could redouble and increase our recycling efforts in the Commonwealth.

So again, I appreciate the support of Representative Rubley for that amendment. We have now removed any sunset provision so that this Recycling Fund will be available to promote recycling in Pennsylvania and hopefully spur more in product development and market research so that we could really even increase our recycling here in Pennsylvania.

I appreciate her support. Thank you, Mr. Speaker.

DECISION OF CHAIR RESCINDED

The SPEAKER. The Chair is in receipt of a reconsideration motion and, accordingly, without objection, rescinds its announcement that the bill is agreed to on third consideration as amended.

On the question recurring,

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

AMENDMENT A3275 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Hutchinson, who moves that the vote by which amendment 3275, offered by Mr. Surra, passed to HB 2190, PN 3988, be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-195

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

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

NAYS—0

NOT VOTING—1

Pippy

EXCUSED—6

Blaum	Gannon	Phillips	Vance
Cruz	Haluska		

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

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

The clerk read the following amendment No. **A3275**:

Amend Sec. 2, page 2, line 17, by striking out "1301(E)" and inserting
1301(b) and (e)

Amend Sec. 2 (Sec. 1301), page 2, by inserting between lines 25 and 26

* * *

(b) Amount.—The fee is [\$1] ~~\$2~~ per ton of weighed solid waste or \$1 per three cubic yards of volume-measured solid waste for all solid waste received at a landfill or facility. Any amounts paid by an operator to a host municipality pursuant to a preexisting agreement shall serve as a credit against the fee amount imposed by this section.

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

The following roll call was recorded:

YEAS—120

Adolph	Eachus	Maher	Schroder
Allen	Evans, D.	Maitland	Scrimenti
Argall	Feeze	Markosek	Semmel
Armstrong	Fichter	Mayernik	Smith, B.
Baker, M.	Fleagle	McCall	Smith, S. H.
Bard	Flick	McGeehan	Stairs
Barrar	Frankel	McGill	Steil
Bebko-Jones	Freeman	McIlhattan	Stern
Belfanti	Gabig	McIlhinney	Stetler
Bishop	Geist	McNaughton	Sturla
Brooks	George	Michlovic	Surra
Bunt	Godshall	Micozzie	Taylor, E. Z.
Butkovitz	Gordner	Mundy	Thomas
Buxton	Grucela	Myers	Trich
Cappelli	Harper	Oliver	Tulli
Cawley	Hennessey	Perzel	Veon
Civera	Hershey	Petrone	Wansacz
Clark	Hess	Pistella	Washington
Clymer	Horsey	Preston	Waters
Cohen, L. I.	James	Raymond	Watson
Cohen, M.	Kaiser	Reinard	Williams, J.
Colafella	Keller	Rieger	Wojnaroski
Cornell	Kirkland	Roberts	Wright, G.
Corrigan	Krebs	Robinson	Wright, M.
Coy	LaGrotta	Roebuck	Yewcic
Dally	Laughlin	Rooney	Youngblood
DeLuca	Lederer	Ross	Zug
Dermody	Leh	Rubley	Ryan,
DeWeese	Lescovitz	Ruffing	Speaker
DiGirolamo	Levdansky	Saylor	
Donatucci	Lucyk		

NAYS—74

Baker, J.	Gruitza	Metcalfe	Shaner
Bastian	Habay	Miller, R.	Solobay
Belardi	Hanna	Miller, S.	Staback
Benninghoff	Harhai	Nailor	Steelman
Birmelin	Harhart	Nickol	Stevenson, R.
Boyes	Hasay	O'Brien	Stevenson, T.
Browne	Herman	Pallone	Strittmatter
Caltagirone	Hutchinson	Petrarca	Tangretti
Casorio	Jadlowiec	Pickett	Taylor, J.
Coleman	Kenney	Pippy	Tigue
Costa	Lawless	Readshaw	Travaglio
Creighton	Lewis	Rohrer	Trello
Curry	Lynch	Sainato	Turzai
Dailey	Mackereth	Samuelson	Vitali
Diven	Major	Santoni	Walko
Egolf	Manderino	Sather	Wilt
Evans, J.	Mann	Scavello	Yudichak
Fairchild	Marsico	Schuler	Zimmerman
Forcier	Melio		

NOT VOTING—2

Daley	Josephs
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EXCUSED—6

Blaum	Gannon	Phillips	Vance
Cruz	Haluska		

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—179

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

Evans, D.

NAYS—17

Birmelin	Habay	Nickol	Rohrer
Boyes	Harhai	Pallone	Sainato
Casorio	Jadlowiec	Petrarca	Shaner
Egolf	Metcalfe	Roberts	Travaglio
Forcier			

NOT VOTING—0

EXCUSED—6

Blaum	Gannon	Phillips	Vance
Cruz	Haluska		

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

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

RULES COMMITTEE MEETING

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

RESOLUTION REPORTED FROM COMMITTEE

HR 607, PN 3992

By Rep. PERZEL

A Resolution extending the time period for a report by a select committee on funding public education.

RULES.

SUPPLEMENTAL CALENDAR D

RESOLUTION

Mr. CIVERA called up **HR 607, PN 3992**, entitled:

A Resolution extending the time period for a report by a select committee on funding public education.

On the question,
Will the House adopt the resolution?

The SPEAKER. On the question, those in favor will vote “aye”; opposed, “no”—

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. On the resolution?

Mr. DeWEESE. Could I ask the House to be at ease for 1 minute only, please.

The SPEAKER. The House will be at ease.

Mr. DeWEESE. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

Mr. DeWEESE. May I be recognized?

The SPEAKER. The gentleman is recognized.

This is on the resolution?

Mr. DeWEESE. Yes, sir.

This is a point of parliamentary inquiry to the Chair, and that would be that this was not on the voting calendar for the day. It was just reported from the Rules Committee, and this does happen from time to time, I guess, at this lightning speed.

The SPEAKER. Good catch.

The gentleman is right. The Parliamentarian advises me that the rules of the House should have been suspended before this resolution was brought up.

RULES SUSPENDED

The SPEAKER. The Chair recognizes Mr. Civera.

Mr. CIVERA. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of this resolution.

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

The SPEAKER. Mr. DeWeese, do you seek recognition on suspension?

Mr. DeWEESE. I would assume that once that takes place, then we can debate the resolution.

The SPEAKER. Of course; of course.

Mr. DeWEESE. So I will withdraw my inclination to speak at this time.

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

The following roll call was recorded:

YEAS—179

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

Cohen, L. I.	James	Pickett	Trich
Cohen, M.	Josephs	Pippy	Tulli
Colafella	Kaiser	Pistella	Turzai
Coleman	Keller	Preston	Vitali
Cornell	Kenney	Raymond	Walko
Corrigan	Kirkland	Readshaw	Wansacz
Costa	Krebs	Reinard	Washington
Creighton	LaGrotta	Rieger	Waters
Curry	Laughlin	Roberts	Watson
Dailey	Lawless	Robinson	Wilt
Daley	Lederer	Roebuck	Wojnaroski
Dally	Leh	Rohrer	Wright, M.
DeLuca	Lescovitz	Ross	Youngblood
Dermody	Lewis	Rubley	Yudichak
DiGirolo	Lucyk	Ruffing	Zimmerman
Diven	Lynch	Sainato	Zug
Eachus	Mackereth	Samuelson	
Egolf	Maher	Santoni	Ryan,
Evans, D.	Maitland	Sather	Speaker
Evans, J.			

NAYS—17

Caltagirone	Freeman	Petrarca	Veon
Casorio	Grucela	Rooney	Williams, J.
Coy	Levdansky	Shaner	Wright, G.
DeWeese	Myers	Stetler	Yewcic
Donatucci			

NOT VOTING—0

EXCUSED—6

Blaum	Gannon	Phillips	Vance
Cruz	Haluska		

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

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

The SPEAKER. On the question of the adoption of the resolution, the Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Would the gentleman, Mr. Civera, stand for interrogation?

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

Mr. DeWEESE. I think I would only have one interrogatory and then I would like to respond to the substance of the resolution, but maybe he can be helpful, and that would be, would the gentleman please explain why, after months and months and months of dedicated and diligent service – and he was with his very able membership in my legislative district for an exceptionally worthwhile hearing – why do we have to postpone it yet once again? Why cannot the majority party, the Republican Party, in this chamber, who controls the process, give us a work product?

We asked over the past several sessions that this procedure be expedited, and now once again it seems as if the Republican chairman and the Republican membership are going to postpone any kind of action on our school reform effort until the next session of the General Assembly. We are going to have our hands full with our fiscal challenges, and now would be the time to make

certain that HR 607 comes up for debate. We are going to have several series of hours in the next 3 weeks—

The SPEAKER. Mr. DeWeese, is this interrogation or are you debating the resolution?

Mr. DeWEESE. The Chair makes a good point. I was slipping into debate. So thank you, Mr. Speaker.

I would only ask the gentleman to explain to the House why, why, why, why do we have to postpone this once again? Why can we not reform our school efforts today or this week or next week?

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, first of all, the way that committee was operated, it was on a bipartisan basis, and there is no Republican leadership on this side of the aisle that is delaying this report.

When we had our final meeting prior to the end of May, both the Republicans and the Democrats on that House select committee and all the information that was gathered from 16 hearings across Pennsylvania could not be all together, put in one forum, where a vote would be taken to adopt a certain report that had to come back to this General Assembly. It was then decided from both sides that it would be delayed and an extension would be granted. All the information is gathered. There will be no more public hearings across the State but a general understanding of what the committee gathered and what the report should be composed of by both the Republicans and the Democrats.

An interesting part of this, there were members of the select committee that either retired from the committee, changed their party affiliation, and neither side appointed members to take their place. So the committee is composed of seven Republicans and seven Democrats, and that is where we are, and that is why I asked for an extension. Yes, we have all the information that was gathered from your hometown and 16 other hearings across Pennsylvania. It is getting the information for the committee to understand what we gathered and to make an honest and good, sincere report to the General Assembly.

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

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I do not doubt the sincerity of the gentleman who just answered that interrogation, but for me to stand here today and vote on this and to believe that the Republican leadership had nothing whatsoever to do with once again postponing a report from this special select committee and to say now that we are going to issue the report on the very last day of this legislative session, while we sine die after the election, and kick the issue again to the next legislature, for me to stand here and believe that the Republican-controlled legislature had nothing to do with that kind of an extension, that is very, very difficult for me to believe.

The Republicans have continued to stall on this issue, to not put an effort in front of the House for a vote. There has been more than adequate time to propose a plan to this House. We can, we should have been dealing with it right now in this budget season. If you want to change the way we fund public schools, let us do it during the budget while we are funding public schools, but again, the Republican Party says, no, we are going to move this off until after the November election; we are going to kick it to the next legislature; we are going to give it to the next Governor, and let somebody else worry about it down the road again.

I am opposed to this extension, Mr. Speaker. I am going to vote "no." I do not think this needs to be extended. We should have had a work product here in front of this House long before that despite the sincerity of the gentleman who answered Mr. DeWeese's

interrogation.

Thank you, Mr. Speaker.

The SPEAKER. Mr. Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

Why do we always have to make everything political? Okay? Laugh as you may; laugh as you may. If Mr. Veon, if Representative Veon or Representative DeWeese took the time of maybe sitting with us at our meetings, which the committee was a bipartisan committee, and sat with us at at least one meeting towards the end and found out exactly what we have done, where we have been, and why we are having problems coming up with a solution as far as making a report to the committee. He does not even have to talk to the Republican members. All he had to do was talk to his Democratic members and find out exactly what the problem was or is, that we have finally come up with a conclusion that we have to have an extension.

Thank you, Mr. Speaker.

The SPEAKER. On the question, Mr. DeWeese, do you desire recognition?

Mr. DeWEESE. I also want to echo, once again, what the gentleman from Beaver County said relative to the ability, integrity, and enthusiasms generated by the cochairman. And I was privileged to be a part of one of those hearings, and it was masterfully conducted, and the youngsters and the administrators and teachers and members of the community offered a great deal.

I would like to think that since Democrats and Republicans serve on this and have been serving on this effort together, that we could maybe have a compromise, and I would ask the Parliamentarian what the appropriate methodology would be or maneuver would be if I wanted to suspend the rules to amend this resolution's language to make this due date on September 30, give our colleagues another 3 months or 3 1/2 months.

I think that the rub comes when we, as Mr. Veon asserted, give this problem to the subsequent legislature, the subsequent Governor. I think we should tackle this problem now. The Ridge-Schweiker administration and the Republican-controlled legislature in this building, the House and the Senate, have not made any progress whatsoever to reforming our educational system in this State. And apropos of the fine work that was done in HR 607 by Mr. Micozzie, Mr. Civera, et al, members on both sides, we have had months and months and months and months and months and months, and I would say and I am going to ask that we suspend the rules to offer an amendment of only a couple of words to make it a September 30 rather than a November 30 date, and

I would ask the Speaker to frame that language.

The SPEAKER. Do you have such an amendment?

Mr. DeWEESE. I would have to have a suspension of the rules.

The SPEAKER. No, you would not. The rules have been suspended.

Mr. DeWEESE. Since the rules were flexible a few moments ago and this just came gliding out of our process, I would ask for a temporary postponement. We could pass over this temporarily, sir.

Again, this is a fundamental question on whether we are going to reform education in our State or not. They have a wonderful work product in the process, and I am only saying, let us move it up a couple of months. Let us do it on September 30 instead of November 30.

As the gentleman has said, I think it is administrative; it is collation; it is synthesis; it is organization. They have a good staff

team. I have met with them. I just do not want to pass it on to the next State legislative session. That is the rub, and we can have the Reference Bureau do this in a heartbeat. We are only talking about a couple of words.

(Conference held.)

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. The spirit of compromise is alive and well. We have reached an amicable agreement, and essentially, that will be that the next time we see this proposal, there will be a slight word change – at the end of session or sooner. Obviously, our side of the aisle will continue to stress that sooner be sooner, and nevertheless, I think we are ready to move on.

The SPEAKER. Thank you.

I am just going to remind the members, as you suggested that date, that when we take our break, we do not come back in until September 23, which puts a little bit of a time crunch on. I just call that to your attention.

RESOLUTION PASSED OVER

The SPEAKER. It is my understanding then that this is over for today.

SUPPLEMENTAL CALENDAR C

RULES SUSPENDED

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

Mr. COY. Mr. Speaker, I move the rules of the House be suspended to permit the immediate consideration of HR 585.

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

The following roll call was recorded:

YEAS—195

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	Geist	McIlhinney	Stairs
Belfanti	George	McNaughton	Steelman
Benninghoff	Godshall	Melio	Steil
Birmelin	Gordner	Metcalfe	Stern
Bishop	Grucela	Michlovic	Stetler
Boyes	Gruitza	Micozzie	Stevenson, R.
Brooks	Habay	Miller, R.	Stevenson, T.
Browne	Hanna	Miller, S.	Strittmatter
Bunt	Harhai	Mundy	Surra
Butkovitz	Harhart	Myers	Tangretti
Buxton	Harper	Nailor	Taylor, E. Z.
Caltagirone	Hasay	Nickol	Taylor, J.
Cappelli	Hennessey	O'Brien	Thomas
Casorio	Herman	Oliver	Tigue

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

NAYS—1

Sturla

NOT VOTING—0

EXCUSED—6

Blaum	Gannon	Phillips	Vance
Cruz	Haluska		

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. COY called up **HR 585, PN 3895**, entitled:

A Resolution calling on the Congress of the United States to redraft and enact legislation similar to the Child Pornography Prevention Act of 1996 in a form which will pass constitutional muster.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

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

NAYS-0

NOT VOTING-2

Josephs Roebuck

EXCUSED-6

Blaum Gannon Phillips Vance
Cruz Haluska

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

The SPEAKER. It is the understanding of the Chair there will be no further votes.

I keep hearing someone say no, no, no.

SENATE BILL FOR CONCURRENCE

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

SB 893, PN 2036

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, June 12, 2002.

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

HB 1255, PN 1458

By Rep. HASAY

An Act reenacting and amending the act of December 21, 1988 (P.L.1860, No.178), entitled "An act providing for the disposal of unclaimed garments," providing for the disposal of unclaimed footwear and other items left with shoe repairers.

COMMERCE AND ECONOMIC DEVELOPMENT.

HB 2378, PN 4025 (Amended)

By Rep. HASAY

An Act amending the act of December 14, 1992 (P.L.866, No.137), known as the Optional County Affordable Housing Funds Act, amending the title and short title of the act; further providing for legislative purpose, for definitions, for optional fee increases and for disposition of proceeds; and providing for economic development efforts.

COMMERCE AND ECONOMIC DEVELOPMENT.

HB 2599, PN 4026 (Amended)

By Rep. HASAY

An Act amending the act of June 28, 1947 (P.L.1110, No.476), known as the Motor Vehicle Sales Finance Act, further providing for definitions, for licensing, for sanctions, for administration, for records, for contracts, for assignments, for insurance, for finance costs, for refinancing, for default, for repossession and redemption, for prohibited charges, for exemptions and for penalties.

COMMERCE AND ECONOMIC DEVELOPMENT.

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

SB 1324, PN 2038

By Rep. KENNEY

An Act authorizing the Department of Public Welfare to enter into interstate compacts relating to adoption assistance; and providing for terms and implementation of the interstate compacts, for medical assistance benefits and for false claims.

HEALTH AND HUMAN SERVICES.

The SPEAKER. Are there any corrections to the record?
Mr. Yewcic.

Mr. YEWIC. Thank you, Mr. Speaker.

I was just curious as to our schedule next week.

The SPEAKER. I think we all are. We are in Monday at 1 o'clock.

Mr. YEWIC. How about beyond Wednesday?

The SPEAKER. I do not believe anyone is prepared to answer that right now.

Mr. Smith.

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

Nothing is set in stone, that is for certain, but I think the

members should be looking towards Wednesday and Thursday next week, and I would say there is, you know, a remote possibility of Friday even, to be totally, brutally honest about it.

The SPEAKER. Many of us have been here during difficult days with a budget. This is one of those years, and I think you have to be prepared during the next several weeks to spend more than the usual time that we spend up here. The uncertainties of a budget day or a budget week are such that we could be here Thursdays and Fridays, and if we do not get it done, then we go into Friday, Saturday, Sunday, if need be, during these times. So I think you should be prepared to be here for 5 days next week.

VOTE CORRECTION

The SPEAKER. Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, on the motion to suspend the rules to allow for HR 585, I was voted in the “no,” and I wish to be recorded in the affirmative.

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

Any other corrections to the record?

BILLS AND RESOLUTION PASSED OVER

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

ADJOURNMENT

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

Hearing none, the Chair recognizes the gentleman from Lycoming County, Mr. Cappelli.

Mr. CAPPELLI. Mr. Speaker, I move that this House do now adjourn until Monday, June 17, 2002, at 1 p.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 2:38 p.m., e.d.t., the House adjourned.