

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

THURSDAY, JUNE 26, 2003

SESSION OF 2003

187TH OF THE GENERAL ASSEMBLY

No. 51

HOUSE OF REPRESENTATIVES

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

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

PRAYER

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

Let us pray:

God of might, hold back the world awhile as we gather here, we pray, and softening its din and roar, lead us to hear again Your still, small voice as You speak to our hearts through a variety of means.

God of all lands and all peoples, we pray for our nation. We celebrate in Your presence its abundant achievements in freedom and justice for all, and we confess before You its many and grievous departures from matching deed with declaration. Confirm, we pray, the good bravely done; shame us with the evil still performed. So hold in our vision the bright glow of Your hope for this beloved realm that we see more clearly the work yet to be done and do it without wavering.

God of joy, teach us to smile. For some reason our society has pushed the smile to a place of frivolity – a private time with friends and family, something done only between those that know one another. Teach us to look up and greet one another as we pass, no matter how serious our mission or our destination. Help us to remember that a smile or a kind word to a stranger may be the only thing that makes a difference between hope and despair in some lives.

Let not the aspirations of this brief moment with You be left behind us as we continue on with our day's agenda. Grant that having taken this moment to turn our hearts toward You in prayer, we may respect who You are by our deeds.

So we pause a moment now to tell You how weak we are, how much we need You, and as each has the will and as all have the way, we open our hearts to You and ask You to make them clean, to make them calm, to make them strong.

We offer these our prayers. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, June 25, 2003, will be postponed until printed.

JOURNAL APPROVED

The SPEAKER. However, the Journal of Monday, April 14, 2003, is in print, and without objection, the Journal will be approved.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1718 By Representatives NICKOL, EACHUS, VANCE, DeWEESE, S. H. SMITH, VEON and MACKERETH

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, imposing limitations on supersedeas bond requirements.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 26, 2003.

No. 1719 By Representatives LEACH, LaGROTTA, HARHAI, TANGRETTI, FAIRCHILD, FRANKEL, HALUSKA, HANNA, MARKOSEK, NICKOL, PALLONE, RUBLEY, HENNESSEY, CREIGHTON, J. TAYLOR and BROWNE

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, further providing for remittitur.

Referred to Committee on JUDICIARY, June 26, 2003.

No. 1720 By Representatives DAILEY, MAHER, BROWNE, BUNT, CAPPELLI, CLYMER, CRAHALLA, CREIGHTON, CURRY, DALEY, DALLY, DeLUCA, DeWEESE, DiGIROLAMO, FICHTER, GERGELY, GINGRICH, HARHAI, HASAY, HENNESSEY, HERMAN, HORSEY, JAMES, LEDERER, McGILL, R. MILLER, MUNDY, O'BRIEN, PETRI, PHILLIPS, READSHAW, REICHLEY, RUBLEY, SCAVELLO, SCHRODER, SEMMEL, SHANER, B. SMITH, SOLOBAY, T. STEVENSON, TANGRETTI, E. Z. TAYLOR, TIGUE, WALKO, WASHINGTON, WATSON, WEBER, WILT and YOUNGBLOOD

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, providing for delegation of functions necessary for the support of nursing services.

Referred to Committee on PROFESSIONAL LICENSURE, June 26, 2003.

No. 1721 By Representatives DAILEY, VANCE, MAHER, BAKER, BARRAR, BELFANTI, BUNT, CAPPELLI, CLYMER, CRAHALLA, CREIGHTON, CURRY, DALLY, DeLUCA, DeWEESE, DiGIROLAMO, FICHTER, GINGRICH, HARHAI, HASAY, HENNESSEY, HERMAN, HERSHEY, HORSEY, LEACH, LEDERER, MANDERINO, MARKOSEK, McGILL, McILHATTAN, MUNDY, MYERS, O'BRIEN, PHILLIPS, READSHAW, REICHLEY, ROEBUCK, ROSS, RUBLEY, SCAVELLO, SCHRODER, SHANER, B. SMITH, SOLOBAY, TANGRETTI, E. Z. TAYLOR, WALKO, WASHINGTON, WATSON, WEBER, WILT, YOUNGBLOOD and YUDICHAK

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, establishing the Nurses Health Program; and making an appropriation.

Referred to Committee on PROFESSIONAL LICENSURE, June 26, 2003.

No. 1722 By Representatives DAILEY, VANCE, MAHER, BROWNE, BUNT, CAPPELLI, CRAHALLA, CREIGHTON, CURRY, DALLY, DeLUCA, DeWEESE, DiGIROLAMO, FICHTER, FRANKEL, GABIG, GERGELY, GINGRICH, HARHAI, HASAY, HENNESSEY, HERMAN, JAMES, KELLER, KOTIK, LEDERER, McGEEHAN, McGILL, MELIO, MYERS, NAILOR, O'BRIEN, PETRARCA, PETRI, REICHLEY, ROSS, RUBLEY, SANTONI, SCAVELLO, SCHRODER, TANGRETTI, E. Z. TAYLOR, WALKO, WASHINGTON, WILT and YOUNGBLOOD

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, establishing the Nurses Health Program; and making an appropriation.

Referred to Committee on PROFESSIONAL LICENSURE, June 26, 2003.

No. 1723 By Representatives DAILEY, MAHER, BROWNE, BUNT, CAPPELLI, CLYMER, CRAHALLA, CREIGHTON, CURRY, DALEY, DALLY, DeLUCA, DeWEESE, DiGIROLAMO, FICHTER, GINGRICH, HASAY, HENNESSEY, HERMAN, HORSEY, JAMES, KIRKLAND, LEDERER, McGILL, R. MILLER, MUNDY, MYERS, O'BRIEN, PETRI, PHILLIPS, PICKETT, READSHAW, REICHLEY, ROSS, RUBLEY, SCAVELLO, SCHRODER, SEMMEL, SHANER, B. SMITH, SOLOBAY, T. STEVENSON, TANGRETTI, E. Z. TAYLOR, TIGUE, WALKO, WASHINGTON, WATSON, WEBER, WILT and YOUNGBLOOD

An Act amending the act of March 2, 1956 (1955 P.L.1211, No.376), known as the Practical Nurse Law, providing for the delegation of functions.

Referred to Committee on PROFESSIONAL LICENSURE, June 26, 2003.

No. 1724 By Representatives GRUCELA, BEBKO-JONES, BELFANTI, COY, DALEY, DALLY, FABRIZIO, HARHAI, HORSEY, LEACH, SAYLOR, SCRIMENTI, SOLOBAY, SURRA, THOMAS, WASHINGTON, WATERS and YOUNGBLOOD

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for award of custody, partial custody or visitation.

Referred to Committee on JUDICIARY, June 26, 2003.

No. 1725 By Representatives GRUCELA, BEBKO-JONES, BELFANTI, COY, DALEY, DALLY, FABRIZIO, HARHAI, HORSEY, LEACH, SAYLOR, SCRIMENTI, SOLOBAY, STABACK, SURRA, THOMAS, WASHINGTON, WATERS and YOUNGBLOOD

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, authorizing petitions for accounting in certain support actions.

Referred to Committee on JUDICIARY, June 26, 2003.

No. 1726 By Representatives PAYNE, ALLEN, BAKER, BALDWIN, BARD, BARRAR, BELARDI, BROWNE, BUNT, BUXTON, CAPPELLI, CAUSER, CLYMER, CORRIGAN, COSTA, CRAHALLA, DALLY, FLEAGLE, FLICK, FREEMAN, GEIST, GEORGE, GILLESPIE, GINGRICH, GODSHALL, GOODMAN, HARHAI, HENNESSEY, HERMAN, HUTCHINSON, KOTIK, LEVDANSKY, LEWIS, MANN, MARKOSEK, MARSICO, McGEEHAN, McILHATTAN, McNAUGHTON, MELIO, R. MILLER, O'NEILL, READSHAW, REED, SATHER, SCHRODER, SOLOBAY, STERN, E. Z. TAYLOR, TURZAI, WANSACZ, WATSON, WILT, YOUNGBLOOD and WEBER

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for other medical assistance payments.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 26, 2003.

No. 1727 By Representatives HICKERNELL, BAKER, BASTIAN, BELFANTI, BROWNE, BUNT, CAPPELLI, CIVERA, CLYMER, COY, CRAHALLA, CREIGHTON, DENLINGER, FICHTER, GEORGE, GORDNER, HARRIS, HERMAN, HERSHEY, HESS, HORSEY, MAJOR, McILHATTAN, O'NEILL, PETRARCA, PHILLIPS, PICKETT, REICHLEY, ROSS, SATHER, SAYLOR, SCAVELLO, SOLOBAY, STERN, R. STEVENSON, E. Z. TAYLOR, TRUE, WILT, YOUNGBLOOD, BOYD, B. SMITH, TIGUE and R. MILLER

An Act amending the act of March 20, 2003 (P.L. , No.1A), known as the General Appropriation Act of 2003, providing for an appropriation for payments to county fairs.

Referred to Committee on APPROPRIATIONS, June 26, 2003.

No. 1728 By Representatives SEMMEL, GEIST, HORSEY, SAYLOR, SOLOBAY, DENLINGER, GEORGE, REICHLEY and TIGUE

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for allocation of costs for construction, relocation, suspension and abolition of crossings.

Referred to Committee on CONSUMER AFFAIRS, June 26, 2003.

No. 1729 By Representatives SEMMEL, TIGUE, REICHLEY, SOLOBAY, R. MILLER, DENLINGER, GEORGE, HORSEY, LEDERER, SAYLOR and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for remote appearance by live-feed video.

Referred to Committee on JUDICIARY, June 26, 2003.

No. 1730 By Representatives SEMMEL, LEDERER, REICHLEY, DENLINGER, HORSEY, SAYLOR and SOLOBAY

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for management audits of public utilities.

Referred to Committee on CONSUMER AFFAIRS, June 26, 2003.

No. 1731 By Representatives HERMAN, HUTCHINSON, PALLONE, ARMSTRONG, BARD, BUNT, DALEY, DeWEESE, EGOLF, FREEMAN, GEIST, GEORGE, GINGRICH, GOODMAN, HARHAI, JAMES, MAHER, S. MILLER, READSHAW, SCHRODER, SEMMEL, SOLOBAY, WALKO, YOUNGBLOOD and WEBER

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 imposition of the sales and use tax.

Referred to Committee on FINANCE, June 26, 2003.

No. 1732 By Representatives HASAY, ALLEN, BUNT, CAPPELLI, COY, CRAHALLA, CREIGHTON, DENLINGER, GEIST, HARRIS, HESS, KELLER, KIRKLAND, MAHER, MUNDY, NAILOR, REICHLEY, ROSS, SEMMEL, T. STEVENSON, TANGRETTI and E. Z. TAYLOR

An Act amending the act of December 22, 1989 (P.L.687, No.90), known as the Mortgage Bankers and Brokers and Consumer Equity Protection Act, further providing for licensure definition and for application for license; and providing for registration of mortgage solicitors.

Referred to Committee on COMMERCE, June 26, 2003.

No. 1733 By Representatives D. EVANS and HERSHEY

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, recodifying provisions on the Pennsylvania Convention Center Authority; further providing for definitions and for expansion funding; providing for the unified show labor workforce; further providing for bond powers and for jurisdiction of the Pennsylvania Supreme Court; and making repeals.

Referred to Committee on URBAN AFFAIRS, June 26, 2003.

No. 1734 By Representatives HANNA, BELFANTI, CREIGHTON, DALEY, FEESE, FRANKEL, GABIG, GERGELY, PISTELLA, READSHAW, REICHLEY, STABACK and SURRA

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for Sunday hunting.

Referred to Committee on GAME AND FISHERIES, June 26, 2003.

No. 1735 By Representatives R. MILLER, STETLER, DALLY, GILLESPIE, LEWIS, MACKERETH, NICKOL, SAYLOR, SCAVELLO, B. SMITH, TIGUE and REICHLEY

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for basic education funding for the 2002-2003 school year and for mandatory property tax relief for the 2003-2004 school year.

Referred to Committee on EDUCATION, June 26, 2003.

No. 1736 By Representatives PRESTON, ADOLPH, BEBKO-JONES, BISHOP, BUNT, BUXTON, CAPPELLI, COHEN, COSTA, CREIGHTON, DIVEN, DERMODY, DeLUCA, DeWEESE, FABRIZIO, FRANKEL, FREEMAN, GEORGE, GERGELY, HARHAI, HENNESSEY, HERSHEY, HORSEY, KOTIK, LAUGHLIN, LEDERER, LESCOVITZ, LEVDANSKY, MARKOSEK, MELIO, PETRONE, PISTELLA, READSHAW, REICHLEY, ROBERTS, ROONEY, RUFFING, SHANER, TANGRETTI, TIGUE, WALKO, WASHINGTON, WHEATLEY, WOJNAROSKI and YOUNGBLOOD

An Act providing for the designation of a certain State office building.

Referred to Committee on STATE GOVERNMENT, June 26, 2003.

No. 1737 By Representatives DeLUCA, BEBKO-JONES, BELARDI, BELFANTI, BISHOP, BROWNE, BUNT, BUXTON, CAPPELLI, COHEN, COY, CREIGHTON, CRUZ, CURRY, DALLY, FABRIZIO, FRANKEL, GEORGE, GERGELY, GODSHALL, GOODMAN, GRUCELA, HARHAI, HERSHEY, HESS, JAMES, JOSEPHS, KENNEY, KIRKLAND, KOTIK, LAUGHLIN, WALKO, WASHINGTON, YOUNGBLOOD, LEACH, MAHER, McCALL, MICOZZIE, MUNDY, NAILOR, PALLONE, PISTELLA, READSHAW, REICHLEY, RUBLEY, SHANER, SOLOBAY, R. STEVENSON, TANGRETTI, J. TAYLOR, THOMAS and TIGUE

An Act making an appropriation to the Department of Health for services for children with special needs for the fiscal year beginning July 1, 2003.

Referred to Committee on APPROPRIATIONS, June 26, 2003.

No. 1738 By Representatives DeLUCA, BEBKO-JONES, BELARDI, BELFANTI, BISHOP, BROWNE, BUNT, BUXTON, CAPPELLI, COHEN, COY, CREIGHTON, CRUZ, CURRY, DALLY, FABRIZIO, FRANKEL, GEORGE, GERGELY, GODSHALL, GOODMAN, GRUCELA, HARHAI, HERSHEY, HESS, JAMES, JOSEPHS, KENNEY, KIRKLAND, KOTIK, LAUGHLIN, LEACH, MAHER, McCALL, MICOZZIE, MUNDY, NAILOR, PALLONE, PISTELLA, READSHAW, REICHLEY, RUBLEY, SHANER, SOLOBAY, R. STEVENSON, TANGRETTI, J. TAYLOR, THOMAS, TIGUE, WALKO, WASHINGTON and YOUNGBLOOD

An Act making an appropriation to the Department of Health for epilepsy support services for the fiscal year beginning July 1, 2003.

Referred to Committee on APPROPRIATIONS, June 26, 2003.

No. 1739 By Representatives DeLUCA, BEBKO-JONES, BELARDI, BELFANTI, BISHOP, BROWNE, BUNT, BUXTON, CAPPELLI, COHEN, COY, CREIGHTON, CRUZ, CURRY, DALLY, FABRIZIO, FRANKEL, GEORGE, GERGELY, GODSHALL, GOODMAN, GRUCELA, HARHAI, HERSHEY, HESS, JAMES, JOSEPHS, KENNEY, KIRKLAND, KOTIK, LAUGHLIN, LEACH, MAHER, McCALL, MICOZZIE, MUNDY, NAILOR, PALLONE, PISTELLA, READSHAW, REICHLEY, RUBLEY, SHANER, SOLOBAY, R. STEVENSON, TANGRETTI, J. TAYLOR, THOMAS, TIGUE, WALKO, WASHINGTON and YOUNGBLOOD

An Act amending the act of March 20, 2003 (P.L. , No.1A), known as the General Appropriation Act of 2003, making an appropriation to the Department of Health for sickle-cell anemia services for the fiscal year beginning July 1, 2003.

Referred to Committee on APPROPRIATIONS, June 26, 2003.

No. 1740 By Representatives DeLUCA, BEBKO-JONES, BELARDI, BELFANTI, BISHOP, BROWNE, BUNT, BUXTON, CAPPELLI, COHEN, COY, CREIGHTON, CRUZ, CURRY, DALLY, FABRIZIO, FRANKEL, GEORGE, GERGELY, GODSHALL, GOODMAN, GRUCELA, HARHAI, HERSHEY, HESS, JAMES, JOSEPHS, KENNEY, KIRKLAND, KOTIK, LAUGHLIN, LEACH, MAHER, McCALL, MICOZZIE, MUNDY, NAILOR, PALLONE, PISTELLA, READSHAW, REICHLEY, RUBLEY, SHANER, SOLOBAY, R. STEVENSON, TANGRETTI, J. TAYLOR, THOMAS, TIGUE, WALKO, WASHINGTON and YOUNGBLOOD

An Act making an appropriation to the Department of Health for lupus programs for the fiscal year beginning July 1, 2003.

Referred to Committee on APPROPRIATIONS, June 26, 2003.

No. 1741 By Representatives DeLUCA, BEBKO-JONES, BELARDI, BELFANTI, BISHOP, BROWNE, BUNT, BUXTON, CAPPELLI, COHEN, COY, CREIGHTON, CRUZ, CURRY, DALLY, FABRIZIO, FRANKEL, GEORGE, GERGELY, GODSHALL, GOODMAN, GRUCELA, HARHAI, HERSHEY, HESS, JAMES, JOSEPHS, KENNEY, KIRKLAND, KOTIK, LAUGHLIN, LEACH, MAHER, McCALL, MICOZZIE, MUNDY, NAILOR, PALLONE, PISTELLA, READSHAW, REICHLEY, RUBLEY, SHANER, SOLOBAY, R. STEVENSON, TANGRETTI, J. TAYLOR, THOMAS, TIGUE, WALKO, WASHINGTON and YOUNGBLOOD

An Act making an appropriation to the Department of Health for diabetes programs for the fiscal year beginning July 1, 2003.

Referred to Committee on APPROPRIATIONS, June 26, 2003.

No. 1742 By Representatives WASHINGTON, STETLER, WEBER, ROEBUCK, BISHOP, BUTKOVITZ, CRUZ, FRANKEL, GABIG, HENNESSEY, JAMES, KELLER, KIRKLAND, LEDERER, YOUNGBLOOD, WHEATLEY and DERMODY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms.

Referred to Committee on JUDICIARY, June 26, 2003.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 336 By Representatives FABRIZIO, VANCE, BIANCUCCI, BUNT, CAPPELLI, COY, CRAHALLA, CRUZ, DAILEY, DALEY, DeWEESE, GEIST, GERGELY, GOODMAN, GRUCELA, HARHAI, HERMAN, JOSEPHS, KOTIK, LAUGHLIN, LEACH, LEDERER, LESCOVITZ, LEWIS, MARKOSEK, McGEEHAN, MELIO, O'NEILL, PALLONE, PETRARCA, PISTELLA, READSHAW, ROONEY, SAINATO, SANTONI, SCAVELLO, SOLOBAY, STERN, SURRA, VEON, WHEATLEY and WOJNAROSKI

A Resolution memorializing Congress to enact the United States Cadet Nurse Corps Equity Act of 2003 recognizing service in the United States Cadet Nurse Corps during World War II as active military service for purposes of laws administered by the Secretary of Veterans Affairs.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 26, 2003.

No. 338 By Representatives GANNON, BROWNE, CAPPELLI, COY, CRAHALLA, CRUZ, DALEY, DeLUCA, DeWEESE, FICHTER, FRANKEL, HARHAI, HERMAN, HERSHEY, JOSEPHS, KOTIK, LAUGHLIN, LEWIS, MICOZZIE, PICKETT, READSHAW, REICHLEY, ROSS,

SCAVELLO, STERN, E. Z. TAYLOR, THOMAS, YOUNGBLOOD and HARHART

A Concurrent Resolution directing the Legislative Budget and Finance Committee to provide a comprehensive report to the General Assembly and the Governor on data collected and evaluated by national experts, with the support of the United States Department of Health and Human Services and facilitated by the Council of State Governments, of two county-based mental health diversion programs and one program that works with offenders with mental illnesses released from State prisons in this Commonwealth and to demonstrate the fiscal impact of these programs and the desirability, viability and appropriateness of encouraging similar program development, implementation and funding options throughout this Commonwealth.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 26, 2003.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 623, PN 2232**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that the following bills be taken off the table: SB 259 and SB 387.

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

BILLS ON SECOND CONSIDERATION

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

SB 259, PN 265; and SB 387, PN 1040.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that the following bills be recommitted to Appropriations: SB 259 and SB 387.

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

The SPEAKER. The Chair would just like the members to be at ease for about 5 or 6 minutes. We are waiting for two supplemental calendars, and they should be ready in the next 5 to 6 minutes, so the House will be at ease.

The Chair recognizes the gentlelady from Philadelphia, Ms. Washington.

Ms. WASHINGTON. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to wish my colleague, Louise Bishop, a happy birthday.

The SPEAKER. Well, happy birthday, Louise.

LEAVES OF ABSENCE

The SPEAKER. The Chair returns to requests for leaves of absence.

The gentleman from Lycoming, Mr. Feese, asks for a leave of absence for the gentleman from York, Mr. SMITH. Without objection, the leave will be granted.

The Chair recognizes the gentleman from Beaver, Mr. Veon, who requests a leave of absence for the gentleman, Mr. PALLONE, from Westmoreland County. Without objection, the leave will be granted.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take the master roll. The members will proceed to vote.

The following roll call was recorded:

PRESENT—198

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

Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Rieger	Wright
Denlinger	Kirkland	Roberts	Yewcic
Dermody	Kotik	Roebuck	Youngblood
DeWeese	LaGrotta	Rohrer	Yudichak
DiGirolamo	Laughlin	Rooney	Zug
Diven	Leach	Ross	
Donatucci	Lederer	Rubley	Perzel,
Eachus	Leh	Ruffing	Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Pallone Smith, B.

LEAVES ADDED—1

Egolf

CALENDAR

RESOLUTIONS

Mr. MARSICO called up HR 243, PN 1497, entitled:

A Resolution memorializing the Congress of the United States to require that American-made steel be used for rebuilding efforts in Iraq which are funded by the United States Government.

On the question, Will the House adopt the resolution?

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

I ask for an affirmative vote.

I would like to submit remarks for the record. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Thank you, Mr. Speaker.

Earlier this year, the United States lived up to its commitment to fight terrorism and bring democracy to other parts of the world by taking on the evil regime of Saddam Hussein.

Now, as we help the people of Iraq rebuild their nation, we can also help our own citizens by bringing new life to the struggling steel industry.

HR 243 urges Congress to ensure U.S. steel companies receive construction contracts that are "proportional to the amount of funding and support the United States provides for the rebuilding of Iraq."

We have already invested a great deal of financial and human resources in the Iraqi war and rebuilding efforts. Ensuring our steel companies receive their fair share of contracts for the rebuilding effort will give our nation – and our Commonwealth – an added return on our investment in the form of jobs for our struggling steelworkers.

As a result of the 1997 collapse of Asian economies, the United States was hit with a wave of record steel imports. Steel prices collapsed, reaching 20-year lows in 2001. Since then,

39 steel companies have filed for bankruptcy, including seven companies headquartered here in Pennsylvania. Those companies employ nearly 80,000 people, including nearly 15,000 in this Commonwealth. Even retirees have been affected by the crisis, as an estimated 55,000 Pennsylvania steel industry retirees lost their health-care benefits as of March.

Right here in Dauphin County, employees at the former Bethlehem Steel – now International Steel Group – in Steelton face an uncertain future. As recently as 1998, the plant employed 1800 people, but the bankruptcy filing by Bethlehem Steel in the fall of 2001 led to major downsizing of the company's facilities. The plant currently operates at about 35 percent capacity with only 650 people. So although the Steelton plant is still operating, the future of the steel industry is still in question.

We have a unique opportunity to help our steel industry while rebuilding the infrastructure of Iraq. I encourage a "yes" vote on HR 243.

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

The following roll call was recorded:

YEAS—198

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

Donatucci Lederer Rubley Perzel,
Eachus Leh Ruffing Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Pallone Smith, B.

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

* * *

Mr. S. SMITH called up **SR 60, PN 1032**, entitled:

A Concurrent Resolution establishing a special bipartisan legislative commission to develop legislation to provide direct and indirect assistance for the purpose of improving the delivery of emergency services in this Commonwealth.

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

The following roll call was recorded:

YEAS-198

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

Dailey	James	Readshaw	Williams
Daley	Josephs	Reed	Wilt
Dally	Keller	Reichley	Wojnarowski
DeLuca	Kenney	Rieger	Wright
Denlinger	Kirkland	Roberts	Yewcic
Dermody	Kotik	Roebuck	Youngblood
DeWeese	LaGrotta	Rohrer	Yudichak
DiGirolamo	Laughlin	Rooney	Zug
Diven	Leach	Ross	
Donatucci	Lederer	Rubley	Perzel,
Eachus	Leh	Ruffing	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-2

Pallone Smith, B.

The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the resolution as amended was concurred in.

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

RULES SUSPENDED

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

Mr. THOMAS. Mr. Speaker, I move for an immediate suspension of the rules to bring up HR 18.

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

The following roll call was recorded:

YEAS-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Pallone Smith, B.

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

RESOLUTION

Mr. THOMAS called up HR 18, PN 2110, entitled:

A Resolution establishing the Statewide Technology and Electronic Commerce Advisory Council within the Commerce Committee and providing for its powers and duties.

On the question, Will the House adopt the resolution?

Mr. THOMAS offered the following amendment No. A2206:

Amend Title, page 1, line 4, by striking out "COMMERCE" and inserting

Intergovernmental Affairs

Amend First Resolve Clause, page 2, line 7, by striking out "COMMERCE" and inserting

Intergovernmental Affairs

Amend Second Resolve Clause, page 2, line 28, by striking out all of said line and inserting

caucuses, the parliamentarian of the House of Representatives or a designee, the director of the Legislative Data Processing Center, two members of the Intergovernmental Affairs Subcommittee on Information Technology, one

Amend Second Resolve Clause, page 3, line 1, by striking out "and" where it appears the second time and inserting a comma

Amend Second Resolve Clause, page 3, line 2, by inserting after "Colleges"

, a member appointed by the Pennsylvania Higher Education Assistance Agency and a

member appointed by each of the regional technology councils Amend Third Resolve Clause, page 3, line 14, by striking out "COMMERCE" and inserting Intergovernmental Affairs Amend Third Resolve Clause, page 3, line 17, by striking out "COMMERCE" and inserting Intergovernmental Affairs Amend Fifth Resolve Clause, page 4, line 9, by striking out "COMMERCE" and inserting Intergovernmental Affairs

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

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, this is really a technical amendment that adds additional members to the proposed Statewide Technology Advisory Council, and I ask for support from members on both sides of the aisle.

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

The following roll call was recorded:

YEAS-198

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

Dally	Keller	Reichley	Wojnaroski
DeLuca	Kenney	Rieger	Wright
Denlinger	Kirkland	Roberts	Yewcic
Dermody	Kotik	Roebuck	Youngblood
DeWeese	LaGrotta	Rohrer	Yudichak
DiGirolamo	Laughlin	Rooney	Zug
Diven	Leach	Ross	
Donatucci	Lederer	Rubley	Perzel,
Eachus	Leh	Ruffing	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Pallone Smith, B.

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

On the question,
Will the House adopt the resolution as amended?

The SPEAKER. The Chair recognizes the gentleman, Mr. Thomas, on HR 18.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, HR 18 really takes another step forward in helping to keep Pennsylvania in the forefront as a world-class technology center, and what HR 18 does is creates a Statewide Technology Advisory Council that involves all aspects of the House and Commonwealth government to keep us on point in how we can make sure that Pennsylvania remains a leader in information technology, agritechology, environmental technology, and biotechnology, and I ask members on both sides to support HR 18.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Pallone Smith, B.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 442, PN 960**, entitled:

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, amending definitions; further providing for municipal claims and liens, for judicial sales, for recovery of judgment and sale free from claims, for assignment of claims and for notice requirements; and making a repeal.

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

Mr. **PISTELLA** offered the following amendment No. **A2040**:

Amend Sec. 9, page 24, line 10, by striking out "The" and inserting

- (1) Except as otherwise provided in paragraph (2), the Amend Sec. 9, page 24, by inserting between lines 11 and 12
- (2) Paragraph (1) shall not apply to the assignee of a county of the second class.

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

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

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, I am about to address an issue that I am sure many of the members may have heard about. It also is an issue in which there is a certain amount of confusion circulating, and I would appreciate it very much if you would be able to ask the members for their attention.

The SPEAKER. The gentleman has a right to be heard. We would like the conferences on the floor to break up. Please keep the noise level down.

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, my amendment A2040 will remove a portion of the applicability of SB 442 to an assignee who took over a number of tax lien claims for property taxes in Allegheny County in 1997. That assignee was the GLS Capital Corp.

There currently is a case that has moved through the judicial system that is known as the Pentlong case. This is a case that attempts to define just what the fees are that a private organization shall be allowed to charge if they become an assignee under the circumstances that GLS did and what fees they would be able to go ahead and charge that would be considered reasonable. The case is looking at three things: interest, counsel fees, and lien docketing costs.

The intention and purpose of my offering this amendment today is to assure that that court case can continue and that the opportunity will not be or the rug will not be pulled out from underneath either one of the parties in pursuing a decision from Commonwealth Court.

The Supreme Court reached a decision where it remanded portions of this, overturned other parts, and sent it back to Commonwealth Court. Your affirmative vote today will protect the rights of all the parties involved in the Pentlong case, and it will allow an opportunity to exist for large amounts of money that have been collected – illegally, in my opinion – to be refunded if the court would in fact deem that that would be appropriate.

I would request an affirmative vote on my amendment A2040. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Maher.

Mr. MAHER. Thank you.

I would like to ask my colleagues' support in opposing this amendment.

This legislature, over many years now, has taken a number of actions aimed at facilitating our local taxing entities to deal with the tax lien issues that they face. This amendment would serve to deplete that strength for a particular county and no other, and I would ask you to oppose it. Thank you.

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 have not quite got this yet. Could you maybe just give me an example of where this would come into play,

a case, and how it would play out with this amendment versus without this amendment, something we could understand?

Mr. PISTELLA. Yes, if I could.

My amendment has been narrowed to affect only one situation and one situation only. This does not affect the city of Philadelphia. This does not affect any third- through eighth-class county. What this in fact does is it affects one case that has moved through the court system in Allegheny County; it has been before the Commonwealth Court; it has also been sent up to the Supreme Court, and it deals with a situation that involves a series of challenges to the collection policies of a private entity that has purchased tax liens from a municipality and seeks to maximize the return on its investment.

In other words, what happened is this: If I owed outstanding property taxes to Allegheny County, when those liens were sold in September of 1997 to GLS Corp., GLS Corp. then began to collect those outstanding liens. They spent about \$34 million on the liens. So instead of getting a tax bill now from Allegheny County, I am getting a tax bill from GLS Corp. That tax bill in the GLS Corp. is billing me for the value of the tax liens, it is billing me for attorney's fees, and it is billing me for filing fees.

Now, the Pentlong case has said that because the county did not have the right to collect counsel fees against taxpayers – in other words, Allegheny County could only collect attorney's fees under two circumstances, a jury verdict or a default judgment – it could not assign any greater right to GLS, which in essence means since Allegheny County could not collect those attorney's fees, when GLS received the assignment, GLS could not in turn collect those attorney's fees.

Now, there is also an interest rate issue in which they were calculating interest at a different rate, and it is my understanding that the gentleman from Allegheny, Mr. Stevenson, may have an amendment that deals with the interest rate.

And the third issue—

Mr. VITALI. Well, let me interrupt here.

Mr. PISTELLA. Sure.

Mr. VITALI. How does your amendment change that, and maybe you might have to explain that in the context of how the bill changes then.

Mr. PISTELLA. Yes. What happened is this: There is a provision in the bill, SB 442, that makes it retroactive back to June 1, 1996, when we adopted Act 1.

Mr. VITALI. The bill essentially allows for attorney's fees in collecting tax liens and so forth?

Mr. PISTELLA. Yes, and it makes it retroactive to 1996 so that GLS, if found that they have illegally collected these attorney's fees, will not have to refund them to the taxpayers who paid them. In other words, absent this language, we are allowing someone who did something illegal to be rewarded by the language in SB 442. We are allowing GLS to have broken the law, and we are now going to say to them, that is okay; you can keep all the money you collected, and we will turn a blind eye to it.

Mr. VITALI. Okay. I think I understand that. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. TURZAI. Thank you, Mr. Speaker.

Very briefly, I would ask the delegation and the floor here to vote against this amendment.

The fact of the matter is, this is a very simple issue. It is a matter of, can municipalities, including Allegheny County and Philadelphia County, can they take their tax liens and assign them. If you are going to put a chilling effect, which is the intent of the maker's amendment, to chill the ability to assign these liens, you are in fact going to hurt not only Allegheny County in this situation but other counties and municipalities by setting a precedent, and you will in effect be hurting their ability to collect their tax moneys that are due and owing.

The bottom line who gets hurt: the honest, law-abiding taxpayer. There is nothing, quote, unquote, "illegal" that has happened here. We are making a clarification to make it clear that governing bodies can assign tax liens and that entities can purchase those tax liens. That is the bottom line. Vote "no."

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-95

Bebko-Jones	Eachus	Levdansky	Scrimenti
Belardi	Evans, D.	Manderino	Shaner
Belfanti	Fabrizio	Mann	Solobay
Biancucci	Frankel	Markosek	Staback
Bishop	Freeman	McCall	Stetler
Blaum	George	McGeehan	Sturla
Butkovitz	Gergely	Melio	Surra
Buxton	Goodman	Micozzie	Tangretti
Caltagirone	Grucela	Mundy	Thomas
Casorio	Gruitza	Myers	Tigue
Cawley	Haluska	Oliver	Travaglio
Civera	Hanna	Petrarca	Veon
Cohen	Harhai	Petrone	Vitali
Corrigan	Horsey	Pistella	Walko
Costa	James	Preston	Wansacz
Coy	Josephs	Readshaw	Washington
Cruz	Keller	Rieger	Waters
Curry	Kirkland	Roberts	Wheatley
Daley	Kotik	Roebuck	Williams
DeLuca	LaGrotta	Rooney	Wojnaroski
Dermody	Laughlin	Ruffing	Yewic
DeWeese	Leach	Sainato	Youngblood
Diven	Lederer	Samuelson	Yudichak
Donatucci	Lescovitz	Santoni	

NAYS-103

Adolph	Fairchild	Lewis	Ross
Allen	Feese	Lynch	Rubley
Argall	Fichter	Mackereth	Sather
Armstrong	Fleagle	Maher	Saylor
Baker	Flick	Maitland	Scavello
Baldwin	Forcier	Major	Schroder
Bard	Gabig	Marsico	Semmel
Barrar	Gannon	McGill	Smith, S. H.
Bastian	Geist	McIlhattan	Stairs
Benninghoff	Gillespie	McIlhinney	Steil
Birmelin	Gingrich	McNaughton	Stern
Boyd	Godshall	Metcalfe	Stevenson, R.
Browne	Gordner	Miller, R.	Stevenson, T.
Bunt	Habay	Miller, S.	Taylor, E. Z.
Cappelli	Harhart	Nailor	Taylor, J.
Causar	Harper	Nickol	True
Clymer	Harris	O'Brien	Turzai
Coleman	Hasay	O'Neill	Vance
Cornell	Hennessey	Payne	Watson
Crahalla	Herman	Petri	Weber

Creighton	Hershey	Phillips	Wilt
Dailey	Hess	Pickett	Wright
Dally	Hickernell	Raymond	Zug
Denlinger	Hutchinson	Reed	
DiGirolamo	Kenney	Reichley	Perzel,
Egolf	Leh	Rohrer	Speaker
Evans, J.			

NOT VOTING-0

EXCUSED-2

Pallone Smith, B.

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

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

Mr. PETRI offered the following amendment No. A1835:

Amend Bill, page 24, by inserting between lines 4 and 5 Section 8. The act is amended by adding a section to read:
Section 39.5. The tax claim bureaus of the several counties may adopt and use the procedures set forth in this act in addition to the procedures set forth in the act of July 7, 1947 (P.L.1368, No.542), known as the "Real Estate Tax Sale Law."

Amend Sec. 8, page 24, line 5, by striking out "8" and inserting 9

Amend Sec. 9, page 24, line 10, by striking out "9" and inserting 10

Amend Sec. 10, page 24, line 12, by striking out "10" and inserting 11

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

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

Mr. PETRI. Thank you, Mr. Speaker.

This is an agreed-upon amendment, and it simply allows our tax claim bureaus to do the same thing that other groups can do. They can follow one of two procedures in collecting their tax revenue. As I said, it is an agreed-upon amendment.

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-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Pallone Smith, B.

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. MAHER offered the following amendment No. A2184:

Amend Sec. 3 (Sec. 9), page 12, lines 6 through 13, by striking out all of said lines and inserting

In counties of the second class and municipalities therein, interest at the applicable per annum rate shall accrue monthly on all taxes, tax claims and municipal claims on the first day of the month for the entire month, or part thereof, in which the taxes, tax claims or municipal claims are paid.

Amend Sec. 3 (Sec. 9), page 12, line 25, by striking out “funds” and inserting

fee

Amend Sec. 3 (Sec. 9), page 13, lines 3 and 4, by striking out all of line 3 and “second class county. The” in line 4 and inserting

and the

Amend Sec. 3 (Sec. 9), page 13, lines 6 and 7, by striking out “as if the full amount of such fee had been” in line 6 and all of line 7 and inserting

as part of the taxes, tax claims and tax liens.

Amend Sec. 7 (Sec. 39.2), page 24, line 3, by striking out “five” and inserting

seven

Amend Sec. 8, page 24, line 5, by striking out “The” and inserting

Section 2 of the

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

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

Mr. VITALI. Just looking for a brief explanation of the amendment.

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

Mr. MAHER. Thank you, Mr. Speaker.

This amendment is a technical amendment to ensure that the statutory language is as consistent with the current state of affairs as determined by the court. Thank you.

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

Mr. VITALI. Could the maker of the amendment go into the subject matter of it? The description in the presession report talks about interest rates, so I would assume the amendment does something relating to them.

Mr. MAHER. Mr. Speaker, that section refers to interest rates as otherwise provided in statute, because the statute can in some cases embrace a municipal claim law or the tax claim law, which have two different interest rates, so this is making it clear that the user of this section would refer to the applicable statute as opposed to just picking one of those.

Mr. VITALI. How will the interest rates vary, based on that choice?

Mr. MAHER. One is statutorily set at 12 percent; the other is at 10 percent – not-to-exceed amounts.

Mr. VITALI. This would be the interest rate that our constituents would be paying for delinquent taxes?

Mr. MAHER. This is the interest rate that your constituents are paying, depending upon whether it is a municipal lien or a tax claim.

Mr. VITALI. So if we vote “yes” for your amendment, what would they pay, and if we vote “no” for your amendment, what would they pay?

Mr. MAHER. This does not change what would be paid. This is making a coherent link between this statute and the related statutes that establish the rate.

Mr. VITALI. Okay. Thank you.

Mr. MAHER. Thank you.

The SPEAKER. The Chair thanks the gentlemen.

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Pallone Smith, B.

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. Pistella.

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, I am certainly not going to take an extraordinary length of time to outline for you my reasons for the opposition that I have to this bill, but I would like to make the record clear, because since the beginning, there have been a number of misconceptions that have been circulated regarding the importance of this bill and, as was characterized earlier today in the debate, the chilling effect this will have on municipalities in Allegheny County, and quite honestly, that is a lot of bunk.

County executive Jim Roddey managed to talk to the county council of Allegheny County to garner their support and the support of a number of elected officials, making this a number one priority for him because of the, quote, "chilling effect."

Well, here is a chilling effect for you, Mr. Speaker: What would be required now, since we have not adopted the amendment that I had offered, and what will happen if this is actually signed into law by the Governor is thousands of property owners in Allegheny County who paid off their liens and were charged illegal fees by attorneys for GLS and other fees that GLS concocted that probably exist nowhere else in the world will never receive a refund for those illegally gotten gains.

Now, during the course of discussion leading up to this moment, you have heard probably that this will cost Allegheny County \$50 million because it breaks the contract. This does nothing of the sort. Allegheny County was protected because the content of the assignment agreement required a challenge to take place within 5 years, and secondly, it had to be determined to be an illegal assignment. No one is arguing that it was an illegal assignment. We are saying the assignment was in fact true.

The problem you have, as I cited in the court case's opinion, is, what can a private person or organization do in collecting those liens? How far can they go? That is what is in dispute in Commonwealth Court, and it is unfortunate, because I think the message we are now saying to corporations is, if we as a legislative body do not spell out what you can and cannot do, it is going to be okay to go out there and do things that a court may determine is illegal and come back to us and say, well, that is okay, you can do it; not only is it okay, but we will reward you by letting you keep the hundreds of thousands to millions of dollars that may have been collected illegally by the GLS Corp. That is what this issue boils down to, that and nothing more.

Now, I realize that there are a number of people that come from counties where the same issue has come up, but it is a determination of just what your county has done in hiring private solicitors to deal with this issue. You may feel comfortable having to vote in favor of this legislation. The message that I would give is, I am going to vote against this, and I am going to vote against it for that one particular thing that I think does not give a chilling message to someone wanting to do business in Allegheny County or with a municipality purchasing clean the liens but should really send a chilling message to us, which is, how many times will we be forced to vote against our constituents and tell them we are

sorry; that money that you have spent, it is okay for someone to take that from you, even though we did not say they had the right to do that when they started it? That, to me, has a more chilling effect on our activities here than what some people would speculate would be a chilling effect on businesses that are out to make money and do it any way they can at the expense of our constituents.

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 bill stand for brief interrogation or an appropriate person—

The SPEAKER. It is a Senate bill, Mr. Vitali.

Mr. VITALI. —the chair of the appropriate committee?

The SPEAKER. Does the gentleman have someone he would like to interrogate?

Mr. VITALI. I do not know who— My first thought was the chairman of the appropriate—

The SPEAKER. Courtesy would have dictated you look that up before you stood up, Mr. Vitali.

Mr. VITALI. I fell short on that point.

The SPEAKER. Is there one individual you would like to interrogate?

Mr. VITALI. The chair of the Urban Affairs Committee, perhaps?

The SPEAKER. Does Mr. Taylor wish to stand for interrogation? The gentleman indicates that he will.

Mr. VITALI. Thank you, Mr. Speaker.

I do not really know much about this subject area, but from time to time I get a constituent who comes into my office who may have had a \$500 tax bill and all of a sudden finds himself owing about \$3,000 when all the various fees are added up, and I am trying to get a sense for how this bill would interact with that.

Mr. TURZAI. Mr. Speaker, could you hold for just a second? Can you please repeat that question? I apologize. I did not quite get it.

Mr. VITALI. It is a general question. The constituent who comes into my office from time to time who had a perhaps \$500 tax delinquency and over a couple of years finds himself with a \$3,000 debt because of various fees and so forth, how does this piece of legislation affect that situation?

Mr. MAHER. It is pretty straightforward, Mr. Speaker. Over the years now, we have approached tax lien laws for a variety of the 2500 municipalities and 500 school districts across this State, and the mechanics are pretty similar in all cases, and in this case, all this does is make it clear that the lienholder, the assignee of the government, steps into the shoes that the government was wearing in order to act on the lien. It is pretty simple.

Mr. VITALI. Right now, under current law, can a constituent of mine with a delinquent tax bill be charged attorney's fees in the collection of that tax bill?

Mr. MAHER. That is correct; they can be.

Mr. VITALI. Okay. And how would this piece of legislation change that?

Mr. MAHER. You are right. It is a good point, because what this legislation does is to conform in statute what I believe was always the intent of this body but was scattered about in this bit

and that bit, going back to Act 1 of '96, and then we have had this act and that act, and apparently this made it difficult for the courts to administer. So this is making it simple. Let us bring it all back together again for first class; let us bring it all back together again for second-class counties. It is an aid to simplify it, so it is easier for people to look up and understand what the law is rather than having to scatter around hither and yon through the lawbooks.

Mr. VITALI. So you are saying this does not change existing law; it just puts into statute a practice recognized as legal?

Mr. MAHER. No, insofar as what we are doing here is conforming in statute what the courts as of this moment in time, as I understand it, what the courts have said is the law, and this just makes it easier for people to look up rather than having to go dig up opinions of this court or that court and this case and that case. We often find ourselves revisiting statute to bring the statute into accord with what the courts have decided it actually said. And in this respect, I think there is one exception here, which is the question of the costs. I believe that is the one area that I believe that there is a difference, the recording-fees kind of a thing, and I think you would find your prothonotary would be a bit disappointed if you did not think it was appropriate that prothonotary's fees, or if you do not have a prothonotary as we are blessed to have in Allegheny County, whatever your court recording fees are, this makes it clear in statute when perhaps that was a bit ambiguous.

That would be the only substantive area, in my mind. The rest of this is conforming statute to what the law is as a matter of fact.

Mr. VITALI. Under current law, is there any difference in what an in-house municipal attorney can charge versus an outside contractor in collecting these fees?

Mr. MAHER. No. In fact, I think if you look at the 3,000-plus taxing entities that we have across the State of Pennsylvania, you will find there is a great variety of practice today. Some have attorneys on their staff. Others engage solicitors separately. Others engage special counsel. Forgetting even about liens, there is a whole variety of the way the attorneys may or may not get involved in these things, and that would continue to be the case here, and in those cases, court costs and legal fees are recoverable. It is pretty straightforward stuff.

Mr. VITALI. Are there any caps on what attorneys can charge either under current law or this statute—

Mr. MAHER. I did not know you were for caps. We had that debate last week, I think.

Mr. VITALI. I did not suggest I was either for or against them, but my question is, is there anything under current law or this legislation relating to caps on what an attorney can charge one of our constituents for collecting a tax lien?

Mr. MAHER. There is a reasonability standard in the statute, which you will find is consistent with the other reasonability standard which applies with respect to the other 3,000 taxing bodies that can pursue tax liens in this State. It is very straightforward stuff.

Mr. VITALI. Let me say this: I am not comfortable with the concept of my constituents getting hit with big attorney's fees for these bills, for these taxes.

The procedure with regard to real estate taxes, for example, the property is not going anywhere; it will eventually be sold, one way or the other, or transferred.

Mr. MAHER. Perhaps; not necessarily; perhaps.

I think the object with the lien buyers, ideally, is not to take possession of property but to work things out. You know, they are not in the business of really collecting parcels of land just as a hobby.

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

My question is, because the property is not going anywhere and because the municipality knows it will eventually get its taxes, what is the necessity in the delinquent tax situation of paying an attorney all this extra money versus simply just not using this outside counsel?

Mr. MAHER. Mr. Speaker, all I can say to you is that 3,000 taxing bodies in this State are unlikely to all be wrong on the same question at the same time, and if you believe that the work for attorneys that is necessitated by individual circumstances should not be recoverable by that municipality, by that school district, by that county, by all means consider legislation in that direction.

What this does is confirm that second-class counties, as is the case in first-class counties, should be on the same basis with the other 3,000-plus taxing entities in this State and those attorney's fees should be recoverable. It is pretty simple stuff. If you do not like the concept, so be it; vote against it. But it is not a new thing here. This is very basic, on par with the rest of the State. And if you do not like this idea, I would encourage you to introduce legislation toward that goal or vote against this.

But I suggest that from a uniformity standpoint, it would be appropriate that the county of Philadelphia and the county of Allegheny should have crystal clarity that their rights with respect to attorney's fees are the same as for the other 3,000 taxing bodies in this State.

Mr. VITALI. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. T. STEVENSON. Thank you, Mr. Speaker.

The courts have misinterpreted the act. It is now our responsibility to correct this misinterpretation. Unless we act today, Allegheny County could be subject to a potential of \$60 million in refund claims for attorney's fees. These fees were rightfully levied at the time of sale and should be paid by the delinquent taxpayer, not the municipality. But for the actions of the delinquent taxpayer in not paying his taxes, the collection proceedings never would have had to be instituted. It would be grossly unfair to every taxpaying individual in Allegheny County to pay the collection fees of the delinquent taxpayer.

I ask for an affirmative vote of SB 442.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Northampton, Mr. Samuelson.

Mr. SAMUELSON. I would like to interrogate the gentleman, Mr. Maher, to follow up on his earlier—

The SPEAKER. Does the gentleman, Mr. Maher, consent to interrogation? The gentleman indicates that he will.

Mr. SAMUELSON. Thank you.

I am just trying to understand that explanation that the gentleman gave to Representative Vitali, and I understood the gentleman from Allegheny County to say that this bill just consolidates current law, consolidates existing law. My

understanding is that it was Act 1 of 1996 that first gave municipalities the right to hire outside attorneys, outside law firms, instead of their tax claim bureau. If this law makes no changes to that, the gentleman said this makes no changes to that, why are we voting on it today? If this is just existing law, that law was passed 7 years ago. What change does SB 442, what change is Senator Orié trying to make that goes beyond Act 1 of 1996?

Mr. MAHER. The gentleman should understand that— And I understand the perspective that your question is drawn on with respect to what is standard operating procedure in tax claim bureaus. It is important to understand that Allegheny County does not have a tax claim bureau. Allegheny County is the only county in the State that has multiple municipalities yet no tax claim bureau. One of your colleagues is aiming to repair that situation, but what this is simply doing is to take— The one exception, under current law, is dealing with these fees that are applied in the county courthouse and making it clear that these fees are recoverable. It is not about the lawyer's fees. There is no question on lawyer's fees. There is no ambiguity on lawyer's fees. The only place there is any ambiguity is whether or not the fees that are recorded by our elected row officers in Allegheny County are durable and attached to the lien in the same manner as the lien on the real estate, and this adds some clarity to that. Otherwise, this is merely recognizing the court's attitude, as reflected in a number of cases, and dealing with Act 1 with respect to Allegheny County, with respect to Philadelphia County, because those two counties each are unique in the way that they, compared to the other 65 counties, in the way that their clerical processing happens, and that has caused some confusion and created, you know, some jumbled-up court cases.

Mr. SAMUELSON. Then let me ask this followup question: How then would the bill before us today change Act 1 with regard to the other 65 counties?

Mr. MAHER. It does not, except for with respect to the Petri amendment, which was just considered. Otherwise, this deals exclusively with first- and second-class counties.

Mr. SAMUELSON. And the Petri amendment expanded the scope of Act 1 of 1996?

Mr. MAHER. The Petri amendment – and it would be better, perhaps, to interrogate the maker of that amendment on that amendment – but it dealt with some aspect of tax claim bureaus.

Mr. SAMUELSON. Okay. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, again, I think the debate itself has lent itself to some of the difficulties, I think, that I have faced over the course of the last couple of weeks, trying to wrestle with understanding this.

I know one of my colleagues from Allegheny County stood up and said that Allegheny County faces the potential, the potential, the potential liability of \$60 million. I do not know where he got that figure. It is certainly frightening, but again, I think that might best be characterized as a potential problem, the reason being, the language contained within section 5.5 of the actual assignment contract between GLS and Allegheny County actually outlines what would constitute the illegality of the assignment, thereby rendering the potential responsibility Allegheny County would have for \$60 million.

Now, when you read the section, you find out, first and foremost, any challenge to the assignment had to take place within 5 years. That 5-year period is gone. That has elapsed. It is not retrievable. You cannot use that as one of the two prongs to challenge the illegality of the assignment.

And secondly, "...the Seller" – Allegheny County – "did not have legal right, power, or authority to sell the Tax Liens...." Well, again, if you go back to the Pentlong case and you look at footnote 17, the court says very clearly, "The issue of whether the County had the authority under the Act to assign its...liens to GLS in the first place is not before us."

In other words, it is legal. Allegheny County faces no threat, real or potential, with this legislation. Do not let anyone stand here and fool you. The people that will lose will be the taxpayers of Allegheny County who had to pay the illegal fees.

The other portion of this legislation is very simple, and here is the way that works. If you are from Philadelphia or if you are from a third- through eighth-class county, your municipal government has gone ahead and asked private attorneys and private organizations to go ahead and deal with the tax collections. Some counties like Allegheny County have adopted a county ordinance setting down what the fee schedule will be of those attorneys; some counties have not. As a result, they are using the terminology of "reasonable fees" in the bill, and the persons or parties that determine the reasonableness of these fees will in fact be the courts on a case-by-case basis, unless your county, municipality, or school district has in fact adopted legislation or an ordinance or a resolution setting down what can be charged. That in essence encompasses what happens to every county outside of Allegheny County, under the provisions of this bill.

And again I would encourage a "no" vote for those of you from Allegheny County. For those of you who feel that you want to trust the judgment of the courts to determine the reasonableness, then it is up to you to support this legislation, but again I remind you, that is the very issue that my amendment attempted to let take place in the courts that this legislature did not adopt. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentledady from Philadelphia, Ms. Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

I rise in support of SB 442 and ask my colleagues to support it on final passage.

I realize that there is some confusion with regard to Allegheny County, and I and many of my colleagues attempted to be helpful in that regard, but irrespective of that, there are a lot of other municipalities who are affected by the court interpretation of the 1996 legislation, which was different than what our legislative intent was. It is very important to my city and I know many other municipalities who were acting in good faith under the terms of the original legislation that we pass SB 442 today as is, so that our municipal governments are not at risk for potentially having to rebate moneys that have been collected over the years.

So I ask for an affirmative vote. Thank you.

The SPEAKER. The Chair thanks the lady.

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—195

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

NAYS—3

Casorio	Pistella	Scrimenti
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NOT VOTING—0

EXCUSED—2

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

Ordered, That the clerk 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.

RULES COMMITTEE MEETING

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

BILLS REREPORTED FROM COMMITTEE

HB 696, PN 2111 By Rep. S. SMITH

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Regional Port Authority certain lands situate in the 39th Ward of the City of Philadelphia.

RULES.

HB 1660, PN 2164 By Rep. S. SMITH

An Act requiring notification of condemnation proceedings by public utilities and pipeline companies.

RULES.

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 1105, PN 2167 By Rep. S. SMITH

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the composition and expiration of the Pennsylvania Veterans' Memorial Commission and for the administration of the Pennsylvania Veterans' Memorial Trust Fund.

RULES.

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 696, PN 2111; and HB 1660, PN 2164.

SUPPLEMENTAL CALENDAR A

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1105, PN 2167**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the composition and expiration of the Pennsylvania Veterans' Memorial Commission and for the administration of the Pennsylvania Veterans' Memorial Trust Fund.

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

The SPEAKER. Moved by the gentleman, Mr. Egolf, that the House concur in the amendments inserted by the Senate.

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

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

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Pallone Smith, B.

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

Ordered, That the clerk inform the Senate accordingly.

STATEMENT BY MR. EGOLF

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

Mr. EGOLF. Thank you, Mr. Speaker.

Just a minute here to thank all the members for their support for the Memorial Commission and for the veterans memorial at Fort Indiantown Gap.

Also, I want to thank them for extending this sunset date so that we can tie up some loose ends.

I also especially want to thank the staff, particularly Rick O'Leary of the Veterans Affairs and Emergency Preparedness Committee, and Tom McDole, who is the legislative chairman for the Pennsylvania War Veterans' Council, for their work in drafting and getting consensus on this legislation.

And also, I just want to urge the members here to take time to stop and see the memorial that has been constructed for the Pennsylvania veterans. It is at Fort Indiantown Gap. It is just off Interstate 81 about 3 miles. When you go north from here on 81, get off at the Fort Indiantown Gap exit and go see the memorial. I think you will be impressed. It is a beautiful memorial.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1148, PN 2160**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Mr. **SURRA** offered the following amendment No. **A2202**:

Amend Title, page 1, line 2, by inserting after "Statutes," providing local choice for fluoridation of public water;

Amend Bill, page 1, lines 8 through 10, by striking out all of said lines and inserting

Section 1. Title 53 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

CHAPTER 57

FLUORIDATION OF PUBLIC WATER

Sec.

5701. Scope.

5702. Purpose.

5703. Local fluoridation option.

5704. Notification.

§ 5701. Scope.

This chapter relates to Fluoridation of Public Water.

§ 5702. Purpose.

It is the purpose of this chapter to allow municipalities and public water authorities the option of removing fluoride or fluoridation systems from public water supplies in this Commonwealth.

§ 5703. Local fluoridation option.

Notwithstanding any other law, a municipality or public water authority may remove an existing water fluoridation system from a public water system.

§ 5704. Notification.

At least 60 days prior to taking action, a municipality or public water authority which intends to cease adding fluoride to a public water supply must communicate its intent in writing to all customers served by that water supply and to the Department of Environmental Protection. The municipality or public water authority shall hold a public hearing on the proposal within 30 days after notifying the public.

Section 2. The definition of "debt" in section 8002(a) of Title 53 is amended and subsection (c) is amended by adding definitions to read:

Amend Sec. 2, page 5, line 20, by striking out "2" and inserting
3

Amend Sec. 3, page 6, line 21, by striking out "3" and inserting
4

Amend Sec. 4, page 7, line 4, by striking out "4" and inserting
5

Amend Sec. 5, page 17, line 15, by striking out "5" and inserting
6

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman, Mr. Surra, has withdrawn the amendment. The Chair thanks the gentleman.

The House will be at ease for a moment.

BILL PASSED OVER TEMPORARILY

The SPEAKER. HB 1148 will be over temporarily.

SUPPLEMENTAL CALENDAR B

RESOLUTION PURSUANT TO RULE 35

Ms. JOSEPHS called up **HR 341, PN 2261**, entitled:

A Resolution recognizing June 27, 2003, as "National HIV Testing Day."

On the question,

Will the House adopt the resolution?

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and requests a leave of absence for the gentleman, Mr. EGOLF. Without objection, that leave will be granted.

CONSIDERATION OF HR 341 CONTINUED

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

The following roll call was recorded:

YEAS—196

Adolph	Evans, D.	Levdansky	Sainato
Allen	Evans, J.	Lewis	Samuelson
Argall	Fabrizio	Lynch	Santoni
Armstrong	Fairchild	Mackereth	Sather
Baker	Feese	Maher	Saylor
Baldwin	Fichter	Maitland	Scavello
Bard	Fleagle	Major	Schroder
Barrar	Flick	Manderino	Scrimenti
Bastian	Forcier	Mann	Semmel
Bebko-Jones	Frankel	Markosek	Shaner
Belardi	Freeman	Marsico	Smith, S. H.
Belfanti	Gabig	McCall	Solobay
Benninghoff	Gannon	McGeehan	Staback
Bianucci	Geist	McGill	Stairs
Birmelin	George	McIlhattan	Steil
Bishop	Gergely	McIlhinney	Stern
Blaum	Gillespie	McNaughton	Stetler
Boyd	Gingrich	Melio	Stevenson, R.
Browne	Godshall	Metcalf	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
Causler	Hanna	Nickol	Tigue
Cawley	Harhai	O'Brien	Travaglio
Civera	Harhart	Oliver	True
Clymer	Harper	O'Neill	Turzai
Cohen	Harris	Payne	Vance
Coleman	Hasay	Petrarca	Vitali
Cornell	Hennessey	Petri	Walko
Corrigan	Herman	Petrone	Wansacz
Costa	Hershey	Phillips	Washington
Coy	Hess	Pickett	Waters
Crahalla	Hickernell	Pistella	Watson
Creighton	Horsey	Preston	Weber
Cruz	Hutchinson	Raymond	Wheatley
Curry	James	Readshaw	Williams
Dailey	Josephs	Reed	Wilt
Daley	Keller	Reichley	Wojnaroski
Dally	Kenney	Rieger	Wright
DeLuca	Kirkland	Roberts	Yewcic
Denlinger	Kotik	Roebuck	Youngblood
Dermody	LaGrotta	Rohrer	Yudichak
DeWeese	Laughlin	Rooney	Zug
DiGirolamo	Leach	Ross	
Diven	Lederer	Rubley	
Donatucci	Leh	Ruffing	
Eachus	Lescovitz		Perzel, Speaker

NAYS—0**NOT VOTING—1**

Veon

EXCUSED—3

Egolf Pallone Smith, B.

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

SENATE BILLS FOR CONCURRENCE

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

SB 10, PN 1038

Referred to Committee on COMMERCE, June 26, 2003.

SB 79, PN 950

Referred to Committee on CONSUMER AFFAIRS, June 26, 2003.

SB 100, PN 1039

Referred to Committee on FINANCE, June 26, 2003.

SB 586, PN 896

Referred to Committee on GAME AND FISHERIES, June 26, 2003.

SB 778, PN 937

Referred to Committee on FINANCE, June 26, 2003.

CALENDAR CONTINUED**CONSIDERATION OF HB 1148 CONTINUED**

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

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, S. H.
Belardi	Freeman	Marsico	Solobay
Belfanti	Gabig	McCall	Staback
Benninghoff	Gannon	McGeehan	Stairs
Bianucci	Geist	McGill	Steil
Birmelin	George	McIlhattan	Stern

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Egolf Pallone Smith, B.

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. Tomorrow will be a nonvoting session.

We will be voting again on Monday at 1 p.m. We will be swearing in the two new members, Mr. Mustio and Mr. Killion. So be prepared for a festive day.

There will be no further votes cast today.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 1105, PN 2167

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the composition and expiration of the Pennsylvania Veterans' Memorial Commission and for the administration of the Pennsylvania Veterans' Memorial Trust Fund.

SB 630, PN 668

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2003, to June 30, 2004, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2003.

SB 631, PN 669

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

SB 632, PN 670

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2003, to June 30, 2004, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2003.

SB 633, PN 671

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

SB 634, PN 672

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

SB 635, PN 673

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

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

ANNOUNCEMENT BY MR. COHEN

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the Democrats will have informal discussions and brief discussions of what we know about next week immediately in the caucus room.

The SPEAKER. You know as much as we do, Mr. Cohen, but good luck with the meeting.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 696 and HB 1660 be rereported to the Appropriations Committee.

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

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 York, Mr. Gillespie.

Mr. GILLESPIE. Mr. Speaker, I move that this House do now adjourn until Friday, June 27, 2003, at 10 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 1:03 p.m., e.d.t., the House adjourned.