

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 22, 2002

SESSION OF 2002

186TH OF THE GENERAL ASSEMBLY

No. 69

### HOUSE OF REPRESENTATIVES

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

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

**PRESIDING**

#### PRAYER

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

Pause with me, if you would, for a moment.

O Gracious God, we pause for a moment to offer our thanks to You for another day of life upon this earth. No matter how great we think we are or how small at times we feel, we are alive today because of the breath of life that God has breathed into each of us, so let us all be truly grateful.

O God of goodness, our hearts are struck by another sniper shooting this morning, an innocent life taken by the ugly and sick actions of another person. Although it is miles away from this chamber, it is very near to our souls, for it is unsettling and frightening to know that such events can happen within our land. We ask that Your almighty spirit can steady the minds of those who are laboring hard to bring it to an end, and Your quiet presence of love can surround the families who are caught innocently in it, and Your reassuring spirit can dwell among us, knowing and believing that goodness will prevail.

O God, the source of all goodness, we ask that each of us gathered here can live this day fully aware of all the goodness around us, from the beautiful fall skies outdoors, the faithful labors within these chambers, and the sincere love of our families back home. Help us to work and to live so Thy goodness shall be felt upon our hearts this day.

In the name of our God we pause in prayer. 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 21, 2002, will be postponed until printed. The Chair hears no objection.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2926** By Representatives BASTIAN, BUNT, CALTAGIRONE, CAPPELLI, CAWLEY, CLARK, CREIGHTON, DALEY, DALLY, HERSHEY, LEWIS, MARKOSEK, McGEEHAN, McILHATTAN, PHILLIPS, PIPPY, ROBERTS, ROHRER, ROONEY, SHANER, SOLOBAY, E. Z. TAYLOR, THOMAS and YOUNGBLOOD

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, to grant and convey an access road right-of-way over certain State land to Sanford J. and Doris M. Henry, Paul L. and Deborah K. Baker, Michael R. and Jeanne M. Henry, Lynn A. and Kimberly R. Henry, Leland W. Henry, Sr., and Leland W. Henry, Jr., all of Middlecreek Township, Somerset County, Pennsylvania, and their heirs and assigns.

Referred to Committee on STATE GOVERNMENT, October 22, 2002.

**No. 2927** By Representatives BASTIAN, DeWEESE, ADOLPH, ALLEN, ARGALL, BARD, BELFANTI, BROOKS, BUNT, CALTAGIRONE, CAPPELLI, CAWLEY, CLYMER, L. I. COHEN, CORRIGAN, COY, CREIGHTON, CURRY, DAILEY, DALLY, DERMODY, FRANKEL, FREEMAN, GEORGE, GORDNER, HARHAI, HASAY, HERSHEY, HORSEY, HUTCHINSON, JOSEPHS, KAISER, LAUGHLIN, LEDERER, LEVDANSKY, LEWIS, MANN, MARKOSEK, McILHATTAN, MELIO, R. MILLER, S. MILLER, PHILLIPS, PICKETT, PIPPY, PISTELLA, ROHRER, ROONEY, RUBLEY, SAINATO, SATHER, SAYLOR, SCHRODER, SCHULER, SHANER, B. SMITH, SOLOBAY, STERN, R. STEVENSON, T. STEVENSON, E. Z. TAYLOR, THOMAS, WILT, G. WRIGHT, YEWIC and YOUNGBLOOD

An Act making an appropriation to the Department of Environmental Protection for conversion of underground mine maps.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 22, 2002.

**No. 2928** By Representatives SEMMEL, CORRIGAN, MARSICO, G. ARMSTRONG, SATHER, GEORGE, ALLEN, T. ARMSTRONG, M. BAKER, BUNT, CLYMER, CORNELL, CURRY, DALEY, DALLY, FLEAGLE, GEIST, HERMAN, HERSHEY, JAMES, MARKOSEK, MELIO, R. MILLER, NAILOR, SANTONI, SCHRODER, SCHULER, SHANER, SOLOBAY, STURLA, TIGUE, WATSON, WOJNAROSKI, YUDICHAK, B. SMITH, E. Z. TAYLOR,

STABACK, PHILLIPS, CAPPELLI, BEBKO-JONES, LAUGHLIN, CREIGHTON, ARGALL, R. STEVENSON, HORSEY, YOUNGBLOOD, BELFANTI, THOMAS, S. MILLER, PISTELLA and STRITTMATTER

An Act providing for counterterrorism planning, preparedness and response; imposing powers and duties on the Pennsylvania Emergency Management Agency, the Department of Health, counties and municipalities; and providing for the organization of various response teams.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 22, 2002.

**No. 2930** By Representatives COLEMAN, PICKETT, CLYMER, CRUZ, GEORGE, HARHAI, HERMAN, KELLER, LEDERER, McILHATTAN, PIPPY, SAYLOR, B. SMITH, STABACK, R. STEVENSON, R. MILLER, G. WRIGHT, FICHTER, McNAUGHTON, WOJNAROSKI, CAPPELLI, YOUNGBLOOD, HERSHEY, SCAVELLO, BROOKS and LEH

An Act designating a bridge on that portion of State Route 259 over the Conemaugh River between Robinson, Indiana County, and the Borough of Bolivar, Westmoreland County, as the Wesley E. Dodson Bridge.

Referred to Committee on TRANSPORTATION, October 22, 2002.

**No. 2931** By Representatives LAWLESS, HENNESSEY, HORSEY, JAMES, KELLER, MELIO, ROONEY, STABACK, THOMAS, TIGUE, WASHINGTON, J. WILLIAMS and YOUNGBLOOD

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, further providing for failure to comply with seller disclosure provisions.

Referred to Committee on CONSUMER AFFAIRS, October 22, 2002.

**No. 2932** By Representative HERMAN

An Act amending the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, defining "business entity"; and further providing for associations permitted to conduct bingo.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, October 22, 2002.

**No. 2933** By Representatives RUFFING, BELARDI, BEBKO-JONES, BELFANTI, CAWLEY, COLAFELLA, DeLUCA, DeWEESE, GEIST, GEORGE, GRUCELA, HENNESSEY, JAMES, JOSEPHS, KAISER, LAUGHLIN, MANN, MARKOSEK, McGEEHAN, MELIO, MYERS, PETRARCA, PISTELLA, READSHAW, ROONEY, SAINATO, SCHRODER, SOLOBAY, THOMAS, TIGUE, TRELLO, WALKO, WANSACZ, WOJNAROSKI, YOUNGBLOOD, YUDICHAK, HARHAI and STABACK

An Act providing for toxic mold testing of schools; and making an appropriation.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 22, 2002.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 715** By Representatives VANCE, S. H. SMITH, ARGALL, FLEAGLE and NICKOL

A Concurrent Resolution requesting the President of the United States to direct the Secretary of Health and Human Services to work with the Commonwealth to secure eligibility for the Medicaid 1115 Pharmacy Plus waiver.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, October 22, 2002.

### COMMUNICATION FROM AUDITOR GENERAL

The SPEAKER. The Chair acknowledges receipt of the Auditor General's certificate pursuant to Article VIII, section 7(a)(4), of the Constitution of the Commonwealth of Pennsylvania and section 304 of the Capital Facilities Debt Enabling Act.

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

### BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 2741 and SB 1416 be taken from the table.

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

### BILLS ON SECOND CONSIDERATION

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

**HB 2741, PN 4104; and SB 1416, PN 2322.**

### BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 2741 and SB 1416 be recommitted to the Committee on Appropriations.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. PERZEL. Mr. Speaker, I move HB 705 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 705 be placed back upon the table.

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

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

**HB 1035, PN 4506** (Amended) By Rep. GANNON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for international commercial arbitration; and limiting civil liability for injury and death incurred in connection with equine activities.

JUDICIARY.

**HB 2772, PN 4507** (Amended) By Rep. GANNON

An Act amending the act of November 22, 1978 (P.L.1166, No.274), entitled "An act establishing the Pennsylvania Commission on Crime and Delinquency, providing for its powers and duties establishing several advisory committees within the commission and providing for their powers and duties," establishing the Targeted Community Revitalization and Crime Prevention Advisory Committee and providing for its powers and duties.

JUDICIARY.

**HB 2889, PN 4505** (Amended) By Rep. SCHULER

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, defining "home health care agency;" and providing for home health care services ordered by physicians from another state.

AGING AND OLDER ADULT SERVICES.

**SB 807, PN 2323** (Amended) By Rep. GANNON

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, further providing for awards.

JUDICIARY.

**SB 879, PN 2324** (Amended) By Rep. GANNON

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for electricity supplied to certain organizations.

JUDICIARY.

**SB 1433, PN 2325** (Amended) 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, for classification and order or payment of claims against the estate of a decedent and for general provisions relating to powers of attorney.

JUDICIARY.

**GUESTS INTRODUCED**

The SPEAKER. The Chair welcomes the State and local government class from Bloomsburg University. They are here as the guests of Representative John Gordner. They are seated in the balcony. Would you kindly acknowledge your presence, students from Bloomsburg.

The Chair welcomes, as a guest page today, the guest of Representative Bev Mackereth, York County, Christi Moore. She is a high school senior at Dover High School. Christi, would you please rise.

The Chair welcomes to the hall of the House today, as the guests of Representative DiGirolamo, Isiah Lenord, the winner of the "It Ought To Be a Law" contest, with his mother and father. He is here today as well with his brother, Isaac. Would this family please rise. They are seated to the left of the Chair. Welcome to Harrisburg, Isiah.

There are a number of interns from the various State universities here, part of the State System, seated in the rear of the hall of the House. Would these interns please rise when I call your name.

Members, please take your seats while I make these introductions.

Tanya Adesso from Bloomsburg University; Nicole Burroughs from Shippensburg University; Lisa Marie Fleming from Millersville; Abigail Gaines from Edinboro; Sean Kimball, Lock Haven; Anne Miller, Kutztown; Scott Pauchnik, Slippery Rock; Charlene Santucci, Cheyney; Danielle Smith, California; Michael Spence, Clarion; Tishekia Williams, Indiana; Natalie Wolfe, West Chester; Jamie Hall, Mansfield; and last but not least, Joseph Ward, Shippensburg.

The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Nick Micozzie, a group of students from St. Charles Borromeo School of Drexel Hill, seated in the balcony. Would these students please wave so we see where they are.

The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Pat Fleagle, members of the Waynesboro class— Oh, pardon me; Mr. Fleagle is a member of the Waynesboro class of '69, and he has guest pages with him today, Katy Hatfield and Corey O'Conner; also, teacher Ken Shannon, and Katie Shank. They are all members of Mr. Shannon's American politics class of Waynesboro. Would they please rise.

**FINANCE COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman, Mr. Boyes, for the purpose of announcing a committee meeting.

Mr. BOYES. Thank you, Mr. Speaker.

I would like to call a meeting of the House Finance Committee at the rear of the House at the break or at your direction. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

There will be a meeting of the House Finance Committee at the rear of the House at the break.

**LEAVES OF ABSENCE**

The SPEAKER. The Chair is about to take leaves of absence.

The Chair recognizes the Republican whip, Mr. Smith, who asks for a leave for the gentleman from Chester County, Mr. HERSHEY, for today's session. Without objection, the leave will be granted. The Chair hears no objection.

The gentleman, Mr. Veon, is recognized. He requests a leave for the week for the gentleman, Mr. TANGRETTI; the lady from Philadelphia for the day, Ms. JOSEPHS; the gentleman from Philadelphia County, Mr. MYERS, for today. Without objection, the leaves will be granted. The Chair hears no objection.

**MASTER ROLL CALL**

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

The following roll call was recorded:

**PRESENT—198**

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Cohen, L. I.	Josephs	Myers	Tangretti
Hershey			

LEAVES ADDED—3

Coy	Gannon	Levdansky
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LEAVES CANCELED—1

Myers

**GUEST INTRODUCED**

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest page of Representative Carole Rubley, James Greene from Phoenixville, Chester County. He is an 11th grade home school student. Mr. Greene, would you be kind enough to rise. He is seated here in front of the Speaker.

**CALENDAR**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 796, PN 4366**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for reporting criminal injuries.

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

Mr. **HALUSKA** offered the following amendment No. **A5002**:

Amend Title, page 1, line 3, by removing the period after "injuries" and inserting  
and for general regulations relating to criminal history record information.

Amend Sec. 1, page 1, lines 9 and 10, by striking out all of said lines and inserting

Section 1. Sections 5106 and 9121(b) of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:

Amend Sec. 1, page 3, by inserting between lines 28 and 29 § 9121. General regulations.

\*\*\*

(b) Dissemination to noncriminal justice agencies and individuals.—Criminal history record information shall be disseminated by a State or local police department to any individual or noncriminal justice agency only upon request. Except as provided in subsection (b.1):

(1) A fee may be charged by a State or local police department for each request for criminal history record information by an individual or noncriminal justice agency, except that no fee shall be charged to [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.] any of the following:

(i) An individual who makes the request to volunteer with:

(A) An affiliate of Big Brothers of America or Big Sisters of America.

(B) A volunteer fire department or ambulance service.

(ii) A representative of a nonprofit organization that provides day care services on behalf of a volunteer applicant.

(2) Before a State or local police department disseminates criminal history record information to an individual or noncriminal justice agency, it shall extract from the record all notations of arrests, indictments or other information relating to the initiation of criminal proceedings where:

(i) three years have elapsed from the date of arrest;

(ii) no conviction has occurred; and

(iii) no proceedings are pending seeking a conviction.

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

(Members proceeded to vote.)

The SPEAKER. For what purpose does the gentleman, Mr. Vitali, interrupt the vote?

Mr. VITALI. Just looking to have the rules complied with as far as reading an explanation of the amendment.

VOTE STRICKEN

The SPEAKER. Mr. Haluska, would you kindly give us a brief explanation of this amendment?

Mr. HALUSKA. Thank you, Mr. Speaker.

What this amendment does, basically, is allows the criminal history and the child abuse clearance for people that are volunteering. There would be no fee for them to achieve these two documents. Communities and schools, Big Brothers, Big Sisters, volunteer fire companies, ambulance services, people that are not getting paid to do these services, basically, we feel they should not have to take money out of pocket to get these clearances. So this would allow them to get them without any charge.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence on the floor of the House and welcomes back to the floor from a sickness, Mr. Myers, and asks that he be placed on the master roll call.

CONSIDERATION OF HB 796 CONTINUED

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

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Cohen, L. I.      Hershey      Josephs      Tangretti

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

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

The following roll call was recorded:

YEAS—196

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

Dermody	Lewis	Samuelson	Zimmerman
DeWeese	Lucyk	Santoni	Zug
DiGirolamo	Lynch	Sather	
Diven	Maher	Saylor	
Donatucci	Major	Scavello	Ryan,
Eachus	Manderino		Speaker

NAYS—3

Egolf      Mackereth      Maitland

NOT VOTING—0

EXCUSED—4

Cohen, L. I.      Hershey      Josephs      Tangretti

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.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. For what purpose does the lady, Mrs. Taylor, rise?

Mrs. TAYLOR. Mr. Speaker, I would like to submit my remarks for the record.

The SPEAKER. The lady will send them up with the page. Thank you.

Mrs. TAYLOR submitted the following remarks for the Legislative Journal:

Good morning.

I agree that domestic violence is an important issue that we must address as both women and men and legislators. Although Pennsylvania has made great strides in responding to domestic violence and the voices of its victims, there is much more work to be done. That is why I am happy to announce that my legislation to protect physicians from reporting domestic abuse cases without the consent of the patient was recently passed by the House Judiciary Committee.

I was asked by physicians to draft this legislation so that they may better serve their patients who are suffering from domestic violence. Without this amendment to the State Crimes Code, doctors could be arrested for not reporting a crime. However, as is the case in many domestic violence situations, the victim of abuse often suffers more violence once the abuser finds out the crime has been reported. Therefore, many doctors have been placed in the difficult position of abiding by the law and possibly further jeopardizing the health and safety of their patients.

Protecting the confidentiality and trust between a doctor and patient is essential. More victims of abuse will seek proper medical attention if they know the threat of doctors reporting the abuse is eliminated. Doctors will still document the cases and provide referrals to their patients, but they will not be legally bound to report the abuse to the police.

I have been working on this bill for 2 years so that those who are suffering from domestic violence can regain a measure of control over decisions that affect their health and safety.

HB 796 has the support of the Pennsylvania Coalition Against Domestic Violence, the Pennsylvania Governor's Policy Office, the Pennsylvania State Police, the Office of the Victim Advocate, and the Pennsylvania Coalition Against Rape.

I think it is appropriate that the bill was passed by committee during Domestic Violence Awareness Month, and I look forward to a full House vote on this legislation in the near future.

Thank you.

### RULES SUSPENDED

The SPEAKER. The Chair recognizes the lady, Ms. Bard. Ms. BARD. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HB 1742.

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

The following roll call was recorded:

#### YEAS—198

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

#### NAYS—1

Steelman

#### NOT VOTING—0

#### EXCUSED—4

Cohen, L. I.      Hershey      Josephs      Tangretti

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 1742, PN 4429**, entitled:

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.

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—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Cohen, L. I.	Hershey	Josephs	Tangretti
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

\* \* \*

The House proceeded to third consideration of **HB 2863, PN 4339**, entitled:

An Act designating the Keystone Building as the K. Leroy Irvis Office Building.

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.)

BILL PASSED OVER TEMPORARILY

The SPEAKER. This bill will go over temporarily.

\* \* \*

BILL PASSED OVER TEMPORARILY

The SPEAKER. Page 4, HB 1953. This bill will go over temporarily.

\* \* \*

The House proceeded to third consideration of **HB 1900, PN 3864**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for unemployment compensation benefits.

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—199

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



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

NAYS—0

NOT VOTING—0

EXCUSED—4

Cohen, L. I.	Hershey	Josephs	Tangretti
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

RESOLUTIONS

RESOLUTION PASSED OVER

The SPEAKER. Page 5 of today's calendar, resolutions. HR 637 is over.

\* \* \*

Mr. KENNEY called up **HR 668, PN 4446**, entitled:

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

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Cohen, L. I.	Hershey	Josephs	Tangretti
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. TAYLOR called up **HR 685, PN 4445**, entitled:

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

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Adolph	Evans, D.	Major	Scavello
Allen	Evans, J.	Manderino	Schroder
Argall	Fairchild	Mann	Schuler
Armstrong, G.	Feese	Markosek	Scrimenti
Armstrong, T.	Fichter	Marsico	Semmel
Baker, J.	Fleagle	Mayernik	Shaner
Baker, M.	Flick	McCall	Smith, B.
Bard	Forcier	McGeehan	Smith, S. H.

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Cohen, L. I.	Hershey	Josephs	Tangretti
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

**RESOLUTION PURSUANT TO RULE 35**

Mr. O'BRIEN called up **HR 707, PN 4470**, entitled:

A Resolution designating the month of March 2003 as "Endometriosis Awareness Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Cohen, L. I.	Hershey	Josephs	Tangretti
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

**CONSIDERATION OF HB 2863 CONTINUED**

On the question recurring,  
Shall the bill pass finally?

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, HB 2863—

The SPEAKER. Will the gentleman yield.

Members, please take your seats. This is a bill honoring a former Speaker of this House. Please take your seats.

Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, HB 2863, K. Leroy Irvis State Office Building.

A gentleman, a statesman, a poet, an artist, and a member of the Pennsylvania House of Representatives for 30 years, K. Leroy Irvis became the first Speaker of the House of African-American heritage in the nation. Born in Saugerties, New York, in 1919, Speaker Irvis earned his bachelor's degree at the New York State Teachers College, his master's degree at the University of New York, and his law degree at the University of Pittsburgh.

He began his tenure in the House of Representatives in 1959 and spent 26 of his 30 years of service in the House in various leadership positions. As a legislator and leader, he took an interest in a broad range of policy issues, including education, civil rights, human services, health, mental illness, governmental administration, justice, and housing.

Known for his oratorical gifts, Speaker Irvis is respected and revered by many across the political spectrum. Aside from his service to the people of his Allegheny legislative district, Speaker Irvis has made numerous other contributions to our Commonwealth. He is an emeritus trustee of the University of Pittsburgh and a leader of the 10,000 Friends of Pennsylvania. He is also a published poet and the namesake of the University of Pittsburgh's K. Leroy Irvis Fellowship Program and the K. Leroy Irvis Reading Room of the university's Hillman Library.

And finally, along with present Speaker Ryan and then Representative Joe Pitts, now Congressman Pitts, and minority leader Bill DeWeese, they established what we have today as the Capitol Preservation Program, and the results speak for themselves.

Mr. Speaker, I urge all members to support HB 2863.

Thank you.

The SPEAKER. The Chair recognizes the Democratic floor leader, Mr. DeWeese.

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

In 1959 Dwight Eisenhower was President and young Lee Irvis – a lawyer, a teacher, sculptor, a renaissance man, and an African-American political pioneer in Pennsylvania – took the oath of office.

In the same exciting, daring, and occasionally challenging pathways of people like Sojourner Truth and Harriet Tubman and Marcus Garvey and William Edward Burghardt DuBois, our own Leroy Irvis, our own Pennsylvanian, transported from the Empire State as a young man to carve his career in the Golden Triangle to become affiliated with the universities and the museums and the law firms and the businesses and the politicians of western Pennsylvania and then to hammer his way

to the top of this wonderful chamber of ours. Many of us still serve, from Mr. DeLuca to Mr. Clymer to our illustrious Speaker himself, Mr. Perzel, Mr. Sam Hayes, our Secretary of Agriculture. Many of us who served in this chamber remember, as Chairman Clymer just observed, the rhetorical abilities of the incomparable K. Leroy Irvis. My first memories in 1976 in the springtime were of his soaring rhetoric.

Mr. Irvis is a friend to many of us who knew him and a friend to our Commonwealth, and preeminently, a friend to the little guy, to the underdog. He was a quintessential Democrat in the tradition of the Jacksonian Democratic Party, and I am very happy to be a partner with Mr. Clymer, with Mr. Perzel, with the Speaker on advancing this worthy cause.

I would ask the leaders of the Republican structure in this chamber, from the Speaker to the floor leader to the leadership team, to do all they can to politely urge our colleagues in the State Senate – the pro tem, the floor leader, and the leadership echelon of the Republican Senate – to advance this cause. Pennsylvania's naming of a significant site for the Honorable K. Leroy Irvis is a little bit overdue.

As I have said from this microphone on other occasions – Mr. Mayernik has heard them; many people have heard them before – but Victor Hugo's immortal admonition that this is an idea whose time has come has never had a more clarion call than it does right now. To name this magnificent superstructure after this magnificent Pennsylvanian, K. Leroy Irvis, is a wonderful simultaneity. It is the last day of our autumn session, and I doff my hat to the Speaker and to the Republican leadership for advancing this proposal.

Mr. Speaker, I would ask for an affirmative vote, and again, thank you very much for your involvements in this effort.

The SPEAKER. The Chair thanks the gentleman.

Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Without a doubt, Mr. Irvis was one of the finest members to ever serve this General Assembly. I was very pleased to have had the honor to serve with him here, Mr. Speaker, and I think that, you know, in particular, when you dealt with Mr. Irvis, his word was his bond. So this is very, very fitting that we would honor this man this way.

So I would obviously urge a "yes" vote for this. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

**YEAS—199**

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Cohen, L. I.	Hershey	Josephs	Tangretti
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2834, PN 4401**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for collection of realty transfer tax and for the administration of local real estate transfer tax.

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

Mr. VEON offered the following amendment No. **A4968**:

Amend Title, page 1, line 11, by removing the period after "tax" and inserting

; and further providing for a limitation on credits.

Amend Bill, page 3, by inserting between lines 8 and 9

Section 3. Section 1709-B of the act, added May 7, 1997 (P.L.85, No.7), is amended to read:

Section 1709-B. Limitation on Credits.—(a) The total amount of credits approved by the department shall not exceed [fifteen million dollars (\$15,000,000)] sixty million dollars (\$60,000,000) in any fiscal year. Of that amount, [three million dollars (\$3,000,000)] five million dollars (\$5,000,000) shall be allocated exclusively for small businesses. However, if the total amounts allocated to either the group of applicants exclusive of small businesses or the group of small business applicants is not approved in any fiscal year, the unused portion will become available for use by the other group of qualifying taxpayers.

(b) If the total amount of research and development tax credits applied for by all taxpayers, exclusive of small businesses, exceeds the amount allocated for those credits, then the research and development tax credit to be received by each applicant shall be the product of the allocated amount multiplied by the quotient of the research and development tax credit applied for by the applicant divided by the total of all research and development credits applied for by all applicants, the algebraic equivalent of which is:

taxpayer's research and development tax credit'amount  
allocated for those credits X (research and development  
tax credit applied for by the applicant/total of all research  
and development tax credits applied for by all  
applicants).

(c) If the total amount of research and development tax credits applied for by all small business taxpayers exceeds the amount allocated for those credits, then the research and development tax credit to be received by each small business applicant shall be the product of the allocated amount multiplied by the quotient of the research and development tax credit applied for by the small business applicant divided by the total of all research and development credits applied for by all small business applicants, the algebraic equivalent of which is:

taxpayer's research and development tax credit'amount  
allocated for those credits X (research and development  
tax credit applied for by the small business/total of all  
research and development tax credits applied for by all  
small business applicants).

Amend Sec. 3, page 3, line 9, by striking out "3" and inserting  
4

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

The following roll call was recorded:

**YEAS—199**

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Cohen, L. I.	Hershey	Josephs	Tangretti
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

Mr. **VEON** offered the following amendment No. **A4967**:

Amend Title, page 1, line 11, by striking out “and”

Amend Title, page 1, line 11, by removing the period after “tax” and inserting

and for the Pennsylvania Emerging Technology and Biotechnology Tax Benefit Transfer Program; and making an appropriation.

Amend Bill, page 3, by inserting between lines 8 and 9 Section 3. The act is amended by adding an article to read:

ARTICLE XVII-C

EMERGING TECHNOLOGY AND BIOTECHNOLOGY TAX BENEFIT TRANSFER PROGRAM

Section 1701-C. Legislative Findings.—The General Assembly hereby finds and declares that:

(1) The emerging economy of the Commonwealth will, in large part, be based on high technology industries and the companies that

serve them. Pennsylvania is already emerging as a national leader in the biotechnology industry and is rapidly becoming a center for other emerging technologies. These companies have the potential to become significant employers and important contributors to the economy and quality of life in this Commonwealth.

(2) Often the biotechnology industry and other emerging technology industries require a significant time to bring new products to the market. Federal approvals often mean that a biotechnology company need ten years or more before it has a commercially viable product. During that time, these businesses often incur losses and often have high capital needs.

(3) Under existing State tax laws, these companies can carry these operating losses forward for up to ten years to offset future taxes.

(4) Allowing the State to repurchase these operating losses provides these emerging technology and biotechnology companies with vital capital when they most require it, while at the same time reducing the impact that the use of net operating loss allowances would have on future State tax revenues.

(5) Fostering the development of emerging technology and biotechnology companies through this repurchase program will provide substantial economic and health benefits for the citizens of this Commonwealth.

Section 1702-C. Definitions.—The following words and phrases, when used in this article, shall have the meanings given to them in this section, except where the context clearly indicates a different meaning:

“Biotechnology.” The continually expanding body of fundamental knowledge about the structure and function of biological systems which seeks, through research, to use that knowledge of naturally occurring processes to develop human, animal and agricultural products, services and technologies to address medical problems, prolong life, prevent and treat disease, remediate environmental problems and improve agricultural products.

“Biotechnology company.” A person whose headquarters or base of operations is located in this Commonwealth, engaged in the research, development, production or provision of biotechnology for the purpose of developing or providing products, processes or technologies for specific commercial or public purposes, including, but not limited to, medical, pharmaceutical, nutritional and other health-related purposes, agricultural purposes and environmental purposes, or a person whose headquarters or base of operations is located in this Commonwealth who is engaged in providing services or products necessary for such research, development, product or provision of service. The term shall include bioinformatics, biomedicine, biopharmacogenomics, biopharmaceuticals, biorobotics, bioscience and genome research.

“Department.” The Department of Community and Economic Development of the Commonwealth.

“Emerging technology company.” A person whose headquarters or base of operations is located in this Commonwealth and who employs some combination of the following: highly educated or trained managers and workers who use sophisticated scientific research or production equipment, processes or knowledge to discover, develop, test, transfer or manufacture a product or service.

“Net operating loss carryforward allowance.” The provisions for applying certain losses against future tax liability as provided for in Article IV of this act, which taxpayers can make against a tax liability under Article III, IV or VI of this act.

“Qualified applicant.” An emerging technology or biotechnology company that qualifies to participate in the tax benefit transfer program and includes emerging technology companies and biotechnology companies which are liable for taxes imposed under Article IV or VI of this act or for taxes imposed under Article III of this act or a shareholder of a Pennsylvania S corporation or owner of a limited liability company.

“Tax benefit payment.” The amount paid by the Department of Community and Economic Development to repurchase net operating loss carryforward allowances from a qualified emerging technology or biotechnology company.

“Tax benefit transfer program.” The Pennsylvania Emerging Technology and Biotechnology Tax Benefit Transfer Program established under this article.

Section 1703-C. Pennsylvania Emerging Technology and Biotechnology Tax Benefit Transfer Program Established.—The Pennsylvania Emerging Technology and Biotechnology Tax Benefit Transfer Program is established within the Department of Community and Economic Development. The department shall administer the Pennsylvania Emerging Technology and Biotechnology Tax Benefit Transfer Program. In conjunction with the Department of Revenue, the department shall have the authority to annually repurchase unused net operating loss carryforward allowances from qualifying emerging industries and biotechnology companies. Emerging technology and biotechnology companies may submit an application to the department by September 15 of each year requesting that the department repurchase unused net operating loss carryforward allowances. The department shall provide the Department of Revenue with a list of applicants. The Department of Revenue shall issue a statement to the department certifying the amount of unused net loss carryforward allowances available for repurchase from each applicant.

Section 1704-C. Tax Benefit Payment.—The department shall have the authority to make tax benefit payments to qualified applicants. The amount of each tax benefit payment shall be calculated by multiplying the net operating loss carryforward allowance for each applicant times the tax rate for the applicable tax against which the allowance would be credited times eight-tenths (.8). The tax rate shall be the rate in effect at the time the tax benefit payment is made. If the amount of requests for repurchases of allowances exceeds the amount of funds available to the department in any given year, the department shall have the authority to either deny applications for repurchase or reduce the amount of allowances it will repurchase from each applicant. Preference in repurchasing allowances shall be given to applicants who have been operating for less than five years, employ fewer than ten employees, or have had no sales in the prior two tax years. Tax benefit payments shall be made no later than December 31 of each year.

Section 1705-C. Surrender of Net Operating Loss Carryforward Allowances.—As a condition of receiving a tax benefit payment from the department, each qualified applicant shall surrender its right to use the full amount of any allowance for which it has received a payment to offset any future tax liability. The department shall provide the Department of Revenue with the names of the qualified applicants and amounts of net operating loss carryforward allowances that it has repurchased.

Section 1706-C. Rules and Regulations.—The department and the Department of Revenue shall have the authority to promulgate such rules and regulations and to adopt such forms and procedures as may be necessary to implement this article.

Section 1707-C. State Tax Liability.—Tax benefit payments shall not be classified as income for State tax purposes.

Section 1708-C. Annual Appropriation and Audit.—The General Assembly shall annually appropriate funds to the department to make tax benefit payments. The Pennsylvania Emerging Technology and Biotechnology Tax Benefit Transfer Program shall be subject to the same fiscal and performance audit requirements as apply to the department.

Section 1709-C. Expiration of Article.—This article shall expire on December 31, 2011, unless otherwise reauthorized by the General Assembly.

Section 4. The Department of Community and Economic Development shall have the authority to implement emergency regulations and procedures so that it can accept applications for tax benefit payments under Article XVII-C of the act on or before February 15, 2003. Thereafter, beginning in September 2003, the deadline for accepting annual applications for tax benefit payments shall be the dates established in sections 1703-C and 1704-C of the act. Emerging technology and biotechnology companies can apply for

repurchase of any net operating loss allowances to which they are entitled on the effective date of this act.

Section 5. The sum of \$5,000,000 is hereby appropriated to the Department of Community and Economic Development for the fiscal year July 1, 2002, to June 30, 2003, to carry out the purposes of Article XVII-C of the act.

Amend Sec. 3, page 3, line 9, by striking out “3” and inserting  
6

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

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Cohen, L. I.      Hershey      Josephs      Tangretti

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—199

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

Donatucci      Maher      Sather      Ryan,  
Eachus      Maitland      Saylor      Speaker  
Egolf

NAYS—0

NOT VOTING—0

EXCUSED—4

Cohen, L. I.      Hershey      Josephs      Tangretti

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

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

**RULES COMMITTEE MEETING**

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

**BILLS ON CONCURRENCE  
REPORTED FROM COMMITTEE**

**HB 2060, PN 4466**

By Rep. PERZEL

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for the prudent investor rule; codifying existing law setting forth the applicability of provisions relating to diversification; and making a repeal.

**RULES.**

**HB 2410, PN 4453**

By Rep. PERZEL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for grounds for refusing registration and for renewal of registration; providing for motor carrier vehicles; further providing for operation following suspension of registration and for suspension of registration; providing for suspension of motor carrier vehicle registration; further providing for suspension of operating privilege, for schedule of convictions and points, for occupational limited license, for duty of driver in construction and maintenance areas, for special speed limitations, for availability of benefits, for trucks and truck tractors and for speed timing devices; providing for accidents involving certain vehicles; further providing for unlawful activities; providing for lighted head lamps in work zones; further providing for restraint systems, for operation of vehicle without official certificate of inspection and for inspection by police or Commonwealth personnel; providing for designation of highway safety corridors; further providing for erection of traffic-control devices while working; requiring certain traffic-control devices in highway work zones; and requiring a study by the Legislative Budget and Finance Committee.

**RULES.**

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

**HB 2411, PN 4509** (Amended) By Rep. CIVERA

An Act amending Title 5 (Athletics and Sports) of the Pennsylvania Consolidated Statutes, revising provisions relating to athlete agents.

PROFESSIONAL LICENSURE.

**SUPPLEMENTAL CALENDAR A**

**RESOLUTIONS PURSUANT TO RULE 35**

Ms. STEELMAN called up **HR 709, PN 4488**, entitled:

A Resolution designating the month of October 2002 as "Adopt a Shelter Dog Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—199**

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

Dermody	Lewis	Ruffing	Yudichak
DeWeese	Lucyk	Sainato	Zimmerman
DiGirolamo	Lynch	Samuelson	Zug
Diven	Mackereth	Santoni	
Donatucci	Maher	Sather	Ryan, Speaker
Eachus	Maitland	Saylor	
Egolf			

NAYS—0

NOT VOTING—0

EXCUSED—4

Cohen, L. I.	Hershey	Josephs	Tangretti
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. DeLUCA called up **HR 710, PN 4489**, entitled:

A Resolution designating the month of October 2002 as "Italian Heritage Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—199**

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



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

NAYS—0

NOT VOTING—0

EXCUSED—4

Cohen, L. I.      Hershey      Josephs      Tangretti

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

\* \* \*

Mr. STRITTMATTER called up **HR 711, PN 4490**, entitled:

A Resolution designating November 20, 2002, as “Pennsylvania GIS Day.”

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Cohen, L. I.      Hershey      Josephs      Tangretti

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

\* \* \*

Mr. STRITTMATTER called up **HR 712, PN 4491**, entitled:

A Resolution recognizing the week of October 27 through November 3, 2002, as “White Ribbons Against Pornography Week” in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Cohen, L. I.      Hershey      Josephs      Tangretti

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

\* \* \*

Mrs. FORCIER called up **HR 713, PN 4492**, entitled:

A Resolution declaring November 2, 2002, as "Ida Tarbell Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Cohen, L. I.      Hershey      Josephs      Tangretti

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

\* \* \*

Mr. SCAVELLO called up **HR 714, PN 4493**, entitled:

A Resolution designating the week of October 27 through November 2, 2002, as "Telecom Pioneers Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Evans, D.	Major	Scavello
Allen	Evans, J.	Manderino	Schroder
Argall	Fairchild	Mann	Schuler

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Cohen, L. I.      Hershey      Josephs      Tangretti

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

\* \* \*

Mrs. TAYLOR called up **HR 716, PN 4495**, entitled:

A Resolution commemorating November 2002 as "National Adoption Awareness Month."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Cohen, L. I.      Hershey      Josephs      Tangretti

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

\* \* \*

Mrs. TAYLOR called up **HR 717, PN 4496**, entitled:

A Resolution recognizing November 2002 as “National Diabetes Month.”

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Cohen, L. I. Hershey Josephs Tangretti

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

\* \* \*

Mrs. TAYLOR called up **HR 718, PN 4497**, entitled:

A Resolution designating the month of November 2002 as “Home Care Month” in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Cohen, L. I.      Hershey      Josephs      Tangretti

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

### SUPPLEMENTAL CALENDAR B

#### BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2410, PN 4453**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for grounds for refusing registration and for renewal of registration; providing for motor carrier vehicles; further providing for operation following suspension of registration and for suspension of registration; providing for suspension of motor carrier vehicle registration; further providing for suspension of operating privilege, for schedule of convictions and points, for occupational limited license, for duty of driver in construction and maintenance areas, for special speed limitations, for availability of benefits, for trucks and truck tractors and for speed timing devices; providing for accidents involving certain vehicles; further providing for unlawful activities; providing for lighted head lamps in work zones; further providing for restraint systems, for operation of vehicle without official certificate of inspection and for inspection by police or Commonwealth personnel; providing for designation of highway safety corridors; further providing for erection of traffic-control devices while working; requiring certain traffic-control devices in highway work zones; and requiring a study by the Legislative Budget and Finance Committee.

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

#### BILL PASSED OVER TEMPORARILY

The SPEAKER. This bill will be passed over temporarily.

#### DEMOCRATIC CAUCUS

The SPEAKER. The Chair is advised that the Democrat leadership is requesting a caucus on this bill and HB 2060. That being the case— The Republicans, I understand, do not need to caucus on these bills, so I will leave it up to the gentleman, Mr. Cohen, to make a recommendation for a break.

Mr. COHEN. Mr. Speaker—

The SPEAKER. We are suggesting 1:30.

Mr. COHEN. Okay. 1:30 is fine.

The SPEAKER. Thank you.

#### TRANSPORTATION COMMITTEE MEETING

The SPEAKER. Mr. Geist.

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

Immediately upon the break there will be a meeting of the Transportation Committee in the back of the House, immediately upon the break.

The SPEAKER. There will be a meeting of the Transportation Committee in the back of the House immediately upon the break.

#### COMMERCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING

The SPEAKER. Mr. Hasay.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, there will be a meeting of the House Commerce and Economic Development Committee in room 205 of the Speaker Ryan Building at the break; House Commerce and Economic Development Committee. Thank you.

The SPEAKER. There will be a meeting of the House Commerce and Economic Development Committee in room 205 of the Ryan Building at the break.

#### COMMITTEE MEETING CANCELED

The SPEAKER. Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

The Tourism Committee meeting that was scheduled for Thursday morning pertaining to the Welcome Center has been canceled. The Tourism Committee meeting scheduled for Thursday morning has been canceled. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Tourism Committee meeting scheduled for Thursday morning has been canceled.

#### RECESS

The SPEAKER. Any further announcements? Does the majority leader or minority leader have any announcements prior to the break?

Hearing none, this House will stand in recess until 1:30 p.m., unless sooner recalled or extended by the Chair.

#### AFTER RECESS

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

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

**HB 2816, PN 4514** (Amended)

By Rep. GEIST

An Act amending the act of June 22, 1931 (P.L.594, No.203), referred to as the Township State Highway Law, adding Colebrook Road, East Donegal Township, Lancaster County to the State highway system.

TRANSPORTATION.

**BILLS REPORTED AND REREFERRED TO COMMITTEE ON LIQUOR CONTROL**

**HB 2116, PN 2829** By Rep. BOYES

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for the sale of liquor to licensees.

FINANCE.

**HB 2722, PN 4051** By Rep. BOYES

An Act amending the act of June 9, 1936 (Sp.Sess., P.L.13, No.4), entitled, as amended, "An act imposing an emergency State tax on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," further providing for the rate of taxation.

FINANCE.

**REMARKS SUBMITTED FOR THE RECORD**

Ms. WASHINGTON submitted the following remarks for the Legislative Journal:

Thank you, Mr. Speaker, for allowing me to speak briefly on the matter at hand.

Mr. Speaker, I rise to ask your affirmative vote for the renaming of the Keystone Building as the K. Leroy Irvis Office Building.

On Saturday, October 19, 2002, the Pennsylvania Legislative Black Caucus held its annual K. Leroy Irvis honorary dinner in Philadelphia, Pennsylvania. Speaker Irvis continues to be a mentor and adviser to many of us. He was the first African American to serve as a Speaker of the House of any State legislature in the country, and we, the members of the Pennsylvania Legislative Black Caucus, owe him a great debt, as he paved the way for those of us who followed. A man of many, many gifts and talents, Speaker Irvis has been a riveter, steel-chipper, wood-carver, poet, and, of course, an attorney.

Speaker Irvis ended his distinguished 30-year career to this body by saying that the General Assembly was "the most wonderful invention on earth, a parliament...(in which) all of us have a voice." He was and is a friend to all Pennsylvanians and respectful of both this great institution and the people who serve in it. I can think of no greater honor than to rename the Keystone Building the Honorable K. Leroy Irvis Office Building.

Thank you, Mr. Speaker.

**HOUSE RESOLUTION INTRODUCED AND REFERRED**

**No. 720** By Representatives PERZEL, DAILEY, ADOLPH, ALLEN, G. ARMSTRONG, BARRAR, BENNINGHOFF, BUNT, CAPPELLI, L. I. COHEN, CORNELL, CREIGHTON, DALLY, EGOLF, FEESE, FICHTER, FLICK, GABIG, GEIST, GODSHALL, HABAY, HALUSKA, HARHART, HARPER, HERSHEY, HESS, KELLER, KENNEY, LEWIS, MARSICO, MCGILL, McNAUGHTON, MELIO, O'BRIEN, PHILLIPS, PICKETT, PIPPY, RAYMOND, READSHAW, RUBLEY, SATHER, SEMMEL, B. SMITH, STRITTMATTER, THOMAS, TURZAI, WALKO and WATSON

A Concurrent Resolution memorializing the Congress of the United States to reevaluate the Section 8 program administered by the United States Department of Housing and Urban Development and to incorporate new provisions for qualification in the program where appropriate.

Referred to Committee on RULES, October 22, 2002.

**SUPPLEMENTAL CALENDAR C**

**RESOLUTION PURSUANT TO RULE 35**

Mr. VITALI called up **HR 719, PN 4511**, entitled:

A Resolution recognizing October 2002 as "Energy Awareness Month."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

Donatucci	Maher	Sather	Ryan,
Eachus	Maitland	Saylor	Speaker
Egolf			

NAYS—0

NOT VOTING—0

EXCUSED—4

Cohen, L. I.	Hershey	Josephs	Tangretti
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

**RULES COMMITTEE MEETING**

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

**RESOLUTION REPORTED FROM COMMITTEE**

**HR 720, PN 4512** By Rep. PERZEL

A Concurrent Resolution memorializing the Congress of the United States to reevaluate the Section 8 program administered by the United States Department of Housing and Urban Development and to incorporate new provisions for qualification in the program where appropriate.

RULES.

**LEAVE OF ABSENCE**

The SPEAKER. The Chair recognizes the gentleman, Mr. Smith, who requests a leave of absence for the balance of today's session for the gentleman from Delaware, Mr. GANNON. Without objection, leave will be granted. The Chair hears no objection.

**SUPPLEMENTAL CALENDAR D**

**RESOLUTION**

Mr. PERZEL called up **HR 720, PN 4512**, entitled:

A Concurrent Resolution memorializing the Congress of the United States to reevaluate the Section 8 program administered by the United States Department of Housing and Urban Development and to incorporate new provisions for qualification in the program where appropriate.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On the question of the adoption of the resolution, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I understand that this was brought out from the Rules Committee and not as a noncontroversial resolution,

which is a good thing, because I think there is some controversy surrounding this resolution. And while I would certainly acknowledge that the purpose of this resolution is a good one—

The SPEAKER. The lady will please yield.

Please. Conferences on the side aisle, the second section, all sections, conferences, please break up.

Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I really do not have a problem with the aspect of drug testing for people who want to live in Section 8 housing and I do not have a problem with the issue of background checks for people who want to live in Section 8 housing, but my objection to this resolution lies in lines 23, 24, and 25. There are a number of low-income families and low-income women, single women with children, who live in Section 8 housing in my district, and this would appear to say that we are asking Congress to make Section 8 housing solely for senior citizens.

Now, we have a lot of senior citizen highrises in my district, and I absolutely support those benefits for them. But single mothers with children and low-income families who are struggling to make ends meet often need this kind of help as well, and I would not like to see us memorialize Congress to do away with that source of assistance for those people, and therefore, reluctantly, I am going to have to vote against the resolution.

Thank you, Mr. Speaker.

The SPEAKER. Due to an error on the Speaker's part, I neglected to recognize the gentleman, Mr. Perzel, for the purpose of suspending the rules to bring this resolution up at this time.

**RULES SUSPENDED**

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

Mr. PERZEL. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HR 720.

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

**PARLIAMENTARY INQUIRY**

The SPEAKER. Mr. Sturla.

Mr. STURLA. A point of parliamentary inquiry, Mr. Speaker.

Does this require a two-thirds majority in order to suspend the rules?

The SPEAKER. Yes.

Mr. STURLA. Okay. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—166

Adolph	Egolf	Lucyk	Rubley
Allen	Evans, D.	Lynch	Sainato
Argall	Evans, J.	Mackereth	Santoni

Armstrong, G.	Fairchild	Maher	Sather
Armstrong, T.	Feese	Maitland	Saylor
Baker, J.	Fichter	Major	Scavello
Baker, M.	Fleagle	Mann	Schroder
Bard	Flick	Markosek	Schuler
Barrar	Forcier	Marsico	Scrimenti
Bastian	Frankel	Mayernik	Semmel
Bebko-Jones	Gabig	McGeehan	Smith, B.
Belardi	Geist	McGill	Smith, S. H.
Belfanti	George	McIlhattan	Stairs
Benninghoff	Godshall	McIlhinney	Steil
Birmelin	Gordner	McNaughton	Stern
Blaum	Grucela	Melio	Stevenson, R.
Boyes	Gruitza	Metcalfe	Stevenson, T.
Brooks	Habay	Michlovic	Strittmatter
Browne	Haluska	Micozzie	Surra
Bunt	Hanna	Miller, R.	Taylor, E. Z.
Buxton	Harhai	Miller, S.	Taylor, J.
Caltagirone	Harhart	Myers	Travaglio
Cappelli	Harper	Nailor	Trello
Civera	Hasay	Nickol	Trich
Clark	Hennessey	O'Brien	Tulli
Clymer	Herman	Oliver	Turzai
Cohen, M.	Hess	Pallone	Vance
Colafella	Hutchinson	Perzel	Walko
Coleman	Jadlowiec	Petrone	Washington
Cornell	James	Phillips	Waters
Corrigan	Kaiser	Pickett	Watson
Coy	Keller	Pippy	Williams, J.
Creighton	Kenney	Pistella	Wilt
Cruz	Kirkland	Raymond	Wright, G.
Dailey	Krebs	Readshaw	Wright, M.
Daley	LaGrotta	Reinard	Yewcic
Dally	Laughlin	Rieger	Youngblood
DeLuca	Lawless	Roberts	Zimmerman
DiGirolamo	Lederer	Robinson	Zug
Diven	Leh	Roebuck	
Donatucci	Levdansky	Rohrer	Ryan,
Eachus	Lewis	Ross	Speaker

NAYS—30

Bishop	Horsev	Ruffing	Sturla
Casorio	Lescovitz	Samuelson	Thomas
Cawley	Manderino	Shaner	Tigue
Costa	McCall	Solobay	Veon
Curry	Mundy	Staback	Vitali
Dermody	Petrarca	Steelman	Wojnaroski
DeWeese	Preston	Stetler	Yudichak
Freeman	Rooney		

NOT VOTING—2

Butkovitz	Wansacz
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EXCUSED—5

Cohen, L. I.	Hershey	Josephs	Tangretti
Gannon			

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

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

The SPEAKER. The question recurs, will the House adopt the resolution, being numbered HR 720, PN 4512?

On that question, the Chair recognizes the gentleman from Allegheny County, Mr. Preston.

Mr. PRESTON. Thank you, Mr. Speaker.  
Will the maker of the resolution stand for interrogation?  
The SPEAKER. Mr. Perzel indicates he will stand for interrogation. You may begin.

Mr. PRESTON. Thank you.

Mr. Speaker, on page 2 of your resolution in dealing with the sections of lines 19 through 22 where you would require recipients to pass a drug test to receive Section 8 aid, who would pay for that?

Mr. PERZEL. It is a Federal program, Mr. Speaker. We would expect that the Federal government would pay for a program subsidized by the Federal government.

Mr. PRESTON. So in other words, as people have and carry their own Section 8 voucher and apply to the many different counties and also separately to the municipalities, the Federal government would pay for the drug test – is that what you are saying? – or would the county be responsible?

Mr. PERZEL. I just answered it and said the Feds should pay, and I would expect that the Feds would pay under this scenario also. We are not the Feds.

Mr. PRESTON. But you are not sure. You hope they will.

Mr. PERZEL. We are asking them to do that, yes.

Mr. PRESTON. Okay.

Secondly, on the section, page 2, dealing with lines 26 and 27, “RESOLVED, That the General Assembly memorialize the Congress to overturn rules that allow unqualified or marginally qualified...” individuals, could you explain to me what marginally qualified persons are?

Mr. PERZEL. Well, Mr. Speaker, in my county right now, one of the three groups that are allowed to qualify under Section 8 housing are the homeless, people out of prison, and drug addicts, and in our community we found that we are having a very difficult time with those three groups of people owning or having home ownership in our community when they have no idea of how to keep a home up nor do they know how to relate to the other neighbors in the community. So that is the type of qualifications we would like to see. I do not think anybody cares who lives in any community, but I think that at 10 o'clock you should be turning the radio off, you should not be drinking outside at 2 o'clock in the morning, you should not be piling the trash up out back, the normal standards that we expect of people, and we would expect that they make sure that they can relate to the other people in the community they now live in.

Mr. PRESTON. Just so that I am clear, you are saying then that those people who are homeless would fall under the qualification of being marginally qualified persons?

Mr. PERZEL. Well, I would not even say they are marginally qualified, but yes, they would fit under that qualification, yes.

Mr. PRESTON. Because that was my question of trying to understand exactly what we are trying to say.

Mr. PERZEL. Yes.

Mr. PRESTON. All right. Thank you very much.

If I may address the resolution, Mr. Speaker?

The SPEAKER. The gentleman is in order.

Mr. PRESTON. I truly believe that the individual's intentions are fairly correct in his assumption, but perhaps we will be putting, again, unfunded mandates, because as you said, the cost, and we know how the Federal government has always been in the past about putting unfunded mandates on our



counties along with different individuals that they have gone through. I do not know, perhaps he was not really understanding in dealing with some of the codes, codes 202 and 201, where there are several different codes under the subsidized housing.

Personally, I have always been against some of the senior citizens and some of these highrise buildings. I think we need to do with a little bit more independent living, and I think that maybe he needs to get out and see some of the different qualities of types of living. But also we need to realize that there are an awful lot of people who are underemployed, who are homeless through no fault of their own but because of the present days of the economy, and to be able to single an awful lot of people out without real justification, I think, is not doing a good service to the people of Pennsylvania. I think that he needs to be able to also look at, we do not need these wholesale communities of people who are in the lower socioeconomic area to be able to cluster them together and sometimes not even to literally isolate them from society, and if he would work hard, as some of us in Allegheny County have tried to do, to eliminate these wholesale communities, we would not need this form of resolution.

I think that basically to be able to return to yesterday, and it was yesterday that created, that created the whole problem with the whole Section 8 problem of being able to revert it back to where it was, because basically we created these communities that society does not even recognize. They are hidden; they are put off on the score; they do not have access to public transportation; they are not on the tax rolls at all, and we should be working to put people onto the tax rolls instead of isolating people.

I think that HR 720 is not farsighted enough. I think it is an unfunded mandate within our own particular society, and to go back to yesterday, to revert to an old way of the 1950s in dealing with public housing, is not the answer that we need to be able to do. I think there is a better way. Therefore, I am going to vote "no" on HR 720.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the lady, Ms. Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, on the face of the resolution it sounds like something that all of us could support, memorializing Congress to incorporate new provisions for qualification into the Section 8 program, because I am very well aware that there are real problems with the administration of Section 8 housing in many places but particularly in my city, the city of Philadelphia, and I have supported and worked with my local constituents who live in public housing in a public housing development in my district to rid crime, to kick out tenants who were engaged in criminal activity, and to make that a safe community and a respectful community. But there are some real troubling clauses that we are ascribing to if we vote in favor of this, which I am very uncomfortable with, and so I, too, am reluctantly going to have to vote "no." But I want to point out some of the troubling aspects of this resolution.

The first one, which Representative Mundy alluded to, is we are telling Congress that we no longer support Section 8 for affordable housing for low-income people, that it should just be a senior program, and I know that many of you are aware, because we get these reports every year, that Pennsylvania has a very serious crisis both in urban and rural and suburban

Pennsylvania with availability of affordable housing, and this will exacerbate that problem even more.

We are also saying that we should turn away people who are marginally qualified – Representative Preston touched on that – and that is defined as including but not limited to people with no experience with home ownership, and I know that in many communities home ownership is often a first step for many, but also living in a home, whether it is rental or owned, is a very necessary aspect of the housing market, of the rental community, of the stock that is out there. Many organizations run, and more, we should be encouraging and memorializing Congress to fund and support programs that educate people on how to take care of a home and be good neighbors, and we should be memorializing them to put in place procedures that if folks do not act responsibly once they are in those, even having gone through educational and training programs, that there is an easier, better, and more efficient way to get them out, and those are all things that I can support. But to exclude them from the beginning instead of educating them and supporting them, again, I think, is a real problem and will continue to exacerbate our affordable housing problem in Pennsylvania.

And finally, while in general I think that the idea of background checks, criminal background checks, can serve a useful purpose and particularly a useful purpose for current activity and eviction proceedings, I caution you to look at this language how it is written. If anyone has a felony or even two misdemeanors in their background, no time limit on it, we are saying to Congress that person should not be considered eligible for affordable housing, and I think that is a mistake, too. I think we have seen when we did that, and we are trying to revisit the issue, for example, in the area of nursing homes. I had a constituent who worked 20 years successfully in a nursing home before we passed a law restricting who can work in nursing homes. Her employers loved her. She had never had a problem on the job. But when she was 18 years old she had a felony conviction, 20 years earlier, for a serious aggravated assault, but something that happened when she was a teenager, and we are basically saying it does not matter whether something happened 20 years ago and you are now a responsible member of society trying to support your family and your kids; we do not think you should be eligible for an affordable housing program. And I just think that what is written when you look at the details of this resolution, take what should on its face be something that we could all support, strengthening the provisions of Section 8 housing so that everyone can be a good neighbor and no one can abuse the process and abuse their neighborhoods, but instead we are putting such serious roadblocks in the way that we are basically eviscerating the opportunity for any affordable housing for anyone in Pennsylvania, and I really think that is a mistake, and I am going to vote "no."

Thank you.

The SPEAKER. The Chair thanks the lady.

## GUESTS INTRODUCED

The SPEAKER. May I have your attention, please.

We have a number of guests to the left of the Speaker, a group, the Economy Borough senior citizens, which includes the wife of a former Speaker of this House, Robert Hamilton. Now, in my second term— I know I am the only one that served under Bob Hamilton. But he was a Democrat from

Beaver County, he was a great guy, he was a great Speaker, and I welcome his wife and her friends from Beaver County.

The Chair recognizes— Oh; I should have added, and I apologize, they are here as the guests of the lady, Mrs. Laughlin.

### CONSIDERATION OF HR 720 CONTINUED

The SPEAKER. The Chair recognizes the gentleman, Mr. Sturla, on the resolution.

Mr. STURLA. Thank you, Mr. Speaker.

Will the maker of the resolution rise for a brief interrogation?

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I understand that there are perhaps problems in neighborhoods in your district regarding Section 8 as there are, I believe, in many neighborhoods throughout the State. However, I am not sure that HR 720 properly addresses those concerns. I have a few questions, particularly regarding lines 26 through 30 on page 2, where you talk about rules that allow unqualified and marginally qualified persons, including those who have no experience with home ownership. Is it your understanding that Section 8 gives people home ownership?

Mr. PERZEL. No; it gives them rental rights to ownership of the property that they are renting in homes in communities.

Mr. STURLA. And if they, I mean, my understanding of experience of home ownership is someone who has owned a home. Are you saying that people who have never owned a home should not qualify for Section 8?

Mr. PERZEL. No. I think I clarified it a little earlier, Mr. Speaker, when I told you that the groups that were qualifying first within the county and the city of Philadelphia were the homeless, drug addicts, and people right out of prison, and they do not have any experience in dealing with the community. And they were number one on the list to be able to get these types of homes, and the people in my community, and truthfully, all over the city of Philadelphia, are very upset about the fact that they are number one on that list and do not like to see that, and that is why we drafted it up the way it has been drafted up, Mr. Speaker.

Mr. STURLA. Mr. Speaker, are you suggesting that veterans that are currently living in homeless shelters or those people that have been productive members of our society at one point in time, who fell on hard times and are currently living in homeless shelters, that they have no experience with home ownership or—

Mr. PERZEL. I apologize, Mr. Speaker. I did not see that in here. Would you point that out?

Mr. STURLA. Well, you said it was people that were coming out of homeless shelters. In my district—

Mr. PERZEL. I think I identified who they were, Mr. Speaker, when you asked the question.

Mr. STURLA. Well, Mr. Speaker—

Mr. PERZEL. I just asked you to point them out in here, the veterans, the ones you mentioned.

Mr. STURLA. Mr. Speaker, what you said was that people with no experience in home ownership are people that are coming out of homeless shelters, and my experience with people that are living in homeless shelters are people, a majority of whom at one point in time were either renters or

homeowners, who fell on hard times. That is why they are now in homeless shelters. So I guess, I mean, with the exception of someone who went from being a teenager living in their parents' home to a homeless shelter, I am not sure that there are many people in homeless shelters that have not had that experience, and I guess I am concerned with the way this resolution is worded that we would disqualify a majority of people that would normally qualify for Section 8 housing.

One further question, Mr. Speaker. On page 1, lines 11 through 14, it says "...The Department of Housing and Urban Development reports that crime rates in public housing are higher than the national average..." Is that Section 8 public housing or is that public housing in general or where are those statistics from?

Mr. PERZEL. Public housing in general, Mr. Speaker, including Section 8 housing, are all in those statistics.

Mr. STURLA. Do you know, are the rates of crime in Section 8 housing higher or lower than public housing in general?

Mr. PERZEL. I do not know that from the report that was read, Mr. Speaker.

Mr. STURLA. Okay.

Mr. Speaker, if I could make a comment on this resolution.

The SPEAKER. The gentleman is in order.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I know as many members do that there are concerns with some of the aspects of Section 8 housing and those persons that are not responsible neighbors. But I also know, as someone who lives in a city that has more than 50 percent of the properties rental properties, that there are concerns with non-Section 8 renters as well, and that a lot of that goes back to the landlords and how they police their own properties.

As was pointed out by the maker of the resolution, Section 8 housing certificates go to individuals who then rent from a property owner, and when those property owners do not properly police their properties, that causes problems in the neighborhood. But I do not see anything about landlords' responsibility in this resolution; all I see is that the people that are getting the Section 8 certificate should be penalized. There are some real concerns with the way this is worded, particularly as it relates to those that have not had experience with home ownership—

The SPEAKER. Mr. Sturla, you are debating a resolution. Ask the question of the gentleman.

Mr. STURLA. I was done debating. I asked whether I could speak on the resolution.

The SPEAKER. Oh; forgive me. I am sorry.

Mr. STURLA. Thank you.

So, Mr. Speaker, there are several sections of this resolution that I believe could be called into question in terms of whether or not it actually applies to Section 8 housing and whether or not it would be a feasible response to the problems associated with Section 8 housing.

I intend to vote against this resolution and would ask other members to. If the gentleman would later wish to reintroduce another resolution that made more sense as it related to Section 8 housing, I would be glad to even be a cosponsor. But I think the one that we have before us does not make a whole lot of sense, and I would ask members to vote against it.

Thank you, Madam Speaker.

**THE SPEAKER PRO TEMPORE  
(PATRICIA H. VANCE) PRESIDING**

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the majority leader, Mr. Perzel.

Mr. PERZEL. Madam Speaker, the gentleman makes a valid point that a number of the problems that have been associated not just with this problem but with people within communities, not just in Philadelphia but in a lot of the urban areas around Pennsylvania, are caused by absentee landlords and by property owners that are renting their property, and Representative Taylor, Representative Kenney, Representatives Keller, Butkovitz, there are a group of members, both sides of the aisle, that will be doing something early in the next session to address those problems.

He is right about it being a problem; I realize where he is at on this particular resolution, but it is a problem, and it will be addressed.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia, Mr. Thomas.

Mr. THOMAS. Thank you, Madam Speaker.

Madam Speaker, would the maker of the resolution stand for interrogation?

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

Mr. THOMAS. Thank you, Madam Speaker.

Madam Speaker, are you aware of the fact that there are two types of Section 8 programs?

Mr. PERZEL. Yes, Madam Speaker.

Mr. THOMAS. So, Madam Speaker, would your resolution address both conventional and project-based subsidies?

Mr. PERZEL. Yes, Madam Speaker.

Mr. THOMAS. So, Madam Speaker, are you aware of the fact that along with these categories of persons who you have concluded have automatic access to the Section 8 program, do you know that priority is also given to families who have been victimized by fire through no fault of their own, by families who have been victimized by domestic violence, and other special-needs populations?

Mr. PERZEL. At one time or another, Madam Speaker, they have given a priority to special needs, but not always. The groups that I mentioned were the groups, when we had several hundred people in my legislative district at a meeting and we brought in the people that run the housing authority, those were the three groups that they said were given priority. But you are correct that at different times they have had different priorities.

Mr. THOMAS. Madam Speaker, acknowledging that there are other priority groups, do you feel as though your resolution precludes consideration of those other priority groups, or from the way I read your resolution, it would seem to bar these other special-needs populations from having access to the Section 8 program.

Mr. PERZEL. Well, Madam Speaker, when you look at the resolution, realize that we are asking Congress to take a full look at this program. This does not have the effect of law, so we are not asking them to change law, but it says that they can allow, they can overturn rules that would allow any particular things that they find are offensive or find that people cannot find themselves aligned to; they can make the changes.

So, I mean, we are not precluding those types of people from getting in there; we are asking them to take a full look at this program. And really, we are asking them to go back and give it to the group it was intended to help and serve, which was senior citizens, and we would really like to see our senior citizens get the priority.

Mr. THOMAS. Well, Madam Speaker, senior access to this Section 8 program has primarily run to project-based subsidies. It has never run to conventional developments. I do not think that you want seniors in your district living on the 35th and 40th floors of a highrise development that has been the victim of benign neglect. But given the language in your resolution, it seems to imply that if Congress memorialized your resolution and gave attention to especially the last preamble, then you would be promoting that situation in effect.

Mr. PERZEL. Madam Speaker, we do want our seniors to have access to quality housing and access to housing all over the State, but in my own particular legislative district, I do not think anybody would have any trouble on the 35th floor. I mean, about the second or third floor would be a little trouble, but that would be about it; I do not have any 35-floor highrises. But we want them to have accessibility and access to whatever type of housing they might need.

**MOTION TO TABLE**

Mr. THOMAS. Madam Speaker, I have concluded my interrogation, and I now have comments for the record.

The SPEAKER pro tempore. You may proceed.

Mr. THOMAS. Madam Speaker, for the following reasons I would like to move to table HR 720.

The reasons—

The SPEAKER pro tempore. A motion to table, sir, is not debatable.

Mr. THOMAS. Pardon me?

The SPEAKER pro tempore. A motion to table is not debatable. You can make the motion.

Mr. THOMAS. Well, Madam Speaker, I will withhold on the motion and offer my comments.

The SPEAKER pro tempore. The gentleman has moved that HR 720 be tabled.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On that question, you are speaking for the leadership. You may proceed.

Mr. THOMAS. Thank you, Madam Speaker.

Madam Speaker, the resolution is broad, and if Congress memorialized the resolution as it is currently drafted, we will in effect harm those that I believe the author is intending to help, and that is our seniors.

The author of the amendment spoke about Philadelphia County and his district. Madam Speaker, historically, highrise development has been subject to benign neglect in Philadelphia County. HUD (Department of Housing and Urban Development) on several occasions has deemed highrise developments in Philadelphia County and other places—

The SPEAKER pro tempore. Would the gentleman cease for just a moment.

You should speak about the reasons to table and not argue the merits of the entire resolution.

Mr. THOMAS. Thank you, Madam Speaker.

Madam Speaker, I am moving to table the resolution, but number one, the broad language of the resolution will ultimately end up harming those that the maker of the resolution is intending to help.

Secondly, Madam Speaker, the resolution should be tabled because, Madam Speaker, it does not really provide a prescription for what the maker of the resolution wants to do.

Thirdly, Madam Speaker, we are not clear about what constitutes marginally or constitutes classes of people who are marginally eligible. I do not think that the maker of the resolution really wants to use language like that. That kind of language is troubling at best, and I do not think that he wants to go there.

Fourthly, Madam Speaker, to the best of my knowledge, there is no more of a Section 8 program in the United States. HUD some time ago or Congress some time ago amended the program that we have commonly referred to as Section 8, and it is now a subsidy-based, subsidy-driven program that lasts from year to year. It does not carry the kind of long-term benefits that the old Section 8 program that we knew of carried. So, Madam Speaker, there needs to be some clarity as to what is it that the author of the resolution is attempting to memorialize Congress to do.

And last but not least, Madam Speaker, public housing is a creature of the Pennsylvania General Assembly, and I refer people to the public Housing Authorities Law of 1937. The Pennsylvania Department of Community and Economic Development has statutory authority over public housing development and management in the Commonwealth of Pennsylvania. Yes, HUD has exercised broad discretion on the day-to-day management of public housing in Pennsylvania, but that is because the United States Department of Housing and Urban Development has been—

The SPEAKER pro tempore. Mr. Thomas, on the motion to table, please.

Mr. THOMAS. Madam Speaker, I am offering my fourth reason as to why this motion should be tabled.

Madam Speaker, in effect what I am saying is the Department of Community and Economic Development is in a position to look at this Section 8 or subsidy-based program in Pennsylvania and provide us with recommendations. So if the author of the amendment will accept the motion, then I am sure myself along with other colleagues would join with him in advancing a resolution that really addresses his concern rather than something that makes life difficult if not impossible for a whole lot of good people.

Thank you, Madam Speaker, and I urge my colleagues to support the motion to table HR 720.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the motion to table, the Chair recognizes the majority leader, Mr. Perzel.

Mr. PERZEL. As was said earlier, Madam Speaker, I did mention the fact that we wanted to protect our seniors, but we want to provide quality housing and we want to provide safe housing, Madam Speaker. The purpose of this resolution is to bring to the attention of the United States Congress this is a

serious problem, and we are hoping that this resolution does exactly that, Madam Speaker.

So for those reasons I would respectfully ask the members not to table this House resolution.

The SPEAKER pro tempore. Those wishing to table this resolution will vote “aye”; those wishing to not table the resolution will vote “nay.”

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

The following roll call was recorded:

YEAS—63

Armstrong, T.	Frankel	McCall	Stetler
Bebko-Jones	Freeman	Michlovic	Sturla
Belardi	George	Mundy	Surra
Belfanti	Gruitza	Myers	Thomas
Buxton	Hanna	Pallone	Tigue
Cawley	Horsey	Petrarca	Veon
Cohen, M.	James	Petrone	Vitali
Colafella	Kaiser	Pistella	Wansacz
Coy	Kirkland	Roberts	Washington
Cruz	LaGrotta	Robinson	Waters
Curry	Laughlin	Roebuck	Williams, J.
Daley	Lescovitz	Rooney	Wright, G.
Dermody	Levdansky	Ruffing	Yewcic
DeWeese	Lucyk	Shaner	Youngblood
Eachus	Manderino	Staback	Yudichak
Evans, D.	Mann	Steelman	

NAYS—134

Adolph	Donatucci	Maher	Santoni
Allen	Egolf	Maitland	Sather
Argall	Evans, J.	Major	Saylor
Armstrong, G.	Fairchild	Markosek	Scavello
Baker, J.	Feese	Marsico	Schroder
Baker, M.	Fichter	Mayernik	Schuler
Bard	Fleagle	McGeehan	Semmel
Barrar	Flick	McGill	Smith, B.
Bastian	Forcier	McIlhattan	Smith, S. H.
Benninghoff	Gabig	McIlhinney	Solobay
Birmelin	Geist	McNaughton	Stairs
Bishop	Godshall	Melio	Steil
Blaum	Gordner	Metcalfe	Stern
Boyes	Grucela	Micozzie	Stevenson, R.
Brooks	Habay	Miller, R.	Stevenson, T.
Browne	Haluska	Miller, S.	Strittmatter
Bunt	Harhai	Nailor	Taylor, E. Z.
Butkovitz	Harhart	Nickol	Taylor, J.
Caltagirone	Harper	O'Brien	Travaglio
Cappelli	Hasay	Oliver	Trello
Casorio	Hennessey	Perzel	Trich
Civera	Herman	Phillips	Tulli
Clark	Hess	Pickett	Turzai
Clymer	Hutchinson	Pippy	Vance
Coleman	Jadlowiec	Preston	Walko
Cornell	Keller	Raymond	Watson
Corrigan	Kenney	Readshaw	Wilt
Costa	Krebs	Reinard	Wojnaroski
Creighton	Lawless	Rieger	Wright, M.
Daily	Lederer	Rohrer	Zimmerman
Dally	Leh	Ross	Zug
DeLuca	Lewis	Rublely	
DiGirolamo	Lynch	Sainato	Ryan,
Diven	Mackereth	Samuelson	Speaker

NOT VOTING—1

Scrimenti

## EXCUSED—5

Cohen, L. I.      Hershey      Josephs      Tangretti  
Gannon

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

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery County, Mr. Curry, on the resolution.

Mr. CURRY. Thank you, Madam Speaker.

The guidelines for Section 8 housing include people who are elderly, the disabled, those below—

The SPEAKER pro tempore. The gentleman, Mr. Curry, deserves to be heard. Could we please have some quiet in the hall of the House, and would members please take their seats.

Mr. CURRY. Thank you.

—those who are disabled, those below 80-percent median income, which would be about \$13,000 in the Philadelphia area, those with a rent burden that exceeds 50 percent of their income, and those in a recognized job training program. This resolution that proposes to limit Section 8 to only the elderly would then exclude the disabled, the low-income, and those who are in a job training program.

Consider a single woman, a widow with children in need of housing, under 62. This resolution suggests that that category be phased out. That does not make any sense. Now, there are parts in this resolution, for example, the criminal background check, which our housing authority says they are already doing. So it is redundant to ask the Congress to pass what is already being done.

I agree with the idea of adding perhaps the drug abuse component, but I think this resolution really needs to be rethought, and since we cannot table it, I would urge you to vote against it on behalf of the disabled and single women and low-income people who are getting job training.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia County, Mr. Taylor.

Mr. TAYLOR. Thank you, Madam Speaker.

I think it is important for people to support this resolution, not only because of what it says but I think we need to start communicating with Congress as a body about a program that may have been well intentioned when it began, but it really has been in many cases a problem for many neighborhoods. If anything, we need to do more resolutions and make more broader categories of asking Congress to reevaluate this entire program, especially with respect to what landlords in many cases are allowed to get away with, with respect to the way tenants are behaving in many of these houses.

And I agree with the former speaker that our problems are not just based with folks in this program. As many of you know, it is very difficult to legislate behavior, but in fact I think this House and in fact this General Assembly have to begin to do

that in many cases. It is not just Section 8; it is renters, owners, that think they are beyond local ordinances and State law with any sort of behavior that ranges from a barking dog to selling drugs and using guns, and I think this House has to spend more time doing that and we intend to do that the rest of this session and next. This resolution is just a start, and I think we should support this resolution and look for ways to make the quality of life for all our citizens better.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Westmoreland County, Mr. Pallone.

Mr. PALLONE. Thank you, Madam Speaker.

I think it goes without saying that this entire chamber, including myself, would like to see rules and regulations that include scrutiny of the Section 8 benefactors that include criminal background and history checks to make sure in fact that they are responsible or at least living a currently responsible life. But I agree with most of my other colleagues who say there is no time deadline on those criminal history checks, and it may be something that happened 10 or 15 or 20 years ago that could potentially preclude someone from benefiting from an otherwise necessary program.

I also think it goes without saying that everyone in this chamber, including myself, certainly wants responsible citizenry in their Section 8 housing as well as their private residences. So when we look at these people who are moving into these homes, we certainly do not want vandalism, we certainly do not want graffiti spread around the community, and we certainly do not want these unsavory individuals in our communities. But at the same time we have to be responsible enough to have programs in place that provide housing opportunities for those who otherwise could not secure it themselves, and it includes housing for the unwed mother of two or three children or the divorced mother of two or three children or the widow who in fact has one or two or three children. These programs in my district and in my community provide housing for many more individuals other than the senior citizens.

And while we want to have safe housing opportunities for the senior citizens, we want safe housing opportunities for those who are underemployed. With the job market changing so dramatically, we have many families who are not earning what they earned in the past, and this program provides housing opportunities for the underemployed families. It is not just senior citizens who benefit from Section 8, particularly in my district. There are landlords that are responsible landlords and have perfect residences available for Section 8 housing occupants.

So while we are supposed to be communicating more fully with Congress, and I agree with my colleague who just spoke that we should open the doors of communication with the United States Congress, particularly on programs like this, I think it is incumbent upon this chamber to have responsible communication with Congress and not just pass meaningless legislation or meaningless resolutions that do not address the real problem or the root of the problem and could potentially have a harmful effect in the end.

I ask that all of you vote “no” on this resolution. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### LEAVE OF ABSENCE

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

The minority whip requests that the gentleman, Mr. LEVDANSKY, be placed on leave for the remainder of the day. The Chair hears no objections.

### CONSIDERATION OF HR 720 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the lady, Ms. MUNDY, on the resolution.

Ms. MUNDY. Thank you, Madam Speaker.

May I interrogate the majority leader, please?

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

Ms. MUNDY. Madam Speaker, are you aware of any other subsidized housing programs other than Section 8 that currently serve mothers with children who may be unable to afford a normal rent through no fault of their own – maybe they were battered women who left their husbands; maybe they were abandoned by their husbands; maybe they, you know, had some major illness that forced them out of a higher paying job; or perhaps they could not find child care or could not afford child care so they are now relying on Section 8 housing – are you aware of any other subsidized housing programs that serve the disabled, the women I just described, people coming off of welfare who are currently in job training programs but who are working at such low wages that they cannot afford any other unsubsidized program? Have you done an inventory of those programs at either the State or Federal level to know what would be available for those people?

Mr. PERZEL. Madam Speaker, I do not know what that has to do with this resolution to the extent that, are you asking if in the city of Philadelphia there are other programs to help people? The answer is yes. Yes, there are.

Ms. MUNDY. Madam Speaker, I am sorry to have to tell you, but I do not come from the city of Philadelphia.

Mr. PERZEL. That is what you asked about, Madam Speaker.

Ms. MUNDY. No; it is not. This resolution does not only apply to the city of Philadelphia, and I for one would be greatly appreciative if we would stop pretending that everything centers around Philadelphia.

Madam Speaker, my understanding of the resolution is that we are memorializing Congress, as I stated before – and I understand you were not on the floor to hear my previous remarks – we are memorializing Congress to return this to a senior-citizen-only program, and I am telling you that in my district, which is, again, not Philadelphia, that we have a lot of low-income working people and young mothers with children who rely on the Section 8 program for subsidized housing, and I am asking you again, are you aware of any other programs like a Section 8 for people like the ones I described – the disabled, low-income working families, or women with children who are working at wages where they cannot support themselves and their kids without subsidized housing?

Mr. PERZEL. Thank you, Madam Speaker.

I do hope that your gubernatorial candidate feels the way you do, but that being said, it says “RESOLVED, That the

General Assembly memorialize the Congress to overturn rules that allow unqualified or marginally qualified persons, including those who have no experience with homeownership....” There is nothing in there that says all those groups that you mentioned would not apply. This is not a law; this is simply a resolution that goes to the United States Congress asking them to take a look at this, Madam Speaker. That is what it says. It did not bring up all those groups that you just mentioned, and if they are qualified, I am sure that in Congress they will make whatever exemptions are necessary to make sure that they are added in.

I would ask my members or the members of the General Assembly to please support this resolution. Thank you, Madam Speaker.

Ms. MUNDY. Thank you, Madam Speaker.

But I would point to page 2 of your own resolution, which apparently you have not read yet, lines 23, 24, and 25, that “...memorialize the Congress to return the Section 8 program to its original purpose of assisting senior citizens in need....” The Section 8 program already does that, but it also includes housing for other people like the ones that I mentioned. So I ask you again, are you aware of any other programs on the State or Federal level, not just in the city of Philadelphia, that address the housing needs of those other groups?

Mr. PERZEL. Madam Speaker, off the top of my head, the answer is no.

I am urging the members to vote “yes” for the resolution to ask them to take a look at whether or not this program is working properly and come back with some recommendations on how to make a change to make it better for everybody in Pennsylvania. That is what I am asking.

Ms. MUNDY. Madam Speaker, I am finished with my interrogation. May I comment on the resolution again, please?

The SPEAKER pro tempore. You may proceed.

Ms. MUNDY. Madam Speaker, if that is all this did, I could support that. If all this did was memorialize Congress to take a look at this program and fix its problems, I would be 150 percent for that. But that is not all that this resolution does, and I would urge you to read it again, make sure that those people in your communities that are currently being served by this program, by Section 8, that we are not memorializing Congress to take away all the subsidized housing available for low-income families, for single women with children, and for disabled people, because that is what this resolution does.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman from Erie, Mr. Scrimenti.

Mr. SCRIMENTI. Thank you, Madam Speaker.

On the surface, I took a close look at this resolution, and I said perhaps this deserves our support because this is going to evaluate a program that has been around for a long time and does have its problems. But then as I read through the resolution again and again, I saw things in here that raised some questions, and those questions had to deal with the issues of why we would subject all Section 8 residents to drug testing and why we would simply look at this program to return to its original intent for senior citizens when it helps so many other people.

I think that this resolution is ill intentioned and mean spirited, and I believe it does not deserve our support. I believe that we all should vote “no” on this resolution. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Mr. Preston, for the second time.

Mr. PRESTON. Thank you, Madam Speaker.

I am not going to ask to interrogate the maker of this again, but I have a grave concern, because those of us in Allegheny County probably have more people serve in the Armed Forces per ratio, per capita per person, than any other county in the Commonwealth of Pennsylvania. There are an awful lot of disabled veterans who would not have decent housing if it were not for Section 8 programs. What we would be asking Congress to do would be to eliminate the Section 8 program that makes eligible an awful lot of disabled veterans. Well, I agree and I have said before and I have taken a tough stance in my own district that I disagree with the current process. This resolution does not do it.

I also have the distinction of having more senior citizens ratio as far as registered voters over the age of 62 than any other legislative district within this Commonwealth, and again, that percentage also includes an awful lot of disabled veterans. I am not going to support that, this resolution, because of those issues.

But here what we are asking and saying is that we want to go back to senior citizens, and again, as I addressed, there are different codes under the 202 program, there are problems with the Section 8 program, but to say only for senior citizens, because I did have a building and Representative DeLuca had a building that at one time was senior citizens, and the government said, you cannot do that; you have to make everybody eligible. It was not right; we tried to lobby Congress about it; there are still problems about it. But we really need to look at this issue.

So basically what we are saying is people who are unemployed, displaced because there are different levels of socioeconomic conditions, of being homeless, maybe working, being underemployed, with the Salvation Army, of trying to get a place while possibly being not eligible to be able to receive quality housing, and again, especially in Allegheny County, those veterans who currently live right now in Section 8 housing would not be eligible if we memorialize Congress and Congress goes along with the request coming from the Commonwealth of Pennsylvania that we make this housing only for senior citizens.

I think it is unfair. I think the intentions were good. I wish I could be able to vote for half of this resolution, but I cannot, Madam Speaker, and I would encourage the members to please vote "no."

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia County, Mr. Thomas, for the second time.

Mr. THOMAS. Thank you, Madam Speaker.

Madam Speaker, I rise in opposition to HR 720, and I rise in opposition to it for some of the reasons that have been articulated.

Number one, Madam Speaker, the author of the resolution says that he wants to study the Section 8 program. The resolution itself goes far beyond a recommendation for a study.

Secondly, Madam Speaker, the resolution memorializes Congress for the program to go back to assisting seniors. Madam Speaker, right here in the Commonwealth of Pennsylvania, we have over 200,000 families who are literally, literally living in the streets because of their situation. Many of

those families are the disabled. Many of those families are families of heinous domestic violence. Many of those families are veterans. Many of those families are victims of fires through no fault of their own. And, Madam Speaker, the resolution is drafted in such a way that if we go back to just assisting seniors, then we will preclude all those classes of people who are in need of decent and affordable housing.

If we want to memorialize Congress to do something, let us memorialize Congress to put more money in the LIHEAP program (Low-Income Home Energy Assistance Program) so that people will not die as a result of living in the cold this winter. If we want to memorialize Congress to do something, let us memorialize Congress to make decent and affordable housing a reality. No one should be sleeping in the streets in the Commonwealth of Pennsylvania.

Madam Speaker, the resolution says its legislative intent is that the Section 8 program has brought about crime, vandalism, graffiti, fear, and housing devaluation. Madam Speaker, it is the application of the Section 8 program in certain places that might have produced that kind of result, but it is factually wrong to say that the Section 8 program has produced crime, vandalism, graffiti, fear, and housing devaluation.

The residents of Guild House West who are seniors, the residents of Guild House East who are seniors, the residents of Diamond Park I who are disabled, Madam Speaker, have not contributed to crime, fear, and devaluation of property values in neighborhoods, and they are part of the Section 8 program.

This resolution is factually flawed, and it looks mean spirited, even though I know that the author is not intending to be mean spirited, but, Madam Speaker, on its face and in its application, it looks mean spirited, and, Madam Speaker, I would have hoped that the author would have provided some specificity or some definition of who should be marginally eligible for the program. But to use language like that sends the wrong kind of message, the wrong kind of message, about where this august body is on the whole question of subsidized housing in the Commonwealth of Pennsylvania.

If we want to memorialize Congress to do something, memorialize Congress to come up with a prescription discount program that makes sense to the people who have to choose medication over their mortgage or their mortgage over their medication. If we want to memorialize Congress to do something, memorialize Congress to provide money to the mayor of the city of Philadelphia for the Safe Streets program so that we can get drugs out of some of our neighborhoods. There are a lot of things that we could memorialize Congress to do.

You know, I once heard, I once heard a president of a small university say that man is not fit to live unless he can make a significant contribution to moving humanity forward. There is nothing in the memorialization of this resolution that helps humanity or would benefit humanity. If we want to look at the program, let us look at the program and come up with some recommendations, but this definitive language in this resolution, this directive language in this resolution, sends the wrong kind of message about where we are as public officials, where we are as a public body, on the issue of subsidized housing in the Commonwealth of Pennsylvania.

Madam Speaker, I urge my colleagues to vote "no" on HR 720. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lycoming County, Mr. Cappelli.

Mr. CAPPELLI. Thank you, Madam Speaker.

Madam Speaker, I rise in support of HR 720, and I would like to begin my brief comments by agreeing with the gentelady from Luzerne County. This is not an issue about Philadelphia. I am from Williamsport. This is a real issue in my community. Invariably, across our State, in virtually every third-class city, any municipality of any size with any significant amount of public or subsidized housing finds those very locations the frequent, the frequent response location for homicide, attempted homicide, aggravated assault, frequent narcotics trafficking.

I want to commend the majority leader. What is he really saying with this resolution? Ladies and gentlemen of Congress, your policies for the past three decades have not worked; the Section 8 program, how we screen tenants, how we allow tenants to remain in taxpayer-subsidized housing has failed. It has failed in Philadelphia; it has failed in Williamsport; it has failed in Wilkes-Barre and Altoona, Scranton and Erie, all across our State.

And to suggest there are no other programs to provide adequate and affordable housing for the disabled, including the blind, or single mothers is ludicrous. Call the Pennsylvania Housing Finance Agency. They will give you a menu of programs and funding options and tools they offer every day to developers. Talk to local officials with access to Federal community development block grant funds.

These veiled disguises that we are attacking the poor and attacking the elderly are simply unfortunate. Section 8 housing needs to be reformed. It needs to be reformed for the very survival of our cities and the people who live there, and I want to commend the majority leader for his leadership on this very issue.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

### MOTION TO RECOMMIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. Petrone.

Mr. PETRONE. Thank you, Madam Speaker.

Madam Speaker, I rise and ask that we refer HR 720 to the Urban Affairs Committee for further review and study. That is where it belongs. That is where it did not get looked at. I am not saying that there are not problems with Section 8 housing. This is a very critical issue not only in this State but in our country. We have to be very careful and precise on how we proceed with correcting it.

I believe we should do it in our State and look at the Housing Authorities Act and modify the needs here to correct the problems. I think it is a mistake to ask Congress to try to correct it, because we know we cannot depend on them very strongly to correct anything.

So I am asking that you rerefer this to the House Urban Affairs Committee and give us a look at it, and that is a serious consideration for members of both sides of the aisle. Yes, Section 8 does have problems, but let us give a chance to correct it by ourselves here. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On the motion to recommit, the Chair recognizes the majority leader, Mr. Perzel.

Mr. PERZEL. Thank you, Madam Speaker.

That is all well and good, but Section 8 is a Federal program. We are asking the implementers of the Federal program, the United States Congress, to take a look at a program they implemented and they have allowed to go amok for 30 years.

So I would respectfully ask my colleagues to vote "no" on recommitting this to the Urban Affairs Committee.

The SPEAKER pro tempore. The Chair recognizes the minority leader, Mr. DeWeese.

Mr. DeWEESE. Thank you, Madam Speaker.

The reason that the gentleman, Mr. Petrone's motion is efficacious and should be adopted is because notwithstanding the fact that the majority leader is foisting a resolution upon us at the eleventh hour and fifty-ninth minute, but it also deals with local control, and all of you GOP lions, some of you grizzled and gray, I can see you at your townhalls talking about local control, local control, local control. Now, although this is a Federal dilemma, we are the stewards of that local control here in the General Assembly.

A week ago I introduced a resolution on Lewis and Clark. The rules were suspended. We adopted it. But let us face it – it was a historical reference; it was not all that immediate and paramount. It certainly was void of controversy.

From this microphone, again and again and again in the last session and the preceding sessions, we have politely admonished our honorable friend, the majority leader, to utilize the committee system so that measures would not come pell-mell, helter-skelter to the floor of the House. The gentleman, Mr. Petrone, is only asking that this resolution go to a committee, the Urban Affairs Committee, so that some rational thought and deliberation could go into the debate, and when we come back in a matter of a few weeks, we can take this matter up.

There is no doubt that the gentleman from Philadelphia, Mr. Perzel, has the votes to carry the day, but again, the methodology is not only suspect; it is pell-mell and wrong.

To refer a bill to committee in order that Republicans and Democrats – and the Republicans control the committee, so it is possible that the measure would come out just like it is now – but this resolution needs a little bit more cogitation; it needs a little bit more overview. The staff on both sides, the membership on both sides, have shown in the last hour or hour and a half that this is a controversial resolution.

So to suspend the rules and bring it forward is one thing on the Lewis and Clark Expedition, of course, but on a controversial, fire-breathing subject like Section 8 housing and the imminent controversy that you heard from many of the members that will be brought into future debates on this issue should allow for a favorable vote on Mr. Petrone's motion that it be rereferred to the Urban Affairs Committee, where a Republican majority and a Republican chairman can work with us in a bipartisan way and come up with better government. This chamber and our committees and our work product will be



enhanced by a slower pace and a more deliberative and slow focus.

Thank you very kindly.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the majority leader, Mr. Perzel, on the issue of recommittal.

Mr. PERZEL. Madam Speaker, I do get confused at times. A few months ago I was asked to not study things and to bring them right to the floor so we could get a vote on them right away.

But, Madam Speaker, if I am looking at this correctly, the minority leader is telling me that his party is not for having the Feds take a look at a Federal program that all we do is allow a passthrough of Federal dollars. I cannot believe that we are not going to look at the fact that the senior citizens that use the program are not adequately housed at the current time, are not safely housed at the current time, and none of that is occurring now, and he wants to study the issue rather than having the Feds look at their very own program. I am amazed at that, Madam Speaker.

I would ask my members to please not vote to recommit this to the Urban Affairs Committee.

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

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

I am not going to allow the honorable gentleman from Philadelphia to put words into my mouth. That is not what I said. That is not what I meant. What I would like to do is probably come back and vote on this matter in a matter of weeks.

We do not normally debate resolutions ad infinitum, and we have been for 1 hour and a half discussing a resolution that should be noncontroversial. There are enough areas of agreement here that a Republican-controlled committee, the Urban Affairs Committee – Urban Affairs Committee – should allow this measure to be debated and discussed in committee. We are not asking that it be buried; we are asking that it be brought up in a matter of weeks and discussed and then voted at that time.

Resolutions that are voted on the same day that they are introduced make sense if it is Lewis and Clark. It does not make sense if it is a very complicated housing situation. We are asking, according to one of my members – and this is something that would not come out on the floor unless we had some committee structure and some committee overview – but it is possible, according to one of my members, that an 85-year-old woman who wanted to get a Section 8 housing might have to take a drug test. I mean, if that is the case or if it is not the case, it is still being discussed here on the floor as we speak.

So the lack of clarity, the obfuscation inherent in this debate, I think, makes for an overwhelming and appealing reason to vote in favor of Tom Petrone's move – his motion, I should say – to recommit to the committee for a couple of weeks' overview.

That is not a big deal. It is certainly not something we are trying to stymie. It is a responsible action, and Mr. Petrone's motion should be carried with a favorable vote.

Thank you, sir.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

#### YEAS—76

Bebko-Jones	Frankel	Melio	Shaner
Belardi	Freeman	Michlovic	Staback
Belfanti	George	Mundy	Steelman
Bishop	Grucela	Myers	Stetler
Buxton	Gruitza	Pallone	Sturla
Cawley	Haluska	Petrarca	Surra
Cohen, M.	Hanna	Petrone	Thomas
Colafella	Harhai	Pistella	Tigue
Costa	Horsey	Preston	Travaglio
Coy	James	Rieger	Trello
Cruz	Kaiser	Roberts	Veon
Curry	Kirkland	Robinson	Vitali
Daley	LaGrotta	Roebuck	Wansacz
DeLuca	Laughlin	Rooney	Washington
Dermody	Lescovitz	Ruffing	Waters
DeWeese	Lucyk	Sainato	Williams, J.
Diven	Manderino	Samuelson	Wright, G.
Eachus	Mann	Santoni	Youngblood
Evans, D.	McCall	Scrimenti	Yudichak

#### NAYS—121

Adolph	Donatucci	Maher	Scavello
Allen	Egolf	Maitland	Schroder
Argall	Evans, J.	Major	Schuler
Armstrong, G.	Fairchild	Markosek	Semmel
Armstrong, T.	Feese	Marsico	Smith, B.
Baker, J.	Fichter	Mayernik	Smith, S. H.
Baker, M.	Fleagle	McGeehan	Solobay
Bard	Flick	McGill	Stairs
Barrar	Forcier	McIlhattan	Steil
Bastian	Gabig	McIlhinney	Stern
Benninghoff	Geist	McNaughton	Stevenson, R.
Birmelin	Godshall	Metcalfe	Stevenson, T.
Blaum	Gordner	Micozzie	Strittmatter
Boyes	Habay	Miller, R.	Taylor, E. Z.
Brooks	Harhart	Miller, S.	Taylor, J.
Browne	Harper	Nailor	Trich
Bunt	Hasay	Nickol	Tulli
Butkovitz	Hennessey	O'Brien	Turzai
Caltagirone	Herman	Oliver	Vance
Cappelli	Hess	Perzel	Walko
Casorio	Hutchinson	Phillips	Watson
Civera	Jadlowiec	Pickett	Wilt
Clark	Keller	Pippy	Wojnaroski
Clymer	Kenney	Raymond	Wright, M.
Coleman	Krebs	Readshaw	Yewcic
Cornell	Lawless	Reinard	Zimmerman
Corrigan	Lederer	Rohrer	Zug
Creighton	Leh	Ross	
Dailey	Lewis	Rubley	
Dally	Lynch	Sather	Ryan,
DiGirolamo	Mackereth	Saylor	Speaker

#### NOT VOTING—0

#### EXCUSED—6

Cohen, L. I.	Hershey	Levdansky	Tangretti
Gannon	Josephs		

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

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

The SPEAKER. On the resolution, the Chair recognizes the gentleman, Mr. Kenney.

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to join the majority leader in support of HR 720.

This resolution puts senior citizens first. Those of us that have walked city blocks in Philadelphia and have talked to our colleagues, whether in Williamsport or in Norristown or in Pittsburgh, know that the Section 8 program is not working and is mismanaged, and when this program has limited resources, it is important that we put seniors in front of those that have drug convictions, those that have felonies, and those that have just demonstrated the inability to be a responsible homeowner.

Mr. Speaker, I ask that this House join with the majority leader and support HR 720.

Thank you, Mr. Speaker.

**RESOLUTION PASSED OVER TEMPORARILY**

The SPEAKER. The Chair has been requested to put this resolution over temporarily. Without objection, the Chair is going to put this over.

**PARLIAMENTARY INQUIRY**

The SPEAKER. Mr. George. There is nothing before the House right now.

Mr. GEORGE. A parliamentary inquiry.

The SPEAKER. The gentleman.

Mr. GEORGE. I have a resolution, amendment drafted for the resolution that we are now considering. It is a Medicare resolution. We are all concerned about senior citizens. Mr. Speaker, we certainly ought to be concerned about the reimbursement for hospitals for Medicare being capped 30 percent, and the fact that the President of the United States is going to raise the increase in Social Security 1 1/2 percent, and yet—

The SPEAKER. Mr. George, Mr. George—

Mr. GEORGE. Yes.

The SPEAKER. —you are really not in order along the lines you are now debating.

Mr. GEORGE. I would have been if you would not have caught me, Mr. Speaker.

The SPEAKER. That is right.

Mr. GEORGE. But what I want to know is, when this comes back, I would like to offer this amendment to memorialize the Congress to do something for the senior citizens. More than just word games, I think we ought to encourage them to do something on Medicare.

The SPEAKER. Well, at the appropriate time, we will get a look at your resolution, I am sure.

Mr. GEORGE. Thank you.

**SUPPLEMENTAL CALENDAR E**

**RESOLUTION PURSUANT TO RULE 35**

Mr. SOLOBAY called up **HR 721, PN 4513**, entitled:

A Resolution designating the week of November 3 through 9, 2002, as “National Radiologic Technology Week” in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—197**

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

**NAYS—0**

**NOT VOTING—0**

EXCUSED—6

Cohen, L. I. Gannon	Hershey Josephs	Levdansky	Tangretti
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

**SUPPLEMENTAL CALENDAR F**

**RESOLUTION PURSUANT TO RULE 35**

Mr. DIVEN called up **HR 724, PN 4515**, entitled:

A Resolution designating Gary Gray of Lemont as Pennsylvania's ambassador to the Festival of San Fermin, Pamplona, Spain.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

DeWeese	Lynch	Samuelson	Zug
DiGirolamo	Mackereth	Santoni	
Diven	Maher	Sather	
Donatucci	Maitland	Saylor	Ryan,
Eachus	Major	Scavello	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Cohen, L. I. Gannon	Hershey Josephs	Levdansky	Tangretti
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

**SUPPLEMENTAL CALENDAR B CONTINUED**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2060, PN 4466**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for the prudent investor rule; codifying existing law setting forth the applicability of provisions relating to diversification; and making a repeal.

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

The SPEAKER. On the question of concurrence, Mr. Scrimenti.

Mr. SCRIMENTI. Thank you, Mr. Speaker.

If I could have a brief explanation of the amendments to the bill on concurrence, I would appreciate it. Thank you.

The SPEAKER. Mr. Tulli?

Mr. TULLI. Yes.

The SPEAKER. The gentleman is recognized. Mr. Tulli.

A brief explanation. The Democrats had a specific caucus on this bill, so I do not think you have to spend a lot of time on it.

Mr. TULLI. Thank you, Mr. Speaker.

The Senate amendments would take the prudent investor rule for the Decedents, Estates and Fiduciaries Code and add language that would say any charitable trust that meets the following criteria would be affected here: any charitable trust which has beneficiaries at a principal location within the Commonwealth of Pennsylvania and holds a controlling interest in a publicly traded business corporation received as an asset from the settlor of the trust. So any charitable trust that has controlling interest in a publicly traded corporation – and there are not many of those in the Commonwealth, Mr. Speaker – if they want to execute a change in control of that publicly traded company, they would have to notify the Attorney General, give him 60 days' notice, and also provide notice to the employees of that corporation who are in the Commonwealth of Pennsylvania.

This amendment also clarifies the existing requirements for the diversification provision under the code, and it states that such diversification requirements are not applicable to a trust that existed prior to December 25, 1999.

The SPEAKER. On the question of concurrence, Mr. Nickol.

Mr. NICKOL. Thank you, Mr. Speaker.

I realize that HB 2060 was stripped by the Senate the last day that they were in session and this language was inserted in it, and that the original sponsor from Monroe County, this totally gutted his proposal, so he might not be available to answer questions on the details of this change in trust law. Would there be someone who could answer several questions for me, Representative Tulli or someone?

The SPEAKER. Mr. Tulli agrees to stand for interrogation.

Mr. NICKOL. Thank you.

Mr. Speaker, I am curious whom this applies to. I hear from various people, some saying it is narrowly tailored to apply only to Hershey Trust and Hershey Foods alone and some saying it applies much more broadly.

Mr. TULLI. Mr. Speaker, it does not apply to only one charitable trust, but it applies to charitable trusts who meet the following criteria: if they have beneficiaries at a principal location in Pennsylvania or that they hold controlling interest in a publicly traded company. And while I could not answer the question how many charitable trusts fall under that classification, I do know that the Hershey Trust is one of them.

Mr. NICKOL. Mr. Speaker, I am curious in terms of the gentleman's explanation as to what "controlling interest" is. I do not see it defined in the proposal. The controlling interest in a publicly traded corporation may be considered by some people to be 50 percent of the voting stock plus one, but it also can be a much smaller interest than 50 percent that can also be controlling if the shares are widely dispersed and not actively voted. What definition would apply in terms of this proposal?

Mr. TULLI. Thank you, Mr. Speaker.

"Controlling interest" as used in this legislation and the legislative intent should be interpreted to mean the ability to control the corporation by electing the corporation's board or affecting votes by holding a majority of the voting stock plus one.

Mr. NICKOL. Thank you, Mr. Speaker.

Mr. TULLI. Or 50 percent plus one; sorry.

Mr. NICKOL. With regard to the proposal, it requires Attorney General review and judicial approval. Would the Attorney General in granting approval for a change in a trust's control be required to apply the same standards for review as the orphans' court – that is, clear and convincing evidence and limiting the Attorney General to approving a change in control to cases where a company or trust may be in some economic difficulty – or would the Attorney General have more free rein than the orphans' court?

Mr. TULLI. Thank you, Mr. Speaker.

The Attorney General is given the express power to obtain judicial review of such a change in control. In obtaining judicial approval, the fiduciary would be required to demonstrate by clear and convincing evidence that executing a change in the trust's control is necessary to maintain the corporation's economic viability and prevent a significant diminishment of the trust's assets.

Mr. NICKOL. So as I understand your answer, the same standards would apply both to the Attorney General and to the orphans' court?

Mr. TULLI. That was the standard when the Attorney General obtains judicial review. That is the standard for the courts to look at, not the Attorney General.

Mr. NICKOL. So as I understand it, Mr. Speaker, the Attorney General could apply lesser standards than the orphans' court is required to apply?

Mr. TULLI. Yes. It is at the Attorney General's discretion, when he looks at this, to see if he wants to turn it over for judicial review.

Mr. NICKOL. Mr. Speaker, I thank the gentleman. I would like to make some additional remarks.

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

Mr. NICKOL. I have some concerns over HB 2060. It is not with the stated purpose of the bill, which I fully agree with; it is with the language of the bill. I hope it does not just pertain to Hershey Trust and Hershey Foods, because if it would, there is a prohibition in the Constitution, Article III, section 32, that would prevent our passage or prohibit our passage of such special laws.

However the gentleman portrays this as being very narrowly crafted, might I say that because this bill has been around for so few days – 2 days in the House; 1 day in the Senate – never gone through the Judiciary Committee in either chamber, I rely somewhat on some of the newspaper articles I have read. For example, in the Philadelphia Inquirer, there is a lawyer who specializes in nonprofit organizations that says that Hershey Trust is a public charity but that this legislation would also apply to private foundations, which are often set up as charitable trusts.

Also, he raised a question regarding Federal tax law which prohibits private foundations and their top managers and donors from holding more than 20 percent of the voting interest in a company. This is a prohibition that does not impact on a public charity like Hershey Trust but could well impact on other private foundations that are caught in the net of this bill, establishing a catch-22 for those private foundations whether they comply with Pennsylvania law or the Internal Revenue Code.

Also, I have seen quotes by a professor of law at the University of Pennsylvania who said that it is likely other trusts would be affected by this legislation.

Mr. Speaker, I am not sure if there are unintended consequences to HB 2060 to other private foundations or not, but I really certainly think many of these other private foundations should have an opportunity to review this legislation. Long term, my fear is that if we do something and have such unintended consequence, it would put a damper on the creation of private foundations in the Commonwealth of Pennsylvania.

Also, I had asked the gentleman about controlling interest, and I would note that it is nowhere defined in this bill. The gentleman said that that was legislative intent that it be 50 percent of the stock plus one. Might I note that these same private foundations that are probably brought under the net of this bill, as appears evident from the comments carried in the Philadelphia Inquirer from the lawyer and from the University of Pennsylvania professor, please note the Federal tax law regarding private foundations effectively recognizes 20 percent

as the percentage of a company's voting stock that conveys a controlling interest.

So I do not know really, other than the legislative intent, what the level is in HB 2060. Hopefully the gentleman's intent is correct, but I mean, is it 20 percent, is it 30 percent, or is it 50 percent plus one of the voting shares? Nowhere is that defined. The problem is, if it is actually a lower percentage, it would be a much bigger net, bringing many more private foundations in under the provisions of this law.

Also, I am somewhat concerned about the judicial approval, because as I read this proposal, it triggers the Attorney General's review of any type of an option for a trust to consider disposing of its asset. It triggers the Attorney General's review before a decision is actually made. I am not sure at that point in time how you can have a judicial review over something like this based on a standard of clear and convincing evidence in which the fiduciary must prove the economics of a deal before it has even been negotiated, because they have not had approval of it.

There are also certain provisions of the bill that would have a county court in Pennsylvania ensure that certain provisions in Pennsylvania's Business Corporation Law be applied to publicly traded business corporations. In the case of Hershey Foods, it should be noted we are dealing with a Delaware-based corporation. The legislation in effect seems to be saying that Pennsylvania business law, to be administered by an orphans' court judge in a county, trumps Delaware's business law otherwise governing a Delaware corporation. While this might be nice, there are certain constitutional concerns – namely, the commerce clause of the Constitution of the United States.

I really agreed with the Attorney General's original proposal for a court review and approval of an agreement when it is reached to protect community interest. This proposal seems to go way far afield to what his original proposal was. I am not sure whom it applies to and whom it does not, and I am not sure many of you do. I think there are numerous drafting ambiguities. I cannot find half these terms here in my "Dictionary of Finance and Investment Terms" that have been used by the drafters of this legislation. I just touched the surface of some of those definitions. And it also challenges provisions in Federal law and the U.S. Constitution.

Mr. Speaker, we are not in a crisis. The sale of Hershey Foods has been stopped, at least for the moment. If HB 2060 is a good bill today, 2 weeks before an election, I still think it will be a good bill 2 weeks after an election. I am not averse to helping prevent what happened with regard to Hershey, but let us at least have a public hearing to make sure we know what we are doing so we do it right.

### MOTION TO RECOMMIT

Mr. NICKOL. Mr. Speaker, I would like to move that we refer this bill back to the Judiciary Committee for a public hearing. Thank you.

The SPEAKER. The gentleman, Mr. Nickol, moves that HB 2060, together with the Senate amendments, be recommitted back to the Committee on Judiciary.

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

The SPEAKER. On the question of recommittal, Mr. Cohen.  
Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, it is very clear this bill helps Hershey Foods and the employees of Hershey Foods, which I believe is 4,000 people. It is a very important part of central Pennsylvania, the ripple effects affecting all of Pennsylvania.

I would strongly urge that this bill not be recommitted and that we be in a position to pass this bill, get it done before the election, and we can worry about any theoretical effects that this bill may or may not cause at such time as they are caused or at such time as lawyers present a specific case to us and say, I have some charitable trust which is adversely affected by this. We can change the law to benefit any other charitable trust if it is inadvertently under this legislation and it serves some positive purpose for the people of Pennsylvania for us to change the law.

So I would strongly urge that this bill not be recommitted and that we vote on it today.

The SPEAKER. The Chair recognizes the majority whip, Mr. Smith.

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

Mr. Speaker, I would also urge the members to defeat this motion to recommit. This legislation is something that we need to move promptly and quickly on. Obviously, there are legitimate questions, but it is something that we need to deal with today, and I urge the members to vote against the motion to recommit.

The SPEAKER. Mr. Tulli.

Mr. TULLI. Thank you, Mr. Speaker.

I think it is important that the members know that the effective date of this bill is immediately when the Governor signs it and that this is a concurrence vote and that Hershey Trust is meeting until Friday afternoon this week. The vote to not sell Hershey Foods was a 10-to-7 vote. A two-vote switch tomorrow could mean big trouble for Pennsylvania.

I think there is some urgency here. I think we ought to not recommit this bill and move it to the Governor's desk as soon as possible.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, Mr. DeWeese.

Mr. DeWEESE. I think that bills occasionally should be recommitted if they have not even been to the committee, but I would agree with Mr. Smith, my colleague on the Republican side, and Mr. Tulli. This has been in a committee, this has been viewed by a committee, and it does not need to be referred to that committee a second time.

So I would ask that the motion be defeated, that we not recommit this measure. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—50

Armstrong, G.	Hanna	Nailor	Smith, B.
Armstrong, T.	Harper	Nickol	Steelman
Baker, J.	LaGrotta	Pistella	Steil

Barrar	Lawless	Preston	Stetler
Benninghoff	Leh	Roberts	Stevenson, T.
Boyes	Lewis	Robinson	Thomas
Cappelli	Mackereth	Rohrer	Turzai
Creighton	Maitland	Ross	Vance
Curry	Manderino	Rubley	Vitali
Daley	Marsico	Ruffing	Williams, J.
Egolf	McGill	Saylor	Wilt
Frankel	Metcalfe	Scrimenti	Yewcic
Gabig	Miller, R.		

NAYS—147

Adolph	Donatucci	Lucyk	Scavello
Allen	Eachus	Lynch	Schroder
Argall	Evans, D.	Maher	Schuler
Baker, M.	Evans, J.	Major	Semmel
Bard	Fairchild	Mann	Shaner
Bastian	Feese	Markosek	Smith, S. H.
Bebko-Jones	Fichter	Mayernik	Solobay
Belardi	Fleagle	McCall	Staback
Belfanti	Flick	McGeehan	Stairs
Birmelin	Forcier	McIlhattan	Stern
Bishop	Freeman	McIlhinney	Stevenson, R.
Blaum	Geist	McNaughton	Strittmatter
Brooks	George	Melio	Sturla
Browne	Godshall	Michlovic	Surra
Bunt	Gordner	Micozzie	Taylor, E. Z.
Butkovitz	Grucela	Miller, S.	Taylor, J.
Buxton	Gruitza	Mundy	Tigue
Caltagirone	Habay	Myers	Travaglio
Casorio	Haluska	O'Brien	Trello
Cawley	Harhai	Oliver	Trich
Civera	Harhart	Pallone	Tulli
Clark	Hasay	Perzel	Veon
Clymer	Hennessey	Petrarca	Walko
Cohen, M.	Herman	Petrone	Wansacz
Colafella	Hess	Phillips	Washington
Coleman	Horsey	Pickett	Waters
Cornell	Hutchinson	Pippy	Watson
Corrigan	Jadlowiec	Raymond	Wojnaroski
Costa	James	Readshaw	Wright, G.
Coy	Kaiser	Reinard	Wright, M.
Cruz	Keller	Rieger	Youngblood
Dailey	Kenney	Roebuck	Yudichak
Dally	Kirkland	Rooney	Zimmerman
DeLuca	Krebs	Sainato	Zug
Dermody	Laughlin	Samuelson	
DeWeese	Lederer	Santoni	Ryan,
DiGirolamo	Lescovitz	Sather	Speaker
Diven			

NOT VOTING—0

EXCUSED—6

Cohen, L. I.	Hershey	Levdansky	Tangretti
Gannon	Josephs		

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

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

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

The following roll call was recorded:

YEAS—154

Adolph	Eachus	Mayernik	Semmel
Allen	Evans, D.	McCall	Shaner
Argall	Fairchild	McGeehan	Smith, B.
Baker, J.	Feese	McIlhattan	Smith, S. H.
Baker, M.	Fichter	McIlhinney	Solobay
Bard	Fleagle	McNaughton	Staback
Bebko-Jones	Flick	Melio	Stairs
Belardi	Forcier	Michlovic	Steelman
Belfanti	Freeman	Micozzie	Steil
Bishop	Geist	Miller, S.	Stern
Blaum	George	Mundy	Stevenson, R.
Brooks	Godshall	Myers	Strittmatter
Bunt	Gordner	O'Brien	Sturla
Butkovitz	Grucela	Oliver	Surra
Buxton	Gruitza	Pallone	Taylor, E. Z.
Caltagirone	Habay	Perzel	Taylor, J.
Casorio	Haluska	Petrarca	Thomas
Cawley	Hanna	Petrone	Tigue
Civera	Harhai	Phillips	Travaglio
Clark	Hasay	Pippy	Trello
Clymer	Hennessey	Pistella	Trich
Cohen, M.	Herman	Preston	Tulli
Colafella	Hess	Raymond	Veon
Coleman	Horsey	Readshaw	Walko
Cornell	Hutchinson	Reinard	Wansacz
Corrigan	Jadlowiec	Rieger	Washington
Costa	James	Roberts	Waters
Coy	Kaiser	Robinson	Watson
Cruz	Keller	Roebuck	Williams, J.
Curry	Kenney	Rooney	Wojnaroski
Dailey	Kirkland	Ruffing	Wright, G.
Daley	Krebs	Sainato	Wright, M.
Dally	LaGrotta	Samuelson	Youngblood
DeLuca	Laughlin	Santoni	Yudichak
Dermody	Lederer	Sather	Zimmerman
DeWeese	Lescovitz	Scavello	Zug
DiGirolamo	Lucyk	Schroder	
Diven	Mann	Schuler	Ryan,
Donatucci	Markosek	Scrimenti	Speaker

NAYS—43

Armstrong, G.	Evans, J.	Maitland	Ross
Armstrong, T.	Frankel	Major	Rubley
Barrar	Gabig	Manderino	Saylor
Bastian	Harhart	Marsico	Stetler
Benninghoff	Harper	McGill	Stevenson, T.
Birmelin	Lawless	Metcalfe	Turzai
Boyes	Leh	Miller, R.	Vance
Browne	Lewis	Nailor	Vitali
Cappelli	Lynch	Nickol	Wilt
Creighton	Mackereth	Pickett	Yewcic
Egolf	Maher	Rohrer	

NOT VOTING—0

EXCUSED—6

Cohen, L. I.	Hershey	Levdansky	Tangretti
Gannon	Josephs		

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

Ordered, That the clerk inform the Senate accordingly.

## GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a guest of the gentleman, Mr. Habay, Bethany Scheboth – and I mispronounced that name, I know – a winner of the Pennsylvania Liquor Control Board Poster Contest. She is here with her parents, Raymond and Dawn Scheboth, and children Amanda, Bethany, Curtis, Daniel, Elissa, and Faith, from Gibsonia in Hampton Township, Allegheny County. They are the guests of the gentleman, Mr. Habay, and are seated in the gallery. Would the guests please rise.

## CONSIDERATION OF HB 2410 CONTINUED

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

The SPEAKER. Mr. Geist, are you able to tell us what the Senate amendments cover?

Mr. GEIST. Thank you, Mr. Speaker.

The short version would be car seats and booster seats; work zones, protecting persons working and traveling in a work zone; definition changes that were made; truck inspection registration; enforcement; work zone funding; and repeals.

The SPEAKER. On the question of concurrence, the gentleman is recognized, Mr. Haluska.

Mr. HALUSKA. Thank you, Mr. Speaker.

I would just like to make a comment on this bill.

The SPEAKER. The gentleman is in order.

Mr. HALUSKA. When this bill came through before, we had some qualms about the weight classifications for trucks that have to pull over when the safety inspections are along the highway. For some reason this bill has changed now. It is back down to 10,001 pounds. And I just want to let everybody know that we are exempting, from what I understand in our caucus, we are exempting the Pennsylvania-plated trucks up to 17,000 pounds, but unfortunately, the people coming into our State for horse shows, travel trailers, all those things that you get, 10,000 pounds and over is a pickup truck basically, a heavy-duty pickup truck. You are going to be asking these people coming into our State, towing a race car or a horse trailer or whatever, to pull over in these inspection lines, and I really do not understand where PENNDOT is coming from, because when they end up pulling over in these inspection lines with the bigger trucks, 17,000 pounds, 21,000 pounds, I have no idea what they are going to inspect. They do not have air brakes. They do not have slack adjusters. They do not have those things that the safety patrols are looking for, basically.

And of course, the other part of this equation, if one of the parents wants to take four or five kids to a softball game, a soccer game, they are going to have to go out and find four or five of these booster seats from somebody, put them in their vehicle, and strap kids from 7 years and down into these booster seats. So I can see a lot of problems with your constituents coming to your office and wanting to know who dreamed this up; that, you know, you have got to go out and call Johnny's parents and find out where his booster seat is, if it is in Dad's car or Mom's van, and make sure when you drop Johnny off to go to the game that you bring his booster seat with him so I can put it in my vehicle after I get my five booster seats

strapped down, and then I can take off and take these kids out to the ball yard.

So I just foresee some problems in this. I have a problem with it. That is one of the reasons that I am not going to support it, those two things – the booster seat issue and the weight issue on inspection of trucks. I do not think people coming into our State, 10,000 pounds or over, want to sit for 15, 20 minutes, a half hour, in a truck inspection line, and once they do get there, the police are probably going to— I do not know what they are going to check, other than the lights and make sure they are the lawful owner of the car, and then they are going to be delayed going to their horse show or their racetrack or wherever they are going.

So for those reasons I am not going to support the bill. Thank you.

The SPEAKER. The gentleman, Mr. Rohrer.

Mr. ROHRER. Thank you, Mr. Speaker.

Can I ask the sponsor of the bill to answer a few questions, please?

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

Mr. ROHRER. Thank you, Mr. Speaker.

I have a couple of questions, and to kind of follow up with what we just heard, the changes that have been added to this bill relative to child safety seats/booster seats, would you clarify for me, please, what the change will actually require?

Mr. GEIST. Thank you, Mr. Speaker.

The Senate added language – and I might say that in the House, Representative Watson has been one of the leaders in this endeavor – they added language that stated that children 4 years of age and older but under 8 must be in an approved booster seat anywhere in the vehicle. Violation of this provision carries a \$100 fine and is a secondary offense, Mr. Speaker; increased the fine from \$25 to \$100. And for children under 4 years of age, which are required to be fastened in a car seat anywhere in the vehicle, this remains a primary offense. It requires that the drivers are responsible for ensuring that persons between the ages of 8 and 18 are fastened in a seatbelt anywhere in the vehicle. This remains a secondary offense, carrying a \$10 fine, which is assessed to the driver.

Those were the changes.

Mr. ROHRER. Okay. So clarifying again, the current law in Pennsylvania requires children 4 years of age or younger to be in a car seat. Is that correct?

Mr. GEIST. Under 4, Mr. Speaker.

Mr. ROHRER. Okay. Under 4. What this law now does is says that a child 4 years up to and including 8 years? Less than 8?

Mr. GEIST. Up to and including 7.

Mr. ROHRER. Okay. So 4 through 7 – 4, 5, 6, and 7 – will now, by law, be required to be in a booster seat or be in violation of law. Is that correct?

Mr. GEIST. Yes; that is correct, but it is a secondary offense.

Mr. ROHRER. It makes no difference. It is still an offense of breaking the law if the person does not meet that. Is that correct?

Mr. GEIST. It would have to be that the car or the vehicle was stopped for another violation before that could be imposed.

Mr. ROHRER. Okay. That is fine, when it can be imposed, but it still becomes a law, if someone is not in that seat up including the age of 7, that family, that driver of that vehicle, is

in violation of law that we are going to be creating under this change. Is that correct?

Mr. GEIST. That is correct, Mr. Speaker.

Mr. ROHRER. Mr. Speaker, do you know of other States that have done what we are now doing? Are there other States that have done that?

Mr. GEIST. Yes, Mr. Speaker; there are 34 other States that have imposed these regulations.

Mr. ROHRER. That have the changes all the way up until 7 years of age?

Mr. GEIST. Yes.

Mr. ROHRER. All right. Do you have any idea what this is going to cost the residents and the families of this State?

Mr. GEIST. I think it is going to cost a lot of people a lot less, because it is going to save a lot of lives. This part of the bill that was added in the Senate was a freestanding House bill, and there are quite a few people who have worked a long time on this. We had a hearing in the committee on it, took a lot of testimony, and it is very, very compelling testimony when you hear from the trauma people. So I think that the overall cost in the long run, the cost benefit is certainly going to be there.

Mr. ROHRER. Okay. Thank you, Mr. Speaker.

Can I comment on the bill then?

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

Mr. ROHRER. Okay. Thank you, Mr. Speaker.

I fully understand the changes that have been made. Before I came to the House, I worked for the largest manufacturer of car seats in the country. I was the director of marketing. I did extensive surveys. We knew exactly, and frankly, any manufacturer of car seats or booster seats would be very happy to have this bill passed, because they are going to sell a lot of them.

However, I believe that the practical difficulties that will be caused by this change will far exceed the difficulties or the benefits gained. Now, I am a parent of six children. I know about children and cars. I used to work for a company that manufactured furniture for babies. I am fully aware of the safety implications that are involved in this, but I can also tell you that there is a significant difference when a child reaches 4 and 5 years old.

There was a reason that the law was under 4 years of age for a child in a car seat. That is because of the makeup of that child. It is because of the placement of the car seat, the belt, when that child was in an accident and where that pressure would be placed, on that child's abdomen rather than around that child's pelvis. There is a significant difference when that child reaches a larger age. And to say that a child up to 7 years of age, there is no consideration in here for weight. You can have easily a child that weighs 60 pounds or 70 pounds, frankly as much as a small adult, and be required to be sitting in a booster seat that the parent is going to have to go out now and buy.

Do you know how many families across this State have children today who are riding in automobiles without a booster seat, 4 years, 5 years, 6 years, and 7 years of age, that when we pass this law are going to be in violation, unless they go out and buy a \$40 or \$50 seat? Many of them may have one or two children in this category. So you are going to be telling families that they have to go out and spend \$100 for a child that is beyond the age that we had it, 4 years of age.

I do not believe that this is necessary. I believe that parents of children of those ages, if they have those children up to

4 years of age, have really covered the most critical times of that child's growth, and I believe that car seats, as now current law, are absolutely appropriate.

But I believe that this goes beyond what is necessary. I believe that it will cause hardship, and I do not believe that it will gain the benefit that is stated, although for sure sometime, just like in car seats themselves, if an adult wears a car seat, is the likelihood that if they are in an accident, will it help them in the case of an accident? The answer is yes. Therefore, to that same extent, maybe, maybe a booster seat would help, but I would say that just being in the auto seatbelt at 4 years of age and above will make the same kind of protective differences on that child, and I believe that this goes beyond, and for that reason and perhaps others, I am going to say that this has not been thought out well enough and is not worthy for us to concur at this time with this bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### GUESTS INTRODUCED

The SPEAKER. The Chair at this time would like to welcome to the hall of the House 40 students from the Methacton High School in Montgomery County. They are here today as the guests of Representative John Lawless, seated in the balcony.

### CONSIDERATION OF HB 2410 CONTINUED

The SPEAKER. The gentleman, Mr. Vitali.

My list shows Vitali, Godshall, Horsey, Samuelson, and Watson. Anyone want to remove their name from that list? Mr. Vitali?

Mr. VITALI. Thank you, Mr. Speaker.

The SPEAKER. No; that is not what I asked you. I asked you, anybody want to take their name from the list? I did not know whether you or Mr. Samuelson was going to volunteer.

Mr. VITALI. Not this time. Sorry.

The SPEAKER. Not this time. All right. The Chair recognizes the gentleman.

Mr. VITALI. Thank you, Mr. Speaker.

Will Mr. Geist stand for brief interrogation?

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

Mr. VITALI. Thank you, Mr. Speaker.

I just, and frankly, I attended caucus and I listened to part of the debate, but as I am reading this bill, I am seeing a number of provisions in here which I just want to make sure that the House is aware of, and frankly, I think they are causing some changes to the Motor Vehicle Code.

With regard to, I guess it is section 4309 on page 23, this bill, if I am reading it correctly, would require you to put your lights on as you are passing through work zones. Is that correct?

Mr. GEIST. Mr. Speaker, are we going to debate the bill as it left the House or are we just going to do the Senate amendments?

The SPEAKER. The only thing before the House is concurrence in the Senate amendments.

Mr. GEIST. Thank you.

Mr. Speaker, in answer to the question, in that bill that was not changed since it left the House.



The SPEAKER. That is a fair answer.

Mr. Vitali.

Mr. VITALI. Let me just doublecheck, because as I look at this, I do see that as either highlighted or underlined, so I am just a little curious where that 15-day suspension is coming from. Let me just doublecheck.

This is page 23. Hold on.

Mr. GEIST. Mr. Speaker, the 15-day suspension was also in there when it left the House.

Mr. VITALI. I am looking at section 4309, headlamps required in work zones. Is it the speaker's contention that this was in here when we voted it through the House?

Mr. GEIST. Yes, Mr. Speaker. That was Representative McCall's idea, and it is a very good idea, and we concurred in it.

Mr. VITALI. Okay. And the gentleman would decline to discuss why there is that provision with regard to requiring headlamps, because that is a significant change in the law and it is something all our constituents would be affected by. Does the gentleman decline to comment on that? Does the gentleman decline to comment on that? Is that my understanding?

Mr. GEIST. Mr. Speaker, we could not hear you up here. Would you redo your question, please.

Mr. VITALI. With regard to having headlamps on in work zones, I mean, that is something significant that all our constituents will be affected by. Is it something that the gentleman would decline to comment on and simply stand on formality?

Mr. GEIST. Mr. Speaker, I would suggest that he direct the question to Representative McCall. It was a very good idea. It was Representative McCall's idea, and it left the House, and it was voted on when it left the House.

Mr. VITALI. Mr. Speaker, I would be glad to discuss this with anyone who would like to, but I think in this chamber, this is a significant change in law. It is on concurrence, so if we vote it through, it is going to happen, very significant changes—

The SPEAKER. Mr. Vitali, you of all people are a stickler on our House rules. Now, the House rules say the only thing fit for debate at this time are the changes made by the Senate. Now, please.

### PARLIAMENTARY INQUIRY

Mr. VITALI. Would there be a motion in order to relax that rule so that we could discuss the entire bill?

The SPEAKER. You could move to suspend that. You could move to suspend the rules. That is available to you; yes.

### MOTION TO SUSPEND RULES

Mr. VITALI. I would like to do that, Mr. Speaker. I would like to move to suspend the rules so that with regard to this debate, this entire bill, the contents of this entire bill, is subject to the debate, and I would be happy to make argument on that.

On the question,

Will the House agree to the motion?

The SPEAKER. Well, if you feel you need to argue on it, go ahead. However, you first have to get permission of your floor leader, because only one person is permitted to debate

suspension, and he went like that. Now, I am not sure what that means.

Mr. VITALI. Okay.

The SPEAKER. Mr. Vitali, the floor leader has yielded to you.

Mr. VITALI. Thank you.

I think the reason the motion to suspend is appropriate in this particular circumstance is this: This is a very comprehensive bill. It is 37 pages long, and there are a lot of significant changes in this bill that I think we need— And these changes very well may go into law preelection if this is simply concurred in, because it is going to go up to the Governor and he is going to sign it. So we are dealing with issues that are about to become law, and I would suspect that many of us really are not fully cognizant of what we are voting on right now, because I certainly was not until today as I started paying close attention. So I just think there is really no downside, other than maybe getting home an hour later tonight, there is really no downside to not having a thorough debate on this.

There is information in here that deals with 15 days' license suspension for driving through, going 11 miles per hour through—

The SPEAKER. Mr. Vitali, the question now is on suspension, not on the contents of the bill.

Mr. VITALI. Well, the only point I was trying to make is there is important stuff in here that is about to become law. That is why it is good to suspend the rules. That is my argument.

The SPEAKER. Thank you.

Mr. VITALI. I conclude then.

The SPEAKER. Thank you, Mr. Vitali.

Mr. GEIST. Thank you, Mr. Speaker.

The leader has deferred to me.

I just would like to say that this bill was thoroughly caucused on before. It was debated on the floor of the House. I know that our staff and the staff on the Democratic side spent extensive time on this. We had many, many hearings, and there is no reason, really, for us to go back and do what we did before. Therefore, I would oppose the motion.

The SPEAKER. On the question of suspension of the rules, those in favor of suspending the rules to open – I do not know how to say this – to open the bill up for total debate will vote “aye”; opposed, “no.”

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

### YEAS—90

Bebko-Jones	Eachus	Mann	Solobay
Belardi	Evans, D.	Markosek	Staback
Belfanti	Frankel	Mayernik	Steelman
Birmelin	Freeman	McGeehan	Stetler
Bishop	George	Michlovic	Stevenson, T.
Blaum	Godshall	Mundy	Sturla
Butkovitz	Gordner	Myers	Surra
Caltagirone	Grucela	Oliver	Thomas
Casorio	Gruitza	Pallone	Travaglio
Cawley	Hanna	Petrarca	Trello
Clark	Harhai	Petrone	Trich
Cohen, M.	Hasay	Preston	Veon
Corrigan	James	Rieger	Vitali
Costa	Kaiser	Roberts	Walko
Coy	Keller	Robinson	Wansacz

Cruz	Kirkland	Roebuck	Washington
Curry	LaGrotta	Rohrer	Waters
Daley	Laughlin	Rooney	Williams, J.
DeLuca	Lawless	Ruffing	Wright, G.
Dermody	Lederer	Sainato	Yewcic
DeWeese	Lescovitz	Samuelson	Youngblood
Diven	Lucyk	Shaner	Yudichak
Donatucci	Manderino		

NAYS—106

Adolph	Fairchild	Marsico	Scavello
Allen	Feese	McCall	Schroder
Argall	Fichter	McGill	Schuler
Armstrong, G.	Fleagle	McIlhattan	Scrimenti
Armstrong, T.	Flick	McIlhinney	Semmel
Baker, J.	Forcier	McNaughton	Smith, B.
Baker, M.	Gabig	Melio	Smith, S. H.
Bard	Geist	Metcalfe	Stairs
Barrar	Habay	Micozzie	Steil
Bastian	Haluska	Miller, R.	Stern
Benninghoff	Harhart	Miller, S.	Stevenson, R.
Boyes	Harper	Nailor	Strittmatter
Brooks	Hennessey	Nickol	Taylor, E. Z.
Browne	Herman	O'Brien	Taylor, J.
Bunt	Hess	Perzel	Tigue
Buxton	Horsey	Phillips	Tulli
Cappelli	Hutchinson	Pickett	Turzai
Civera	Jadlowiec	Pippy	Vance
Clymer	Kenney	Pistella	Watson
Coleman	Krebs	Raymond	Wilt
Cornell	Leh	Readshaw	Wojnaroski
Creighton	Lewis	Reinard	Wright, M.
Dailey	Lynch	Ross	Zimmerman
Dally	Mackereth	Rubley	Zug
DiGirolamo	Maher	Santoni	
Egolf	Maitland	Sather	Ryan,
Evans, J.	Major	Saylor	Speaker

NOT VOTING—1

Colafella

EXCUSED—6

Cohen, L. I.	Hershey	Levdansky	Tangretti
Gannon	Josephs		

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

The SPEAKER. On that question, Mr. Vitali.

Mr. VITALI. If I can continue my interrogation, I wanted to go to the topic of, there is a provision in here that deals with 5-year incarceration for homicide by vehicle, and I wanted to know if Mr. Geist would be willing to explain that provision. That is section 3732.

Mr. GEIST. Mr. Speaker, this was a compromise that was worked out with the Senate that anybody that commits a homicide in the work zone, this was the penalty that was agreed upon.

Mr. VITALI. Could you tell me how, Mr. Speaker, that changes existing law?

Mr. GEIST. It would be a sentencing enhancement because of it happening in the work zone.

Mr. VITALI. In other words, if you committed homicide by vehicle in a work zone, you could be looking at 5 additional years in jail, but if you committed homicide by vehicle 200 yards before a work zone, you would not be looking at 5 years in jail? I mean, could you just sort of draw out how this works?

Mr. GEIST. I am told that the statutory maximum would be 5 years but the judge would have discretion.

I would also like to amplify why this was put in there, Mr. Speaker. Mr. Speaker, we are losing every year more PENNDOT workers killed in work zones than State Police on active duty. We have had a huge increase of accidents in work zones. We have lost our own friends in work zone accidents. When we started with a clean piece of paper, this was one of the areas that we knew we had to address, and I believe that everything that is in that bill and everything that was done is to make sure that we protect those workers who every day have to be in those active work zones.

Mr. VITALI. Is it the speaker's position that someone is more culpable and ought to spend more time in jail if he commits homicide by vehicle in a work zone as opposed to 200 yards before a work zone? I mean, is the gentleman suggesting that the loved ones of the person killed 200 yards before the work zone are any less worthy of retribution than someone's loved ones killed in a work zone? I am trying to understand why, why one gets a homicide-by-vehicle 5-year enhancement in a work zone as opposed to 200 yards before that. What is the rationale for this? Why does this serve justice' interest?

Mr. GEIST. Mr. Speaker, when you voted for this bill before it left the House and went over to the Senate—

Mr. VITALI. I hope I did not.

Mr. GEIST. —the penalties were much harsher, and when that bill went out of here 197 to nothing, there were minds, the legal minds thought that we should have a compromise on this, and so we did reduce the penalties, and that is the language that is in the change that the Senate made.

Mr. VITALI. But my question is, Mr. Speaker – and if you simply choose not to answer it, that is fine – what is the rationale for the differential in punishment other than it being compromise?

Mr. GEIST. Mr. Speaker, the provision is a “may” provision, and if the judge wants to impose that sentence, he has the right to do that, whether it is 200 yards or 2 miles, but it is in the active work zone that is designed by this bill, and it is a “may” provision.

Mr. VITALI. Well, regardless of the fact that it is a “may” provision, we are arguing a judge— The principle still stands. Why can a judge hit this person harder than someone who kills 200 yards before the work zone? What is the rationale here?

Mr. GEIST. In an active work zone, there is extra warning signage so that we have those areas that are covered. Anybody that creates and causes a heinous crime, it gives the judge another tool to use.

Mr. VITALI. Thank you, Mr. Speaker.

That concludes my interrogation, and I would like to speak on the bill.

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

Mr. VITALI. Thank you, Mr. Speaker.

I have no doubt that much work was put into this bill and there are a lot of good things in it, but the reality is much of

what we are about to vote on will become law, and frankly, and it is a sad commentary on this House, most of us are unaware of what is about to become law and what is about to affect our constituents greatly.

**MOTION TO RECOMMIT**

Mr. VITALI. So for that reason, Mr. Speaker, I would move, because of the criminal penalties attached to this, that we refer this to Judiciary to let them examine some of the criminal penalties involved here, and I so move.

The SPEAKER. Mr. Vitali, I apologize. I was having conversation with the Parliamentarian.

What was your motion?

Mr. VITALI. Commit to Judiciary.

The SPEAKER. The Chair thanks the gentleman.

On the question, the gentleman, Mr. Vitali, moves that this bill, together with any amendments thereto, be recommitted to the Committee on Judiciary.

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, Mr. Geist.

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

For all the reasons that this bill went out of the House 197 to nothing – with all the work that went into this bill, all the explanation that was in caucus, all the explanation that we had, this bill was thoroughly reported – I would ask for a “no” vote.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—68**

Barrar	Godshall	Mundy	Steelman
Benninghoff	Haluska	Myers	Stetler
Birmelin	Hanna	Petrarca	Stevenson, R.
Butkovitz	Harhai	Phillips	Stevenson, T.
Casorio	Hasay	Pistella	Sturla
Cawley	Hutchinson	Preston	Surra
Clark	James	Rieger	Thomas
Cohen, M.	Kaiser	Roberts	Travaglio
Cruz	Kirkland	Robinson	Trello
Curry	LaGrotta	Rohrer	Trich
Daley	Lawless	Rooney	Tulli
DeLuca	Lucyk	Ruffing	Vitali
Egolf	Markosek	Sainato	Walko
Fairchild	Mayernik	Schroder	Washington
Forcier	McGill	Scrimenti	Waters
Frankel	Michlovic	Shaner	Williams, J.
Freeman	Miller, S.	Stairs	Youngblood

**NAYS—128**

Adolph	DeWeese	Lynch	Santoni
Allen	DiGirolamo	Mackereth	Sather
Argall	Diven	Maher	Saylor
Armstrong, G.	Donatucci	Major	Scavello
Armstrong, T.	Eachus	Manderino	Schuler
Baker, J.	Evans, D.	Mann	Semmel
Baker, M.	Evans, J.	Marsico	Smith, B.
Bard	Feese	McCall	Smith, S. H.
Bastian	Fichter	McGeehan	Solobay
Bebko-Jones	Fleagle	McIlhatten	Staback

Belardi	Flick	McIlhinney	Steil
Belfanti	Gabig	McNaughton	Stern
Bishop	Geist	Melio	Strittmatter
Blaum	George	Metcalfe	Taylor, E. Z.
Boyes	Gordner	Micozzie	Taylor, J.
Brooks	Grucela	Miller, R.	Tigue
Browne	Gruitza	Nailor	Turzai
Bunt	Habay	Nickol	Vance
Buxton	Harhart	O'Brien	Veon
Caltagirone	Harper	Oliver	Wansacz
Cappelli	Hennessey	Pallone	Watson
Civera	Herman	Perzel	Wilt
Clymer	Hess	Petrone	Wojnaroski
Colafella	Horsey	Pickett	Wright, G.
Coleman	Jadlowiec	Pippy	Wright, M.
Cornell	Keller	Raymond	Yewcic
Corrigan	Kenney	Readshaw	Yudichak
Costa	Krebs	Reinard	Zimmerman
Coy	Laughlin	Roebuck	Zug
Creighton	Lederer	Ross	
Dailey	Leh	Rublely	
Dally	Lescovitz	Samuelson	Ryan,
Dermody	Lewis		Speaker

**NOT VOTING—1**

Maitland

**EXCUSED—6**

Cohen, L. I.	Hershey	Levdansky	Tangretti
Gannon	Josephs		

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

On the question recurring

Will the House concur in Senate amendments?

The SPEAKER. On the question, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

You know, I agree with Representative Geist that this was a bill that went out of the House 197 to 0, but I think the bill has been changed substantially over in the Senate, unfortunately, and it came back. There were no hard copies available until a few minutes ago. It was not caucused on, and it is a 37-page bill.

My concern is also in the booster seat end of it. I have probably a grandson who is 12 years old that weighs less than another granddaughter who is 8 years old, and I am not sure how you are going to get these booster seats to fit all these different weight and sized kids. There is no weight limit in this bill at all, as I understand it. Is that correct?

Could I interrogate the maker of the bill, Mr. Speaker?

The SPEAKER. The gentleman, Mr. Geist, will stand for interrogation. You may begin.

Will the gentleman yield.

The conference in the vicinity of Mr. Geist, please break up.

Mr. GODSHALL. Thank you, Mr. Speaker.

The SPEAKER. Will the gentleman yield.

The conference in the vicinity of the majority leader's desk, please break up.

Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

Are there any weight restrictions at all on that 8-year limit?

Mr. GEIST. No, there are no weight restrictions.

Mr. GODSHALL. I would have no problem with that at all if there would be some kind of weight requirements, I guess, with it, but without a weight requirement, it does give me concern.

I would like to ask another question pertaining to the 10,000 pounds and the 17,000 pounds, and I do not really know what was put in in the Senate and what was not because I did not have the bill. On the 10,000 pounds, as I understand it, commercial vehicles at 10,000, if they are registered out of Pennsylvania, would have to stop at these inspection areas. Is that correct?

Mr. GEIST. Yes, they do now under Federal law. Nothing really changed in the weight requirements other than the definition that the Senate added to it.

Mr. GODSHALL. I am sorry, Mr. Speaker. I had trouble hearing that answer, and I apologize.

The SPEAKER. Will the gentleman restate his answer.

Will the gentleman yield for a moment.

The conferences on the floor, please, please break up. It is difficult for those who are participating in the debate to hear the questions and answers. Now, the staff people and members by the majority leader's desk, please disperse now.

Mr. GEIST. Thank you, Mr. Speaker.

Nothing has changed with law. Intrastate is 10,000; interstate is 17,000. By law anybody from another State driving in is required at 10,000 to stop. The Senate changed nothing with that other than to clarify the weights.

Mr. GODSHALL. Well, if nothing has changed and it is the law now, then why is it in the bill?

Mr. GEIST. When the bill left the House, it was 11,000 pounds. The Senate changed it back to comply with Federal law, and it gives our motor carrier inspectors the clear definition.

Mr. GODSHALL. If it is law today and if it is law by Federal law, you know, I am not sure, I guess, why we are reiterating what is law in this bill or why there was a need to.

In going on, you know, if anybody out of State that has a truck or a combination pulling a trailer exceeds 10,000 pounds or 10,000 or over, he would have to go into the inspection area. Is that correct? Which could mean that anybody with a house trailer, pulling a house trailer, or whatever would be compelled to stop at these inspection areas. Is that correct? I do not know. I am asking.

Mr. GEIST. Thank you very much.

Yes, Mr. Speaker; that is correct.

Mr. GODSHALL. Is that a change in the law?

Mr. GEIST. I do not believe it is.

Mr. GODSHALL. Mr. Speaker, that finishes my interrogation. I would like to make some comments on the Senate changes.

The SPEAKER. The gentleman is in order.

Mr. GODSHALL. I had no problem with this bill when it passed the House. I thought it was a good bill, for the most part. It dealt with construction accidents, which I was pleased to support, but on the weight issue or on the seatbelt, booster seat issue, I am not sure how anybody is going to determine if the kid is 7, 8, or 9, or 10 years old. As I said, I have a grandson who weighs less than an 8-year-old granddaughter, and I am not sure how that is going to happen, unless you carry birth certificates with you to prove how old the kid is or the kid is not.

The inspection areas, Mr. Speaker, where we have the tractor-trailers pulling in now, if we are going to add buses and we are going to add all the cars pulling a camper to go into these inspection areas, you know, I do not know where they are going to put all the traffic.

Right now, quite regularly, I use I-81 coming into Harrisburg just beyond the 78 split, and there is a truck weigh-in there; there is an inspection area out on I-81. About 2 or 3 weeks ago there was almost a serious accident where people could be killed because trucks were backed up probably half a mile to a mile before they even came to the blinker light leading into the inspection area. If we are going to add buses and everybody pulling a camper or a guy pulling a horse trailer, you know, having to go in there and weigh and inspect the trucks, we could be backed up for 10, 11, 12, 20 miles.

I have really no idea what is the law today and what is not today, but I do have serious, really, reservations about what we are doing here and how many people are going to have to be pulling their campers in and are not arrested for pulling their camper into a truck inspection area. And right now it says truck inspection, but we are, apparently, adding buses, campers, and whatever.

So I have a problem with this bill, and I have a problem with the Senate amendments really, not with the bill, and I would like to see some of these Senate amendments cleaned up a bit.

Thank you.

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

For the benefit of the members, my list includes Horsey, Samuelson, Watson, Eachus, Mr. George, Ms. Steelman—

Mr. HORSEY. Thank you, Mr. Speaker.

The SPEAKER. —just a minute— Lawless, Casorio.

Mr. Horsey.

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, I am going to urge concurrence on HB 2410, for me, for one reason, and that is the provision that covers children.

I am going to mention that members in this chamber should not run for cover or use the cover of children's safety in this bill, because the bottom line to the entire process is, it makes children safer; it makes children safer.

As an addendum to it, so use some other area of the bill that you do not like — truck size, trucks stopping at inspection stations — use that, but do not use the provision in the bill that covers children, because one of the ultimate responsibilities in this chamber of us as members is to protect children and seniors.

Now, if it is being done in 31 — I heard the gentleman say 34; I thought it was 31 — but if it is being used in 30 out of the 50 States or 34 out of the 50 States, just let us add Pennsylvania on as an additional State in that large number of States that are protecting children.

Now, I heard the gentleman earlier say he has six kids. I have two grandchildren, and one is 4 and one is 3. If it means additional safety — and I do not think we can ever be too safe for children — if it means additional safety for those children, I am in favor of the bill, and that is the only portion that I am looking at, the provision in concurrence on this bill, that I think children should be safe, and I am going to vote “yes” on HB 2410 and urge my colleagues to do the same.

Thank you, Mr. — Madam Speaker.

**THE SPEAKER PRO TEMPORE  
(PATRICIA H. VANCE) PRESIDING**

The SPEAKER pro tempore. The Chair thanks the gentleman.

**LEAVE OF ABSENCE**

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the minority whip, who asks that the gentleman, Mr. COY, be placed on leave for the remainder of the day. The Chair hears no objections.

**CONSIDERATION OF HB 2410 CONTINUED**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Madam Speaker.

When this bill left the House on May 8, as previous speakers have said, the vote was 197 to nothing. This House was unanimous in approving the important work zone safety provisions of this legislation.

As so often happens here in the legislature, the Senate has added many other things, and this is, as we all know, one of the frustrating parts of being in the legislature, when we have a Constitution that says, Article III, section 3, "No bill shall be passed containing more than one subject..." but you know and I know that that is interpreted broadly, and if the subject is transportation, anything related to transportation is considered germane to that bill.

I want to raise some questions similar to the questions that Representative Rohrer raised about the child booster seat requirement of this legislation, and I do have two questions to interrogate Representative Geist of the Transportation Committee, if he would be willing to stand for interrogation.

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

Mr. SAMUELSON. The one question would consider how many offenses if there are five kids in the back of the van. If you have a seven-passenger van – two adults in the front, five children in the five seats that are provided in the van in the back – and you are stopped, as a secondary offense, would that count as one violation or five violations of this provision if you did not have five booster seats in the back of the van?

Mr. GEIST. Is that assuming you already had a primary offense?

Mr. SAMUELSON. Yes.

Mr. GEIST. All right.

Mr. SAMUELSON. I realize this is a secondary offense, but if you are driving five kids in the back of the van and all five are strapped in seatbelts but they do not have five individual booster seats, how many offenses would that be as the bill is written?

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

Mr. DeWEESE. I was at the microphone to ask for order, but I think we have received that without any request. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. GEIST. In answer to the question, it is one offense.

Mr. SAMUELSON. One offense. And the amount of the offense, if I am reading correctly, would be \$100, on page 27 of the bill. Is that correct?

Mr. GEIST. It is the maximum fine of \$100.

Mr. SAMUELSON. Okay.

And my last question concerning this bill, as I look, a couple of years ago we passed an important provision to amend the teen driving law. One of the provisions of that law required that a teenage driver not have more passengers than there were available seatbelts in the vehicle, and that was for the very first time we were requiring that of teenage drivers but not other drivers. As I am looking at this language, I am reading the language on page 25 of the bill requiring drivers to – we are talking about children between the ages of 4 and 8, so 4-, 5-, 6-, and 7-year-olds—

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

The SPEAKER. Mr. Samuelson?

Mr. SAMUELSON. Yes.

The SPEAKER. I wonder if you would be kind enough to yield for a moment?

Mr. SAMUELSON. Yes.

The SPEAKER. Yield to the majority leader.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, there are a number of members on our side of the aisle and from the other side of the aisle that have indicated that they have not really had a chance to caucus on all the provisions that were changed in this piece of legislation. So for the sake of those members to get an opportunity to read the bill over and get more acquainted with all the points that are in there, I am going to ask that we hold the bill over for right now until we come back from the recess, Mr. Speaker.

**BILL PASSED OVER**

The SPEAKER. Without objection, this bill is held over. The Chair hears no objection.

**QUESTION OF PERSONAL PRIVILEGE**

The SPEAKER. Mr. Eachus.

Mr. EACHUS. Mr. Speaker, a moment of personal privilege.

The SPEAKER. The gentleman is in order.

Mr. EACHUS. Mr. Speaker, I object to the withdrawal of this bill at this time, and I object to it because of people like Richard Bradley, a 48-year-old PENNDOT worker killed in my district on the Freeland Drums Highway. So we are not going to be able to act on this legislation until about 3 weeks to a month from now, and I do not think we can wait another day without protecting the workers of our PENNDOT sites around this State. So I object to the withdrawal of this bill.

Many of us are experienced legislators. We have had time over the last hour to read this legislation.

The SPEAKER. Mr. Eachus, I understand the importance like that. This bill came from a situation like that, Tom McCormac; that is where this bill came from.

Mr. EACHUS. Yes, sir; I understand.

The SPEAKER. And I can say to you that it is not the intention of the majority leader to bury this bill. The Senate is

out. So we could stay here all night and it is not going to be in a position to become law any sooner than if we address the issue as soon as we come back.

Mr. EACHUS. You understand what this means to people like the McCormacs—

The SPEAKER. I do indeed.

Mr. EACHUS. —and the Bradleys?

The SPEAKER. I do indeed.

Mr. EACHUS. I appreciate the consideration and appreciate the opportunity for personal privilege on the matter. Thank you.

The SPEAKER. You are quite welcome.

Anything further?

## SUPPLEMENTAL CALENDAR D CONTINUED

### CONSIDERATION OF HR 720 CONTINUED

On the question recurring,

Will the House adopt the resolution?

Mr. S. SMITH offered the following amendment No. **A5065**:

Amend Title, page 1, line 3, by striking out “and” where it appears the second time and inserting a comma

Amend Title, page 1, line 5, by removing the period after “appropriate” and inserting

and to take action to increase Medicare benefits and curb Medicare insurance rates.

Amend Fifth Whereas Clause, page 2, line 12, by striking out “therefore be it” and inserting and

WHEREAS, Pennsylvania’s senior citizens are facing numerous challenges that could threaten their ability to receive accessible and affordable health care; and

WHEREAS, Some insurance companies that offer Medicare supplemental coverage in Pennsylvania have announced rate increases for senior citizens as high as 200% starting January 1, 2003; and

WHEREAS, Many insurance companies have already dropped Medicare supplemental coverage, leaving millions of seniors in Pennsylvania with limited or no options for costs not covered by Medicare; and

WHEREAS, The Bush administration is proposing deep reductions in Medicare reimbursements for a wide range of drugs and medical devices necessary to treat senior citizens; and

WHEREAS, Pennsylvania continues to pay for prescription coverage for many senior citizens through the Pharmaceutical Assistance Contract for the Elderly (PACE) program that could be covered by Federal dollars if the Federal Government would enact prescription coverage through Medicare; and

WHEREAS, The House of Representatives of the Commonwealth of Pennsylvania is significantly concerned about these upcoming challenges to senior health care in this Commonwealth; and

WHEREAS, The House of Representatives is troubled about the potential adverse impact of these changes on senior citizens and our health care delivery systems in urban, rural and suburban areas; therefore be it

Amend Resolution, page 2, by inserting after line 30

RESOLVED, That the General Assembly memorialize the Pennsylvania congressional delegation not to permit the substantial cuts in Medicare reimbursements to Pennsylvania’s health care providers; and be it further

RESOLVED, That the General Assembly call on the Congress to take the lead in curbing rapidly rising Medicare insurance rates for our senior citizens; and be it further

RESOLVED, That the General Assembly urge the Congress to determine a way to offer more options to supplement Medicare in rural, urban and suburban regions of this Commonwealth; and be it further

RESOLVED, That the General Assembly memorialize the Congress to add prescription drug coverage to Medicare to assist this Commonwealth in its efforts to aid seniors through its PACE program; and be it further

On the question,

Will the House agree to the amendment?

The SPEAKER. Mr. Cohen.

Mr. COHEN. Thank you.

Mr. Speaker, will the maker of the amendment explain what this amendment is doing?

The SPEAKER. Mr. Smith.

Mr. COHEN. And could we get it on the screens? It was not on the screens as of a minute ago.

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. Will the gentleman yield.

### BILL SIGNED BY SPEAKER

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

#### HB 2060, PN 4466

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for the prudent investor rule; codifying existing law setting forth the applicability of provisions relating to diversification; and making a repeal.

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

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 725** By Representative S. H. SMITH

A Concurrent Resolution memorializing the Congress of the United States to take action to increase Medicare benefits and curb Medicare insurance rates.

Referred to Committee on RULES, October 22, 2002.

The SPEAKER. The House will be at ease.

The House will come to order.

### CONSIDERATION OF HR 720 CONTINUED

The SPEAKER. The question before the House is, will the House adopt the amendment offered by the gentleman, Mr. Smith?

Members, please take your seats; members, please take your seats.

On the question of the amendment, Mr. Smith.

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

Prior to the—

The SPEAKER. Will the gentleman yield, please.

The conferences in the aisles and the back of the hall of the House, please break up. Against the wall, please break up the conversations.

Mr. Smith.

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

Mr. Speaker, prior to the pause, there were some questions raised relative to what this amendment to the resolution stated. I think it is now up on the screens, but let me just suffice it to say that in the course of the comment and debate previously, that there were some questions raised relative to senior citizen issues, and this amendment to the resolution basically tries to address some of those challenges that the senior citizens are facing that certainly threaten their ability to receive and access affordable health care and other issues involving senior citizens.

So I would ask the members to favorably consider the amendment.

Thank you, Mr. Speaker.

### PARLIAMENTARY INQUIRY

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

Mr. VITALI. Point of order, Mr. Speaker.

Is a rules suspension required for this amendment?

The SPEAKER. No. The rules were suspended prior to taking up the original concurrent resolution, and at that point it affected generally all matters, including this amendment.

Mr. VITALI. But was this amendment in existence at that time?

The SPEAKER. I do not really know, but I have made a ruling. If you are not happy with it, appeal the ruling of the Chair.

Mr. VITALI. Well, I mean, my question really is, can this—

The SPEAKER. I am not going to debate.

Mr. VITALI. It is sort of a discussion at this point, Mr. Speaker.

I mean, can you suspend rules for an amendment that is not in existence at the time of the rules suspension? I hate to set a bad precedent for this.

The SPEAKER. Mr. Vitali, an hour ago, I am saying, maybe it is a half hour, I am not sure, I had a meeting with Mr. George's staff. I went over all of this. I am sure they would be happy to share it with you or I would be happy to share it with you, but I am not going to stand here and debate everything that we do. If you are not happy, take an appeal. I am not going to debate with you.

Mr. VITALI. I think I am going to defer to your wisdom in this instance, Mr. Speaker.

The SPEAKER. That is good.

Thank you, Mr. Vitali.

Mr. George, I have you on the list for recognition. I recognize you.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, it does not matter whether you were here 28 or 29 or 30 years, you always get a surprise, and that is what it is all about, a surprise.

Now, I drafted an amendment, Mr. Speaker, because I thought that as a body we were standing here talking about matters in the original resolution that really did not put the full

grit of what our genuine concern ought to be for our senior citizens. And so my amendment, as you well know, because the amendment, Mr. Speaker, that we are going to run was drafted after my resolution or my amendment. Well, you know, that does not mean anyone cannot do that. The amazing thing, Mr. Speaker, is that I do not have the ability to get the Reference Bureau to draft them as completely under the time limitation as you, the Speaker, or you, the majority leader, would.

But nevertheless, I compliment you, Mr. Speaker, and the gentleman offering. I think you better listen to this, Mr. Speaker, because I am going to compliment you.

The SPEAKER. The House will please come to order.

Mr. GEORGE. I say today at this moment that we are all behaving like proper legislators; that we do not care whether Bush is in town or not, Republicans as well as Democrats that dare to tell the President of the United States that he is not being fair with our senior citizens. If that is what this amendment does, I congratulate these people. They just did not want me to do it because they thought I would get all the credit.

Now, credit, you cannot buy credit, and I am not going to get in a fight, because Speaker Ryan knows the old cliché just as well as I — if you get in a fight with a skunk, you will smell just as bad as he does.

So since he is allowing me this levity and since now the majority party knows you better not push that other piece of whatever it is, this will make it better and this will make some of you who were not going to vote for the first one to vote for this one because they have got to push it through. Go ahead and vote for it, because we have got them acting like responsible legislators.

Please vote "yes."

The SPEAKER. Mr. George, I did not hear the compliment. That is all right. We will waive that.

Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I really want to echo Representative George's comments and enhance his comments by saying, I thank you for your leadership; I thank Representative Smith and the majority leader for their leadership.

I raised the question of urging Congress to move expeditiously and affirmatively in dealing with this whole issue of prescription and health care. No senior should have to choose their mortgage over their medication, and I stand here this evening, on behalf of my senior residents of Guild House West, Guild House East, and all the senior residents of my district, in saying thank you to Representative Smith and all others that took the necessary time to put something forward that we can work with.

Thank you, Mr. Speaker. And I urge my colleagues to vote "yes" on the Smith amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question of the adoption of the Smith amendment, the gentleman, Mr. DeWeese.

Mr. DeWEESE. Is the gentleman, Mr. Smith, willing to stand for a momentary interrogation?

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

Mr. DeWEESE. I would query the gentleman relative to lines 21, 22, and 23, "WHEREAS, The Bush administration" — let me repeat — "The Bush administration is proposing deep

reductions in Medicare reimbursements for a wide range of drugs and medical devices necessary to treat senior citizens;...” et cetera, et cetera.

I think this is going to receive unanimous support in a few moments, but for the edification of the membership, would you please share with us one or two of these deep reductions for the record so we can be more aware of the depredations of the Bush administration, especially since the President is in town today. I think this is a poignant moment for all of us, and I laud the honorable gentleman, Mr. Smith, but we do want to know more about some of these deep reductions.

Mr. S. SMITH. Mr. Speaker, in response to that inquiry, let me just say that that segment of the resolution, of the amendment to the resolution, is basically to note that we do not agree with everything that is happening in Washington, but I think to get the specifics that the gentleman is seeking, you probably have to read between the lines a little bit. Or otherwise, I am not going to answer your question – whatever way you want it.

Mr. DeWEESE. Well, I was going to supplicate and say, help me, Sam, but I will not.

Mr. Speaker, may I offer one final word?

The SPEAKER. The gentleman is in order.

Mr. DeWEESE. Someone once said that plagiarism is among the highest forms of flattery, and, obviously, the Republican command tent made a decision to swipe Mr. George’s proposal. It is a good one, and I hope we all vote for it.

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Cohen, L. I.	Gannon	Josephs	Tangretti
Coy	Hershey	Levdansky	

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 adopt the resolution as amended?

The SPEAKER. I have before me a reconsideration motion filed by Mr. Sturla and Ms. Mundy. Do you still wish that offered or withdrawn?

Now, we have got mixed vibes. We have Ms. Mundy waiving off and Mr. Sturla saying full speed ahead. Now, we have to do it with two signatures. Does somebody want to jump off the bandwagon here? One off.

Mr. Sturla? See how bright he gets after awhile late at night? Do not argue with a woman; yes.  
The Chair thanks the gentleman.

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

The SPEAKER. Ms. Manderino.  
Ms. MANDERINO. Thank you, Mr. Speaker.

Just to call to the attention of members that we are back now to the original resolution that dealt with Section 8 housing. I wish that with all that time we took to draft a new amendment on the Medicare issue, we would have taken the same amount of time and drafted an amendment to fix the deficiencies that are in the Section 8, because I think that many of the very vibrant points that members pointed out could have been corrected and still kept with the intent of revamping Section 8.

But at least my “no” vote on HR 720 is going to stay, and I want the record to reflect that it has nothing to do with the amendment that we just added in but still has to do with my very strong reservations with some of the misconceptions and I think misdirected directions being suggested in the original



HR 720 on Section 8 and eliminating affordable housing for Pennsylvanians.

As I said in my earlier remarks, I am not opposed to revamping and there is a lot that can be revamped, but the amendment as drafted asks us to specifically ask Congress to do things that go far beyond revamping and that would essentially close down affordable housing for everyone in Pennsylvania who is not a senior citizen, and I just cannot do that.

Thank you.

The SPEAKER. The Chair thanks the lady.

Mr. Sturla.

Mr. STURLA. Mr. Speaker, I rise to oppose this resolution.

As was pointed out by the previous speaker, the essential resolution is still a poison pill. You can sugarcoat it any way that you want to with an amendment, but the fact of the matter is that the basis of this resolution would disallow those peoples with disabilities, veterans, you know, women who have been abused, numerous people from qualifying for Section 8 housing or recommend that they be disqualified from Section 8 housing.

And I, along with others, will oppose this resolution not because we disagree with the amendment that just passed – we all voted for it – but because we disagree with what the resolution itself does.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the resolution as amended?

The following roll call was recorded:

YEAS—173

Adolph	Eachus	Mackereth	Saylor
Allen	Egolf	Maher	Scavello
Argall	Evans, D.	Maitland	Schroder
Armstrong, G.	Evans, J.	Major	Schuler
Armstrong, T.	Fairchild	Mann	Scrimenti
Baker, J.	Feese	Markosek	Semmel
Baker, M.	Fichter	Marsico	Shaner
Bard	Fleagle	Mayernik	Smith, B.
Barrar	Flick	McCall	Smith, S. H.
Bastian	Forcier	McGeehan	Solobay
Belardi	Freeman	McGill	Staback
Belfanti	Gabig	McIlhattan	Stairs
Benninghoff	Geist	McIlhinney	Steelman
Birmelin	George	McNaughton	Steil
Bishop	Godshall	Metcalfe	Stern
Blaum	Gordner	Michlovic	Stevenson, R.
Boyes	Grucela	Micozzie	Stevenson, T.
Brooks	Gruitza	Miller, R.	Strittmatter
Browne	Habay	Miller, S.	Surra
Bunt	Haluska	Nailor	Taylor, E. Z.
Butkovitz	Hanna	Nickol	Taylor, J.
Caltagirone	Harhai	O'Brien	Tigue
Cappelli	Harhart	Oliver	Travaglio
Casorio	Harper	Perzel	Trello
Cawley	Hasay	Petrone	Trich
Civera	Hennessey	Phillips	Tulli
Clark	Herman	Pickett	Turzai
Clymer	Hess	Pippy	Vance
Cohen, M.	Horsey	Pistella	Veon
Colafella	Hutchinson	Raymond	Walko
Coleman	Jadlowiec	Readshaw	Wansacz
Cornell	Kaiser	Reinard	Watson
Corrigan	Keller	Rieger	Wilt
Costa	Kenney	Roberts	Wojnaroski
Creighton	Krebs	Robinson	Wright, M.
Cruz	LaGrotta	Rohrer	Yewic

Dailey	Laughlin	Rooney	Youngblood
Daley	Lawless	Ross	Yudichak
Dally	Lederer	Rubley	Zimmerman
DeLuca	Leh	Ruffing	Zug
DeWeese	Lescovitz	Sainato	
DiGirolamo	Lewis	Samuelson	
Diven	Lucyk	Santoni	Ryan,
Donatucci	Lynch	Sather	Speaker

NAYS—21

Bebko-Jones	Kirkland	Petrarca	Thomas
Buxton	Manderino	Preston	Washington
Curry	Melio	Roebuck	Waters
Dermody	Mundy	Stetler	Williams, J.
Frankel	Myers	Sturla	Wright, G.
James			

NOT VOTING—2

Pallone	Vitali
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EXCUSED—7

Cohen, L. I.	Gannon	Josephs	Tangretti
Coy	Hershey	Levdansky	

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

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

The SPEAKER. There will be no further votes.

Tomorrow is a nonvoting day. We still are going to open and close the special session in a few minutes. Other than that, there will be no votes.

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

**HB 2778, PN 4516 (Amended)** By Rep. HASAY

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, further providing for definitions, for staff and operations and for critical job training grants; providing for TAP workforce development scholarship accounts; and further providing for the expiration of the act.

COMMERCE AND ECONOMIC DEVELOPMENT.

**SB 1222, PN 2158** By Rep. HASAY

An Act amending Title 17 (Credit Unions) of the Pennsylvania Consolidated Statutes, relating to credit unions; making revisions, corrections and additions; providing for parity with Federal credit unions and for involuntary dissolution; and making editorial changes.

COMMERCE AND ECONOMIC DEVELOPMENT.

The SPEAKER. Are there any announcements?  
Any corrections to the record?

**VOTE CORRECTION**

The SPEAKER. Mr. Melio.

Mr. MELIO. Mr. Speaker, on HR 720 I wanted to vote in the affirmative and it went negative.

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

**SENATE MESSAGE**

SENATE INSISTS ON AMENDMENTS  
NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurring in by the House of Representatives to **HB 590, PN 4134**.

MOTION INSISTING UPON NONCONCURRENCE  
IN SENATE AMENDMENTS

Mr. PERZEL moved that the House insist upon its nonconcurrency in Senate amendments to HB 590, PN 4134, and that a committee of conference on the part of the House be appointed.

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

**CONFERENCE COMMITTEE APPOINTED**

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on HB 590, PN 4134: Messrs. CLYMER, M. BAKER, and Ms. JOSEPHS.  
Ordered, That the clerk inform the Senate accordingly.

Does the majority leader have any further business? Does the minority leader have any further business?

**STATEMENT BY DEMOCRATIC LEADER**

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

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

As we conclude the—

The SPEAKER. Will the gentleman yield; will the gentleman yield.

The gentleman, Mr. DeWeese, has the floor. Please, conferences, please break up.

Mr. DeWeese.

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

As we conclude the voting session in our regular session, I just want to take 2 minutes and remind the membership to be as aggressive as possible, those of us on both sides of the aisle, relative to a “yes” vote – a “yes” vote – on the Pennsylvania emergency services question that will appear on the ballot.

Ninety percent of our firefighters are volunteers. When Mr. Perzel and I first came to this chamber, there were 300,000 volunteers fighting fires and running ambulances. There are only 70,000 of those folks doing it today.

Sixty percent of the time that my men and women in Greene County and Fayette County and Washington County are out and about trying to do their job, they are raising money, and they should be training. We have a chance on a ballot question, and it should be favorably received by our constituents, but every time we get a chance to proselytize on behalf of a “yes” vote for that bond issue, that \$100-million bond issue, we should do it over the next couple of weeks.

So politely, respectfully, I would ask the members to urge their constituents to vote “yes” – to vote “yes” – on the \$100-million bond issue for our volunteer firefighters and ambulance personnel.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman and agrees with him.

**STATEMENT BY MAJORITY LEADER**

Mr. PERZEL. Mr. Speaker?

The SPEAKER. Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

As the minority leader just said, this is a very important issue that is going to be on the ballot on November 5, just 13 days from now.

In this General Assembly we have provided grants of \$25 million to those 70,000 volunteer firemen all over the Commonwealth of Pennsylvania, and this General Assembly was the biggest advocate for putting this issue on the ballot to try to get an additional \$100 million for our volunteer firemen all over Pennsylvania.

So I would urge the people of Pennsylvania to please vote “yes” on this issue so that we can help them fight the fires in our community and be the volunteer organizations that they are.

So thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman, Mr. Perzel, and agrees with him, too.

**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?

Any reports of committees? Any announcements from any of the members or committee chairmen?

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

Mr. CAPPELLI. Mr. Speaker, I move that this House do now adjourn until Wednesday, October 23, 2002, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:50 p.m., e.d.t., the House adjourned.