

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JUNE 17, 2003

SESSION OF 2003

187TH OF THE GENERAL ASSEMBLY

No. 45

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER PRO TEMPORE
(MATTHEW E. BAKER) PRESIDING**

PRAYER

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

Let us pray:

In the craziness of this morning, filled with meetings, overflowing desks, calls to be returned, and items to be negotiated, we turn our minds toward You, Almighty and Loving God. We ask that You would be patient with us for not turning to You more often and with less haste. As we come to You now, we wish to cast aside our habitual need to exercise our pride and the ever-increasing demands of self that, once fed, will always want more.

Direct our actions today to the ways You would have us to go. Clear our minds of thoughts that clutter and distract. Lead our thoughts to noble ideals, and give us wisdom, especially those who wear the title Representative and Senator. For those in this building who build up our leaders so that they may be more effective, we offer our thanks. We pray that they would serve with gladness and patience, even when times are so stressful they feel as if they will snap. May their homes be havens where they can be renewed and recharged, so when they return, they are once again able to bear one another's burdens.

Sunday we celebrated Father's Day. We express our thanks for the Founding Fathers of this nation: the gallant and perceptive Washingtons, Jeffersons, Franklins, and Lincolns. We look back on their accomplishments and wisdom and can scarcely believe that we are heirs of their work. We are fortunate.

May we continue to carry out our duties in a way that brings honor to Your name. Teach us to work together here that we give You no cause to regret that You have brought us together at this time, in this place, in this moment.

Hear our prayers, O Gracious God. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Monday, June 16, 2003, will be postponed until printed.

JOURNAL APPROVED

The SPEAKER pro tempore. However, the Journal of Wednesday, April 9, 2003, has been approved and, without objection, will be approved. Thank you.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1632 By Representatives METCALFE, NAILOR, LEH, CAWLEY, MARKOSEK, SOLOBAY, FICHTER, T. STEVENSON, READSHAW, CRAHALLA, LAUGHLIN, DAILEY, DENLINGER, HERMAN, CAPPELLI, S. MILLER, E. Z. TAYLOR, BASTIAN, GEIST, TURZAI, CREIGHTON, SHANER, BOYD, BUNT, CLYMER, ALLEN, HARRIS, SATHER, HERSHEY, ROHRER, ADOLPH, HUTCHINSON, WILT, FORCIER, EGOLF, R. STEVENSON, PAYNE, PETRARCA, PISTELLA, REICHLEY, ROBERTS, ARMSTRONG, GABIG and O'NEILL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for the imposition of the inheritance tax and for inheritance tax returns.

Referred to Committee on FINANCE, June 17, 2003.

No. 1633 By Representatives BELFANTI, EACHUS, SOLOBAY, DeWEESE, ALLEN, BARD, BEBKO-JONES, BELARDI, BUNT, BUXTON, CORRIGAN, COSTA, CRUZ, DALEY, GEORGE, GERGELY, GOODMAN, GORDNER, GRUCELA, HARHAI, HENNESSEY, JAMES, KOTIK, LAUGHLIN, McGEEHAN, PETRARCA, PISTELLA, READSHAW, ROBERTS, SEMMEL, SHANER, SURRA, TIGUE, TRAVAGLIO, TURZAI, WASHINGTON, WATERS, WOJNAROSKI, HORSEY and SAINATO

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, providing an exception to the quota system for licenses issued to volunteer fire companies.

Referred to Committee on LIQUOR CONTROL, June 17, 2003.

No. 1635 By Representatives LEACH, FRANKEL, DeWEESE, MANN, CREIGHTON, BEBKO-JONES, BISHOP, CURRY, FREEMAN, JAMES, JOSEPHS, KIRKLAND, LEVDANSKY, MANDERINO, McGEEHAN, MUNDY, ROEBUCK, ROSS, STURLA, WALKO, WATERS and YOUNGBLOOD

An Act to ensure equitable coverage of prescription contraceptive drugs and devices and the medical and counseling services necessary for their effective use.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 17, 2003.

No. 1636 By Representatives LEACH, LESCOVITZ, BELFANTI, CREIGHTON, FABRIZIO, GOODMAN, HARHAI, HENNESSEY, KIRKLAND, McGEEHAN, SURRA, WASHINGTON and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for student driver signs.

Referred to Committee on TRANSPORTATION, June 17, 2003.

No. 1637 By Representatives ARMSTRONG, ARGALL, BAKER, BALDWIN, BOYD, CAPPELLI, CRAHALLA, CREIGHTON, DALLY, DENLINGER, EGOLF, FORCIER, GILLESPIE, GINGRICH, HENNESSEY, HERSHEY, HICKERNELL, R. MILLER, NAILOR, NICKOL, PICKETT, REED, REICHLEY, RUBLEY, SATHER, SAYLOR, SCAVELLO, B. SMITH, SOLOBAY, R. STEVENSON, YOUNGBLOOD, WEBER and HARPER

An Act repealing the act of December 29, 1972 (Sp.Sess., P.L.2024, No.5), entitled, as amended, "An act authorizing abatement of real estate taxes because of destruction or damage of property by flood, or the refund of the amount of such taxes by certain political subdivisions; authorizing assessment of properties retroactive to January 1, of the year of flood damage and authorizing reimbursement to certain political subdivisions for real estate taxes lost due to the flood of September 1971 and the Great June Flood of 1972."

Referred to Committee on STATE GOVERNMENT, June 17, 2003.

No. 1638 By Representatives ARMSTRONG, CLYMER, CRAHALLA, CRUZ, DAILEY, EGOLF, FABRIZIO, GINGRICH, HORSEY, LEDERER, R. MILLER, O'NEILL, REICHLEY, SATHER, SCAVELLO, TIGUE and YOUNGBLOOD

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for policy relating to small and disadvantaged businesses; defining "socially and economically restricted business"; and further providing for duties of department, for bonding and program payments and for report to General Assembly relating to small and disadvantaged businesses.

Referred to Committee on COMMERCE, June 17, 2003.

No. 1639 By Representative LESCOVITZ

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for reports on mental or physical disabilities or disorders.

Referred to Committee on TRANSPORTATION, June 17, 2003.

No. 1640 By Representative LESCOVITZ

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for incorrect debtor identified.

Referred to Committee on JUDICIARY, June 17, 2003.

No. 1641 By Representatives STAIRS, ROEBUCK, CREIGHTON, FLEAGLE, McILHATTAN, R. MILLER, O'NEILL, CURRY, GRUCELA, SHANER, BALDWIN, BELFANTI, BENNINGHOFF, BUNT, CAPPELLI, CRAHALLA, DeWEESE, EGOLF, J. EVANS, FRANKEL, GEIST, GEORGE, HARHAI, HARHART, HERSHEY, JAMES, LAUGHLIN, S. MILLER, NAILOR, PHILLIPS, SCHRODER, SEMMEL, SOLOBAY, STERN, E. Z. TAYLOR, TIGUE, WALKO, WATERS, WILT and YOUNGBLOOD

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 agricultural education.

Referred to Committee on EDUCATION, June 17, 2003.

No. 1642 By Representatives STAIRS, BROWNE, CLYMER, CREIGHTON, FLEAGLE, HERMAN, R. MILLER, O'NEILL, T. STEVENSON, GRUCELA, KIRKLAND, SHANER, SURRA, YUDICHAK, BAKER, BARD, BEBKO-JONES, BELARDI, BELFANTI, CAPPELLI, CAUSER, COSTA, CRAHALLA, FAIRCHILD, FICHTER, GEIST, GEORGE, GERGELY, GOODMAN, GORDNER, HARHAI, HESS, HORSEY, HUTCHINSON, JAMES, KELLER, KOTIK, LAUGHLIN, LEACH, LEDERER, LESCOVITZ, MARKOSEK, McNAUGHTON, MELIO, S. MILLER, NAILOR, PHILLIPS, READSHAW, REICHLEY, ROSS, RUBLEY, SAINATO, SATHER, SCHRODER, SEMMEL, B. SMITH, SOLOBAY, STERN, WILT, WOJNAROSKI and YOUNGBLOOD

An Act establishing the Science Technology Partnership Program; and providing for State grants.

Referred to Committee on EDUCATION, June 17, 2003.

No. 1643 By Representatives PHILLIPS, CAPPELLI, SOLOBAY, BARD, CREIGHTON, GABIG, GINGRICH, GOODMAN, HARPER, HENNESSEY, HERSHEY, HORSEY, JOSEPHS, KIRKLAND, McGEEHAN, McNAUGHTON, MYERS, PALLONE, REICHLEY, ROHRER, E. Z. TAYLOR, TIGUE, WATERS and YOUNGBLOOD

An Act amending the act of August 12, 1971 (P.L.313, No.78), entitled "An act providing for elimination of discriminatory provisions relating to compensation for services and treatment under sickness and accident insurance contracts and providing for nondiscriminatory reimbursement of sickness and bodily injury claims thereunder," providing for private right of action.

Referred to Committee on INSURANCE, June 17, 2003.

No. 1644 By Representatives PHILLIPS, GEIST, TIGUE, ALLEN, BAKER, BARD, BARRAR, CAPPELLI, CRAHALLA, CREIGHTON, DAILEY, DALEY, GABIG, GEORGE, HENNESSEY, HERSHEY, HORSEY, LEVDANSKY, McNAUGHTON, MUNDY, MYERS, PALLONE, SATHER, SCHRODER, STERN, R. STEVENSON, E. Z. TAYLOR, WALKO, WANSACZ, WATERS, YOUNGBLOOD and YUDICHAK

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for health care reimbursement.

Referred to Committee on INSURANCE, June 17, 2003.

No. 1645 By Representatives EGOLF, E. Z. TAYLOR, MARSICO, ARMSTRONG, BASTIAN, BELFANTI, BENNINGHOFF, CAPPELLI, COLEMAN, CREIGHTON, DALLY, DENLINGER, GEIST, GEORGE, GILLESPIE, GINGRICH, HALUSKA, HARRIS, HERSHEY, HORSEY, HUTCHINSON, JAMES, KELLER, KIRKLAND, KOTIK, LAUGHLIN, LEACH, LEH, METCALFE, PAYNE, ROHRER, RUBLEY, SAYLOR, J. TAYLOR, THOMAS, TURZAI, WILT and YOUNGBLOOD

An Act providing for full participation of all citizens on juries, for postponements of jury participation, for excuses from jury service, for rights of jurors and for a Lengthy Trial Fund; and making a repeal.

Referred to Committee on JUDICIARY, June 17, 2003.

No. 1646 By Representatives CASORIO, BEBKO-JONES, CRAHALLA, FABRIZIO, GABIG, GRUCELA, HARHAI, McILHATTAN, MUNDY, PALLONE, PETRARCA, SOLOBAY and TIGUE

An Act amending the act of June 5, 1941 (P.L.84, No.45), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns and townships of the first class maintaining a police force of not less than three members; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expense on boroughs, incorporated towns and townships of the first class; imposing penalties, and repealing inconsistent laws," further providing for removals, suspensions or reductions in rank of police officers.

Referred to Committee on LOCAL GOVERNMENT, June 17, 2003.

No. 1647 By Representatives CASORIO, BEBKO-JONES, CRAHALLA, FABRIZIO, GABIG, GRUCELA, HARHAI, McILHATTAN, MUNDY, PALLONE, PETRARCA, SOLOBAY and TIGUE

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for removals from the police or fire force.

Referred to Committee on LOCAL GOVERNMENT, June 17, 2003.

No. 1648 By Representatives CASORIO, BEBKO-JONES, CRAHALLA, FABRIZIO, GABIG, GRUCELA, HARHAI, McILHATTAN, MUNDY, PALLONE, PETRARCA, SOLOBAY and TIGUE

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for removals, suspensions or reductions in rank of police officers.

Referred to Committee on LOCAL GOVERNMENT, June 17, 2003.

No. 1649 By Representatives LYNCH, BAKER, BARD, BEBKO-JONES, BUNT, CAPPELLI, CAWLEY, CRAHALLA, CRUZ, DeLUCA, FAIRCHILD, FICHTER, FREEMAN, GODSHALL, HERMAN, HERSHEY, HESS, HORSEY, HUTCHINSON, JAMES, JOSEPHS, LAUGHLIN, LEDERER, MARKOSEK, MELIO, MICOZZIE, MUNDY, O'NEILL, REICHLEY, RUBLEY, SCAVELLO, SOLOBAY, R. STEVENSON, T. STEVENSON, E. Z. TAYLOR, TIGUE, WALKO, WILT, YOUNGBLOOD, SAINATO and DiGIROLAMO

An Act amending the act of March 20, 2003 (P.L. , No.1A), known as the General Appropriation Act of 2003, increasing the State appropriation for grants to counties and private facilities for drug and alcohol abuse treatment and prevention programs.

Referred to Committee on APPROPRIATIONS, June 17, 2003.

No. 1650 By Representatives HERMAN, FAIRCHILD, FICHTER, FREEMAN, HENNESSEY, LAUGHLIN, MAJOR, SOLOBAY, TRAVAGLIO, BAKER, BASTIAN, BEBKO-JONES, BUNT, CAPPELLI, COSTA, COY, CRAHALLA, CREIGHTON, CRUZ, DALEY, DENLINGER, DeWEESE, J. EVANS, FABRIZIO, FLICK, FRANKEL, GEIST, GEORGE, GERGELY, GOODMAN, GRUCELA, HARHAI, HARRIS, HESS, JAMES, KELLER, LEACH, LEDERER, LESCOVITZ, MAHER, MANN, MARKOSEK, PALLONE, PHILLIPS, PICKETT, PISTELLA, READSHAW, REICHLEY, ROBERTS, ROHRER, SEMMEL, SHANER, B. SMITH, R. STEVENSON, SURRA, E. Z. TAYLOR, J. TAYLOR, TIGUE, WALKO, WASHINGTON, WATERS, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for graves which shall be decorated with flags.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 17, 2003.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 322 By Representatives LYNCH, CAPPELLI, CREIGHTON, FABRIZIO, GEIST, GODSHALL, JAMES, KOTIK, PETRARCA, READSHAW, SATHER, SHANER, SOLOBAY, TIGUE, WOJNAROSKI, E. Z. TAYLOR and SAINATO

A Concurrent Resolution directing a select committee to study the ramifications of repealing The Local Tax Enabling Act and taxation provisions of local government codes; and authorizing local government units to devise their own systems of taxation.

Referred to Committee on FINANCE, June 17, 2003.

BILLS REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that the following bills be taken off the table:

HB 496;
HB 667;
HB 668;
HB 814; and
HB 1215.

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

BILLS TABLED

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

Mr. S. SMITH. Mr. Speaker, I move that the following bills be laid on the table:

HB 496;
HB 667;
HB 668;
HB 814; and
HB 1215.

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

BILL REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that the following bill be taken from the table: HB 520.

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

BILL ON SECOND CONSIDERATION

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

HB 520, PN 614.

BILL RECOMMITTED

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

Mr. S. SMITH. Mr. Speaker, I move that the following bill be recommitted to Appropriations: HB 520.

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

SENATE MESSAGE

**ADJOURNMENT RESOLUTION
FOR CONCURRENCE**

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

In the Senate
June 16, 2003

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, June 23, 2003, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, June 23, 2003, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

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

HB 237, PN 266

By Rep. O'BRIEN

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

JUDICIARY.

HB 525, PN 619

By Rep. J. TAYLOR

An Act requiring proper maintenance of abandoned businesses in cities; establishing the Abandoned Business Facilities Fund; conferring powers and duties on the Department of Community and Economic Development; and providing for penalties and remedies.

URBAN AFFAIRS.

HB 1114, PN 1316

By Rep. O'BRIEN

An Act authorizing the Commonwealth of Pennsylvania to join the National Crime Prevention and Privacy Compact; providing for the form of the compact; and authorizing the Attorney General to appoint a compact officer.

JUDICIARY.

HB 1148, PN 2088 (Amended)

By Rep. J. TAYLOR

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for definitions, for scope of unfunded debt, for number of interest rates, for treatment of debt costs upon refunding, and providing for interest rate risk and interest cost management.

URBAN AFFAIRS.

HB 1627, PN 2054

By Rep. J. TAYLOR

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for inspection of court files and records.

URBAN AFFAIRS.

HB 1628, PN 2055

By Rep. J. TAYLOR

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 distress in school districts of the first class.

URBAN AFFAIRS.

HB 1629, PN 2056

By Rep. J. TAYLOR

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 distress in school districts of the first class.

URBAN AFFAIRS.

HB 1630, PN 2057

By Rep. J. TAYLOR

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 the prohibition of the possession of weapons.

URBAN AFFAIRS.

HB 1631, PN 2058

By Rep. J. TAYLOR

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 the prohibition of the possession of weapons.

URBAN AFFAIRS.

LEAVES OF ABSENCE

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

The Chair recognizes the majority whip, who moves that Representative DALLY from Northampton County be placed on the leaves of absence. Without objection, leave of absence will be granted.

It is the understanding of the Chair that the Democrats have no one to be placed on leave.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES****HB 1000, PN 2090 (Amended)**

By Rep. GANNON

An Act amending the act of February 19, 1980 (P.L.15, No.9), known as the Real Estate Licensing and Registration Act, further providing for licensing requirements and penalties.

PROFESSIONAL LICENSURE.

RULES COMMITTEE MEETING

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

**RESOLUTION REPORTED
FROM COMMITTEE****HR 107, PN 641**

By Rep. S. SMITH

A Resolution declaring that liquor, wine or beer should not be sold in supermarkets, drug stores or chain stores.

RULES.

BILLS REREPORTED FROM COMMITTEE**HB 491, PN 585**

By Rep. S. SMITH

An Act providing for a certification program in certain facilities which offer cognitive support services to persons with cognitive impairments and for report to General Assembly.

RULES.

HB 620, PN 2035

By Rep. S. SMITH

An Act providing for a long-term care death and abuse resource team; imposing duties on the Department of Aging and the Department of Health; imposing penalties; and establishing the Long-term Care Death and Abuse Resource Fund.

RULES.

HB 801, PN 933

By Rep. S. SMITH

An Act providing for the training and certification of qualified assessors of individuals needing long-term care services, for the powers and duties of the Department of Aging and for report to General Assembly.

RULES.

HB 1039, PN 1214

By Rep. S. SMITH

An Act providing for admission and retention of consumers in personal care homes, for appeals to the Bureau of Hearings and Appeals, for the powers and duties of the Department of Public Welfare and for report to the General Assembly.

RULES.

HB 1579, PN 2036

By Rep. S. SMITH

An Act relating to long-term care facility residents' rights; and providing for requirements for admission, care, transfer, discharge, funds and privacy of long-term care facility residents and for remedies.

RULES.

HB 1580, PN 2063

By Rep. S. SMITH

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, providing for employment of health care practitioners.

RULES.

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

HB 190, PN 219

By Rep. HERMAN

An Act amending the act of June 26, 1931 (P.L.1379, No.348), referred to as the Third Class County Assessment Board Law, further providing for assessment appeals.

LOCAL GOVERNMENT.

HB 191, PN 220

By Rep. HERMAN

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, further providing for appeal hearings.

LOCAL GOVERNMENT.

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 491, PN 585; HB 620, PN 2035; HB 801, PN 933; HB 1039, PN 1214; HB 1579, PN 2036; and HB 1580, PN 2063.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—199

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—1

Dally

LEAVES CANCELED—1

Dally

RESOLUTION RECOMMITTED

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

Mr. S. SMITH. Mr. Speaker, I move that HR 107 be recommitted to the Liquor Control Committee.

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

BILLS RECOMMITTED

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

Mr. S. SMITH. Mr. Speaker, I move that the following bills be recommitted to the Appropriations Committee:

HB 1580;
HB 1579;
HB 1039;
HB 801;
HB 620; and
HB 491.

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

GUESTS INTRODUCED

The SPEAKER pro tempore. We are pleased to welcome to the hall of the House today guests of Representative Julie Harhart. These students participated in the Earth Day Poster Contest, and they are from Slatington and Peters Elementary Schools. Their posters were displayed in the rotunda of the Capitol during Earth Week. The four winners from these two schools are seated here to my left. There are two from each school. The top two winners from Slatington Elementary are Rebecca Lynn Howell and Kyle Waikowski. The top two winners from Peters Elementary are Ashley Peck and Brandon Weider. Their families and teachers are sitting in the balcony. Please rise and be recognized.

The Chair welcomes Caitlyn Clark, a 12-year-old, an eighth grade student at Rising Sun Middle School. She is a straight-A, Honor Society student and is a guest of Representative Todd Eachus, and I believe Caitlyn is located on the floor of the House, in the well of the House.

Joining Representative Stan Saylor today as guest pages are Kyle Eveler and James Caplinger. Kyle is a member of Boy Scout Troop 152 and was recently awarded his Eagle Scout. Kyle and James are both entering the 10th grade at Red Lion High School. Kyle's parents, Marilyn and Bruce Eveler, are seated in the gallery. Please rise and be recognized.

The Speaker is pleased to recognize guests of the Honorable Mike Turzai – David and Jennifer Chontos, with their children, Madison and Benjamin Chontos. Also with them is Jennifer's mother, Virginia Roller, and her stepfather, Donald Strayer.

They are seated to the left of the Chair. Please rise and be recognized.

We are pleased to recognize a guest of Representative Pat Vance. From Camp Hill Middle School, please welcome as guest page Mary Ann Keys.

**RADNOR HIGH SCHOOL
GIRLS LACROSSE TEAM PRESENTED**

The SPEAKER pro tempore. The Chair is pleased to recognize the Honorable Mr. Adolph, who would like to make a citation presentation.

Members and guests will please take their seats.

Mr. Adolph, you may proceed.

Mr. ADOLPH. Thank you, Mr. Speaker.

Representative Tom Gannon, Representative Greg Vitali, and I would like to introduce and for the House to recognize the Radnor High School 2003 girls lacrosse team on an amazing season. They are the State AAA champions, District 1 AAA champions, and the undefeated Central League champions. They have an impressive overall record: 20 wins and 1 loss.

This team was led by head coach Phyllis Kilgour, assistant coaches George Hopson and Amy Roseland. The team captains, Kristin Hopson and Michelle Menser, are with me on the floor.

Their outstanding record, team sportsmanship, and commitment to athletic excellence warrants our recognition.

This team, ladies and gentlemen, has won the State championship 4 out of the last 5 years. They are not only athletes but they are also student athletes. Some of the graduating seniors will be attending such prestigious universities as Duke University, Notre Dame University, Penn State University, Dickinson University, Franklin and Marshall, and Florida State University.

It is my proud pleasure to introduce to you the 2003 girls lacrosse champions, AAA, from Radnor High School. Please give them a round of applause.

Standing in the back is the rest of the team. Please rise.

Even though Delaware County is probably one of the smallest geographical counties in our Commonwealth, it is definitely the lacrosse capital of our Commonwealth. Tom Gannon, who represents the area of Ridley Township, their high school boys team won the State championship, defeating someone from out west somewhere by a lot to a little.

So thank you very much, and anytime you want to see good, scholastic lacrosse, please come to Delaware County. Thank you.

**THE SPEAKER (JOHN M. PERZEL)
PRESIDING****CALENDAR****BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 225, PN 1898**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for termination of annuities.

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—199

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Dally

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 885, PN 1041**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding provisions relating to privacy protection for customer information of financial transactions; and imposing penalties.

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

Mr. **GEORGE** offered the following amendment No. **A1858**:

Amend Title, page 1, line 4, by inserting after "transactions;" defining the offense of public or private grant solicitation;

Amend Bill, page 7, by inserting between lines 2 and 3 Section 2. Title 18 is amended by adding a section to read:

§ 7516. Public or private grant solicitation.

(a) Offense defined.—No person may provide services over the telephone or through electronic means by:

(1) (i) promising to or providing research or information about guaranteed public or private grants;

(ii) interviewing a person for the purpose of checking eligibility for public or private grants; or

(iii) offering to fill out applications for public or private grants; and

(2) requesting and requiring payment through electronic funds transfer or asking for any information regarding a customer's bank account.

(b) Penalty.—A person who violates this section commits a misdemeanor of the first degree and shall, upon conviction, be sentenced to pay a fine in the amount of \$10,000.

Amend Sec. 2, page 7, line 3, by striking out "2" and inserting
3

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

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker— At least, Mr. Speaker, you will have the courtesy to listen to me, because you are just a fine individual. Now, some of these fellows I stand alongside of—

The SPEAKER. The gentleman is entitled to be heard.

Mr. GEORGE. Mr. Speaker, a few weeks ago a lady came to my office, an elderly person, with tears in her eyes, explaining to me that she had answered an advertisement that guaranteed her \$25,000, without any danger of loss in the amount that she would tender—

The SPEAKER. The gentleman is entitled to be heard. Would you please keep the noise level down.

Mr. GEORGE. Thank you, Mr. Speaker.

She agreed, Mr. Speaker, and she gave them her checking account information. Within days, her account had been drained.

I have learned that this scam happens on a daily basis. People posing as legitimate companies are requesting personal financial information in return for guaranteed grants.

Now, Mr. Speaker, I called the bank, and the president said, unfortunately, there is nothing that we can do; only you can do this in Harrisburg. We called the Attorney General, both here at the Capitol and in Ebensburg, where a very fine attorney explained that there is nothing in the law to prevent this. And we called the FBI, and just today we got a return call.

Now, I thought you would want to listen to this, because this lady could have been your constituent, your mother, your sister, whatever.

Now, the bank representative came to see me, and immediately he said, you know, this is going to stop any electronic business if we accept your amendment, and we said, read it a little more; we are not doing anything against the banks; we are just preventing these people from using electronic devices to sell a contract or an agreement to people when they have no intention of keeping the bargain. It does not penalize the banks. It just stops these people from doing that. You can go anywhere in a rural area and see these advertisements. The truth is, you know, no one can guarantee cash in the form of grants. People are being misled into thinking they can get free money, but instead, they are being scammed.

This amendment would make it illegal for any person to require a bank account, an electronic fund transfer, for information or assistance in getting government grants. I urge an affirmative vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from York, Mr. Saylor.

Mr. SAYLOR. Mr. Speaker, the amendment offered by Mr. George is an agreed-to amendment.

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—198

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

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

NAYS—1

Petri

NOT VOTING—0

EXCUSED—1

Dally

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—199

Adolph	Evans, J.	Lewis	Samuelson
Allen	Fabrizio	Lynch	Santoni
Argall	Fairchild	Mackereth	Sather
Armstrong	Feese	Maher	Saylor
Baker	Fichter	Maitland	Scavello
Baldwin	Fleagle	Major	Schroder
Bard	Flick	Manderino	Scrimenti

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

NAYS-0

NOT VOTING-0

EXCUSED-1

Dally

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 gentleman from Allegheny, Mr. Frankel.

Mr. FRANKEL. Mr. Speaker, I move for an immediate suspension of the rules for the purpose of bringing up HB 356.

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

The following roll call was recorded:

YEAS-199

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

NAYS-0

NOT VOTING-0

EXCUSED-1

Dally

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 356, PN 2059**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for attendance at schools for the performing arts.

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

Mr. **YEWIC** offered the following amendment No. **A1886**:

Amend Title, page 1, line 6, by removing the period after “arts” and inserting

; and further providing for Education Support Services Program eligibility.

Amend Bill, page 2, by inserting between lines 5 and 6

Section 2. Section 1502-C of the act, added May 17, 2001 (P.L.4, No.4), is amended to read:
Section 1502-C. Establishment of program.

(a) Establishment.—The Education Support Services Program is established within the department to provide individual or small group instruction in reading and mathematics to strengthen the skills that an eligible student needs to achieve the standards in 22 Pa. Code Ch. 4 (relating to academic standards and assessment), which shall be provided at a time other than the regularly scheduled school hours.

(b) Eligibility.—The department shall utilize the Pennsylvania System of School Assessment test or other test results to identify eligible students under this article. The department shall for each eligible grade level utilize at least six approved commercially prepared, standardized achievement tests in addition to the Pennsylvania System of School Assessment test or Pennsylvania Alternate System of Assessment test in order to determine eligible students under this article. Scores used to determine eligible students in each grade shall be published annually in the Pennsylvania Bulletin.

(c) Approval.—A provider must be approved by the department in order to provide education support services under this article.

Amend Sec. 2, page 2, line 6, by striking out “2” and inserting
3

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

The **SPEAKER**. On that question, the Chair recognizes the gentleman.

Mr. **YEWIC**. Thank you, Mr. Speaker.

This amendment would expand the Classroom Plus program. Currently, under law, the Classroom Plus program is a tutor program for kids from third to sixth grade. Well, under current law, kids through third, fourth, and fifth grades would be eligible for the tutor program in all schools, but after fifth grade, they would no longer be eligible in the sixth grade. This amendment would expand the test to allow them to consider six commercial tests plus the PSSA (Pennsylvania System of School Assessment) in order to qualify to be in this program.

Thank you, Mr. Speaker.

The **SPEAKER**. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Dally

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—199

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Dally

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

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

* * *

BILL PASSED OVER TEMPORARILY

The SPEAKER. If the members would please turn to page 4 of today's calendar, SB 277, PN 284. SB 277 is over temporarily.

* * *

The House proceeded to third consideration of **SB 80, PN 75**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, adding definitions; providing for State System of Higher Education campus police powers and duties; and making a repeal.

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

Mr. DeLUCA offered the following amendment No. **A1827**:

Amend Title, page 1, line 5, by inserting after "thereto," " further providing for residence and right to free school privileges;

Amend Bill, page 1, lines 10 through 12, by striking out all of said lines and inserting

Section 1. Section 1302 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended June 22, 2001 (P.L.530, No.35), is amended to read:

Section 1302. Residence and Right to Free School Privileges.—
(a) A child shall be considered a resident of the school district in which his parents or the guardian of his person resides. Federal installations are considered a part of the school district or districts in which they are situate and the children residing on such installations shall be counted as resident pupils of the school district. When a resident of any school district keeps in his home a child of school age, not his own, supporting the child gratis as if it were his own, such child shall be entitled to all free school privileges accorded to resident school children of the district, including the right to attend the public high school maintained in such district or in other districts in the same manner as though such child were in fact a resident school child of the district, and shall be subject to all the requirements placed upon resident school children of the district. Before such child may be accepted as a pupil, such resident shall file with the secretary of the board:

(1) appropriate legal documentation to show dependency or guardianship; or

(2) a sworn statement that he is a resident of the district, that he is supporting the child gratis, that he will assume all personal obligations for the child relative to school requirements, and that he intends to so keep and support the child continuously and not merely through the school term. The school board, pursuant to guidelines issued by the Department of Education, may require other reasonable information to be submitted by the resident to substantiate the sworn statement. The form containing the sworn statement shall include notice in large print of the penalty for providing false information in the sworn statement.

(b) If it is found that information contained in the sworn statement is false, the child must be removed from the school after notice of an opportunity to appeal the removal pursuant to the appropriate grievance policy of the school district.

(c) A person who knowingly provides false information in the sworn statement for the purpose of enrolling a child in a school district for which the child is not eligible commits a misdemeanor of the third degree and shall, upon conviction, notwithstanding any other provision of law, be sentenced to pay a fine of no more than three hundred dollars (\$300) for the benefit of the school district in which the person resides and court costs, and in default of payment thereof, may be sentenced to a term of imprisonment for not more than thirty (30) days. In addition, the person shall be liable to the school district for an amount equal to the cost to the district of educating the child during the period of enrollment.

Section 2. Section 2001-A of the act is amended by adding clauses to read:

Amend Sec. 2, page 2, line 6, by striking out “2” and inserting 3

Amend Sec. 3, page 3, line 29, by striking out “3” and inserting 4

Amend Sec. 4, page 4, line 2, by striking out “4” and inserting 5

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

The following roll call was recorded:

YEAS—199

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

DeLuca	Kirkland	Rieger	Wojnaroski
Denlinger	Kotik	Roberts	Wright
Dermody	LaGrotta	Roebuck	Yewcic
DeWeese	Laughlin	Rohrer	Youngblood
DiGirolamo	Leach	Rooney	Yudichak
Diven	Lederer	Ross	Zug
Donatucci	Leh	Rubley	
Eachus	Lescovitz	Ruffing	Perzel,
Egolf	Levdansky	Sainato	Speaker
Evans, D.			

NAYS—0

NOT VOTING—0

EXCUSED—1

Dally

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

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

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

The Chair recognizes the gentlelady from Berks County, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, would it be possible for me at this point to interrogate the chairman of the House Judiciary Committee?

The SPEAKER. Does the gentleman, Mr. O'Brien, consent to interrogation? The gentleman agrees. The lady may state her question.

Mrs. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, in SB 80 there is language that says that campus police that are performing the duties in conjunction with other police are given the same immunities, privileges, benefits of those police.

The question that I have is, does this in any way establish an avenue for collective bargaining for campus police, or are they precluded from entering into a collective-bargaining agreement?

Mr. O'BRIEN. Mr. Speaker, I apologize for the delay, but this bill did not come through the Judiciary Committee, but it is my understanding that the lady is correct that these individual employees would remain employees of the institution. This is not a collective-bargaining tool.

Mrs. MILLER. Okay. 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—197

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

NAYS—2

Maitland	Petri
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NOT VOTING—0

EXCUSED—1

Dally

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

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

GUESTS INTRODUCED

The SPEAKER. We have some special guests here in the hall of the House.

The Chair would like to recognize Joan Gruitza, wife of Mike Gruitza, and Jacob Albright, the grandson of Representative Mike Gruitza. They are to the left of the Speaker, and I would like to ask the guests to rise.

The Chair welcomes Gwen Hauck, guest page. Gwen is the daughter of Melanie Brown, and she is an eighth grade student at Lower Dauphin Middle School and is the guest of Representative Ron Marsico. She is located with the pages. Would the guest page please rise.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes Representative Taylor for the purpose of a caucus announcement.

Mrs. TAYLOR. Thank you, Mr. Speaker.

At the break, at the break, there will be a very important caucus for the majority Republicans.

The SPEAKER. The Chair thanks the gentlelady.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, we will both caucus on the PACE (Pharmaceutical Assistance Contract for the Elderly) legislation that will come up later today along with numerous amendments, and we will have informal discussions in the Democratic caucus room immediately upon the call of recess.

The SPEAKER. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. ARGALL. Thank you, Mr. Speaker.

Mr. Speaker, the House Appropriations Committee needs to meet, but I am told the amendments will not be prepared until 1:30. If we could meet at 1:30, that would be appropriate, and that would be done in room 245.

The SPEAKER. Appropriations will meet at 1:30 in room 245.

AGRICULTURE AND RURAL AFFAIRS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Hershey.

Mr. HERSHEY. Thank you, Mr. Speaker.

I want to call a meeting at the break of the Agriculture and Rural Affairs Committee at the back of the House. It will be a very short meeting, and I urge all the members to attend. Staff is here, and they are prepared to take their votes.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.
The Agriculture and Rural Affairs Committee will meet at the break in the rear of the House.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. ARGALL. Mr. Speaker, the Appropriations Committee will meet at 12:55 today in room 245.

The SPEAKER. The Chair thanks the gentleman.

The Appropriations Committee will meet at 12:55 in room 245.

CONSUMER AFFAIRS COMMITTEE MEETING

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

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, there will be a meeting of the House Consumer Affairs Committee immediately upon the break in the rear of the House.

The SPEAKER. The Consumer Affairs Committee will meet immediately at the break in the rear of the House.

JUDICIARY COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. O'Brien.

Mr. O'BRIEN. Thank you, Mr. Speaker.

When the Speaker makes an announcement as to what time we are going to reconvene, I would like to ask the members of the Judiciary Committee to meet in room 205 one-half hour before we reconvene the business of the House.

The SPEAKER. The Chair thanks the gentleman.

The Judiciary Committee will be meeting in room 205 one-half hour prior to the House reconvening.

RECESS

The SPEAKER. This House is in recess until 1 o'clock.

RECESS EXTENDED

The time of recess was extended until 1:15 p.m.

AFTER RECESS

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 340, PN 785 By Rep. HERSHEY

An Act designating the new Livestock Evaluation Center at Pennsylvania State University as the Samuel E. Hayes, Jr., Livestock Evaluation Center.

AGRICULTURE AND RURAL AFFAIRS.

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

HB 76, PN 2092 (Amended) By Rep. ALLEN

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further defining "occupational disease."

LABOR RELATIONS.

HB 341, PN 2093 (Amended) By Rep. ALLEN

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

LABOR RELATIONS.

HB 652, PN 758 By Rep. ALLEN

An Act amending the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act, further providing for supervisors.

LABOR RELATIONS.

HB 1073, PN 1253 By Rep. O'BRIEN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for jurisdiction and proceedings, for relief and order and for sentencing procedure for murder of the first degree; and providing for mental retardation of defendant.

JUDICIARY.

HB 1116, PN 1318 By Rep. ALLEN

An Act providing for the certification of persons conducting hazardous painting; and providing for a penalty.

LABOR RELATIONS.

BILLS REREPORTED FROM COMMITTEE

HB 420, PN 1924 By Rep. ARGALL

An Act providing for the licensure and regulation of adult living residences; conferring powers and duties on the Department of Public Welfare; adding members to the Intra-Governmental Council on Long-Term Care; providing for an increase to State supplemental assistance for persons in personal care homes; and providing for penalties.

APPROPRIATIONS.

HB 491, PN 585 By Rep. ARGALL

An Act providing for a certification program in certain facilities which offer cognitive support services to persons with cognitive impairments and for report to General Assembly.

APPROPRIATIONS.

HB 620, PN 2035 By Rep. ARGALL

An Act providing for a long-term care death and abuse resource team; imposing duties on the Department of Aging and the Department of Health; imposing penalties; and establishing the Long-term Care Death and Abuse Resource Fund.

APPROPRIATIONS.

HB 745, PN 872 By Rep. ARGALL

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

APPROPRIATIONS.

HB 801, PN 933 By Rep. ARGALL

An Act providing for the training and certification of qualified assessors of individuals needing long-term care services, for the powers and duties of the Department of Aging and for report to General Assembly.

APPROPRIATIONS.

HB 1039, PN 1214 By Rep. ARGALL

An Act providing for admission and retention of consumers in personal care homes, for appeals to the Bureau of Hearings and Appeals, for the powers and duties of the Department of Public Welfare and for report to the General Assembly.

APPROPRIATIONS.

HB 1579, PN 2036 By Rep. ARGALL

An Act relating to long-term care facility residents' rights; and providing for requirements for admission, care, transfer, discharge, funds and privacy of long-term care facility residents and for remedies.

APPROPRIATIONS.

SB 55, PN 49 By Rep. ARGALL

A Joint Resolution proposing separate amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for rights of accused in criminal prosecutions and for judicial administration.

APPROPRIATIONS.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 277, PN 284**, entitled:

An Act amending the act of May 31, 1933 (P.L.1108, No.272), entitled, as amended, "An act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers,

firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the third class; defining the powers and duties of civil service commissions for such purposes; and fixing penalties," further providing for residency requirement.

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

RULES SUSPENDED

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

Mr. CASORIO. Mr. Speaker, I move that the rules of the House be suspended for the immediate consideration of an amendment, amendment A1894.

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

The following roll call was recorded:

YEAS—199

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

Eachus
Egolf
Evans, D.

Lescovitz
Levdansky

Ruffing
Sainato

Perzel,
Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

Dally

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

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

Mr. CASORIO offered the following amendment No. **A1894**:

Amend Bill, page 2, line 25, by striking out all of said line and inserting

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

Section 12.1. Notwithstanding any other provision of law to the contrary, no municipality may require its law enforcement officers to be residents of the municipality in order to serve in the capacity of a law enforcement officer, but the municipality may require its law enforcement officers to be residents of this Commonwealth. For purposes of this section, "law enforcement officer" means a person employed by a municipality to provide law enforcement services on behalf of the municipality, including a person employed to provide law enforcement services for a regional police force in this Commonwealth, and "municipality" means a city, borough, township or municipal authority in this Commonwealth.

Section 12.2. Nothing in section 12.1 shall be construed to:

(1) affect any law that requires law enforcement officers of a municipality to be citizens of the United States or that imposes eligibility requirements other than residency for law enforcement officers; or

(2) conflict with any existing collective bargaining agreement.

Section 3. This act shall apply to any collective bargaining agreement executed after the effective date of this act.

Section 4. This act shall take effect in 60 days.

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

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

Mr. VITALI. Thank you, Mr. Speaker.

Just looking for a brief explanation of that one.

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

Mr. CASORIO. Thank you, Mr. Speaker.

Thank you for asking the question.

This amendment merely mimics, echoes, language in SB 277. As you know, SB 277 deals with residency requirements of third-class city firefighters. My amendment merely mimics that language in particular with third-class city police officers.

This amendment is at the request of the Fraternal Order of Police, and I spoke this morning with the Firefighters Union, which has no objection, Mr. Speaker.

Mr. VITALI. Okay.

So this, Mr. Speaker, applies to third-class cities only?

Mr. CASORIO. Yes, sir, Mr. Speaker.

Mr. VITALI. Okay. Thank you. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair returns to leaves of absence and notices in the hall of the House the gentleman, Mr. Dally. He will be placed back on the master roll.

CONSIDERATION OF SB 277 CONTINUED

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

The following roll call was recorded:

YEAS—200

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

DeWeese	Laughlin	Rooney	Yudichak
DiGirolamo	Leach	Ross	Zug
Diven	Lederer	Rubley	
Donatucci	Leh	Ruffing	
Eachus	Lescovitz	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-0

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-200

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

Cruz	Hutchinson	Raymond	Weber
Curry	James	Readshaw	Wheatley
Dailey	Josephs	Reed	Williams
Daley	Keller	Reichley	Wilt
Dally	Kenney	Rieger	Wojnaroski
DeLuca	Kirkland	Roberts	Wright
Denlinger	Kotik	Roebuck	Yewcic
Dermody	LaGrotta	Rohrer	Youngblood
DeWeese	Laughlin	Rooney	Yudichak
DiGirolamo	Leach	Ross	Zug
Diven	Lederer	Rubley	
Donatucci	Leh	Ruffing	
Eachus	Lescovitz	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS-0

NOT VOTING-0

EXCUSED-0

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

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

The House proceeded to third consideration of **HB 888, PN 1889**, entitled:

An Act providing for pharmaceutical assistance for the elderly, for pharmaceutical purchasing, for limited prescription drug redistribution within certain health care facilities and for the Pharmaceutical Assistance Clearinghouse; imposing additional powers and duties on the Department of Aging, the Department of Health, the Department of Public Welfare and the Secretary of Administration; and making repeals.

On the question,

Will the House agree to the bill on third consideration?

Mrs. **VANCE** offered the following amendment No. **A1758**:

Amend Bill, page 1, lines 1 through 14; pages 2 and 3, lines 1 through 30; page 4, lines 1 through 9, by striking out all of said lines on said pages and inserting

Amending the act of August 26, 1971 (P.L.351, No.91), entitled "An act providing for a State Lottery and administration thereof; authorizing the creation of a State Lottery Commission; prescribing its powers and duties; disposition of funds; violations and penalties therefor; exemption of prizes from State and local taxation and making an appropriation," further providing for definitions, for request for proposal, for program generally, for generic drugs, for restricted formulary, for mail order system, for reimbursement, for nonliability, for the Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier, for the Pharmaceutical Assistance Review Board, for penalties and for the Prescription Drug Education Program; providing for the Pharmacy Best Practices and Cost Control Program; further providing for declaration of policy, for rebate agreement, for terms of rebate agreement and for amount of rebate; providing for a Pharmaceutical Assistance Clearinghouse; further providing for annual report to General Assembly; and providing for construction with Federal programs.

Amend Bill, page 4, lines 12 through 30; pages 5 through 35, lines 1 through 30; page 36, line 1, by striking out all of said lines on said pages and inserting

Section 1. The definitions of "HCFA" and "maximum annual income" in section 502 of the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, added November 21, 1996 (P.L.741, No.134), are amended and the section is amended by adding a definition to read:

Section 502. Definitions.

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

* * *

"CMS." The Centers for Medicare and Medicaid Services of the United States.

* * *

["HCFA." The Health Care Financing Administration of the United States.]

* * *

"Maximum annual income." For PACE eligibility, the term shall mean annual income which shall not exceed [\$14,000] \$14,500 in the case of single persons nor [\$17,200] \$17,700 in the case of the combined annual income of persons married to each other. Persons may, in reporting income to the Department of Aging, round the amount of each source of income and the income total to the nearest whole dollar, whereby any amount which is less than 50¢ is eliminated.

* * *

Section 2. Sections 508(a), 509, 510(a) and (b), 512, 513, 515, 516, 519 and 520(b) of the act, added November 21, 1996 (P.L.741, No.134), are amended to read:

Section 508. Request for proposal.

(a) General rule.—The department shall prepare a request for proposal for the purpose of providing pharmaceutical assistance for the elderly within this Commonwealth beginning at the expiration, including any option years the department chooses to exercise, of the current vendor contract. Upon the adoption of the General Fund budget, the Department of Revenue shall be authorized to transmit the appropriated funds in the State Lottery Fund to the State Treasurer to be deposited in the Pharmaceutical Assistance Contract for the Elderly Fund. This fund shall consist of appropriations and interest and shall be created by the State Treasurer to fund the operations of the program by the department and the private contractor. Funds not expended in the fiscal year in which they were appropriated shall not lapse and be available for use in the next fiscal year.

* * *

Section 509. Program generally.

The program shall include the following:

(1) Participating pharmacies shall be paid within 21 days of the contracting firm receiving the appropriate substantiation of the transaction. Pharmacies shall be entitled to interest for payment not made within the 21-day period at a rate approved by the board.

(2) Collection of the copayment by pharmacies shall be mandatory.

(3) Senior citizens participating in the program are not required to maintain records of each transaction.

(4) A system of rebates or reimbursements to eligible claimants for pharmaceutical expenses shall be prohibited.

(5) PACE shall include [a] participant copayment [schedule] schedules for each prescription, including a copayment for generic or multiple-source drugs that is less than the copayment for single-source drugs. The copayment [may increase or decrease] shall be increased or decreased on an annual basis by the average percent change of ingredient costs for all prescription drugs, plus a differential to raise the copayment to the next highest 25¢ increment. In addition, the department may approve a request for increase or decrease in the level of copayment based upon the financial experience and

projections of PACE and after consultation with the board. The department is prohibited from approving adjustments to the copayment on more than an annual basis.

(6) The program shall consist of payments to pharmacies on behalf of eligible claimants for 90% of the average wholesale costs of prescription drugs which exceed the copayment, plus a dispensing fee of at least [\$3.50] \$4 or the dispensing fee established by the department by regulation, whichever is greater.

(7) In no case shall the Commonwealth or any person enrolled in the program be charged more than the price of the drug at the particular pharmacy on the date of the sale.

Section 510. Generic drugs.

(a) In general.—Notwithstanding any other statute or regulation, if an A-rated generic therapeutically equivalent drug is available for dispensing to a claimant, the provider shall dispense the A-rated generic therapeutically equivalent drug to the claimant. The department shall not reimburse providers for brand name products except in the following circumstances:

(1) There is no A-rated generic therapeutically equivalent drug available on the market. This paragraph does not apply to the lack of availability of an A-rated generic therapeutically equivalent drug in the providing pharmacy unless it can be shown to the department that the provider made reasonable attempts to obtain the A-rated generic therapeutically equivalent drug or that there was an unforeseeable demand and depletion of the supply of the A-rated generic therapeutically equivalent drug. In either case, the department shall reimburse the provider [for 90% of the average wholesale cost plus a dispensing fee based on the least expensive A-rated generic therapeutically equivalent drug for the brand drug dispensed.] based upon the most current listing of Federal upper payment limits established under the Medicaid program as provided under Federal regulations at 42 CFR 447.332 (relating to upper limits for multiple source drugs), in accordance with section 1902(a)(30)(A) of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1396a(a)(30)(A)), plus a dispensing fee.

(2) An A-rated generic therapeutically equivalent drug is deemed by the department, in consultation with a utilization review committee, to have too narrow a therapeutic index for safe and effective dispensing in the community setting. The department shall notify providing pharmacies of A-rated generic therapeutically equivalent drugs that are identified pursuant to this paragraph on a regular basis.

(3) The Department of Health has determined that a drug shall not be recognized as an A-rated generic therapeutically equivalent drug for purpose of substitution under section 5(b) of the act of November 24, 1976 (P.L.1163, No.259), referred to as the Generic Equivalent Drug Law.

(4) At the time of dispensing, the provider has a prescription on which the brand name drug dispensed is billed to the program by the provider at a usual and customary charge which is equal to or less than the least expensive usual and customary charge of any A-rated generic therapeutically equivalent drug reasonably available on the market to the provider.

(b) Generic not accepted.—[If] Except as provided in Chapter 6 if a claimant chooses not to accept the A-rated generic therapeutically equivalent drug required by subsection (a), the claimant shall be liable for the copayment and 70% of the average wholesale cost of the brand name drug.

* * *

Section 512. Restricted formulary.

The department may establish a restricted formulary of the drugs which will not be reimbursed by the program. This formulary shall include only experimental drugs and drugs on the Drug Efficacy Study Implementation List prepared by [the Health Care Finance Administration] CMS. A medical exception may be permitted by the

department for reimbursement of a drug on the Drug Efficacy Study Implementation List upon declaration of its necessity on the prescription by the treating physician, except that, for DESI drugs for which the FDA has issued a Notice for Opportunity Hearing (NOOH) for the purpose of withdrawing the New Drug Application approved for that drug, reimbursement coverage shall be discontinued under the provisions of this chapter.

Section 513. Mail order system.

[The department may not enter into a contract with a private contractor for an exclusive mail-order system for the delivery of prescription drugs under this program. Only mail-order pharmacy services provided by pharmacies which are licensed by the Commonwealth and which have their principal place of business within this Commonwealth may participate as providers under the program.] The department shall develop and promulgate [specific] final-omitted regulations governing the practice of mail-order pharmacy and other enrolled providers to include the following minimum standards of practice to ensure the health, safety and welfare of program participants:

(1) The appropriate method or methods by which such pharmacies shall verify the identity of the program recipient and the authenticity of prescriptions received.

(2) The appropriate method or methods by which such pharmacies shall mail or deliver prescription drugs to program recipients ensuring, to the maximum extent possible, that the intended program recipient is the actual ultimate recipient of any prescription dispensed by such pharmacies.

(3) The appropriate method or methods by which such pharmacies shall communicate with program participants in emergency situations.

Section 515. Reimbursement.

For-profit third-party insurers, health maintenance organizations and not-for-profit prescription plans shall be responsible for any payments made to a providing pharmacy on behalf of a claimant covered by such a third party.

Section 516. Nonliability.

(a) [Persons rendering service] General rule.—Any person rendering service as a member of a utilization review committee for this program shall not be liable for any civil damages as a result of any acts or omissions in rendering the service as a member of any such committee except any acts or omissions intentionally designed to harm or any grossly negligent acts or omissions which result in harm to the person receiving such service.

(b) [Officer and employees of department] Department personnel.—Any officer or employee of the department rendering service as a member of a utilization review committee for this program shall not be liable for any civil damages as a result of any acts or omissions in rendering the service as a member of any such committee or as a result of any decision or action in connection with the program except any acts or omissions intentionally designed to harm or any grossly negligent acts or omissions which result in harm to the person receiving such service.

Section 519. The Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier.

(a) Establishment.—There is hereby established within the department a program to be known as the Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier (PACENET).

(b) PACENET eligibility.—A claimant with an annual income of not less than [\$14,000] \$14,500 and not more than [\$16,000] \$22,500 in the case of a single person and of not less than [\$17,200] \$17,700 and not more than [\$19,200] \$30,500 in the case of the combined income of persons married to each other shall be eligible for enhanced pharmaceutical assistance under this section. A person may, in reporting income to the department, round the amount of each source of income and the income total to the nearest whole dollar, whereby any amount which is less than 50¢ is eliminated.

(c) Deductible.—Upon enrollment in PACENET, eligible claimants in the income ranges set forth in subsection (b) shall be

required to meet [an annual] a deductible in unreimbursed prescription drug expenses of [\$500] \$40 per person[.] per month. The \$40 monthly deductible shall be cumulative and shall be applied to subsequent months to determine eligibility. The cumulative deductible shall be determined on a calendar year basis for an annual total deductible not to exceed \$480 in a year. To qualify for the deductible set forth in this subsection the prescription drug must be purchased for the use of the eligible claimant from a provider as defined in this chapter. The department, after consultation with the board, [may] shall approve an adjustment in the deductible on an annual basis.

(d) Copayment.—For eligible claimants under this section, the copayment schedule, which [may] shall be adjusted by the department on an annual basis after consultation with the board, shall be:

(i) eight dollars for noninnovator multiple source drugs as defined in section 702; or

(ii) fifteen dollars for single-source drugs and innovator multiple-source drugs as defined in section 702.

Section 520. Board.

* * *

(b) Composition.—The board shall be comprised of the following eight persons:

(1) The Secretary of Aging, who shall serve as its chairman.

(2) The Secretary of Revenue.

(3) The Secretary of Health.

(4) Five public members, one appointed by the President pro tempore of the Senate, one appointed by the Minority Leader of the Senate, one appointed by the Speaker of the House of Representatives, one appointed by the Minority Leader of the House of Representatives and one appointed by the Governor. Those appointed by the legislative officers shall include two senior citizens who have not been a part of the pharmaceutical industry to serve as consumer advocates [and two representatives], one representative of the pharmaceutical industry, at least one of whom is a] and one practicing Pennsylvania pharmacist. The individual appointed by the Governor must be a physician. A public member who misses two consecutive meetings without good cause acceptable to the chairman shall be replaced by the appointing authority.

* * *

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

Section 520.1. PACE and PACENET Eligibility Advisory Committee.

(a) Establishment.—There is established in the department the PACE and PACENET Eligibility Advisory Committee.

(b) Composition.—The eligibility advisory committee shall consist of four members who shall be members of the General Assembly and a chairman who shall be appointed by the Governor. The members of the General Assembly shall be appointed as follows:

(1) One member appointed by the President pro tempore of the Senate.

(2) One member appointed by the Minority Leader of the Senate.

(3) One member appointed by the Speaker of the House of Representatives.

(4) One member appointed by the Minority Leader of the House of Representatives.

(c) Chairman.—Nothing in this section shall be construed as prohibiting the Governor from appointing a member of the General Assembly as chairman.

(d) Term.—Members shall serve at the pleasure of the appointing authority.

(e) Expenses.—Members of the advisory committee shall serve without compensation but shall be reimbursed for actual and reasonable expenses incurred in the performance of their official duties.

(f) Designee.—A designee designated by a member under subsection (b)(1), (2), (3) and (4) may vote and otherwise act on behalf

of the member. The designation must be in writing and be delivered to the advisory committee. The designation shall continue in effect until revoked or amended in writing.

(g) Quorum.—A majority of the members of the advisory committee then serving shall constitute a quorum of the advisory committee. Only a member or a designee who is physically present at a meeting or able to participate fully in the deliberations by appropriate telecommunications means shall count toward a quorum of the advisory committee.

(h) Responsibilities.—The advisory committee shall study the feasibility of expansions and other changes to eligibility under the PACE program and make recommendations to the Governor and the department on an annual basis. In addition, the advisory committee may study and participate, with the approval of the Governor and the department, in advocating at other levels of government proposed changes in the provision of pharmaceutical benefits to senior citizens. The committee may also make recommendations with respect to the terms and conditions under which pharmaceutical companies participate in Commonwealth health care programs for the elderly.

Section 4. Sections 521(d) and 522 of the act, added November 21, 1996 (P.L.741, No.134), are amended to read:
Section 521. Penalties.

* * *

(d) [Repayment of gain] Reparation.—Any provider, recipient or other person who is found guilty of a crime for violating this chapter shall repay three times the value of the material gain received. In addition to the civil penalty authorized pursuant to subsection (b), the department may require the provider, recipient or other person to repay up to three times the value of any material gain to PACE or PACENET.

Section 522. Prescription drug education program.

The department, in cooperation with the Department of Health, shall develop and implement a Statewide prescription drug education program designed to inform older adults of the dangers of prescription drug abuse and misuse. The prescription drug education program shall include, but not be limited to, information concerning the following:

- (1) The hazards of prescription drug overdose.
- (2) The potential dangers of mixing prescription drugs.
- (3) The danger of retaining unused prescription drugs after the need to take them no longer exists.
- (4) The necessity to carefully question physicians and pharmacists concerning the effects of taking prescription drugs[, including the differences between brand-name drugs and generically equivalent drugs].
- (5) The advisability of maintaining a prescription drug profile or other record of prescription drug dosage and frequency of dosage.
- (6) The desirability of advising family members of the types and proper dosage of prescription drugs which are being taken.
- (7) The dangers of taking prescription drugs in excess of prescribed dosages.
- (8) The need to obtain complete, detailed directions from the physician or pharmacist concerning the time period a prescription drug should be taken.

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

CHAPTER 6
PHARMACY BEST PRACTICES AND
COST CONTROL PROGRAM

Section 601. Definitions.

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

“Committee.” The Pharmacy Best Practices and Cost Control Advisory Committee established in section 602.

“Department.” The Department of Aging of the Commonwealth.

“Program.” The Pharmacy Best Practices and Cost Control Program established in section 603.

“Secretary.” The Secretary of Aging of the Commonwealth.
Section 602. Advisory committee.

(a) Establishment.—The Pharmacy Best Practices and Cost Control Advisory Committee is established in the department.

(b) Members.—The committee is comprised of the following Pennsylvania residents:

(1) The secretary or a designee, who shall serve as chairperson.

(2) Four members appointed by the Governor. One member under this paragraph must possess expertise in medicine, one member must possess expertise in health care, one member must possess expertise in pharmacy and one member must possess expertise in the pharmaceutical industry.

(3) One member appointed by the President pro tempore of the Senate and one member appointed by the Minority Leader of the Senate.

(4) One member appointed by the Speaker of the House of Representatives and one member appointed by the Minority Leader of the House of Representatives.

(c) Terms.—Terms are as follows:

(1) The secretary shall serve ex officio.

(2) A member under subsection (b)(2) shall serve a term of six years.

(3) A member under subsection (b)(3) shall serve a term of four years but may be removed at the pleasure of the appointing authority.

(4) A member under subsection (b)(4) shall serve a term of two years but may be removed at the pleasure of the appointing authority.

(5) An appointment to fill a vacancy shall be for the period of the unexpired term or until a successor is appointed and qualified.

(d) Quorum.—A majority of the members of the committee constitutes a quorum.

(e) Compensation.—Members shall receive no payment for their services. Members who are not employees of State government shall be reimbursed for necessary and reasonable expenses incurred in the course of their official duties.

(f) Meetings.—Meetings of this committee shall be held in public pursuant to 65 Pa.S.C. Ch. 7 (relating to public meetings).

Section 603. Program.

(a) Establishment.—The secretary shall establish a Pharmacy Best Practices and Cost Control Program for PACE and PACENET enrollees designed to reduce the cost of providing prescription drugs, while maintaining high quality in prescription drug therapies. The program shall include all of the following:

(1) A list of covered prescription drugs under section 509 in the program selected by the department upon recommendations by the committee.

(2) A drug utilization review procedure, including a prescription review process for copayment schedules.

(3) Education programs designed to provide information and education on the therapeutic and cost-effective utilization of prescription drugs to physicians, pharmacists and other health care professionals authorized to prescribe and dispense prescription drugs.

(b) Authorized coverage.—The program shall authorize copayments schedules for each prescription drug. When a patient’s health care provider prescribes a prescription drug at the higher copayment schedule, the lower copayment shall apply for one year when any of the following conditions are met:

(1) The preferred choice has not been effective or, with reasonable certainty, is not expected to be effective in treating the patient’s condition.

(2) The preferred choice causes or is reasonably expected to cause adverse or harmful reactions in the patient.

(3) Other clinical criteria recommended by the committee and approved by the department.

(c) Brand necessary.—If the prescriber does not wish substitution to take place, the prescriber shall write “brand necessary” or “no substitution” in the prescriber’s own handwriting on the prescription blank, together with a written statement that the generic or the equivalent has not been effective, or with reasonable certainty is not expected to be effective, in treating the patient’s medical condition or causes or is reasonably expected to cause adverse or harmful reactions in the patient. In the case of an unwritten prescription, there shall be no substitution if the prescriber expressly indicates to the pharmacist that the brand name drug is necessary and substitution is not allowed because the generic or the equivalent has not been effective, or with reasonable certainty is not expected to be effective, in treating the patient’s medical condition or causes or is reasonably expected to cause adverse or harmful reactions in the patient. Approval under this section shall be valid for one year.

(d) Exclusions.—The department, with recommendations from the committee, shall determine diseases and therapeutic classes relating to treatment for diseases excluded from the program at the time the program under this section is implemented.

(e) Response.—The program’s prescriber-indicated prior authorization process shall ensure that there will be a response to a request for prior authorization by telephone or other telecommunication device within 12 hours after receipt of the request for prior authorization and that a minimum of a 72-hour supply of the drug prescribed will be provided in an emergency or when the program does not provide a response within 12 hours. The prior authorization process shall be designed to minimize administrative burdens on prescribers, pharmacists and consumers.

(f) Procedure.—The program shall establish procedures for the timely review of prescription drugs newly approved by the Food and Drug Administration, including procedures for the review of newly approved prescription drugs in emergency circumstances.

(g) Reports.—The department shall submit annual reports on the program under subsection (a) to the Aging and Youth Committee, the Appropriations Committee and the Public Health and Welfare Committee of the Senate and the Aging and Older Adult Services Committee, the Appropriations Committee and the Health and Human Services Committee of the House of Representatives. The reports shall include classes of drugs, exceptions, cost effectiveness, movement of market share and increased utilization of generic drugs.

Section 6. Section 701 of the act is amended to read:

[Section 701. Declaration of policy.

The General Assembly finds and declares as follows:

(1) The Commonwealth, through assistance programs enacted for the benefit of its citizens, is the largest single payor of prescription medications in Pennsylvania.

(2) In order to ensure that the Commonwealth, in expending money on behalf of its citizens, is not unduly harmed by being required to pay a price for pharmaceutical products purchased from manufacturers in excess of that established for other purchasers and reimbursers of these products and to ensure that the Commonwealth can efficiently and prudently expend its money and maximize its ability to provide for the health and welfare of as many of its needy citizens as possible, it is reasonable, necessary and in the public interest to require that pharmaceutical manufacturers offer a discount to the Commonwealth for pharmaceutical products purchased or reimbursed through State agencies.

(3) It is in the public interest for pharmaceutical manufacturers to provide the Commonwealth with data relating to the price of pharmaceutical products sold by the manufacturer to public bodies, hospitals, for-profit or nonprofit organizations, other manufacturers or wholesalers doing business in this Commonwealth in order to ensure that the Commonwealth can determine that it is being provided with the best prices offered by the manufacturer.

(4) On a national level, there has been a recognition that the need for discounts to State Medicaid agencies, which reimburse for a high volume of pharmaceutical products, exists.

(5) On a State level, the General Assembly recognizes that it is in the best interest of its citizens to provide pharmaceutical assistance in a reasonable and cost-efficient manner.

(6) Drug price inflation has caused an increase in the amount of public funds expended by PACE and General Assistance.]

Section 7. Section 702 of the act is amended by adding a definition to read:

Section 702. Definitions.

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

“Best price.” The lowest price available from the manufacturer during the rebate period to any wholesaler, retailer, provider, health maintenance organization, nonprofit entity or any governmental entity subject to the exclusions and special rules set forth in sections 1902 and 1927(c)(1)(C) of the Social Security Act (49 Stat. 620, 42 U.S.C. §§1396c, 1396r-8(c)(1)(C)).

Section 8. Sections 703(e), 704(c)(1) and 705(a) and (b) of the act, added November 21, 1996 (P.L.741, No.134), are amended to read:

Section 703. Rebate agreement.

(e) Drug formulary.—Except as provided in section 512 and Chapter 6, there shall be no drug formulary, prior or retroactive approval system or any similar restriction imposed on the coverage of outpatient drugs made by manufacturers who have agreements in effect with the Commonwealth to pay rebates for drugs utilized in PACE and PACENET, provided that such outpatient drugs were approved for marketing by the Food and Drug Administration. This subsection shall not apply to any act taken by the department pursuant to its therapeutic drug utilization review program under section 505.

Section 704. Terms of rebate agreement.

(c) Manufacturer provision of price information.—

(1) Each manufacturer with an agreement in effect under this chapter shall report the average manufacturer price and the best price for all covered prescription drugs produced by that manufacturer to the department not later than 30 days after the last day of each quarter.

Section 705. Amount of rebate.

(a) Single-source drugs and innovator multiple-source drugs.—With respect to single-source drugs and innovator multiple-source drugs, each manufacturer shall remit a rebate to the Commonwealth pursuant to the determination established by section 1927(c)(1)(C) of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1396r-8(c)(1)(C)). [Except as otherwise provided in this section, the amount of the rebate to the Commonwealth per calendar quarter with respect to each dosage form and strength of single-source drugs and innovator multiple-source drugs shall be as follows:

(1) For quarters beginning after September 30, 1992, and ending before January 1, 1997, the product of the total number of units of each dosage form and strength reimbursed by PACE and General Assistance in the quarter and the difference between the average manufacturer price and 85% of that price, after deducting customary prompt payment discounts, for the quarter.

(2) For quarters beginning after December 31, 1996, the product of the total number of units of each dosage form and strength reimbursed by PACE, PACENET and designated pharmaceutical programs in the quarter and the difference between the average manufacturer price and 83% of that price, after deducting customary prompt payment discounts.]

(b) Rebate for other drugs.—

(1) The amount of the rebate to the Commonwealth for a calendar quarter with respect to covered prescription drugs which are noninnovator multiple-source drugs shall be equal to the product of:

(i) the applicable percentage of the average manufacturer price, after deducting customary prompt payment discounts, for each dosage form and strength of such drugs for the quarter; and

(ii) the number of units of such form and dosage reimbursed by PACE and General Assistance in the quarter.

(2) For the purposes of paragraph (1), the applicable percentage for calendar quarters beginning after September 30, 1992, and ending before January 1, 1997, is 11%.] With respect to covered prescription drugs which are noninnovator multiple-source drugs, each manufacturer shall remit a rebate to the Commonwealth pursuant to the determination established by section 1927(c)(1)(C) of the Social Security Act.

* * *

Section 9. The act is amended by adding a chapter to read:

CHAPTER 8

PHARMACEUTICAL ASSISTANCE CLEARINGHOUSE

Section 801. Definitions.

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

“Clearinghouse.” The Pharmaceutical Assistance Clearinghouse established in section 802.

“Department.” The Department of Aging of the Commonwealth.

“Patient assistance program.” A program offered by a pharmaceutical manufacturer under which the manufacturer provides prescription medications at no charge or at a substantially reduced cost. The term does not include the provision of a drug as part of a clinical trial.

Section 802. Pharmaceutical Assistance Clearinghouse.

(a) Establishment.—Within 120 days of the effective date of this chapter, the department shall establish the Pharmaceutical Assistance Clearinghouse. Each pharmaceutical manufacturer that does business in this Commonwealth and offers a patient assistance program shall inform the department of all of the following:

(1) The existence of the patient assistance program.

(2) The eligibility requirements for the patient assistance program.

(3) The drugs covered by the patient assistance program.

(4) Information, such as a telephone number, which may be used to apply for a patient assistance program.

(b) Information.—The clearinghouse shall maintain the information submitted by pharmaceutical manufacturers and make it available to the public.

(c) Staff.—The department shall ensure that the clearinghouse is staffed at least during normal business hours. The department shall contract for the services of a school of pharmacy to staff the clearinghouse.

Section 803. Toll-free telephone number.

The department shall establish a toll-free telephone number through which members of the public may obtain information from the clearinghouse about available patient assistance programs.

Section 804. Assistance available.

(a) Direct.—

(1) The clearinghouse shall assist any individual in determining whether a patient assistance program is offered for a particular drug and whether the individual may be eligible to obtain the drug through a patient assistance program.

(2) The clearinghouse may assist an individual who wishes to apply for a patient assistance program by assisting with the preparation of an application and coordinating

communications between the individual’s physician and a pharmaceutical manufacturer on behalf of the individual for the purpose of obtaining approval to participate in the patient assistance program.

(b) Referrals.—The clearinghouse shall make referrals to any publicly funded program for which it deems a patient eligible.

Section 805. Reporting.

The department shall report annually to the Governor and the General Assembly on the activities of the clearinghouse. The report shall include:

(1) The number of individuals who have been assisted by the clearinghouse.

(2) The number and benefits of patient assistance programs listed with the clearinghouse.

(3) The number of patients referred to publicly funded programs under section 804(b). Programs under this paragraph include, but are not limited to, the Pharmaceutical Assistance Contract for the Elderly Program, medical assistance and programs of the Department of Veterans Affairs.

(4) Other information deemed relevant by the department.

Section 10. Section 2102(a) of the act, added November 21, 1996 (P.L.741, No.134), is amended to read:

Section 2102. Annual report to General Assembly.

(a) Submission of report.—The department shall submit a report no later than April 1 of each year to the chairman and minority chairman of the Aging and Youth Committee of the Senate, the chairman and minority chairman of the Aging and [Youth] Older Adult Services Committee of the House of Representatives and the Pharmaceutical Assistance Review Board.

* * *

Section 11. The act is amended by adding a section to read:

Section 2103. Federal programs.

If the Federal Government enacts programs similar to PACE or PACENET, the State programs shall be construed to only supplement the Federal programs and all persons qualified for coverage under the Federal program shall utilize that Federal program before utilizing any State program.

Section 12. This act shall take effect as follows:

(1) The following provisions shall take effect January 1, 2004:

(i) The amendment or addition of the definitions of “CMS,” “HFCA” and “maximum annual income” in section 502 of the act.

(ii) The amendment of section 519 of the act.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

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

Mr. VITALI. Thank you, Mr. Speaker.

Just looking, I wanted to know if the maker of the amendment would give us a brief explanation of its contents?

The SPEAKER. The Chair recognizes the gentlelady, Mrs. Vance.

Mrs. VANCE. It is my understanding the gentleman wishes to question the maker of the amendment. Is that correct?

Mr. VITALI. Mr. Speaker, I initially am looking for an explanation of the amendment.

Mrs. VANCE. I would be very happy to give you that explanation.

This is the result of 2 years of bipartisan and statewide hearings.

First of all, it places the provisions of the bill in the State Lottery Law. It increases the eligibility limits by \$500 for PACE (Pharmaceutical Assistance Contract for the Elderly) and with the possibility of increasing the eligibility limits for PACENET (Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier) for almost \$10,000. It requires that the copayment for generic drugs always be lower than name-brand drugs. It reimburses pharmacists at the Federal upper limits as they do for medical assistance recipients. It also requires pharmaceutical companies to reimburse at best price, which is a higher rate of rebate than the PACE program now enjoys, which they also give for medical assistance recipients presently.

The one important thing that I think makes it accessible to many PACENET recipients is prior— Excuse me.

The SPEAKER. The lady is entirely correct. There is way too much noise. Would the conferences around the majority leader's desk please break up.

Mrs. VANCE. Thank you.

One important thing: We have always had a \$500 deductible for PACENET and we have changed that to \$40 a month. This is very, very important for people on PACENET, because they will be able to access these benefits very quickly, and they all understand what an important thing this is and they really like it a lot.

Mr. VITALI. It is my understanding that this amendment would make all the other amendments out of order. Is that correct?

Mrs. VANCE. No, that is not correct.

Mr. VITALI. Would it make some but not all?

Mrs. VANCE. That is correct.

Mr. VITALI. Okay.

I mean, one issue that I have been lobbied on by the pharmacists is the issue of mail-order drugs and how that might affect them. Could you describe how your amendment affects that issue.

Mrs. VANCE. I would be very happy to do that.

First of all, there is a mail-order program in the present Lottery Law. If you want to check chapter 5, section 513, we already have a mail-order provision. There is nothing mandatory about anything that is being proposed in this legislation. It is voluntary.

Mr. VITALI. I am not saying that the amendment is necessarily problematic. I just want to understand what I am voting on.

So the concerns that the pharmacists, local pharmacists, raised in HB 888, do they still remain in your amendment or— It is my understanding they were going to be addressed by the Gannon amendment. My question is, one, do these concerns still remain in your amendment, and two, does your amendment make the Gannon amendment out of order?

Mrs. VANCE. Several answers to your question. First of all, I would repeat, anything is voluntary. There is nothing mandatory about mail order. It does give the Department of Aging the ability to do this by regulation, but to clear that up,

by regulation it has to go through the IRRC (Independent Regulatory Review Commission) process and through both the committee in the Senate and the House for their approval.

Mr. VITALI. Okay. So if I am hearing you correctly, you are basically saying that the concern the pharmacists had with HB 888 remains in your amendment. Would that be correct?

Mrs. VANCE. I do not believe so. I believe that initially, as the bill was first drafted, it had a mandatory provision, and I think there is a lot of confusion. There is no mandatory provision in this bill; it is voluntary. We do have some PACE and PACENET recipients that utilize the mail-order program at this point, albeit a small amount.

Mr. VITALI. Okay. Because it was my understanding – if I can just get a running start to this question – that even with HB 888, that it was a voluntary mail program in HB 888, and the pharmacists were concerned there. I am just wondering, is that still an issue here?

Mrs. VANCE. I do not believe that it is an issue, and I will also let Representative Eachus address this, because we have worked very closely on this issue.

Mr. EACHUS. Thank you, Mr. Speaker.

I can tell you that in this Vance amendment, that we do advise the Department of Aging to go to a regulatory process and create rules regulating the voluntary provisions within the mail order that would be created by the department, and as a second check to that, those regulations would have to come back to the appropriate House committees on a vote, whether we support those regulations and rules governing the mail-order provisions or not.

So we do advise the Department of Aging to promulgate regulations, but we do get a second crack at those at our committee level.

Mr. VITALI. Okay. Thank you.

That concludes my questioning.

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—200

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

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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

On the question,

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

Mr. **RAYMOND** offered the following amendment No. **A1761**:

Amend Sec. 5, page 9, by inserting between lines 44 and 45 (A1758)

Section 604. Restriction or substitution process.

The provisions of this chapter shall not permit the program to develop any drug formulary, prior or retroactive approval system, including higher copayments, or any other similar restriction or substitution process for drugs used in the treatment of human immunodeficiency virus, acquired immune deficiency syndrome or opportunistic infections.

On the question,

Will the House agree to the amendment?

The **SPEAKER**. The Chair recognizes the gentleman, Mr. Raymond.

Mr. **RAYMOND**. Thank you, Mr. Speaker.

Mr. Speaker, it is an agreed-to amendment that basically exempts drugs that fight the HIV (human immunodeficiency virus) virus. There is no fiscal impact.

The **SPEAKER**. The Chair thanks the gentleman.

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

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

Again, would the maker of this amendment stand for interrogation?

The **SPEAKER**. The gentleman indicates that he will.

Mr. **VITALI**. I do not mean to drag these proceedings, but I am just wondering why, why the exclusion for drugs relating to HIV and AIDS (acquired immune deficiency syndrome)? And also I just want the members to be aware that we are dealing with this issue.

Mr. **RAYMOND**. Okay. With this particular disease and the limited number of drugs available, if it was on a preferred list, it could limit the access to the small number of drugs that are available for this right now, if you heard that.

Mr. **VITALI**. I am sorry; I did miss that. I apologize.

The reason again, if I understand your amendment correctly, does it exclude PACE coverage for drugs relating to AIDS and HIV? Tell me what it does, please.

Mr. **RAYMOND**. No. The amendment ensures that program participants needing drugs to treat HIV, AIDS, or opportunistic infections will maintain full access to these drugs as we implement the changes and expand eligibility and contain costs in the program.

Mr. **VITALI**. Okay. How are AIDS drugs treated differently from other drugs?

Mr. **RAYMOND**. There are a limited number of drugs that are used for these particular diseases. If this amendment did not go in, then they could not utilize the number of drugs that are available for specific purposes. They would have to go with what was in the list.

Mr. **VITALI**. Okay. So this would be considered a good thing for people with AIDS?

Mr. **RAYMOND**. I am sorry; I could not hear you.

Mr. **VITALI**. So to boil down to its basic—

Mr. **RAYMOND**. Yes.

Mr. **VITALI**. Okay. Thank you.

I have no further questions.

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-200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

**MOTION TO RECONSIDER
AMENDMENT A1758**

The SPEAKER. The Chair is in receipt of a reconsideration motion signed by Representative Gannon and Representative Allen, who move that the vote by which amendment No. 1758 was passed to HB 888, PN 1889, on the 17th day of June be reconsidered.

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

MOTION WITHDRAWN TEMPORARILY

The SPEAKER. The gentleman, Mr. Gannon, temporarily withdraws his motion.

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

Mr. SAMUELSON offered the following amendment No. **A1762:**

Amend Sec. 1 (Sec. 502), page 2, line 4 (A1758), by striking out all of said line and inserting

“Income.” All income from whatever source derived, including, but not limited to, salaries, wages, bonuses, commissions, income from self-employment, alimony, support money, cash public assistance and relief, the gross amount of any pensions or annuities, including railroad retirement benefits, all benefits received under the Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et. seq.) (except Medicare benefits), all benefits received under State unemployment insurance laws and veterans’ disability payments, all interest received from the Federal Government or any state government or any instrumentality or political subdivision thereof, realized capital gains, rentals, workmen’s compensation and the gross amount of loss of time insurance benefits, life insurance benefits and proceeds, except the first [\$5,000] \$10,000 of the total of death benefits payments, and gifts of cash or property, other than transfers by gift between members of a household, in excess of a total value of \$300, but shall not include surplus food or other relief in kind supplied by a government agency or property tax rebate.

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

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

Mr. SAMUELSON. Thank you, Mr. Speaker.

I rise to offer amendment 1762, which updates a provision of the PACE eligibility requirements that has not been changed since 1984.

This amendment addresses the exclusion of income related to death benefit payments. I became aware of the need to update this section of the law as I was working with an 89-year-old constituent whom I had helped to enroll in the PACE program. In 2000 he lost his wife of 64 years, and the next year when he went to re-enroll in PACE, he faced the loss of his PACE benefit because of this section of the law.

He received \$8,000 in a modest life insurance payment upon the death of his wife, hardly enough to pay for the funeral and related expenses. Under current law he was able to exclude \$5,000 of this death benefit payment, but that extra \$3,000 pushed him over the eligibility limit for the PACE program. I checked into it and found out that this \$5,000 death benefit exclusion had not been changed since the PACE program was created in 1984, and we all know that the cost of funerals and related expenses has increased since then.

So this amendment would change from \$5,000 to \$10,000 the amount of death benefit payments that could be excluded upon a PACE income calculation. This amendment is necessary so that our constituents would not be pushed out of the PACE program when they receive a modest death benefit payment upon the death of a loved one.

I ask for a “yes” vote.

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

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

Ms. MANDERINO offered the following amendment No. **A1764**:

Amend Bill, page 9, by inserting between lines 44 and 45 (A1758)

Section 604. Restriction or substitution process.

(a) General rule.—The provisions of this chapter shall not permit the program to develop any drug formulary, prior or retroactive approval system, including higher copayments, or any other similar restriction or substitution process for psychotropic drugs.

(b) Definition.—As used in this section, the term “psychotropic drug” means a drug used to treat a mental disorder.

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

The SPEAKER. The Chair recognizes Representative Manderino on that amendment.

Ms. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is similar to the Raymond amendment and deals with folks who have a mental disorder.

As many people are aware, when treating a mental disorder, doctors will often work with patients for months and sometimes even years to get the proper combination of drugs and dosages right in order to stabilize the person's mental disorder. This amendment will ensure that any of the substitution processes put into place under the PACE provisions that will save money will not affect folks taking psychotropic drugs. So it will exempt them and allow them to remain stable on their current medications.

I ask for an affirmative vote. It is an agreed-to amendment.

The SPEAKER. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS—200

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

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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

On the question recurring,

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

Mr. **GEORGE** offered the following amendment No. **A1763**:

Amend Sec. 9 (Sec. 804), page 12, line 28 (A1758), by striking out "any" and inserting

without charge an

Amend Sec. 9 (Sec. 804), page 12, line 33 (A1758), by inserting after "assist"

without charge

Amend Sec. 9 (Sec. 805), page 12, line 48 (A1758), by removing the period after "clearinghouse" and inserting

under section 804(a)(1) and the number of such individuals under section 804(a)(2).

On the question,

Will the House agree to the amendment?

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, my amendment states that the State-funded but privately run clearinghouse and hotline we are setting up in this bill cannot charge to help people get these drugs and that

State government should keep track of how many people call and how many people this hotline actually helps in filling out these applications.

Mr. Speaker, I would urge that we would adopt this amendment.

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-200

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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

On the question recurring,

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

Mr. **PALLONE** offered the following amendment No. **A1765**:

Amend Sec. 9, page 12, by inserting between lines 57 and 58 (A1758)

Section 806. Internet availability of information.

The department shall maintain and provide to the public the information under this chapter on its World Wide Web site. The department shall also provide to appropriate organizations the information necessary for the organizations to establish a link to the location of clearinghouse information on the department's World Wide Web site.

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—200

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

Denlinger	Kotik	Roebuck	Yewcic
Dermody	LaGrotta	Rohrer	Youngblood
DeWeese	Laughlin	Rooney	Yudichak
DiGirolamo	Leach	Ross	Zug
Diven	Lederer	Rubley	
Donatucci	Leh	Ruffing	
Eachus	Lescovitz	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

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

Mr. **WALKO** offered the following amendment No. **A1766**:

Amend Sec. 11, page 13, line 9 (A1758), by striking out "a section" and inserting sections

Amend Bill, page 13, by inserting between lines 15 and 16 (A1758)

Section 2104. Pharmacy benefits administrator study.

(a) Study.—The Department of Aging shall conduct a study on the effects within the PACE and PACENET programs of implementing a pharmacy benefits administrator component. The study shall examine the ability of the pharmacy benefits administrator to do the following:

(1) Negotiate rebates on behalf of the plan.

(2) Create a drug criteria for enrollment within the program.

(3) Contract with providers.

(4) Conduct enrollment adjudication on behalf of applicants.

(b) Report.—The department shall submit a report no later than one year from the effective date of this section to the chairman and minority chairman of the Aging and Youth Committee of the Senate, the chairman and minority chairman of the Aging and Older Adult Services Committee of the House of Representatives and the Pharmaceutical Assistance Review Board.

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—200

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather
Armstrong	Fairchild	Maher	Saylor
Baker	Feese	Maitland	Scavello
Baldwin	Fichter	Major	Schroder
Bard	Fleagle	Manderino	Scrimenti
Barrar	Flick	Mann	Semmel
Bastian	Forcier	Markosek	Shaner
Bebko-Jones	Frankel	Marsico	Smith, B.
Belardi	Freeman	McCall	Smith, S. H.
Belfanti	Gabig	McGeehan	Solobay

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

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

Mr. WALKO offered the following amendment No. A1767:

Amend Sec. 5 (Sec. 603), page 8, by inserting between lines 45 and 46 (A1758)

(b) Pooling.—The secretary shall evaluate the benefits of participating, but is not required to participate, in joint prescription drug purchasing agreements or pooling arrangements with other states. Such actions shall include:

(1) The execution of any lawful joint purchasing or pooling agreements with other participating states which the secretary determines will lower the Medicaid cost of prescription drugs while maintaining high quality in prescription drug therapies.

(2) Renegotiation and amendment of existing contracts to which the department is a party if renegotiation and amendment will be of economic benefit to the department.

(3) A quarterly report to the committee on the department's progress in securing participation in joint purchasing or pooling agreements.

Amend Sec. 5 (Sec. 603), page 8, line 46 (A1758), by striking out "(b)" and inserting

(c)

Amend Sec. 5 (Sec. 603), page 8, line 59 (A1758), by striking out "(c)" and inserting

(d)

Amend Sec. 5 (Sec. 603), page 9, line 17 (A1758), by striking out "(d)" and inserting

(e)

Amend Sec. 5 (Sec. 603), page 9, line 21 (A1758), by striking out "(e)" and inserting

(f)

Amend Sec. 5 (Sec. 603), page 9, line 31 (A1758), by striking out "(f)" and inserting

(g)

Amend Sec. 5 (Sec. 603), page 9, line 36 (A1758), by striking out "(g)" and inserting

(h)

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—200

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

Dermody	LaGrotta	Rohrer	Youngblood
DeWeese	Laughlin	Rooney	Yudichak
DiGirolamo	Leach	Ross	Zug
Diven	Lederer	Rubley	
Donatucci	Leh	Ruffing	
Eachus	Lescovitz	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

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

Mr. GRUCELA offered the following amendment No. **A1768**:

Amend Bill, page 12, by inserting between lines 57 and 58 (A1758)

Section 10. The Department of Aging may use a PACE or PACENET program applicant's most recent income information to determine program eligibility until April 1, 2004.

Amend Sec. 10, page 12, line 58 (A1758), by striking out "10" and inserting

11

Amend Sec. 11, page 13, line 9 (A1758), by striking out "11" and inserting

12

Amend Sec. 12, page 13, line 16 (A1758), by striking out "12" and inserting

13

On the question,

Will the House agree to the amendment?

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

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, Representative Yudichak and myself offer amendment A1768.

Basically, it will accelerate the timeframe for our seniors to get into this program by allowing them to use their most recent income information rather than having to wait for 2003.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—200

Adolph	Evans, D.	Lewis	Samuelson
Allen	Evans, J.	Lynch	Santoni
Argall	Fabrizio	Mackereth	Sather

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

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

Mr. EACHUS offered the following amendment No. **A1769**:

Amend Sec. 2 (Sec. 509), page 3, by inserting between lines 10 and 11 (A1758)

(8) The Governor may, based upon certified State Lottery Fund revenue that is provided to both the chairman and minority chairman of the Appropriations Committee of the Senate and the chairman and minority chairman of the

Appropriations Committee of the House of Representatives, and after consultation with the board, increase the eligibility limits above those established in this chapter.

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. We are awaiting the arrival of an amendment from the Reference Bureau, so the bill will be over temporarily.

**THE SPEAKER PRO TEMPORE
(JERRY BIRME LIN) PRESIDING**

RESOLUTIONS PURSUANT TO RULE 35

Ms. WEBER called up **HR 314, PN 2018**, entitled:

A Resolution designating the week of July 13 through 19, 2003, as "Probation, Parole and Community Supervision Officers' Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

DeLuca	Kirkland	Roberts	Wright
Denlinger	Kotik	Roebuck	Yewcic
Dermody	LaGrotta	Rohrer	Youngblood
DeWeese	Laughlin	Rooney	Yudichak
DiGirolamo	Leach	Ross	Zug
Diven	Lederer	Rubley	
Donatucci	Leh	Ruffing	
Eachus	Lescovitz	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—0

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

* * *

Mr. COSTA called up **HR 315, PN 2037**, entitled:

A Resolution designating July 15, 2003, as “Italian Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

Creighton	Horsey	Preston	Watson
Cruz	Hutchinson	Raymond	Weber
Curry	James	Readshaw	Wheatley
Dailey	Josephs	Reed	Williams
Daley	Keller	Reichley	Wilt
Dally	Kenney	Rieger	Wojnaroski
DeLuca	Kirkland	Roberts	Wright
Denlinger	Kotik	Roebuck	Yewcic
Dermody	LaGrotta	Rohrer	Youngblood
DeWeese	Laughlin	Rooney	Yudichak
DiGirolamo	Leach	Ross	Zug
Diven	Lederer	Rubley	
Donatucci	Leh	Ruffing	
Eachus	Lescovitz	Sainato	Perzel,
Egolf	Levdansky		Speaker

NAYS—0

NOT VOTING—0

EXCUSED—0

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

* * *

Mr. BALDWIN called up **HR 316, PN 2038**, entitled:

A Resolution designating the month of June 2003 as “Nursing Assistants and Direct Caregivers Appreciation Month” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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

* * *

Mr. BUTKOVITZ called up **HR 317, PN 2039**, entitled:

A Resolution urging Congress to create a Federal Medicare prescription drug benefit plan which works seamlessly with Pennsylvania's PACE and PACENET programs.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-200

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

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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

* * *

Mr. WRIGHT called up **HR 318, PN 2040**, entitled:

A Resolution memorializing the Congress of the United States to enact legislation requiring the United States Postal Service to adopt increased security measures to ensure that change of address forms are not used in the commission of identification fraud.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome some special guests with us this afternoon. The House welcomes the parents of Representative Doug Reichley, who are seated to the left of the Chair. Mr. Reichley served as the Secretary for Legislative Affairs under Governor William Scranton and on the White House staff under President Gerald Ford. Mrs. Reichley served as the personal secretary to district attorney and mayor of Philadelphia, Richardson Dilworth. Would the Reichleys please stand and be recognized.

Representative Mann from Lehigh County would like to welcome to the hall of the House a guest, Michael Taggart, an intern in her district office. Michael will be a senior at Lehigh University. He is majoring in psychology and a minor in sociology. He is planning to go to graduate school to receive his master's in psychology and criminal justice. Please give Michael a warm welcome. Michael, would you stand to be recognized.

We also have a guest here today as a guest of Representative Jerry Stern, Wakenda Tremmel, a student at American University from Williamsburg, Pennsylvania, and she is seated to the left of the Speaker. Wakenda.

SUPPLEMENTAL CALENDAR A

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 745, PN 872**, entitled:

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

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

Mr. **CLYMER** offered the following amendment No. **A1224**:

Amend Sec. 1, page 1, lines 11 and 12, by striking out "fair consideration equal to"

Amend Sec. 1, page 1, line 14, by removing the period after "consideration" and inserting

in accordance with an Agreement of Sale between the Department of General Services and the Warren County Conservation District.

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

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, this is a technical amendment that was requested by the Department of General Services to specify that the Warren County parcel be sold for fair market value. This is in accordance with an agreement of the sale between DGS (Department of General Services) and the people in Warren County, and I would just ask for support on the amendment. Thank you.

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

The following roll call was recorded:

YEAS—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

On the question,

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

Mr. **KENNEY** offered the following amendment No. **A1524**:

Amend Title, page 1, line 4, by striking out “, Pennsylvania.” and inserting
; and authorizing and directing the Department of General Services, with the approval of the Governor, to transfer jurisdiction and control from the Department of General Services to the Department of Conservation and Natural Resources, of certain lands situate in the City of Philadelphia, Philadelphia County; and authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Authority for Industrial Development a tract of land situate in the City of Philadelphia, Philadelphia County, Pennsylvania.

Amend Sec. 2, page 1, line 15, by striking out “Section 2.” and inserting

(a) Description of property.—

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

(b) Terms of conveyance.—

Amend Sec. 4, page 5, line 17, by striking out “Section 4.” and inserting

(c) Deed of conveyance.—

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

(d) Costs and fees.—

Amend Bill, page 5, by inserting between lines 28 and 29

Section 2. Transfer of jurisdiction in Philadelphia County.

(a) Transfer of jurisdiction authorized.—The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to transfer jurisdiction and control from the Department of General Services to the Department of Conservation and Natural Resources, certain lands situate in the City of Philadelphia, Philadelphia County, as more fully described in subsection (b). These lands shall be added to those lands designated as Benjamin Rush State Park by the act of December 22, 1975 (P.L.606, No.175), entitled, “An act authorizing and directing the Department of General Services, or such department and The General State Authority, to convey to Philadelphia or transfer jurisdiction within the State government of certain tracts of Commonwealth real property acquired under the act of September 29, 1938 (Sp. Sess., P.L.53, No.21), entitled, as amended, ‘An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all grounds, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws,’ imposing powers and duties on the Department of Environmental Resources in connection with one such tract, and providing for use of land conveyed to the City of Philadelphia.”

(b) Property description.—The property to be transferred pursuant to this section consists of approximately 22.29 acres, more particularly described as follows:

ALL THAT CERTAIN lot or piece of ground situate in the Fifty-eight Ward of the City of Philadelphia and described as follows (subject to an official survey and Plan): BEGINNING at a point on the southwesterly side of Southampton road (sixty feet wide) the two following courses and distances from the northwesterly side of The Roosevelt boulevard (two hundred fifty-four feet wide): (1) north forty-two degrees fifty-four minutes forty seconds west along the southwesterly side of said Southampton road the distance of eight hundred seventy-three and three hundred thirty-five feet to an angle point; and (2) north forty-five degrees six minutes forty seconds west along the southwesterly side of said Southampton road the distance of two hundred six and one hundred sixty-eight one-thousandths feet to said beginning point; thence extending south forty-eight degrees forty-six minutes fifty seconds west the distance of

nine hundred seventy-one and sixty-nine one-thousandths feet to a point; thence extending north forty-four degrees forty-six minutes fifty-four seconds west the distance of nine hundred fifty-seven and four hundred seventy-four one-thousandths feet to a point; thence extending north forty-three degrees nine minutes one second east the distance of nine hundred fifty-nine and seven hundred sixty-seven one-thousandths feet to a point on the southwesterly side of said Southampton road; thence extending south fifty-four degrees ten minutes eight seconds east along the southwesterly side of said Southampton road the distance of twenty-five and four hundred one-thousandths feet to an angle point; thence extending south forty-five degrees six minutes forty seconds east along the southwesterly side of said Southampton road the distance of one thousand twenty-seven and four hundred one one-thousandths feet to a point, being the first mentioned point and place of beginning.

CONTAINING in area nine hundred seventy thousand nine hundred thirty-eight square feet or twenty-two and two thousand eight hundred seventy-four ten-thousandths acres.

(c) Removal of structures.—Out of funds generated in section 3, the Department of General Services shall remove, or contract to have removed, all structures, debris and hazardous waste from the property prior to transfer to the Department of Conservation and Natural Resources.

(d) Interagency transfer agreement.—The interagency transfer agreement shall be executed by the Secretary of General Services and the Secretary of Conservation and Natural Resources.

Section 3. Conveyance in Philadelphia County.

(a) Conveyance authorized.—The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to Philadelphia Authority for Industrial Development, or its assigns, certain land and improvements thereon known as Philadelphia State Hospital described in subsection (b) for the consideration stated in subsection (c) and subject to the conditions and restrictions established by this law and by the Department of General Services.

(b) Property description.—The property to be conveyed pursuant to this section 3 consists of approximately 130.8 acres and improvements thereon situate in the Fifty-eighth Ward of the City of Philadelphia bounded and described as follows (subject to an official Survey and Plan):

TRACT ONE

Beginning at the point of intersection of the northwesterly side of The Roosevelt Boulevard (two hundred fifty-four feet wide) and the northeasterly side of Southampton Road (sixty feet wide); thence extending north forty-two degrees fifty-four minutes four seconds west along the northeasterly side of the said Southampton Road the distance of eight hundred seventy-five and five hundred forty-two one-thousandths feet to an angle point; thence continuing north forty-five degrees six minutes forty seconds west along the northeasterly side of said Southampton Road the distance of approximately seven hundred forty-three feet to a point; thence extending northeastwardly along a line the distance of approximately two thousand forty-two feet to an angle point; thence extending northwardly along a line the distance of approximately thirty-five feet to a point; thence extending eastwardly along a line the distance of approximately forty-four feet to a point; thence extending northeastwardly along a line the distance of approximately two hundred twenty-one feet to an angle point along the southwesterly boundary of Benjamin Rush State Park; thence extending south eighty-eight degrees fifty-three minutes twenty-eight seconds east along a line the distance of two hundred feet to an angle point; thence extending north forty-six degrees six minutes thirty-two seconds east the distance of four hundred twelve and two hundred ninety-two one-thousandths feet to a point; thence extending south forty-one degrees fifty-four minutes eleven seconds east the distance of eight hundred fifty-one and one hundred sixty-eight one-thousandths feet to a point; thence extending south forty-eight degrees five minutes forty-nine seconds west the distance of two hundred ninety-two and

six hundred thirty-one one-thousandths feet to a point; thence extending south three degrees five minutes forty-nine seconds west the distance of three hundred sixty-eight and nine hundred twenty-seven one-thousandths feet to a point; thence extending south forty-one degrees fifty-four minutes eleven seconds east the distance of three hundred seventy-six and two hundred thirteen one-thousandths feet to a point; thence extending south eighty-six degrees fifty-four minutes eleven seconds east the distance of four hundred forty-two and five hundred thirty one-thousandths feet to a point on the northwesterly side of said The Roosevelt Boulevard; thence extending south forty-eight degrees five minutes forty-nine seconds west along the northwesterly side of said The Roosevelt Boulevard the distance of two thousand five hundred sixty-seven and one hundred fifteen one-thousandths feet to a point on the northeasterly side of said Southampton Road, being the first mentioned point and place of Beginning. Containing 105.2-acres.

TRACT TWO

Beginning at the point of intersection of the southwesterly side of Carter Road (forty-six and fifty one-hundredths feet wide) and the northeasterly side of Southampton Road (sixty feet wide); thence extending north forty-one degrees four minutes twenty-two seconds east along the southwesterly side of said Carter Road the distance of one thousand four hundred three and three hundred ten one-thousandths feet to an angle point; thence continuing along the southeasterly side of said Carter Road the distance of nine hundred twenty-eight and four hundred forty-two one-thousandths feet to a point; thence extending south forty-three degrees fifty-three minutes twenty-eight seconds east the distance of four hundred feet to an angle point; thence extending southwestwardly along a line the distance of approximately two hundred twenty-one feet to an angle point; thence extending westwardly along a line the distance of approximately forty-four feet to a point; thence extending southwardly along a line the distance of approximately thirty-five feet to an angle point; thence extending southwestwardly along a line the distance of approximately two thousand forty-two feet to a point on the northeasterly side of said Southampton Road; thence extending north forty-five degrees six minutes forty seconds west along the northeasterly side of said Southampton Road the distance of approximately five hundred two feet to a point on the southwesterly side of said Carter Road, being the first mentioned point and place of Beginning.

Containing 25.6-acres.

(c) Consideration.—In consideration for the purchase of the property, Philadelphia Authority for Industrial Development shall pay to the Department of General Services the lesser of the sum of \$850,000 or the total removal costs expended by the Department of General Services under section 2(c). Such consideration shall be paid at closing. To the extent that the actual removal costs are not known at closing, Philadelphia Authority for Industrial Development shall pay \$850,000 at closing. If the actual total removal costs expended by the Department of General Services are less than \$850,000, Philadelphia Authority for Industrial Development shall receive a monetary refund for the difference between \$850,000 and the actual amount of the total removal costs expended by the Department of General Services.

(d) Conditions.—This conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any other easement of record.

(e) Restriction.—The deed of conveyance shall contain the following restriction:

UNDER AND SUBJECT to the restrictions, limitations and conditions that a portion of the lands conveyed, known herein as "Tract 2," shall be used, and limited to, permitted open space benefits as defined in section 2 of the act of January 19, 1968 (1967 P.L.992, No.442), entitled, as amended, "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses."

(f) Deed.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(g) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the Grantee.

(h) Proceeds.—Sale proceeds from this conveyance shall be deposited into the Capital Facilities Fund to be used by the Department of General Services to remove, or to contract to have removed, all structures, debris and hazardous waste from the property to be transferred to the Department of Conservation and Natural Resources required in section 2.

(i) Alternative disposition.—In the event that this conveyance is not executed in accordance with this act and the terms established in an Agreement of Sale with the Department of General Services, dated July 17, 2002, as amended and as may be amended by the mutual consent of the parties, the property may be disposed of in accordance with Article 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Amend Sec. 6, page 5, line 29, by striking out “6” and inserting
4

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

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. Is that amendment withdrawn, Mr. Kenney?

The Chair thanks the gentleman.
That amendment is withdrawn.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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 SPEAKER pro tempore. For the information of the members, we are awaiting an amendment that has been drafted to HB 888, and we are temporarily at ease until that amendment gets here.

THE SPEAKER (JOHN M. PERZEL)
PRESIDING

The SPEAKER. For the information of the members, we are awaiting the arrival of the Gannon amendment.

URBAN AFFAIRS
COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Taylor, for the purposes of calling a meeting.

Mr. TAYLOR. Thank you, Mr. Speaker.

I would like to announce an immediate reconvening of the House Urban Affairs Committee. This is a meeting that will continue from this morning. We have one bill to address, and I would like all the members to come to the rear of the House at this time.

The SPEAKER. The Chair thanks the gentleman.

Mr. Taylor announces an immediate reconvening of the House Urban Affairs Committee in the rear of the House. This is a meeting that will continue from this morning.

GUEST INTRODUCED

The SPEAKER. The Chair welcomes to the hall of the House John F. Connors of Lower Merion Township, a government student at Harvard University and former football standout at St. Joseph's Prep in Philadelphia, PA. He is the guest of his aunt, Representative Kate Harper, and State Representative Daylin Leach. He is to the left of the Speaker. Would the guest please rise.

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

HB 138, PN 2095 (Amended) By Rep. KENNEY

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, providing for Department of Health transfer of funds; and further providing for local registrars' fees, for reports to county registration commissions and for issuance of certificates of death.

HEALTH AND HUMAN SERVICES.

HB 865, PN 1022 By Rep. KENNEY

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for coverage of treatment ordered by worksite-based employee assistance programs.

HEALTH AND HUMAN SERVICES.

HB 866, PN 1023 By Rep. KENNEY

An Act establishing annual performance standards for the provision of alcohol and drug abuse and dependency treatment.

HEALTH AND HUMAN SERVICES.

HB 867, PN 1024 By Rep. KENNEY

An Act requiring carriers and health plans to make certain annual reports relating to the provision of alcohol and drug abuse and dependency treatment.

HEALTH AND HUMAN SERVICES.

HB 869, PN 1899 By Rep. KENNEY

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for duties of the Bureau of Drug and Alcohol Programs over certain grievances; and making repeals.

HEALTH AND HUMAN SERVICES.

HB 999, PN 1172

By Rep. KENNEY

An Act establishing the Reflex Sympathetic Dystrophy Syndrome Education Program; and providing for powers and duties of the Department of Health.

HEALTH AND HUMAN SERVICES.

BILL REPORTED AND REREFERRED TO COMMITTEE ON CHILDREN AND YOUTH

HB 1528, PN 1933

By Rep. BUNT

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, providing for lead poisoning prevention and control in rental housing and for penalties.

CONSUMER AFFAIRS.

BILL REPORTED AND REREFERRED TO COMMITTEE ON FINANCE

HB 1571, PN 1978

By Rep. BUNT

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 property tax and rent rebate eligibility.

CONSUMER AFFAIRS.

RULES COMMITTEE MEETING

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

BILL REREPORTED FROM COMMITTEE

HB 1634, PN 2047

By Rep. S. SMITH

An Act providing for the capital budget for the fiscal year 2003-2004, itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, Pennsylvania Fish and Boat Commission projects, public highway projects, Motor License Fund projects and Manufacturer's Fund projects to be constructed or acquired or assisted by the Department of General Services, State Stores fund current revenue projects, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Pennsylvania Fish and Boat Commission, Pennsylvania Game Commission and the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Transportation, the Pennsylvania Fish and Boat Commission or the Pennsylvania Game Commission; stating the estimated useful life of the projects; making appropriations; and making repeals.

RULES.

BILL ON SECOND CONSIDERATION

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

HB 1634, PN 2047.

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

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, I have an inquiry.

On your previous direction of the two bills that were rereferred, the announcer made reference to both bills going to Children and Youth. One of those bills goes to Children and Youth and one goes to Finance Committee.

The SPEAKER. HB 1571 goes to Finance, Mr. Bunt. Is that correct?

Mr. BUNT. That is correct, Mr. Speaker.

The SPEAKER. The gentleman's remarks will be spread across the record, and the bill will be so rereferred.

CALENDAR CONTINUED

CONSIDERATION OF HB 888 CONTINUED

On the question recurring,

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

RULES SUSPENDED

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

Mr. GANNON. Mr. Speaker, I make the motion for the suspension of the rules so that we can have immediate consideration of amendment 1907.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—198

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

Butkovitz	Goodman	Miller, R.	Sturla
Buxton	Gordner	Miller, S.	Surra
Caltagirone	Grucela	Mundy	Tangretti
Cappelli	Gruitza	Myers	Taylor, E. Z.
Casorio	Habay	Nailor	Taylor, J.
Causer	Haluska	Nickol	Thomas
Cawley	Hanna	O'Brien	Tigue
Civera	Harhai	Oliver	Travaglio
Clymer	Harhart	O'Neill	True
Cohen	Harper	Pallone	Turzai
Coleman	Harris	Payne	Vance
Cornell	Hasay	Petrarca	Veon
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	Josephs	Readshaw	Williams
Daley	Keller	Reed	Wilt
Dally	Kenney	Reichley	Wojnaroski
DeLuca	Kirkland	Rieger	Wright
Denlinger	Kotik	Roberts	Yewwic
Dermody	LaGrotta	Roebuck	Youngblood
DeWeese	Laughlin	Rohrer	Yudichak
DiGirolamo	Leach	Rooney	Zug
Diven	Lederer	Ross	
Donatucci	Leh	Rubley	Perzel,
Eachus	Lescovitz	Ruffing	Speaker

NAYS—0

NOT VOTING—2

James Vitali

EXCUSED—0

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

On the question recurring,

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

Mr. GANNON offered the following amendment No. **A1907**:

Amend Title, page 1, line 12 (A1758), by striking out "for mail order system,"

Amend Sec. 2, page 2, line 14 (A1758), by striking out "513,"

Amend Sec. 2 (Sec. 510), page 3, line 37 (A1758), by inserting after "fee."

The department shall review the Federal upper payment limits every 12 months.

Amend Sec. 2 (Sec. 513), page 4, lines 19 through 41 (A1758), by striking out all of said lines

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Gannon, for an explanation.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, I want to extend my gratitude to the House for its patience while we waited for this amendment.

POINT OF ORDER

Mr. VITALI. Point of order.

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

Mr. VITALI. Thank you, Mr. Speaker.

I was actually trying to get your attention prior to the suspension vote, but that amendment was not on the screen then and it is certainly not on my screen now, so—

The SPEAKER. If the gentleman will click on the amendment number, it will come up.

For the information of the members, we have asked the gentleman, Mr. Gannon, to explain the amendment.

Mr. Gannon is in order and may proceed.

Mr. GANNON. Thank you, Mr. Speaker.

I want to extend my gratitude to the House for its patience while we waited for this amendment to come down from Legislative Reference Bureau.

It is a very simple amendment, Mr. Speaker. It removes all the mail-order provisions from HB 888 as amended by amendment 1758, and in addition to that, it provides for an annual review of what is known as the “Federal upper payment limits,” and that will help our local pharmacies in determining what their lowest reimbursement will be for, for example, a generic drug which may be on the market but which may not be available at that particular time by the local pharmacy.

So this will help the pharmacists from the standpoint that they will have a periodic review of what those payments would be, and also it will remove those provisions of HB 888 that provided for mail order and leave law as it is currently.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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. The gentleman indicates that he will.

Mr. VITALI. I just want to maybe thresh out the mail-order provision part, because maybe you could explain exactly what that takes out.

Mr. GANNON. This removes the mail-order provisions from HB 888 as amended by amendment 1758. So if you look at amendment 1758 and you have the mail-order provisions in there, this will remove those provisions from the amendment to the bill.

Mr. VITALI. Okay. Could you describe what those mail-order provisions are in HB 888 right now?

Mr. GANNON. The amendment speaks for itself, Mr. Speaker.

Mr. VITALI. I am trying to get an understanding of the import of your amendment. Perhaps if the gentleman is unwilling to answer the question, Representative Vance or someone else might answer that question.

The SPEAKER. The Chair recognizes the gentleman, Mr. Eachus, for the purpose of answering the question.

Mr. EACHUS. Thank you, Mr. Speaker.

What the Gannon amendment does is it allows for the current PACE act to continue the 30-day mail order that we have in place for consumers. What it also does is it will study annually

the Federal upper limits cost containment that is specific to the pharmacy industry on an annual basis, which the department, I will have you know, already does as a matter of course, but they will produce that document to the House and Senate leadership.

The way that it changes the original Vance amendment was that we instructed the Department of Aging to promulgate regulations specifically. This is silent on that language, and it may still in effect allow the department to promulgate regulations and go through the regulatory review process that I discussed with you earlier.

So this language has been agreed to by the Republican leadership, the Democratic House leadership, and has, in the interim period, been agreed to by the Governor’s Office as well.

Mr. VITALI. Okay.

I am trying to— It is my general understanding, with regard to what the mail-order provisions were, there would be a cost-savings component to them because the balance would be it is cheaper to do it by mail. Therefore, they were expanding the mail-order provisions so you would save money. Is that what was trying to happen, well, in the bill as it is now written?

Mr. EACHUS. It still allows for the cost containment to be had in the mail-order provisions in the Gannon amendment. However, the regulatory review process will be a little longer. Instead of being expedited, it may take up to 2 years to get that savings. So there may be some net effect in the short term, but it still allows for a long-term savings center in what was negotiated between Representative Vance and myself for both sides. So the savings center is still there; it is just that it does not allow us to expedite the regulatory review process that was put in the language in the Vance amendment.

Mr. VITALI. Okay. Is there an estimate of the cost of the Gannon amendment over the next 2 years?

Mr. EACHUS. I have a fiscal note right here. It says that the adoption of this amendment would have minimal fiscal impact on the Commonwealth’s funds.

Mr. VITALI. Okay, because I am trying to get a sense for the significance of the amendment, and what I am generally getting the sense without really knowing the technical aspects of this is, the net effect of Gannon will be to make it more difficult for people to get their PACE medicine by mail.

Mr. EACHUS. No. Currently under law, as I said, the consumers who are involved in the PACE and PACENET programs can get a 30-day supply of drugs for whatever the copayment is at PACE and PACENET. This will not hinder the consumer’s ability to get a 30-day supply on mail order currently. It may slow the process—

Mr. VITALI. Okay, but what about as compared to 888?

Mr. EACHUS. This amendment may slow the process some, but the cost containment and savings potential in mail order will still be there for the department to promulgate regulations into the future. It does not prohibit that.

Mr. VITALI. Just—

Mr. EACHUS. And I am happy to also allow the gentleman to answer, because obviously this line of questioning is about his amendment.

Mr. GANNON. Mr. Speaker—

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

Mr. GANNON. I want to— Still for the first time.

I want to thank the gentleman, Mr. Eachus, for answering the questions in a very excellent fashion with respect to the amendment.

Mr. VITALI. But is the answer I am hearing, it is not going to change the way you can order things by mail but just the length of time it is going to take that process to work its way through?

Mr. GANNON. No, the amendment leaves the law as it currently is with respect to mail order. Mail order, and as Representative Eachus explained, there can be a regulatory process that the department can initiate if it wishes to do so. It could have done that at any time, and it can do that at any time now. This does not—

Mr. VITALI. Okay. I understand what you are saying with regard to the difference between the bill with your amendment versus current law, but maybe talk to the 888 versus with or without your amendment.

Mr. GANNON. With or without the amendment?

Mr. VITALI. Yeah, both ways.

Mr. GANNON. Without the amendment, HB 888 as amended by amendment 1758 contained language which permitted the department to undertake an expedited regulatory process. Now, as I—

Mr. VITALI. Regulatory process to have regulations for ordering drugs by mail.

Mr. GANNON. Correct, as I understand it. However—

Mr. VITALI. And what is the problem with that? Maybe that is it. What is the problem with doing it that way?

Mr. GANNON. Well, the expedited process would have excluded or prevented a number of people from giving public input, and I know the member is a great advocate for public input into the legislative and regulatory process.

Mr. VITALI. Oh, let us not go into that.

Mr. GANNON. So this would have, this would have limited and curtailed both legislative oversight as well as public input with respect to the regulatory process.

Mr. VITALI. So you are saying your amendment just goes to process, not the availability of mail order, just process issues of how that decision would be reached.

Mr. GANNON. You could say that. That would be a fair statement, yes.

Mr. VITALI. Okay. 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 Mr. Eachus, please, Mr. Todd Eachus, on the amendment?

The SPEAKER. The gentleman indicates he will.

Mr. HORSEY. Will the Gannon amendment, in your opinion, make it easier or more difficult for seniors?

Mr. EACHUS. It will not make it more easy or simple. The Gannon amendment right now leaves the law as it is. If someone right now, if they walk into a pharmacy who is a PACE provider, they can get a 30-day supply of mail order for whatever the copayment is in law today. What the Gannon amendment does is makes the department go through a full regulatory review process on the expansion of mail order under the PACE program. While it may take us more time to get there, I believe the department still has the ability to save the money, which was \$22 million a year under the

Vance amendment, in order for us to get the additional senior citizens into the program. It may take another year, but this process is important to move forward today, and that is why the Governor's Office has supported this language and that is why we are supporting the adjustment in the Gannon amendment.

Mr. HORSEY. So \$22 million, I heard you mention. Does that flip to seniors? Is that savings to seniors?

Mr. EACHUS. Well, the net effect is that the total savings that we had in the Vance-Eachus Democratic-Republican agreement will be, in the first year, a \$22 million net revenue loss. However, once we get the mail order on line, that will be recovered, and I believe that we will have a thorough regulatory review process on this, and I have no reason to believe that the department will not have the ability in the future to expand this. What Gannon's amendment does do is slow that regulatory review process some.

Mr. HORSEY. So if it slows the process down, then does it mean that less seniors can be served at a more immediate period of time?

Mr. EACHUS. Well, what it does mean is that seniors will only be able to get a 30-day supply of mail order today.

Mr. HORSEY. As opposed to a 90-day?

Mr. EACHUS. Yes, which would have taken probably 6 months to a year in an expedited regulatory review process. So we do lose about a year of savings in the proposal, but I do not think that is catastrophic.

Mr. HORSEY. Thank you, Mr. Speaker.

On the amendment, Mr. Speaker?

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

Mr. HORSEY. Mr. Speaker, I do not think we should wait to service seniors. I think we should service them as soon as we are able to. I think the Gannon amendment slows the process down, in which case I am going to say that I am against the Gannon amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentlelady, Mrs. Vance.

Mrs. VANCE. Thank you very much, Mr. Speaker.

We do support the Gannon amendment. It is very important to get this legislation passed and get it moving in order for seniors to be able to access this very important benefit.

I ask for a "yes" vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman, Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

This is an important day for senior citizens in the Commonwealth of Pennsylvania. Since 1995 the PACE and PACENET programs have not been expanded. Today, the compromise reached between Republicans and Democrats in the House expands this program by 100,000 senior citizens. That expansion will create access to lifesaving prescription drugs for seniors from Erie to Lancaster, from Wilkes-Barre to Scranton, and across the Commonwealth.

It also does important things to maintain the surety that this program will be safe and financially sound for seniors all the way until 2009. So what we have done in this program is modernize the savings. What we have done is we have asked for shared cost containment from the pharmaceutical drug manufacturers who have given hundreds of millions of dollars in savings to this program. As you know, we have asked our pharmacists for Federal upper limits, which also is a savings center, and in the end, consumers will pay a dollar or two more, most likely, in copayments in order to reach 100,000 more of their neighbors so that we can create wellness in our communities.

We all know from the office work that we do in our district offices every day that access to prescription drugs is probably the single most important issue to senior citizens along with basic health-care needs. I can tell you, we could not have reached this important day without the bipartisan work of Representative Vance and your leadership on the other side of the aisle as well as a strong sense of leadership from Democrats. But as a backstop to that, Governor Rendell spoke loud and clear during his campaign and to the public that this was a priority. So this process gets the process moving. The work on the other side of the aisle, on the other side of this building, is going to be absolutely crucial to maintaining the integrity of this bipartisan relationship that we put forth today. But the most important thing is that 100,000 senior citizens under this proposal – 100,000 senior citizens – get lifesaving prescription drugs and access to care that they did not have yesterday.

So I want to thank my colleagues on the other side of the aisle, and I look forward to support in future days on other things.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Luzerne, Mr. Yudichak.

Mr. YUDICHAK. Thank you, Mr. Speaker.

In November of 2001 I was honored to serve on the Governor's PACE Advisory Committee. As a member of the advisory committee, my colleagues and I in the Senate and the House were charged with the sobering task of saving a PACE program that was in crisis. Pennsylvania's prescription drug plan for older Pennsylvanians has long been the gold standard, the very best in the nation, but because of declining lottery revenues, because of rising prescription drug costs, that program was threatened. Drug benefits for more than 200,000 older Pennsylvanians were at risk. The advisory committee, working along with the Department of Aging, responded to the crisis by working together to advance a legislative plan that not only would save PACE, not only would sustain the program, but expand the program.

Today, today, is about that legislative plan. Governor Schweiker took the first step. He expanded the lottery program to include Powerball. Powerball has invigorated the lottery system, bringing in new revenue, new life, revenue that is going to help us expand this program. But the next step was going to be tougher, and to his great credit, Governor Rendell took the tough step. He understood that fundamental changes had to happen in the PACE and PACENET program. HB 888 makes those fundamental changes. So with this legislation we are not only tackling the daunting task of preserving the PACE, PACENET program for 200,000 Pennsylvanians, we are doing

what 2 years ago was thought to be impossible: We are expanding that program to include 100,000 additional seniors.

In Luzerne County, my home county, we are very fortunate to have more than 15,000 senior citizens in Luzerne County that are able to take advantage of the program, but there are thousands more that are not and thousands more throughout the Commonwealth of Pennsylvania. We have an opportunity, a rare opportunity in this chamber, to really make a difference in the quality of life of our constituents. We all know that the PACE, PACENET program is a lifeline to seniors to sustain a high quality of life. Today I ask you for an affirmative vote on HB 888 to extend that lifeline to 300,000 seniors in Pennsylvania.

I appreciate your affirmative vote. I recognize the hard work done in this chamber by the Democratic side of the aisle, by the Republican side of the aisle, and by the Governor, who took a courageous step to lead the battle and lead the fight to deliver our promise for prescription drug benefits to Pennsylvania's senior citizens.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. KENNEY. Thank you, Mr. Speaker.

Mr. Speaker, on behalf of Chairman Oliver and myself, I want to thank the members of the House Health and Human Services Committee for the tremendous work they did on this piece of legislation. The bill was reported from our committee unanimously. We worked together, as was mentioned by Representative Eachus, in a bipartisan manner, and I especially want to thank not only Representative Eachus but the leadership of Representative Pat Vance on our committee for the tremendous job she has done.

As was said, this program expands prescription drug coverage to tens of thousands of our seniors, which is a great thing, and without the help of our staff also – I do not want to forget them – Melanie Brown, our executive director on committee, and her staff for the tremendous job they also did, and it was a true partnership to benefit our seniors throughout Pennsylvania, and I wanted to thank the members.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lawrence, Mr. Sainato.

Mr. SAINATO. Thank you, Mr. Speaker.

I would like to rise in support of HB 888. I think this is a very important piece of legislation, something, as the previous speaker had said, we have been working on for many, many years. June 17, 2003 – today is a historical day for senior citizens in Pennsylvania, because today is the day we are going to add 100,000 more seniors once this bill gets passed and the Senate does its thing and the Governor puts his signature on it. And I think it is something that is very important, because as a previous speaker had said, 100,000 more seniors are going to qualify to get prescription drug coverage.

This is the ideal situation. Pennsylvania is an innovator. We were an innovator many years ago when the PACE program was developed, and we are taking the next step. Washington, DC, needs to watch our program in Pennsylvania, because this is a program, Mr. Speaker, that has been a success. It has saved hundreds of thousands of seniors who would not have had

medicine. They would have been sick. They would have added dollars onto the health-care costs to the taxpayers. So what we are doing today is making seniors healthier by passing this legislation.

I would like to commend everyone who was involved – you, Mr. Speaker, for your efforts over the years; the Democratic leader; the Governor, for realizing how important this issue is – and I think we have shown that working together in a bipartisan manner we can get some things done, because just last year no one ever thought we would reach the day when we would add 100,000 more seniors onto PACE, where we would have the income limits possibly raised by \$10,000, to finally do something for the middle-income seniors, because those are the people that have always been left out of all the programs which we have done. So we are doing something for middle-income seniors today; we are doing something for the poor seniors; we are doing something to help everyone with health care.

So I urge my colleagues to support HB 888, and I urge the Senate to act on this bill immediately, because we cannot wait any longer to provide prescription drug coverage to our seniors.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Walko.

Mr. WALKO. Thank you, Mr. Speaker.

This is indeed a great day in the Pennsylvania House of Representatives. It is unbelievable that we could fashion a program that would add 100,000 of our citizens to PACE and PACENET without one additional red cent of tax-dollar money. We know that this was accomplished by having our PACE and PACENET programs act more like businesses – to take advantage of more efficiency, to bargain harder. We also know that this legislation will open the door to further improvements in the way in which we run our PACE and PACENET programs. Those additional savings can be again used to further expand the program.

I cannot let this go without saying how proud I am of Representative Eachus for taking the ball along with Representative Vance at the 50-yard line and zigzagging, moving, pressing on until the goal was crossed here in the House. Certainly others like Yudichak, Kenney, and Grucela were also doing a lot of heavy lifting over the years.

Finally, I would like to compliment one of our administrators, Mr. Tom Snedden – he had a lot to do with it – and Secretary Nora Dowd, and also, of course, thank the Governor. I think that if the Senate acts forthwith on this legislation, we can realize the savings that we need to so that the program can start on January 1 of 2004. And just as Pennsylvania did set the trend nationally with the enactment originally of the PACE program, so, too, are we ahead of the curve on expanding these programs.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Huntingdon, Mr. Sather.

Mr. SATHER. Thank you, Mr. Speaker.

I will be very brief.

I just want to congratulate all who had an active part in this participation of this very needed legislation. One thing I would mention, though, we are adding by the last amendment powers and duties to the Department of Aging and the Departments of

Health and Public Welfare, and I think the very fact that last session we did pass in this House and sent to the Senate changes in IRRC, Independent Regulatory Review Commission, and it became law. So it is incumbent upon these agencies, as good as we feel today, it is incumbent upon these agencies of State government to move expeditiously on this bill, because failing to do so, IRRC can have up to 2 years to implement, and we have got people who are falling through the cracks and need this coverage.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentledady from Cumberland, Mrs. Vance.

Mrs. VANCE. Thank you very much, Mr. Speaker.

This is the end of a 6-year process, 2 years of statewide hearings, and the winners are the seniors in Pennsylvania. Everyone has helped along the way to enable this to become law. The people, interestingly enough, who were the most willing to step up and take their part were the seniors themselves. They understood that if they increased their copays slightly, they would be able to extend the benefits to a lot of their friends, and I thank all the seniors who testified and to AARP for their help.

I would be negligent if I did not talk about the knowledgeable and trustworthy help of Representative Eachus – he has been very helpful in this process – and also the absolutely phenomenal work of the executive director of the Health and Human Services Committee, Melanie Brown. Everybody has helped to have this come to fruition. I thank you all, but again, the seniors in our Commonwealth really have won today.

Thank you.

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—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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 SPEAKER. There will be no further votes today.

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

HB 300, PN 2097 (Amended) By Rep. J. TAYLOR

An Act providing for the remediation of blighted properties in cities of the first and second class.

URBAN AFFAIRS.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce there will be a caucus at 10:30 tomorrow morning – caucus, 10:30 tomorrow morning – to go after the remainder of the senior citizens bills that will be voted on tomorrow.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentlelady from Chester, Mrs. Taylor.

Mrs. TAYLOR. Mr. Speaker, there will be no Republican caucus tomorrow.

The SPEAKER. The Chair thanks the gentlelady.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 1634 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The SPEAKER. Are there any further announcements?

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Goodman.

Mr. GOODMAN. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 18, 2003, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:27 p.m., e.d.t., the House adjourned.