

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, NOVEMBER 18, 2002

SESSION OF 2002

186TH OF THE GENERAL ASSEMBLY

No. 74

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

PRAYER

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

Let us pray:

Eternal God, hope of every human soul, strengthen us to be about Your business this day and every day. Take us to that rock which is beyond the reach of our enemies. Be, O God, our high tower that we might be free from the distractions that are unworthy of whom You created us to be.

Sweep clean our vision, O Sovereign Guide, that we might clearly distinguish the truth from the untruth, the high from the low, the clean from the unclean, and the enduring from the transient. May we, through Your guidance, be able to set aside our confusion and bewilderment and find the path where Your word is a lamp unto our feet. We ask that Your light would truly guide our motivations so that our feet would not become entangled in the snares along the pathway of our selfish whims.

Increase our faith that lies dormant in our hearts. Many times darkness creeps in because the events of our lives are so overpowering and imprisoning. The weight and burden of our existence becomes nearly too much to bear. We cannot understand why death visits when it does, why hardship continually comes to the same life, why Your children mock and destroy all that is good, why we are torn inwardly by hatreds, fears, and anxieties. As the question "Why?" keeps ringing in our ears, keep us from striking out at someone or running away. Help us to remain focused on the things that You are calling each of us to do, things that will bring good out of bad, as well as completion to ideas that we have been working on for years that may someday bring great and meaningful change to people clamoring for attention. Lead us to that higher place beyond our ability to reach but within Your love to give.

Teach us the beauty of surrendering so that we can stop our petty feverish ways, our rebellion against You, and place ourselves within the power of Your truth. Accept this offering of our prayer. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Thursday, November 14, 2002, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2979 By Representatives LYNCH, CAPPELLI, DALEY, DeLUCA, HARHAI, HENNESSEY, SAINATO, STABACK, THOMAS, TIGUE and YOUNGBLOOD

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for unfair acts.

Referred to Committee on CONSUMER AFFAIRS, November 18, 2002.

No. 2980 By Representatives McNAUGHTON, DeLUCA, CAPPELLI, L. I. COHEN, CREIGHTON, GEIST, HALUSKA, HARHAI, HESS, HUTCHINSON, KELLER, LAUGHLIN, R. MILLER, SATHER, SCAVELLO, SHANER, STABACK, STEELMAN, R. STEVENSON, SURRA, WILT and G. WRIGHT

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, providing for time for filing claim for tenant's exemption.

Referred to Committee on CONSUMER AFFAIRS, November 18, 2002.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 286**, **PN 4567**; and **HB 592**, **PN 4353**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**COMMUNICATION FROM
PENNSYLVANIA INTERGOVERNMENTAL
COOPERATION AUTHORITY**

The SPEAKER pro tempore. The Chair acknowledges receipt of the annual report for fiscal year 2002 submitted by the Pennsylvania Intergovernmental Cooperation Authority pursuant to Act No. 6 of 1991.

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

**COMMUNICATION FROM
PUBLIC EMPLOYEE RETIREMENT
COMMISSION**

The SPEAKER pro tempore. The Chair acknowledges receipt of the status of Act 205, the Supplemental State Assistance Account.

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

**COMMUNICATION FROM
LEGISLATIVE BUDGET AND FINANCE
COMMITTEE**

The SPEAKER pro tempore. The Chair acknowledges receipt of the 2002 Review of PIAA Finances and Management submitted by the Legislative Budget and Finance Committee.

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

BILLS REMOVED FROM TABLE

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

Mr. PERZEL. Madam Speaker, I move that the following bills be taken off the table:

HB 208;
HB 1477; and
HB 1750.

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

BILLS TABLED

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

Mr. PERZEL. Madam Speaker, I move that the following bills be placed on the table:

HB 208;
HB 1477; and
HB 1750.

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

BILLS REMOVED FROM TABLE

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

Mr. PERZEL. Madam Speaker, I move that the following bills be taken off the table:

HB 2882, PN 4383;
SB 1242, PN 2360; and
SB 1439, PN 2359.

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 2882, PN 4383; SB 1242, PN 2360; and SB 1439, PN 2359.

BILLS RECOMMITTED

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

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

HB 2882;
SB 1242; and
SB 1439.

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

ACTUARIAL NOTE

The SPEAKER pro tempore. The Chair acknowledges receipt of the actuarial note for HB 2655, PN 4563.

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

LEAVES OF ABSENCE

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

The Chair recognizes the majority whip, who requests leaves of absence for the lady, Mrs. BROOKS, from Montgomery County, for the week; the gentleman, Mr. Tom ARMSTRONG; the gentleman, Mr. ZIMMERMAN, both of Lancaster County, for the day. Without objection, the leaves are granted.

The Chair recognizes the minority whip, who moves that the gentleman from Beaver County, Mr. COLAFELLA, and the gentleman from Washington County, Mr. TRICH, be placed on leave for the day. Without objection, the leaves are granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—198

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

ADDITIONS—0**NOT VOTING—0****EXCUSED—5**

Armstrong, T.	Colafella	Trich	Zimmerman
Brooks			

LEAVES ADDED—4

Kenney	Lawless	Michlovic	Tulli
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LEAVES CANCELED—1

Michlovic

JEDD M. GRESHOCK PRESENTED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Schuylkill County, Mr. Lucyk, for a citation presentation.

Would members please take their seats. Could we have some order, please. The gentleman deserves our attention. Sergeants at Arms, clear the back of the hall behind the railing, please. Would members please take their seats.

The gentleman, Mr. Lucyk, may proceed.

Mr. LUCYK. Thank you, Madam Speaker.

Ladies and gentlemen of the House, today it is my honor and pleasure to introduce a young man from my district, from Shenandoah, Pennsylvania, Mr. Jedd M. Greshock, and we are honoring Jedd today for his stellar performance at the 2002 Junior World Archery Championships in Nymburk, Czech Republic. Jedd is a junior at Shenandoah Valley High School, and he was a member of the team which won a gold medal in the male cadet compound division. The team set a new world record of 4,151 points. Jedd has been ranked second nationally for 2002 by the National Archery Association.

Jedd is joined this morning by his parents, John and Marybeth Greshock, seated to my left.

Ladies and gentlemen, I would wish you honor Jedd M. Greshock.

ANNOUNCEMENT BY MR. CORRIGAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Corrigan, for the purpose of an announcement.

Mr. CORRIGAN. Thank you, Madam Speaker.

I would like to announce a meeting. At 9:30 tomorrow morning the Irish caucus will meet in the majority caucus room. Would everyone please make an attempt to attend. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

COMMERCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING

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

Mr. HASAY. Thank you, Madam Speaker.

Madam Speaker, there will be a meeting of the House Commerce and Economic Development Committee at today's break. It will be in the Speaker Ryan Building in room 205; the House Commerce and Economic Development Committee. It will be a voting meeting.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Again, a Commerce and Economic Development meeting at the break in the Ryan Building, room 205.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Miss MANN called up **HR 731, PN 4594**, entitled:

A Resolution declaring December 2 through 6, 2002, as “Dream Come True Week” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Armstrong, T. Colafella Trich Zimmerman
Brooks

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

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Mr. McGILL called up **HR 732, PN 4595**, entitled:

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

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

Egolf Evans, D.	Mackereth Maher	Santoni Sather	Ryan, Speaker
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NAYS—0

NOT VOTING—0

EXCUSED—5

Armstrong, T. Brooks	Colafella	Trich	Zimmerman
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. KENNEY called up **HR 734, PN 4597**, entitled:

A Resolution urging citizens to commit to blood glucose testing for diabetes.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

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

Dally	Lawless	Roebuck	Wojnaroski
DeLuca	Lederer	Rohrer	Wright, G.
Dermody	Leh	Rooney	Wright, M.
DeWeese	Lescovitz	Ross	Yewcic
DiGirolamo	Levdansky	Rubley	Youngblood
Diven	Lewis	Ruffing	Yudichak
Donatucci	Lucyk	Sainato	Zug
Eachus	Lynch	Samuelson	
Egolf	Mackereth	Santoni	Ryan,
Evans, D.	Maher	Sather	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Armstrong, T. Brooks	Colafella	Trich	Zimmerman
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House, as the guests of Representatives Mario Scavello, Jerry Birmelin, and Kelly Lewis, 96 students of the seventh and eighth grade classes of the Monsignor McHugh School in Cresco, Pennsylvania. Their teachers, Mrs. Sue Ryan and Mrs. Terri Hensel, and several parents are escorting the children today. They are seated in the balcony. Would they please rise.

MEMBERS-ELECT INTRODUCED

The SPEAKER pro tempore. The Chair recognizes the gentlelady from Chester County, Mrs. Taylor, for the purposes of introductions.

Mrs. TAYLOR. Thank you, Madam Speaker.

It is my privilege today to introduce to the House our visitors and newly elected members of the Republican Caucus.

As I read your name, would you please rise. They are seated over here to my left. Roy Baldwin from the 97th District, Lancaster County; Scott Boyd of the 43d District of Lancaster County; Martin T. Causer, the 67th District, McKean County – 25 years old, not bad; Jacquie Crahall, 150th District, Montgomery County; Keith Gillespie, 47th District, York County; Mauree Gingrich, 101, Lebanon County; Adam Harris, 82d District, Juniata County; David Hickernell, 98th District, Lancaster County; Bernie O'Neill, the 29th District, Bucks County; John Payne, 106th District, Dauphin County; Scott Petri, 178th District, Bucks County; David Reed, 62d District, Indiana County; Douglas Reichley, 134th District, Lehigh County; Katie True, 41st District, Lancaster County – welcome back, Katie; Melissa Weber, 148th District, Montgomery County.

We welcome them today, all 15 of them, as our guests, and the next time their names are read in this great chamber, they will be seated among us. Congratulations.

The SPEAKER pro tempore. The Chair thanks the lady.

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House, serving as a guest page of Representative Stan Saylor from York County, Kelsey Andrews. Kelsey is in 10th grade at Governor Mifflin High School. Would the lady please rise.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the caucus chairman, Mr. Feese, from Lycoming County, for the purpose of an announcement.

Mr. FEESE. Thank you, Madam Speaker.

Madam Speaker, the House Republicans will caucus immediately upon the call of the recess, and we will be able to return at 2:45.

The SPEAKER pro tempore. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mark Cohen, for the purpose of an announcement.

Mr. COHEN. Thank you.

Madam Speaker, we will caucus immediately upon recess. 2:45, though, just seems to me somewhat ambitious to be finished by then though.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. ARGALL. Thank you, Madam Speaker.

The House Appropriations Committee will be prepared to meet at 2 o'clock – 2 o'clock, that is 15 minutes from now – and that is in room 245.

The SPEAKER pro tempore. The House Appropriations Committee will meet at 2 o'clock in room 245.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House Mrs. Hariteeny Fritz and her grandson, Ryan, who are the guests of Representative John Gordner. They are located and seated in the balcony. Would they please rise.

COMMERCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING

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

Mr. HASAY. Madam Speaker, to clarify an announcement that was made.

The meeting of the House Commerce and Economic Development Committee will meet at this break, Madam Speaker, this break, immediately. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The House Commerce and Economic Development Committee will meet at this break, immediately.

JUDICIARY COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware County, Mr. Gannon, for the purpose of an announcement.

Mr. GANNON. Thank you, Madam Speaker.

Madam Speaker, immediately upon the declaration of the recess, there will be a meeting of the Judiciary Committee in the rear of the hall of the House. Thank you.

The SPEAKER pro tempore. Immediately upon recess the Judiciary Committee will meet at the rear of the hall of the House.

RECESS

The SPEAKER pro tempore. Are there any further announcements?

We will now stand in recess until 3:30.

RECESS EXTENDED

The time of recess was extended until 4 p.m.

AFTER RECESS

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

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

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Veon, who requests that the gentleman, Mr. MICHLOVIC, be placed on leave for the balance of today's session. Without objection, leave shall be granted. The Chair hears no objection.

ACTUARIAL NOTES

The SPEAKER. The Chair acknowledges receipt of an actuarial note on amendment 5457 to HB 2655, PN 4563, and amendment 5381 to HB 2655, PN 4563.

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

BILLS REREPORTED FROM COMMITTEE

HB 1682, PN 4290

By Rep. ARGALL

An Act amending the act of May 18, 1937 (P.L.665, No.176), known as the Industrial Homework Law, further providing for legislative purpose, for definitions, for prohibited homework, for power to prohibit, for employers' permit, for injunction against continued

violations, for fees, for homemaker's certificate, for records, for conditions of manufacture, for labels, for duty to inspect and report and for violations and penalties.

APPROPRIATIONS.

HB 2411, PN 4509 By Rep. ARGALL

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

APPROPRIATIONS.

HB 2450, PN 3527 By Rep. ARGALL

An Act providing a bonus to Pennsylvanians who are United States Merchant Marine veterans who served during World War II; imposing certain duties on the Adjutant General; providing penalties; and making an appropriation.

APPROPRIATIONS.

HB 2614, PN 4364 By Rep. ARGALL

An Act prohibiting certain facsimiles, commercial electronic transmissions and the use of text, graphic or image messaging systems of wireless telephone systems to transmit unsolicited commercial messages; imposing penalties; authorizing the blocking of commercial electronic mail by interactive computer service; and providing for the powers of the Attorney General.

APPROPRIATIONS.

HB 2816, PN 4514 By Rep. ARGALL

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.

APPROPRIATIONS.

HB 2876, PN 4358 By Rep. ARGALL

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Warren County Conservation District certain lands situate in the Township of Glade, Warren County, Pennsylvania.

APPROPRIATIONS.

HB 2889, PN 4505 By Rep. ARGALL

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.

APPROPRIATIONS.

HB 2898, PN 4419 By Rep. ARGALL

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

APPROPRIATIONS.

HB 2910, PN 4461 By Rep. ARGALL

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Leon Dwinga and Patricia Dwinga, his wife, certain land situate in the Township of Collier, Allegheny County.

APPROPRIATIONS.

HB 2923, PN 4588 By Rep. ARGALL

An Act authorizing the Department of General Services, with the approval of the Department of Public Welfare and the Governor, to grant and convey to the Society for the Prevention of Cruelty to Animals of Chester County, Inc., certain land situate in West Bradford Township, Chester County.

APPROPRIATIONS.

HB 2924, PN 4486 By Rep. ARGALL

An Act amending the act of December 11, 1986 (P.L.1508, No.163), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor, to convey to Emsworth Borough 7.5 acres of land, more or less, situate in Kilbuck Township, Allegheny County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Agriculture, to convey to the County of Chester 230.693 acres of land, more or less, situate in Newlin and West Bradford Townships, Chester County, Pennsylvania; authorizing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to convey to North Penn Comprehensive Health Services 8.7 acres of land, more or less, situate in the Borough of Blossburg, Tioga County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to convey to Gilbert Collussy, Lena M. Collussy, James T. Dresher and Virginia M. Dresher, a tract of land situate in North Shenango Township, Crawford County, Pennsylvania, in exchange for a tract of land in the same township, and for other consideration; and authorizing and directing the Department of General Services, with the approval of the Governor and the Departments of Environmental Resources and Transportation, to convey to the Mid-State Regional Airport Authority a tract of land situate in Rush Township, Centre County, Pennsylvania," further providing for deed of conveyance; and providing for conveyance in West Bradford Township, Chester County, Pennsylvania.

APPROPRIATIONS.

HB 2962, PN 4565 By Rep. ARGALL

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for official records of coroner.

APPROPRIATIONS.

HB 2963, PN 4553 By Rep. ARGALL

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey certain lands situate in Latrobe Borough, Westmoreland County, to the Borough of Latrobe; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey, at a price determined through competitive bidding, certain lands situate in Scottdale Borough,

Westmoreland County; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey certain lands situate in Blairsville Borough, Indiana County, to the Borough of Blairsville; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey certain lands situate in Kutztown Borough, Berks County, to the Borough of Kutztown; and authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey a certain tract of land situate in the Borough of Media, Delaware County, to the Borough of Media; and making a repeal.

APPROPRIATIONS.

SB 253, PN 2380 (Amended) By Rep. ARGALL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for international commercial arbitration.

APPROPRIATIONS.

SB 1419, PN 2295 By Rep. ARGALL

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

APPROPRIATIONS.

SB 1461, PN 2277 By Rep. ARGALL

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey certain tracts of land situate in Haverford Township, Delaware County.

APPROPRIATIONS.

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

HB 2603, PN 3767 By Rep. HASAY

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, further providing for waiver by contractor.

COMMERCE AND ECONOMIC DEVELOPMENT.

SB 14, PN 2379 (Amended) By Rep. HASAY

An Act relating to the satisfaction of residential and other mortgages; providing for certain forms; and making repeals.

COMMERCE AND ECONOMIC DEVELOPMENT.

SB 1258, PN 2053 By Rep. HASAY

An Act amending the act of May 15, 1933 (P.L.565, No.111), known as the Department of Banking Code, making extensive changes to modernize and update the law in the general areas of preliminary provisions; jurisdiction and maintenance of the Department of

Banking; restrictions upon department and employees; examinations by and reports to the department; action by department after offenses by, or changes in, condition of institutions; taking of possession by the Secretary of Banking as receiver and surrender of possession; rights, powers and duties of secretary as receiver; secretary in possession of trust department; proof of claims, accounting and distribution; and special criminal history record information provisions.

COMMERCE AND ECONOMIC DEVELOPMENT.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader, who calls an immediate meeting of the Rules Committee.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 286, PN 4567 By Rep. PERZEL

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, providing for functions of the Commissioner of Professional and Occupational Affairs; and further providing for anesthesia.

RULES.

SUPPLEMENTAL CALENDAR B

The SPEAKER. The Chair intends to call up now SB 1419.

The following members— Those who are in their offices, I would appreciate if they would listen. The following members are listed for amendments: Haluska, Hanna, Solobay, Casorio, George, and Petrarca.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1419, PN 2295**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. **HANNA** offered the following amendment No. **A5370**:

Amend Title, page 1, line 2, by inserting after "providing"
for impoundment for nonpayment of fines of
certain vehicles, for suspension of registration
relating to impoundment,

Amend Sec. 1, page 1, line 11, by inserting after "SECTIONS"
1373(b),

Amend Sec. 1, page 1, by inserting between lines 13 and 14
§ 1373. Suspension of registration.

(b) Suspension without hearing.—The department may suspend any registration without providing an opportunity for a hearing in any of the following cases:

- (1) Upon the request or order of any court of record.
- (2) The required fees have not been paid.

(3) The vehicle is being operated under a United States Department of Transportation operating authority if an out-of-service order has been issued for the vehicle, the owner or the operator by the department or by the United States Department of Transportation.

(4) Upon the order of any district justice under section 6309 (relating to impoundment for nonpayment of fines; vehicles or combinations with a gross vehicle weight rating of 17,001 pounds or more).

Amend Bill, page 4, by inserting between lines 27 and 28

Section 2. Section 6309(a) of Title 75, amended October 4, 2002 (P.L.845, No.123), is amended to read:

§ 6309. Impoundment for nonpayment of fines; vehicles or combinations with a gross vehicle weight rating of 17,001 pounds or more.

(a) General rule.—Upon imposition of a fine in excess of \$250 imposed pursuant to section 1301 (relating to registration and certificate of title required), 1371 (relating to operation following suspension of registration), 4107(b) (relating to unlawful activities) or Chapter 49 (relating to size, weight and load), the [defendant shall be allowed 24 hours either to obtain the funds and pay the fine and costs of prosecution or to make arrangements with the issuing authority to pay in installments as provided by the Pennsylvania Rules of Criminal Procedure, during which time the defendant’s vehicle or combination shall be rendered temporarily inoperable by such police officer, sheriff or constable as the issuing authority shall designate. If the defendant neither makes payment nor makes arrangements for payment within the 24-hour period or defaults on such payment, the issuing authority may issue an impoundment order and direct enforcement of the order by a police officer, constable or an impoundment official as authorized by the issuing authority. In cities of the first class, the issuing authority shall direct enforcement of the impoundment order by the Philadelphia Parking Authority.] law enforcement officer who issued the citation shall immediately impound the defendant’s vehicle or combination and store it until the fine and costs of prosecution are paid or the citation is otherwise disposed of in accordance with law.

* * *

Amend Sec. 2, page 4, line 28, by striking out “2” and inserting 3

Amend Sec. 3, page 5, line 27, by striking out “3” and inserting 4

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

The following roll call was recorded:

YEAS—179

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

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

NAYS—18

Bastian	Gruitza	Nailor	Stern
Cohen, L. I.	Mackereth	Nickol	Vance
Egolf	McGill	Ross	Watson
Fleagle	Metcalfe	Steil	Yewcic
Gabig	Miller, R.		

NOT VOTING—0

EXCUSED—6

Armstrong, T.	Colafella	Trich	Zimmerman
Brooks	Michlovic		

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. HALUSKA offered the following amendment No. **A5364**:

Amend Title, page 1, line 2, by inserting after “Statutes,” providing for coal heritage commemorative registration plates; and

Amend Bill, page 1, lines 11 through 13, by striking out all of said lines and inserting

Section 1. Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 1361. Coal heritage commemorative registration plate.

(a) Plate.—The department, in consultation with the Pennsylvania Historical and Museum Commission, shall design a coal heritage commemorative registration plate. Upon application of any person, accompanied by a fee of \$35 which shall be in addition to the annual registration fee, the department shall issue the plate for a passenger car.

motor home, trailer or truck with a registered gross weight of not more than 9,000 pounds.

(b) Use of fee.—Of each fee paid under subsection (a), \$15 shall be deposited into the Coal Heritage Account, which is established as a special account in the Historical Preservation Fund of the Pennsylvania Historical and Museum Commission for nonprofit and government-owned coal mining sites and museums and their affiliate tunnels. The commission shall administer the account as follows:

(1) To promote coal heritage.

(2) To preserve, maintain and operate nonprofit and government-owned coal mining sites and museums and their affiliate tunnels.

(3) After making a determination that there has been compliance with paragraph (1) for a fiscal year, to contribute to the fund.

Section 2. Sections 1608, 1610(c) and (e), 4979.2 and 6101 of Title 75 are amended to read:

Amend Sec. 2, page 4, line 28, by striking out “2” and inserting 3

Amend Sec. 3, page 5, line 27, by striking out “3” and inserting 4

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

The following roll call was recorded:

YEAS—192

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

Donatucci	Lucyk	Samuelson	Zug
Eachus	Lynch	Santoni	
Egolf	Mackereth	Sather	
Evans, D.	Maher	Saylor	Ryan,
Evans, J.	Maitland		Speaker

NAYS—5

Cohen, L. I.	Lewis	Nickol	Vance
Creighton			

NOT VOTING—0

EXCUSED—6

Armstrong, T.	Colafella	Trich	Zimmerman
Brooks	Michlovic		

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

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

Mr. SOLOBAY offered the following amendment No. **A5374:**

Amend Title, page 1, line 3, by inserting after “LICENSES,” for accidents involving damage to unattended vehicle or property,

Amend Sec. 1, page 1, line 11, by inserting after “(E),” 3745(b),

Amend Sec. 1, page 3, by inserting between lines 12 and 13 § 3745. Accidents involving damage to unattended vehicle or property.
* * *

(b) Penalty.—[A violation of this section is a summary offense, punishable by a fine of \$300 or imprisonment for not more than 90 days, or both.] Any person violating this section commits a misdemeanor of the third degree, punishable by a fine of \$2,500 or imprisonment for not more than one year, or both.

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

The following roll call was recorded:

YEAS—169

Adolph	Eachus	Levdansky	Scavello
Allen	Egolf	Lucyk	Schroder
Argall	Evans, D.	Lynch	Scrimenti
Armstrong, G.	Evans, J.	Maher	Semmel
Baker, J.	Fairchild	Manderino	Shaner
Baker, M.	Feese	Mann	Smith, B.
Bard	Fichter	Markosek	Smith, S. H.
Barrar	Fleagle	Marsico	Solobay
Bebko-Jones	Flick	Mayernik	Staback
Belardi	Forcier	McCall	Stairs
Belfanti	Frankel	McGeehan	Steelman
Benninghoff	Freeman	McIlhattan	Stetler
Bishop	Gannon	McIlhinney	Stevenson, T.
Blaum	Geist	McNaughton	Strittmatter
Boyes	George	Melio	Sturla
Browne	Gordner	Micozzie	Surra
Bunt	Grucela	Miller, S.	Tangretti
Butkovitz	Habay	Mundy	Taylor, J.

Buxton	Haluska	Myers	Thomas
Caltagirone	Hanna	O'Brien	Tigue
Casorio	Harhai	Oliver	Travaglio
Cawley	Harhart	Pallone	Trello
Civera	Hasay	Perzel	Tulli
Clark	Hennessey	Petrarca	Turzai
Clymer	Herman	Petrone	Veon
Cohen, L. I.	Hershey	Phillips	Vitali
Cohen, M.	Hess	Pippy	Walko
Coleman	Horsey	Pistella	Wansacz
Corrigan	Hutchinson	Preston	Washington
Costa	Jadlowiec	Raymond	Waters
Coy	James	Readshaw	Watson
Creighton	Josephs	Reinard	Williams, J.
Cruz	Kaiser	Rieger	Wilt
Curry	Keller	Roberts	Wojnaroski
Dailey	Kenney	Robinson	Wright, G.
Daley	Kirkland	Roebuck	Wright, M.
Dally	Krebs	Rohrer	Youngblood
DeLuca	LaGrotta	Rooney	Yudichak
Dermody	Laughlin	Ruffing	Zug
DeWeese	Lawless	Sainato	
DiGirolamo	Lederer	Samuelson	
Diven	Leh	Santoni	Ryan,
Donatucci	Lescovitz	Saylor	Speaker

NAYS—28

Bastian	Harper	Miller, R.	Schuler
Birmelin	Lewis	Nailor	Steil
Cappelli	Mackereth	Nickol	Stern
Cornell	Maitland	Pickett	Stevenson, R.
Gabig	Major	Ross	Taylor, E. Z.
Godshall	McGill	Rubley	Vance
Gruitza	Metcalfe	Sather	Yewcic

NOT VOTING—0

EXCUSED—6

Armstrong, T.	Colafella	Trich	Zimmerman
Brooks	Michlovic		

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

On the question recurring,

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

Mr. SOLOBAY offered the following amendment No. A5376:

Amend Title, page 1, line 3, by removing the comma after "LICENSES" and inserting

; prohibiting avoidance of traffic signal or sign or intersection; further providing

Amend Title, page 1, line 6, by removing the period after "TAX" and inserting

; and providing for a penalty.

Amend Sec. 1, page 1, line 11, by striking out "1608, 1610(C) AND (E), 4979.2 AND 6101" and inserting 1608 and 1610(c) and (e)

Amend Bill, page 3, by inserting between lines 12 and 13

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

§ 3710.1. Prohibiting avoidance of traffic signal or sign or an intersection.

(a) Offense defined.—No person shall drive upon or across a sidewalk, driveway, parking lot or other public or private property, or otherwise drive off a roadway, in order to avoid a traffic signal or sign or an intersection.

(b) Penalty.—A person who violates subsection (a) commits a summary offense and shall, upon conviction, be subject to a fine of \$100.

Section 3. Sections 4979.2 and 6101 of Title 75 are amended to read:

Amend Sec. 2, page 4, line 28, by striking out "2" and inserting 4

Amend Sec. 3, page 5, line 27, by striking out "3" and inserting 5

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

The following roll call was recorded:

YEAS—162

Adolph	Evans, D.	Mann	Scrimenti
Allen	Evans, J.	Markosek	Semmel
Argall	Fairchild	Marsico	Shaner
Armstrong, G.	Fichter	Mayernik	Smith, B.
Baker, J.	Flick	McCall	Solobay
Baker, M.	Frankel	McGeehan	Staback
Bard	Freeman	McIlhattan	Stairs
Barrar	Gabig	McIlhinney	Steelman
Bebko-Jones	Gannon	Melio	Steil
Belardi	George	Micozzie	Stetler
Belfanti	Gordner	Miller, R.	Stevenson, T.
Bishop	Grucela	Miller, S.	Strittmatter
Blaum	Haluska	Mundy	Sturla
Boyes	Hanna	Myers	Surra
Browne	Harhai	Nailor	Tangretti
Bunt	Harhart	O'Brien	Taylor, E. Z.
Butkovitz	Harper	Oliver	Taylor, J.
Buxton	Hasay	Pallone	Thomas
Caltagirone	Hennessey	Perzel	Tigue
Casorio	Herman	Petrarca	Travaglio
Cawley	Hershey	Petrone	Trello
Civera	Horsey	Phillips	Tulli
Clark	Hutchinson	Pippy	Turzai
Clymer	Jadlowiec	Pistella	Veon
Cohen, L. I.	James	Preston	Vitali
Cohen, M.	Josephs	Raymond	Walko
Corrigan	Kaiser	Readshaw	Wansacz
Costa	Keller	Reinard	Washington
Coy	Kenney	Rieger	Waters
Cruz	Kirkland	Roberts	Watson
Curry	Krebs	Robinson	Williams, J.
Dailey	LaGrotta	Roebuck	Wilt
Daley	Laughlin	Rooney	Wojnaroski
Dally	Lawless	Ruffing	Wright, G.
DeLuca	Lederer	Sainato	Wright, M.
Dermody	Lescovitz	Samuelson	Youngblood
DeWeese	Levdansky	Santoni	Yudichak
DiGirolamo	Lucyk	Saylor	Zug
Diven	Lynch	Scavello	
Donatucci	Mackereth	Schroder	Ryan,
Eachus	Manderino	Schuler	Speaker

NAYS—35

Bastian	Fleagle	Maher	Ross
Benninghoff	Forcier	Maitland	Rubley
Birmelin	Geist	Major	Sather
Cappelli	Godshall	McGill	Smith, S. H.
Coleman	Gruitza	McNaughton	Stern
Cornell	Habay	Metcalfe	Stevenson, R.
Creighton	Hess	Nickol	Vance

Egolf Feese	Leh Lewis	Pickett Rohrer	Yewcic
NOT VOTING—0			
EXCUSED—6			
Armstrong, T. Brooks	Colafella Michlovic	Trich	Zimmerman

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

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

Mr. **CASORIO** offered the following amendment No. **A5418**:

Amend Title, page 1, line 3, by inserting after "LICENSES,"
for visual and audible signals on emergency vehicles,

Amend Sec. 1, page 1, line 11, by inserting after "(E),"
4571(d),

Amend Sec. 1, page 3, by inserting between lines 12 and 13
§ 4571. Visual and audible signals on emergency vehicles.

(d) Vehicles prohibited from using signals.—
(1) Except as otherwise specifically provided in this section[, no]:

(i) No vehicle other than an emergency vehicle may be equipped with revolving or flashing lights or audible warning systems identical or similar to those specified in subsections (a) and (b).

(ii) No vehicle other than an emergency vehicle may be equipped with any side mounted spotlight, floodlight, alley light or any other such light.

(2) A person who equips or uses a vehicle with visual or audible warning systems in violation of this section commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$500 nor more than \$1,000.

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

The following roll call was recorded:

YEAS—194

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

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

NAYS—3

Birmelin	Metcalfe	Surra
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NOT VOTING—0

EXCUSED—6

Armstrong, T. Brooks	Colafella Michlovic	Trich	Zimmerman
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

Mr. **PETRARCA** offered the following amendment No. **A5458**:

Amend Title, page 1, line 3, by removing the comma after "LICENSES" and inserting

; prohibiting use of mobile phones under certain circumstances; and further providing

Amend Sec. 1, page 1, line 11, by striking out "1610(C) AND (E), 4979.2 AND 6101" and inserting
and 1610(c) and (e)

Amend Bill, page 3, by inserting between lines 12 and 13
Section 2. Title 75 is amended by adding a section to read:

§ 3315. Prohibiting use of mobile phones.

(a) Drivers subject to restriction.—No person shall drive a school bus on a highway of this Commonwealth, which shall include Federal, State and municipal highways while using a mobile phone.

(b) Exceptions.—This section shall not apply to:

(1) persons who use a mobile phone for the sole purpose of reporting an accident or emergency; or

(2) persons who use a mobile phone provided by a private school bus contractor or a school district and for official purposes.

(c) Penalty.—A person who violates subsection (a) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100.

(d) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

“Mobile hands-free phone.” Any telecommunications device that receives an analog signal or digital signal, or both, and is designed for use without being held by a person’s hand while speaking into the device.

“Mobile phone.” Any telecommunications device that receives an analog signal or digital signal, or both, and that is designed for handheld use. The term includes a mobile hands-free phone.

Section 3. Sections 4979.2 and 6101 of Title 75 are amended to read:

Amend Sec. 2, page 4, line 28, by striking out “2” and inserting
4

Amend Sec. 3, page 5, line 27, by striking out “3” and inserting
5

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

The following roll call was recorded:

YEAS—145

Adolph	Eachus	Mayernik	Smith, B.
Allen	Evans, D.	McCall	Solobay
Argall	Evans, J.	McGeehan	Staback
Armstrong, G.	Fichter	McIlhinney	Stairs
Baker, J.	Flick	McNaughton	Steelman
Bard	Frankel	Melio	Steil
Bebko-Jones	Freeman	Micozzie	Stetler
Belardi	Gannon	Miller, R.	Strittmatter
Belfanti	George	Miller, S.	Sturla
Benninghoff	Gordner	Mundy	Surra
Bishop	Grucela	Myers	Tangretti
Blaum	Gruitza	Nailor	Taylor, J.
Boyes	Haluska	O’Brien	Thomas
Browne	Hanna	Oliver	Tigue
Butkovitz	Harhai	Pallone	Travaglio
Buxton	Harhart	Perzel	Trello
Caltagirone	Hennessey	Petrarca	Tulli
Casorio	Hershey	Petrone	Veon
Cawley	Horsey	Pistella	Vitali
Civera	Jadlowiec	Preston	Walko
Clymer	James	Raymond	Wansacz
Cohen, M.	Josephs	Readshaw	Washington
Cornell	Kaiser	Reinard	Waters
Corrigan	Keller	Rieger	Watson
Costa	Kirkland	Roberts	Williams, J.
Coy	Krebs	Robinson	Wilt
Cruz	LaGrotta	Roebuck	Wojnaroski
Curry	Laughlin	Rooney	Wright, G.
Dailey	Lawless	Ruffing	Wright, M.
Daley	Lederer	Sainato	Yewcic
Dally	Lescovitz	Samuelson	Youngblood
DeLuca	Levdansky	Santoni	Yudichak
Dermody	Lucyk	Saylor	Zug
DeWeese	Lynch	Schroder	
DiGirolamo	Manderino	Scrimenti	
Diven	Mann	Semmel	Ryan,
Donatucci	Markosek	Shaner	Speaker

NAYS—52

Baker, M.	Fleagle	Lewis	Rohrer
Barrar	Forcier	Mackereth	Ross
Bastian	Gabig	Maher	Rubley
Birmelin	Geist	Maitland	Sather
Bunt	Godshall	Major	Scavello
Cappelli	Habay	Marsico	Schuler
Clark	Harper	McGill	Smith, S. H.
Cohen, L. I.	Hasay	McIlhattan	Stern
Coleman	Herman	Metcalfe	Stevenson, R.
Creighton	Hess	Nickol	Stevenson, T.
Egolf	Hutchinson	Phillips	Taylor, E. Z.
Fairchild	Kenney	Pickett	Turzai
Feese	Leh	Pippy	Vance

NOT VOTING—0

EXCUSED—6

Armstrong, T.	Colafella	Trich	Zimmerman
Brooks	Michlovic		

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

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

Mr. **PETRARCA** offered the following amendment No. **A5460**:

Amend Title, page 1, line 2, by inserting after “FOR”
person with disability plate and placard, for
Amend Sec. 1, page 1, line 11, by inserting after “SECTIONS”
1338(c),

Amend Sec. 1, page 1, by inserting between lines 13 and 14
§ 1338. Person with disability plate and placard.

* * *

(c) Physician’s statement.—

(1) Any person applying for a special plate or parking placard for persons with disabilities must present a statement, which need not be notarized, certified by a physician licensed to practice in this Commonwealth or in a contiguous state, that the person with a disability is disabled as provided in subsection (a).

(2) Any person applying for a renewal of registration of a special plate for persons with disabilities must comply with this subsection. Once a person with a disability has been duly certified by a physician as being disabled, as provided in subsection (a), the applicant need not submit a certification for subsequent renewals of registration for a special plate for persons with disabilities. A person who was issued a person with disability plate under this section and no longer qualifies for one shall not be charged a replacement fee for a regular registration plate upon payment of the regular registration fee.

(3) In lieu of a physician’s statement, a person applying for a special plate or parking placard may present a statement, which need not be notarized, from a police officer certifying that the person does not have full use of a leg, or both legs, or is blind.

(4) The department shall phase out existing handicapped placards as soon as practicable and issue a new series to persons who comply with this section.

* * *

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

The following roll call was recorded:

YEAS—192

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

NAYS—5

Clark	McGill	Rubley	Steil
Maitland			

NOT VOTING—0

EXCUSED—6

Armstrong, T.	Colafella	Trich	Zimmerman
Brooks	Michlovic		

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

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

Mr. **GEORGE** offered the following amendment No. **A5452**:

Amend Title, page 1, line 5, by removing the comma after “ash” and inserting

and

Amend Title, page 1, line 5, by striking out “AND” where it appears the second time and inserting

; providing for school walker safety study; and further providing

Amend Bill, page 4, by inserting between lines 27 and 28

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

§ 6118. School walker safety study.

An elected official may request the department to study and certify whether walking to school constitutes a hazard to the safety of a child under the existing laws of this Commonwealth, if a school district fails to act within 30 days of a parent’s request to ask the department for the above study and certification.

Amend Sec. 2, page 4, line 28, by striking out “2” and inserting
3

Amend Sec. 3, page 5, line 27, by striking out “3” and inserting
4

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

The following roll call was recorded:

YEAS—133

Armstrong, G.	Fichter	Markosek	Solobay
Baker, J.	Flick	Marsico	Staback
Bard	Frankel	Mayernik	Steelman
Barrar	Freeman	McCall	Stetler
Bebko-Jones	Gannon	McGeehan	Stevenson, T.
Belardi	George	McIlhattan	Strittmatter
Belfanti	Gordner	McNaughton	Sturla
Benninghoff	Grucela	Melio	Surra
Birmelin	Gruitza	Mundy	Tangretti
Bishop	Haluska	Myers	Taylor, J.
Blaum	Hanna	O'Brien	Thomas
Boyes	Harhai	Oliver	Tigue
Butkovitz	Hasay	Pallone	Travaglio
Buxton	Hennessey	Perzel	Trello
Caltagirone	Herman	Petrarca	Tulli
Casorio	Horsey	Petrone	Turzai
Cawley	Hutchinson	Pistella	Veon
Clymer	Jadlowiec	Preston	Vitali
Cohen, M.	James	Raymond	Walko
Corrigan	Josephs	Readshaw	Wansacz
Costa	Kaiser	Reinard	Washington
Coy	Keller	Rieger	Waters
Cruz	Kirkland	Roberts	Williams, J.
Curry	Krebs	Robinson	Wilt
Daley	LaGrotta	Roebuck	Wojnaroski
DeLuca	Laughlin	Rooney	Wright, G.
Dermody	Lawless	Ruffing	Wright, M.
DeWeese	Lederer	Sainato	Youngblood
DiGirolamo	Lescovitz	Samuelson	Yudichak
Diven	Levdansky	Santoni	Zug
Donatucci	Lucyk	Schroder	
Eachus	Lynch	Scrimenti	
Evans, D.	Manderino	Shaner	Ryan, Speaker
Evans, J.	Mann	Smith, B.	

NAYS—62

Adolph	Fairchild	Maher	Rubley
Argall	Feese	Maitland	Sather
Baker, M.	Fleagle	Major	Saylor
Bastian	Forcier	McGill	Scavello
Browne	Gabig	McIlhinney	Schuler
Bunt	Geist	Metcalfe	Semmel
Cappelli	Godshall	Micozzie	Smith, S. H.
Civera	Habay	Miller, S.	Stairs
Clark	Harhart	Nailor	Steil
Cohen, L. I.	Harper	Nickol	Stern
Coleman	Hershey	Phillips	Stevenson, R.
Cornell	Hess	Pickett	Taylor, E. Z.
Creighton	Kenney	Pippy	Vance
Dailey	Leh	Rohrer	Watson
Dally	Lewis	Ross	Yewcic
Egolf	Mackereth		

NOT VOTING—2

Allen	Miller, R.
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EXCUSED—6

Armstrong, T.	Colafella	Trich	Zimmerman
Brooks	Michlovic		

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?

RULES SUSPENDED

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

Mr. MAITLAND. Mr. Speaker, I move that the rules of the House be suspended to permit me to offer amendment 5511.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Armstrong, T.	Colafella	Trich	Zimmerman
Brooks	Michlovic		

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

On the question recurring,

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

Mr. MAITLAND offered the following amendment No. **A5511**:

Amend Title, page 1, line 3, by inserting after "LICENSES,"
for fleeing or attempting to elude police officer,
Amend Sec. 1, page 1, line 11, by inserting after "(E),"
3733(a),

Amend Sec. 1, page 3, by inserting between lines 12 and 13
§ 3733. Fleeing or attempting to elude police officer.

(a) Offense defined.—Any driver of a motor vehicle who willfully fails or refuses to bring his vehicle to a stop, or who otherwise flees or attempts to elude a pursuing police officer, when given a [visual] visible and audible signal to bring the vehicle to a stop, commits [a misdemeanor of the second degree. Any driver upon conviction shall pay an additional fine of \$500. This fine shall be in addition to and not in lieu of all other fines, court expenses, jail sentences or penalties] an offense as graded in subsection (a.2).

* * *

(a.2) Grading—

(1) Except as provided in paragraph (2), an offense under subsection (a) constitutes a misdemeanor of the second degree. Any driver upon conviction shall pay an additional fine of \$500. This fine shall be in addition to and not in lieu of all other fines, court expenses, jail sentences or penalties.

(2) An offense under subsection (a) constitutes a felony of the third degree if the driver, simultaneously:

(i) commits a violation of section 3731 (relating to driving under influence of alcohol or controlled substance); or

(ii) crosses a State line.

* * *

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

The SPEAKER. On the question of the amendment, will the gentleman, Mr. Maitland, explain briefly the contents of it.

The House will please come to order.

Mr. Maitland.

Mr. MAITLAND. Thank you, Mr. Speaker.

This amendment is very similar to HB 496, which came out of the Judiciary Committee. It adds two aggravating circumstances that make the offense of fleeing and eluding rise to the level of a third-degree felony, and those factors are fleeing and eluding the police while drunk or on drugs and also fleeing and eluding across a State line. Those two circumstances under this amendment would become a third-degree felony.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Armstrong, T.	Colafella	Trich	Zimmerman
Brooks	Michlovic		

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?

RULES SUSPENDED

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

Mr. MAYERNIK. Mr. Speaker, I move that the rules of the House be suspended to permit me to offer amendment 5677.

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

The following roll call was recorded:

YEAS—196

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

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

NAYS-1

Barrar

NOT VOTING-0

EXCUSED-6

Armstrong, T.	Colafella	Trich	Zimmerman
Brooks	Michlovic		

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

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

Mr. **MAYERNIK** offered the following amendment No. **A5677**:

Amend Title, page 1, line 3, by removing the comma after "LICENSES" and inserting
; prohibiting operators from using mobile phones under certain circumstances; and further providing

Amend Sec. 1, page 1, lines 11 through 13, by striking out all of said lines and inserting

Section 1. Sections 1608 and 1610(c) and (e) of Title 75 of the Pennsylvania Consolidated Statutes are amended to read:

Amend Bill, page 3, by inserting between lines 12 and 13
Section 2. Title 75 is amended by adding a section to read:

§ 3315. Prohibiting use of mobile phones.

(a) Drivers subject to restrictions.—No driver with a learner's permit shall drive a motor vehicle on a highway in this Commonwealth, which shall include Federal, State and municipal highways, while using a mobile phone.

(b) Exception.—This section shall not apply to persons who use a mobile phone for the sole purpose of reporting an accident or emergency.

(c) Seizure.—The provisions of this section shall not be construed as authorizing the seizure or forfeiture of a mobile phone, unless otherwise provided by law.

(d) Penalty.—A person who violates subsection (a) commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than \$1 nor more than \$300 or to a period of community service to be determined by the sentencing authority.

(e) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Mobile hands-free phone." A telecommunications device that receives an analog signal or digital signal, or both, and is designed for use without being held by a person's hand while speaking into the device.

"Mobile phone." A telecommunications device that receives an analog signal or digital signal, or both, and that is designed for handheld use. The term includes a mobile hands-free phone.

Section 3. Sections 4979.2 and 6101 of Title 75 are amended to read:

Amend Sec. 2, page 4, line 28, by striking out "2" and inserting
4

Amend Sec. 3, page 5, line 27, by striking out "3" and inserting
5

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

The SPEAKER. On the question of the adoption of the Mayernik amendment, for what reason does the gentleman, Mr. Vitali, rise?

Mr. VITALI. I was going to ask the maker of the amendment to briefly explain it.

Let me just say this: In lieu of that, I just want the members to be aware, this amendment provides restrictions on the use of cell phones, I think in this particular case people with learner's permits. That is a controversial issue with some people. I just did not want this to be voted on if some members were not aware of that.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-131

Armstrong, G.	Freeman	Mundy	Stelman
Baker, J.	Godshall	Myers	Steil
Baker, M.	Gordner	Nailor	Stetler
Bard	Gruitza	O'Brien	Stevenson, T.
Bebko-Jones	Haluska	Oliver	Strittmatter
Belfanti	Hanna	Pallone	Sturla
Bishop	Harhai	Perzel	Tangretti
Blaum	Harhart	Petrarca	Taylor, E. Z.
Boyes	Harper	Petrone	Taylor, J.
Browne	Hasay	Phillips	Thomas
Bunt	Hennessey	Pippy	Tigue
Butkovitz	Horsey	Pistella	Travaglio
Buxton	James	Preston	Trello

Caltagirone	Josephs	Raymond	Tulli
Civera	Kaiser	Readshaw	Turzai
Cohen, L. I.	Keller	Reinard	Vance
Cohen, M.	Kirkland	Rieger	Veon
Cornell	Krebs	Roberts	Vitali
Costa	LaGrotta	Robinson	Walko
Cruz	Laughlin	Roebuck	Washington
Curry	Lawless	Rooney	Waters
Dailey	Lederer	Rubley	Watson
Daley	Lescovitz	Ruffing	Williams, J.
DeLuca	Levdansky	Sainato	Wojnaroski
Dermody	Lucyk	Samuelson	Wright, G.
DeWeese	Manderino	Santoni	Wright, M.
DiGirolo	Markosek	Schroder	Yewcic
Diven	Marsico	Scrimenti	Youngblood
Donatucci	Mayernik	Semmel	Yudichak
Egolf	McGeehan	Shaner	Zug
Evans, J.	McGill	Smith, B.	
Fairchild	McIlhinney	Solobay	Ryan,
Feese	Melio	Stairs	Speaker
Frankel			

NAYS—65

Adolph	Dally	Jadlowiec	Miller, S.
Allen	Eachus	Kenney	Nickol
Argall	Evans, D.	Leh	Pickett
Barrar	Fichter	Lewis	Rohrer
Bastian	Fleagle	Lynch	Ross
Belardi	Flick	Mackereth	Sather
Benninghoff	Forcier	Maher	Saylor
Birmelin	Gabig	Maitland	Scavello
Cappelli	Geist	Major	Schuler
Casorio	George	Mann	Smith, S. H.
Cawley	Grucela	McCall	Staback
Clark	Habay	McIlhattan	Stern
Clymer	Herman	McNaughton	Stevenson, R.
Coleman	Hershey	Metcalfe	Surra
Corrigan	Hess	Micozzie	Wansacz
Coy	Hutchinson	Miller, R.	Wilt
Creighton			

NOT VOTING—1

Gannon

EXCUSED—6

Armstrong, T.	Colafella	Trich	Zimmerman
Brooks	Michlovic		

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?

RULES SUSPENDED

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

Mr. LEH. Mr. Speaker, I move that the rules of the House be suspended to permit me to offer amendment A5505.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Armstrong, T.	Colafella	Trich	Zimmerman
Brooks	Michlovic		

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

On the question recurring,

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

Mr. LEH offered the following amendment No. A5505:

Amend Title, page 1, line 3, by inserting after “LICENSES,” for scope and application of size, weight and load provisions,

Amend Sec. 1, page 1, line 11, by striking out “, 1610(C) AND (E), 4979.2 AND 6101” and inserting and 1610(c) and (e)

Amend Bill, page 3, by inserting between lines 12 and 13

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

* * *

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

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

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

(i) Approval must be obtained from the Pennsylvania State Police or the department for the use of their respective personnel.

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

* * *

(e) Definition.—As used in this section, the term “extra-duty Pennsylvania State Police” means sworn members of the Pennsylvania State Police performing escort duty outside of their regularly scheduled shift on an overtime basis.

Section 3. Sections 4979.2 and 6101 of Title 75 are amended to read:

Amend Sec. 2, page 4, line 28, by striking out “2” and inserting 4

Amend Sec. 3, page 5, line 27, by striking out “3” and inserting 5

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

The SPEAKER. On the question of the adoption of the amendment, will the gentleman, Mr. Leh, briefly explain the amendment.

Mr. LEH. Mr. Speaker, the amendment simply creates the term and defines the term “extra-duty Pennsylvania State Police” officer to escort overweight loads rather than use police that are actually on duty at the taxpayers’ cost. Now these State Police officers will be able to escort these vehicles at the cost of the permittee.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER. Prior to calling the roll, the Chair returns to leaves of absence and recognizes the majority whip, who asks that the gentleman, Mr. KENNEY of Philadelphia, be placed on leave for the balance of today’s session. Without objection, leave is granted.

CONSIDERATION OF SB 1419 CONTINUED

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Armstrong, T.	Colafella	Michlovic	Zimmerman
Brooks	Kenney	Trich	

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—181

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

NAYS—15

Birmelin	Major	Nickol	Steelman
Gruitza	Metcalfe	Ross	Stern
Mackereth	Miller, R.	Saylor	Vance
Maher	Nailor	Scrimenti	

NOT VOTING—0

EXCUSED—7

Armstrong, T.	Colafella	Michlovic	Zimmerman
Brooks	Kenney	Trich	

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

The SPEAKER. The lady from Montgomery, Mrs. Cohen, kindly come to the desk.

The Chair at this time is requesting a retiring member, Mrs. Cohen, from Montgomery County, to temporarily preside.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2767, PN 4436**, entitled:

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

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

BILL RECOMMENDED

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

Mr. FAIRCHILD. Mr. Speaker, I move that HB 2767 be recommitted to Rules.

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

The SPEAKER. Mrs. Cohen.

THE SPEAKER PRO TEMPORE
(LITA INDZEL COHEN) PRESIDING

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome Hope Swenson, a constituent of Representative Allan Egolf, who is visiting today. Hope is a senior at West Perry High School, shadowing Representative Egolf for her senior career study. Is Hope Swenson here? Would you please rise, and let us welcome Hope Swenson.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1325, PN 1990**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for animal exhibition sanitation; and imposing penalties.

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

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

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

The following roll call was recorded:

YEAS—196

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

DiGirolamo	Lewis	Sainato	Yudichak
Diven	Lucyk	Samuelson	Zug
Donatucci	Lynch	Santoni	
Eachus	Mackereth	Sather	
Egolf	Maher	Saylor	Ryan, Speaker
Evans, D.	Maitland		

NAYS—0

NOT VOTING—0

EXCUSED—7

Armstrong, T.	Colafella	Michlovic	Zimmerman
Brooks	Kenney	Trich	

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

* * *

The House proceeded to third consideration of **HB 1226, PN 1417**, entitled:

An Act amending the act of May 9, 1986 (P.L.165, No.53), entitled, "An act requiring banks and other lending institutions to notify the mortgagor when the mortgage has been paid," requiring lending institutions holding mortgages for real estate to forward certain real estate tax bills.

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

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

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

The following roll call was recorded:

YEAS—196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Armstrong, T.	Colafella	Michlovic	Zimmerman
Brooks	Kenney	Trich	

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

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

* * *

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. HB 805 is over temporarily.

* * *

The House proceeded to third consideration of **HB 2359, PN 3424**, entitled:

An Act establishing the Office of Community, Business and Education Partnerships and its powers and duties.

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

Mr. STAIRS offered the following amendment No. **A5291**:

Amend Sec. 2, page 2, lines 1 through 11, by striking out all of said lines and inserting

“Partnership.” A cooperative arrangement between the private sector and one or more school entities to provide: dropout prevention programs, innovative academic programs and career education initiatives through various means, including, but not limited to, career instruction, exploration, awareness, preparation, guidance and counseling that is incorporated into the school curriculum, job shadowing experiences, on-the-job work training, apprenticeship programs, internships and programs relating to vocational education as defined in section 1801 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

Amend Sec. 3, page 2, lines 22 and 23, by striking out all of said lines and inserting

sector and school entities.

Amend Sec. 3, page 3, lines 3 through 12, by striking out all of said lines and inserting

(3) Businesses benefit from partnerships because partnerships help to promote lifelong learning and the acquisition of skills necessary for success in postsecondary education and the work force.

(4) Communities benefit from partnerships because partnerships allow schools to explore innovative means of teaching, provide learning opportunities designed to prevent students from leaving school before graduation and provide schools with the opportunity to teach students the skills they will need for success after graduation.

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

The SPEAKER pro tempore. On the question, the Chair recognizes Mr. Stairs.

Mr. STAIRS. Thank you, Madam Speaker.

I want to offer an amendment – it is amendment 5291 – and this amendment allows for partnerships to include participation focused on students at risk and also to work with students in nontraditional means. So that would be my amendment to offer to this bill, partnerships between school entities and private concerns.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Armstrong, T.	Colafella	Michlovic	Zimmerman
Brooks	Kenney	Trich	

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

On the question,

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

Mr. **GEORGE** offered the following amendment No. **A5316**:

Amend Sec. 4, page 4, by inserting between lines 23 and 24

(8) To encourage the donation of functional computers, equipment, supplies, volunteers and funds where available from the private sector to school entities and to educate the private sector of any tax advantage resulting from these donations.

Amend Sec. 4, page 4, line 24, by striking out "(8)" and inserting (9)

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-183

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

NAYS-13

Bastian	Mackereth	McNaughton	Ross
Creighton	Maitland	Metcalfe	Stern
Gabig	Major	Nailor	Vance
Lewis			

NOT VOTING-0

EXCUSED-7

Armstrong, T.	Colafella	Michlovic	Zimmerman
Brooks	Kenney	Trich	

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

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

The following roll call was recorded:

YEAS—184

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

NAYS—12

Forcier	Mackereth	Metcalfe	Rohrer
Gabig	Major	Nailor	Scavello
Lewis	McNaughton	Pickett	Vance

NOT VOTING—0

EXCUSED—7

Armstrong, T.	Colafella	Michlovic	Zimmerman
Brooks	Kenney	Trich	

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

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

* * *

BILLS PASSED OVER TEMPORARILY

The SPEAKER pro tempore. Page 3 of today's calendar. HB 2765 and SB 1416 are over temporarily.

* * *

The House proceeded to third consideration of **HB 2208, PN 4430**, entitled:

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

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

BILL RECOMMITTED

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

Mr. PERZEL. Madam Speaker, I recommend that HB 2208 be recommitted to the Appropriations Committee.

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

* * *

The House proceeded to third consideration of **HB 2209, PN 4431**, entitled:

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

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

BILL RECOMMITTED

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

Mr. PERZEL. Madam Speaker, I recommend that HB 2209 be recommitted to the Appropriations Committee.

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

* * *

BILLS PASSED OVER TEMPORARILY

The SPEAKER pro tempore. On page 4 of today's calendar, HB's 816 and 2574 are over temporarily.

* * *

The House proceeded to third consideration of **HB 2407, PN 4362**, entitled:

An Act regulating crematories; providing for licenses, for licensure requirements, for inspections and enforcement; and prescribing penalties.

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

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Armstrong, T.	Colafella	Michlovic	Zimmerman
Brooks	Kenney	Trich	

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

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

* * *

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. HB 1953 is over temporarily.

* * *

The House proceeded to third consideration of **HB 2084, PN 2762**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the establishment of a nursing loan forgiveness program for persons employed in the nursing profession at veterans' homes and veterans' centers operated by the Department of Military and Veterans Affairs.

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

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

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

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Armstrong, T.	Colafella	Michlovic	Zimmerman
Brooks	Kenney	Trich	

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 2451, PN 3488**, entitled:

An Act providing compensation to persons in active service in connection with the Persian Gulf Conflict or their beneficiaries; authorizing the incurring of indebtedness and the issue and sale of bonds by the Commonwealth for the payment of compensation, contingent upon electorate approval; creating a special fund in the State Treasury to be known as the Persian Gulf Conflict Veterans' Compensation Bond Fund; imposing powers and duties on the Department of General Services; and making appropriations.

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

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

The SPEAKER pro tempore. The Chair recognizes Mr. Taylor from Philadelphia County.

Mr. TAYLOR. Thank you, Madam Speaker.

I want it to be noted that I had an opportunity to have a bill considered during your tenure as Speaker. This is very special for us.

Madam Speaker, we last Tuesday celebrated our version of Veterans Day here in the House where we recognized some of our war heroes here in Pennsylvania. This bill gives us an opportunity to create a long-awaited gulf war bonus for those people who served in the Persian Gulf. I appreciate the members who withdrew amendments to this bill, and I would appreciate your support.

The SPEAKER pro tempore. The Chair thanks the gentleman for his comments and for running this bill during the Speaker's tenure. Thank you, Representative.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes that Mr. Michlovic is on the floor of the House and will be added to the master-roll-call list. Thank you.

CONSIDERATION OF HB 2451 CONTINUED

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

Adolph	Evans, J.	Major	Scavello
Allen	Fairchild	Manderino	Schroder
Argall	Feese	Mann	Schuler
Armstrong, G.	Fichter	Markosek	Scrimenti
Baker, J.	Fleagle	Marsico	Semmel

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Armstrong, T.	Colafella	Trich	Zimmerman
Brooks	Kenney		

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 CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1493, PN 4156**, entitled:

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

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

BILL RECOMMENDED

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

Mr. PERZEL. Madam Speaker, I move that we recommit HB 1493, PN 4156, to the Rules Committee.

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

FAREWELL ADDRESS BY MRS. COHEN

The SPEAKER pro tempore. Thank you.

I am pleased to be given the opportunity after 10 years to stand here and talk to the people that have become my friends for the last 10 years. Sometimes some of us make promises that we have to keep, and we realize that we should not have made those promises. Ten years ago, my first election was a very tough primary against a gentleman, who, by the way, became a very good friend of mine, but in order to win, you say some things, and so I promised 10 years ago that I would serve five terms, only 10 years, and I thought it was a valid promise, because at the time, 10 years ago, I was 51 years old, and I thought, well, in 10 years I will be an old lady; I will be 61. I do not feel that way now, and we have people in this chamber that are older than I, and we are going to have a Lieutenant Governor who is – more than that.

This has been an extraordinary 10 years for me, probably the best of my life. We are a noble body here, and we do good work. No matter what the press says, we know we do good work for the benefit of all of the citizens of the Commonwealth of Pennsylvania.

I know you run into danger when you mention certain names, but obviously I am going to mention a couple people, but I will probably neglect the ones that are so critical. The first person that I obviously have to mention is the sesquipedalian – I learned that recently – the minority leader, who enralls all of us troglodytes with his incredible vocabulary. I wanted to thank him for the 10-year continuing education course that has increased my vocabulary by at least 200 percent, and with this added knowledge, I will decidedly be at an advantage in conversations with my 2 1/2-year-old grandson and my 6-week-old granddaughter.

I was able to research and dig up something that was sent before I was here, but it is dated August 1, 1991, a year before I became a member. This is a memo sent from Mr. DeWeese to John Perzel, who at the time was the Republican policy chairman. I believe that Representative DeWeese at the time was the Democrat leader. I imagine the memo was precipitated by rancor over the infamous 1991 budget battle. I cannot enunciate some of the words in Mr. DeWeese's memo. I looked them up on "dictionary.com" and also in my Webster's and could not find them. So forgive me if my enunciation of some of the quotes are wrong, and I am quoting Representative DeWeese:

“I believe our recent imbroglio has been degraded into a cri de coeur Pecksniffian nostrum. I am afraid the cause celebre have resulted in the loss of your normally sangfroid.

“With this epistle, I hope we can bring to an end these beadledom lapsus linguae.

“Be that as it may, I look forward to your continuing performance as a loquacious quotidian debrouilliard.”

This is John Perzel’s translation:

“I believe our recent serious misunderstanding has degraded into an impassioned protest designed to remedy your political ills. I am afraid the current events have resulted in the loss of your normally cool composure.

“With this letter I hope we can bring an end to these petty slips of the tongue.

“Be that as it may, I look forward to your usual continuing performance as an adept and skilled Floor Leader.”

That is my tribute to Representative DeWeese. What astounds me is that we work together. So many of us have become such good friends, the women on the Democratic side of the aisle – particularly Marie, whose children I represent; Kathy, who now represents 10,000 of my children; Rosita, who has always been a pal – and, of course, the men from the Philadelphia delegation who always take good care of my grandson and make sure that he gets his stuffed animals.

My heart, of course, is to Frank, who shepherded my first bill, the first of nine that have now become law. But my freshman year, my first year of my first term, Frank not only shepherded the bill through his committee, of which he was the chairman, but through the House, which was controlled by the Democrats, through the Senate, and on to Governor Casey’s desk. Frank, I shall never, ever forget that. That was my first bill, and you are indeed my friend.

And now for my really good buddies on this side of the aisle, my Republican friends. I have never been more proud to be a Republican, and I have told everyone I am genetically a Republican. I have never been more proud of my fellow members of the Republican House Caucus than I was last year, last November, when I made the terrible mistake of trying to cross the hall when I know that my heart and soul is really in the House chamber, because this is where the most important work for the people of this Commonwealth takes place. And each and every one of my fellow Republican members, whether we have the same philosophy on many issues or not, in their own way they were there to give me a hug when I was down. And I know that particularly we must all, both Democrats and Republicans, pay attention to certain members of the Republican Caucus, because one of these days we will be saying “Governor Feese” or “Governor Pippy.”

My thanks goes to my wonderful Republican staff, every one of them, because the staff, they are the ones that make us look like heroes; they are the ones that really do the legwork. Particularly, though, to Jane Shatto, my writer; Karen Dalton, my lawyer; and of course, my boss for the last 10 years, Cathy O’Donnell, who has been my mainstay, my secretary here in Harrisburg.

And my special thanks to my Montgomery County guys – Godshall, Bunt, Fichter, Cornell, McGill – who have always taken such good care of me. They drive me home; they walk me back to my hotel. They have been like fathers or brothers to me, all of you, and I shall never forget the courtesies and your help.

And then I get to the leadership of this House and my caucus, Speaker Ryan particularly. Most of the time, some of the time, when you get called to the Speaker’s Office, you say, “Uh-oh, what have I done?” and particularly for me, because sometimes I suffer from this terminal disease called foot-in-mouth. But in the last 10 years, whenever I have been called to the Speaker’s Office, it is because he has rescued me from trouble that I have almost gotten into that he and Roger and Clancy and the entire staff of the Speaker’s Office have been extraordinary and been with me and helped me and guided me through my last 10 years.

Lastly, my adopted son, Brian. Your mother would be very proud of you, and we know that there will be great things coming from you.

When Melissa Murphy Weber – and, Gene, she does have wonderful legs – when she came to my office, I guess it was February, and said she wanted to run for my seat, we spent about 2 hours, and she asked how to run and she asked me who the players were. I mentioned everyone, and at the end of the 2 hours she said, “Lita, you forgot to mention John Perzel.” I said, “Oh, he is God,” and she looked at me and she said, “You didn’t bat an eyelash; you just said that,” and I said, “It’s true.” John Perzel may not have Ph.D. or Esq. or M.D. after his name. He is one of the brightest men – John, other than my husband, of course – that I know. He is one of the few politicians whose word you can take to the bank. He has taken a personal interest in absolutely all of us in the caucus, given us sage advice, guided us. It has been, John, an honor and a privilege to work for you and I am honored to call you friend, and those are the same sentiments that I convey to you from my husband, Stanley.

This is a noble body. We come here with different agendas but we do good work, and again, I have to repeat, no matter what the press says about us, we all come here with really a single agenda, and that is to do the best for the people of this Commonwealth, to better their quality of life, to be sure that they are employed, that their children are fed, that they have health care, and I could go on and on.

For the last 10 years, every day that I have been in Harrisburg I have walked into the rotunda and I have just spent a few seconds looking up and taking a deep breath, and people have asked me why, and I have said because standing in the rotunda sends a message to me and makes me humble and tells me why I am here and the job that I was sent to do and the job that I have to do.

Many years ago Richard Nixon, when he lost an election, said, well, you will not have Richard Nixon to kick around anymore. I cannot say that about Lita Cohen. I think that there is plenty of mischief, plenty of energy, and plenty of desire still left in this 61-year-old brain. I hope to be around; I have not made a decision what I am going to do. I am taking the month of December to spend time with my grandchildren; Stanley and I are going sailing; and, as I have told people, I will sort my panty hose drawer. But I will be around to help all of you, because you have helped me in the last 10 years. I shall never forget your warmth and the support of everyone. I shall miss these days in this House, in this building, because it is the best that there is, and you are the very best.

Thank you. God bless all of you, and God bless this institution of the Pennsylvania House of Representatives.

Thank you.

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

The SPEAKER. I just want to take a moment to give Lita a commemorative gavel, a memorial gavel, and ask that she think about us every now and then. I suspect that she will be thinking about us.

The only thing that really took me by surprise here is at dinner the other night we were making bets on her age, and we had her in the high forties, and look at this nice thing you have done; you have told us the truth.

At this time I would ask the gentleman, Mr. Reinard, to come to the rostrum.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and, at the request of the gentleman, Mr. Veon, places the gentleman, Mr. LAWLESS of Montgomery County, on leave for the balance of today's session. Without objection, leave is granted. The Chair hears no objection.

**FAREWELL ADDRESS
BY MR. REINARD**

The SPEAKER. The gentleman, Mr. Reinard— As everyone on this floor knows, each retiring member is invited to come up and preside temporarily, or not preside, as they see fit. Mr. Reinard, seeing the time pass today, has asked that he just be permitted to make remarks and give up the opportunity to preside so that other business can be taken care of during that time.

Mr. Reinard.

Mr. REINARD. Actually, Mr. Speaker, over the last 20 years I have seen professionals up here do this job and I have seen them do it very well, so I am humbled to be here, but I am happy to be here to address my fellow friends and members of the House.

I have sat here for a number of years and watched similar members come up and give farewell addresses. In the very beginning I really did not pay a whole lot of attention to it other than polite attention, and as the years started to go on, I started to focus a little bit more on their content, and as it got to about 4 years ago, I started saying, geez, you know, I am going to be doing this shortly, and I am going to really try to focus in on what they have to say. And from everybody that has come up before this rostrum, they have all left some impression on me, and I think that is what you get out of having 20 years of service in a body like this, with friends like this.

But I have jotted a few notes down that I just wanted to convey to you, and first off, to my fellow members of the House and to the support staff that works in this House of Representatives, I want to thank you very much for all the kindness you have shown me over the last 20 years. Realistically, you are the professionals, the staff that works here, and you as members are simply outstanding. I am a very lucky man for being in your company, and as I said, over 20 years I have had just fantastic friendships with members on both sides of this aisle, and I really just would not know where to begin if I had to start talking about individuals and names.

But I will tell you one thing. Sitting in the front row center to this aisle, I have just probably the greatest vantage point of all in this building for participation in the debates that go on between our present floor leaders and the floor leaders of the past. I have been able to be literally in the middle of their debates and just fantastic people and fantastic conversation. It has helped me greatly in my ability to talk to others as well as public speaking, because you really get a lot of expertise in just watching the way they do their work, and I also must say that this same front-row seat also goes to you. Over those last 20 years I have watched and listened to all of your debates, I have also listened to all the words you have had to say on the floor of this House, and I will tell you that I have learned something from each of you, and it is something I will be able to take home, and I very much appreciate all the kindness that you have given me.

Mr. Speaker, three major events occurred in my life since my election back in 1982. One of the first ones that pops out that cannot be overlooked is actually the birth of my son, who is now 19 years old and is a freshman up at Penn State University.

The second one may come as a great shock to most of you, but when I first got elected, I did not play golf, and it was not for a number of years that I actually decided to take up that sport after I got elected. But because of the opportunity to be with many of you, I have gotten a wonderful vocation or dedication or whatever you want to call it. It has just been a great thing to be involved here and to come back home with a skill like golf, and I am going to miss playing with many of you.

But finally, Mr. Speaker, the three things that I have got in my time being here in Harrisburg, the one that I cannot help but cherish the most is actually I met and married my wife, and she is a fantastic woman – I am sure many of you know Gail – and I will tell you this: The only thing I can say about Gail is, in my life, she makes me complete, and again, I am very lucky.

Mr. Speaker, while I have the floor, I just want to take a few moments just to tell you a story about my grandmother and my great-grandfather. My grandmother was born and raised in Tombstone, Arizona, and during the time when women really did not go to college, let alone higher education, both my grandmother and her sister both attended and graduated from the University of Arizona. Her father, a guy named Ray B. Krebs, unbeknownst to me until a number of years after I was elected, my grandmother told me that her father was also a State Representative for the State of Arizona, and he served in the Arizona legislature in 1912, and no one in my family, including my mother or father, even was aware that my great-grandfather was an Arizona legislator. And one of the things— Besides being a State legislator, he was also mayor of Tombstone. But one of the things that my grandmother gave me before her death— And by the way, my grandmother appeared before this House almost 20 years ago. She was honored by this House with a citation for her care in raising foster children. After she had 3 grown children of her own, she had more than 70 foster children come in and out of her house over a series of a number of years, some for months, some for longer than months, some for a year or more, and actually one boy, Bobby, lived with her for 6 years of his life until my aunt actually adopted him. She is quite amazing. But my grandmother gave me a gift that I treasure so much; it is hanging in my office. It is actually a composite picture of my great-grandfather and his classmates sitting on the steps of the Arizona State Capitol,

that picture along with a listing of every member's name and their signatures, and I just think that that is such a wonderful tradition, Mr. Speaker, that 90 years later I would like to ask all the members of this House to help me contribute and continue that tradition. I have a floor seating chart which I would like to request each and every one of you to sign so I can take a little bit of you back home to Bucks County with me, and, Mr. Speaker, if I could, I would just ask if you would be the first to sign.

Thank you very much.

The SPEAKER. When Roy was mentioning that he had this photograph of his great-grandfather in the 1912 legislature, I was waiting for him to say, and there was a visiting fireman there from Pennsylvania that looked just like you, Matt.

I am pleased to sign this, and I would like at this time to give Roy a gavel to place next to the memorabilia of his great-grandfather.

FAREWELL ADDRESS BY MR. LUCYK

The SPEAKER. While the House is in order, there is one other member that I asked to preside, to come up and preside today, and he, like Mr. Reinard, said that he would prefer giving remarks from the floor. I say this openly, because you know I would appreciate and we would all look forward to Ed Lucyk presiding. However, I recognize at this time the gentleman, Mr. Lucyk.

I would ask the members to take their seats.

Mr. LUCYK. Thank you, Mr. Speaker, and thank you for this opportunity to come up here and say a few words on my departure.

Several other retirees have gotten up and said that they did not really want this job and they were not making enough money. Well, I really wanted it, and I was happy when I got it, and I was happy with the pay, because I was dead broke when I first got elected.

But I thank, over the years, I thank, Mr. Speaker, you for your courtesy, the gentlemanliness towards my family. I thank my leaders and the Republican leaders. I thank my family for putting up with my nonsense over all these years. I thank my staff here in Harrisburg and back home for putting up with me. I thank my fellow members for putting up with me.

I remember one time the Speaker said to someone here in the audience, sometimes you bite the bear; sometimes the bear bites you. I always tried to bite the bear a few more times than he bit me. I am getting a little older. I cannot run as fast, and I do not want to be around for the bear biting me too many more times.

So with that, I will say adios; Godspeed; thanks a lot.

The SPEAKER. I am pleased to give our friend, Ed Lucyk, this gavel, and if you should run into a bear, there.

Mr. LUCYK. I will make good use of it, Mr. Speaker. Thank you very much.

The SPEAKER. Thanks, Ed.

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. I was certain that Mrs. Cohen's remarks would get you to the microphone pretty soon. I was just wondering how long it would take. Mr. Minority Leader.

Mr. DeWEESE. Mr. Speaker, on a momentary diversion to old West Point, which is where Edward Lucyk and John Pippy

were educated, when I think of West Point – and I have made this statement on the floor before, but it is never more apropos than right now – as Chairman Lucyk commences his retirement in a matter of days, he will not return to his Spartan mother on the Hudson, but as Douglas MacArthur said in his penultimate moments at West Point, "...old soldiers never die; they just fade away." In the rough-and-tumble of politics of Schuylkill County, Ed Lucyk will never fade away.

The SPEAKER. The Chair thanks the gentleman.

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2816, PN 4514**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

The SPEAKER. The Chair recognizes the gentleman, Mr. Tigie, who offers the— The gentleman withdraws his amendment.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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

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

SUPPLEMENTAL CALENDAR A

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 286, PN 4567**, entitled:

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, providing for functions of the Commissioner of Professional and Occupational Affairs; and further providing for anesthesia.

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

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

The following roll call was recorded:

YEAS—193

Adolph	Evans, J.	Manderino	Scavello
Allen	Fairchild	Mann	Schroder
Argall	Feese	Markosek	Schuler

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

NAYS—2

Casorio	Fleagle
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NOT VOTING—0

EXCUSED—8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Smith, who asks that the gentleman, Mr. TULLI, be placed on leave for the balance of today's session. Without objection, the leave will be granted. The Chair hears no objection.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1953, PN 4348**, entitled:

An Act establishing a grant program for municipalities to establish code enforcement programs and hire code enforcement personnel; and providing for powers and duties of the Department of Community and Economic Development.

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

The SPEAKER. The Chair recognizes the gentleman, Mr. George, who offers the following amendment, which the clerk will read. This is HB 1953. Mr. George, did you withdraw that amendment?

Mr. GEORGE. Yes.
The SPEAKER. I apologize.

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

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

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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

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

* * *

The House proceeded to third consideration of **HB 816, PN 4130**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, providing for the surrender of a license for benefit of the licensee.

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

Ms. **MANDERINO** offered the following amendment No. **A4594**:

Amend Title, page 1, line 16, by inserting after "laws," " further providing for hotel, restaurant and club liquor licenses and for malt and brewed beverages retail licenses; and

Amend Bill, page 1, lines 21 through 23, by striking out all of said lines and inserting

Section 1. Section 403(g) of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14) and amended December 20, 2000 (P.L.992, No.141), is amended to read:

Section 403. Applications for Hotel, Restaurant and Club Liquor Licenses.—* * *

(g) Every applicant for a new license or for the transfer of an existing license shall post, for a period of at least [fifteen] thirty days beginning with the day the application is filed with the board, in a conspicuous place on the outside of the premises or at the proposed new location for which the license is applied, a notice of such application[.]. The notice shall indicate whether the applicant is applying for the amusement permit required by section 493(10).

The notice shall be in such form, be of such size, and [containing] contain such provisions as the board may require by its regulations. Proof of the posting of such notice shall be filed with the board. The posting requirement imposed by this subsection shall not apply to license applications submitted for public venues.

* * *

Section 2. Section 432(e) of the act is amended to read:

Section 432. Malt and Brewed Beverages Retail Licenses.—* * *

(e) Every applicant for a new or for the transfer of an existing license to another premises not then licensed shall post, for a period of at least [fifteen] thirty days beginning with the day the application is filed with the board, in a conspicuous place on the outside of the premises or in a window plainly visible from the outside of the premises for which the license is applied or at the proposed new location, a notice of such application[.]. The notice shall indicate whether the applicant is applying for the amusement permit required by section 493(10). The notice shall be in such form, be of such size, and [containing] contain such provisions as the board may require by its regulations. Proof of the posting of such notice shall be filed with the board.

* * *

Section 3. The act is amended by adding a section to read:

Amend Sec. 2, page 3, line 20, by striking out “2” and inserting

4

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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. **MICHLOVIC** offered the following amendment No. **A4623**:

Amend Title, page 1, line 18, by removing the period after “licensee” and inserting

; and further providing for unlawful acts relative to liquor, malt and brewed beverages and licensees.

Amend Bill, page 3, line 20, by striking out all of said line and inserting

Section 2. Section 493(13) of the act, amended November 10, 1999 (P.L.514, No.47), is amended to read:

Section 493. Unlawful Acts Relative to Liquor, Malt and Brewed Beverages and Licensees.—The term “licensee,” when used in this section, shall mean those persons licensed under the provisions of Article IV, unless the context clearly indicates otherwise.

It shall be unlawful—

* * *

(13) Retail Licensees Employing Minors. For any hotel, restaurant or club liquor licensee, or any retail dispenser, to employ or to permit any minor under the age of eighteen to serve any alcoholic beverages or to employ or permit any minor under the age of sixteen to render any service whatever in the licensed premises, nor shall any entertainer under the age of eighteen be employed or permitted to perform in any licensed premises in violation of the labor laws of this Commonwealth: Provided, That in accordance with board regulations minors between the ages of sixteen and eighteen may be employed to serve food, clear tables and perform other similar duties, not to include the dispensing or serving of alcoholic beverages. [Notwithstanding any provision of this act to the contrary, it shall be lawful] It shall be unlawful for any ski resort, golf course or amusement park licensee to employ minors fourteen and fifteen years of age to perform duties [only] in rooms or areas of the licensed premises when and where alcoholic beverages are [not] dispensed, served or stored [during the time in which the minor is performing such duties] in unsecured storage.

* * *

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

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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

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

Mr. GODSHALL offered the following amendment No. A5073:

Amend Title, page 1, line 16, by inserting after "laws," " further providing for revocation and suspension of licenses and fines; and

Amend Bill, page 1, lines 21 through 23, by striking out all of said lines and inserting

Section 1. Section 471(c) of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14) and amended February 21, 2002 (P.L.103, No.10), is amended to read:

Section 471. Revocation and Suspension of Licenses; Fines.— * * *

(c) The administrative law judge may consider the licensee's prior citation history when imposing a penalty. If the violation in question is a third or subsequent violation of [this act] any offense referred to in subsection (b) or Title 18 of the Pennsylvania Consolidated Statutes (relating to crimes and offenses), occurring within a period of four years, the administrative law judge shall impose a suspension or revocation.

* * *

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

Amend Sec. 2, page 3, line 20, by striking out "2" and inserting
3

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

The following roll call was recorded:

YEAS—195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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

On the question recurring,
Will the House agree to the bill on third consideration as amended?
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-195

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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

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

* * *

The House proceeded to third consideration of **HB 2574, PN 3713**, entitled:

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

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

Mrs. **LEDERER** offered the following amendment No. **A3330**:

Amend Sec. 1 (Sec. 404), page 3, line 27, by inserting after "470."

In the event that a licensee violates the agreement on three separate occasions, the license shall be revoked.

Amend Sec. 2 (Sec. 431), page 5, line 11, by inserting after "470."

In the event that a licensee violates the agreement on three separate occasions, the license shall be revoked.

Amend Sec. 3 (Sec. 432), page 9, line 22, by inserting after “470.”

In the event that a licensee violates the agreement on three separate occasions, the license shall be revoked.

Amend Sec. 4 (Sec. 470), page 11, line 28, by inserting after “section.”

In the event that a licensee violates the agreement on three separate occasions, the license shall be revoked.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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. **ROEBUCK** offered the following amendment No. **A3613**:

Amend Sec. 1 (Sec. 404), page 3, line 27, by inserting after “470.”

If the board enters into an agreement with an applicant concerning additional restrictions, those restrictions shall be binding on subsequent owners of the license until the license is transferred to a new location or until the board enters into a subsequent agreement removing those restrictions. If the application in question involves a location previously licensed by the board then any restrictions imposed by the board on the previous license at that location shall be binding on the applicant unless the board enters into a new agreement rescinding those restrictions.

Amend Sec. 2 (Sec. 431), page 5, line 11, by inserting after “470.”

If the board enters into an agreement with an applicant concerning additional restrictions, those restrictions shall be binding on subsequent owners of the license until the license is transferred to a new location or until the board enters into a subsequent agreement removing those restrictions. If the application in question involves a location previously licensed by the board then any restrictions imposed by the board on the previous license at that location shall be binding on the applicant unless the board enters into a new agreement rescinding those restrictions.

Amend Sec. 3 (Sec. 432), page 9, line 22, by inserting after “470.”

If the board enters into an agreement with an applicant concerning additional restrictions, those restrictions shall be binding on subsequent owners of the license until the license is transferred to a new location or until the board enters into a subsequent agreement removing those restrictions. If the application in question involves a location previously licensed by the board then any restrictions imposed by the board on the previous license at that location shall be binding on the applicant unless the board enters into a new agreement rescinding those restrictions.

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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

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

Ms. **MANDERINO** offered the following amendment No. **A4601**:

Amend Title, page 1, line 16, by inserting after "laws," " further providing for hotel, restaurant and club liquor licenses and for malt and brewed beverages retail licenses; and

Amend Sec. 1, page 1, line 21, by striking out "Section" where it appears the second time and inserting

Sections 403(g) and

Amend Sec. 1, page 1, line 24, by striking out "is" and inserting are

Amend Sec. 1, page 1, by inserting after line 24

Section 403. Applications for Hotel, Restaurant and Club Liquor Licenses.—* * *

(g) Every applicant for a new license or for the transfer of an existing license shall post, for a period of at least [fifteen] thirty days beginning with the day the application is filed with the board, in a conspicuous place on the outside of the premises or at the proposed new location for which the license is applied, a notice of such application[.]. The notice shall indicate whether the applicant is applying for the amusement permit required by section 493(10). The notice shall be in such form, be of such size, and [containing] contain such provisions as the board may require by its regulations. Proof of the posting of such notice shall be filed with the board. The posting requirement imposed by this subsection shall not apply to license applications submitted for public venues.

* * *

Amend Sec. 3, page 9, line 5, by inserting after "432(d)" and (e)

Amend Sec. 3, page 9, line 6, by striking out "is" and inserting are

Amend Sec. 3 (Sec. 432), page 10, by inserting between lines 20 and 21

(e) Every applicant for a new or for the transfer of an existing license to another premises not then licensed shall post, for a period of at least [fifteen] thirty days beginning with the day the application is filed with the board, in a conspicuous place on the outside of the premises or in a window plainly visible from the outside of the premises for which the license is applied or at the proposed new location, a notice of such application[.]. The notice shall indicate whether the applicant is applying for the amusement permit required by section 493(10). The notice shall be in such form, be of such size, and [containing] contain such provisions as the board may require by its regulations. Proof of the posting of such notice shall be filed with the board.

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

The following roll call was recorded:

YEAS—194

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

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

NAYS-1

Cawley

NOT VOTING-0

EXCUSED-8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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

On the question recurring,

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

Mr. MICHLOVIC offered the following amendment No. **A4624**:

Amend Title, page 1, line 18, by removing the period after "application" and inserting

; and further providing for unlawful acts relative to liquor, malt and brewed beverages and licensees.

Amend Bill, page 12, by inserting between lines 12 and 13

Section 5. Section 493(13) of the act, amended November 10, 1999 (P.L.514, No.47), is amended to read:

Section 493. Unlawful Acts Relative to Liquor, Malt and Brewed Beverages and Licensees.—The term "licensee," when used in this section, shall mean those persons licensed under the provisions of Article IV, unless the context clearly indicates otherwise.

It shall be unlawful—

* * *

(13) Retail Licensees Employing Minors. For any hotel, restaurant or club liquor licensee, or any retail dispenser, to employ or to permit any minor under the age of eighteen to serve any alcoholic beverages or to employ or permit any minor under the age of sixteen to render any service whatever in the licensed premises, nor shall any entertainer under the age of eighteen be employed or permitted to perform in any licensed premises in violation of the labor laws of this Commonwealth: Provided, That in accordance with board regulations minors between the ages of sixteen and eighteen may be employed to serve food, clear tables and perform other similar duties, not to include the dispensing or serving of alcoholic beverages. [Notwithstanding any provision of this act to the contrary, it shall be lawful] It shall be unlawful for any ski resort, golf course or amusement park licensee to employ minors fourteen and fifteen years of age to perform duties

[only] in rooms or areas of the licensed premises when and where alcoholic beverages are [not] dispensed, served or stored [during the time in which the minor is performing such duties] in unsecured storage.

* * *

Amend Sec. 5, page 12, line 13, by striking out "5" and inserting 6

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED—8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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

On the question recurring,

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

Mr. **GODSHALL** offered the following amendment No. **A5074**:

Amend Title, page 1, line 18, by removing the period after “application” and inserting

; and further providing for revocation and suspension of licenses and fines.

Amend Bill, page 12, by inserting between lines 12 and 13

Section 5. Section 471(c) of the act, amended February 21, 2002 (P.L.103, No.10), is amended to read:

Section 471. Revocation and Suspension of Licenses; Fines.—
* * *

(c) The administrative law judge may consider the licensee’s prior citation history when imposing a penalty. If the violation in question is a third or subsequent violation of [this act] any offense referred to in subsection (b) or Title 18 of the Pennsylvania Consolidated Statutes (relating to crimes and offenses), occurring within a period of four years, the administrative law judge shall impose a suspension or revocation.

* * *

Amend Sec. 5, page 12, line 13, by striking out “5” and inserting
6

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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

On the question recurring,

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

The **SPEAKER**. Mr. Godshall, I have you listed for three amendments. We have taken one of them. Do you still have two to offer or just one to offer?

Mr. **GODSHALL**. I would like to offer amendment, Mr. Speaker, A5282, and then I would like to speak very briefly on amendment 5347 before I withdraw it.

The **SPEAKER**. Thank you.

On the question recurring,

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

Mr. **GODSHALL** offered the following amendment No. **A5282**:

Amend Title, page 1, line 18, by removing the period after “application” and inserting

and for the surrender of a license for benefit of the licensee.

Amend Bill, page 12, by inserting between lines 12 and 13

Section 5. The act is amended by adding a section to read:

Section 474.1. Surrender of Restaurant, Eating Place Retail Dispenser, Hotel, Importing Distributor and Distributor License for Benefit of Licensee.—(a) A restaurant, eating place retail dispenser,

hotel, importing distributor and distributor licensee whose licensed establishment is not in operation for fifteen consecutive days shall return its license for safekeeping with the board no later than at the expiration of the fifteen-day period. The license may only be reissued from safekeeping in the manner set forth by the board through regulation.

(b) The board may hold the license in safekeeping for a period not to exceed three consecutive years. Any license remaining in safekeeping for more than three consecutive years shall be immediately revoked by the Bureau of Licensing unless a transfer application or request for reissue from safekeeping has been filed prior to the expiration of the three-year period. The board shall extend the period for an additional year if at the end of the three-year period, the licensed premises are unavailable due to fire, flood or other similar natural disaster.

(c) In the event a transfer application filed prior to the expiration of the three-year period is disapproved by the board, through its exercise of discretion, then the license may remain in safekeeping for an additional period of three consecutive months after the board's decision to refuse the transfer application. Failure to remove the license from safekeeping or to file another transfer application prior to the expiration of the three-month period of time shall result in revocation of the license.

(d) Any period of time in which the licensee allows the license to lapse by not filing a timely license renewal or license validation shall be considered time in which the license was held in safekeeping, for purposes of this section.

(e) A license placed in safekeeping prior to the effective date of this act will be deemed to have been placed in safekeeping on the effective date of this act, for purposes of this section.

Amend Sec. 5, page 12, line 13, by striking out “5” and inserting
6

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

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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

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

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

Mr. GODSHALL. Thank you, Mr. Speaker.

This amendment is an amendment that has been asked for by the hospitality industry. What it does is puts back an 18-percent discount in place with the LCB (Liquor Control Board), which was in place a number of years ago. It has been asked for by the Restaurant Association, by your taverns, by the whole hospitality – your hotels and so forth.

What it does is, there are about 17,000 licenses that are connected with the industry. They make up 28 percent of the State store sales.

Mr. Speaker, I think I will run this amendment at this point.

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

Mr. GODSHALL offered the following amendment No. A5347:

Amend Title, page 1, line 16, by inserting after “laws.” ”
further providing for the sale of liquor to licensees; and

Amend Bill, page 1, lines 21 through 24, by striking out all of said lines and inserting

Section 1. Section 305(b) of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14), is amended to read:

Section 305. Sales by Pennsylvania Liquor Stores.—* * *

(b) Every Pennsylvania Liquor Store shall sell liquors at wholesale to hotels, restaurants, clubs, and railroad, pullman and steamship companies licensed under this act; and, under the regulations of the board, to pharmacists duly licensed and registered under the laws of the Commonwealth, and to manufacturing pharmacists, and to reputable hospitals approved by the board, or chemists. Sales to licensees shall be made at a price that includes a discount of eighteen per centum from the retail price. The board may sell to registered pharmacists only such liquors as conform to the Pharmacopoeia of the United States, the National Formulary, or the American Homeopathic Pharmacopoeia. The board may sell at special prices under the regulations of the board, to United States Armed Forces facilities which are located on United States Armed Forces installations and are conducted pursuant to the authority and regulations of the United States Armed Forces. All other sales by such stores shall be at retail. A person entitled to purchase liquor at wholesale prices may purchase the liquor at any Pennsylvania Liquor Store upon tendering cash, check or credit card for the full amount of the purchase. For this purpose, the board shall issue a discount card to each licensee identifying such licensee as a person authorized to purchase liquor at wholesale prices. Such discount card shall be retained by the licensee. The board may contract through the Commonwealth bidding process for delivery to wholesale licensees at the expense of the licensee receiving the delivery.

* * *

Section 2. Section 404 of the act, amended December 20, 2000 (P.L.992, No.141), is amended to read:

Amend Sec. 2, page 4, line 22, by striking out “2” and inserting
3

Amend Sec. 3, page 9, line 5, by striking out “3” and inserting
4

Amend Sec. 4, page 10, line 22, by striking out “4” and inserting
5

Amend Sec. 5, page 12, line 13, by striking out “5” and inserting
6

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

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

Mr. VITALI. I just want to be clear. Would the maker stand for brief interrogation?

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

Mr. VITALI. I am sorry; one more time. You are going to give a discount to whom, in what amount?

Mr. GODSHALL. This would be a discount of 18 percent, like it used to be, for your restaurants, your hotels, your bars, and really, the hospitality industry.

Mr. VITALI. In other words, if bars, restaurants, hotels— In other words, they get their liquor, if they want to serve Scotch in their bars and so forth, they would purchase that from a State store. Is that the idea?

Mr. GODSHALL. They would get this discount. Presently it is at 7 percent. This would increase it by 11 percent at the State store level when they are buying liquor.

Mr. VITALI. Okay. Now, what is the fiscal impact of this? How much is this going to—

Mr. GODSHALL. Approximately \$31 to \$32 million, and presently, and presently, and presently, right now, the Restaurant Association and so forth, your approximate gross or net profit is about 5 percent. A lot of them are struggling, and they are paying for liquor at our State stores, I think, higher than

almost any group in the hospitality industry in any State in the country.

Mr. VITALI. Okay. So this is going to cost the Commonwealth funds ultimately about \$31 million?

Mr. GODSHALL. This is what it would mean to the State stores. It would actually mean more tax revenue coming in from your establishments, so there would be some offset.

Mr. VITALI. What policy reason are we trying to forward by giving them this discount?

Mr. GODSHALL. Trying to keep them in business and trying to develop the hospitality and the tourist industry in the State of Pennsylvania.

Mr. VITALI. If you could quantify that, because I mean, it seems like the argument you are making is that—

The SPEAKER. Will the gentleman yield for a moment.

Please. Mr. Vitali is engaged in debate with the gentleman, Mr. Godshall. They are entitled to be heard. Will the gentleman yield.

Mr. Godshall.

Mr. VITALI. I mean, let us focus on bars, for example. It seems like the argument you are trying to make is, they deserve a break, which is going to cost taxpayers money, because they are struggling to stay in business.

Now, can you quantify that in any way? You know, just by my general knowledge, I have not heard of any distress in particular that bars are in. I mean, could you somehow quantify the claims you are making that they need this tax break to stay in business?

Mr. GODSHALL. It is really not a tax break; it is a discount because of volume buying. There are 17,000 licensees who buy 28 percent of the product from your State liquor stores.

Mr. VITALI. I understand that. Okay. So let us just assume it is a discount. Nevertheless, it is going to cost in the neighborhood, to Pennsylvania taxpayers, about \$30 million.

Could you quantify, could you quantify the struggle to maintain, to stay in business, that you state as a justification here? What do you mean they are struggling to stay in business? How can you quantify that, because I am unaware that bars, you know, are struggling any more than any other business to stay in business.

Mr. GODSHALL. Mr. Speaker, I have no idea what the gentleman is asking me, other than to quantify something that the problem is, they will be getting revenue back from these establishments if they stay in business and also if they increase their volume, so you cannot say that there is going to be a \$32-million loss to the State of Pennsylvania. It just plain is not so. And you cannot quantify it any more than that. I mean, I do not know what is going to come back because of the reduced prices that they are paying at the State liquor stores.

Mr. VITALI. Well, let me rephrase my question, if I could.

You made the assertion that this increased discount is necessary because these institutions – bars, restaurants, and so forth – are, quote, unquote, “struggling to stay in business.” They are your words. My question, Mr. Speaker, is, what is your basis for saying they are struggling to stay in business and they need this discount therefore?

Mr. GODSHALL. Right now, from the industry, there is approximately a 5-percent profit margin and in some cases less, and this is what the industry is asking for to try to stay afloat, try to keep their businesses operating, and try to attract new businesses into Pennsylvania.

Our restaurants, our hotels, are paying some of the highest prices in the whole country through the purchases from the State liquor stores, and that is all I can say.

Mr. VITALI. Thank you, Mr. Speaker. That concludes my questioning.

The SPEAKER. On the question, Mr. Samuelson.

Mr. SAMUELSON. Thank you, Mr. Speaker.

I agree with one of the gentleman from Montgomery County's assumptions – his assumption that the Commonwealth of Pennsylvania can do without this \$31 million. I disagree with his amendment that says this \$31 million should go to the owners of the bars and restaurants of Pennsylvania.

We have a special session on property tax reform under way now. We are going to have another one next spring. I say, yes, the Commonwealth can live without this \$31 million, but let us put it in a school property tax reduction fund. We are going to be combing the budget the coming few months to find line items that are no longer necessary, but I believe that we should return this money to school property tax payers and lower school property taxes, not give the money to the bars and restaurant owners of Pennsylvania.

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman, Mr. Godshall, indicates this amendment is withdrawn.

Mr. Reinard, I have you marked down for three amendments.

The hour grows late, but the amendments grow testier. I am suggesting that you pay attention to all of the work we have to do yet today.

The conference on the side aisle, please break up.

Sergeants at Arms, I would ask you to keep the areas behind the rails clear.

On the question recurring,

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

Mr. REINARD offered the following amendment No. A5348:

Amend Title, page 1, line 18, by removing the period after "application" and inserting

; and authorizing issuance of certain multiple public venue licenses.

Amend Bill, page 4, by inserting between lines 21 and 22

Section 2. Section 412 of the act is amended by adding a subsection to read:

Section 412. Public Venue License.—* * *

(g) The board is authorized to issue multiple licenses under this section for use in a public venue with permanent seating of at least thirty-five thousand (35,000) people. If the board does issue more than one license for a specific public venue, written notice of the event must be provided to the enforcement bureau at least forty-eight hours in advance of the dispensing of any liquor or malt or brewed beverages. The notice shall include the date, time and specific licensed areas to be used. No more than one license issued under this section shall be in effect at any location at any time of day at the same time.

Amend Sec. 2, page 4, line 22, by striking out "2" and inserting 3

Amend Sec. 3, page 9, line 5, by striking out "3" and inserting 4

Amend Sec. 4, page 10, line 22, by striking out "4" and inserting 5

Amend Sec. 5, page 12, line 13, by striking out "5" and inserting 6

On the question,

Will the House agree to the amendment?

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

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, this is an amendment that is being offered to help facilitate the Eagles' new stadium that is being built, that will be ready to go on line next year. What they are basically doing and what we are doing in this amendment is basically allowing them under their one license for the facility to actually have that separated into an A and B license or one or two licenses, basically to share the time of that license.

I will give you the example. There are skyboxes, for instance, that during a game period will have the license for the Eagles' facility apply to that licensee. When the game is over, that box may be rented out for another facility within that stadium complex for another event after postgame, et cetera. What it would allow them to do is have their license still apply to that. No two times— The A and B license would not be operating against each other. It would simply stay continuous that this license would operate, but it is based on the physical plan of how the stadiums are made today with skyboxes and the way the license in our code currently exists that they need the flexibility in order to do this.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—187

Table with 4 columns of names: Adolph, Allen, Argall, Armstrong, G., Baker, M., Bard, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Bishop, Blaum, Boyes, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Cawley, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Cornell, Feese, Fichter, Fleagle, Flick, Frankel, Freeman, Gabig, Gannon, Geist, George, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Hasay, Hennessey, Herman, Hershey, Hess, Hutchinson, Jadlowiec, James, Josephs, Mann, Markosek, Marsico, Mayernik, McCall, McGeehan, McGill, McIlhatten, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Myers, Nailor, Nickol, O'Brien, Oliver, Pallone, Perzel, Petrone, Phillips, Pickett, Pippy, Pistella, Schroder, Schuler, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Turzai, Vance, Veon

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

NAYS—8

Baker, J.	Coleman	Forcier	Petrarca
Birmelin	Creighton	Horsley	Rohrer

NOT VOTING—0

EXCUSED—8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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

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

Mr. REINARD offered the following amendment No. A5366:

Amend Title, page 1, line 16, by inserting after "laws," " further providing for when sales may be made at Pennsylvania liquor stores; and

Amend Bill, page 1, lines 21 through 24, by striking out all of said lines and inserting

Section 1. Section 304 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14), is amended to read:

Section 304. When Sales May Be Made at Pennsylvania Liquor Stores.—[Every] (a) Except as provided for in subsection (b), every Pennsylvania Liquor Store shall be open for business week days, except legal holidays or any day on which a general, municipal, special or primary election is being held, during such hours as the board, in its discretion, shall determine: Provided, That the Pennsylvania Liquor Stores in the case of a special election for members of the General Assembly or members of the Congress of the United States, when such special election is held on other than a primary, municipal or general election day, shall be open in those Legislative or Congressional Districts as though the day were not a special election day. The board may, with the approval of the Governor, temporarily close any store in any municipality.

(b) Certain Pennsylvania Liquor Stores operated by the board shall be open for Sunday retail sales between the hours of noon and five o'clock postmeridian, except that no Sunday sales shall occur on Easter Sunday or Christmas day. For a two-year time period following

the effective date of this subsection, the board shall open up to ten per centum of the total number of Pennsylvania Liquor Stores at its discretion for Sunday sales as provided for in this subsection. At the expiration of the two-year time period, the board shall conduct a review and determine whether the stores shall be closed or whether additional stores shall be opened for these Sunday sales. The board shall submit yearly reports to the Appropriations and the Law and Justice Committees of the Senate and the Appropriations and the Liquor Control Committees of the House of Representatives summarizing the total dollar value of sales under this section.

Section 2. Section 404 of the act, amended December 20, 2000 (P.L.992, No.141), is amended to read:

Amend Sec. 2, page 4, line 22, by striking out "2" and inserting 3

Amend Sec. 3, page 9, line 5, by striking out "3" and inserting 4

Amend Sec. 4, page 10, line 22, by striking out "4" and inserting 5

Amend Sec. 5, page 12, line 13, by striking out "5" and inserting 6

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

AMENDMENT WITHDRAWN TEMPORARILY

Mr. REINARD. Mr. Speaker, could I have amendment 5388 first, please?

The SPEAKER. The gentleman withdraws the amendment just read and substitutes—

Mr. REINARD. I did not withdraw it. I just want to replace it.

The SPEAKER. We will go over it temporarily, and the clerk will read what was the third amendment.

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

Mr. REINARD offered the following amendment No. A5388:

Amend Title, page 1, line 16, by inserting after "laws," " authorizing tasting of alcoholic beverages in Pennsylvania Liquor Stores and on premises of distributors and importing distributors;

Amend Title, page 1, line 18, by removing the period after "application" and inserting

; and further providing for unlawful acts relative to liquor, malt and brewed beverages and licensees.

Amend Bill, page 1, lines 21 through 24, by striking out all of said lines and inserting

Section 1. Section 305(d) of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14), is amended to read:

Section 305. Sales by Pennsylvania Liquor Stores.—* * *

(d) No liquor or alcohol package shall be opened on the premises of a Pennsylvania Liquor Store. No manager or other employe of the board employed in a Pennsylvania Liquor Store shall allow any liquor or alcohol to be consumed on the store premises, nor shall any person consume any liquor or alcohol on such premises except liquor and alcohol which are part of a tasting conducted pursuant to the board's regulations.

* * *

Section 2. Section 404 of the act, amended December 20, 2000 (P.L.992, No.141), is amended to read:

Amend Sec. 2, page 4, line 22, by striking out “2” and inserting

3

Amend Sec. 3, page 9, line 5, by striking out “3” and inserting

4

Amend Bill, page 10, by inserting between lines 21 and 22

Section 5. Section 441(b) of the act, amended May 31, 1996 (P.L.312, No.49), is amended to read:

Section 441. Distributors’ and Importing Distributors’ Restrictions on Sales, Storage, Etc.—* * *

(b) No distributor or importing distributor shall sell any malt or brewed beverages in quantities of less than a case or original containers containing one hundred twenty-eight ounces or more which may be sold separately: Provided, That no malt or brewed beverages sold or delivered shall be consumed upon the premises of the distributor or importing distributor, or in any place provided for such purpose by such distributor or importing distributor. Notwithstanding this section or any other section of this act, malt or brewed beverages which are part of a tasting conducted pursuant to the board’s regulations may be consumed on licensed premises.

Amend Sec. 4, page 10, line 22, by striking out “4” and inserting

6

Amend Bill, page 12, by inserting between lines 12 and 13

Section 7. Section 493(17) and (20)(i) of the act, amended May 31, 1996 (P.L.312, No.49), are amended to read:

Section 493. Unlawful Acts Relative to Liquor, Malt and Brewed Beverages and Licensees.—The term “licensee,” when used in this section, shall mean those persons licensed under the provisions of Article IV, unless the context clearly indicates otherwise.

It shall be unlawful—

* * *

(17) Licensees, etc., Interested or Employed in Manufacturing or Sale of Equipment or Fixtures. For any licensee, or any officer, director, stockholder, servant, agent or employe of any licensee, to own any interest, directly or indirectly, in or be employed or engaged in any business which involves the manufacture or sale of any equipment, furnishings or fixtures to any hotel, restaurant or club licensees, or to any importing distributors, distributors or retail dispensers: Provided, however, That as to malt or brewed beverage licensees, the provisions of this subsection shall not apply to such a conflicting interest if it has existed for a period of not less than three years prior to the first day of January, one thousand nine hundred thirty-seven, and the board shall approve. Notwithstanding this provision or any other provision of this act, it shall be permissible for licensees to sell glasses at not less than cost and to provide beer buckets, coasters, metal keg connectors and tap knobs to other licensees and to holders of special occasion permits.

* * *

(20) (i) Retail Liquor and Retail Malt or Brewed Beverages Licensee’s Inside Advertisements. For any retail liquor or retail malt or brewed beverages licensee, to display or permit the display in the show window or doorways of his licensed premises, any placard or sign advertising the brands of liquor or malt or brewed beverages, if the total display area of any such placard or sign advertising the product or products exceeds six hundred square inches. Nothing herein shall prohibit a licensee from displaying inside his licensed premises point of sale displays advertising brand names of products sold by him, other than a window or door display: Provided, That the total cost of all such point of sale advertising matter relating to any one brand shall [not exceed the sum of one hundred forty dollars (\$140) at any one time, and no single piece of advertising shall exceed a cost of seventy dollars (\$70). The board is authorized to make annual adjustments to the cost limitations on point of display advertising to reflect any changes in such limitations by the United States Bureau of Alcohol, Tobacco and Firearms or its successors in accordance with 27 CFR 6.83 (relating to product displays) and 27 CFR 6.85 (relating to retailer advertising specialties).] not exceed the dollar amount set forth by the board through regulation. All such advertising material, including the window and door signs, may be furnished by a manufacturer, distributor or importing distributor. The restrictions on advertising set forth in

subclause (ii) and in clauses (20.1) and (20.2) shall also apply to this subclause.

* * *

Amend Sec. 5, page 12, line 13, by striking out “5” and inserting

8

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of 5388.

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, this is a trade-practices type of an amendment. It does four distinct things.

The first thing that it does is something that the LCB would like. It allows for State stores to have samplings or tastings. For instance, a wine manufacturer will give wine to the State store or the State store employees who are trained in wine sales would have this available for the public when they come in. They could taste it and see whether or not they like it before they buy it. It does the same thing also with malt beverages.

The third thing it does is it allows that glasses, things that you see normal to a bar – glasses, coasters, buckets, the pull taps – those things can be sold at cost to the bar owners, where presently, under the code, that is not the case. One example is a beer that is brewed in our Commonwealth, Rolling Rock. Rolling Rock brews a brand of Bavarian beer that has to be served in a special type of glass to get the true effect of the beer. What they want to do is be able to have the bar or restaurant that is buying their Bavarian beer also be able to buy the glasses but buy them at their cost instead of the full retail cost, as under the code.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—164

Adolph	Frankel	Mann	Schroder
Allen	Freeman	Markosek	Scrimenti
Argall	Gabig	Marsico	Semmel
Armstrong, G.	Gannon	Mayernik	Shaner
Bard	Geist	McCall	Smith, S. H.
Barrar	George	McGeehan	Solobay
Bebko-Jones	Godshall	McGill	Staback
Belardi	Gordner	McIlhinney	Stairs
Belfanti	Grucela	McNaughton	Steelman
Bishop	Gruitza	Melio	Steil
Blaum	Habay	Michlovic	Stetler
Boyes	Haluska	Micozzie	Stevenson, T.
Bunt	Hanna	Miller, R.	Strittmatter
Butkovitz	Harhai	Mundy	Sturla
Buxton	Harhart	Myers	Surra
Caltagirone	Harper	Nailor	Tangretti
Cappelli	Hasay	Nickol	Taylor, E. Z.
Civera	Hennessey	O’Brien	Taylor, J.
Clark	Herman	Oliver	Thomas
Cohen, M.	Hess	Pallone	Tigue
Cornell	Horsey	Perzel	Travaglio
Corrigan	Jadlowiec	Petrone	Trello
Costa	James	Phillips	Turzai
Coy	Josephs	Pickett	Vance
Cruz	Kaiser	Pippy	Veon
Curry	Keller	Pistella	Vitali
Dailey	Kirkland	Preston	Walko
Daley	Krebs	Raymond	Wansacz
Dally	LaGrotta	Readshaw	Washington

DeLuca	Laughlin	Reinard	Waters
Dermody	Lederer	Rieger	Watson
DeWeese	Leh	Roberts	Williams, J.
DiGirolamo	Lescovitz	Robinson	Wilt
Diven	Levdansky	Roebuck	Wojnaroski
Donatucci	Lewis	Ross	Wright, G.
Eachus	Lucyk	Rubley	Wright, M.
Evans, D.	Lynch	Ruffing	Youngblood
Evans, J.	Mackereth	Sainato	Yudichak
Fairchild	Maher	Samuelson	
Feese	Maitland	Santoni	
Fichter	Major	Saylor	Ryan,
Flick	Manderino		Speaker

NAYS—31

Baker, J.	Clymer	Hutchinson	Scavello
Baker, M.	Cohen, L. I.	McIlhattan	Schuler
Bastian	Coleman	Metcalfe	Smith, B.
Benninghoff	Creighton	Miller, S.	Stern
Birmelin	Egolf	Petrarca	Stevenson, R.
Browne	Fleagle	Rohrer	Yewcic
Casorio	Forcier	Rooney	Zug
Cawley	Hershey	Sather	

NOT VOTING—0

EXCUSED—8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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

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

Mr. **REINARD** reoffered the following amendment No. **A5366**:

Amend Title, page 1, line 16, by inserting after "laws," " further providing for when sales may be made at Pennsylvania liquor stores; and

Amend Bill, page 1, lines 21 through 24, by striking out all of said lines and inserting

Section 1. Section 304 of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reenacted and amended June 29, 1987 (P.L.32, No.14), is amended to read:

Section 304. When Sales May Be Made at Pennsylvania Liquor Stores.—[Every] (a) Except as provided for in subsection (b), every Pennsylvania Liquor Store shall be open for business week days, except legal holidays or any day on which a general, municipal, special or primary election is being held, during such hours as the board, in its discretion, shall determine: Provided, That the Pennsylvania Liquor Stores in the case of a special election for members of the General Assembly or members of the Congress of the United States, when such special election is held on other than a primary, municipal or general election day, shall be open in those Legislative or Congressional Districts as though the day were not a special election day. The board may, with the approval of the Governor, temporarily close any store in any municipality.

(b) Certain Pennsylvania Liquor Stores operated by the board shall be open for Sunday retail sales between the hours of noon and five o'clock postmeridian, except that no Sunday sales shall occur on Easter Sunday or Christmas day. For a two-year time period following

the effective date of this subsection, the board shall open up to ten per centum of the total number of Pennsylvania Liquor Stores at its discretion for Sunday sales as provided for in this subsection. At the expiration of the two-year time period, the board shall conduct a review and determine whether the stores shall be closed or whether additional stores shall be opened for these Sunday sales. The board shall submit yearly reports to the Appropriations and the Law and Justice Committees of the Senate and the Appropriations and the Liquor Control Committees of the House of Representatives summarizing the total dollar value of sales under this section.

Section 2. Section 404 of the act, amended December 20, 2000 (P.L.992, No.141), is amended to read:

Amend Sec. 2, page 4, line 22, by striking out "2" and inserting 3

Amend Sec. 3, page 9, line 5, by striking out "3" and inserting 4

Amend Sec. 4, page 10, line 22, by striking out "4" and inserting 5

Amend Sec. 5, page 12, line 13, by striking out "5" and inserting 6

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Reinard, for the third amendment, which was originally labeled as his second amendment.

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, for the members of the House, they may recall back in June of this year we brought up for the first time in this House the issue of Sunday sales, and much of the debate on Sunday sales in this House centered around the fact that the Liquor Control Committee did not have any meetings on this issue, and also, there were some concerns as to, from this House, how expansive a number of stores would that be, who would have the discretion on where stores go, et cetera, et cetera.

The issue of Sunday sales, in my opinion, is to stop and recapture our sales that are lost to our neighboring States that are open on Sundays for our Commonwealth. Now, the subject was first broached to me by the chairman of the Liquor Control Board at the time, Chairman Jones, on the concern that they have in trying to place in certain parts of the Commonwealth, around borders, the ability to have limited sales so they could recapture some of the costs that they are losing in sales to other States.

Since June the House Liquor Control Committee had two roundtable meetings, one in Pittsburgh and one in Philly. Over 150 different individuals, both pro and con on the issue of liquor sales in the Commonwealth, were invited and attended, and from that meeting, what we have before you today is the language that the majority of those who attended and who also support the concept of Sunday sales came up with. And basically, what we do is, we allow the State Liquor Control Board the discretion to open up to 10 percent of their stores, at their discretion, at locations that they see fit, for a period of 2 years. After that 2-year period, then they would have the discretion to open up more stores if marketing, obviously, provided the need for that.

On a fiscal note, I will point out that the cost to open up the stores on Sunday amounts to \$17,000,399. Assuming what Chairman Jones' and my conversation was, with just a minor 10-percent gain in revenues, that number would be

\$120 million, so you would be seeing on the Sunday sales of this basis a fiscal impact of a positive \$102,500,000 more to the Commonwealth.

This along with a whole lot of other good reasons, like we want to bring our stores and make them user-friendly for the citizens of this Commonwealth, I ask for the House' support.

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

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, will the maker of the amendment stand for a brief interrogation?

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

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, as I am reading your amendment A5366, this amendment would permit the LCB for a 2-year period to permit up to 10 percent of PA liquor stores to be open on Sunday retail.

Can you tell me which 10 percent of the Pennsylvania liquor stores that would be?

Mr. REINARD. Mr. Speaker, the last time the House addressed this issue, there was concern as to where they would be, and there was some clarity concern by many that they did not know how specific and what locations. We changed that in this legislation by giving the board full discretion to determine, based on sales and volume, stores, what hours, which stores do better than others, what borders are their concerns, we leave the discretion to the professionals – we leave it to the Liquor Control Board themselves – to determine where the 1 to 10 percent of the stores would be located.

Mr. CASORIO. So theoretically, Mr. Speaker, if – and I take you at your word again – we are leaving the discretion of deciding which of the 10 percent of the Pennsylvania State stores remain open – and there are 650 State stores currently in the Commonwealth, so roughly 65 stores would be open on Sundays – they could all conceivably be in Allegheny and Philadelphia Counties, could they not, based on sales?

Mr. REINARD. Well, I think our State's Liquor Control Board has been smarter than that in the past by where they locate your stores presently. I think you would be doing them a great disservice if you would think you could make a case that would be realistic that they would want to do something like that.

Mr. CASORIO. So we could speculate all day on which counties would have the 10 percent of the stores or which stores would be open, but the bottom line is – and again, I am asking you – we do not know which 10 percent of the State stores would be open; that is up to the LCB. Correct?

Mr. REINARD. As it is today. The LCB determines today where stores are located.

Mr. CASORIO. All right. And they will again, according to your amendment, decide which of the 10 percent, up to 10 percent, so theoretically, up to 65 of the State stores would be open.

The hours in your amendment, Mr. Speaker, are 12 noon to 5 p.m., except on Easter Sunday or Christmas Day. Would that, of course, allow for openings of any other holidays that may fall on a Sunday?

Mr. REINARD. Mr. Speaker, these are days that they cannot be open. It is under the discretion of the board.

Mr. CASORIO. So all other holidays that fall on a Sunday, whatever they may be, with the exception of Easter Sunday and

Christmas Day, the 10 percent of the State stores, up to 10 percent, that would be open on Sundays from noon to 5 could be in fact open on all other holidays that fall on a Sunday, except for Easter and Christmas.

Mr. REINARD. Mr. Speaker, as the State liquor stores are operated now, as it falls on holidays, the same policy applies to this.

Mr. CASORIO. So your amendment then would allow for opening of the liquor stores, these 10 percent, on Sundays, except for Easter Sunday and Christmas Day. Those are the only two exceptions. Correct?

Mr. REINARD. Mr. Speaker, as I stated earlier, these are the days they cannot be open. We leave the discretion to the professionals, to the board – the same people that decide what holidays, if any, our stores are opened up presently.

Mr. CASORIO. So then the only exceptions, the only holidays that would be closed, if in fact we open up to 65 State stores, would be Easter Sunday and Christmas Day.

Mr. REINARD. Mr. Speaker, for the last time, if I can be as clear as possible, these are the days they cannot be open. Any other days that the board decides they do not want to be open, as they are presently with their existing stores, it is their discretion, because they are the people that decide that presently. We are just simply stating days they cannot be open, if they fall on a Sunday.

Mr. CASORIO. So we are leaving to the latitude, as you have described them as experts, the LCB, we would leave to their discretion and their judgment an estimation, based on certain facts and figures, whether they would choose to have up to 65 State stores open on a Sunday, a holiday Sunday, other than Christmas and Easter.

The SPEAKER. We are beating a dead horse to death on this one.

Mr. REINARD. Thank you, Mr. Speaker.

Mr. CASORIO. I am not into beating dead horses, Mr. Speaker. I am just trying to get to the bottom of whether it is Easter Sunday or Christmas.

Let me say this, Mr. Speaker: Then I will assume that since the language of the amendment excepts only Easter Sunday and Christmas, if a holiday falls on a Sunday, the State stores could have the potential to be open.

Mr. REINARD. I am sorry, Mr. Speaker, but you are misstating my statement. I told you those are the days they cannot be open, and you said you trust my honor, so trust it. I am simply saying they have the authority presently to close on a Saturday, a Friday, a Tuesday, a Monday, any other day when the holiday comes into play, and the same thing comes into play here, except these days they do not have that authority; we are taking it away. That is black-and-white, sir.

Mr. CASORIO. I understand that, and again, the exceptions are just Easter Sunday and Christmas Day. Correct? Good.

Thank you, Mr. Speaker.

The 2-year period that the board shall conduct a review to determine whether the stores shall be closed or whether additional stores shall be opened for these sales, shall report to the General Assembly the total dollar value of sales occurring on Sundays. In what period after this 2-year period does the LCB have to report to this General Assembly, Mr. Speaker?

Mr. REINARD. Mr. Speaker, unless this House decides to change that period for any other reason or rescind it, then they continue to have the authority they have now to open up

additional stores, if they see fit, on Sunday, as they do have the authority now to move stores from location to location. We are giving them the authority they have now for the 6 days, for these stores, on the seventh.

Mr. CASORIO. I understand that. That was not my question, Mr. Speaker.

Mr. REINARD. That is my answer.

Mr. CASORIO. Oh, that was not the question that I asked, so maybe I will ask the question again, and hopefully I will get a different answer.

The State stores that will be open over a 2-year period, there will have to be a review conducted to determine whether these stores should be closed or additional stores should be opened. In what time period should the LCB have to report to the General Assembly on what has occurred over this 2-year period?

Mr. REINARD. Mr. Speaker, it is a yearly report.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, on the amendment?

The SPEAKER. The gentleman is in order.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, let me take just a moment and give you a brief overview and some reasons from one of the State store unions in opposition. Then I will list another State store union actually who is in favor of this and some of their reasons.

Mr. Speaker, the president of Diageo PLC, an international conglomerate, named Paul Clinton – he is the president of the world's largest alcohol conglomerate – said, quote, in proposing to be able to sell, he wants to sell, quote, “around the clock and on Sunday,” and if local laws, State laws, prevent that, quote, “...we’ll need to work together with our retail partners to make sure those laws change.”

Mr. Speaker, I think that is what you see happening before you today, is we are knuckling under to Diageo and some other local and worldwide conglomerates in pushing for an issue that I know my constituents do not want, and I am not sure where the outcry is coming from, other than Diageo.

Mr. Speaker, right now Sunday liquor sales are banned in 27 States; 27 States ban Sunday liquor sales. This is not an issue of whether it is just Pennsylvania and Utah in an outdated, outmoded system. We are with the majority of States across this great nation in banning the sale of alcohol on Sundays, and, Mr. Speaker, let me add, that is only sale of hard liquors and wines at State stores. If you are in desperate shape for alcohol for whatever reason or you have misjudged the size of your party on a Sunday for a Steelers or an Eagles game, you can go down to your local pub, you can go down to your local restaurant, and one person at a time can buy two six-packs of beer to take back to your party. So there is plenty of alcohol available on Sundays, Mr. Speaker. It is just that we are talking about hard alcohol and wine.

Mr. Speaker, currently, as I have stated, there 650 State stores in Pennsylvania. There are 16,700, almost 17,000 retail on-premise beverage licenses and 1,300 beer distributors. Of course, beer distributors are closed on Sundays. So we have almost 17,000 retail on-premise beverage licensees open on Sundays, so if you do not want to take those two six-packs in your brown paper bag and put it in your car and take it home for your Steelers or Eagles party, you can sit at your local pub and your neighborhood restaurant and consume a glass of Merlot or have a whiskey and water. You can do that on Sundays in

Pennsylvania, Mr. Speaker, and you can do that right there at your pub and your restaurant and support your local community.

We are talking about up to 65 State stores being opened on a Sunday when, quite frankly, Mr. Speaker, if the genesis of the 65 State stores being opened is generated strictly on sales and volume, you know as well as I do, those stores are going to be in Philadelphia and Allegheny County.

Mr. Speaker, Pennsylvania State stores right now are open 6 days a week and some up to 12 hours a day.

Mr. Speaker, that was from the Independent State Store Union, who opposes this.

Let me just quote briefly from Local 1776, and they are in support of Sunday sales. They are saying that “...Sunday sales is the next logical step in improving customer service.” Mr. Speaker, I take exception with that comment on two bases. One, “the next logical step” – and that is the quote from the letter to the members of this General Assembly – I, for one, do not want another logical step, Mr. Speaker. This system is not broken. This system is a cash cow for Pennsylvania. This system monitors whether young people obtain alcohol. This system provides 3,000 State workers and their families decent-paying jobs and benefits. So I am not sure that we want “the next logical step,” Mr. Speaker.

And the next statement that they make is “improving customer service.” Well, if all it takes is opening 65 State stores in Pennsylvania to improve customer service, we should have done it long ago. Improving customer service starts by improving morale, Mr. Speaker; it starts by improving morale of the State store workers.

This letter also said that “...issues related to hours and overtime can be handled in the collective bargaining process”; “...issues related to hours and overtime can be handled in the collective bargaining process.” Mr. Speaker, these folks went for over 5 years without a contract. How in God's name are they going to be able to handle hours and overtime in a collective-bargaining process when the past administrations have not gone to the table before settling for 5 years with the State store workers?

Mr. Speaker, this union is saying that the PLCB will “...lease space to put Wine and Spirit Shoppes inside supermarkets....” Which supermarkets are those, Mr. Speaker? Who has the controlling interest in those supermarkets? Are they predetermined already, Mr. Speaker? Does the LCB know which 65 State stores will go into supermarkets? “...This will alleviate almost all consumer complaints about our current system.” So whether you are in Westmoreland or McKean or Potter or Schuylkill or Montour or Juniata or Dauphin County, you can tell the people that come into your district, your constituents, that the customer complaints are all going to be settled and they are all going to be satisfied because we have opened 65 liquor stores inside supermarkets, Mr. Speaker. You try selling that to your 60,000 people in your district, and then come back and tell me what the results are.

Mr. Speaker, this is hogwash. You know it as well as I do. We do not need to open up liquor stores in Philadelphia and Allegheny Counties on Sunday. If you have got that bad of a problem, go to your local pub, support your local neighbors, help the constituents out in that district, and listen to what we have said about these stores and the premises, Mr. Speaker.

Sunday sales in Pennsylvania will hurt a cash cow. It will hurt places like Philadelphia and Allegheny Counties, and it will

ultimately, Mr. Speaker, hurt our young people in the Commonwealth of Pennsylvania. I am asking for a “no” vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Trello.

Mr. TRELLO. Thank you, Mr. Speaker.

Mr. Speaker, I hate to oppose a bill from a member of the graduating class of 2002, but I think Sunday is a day that we go to worship at the church of our choice; Sunday is a day that we spend with our family and have our children and our grandchildren over for dinner; Sunday is a day for football. I believe the Mothers Against Drunk Driving and many other organizations would oppose this legislation.

For that reason, Mr. Speaker, I am going to vote against it, and I would appreciate a “no” vote on this amendment. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Horsey.

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this amendment.

If it is only about the revenue and, you know, accumulating revenue streams, then we need to consider drug sales on Sundays; we need to consider prostitution on Sundays. It is not about revenue. Okay?

We need to give the appropriate person the appropriate respect on that day, and we do not need to allow folks who are inebriated or can get inebriated 6 days a week to get intoxicated that seventh day. One of those days is special out of the week, whether you go to a church or not.

Now, initially when I thought I was going to speak on this amendment, I was going to raise a constitutional question, because there is a preference given to Christians not to sell on Easter and not to sell on Christmas. How about religious days for Muslims? How about religious days for Hebrews? I mean, it is not okay to sell for 2 days because they are Christian holidays, but it is okay to sell if they are Hebrew or Muslim? No. One of those days should be dedicated special.

You know, you have got 6 days, 12 hours a day to do it. The seventh day is special, and this is a bad amendment, and I am asking my colleagues in the House to oppose this amendment, because I am telling you, if you allow this amendment in, you are opening the door for other things that you do not want to see in this State – you know, prostitution, gambling, some other things.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, very briefly, I stand in opposition to legislation that would open up the Pennsylvania liquor stores on Sunday, even though it has been compromised over the last time the amendment was proposed.

Alcohol addiction continues to be a major problem here in Pennsylvania. We need to set the proper example as State legislators, and keeping the State stores closed on Sunday is one way we can do it.

Mr. Speaker, I would ask for a “no” vote. Thank you.

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

Mr. GORDNER. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment.

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

Mr. GORDNER. Thank you, Mr. Speaker.

The amendment says that during a 2-year period, it allows the LCB to give up to 10 percent of its State stores the opportunity to be open on Sundays. It says that at the end of that 2-year period, the LCB should review the situation to determine whether to close the stores or to open additional stores.

Does this amendment give the authority to the LCB to in fact open all of its stores to Sunday sales?

Mr. REINARD. Well, Mr. Speaker, not every State store in the Commonwealth is even open all 6 days of the week presently, so obviously, the marketing and the sales at a location is what is going to be the determining factor on what stores are going to be open.

I know many of you will be surprised to know but not all stores are open every single day for the State stores now. So I would be theorizing what the board would do, but knowing how incredible the board is, they would not make that determination simply because they do not open all stores now 6 days a week.

Mr. GORDNER. But this legislation would give the LCB the authority to open additional stores on Sundays after the 2-year period was over?

Mr. REINARD. That is correct. Unless we as a legislative body determine to do otherwise, they would have the discretion to add additional stores.

Mr. GORDNER. Okay. Thank you.

I would like to comment on the amendment.

The SPEAKER. The gentleman may proceed.

Mr. GORDNER. Thank you, Mr. Speaker.

I would urge my colleagues to vote against this amendment. As just stated, it seems innocuous at first to allow just 10 percent of the stores to be open, but in fact, this legislation would allow, after 2 years, literally 100 percent of the stores across this State to be open on Sundays, and that authority would be given to the LCB.

The other thing that really concerns me was the statement earlier by the proponent of this proposal that it would generate around \$120 million in new revenues. Now, you could argue that we should open the stores on Sundays for the convenience of the folks in our district, but by making that statement, you are saying that folks that would normally buy on Saturday or Monday would now buy on Sunday, but in fact, the statement is that \$120 million in additional sales, in new sales, in sales that would not otherwise happen, would now occur because stores are open on Sunday.

And because of that great increase in the amount of alcohol and consumption of alcohol and because it would allow 100 percent of the stores to possibly be open after 2 years, I would urge my colleagues to vote “no.”

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I would not want you or any of my colleagues to believe in any manner that I was a teetotaler, because I am not, and should you find your way to some fancy hotel tonight and you would be willing to buy, I would be willing to drink.

But I stand here and I want to echo what the prime sponsor of this amendment said, and I want to use his words against him in that, Mr. Speaker, it seems we want to make one part of our

State a potential inebriation situation with our people in that we want to give them an extra day, which is Sunday. But in my little town of Clearfield, we have closed five liquor stores. We moved the one from Clearfield out to the mall, and yet the Liquor Control Board will say, we are not trying to promote sales. And we turn around, in my town they are only open 3 days a week, as Mr. Reinard said. So you know, whom are we going to give the benefit of the ability to patronize these places before church, after church, or whenever?

Now, I think in Pennsylvania, it is not that hard to get a drink, Mr. Speaker. You go to a restaurant that sells food to the potential that the law gives, and we will be all right.

But you know what? The Liquor Control Board has been responsible for losing business in our communities by their action of making the determination of which stores should open and which stores should close, and so I am saying, we should not let them make that determination at this point. Mr. Reinard has a very good reason and argument to say we should open. We ought to give them about 70 reasons to say they should not be open on a Sunday. Thank you.

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Delaware County, Mr. Vitali, on the amendment.

Mr. VITALI. Thank you, Madam Speaker.

I am going to vote "yes" for this not because it is the most earth-shattering issue in the world but it is simply a convenience issue. The reality is, Sunday when you are visiting relatives or visiting friends, you might want to bring a bottle of wine with you, and every once in a while, you just find yourself short. I think we ought to have the option to purchase on Sunday. My constituents are not children, and I am not Big Brother, and I do not think we as a legislature should be looking over them and treating them like we are Big Brother and they are children. If they open 10 percent of the liquor stores on Sunday, I hope they put one right in my hometown, because I think my constituents can appreciate that.

The second point is with regard to that I have heard allusions of two speakers, alluding to the religious issue; this is a day of religion and so forth. You know what? That is fine; if that is your religious belief, that is fine. You can observe your religion in any way you choose, but we are a secular institution and we are a society of tolerance, and some of us choose to enjoy liquor on Sundays. That is what we choose to do. If you choose not to, that is also your business.

I think the current amendment is a very reasonable approach. It starts out on a 10-percent basis, so that if Sodom and Gomorrah happens in these cities like Philadelphia and Pittsburgh, we as a legislature have 2 years to react to that. Frankly, I do not think it is going to happen. I just think this is a very reasonable approach. I think we ought to come into the new millennium and just pass this very reasonable law.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Bucks County, Mr. Reinard.

Mr. REINARD. Thank you, Madam Speaker.

Madam Speaker, again, just a couple major important points.

First off, there was some concern about the number of licensees that we have open on Sunday and no need to go out and get your wine; you can go there and drink it. To me, that just does not make a whole lot of sense. If you want to have it at home and you want to be in the confines of your home, why would we be encouraging and promoting drinking and driving?

Second off, there was some concern about shopping. Well, Madam Speaker, Saturday and Sunday are the two most prominent shopping days in any household, and the convenience factor is important, and we have a system we should be proud of, we are proud of, and we can continue to move it towards the next millennium, and I think this makes perfect sense.

Finally, Madam Speaker, Governor-elect Rendell and others have expressed concerns over the need to modernize and move on to Sundays. The fact that the clerks' union supports this just goes and shows you that direction.

I would ask for your support.

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

The following roll call was recorded:

YEAS—106

Adolph	Evans, D.	Maher	Robinson
Baker, J.	Evans, J.	Maitland	Roebuck
Bard	Fichter	Major	Rooney
Barrar	Flick	Manderino	Ross
Belfanti	Frankel	Mann	Rubley
Benninghoff	Freeman	Marsico	Ruffing
Bishop	Gannon	Mayernik	Santoni
Boyes	Grucela	McCall	Saylor
Bunt	Haluska	McGeehan	Schroder
Butkovitz	Hanna	McGill	Shaner
Buxton	Harhart	McIlhinney	Steil
Caltagirone	Harper	McNaughton	Stetler
Civera	Hasay	Melio	Stevenson, T.
Clark	Herman	Michlovic	Sturla
Cohen, L. I.	Jadlowiec	Micozzie	Tangretti
Cornell	James	Miller, R.	Taylor, J.
Corrigan	Josephs	Myers	Thomas
Costa	Kaiser	Nailor	Veon
Cruz	Keller	Nickol	Vitali
Curry	Laughlin	O'Brien	Wansacz
Daley	Lederer	Oliver	Washington
Dally	Leh	Perzel	Watson
Dermody	Levdansky	Pistella	Williams, J.
DeWeese	Lewis	Raymond	Wilt
DiGirolamo	Lucyk	Reinard	Wright, M.
Donatucci	Lynch	Rieger	Youngblood
Eachus	Mackereth		

NAYS—89

Allen	Feese	Miller, S.	Stairs
Argall	Fleagle	Mundy	Steelman
Armstrong, G.	Forcier	Pallone	Stern
Baker, M.	Gabig	Petrarca	Stevenson, R.
Bastian	Geist	Petrone	Strittmatter
Bebko-Jones	George	Phillips	Surra
Belardi	Godshall	Pickett	Taylor, E. Z.
Birmelin	Gordner	Pippy	Tigue
Blaum	Gruitza	Preston	Travaglio
Browne	Habay	Readshaw	Trello
Cappelli	Harhai	Roberts	Turzai
Casorio	Hennessey	Rohrer	Vance

Cawley	Hershey	Sainato	Walko
Clymer	Hess	Samuelson	Waters
Cohen, M.	Horshey	Sather	Wojnaroski
Coleman	Hutchinson	Scavello	Wright, G.
Coy	Kirkland	Schuler	Yewcic
Creighton	Krebs	Scrimenti	Yudichak
Dailey	LaGrotta	Semmel	Zug
DeLuca	Lescovitz	Smith, B.	
Diven	Markosek	Smith, S. H.	
Egolf	McIlhattan	Solobay	Ryan,
Fairchild	Metcalfe	Staback	Speaker

NOT VOTING—0

EXCUSED—8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

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

The following roll call was recorded:

YEAS—140

Adolph	Fichter	Mann	Santoni
Allen	Flick	Markosek	Saylor
Argall	Frankel	Marsico	Schroder
Baker, J.	Freeman	Mayernik	Scrimenti
Bard	Gannon	McCall	Shaner
Barrar	Godshall	McGeehan	Staback
Bebko-Jones	Grucela	McGill	Steelman
Belardi	Gruitza	McIlhinney	Steil
Belfanti	Haluska	McNaughton	Stetler
Benninghoff	Hanna	Melio	Stevenson, R.
Bishop	Harhai	Michlovic	Stevenson, T.
Boyes	Harhart	Micozzie	Sturla
Bunt	Harper	Miller, R.	Surra
Butkovitz	Hasay	Myers	Tangretti
Buxton	Hennessey	Nailor	Taylor, J.
Caltagirone	Herman	Nickol	Thomas
Cappelli	Horshey	O'Brien	Travaglio
Civera	Jadlowiec	Oliver	Turzai
Clark	James	Pallone	Vance
Cohen, L. I.	Josephs	Perzel	Veon
Cornell	Kaiser	Petrone	Vitali
Corrigan	Keller	Pippy	Walko
Costa	LaGrotta	Pistella	Wansacz
Cruz	Laughlin	Preston	Washington
Curry	Lederer	Raymond	Waters
Daley	Leh	Readshaw	Watson
Dally	Lescovitz	Reinard	Williams, J.

DeLuca	Levdansky	Rieger	Wilt
Dermody	Lewis	Roberts	Wojnaroski
DeWeese	Lucyk	Robinson	Wright, G.
DiGirolamo	Lynch	Roebuck	Wright, M.
Diven	Mackereth	Rooney	Youngblood
Donatucci	Maher	Ross	
Eachus	Maitland	Rublely	
Evans, D.	Major	Sainato	Ryan,
Evans, J.	Manderino		Speaker

NAYS—53

Armstrong, G.	Fairchild	Krebs	Semmel
Baker, M.	Feese	McIlhattan	Smith, B.
Bastian	Fleagle	Metcalfe	Smith, S. H.
Birmelin	Forcier	Miller, S.	Solobay
Blaum	Gabig	Mundy	Stairs
Browne	Geist	Petrarca	Stern
Casorio	George	Phillips	Strittmatter
Cawley	Gordner	Pickett	Taylor, E. Z.
Clymer	Habay	Rohrer	Tigue
Cohen, M.	Hershey	Samuelson	Trello
Coleman	Hess	Sather	Yewcic
Coy	Hutchinson	Scavello	Yudichak
Creighton	Kirkland	Schuler	Zug
Egolf			

NOT VOTING—2

Dailey	Ruffing
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EXCUSED—8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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

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

SUPPLEMENTAL CALENDAR C

RULES SUSPENDED

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

Mr. MAHER. Madam Speaker, I move that the rules of the House be suspended in order to offer HB 2450, PN 3527.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Armstrong, T.	Colafella	Lawless	Tulli
Brooks	Kenney	Trich	Zimmerman

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2450, PN 3527**, entitled:

An Act providing a bonus to Pennsylvanians who are United States Merchant Marine veterans who served during World War II; imposing certain duties on the Adjutant General; providing penalties; and making an appropriation.

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

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

The question is, shall the bill pass finally?

(The bill analysis was read.)

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Armstrong, T. Brooks	Colafella Kenney	Lawless Trich	Tulli Zimmerman
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

**ANNOUNCEMENT BY
SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. I want to make an announcement to make sure all of you hear.

Tomorrow's session will begin at 10 a.m.; tomorrow's session will begin at 10 a.m.

There will be no further votes today.

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

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 286, PN 4567

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, providing for functions of the Commissioner of Professional and Occupational Affairs; and further providing for anesthesia.

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

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman, Mr. Godshall, who asks that his vote on amendment 5458 to SB 1419 be reflected in the positive. The comments of the gentleman will be reflected on our record.

COMMITTEE MEETING CANCELED

The SPEAKER pro tempore. The gentleman, Mr. Smith.
Mr. B. SMITH. Thank you, Mr. Speaker.

The meeting of the Game and Fisheries Committee scheduled for tomorrow is canceled.

The SPEAKER. The Chair thanks the gentleman.

JUDICIARY COMMITTEE MEETING

The SPEAKER. Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, the House Judiciary Committee meeting scheduled for 10 a.m. tomorrow is rescheduled for 9:30 a.m. The House Judiciary will meet at 9:30 a.m. tomorrow morning.

The SPEAKER. The Chair thanks the gentleman.

The Judiciary Committee will meet tomorrow morning at 9:30 rather than 10 o'clock.

VOTE CORRECTIONS

The SPEAKER. Mrs. Dailey, do you seek recognition?

Mrs. DAILEY. Yes, Mr. Speaker.

The SPEAKER. The lady is recognized.

Mrs. DAILEY. My switch did not function on HB 2574.

I would like to be in the negative, please.

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

Mr. Petrone.

Mr. PETRONE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to correct the record on HB 2574.

I wanted to be recorded in the negative. My switch malfunctioned, and it was recorded in the positive. I want to be recorded in the negative.

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

Mr. PETRONE. Thank you.

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. Any further corrections to the record?

Does the majority leader or minority leader have anything further in the regular session?

The Chair recognizes the gentleman from Westmoreland County, Mr. Pallone.

Mr. PALLONE. Mr. Speaker, I move that this House do now adjourn until Tuesday, November 19, 2002, at 10 a.m., e.s.t., unless sooner recalled by the Chair.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 6:18 p.m., e.s.t., the House adjourned.