

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, MAY 7, 2003

SESSION OF 2003

187TH OF THE GENERAL ASSEMBLY

No. 33

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (JOHN M. PERZEL)
PRESIDING**

PRAYER

REV. MARY ELLEN BECKMAN, Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

God of creation, justice, and power, we praise You for the beauty of this world, the trees offering us shelter, the rain offering us relief, and the sun that gives us energy. We are amazed in Your meticulous care.

As we walk the halls of our Capitol, life continues to unfold around us. Generations pass and new generations rise to take their place.

God, Yours is the voice of wisdom and compassion. You love us and supply us with all that we need, and we give You glory, for Your vision extends far beyond our limited imagination and our knowledge.

Bless this day and every day. Bless our nation and its leaders. Bless our Commonwealth, our leaders, and our people. Justice is Your governing principle, and all too often we forget the religious principles on which our nation was founded.

Help us to see Your vision of justice. Remind us that we are Your people, and we people are sisters and brothers, and that when we suffer, we all suffer. Unite us and draw us closer as a people under Your guidance.

We come to You in need. We can be so overwhelmed by the grandiosity of life and we sometimes feel trivial and powerless. As those who have been called, elected, to serve in this House, may they do so with all the integrity that they have. If necessary, Father, clear away the dead growth of the past, break up the hard clods of customs and routine, and stir in us the rich resources of vision and challenge, for in this way we will be able to move forward in the life of our Commonwealth and we will continue to be a growing and vibrant State.

This we pray as we become a beacon to others, a State marked by Your touch and devoted to Your way. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, May 6, 2003, will be postponed until printed.

JOURNALS APPROVED

The SPEAKER. The following Journals are in print and, without objection, will be approved: Tuesday, February 25, and Wednesday, February 26, 2003.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1366 By Representatives RAYMOND, ADOLPH, ALLEN, ARGALL, ARMSTRONG, BAKER, BALDWIN, BARD, BARRAR, BELARDI, BELFANTI, BENNINGHOFF, BLAUM, BROWNE, BUNT, CAPPELLI, CIVERA, CORRIGAN, COY, CRAHALLA, CREIGHTON, DAILEY, FICHTER, FREEMAN, GABIG, GEIST, GRUCELA, HARHAI, HARPER, HARRIS, HENNESSEY, HORSEY, JOSEPHS, KELLER, KENNEY, LEACH, LEH, LEVDANSKY, MANDERINO, MARSICO, McGEEHAN, MELIO, METCALFE, R. MILLER, S. MILLER, MUNDY, PETRARCA, PHILLIPS, PISTELLA, READSHAW, REICHLEY, ROBERTS, RUBLEY, SAYLOR, SCRIMENTI, B. SMITH, T. STEVENSON, E. Z. TAYLOR, THOMAS, TIGUE, WALKO, WANSACZ, WASHINGTON, WATSON, WOJNAROSKI, YOUNGBLOOD and ZUG

An Act amending the act of December 16, 2002 (P.L.1810, No.222), known as the Unsolicited Telecommunication Advertisement Act, establishing a Statewide do-not-e-mail list.

Referred to Committee on CONSUMER AFFAIRS, May 7, 2003.

No. 1400 By Representatives SURRA, CAPPELLI, VEON, BELARDI, DiGIROLAMO, GRUCELA, CREIGHTON, BEBKO-JONES, BELFANTI, BLAUM, CASORIO, COHEN, COSTA, CRUZ, CURRY, DALEY, DeLUCA, EACHUS, FABRIZIO, FREEMAN, GEORGE, GOODMAN, HANNA, HARHAI, HORSEY, JAMES, JOSEPHS, LAUGHLIN, LEACH, LEDERER, LEVDANSKY, MANDERINO, McGEEHAN, MELIO, MUNDY, PALLONE, PETRARCA, PISTELLA, ROBERTS, ROONEY, SAINATO, SANTONI, SCRIMENTI, SHANER, SOLOBAY, STETLER, TANGRETTI, THOMAS, TIGUE, TRAVAGLIO, WALKO, WANSACZ, WASHINGTON, WATERS, WHEATLEY, YOUNGBLOOD and YUDICHAK

An Act prohibiting mandatory overtime and excessive duty hours of certain health care workers; and prescribing penalties.

Referred to Committee on LABOR RELATIONS, May 7, 2003.

No. 1406 By Representatives ARGALL, McCALL, ALLEN and GOODMAN

An Act designating political subdivisions as rural areas for purposes of Medicare hospital service payments.

Referred to Committee on HEALTH AND HUMAN SERVICES, May 7, 2003.

No. 1407 By Representatives PETRI, CAPPELLI, FAIRCHILD, GEORGE, R. MILLER, O'NEILL, YOUNGBLOOD, E. Z. TAYLOR, J. TAYLOR, CORRIGAN and HORSEY

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for escheat of property held by insurers.

Referred to Committee on FINANCE, May 7, 2003.

No. 1408 By Representatives GRUCELA, ADOLPH, BEBKO-JONES, BELARDI, BELFANTI, BUNT, CAPPELLI, COSTA, COY, CREIGHTON, DALEY, DALLY, DeLUCA, DeWEESE, FABRIZIO, FAIRCHILD, FREEMAN, GEORGE, GERGELY, GOODMAN, HARHAI, HARPER, HENNESSEY, HERMAN, HESS, HORSEY, JAMES, JOSEPHS, KIRKLAND, KOTIK, LEH, LEWIS, MANN, MICOZZIE, R. MILLER, S. MILLER, MUNDY, PETRARCA, PISTELLA, REICHLEY, ROBERTS, RUBLEY, SAINATO, SANTONI, SCAVELLO, SCRIMENTI, SHANER, SOLOBAY, STABACK, SURRA, TANGRETTI, WANSACZ, WASHINGTON, WATSON, WOJNAROSKI and YUDICHAK

An Act amending the act of March 11, 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and Assistance Act, further providing for definitions and for funds for payment; and making a repeal.

Referred to Committee on FINANCE, May 7, 2003.

No. 1409 By Representatives GRUCELA, CORRIGAN, COSTA, COY, DALEY, DeWEESE, FABRIZIO, FRANKEL, GEORGE, HARHAI, HORSEY, JAMES, KELLER, LEACH, MANN, PISTELLA, SHANER, THOMAS, WASHINGTON, YOUNGBLOOD, YUDICHAK and KIRKLAND

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

Referred to Committee on CHILDREN AND YOUTH, May 7, 2003.

No. 1410 By Representatives WANSACZ, BELFANTI, GEORGE, CAWLEY, CREIGHTON, DALEY, FAIRCHILD, GOODMAN, GORDNER, GRUCELA, HARHAI, JOSEPHS, KIRKLAND, LAUGHLIN, LEACH, LEVDANSKY, McGEEHAN, McILHATTAN, SAYLOR, SHANER, SURRA,

THOMAS, WALKO, WASHINGTON, YOUNGBLOOD and YUDICHAK

An Act requiring host municipality agreements for certain municipal and residual waste facilities; and providing for proximity to State parks.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 7, 2003.

No. 1411 By Representatives WANSACZ, BEBKO-JONES, BELFANTI, BUNT, CAUSER, COY, CREIGHTON, DeWEESE, FREEMAN, GEIST, GILLESPIE, GOODMAN, GRUCELA, HARHAI, HENNESSEY, HERSHEY, HORSEY, JAMES, LAUGHLIN, LESCOVITZ, McGEEHAN, McILHATTAN, MELIO, R. MILLER, MUNDY, PISTELLA, READSHAW, REICHLEY, SOLOBAY, THOMAS, TIGUE, WALKO, WASHINGTON and WEBER

An Act amending the act of November 29, 1990 (P.L.585, No.148), known as the Confidentiality of HIV-Related Information Act, extending portions of the act to hepatitis.

Referred to Committee on HEALTH AND HUMAN SERVICES, May 7, 2003.

No. 1412 By Representatives FREEMAN, BEBKO-JONES, CAWLEY, CORRIGAN, CREIGHTON, DeLUCA, DeWEESE, FABRIZIO, GERGELY, GRUCELA, HALUSKA, HARHAI, HARPER, HUTCHINSON, KOTIK, LAUGHLIN, LEACH, LESCOVITZ, LEVDANSKY, MANN, McNAUGHTON, NAILOR, O'NEILL, PETRARCA, PISTELLA, PRESTON, REICHLEY, SOLOBAY, STURLA, SURRA, TANGRETTI, THOMAS, TIGUE and WASHINGTON

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for district election boards and for number of signers required for nomination petitions for candidates at primaries.

Referred to Committee on STATE GOVERNMENT, May 7, 2003.

No. 1413 By Representatives FREEMAN, ROSS, HARHAI, BEBKO-JONES, BELARDI, BELFANTI, DeWEESE, FABRIZIO, GERGELY, GRUCELA, JAMES, LAUGHLIN, LEWIS, McCALL, MELIO, PALLONE, PETRARCA, PISTELLA, SAINATO, SCRIMENTI, SHANER, SOLOBAY, STABACK, J. TAYLOR, THOMAS, TRAVAGLIO, WASHINGTON, WOJNAROSKI and YOUNGBLOOD

An Act amending the act of May 29, 1956 (1955 P.L.1804, No.600), referred to as the Municipal Police Pension Law, further providing for payment.

Referred to Committee on LOCAL GOVERNMENT, May 7, 2003.

No. 1414 By Representatives FREEMAN, BROWNE, GEIST, BEBKO-JONES, CURRY, DeWEESE, HARPER, JAMES, JOSEPHS, LEACH, LEDERER, LESCOVITZ, McCALL, McILHATTAN, R. MILLER, MUNDY,

PISTELLA, B. SMITH, SOLOBAY, STURLA, TIGUE, WASHINGTON and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for general requirements for school buses.

Referred to Committee on TRANSPORTATION, May 7, 2003.

No. 1415 By Representatives FREEMAN, HARPER, PISTELLA, BEBKO-JONES, DeWEESE, JAMES, LAUGHLIN, LEACH, LESCOVITZ, McILHATTAN, TIGUE, WASHINGTON and YOUNGBLOOD

An Act amending the act of June 21, 1957 (P.L.390, No.212), referred to as the Right-to-Know Law, further defining "public record."

Referred to Committee on STATE GOVERNMENT, May 7, 2003.

No. 1416 By Representatives STERN, LEWIS, READSHAW, CAPPELLI, PIPPY, FICHTER, GORDNER, HERMAN, LEH, LAUGHLIN, TIGUE, BAKER, CAWLEY, SCHRODER, PETRARCA, LEDERER, SOLOBAY, McGEEHAN, BUNT, GEIST, BARRAR, SAINATO, SAYLOR, COY, HORSEY, KELLER, ARGALL, DeWEESE, CLYMER, CRAHALLA, BROWNE, HERSHEY, METCALFE, PHILLIPS, HESS, HUTCHINSON, HARHART, CREIGHTON, ROHRER, HENNESSEY, R. MILLER, SATHER, HARHAI, S. MILLER, E. Z. TAYLOR, CIVERA, ROSS, REICHLEY, SHANER, TURZAI, GOODMAN, SAMUELSON and TRUE

An Act providing for the use of certain historical writings, documents and records in public schools and during public school events; and prohibiting censorship based on religious or other references in certain historical writings, documents and records.

Referred to Committee on EDUCATION, May 7, 2003.

No. 1417 By Representatives TURZAI, MAHER, ARMSTRONG, BARD, BENNINGHOFF, CAPPELLI, COLEMAN, CORNELL, CRUZ, FLICK, GEIST, HERSHEY, HUTCHINSON, LEH, LEWIS, McNAUGHTON, METCALFE, NICKOL, ROBERTS, SAYLOR, SCHRODER, STEIL, R. STEVENSON, E. Z. TAYLOR, WATSON, HORSEY, HENNESSEY, CREIGHTON, VANCE, CLYMER and J. TAYLOR

An Act providing for voluntary contractual arbitration of claims of patients arising from the care and treatment by health care providers.

Referred to Committee on INSURANCE, May 7, 2003.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 273 By Representatives PERZEL, ADOLPH, ALLEN, ARMSTRONG, BAKER, BALDWIN, BARD, BARRAR, BASTIAN, BEBKO-JONES, BELARDI, BOYD, BUNT, BUTKOVITZ, CAPPELLI, CAUSER, CAWLEY, CIVERA, CLYMER, COSTA, CRAHALLA, CREIGHTON, CRUZ,

DAILEY, DALLY, DENLINGER, EGOLF, J. EVANS, FAIRCHILD, FEESE, FICHTER, FLEAGLE, FLICK, GEIST, GEORGE, GODSHALL, GORDNER, GRUCELA, HARHAI, HARHART, HARPER, HARRIS, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, HICKERNELL, KELLER, KENNEY, KOTIK, LAUGHLIN, LEACH, LEH, MACKERETH, MAHER, MARKOSEK, MARSICO, McILHATTAN, McNAUGHTON, S. MILLER, O'NEILL, PAYNE, PHILLIPS, PICKETT, REED, ROSS, RUBLEY, SANTONI, SATHER, SAYLOR, SCAVELLO, SCHRODER, SCRIMENTI, SEMMEL, SHANER, B. SMITH, S. H. SMITH, SOLOBAY, STABACK, STERN, R. STEVENSON, T. STEVENSON, E. Z. TAYLOR, J. TAYLOR, TIGUE, TRUE, TURZAI, VANCE, WALKO, WATSON, WEBER, WILT, WOJNAROSKI, ZUG, STEIL, YOUNGBLOOD, FRANKEL, MANN, SAMUELSON, WATERS, DALEY, FREEMAN and HORSEY

A Resolution directing the Committee on Veterans Affairs and Emergency Preparedness to study the issue of homeland security for the purpose of making recommendations relating to the homeland security of this Commonwealth.

Referred to Committee on RULES, May 7, 2003.

SENATE BILL FOR CONCURRENCE

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

SB 340, PN 785

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 7, 2003.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 60, PN 784

Referred to Committee on RULES, May 7, 2003.

BILLS REMOVED FROM TABLE

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

HB 500;
HB 514; and
HB 545.

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 500, PN 1260; HB 514, PN 608; and HB 545, PN 647.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that the following bills be recommitted to Appropriations:

HB 500;
HB 514; and
HB 545.

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

LEAVES OF ABSENCE

The SPEAKER. Are there requests for leaves of absence? The Chair recognizes the minority whip, Representative Veon, who asks for a leave of absence for the following members: Representative RIEGER from Philadelphia, Representative MCGEEHAN from Philadelphia. Without objection, the leaves of absence are granted.

MASTER ROLL CALL

The SPEAKER. Without objection, the Chair is about to take up the master roll. Members will proceed to vote.

The following roll call was recorded:

PRESENT—198

Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.
Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Bianucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas
Causer	Haluska	Nickol	Tigue

Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Cruz	Horsley	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

ADDITIONS—0**NOT VOTING—0****EXCUSED—3**

Boyes McGeehan Rieger

GUESTS INTRODUCED

The SPEAKER. Representative Brett Feese has five guests sitting in the gallery today. They are from the Montoursville Area High School and are here with the school's Students Against Drunk Driving (SADD) advisor. Their names are Jill Kaplan, teacher and SADD advisor; Allen Kaplan, her husband; and students, Ashley McFadden, Micah Gregory, and Brielle Schreiter. Would the guests please rise.

**TRINITY HIGH SCHOOL
BOYS BASKETBALL TEAM
PRESENTED**

The SPEAKER. The Chair recognizes the gentleman, Mr. Nailor, for the purposes of a citation.

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

Mr. Speaker, I am so pleased to welcome to the House of Representatives the Class AA PIAA boys basketball champions, the Trinity High School Shamrocks. Joining me today up front are the head coach, Larry Kostelac, Jr.; the assistant coach, Doug Marshall; and the team captains, Rob Lutz and Aaron Haslam.

Trinity High School had an outstanding season and finished as State champions with an undefeated record of 33 and 0. This is their second State championship in the last 3 years.

Representatives Smith and Vance and Gabig and I would like to present each of the coaches and the players with a citation recognizing their terrific accomplishment. And the rest of the coaches and the players are — Mr. Walker is to my left — and the rest are in the rear of the House. If you would please rise and be recognized.

Mr. Speaker, I also have the pleasure of presenting a citation to coach Larry Kostelac, Jr., who was named the Associated Press Class AA Boys Basketball Coach of the Year in Pennsylvania. This is the second time that Coach Kostelac has received this prestigious award. Coach, congratulations.

MIKE WALKER PRESENTED

The SPEAKER. The Chair recognizes the gentleman, Representative Bruce Smith, for the purposes of a citation.

Mr. B. SMITH. Thank you, Mr. Speaker.

This actually is a followup to Representative Nailor's presentation, and I have good news and bad news in relationship to this citation. The good news is—

The SPEAKER. Would the gentleman suspend for just one moment.

We would like to have a little order. The gentleman is entitled to be heard. Please keep the noise level down.

Mr. B. SMITH. This is a followup to Representative Nailor's presentation.

I am honoring Mike Walker, who is a member of the Trinity High School basketball team, and the good news/bad news part of this citation is the fact that Mike Walker has been recognized by the Associated Press as the Player of the Year in AA. The bad news for the rest of you who compete in AA is that he is a junior and he will be returning next year.

He is not only a catalyst on the Trinity team but he averaged 19 points per game during the regular season and in the PIAA tournament scored 26 points, 18 points, 37 points, 21 points, and 16 points in the championship game. And the most impressive part of this to me as a former basketball player – and you would not have guessed that – but he scored 101 three-point attempts; 101.

So I am very proud to honor my constituent, Mike Walker, as Associated Press AA Basketball Player of the Year. I would like you to join me in recognizing him.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mrs. TAYLOR called up **HR 269, PN 1655**, entitled:

A Resolution recognizing the month of May 2003 as "Healthy Babies Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.

Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Biancucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas
Causer	Haluska	Nickol	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Daily	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGrolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

Boyes McGeehan Rieger

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

* * *

Mr. VEON called up **HR 272, PN 1657**, entitled:

A Resolution designating the month of May 2003 as "Mental Health Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather

Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.
Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Biancucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas
Causer	Haluska	Nickol	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Washington
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-3

Boyes McGeehan Rieger

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 767, PN 894**, entitled:

An Act establishing the Municipal Firefighter Education and Training Program.

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

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

The following roll call was recorded:

YEAS-198

Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.
Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Biancucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas
Causer	Haluska	Nickol	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Washington
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-3

Boyes McGeehan Rieger

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 780, PN 913**, entitled:

An Act amending the act of December 7, 1990 (P.L.639, No.165), known as the Hazardous Material Emergency Planning and Response Act, further providing for certified hazardous material response teams.

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

Mr. **STURLA** offered the following amendment No. **A0568**:

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

; providing for a low-interest revolving loan program for certain business entities that store or handle hazardous materials; and making an appropriation.

Amend Bill, page 2, by inserting between lines 17 and 18

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

Section 301.1. Hazardous material security low-interest revolving loan program.

The sum of \$10,000,000, or as much thereof as may be necessary, is hereby appropriated to the Department of Labor and Industry for the purpose of funding a revolving low-interest loan program for businesses that report their use of hazardous materials to the Department of Labor and Industry in compliance with this act. These appropriated funds may be used to augment any Federal funds that may be available under Federal antiterrorism law. Loans shall be used to increase the security of hazardous materials storage facilities and handling areas. The Department of Labor and Industry shall establish the method of loan distribution, loan interest rate and application process and otherwise administer the loan program in a manner that maximizes the security objectives of the loan program.

Amend Sec. 2, page 2, line 18, by striking out "2" and inserting

3

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

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.
Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Bianucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern

Blum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas
Causer	Haluska	Nickol	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rublely	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

Boyes McGeehan Rieger

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

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

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

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

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti

Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.
Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Biancucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas
Causer	Haluska	Nickol	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-3

Boyes McGeehan Rieger

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

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that we suspend the rules to immediately bring up HB 8.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-198

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Boyes McGeehan Rieger

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 8, PN 1691**, entitled:

An Act establishing a grant program for volunteer fire companies and volunteer ambulance services; and providing for grant funding.

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

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

The Chair recognizes the gentleman, Mr. Sather.
Mr. SATHER. Thank you, Mr. Speaker.
I will be very brief.

First off, I want to express, on behalf of all of us in the General Assembly, our support and commitment to the Pennsylvania emergency responders throughout this Commonwealth. They are truly in Pennsylvania the foot soldiers of the war against terrorism on the homefront.

I want to also express my appreciation to the bipartisanship expressed in our Veterans Affairs and Emergency Preparedness Committee that saw fit to kick this bill out so we could have action on it promptly. We have got a lot of volunteer fire and emergency services personnel back home wanting to hear that we are listening to them, and I think that is the message that clearly we send to them this day.

Thank you, Mr. Speaker.
The **SPEAKER**. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?
The **SPEAKER**. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.
Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Biancucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.

Casorio	Habay	Nailor	Thomas
Causer	Haluska	Nickol	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnarowski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

Boyes McGeehan Rieger

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

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

RULES SUSPENDED

The **SPEAKER**. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the rules be suspended to move HB 900, PN 1693.

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

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.
Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Biancucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil

Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas
Causer	Haluska	Nickol	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-3

Boyes McGeehan Rieger

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 900, PN 1693**, entitled:

An Act amending the act of July 15, 1976 (P.L.1036, No.208), known as the Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act, further providing for legislative findings and declaration of purpose, for authority to borrow, for temporary financing authorization and for appropriation.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-198

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Boyes McGeehan Rieger

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

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the rules be suspended for immediate consideration of HB 1017.

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1017, PN 1694**, entitled:

An Act providing for the Office of Homeland Security, for powers and duties, for the Director of Homeland Security, for staffing and for reporting requirements; and making an appropriation.

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

Mr. MAHER offered the following amendment No. **A0602**:

Amend Sec. 4, page 3, line 22, by removing the period after “purposes” and inserting

in accordance with the act of June 21, 1957 (P.L.390, No.212), referred to as the Right-to-Know Law.

Amend Sec. 5, page 4, line 29, by removing the period after “media” and inserting

in accordance with the act of June 21, 1957 (P.L.390, No.212), referred to as the Right-to-Know Law.

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

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.
Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Bianucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas
Causer	Haluska	Nickol	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz

Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-3

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-198

Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.
Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Biancucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas

Causar	Haluska	Nickol	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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

* * *

The House proceeded to third consideration of **HB 1092, PN 1479**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for deputy secretaries in the Department of Transportation.

On the question,

Will the House agree to the bill on third consideration?

Mr. **BLAUM** offered the following amendment No. **A0486**:

Amend Title, page 1, line 20, by inserting after "determined," " establishing the Office of Consumer Advocate for Insurance as an independent office within the Office of Attorney General and prescribing its powers and duties; and

Amend Bill, page 1, line 24; page 2, lines 1 through 4, by striking out all of said lines on said pages and inserting

Section 1. The act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended by adding an article to read:

ARTICLE IX-C

OFFICE OF CONSUMER ADVOCATE FOR INSURANCE

Section 901-C. Definitions.—As used in this article:

“Consumer” means any person who is a named insured, insured or beneficiary of a policy of insurance or any other person who may be affected in any way by the Insurance Department’s exercise of or the failure to exercise its authority.

“Department” means the Insurance Department of the Commonwealth and includes the Insurance Commissioner.

“Fund” means the Consumer Advocate for Insurance Fund established pursuant to section 906-C.

“Insurer” means any “company,” “association” or “exchange” as such terms are defined in section 101 of the act of May 17, 1921 (P.L.789, No.285), known as “The Insurance Department Act of 1921” or any entity subject to 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations) or Article XXIV of “The Insurance Department Act of 1921” or the act of December 29, 1972 (P.L.1701, No.364), known as the “Health Maintenance Organization Act.”

Section 902-C. Office of Consumer Advocate for Insurance.—(a) There is hereby established as an independent office within the Office of Attorney General an Office of Consumer Advocate for Insurance appointed by the Attorney General to represent the interest of consumers before the department.

(b) The Office of Consumer Advocate for Insurance shall be headed by the Consumer Advocate for Insurance appointed by the Attorney General who by reason of training, experience and attainment is qualified to represent the interest of consumers. Compensation shall be set by the Executive Board.

(c) No individual who serves as a Consumer Advocate for Insurance shall, while serving in the position, engage in any business, vocation or other employment, or have other interests, inconsistent with the official responsibilities, nor shall the individual seek or accept employment nor render beneficial services for compensation with any insurer subject to the authority of the office during the tenure of the appointment and for a period of two years immediately after the appointment is served or terminated.

(d) Any individual who is appointed to the position of Consumer Advocate for Insurance shall not seek election nor accept appointment to any political office during the tenure as Consumer Advocate for Insurance and for a period of two years after the appointment is served or terminated.

Section 903-C. Assistant Consumer Advocates for Insurance; Employees.—The Consumer Advocate for Insurance shall appoint attorneys as assistant consumer advocates for insurance and additional clerical, technical and professional staff as may be appropriate, and may contract for additional services as shall be necessary for the performance of the duties imposed by this article. The compensation of assistant consumer advocates for insurance and clerical, technical and professional staff shall be set by the Executive Board. No assistant consumer advocate for insurance or other staff employe shall, while serving in the position, engage in any business, vocation or other employment, or have other interests, inconsistent with official responsibilities.

Section 904-C. Powers and Duties of the Consumer Advocate for Insurance.—(a) In addition to any other authority conferred by this article, the Consumer Advocate for Insurance is authorized to and shall, in carrying out the responsibilities under this article, represent the interest of consumers as a party, or otherwise participate for the purpose of representing an interest of consumers, before the department in any matter properly before the department, and before any court or agency, initiating proceedings if, in the judgment of the Consumer Advocate for Insurance, the representation may be necessary, in connection with any matter involving regulation by the department or the corresponding regulatory agency of the Federal Government, whether on appeal or otherwise initiated.

(b) The Consumer Advocate for Insurance may exercise discretion in determining the interests of consumers which will be

advocated in any particular proceeding and in determining whether to participate in or initiate any particular proceeding and, in so determining, shall consider the public interest, the resources available and the substantiality of the effect of the proceeding on the interest of consumers. The Consumer Advocate for Insurance may refrain from intervening when, in the judgment of the Consumer Advocate for Insurance, intervention is not necessary to represent adequately the interest of consumers.

(c) In addition to any other authority conferred by this article, the Consumer Advocate for Insurance is authorized to represent an interest of consumers which is presented for consideration, upon petition in writing, by a substantial number of persons who are consumers of an insurer subject to regulation by the department. The Consumer Advocate for Insurance shall notify the principal sponsors of the petition within a reasonable time after receipt of the petition of the action taken or intended to be taken with respect to the interest of consumers presented in that petition. If the Consumer Advocate for Insurance declines or is unable to represent the interest, written notification and the reasons for the action shall be given to the sponsors.

(d) Any action brought by the Consumer Advocate for Insurance before a court or an agency of this Commonwealth shall be brought in the name of the Consumer Advocate for Insurance: Provided, That the Consumer Advocate for Insurance may name a consumer or group of consumers in whose name the action may be brought or may join with a consumer or group of consumers in bringing the action.

(e) At a time as the Consumer Advocate for Insurance determines, in accordance with applicable time limitations, to initiate, intervene or otherwise participate in any department, agency or court proceeding, the Consumer Advocate for Insurance shall issue publicly a written statement, a copy of which shall be filed in the proceeding in addition to any required entry of appearance, stating concisely the specific interest of consumers to be protected.

(f) The Consumer Advocate for Insurance shall be served with copies of all filings, correspondence or other documents filed by insurers with the department unless the Consumer Advocate for Insurance informs the insurer that specific types of classes of documents need not be so served. The department shall not accept a document as timely filed if the document is also required to be served on the Consumer Advocate for Insurance and the insurer has not indicated that service has or is being made on the Consumer Advocate for Insurance. Insurers shall provide any other nonprivileged information or data requested by the Consumer Advocate for Insurance to the extent that the request is reasonably related to the performance of his duties under this article.

Section 905-C. Duties of the Department.—In dealing with any proposed action which may substantially affect the interest of consumers, including, but not limited to, a proposed change of rates and the adoption of rules, regulations, guidelines, orders, standards or final policy decisions, the department shall:

(1) Notify the Consumer Advocate for Insurance and provide, free of charge, copies of all related documents when notice of the proposed action is given to the public or at a time fixed by agreement between the Consumer Advocate for Insurance and the department in a manner to assure the Consumer Advocate for Insurance reasonable notice and adequate time to determine whether to intervene in the matter.

(2) Consistent with its other statutory responsibilities, take action with due consideration to the interest of consumers.

Section 906-C. Consumer Advocate for Insurance Fund.—(a) There is hereby established a separate account in the State Treasury to be known as the Consumer Advocate for Insurance Fund. This fund shall be administered by the State Treasurer.

(b) All moneys deposited into the fund shall be held in trust and shall not be considered general revenue of the Commonwealth but shall be used only to effectuate the purposes of this article. The fund shall be subject to audit by the Auditor General.

(c) Prior to the first day of April following the effective date of this article and prior to the first day of April of each year thereafter so long as this article shall remain in effect, each insurer who writes coverages for fire and casualty, accident and health, credit accident and health under life/annuity/accident, health and life including annuities in this Commonwealth, as a condition of its authorization to transact business in this Commonwealth, shall pay into the fund in trust an amount equal to the product obtained by multiplying five million dollars (\$5,000,000) by a fraction, the numerator of which is the direct premium collected for all coverages by that insurer in this Commonwealth during the preceding calendar year and the denominator of which is the direct premium written on such coverages in this Commonwealth by all insurers in the same period. Any insurer who fails to pay the required assessment under this section shall be prohibited from writing any insurance within this Commonwealth.

(d) In succeeding years the General Assembly may vary the base amount of five million dollars (\$5,000,000) based upon the actual funding experience and requirements of the Office of Consumer Advocate for Insurance.

(e) Assessments made under this section shall not be considered burdens and prohibitions under section 212 of the act of May 17, 1921 (P.L.789, No.285), known as "The Insurance Department Act of 1921."

(f) In the event that the trust fund is dissolved or the Office of Consumer Advocate for Insurance is terminated by operation of law, any balance remaining in the fund, after deducting administrative costs for liquidation, shall be returned to insurers in proportion to their financial contributions to the fund in the preceding calendar year.

Section 907-C. Reports.—The Consumer Advocate for Insurance shall annually transmit to the Governor and to the General Assembly, and shall make available to the public, an annual report on the conduct of the Office of Consumer Advocate for Insurance. The Consumer Advocate for Insurance shall make recommendations as may, from time to time, be necessary or desirable to protect the interest of consumers.

Section 908-C. Savings Provision; Construction.—(a) Nothing contained in this article shall in any way limit the right of any consumer to bring a proceeding before either the department or a court.

(b) Nothing contained in this article shall be construed to impair the statutory authority or responsibility of the department to regulate insurers in the public interest.

Section 2. Section 2001.3(a), (c), (d) and (g) of the act, amended June 22, 1982 (P.L.573, No.166), are amended and the section is amended by adding a subsection to read:

Amend Sec. 2, page 3, line 25, by striking out all of said line and inserting

Section 3. This act shall take effect as follows:

- (1) The addition of section 906-C of the act shall take effect in 90 days.
- (2) The amendment or addition of section 2001.3(a), (c), (d), (g) and (h) of the act shall take effect immediately.
- (3) This section shall take effect immediately.
- (4) The remainder of this act shall take effect July 1, 2004, or immediately, whichever is later.

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

The following roll call was recorded:

YEAS—195

Adolph	Egolf	Leh	Samuelson
Allen	Evans, D.	Lescovitz	Santoni
Argall	Evans, J.	Levdansky	Sather
Armstrong	Fabrizio	Lewis	Saylor
Baker	Fairchild	Lynch	Scavello
Baldwin	Feese	Mackereth	Schroder
Bard	Fichter	Maher	Scrimenti
Barrar	Fleagle	Maitland	Semmel

Bastian	Flick	Major	Shaner
Bebko-Jones	Forcier	Manderino	Smith, B.
Belardi	Frankel	Mann	Smith, S. H.
Belfanti	Freeman	Markosek	Solobay
Benninghoff	Gabig	Marsico	Staback
Biancucci	Gannon	McCall	Stairs
Birmelin	Geist	McGill	Stern
Bishop	George	McIlhattan	Stetler
Blaum	Gergely	McIlhinney	Stevenson, R.
Boyd	Gillespie	McNaughton	Stevenson, T.
Browne	Gingrich	Melio	Sturla
Bunt	Godshall	Metcalfe	Surra
Butkovitz	Goodman	Micozzie	Tangretti
Buxton	Gordner	Miller, R.	Taylor, E. Z.
Caltagirone	Grucela	Miller, S.	Taylor, J.
Cappelli	Gruitza	Mundy	Thomas
Casorio	Habay	Myers	Tigue
Causar	Haluska	Nailor	Travaglio
Cawley	Hanna	Nickol	True
Civera	Harhai	O'Brien	Turzai
Clymer	Harhart	Oliver	Vance
Cohen	Harper	O'Neill	Veon
Coleman	Harris	Pallone	Vitali
Cornell	Hasay	Payne	Walko
Corrigan	Hennessey	Petrarca	Wansacz
Costa	Herman	Petrone	Washington
Coy	Hershey	Phillips	Waters
Crahalla	Hess	Pickett	Watson
Creighton	Hickernell	Pistella	Weber
Cruz	Horsey	Preston	Wheatley
Curry	Hutchinson	Raymond	Williams
Dailey	James	Readshaw	Wilt
Daley	Josephs	Reed	Wojnarowski
Dally	Keller	Reichley	Wright
DeLuca	Kenney	Roberts	Yewcic
Denlinger	Kirkland	Roebuck	Youngblood
Dermody	Kotik	Rohrer	Yudichak
DeWeese	LaGrotta	Rooney	Zug
DiGirolamo	Laughlin	Rubley	
Diven	Leach	Ruffing	Perzel,
Donatucci	Lederer	Sainato	Speaker
Eachus			

NAYS—3

Petri	Ross	Steil
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NOT VOTING—0

EXCUSED—3

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

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

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Boyes	McGeehan	Rieger
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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.

RULES COMMITTEE MEETING

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

RESOLUTIONS REPORTED
FROM COMMITTEE

HR 256, PN 1510

By Rep. S. SMITH

A Concurrent Resolution establishing a task force to study issues concerning the renewal and management of this Commonwealth's forests; providing for an advisory committee; and directing the Joint Legislative Air and Water Pollution Control and Conservation Committee to provide administrative support to the task force.

RULES.

HR 273, PN 1733

By Rep. S. SMITH

A Resolution directing the Committee on Veterans Affairs and Emergency Preparedness to study the issue of homeland security for the purpose of making recommendations relating to the homeland security of this Commonwealth.

RULES.

RESOLUTION

Mr. HASAY called up **HR 263, PN 1580**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to study global security risk assessment of the State Employees' Retirement Fund, the Public School Employees' Retirement Fund and the State Treasury.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.
Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Biancucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas
Causer	Haluska	Nickol	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali

Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnarowski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-3

Boyes McGeehan Rieger

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1018, PN 1193**, entitled:

An Act amending the act of July 9, 1990 (P.L.340, No.78), known as the Public Safety Emergency Telephone Act, further providing for definitions, for local government immunity and for powers and duties of the Pennsylvania Emergency Management Agency; establishing a Statewide integrated wireless E-911 State plan; establishing a wireless E-911 Emergency Services Fund and disbursements therefrom; further providing for collection of an E-911 surcharge from wireless customers and for annual reporting; establishing a wireless E-911 Emergency Services Advisory Committee; and providing for rules and regulations.

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

Mr. **ZUG** offered the following amendment No. **A0323**:

Amend Title, page 1, line 9, by inserting after "Fund" and an Emergency Services Fund

Amend Sec. 6 (Sec. 11.4), page 17, line 16, by striking out "\$1" and inserting

\$1.25

Amend Sec. 6 (Sec. 11.4), page 17, line 22, by inserting after "services."

Twenty-five cents of this monthly fee shall be placed in a separate fund established in subsection (b.1).

Amend Sec. 6 (Sec. 11.4), page 18, by inserting between lines 24 and 25

(b.1) Emergency Services Fund.—There is hereby established in the State Treasury a nonlapsing restricted interest-bearing account to be known as the Emergency Services Fund. This fund shall consist of 25¢ for each fee collected under subsection (b). Moneys in the fund and the interest it accrues shall be appropriated annually to the

Pennsylvania Emergency Management Agency to be disbursed by the agency for grants to paid and volunteer fire and rescue companies and ambulance services.

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Zug.

Mr. ZUG. Thank you, Mr. Speaker.

What the amendment does is simply put a quarter tax on cellular phones, has that money go to volunteer and paid fire companies and emergency responders throughout the Commonwealth.

The House last session passed this I think unanimously, and I would ask you for your support. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.
The Chair recognizes the gentleman, Mr. Tigue.
Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, I think the members should take a look at this amendment. I believe that every one of us here in this chamber supports giving money to volunteer fire companies and paid fire companies to try to help the firefighters and the municipalities that they protect.

Today we will vote on a number of bills which will provide the distribution of funds to fire companies, et cetera. The maker of the amendment, his goal is right but I think the means are wrong. I do not think we should be adding an additional surcharge on top of the wireless which is used to fund the 911 system. I think we have to be very careful when we start adding on to things that are for one specific use.

With the proliferation of wireless communications, telecommunications, I think we are going to see – and we have, in many cases – a decrease in the amount of money that control centers, 911 centers, receive from wired communications, and I think we should be careful that when we need extra money, we may have to go back to wireless because more and more people are using it; fewer and fewer people are using the wire things.

This amendment Mr. Zug is offering will probably pass, but I would ask you to really think about this, and I would ask those who can – and I know it is not the politically smart thing to do at this point, most people think, but I believe it is; it is the right thing to do – is please to defeat this amendment.

Thank you, Mr. Speaker.

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

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

The SPEAKER. Mr. Zug?

Mr. VITALI. I just want to be clear. Does this amendment charge an additional 25 cents to every Pennsylvania resident per month who owns a cell phone?

Mr. ZUG. It is a 25-cent surcharge on every cell phone in Pennsylvania, yes.

Mr. VITALI. Okay.

This is not diverting— Okay.

How much will this raise?

Mr. ZUG. Today the fiscal note says about \$15 million.

Mr. VITALI. Okay. Now, this is going into— Now, what account is this going into?

Mr. ZUG. Well, it is really just a holding account. There is no program that goes with it. I just believe firmly that if we are going to provide relief for our emergency service providers, we need to establish a program to raise the money before we establish the program to spend the money. This simply raises the money and lets PEMA (Pennsylvania Emergency Management Agency) hold it until we establish a program to distribute it.

Mr. VITALI. This would be a new fund then?

Mr. ZUG. Yes.

Mr. VITALI. Okay. Thank you.

I have no further questions.

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

Mr. SEMMEL. Thank you, Mr. Speaker.

One of my concerns that I want to raise here today, I think in the previous bills we have tried to do some of the things that our first responders need. We are trying to support them financially.

On first blush I think this amendment has as its very goal of providing more money to our responders, but I have some concerns about our telecommunications industry. If you and I would look, whether they be Federal or State taxes on the telecommunications bill, one of the first things we may be doing is adding another page to be in your monthly phone bill, but that is an aside.

I think perhaps Representative Zug's thought is to help, but I am not sure if we really are. I am going to ask for a negative vote here today because I think the committee and the various bills that were presented today are helping our emergency responders. Thank you very much.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Horsey.

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, may I interrogate the maker of the amendment?

The SPEAKER. The gentleman indicates that he will stand for interrogation.

Mr. HORSEY. Mr. Speaker, I remember a month ago, 2 months ago, the Governor said he wanted to tax cellular use and that we could possibly raise \$200 million. Is this a competing tax with what the Governor anticipates doing?

Mr. ZUG. Mr. Speaker, I could not hear the question.

Mr. HORSEY. Mr. Speaker, I will repeat it.

Mr. Speaker, I understand 2 months ago, 3 months ago, the Governor said he wanted to tax cellular use of phones and he wanted to raise \$200 million through that process. Is this a competing tax? Are you attempting to do the exact same thing?

Mr. ZUG. I am not sure what the Governor was intending to do. What I am doing, what I am doing is what we did last session, which is to try to provide money directly to our emergency service providers in the Commonwealth, paid and volunteer. It has nothing to do with what the Governor wants to do.

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, on the amendment?

The SPEAKER. The Chair recognizes the gentleman.

Mr. HORSEY. Mr. Speaker, I believe that the gentleman is doing the right thing for the wrong reason or doing the wrong thing for the right reason. I believe that emergency preparedness, as Representative Tigue said, needs the additional funding, but I believe this is not the right way we need to do it. I believe that when we do 911, we will be able to take some of the 911 funds, when we do that bill, and dedicate it to emergency preparedness, but I think just cutting a piece, 25 cents, out when we know the Governor is going to try to do the same thing is creating and expanding government unnecessarily or the influence of government unnecessarily. We are going to double-tax cellular telephone people, and I am sure that people on that side of the aisle are opposed to the expansion of government.

So I am going to ask for a "no" vote on this particular amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland, Mr. Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

May I interrogate the maker of the amendment, please?

The SPEAKER. The gentleman will stand for interrogation.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, just for clarification, does your amendment take the current \$1 surcharge on cell phones to \$1.25 per cell phone?

Mr. ZUG. Yes, which is still smaller than the surcharge on landlines.

Mr. CASORIO. All right.

Mr. Speaker, I may have missed this answer earlier, but can you tell me what you believe at the current date that this additional 25 cents will raise?

Mr. ZUG. In the beginning, \$15 million.

Mr. CASORIO. And that is projected on what basis, Mr. Speaker?

Mr. ZUG. Annually.

Mr. CASORIO. Mr. Speaker, the moneys in this fund, are they going to be distributed just to 911 centers or will they be distributed to emergency service and volunteer rescue groups as well?

Mr. ZUG. It does not go to 911 centers. It goes to fire companies and emergency responder groups throughout Pennsylvania, both paid and volunteer.

Mr. CASORIO. And that, Mr. Speaker, is just the additional 25 cents that will go to the volunteer fire and EMS (emergency medical services) groups. Is that correct?

Mr. ZUG. That is what this amendment does. It is the 25 cents. Yes.

Mr. CASORIO. Mr. Speaker, can you tell me if there is and, if there is, what the mechanism is for PEMA to distribute these grants to the fire departments?

Mr. ZUG. We have not arrived at a distribution system. We have not done that intentionally, because I feel that, particularly in the environment we have today in Pennsylvania, that we need to figure out how we raise the money before we figure out how to spend the money. Spending it is always easy. So what this simply does is raise money that we will at some future juncture, if this passes, distribute that money to volunteer fire companies

and ambulance units at a future date, but that has not been decided as of today.

Mr. CASORIO. And, Mr. Speaker, I think again we can all agree that our local volunteer and emergency services groups, they need the money quite desperately.

And again I will ask you about the funding mechanism, and I know you have just told us that there is no mechanism set in place, which would lead me to wonder a question: if all of my 25 volunteer fire departments and EMS groups would receive similar amounts, if they would receive amounts based on number of calls, based on population. Can you give us some sense of how that might be set up?

Mr. ZUG. Well, that is really the job of this General Assembly at some future date. We passed a bill earlier that I think will ultimately hand out, as we did a couple years ago, a certain amount to every fire company in the State. We can choose to do that or we can set up a different system. That is up to the discretion of the General Assembly.

Mr. CASORIO. Mr. Speaker, as the amendment is worded, and correct me if I am wrong, we are leaving this up to PEMA to disburse the grant money to the volunteer fire and rescue companies. Is that correct?

Mr. ZUG. PEMA is going to hold the money until we decide how we are going to allocate it.

Mr. CASORIO. All right. Well, then maybe I am reading this wrong, "Moneys in the fund and the interest it accrues shall be appropriated annually to..." PEMA "...to be disbursed by the agency" – I am assuming the agency is PEMA – "for grants to paid and volunteer fire... companies and ambulance services."

Mr. ZUG. Again, Mr. Speaker, what we will do, if this ultimately passes, is come back and revisit how we are going to distribute the money, whether it be annually to each fire company the same that applies or based on calls. That is something I think the General Assembly will decide in the future.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, on the amendment, please?

The SPEAKER. The gentleman is in order.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, there seems to be some unanswered questions as far as the disbursement and distribution of these some \$15 million in additional taxes from cell phones.

Again, I think this House stands in unanimity in our belief that volunteer fire and rescue companies should receive additional funding from the State. That is a unanimous vote at any time we would take that, Mr. Speaker, but to consistently go back, as the previous speaker from Philadelphia has pointed out, consistently go back to individuals and ask them to be taxed more and more for the privilege, for the right to use their cell phones I think is unfair.

This takes the \$1 fund to \$1.25, and we have no mechanism, no assurance that each of our volunteer fire departments or EMS companies will be given a \$2,000 grant, a \$5,000 grant, a \$9,000 grant. We have no assurance, no mechanism set for that, Mr. Speaker.

So until I think that is clarified, and quite frankly, I do not know that any of my constituents knew this morning, this afternoon, that they would be paying an additional 25 cents per line per cell phone, taking it to \$1.25 from \$1, I do not think they have had time to digest this, and I am sure that once they realize that this is going to happen, we may hear from a few of

them, and at this point I would ask for a "no" vote on the amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Zug, for a second time.

Mr. ZUG. Thank you, Mr. Speaker.

This amendment does one thing: it provides monetary relief to our local fire companies and emergency service providers. It is \$15 million a year. It is not a lot of money by our standards, but it is a lot of money when you talk about providing simply a grant to our volunteers and our paid emergency service providers at home. It is a tax ultimately that will be less than the landlines. It is only \$1.25 when landline is \$1.50.

We continuously tell these people that we are looking to help them. We are providing relief in this budget because Ed Rendell had it in the budget, and I think that is great, but we did not last year and we probably will not next year. A couple of years ago we passed a bond saying they should get \$100 million, \$100 million, and we do not have that.

So what this does is ultimately provide a year-in, year-out program that says we appreciate what you do and here is a stipend to help you do what you do.

Thank you for your support.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lackawanna, Mr. Cawley.

Mr. CAWLEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this amendment.

There are many legislators here that represent municipalities that have paid fire departments, and those same residents that live in those municipalities are now going to be taxed an extra 25 cents to fund volunteer fire companies. We should be funding both, paid and volunteer, and I think it is totally unfair for anyone that represents a paid fire department, which consists of 25 percent of all the firemen in Pennsylvania, and this ought to be done a separate way and it ought to be funding volunteer and paid fire departments. So therefore, I rise to oppose this.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

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

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

Mr. ZUG. Yes, thank you.

The SPEAKER. The gentleman indicates he will.

Mr. GEIST. Would you please tell me what effect this would have on third-class cities who have paid fire departments?

Mr. ZUG. They would be able to participate in the program. It is for paid and volunteer.

Mr. GEIST. Thank you, Mr. Speaker.

That is all I wanted to clear up.

I just want to stand up and say I support the amendment and would urge a "yes" vote.

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-31

Argall	Evans, J.	Gingrich	Phillips
Baker	Fairchild	Hanna	Shaner
Barrar	Feese	Harhart	Smith, S. H.
Blaum	Freeman	Hasay	Weber
Cappelli	Gabig	Hennessey	Zug
Causer	Gannon	Hutchinson	
Clymer	Geist	McIlhattan	Perzel,
Daley	Gillespie	Petrone	Speaker
Dally			

NAYS-166

Adolph	Fabrizio	Manderino	Sather
Allen	Fichter	Mann	Saylor
Armstrong	Fleagle	Markosek	Scavello
Baldwin	Flick	Marsico	Schroder
Bard	Forcier	McCall	Scrimenti
Bastian	Frankel	McGill	Semmel
Belardi	George	McIlhinney	Smith, B.
Belfanti	Gergely	McNaughton	Solobay
Benninghoff	Godshall	Melio	Staback
Biancucci	Goodman	Metcalfe	Stairs
Birmelin	Gordner	Micozzie	Steil
Bishop	Grucela	Miller, R.	Stern
Boyd	Gruitza	Miller, S.	Stetler
Browne	Habay	Mundy	Stevenson, R.
Bunt	Haluska	Myers	Stevenson, T.
Butkovitz	Harhai	Nailor	Sturla
Buxton	Harper	Nickol	Surra
Caltagirone	Harris	O'Brien	Tangretti
Casorio	Herman	Oliver	Taylor, E. Z.
Cawley	Hershey	O'Neill	Taylor, J.
Civera	Hess	Pallone	Thomas
Cohen	Hickernell	Payne	Tigue
Coleman	Horsey	Petrarca	Travaglio
Cornell	James	Petri	True
Corrigan	Josephs	Pickett	Turzai
Costa	Keller	Pistella	Vance
Coy	Kenney	Preston	Veon
Crahalla	Kirkland	Raymond	Vitali
Creighton	Kotik	Readshaw	Walko
Cruz	LaGrotta	Reed	Wansacz
Curry	Laughlin	Reichley	Washington
Dailey	Leach	Roberts	Waters
DeLuca	Lederer	Roebuck	Watson
Denlinger	Leh	Rohrer	Wheatley
Dermody	Lescovitz	Rooney	Williams
DeWeese	Levdansky	Ross	Wilt
DiGirolamo	Lewis	Rubley	Wojnaroski
Diven	Lynch	Ruffing	Wright
Donatucci	Mackereth	Sainato	Yewcic
Eachus	Maher	Samuelson	Youngblood
Egolf	Maitland	Santoni	Yudichak
Evans, D.	Major		

NOT VOTING-1

Bebko-Jones

EXCUSED-3

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

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

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

The following roll call was recorded:

YEAS-179

Adolph	Egolf	Lederer	Santoni
Allen	Evans, D.	Leh	Sather
Argall	Evans, J.	Lescovitz	Saylor
Armstrong	Fabrizio	Levdansky	Scavello
Baker	Fairchild	Lynch	Schroder
Baldwin	Feese	Maitland	Scrimenti
Bard	Fichter	Major	Semmel
Barrar	Fleagle	Manderino	Shaner
Bastian	Flick	Mann	Smith, S. H.
Bebko-Jones	Frankel	Markosek	Solobay
Belardi	Freeman	Marsico	Staback
Belfanti	Gannon	McCall	Stairs
Benninghoff	Geist	McGill	Steil
Biancucci	George	McIlhattan	Stern
Birmelin	Gergely	McNaughton	Stetler
Bishop	Gillespie	Melio	Stevenson, R.
Blaum	Gingrich	Micozzie	Stevenson, T.
Boyd	Godshall	Miller, R.	Sturla
Browne	Goodman	Miller, S.	Surra
Bunt	Gordner	Mundy	Tangretti
Butkovitz	Grucela	Myers	Taylor, E. Z.
Buxton	Gruitza	Nailor	Taylor, J.
Caltagirone	Haluska	O'Brien	Thomas
Cappelli	Hanna	Oliver	Tigue
Casorio	Harhai	O'Neill	Travaglio
Causer	Harhart	Pallone	True
Cawley	Harper	Payne	Vance
Civera	Harris	Petrarca	Veon
Clymer	Hasay	Petri	Vitali
Cohen	Hennessey	Petrone	Walko
Cornell	Herman	Phillips	Wansacz
Corrigan	Hershey	Pickett	Washington
Costa	Hess	Pistella	Waters
Coy	Hickernell	Preston	Watson
Crahalla	Horsey	Raymond	Weber
Cruz	Hutchinson	Readshaw	Wheatley
Curry	James	Reichley	Williams
Daley	Josephs	Roberts	Wilt
Dally	Keller	Roebuck	Wojnaroski
DeLuca	Kenney	Rooney	Wright
Dermody	Kirkland	Ross	Youngblood
DeWeese	Kotik	Rubley	Yudichak
DiGirolamo	LaGrotta	Ruffing	
Diven	Laughlin	Sainato	Perzel,
Donatucci	Leach	Samuelson	Speaker
Eachus			

NAYS-19

Coleman	Gabig	McIlhinney	Smith, B.
Creighton	Habay	Metcalfe	Turzai
Dailey	Lewis	Nickol	Yewcic
Denlinger	Mackereth	Reed	Zug
Forcier	Maher	Rohrer	

NOT VOTING-0

EXCUSED-3

Boyes	McGeehan	Rieger
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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.

MOTION TO SUSPEND RULES

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

Mr. HERMAN. Mr. Speaker, I move that the rules be suspended for immediate consideration of HB 51.

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

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

Mr. VITALI. Mr. Speaker, we have not caucused on this bill as it has been amended by the Appropriations Committee. So I would ask that we just pass over this issue until the House Democrats have a chance to caucus on it.

It is my understanding in Appropriations yesterday afternoon around 3, a quite substantial substantive amendment was added to this which we did not caucus on. So I am just going to ask that we pass this over.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I would join in Mr. Vitali's request. It was a very complex amendment that was adopted. My understanding is that all the Democrats on the House Appropriations Committee voted against it. We need more time, and I would strongly join in urging this bill be passed over.

The SPEAKER. Would the gentleman, Mr. DeWeese, please come up to the podium.

(Conference held at Speaker's podium.)

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

Mr. DeWEESE. Thank you, Mr. Speaker.

This is not a partisan issue. We have a lot of members on our side of the aisle that want to support this and want to cast a favorable vote on Monday. We are confident that some Republicans would also like to do just that same thing.

So I would like to think that the motion to suspend the rules could be countervailed and that we could vote on this measure on Monday. But again, I do not think this is a partisan effort. The amendment that went in rapidly has not been digested by a great deal of the membership, and I think a vote on this next week would be very helpful.

Thank you very kindly.

The SPEAKER. The Chair thanks the gentleman.

This issue is debatable by the floor leaders only, unless Mr. Herman has been designated by the majority leader, and he has.

The Chair recognizes the gentleman, Mr. Herman.

Mr. HERMAN. Mr. Speaker, this really puts me in a difficult position, not because of my interest in support of this legislation

but in terms of fairness in giving the minority party that opportunity to caucus on the measure.

However, you know, this bill was amended yesterday in the Appropriations Committee, and I have been informed that the Democratic Party has been informed that it was amended and that we were going to vote on this today, that there would be a suspension of the rules, a motion being made which I have made, and that they did not meet for whatever reason that might be.

I am not going to belabor the point except to say that this legislation is the result of a lot of negotiation between the various entities that are involved – the Pennsylvania Municipal Authorities Association, the Pennsylvania Builders Association. It has been over 2 1/2 years of negotiation, and, you know, we are ready to vote the bill today and get the issue behind us and over to the Senate.

So I am going to continue to hold fast to my motion to suspend the rules, and I would encourage the members to pass the motion.

Thank you very much, Mr. Speaker.

The SPEAKER. Mr. Vitali, at this time the only people that could speak would be Mr. Herman or Mr. DeWeese, but at this time we would like to take the vote on the suspension of the rules. Should the motion pass, at that point in time we would be glad to debate the issue itself.

POINT OF ORDER

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

The SPEAKER. The gentleman will state his point of order.

Mr. VITALI. Does the motion to pass over take precedence over the motion to suspend the rules?

The SPEAKER. Would the gentleman, Mr. Vitali, please come to the desk.

(Conference held at Speaker's podium.)

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

(Members proceeded to vote.)

The SPEAKER. This motion would need 134 votes to be successful.

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

The following roll call was recorded:

YEAS—65

Adolph	Forcier	Major	Smith, B.
Allen	Gabig	Markosek	Smith, S. H.
Argall	Gannon	McIlhattan	Stairs
Baker	Geist	McNaughton	Steil
Benninghoff	Gillespie	Metcalfe	Stern
Birmelin	Godshall	Miller, S.	Stevenson, R.
Boyd	Gordner	O'Brien	Stevenson, T.
Cappelli	Habay	Phillips	Taylor, E. Z.
Causar	Harhart	Pickett	Taylor, J.
Civera	Harris	Raymond	Turzai
Dally	Herman	Reed	Wilt
DiGirolamo	Hess	Reichley	Wright

Eachus	Hutchinson	Ross	Zug
Evans, J.	Lescovitz	Sather	
Fairchild	Lewis	Saylor	
Feese	Lynch	Scavello	Perzel,
Fleagle	Maher	Schroder	Speaker

NAYS—132

Armstrong	Dermody	Leach	Rubley
Baldwin	DeWeese	Lederer	Ruffing
Bard	Diven	Leh	Sainato
Barrar	Donatucci	Levdansky	Samuelson
Bastian	Egolf	Mackereth	Santoni
Bebko-Jones	Evans, D.	Maitland	Scrimenti
Belardi	Fabrizio	Manderino	Semmel
Belfanti	Fichter	Mann	Shaner
Biancucci	Flick	Marsico	Solobay
Bishop	Frankel	McCall	Staback
Blaum	Freeman	McGill	Stetler
Browne	George	McIlhinney	Sturla
Bunt	Gergely	Melio	Surra
Butkovitz	Gingrich	Micozzie	Tangretti
Buxton	Goodman	Miller, R.	Thomas
Caltagirone	Grucela	Mundy	Tigue
Casorio	Gruitza	Myers	Travaglio
Cawley	Haluska	Nailor	True
Clymer	Hanna	Nickol	Vance
Cohen	Harhai	Oliver	Veon
Coleman	Harper	O'Neill	Vitali
Cornell	Hasay	Pallone	Walko
Corrigan	Hennessey	Payne	Wansacz
Costa	Hershey	Petrarca	Washington
Coy	Hickernell	Petri	Waters
Crahalla	Horsey	Petrone	Watson
Creighton	James	Pistella	Weber
Cruz	Josephs	Preston	Wheatley
Curry	Keller	Readshaw	Williams
Dailey	Kirkland	Roberts	Wojnaroski
Daley	Kotik	Roebuck	Yewcic
DeLuca	LaGrotta	Rohrer	Youngblood
Denlinger	Laughlin	Rooney	Yudichak

NOT VOTING—1

Kenney

EXCUSED—3

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

SUPPLEMENTAL CALENDAR A

Mr. WILLIAMS called up **HR 274, PN 1734**, entitled:

A Resolution commending Communities in Schools of Philadelphia, Inc., for its work to keep teens in school and prepared for life, and recognizing May 7, 2003, as the 5th annual Teen Summit, an opportunity for teens to discuss techniques for successful transitioning to adulthood.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198			
Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.
Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Biancucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas
Causer	Haluska	Nickol	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

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

Mr. BELFANTI called up **HR 275, PN 1735**, entitled:

A Resolution designating May 7, 2003, as “Vietnam Veterans Recognition Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

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

Mr. BELFANTI. Thank you, Mr. Speaker.

Prior to my brief remarks I would like for some guests of Representative Veon who are Vietnam veterans to join me here, and I would like any member of the House who served in Vietnam to also join us here at this podium, if that would be in order.

The SPEAKER. Any member that is a Vietnam veteran that wishes to join them, please do so.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, last week we heard some eloquent remarks from my colleague from Northumberland County, Representative Merle Phillips, also a very longtime friend of mine; we began serving together, and his remarks were quite eloquent about the Korean Conflict. Mine will probably not be, as I have no notes, no speech. I am going to speak here briefly from the cuff and from my heart.

Representative Phillips last week referred to the Korean Conflict as the "Forgotten War." In my opinion, the Vietnam Conflict, which we are memorializing the soldiers and sailors and airmen and marines who served today, will probably be remembered as the war America will never forget, but perhaps for all the wrong reasons.

Mr. Speaker, 60,000, almost 60,000 Americans died in America's longest conflict, a war that lasted longer than any other. It went through stages of four different Presidents, beginning with Dwight Eisenhower's decision after the 1954 Geneva Accord to support the splitting of the two countries into two, into John F. Kennedy's decision to send in advisers, L.B.J. (Lyndon Baines Johnson) who was in office when I served in 1968, and Richard Nixon who came to office when I was still there in 1969.

But I am not here to talk about any of my experiences. I would like for the record for people to understand that America never lost a battle in Vietnam. We never lost one major battle. If the war was lost by America, it was lost here at home on our shores. The gentlemen and women who served during that long conflict went through some trying times, not only while they were in country but, as most of you know, as they returned home.

In the late sixties the country began to wane on what we were doing in that small country and why we were there. By the early seventies, of course, most of the country had completely turned against the war and the war policies. But what is upsetting to most of us who wore a uniform in that war is that people back in those days did not hold the war and its policies and decisionmakers against the decisionmakers but in large part against the men and women who wore uniforms, who bled and died and the 300,000-plus who were wounded, many of whom are still paraplegics and quadriplegics today.

So, Mr. Speaker, I am here to say that I believe that Americans have finally realized the suffering that our veterans have gone through. I think recognition has been slow coming, but it has arrived, and I commend those men and women who are presently serving in uniform in the Gulf region.

I would like to conclude by just saying that it does me good, and I am sure my colleagues who are here who are joining me at

the rostrum, to drive through the small towns and urban areas of this country today and see the yellow ribbons and the flags hanging on people's homes in support of our troops. I do not think we had that. We belatedly received it, and better late than never.

GUESTS INTRODUCED

Mr. BELFANTI. At this point I am not going to read the resolution but I am going to ask, I would like to recognize four distinguished guests of Representative Veon who served in Vietnam, and they are William Muns, who was in Vietnam in 1967, United States Army; Skip Haswell, who served in the Marines in Vietnam during 1966 and 1967; Command Sgt. Maj. Dale Vonstein, and I do not have the years down, I apologize; and Staff Sgt. Edward Noyes, who served in the Army in 1969 and 1970. Also in the gallery in the first row there are a number of other distinguished comrades of mine who served in the Republic of South Vietnam. I would like them to stand and be recognized as well.

Thank you, Mr. Speaker.

Mr. Speaker, again, I arrived with no printed remarks or speech, and I said I was going to talk off the cuff and I think I have said what I had to say. If there are any other House members who have joined me here who would like to add some comments, I would certainly welcome them, and thank you very much for your attendance.

The SPEAKER. The Chair thanks the gentleman and agrees with the gentleman.

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

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.
Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Biancucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas
Causer	Haluska	Nickol	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance

Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

Boyes McGeehan Rieger

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

* * *

Ms. WASHINGTON called up **HR 276, PN 1736**, entitled:

A Resolution honoring Alpha Kappa Alpha Sorority by designating May 6, 2003, as “Alpha Kappa Alpha Sorority Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.
Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Biancucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti

Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas
Causer	Haluska	Nickol	Tigue
Cawley	Hanna	O’Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O’Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

Boyes McGeehan Rieger

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

* * *

Mr. SOLOBAY called up **HR 277, PN 1737**, entitled:

A Resolution designating the month of May as “Foster Grandparent Program Month” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.
Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Biancucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil

Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas
Causer	Haluska	Nickol	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug
Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

Boyes McGeehan Rieger

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

GUESTS INTRODUCED

The SPEAKER. The Chair welcomes the fourth grade class of Summitview Elementary School in Waynesboro, who are here today as the guests of Representative Pat Fleagle. They are in the balcony. Will the guests please rise.

The Chair recognizes Representative Benninghoff's guest, Meghan Mason. Meghan will be a summer intern in Representative Benninghoff's district office. She attends State College Area High School. Will the guest please rise; to the left of the Speaker.

The Chair welcomes Caitlyn Feese, a junior at Montrose Area High School, as a guest page, seated in front of the rostrum here. She is the guest of Representative Sandy Major.

SUPPLEMENTAL CALENDAR B

RULES SUSPENDED

The SPEAKER. The members will turn to supplemental calendar B, and recognizes the gentleman, Mr. Adolph.

Mr. ADOLPH. Mr. Speaker, I move that the rules of the House be suspended for the immediate consideration of HR 273, PN 1733.

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Boyes McGeehan Rieger

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

RESOLUTION

Mr. ADOLPH called up **HR 273, PN 1733**, entitled:

A Resolution directing the Committee on Veterans Affairs and Emergency Preparedness to study the issue of homeland security for the purpose of making recommendations relating to the homeland security of this Commonwealth.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Adolph	Egolf	Lescovitz	Samuelson
Allen	Evans, D.	Levdansky	Santoni
Argall	Evans, J.	Lewis	Sather
Armstrong	Fabrizio	Lynch	Saylor
Baker	Fairchild	Mackereth	Scavello
Baldwin	Feese	Maher	Schroder
Bard	Fichter	Maitland	Scrimenti
Barrar	Fleagle	Major	Semmel
Bastian	Flick	Manderino	Shaner
Bebko-Jones	Forcier	Mann	Smith, B.
Belardi	Frankel	Markosek	Smith, S. H.
Belfanti	Freeman	Marsico	Solobay
Benninghoff	Gabig	McCall	Staback
Bianucci	Gannon	McGill	Stairs
Birmelin	Geist	McIlhattan	Steil
Bishop	George	McIlhinney	Stern
Blaum	Gergely	McNaughton	Stetler
Boyd	Gillespie	Melio	Stevenson, R.
Browne	Gingrich	Metcalfe	Stevenson, T.
Bunt	Godshall	Micozzie	Sturla
Butkovitz	Goodman	Miller, R.	Surra
Buxton	Gordner	Miller, S.	Tangretti
Caltagirone	Grucela	Mundy	Taylor, E. Z.
Cappelli	Gruitza	Myers	Taylor, J.
Casorio	Habay	Nailor	Thomas
Causar	Haluska	Nickol	Tigue
Cawley	Hanna	O'Brien	Travaglio
Civera	Harhai	Oliver	True
Clymer	Harhart	O'Neill	Turzai
Cohen	Harper	Pallone	Vance
Coleman	Harris	Payne	Veon
Cornell	Hasay	Petrarca	Vitali
Corrigan	Hennessey	Petri	Walko
Costa	Herman	Petrone	Wansacz
Coy	Hershey	Phillips	Washington
Crahalla	Hess	Pickett	Waters
Creighton	Hickernell	Pistella	Watson
Cruz	Horsey	Preston	Weber
Curry	Hutchinson	Raymond	Wheatley
Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Roberts	Wright
Denlinger	Kirkland	Roebuck	Yewcic
Dermody	Kotik	Rohrer	Youngblood
DeWeese	LaGrotta	Rooney	Yudichak
DiGirolamo	Laughlin	Ross	Zug

Diven	Leach	Rubley	
Donatucci	Lederer	Ruffing	Perzel,
Eachus	Leh	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

Boyes McGeehan Rieger

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

REMARKS SUBMITTED FOR THE RECORD

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

Mr. SOLOBAY. Thank you, Mr. Speaker.

I would like to submit written remarks for HB 8 for the record.

The SPEAKER. The gentleman will send those remarks to the desk.

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

Thank you, Mr. Speaker.

The type of legislation we are passing today is exactly the type of support we need to provide to our emergency service workers. I have been working ardently for many years to provide enhanced support for our first responders, and I am glad to see progress and new plans.

In order for our departments to adequately respond to community needs, they need to be equipped with working equipment and trained professionals. These people put their lives on the line for communities every day, while saving the State \$6 billion a year. I am pleased that we are restoring the \$25 million grant program and providing additional incentives that will protect and recruit our men and women.

Thank you.

MATTHEW KOCHER PRESENTED

The SPEAKER. The Chair recognizes the gentleman, Mr. Benninghoff, and the gentleman, Mr. Herman, for the purposes of making a citation.

Mr. BENNINGHOFF. Thank you, Mr. Speaker.

I just ask the members to endure me for one moment. I would like to take a moment to introduce a fine young man from State College Area High School, Matthew Kocher, who is joined by his family in the balcony. Thank you very much for joining us.

Matt is one of our outstanding athletes in Centre County. He is a wrestler, a PIAA AAA wrestling State champion at 140 pounds, with a record of 39 and 1. Matt will be going on to the University – well, the other university in Pennsylvania that starts with “p” and ends with “t” and has a cat for a mascot rather than a lion, but we love him anyhow. Matt is going to be going on to the University of Pittsburgh, and I just ask that you join me in congratulating him on his championship at 140 pounds.

MOLLY CRISPELL PRESENTED

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

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

And the other lady on the dais with Representative Benninghoff and me today is Molly Crispell, and Molly and Matt Kocher join other great student athletes that we have at the State College Area High School, but Molly is being honored today upon taking a gold medal at the 2002-2003 PIAA Class AAA girls swimming State championship.

She is a senior at State College High School. Molly took first place in the 200-yard freestyle and helped her team take the silver in the 200-yard medley relay, and she likewise deserves recognition by the Pennsylvania House of Representatives today upon her accomplishments, and she is not only a great athlete in the State College Area School District but also a great student athlete.

So, Molly, I would like to present this citation from the House of Representatives to you at this time. Molly Crispell.

EASTON AREA HIGH SCHOOL WRESTLING TEAM PRESENTED

The SPEAKER. The Chair recognizes the gentleman, Mr. Grucela, and the gentleman, Mr. Freeman.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, it is my great honor and pleasure to welcome to the hall of the House the Easton High School Red Rover State wrestling champions. For those of you who were here before, as Yogi Berra used to say, *deja vu* all over again. This is the third straight year that the Easton Area High School Red Rover State wrestling team captured the PIAA AAA State championship.

It is an honor also to have Representative Freeman, who represents Easton Area High School as well, and behind me coach Steve Powell and wrestlers Bryan Hart and Marcus Millen. The citation will be presented to the wrestlers, and they are in the rear of the House. I would ask those wrestlers— I am also equally proud of two assistant coaches, Ed Ferraro and Barry Snyder, who were former students of mine. Coach Ferraro could not be here today, but Coach Snyder is in the rear of the hall. Coach Snyder himself was a PIAA runner-up back in the days when you only advanced when you won. So you had to be a district and regional champ before you even wrestled in the State finals. So I would ask the Easton Area High School wrestling team to please stand.

Now I would like to call on another former student of mine – even though he looks older than me, he was my former student – Representative Bob Freeman.

CHEERLEADERS INTRODUCED

Mr. FREEMAN. Thank you, Representative Grucela.

I am pleased to join with my colleague, Representative Grucela, in giving recognition and congratulations to our champion wrestling team in Easton. The Easton area is very proud of your success, and having been champions 3 years in a row is a testament to your hard work and your ability to achieve in your sport.

I also wanted to recognize those who accompanied our wrestling team today. We have the Easton Area High School varsity cheerleaders, who placed fourth in national competitions in Orlando, Florida, earlier this year – they are present as well – and to the left of the Speaker's rostrum is head coach Kendra Durrah and captains Beverly Carter and Jaime Zyskowski. If they could please rise at this time.

I want to give recognition to the cheerleaders and ask them to rise for their championship award, placing fourth nationally. If they would please rise.

Mr. GRUCELA. I only also wanted to recognize another one of my former students. I am so proud of these former students as they have done well in life, and that is the cheerleading coach, Kendra Durrah, who was another one of my favorite and former students. Congratulations, Kendra and girls.

INSURANCE COMMITTEE MEETING

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

Mr. MICOZZIE. Thank you, Mr. Speaker.

There will be an Insurance meeting in the rear of the chamber right after adjournment.

The SPEAKER. The Chair thanks the gentleman.

The Insurance Committee will meet after adjournment in the rear.

ANNOUNCEMENT BY MR. COHEN

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, upon the call of the recess there will be informal discussions in the House Democratic caucus room.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY MR. SEMMEL

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

Mr. SEMMEL. Thank you, Mr. Speaker.

I want to call to the attention of the members, at 3 this afternoon there will be a DAV (Disabled American Veterans) van drive-off. You will see the results of \$250,000 that you voted upon favorably in the last budget cycle. It is 3 o'clock, across the street from the fountain.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY MRS. MILLER

The SPEAKER. The Chair recognizes Representative Miller. Mrs. MILLER. Thank you, Mr. Speaker.

I want to remind the members that May is Beef Month in Pennsylvania, and today on the side of the Capitol with the East Wing and the fountain, the Pennsylvania Beef Council is very happy and pleased to provide to you your wonderful Pennsylvania Quality Assurance hamburger as part of the Governor's Great Workout Day, and I encourage you to participate and enjoy great Pennsylvania beef.

The SPEAKER. The Chair thanks the gentlelady.

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

HB 294, PN 1755 (Amended) By Rep. STAIRS

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

EDUCATION.

HB 395, PN 1756 (Amended) By Rep. STAIRS

An Act establishing the Keystone Scholars Award to recognize and reward excellence in academic achievement and performance among graduating seniors in this Commonwealth's public secondary schools.

EDUCATION.

HB 538, PN 1757 (Amended) By Rep. STAIRS

An Act amending the act of June 29, 1996 (P.L.434, No.67), known as the Job Enhancement Act, establishing the Technology Work Experience Internship Program.

EDUCATION.

HB 614, PN 715 By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for residence and right to free school privileges.

EDUCATION.

HB 884, PN 1040 By Rep. STAIRS

An Act providing Commonwealth support for a Science and Mathematics Educator Recruitment Loan Forgiveness Program for Pennsylvania residents who graduate from institutions of higher education with certification in science and mathematics and who agree to apply their expertise to public schools in this Commonwealth.

EDUCATION.

HB 1274, PN 1566 By Rep. STAIRS

An Act providing for Commonwealth support for an Urban Teacher Loan Forgiveness Program for Pennsylvania residents who graduate from institutions of higher education and who apply their degrees to teaching in urban public schools in this Commonwealth.

EDUCATION.

BILL SIGNED BY SPEAKER

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

SB 532, PN 731

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, adding definitions of "proper supervision" and "social gathering"; further providing for sales by Pennsylvania Liquor Stores and for club licenses; and regulating the frequenting of premises by minors and other persons.

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

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

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

HB 744, PN 1758 (Amended) By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for powers and duties of the State Board of Education; establishing the Board of Community Colleges; providing for the members, structure, powers and duties and chief executive officer of the Board of Community Colleges, for a Council of Presidents, for appropriations and allocation of funds and for audits; further providing for powers and duties of boards of trustees, for tuition and for financial program and reimbursement of payments; and providing for the transfer of contract obligations, records, property, supplies, equipment and funds to the Board of Community Colleges.

EDUCATION.

HB 1287, PN 1759 (Amended) By Rep. MICOZZIE

An Act establishing the Mcare Assessment Need Program.

INSURANCE.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Petri.

Mr. PETRI. Madam Speaker, I move that this House do now adjourn until Monday, May 12, 2003, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 12:53 p.m., e.d.t., the House adjourned.