

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 8, 2002

SESSION OF 2002

186TH OF THE GENERAL ASSEMBLY

No. 66

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN)

PRESIDING

PRAYER

REV. HAROLD M. MELE, JR., Chaplain of the House of Representatives, offered the following prayer:

Thank you, Mr. Speaker.

Let us pray:

Dear Father, I lift up the men and women of this House of Representatives to You. I know that our leaders' hearts are in Your hands, so I ask You to guide these elected officials in the way You would have them to go.

Father, I pray that You would surround this House with wise counsel, men and women of integrity who place Your agenda and the good of this Commonwealth above their own and whose motives are for that which is right. I pray that You would give our leaders discernment, understanding, and knowledge so that our Commonwealth may know stability internally and externally.

My thoughts are directed to the admonition and exhortation of the psalmist as he wrote, "Let the words of our mouth and the meditations of our hearts be acceptable to You, O Lord, our strength and our redeemer."

Lord, I give thanks for this great House of Representatives of the Commonwealth of Pennsylvania, according to Your Word, and thank You for the working in and through their leadership so that we might lead peaceable lives in godliness and honesty.

I commit this prayer to Your supervision and illumination for these dedicated men and women who have been elected to serve You and the people of the Commonwealth of Pennsylvania.

This is our prayer in the name of the Lord whom we serve. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Monday, October 7, 2002, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2896 By Representatives CREIGHTON, T. ARMSTRONG, G. ARMSTRONG, BENNINGHOFF, CAWLEY, COLEMAN, CORRIGAN, FICHTER, FREEMAN, GABIG, GEORGE, HARHAI, HERSHEY, JAMES, KELLER, LEDERER, LEH, LEWIS, PIPPY, PISTELLA, ROBERTS, ROHRER, SAYLOR, SCAVELLO, SCHULER, B. SMITH, SOLOBAY, THOMAS, TIGUE, WANSACZ, WASHINGTON, WOJNAROSKI and YOUNGBLOOD

An Act designating a portion of SR 1040 known as Spur Road in East Cocalico Township, Lancaster County, Pennsylvania, as Colonel George Howard Boulevard.

Referred to Committee on TRANSPORTATION, October 8, 2002.

No. 2897 By Representatives SOLOBAY, DeWEESE, FRANKEL, FREEMAN, MANN, M. BAKER, BELARDI, BELFANTI, BROWNE, CAPPELLI, CAWLEY, CURRY, DALEY, FICHTER, GEORGE, HANNA, HARHAI, HESS, LAUGHLIN, MANDERINO, McILHATTAN, McNAUGHTON, PISTELLA, PRESTON, ROBERTS, ROEBUCK, SAINATO, SANTONI, SCRIMENTI, SHANER, R. STEVENSON, STURLA, TIGUE and WALKO

An Act providing for an annual grant program for counties and school districts relating to tax-exempt real property; establishing a special fund in the State Treasury; and imposing powers and duties on the Department of Community and Economic Development.

Referred to Committee on FINANCE, October 8, 2002.

No. 2898 By Representative STABACK

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Corrections, to grant and convey a 50-year easement of certain lands situate in Canaan Township, Wayne County, to Waymart Wind Farm L.P.

Referred to Committee on STATE GOVERNMENT, October 8, 2002.

No. 2899 By Representatives WATERS, J. WILLIAMS, WASHINGTON, DeWEESE, BEBKO-JONES, BELFANTI, BROWNE, CAWLEY, EGOLF, FREEMAN, GEORGE, GRUCELA, HARPER, JOSEPHS, McCALL, PISTELLA, SAINATO, SHANER, THOMAS, WANSACZ, G. WRIGHT, BELARDI, BROOKS, CALTAGIRONE, CREIGHTON, FICHTER, GEIST, GODSHALL, HARHAI, HORSEY,

MANN, McILHATTAN, ROBERTS, SCHRODER, STABACK, TIGUE, WATSON, YOUNGBLOOD and PIPPY

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

Referred to Committee on EDUCATION, October 8, 2002.

No. 2900 By Representatives LEWIS, ARGALL, BARD, BARRAR, BENNINGHOFF, CAPPELLI, CREIGHTON, DALLY, GEORGE, GODSHALL, GORDNER, HENNESSEY, HERSHEY, LEH, SAYLOR, SCAVELLO, SHANER, STEELMAN, THOMAS, TIGUE and YOUNGBLOOD

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for cooperation with other government agencies.

Referred to Committee on FINANCE, October 8, 2002.

No. 2901 By Representative HERMAN

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, adding a definition; providing for confidentiality of prizewinner information; and prescribing a penalty.

Referred to Committee on FINANCE, October 8, 2002.

No. 2902 By Representatives L. I. COHEN, RUBLEY, BEBKO-JONES, BELFANTI, CAWLEY, CORRIGAN, DALEY, FRANKEL, HARHAI, HARPER, JAMES, JOSEPHS, LAUGHLIN, McILHATTAN, MELIO, S. MILLER, PISTELLA, SCRIMENTI, STURLA, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, TRAVAGLIO, WATSON, WILT, YOUNGBLOOD and HENNESSEY

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for traumatic brain injury coverage.

Referred to Committee on INSURANCE, October 8, 2002.

No. 2903 By Representatives ADOLPH, MICOZZIE, RAYMOND, BENNINGHOFF, BROOKS, BUNT, CAPPELLI, L. I. COHEN, COLAFELLA, DAILEY, DALEY, DeLUCA, DeWEESE, FICHTER, FLICK, FRANKEL, FREEMAN, GEORGE, GORDNER, HARHART, HENNESSEY, JAMES, JOSEPHS, KELLER, KENNEY, LAUGHLIN, LEDERER, LEH, LEVDANSKY, MANDERINO, MANN, McCALL, McGEEHAN, MELIO, S. MILLER, PETRARCA, ROBERTS, ROEBUCK, RUBLEY, SAINATO, SANTONI, SCHRODER, SCRIMENTI, SEMMEL, SOLOBAY, STABACK, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, WALKO, WATSON, WILT, YOUNGBLOOD and HARPER

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, further providing for the definition of "eligible adult."

Referred to Committee on INSURANCE, October 8, 2002.

No. 2904 By Representatives ADOLPH, M. BAKER, CORRIGAN, CREIGHTON, DeLUCA, EGOLF, FICHTER, GEIST, GEORGE, GODSHALL, HASAY, HERSHEY, HESS, HORSEY, HUTCHINSON, LEVDANSKY, McGEEHAN, MELIO, R. MILLER, NAILOR, ROEBUCK, RUBLEY, SATHER, SAYLOR, SOLOBAY, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, WATSON and YOUNGBLOOD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting certain political campaign, polling and survey telephone calls.

Referred to Committee on STATE GOVERNMENT, October 8, 2002.

No. 2905 By Representatives STURLA, SOLOBAY, BEBKO-JONES, BELARDI, BELFANTI, BISHOP, BLAUM, BROWNE, CURRY, DALEY, DeWEESE, GEIST, GEORGE, GRUCELA, HARHAI, HARPER, HERMAN, HUTCHINSON, JAMES, LAUGHLIN, LESCOVITZ, MANDERINO, MANN, McGEEHAN, MELIO, PISTELLA, SAINATO, SANTONI, STABACK, TRAVAGLIO, WASHINGTON and G. WRIGHT

An Act establishing and funding grant programs for municipal fire companies, emergency service entities and water or vehicle rescue squads and for shared municipal services; establishing the Municipal Firefighter and Emergency Service Advisory Board and the Municipal Firefighter and Emergency Service Grant Fund; and making an appropriation.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 8, 2002.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 687 By Representatives VITALI, CALTAGIRONE, CURRY, FREEMAN, JOSEPHS, LEVDANSKY, MANDERINO, MELIO, SAMUELSON, SURRA and TIGUE

A Resolution amending House Rule 14.

Referred to Committee on RULES, October 8, 2002.

No. 694 By Representatives SOLOBAY, DeWEESE, COSTA, FRANKEL, GRUCELA, BEBKO-JONES, BELARDI, BELFANTI, BUNT, CAPPELLI, COLAFELLA, CORRIGAN, DALEY, D. EVANS, GEORGE, HARHAI, JAMES, LAUGHLIN, McGEEHAN, MELIO, PETRARCA, PISTELLA, READSHAW, ROONEY, SAINATO, SCRIMENTI, THOMAS, TIGUE, WALKO, WOJNAROSKI, G. WRIGHT, YOUNGBLOOD, JOSEPHS and STABACK

A Resolution urging the Congress of the United States to quickly pass the State Budget Relief Act of 2001, HR 3414.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, October 8, 2002.

SENATE MESSAGE**ADJOURNMENT RESOLUTION
FOR CONCURRENCE**

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Tuesday, November 12, 2002, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Tuesday, November 12, 2002, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

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

Mr. **PERZEL** offered the following amendment:

RESOLVED, That the adjournment resolution adopted by the Senate on October 7, 2002, be amended as follows:

Second paragraph is deleted and amended as follows:

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, October 21, 2002, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, That when the House of Representatives adjourns the week of October 21, 2002, it reconvene on Tuesday, November 12, 2002, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the House agree to the amendment?
Amendment was agreed to.

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

Resolution as amended was concurred in.

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.

COMMUNICATIONS FROM GOVERNOR**APPROVAL OF HOUSE BILLS**

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

HB 927, and HB 928.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that the following House bills be taken from the table:

HB 205;
HB 553;
HB 2407;
HB 2614;
HB 2765;
HB 2834; and
HB 2860.

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

BILLS ON SECOND CONSIDERATION

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

HB 205, PN 185; HB 553, PN 1817; HB 2407, PN 4362; HB 2614, PN 4364; HB 2765, PN 4400; HB 2834, PN 4401; and HB 2860, PN 4329.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that the following House bills be recommitted to the Committee on Appropriations:

HB 205;
HB 553;
HB 2407;
HB 2614;
HB 2765;
HB 2834; and
HB 2860.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 408 be taken from the table.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HB 408 be placed back upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence and recognizes the gentleman, Mr. Smith, who requests a leave for the gentleman from York, Mr. NICKOL, for today's session; the gentleman from Monroe, Mr. SCAVELLO, for today's session; and the gentleman, Mr. O'BRIEN, from Philadelphia for today's session. Leaves will be granted, without objection. The Chair hears no objection.

The Chair recognizes the gentleman, Mr. Veon, who requests a leave for the week for the gentleman, Mr. HORSEY, from Philadelphia, and a leave for the week for the gentleman from Philadelphia, Mr. MYERS. Without objection, these leaves will be granted. The Chair hears no objection.

GUESTS INTRODUCED

The SPEAKER. We have a number of guests with us today. If I may have the attention of the House. May I have your attention, please. We have a number of guests.

Joining us in the balcony are members of the Bedford Chamber of Commerce Government Affairs Committee. They are the guests of both Senator Robert Jubelirer and Representative Dick Hess. Would this group kindly rise to be greeted.

To the left of the Speaker is the candidate running for the seat of our good friend, Mr. Trello, Fred Trello – Nick Kotik. Nick, would you please rise. Fred is a lot more confident. I cannot do it. He said, "Nick Kotik will be my replacement." Oh, you have no opponent. Well, welcome aboard. I guess he will be your replacement then, unless you go over to Jersey.

The Chair welcomes the gentleman, Mr. Jason Young, an intern from the Waynesburg district office of Representative DeWeese. He is seated to the right of the Speaker. Would this gentleman please rise. Back here in the corner.

Mr. Birmelin, do you desire recognition?

Mr. BIRMELIN. Thank you, Mr. Speaker.

I wondered if you had informed the gentleman running for Mr. Trello's seat that they are the most intelligent voters in Pennsylvania.

The SPEAKER. Which ones?

Mr. BIRMELIN. The ones that reside in Mr. Trello's district. He is always telling us that.

The SPEAKER. Oh, he will find that out soon enough.

Mr. BIRMELIN. Thank you.

The SPEAKER. He probably would not believe it from me.

The Chair is pleased to welcome to the hall of the House today members of the Fraternal Order of Police Lodge 39, Allegheny Valley: Tony Pecora, John Rudosky, Ron Reed,

John Simcoviak, Leroy Anthony, Vic DiSantis, and Guy Gula. They are here today as the guests of Representative Casorio, and they are seated in the balcony. Would they please rise and let us see where they are standing.

Today there are 20 youth volunteer representatives from the March of Dimes Chain Reaction Council, Collegiate Council, and National Youth Council. They are visiting members of the House and the Senate today. The March of Dimes is, of course, as you know, a national voluntary health organization whose mission is to improve the health of babies by preventing birth defects and infant mortality. They are seated in the gallery. They are the guests of the entire membership of this House. Would these guests please rise.

The Chair is pleased to welcome to the hall of the House today Gail Patches, a guest page for Representative Peter Zug of the 102d Legislative District. Accompanying Gail on the floor are her mother and father, Clyde and Jeanne Patches. Would the Patches family please rise. They are in the balcony.

The Chair is pleased to also welcome to the hall of the House today Troy Noblet, Justin Kambic, and Justin Myers. They are serving as guest pages. They are the guests of Representative Tulli. They are students at St. Catherine Laboure School. They are seated to the front of the Speaker. Would these guests please rise.

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

HB 1742, PN 4429 (Amended)

By Rep. CIVERA

An Act amending the act of December 27, 1974 (P.L.995, No.326), known as the Veterinary Medicine Practice Act, further providing for definitions, for board approval of certain schools and colleges, for additional duties of board, for biennial education requirements and for grounds for disciplinary proceedings; providing for records and inspection of records; further providing for exemptions and exceptions; and providing for privileged communications.

PROFESSIONAL LICENSURE.

HB 2208, PN 4430 (Amended)

By Rep. GANNON

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

JUDICIARY.

HB 2209, PN 4431 (Amended)

By Rep. GANNON

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

JUDICIARY.

HB 2855, PN 4318

By Rep. GANNON

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for the share of the surviving spouse.

JUDICIARY.

HB 2873, PN 4355

By Rep. GANNON

An Act amending Titles 26 (Eminent Domain), 42 (Judiciary and Judicial Procedure) and 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, codifying and revising provisions relating to eminent domain; and making repeals.

JUDICIARY.

SB 82, PN 923

By Rep. GANNON

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

JUDICIARY.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today the fourth grade class from Blossburg Elementary School in Tioga County. They are here as the guests of Representative Matt Baker. Would these students please rise. They are in the balcony.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Preston	Walko
Coleman	James	Raymond	Wansacz
Cornell	Josephs	Readshaw	Washington

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Scavello
Myers			

LEAVES ADDED—1

Preston

LEAVES CANCELED—1

Scavello

CALENDAR

BILL ON SECOND CONSIDERATION

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

HB 2894, PN 4398.

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER

The SPEAKER. HB 2842 and SB 1325 are over.

* * *

BILL PASSED OVER TEMPORARILY

The SPEAKER. Page 2 of today's calendar. SB 832 is over temporarily.

* * *

The House proceeded to third consideration of **HB 210, PN 4321**, entitled:

An Act providing for certain rights of foster parents; and further providing for duties of county agencies and foster family care agencies.

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

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

(The bill analysis was read.)

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Scavello
Myers			

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 2196, PN 4405**, entitled:

An Act providing for education for parents on what constitutes shaken baby syndrome and the physical impairments that can result from shaken baby syndrome; establishing the Shaken Baby Syndrome Education and Prevention Program; and providing for an appropriation.

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

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

(The bill analysis was read.)

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

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Horsey	Nickol	O'Brien	Scavello
Myers			

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 SUSPENDED

The SPEAKER. The gentleman, Mr. Nailor, is recognized.

Mr. NAILOR. Mr. Speaker, I move that the rules of the House be suspended to allow for the immediate consideration of HB 572.

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

The following roll call was recorded:

YEAS-198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayermik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Horsey	Nickol	O'Brien	Scavello
Myers			

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.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 572, PN 4404**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, recognizing American Sign Language courses as satisfying foreign language requirements imposed for high school graduation.

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

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

(The bill analysis was read.)

The SPEAKER. Mr. Vitali.
Mr. VITALI. Will the maker of the bill stand for brief interrogation?

The SPEAKER. Mr. Nailor. Will the gentleman yield.
Ladies and gentlemen, please take your seats. There is interrogation about to take place. They deserve your attention.

Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

First, I just want to make sure I understand the bill. This is how it was basically explained in caucus.

If a public school district offers a sign language course, then that course, if the student chooses to take it, would act as a substitute for a foreign language, such as the traditional French, German, Spanish. I guess my concern is, and if – and tell me if this is correct – and if the student does opt, he could not be compelled by the school to take one of the traditional foreign languages. Is that correct?

Mr. NAILOR. I do not know that all schools have foreign language requirements, to have credits from foreign languages to be necessary for graduation requirements, but in those schools where they do require, under their school regulations, that the foreign language credits be in place for graduation requirements, my bill would authorize – again, not mandate but authorize – that American Sign Language would be one of those, quote, “foreign languages” or second languages that could be considered.

As far as your question, are you saying that a student that would take American Sign Language, that would choose to take that course, could not be compelled or mandated to take another one?

Mr. VITALI. This is my concern, and I will try to make it in the form of a question. I would suspect that there is a value in taking sign language and then there is a value in the traditional foreign languages. Each develops a different cognitive skill. And my concern is that if a school board deemed it appropriate to develop the skills of foreign language, then my concern is, this bill may be a vehicle by which a student could opt not to take a foreign language. That is my concern. My question really is, is that what this bill is doing?

Mr. NAILOR. This bill is simply offering another option. I do not know that it would eliminate a school saying that you have to take another language. It is simply offering an option to German, to Latin, to French, whatever, Spanish, the other foreign languages that would be offered in that school, and if you would choose to take the American Sign Language course, it would say that those credits that are gained from the sign language course would be used, if a requirement was there in place in that school district, for graduation purposes.

Mr. VITALI. Okay.

I do not want to beat a dead horse, but I think this might be a way to allow a student to get out of taking foreign languages. Is that fair to say?

Mr. NAILOR. It would be an option. You are talking about a foreign language. American Sign Language is a complete and autonomous language unto itself. I, for example, took several years of French in high school. I personally would have taken American Sign Language, had I had the option, in place of French. There are many instances where I can use that in my daily life as a legislator. I use French very, very seldom. As a matter of fact, I do not remember much French.

So I am saying, it is an option that is being given the same as Latin, the same as German, the same as French, and if it is not mandatory, that they give it, if that is a concern. If your concern is a concern to the school district, they do not have to offer it.

It is an option there for the school district. But it is found that most schools that offer, even in adult education, American Sign Language courses, there are more people that want to sign up for those classes than they are available to take, to accept.

Mr. VITALI. Okay.

Has the School Boards Association or any of the teachers unions weighed in on this bill?

Mr. NAILOR. They have; they support it.

Mr. VITALI. Oh, the School Boards Association, PSEA (Pennsylvania State Education Association), and PFT (Pennsylvania Federation of Teachers) support it?

Mr. NAILOR. That is my understanding; yes.

Mr. VITALI. Okay. I have no further questions. Thank you.

The SPEAKER. The gentleman, Mr. Colafella, from Beaver County.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support HB 572.

I think it is an excellent idea, and I would appreciate an affirmative vote on this particular bill.

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—197

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Travaglio
Cappelli	Harhart	Pallone	Trello
Casorio	Harper	Perzel	Trich
Cawley	Hasay	Petrarca	Tulli
Civera	Hennessey	Petrone	Turzai
Clark	Herman	Phillips	Vance
Clymer	Hershey	Pickett	Veon
Cohen, L. I.	Hess	Pippy	Vitali
Cohen, M.	Hutchinson	Pistella	Walko
Colafella	Jadlowiec	Preston	Wansacz
Coleman	James	Raymond	Washington
Cornell	Josephs	Readshaw	Waters
Corrigan	Kaiser	Reinard	Watson
Costa	Keller	Rieger	Williams, J.
Coy	Kenney	Roberts	Wilt
Creighton	Kirkland	Robinson	Wojnaroski
Cruz	Krebs	Roebuck	Wright, G.

Curry	LaGrotta	Rohrer	Wright, M.
Dailey	Laughlin	Rooney	Yewcic
Daley	Lawless	Ross	Youngblood
Dally	Lederer	Rubley	Yudichak
DeLuca	Leh	Ruffing	Zimmerman
Dermody	Lescovitz	Sainato	Zug
DeWeese	Levdansky	Samuelson	
DiGirolamo	Lewis	Santoni	
Diven	Lucyk	Sather	Ryan,
Donatucci	Lynch	Saylor	Speaker

NAYS-1

Tigue

NOT VOTING-0

EXCUSED-5

Horsley	Nickol	O'Brien	Scavello
Myers			

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 students from St. Luke's School of Nursing. They are the guests of the Northampton County delegation. They are seated in the balcony. Would the guests please rise.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2555, PN 3664**, entitled:

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

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

BILL RECOMMENDED

The SPEAKER. The majority leader is recognized.
Mr. PERZEL. Mr. Speaker, I move that HB 2555 be recommitted to the Committee on Appropriations.

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

RULES SUSPENDED

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

Mr. SATHER. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HB 2273.

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

The following roll call was recorded:

YEAS-198

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

NAYS-0

NOT VOTING-0

EXCUSED—5

Horshey Nickol O'Brien Scavello
Myers

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2273, PN 4406**, entitled:

An Act establishing the People Improving Lots of Lives for Pennsylvania's Health Grant Program.

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

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

(The bill analysis was read.)

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

The following roll call was recorded:

YEAS—198

Adolph Eachus Mackereth Schroder
Allen Egolf Maher Schuler
Argall Evans, D. Maitland Scrimenti
Armstrong, G. Evans, J. Major Semmel
Armstrong, T. Fairchild Manderino Shaner
Baker, J. Feese Mann Smith, B.
Baker, M. Fichter Markosek Smith, S. H.
Bard Fleagle Marsico Solobay
Barrar Flick Mayernik Staback
Bastian Forcier McCall Stairs
Bebko-Jones Frankel McGeehan Steelman
Belardi Freeman McGill Steil
Belfanti Gabig McIlhattan Stern
Benninghoff Gannon McIlhinney Stetler
Birmelin Geist McNaughton Stevenson, R.
Bishop George Melio Stevenson, T.
Blaum Godshall Metcalfe Strittmatter
Boyes Gordner Michlovic Sturla
Brooks Grucela Micozzie Surra
Browne Gruitza Miller, R. Tangretti
Bunt Habay Miller, S. Taylor, E. Z.
Butkovitz Haluska Mundy Taylor, J.
Buxton Hanna Nailor Thomas
Caltagirone Harhai Oliver Tigue
Cappelli Harhart Pallone Travaglio
Casorio Harper Perzel Trello
Cawley Hasay Petrarca Trich
Civera Hennessey Petrone Tulli
Clark Herman Phillips Turzai
Clymer Hershey Pickett Vance
Cohen, L. I. Hess Pippy Veon
Cohen, M. Hutchinson Pistella Vitali
Colafella Jadlowiec Preston Walko
Coleman James Raymond Wansacz

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horshey Nickol O'Brien Scavello
Myers

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 496, PN 534**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for fleeing or attempting to elude police officer.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 496 be recommitted to the Committee on Appropriations.

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

* * *

The House proceeded to third consideration of **HB 2127, PN 2839**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for dissemination of criminal history record information.

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

Mr. **KREBS** offered the following amendment No. **A0501**:

Amend Title, page 1, line 2, by inserting after “for” criminal history definitions and regulations and for

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

Section 1. Section 9102 of Title 18 of the Pennsylvania Consolidated Statutes is amended by adding definitions to read: § 9102. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

“Volunteer emergency worker.” Any of the following:

(1) An individual who:

(i) meets the definition of “emergency medical technician” in section 2 of the act of July 3, 1985 (P.L.164, No.45), known as the Emergency Medical Services Act; and

(ii) serves without compensation.

(2) An individual who:

(i) drives a vehicle staffed by an individual referred to in paragraph (1)(i); and

(ii) serves without compensation.

“Volunteer firefighter.” A member of a nonprofit chartered corporation, association or organization which is:

(1) located in this Commonwealth; and

(2) provides fire protection services in this Commonwealth.

Section 2. Section 9121(b) of Title 18 is amended to read:

Amend Sec. 1 (Sec. 9121), page 2, line 5, by inserting a bracket before “an”

Amend Sec. 1 (Sec. 9121), page 2, line 8, by inserting a bracket after “America”

Amend Sec. 1 (Sec. 9121), page 2, lines 8 and 9, by striking out “or a volunteer fire department or ambulance service.” and inserting any of the following:

(i) An individual who makes the request in order to apply to become a volunteer with an affiliate of Big Brothers of America or Big Sisters of America.

(ii) A volunteer emergency worker.

(iii) A volunteer firefighter.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Scavello
Myers			

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. **SCHRODER** offered the following amendment No. **A0513**:

Amend Sec. 1 (Sec. 9121), page 2, line 8, by inserting after “America”

a volunteer to work with children in the setting of a bona fide religion

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

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner

Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Preston	Walko
Coleman	James	Raymond	Wansacz
Cornell	Josephs	Readshaw	Washington
Corrigan	Kaiser	Reinard	Waters
Costa	Keller	Rieger	Watson
Coy	Kenney	Roberts	Williams, J.
Creighton	Kirkland	Robinson	Wilt
Cruz	Krebs	Roebuck	Wojnaroski
Curry	LaGrotta	Rohrer	Wright, G.
Dailey	Laughlin	Rooney	Wright, M.
Daley	Lawless	Ross	Yewcic
Dally	Lederer	Rubley	Youngblood
DeLuca	Leh	Ruffing	Yudichak
Dermody	Lescovitz	Sainato	Zimmerman
DeWeese	Levdansky	Samuelson	Zug
DiGirolamo	Lewis	Santoni	
Diven	Lucyk	Sather	Ryan,
Donatucci	Lynch	Saylor	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Scavello
Myers			

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 gentleman, Mr. Krebs; the gentleman, Mr. Birmelin; and the gentleman, Mr. Schroder, come to the desk.

(Conference held at Speaker's podium.)

BILL PASSED OVER TEMPORARILY

The SPEAKER. There has been a conflict with the amendments.

The Chair recognizes the gentleman, Mr. Birmelin, who suggests that HB 2127, together with all of the amendments, go over temporarily. Without objection, that will take place.

* * *

The House proceeded to third consideration of **HB 2682, PN 4367**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for drug trafficking sentencing and penalties.

On the question,

Will the House agree to the bill on third consideration?

Mr. **GEORGE** offered the following amendment No. **A4860**:

Amend Title, page 1, line 2, by inserting after "Statutes," providing for the offense of bingo;

Amend Title, page 1, line 3, by removing the period after "penalties" and inserting ; and making a repeal.

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

Section 1. Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 5513.1. Bingo.

(a) Summary offense.—Any association violating the provisions of the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, commits a summary offense and shall, upon conviction, be sentenced to pay a fine not exceeding \$1,000 and shall forfeit any license issued to the association, and it shall be ineligible for a license renewal for 30 months thereafter.

(b) Misdemeanor.—Any person who conducts or assists in the conducting of bingo in violation of the Bingo Law commits a misdemeanor of the first degree. Any person who permits the conduct of bingo on the same premises, owned by him or leased to him, on more than five days in any one week or by more than one association in any calendar day, except for bingo being played at an exposition, carnival or fair, commits a misdemeanor of the first degree.

(c) Construction.—It shall not be a violation of this section or the Bingo Law for a person to organize and conduct a promotional contest using the rules of bingo where prizes are awarded, provided that the persons who participate in the promotional contest do not pay any fee or risk anything of value to participate in the event.

(d) Definitions.—The words and phrases used in this section shall have the same meaning given to them in the Bingo Law.

Section 2. Section 7508(a) of Title 18 is amended by adding a paragraph to read:

Amend Bill, page 3, by inserting between lines 14 and 15

Section 3. Section 7 of the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, is repealed.

Amend Sec. 2, page 3, line 15, by striking out "2" and inserting

4

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the George amendment, the gentleman, Mr. George, would like to debate this amendment. Mr. George.

Mr. GEORGE. Thank you for your flexibility.

Now, Mr. Speaker, I think that all of our colleagues ought to listen, because I think they will all want to support this amendment.

The SPEAKER. Mr. George, yield for a moment.

The conferences to the left of the Chair are far too loud. Conferences on the side aisle, please, Mr. George has the floor.

Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, there should not be an individual in here that has not heard by now, if they have a Wal-Mart store in their facilities or in their community or nearby, in that the Wal-Mart has been utilizing a practice of providing bingo for our senior citizens at no charge for entry, no charge for participation, and absolutely with what I believe would be in the confines of the law as not being in violation of the law, the Bingo Law.

Now, Mr. Speaker, you and I were here and many when we passed the Bingo Law, but now here, we know, you and I, Mr. Speaker, and all our colleagues continue to want to do something for our senior citizens as far as medical care, as far as programs that help, but there is another matter, Mr. Speaker, that our citizens ought to be able to take advantage of, our seniors, and that is companionship and being able to work and play with each other, being able to avail themselves to a very fine opportunity to do what they want, and bingo is very important to them.

Now, a district attorney somewhere in the State of Pennsylvania said that Wal-Mart is abusing the Bingo Law, and so they discontinued. Even though there is no charge, even though the gifts they win are off the shelf, no longer is Wal-Mart utilizing this practice of helping senior citizens.

I wrote to the Attorney General. His answer was – and I am not being in any way destructive of what he said; what he told me was fair – he said that, you know, I believe it could be in violation, but why do you not change the law.

So, Mr. Speaker, why do not you and I and our colleagues do something for these citizens. Let us change the law. They are not paying anything. They are just trying to use their lives in a very, very fine recreational style.

Mr. Speaker, I do not believe anyone would want to vote against this amendment. Thank you.

The SPEAKER. The gentleman from Lehigh County, Mr. Semmel.

Mr. SEMMEL. Thank you, Mr. Speaker.

The SPEAKER. Will the gentleman yield, please. Please.

Mr. Semmel.

Mr. SEMMEL. Thank you, Mr. Speaker.

I would like to ask of the maker of the amendment if he would stand for a question or two of interrogation.

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

Mr. SEMMEL. As I understand it, your amendment will allow bingo at Wal-Mart, but now my question would be this: How does it affect the small games of chance as it relates to volunteer fire departments or veterans organizations? Basically,

what we are asking is, will this adversely affect these organizations?

Mr. GEORGE. Mr. Speaker, for those that wish to participate in bingo, where the prizes are cash prizes, where they must pay a fee to enter and pay a fee for each and every game, this is not going to enter into any conflict, whether it be Wal-Mart or whatever store, or whatever group, wants to associate and yet provide a fine service for the seniors without costing them any money. Rather than sitting around in homes or in different facilities, they are together and they are playing two or three times a week. This just is not only for Wal-Mart, Mr. Speaker; this is for all stores that think enough about getting these people in. This will not involve or take away any moneys. You have not heard a complaint from any fire company, any benevolent society, about the fact that they have been running these games. The only complaints I have gotten, Mr. Speaker, are they are no longer running them. Whoever should want to run them, let us let them run them. Thank you.

Mr. SEMMEL. With that, I stand in support in this regard when I hear that the veterans organizations and volunteer fire departments, emergency service providers, would not be adversely affected. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Clymer, from Bucks.

Mr. CLYMER. Thank you, Mr. Speaker.

Would the maker of the amendment stand for a brief interrogation?

The SPEAKER. The gentleman indicates he will. You may proceed.

Mr. CLYMER. While the issue had been Wal-Mart stores, would it not include Kmart? Could they not do the same thing, target another large chain of stores? Any retailing operation, could they not have the same kind of bingo, free bingo, that Wal-Mart has?

Mr. GEORGE. I believe, Mr. Speaker, if you will, I answered the gentleman's question that it could involve others. So far, none of them have done it. Only Wal-Mart has stepped forth, believing that this type of recreation was important to these older citizens. Yes, I believe they could, but by the same token, there is a vast difference, and as you know and when you helped pass the bill of bingo, your main concern, Mr. Speaker, was the amount of the prize and that we did not want private interests to get in there and put these other companies in a position where they could not offer a prospective prize that would take their business.

Again, Mr. Speaker, this does not involve money and it does not pay out money; it simply pays a gift off the shelf.

Mr. CLYMER. Mr. Speaker, I have to disagree as far as the comment whether or not the volunteer organizations are indeed being hurt financially by these free bingo games, and we are only seeing the first crack in the door. If this bill would pass, be assured, you would have other large retailing organizations step up and want to do the same thing. They are not going to let Wal-Mart get away with bringing senior citizens into their stores, having free bingo, and losing that trade. It is just not going to happen. And as a result, the very organizations for which the Bingo Law was passed are going to be at risk, and those are your volunteer fire companies, your veterans groups. Those who now qualify for a bingo bill, for a license, are going to experience a shortfall, and this is money that I understand

from these nonprofit organizations they need; this is money that helps them sustain their budgets, to help them to provide those free services in our local communities.

This is not a good amendment, and I would ask the members to think very carefully about this legislation, and I am going to vote “no,” and I would ask my colleagues to do likewise.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. HERMAN from Centre County.

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

The SPEAKER. Will the gentleman yield, please.

Please. The conference in the back of the House, please break up.

You may continue.

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

I rise to support this amendment.

I think that the events that have been described by the gentleman from Clearfield are accurate as I know them. The Wal-Mart stores in Centre and Clearfield Counties were running very innocent bingo games for senior citizens as something they do for their patrons. There was no money exchanged in any of this. It is just prizes were given.

Many of the seniors in our areas are very disappointed that such games have been discontinued because of this very fine quirk in the law, and this amendment will change that and will allow for these senior citizens to be able to practice their games again.

I encourage all the members on this side of the aisle to support the amendment, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. Costa.

Mr. COSTA. Thank you, Mr. Speaker.

If it is possible, I would like to interrogate the maker of the amendment.

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

Mr. COSTA. Thank you, Mr. Speaker.

In reading the description of your amendment, it says the amendment also provides for “Any person who conducts or assists in the conducting of bingo in violation of the...Law....”

Now, for instance, I call bingo on Sunday nights once a month at St. Colman’s Church. Am I considered, am I helping conducting by being a caller? And my question is, if the church for some reason fails to get their license in a timely manner and I am not aware of it, am I in violation working there or help assisting there? I am not working; I am helping.

Mr. GEORGE. Mr. Speaker, we attempted to restate identically the Bingo Law. That is all we do with that phraseology; we are restating it.

Yes, if someone did not get their license and they are participating in this service of bingo for profit making, that is a far different thing. Now, if they are going to have a bingo and not charge and not have cash involved, then, again, they would not be in violation. We are restating the purpose of calling and how it is conducted just to keep it orderly.

Mr. COSTA. But again, my question is though, because I am a caller and I am assisting in the bingo, will I be found as a first-degree misdemeanor by being part of the bingo?

Mr. GEORGE. Absolutely not. As soon as we change the law, it is all going to be legal. The Attorney General says, change the law and it will make it legal.

Mr. COSTA. Thank you, Mr. Speaker.

Thank you.

The SPEAKER. The gentleman, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I agree with the amendment, and I think, in fact, I know I have heard from folks in the district that I represent about this. The concern about the volunteer fire companies and the veterans organizations that run bingo with cash prizes and are licensed by the local county treasurers are legitimate concerns I think. However, what we are talking about here with some of the retail establishments like Wal-Marts and Hardee’s – and I have actually been to them to see what happens at least in my district – you are talking about an activity for senior citizens where there is no charge whatsoever. The prizes are often things like a roll of paper towels or something like that. You are not talking about big stakes here. You are talking about an opportunity for senior citizens to spend an hour or 2 out of the day at something that gives them a little bit of pleasure. Probably they would go from the Wal-Mart bingo to the fire company bingo that evening or something like that. So we are not doing any harm here.

The amendment is a good idea. It relieves the folks that run Wal-Marts and Hardee’s and other stores from the concern about legal ramifications when they run a bingo without charging anybody for it. I think it is a good idea. I think it is a commonsense amendment, and I think we ought to adopt it.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I do not know how I am going to vote on this amendment, but I think we better be clear about a few things. And again, I have just heard of this issue for the first time 10 minutes ago, but let us not think for one moment that Wal-Mart or any other store is having these bingos to get senior citizens into their store out of the goodness of their heart. They are doing it to make money, not necessarily on the game itself but on what might or what items may be purchased before those players leave their store, all the time sitting there while new advertisements are broadcast over the PA (public address) system for these seniors to hear while they are playing their games. So there is a cost. Now, we may be willing to vote for that, but there is a cost here.

The second thing is, this cannot do anything but hurt bingo games which are used as fund-raisers by various fraternal organizations.

And one more thing: If we pass this, this is not just for Wal-Mart or Kmart or some other store. Use your imagination. Anyone could take this language and run with it and begin having their bingos and give out a roll of paper towels in order to drive home a much bigger point.

I remember 10 years ago, maybe longer, when an innocuous change in the law all of a sudden begot casino card games in the lobbies of our hotels throughout Pennsylvania because of a slight change in the law, which nobody intended that to be the result, that there would be poker games and blackjack tables set up in our hotel lobbies around Pennsylvania, but that is what happened, and I think a great many members sitting here in this room remember that quirk in the law.

If this amendment is adopted – and the gentleman, Mr. George, has all great intentions – I can foresee this change

being very significant in legalizing this process for not just the Wal-Marts and the Kmart but for anyone.

Going back to the original point, let us debate the issue straight up, but let us not think for one moment that these stores would do this or are doing it out of the goodness of their heart. They are doing that to lure additional shoppers into the building who, hopefully, when the game is over or in between games, are going to spend money they would not otherwise spend.

Thank you, Mr. Speaker.

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a guest page, Carra Hoffmann. She is here as the guest of Representatives Schuler and Zimmerman and is seated in the well of the House. Ms. Hoffmann, please rise.

CONSIDERATION OF HB 2682 CONTINUED

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Mr. Trello, on the George amendment.

Mr. TRELLO. Mr. Speaker, I rise to support this amendment.

We must never forget the pioneers that built this great country of ours, our senior citizens that are living on a fixed income.

As you all know, shortly I will be living on a fixed income myself, and I would love to go to Wal-Mart or Kmart and anywhere else and pay nothing to play bingo and win a prize.

I urge your support. Thank you.

The SPEAKER. Mr. DeLuca, what do you plan for your future?

Mr. DeLUCA. Thank you, Mr. Speaker.

I was not going to speak on this, but I think I have to. The main reason is, I hate to continue to see senior citizens being used as a ploy to provide some type of benefit out there.

I do not know if I am going to support this, but I will tell you what. I perceive this is going to hurt a lot of our small businesses out there, because what we are actually doing is we are using this as an enticement to get these individuals into these conglomerate stores where they sell everything from soup to nuts, and we might as well put our other small businesses out of business because of the fact they do not have the room to conduct bingos for our senior citizens, and I think they would like to conduct bingos, too. They would like to conduct free bingos for our senior citizens so that they can bring them into their businesses, their establishments, so that they can entice them to buy their products.

This is another ploy to sell products in the store to cut everybody else out of business, and I think what has made this State and this country so good is the small businesses and the small business community out there that we need to continue to support. So let us not use this as, well, we are helping the senior citizens. No, let us use this as we are helping the big establishments put out the small businesses and run them out of business, because the fact is, there will be less business for them to have.

And as I think of it right now, I am going to oppose the George amendment, and I am going to vote against it.

Thank you, Mr. Speaker.

The SPEAKER. Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, two of the speakers have said what I wanted to say, and that is, anyone can put together a free bingo for senior citizens and have other ideas as to why they are doing that, to bring the senior citizens in and maybe eventually to sell them a product of some sort.

And then the last speaker really hit on one of the things that I wanted to say. With all of these free prizes that they are giving out, it is certainly going to impact on the small business community, and we are trying to protect our small businesses and do all we can to encourage them. The field is unlimited as to who can organize these bingo games.

I do not think it is in our best interest to support this legislation, and I want to ask my colleagues to vote "no." Thank you.

The SPEAKER. The gentleman, Mr. Sainato.

Mr. SAINATO. Thank you, Mr. Speaker.

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

I did not realize that Wal-Mart quit doing bingo, because my Wal-Mart Supercenter used to have it a couple times a week.

I think where people are concerned that it is going to conflict with other bingos, these bingos which I see are usually done about 10 a.m. in the morning, and as my colleague from Clearfield has said, they really do not give out cash prizes. They may give out a loaf of bread; they may give out some canned goods, things that they want to get rid of. And, I mean, I do not see anything wrong with this. Give the senior citizens something to do.

For those who think they are drawing them into the store, yes, they are, but that is the free market system. I mean, we need people in the stores, and you know what? If they happen to buy some goods while they are there, that is great. Do you know why? Because we need that 6-percent sales tax because our tax revenues are going down. So we need to encourage people to go into not Wal-Mart, go into all stores in Pennsylvania and start buying things. That is the only way we are going to turn the economy around.

So I think Mr. George is on the right track. If that gets people in the store, give a little enjoyment to senior citizens, let them play bingo. I mean, they are playing it in all 67 counties. That will give them something to do, and it will not compete with the bingos at night, because the bingos at night are serious business to those organizations, and serious bingo players will still be going to the VFW (Veterans of Foreign Wars) and the volunteer fire departments because they want to win the big money there. What they are doing at Wal-Mart and maybe some other retail stores throughout the State, that is just an innocent little bingo. They are getting rid of some of the goods they could not get rid of, helping the senior citizens out. Let the senior citizens play bingo in Pennsylvania. Let people pay the sales tax and buy items.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Browne, from Lehigh.

Mr. BROWNE. Thank you, Mr. Speaker.

I would like to interrogate the prime sponsor of the amendment?

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

Mr. BROWNE. Mr. Speaker, it is my understanding under the current Bingo Law that a not-for-profit can lease the premises of another entity, for-profit or not-for-profit, and hold

a bingo contest within that facility, and I think that is what the current law states.

In terms of an improper bingo game, giving a hypothetical, say a not-for-profit in my district with a bingo license enters in an agreement with a Wal-Mart to have a bingo game within the Wal-Mart. Would this amendment prohibit that type of agreement?

Mr. GEORGE. Mr. Speaker, we are talking about the Bingo Law like you are. The problem is that anyone can enter into a contract and run this type of game for profit, but will those same people that are being drawn in because an entrepreneur, whether they use that as a gimmick or not—Bosco's uses a roulette. You register; they pull your name. They do this all over.

Now, you know the thing that makes me most proud? Mr. Speaker, if you will—

The SPEAKER. Members, take your seats, please; take your seats.

Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker. I apologize, Mr. Speaker.

Mr. Speaker, what we are attempting to do was what the Attorney General said. To be safe and to make sure that there is not any violation, change simply not the gambling law, just the Bingo Law.

Now, some of these individuals – and I am very proud to be among you, because I notice there is so much talent in these 203 men and women – even those that have never been in business know all there is to know about business. There are people like myself that know nothing about law but we pass laws.

Now, the only reason I am standing here trying to encourage you, especially those of you where there are 51 Wal-Marts in Pennsylvania, I am not saying the Kmart or whoever, because the urge of money is what it is all about. You can go to any place in Clearfield where they have bingo. I guarantee you they have not lost one customer, because maybe— And I do not know much about gambling. I do not gamble because I never win, but, you know, I buy lottery tickets every week because I think I want to help senior citizens.

Now, I was here when they passed the Lottery Law. I have never won over \$2, but I am not buying that ticket to win, because if I won, I probably would not know what to do with all the money, because I am just a poor boy who never had that kind of money.

But you see, Mr. Speaker, I did not do this just to put an amendment in. I had calls from 100 older citizens, you know, seniors, people my age. And incidentally, Mr. Speaker, I am not going anywhere like Fred Trello. I am going to be right here.

But, Mr. Speaker, I am not trying to be funny. If you want to do the right thing for your seniors, there are all kinds of gimmicks in business. Now, the gentleman from Allegheny said about small business and the big business is putting them out of business. Yes, they are. Do you know why? Do you know why, Mr. Speaker? Because their buying power is much greater than my buying power, because they can dictate to the manufacturers, because they have guarantees that my little garage cannot do. I have been in business for 61 years. I have been in business where you put everything on the book and you did not get paid all the time for what you put on the book. I have been in business where gas was 14 cents a gallon during

World War II before I went in the Navy and we had to handle gas stamps. I am not trying to ruin— You know, Mr. Speaker, if they would not have debated this, I would not be here talking.

I am saying, Mr. Speaker, you use your best judgment, and I know you will. I think that this is a good bill. Your seniors in your area will thank you until something better comes. We are not trying to ruin bingo. We are just trying to say to the seniors, I could not care where they played bingo for nothing, just so we have somewhere for them to go and somewhere for them to enjoy themselves.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. BROWNE. Mr. Speaker, on the amendment, very briefly.

The SPEAKER. Mr. Browne.

Mr. BROWNE. Thank you, Mr. Speaker.

I appreciate the response from the gentleman.

I recently had requested an opinion in regards to this issue in my district, and actually, there is no clear precedent on how this would be determined under current law, but I do think that even without this clarification, if a not-for-profit wants to enter in a lease arrangement with a for-profit entity, under the current Bingo Law they could perform this service and/or process anyway.

So in terms of the actual effect of this amendment, there is a vehicle out there that would possibly allow the Wal-Mart, even if the amendment is passed, to do what this amendment is saying. So I just wanted to ask that question for clarification.

Thank you, Mr. Speaker.

The SPEAKER. Mr. Birmelin.

Mr. BIRMELIN. Thank you, Mr. Speaker.

In my reading of the amendment, it appears to me that it does not change any of the existing law other than the provision for the people who violate the section because they would not be charging a fee for the service.

One of the issues that came to my mind was, what about minors? What about children? And when we talk about bingo today, currently the law says that a person under 18 cannot be admitted to one of these places where they play bingo unless they are accompanied by a person 18 years or over. My reading of this amendment does not change that. So what I am looking at is the possibility of Wal-Mart, Kmart, Hardee's, McDonald's, everybody being able to have these bingo operations in whatever store they want. And the question that occurs to my mind is, how in the world are you ever going to police people having bingo games in the McDonald's where there are, obviously, a lot of children in attendance as customers and how are you going to keep that young crowd, if you will, that under-18 crowd, from participating in that?

I think the amendment does not address that but probably should. We have been talking about senior citizens here, but this amendment does not limit it to senior citizens. What we are doing is opening up a wide-open field for the operations of bingo, even though they are not paying for it, which, in essence, is really going to be promoting the gambling culture. I am not sure it is something that we want to have children exposed to – when they go into McDonald's, they learn to play bingo – and I think that this amendment comes up short in protecting that segment of our society that we ought to be thinking about, and that is our minor children, and I would encourage a “no” vote.

The SPEAKER. Mr. Markosek.

Mr. MARKOSEK. Thank you very much, Mr. Speaker.
I rise in favor of the George amendment.

First of all, the maker of the amendment has indicated that there has been some litigation in the judicial system relative to this issue and that our job as legislators, of course, is to clarify the law, and if there is a problem with the judicial system in the way the law is written or what it says, then we certainly have the ability and the prerogative to clarify that law and the duty to clarify that law.

Several of my colleagues have mentioned here today that this is a ploy by a business – in this case, Wal-Mart – in order to entice people to come into their store. What a novel idea that is. This has been the tradition of businesses since businesses were invented. Of course they have promotions to get people to come into their businesses. Take a look at the Harrisburg Senators or the Pittsburgh Pirates, the promotions that they have to get people to attend their games.

I do not have any particular like or dislike for Wal-Mart. There is not one in my town, but there is one nearby. I do go in occasionally, but if they had bobblehead night there, I would go more often.

Thank you, Mr. Speaker, and I urge you to support the George amendment.

The SPEAKER. The gentleman, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

May I ask the maker of the amendment to rise for a brief and very specific interrogation?

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

Mr. MAHER. Mr. Speaker, I have a genuine question, which is really a yes or a no, and I hope you will be able to respond accordingly. Would an entertainment venue which traditionally charges for admission such as a movie theater, a show, a ball game, and so forth, would they be able to charge an admission fee and also to offer the bingo without any fee to participate in the bingo?

Mr. GEORGE. No, Mr. Speaker, they will not.

Mr. MAHER. So if I understand correctly then, the legislation or your amendment, instead of talking about charging a fee for participation, you are saying your intent is that it really meant to say, not just a fee for participation but any fee for admission to the venue where this might be happening.

Mr. GEORGE. Absolutely no fee whatsoever. It has to be free, gratis; no gamble involved.

Mr. MAHER. Thank you, Mr. Speaker.

Mr. Speaker, briefly on the bill. With that concept, I certainly do not have any objection to innocent promotional activities by businesses. I am concerned though that as drafted, the language does clearly say that it deals with a fee for participation, not a fee for admission, and we have had troubles in the past with entities trying to skirt the PLCB (Pennsylvania Liquor Control Board) laws by saying they are not selling alcohol; they are charging admission and the alcohol is free. And as currently worded, this amendment, while well intended, and I appreciate the statement of intent, but my concern is, as worded currently, this amendment could very easily legalize storefront bingo parlors under the premise that they are charging for admission to an entertainment venue; they are not charging for bingo.

Thank you, Mr. Speaker.

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Just a quick inquiry, actually a parliamentary inquiry.

I was just curious if there is a contradiction going on here. And just for clarification, in the Bingo Law we say it is illegal to do this without a license, but yet in the Crimes Code it almost seems like we are saying it is illegal but we are just not going to enforce it. I just do not, as a chamber, want to be contradicting ourselves.

The SPEAKER pro tempore. That is not a proper parliamentary inquiry. You would have to make – that question could properly be directed to the maker of the amendment.

Mr. BENNINGHOFF. Thank you, Madam Speaker.

Would the maker of the amendment stand for that question, please?

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

Mr. BENNINGHOFF. Thank you.

I appreciate the maker of the amendment standing for a moment.

I know this is a very hot issue up in our area, which I share with him. I just wanted to have a clarification. In the Bingo Law no nonprofit can do this without a license; that would be considered illegal, I should say, but yet under this Crimes Code, are we not saying that under the law it is still illegal but yet we are just not going to enforce it for certain entities?

Mr. GEORGE. Absolutely not. We took the verbatim of the law. We placed in there the fact that if they are running this type of activity without any charge whatsoever, without any opportunity or a possibility of someone losing their money, no fee going in, no fee participation, it is not a violation. It maybe could be a violation if we did not change the law like we know you want to do and so do our citizens want to do. No violation whatsoever will come about, and it is not going to bring about any change in the law, Madam Speaker. If they are now going around reviewing the legal bingos that are operating, they will continue to do that. Thank you.

Mr. BENNINGHOFF. So it is the fee that specifically makes that designation?

Mr. GEORGE. That is exactly right.

Mr. BENNINGHOFF. Thank you very much.

Thank you, Madam Speaker.

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

The following roll call was recorded:

YEAS—92

Baker, J.	Egolf	Mackereth	Solobay
Bebko-Jones	Evans, D.	Manderino	Staback
Belardi	Evans, J.	Mann	Steelman

Belfanti	Frankel	Markosek	Stetler
Benninghoff	George	Mayernik	Sturla
Boyes	Grucela	McCall	Surra
Bunt	Gruitza	McIlhattan	Tangretti
Buxton	Habay	Metcalfe	Thomas
Caltagirone	Haluska	Michlovic	Tigue
Casorio	Hanna	Miller, S.	Travaglio
Cawley	Harhai	Pallone	Trello
Cohen, M.	Harhart	Petrarca	Trich
Colafella	Herman	Petrone	Veon
Coleman	Hutchinson	Pistella	Vitali
Corrigan	James	Preston	Walko
Costa	Krebs	Roberts	Wansacz
Coy	LaGrotta	Rooney	Washington
Daley	Laughlin	Sainato	Williams, J.
Dally	Lawless	Santoni	Wilt
Dermody	Lescovitz	Scrimenti	Wright, G.
DeWeese	Levdansky	Semmel	Yewcic
Diven	Lucyk	Shaner	Yudichak
Eachus	Lynch	Smith, B.	Zug

NAYS—106

Adolph	Donatucci	Maher	Ruffing
Allen	Fairchild	Maitland	Samuelson
Argall	Feese	Major	Sather
Armstrong, G.	Fichter	Marsico	Saylor
Armstrong, T.	Fleagle	McGeehan	Schroder
Baker, M.	Flick	McGill	Schuler
Bard	Forcier	McIlhinney	Smith, S. H.
Barrar	Freeman	McNaughton	Stairs
Bastian	Gabig	Melio	Steil
Birmelin	Gannon	Micozzie	Stern
Bishop	Geist	Miller, R.	Stevenson, R.
Blaum	Godshall	Mundy	Stevenson, T.
Brooks	Gordner	Nailor	Strittmatter
Browne	Harper	Oliver	Taylor, E. Z.
Butkovitz	Hasay	Perzel	Taylor, J.
Cappelli	Hennessey	Phillips	Tulli
Civera	Hershey	Pickett	Turzai
Clark	Hess	Pippy	Vance
Clymer	Jadlowiec	Raymond	Waters
Cohen, L. I.	Josephs	Readshaw	Watson
Cornell	Kaiser	Reinard	Wojnaroski
Creighton	Keller	Rieger	Wright, M.
Cruz	Kenney	Robinson	Youngblood
Curry	Kirkland	Roebuck	Zimmerman
Dailey	Lederer	Rohrer	
DeLuca	Leh	Ross	Ryan,
DiGirolamo	Lewis	Rublely	Speaker

NOT VOTING—0

EXCUSED—5

Horsley	Nickol	O'Brien	Scavello
Myers			

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsley	Nickol	O'Brien	Scavello
Myers			

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

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

* * *

The House proceeded to third consideration of **SB 223, PN 229**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for aggravating circumstances in the sentencing procedure for murder of the first degree.

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

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the Appropriations chairman.

Mr. ARGALL. Madam Speaker, I move that SB 223, PN 229, be recommitted to Appropriations.

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

* * *

The House proceeded to third consideration of **HB 2444, PN 3545**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for the definition of "employee" to include local coordinators of emergency management as employees of municipalities.

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

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

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

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs

Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Preston	Walko
Coleman	James	Raymond	Wansacz
Cornell	Josephs	Readshaw	Washington
Corrigan	Kaiser	Reinard	Waters
Costa	Keller	Rieger	Watson
Coy	Kenney	Roberts	Williams, J.
Creighton	Kirkland	Robinson	Wilt
Cruz	Krebs	Roebuck	Wojnaroski
Curry	LaGrotta	Rohrer	Wright, G.
Dailey	Laughlin	Rooney	Wright, M.
Daley	Lawless	Ross	Yewcic
Dally	Lederer	Rubley	Youngblood
DeLuca	Leh	Ruffing	Yudichak
Dermody	Lescovitz	Sainato	Zimmerman
DeWeese	Levdansky	Samuelson	Zug
DiGirolamo	Lewis	Santoni	
Diven	Lucyk	Sather	Ryan,
Donatucci	Lynch	Saylor	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Scavello
Myers			

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 SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Steil.

Mr. STEIL. Madam Speaker, I move that the rules of the House be suspended in order to offer HB 2780, PN 4407.

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

The following roll call was recorded:

YEAS—197

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

NAYS—1

Steelman

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Scavello
Myers			

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2780, PN 4407**, entitled:

An Act regulating child labor; conferring powers and duties on the Department of Labor and Industry and the Department of Education; imposing penalties; and making a repeal.

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

Mr. **SURRA** offered the following amendment No. **A4898**:

Amend Sec. 7, page 8, line 18, by inserting after "week"
; however a minor may refuse to work in excess
of 40 hours in a single week

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

The **SPEAKER** pro tempore. On that question, the Chair recognizes the gentleman, Mr. Surra.

Mr. **SURRA**. Thank you, Madam Speaker.

This is an agreed-to amendment with the prime sponsor, and I would appreciate the members' support.

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

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Preston	Walko
Coleman	James	Raymond	Wansacz
Cornell	Josephs	Readshaw	Washington
Corrigan	Kaiser	Reinard	Waters

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Scavello
Myers			

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

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

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Scavello
Myers			

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 2768, PN 4148**, entitled:

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, further providing for removal permits, transfer of ownership certificates and tax lien certificates; and imposing a penalty.

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

Mr. **FAIRCHILD** offered the following amendment No. **A4839**:

Amend Sec. 1 (Sec. 617.1), page 2, line 14, by inserting brackets before and after "assessor" and inserting immediately thereafter

mobilehome court operator

Amend Sec. 1 (Sec. 617.1), page 2, line 20, by striking out "section" and inserting

act

Amend Sec. 1 (Sec. 617.1), page 2, lines 21 and 22, by striking out "or local tax collector for current year taxes" and inserting

local tax collector or officer responsible for code enforcement, as designated by the governing body of the municipality where the mobilehome or

house trailer is currently located. No permit for removal or transfer of ownership shall be issued without receipt of a tax certification verifying payment of taxes levied and assessed on the mobilehome or house trailer from the municipal treasurer or local tax collector

Amend Sec. 1 (Sec. 617.1), page 2, line 26, by striking out “section” and inserting

act

Amend Sec. 1 (Sec. 617.1), page 2, lines 27 and 28, by striking out “or local tax collector for current year taxes” and inserting

local tax collector or officer responsible for code enforcement, as designated by the governing body of the municipality where the mobilehome or house trailer is currently located. No permit for removal or transfer of ownership shall be issued without receipt of a tax certification verifying payment of taxes levied and assessed on the mobilehome or house trailer from the municipal treasurer or local tax collector

Amend Sec. 1 (Sec. 617.1), page 2, by inserting between lines 29 and 30

(b.1) It shall be unlawful to install a mobilehome or house trailer without first obtaining an installation permit from the local tax collector, municipal treasurer or the municipal officer responsible for code enforcement as provided in this act.

Amend Sec. 1 (Sec. 617.1), page 3, line 10, by striking out “or local tax collectors” and inserting

local tax collector or officer responsible for code enforcement, as designated by the governing body of the municipality where the mobilehome or house trailer is currently located.

Amend Sec. 1 (Sec. 617.1), page 3, line 11, by inserting after “of” where it appears the first time

installation.

Amend Sec. 1 (Sec. 617.1), page 3, line 12, by striking out “section” and inserting

act

Amend Sec. 1 (Sec. 617.1), page 3, lines 13 and 14, by striking out “municipal treasurer or local tax collector” and inserting

issuing entity

Amend Sec. 1 (Sec. 617.1), page 3, line 15, by inserting after “be”

installed.

Amend Sec. 1 (Sec. 617.1), page 3, line 19, by inserting after “paid.”

The issuing entity shall forward to the county assessment office a copy of each permit of installation, removal or transfer of ownership issued within thirty days.

Amend Sec. 1 (Sec. 617.1), page 4, line 10, by striking out “against the owner” and inserting

or assessed on the mobilehome or house trailer

Amend Sec. 1 (Sec. 617.1), page 4, lines 16 and 17, by striking out “against the owner” and inserting

or assessed on the mobilehome or house trailer

Amend Sec. 1 (Sec. 617.1), page 4, by inserting between lines 17 and 18

(c.3) The Department of Community and Economic Development shall promulgate, approve and furnish a Statewide uniform permit of installation to each county to be duplicated and utilized by the municipal treasurer, local tax collector or officer responsible for code enforcement under this act. The permit shall require the owner of the mobilehome or house trailer to furnish the following information:

- (1) Name of the titled owner of the mobilehome or house trailer.
- (2) Address of the owner of the mobilehome or house trailer.

(3) Taxing district in which the mobilehome or house trailer is being installed.

(4) Lot or pad number.

(5) Mobilehome or house trailer size, color, make, model and year.

(6) Vehicle identification number (VIN).

(7) A listing of current taxes levied and assessed on the mobilehome or house trailer, if any, with proof of payment.

Amend Sec. 1 (Sec. 617.1), page 4, line 18, by striking out “(c.3)” and inserting

(c.4)

Amend Sec. 1 (Sec. 617.1), page 4, line 23, by inserting after “who”

installs a mobilehome or house trailer within territorial limits of the taxing district or

Amend Sec. 1 (Sec. 617.1), page 4, line 26, by inserting after “of”

installation.

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Preston	Walko
Coleman	James	Raymond	Wansacz
Cornell	Josephs	Readshaw	Washington
Corrigan	Kaiser	Reinard	Waters
Costa	Keller	Rieger	Watson
Coy	Kenney	Roberts	Williams, J.
Creighton	Kirkland	Robinson	Wilt
Cruz	Krebs	Roebuck	Wojnaroski
Curry	LaGrotta	Rohrer	Wright, G.
Dailey	Laughlin	Rooney	Wright, M.
Daley	Lawless	Ross	Yewwic
Dally	Lederer	Rublely	Youngblood
DeLuca	Leh	Ruffing	Yudichak
Dermody	Lescovitz	Sainato	Zimmerman
DeWeese	Levdansky	Samuelson	Zug

DiGirolamo	Lewis	Santoni	
Diven	Lucyk	Sather	Ryan,
Donatucci	Lynch	Saylor	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Scavello
Myers			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the lady from Berks County, Mrs. Miller.

Mrs. MILLER. Thank you, Madam Speaker.

I would like to interrogate the prime sponsor of this legislation.

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

Mrs. MILLER. Thank you, Madam Speaker.

This legislation as it is currently written deals with mobile homes. However, my concern is the impact that this legislation will have on manufactured housing, because as you know, these types of homes, the double-wides, are not really considered to be permanently located on properties. They are considered to still be mobile even though as you look at them they look like permanent structures. So my question to the prime sponsor of this bill is, to the best of his ability to respond at this point, what is the impact this legislation may have on the manufactured housing industry?

Mr. FAIRCHILD. Thank you, Madam Speaker.

The impact on the manufactured housing industry I think is going to be very small, and here is why: For the definition of "mobile home," which it refers to in the legislation, we are using the definition that is in the Mobile Home Park Rights Act, which pretty clearly defines what a mobile home is. I believe that for the most part, the definition is pretty clear, and I would be glad to read it for the record, if you would wish.

With that said, I also believe that the speaker brings up a pretty good point. Even though we are not trying to amend the definition of "manufactured housing and mobile home," as I think all of us know, there has always been a little bit of doubt into what that actual definition is, and I know within the industry, there is a constant dialogue on clearing up that definition.

I would like to say that as this legislation moves, if there is a problem, I would be glad to urge the Senate to further amend it,

but I would also like to also say that I would be glad to work with you in amendments that I believe both the manufactured housing and the mobile home industry seek to clarify not only for this legislation but for a bunch of legislation that is out there.

Mrs. MILLER. Thank you, Madam Speaker.

If I may have one more followup question asking the prime sponsor of this legislation that the intent of this is basically a consumer protection measure, so that there is, even though we do not have title searches when it comes to this kind of thing, that your intent is to try and protect the consumers when they move forward in purchasing these types of homes; that they, in essence, have, quote, unquote, "a clear title and no back taxes." Is that correct?

Mr. FAIRCHILD. That is correct, Madam Speaker.

In fact, this really has a two-pronged approach. It not only protects the taxpayers in ensuring that all taxes are paid, but I think, more importantly— In fact, this matter was brought to my attention when a mobile home purchaser came to me with tears in her eyes that she and her husband had purchased a mobile home, found out that the law requires that the current taxes be paid and a certificate issued, but there is no law that says that past taxes are up to date. So in essence, those people were left with a title that, I think, under the regular way that a regular home is transferred with a closing, et cetera, where all the taxes are laid out and it must be certified, in doing that with a mobile home, that opportunity does not present itself. So by getting a certificate and having a uniform certificate statewide, we will guarantee that a family or a person that buys a home will have clear title at least pertaining to the tax issue.

Mrs. MILLER. Thank you, Madam Speaker.

On the legislation.

The SPEAKER pro tempore. The lady may proceed.

Mrs. MILLER. I certainly appreciate the prime sponsor's willingness to look into the impact of this as it would apply to manufactured housing, and I look forward to working with him on future legislation that would deal with that, and I encourage my colleagues here to support this legislation. Thank you.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Scavello
Myers			

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 2769, PN 4149**, entitled:

An Act amending the act of May 22, 1933 (P.L.853, No.155), known as The General County Assessment Law, further providing for removal and transfer of ownership certificates and for removal permits; providing for lien certificate; and imposing a penalty.

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

Mr. **FAIRCHILD** offered the following amendment No. **A4840**:

Amend Sec. 1 (Sec. 407), page 2, line 2, by inserting brackets before and after “assessor” and inserting immediately thereafter mobilehome court operator

Amend Sec. 1 (Sec. 407), page 2, line 8, by striking out “section” and inserting

act

Amend Sec. 1 (Sec. 407), page 2, lines 9 and 10, by striking out “or local tax collector for current year taxes” and inserting

local tax collector or officer responsible for code enforcement, as designated by the governing body of the municipality where the mobilehome or house trailer is currently located. No permit for removal or transfer of ownership shall be issued without receipt of a tax certification verifying payment of taxes levied and assessed on the mobilehome or house trailer from the municipal treasurer or local tax collector

Amend Sec. 1 (Sec. 407), page 2, line 14, by striking out “section” and inserting

act

Amend Sec. 1 (Sec. 407), page 2, lines 15 and 16, by striking out “or local tax collector for current year taxes” and inserting

local tax collector or officer responsible for code enforcement, as designated by the governing body of the municipality where the mobilehome or house trailer is currently located. No permit for removal or transfer of ownership shall be issued without receipt of a tax certification verifying payment of taxes levied and assessed on the mobilehome or house trailer from the municipal treasurer or local tax collector

Amend Sec. 1 (Sec. 407), page 2, by inserting between lines 17 and 18

(d.1) Installation of Mobilehomes or House Trailers.—It shall be unlawful to install a mobilehome or house trailer without first obtaining an installation permit from the local tax collector, municipal treasurer or the municipal officer responsible for code enforcement as provided in this act.

Amend Sec. 1 (Sec. 407), page 2, lines 28 and 29, by striking out “or local tax collectors shall issue permits of” and inserting

local tax collector or officer responsible for code enforcement, as designated by the governing body of the municipality where the mobilehome or house trailer is currently located shall issue permits of installation.

Amend Sec. 1 (Sec. 407), page 2, line 30, by striking out “section” and inserting

act

Amend Sec. 1 (Sec. 407), page 3, lines 1 and 2, by striking out “municipal treasurer or local tax collector” and inserting

issuing entity

Amend Sec. 1 (Sec. 407), page 3, line 3, by inserting after “be”

installed,

Amend Sec. 1 (Sec. 407), page 3, line 8, by inserting after “paid.”

The issuing entity shall forward to the county assessment office a copy of each permit of installation, removal or transfer of ownership issued within thirty days.

Amend Sec. 1 (Sec. 407), page 3, line 30, by striking out “against the owner” and inserting

or assessed on the mobilehome or house trailer

Amend Sec. 1 (Sec. 407), page 4, line 7, by striking out “against the owner” and inserting

or assessed on the mobilehome or house trailer

Amend Sec. 1 (Sec. 407), page 4, by inserting between lines 8 and 9

(e.3) Permit of Installation.—The Department of Community and Economic Development shall promulgate, approve and furnish a Statewide uniform permit of installation to each county to be duplicated and utilized by the municipal treasurer, local tax collector or

officer responsible for code enforcement, pursuant to this act. The permit shall require the owner of the mobilehome or house trailer to furnish the following information:

- (1) Name of the titled owner of the mobilehome or house trailer.
(2) Address of the owner of the mobilehome or house trailer.
(3) Taxing district in which the mobilehome or house trailer is being installed.
(4) Lot or pad number.
(5) Mobilehome or house trailer size, color, make, model and year.
(6) Vehicle identification number (VIN).
(7) A listing of current taxes levied and assessed on the mobilehome or house trailer, if any, with proof of payment.

Amend Sec. 1 (Sec. 407), page 4, line 9, by striking out "(e.3)" and inserting

(e.4)

Amend Sec. 1 (Sec. 407), page 4, line 14, by inserting after "who"

installs a mobilehome or house trailer within the territorial limits of the taxing district or

Amend Sec. 1 (Sec. 407), page 4, line 17, by inserting after "of" installation.

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

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Fairchild.

Mr. FAIRCHILD. Thank you, Madam Speaker.

This amendment is identical to the amendment passed on the prior bill. It just has to do with the counties instead of the townships.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-198

Table listing names of members who voted 'YEAS-198', including Adolph, Allen, Argall, Armstrong, G., Armstrong, T., Baker, J., Baker, M., Bard, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Brooks, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Cawley, Eachus, Egolf, Evans, D., Evans, J., Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Hasay, Mackereth, Maher, Maitland, Major, Manderino, Mann, Markosek, Marsico, Mayernik, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Nailor, Oliver, Pallone, Perzel, Petrarca, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Trich.

Table listing names of members who did not vote, including Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Coleman, Cornell, Corrigan, Costa, Coy, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Hennessey, Herman, Hershey, Hess, Hutchinson, Jadowiec, James, Josephs, Kaiser, Keller, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lewis, Lucyk, Lynch, Petrone, Phillips, Pickett, Pippy, Pistella, Preston, Raymond, Readshaw, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Tulli, Turzai, Vance, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Williams, J., Wilt, Wojnaroski, Wright, G., Wright, M., Yewcic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker.

NAYS-0

NOT VOTING-0

EXCUSED-5

Table listing names of members who were excused, including Horsey, Myers, Nickol, O'Brien, Scavello.

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

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

The following roll call was recorded:

YEAS-198

Table listing names of members who voted 'YEAS-198', including Adolph, Allen, Argall, Armstrong, G., Armstrong, T., Baker, J., Baker, M., Bard, Barrar, Bastian, Bebko-Jones, Belardi, Eachus, Egolf, Evans, D., Evans, J., Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Mackereth, Maher, Maitland, Major, Manderino, Mann, Markosek, Marsico, Mayernik, McCall, McGeehan, McGill, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil.

Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Preston	Walko
Coleman	James	Raymond	Wansacz
Cornell	Josephs	Readshaw	Washington
Corrigan	Kaiser	Reinard	Waters
Costa	Keller	Rieger	Watson
Coy	Kenney	Roberts	Williams, J.
Creighton	Kirkland	Robinson	Wilt
Cruz	Krebs	Roebuck	Wojnaroski
Curry	LaGrotta	Rohrer	Wright, G.
Dailey	Laughlin	Rooney	Wright, M.
Daley	Lawless	Ross	Yewcic
Dally	Lederer	Rubley	Youngblood
DeLuca	Leh	Ruffing	Yudichak
Dermody	Lescovitz	Sainato	Zimmerman
DeWeese	Levdansky	Samuelson	Zug
DiGirolamo	Lewis	Santoni	
Diven	Lucyk	Sather	Ryan,
Donatucci	Lynch	Saylor	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Horsey	Nickol	O'Brien	Scavello
Myers			

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

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

* * *

The House proceeded to third consideration of **SB 596, PN 2076**, entitled:

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

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

BILL RECOMMENDED

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

Mr. ARGALL. Madam Speaker, I move that SB 596, PN 2076, be recommitted to Appropriations.

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

* * *

The House proceeded to third consideration of **HB 2725, PN 4368**, entitled:

An Act designating Exit 60B in Robinson Township, Allegheny County, on Interstate Route 79 as the Trooper Todd C. Kelly Memorial Interchange; designating a certain exit from State Route 283 in Lower Swatara Township, Dauphin County, as the Franklin D. Linn Interchange; designating a bridge on State Route 2016 over Aughwick Creek in Cromwell Township, Huntingdon County, as the Charles Price Bridge; and designating the portion of State Route 1006 in Lewis Township, Northumberland County, as Rovendale Drive.

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

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Allegheny County, Mr. Trello.

Mr. TRELLO. Thank you, Madam Speaker.

Madam Speaker, HB 2725 designates exit 60B of Interstate Route 79 as the Trooper Todd C. Kelly Memorial Interchange. Trooper Kelly served the Commonwealth with distinction until his death on November 7, 2001. Trooper Kelly was on his patrol that night, and he discovered a 44-foot-long, 79-pound steel bar on the highway. He stopped his vehicle and realized that somebody traveling that highway could be seriously hurt. He made an attempt to drag that steel beam off the highway and was struck and killed on that day.

I did not know Trooper Kelly personally, but I know many people that did, and they told me that he made many, many sacrifices of his time to protect the health and safety of the citizens of Pennsylvania, and I ask for an affirmative vote in honor of Trooper Kelly.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

(Members proceeded to vote.)

VOTE STRICKEN

Mr. GEIST. No, no, no, no, no, no.
 The SPEAKER pro tempore. Strike the vote, please.
 Mr. GEIST. Thank you very much.
 I would like to be recognized.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Geist.

Mr. GEIST. Thank you very much, Madam Speaker.

Today not only are we honoring Trooper Kelly, but we are going to honor one of our own. For all of us who have known Frank Linn for all these years, it is really a pleasure for me to have helped work on the amendment to this bill to name the interchange in his district after Frank. All of you know him as Santa Claus; some of us know him as a guy who likes to needle, but his contribution to local government has really been immense. Frank is with us today, and I would like to ask him to stand up and everybody give him a round of applause.

I know that a lot of people wanted to debate this bill and some people wanted to recommit it, but I think in the end it is going to pass unanimously. I would like to recognize Frank and thank him, and it is not often that you are alive that you have something named for you.

Madam Speaker, this is almost like a hole in one in golf, and this evening Mr. Linn will be available to buy everybody adult beverages and refreshments. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,
 Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayermik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Scavello
Myers			

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 2858, PN 4327**, entitled:

An Act designating a portion of the Bay Front Parkway in Erie County as the Italo S. Cappabianca Memorial Highway.

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

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

The SPEAKER pro tempore. On the question, the Chair recognizes the lady from Erie County, Mrs. Wright.

Mrs. WRIGHT. Thank you, Madam Speaker.

Good afternoon.

In 1978 Italo S. Cappabianca stepped into this chamber as an ambitious and enthusiastic first-term Representative from the 2d Legislative District. His colleagues—

Mr. DeWEESE. Madam Speaker?

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

Mr. DeWEESE. To request the Speaker maintain order at an aggressive level.

The SPEAKER pro tempore. Absolutely.

Mr. DeWEESE. Thank you, Ma'am.

The SPEAKER pro tempore. I think you all want to hear this to honor a former member. Could we please have quiet in the House. Would members please take their seats.

Mrs. WRIGHT. Thank you.

Italo Cappabianca stepped into this chamber as an ambitious and enthusiastic first-term Representative for the 2d Legislative District. His colleagues, Republicans and Democrats alike, quickly found him to be endearing and charming, committed and dedicated.

Last May, after a long and courageous battle, Italo relented to cancer. He fought his illness the same way he did anything – with pride and determination. Italo was a dear friend to my family and me. We miss him terribly, much like all of you here miss him.

For more than 20 years he used his enormous love for Erie and her citizens as a guide in Harrisburg. In the end Italo left this chamber much like he entered it. He was still, after 23 years, endearing and charming and committed and dedicated. It has been a pleasure and an honor to serve the same district as my good friend, Italo Cappabianca.

For these reasons and a thousand others, I hope today that with an overwhelming support, you will support my legislation that I have authored, HB 2858. I stand before you today and please urge you, every one of you, because this bill would designate a portion of Erie's Bay Front Parkway as the Italo S. Cappabianca Memorial Highway. Please join me in honoring Italo's name and legacy so that he can always be a part of his beloved Erie.

Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

The Chair recognizes the gentleman from Blair County, Mr. Geist.

Mr. GEIST. Thank you very much, Madam Speaker.

When we came into the House together in 1978 and we started our legislative journey, it was very, very nice that we both ended up as chairmen of Transportation, and I will tell you that there has been no finer guy to work with in the House than Italo.

It is really hard to believe that he is not with us any longer. He had a presence about him. He was a fighter to the end, and when life dealt him a joker off the bottom of the deck, he refused to give in. He came to this place when he really should not have, when he was not really able to, and he contributed right up to the end, and, by golly, this is a wonderful tribute to him, and I would urge a unanimous vote and a moment of silence with it.

Thank you.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Scavello
Myers			

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.

ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Hershey, who calls a meeting of the Environmental Resources and Energy Committee at the back of the House at the call of the recess.

URBAN AFFAIRS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Raymond, for the purpose of a committee meeting.

Mr. RAYMOND. Thank you, Madam Speaker.

There will be a brief meeting of the House Urban Affairs Committee upon the call of the recess in the back of the House.

The SPEAKER pro tempore. The gentleman, Mr. Raymond, calls for a meeting of the Urban Affairs Committee at the rear of the House at the call of the recess.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Geist, for the purpose of a committee meeting.

Mr. GEIST. Thank you very much.

There will be a meeting of the House Transportation Committee in the rear of the House immediately on the break. Thank you.

The SPEAKER pro tempore. The gentleman, Mr. Geist, calls for a meeting of the Transportation Committee at the call of the recess.

RULES COMMITTEE MEETING

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The gentleman, Mr. Argall, do you have a committee announcement?

Mr. ARGALL. Madam Speaker, the House Appropriations Committee will meet in room 245 at 1:10. We hope that the number crunching is completed by that point.

The SPEAKER pro tempore. The House Appropriations Committee will meet at 1:10; at 1:10.

COMMERCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne, Mr. Hasay.

Mr. HASAY. Thank you, Madam Speaker.

Madam Speaker, the House Commerce Committee will meet tomorrow at the break. It will be a voting meeting. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Commerce and Economic Development Committee will meet tomorrow at the break.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House a group from the Bensalem Senior Citizen Center, who are the guests of Representative DiGirolamo, who are seated in the balcony. Would they please rise.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Feese.

Mr. FEESE. Thank you, Madam Speaker.

Madam Speaker, the House Republicans will caucus immediately upon the call of the recess. We will need about one-half hour for our caucus, for your planning purposes.

The SPEAKER pro tempore. The gentleman, Mr. Feese, announces that the Republican Caucus will meet at the call of the recess for approximately one-half hour.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Coy, for the purpose of an announcement.

Mr. COY. Thank you, Madam Speaker.

The Democratic caucus will commence immediately upon the call of the recess, and we hope that we will be able to accommodate the schedule to return to the floor by 1:45.

The SPEAKER pro tempore. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. ZIMMERMAN. Madam Speaker, I would like to submit some remarks for the record, please.

The SPEAKER pro tempore. The Chair thanks the gentleman. Your remarks will be spread across the record.

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

As amended, HB 210 would establish the Foster Parent Consideration Act. This legislation was drafted in response to the concerns of foster parents who feel that they are not given fair or reasonable consideration when adoption of their foster child becomes the goal. These individuals are generous and caring and often seek to make their foster child a permanent part of their lives.

As originally drafted, HB 210 would have required that foster parents be given first consideration in adoption proceedings. However, after much input and feedback from the adoption and foster care community, it became apparent that granting primary consideration to these folks might not always necessarily be in the best interest of the child.

Therefore, as amended, HB 210 attempts to ensure that foster parents are indeed given consideration by way of an interview process. The legislation sets forth that foster parents are to receive an interview, while still taking into account the gravity of locating available kin to care for the child, as well as the preservation of sibling groups when arranging for permanent placement.

Information gathered from the interview would then be presented to the appropriate county children and youth agency for review when making its final determination.

Although some foster parents may not be selected to become the adoptive resource, even if it is their desire to permanently care for the child, HB 210 seeks to reinforce the significance of recognizing foster parents as part of the child's transition team and their important role in the lives of children throughout the Commonwealth.

Thank you for your consideration of HB 210.

LEAVE OF ABSENCE

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

The minority whip requests that the gentleman, Mr. PRESTON, from Allegheny County be placed on leave for the remainder of the day. The Chair hears no objection.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2767, PN 4436 (Amended) By Rep. BUNT

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for special tax provisions relating to land conservation.

AGRICULTURE AND RURAL AFFAIRS.

HB 2882, PN 4383 By Rep. BUNT

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, further providing for the Environmental Stewardship Fund.

AGRICULTURE AND RURAL AFFAIRS.

HB 2883, PN 4384 By Rep. BUNT

An Act amending the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, further providing for definitions, for harboring unlicensed dogs and for damages by coyotes.

AGRICULTURE AND RURAL AFFAIRS.

SB 1528, PN 2244 By Rep. BUNT

An Act providing for a deposit into the Agricultural Conservation Easement Purchase Fund.

AGRICULTURE AND RURAL AFFAIRS.

INTERGOVERNMENTAL AFFAIRS COMMITTEE MEETING

The SPEAKER pro tempore. The gentleman, Mr. Taylor, from Philadelphia announces a meeting of the Intergovernmental Affairs Committee at the rear of the House immediately upon recess declaration.

For the information of the voters, we will be reconvening at 1:45 for further voting; 1:45.

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 1215, PN 4443 (Amended) By Rep. PERZEL

An Act providing for the capital budget for the fiscal year 2002-2003; and extending certain projects.

RULES.

RECESS

The SPEAKER pro tempore. This House will now stand in recess until 1:45.

AFTER RECESS

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

CALENDAR CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mr. METCALFE called up **HR 684, PN 4389**, entitled:

A Resolution declaring the week of December 11 through 17, 2002, as "Bill of Rights Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair notes the presence on the floor of the House of the gentleman from Monroe, Mr. Scavello, who will be added to the master roll call.

CONSIDERATION OF HR 684 CONTINUED

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsley	Nickol	O'Brien	Preston
Myers			

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

RECESS

The SPEAKER pro tempore. The Democrat caucus is just beginning, so this House will now stand in recess until 2:15.

AFTER RECESS

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

RESOLUTIONS REPORTED FROM COMMITTEE

HR 668, PN 4446 (Amended) By Rep. J. TAYLOR

A Resolution urging Congress to enact Medicare coverage for oral anticancer drugs.

INTERGOVERNMENTAL AFFAIRS.

HR 669, PN 4325 By Rep. J. TAYLOR

A Concurrent Resolution memorializing Congress to oppose the inclusion of a national Medicare competitive bidding program in any legislation considered this session.

INTERGOVERNMENTAL AFFAIRS.

HR 685, PN 4445 (Amended) By Rep. J. TAYLOR

A Resolution memorializing the Congress of the United States to declare September 11 as "National Day of Life Appreciation and Freedom."

INTERGOVERNMENTAL AFFAIRS.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 2839, PN 4300 By Rep. GEIST

An Act designating a portion of U.S. Route 522 in Snyder and Mifflin Counties as the Disabled American Veterans Highway.

TRANSPORTATION.

HB 2874, PN 4451 (Amended) By Rep. GEIST

An Act designating a bridge on that portion of State Route 1014 over the Susquehanna River, Watsontown Borough, Northumberland County as the Nurse Helen Fairchild Memorial Bridge.

TRANSPORTATION.

HB 2892, PN 4444 (Amended) By Rep. RAYMOND

An Act amending the act of May 30, 1984 (P.L.345, No.69), known as the First Class City Business Tax Reform Act, defining "tax measurement year"; and further providing for period used in computation of tax and for tax payment.

URBAN AFFAIRS.

SB 1419, PN 2295 (Amended) By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for issuance and renewal of resident and nonresident commercial drivers' licenses, for permit for movement of waste coal and beneficial combustion ash, for applicability and uniformity of law and for disposition and use of liquid fuels and fuels tax.

TRANSPORTATION.

CALENDAR CONTINUED

RESOLUTION PURSUANT TO RULE 35

Ms. PICKETT called up **HR 686, PN 4396**, entitled:

A Resolution designating October 26, 2002, as "Make a Difference Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsley	Nickol	O'Brien	Preston
Myers			

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

SUPPLEMENTAL CALENDAR D

RESOLUTIONS PURSUANT TO RULE 35

Mrs. COHEN called up **HR 697, PN 4432**, entitled:

A Resolution designating the month of October 2002 as "Menopause Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey Nickol O'Brien Preston
Myers

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

* * *

Mr. SCRIMENTI called up **HR 698, PN 4433**, entitled:

A Resolution declaring November 2002 as "Pennsylvania Hospice Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Raymond	Walko
Coleman	James	Readshaw	Wansacz
Cornell	Josephs	Reinard	Washington
Corrigan	Kaiser	Rieger	Waters
Costa	Keller	Roberts	Watson
Coy	Kenney	Robinson	Williams, J.
Creighton	Kirkland	Roebuck	Wilt
Cruz	Krebs	Rohrer	Wojnaroski
Curry	LaGrotta	Rooney	Wright, G.
Dailey	Laughlin	Ross	Wright, M.
Daley	Lawless	Rubley	Yewcic
Dally	Lederer	Ruffing	Youngblood
DeLuca	Leh	Sainato	Yudichak
Dermody	Lescovitz	Samuelson	Zimmerman
DeWeese	Levdansky	Santoni	Zug
DiGirolamo	Lewis	Sather	

Diven Lucyk Saylor Ryan,
Donatucci Lynch Scavello Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey Nickol O'Brien Preston
Myers

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

* * *

Mr. SCHRODER called up **HR 699, PN 4434**, entitled:

A Resolution designating the week of October 6 through 12, 2002, as "Latex Allergy Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Raymond	Walko
Coleman	James	Readshaw	Wansacz
Cornell	Josephs	Reinard	Washington
Corrigan	Kaiser	Rieger	Waters
Costa	Keller	Roberts	Watson
Coy	Kenney	Robinson	Williams, J.
Creighton	Kirkland	Roebuck	Wilt
Cruz	Krebs	Rohrer	Wojnaroski

Curry	LaGrotta	Rooney	Wright, G.
Dailey	Laughlin	Ross	Wright, M.
Daley	Lawless	Rubley	Yewcic
Dally	Lederer	Ruffing	Youngblood
DeLuca	Leh	Sainato	Yudichak
Dermody	Lescovitz	Samuelson	Zimmerman
DeWeese	Levdansky	Santoni	Zug
DiGirolamo	Lewis	Sather	
Diven	Lucyk	Saylor	Ryan,
Donatucci	Lynch	Scavello	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Horsey	Nickol	O'Brien	Preston
Myers			

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

* * *

Mr. ROEBUCK called up **HR 700, PN 4435**, entitled:

A Resolution recognizing the week of October 20 through 26, 2002, as "National Chemistry Society Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Horsey	Nickol	O'Brien	Preston
Myers			

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

SUPPLEMENTAL CALENDAR E

RESOLUTIONS PURSUANT TO RULE 35

Mr. SAYLOR called up **HR 701, PN 4438**, entitled:

A Resolution designating the month of November 2002 as "Pancreatic Cancer Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Preston
Myers			

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

* * *

Mrs. TAYLOR called up **HR 702, PN 4439**, entitled:

A Resolution designating October 9, 2002, as "Health Cares About Domestic Violence Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Raymond	Walko
Coleman	James	Readshaw	Wansacz
Cornell	Josephs	Reinard	Washington
Corrigan	Kaiser	Rieger	Waters
Costa	Keller	Roberts	Watson
Coy	Kenney	Robinson	Williams, J.
Creighton	Kirkland	Roebuck	Wilt
Cruz	Krebs	Rohrer	Wojnaroski
Curry	LaGrotta	Rooney	Wright, G.
Dailey	Laughlin	Ross	Wright, M.
Daley	Lawless	Rubley	Yewcic
Dally	Lederer	Ruffing	Youngblood
DeLuca	Leh	Sainato	Yudichak
Dermody	Lescovitz	Samuelson	Zimmerman
DeWeese	Levdansky	Santoni	Zug
DiGirolamo	Lewis	Sather	
Diven	Lucyk	Saylor	Ryan,
Donatucci	Lynch	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Preston
Myers			

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mrs. WRIGHT called up **HR 688, PN 4410**, entitled:

A Resolution designating the month of October 2002 as "Buy Recycled Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler

Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Raymond	Walko
Coleman	James	Readshaw	Wansacz
Cornell	Josephs	Reinard	Washington
Corrigan	Kaiser	Rieger	Waters
Costa	Keller	Roberts	Watson
Coy	Kenney	Robinson	Williams, J.
Creighton	Kirkland	Roebuck	Wilt
Cruz	Krebs	Wojnaroski	Wright, G.
Curry	LaGrotta	Rooney	Wright, M.
Dailey	Laughlin	Ross	Yewcic
Daley	Lawless	Rubley	Youngblood
Dally	Lederer	Ruffing	Yudichak
DeLuca	Leh	Sainato	Zimmerman
Dermody	Lescovitz	Samuelson	Zug
DeWeese	Levdansky	Santoni	
DiGirolamo	Lewis	Sather	
Diven	Lucyk	Saylor	Ryan,
Donatucci	Lynch	Scavello	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Horsey	Nickol	O'Brien	Preston
Myers			

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

* * *

Mr. HABAY called up **HR 689, PN 4411**, entitled:

A Resolution honoring the 150th anniversary of the founding of St. Mary Roman Catholic Parish in Sharpsburg.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Horsey	Nickol	O'Brien	Preston
Myers			

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

* * *

Mr. DeLUCA called up **HR 690, PN 4412**, entitled:

A Resolution recognizing October 10, 2002, as “National Depression Screening Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Preston
Myers			

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

* * *

Mr. DeLUCA called up **HR 691, PN 4413**, entitled:

A Resolution designating October 14, 2002, as “Columbus Day” in Pennsylvania and recognizing the Pittsburgh Columbus Day Parade for honoring Christopher Columbus’s heritage and contributions to the discovery of the New World.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horshey	Nickol	O'Brien	Preston
Myers			

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

* * *

Mrs. COHEN called up **HR 693, PN 4415**, entitled:

A Resolution commending the Governor for proclaiming the month of October 2002 as "Breast Cancer Awareness Month" and October 18, 2002, as "National Mammography Day" in this Commonwealth and urging all citizens of this Commonwealth to join in its observance by renewing their awareness of breast cancer and by becoming knowledgeable about the most current medical developments regarding this tragic disease.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Raymond	Walko
Coleman	James	Readshaw	Wansacz
Cornell	Josephs	Reinard	Washington
Corrigan	Kaiser	Rieger	Waters
Costa	Keller	Roberts	Watson
Coy	Kenney	Robinson	Williams, J.
Creighton	Kirkland	Roebuck	Wilt
Cruz	Krebs	Rohrer	Wojnaroski
Curry	LaGrotta	Rooney	Wright, G.

Dailey	Laughlin	Ross	Wright, M.
Daley	Lawless	Rubley	Yewcic
Dally	Lederer	Ruffing	Youngblood
DeLuca	Leh	Sainato	Yudichak
Dermody	Lescovitz	Samuelson	Zimmerman
DeWeese	Levdansky	Santoni	Zug
DiGirolamo	Lewis	Sather	
Diven	Lucyk	Saylor	Ryan,
Donatucci	Lynch	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Horshey	Nickol	O'Brien	Preston
Myers			

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

BILL REREPORTED FROM COMMITTEE

SB 1213, PN 2292 (Amended) By Rep. ARGALL

An Act providing for the capital budget for the fiscal year 2001-2002, itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, Pennsylvania Fish and Boat Commission projects, Motor License Fund projects and Manufacturer's Fund projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Pennsylvania Fish and Boat Commission, Pennsylvania Game Commission and the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Transportation, the Pennsylvania Fish and Boat Commission or the Pennsylvania Game Commission; stating the estimated useful life of the projects; making appropriations; restricting certain funds; and making repeals.

APPROPRIATIONS.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House the ambassadors of the fast-growing Pocono Mountain West High School. Today the students are accompanied by the principal, Jawn Herman, and advisers Luciana Spinosi and Jennifer Paul. This new high school was at capacity the day it opened last August. These ambassadors worked many hours over last spring and summer to prepare orientation sessions for the students entering the school for the first time. Would they please rise. I believe they are seated in the balcony. These ambassadors are here as the guests of Representative Mario Scavello from Monroe County.

The House will be at ease for a few minutes.

CALENDAR CONTINUED

CONSIDERATION OF HB 2127 CONTINUED

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

AMENDMENT A0513 RECONSIDERED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Chester County, Mr. Schroder, who moves that the vote by which amendment 4907 passed to HB 2127, PN 2839, on the 8th day of October be reconsidered.

On that question, the Chair recognizes the gentleman, Mr. Schroder.

Mr. SCHRODER. Thank you, Madam Speaker.

I move for the immediate reconsideration of the vote on amendment A4907.

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

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

Mr. SAMUELSON. On this bill, HB 2127, earlier today we voted on amendments 501 and 513. The board says we are reconsidering 4907.

The SPEAKER pro tempore. You are absolutely correct. This was an error. It is amendment 513. The Chair thanks the gentleman.

The gentleman, Mr. Schroder, has moved that the rules of the House be suspended to reconsider amendment No. 513. The correct amendment number is 513.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Preston
Myers			

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. **A0513**:

Amend Sec. 1 (Sec. 9121), page 2, line 8, by inserting after "America"

a volunteer to work with children in the setting of a bona fide religion

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

AMENDMENT WITHDRAWN

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

Mr. SCHRODER. Thank you, Madam Speaker.

Madam Speaker, at this time I am withdrawing amendment 513.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Amendment No. 513 has been withdrawn.

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

AMENDMENT A0501 RECONSIDERED

The SPEAKER pro tempore. The Chair is in receipt of a reconsideration vote on amendment 501, which passed the House to HB 2127, PN 2839, on the 8th day of October, and asks that it be reconsidered.

On that question, the Chair recognizes the gentleman from Lebanon County, Mr. Krebs, who asks that the vote be reconsidered.

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

The following roll call was recorded:

YEAS—198

Table listing names of members who voted 'YEAS' for Amendment A0501, including Adolph, Allen, Argall, Armstrong, G., etc.

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsemy Nickol O'Brien Preston Myers

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. A0501:

Amend Title, page 1, line 2, by inserting after "for" criminal history definitions and regulations and for Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 9102 of Title 18 of the Pennsylvania Consolidated Statutes is amended by adding definitions to read: § 9102. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Volunteer emergency worker." Any of the following:

(1) An individual who:

(i) meets the definition of "emergency medical technician" in section 2 of the act of July 3, 1985 (P.L.164, No.45), known as the Emergency Medical Services Act; and

(ii) serves without compensation.

(2) An individual who:

(i) drives a vehicle staffed by an individual referred to in paragraph (1)(i); and

(ii) serves without compensation.

"Volunteer firefighter." A member of a nonprofit chartered corporation, association or organization which is:

(1) located in this Commonwealth; and

(2) provides fire protection services in this Commonwealth.

Section 2. Section 9121(b) of Title 18 is amended to read:

Amend Sec. 1 (Sec. 9121), page 2, line 5, by inserting a bracket before "an"

Amend Sec. 1 (Sec. 9121), page 2, line 8, by inserting a bracket after "America"

Amend Sec. 1 (Sec. 9121), page 2, lines 8 and 9, by striking out "or a volunteer fire department or ambulance service." and inserting any of the following:

(i) An individual who makes the request in order to apply to become a volunteer with an affiliate of Big Brothers of America or Big Sisters of America.

(ii) A volunteer emergency worker.

(iii) A volunteer firefighter.

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

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Lebanon County, Mr. Krebs.

Mr. KREBS. Madam Speaker, I would like to withdraw amendment 501.

The SPEAKER pro tempore. Mr. Krebs has withdrawn amendment No. 501.

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wayne County, Mr. Birmelin.

Mr. BIRMELIN. Madam Speaker, I move that the rules of the House be suspended in order for me to offer amendment No. 4907.

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey
Myers

Nickol

O'Brien

Preston

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. BIRMELIN offered the following amendment No. **A4907**:

Amend Title, page 1, line 2, by striking out “dissemination of”
Amend Title, page 1, line 3, by removing the period after “information” and inserting definitions and regulations.

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

Section 1. Section 9102 of Title 18 of the Pennsylvania Consolidated Statutes is amended by adding definitions to read:

§ 9102. Definitions.
The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

“Volunteer emergency worker.” Any of the following:

(1) An individual who:

(i) meets the definition of “emergency medical technician” in section 2 of the act of July 3, 1985 (P.L.164, No.45), known as the Emergency Medical Services Act; and

(ii) serves without compensation.

(2) An individual who:

(i) drives a vehicle staffed by an individual referred to in paragraph (1)(i); and

(ii) serves without compensation.

“Volunteer firefighter.” A member of a nonprofit chartered corporation, association or organization which is:

(1) located in this Commonwealth; and

(2) provides fire protection services in this Commonwealth.

Section 2. Section 9121(b) of Title 18 is amended to read:

Amend Sec. 1 (Sec. 9121), page 2, line 5, by inserting a bracket before “an”

Amend Sec. 1 (Sec. 9121), page 2, lines 8 and 9, by striking out all of said lines and inserting

of America.] any of the following:

(i) A volunteer emergency worker.

(ii) A volunteer firefighter.

(iii) An individual who makes the request to volunteer to work with children in the setting of a bona fide religion.

(iv) An individual who makes the request to volunteer with an affiliate of any group which primarily works with children. This subparagraph includes all of the following:

(A) The Big Brothers of America.

(B) The Big Sisters of America.

(C) The Boy Scouts of America.

- (D) A religious-related group or organization.
- (E) The YMCA.
- (F) The YWCA.
- (G) A 4-H club.
- (H) A block parent program, including the McGruff House Program.
- (v) An individual who makes the request to participate as a volunteer in the Special Olympics Program.

Amend Sec. 2, page 2, line 22, by striking out “2” and inserting
3

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Wayne County, Mr. Birmelin.

Mr. BIRMELIN. Thank you, Madam Speaker.

I want to thank Representatives Schroder and Krebs for their cooperation in resolving what essentially was a problem in which my amendment was negated by the other two amendments. All three of us support all three amendments, so we had to go through the legislative drill that we just went through.

My amendment adds to the two areas of exemption that the previous amendments did in which it allows for our youth workers, and there is a short list of some of those who are typical of those groups, Boy Scouts and 4-H Clubs, et cetera. The volunteers of those organizations, if this amendment passes, would also receive a waiver for the \$10 fee for their criminal background checks, and I want to thank again the other Representatives who helped in this matter and ask the members for a positive vote.

Thank you.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Preston
Myers			

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

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

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs

Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habman	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Raymond	Walko
Coleman	James	Readshaw	Wansacz
Cornell	Josephs	Reinard	Washington
Corrigan	Kaiser	Rieger	Waters
Costa	Keller	Roberts	Watson
Coy	Kenney	Robinson	Williams, J.
Creighton	Kirkland	Roebuck	Wilt
Cruz	Krebs	Rohrer	Wojnaroski
Curry	LaGrotta	Rooney	Wright, G.
Dailey	Laughlin	Ross	Wright, M.
Daley	Lawless	Rubley	Yewcic
Dally	Lederer	Ruffing	Youngblood
DeLuca	Leh	Sainato	Yudichak
Dermody	Lescovitz	Samuelson	Zimmerman
DeWeese	Levdanský	Santoni	Zug
DiGirolamo	Lewis	Sather	
Diven	Lueyk	Saylor	Ryan,
Donatucci	Lynch	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsley	Nickol	O'Brien	Preston
Myers			

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.

SUPPLEMENTAL CALENDAR F

RESOLUTION PURSUANT TO RULE 35

Mr. ROONEY called up **HR 704, PN 4447**, entitled:

A Resolution urging the VH1 Network to donate profits from a broadcast of music by prisoners to the Office of Victim Advocate.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Rooney.

Mr. ROONEY. Thank you very much, Madam Speaker.

Madam Speaker, I also want to thank very much the Speaker and the majority leader, who were kind enough to allow me to run this resolution today.

Madam Speaker, I got a call yesterday, as I am sure virtually every man and woman of the House did from one of their constituents, and the call was something that I just really had a hard time fathoming. On October 18, a week from this coming Friday, at 10 p.m., VH1 will debut a new program called "Music Behind Bars." This show, which was shot at the Graterford State Prison, features a band by the name of "Dark Mischief." The band members are composed of individuals who are incarcerated at Graterford State Prison.

The call that I received yesterday from Mrs. Mary Orlando was most disturbing in the sense that Mrs. Orlando became aware of the fact that Christopher Bissey, the man who killed her daughter, is performing and making his national television debut on October 18. Madam Speaker, I certainly am not here today to question VH1's constitutionally protected right to air such a program, but I am, however, calling into question VH1 and Viacom's absolute disregard of the victims of these crimes that these band members committed and the impact that this debut will have on their families. In an age where we talk relentlessly about corporate responsibility, I can think of no greater slap in the face of victims, not only in Pennsylvania but in all of those States where subsequent shows have been filmed, I can think of no greater slap in the face to the victims and the families of these people whose lives have been taken by the members of this group.

Madam Speaker, when I learned of this, I called the Secretary of Corrections, Mr. Beard, and I inquired or I asked Mr. Beard, the Secretary, for a list of the band members so that other members of the General Assembly and other families, presumably families who have suffered great loss at the hands of these soon-to-be-debuting musicians, could be made aware of this situation, and I want to thank publicly Secretary Beard and also Mary Achilles, who is the Pennsylvania Victim Advocate, for taking quick action, and it is my understanding that Mary Achilles, again, the Pennsylvania Victim Advocate, will be reaching out to all the families and all the loved ones whose lives have been irreparably damaged by the musicians making their debut on VH1 on October 18.

Madam Speaker, again, I am not here to question whether or not there is a First Amendment right. That is clear that these people have a right to go in and film these prisoners and their band. However, what this resolution does call for is, I am asking Viacom to donate the ad revenue that will be reaped as a result of this program airing on October 18 to the Pennsylvania Office of the Victim Advocate. If insensitivity and corporate irresponsibility as demonstrated by Viacom's inaction as it relates to the victims and their family members is going to be allowed, then I think Viacom has the ability and the duty to stand up and stand with victims in Pennsylvania, stand beside those who lost loved ones, and donate the revenues generated from this show to the Office of the Pennsylvania Victim Advocate.

I ask for a "yes" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

POINT OF ORDER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. A point of order, Madam Speaker.

The SPEAKER pro tempore. You may proceed.

Mr. VITALI. The resolution is not on at least my screen, so I am unclear of its contents.

RESOLUTION PASSED OVER TEMPORARILY

The SPEAKER pro tempore. We will go over the resolution temporarily till it shows on the computer.

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following HB 1215, PN 4443, as further amended by the House Rules Committee:

An Act providing for the capital budget for the fiscal year 2002-2003; and extending certain projects.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER pro tempore. It is moved by the gentleman, Mr. Argall, that the House concur in the amendments.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

The following roll call was recorded:

YEAS-195

Table listing names of members who voted YEAS-195, including Adolph, Allen, Argall, Armstrong, G., etc.

Table listing names of members who voted NAYS-3, including Buxton, Caltagirone, Cappelli, Casorio, etc.

NAYS-3

Table listing names of members who voted NAYS-3: Hutchinson, Lawless, Metcalfe.

NOT VOTING-0

EXCUSED-5

Table listing names of members who were excused: Horsey, Myers, Nickol, O'Brien, Preston.

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

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

SUPPLEMENTAL CALENDAR F CONTINUED

CONSIDERATION OF HR 704 CONTINUED

The SPEAKER pro tempore. Returning to supplemental calendar F, the Chair is informed that HR 704, PN 4447, is on your computers.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

Table listing names of members who voted YEAS-198, including Adolph, Allen, Argall, Armstrong, G., etc.

Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Raymond	Walko
Coleman	James	Readshaw	Wansacz
Cornell	Josephs	Reinard	Washington
Corrigan	Kaiser	Rieger	Waters
Costa	Keller	Roberts	Watson
Coy	Kenney	Robinson	Williams, J.
Creighton	Kirkland	Roebuck	Wilt
Cruz	Krebs	Rohrer	Wojnaroski
Curry	LaGrotta	Rooney	Wright, G.
Dailey	Laughlin	Ross	Wright, M.
Daley	Lawless	Rubley	Yewcic
Dally	Lederer	Ruffing	Youngblood
DeLuca	Leh	Sainato	Yudichak
Dermody	Lescovitz	Samuelson	Zimmerman
DeWeese	Levdansky	Santoni	Zug
DiGirolamo	Lewis	Sather	
Diven	Lucyk	Saylor	Ryan,
Donatucci	Lynch	Scavello	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Horsley	Nickol	O'Brien	Preston
Myers			

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

SUPPLEMENTAL CALENDAR C

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Schuylkill County, Mr. Argall.

Mr. ARGALL. Madam Speaker, I move that the rules of the House be suspended in order to consider SB 1213, PN 2292.

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

The following roll call was recorded:

YEAS-195

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

NAYS-3

Pallone	Samuelson	Steelman
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NOT VOTING-0

EXCUSED-5

Horsley	Nickol	O'Brien	Preston
Myers			

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.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1213, PN 2292**, entitled:

An Act providing for the capital budget for the fiscal year 2001-2002, itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, Pennsylvania Fish and Boat Commission projects, Motor License Fund projects and Manufacturer's Fund projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Pennsylvania Fish and Boat Commission, Pennsylvania Game Commission and the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Transportation, the Pennsylvania Fish and Boat Commission or the Pennsylvania Game Commission; stating the estimated useful life of the projects; making appropriations; restricting certain funds; and making repeals.

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

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—3

Benninghoff	Hutchinson	Lawless
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NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Preston
Myers			

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.

CALENDAR CONTINUED

DECISION OF CHAIR RESCINDED ON HB 2842

The SPEAKER pro tempore. Without objection, the Chair rescinds its announcement that HB 2842 is passed over.

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Fairchild.

Mr. FAIRCHILD. Madam Speaker, I move that the rules of the House be suspended in order to offer HB 2842.

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsely	Nickol	O'Brien	Preston
Myers			

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2842, PN 4303**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, defining “cleanup costs” and “disposal costs” for purposes of domestic animals; and further providing for indemnification and for depopulation incentive.

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

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

The SPEAKER pro tempore. Agreeable to the provisions of the Constitution, the yeas— Strike that, please.

The Chair recognizes the gentleman, Mr. Casorio.
Mr. CASORIO. Thank you, Madam Speaker.

Could I have the maker of the bill just give us a brief description. I see we are dealing with some cleanup costs and disposal and disinfecting of domestic animals. Can he elaborate on that, please?

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

Mr. FAIRCHILD. Thank you, Madam Speaker.

What this bill does is amend basically the budget and the indemnification fund in the Department of Ag. Presently every year – and I say every year – for the past few years we have allocated \$300,000 in the indemnification fund. Originally that indemnification fund was set up to handle those cases where the agricultural community could be reimbursed for certain costs. What has happened is, I believe it was in the late eighties, the scope of that language in the indemnification fund was narrowed. Therefore, some of the cleanup costs were not able to be funded, and what this does is allow a little more flexibility within the Department of Ag to determine and to reimburse those— Mostly these are all small farmers that incur costs when they are ordered to depopulate a segment of their agricultural product.

Mr. CASORIO. Madam Speaker, I understand that. Thank you for that explanation. The part that I have just a question on, I guess, is the part of domestic animals. I understand when you are talking about ag and farm animals and maybe a quarantine or mad cow or hoof-and-mouth disease. Can you just elaborate on the part of indemnification for disposing of domestic animals?

Mr. FAIRCHILD. Yes. I believe the definition is defined in the act itself, and I believe it is defined as an animal held in captivity. So it would not apply to, let us say, domestic pets or anything like that. It was never the intention of that particular law to apply to those types of animals.

Mr. CASORIO. So you are saying then the parts, the references, of this bill to domestic animals, domestic animal products, sanitizing domestic animals, does not relate to the bill

or does not relate to ag cleanup? I am not clear on your explanation.

Mr. FAIRCHILD. As I understand it, the only diseases that are applicable to this legislation would be those which are designed and defined within the act. These would be contagious diseases. We are talking about some areas of swine diseases, chicken influenza diseases, cattle diseases. Again, this does not apply to domesticated animals.

Mr. CASORIO. Thank you, Madam Speaker.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. Does the gentleman, Mr. Lawless, wish to be recognized on this bill? The gentleman, Mr. Lawless, may proceed.

Mr. LAWLESS. Madam Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. You may proceed.

Mr. LAWLESS. Madam Speaker, since this bill was brought up by a suspension of the rules, my amendment was filed in a timely fashion in order that it was on the calendar for tomorrow. Would my amendment be considered at this point?

The SPEAKER pro tempore. Yes; you are correct. Your amendment would be considered.

Mr. LAWLESS. At what point would we do that?

The SPEAKER pro tempore. We need to have the amendment up here, but the proper time is now.

DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. Without objection, the Chair rescinds its announcement that we are on final passage.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. LAWLESS offered the following amendment No. **A4901**:

Amend Title, page 1, line 3, by striking out "and"

Amend Title, page 1, line 4, by removing the period after "incentive" and inserting
; establishing sanitation standards for animal exhibitions; requiring physicians and health care facilities to report E. coli infection to the Commonwealth; and imposing penalties.

The General Assembly finds and declares as follows:

(1) Erin Jacobs, a three-year old child who resides in this Commonwealth, contracted E. coli bacteria within two days of visiting a petting zoo in Montgomery County on October 23, 2000, where she came into contact with animals.

(2) The E. coli contamination developed into severe medical problems for Erin and she was diagnosed with Hemolytic Uremic Syndrome (HUS), a potentially fatal condition.

(3) Erin continues to suffer from HUS and faces, among other things, catheters, dialysis and continued hospitalization for that condition.

(4) Many parents and other members of the public are unaware of the risk of contracting E. coli bacteria from petting zoos and other places where children come into direct contact with animals.

(5) Public notification should be provided at these places in order to inform parents and other persons of the risk of E. coli exposure.

(6) Sanitation standards are necessary at these places in order to reduce the risk of contracting E. coli bacteria and the devastating illnesses that may follow from such exposure, as demonstrated by Erin Jacobs' case.

(7) Sanitation standards at these places are an important health issue and should be imposed by law in this Commonwealth.

(8) That law should be regarded as "Erin's Law" in order to recognize the terrible impact that E. coli bacteria has had on a specific child and her family in this Commonwealth.

Amend Bill, page 4, by inserting between lines 23 and 24 Section 4. Title 3 is amended by adding a chapter to read:

CHAPTER 25

ANIMAL EXHIBITION SANITATION

Sec.

2501. Definitions.

2502. Duties of department.

2503. Sanitation standards.

2504. Mandatory reporting.

2505. Penalty.

§ 2501. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Agricultural fair." An annual agricultural exhibition contributing to the development of several or many phases of agriculture or agribusiness by the conduct of educational programs, activities, demonstrations, contests and exhibits.

"Agricultural museum." A place dedicated to showcase and promote agriculture and rural life.

"Animal exhibition." A location in this Commonwealth which is publicly advertised to attract the public or which charges a fee to view an animal and allows physical contact between members of the public and the animal. The term includes a petting zoo.

"Department." The Department of Agriculture of the Commonwealth.

"E. coli." Enterohemorrhagic E. coli, a strain of bacterium in the Enterobacteriaceae family which cause hemorrhaging and potentially serious medical complications.

"Livestock." Includes cattle, sheep, hogs, goats, horses, poultry and furbearing animals.

"Veterinarian-client-patient relationship." A relationship satisfying the following condition: The veterinarian has assumed the responsibility for making veterinary medical judgments regarding the health of the animals and the need for veterinary medical treatment, and the client, owner or caretaker has agreed to follow the instructions of the veterinarian in relation to E. coli and other diseases that are communicable between animals and humans.

§ 2502. Duties of department.

The department shall have the following powers and duties:

(1) To access from the Department of Health, the reports, records and other information relating to the occurrence of diseases, such as E. coli, that are transmissible from animals to humans.

(2) In consultation with the Department of Health, to promote public and physician awareness and education of the risks and of sanitation standards necessary to minimize the risk of contamination and spread of E. coli. The primary emphasis of this promotion will be on the need to cleanse hands after contact with animals to reduce the risk of contamination and spread of E. coli.

(3) To promulgate rules and regulations for the administration of this chapter.

§ 2503. Sanitation standards.

The department, in consultation with the Department of Health, shall develop, implement and enforce sanitation standards to minimize the risk of contamination by E. coli at animal exhibitions. The standards shall include, but not be limited to, the following:

(1) The owner of an animal exhibition shall promote public awareness of the risk of E. coli at the animal exhibition and the measures necessary to minimize the risk of contamination by E. coli by posting appropriate notices at the animal exhibition.

(2) An adequate hand-cleansing facility for adults and children shall be conveniently located on the site of the animal exhibition. The facility shall include running water, soap or other approved hand-cleansing methods and agents and hand-drying equipment or disposable towels. A communal basin does not constitute an adequate hand-cleansing facility.

(3) The owner of an animal exhibition shall post appropriate notices that designate the location of the hand-washing facility required under paragraph (2) and encourage the cleansing of hands after touching animals, using the restroom and before eating.

(4) All livestock at an agricultural fair shall be accompanied by a health certificate prescribed by the department.

(5) The owners of all animals at an animal exhibition shall have an established veterinarian-client-patient relationship.

(6) Nothing in this act shall be construed to interfere with the normal operation of an agricultural fair or agricultural museum or interfere with those exhibiting livestock at agricultural fairs.

§ 2504. Mandatory reporting.

Each physician licensed under the laws of this Commonwealth and health care facility that operates in this Commonwealth shall report to the Department of Health, in a manner prescribed by regulation of that department, incidents of E. coli infection. The department shall have the right of access to the information reported under this section.

§ 2505. Penalty.

(a) Imposition.—The department may assess an administrative penalty of up to \$500 for each violation of this chapter or a regulation promulgated under this chapter.

(b) Procedure.—A penalty under subsection (a) is subject to 2 Pa.C.S. Ch. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and Ch. 7 Subch. A (relating to judicial review of Commonwealth agency action).

Amend Sec. 4, page 4, line 24, by striking out “4” and inserting 5

Amend Bill, page 4, line 26, by striking out all of said line and inserting

Section 6. This act shall take effect as follows:

(1) This section shall take effect immediately.

(2) The addition of 3 Pa.C.S. § 2503(2) shall take effect July 1, 2003.

(3) Sections 1, 2, 3 and 5 of this act shall take effect in 60 days.

(4) The remainder of this act shall take effect in 120 days.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Montgomery County, Mr. Lawless.

Mr. LAWLESS. Thank you, Madam Speaker.

Madam Speaker, the legislation before you right now has gone through this House and the General Assembly here unanimously in the past. It is sitting over in the Senate. It is about a little girl in my district who contracted E. coli bacteria. Pennsylvania is one of two States where E. coli is not a reportable disease. This young girl lost both her kidneys, her appendix, 80 percent of her colon. She has been hospitalized on and off every month since last I can remember, and yet we

continue, because of political reasons, to allow this to be one of two States in the country where E. coli is not a reportable disease. Had this been a reportable disease, the chances are that this little girl would never have gotten sick.

Sixty-one children in my area of Pennsylvania contracted the E. coli bacteria and became very ill. Little Erin is one of those people. In January of this year, her father, Rick Jacobs, donated one of his kidneys to Erin. They are recovering nicely at this point, but I think it is time to tell the Senate to stop playing politics. I have had the help and the support of the majority leader as well as his staff in the past on this issue. I would only hope that as we get ready to break for the election season, that we give one family in Pennsylvania a nice piece of legislation.

Thank you, Mr. Speaker.

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

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Raymond	Walko
Coleman	James	Readshaw	Wansacz
Cornell	Josephs	Reinard	Washington
Corrigan	Kaiser	Rieger	Waters
Costa	Keller	Roberts	Watson
Coy	Kenney	Robinson	Williams, J.
Creighton	Kirkland	Roebuck	Wilt
Cruz	Krebs	Rohrer	Wojnaroski
Curry	LaGrotta	Rooney	Wright, G.
Dailey	Laughlin	Ross	Wright, M.
Daley	Lawless	Rubley	Yewcic
Dally	Lederer	Ruffing	Youngblood

DeLuca	Leh	Sainato	Yudichak
Dermody	Lescovitz	Samuelson	Zimmerman
DeWeese	Levdansky	Santoni	Zug
DiGirolamo	Lewis	Sather	
Diven	Lucyk	Saylor	Ryan, Speaker
Donatucci	Lynch	Scavello	

NAYS-0

NOT VOTING-0

EXCUSED-5

Horsey	Nickol	O'Brien	Preston
Myers			

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-198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Raymond	Walko
Coleman	James	Readshaw	Wansacz

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Horsey	Nickol	O'Brien	Preston
Myers			

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

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

* * *

The House proceeded to third consideration of **SB 832, PN 2052**, entitled:

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, further providing for appropriation for and limitation on redevelopment assistance capital projects.

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

The SPEAKER. Mr. George, I have you marked down for two amendments to SB 832. It is my understanding you have withdrawn one of them. Would you give me the number of the amendment you wish offered?

Mr. GEORGE. 4863, Mr. Speaker.

The SPEAKER. The gentleman, Mr. George, offers the following amendment, which the clerk will now read.

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

Mr. **GEORGE** offered the following amendment No. **A4863**:

Amend Title, page 1, line 5, by inserting after "repeals," " further defining "redevelopment assistance capital project"; and

Amend Bill, page 1, lines 9 through 11, by striking out all of said lines and inserting

Section 1. The definition of “redevelopment assistance capital project” in section 302 of the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, is amended to read: Section 302. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

“Redevelopment assistance capital project.” The design and construction of facilities which meet the following:

(1) Are facilities, other than housing units, highways, bridges, waste disposal facilities, sewage facilities or water facilities, which cannot obtain funding under other Federal or State programs.

(2) Are economic development projects which generate substantial increases in employment, tax revenues or other measures of economic activity. This paragraph includes projects with cultural, historical or civic significance.

(3) Are facilities which have a regional or multijurisdictional impact.

(4) Are eligible for tax-exempt bond funding under existing Federal law and regulations.

(5) Have a 50% non-State participation documented at the time of application, including a portion of any funds reserved for future physical maintenance and operation of the facilities:

(i) at least half of which is secured funding;

(ii) toward which the only noncash non-State participation permitted is land or fixed assets which have a substantial useful life and are directly related to the project; and

(iii) toward which State funds from other programs may not be used.

(6) Have a total project cost as follows:

(i) At least \$5,000,000 for projects in:

(A) counties of the first class; or

(B) counties of the second class.

(ii) At least \$1,000,000 for projects in counties of the second class A through eighth class.

(iii) At least \$1,000,000 for projects in:

(A) municipalities designated as financially distressed municipalities under the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act;

(B) municipalities which are identified at the time of application by the Department of Community and Economic Development under the department's early warning system as scoring at least one-half standard deviation above the mean score; or

(C) municipalities which have part or all of an enterprise zone within the municipal boundaries.

(7) Have a cooperation agreement between the applicant and a redevelopment authority or industrial development authority or general purpose unit of local government if the applicant does not administer the grant. Applicants can be any of the following:

(i) A redevelopment authority.

(ii) An industrial development authority.

(iii) A general purpose unit of local government.

(iv) A local development district which has an agreement with a general purpose unit of local government under which the unit assumes ultimate responsibility for debt incurred to obtain the 50% non-State participation required by paragraph (5).

The term also includes a fire truck and fire fighting equipment to the extent that the request for assistance does not exceed \$50,000.

* * *

Section 2. Section 317 of the act is amended to read:

Amend Sec. 2, page 2, line 5, 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, when we vote on specific line items for the capital budget in the other bill, we will notice that there are fire projects in Allegheny, Philadelphia, Bucks, Centre, Dauphin, Erie, Luzerne, and Lycoming Counties.

Now, this amendment does not add another line item. Mr. Speaker, all that our amendment does is say that whenever you get a capital budget project to renovate a firehouse or build a fire hall, you can use up to \$50,000 of that money toward fire equipment or a firetruck instead of just bricks and mortar. This does not set up, again, another line item for firetrucks. It just lets fire companies that are getting capital budget line items to use a portion of their capital budget for trucks and equipment.

This is a very fine amendment that I believe you should get behind.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderingo	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs
Bebko-Jones	Frankel	McGeehan	Steelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colaella	Jadlowiec	Raymond	Walko
Coleman	James	Readshaw	Wansacz
Cornell	Josephs	Reinard	Washington
Corrigan	Kaiser	Rieger	Waters

Costa	Keller	Roberts	Watson
Coy	Kenney	Robinson	Williams, J.
Creighton	Kirkland	Roebuck	Wilt
Cruz	Krebs	Wojnaroski	
Curry	LaGrotta	Rooney	Wright, G.
Dailey	Laughlin	Ross	Wright, M.
Daley	Lawless	Rubley	Yewcic
Dally	Lederer	Ruffing	Youngblood
DeLuca	Leh	Sainato	Yudichak
Dermody	Lescovitz	Samuelson	Zimmerman
DeWeese	Levdansky	Santoni	Zug
DiGirolamo	Lewis	Sather	
Diven	Lucyk	Saylor	Ryan,
Donatucci	Lynch	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Preston
Myers			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—192

Adolph	Eachus	Maitland	Scrimenti
Allen	Egolf	Major	Semmel
Argall	Evans, D.	Manderino	Shaner
Armstrong, G.	Evans, J.	Mann	Smith, B.
Armstrong, T.	Fairchild	Markosek	Smith, S. H.
Baker, J.	Feese	Marsico	Solobay
Baker, M.	Fichter	Mayermik	Staback
Bard	Fleagle	McCall	Stairs
Barrar	Flick	McGeehan	Steelman
Bastian	Frankel	McGill	Steil
Bebko-Jones	Freeman	McIlhattan	Stern
Belardi	Gabig	McIlhinney	Stetler
Belfanti	Gannon	McNaughton	Stevenson, R.
Birmelin	Geist	Melio	Stevenson, T.
Bishop	George	Michlovic	Strittmatter
Blaum	Godshall	Micozzie	Sturla
Boyes	Gordner	Miller, R.	Surra
Brooks	Grucela	Miller, S.	Tangretti
Browne	Gruitza	Mundy	Taylor, E. Z.
Bunt	Habay	Nailor	Taylor, J.
Butkovitz	Haluska	Oliver	Thomas
Buxton	Hanna	Pallone	Tigue
Caltagirone	Harhai	Perzel	Travaglio
Cappelli	Harhart	Petrarca	Trello
Casorio	Harper	Petrone	Trich
Cawley	Hasay	Phillips	Tulli

Civera	Hennessey	Pickett	Turzai
Clark	Herman	Pippy	Vance
Clymer	Hershey	Pistella	Veon
Cohen, L. I.	Hess	Raymond	Vitali
Cohen, M.	Jadlowiec	Readshaw	Walko
Colafella	James	Reinard	Wansacz
Coleman	Josephs	Rieger	Washington
Cornell	Kaiser	Roberts	Waters
Corrigan	Keller	Robinson	Watson
Costa	Kenney	Roebuck	Williams, J.
Coy	Kirkland	Rooney	Wilt
Creighton	Krebs	Ross	Wojnaroski
Cruz	LaGrotta	Rubley	Wright, G.
Curry	Laughlin	Ruffing	Wright, M.
Dailey	Lederer	Sainato	Yewcic
Daley	Leh	Samuelson	Youngblood
Dally	Lescovitz	Santoni	Yudichak
DeLuca	Levdansky	Sather	Zimmerman
Dermody	Lewis	Saylor	Zug
DeWeese	Lucyk	Scavello	
DiGirolamo	Lynch	Schroder	
Diven	Mackereth	Schuler	Ryan,
Donatucci	Maher		Speaker

NAYS—6

Benninghoff	Hutchinson	Metcalfe	Rohrer
Forcier	Lawless		

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Preston
Myers			

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.

RESOLUTION PURSUANT TO RULE 35

Mr. DeWEESE called up **HR 705, PN 4452**, entitled:

A Resolution requesting that the National Council of the Lewis and Clark Bicentennial designate the planned events in Pittsburgh at the Senator John Heinz Pittsburgh Regional History Center from July 15 through August 31, 2003, as a national signature event.

On the question,

Will the House adopt the resolution?

The SPEAKER. May I have your attention, please.

The gentleman, Mr. DeWeese, is recognized for the purpose of briefly explaining the resolution, and I believe he has another request to make of the House.

Mr. DeWEESE. Thank you, Mr. Speaker.

Just 2 or 3 minutes.

HR 705 is intended to allow the city of Pittsburgh in particular and western Pennsylvania in general to be a part of the national Lewis and Clark celebration next year.

The Lewis and Clark Expedition was launched in Pittsburgh, and there are venues from Charlottesville, Virginia, to

Astoria, Oregon, and for some reason Pittsburgh and western Pennsylvania were left out. So we are asking the national government to take another look at this and recognize the fact that Pittsburgh, Pennsylvania, western Pennsylvania, and history buffs across the Keystone State are interested in making sure that Pittsburgh is included as a national signature event.

I might also add, Mr. Speaker, parenthetically, that the Rooney family, the family that owns our Pittsburgh Steelers, will be taking a 2- to 3-week tour of the western United States starting in St. Louis and retracing the steps of Lewis and Clark. Secondly, the History Center in Pittsburgh that many of our western Pennsylvania men and women are involved in and all of us have supported through appropriations is making it a feature presentation in their effort next year.

So for a variety of reasons I would like this to be adopted and sent to Washington at its earliest dispatch, and I would also like to allow the desk to remain open for a few moments so any western Pennsylvania, specifically, based people and other members of the House who believe in the Lewis and Clark Expedition and Pennsylvania's part in it to sign on as a cosponsor.

I might add, as I relinquish the microphone, that the keelboats that were built that Lewis and Clark used and launched this great expedition were built in Mr. Levdansky's legislative district.

Thank you very much, Mr. Speaker, and I would ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

Mr. Levdansky.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, I support the resolution and just wanted to reiterate what Representative DeWeese pointed out.

The boats. Elizabeth, the town that I am from, my hometown, was once the boat-building center of the United States – in fact, the first inland marina is in fact in Elizabeth – and the keelboats that Lewis and Clark used on their trip to discover the West were in fact made in Elizabeth. And while we want to call particular attention to western Pennsylvania's history relative to the Lewis and Clark Expedition and the role that Pittsburgh and western Pennsylvania played, I just want to make sure that everyone recognizes that the small town of Elizabeth has a role to play in this celebration as well, and we need to work together to promote our entire regional history.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Eachus	Mackereth	Schroder
Allen	Egolf	Maher	Schuler
Argall	Evans, D.	Maitland	Scrimenti
Armstrong, G.	Evans, J.	Major	Semmel
Armstrong, T.	Fairchild	Manderino	Shaner
Baker, J.	Feese	Mann	Smith, B.
Baker, M.	Fichter	Markosek	Smith, S. H.
Bard	Fleagle	Marsico	Solobay
Barrar	Flick	Mayernik	Staback
Bastian	Forcier	McCall	Stairs

Bebko-Jones	Frankel	McGeehan	Stelman
Belardi	Freeman	McGill	Steil
Belfanti	Gabig	McIlhattan	Stern
Benninghoff	Gannon	McIlhinney	Stetler
Birmelin	Geist	McNaughton	Stevenson, R.
Bishop	George	Melio	Stevenson, T.
Blaum	Godshall	Metcalfe	Strittmatter
Boyes	Gordner	Michlovic	Sturla
Brooks	Grucela	Micozzie	Surra
Browne	Gruitza	Miller, R.	Tangretti
Bunt	Habay	Miller, S.	Taylor, E. Z.
Butkovitz	Haluska	Mundy	Taylor, J.
Buxton	Hanna	Nailor	Thomas
Caltagirone	Harhai	Oliver	Tigue
Cappelli	Harhart	Pallone	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrarca	Trich
Civera	Hennessey	Petrone	Tulli
Clark	Herman	Phillips	Turzai
Clymer	Hershey	Pickett	Vance
Cohen, L. I.	Hess	Pippy	Veon
Cohen, M.	Hutchinson	Pistella	Vitali
Colafella	Jadlowiec	Raymond	Walko
Coleman	James	Readshaw	Wansacz
Cornell	Josephs	Reinard	Washington
Corrigan	Kaiser	Rieger	Waters
Costa	Keller	Roberts	Watson
Coy	Kenney	Robinson	Williams, J.
Creighton	Kirkland	Roebuck	Wilt
Cruz	Krebs	Rohrer	Wojnaroski
Curry	LaGrotta	Rooney	Wright, G.
Dailey	Laughlin	Ross	Wright, M.
Daley	Lawless	Rubley	Yewcic
Dally	Lederer	Ruffing	Youngblood
DeLuca	Leh	Sainato	Yudichak
Dermody	Lescovitz	Samuelson	Zimmerman
DeWeese	Levdansky	Santoni	Zug
DiGirolamo	Lewis	Sather	
Diven	Lucyk	Saylor	Ryan,
Donatucci	Lynch	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Horsey	Nickol	O'Brien	Preston
Myers			

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

STATEMENT BY MRS. LEDERER

The SPEAKER. The Chair recognizes the lady from Philadelphia County, Mrs. Lederer, who desires recognition under unanimous consent. Mrs. Lederer.

Mrs. LEDERER. Thank you, Mr. Speaker.

I want to speak on the Pennsylvania Convention Center.

The vote that I made today does not close the book on the convention center. We must have expansion of the center in order to compete with other cities. We are locked in to 550,000 square feet, which is not large enough for the largest conventions. We have the class A hotels; we have the museums; we have the most historic mile in America with the Liberty Bell, Independence Hall, the new Constitution Center, but we need a larger convention center. We are just 1 hour away from

Atlantic City, which is a plus to conventioners. The revenues which will be expended on this project will more than be made up by the revenues that will come into the State and the city.

We are not closing the book today. I think most of my Philadelphia colleagues would be standing here with me. They all want the convention center expanded. Five of the six unions are now on board, and the sixth will be on board very, very shortly. We will approve the expansion before the adoption of the convention center capital budget.

Thank you.

The SPEAKER. The Chair thanks the lady.

REMARKS SUBMITTED FOR THE RECORD

Mrs. LEDERER submitted the following remarks for the Legislative Journal:

Mr. Speaker, the vote we made today on the capital budget does not close the book on the Pennsylvania Center. We must have expansion of the center in order to attract the largest conventions. We are locked in by 550,000 square feet, and we cannot compete for the largest conventions. We have class A hotels; we have the museums; we have the most historic mile in the United States complete with the Liberty Bell, Independence Hall, and the Constitution Center. We are just 1 hour away from Atlantic City casinos. Our tourist trade must be supported. The revenues which will be increased will more than offset the cost. We are not closing the book on this need with our vote today. Negotiations with five of the six unions involved have been completed, and the sixth is very, very close to successful. It is critical to the entire region and the State that we approve the expansion before the final adoption of the capital budget.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, the capital budget is about the entire Commonwealth of Pennsylvania, never about just one county, one town, or one municipality. The capital bill contains many worthwhile projects for the entire Commonwealth of Pennsylvania: parks, community centers, recreational attractions, ballfields, theaters, and jobs programs.

Many were curious as to whether or not this project contained an expansion of the Pennsylvania Convention Center. It was not included in this bill, Mr. Speaker. I will support, and I am sure the members of the General Assembly will, and believe that it is crucial for the benefit of expanding the complex for the future. In fact, no one can argue that business sense means that we have to expand that center, but, as said before, not until those controlling the center and its workers get their act straight. However, I did meet a little while ago with the mayor of the city of Philadelphia, Mr. Speaker, earlier today, and told him that we are ready, we have several bills ready, to add that convention center project into that bill.

Center customers and those who book events are not happy with what is going on and their experiences at the convention center, and that must be addressed and dealt with, period. We need to see and feel a demonstration of real progress toward being customer friendly. The time-old adage that a customer is always right has been totally ignored and forgotten at the Pennsylvania Convention Center, Mr. Speaker, and that needs

to stop right now. There can be no capital funds until real change occurs.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Metcalfe, you have a correction for the record?

Mr. METCALFE. Thank you, Mr. Speaker.

I would like to correct the record.

On SB 1213 I would like to be registered as a "no."

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

STATEMENT BY DEMOCRATIC LEADER

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. Would it be appropriate for me to just add one comment to supplement the majority leader's observation relative to Representative Lederer's question?

The SPEAKER. Certainly.

Mr. DeWEESE. I wanted to share with the gentlelady, Mrs. Lederer, and other members of our caucus that we also met earlier today with the mayor of the city of Philadelphia, and we are keenly interested in advancing the proposal. We also are aware that there are many projects still being modulated with the administration, and we are on both sides of the aisle anxious for this bill to go forward. But there are still some i's to dot and t's to cross, but I did not want the Democrats to think that people from the city had not been in touch with us. We did have a very productive meeting with the mayor and his staff earlier today, and we feel very confident that this measure will be attended to successfully in the near future.

Thank you, Mr. Speaker.

COMMERCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING

The SPEAKER. Mr. Hasay.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, just to remind the members, there is a meeting of the House Commerce and Economic Development Committee tomorrow at 1 o'clock in the Matt Ryan Building on the second floor. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

A meeting of the Commerce and Economic Development Committee tomorrow at 1 p.m. in the Matthew J. Ryan Building.

There will be no further votes in this session today. Stand fast for a moment, though. I just have a couple of announcements.

Tomorrow will be a token session day.

The members of the Republican Caucus are reminded that there is a meeting on the declaration of the recess that all members of the caucus are expected to attend.

October 21 is a voting day. We will be in that week.

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

HB 2817, PN 4248 By Rep. HERSHEY

An Act establishing a program within the Department of Environmental Protection to provide for low-interest loans to address coastal erosion.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 2829, PN 4267 By Rep. KENNEY

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for community spouse resource allowance.

HEALTH AND HUMAN SERVICES.

**BILL REPORTED AND REREFERRED TO
COMMITTEE ON
AGING AND OLDER ADULT SERVICES**

HB 2889, PN 4391 By Rep. KENNEY

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, defining "home care agency;" and providing for home care services ordered by physicians from another state.

HEALTH AND HUMAN SERVICES.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. To the members who have an interest, I would like to remind you that this evening is the third Speaker's Millennium Lecture, which starts at 6:30. There will be a reception afterwards. So if you are interested, come early enough to take your seats, and if you do not, they will be open to the general public.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

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

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

Mrs. MACKERETH. Mr. Speaker, I move that this House do now adjourn until Wednesday, October 9, 2002, at 11 a.m., e.d.t., unless sooner recalled by the Chair.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:51 p.m., e.d.t., the House adjourned.