

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JULY 1, 2003

SESSION OF 2003

187TH OF THE GENERAL ASSEMBLY

No. 54

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 all time and space, we realize that Your time is different than ours. Our minds cannot grasp the concept of infinity, so we have calendars and clocks to mark our days and hours. We celebrate many special dates in our lives, both personally and historically. They remind us that every moment we turn our minds and hearts to You is sacred. So from our tiny spot in Your vast domain, we seek the benediction of Your grace.

Friday we celebrate this nation's independence. For all in past years who have labored for freedom with justice, we lift up our hearts in praise of You, O God, by whose hand they were created and in whose love they were nurtured. Keep us ever mindful of the shoulders on which our present liberties were carried and are still carried today, and foster in us, we pray, the courage to offer our own backs for new burdens. Deliver us, Lord, from being too free for our own good. Defend us against the liberties that do no more than make fools of their servants. Save us from the freedoms better labeled licenses to do wrong. When we are emancipated, let it not be from honor and decency.

We remember the birth of this nation and the noblest aspirations of the ones who founded it. For all its departures from truth, justice, and merciful governance, we entreat Your forgiveness and we pray for Your aid in its search for redemption. Encourage when deserved, chasten where needed, and in all things restore and renew to Your glory.

We remember all who have fought for their country: combatants in war who hated the killing and longed only for peace, conscientious objectors who wanted less to object than to serve peace as its makers. All honor and praise to conscience and duty; all praise and full honor to the brave and the true.

We remember in pity the vast unremembered: the victims of war and rebellion, of harassment and torture, of drought and starvation, of persecution and religious oppression. Move us here to intervene and defend, to uplift and uphold, and hasten the day when all of Your children will dwell together at peace.

Lord of all times and places, all things and all people, we have turned our thoughts backward and called to remembrance the days that have been. As we turn them now forward to the days still to be, deny us ignoring, prevent us forgetting. Accept 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 Monday, June 30, 2003, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1778 By Representatives ZUG, GINGRICH, BEBKO-JONES, BROWNE, CREIGHTON, FABRIZIO, GOODMAN, HORSEY, JAMES, THOMAS and YOUNGBLOOD

An Act providing for the adoption of green as the Pennsylvania State color.

Referred to Committee on STATE GOVERNMENT, July 1, 2003.

No. 1779 By Representatives CRAHALLA, DiGIROLAMO, ADOLPH, BARD, BARRAR, BEBKO-JONES, BROWNE, BUNT, CLYMER, DAILEY, FAIRCHILD, FICHTER, FLICK, FORCIER, FREEMAN, GEIST, GINGRICH, GODSHALL, HARHART, HARPER, HARRIS, HENNESSEY, HERSHEY, HESS, HICKERNELL, HORSEY, LAUGHLIN, LEACH, MAHER, MANDERINO, McNAUGHTON, MELIO, O'NEILL, PAYNE, PETRARCA, PICKETT, RAYMOND, REICHLEY, ROSS, RUBLEY, SAYLOR, SCAVELLO, SCHRODER, SEMMEL, B. SMITH, SOLOBAY, STERN, R. STEVENSON, STURLA, E. Z. TAYLOR, J. TAYLOR, TIGUE, TRUE, WATSON, WEBER, WILT and YOUNGBLOOD

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

Referred to Committee on APPROPRIATIONS, July 1, 2003.

No. 1780 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, WALKO, WASHINGTON, YOUNGBLOOD and BARD

An Act making an appropriation to the Department of Health for arthritis outreach and education for the fiscal year beginning July 1, 2003.

Referred to Committee on APPROPRIATIONS, July 1, 2003.

No. 1781 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, YOUNGBLOOD and BARD

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

Referred to Committee on APPROPRIATIONS, July 1, 2003.

No. 1782 By Representatives GINGRICH, CAPPELLI, NAILOR, BUNT, RUBLEY, SAYLOR, ROSS, YOUNGBLOOD, ARGALL, FABRIZIO, CREIGHTON, FORCIER, BOYD, SATHER, HICKERNELL, E. Z. TAYLOR, REICHLEY, MAITLAND, DALLY, DENLINGER, HERSHEY, PICKETT, KELLER and McNAUGHTON

An Act amending the act of June 24, 1937 (P.L.2017, No.396), known as the County Institution District Law, repealing the counties to provide treatment to indigents for hydrophobia.

Referred to Committee on HEALTH AND HUMAN SERVICES, July 1, 2003.

No. 1783 By Representatives GINGRICH, CAPPELLI, TIGUE, NAILOR, RUBLEY, SAYLOR, WEBER, ROSS, YOUNGBLOOD, ARGALL, FABRIZIO, PAYNE, CREIGHTON, FORCIER, BOYD, SATHER, B. SMITH, HICKERNELL, GILLESPIE, E. Z. TAYLOR, REICHLEY, MAITLAND, DALLY, DENLINGER, HERSHEY, PICKETT, O'NEILL, GEIST, KELLER, McNAUGHTON and CLYMER

An Act repealing the act of April 17, 1905 (P.L.170, No.125), entitled, "An act providing that the district attorneys, in all counties whose population does not exceed one hundred and fifty thousand, shall be paid a salary, and fixing the same, which shall be in lieu of all fees, and in full compensation for their services; and providing for the appointment of assistant district attorneys in said counties, and for the compensation of the same; and providing that the fees heretofore allowed the district attorneys upon indictments shall remain in amount

as heretofore, but shall hereafter be as part of the costs, for the use and benefit of the proper county."

Referred to Committee on JUDICIARY, July 1, 2003.

No. 1784 By Representatives GINGRICH, CAPPELLI, TIGUE, NAILOR, RUBLEY, SAYLOR, WEBER, ROSS, YOUNGBLOOD, ARGALL, FABRIZIO, PAYNE, GEORGE, CREIGHTON, FORCIER, BOYD, SATHER, B. SMITH, HICKERNELL, GILLESPIE, E. Z. TAYLOR, REICHLEY, MAITLAND, R. MILLER, DALLY, DENLINGER, HERSHEY, PICKETT, BENNINGHOFF, O'NEILL, GEIST, KELLER, McNAUGHTON and CLYMER

An Act repealing the act of July 9, 1919 (P.L.795, No.329), entitled "An act to fix the salaries of district attorneys in counties having a population of less than one million inhabitants."

Referred to Committee on JUDICIARY, July 1, 2003.

No. 1786 By Representatives SOLOBAY, YUDICHAK, GRUCELA, TIGUE, CLYMER, WILT, PETRARCA, GEORGE, SHANER, SCHRODER, NICKOL, CAPPELLI, FREEMAN, HERMAN, READSHAW, WATSON, BEBKO-JONES, HUTCHINSON, LAUGHLIN, SAYLOR, PALLONE, BIANCUCCI, O'NEILL, KENNEY, GOODMAN, FABRIZIO, BASTIAN, GERGELY, HESS, WOJNAROSKI, DALEY, B. SMITH, YOUNGBLOOD, RUFFING, GINGRICH and McCALL

An Act amending the act of March 20, 2003 (P.L. , No.1A), known as the General Appropriation Act of 2003, further providing for appropriations to the Department of Military and Veterans Affairs.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, July 1, 2003.

No. 1787 By Representatives J. TAYLOR, CORRIGAN, CRAHALLA, FICHTER, FRANKEL, HARHART, HORSEY, JOSEPHS, KELLER, LEDERER and REICHLEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, defining "motorized scooter"; and providing for prohibitions on operation of motorized scooters.

Referred to Committee on TRANSPORTATION, July 1, 2003.

No. 1788 By Representatives REED, ARMSTRONG, BAKER, BEBKO-JONES, CAPPELLI, COLEMAN, CRAHALLA, CREIGHTON, DENLINGER, GEIST, HARHART, HARRIS, HENNESSEY, HORSEY, HUTCHINSON, KOTIK, LEWIS, O'NEILL, PAYNE, PETRI, REICHLEY, RUBLEY, SAYLOR, SCAVELLO, STERN, T. STEVENSON, E. Z. TAYLOR, TURZAI, YOUNGBLOOD, YUDICHAK and HERSHEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for purchase, consumption, possession or transportation of liquor or malt or brewed beverages.

Referred to Committee on JUDICIARY, July 1, 2003.

No. 1789 By Representatives GRUCELA, BIANCUCCI, CORRIGAN, COSTA, DALEY, DALLY, DIVEN, FABRIZIO, FREEMAN, GEORGE, GOODMAN, KOTIK, LEWIS, McCALL, MELIO, PALLONE, PETRARCA, SCHRODER, SHANER, SOLOBAY, TANGRETTI and TIGUE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the election of controller and funding.

Referred to Committee on EDUCATION, July 1, 2003.

No. 1790 By Representatives D. EVANS, JOSEPHS, McGEEHAN, DeWEESE, BEBKO-JONES, BISHOP, BUXTON, CRUZ, DIVEN, FABRIZIO, FRANKEL, GERGELY, GOODMAN, HERMAN, HORSEY, JAMES, LAUGHLIN, LEACH, LEDERER, MANDERINO, MARKOSEK, MELIO, MYERS, PETRONE, PRESTON, READSHAW, RIEGER, TANGRETTI, J. TAYLOR, THOMAS, TRAVAGLIO, WALKO, WASHINGTON, WATERS, WHEATLEY, WILLIAMS, WRIGHT, YOUNGBLOOD, GRUCELA, ROEBUCK, CURRY and HARHAI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for collection and disposition of fees and moneys and for certificate of inspection.

Referred to Committee on TRANSPORTATION, July 1, 2003.

No. 1791 By Representatives ROONEY, WASHINGTON, THOMAS, JOSEPHS, CURRY, WATERS, BEBKO-JONES, JAMES, KIRKLAND, FRANKEL, CORRIGAN, MELIO and WEBER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, establishing the State Handgun Standard Commission; providing a safety performance standard for the manufacture of handguns, for the forfeiture of certain handguns and for enforcement relating to a safety standard for handguns.

Referred to Committee on JUDICIARY, July 1, 2003.

No. 1792 By Representatives FAIRCHILD, HERMAN, SEMMEL, PHILLIPS, BAKER, BASTIAN, BEBKO-JONES, BELFANTI, BENNINGHOFF, BOYD, BROWNE, CAPPELLI, CORRIGAN, COY, CREIGHTON, CRUZ, DALEY, DeWEESE, FABRIZIO, FICHTER, FREEMAN, GABIG, GEIST, GEORGE, GERGELY, GINGRICH, GOODMAN, GRUCELA, HARHAI, HARHART, HARRIS, HENNESSEY, HESS, HORSEY, JAMES, KELLER, KOTIK, LAUGHLIN, LEDERER, LEH, MAJOR, MANN, MARKOSEK, McNAUGHTON, METCALFE, R. MILLER, NAILOR, O'NEILL, PAYNE, PICKETT, PISTELLA, READSHAW, REICHLEY, ROBERTS, ROHRER, ROONEY, RUBLEY, SAYLOR, SCAVELLO, SOLOBAY, SURRA, E. Z. TAYLOR, J. TAYLOR, TIGUE, WALKO, WASHINGTON, WHEATLEY, WOJNAROSKI, YOUNGBLOOD, YUDICHAK and ZUG

An Act amending the act of June 11, 1935 (P.L.326, No.149), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the

funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further providing for flags, markers and headstones.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, July 1, 2003.

No. 1793 By Representatives FAIRCHILD, HERMAN, SEMMEL, PHILLIPS, BAKER, BASTIAN, BEBKO-JONES, BELFANTI, BENNINGHOFF, BOYD, BROWNE, CAPPELLI, CORRIGAN, COY, CREIGHTON, CRUZ, DALEY, DeWEESE, FABRIZIO, FICHTER, FREEMAN, GABIG, GEIST, GEORGE, GERGELY, GINGRICH, GOODMAN, GRUCELA, HARHAI, HARHART, HARRIS, HENNESSEY, HESS, HORSEY, JAMES, KELLER, KOTIK, LAUGHLIN, LEDERER, LEH, MAJOR, MANN, MARKOSEK, McNAUGHTON, METCALFE, R. MILLER, NAILOR, O'NEILL, PAYNE, PICKETT, PISTELLA, READSHAW, REICHLEY, ROBERTS, ROHRER, ROONEY, RUBLEY, SAYLOR, SCAVELLO, SOLOBAY, SURRA, E. Z. TAYLOR, J. TAYLOR, TIGUE, WALKO, WASHINGTON, WHEATLEY, WOJNAROSKI, YOUNGBLOOD, YUDICHAK and ZUG

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for markers on graves and for flags to decorate graves.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, July 1, 2003.

No. 1794 By Representatives FAIRCHILD, HERMAN, SEMMEL, PHILLIPS, BAKER, BASTIAN, BEBKO-JONES, BELFANTI, BENNINGHOFF, BOYD, BROWNE, CAPPELLI, CORRIGAN, COY, CREIGHTON, CRUZ, DALEY, DeWEESE, FABRIZIO, FICHTER, FREEMAN, GABIG, GEIST, GEORGE, GERGELY, GINGRICH, GOODMAN, GRUCELA, HARHAI, HARHART, HARRIS, HENNESSEY, HESS, HORSEY, JAMES, KELLER, KOTIK, LAUGHLIN, LEDERER, LEH, MAJOR, MANN, MARKOSEK, McNAUGHTON, METCALFE, R. MILLER, NAILOR, O'NEILL, PAYNE, PICKETT, PISTELLA, READSHAW, REICHLEY, ROBERTS, ROHRER, ROONEY, RUBLEY, SAYLOR, SCAVELLO, SOLOBAY, SURRA, E. Z. TAYLOR, J. TAYLOR, TIGUE, WALKO, WASHINGTON, WHEATLEY, WOJNAROSKI, YOUNGBLOOD, YUDICHAK and ZUG

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for flags on grave markers of certain deceased service persons.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, July 1, 2003.

No. 1795 By Representatives FLICK and GEORGE

An Act making an appropriation to the Department of Labor and Industry for self-employment assistance.

Referred to Committee on APPROPRIATIONS, July 1, 2003.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 347 By Representatives WRIGHT, BARRAR, BUNT, CAPPELLI, CORRIGAN, COSTA, CREIGHTON, FABRIZIO, FICHTER, FRANKEL, GEIST, GINGRICH, HARHAI, HARHART, HENNESSEY, HERSHEY, HESS, HORSEY, JAMES, KIRKLAND, LAUGHLIN, LEACH, LEDERER, LEVDANSKY, LEWIS, MAJOR, MANN, MCGILL, McNAUGHTON, METCALFE, PISTELLA, READSHAW, REICHLEY, ROBERTS, ROSS, SANTONI, SATHER, SAYLOR, SCAVELLO, SHANER, B. SMITH, THOMAS, TIGUE, WASHINGTON, WATSON, WILT, WOJNAROSKI, YOUNGBLOOD, PAYNE, CRAHALLA, BEBKO-JONES and JOSEPHS

A Resolution recognizing the week of September 22 through 28, 2003, as "Equal Parents' Week."

Referred to Committee on CHILDREN AND YOUTH, July 1, 2003.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 651, PN 2166**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

COMMUNICATIONS FROM GOVERNOR

APPROVAL OF HOUSE BILLS

The Speaker laid before the House communications in writing from the office of His Excellency, the Governor of the Commonwealth, advising that the following House bills had been approved and signed by the Governor:

HB 1105, and HB 1406.

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 8;
SB 10;
SB 72;
SB 201;
SB 271;
SB 319;
SB 441; and
SB 498.

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 8, PN 1046; SB 10, PN 1038; SB 72, PN 1028; SB 201, PN 593; SB 271, PN 273; SB 319, PN 1030; SB 441, PN 1029; and SB 498, PN 901.

BILLS RECOMMITTED

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

SB 8;
SB 10;
SB 72;
SB 201;
SB 271;
SB 319;
SB 441; and
SB 498.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that the following bill be taken off the table: HB 778.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. S. SMITH. Mr. Speaker, I move that the following bill be laid on the table: HB 778.

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

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

SB 92, PN 91

By Rep. O'BRIEN

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for six months limitations and for deficiency judgments.

JUDICIARY.

SB 696, PN 1048 (Amended) By Rep. HERMAN

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for prohibition on political activity relating to police officers and for powers and duties of the Municipal Police Officers' Education and Training Commission.

LOCAL GOVERNMENT.

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

HB 1432, PN 1778 By Rep. HERMAN

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, further providing for the certification of municipal pension costs, for the administration of the General Municipal Pension System State Aid Program and for the continuation of the financially distressed municipal pension system recovery program; adding provisions for the establishment and administration of in-service retirement option plans in local governments; and repealing the financially distressed municipal pension plan determination procedure.

LOCAL GOVERNMENT.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, Representative Feese, who asks for leaves of absence for the gentleman from Blair, Mr. STERN; the gentleman from Huntingdon, Mr. SATHER; the gentleman from Montgomery, Mr. FICHTER; and the gentlelady from Chester, E. Z. TAYLOR. Without objection, the leaves will be granted.

The minority whip, Representative Veon, asks for no leaves of absence today, without objection.

MASTER ROLL CALL

The SPEAKER. The Chair will turn to the master roll. All the members will please proceed to vote.

The following roll call was recorded:

PRESENT—198

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Fichter	Sather	Stern	Taylor, E. Z.
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LEAVES ADDED—1

Scrimenti

GUESTS INTRODUCED

The SPEAKER. The Chair welcomes to the hall of the House Kelsey Werner. She is a student at Penn State University and an intern for Representative Freeman's office. She is obviously the guest today of Representative Robert Freeman. She is in the balcony. Would she stand to be recognized.

Representative Gabig from Cumberland County has as his guest today Jonathan Hofstetter, who is an intern from Dickinson Law School in his district office. Would that guest please rise. Jonathan.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and asks for a leave of absence for the gentleman from Erie, Mr. SCRIMENTI. Without objection, that leave will be granted.

CALENDAR

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1375, PN 1703**, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

Mr. **LESCOVITZ** offered the following amendment No. **A1570**:

Amend Sec. 5, page 3, line 2, by striking out "The" and inserting
Except as provided in subsection (c), the

Amend Sec. 5, page 3, by inserting between lines 26 and 27

(c) Any moneys appropriated by this act that are applied on an individual basis to students, including, but not limited to student financial assistance, shall be applied in such a manner that 75% of the appropriated funds are used for students who are residents of this Commonwealth.

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

The **SPEAKER**. On that question, the Chair recognizes the gentleman, Mr. Lescovitz, for a brief explanation of the amendment.

Mr. **LESCOVITZ**. Thank you, Mr. Speaker.

This is the same amendment we put in all the higher education nonpreferreds dealing with at least 75 percent of the dollars that we appropriate should go to Pennsylvania residents and students.

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**. Two questions. One, currently, what percent of our revenues are going to Pennsylvania residents; and the second question is, does the University of Pittsburgh have a position on your amendment?

Mr. **LESCOVITZ**. Currently, I do not know if any of the moneys are going to Pennsylvania students or residents, and

I do not know if Pitt or any of the other institutions have a position on this amendment.

Mr. **VITALI**. So you do not know whether this is going to be disruptive in any way to the way they give out their funds, grants, scholarships, whatever?

Mr. **LESCOVITZ**. No. All it does is maintain what we put in the other higher education nonpreferreds, is that the tax dollars that Pennsylvanians pay should go, at least 75 percent, toward Pennsylvanians.

Mr. **VITALI**. Maybe I will just save time on some of your other amendments. Do you know if any of the universities who are given nonpreferred money have weighed in on this issue one way or the other?

Mr. **LESCOVITZ**. I have not heard from any of the universities.

Mr. **VITALI**. In any sense for either the State average or any specific university what percent of their money is going to in-State versus out-of-State students?

Mr. **LESCOVITZ**. No. The only, Mr. Speaker, the only nonpreferred-appropriation higher education institution that I heard from was the University of Pennsylvania that currently said that about 80 percent of it goes toward Pennsylvania students.

Mr. **VITALI**. I mean, because that is my concern. I am just hoping, although this sounds nice on the surface, we are not doing something that is going to be overly disruptive to these universities, and I just want to know if you had any sense for whether we are drastically changing the way we are doing things or whether this is going to have virtually no effect at all on the way we are doing things.

Mr. **LESCOVITZ**. I have no idea whether it will have any effect on any of the other universities.

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

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

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

Mr. **COSTA**. Thank you, Mr. Speaker.

Last week when we voted on all these other nonpreferreds, I actually voted in favor of every one of these, because I actually thought it is a good idea to make sure that our money goes to our Pennsylvania residents. But I also last week talked to people from the University of Pittsburgh who informed me that their population is over 80 percent residents of Pennsylvania, and it is very difficult to kind of track where the money is going. All this is doing is adding extra work for the universities. And although it does sound like a good idea, at this time today for the University of Pittsburgh, I am going to have to vote against this amendment.

Thank you.

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

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

Mr. **HORSEY**. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the Lescovitz amendment: Pennsylvania dollars for Pennsylvanians. I do not have a problem saying it and I do not have a problem making it happen, operating under the belief that the funds that we are providing to these universities in 99 percent of the cases are Pennsylvanians' tax dollars. So to insist that they spend those tax dollars on Pennsylvanians does not appear to be unreasonable.

So I would like, again, to support the Lescovitz 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—190

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

NAYS—7

Corrigan	Mustio	Stevenson, T.	Vitali
Costa	Readshaw	Turzai	

NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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

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

Mr. **GEORGE** offered the following amendment No. **A2271**:

Amend Sec. 1, page 1, line 22, by inserting after "1."

(a)

Amend Sec. 1, page 2, by inserting between lines 12 and 13

(b) As a condition of receiving its appropriation under this act, on or after January 1, 2004, the medical school shall, when accepting first-year students for the next term, set aside 5% of the total number of admissions for students who agree that upon receipt of their medical license, they will engage in the practice of medicine for a period of four years in an area within this Commonwealth termed as medically underserved or in a primary care health professional shortage area as reported by the Department of Health.

On the question,

Will the House agree to the amendment?

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

Mr. **GEORGE**. Thank you, Mr. Speaker.

Now, Mr. Speaker, I will not be very long because I am losing my voice—

The SPEAKER. The membership, I am sure, is very sorry about that, Mr. George.

The gentleman is entitled to be heard.

Mr. **GEORGE**. Again I thank you. You are learning very quickly.

Mr. Speaker, this amendment is no surprise in that I and many of you are not only intent but feel very strongly about the doctor situation and the availability of those doctors so they can continue to heal those in our families and constituencies, and I think we have many good doctors. And, Mr. Speaker, we have many good medical schools— If you would just bang that gavel, I would promise you I will not be long.

The SPEAKER. The gentleman is correct. He has a right to be heard by the membership. Please keep the noise level down.

Mr. **GEORGE**. Now, since a week ago when we had taken up a nonpreferred and we attempted and were fortunate enough to get this amendment into two of the schools, I know that the lobbyists have been intent and have been busy and have been posing a question to why do you want to do this to your medical school. I do not know if it is a medical school simply in your area; I think it is a medical school that should be helping every part of Pennsylvania.

And then the 5 percent that the amendment dedicates, for instance, in a school where there are 120 enrolled, is 6 students. So here we are, administering money, and we are asking for 6 students, and the schools say, we already are doing 12 or 15. So if your school is doing that, then it will not affect your school, but only those that are not adhering to the principle that we should be doing the most we can to teach and train doctors who will practice their skills in Pennsylvania. And for those that have never attempted to get into school, I am the first to admit

that there are thousands of applications, and so the schools are not at any problem whatsoever in finding good candidates.

I am going to say one more thing, and I am going to ask the Speaker, if I could, it has nothing to do with the noise level, but, Mr. Speaker, if I—

The SPEAKER. The gentleman is entitled to be heard. The members are entirely too loud. If you would like me to clear all the staff off the floor of the House and have you all seated in your seats, we can do that. But please.

Mr. GEORGE. But, Mr. Speaker, I have been here 30 years, and I know I am not as bright as many of you and I know I am not as articulate as many of you, but there is nothing wrong with my sincerity or my degree of faith in a system that a lot of people believe is less than exemplary, which is the system we work in. And I remember when the first nonpreferreds were put into bearing and we started to help the medical schools with these nonpreferreds. From that very day that we administered this program, those medical schools wanted nobody or no one to mess with their domain. What I am saying is, in some cases, whatever system they use in their admittance program, whether they use graduate students, directors, individuals in Pennsylvania who are well known, whether they use doctors, I do not really know, but I know there is much more to be done, and I know it is only going to be done if I can convince some of you that it just is not Pitt or Hershey. It is a medical school that we have, that we put money in to help train physicians, and this is only primary physicians, this bill.

But let me remind you that we mentioned just the other day about our proficiency in Speakers. Now the gentleman, Mr. Perzel, sits over this body, and I wish him luck, but we had others also that were good Speakers, and one of them came from Philadelphia. And maybe this will quiet you down, but a powerful man, like the Speaker of the House that resided in Philadelphia, who had instructed that the first nonpreferred be put in for medical schools, could not even get one person in his district into medical school, and because he tried or had somebody try, he lost his office here in the Commonwealth of Pennsylvania, in the House of Representatives. Yes, I am talking about Herb Fineman.

So how dare we go home and believe that these people are so within the confines of propriety. They do not want anybody running their schools; they do not want anybody telling them who to accept; they do not want anybody interfering with their business, and hopefully there will be a day where these schools of higher education, no matter who they are, will put forth records so we know what they are spending and what they are spending it on and how much they are paying, like they want you to do in your report.

Now, I did not attempt to get anybody in medical school like the former Speaker did, but I am going to tell you, it is not only insidious, it is immoral for these medical schools to continue to project that they are godly in every manner and nobody should tell them anything. And I know they lobbied extensively in the last week or so, but I am hopeful there is enough of you that believe that we are not only legislators, we are people who represent people, and we come down here every time that we believe somebody has been harmed or maimed and we attempt to do something.

I am doing no more today, Mr. Speaker, than asking my colleagues to join with me. It will not hurt the schools. If they have met that quota, it does nothing. If there is just one school

that is not meeting it, it will put another three or four people into a Pennsylvania distressed area, and I would ask that we support this bill.

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. Can the maker of the amendment tell us how many doctors, in his estimate, would it take to ameliorate this problem?

Mr. GEORGE. There are 56 of our counties that meet the designation of underserved right there.

Mr. VITALI. Would it be zero to 10, 10 to 20, 20 to 30?

Mr. GEORGE. I would not have that number, and we are not getting the number from the schools because that information is confidential in their ideas or opinions. I do not know. I know that if you have a class of 120 or even 400, at 5 percent that is only 20 students, and if you are already making that, then there is no problem. But, you know, it is about time that if we are going to fund schools, I do not mind, Mr. Speaker, somebody coming down here—

Mr. VITALI. In all due respect, Mr. Speaker, I am just looking for a number. Does the speaker, does the maker of the amendment, know how many slots, how many additional doctors, this amendment will yield if passed?

Mr. GEORGE. No, Mr. Speaker, that is what I am saying, because we cannot get the information legitimately of how many students in Pennsylvania are given the opportunity to become doctors and then serve the people of Pennsylvania. I do not have that number. They will tell you that there are a lot, but I do not—

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

Does the maker of the amendment know if other States have employed this device to service underserved communities with doctors?

Mr. GEORGE. Yes, Mr. Speaker. There have been many, many that gear their acceptance to an application on the degree of whether a participant or an applicant is willing to serve within that confine of that State. That is true; they do.

Mr. VITALI. Could you tell us typically what percent of their admissions they reserve for this? I mean, your amendment was 5 percent. Do the other States that you are aware of typically have the 5-percent figure or what is the range?

Mr. GEORGE. Mr. Speaker, from what we have been able to pull up on the tube, our study discovered that the medical schools vary greatly in the percentage of their graduates who entered practice in underserved areas, ranging from 41.2 to as low as 2.3.

Mr. VITALI. Well, let me ask that a different way. As far as the requirements the State put on those medical schools to deal with the problem, now, you again put on 5 percent of their students. Is that typical, or do other States require, in order to get State moneys, medical schools require 10 percent, 15 percent, 2 percent? I mean, how does what we are doing compare to what other States have done?

Mr. GEORGE. I am told that the schools – and this is a legitimate answer – that they improvise different percentages on the amount knowledgeable that went into the State the previous

year, so they can up the quota, so to speak. But again, nothing is foolproof. It goes from 41 percent down to 2.3.

Mr. VITALI. Could you report on any other States specifically that may have had success with this approach; any States, you know, New Jersey, whatever, who may have tried this and then significantly increased the underserved areas?

Mr. GEORGE. Mr. Speaker, I do not have the exact names. I can get them in a minute, but they are most of the schools from the Midwest out.

Mr. VITALI. Do you know how many students in this specific amendment to the University of Pittsburgh you would be talking about? How many doctors if this passed would you be talking about in this particular amendment that would have to go to underserved areas?

Mr. GEORGE. Mr. Speaker, I do not have the number of the initial enrollment. Again, I use the formula. If there are 400 students, that will be 20 people that should be able to go into the rural area upon their graduation into primary care.

Mr. VITALI. But do you know how many doctors our voting on this is going to generate?

Let me ask the question narrowly and more broadly. Do you know how many students, how many doctors, this amendment is going to generate – I am hearing, perhaps, no – but do you know collectively, if all of your amendments pass, how many doctors this will generate to serve unserved areas? How many are we putting in if we vote “yes” on all these things? Do you know?

Mr. GEORGE. Mr. Speaker, the reason that we are bringing the bill forward, the amendment, is that we do not know anything about what they are doing. All we know is there are areas that are certified by the Federal government as being underserved, and when it used to be they used the category “depressed,” now, the truth of the matter is that all you—

Mr. VITALI. In all due respect, again, I was just looking for a number, and I think you have answered my question.

The final question is, has the University of Pittsburgh taken a position for or against your amendment?

Mr. GEORGE. Mr. Speaker, if I can—

Mr. VITALI. Again, I am just looking for a yes or no answer. Have they—

Mr. GEORGE. But let me give you this answer. Certainly, certainly—

Mr. VITALI. Well, the question really is, have they endorsed it or opposed it? That is all I am really asking.

Mr. GEORGE. Well, I am not a gambling man. When we take up gambling next week, maybe I can give you something certain. I would bet that no university wants this done, and the reason they do not want it done is they do not want any involvement with what is going on.

No, they have not confirmed or endorsed this; neither has any other school.

Mr. VITALI. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Tioga, Mr. Baker.

Mr. BAKER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this amendment.

To answer the previous speaker’s question, it is my understanding that Pitt opposes this amendment as well as Temple, Penn, and Hershey.

This amendment is filed to all four pieces of legislation, and my reasons for opposition for this, reluctantly, because I think

the author is well intended here to pass this legislation, but Pennsylvania currently has a primary health-care practitioner program, administered by the Department of Health, which provides loan repayment benefits for primary health-care practitioners as well as other programs to increase the number of primary-care providers in the Commonwealth. And we have a substantial appropriation for this program already. It is in excess of \$4 million in our budget, both the last fiscal year and this fiscal year’s budget.

Most medical students do not know what type of medicine or where they want to practice before they are fully trained. Students find through their training what type of practice is best suited for them.

The point of entry into medical school should not be the student’s promise to practice in a HPSA (health professional shortage area) or an MUA, a health-care practitioner medically underserved area.

Areas are designated HPSAs because there is a need for a primary-care provider. Primary care includes family practice, internal medicine, pediatrics, and obstetrics and gynecology. This amendment does not require that a physician be trained in primary care to fulfill the requirement of practicing in a HPSA or MUA, only that they practice in the HPSA or MUA.

This amendment actually would require a very complex tracking system. Schools would need to track physicians for at least 4 years after graduation. The amendment does not provide for a physician who says he will practice in a HPSA or an MUA for 4 years and then does not fulfill the commitment.

Doctors practicing in health-care professional shortage areas do so because they have a commitment to that area or oftentimes they are getting a loan forgiveness fulfillment being taken care of per their agreement earlier, but this is not the way to accomplish it. Loan repayment programs are currently provided by the Federal government and Pennsylvania Department of Health to help those communities that need a primary-care physician or other primary-care providers.

And quite frankly, the AHEC system that we have in Pennsylvania, the Pennsylvania Area Health Education Center, is quite comprehensive. It consists of 5 medical schools, 3 schools of dentistry, 2 schools of public health, 80 health science institutions, 7 regional AHEC centers, and this is the cornerstone of their mission, is to provide these kinds of needs in medically underserved areas and HPSAs.

So although the author of this amendment is well intentioned, I do not believe it accomplishes what he really intends it to do, and there are already programs in existence that already fulfill the intent of what he is trying to do in a much better way.

So for these reasons and many others, I oppose this amendment and the other amendments that the Honorable Mr. George has filed to three other pieces of legislation.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. HABAY. Thank you, Mr. Speaker.

The University of Pittsburgh strongly opposes this amendment, and I would urge the members to vote “no.” Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, I support the George amendment.

The bottom line in this chamber, Mr. Speaker, is, we are talking about Pennsylvania taxpayers' dollars; Pennsylvania taxpayers' dollars. That is dollars that Representative Adolph, Representative Evans, Representative Kenney, Mr. Clancy Myer, that is dollars that everyone in this chamber provides, and to say that we should not have some controls over how those dollars are spent is absolutely wrong.

The reality is, when we bring a foreign student, whether he is from another State or another country, to a medical school in Pennsylvania, we are subsidizing a foreigner; we are subsidizing a person from another State. And for the George amendment not to say we cannot do it at all but we do it with maybe 5 percent of the dollars we provide, when some of these medical schools we give \$10, \$20, \$30 million to and we should not have the say-so on 5 percent of those dollars is insane, Mr. Speaker. Of course the medical schools would oppose this, because you are taking the discretion from their hands on spending Pennsylvania tax dollars away from them and telling them how Pennsylvania tax dollars should be spent.

Rest assured, again, whether you are the Speaker, Mr. Perzel; whether you are Mr. DeWeese; whether you are Mr. Tom Tighe; whether you are Mr. Rohrer, we are talking about your tax dollars that you have put into a pool for medical schools, and when a person comes from another State or another country, it is a form of subsidizing, using our State tax dollars to take care of someone from another State or another country. I am interested in having some control over those dollars, and the George amendment allows us to have some control over those dollars.

I support the George amendment, and I would like to ask members in this chamber on both sides of the aisle to support the George amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SAYLOR. Thank you, Mr. Speaker.

I rise to oppose this amendment.

I recognize what Representative George wants to accomplish, but in all truth and honesty, I have a district that also is very rural and his amendment does nothing to serve my district. My area does not qualify under the Federal regulations as underserved, but yet people in my district have to drive an hour and a half to get a family physician. They have to leave York County in some cases, depending on where they are located in my district, either to travel to Maryland or Lancaster County. And I believe that what the gentleman wants to accomplish is admirable, and I would like to see it done as well, but I believe there are better ways that we can come up with to make sure that we are better served in Pennsylvania with family physicians and specialists than what he is proposing.

I, too, ask that we cast a negative vote on this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Dauphin, Mr. Payne.

Mr. PAYNE. Thank you, Mr. Speaker.

I rise in opposition to the George amendment.

Penn State University and the medical center at Hershey are opposed to the amendment.

I would like to point out that as a med student entering this program, currently there are no restrictions or way of getting that student to comply with this. They agree to do it at the beginning of the program and then do not adhere to that agreement.

I would also like to point out that basically this bill is a quota bill, requiring 5 percent arbitrarily to enter this program.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. STAIRS. Thank you, Mr. Speaker.

I also oppose this amendment. We are looking at different schools – at Pitt, Temple, Penn State – that eventually are going to come under this amendment in the due time of when it is offered, but speaking of this amendment, I find it hard to believe that we are asking young people, both men and women, who are entering medical school, you know, they do not enter medical school and then next year go out and become a doctor at an area where they are needed. This is a long, long process, and we are asking our students 8 years later, after they enroll, to fulfill this commitment, and a lot can happen in 8 years. Oftentimes when they do a residency, they come under national boards and so forth, and it is out of their power where they are going to do their residency.

So I think it is very difficult to ask our young people who are entering medical school to make a commitment 8 years later what they are going to do. I think it is very difficult in our lives to say what we are going to be doing tomorrow, let alone what we are going to be doing 8 years from now.

So I would hope that we would defeat this burdensome commitment, although encourage our doctors to participate in underserved areas and to do what we can to support them to do this, but to commit them 8 years henceforth, I think that is just unrealistic, burdensome, and really would discourage an honest and fruitful commitment. So I hope we vote this amendment down in this bill and in other bills where the amendment is offered.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Mr. Speaker, I do not take issue with any of my colleagues, whether they believe what I am trying to do, and some of them were kind enough to say we agree with what Mr. George is trying to do but we should not do it.

My good friend who is the Education chairman was talking about 8 years. We are not talking about getting into premed; we are talking about med 4 years. The bill is very explicit; it says primary care.

I am very grateful for the doctors we have. They are not all from this country. They have not all been trained in Pennsylvania. But I can guarantee you that if it was working as easy as these medical schools say, we would not be served in the way that we are served with people who are not only not trained but do not live there.

I apologize for putting my friends and my colleagues in this dilemma. In my heart I know I am right, and I think you do, too.

I wish that I had the ability to lobby you like the schools did all week. Unfortunately, I do not. But that is not why I am here.

I thank you, Mr. Speaker, for the latitude you have allowed me. I thank those who choose to support me, and all we can do down here is our very best.

Thank you very much.

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

The following roll call was recorded:

YEAS—60

Bebko-Jones	DeWeese	Kirkland	Samuelson
Belardi	Donatucci	Leach	Shaner
Belfanti	Evans, D.	Lescovitz	Staback
Birmelin	Fabrizio	Levdansky	Stetler
Blaum	Freeman	Manderino	Surra
Browne	George	Mann	Tangretti
Buxton	Gruitza	McCall	Tigue
Caltagirone	Haluska	McGeehan	Travaglio
Casorio	Hanna	Melio	Veon
Cawley	Harhai	Myers	Washington
Cohen	Harhart	Oliver	Waters
Coy	Hershey	Pallone	Wheatley
Cruz	Horsley	Petrone	Williams
Daley	Hutchinson	Roberts	Wojnaroski
DeLuca	James	Rooney	Youngblood

NAYS—137

Adolph	Fairchild	Mackereth	Rubley
Allen	Feese	Maher	Ruffing
Argall	Fleagle	Maitland	Sainato
Armstrong	Flick	Major	Santoni
Baker	Forcier	Markosek	Saylor
Baldwin	Frankel	Marsico	Scavello
Bard	Gabig	McGill	Schroder
Barrar	Gannon	McIlhattan	Semmel
Bastian	Geist	McIlhinney	Smith, B.
Benninghoff	Gergely	McNaughton	Smith, S. H.
Bianucci	Gillespie	Metcalfe	Solobay
Bishop	Gingrich	Micozzie	Stairs
Boyd	Godshall	Miller, R.	Steil
Bunt	Goodman	Miller, S.	Stevenson, R.
Butkovitz	Gordner	Mundy	Stevenson, T.
Cappelli	Grucela	Mustio	Sturla
Causar	Habay	Nailor	Taylor, J.
Civera	Harper	Nickol	Thomas
Clymer	Harris	O'Brien	True
Coleman	Hasay	O'Neill	Turzai
Cornell	Hennessey	Payne	Vance
Corrigan	Herman	Petrarca	Vitali
Costa	Hess	Petri	Walko
Crahalla	Hickernell	Phillips	Wansacz
Creighton	Josephs	Pickett	Watson
Curry	Keller	Pistella	Weber
Dailey	Kenney	Preston	Wilt
Dally	Killion	Raymond	Wright
Denlinger	Kotik	Readshaw	Yewcic
Dermody	LaGrotta	Reed	Yudichak
DiGirolamo	Laughlin	Reichley	Zug
Diven	Lederer	Rieger	
Eachus	Leh	Roebuck	
Egolf	Lewis	Rohrer	Perzel,
Evans, J.	Lynch	Ross	Speaker

NOT VOTING—0

EXCUSED—5

Fichter Sather	Scrimenti	Stern	Taylor, E. Z.
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Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

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

The SPEAKER. The remaining amendments on the bill are out of order.

For what purpose does the gentleman, Mr. George, rise?
Mr. GEORGE. Mr. Speaker, the die has been cast. Whether they be out of order or not, I respectfully ask that you remove them from the bills. I will not put this body through any more on this item today. Thank you very much.

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 from Allegheny, Mr. Stevenson.

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

My amendment to restore funding to last year's level was drafted before the Speaker announced that all amendments had to be revenue neutral. I would ask that our leaders take last year's level of funding for the University of Pittsburgh into consideration in the ongoing budget negotiations with the Senate and the Governor's Office.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—1

Haluska

NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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

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

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome to the hall of the House a guest page of Representative Mario Scavello and Representative Kelly Lewis, Kathryn Benisz. She is a senior at Pocono Mountain High School. Also, please welcome Kathryn's mother, Christene Benisz, who is seated in the gallery. Would they please rise.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 746, PN 873**, entitled:

An Act authorizing the Commonwealth of Pennsylvania to join the Interstate Wildlife Violator Compact; providing for the form of the compact; imposing additional powers and duties on the Governor and the Compact Administrator; and limiting the applicability of suspension powers.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

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

DiGirolamo	Laughlin	Roebuck	
Diven	Leach	Rohrer	
Donatucci	Lederer	Rooney	Perzel,
Eachus	Leh	Ross	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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

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

* * *

The House proceeded to third consideration of **HB 1626, PN 2053**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "taxable income" for purposes of corporate net income tax.

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

BILL RECOMMITTED

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

Mr. S. SMITH. Madam Speaker, I move that HB 1626 be recommitted to the Appropriations Committee.

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

* * *

The House proceeded to third consideration of **HB 1222, PN 1469**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for summary offenses involving vehicles.

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

BILL RECOMMITTED

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

Mr. S. SMITH. Madam Speaker, I move that HB 1222 be recommitted to the Appropriations Committee.

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

* * *

The House proceeded to third consideration of **HB 1374, PN 1702**, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

The SPEAKER pro tempore. It is the understanding of the Chair that all amendments have been withdrawn.

Would the gentleman, Mr. Lescovitz, come up, please.

(Conference held at Speaker's podium.)

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. We will go over this bill temporarily.

* * *

The House proceeded to third consideration of **HB 1376, PN 1704**, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

Mr. **LESCOVITZ** offered the following amendment No. **A2252**:

Amend Sec. 5, page 2, line 27, by inserting before "Temple"
Except as provided in subsection (c),

Amend Sec. 5, page 3, by inserting between lines 19 and 20

(c) Any moneys appropriated by this act that are applied on an individual basis to students, including, but not limited to student financial assistance, shall be applied in such a manner that 75% of the

appropriated funds are used for students who are residents of this Commonwealth.

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

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

Mr. LESCOVITZ. Thank you, Madam Speaker.

This is the same amendment we put in all the other higher ed nonpreferreds.

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

The following roll call was recorded:

YEAS—192

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

NAYS—5

Bishop	Diven	Thomas	Vitali
Costa			

NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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

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

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

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

The following roll call was recorded:

YEAS—194

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

Cruz	Hutchinson	Pistella	Wheatley
Curry	James	Preston	Williams
Dailey	Josephs	Raymond	Wilt
Daley	Keller	Readshaw	Wojnaroski
Dally	Kenney	Reed	Wright
DeLuca	Killion	Reichley	Yewcic
Denlinger	Kirkland	Rieger	Youngblood
Dermody	Kotik	Roberts	Yudichak
DeWeese	LaGrotta	Roebuck	Zug
DiGirolamo	Laughlin	Rohrer	Perzel,
Diven	Leach	Rooney	Speaker
Donatucci	Lederer	Ross	

NAYS—3

Haluska	Metcalfe	Mundy
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NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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

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

* * *

The House proceeded to third consideration of **HB 1377, PN 1705**, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

Mr. **LESCOVITZ** offered the following amendment No. **A2253**:

Amend Sec. 4, page 2, line 16, by inserting before "Lincoln"
Except as provided in subsection (c),

Amend Sec. 4, page 3, by inserting between lines 8 and 9

(c) Any moneys appropriated by this act that are applied on an individual basis to students, including, but not limited to student financial assistance, shall be applied in such a manner that 75% of the appropriated funds are used for students who are residents of this Commonwealth.

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

The following roll call was recorded:

YEAS—193

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

NAYS—4

Bishop	Costa	Thomas	Vitali
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NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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?

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

Mr. HERSHEY. For the purpose of withdrawing an amendment and making a statement.

The SPEAKER pro tempore. The Chair thanks the gentleman. You may proceed.

Mr. HERSHEY. I had prepared an amendment to restore Lincoln University's funding to the level it was last year. Lincoln University is in my district. It is a crown jewel in the university system. It has been, the last 2 years, under new leadership. It is on its right track. It is doing well. Due to technical reasons, I am withdrawing the amendment.

I would encourage leadership on both sides of the aisle to somehow or other figure out how we can restore this funding. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—1

Haluska

NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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

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

* * *

The House proceeded to third consideration of **HB 1379, PN 1707**, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

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

Mr. **LESCOVITZ** offered the following amendment No. **A2255**:

Amend Bill, page 3, by inserting between lines 19 and 20 Section 4. Any moneys appropriated by this act that are applied on an individual basis to students, including, but not limited to student financial assistance, shall be applied in such a manner that 75% of the appropriated funds are used for students who are residents of this Commonwealth.

Amend Sec. 4, page 3, line 20, by striking out "4" and inserting
5

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

The following roll call was recorded:

YEAS—191

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

NAYS—6

Bishop	Petrarca	Thomas	Vitali
Costa	Surra		

NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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?

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

Mr. HERSHEY. To withdraw an amendment and make a statement, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman. You may proceed.

Mr. HERSHEY. Madam Speaker, I had prepared an amendment for the agriculture community as it relates to Penn State University's budget to restore funding in the ag research line and also in the extension line. The extension service has been very, very helpful and important to our farmers across the Commonwealth, and I would hope, I would hope our leaders on both sides of the aisle could see the importance of this and try to restore this funding, and due to technical reasons, I am withdrawing the amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

Mr. SAMUELSON offered the following amendment No. A2274:

Amend Sec. 1, page 1, lines 9 through 13, by striking out all of said lines and inserting

(1) For dental clinics.....	\$446,000
(2) For instruction in the Doctor of Medicine program.....	2,017,000
(3) For veterinary activities.....	19,223,000
(4) For cardiovascular studies.....	800,000

Amend Sec. 1, page 1, line 14, by striking out "\$225,000" and inserting

\$118,000

On the question,

Will the House agree to the amendment?

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

Mr. SAMUELSON. Thank you, Madam Speaker.

The bill before us at this time is a State appropriation for the University of Pennsylvania, a private institution, and in the bill that is before us, it is slated to receive \$42.9 million in State appropriation.

My amendment is similar to the amendment I offered last week, and as you recall, the series of amendments that I offered last week would cut all of the nonpreferred appropriations to private institutions by 50 percent. I handed out a chart which talks about the effect of this amendment. If my amendment would pass, the appropriation for the University of Pennsylvania would be reduced to 50 percent of last year's level or a level of \$22.6 million.

The University of Pennsylvania is an outstanding institution, founded by none other than Benjamin Franklin. From the University of Pennsylvania's Web site, you can find some statistics which talk about the success of this institution.

There are a total of 22,000 students, full- and part-time; 4,800 faculty – 5 of which have been awarded the Nobel Prize; 2 of which have won the Pulitzer Prize. The University of Pennsylvania has a budget of \$3.5 billion; \$3.5 billion. In fact,

you can see on their Web site that the University of Pennsylvania right now has an endowment of \$3,393,000,000; an endowment of \$3.39 billion. At a time when we are facing many budgetary challenges, I believe we have to take a close look at this appropriation of 42 million public dollars to a private institution that has an endowment of \$3.3 billion.

Benjamin Franklin did many amazing things in his life, including founding the University of Pennsylvania, but you know what? Benjamin Franklin also founded the first public library in America. The year was 1731. Ben Franklin was 25 years old. He had the largest collection of books in America at that time, about 4,000 books in his private collection, but he saw a need in his community to found a public library, the first lending library in the United States, in America, and that Philadelphia Free Library is still in operation today, as we all know.

Public libraries, you may recall, are facing a cut; the public libraries of Pennsylvania are facing a cut of \$37 million in this year's budget; \$37 million. If this amendment would pass and free up \$22 million, that would go a long way to restoring the funding for public libraries in Pennsylvania.

I have a quote here from Ben Franklin, talking about when he heard that there was a town in Massachusetts, late in life – and Ben Franklin was recognized as the most outstanding statesman in America, perhaps the world – a town in Massachusetts decided they wanted to name their town after Ben Franklin, and they also wanted to erect a bell tower in his honor. Well, you know what? Ben Franklin wrote back to that town in Massachusetts, and he said he would be honored by the bell tower, but instead, instead, he wished the money would have been spent for a public library instead in that town in Massachusetts.

We are facing a very tough budget. We have to take a look at these nonpreferred appropriations. As we discussed last week, there was no rhyme or reason to which institutions get nonpreferreds and which do not. There was a nonpreferred appropriation for Drexel University last week. Today you will be asked to vote on a nonpreferred appropriation for the University of Pennsylvania. Two outstanding colleges, but what about all of the other colleges in Pennsylvania? Why are they not on the list of nonpreferreds? Why do we not have a process? Why do we not have a competitive grant program for higher education?

This nonpreferred, about 9 years ago there was a study of all the nonpreferreds, that this House had a select committee that investigated the nonpreferreds. That study said that this nonpreferred dates back to 1785. That is right; 218 years the University of Pennsylvania has had a nonpreferred appropriation in our State budget.

I doubt whether there is a member of this House or a staff person or anyone in this room today who could give me the name of that legislative leader in the year 1785 who first – Ben Franklin was not in the legislature at that time; he was here 20 years before – but that legislative leader in 1785 who put this nonpreferred in the budget, we do not even know who that was, but here we are, year after year, voting public dollars for a private institution, and in this case, it is a private institution with an endowment of \$3.39 billion.

I believe this year's budget is a time to make some tough choices. We have to rethink our practice of sending public dollars to private institutions in the form of these nonpreferred

appropriations. We must buckle down, we must make the tough choices, and we must find the money to fund our public libraries.

So let us rethink sending public dollars to a private institution with an endowment of \$3.39 billion at a time when we face budgetary challenges in funding our public responsibilities, in funding our public institutions, and yes, in funding our public libraries.

Thank you, Madam Speaker. I ask for an affirmative vote on my amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia, Mr. Roebuck, on the amendment.

Mr. ROEBUCK. Thank you, Madam Speaker.

I rise to oppose the Samuelson amendment, and let us understand that the moneys we appropriate to the University of Pennsylvania, an institution which is in fact in my legislative district, are designed to go primarily to the veterinary school, and the veterinary school is the only veterinary school in the Commonwealth of Pennsylvania.

Further, let us understand that the moneys that are appropriated go predominantly to benefit Pennsylvania residents; 60 to 70 percent of the admissions are for students who are Pennsylvanians. And understand that the structure is that Pennsylvania residents pay \$5,000 less than out-of-State residents. Understand that the structure of those appropriations is that those students receive a scholarship, in addition to paying less as a Pennsylvania resident, that is an additional \$5,000 benefit to those students, so that Pennsylvania residents receive a benefit that is \$10,000 directly to them. Further, when they graduate, those students predominantly remain in Pennsylvania, benefiting the Pennsylvania community, paying tax dollars in Pennsylvania.

Understand that what we do here is something that is directly to benefit our residents, our students. If we adopt the Samuelson amendment, we directly undercut that benefit; we directly hurt students who want to pursue their professional careers in this State.

So I urge my colleagues to oppose the Samuelson amendment, and I urge them that they continue to do those things that help students in Pennsylvania to benefit Pennsylvania and particularly to benefit our veterinary community.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Chester County, Mr. Ross, on the amendment.

Mr. ROSS. Thank you very much, Madam Speaker.

I strongly urge my colleagues to vote against this amendment. The cuts that are proposed would be dramatic and drastic to the vet school, to the dental school, and also to the medical school.

I would point out that unlike the statements that we have heard from the maker of the amendment, these are not general revenues that can be used to any purpose within the university; they are rather specific, targeted programs, as the prior speaker alluded. They actually do tremendous help to the farming community in Pennsylvania. As he has mentioned, this is the only veterinary school available to the farming community here in Pennsylvania, and it provides tremendous support for agriculture.

I would also point out, when he made comment about the very large endowment that the university has, that that endowment is targeted and restricted. It is not available to restore the funding that he is proposing to cut, and so therefore, these would be direct cuts to the students, Pennsylvania students, that are going to the vet school and to the clinics that are providing dental services to the people in Philadelphia and to some of the other fine purposes that this has been crafted for.

It did not come about suddenly and unexpectedly. It came about through careful consideration not only by the members that are currently here but by members that have been here before. It went through the Appropriations Committee. It was discussed and considered at that time.

Finally, I would like to correct him on an important point. He indicates that if we were to make this cut through his amendment, library funding would be restored. That is simply not true. He does not actually propose an increase in library funding in his amendment. He merely proposes a cut. No one other than myself would—I am very strongly in favor of library funding and am eager to see if we cannot find a way to restore those funds, and I would welcome his assistance in attempting to do that in a direct way, but you are in this vote not increasing library funds if you vote with the amendment.

So I urge a “no” vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Washington County, Mr. Daley, on the amendment.

Mr. DALEY. Thank you, Madam Speaker.

I rise also in opposition to the Samuelson amendment.

I do not think the good gentleman, Mr. Samuelson, has ever been to the University of Pennsylvania’s school for veterinary science, or he would never, ever think about offering this amendment, because the University of Pennsylvania’s school for veterinary science is a world leader. It is the crowning jewel in Pennsylvania in terms of veterinary science. It is one of the greatest institutions in the world. It has more Nobel Prize winners than any other institution not only in Pennsylvania but probably, other than Harvard and Yale, on the East Coast of the United States.

To cut this appropriation would be an absolute tragedy, a travesty not only to Pennsylvania residents but to the animal industry, because the University of Pennsylvania has a research laboratory, Madam Speaker, and I am sure you are aware of that, and I am sure you are aware of all the wonderful things it does for the animal industry and equine medicine.

It is high time, and I have sat here and listened to your pandering to the masses on cutting all these amendments and cutting all these appropriations. That may be the populist thing to do, but it is not the responsible thing to do. As a good legislator, we do not offer amendments that are going to say we are going to increase appropriations to libraries and then cut appropriations to schools like the University of Pennsylvania.

It is bad legislation, it is bad government, and it is pandering. Vote “no.”

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Berks County, Mr. Caltagirone, on the amendment.

Mr. CALTAGIRONE. Thank you, Madam Speaker.

I am sure there have been many members in this chamber throughout the years that may have had reason to go to the University of Pennsylvania hospital facilities, and I know I was

one with my son, and I know the scope of work that they do down there is some of the best that is provided throughout the United States. While I was there, they had people from all around the world bringing their children in there, and I will never forget, U.S. Senator Joe Biden, who is a personal friend, happened to be there with his son.

I just think that there have to be other ways that the good gentleman would look for cuts other than one of the best medical facilities not just in Pennsylvania, not just in the United States, but I personally think in the world, because they do come from all around the world to have treatment for individuals that are provided with their medical facilities down there.

I would ask you for a negative vote on the amendment.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Samuelson, on the amendment for the second time.

Mr. SAMUELSON. Thank you, Madam Speaker.

I was moved by the passion of the gentleman from Washington County, talking about the virtues and the values of the University of Pennsylvania. As I said in my remarks, the University of Pennsylvania is an outstanding institution, with a worldwide reputation.

My amendment is about making tough choices in this budget. We have a budget that has cut funding in many areas, including public libraries, the example that I used. We have nonpreferred appropriations before us that are asking us to send public dollars to a private institution – in this case, the private institution with an endowment of \$3.39 billion – and I think we have to rethink that.

I welcomed the opportunity for this debate today, as this is the normal process we use to debate amendments on the floor of the House. We can all recall that day back on March 6 when the public libraries of Pennsylvania were cut 50 percent without even a word of debate; no debate was permitted that day, and there was a motion to not allow debate at 1:47 in the afternoon. The budget that cut the libraries was passed at 1:48 in the afternoon.

So the chance that we are debating this amendment, trying to find some funding, trying to make the tough choices to restore that funding— The gentleman, Mr. Ross, is correct; this amendment does not directly put the money back in libraries. As he well knows, by the rules of this House, when you offer an amendment to a nonpreferred appropriation, you are not allowed, by the rules of this House, to redirect the money to another purpose or another line item.

What happens is that if we would make this reduction, a \$20 million reduction, and leave the University of Pennsylvania’s funding at a level of \$22 million, if we would make that reduction, the \$20 million would fall to the fund balance. If that \$20 million was in the fund balance, it could be used in the next week, in the next few days, as these budget discussions progress.

The rules of the House prohibit a direct transfer. I would favor – and I welcome the gentleman’s help on this – changing those rules to allow us to make a direct transfer out of nonpreferred appropriations into some other area. But the process that is in place, the process that we are following today, allows us to cut a nonpreferred appropriation. That money would fall to the fund balance, and yes, in the coming days,

in the coming weeks, as this budget is put together, it could be used to restore the funding for public libraries, and as I said, our public libraries in Pennsylvania, our public libraries in the United States, we owe our thanks to Ben Franklin for starting them in 1731.

So thank you, Madam Speaker. I ask for a “yes” vote on my amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Schuylkill County, Mr. Argall, on the amendment.

Mr. ARGALL. Thank you, Madam Speaker.

Madam Speaker, the gentleman who offers this amendment, my neighbor from the Lehigh Valley, is correct in that we do need to be very, very careful in what is admittedly a very difficult fiscal year. Some of the think tanks have talked about this being the worst year for State government finances in the last 50 years. He is incorrect, however, in attempting to slash the funding for this appropriation by 50 percent. This kind of slashing, damaging budget cut is simply not necessary this year.

We learned yesterday, yesterday was not a day, as had earlier been predicted, as a day of fiscal crisis. June 30 came and went, and there was no \$2 1/2 billion budget deficit. It simply does not exist, despite the fact that many people predicted it.

Yesterday we learned that there is indeed some good news possible in a difficult year. As the fiscal year closed, our revenue collections are better than expected – \$235 million less than the Governor’s original projection. Because of the lapses and the freezes implemented by Governor Schweiker and by Governor Rendell, we have actually ended this year with money in the bank.

We will not need to tap the Rainy Day Fund for 2003. We will not need to make these kinds of budget cuts. We are still crunching the final numbers, but we believe we will end the fiscal year with approximately \$25 million in the State’s account and all of the \$300 million left in the Rainy Day Fund.

And so as the budget negotiations with the Senate and with the Governor proceed, as the gentleman mentioned, we may be able to do a little bit better for the public libraries; we may be able to do a little bit better for some of the nonpreferreds, for perhaps the Commonwealth’s community colleges, perhaps for the Kutztowns and the Bloomsburgs and many of the other institutions, all of the other institutions in the State System. It will be dependent on the budget negotiations, and I might add, we might even be able to do better for the institutions in the Lehigh Valley and those other independent schools who receive money each year through the institutional assistance grant program.

We simply do not know at this stage. The budget negotiations are continuing, but as I wanted to make note last week, I just wanted to give you the updated numbers, that the numbers would indicate that we do not need to make the kinds of arbitrary, damaging cuts that this amendment would suggest. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Washington County, Mr. Daley, for the second time on the amendment.

Mr. DALEY. Thank you, Madam Speaker.

Just to reiterate the point about the Nobel laureates, we have seven from the University of Pennsylvania, two within the last 3 years that were research, Madam Speaker, research oriented; that it went from 16th, graded by U.S. News & World Report,

16th most respected research institution in the United States to 4th.

We cannot pass this amendment. I ask for a “no” vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—16

Cawley	Haluska	Mundy	Samuelson
Coleman	Hanna	Reichley	Solobay
Creighton	Levdansky	Roberts	Surra
Egolf	Metcalf	Rohrer	Turzai

NAYS—181

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

NOT VOTING—0

EXCUSED—5

Fichter Scrimenti Stern Taylor, E. Z.
Sather

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 as amended?

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

On final passage, the Chair recognizes the gentleman from Greene County, Mr. DeWeese.

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

Just a quick observation.

The Democrats withdrew amendments that were under my name for a hold harmless—

The SPEAKER pro tempore. Could we have quiet, please. The gentleman may proceed.

Mr. DeWEESE. Thank you, Madam Speaker.

I submitted amendments that would have held harmless our nonpreferred institutions. After negotiating with the Republican leadership team, we have withdrawn those amendments, but we will be at the negotiation table. It will be our strenuous effort to make certain that many of the nonpreferred institutions are treated with respect and treated very well, notwithstanding the difficult times ahead.

But this is a very, very good opportunity for cooperation, and I wanted the membership to be aware that on behalf of the nonpreferreds, we will be at the budget table and we will be at their side.

Thank you, ma'am.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—190

Adolph	Donatucci	Lederer	Rooney
Allen	Eachus	Leh	Ross
Argall	Egolf	Lescovitz	Rubley
Armstrong	Evans, D.	Levdansky	Ruffing
Baker	Evans, J.	Lewis	Sainato
Baldwin	Fabrizio	Lynch	Santoni
Bard	Fairchild	Mackereth	Saylor
Barrar	Feese	Maher	Scavello
Bastian	Fleagle	Maitland	Schroder
Bebko-Jones	Flick	Major	Semmel
Belardi	Forcier	Manderino	Shaner
Belfanti	Frankel	Mann	Smith, B.

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

NAYS—7

Haluska	Metcalfe	Samuelson	Youngblood
Hanna	Mundy	Surra	

NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

The two-thirds 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 (JOHN M. PERZEL)
PRESIDING**

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 349 By Representatives MELIO, GEIST, McCALL, BENNINGHOFF, FABRIZIO, KOTIK, FRANKEL, DeLUCA and BIANCUCCI

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of reported motorcycle accidents.

Referred to Committee on RULES, July 1, 2003.

RULES COMMITTEE MEETING

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

RESOLUTION REPORTED FROM COMMITTEE

HR 349, PN 2330 By Rep. S. SMITH

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of reported motorcycle accidents.

RULES.

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 651, PN 2166 By Rep. S. SMITH

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

RULES.

CONSIDERATION OF HB 1374 CONTINUED

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

Mr. **LESCOVITZ** offered the following amendment No. **A2374**:

Amend Sec. 5, page 3, line 3, by inserting after "(a)"
Except as provided in subsection (c),

Amend Sec. 5, page 3, by inserting between lines 26 and 27

(c) Any moneys appropriated by this act that are applied on an individual basis to students, including, but not limited to student financial assistance, shall be applied in such a manner that 75% of the appropriated funds are used for students who are residents of this Commonwealth.

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

(Members proceeded to vote.)

The SPEAKER. There is nothing in order but the taking of the roll. Does Mr. Vitali wish to vote?

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

The following roll call was recorded:

YEAS—194

Adolph	Egolf	Lescovitz	Ross
Allen	Evans, D.	Levdansky	Rubley
Argall	Evans, J.	Lewis	Ruffing
Armstrong	Fabrizio	Lynch	Sainato

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

NAYS—2

Costa Hanna

NOT VOTING—1

Vitali

EXCUSED—5

Fichter Scrimenti Stern Taylor, E. Z.
Sather

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

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

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

POINT OF ORDER

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

Mr. VITALI. Thank you, Mr. Speaker.

Point of order.

On the previous amendment, there was neither any text on the screen nor was any explanation given to it, and we are put in a position, once the vote is started, we are put in a position where there is simply no recourse to get that information. I am trying to find out the remedy in a situation like that where the amendment is not on the screen; we have gotten no information; the vote has started. What is the appropriate thing in that situation to stop the process?

The SPEAKER. The gentleman, Mr. Lescovitz, offered that amendment four times today, for the information of the gentleman.

The process is, before we go to take the vote, there is a pause between the time the question is, shall the bill pass finally, and proceeding. At that time no one on the floor was asking any questions whatsoever, so we went to the vote. That is the procedure. It has been that way for 322 years.

PARLIAMENTARY INQUIRY

Mr. VITALI. Let me just maybe ask a parliamentary inquiry.

If you are in a situation where the vote is in progress yet there is nothing on the screen, can, under that circumstance, the vote be stopped, if there is nothing on the screen and the vote is in progress?

The SPEAKER. Nothing was in order but the taking of the roll, but the—

Mr. VITALI. But that is not the question.

The SPEAKER. The amendment was on our screen, Mr. Vitali.

Mr. VITALI. Okay. But again, I understand this is a dead issue for the current bill, but for future votes, if you have a situation, the amendment is not on the screen and the vote is in progress, can we somehow stop it at that point?

The SPEAKER. Mr. Vitali, we cannot speculate. We had the amendment on our screen here, and we had to assume that it was on all the screens. So if the gentleman wishes to stand up and be recognized prior to us calling a vote, that is entirely your prerogative, and I have recognized every member in this chamber whenever they have stood up. So if you stand up, you will be recognized.

Mr. VITALI. But this is a regularly occurring thing, and I was attempting to be recognized in the course of that, and the amendment was not on the screen of many members; perhaps it was on yours, but if this happens again, can we be recognized to stop a vote and perhaps have it stricken?

The SPEAKER. We are not going to make a ruling on that, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

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

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

I just also want to rise to point out that at the time we were voting, the amendment was not on the screen. In fact, if you go to the screens right now, 5 minutes after the vote, it is still not available. The text of this amendment, amendment 2374 filed

by Mr. Lescovitz, is not available on the screens or on any paper copy.

So the gentleman, Mr. Vitali, is absolutely correct. He was put in a position of voting on something without having the text, which is prohibited by our rules. I realize that there was a 99-percent chance Mr. Lescovitz was offering the same amendment as he had offered on the other bills, but there was no way to know for sure.

I would like to file a motion for reconsideration to give Mr. Vitali an opportunity to vote on this and also to give us a chance to have a copy of this either in paper format or on the computer screens. So I would like to make a motion for a reconsideration vote on amendment 2374.

The SPEAKER. The gentleman has to file a reconsideration motion on paper. The gentleman should be filing a reconsideration motion.

The Chair recognizes the gentleman, Mr. Rooney.

Mr. ROONEY. Thank you, Mr. Speaker.

Mr. Speaker, was the amendment that was offered by the gentleman, Mr. Lescovitz, the same amendment that had been offered four times previously today?

The SPEAKER. Yes, it is.

Mr. ROONEY. The same amendment? No change? No difference?

The SPEAKER. No change. No comma, no period, no anything.

Mr. ROONEY. Thank you, Mr. Speaker.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that the bill was agreed to for the third time as amended.

On the question recurring,

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

**MOTION TO RECONSIDER
AMENDMENT A2374**

The SPEAKER. There is a reconsideration motion before the body.

The gentleman, Mr. Samuelson, moves that the vote by which amendment No. 2374 was passed to HB 1374, PN 1702, on the first day of July 2003 be reconsidered.

On the question,

Will the House agree to the motion?

POINT OF ORDER

The SPEAKER. Does the gentleman wish to be recognized on this motion?

Mr. VITALI. Point of order.

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

Mr. VITALI. The amendment is still not on my screen.

The SPEAKER. We will be glad to send a copy back, Mr. Vitali. It is on our screen here. I apologize, Mr. Vitali; it seems that the entire Philadelphia section is not on the screen

and, of course, yours, and the back – Allegheny County, Delaware County – all the counties in the back.

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

The following roll call was recorded:

YEAS—78

Bebko-Jones	Freeman	Manderino	Solobay
Belardi	George	Mann	Staback
Belfanti	Gergely	Markosek	Stetler
Biancucci	Gordner	McCall	Sturla
Birmelin	Grucela	Melio	Surra
Butkovitz	Haluska	Mundy	Tangretti
Buxton	Hanna	Myers	Tigue
Caltagirone	Harper	Pallone	Veon
Casorio	Horsey	Petrone	Vitali
Cawley	James	Pistella	Walko
Cohen	Josephs	Preston	Wansacz
Corrigan	Keller	Readshaw	Washington
Costa	Kirkland	Reichley	Waters
Coy	Kotik	Roberts	Wheatley
Curry	LaGrotta	Roebuck	Williams
Dermody	Laughlin	Rubley	Wojnaroski
DeWeese	Leach	Samuelson	Wright
Evans, D.	Lederer	Santoni	Yewcic
Fabrizio	Lescovitz	Semmel	Yudichak
Frankel	Levdansky		

NAYS—119

Adolph	Donatucci	Leh	Rieger
Allen	Eachus	Lewis	Rohrer
Argall	Egolf	Lynch	Rooney
Armstrong	Evans, J.	Mackereth	Ross
Baker	Fairchild	Maher	Ruffing
Baldwin	Feese	Maitland	Sainato
Bard	Fleagle	Major	Saylor
Barrar	Flick	Marsico	Scavello
Bastian	Forcier	McGeehan	Schroder
Benninghoff	Gabig	McGill	Shaner
Bishop	Gannon	McIlhattan	Smith, B.
Blaum	Geist	McIlhinney	Smith, S. H.
Boyd	Gillespie	McNaughton	Stairs
Browne	Gingrich	Metcalfe	Steil
Bunt	Godshall	Micozzie	Stevenson, R.
Cappelli	Goodman	Miller, R.	Stevenson, T.
Causar	Gruitza	Miller, S.	Taylor, J.
Civera	Habay	Mustio	Thomas
Clymer	Harhai	Nailor	Travaglio
Coleman	Harhart	Nickol	True
Cornell	Harris	O'Brien	Turzai
Crahalla	Hasay	Oliver	Vance
Creighton	Hennessey	O'Neill	Watson
Cruz	Herman	Payne	Weber
Dailey	Hershey	Petrarca	Wilt
Daley	Hess	Petri	Youngblood
Dally	Hickernell	Phillips	Zug
DeLuca	Hutchinson	Pickett	
Denlinger	Kenney	Raymond	Perzel,
DiGirolamo	Killion	Reed	Speaker
Diven			

NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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

On the question recurring,
Will the House 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?

Mr. DeWEESE. Mr. Speaker?

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

Mr. DeWEESE. Just a point that I would like to offer for the chamber.

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

Mr. DeWEESE. Usually a motion to reconsider is perfunctory. In the 28 summers I have been in the chamber, what we just saw is comparatively unusual, if not unprecedented. I would think that in the future we should be more cautious and tentative when we deny the opportunity for reconsideration.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Centre, Mr. Herman.

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

As the Democratic leader had mentioned earlier, there were amendments that were being offered and then had to be withdrawn. Likewise, I had an amendment that would have increased Penn State's appropriation to the level of last year's funding, but the Speaker of the House had ruled last week that such amendments would be ruled out of order if they were not revenue neutral. Therefore, to offer that in any kind of amendment would require that increasing a line item for Penn State's appropriation would require a decrease in another line item, which would not produce the desired effect.

Further, because Penn State's appropriation is a nonpreferred appropriation, there is nowhere else in any government agency or department to go to reduce that funding to increase Penn State's appropriation accordingly. Therefore, it is regrettable that this amendment had to be withdrawn, but I do, like others have mentioned, encourage our leadership to work very strenuously in the final budget negotiations between the chambers to do what they can to increase Penn State University's appropriation and all the other nonpreferred appropriations to very valuable research institutions we have here in the Commonwealth of Pennsylvania.

This House of Representatives has been very generous to Penn State for many years. On behalf of the university, I would like to say thank you for your support once again.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. HERSHEY. Thank you, Mr. Speaker.

I wanted to withdraw an amendment and make a statement.

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

Mr. HERSHEY. Thank you.

I also had an amendment to Penn State University's budget to bring the research level and ag extension back up to the previous year.

And like I said previously, my comments were on the wrong bill, but I wanted to correct that and say that Penn State research/ag extension has been very helpful to the farming community for many, many years. It was very beneficial to me in my career, and hopefully we can find funds to restore that.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS—196

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

NAYS—1

Haluska

NOT VOTING—0

EXCUSED—5

Fichter Scrimenti Stern Taylor, E. Z.
Sather

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

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

* * *

The House proceeded to third consideration of **HB 696, PN 2111**, entitled:

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.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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

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

* * *

The House proceeded to third consideration of **HB 1549, PN 1956**, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for the designation of the Governor Robert P. Casey Highway as a scenic byway.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HB 1549, PN 1956, be recommitted to the Rules Committee.

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

RESOLUTIONS PURSUANT TO RULE 35

Mr. FLEAGLE called up **HR 342, PN 2280**, entitled:

A Resolution recognizing the 100th anniversary of Landis Threading Systems of Waynesboro, Pennsylvania, in 2003.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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

* * *

Mr. ALLEN called up **HR 345, PN 2283**, entitled:

A Resolution designating September 21, 2003, as “Unity Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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

SUPPLEMENTAL CALENDAR C

RULES SUSPENDED

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

Mr. MELIO. Mr. Speaker, I move that the House suspend the rules for immediate consideration of HR 349.

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

The following roll call was recorded:

YEAS—197

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

DeWeese	LaGrotta	Roberts	Zug
DiGirolamo	Laughlin	Roebuck	
Diven	Leach	Rohrer	
Donatucci	Lederer	Rooney	Perzel,
Eachus	Leh	Ross	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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. MELIO called up **HR 349, PN 2330**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of reported motorcycle accidents.

On the question,
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Bucks, Mr. Melio.

Mr. MELIO. Thank you, Mr. Speaker.

In the House Transportation Committee debate on this bill, I was going to have this as an amendment to the bill, and with the wisdom of Chairman Geist and Chairman McCall, they suggested that we do it as a resolution, and I think it is a great idea, and I seek your support.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Carbon, Mr. McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Melio resolution.

I think a lot of us over the course of the debate on helmet use in this Commonwealth, a lot of us have questioned the statistics and the numbers used in the debate concerning helmet use in this Commonwealth.

I certainly welcome the Legislative Budget and Finance Committee's study and report on this issue, and I think all of the members would welcome that, because I think both sides have made compelling arguments on the use of helmets in this Commonwealth, and I think it would behoove us to have an independent agency look at those statistics and look at those numbers and report back to this Commonwealth in anticipation of us doing something as far as repealing the helmet use in this Commonwealth.

So I would ask for support of the Melio resolution.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. GEIST. Thank you very much, Mr. Speaker.
This is a very well drafted resolution by Representative Melio, and I would echo the remarks of the Democratic chairman and ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 259, PN 265**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for protective equipment for motorcycle riders.

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

The SPEAKER. Has the gentleman, Mr. Costa, withdrawn the amendment or does he wish to— The Chair recognizes the gentleman, Mr. Costa.

Mr. COSTA. Thank you, Mr. Speaker.

I did file three amendments to this bill. I do have some serious concerns about the helmet law in Pennsylvania, but I understand if I do file amendments and I am successful in getting them passed, there is a good possibility that this bill will not be passed in the Senate again and will not make it to the Governor's desk. That is not my intention. I am not somebody that likes to have to tell someone what they have to do. You can go call my wife. She will tell you that, too.

I do not want to be an obstructionist, so because of that, I am going to withdraw my amendments that I filed to this bill and also because of the last resolution we just passed on and hope that the bill passes.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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?

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose SB 259.

You know, it is ironic we are going to be passing a bill, or hopefully, we are not going to be passing it, but we are certainly going to need to debate it, but the fact is that numerous studies have stated that this is going to increase our health-care costs throughout this Commonwealth.

Now, myself and the chairman, Republican chairman of the Insurance Committee, we have HR 95 that the business community, the health insurance, all the communities and all the stakeholders who were having problems with paying their health insurance want us to do something about it, but today we are going to repeal a helmet law, send it to the Governor, which I think the Governor is making a mistake in signing it, which is

going to increase the health-care costs through this Commonwealth.

Now, HR 349 passed 197 to nothing. Why we are considering a piece of legislation to repeal the helmet law before we had the study makes no sense at all in this chamber; it makes no sense. We are going to have a study after the fact, after the fact that we repealed this type of legislation.

We require helmets on our young children. We require seatbelts. We require booster seats because we have statistics that show they save lives. John Cigna from Allegheny County, who rode up to this Capitol numerous times supporting the repeal of the helmet law, today states that we should not repeal it, and do you know why? Because it saved his life, Mr. Speaker; it saved his life.

So with all the statistics, with the medical profession telling us we should not do this, with our volunteer firemen who are at the scenes when they have to shovel these individuals off telling us we should not do this, we should pay attention to the professionals.

I know about freedom of choice, but freedom of choice goes a long way when other parts of society are affected. You know, when you do not have the medical insurance and God forbid you have a catastrophic accident, everybody pays; we all pay, and that is what is going to drive the health-care costs up in this Commonwealth. Other States have found that when they repealed their helmet laws, the incidents have increased as far as the injuries, and I believe that we are going to make a mistake that we are going to regret in this Commonwealth by voting for SB 259.

Therefore, I ask for a "no" vote on it.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks, Mr. Melio.

Mr. MELIO. Thank you, Mr. Speaker.

I rise in opposition to SB 259. I stand in opposition not because I am opposed to personal freedom, but because I believe there are serious safety issues and concerns that we must address as we enact legislation to repeal the motorcycle helmet law.

This issue has been debated for more than 30 years in Harrisburg, and even after all of the debate, we have yet to be provided the conclusive evidence showing if more lives will be lost without motorcycle helmets. We have been presented with studies that argue both sides of the issue – the medical community, the motorcycle community – but to date, nothing has been presented that creates a common ground and gives a definitive answer which is correct.

We require people to wear seatbelts in motor vehicles, children to wear helmets when they ride bicycles, and just last year we updated our child safety seat requirements. Before we simply toss out the helmet requirement, I think it is important that we have a realistic picture of how many lives could be lost if motorcyclists no longer wear helmets.

The evidence seems to be in favor of helmets. Studies by the National Highway Traffic Safety Administration show helmets to be the most important safety equipment for a motorcycle rider. The administration estimates that helmets saved \$646 million in 1997.

Our own House Appropriations Committee, Mr. Speaker, in issuing its fiscal note, suggested that this legislation could result in increased costs for the Commonwealth in terms of potential head and brain trauma injury accidents. These costs would

include uncompensated care costs related to treatment at trauma centers and other health-care facilities.

Mr. Speaker, PENNDOT reports that the average hospital charge, not including doctors and rehabilitation treatment, for motorcyclists with traumatic brain injuries is \$16,424. Some treatment for motorcycle accident victims has been as high as \$190,765, and I am not making up these numbers. If you want to read them for yourself, just look at the fiscal note attached to this bill.

Even as we look for ways to rein in health-care costs, we are debating legislation that would increase medical costs and could compound the problem of uncompensated care costs.

Mr. Speaker, this is not about denying an adult personal freedom. This is about carefully assessing the safety issues involved and protecting motorcyclists as much as we do people who drive motor vehicles, the children who ride in those vehicles, and even people who ride bicycles.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to the repeal of the helmet law.

One of the interesting things that has occurred with this piece of legislation is something that I have not seen in my two decades here as a legislator. I have been receiving quite a bit of input and communication not from constituents but mostly through the magic of e-mail from folks who live in Ohio. For whatever reason, I must have had 15 or 20 e-mails from people who live in Ohio that have said, please repeal the helmet law in Pennsylvania. The only thing I can gather from that is that this is a matter of convenience for them. They do not have a helmet law there. A lot of them travel to Pennsylvania, and I guess they do not want to bother buying one when they enter the State. I do not think that is a very good reason for us to change our law – because people from Ohio are inconvenienced.

I also think that a lot of the folks in Pennsylvania who want us to change this law are wanting us to change it because of the convenience factor. I have had constituents approach me and say, please get rid of the helmet law, because when I ride through city traffic and do not travel very quickly or very fast, it is hot, and on a hot day when I am not moving very fast, it can get real uncomfortable underneath that helmet. Again, I do not think inconvenience is a good reason to repeal such a law that protects the lives of people.

Also and finally, I recently saw a study that said that if we repeal the helmet law, there will be a minimum of five deaths that occur in Pennsylvania during the next year because of this repeal. I think if we have one death caused by our vote today, that is one too many. That is the best reason not to repeal this law. If we create a situation where we cause one death, that is one too many. I will not vote to cause that particular fatality, and I would hope that my colleagues will not vote to cause that fatality either.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery, Mr. Leach.

Mr. LEACH. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of SB 259.

I think that in my younger days, my halcyon days, my salad days, if you will, I rode motorcycles occasionally, and I can tell you, I think that you are crazy to ride a motorcycle without a helmet, but I do not think that we should, under the law, micromanage the lives of adults.

I agree that helmet laws probably save lives, but there are all kinds of decisions that adults make that cost lives that we do not regulate, and I do not know how we can regulate helmets for adults – not for children; I am talking about adults – when we do not regulate, for example, cigarette smoking, which causes far more damage and far more damage to the economy than helmets do. We would not ban fried foods even though they cause far more damage to the economy and far more in health-care costs than helmetless drivers do.

Adults make decisions all the time that are bad decisions, but in a free society, adults are allowed to make bad decisions. I think that a lot of us who will argue, especially on this side of the aisle, that we believe in freedom of choice on a whole host of issues, in order to be credible on that have to maintain some consistency. If we argue there should be reproductive freedom, if we argue there should be freedom of religion, if we argue there should be freedom in a whole host of areas, we cannot regulate things that are purely for the private protection of individuals who do not want that private protection of adult individuals if we are going to be consistent.

So I urge a “yes” vote for this and then I urge everyone across the Commonwealth who rides a motorcycle to wear a helmet, but it should not be the law.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

There is quite an extensive list of people that wish to be heard, and I am only saying it so you do not stand at the mike for the next 40 minutes.

The next would be Mr. Daley, Mr. Causer, Mr. Frankel, Mr. Adolph, Mrs. Vance, Dailey, Coy, Nickol, and Horsey. That is the order.

So at this time the Chair recognizes the gentleman from Washington, Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

I rise in support of SB 259.

I have the pleasure to own a motorcycle, as many of you do. I ride that motorcycle, obviously, with my helmet, and when I go to States that do not have a helmet law and say you do not have to wear a helmet, I still wear my helmet.

As the previous speaker said, and so eloquently and very on point, that it is really up to the person that rides the motorcycle. I heard one speaker say, why should we change our law? Well, that is the whole point here. It is not our law; it is the people’s law. It is not the law of the legislature; it is the law of the public.

People do make bad decisions every day that cost their lives, and I see many members here who voted to raise the speed limit to 65 from 55 on the turnpike, and we know what kind of cost that was in terms of lives in Pennsylvania on the interstates, but we still give people the chance to make that decision if they so want to.

I think this is a good bill. I think it makes a lot of sense for people that ride motorcycles that want to make that decision. I would never ride my motorcycle without my helmet, and I am sure my friends would never ride their motorcycles without their helmet, but I know one darn thing: If they wish to take that

helmet off and ride without that helmet, they should have the right to do it in Pennsylvania without facing punitive damages, without facing charges filed under Title 75.

Mr. Speaker, I ask for an affirmative vote on SB 259. Thank you.

The SPEAKER. The gentleman from McKean, Mr. Causer.

Mr. CAUSER. Thank you, Mr. Speaker.

I rise in opposition to SB 259.

Mr. Speaker, this is not an issue of freedom of choice. This is an issue of safety, the safety of the general public. For the past 13 years I have been a volunteer emergency medical technician with my hometown ambulance service. In that time period I have been to many, many motorcycle accidents, and on many occasions I have seen brains splattered on the highway. I have also been to many vehicle accidents, motorcycle accidents, where the rider was wearing a helmet and the helmet was severely damaged but the rider was able to get up, remove the helmet, and walk away from the accident, which they would have not been able to do had they not been wearing the helmet.

For the past 4 years I have also worked as a municipal police officer. This brings about another concern with this legislation. A police officer will have no way of knowing whether the person operating the motorcycle is over 21 or not. So in essence, we will have riders going without wearing helmets that are under 21 and the police officer will have no way of knowing that the person is under 21 years of age. In essence, people under 21 will be riding motorcycles without helmets and the police officer will have no idea.

Mr. Speaker, this legislation is irresponsible. People will die because of this legislation. I urge my colleagues to vote for safety. I urge all of you to oppose this legislation.

Thank you, Mr. Speaker.

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

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise in opposition to SB 259, and I have got to get something straight here, because we just passed a resolution to study the statistics on this but we are going to move forward to pass this legislation before we get a study back that was going to justify whether we should do this or not.

The statistics that I see that are currently being questioned but the only ones that I have available to me show that an estimated \$13.2 billion was saved between 1984 and 1999 because of motorcycle helmet use. An additional \$11.1 billion could have been saved if we had motorcycle helmets required across the entire country.

I also see a statistic that says that 22 percent of all the injuries in the medical and time lost and all the compensation that is required is paid out of public money. Now, from my standpoint we have hospitals who are drowning in uncompensated care; we continue to remove people from medical assistance in this State; we have an increasing number of uninsured people who legitimately need coverage, and we have a population of people here who are insisting on the ability to take their lives and our money in their hands by not wearing helmets.

Now, I disagree with my prior colleague who said that we should not be requiring adults to behave in certain ways. Well, we do it all the time. What about seatbelt laws? This is at least as compelling as having to wear seatbelts.

Mr. Speaker, I believe that we ought to at least at a minimum require a certain degree of financial responsibility from those, if we are going to pass this legislation, a certain degree of responsibility for their taking this action by not wearing a helmet, and we ought to require that they carry a certain amount of medical insurance under their motorcycle policies.

MOTION TO SUSPEND RULES

Mr. FRANKEL. And on that measure, I would like to suspend the rules, Mr. Speaker, to offer amendment No. 2358.

The SPEAKER. Would the gentleman please come to the front desk.

Would the gentleman, Mr. Benninghoff, please come to the front desk.

(Conference held at Speaker's podium.)

MOTION WITHDRAWN TEMPORARILY

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

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

Mr. ADOLPH. Thank you, Mr. Speaker.

I rise to oppose SB 259.

Mr. Speaker, it is a proven fact that motorcycle helmets save lives. There was a letter to the editor in the Philadelphia Inquirer dated June 27, 2003, by a local doctor, and it was put in our clips this past week, and there was a purpose, a reason why it was put in our clips – hopefully, the members would read it.

All the statistics that we have gathered over the last 6 months since this legislation was being debated prove that helmets save lives. According to the National Highway Traffic Safety Administration, helmets reduce the risk of deaths by 29 percent and are 67 percent effective in protecting brain injuries. We are not talking about insurance rates going up; we are not talking about raising taxes here. We are talking about saving lives.

I did a survey several years ago in my district. Over 90 percent of my constituents opposed the repeal of this safety measure that we have here in Pennsylvania. I find it unbelievable that in the year 2003 we are trying to repeal a safety law, and I question why 16-, 17-, 18-, 19-, 20-year-olds have to wear helmets but we do not think adults 21 and over have to wear helmets. Heads do not get any harder when they are 21, Mr. Speaker.

My sister, who is an R.N. (registered nurse), works in the trauma center at Crozer-Chester Medical Center in Chester, Pennsylvania, as well as all the other nurses and doctors that are there saving lives on a nightly basis. They see the results of wearing helmets and those individuals that break the law today and go out riding motorcycles without a helmet on.

Not too long ago, probably 2 months ago, in Springfield, Delaware County, a young man took a joyride on a motorcycle that he was going to be selling in a couple hours, going to take his last ride, lost control, and was killed. Now, I do not know if wearing a helmet would have saved this young man's life, but the first thing that the police officer said, the first thing that the ambulance corps emergency technicians said to themselves, why was he not wearing a helmet?

Mr. Speaker, even though you have not heard from your constituents regarding this helmet law, I guarantee you most of your constituents, a good majority of your constituents, think that common sense should dictate, and they are shocked that you may be voting for this bill. Please, Mr. Speaker, I would appreciate if my colleagues would vote “no” on this SB 259 and keep commonsense, public safety legislation here in Pennsylvania.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The noise level is entirely too loud again. The members are entitled to be heard. You all know this is an extremely important issue. It has been around for a lot of years, and each member is entitled to be heard.

With that, the Chair recognizes the gentledady from Cumberland, Mrs. Vance.

Mrs. VANCE. Thank you, Mr. Speaker.

I am not aware of any health-care professional that supports the repeal of the helmet law. Anyone who has ever witnessed the absolute devastation of an unprotected skull hitting macadam would understand why we need to keep this helmet law.

Hopefully, we can learn from other States. Other States have enacted this kind of legislation. For instance, Texas saw a 108-percent increase in fatalities; Louisiana saw a 66-percent increase; Arkansas, 100 percent; and Kentucky, 84 percent. Hopefully, we can learn from the mistakes of other States.

Only 6 percent of motorcycle fatalities are those for people under 21 years of age, but the number of riders 50 years and older who are killed has increased dramatically – 24 percent in just 1 year. Perhaps the reflexes are not quite so good as one ages, and we need to be cognizant of this as well.

In a recent poll 79 percent of Pennsylvanians believe we should keep the helmet law. Perhaps we have not heard from all of our constituents because they do not believe that we would ever do anything so foolish.

Most importantly, driving a motor vehicle, whether it be a motorcycle or a car on a Pennsylvania highway, is a privilege, not a right. It seems quite unusual that we will increase seatbelts, that we will increase child car seats, and yet we would consider repeal of a helmet law. Motorcyclists perhaps do pay insurance, but they cannot precisely ever possibly cover the cost of long-term trauma care.

For the sake of all Pennsylvania citizens, not only for their health but for their pocketbooks, I ask that you vote “no” on this legislation.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentledady.

The Chair recognizes the gentledady from Montgomery, Mrs. Dailey.

Mrs. DAILEY. Thank you, Mr. Speaker.

The words of today’s House Chaplain: “Deliver us, Lord, from being too free for our own good.”

Driving a vehicle on State highways is a privilege, not a right. The State establishes standards that drivers obey to keep their privilege because such standards are in the public interest.

According to the National Highway Safety Institute, helmet-use rates in States with limited laws are about the same in States without laws. For this reason the institute assigned poor ratings to the laws in all States where helmet laws do not apply to all riders.

I will not repeat a lot of other statistics. They have been cited previously. I will tell you, however, that I am a registered nurse. I have a master’s degree in burns, emergency and trauma nursing, and I have cared for many trauma victims. I have cared for motorcyclists who have been helmeted and who have not been helmeted, and I have seen dead motorcyclists. They have either been brought in that way to the emergency room in which I worked or I saw them in the morgue when I was a nursing supervisor and I had to take the undertaker down to get them.

I received many e-mails from people across this State, and I have received many e-mails, even more, from people in Ohio who would like to drive in this beautiful State of ours without a helmet because they are going to add to our economy, they tell me. I think not.

I also am the mother of two motorcyclists. One owns not one but two Harley-Davidsons, and he told me, as did his brother, “Mom, don’t vote for this bill. I have friends that don’t know better than to ride with a helmet if you repeal this law.”

Additionally, with all the e-mails that I have been receiving from people from out of this State and out of my district – and I might add that I have only received two e-mails from people in my district – one e-mail that I received just last evening as I was beginning to prepare these remarks came from a woman that was not in my district, and she sent to me definitions of what a Representative is, because, as she said, I should be representing the people in my district who do not want to wear helmets. In response to her, I used the words of Edmund Burke, and I would ask you to listen to these words: “It is a general popular error to suppose the loudest complainers for the public to be the most anxious for its welfare. When the leaders choose to make themselves bidders at an auction of popularity, their talents, in the construction of the state, will be of no service. They will become flatterers instead of legislators; the instruments, not the guides, of the people.” Additionally, he said, “Your representative owes you, not his industry only, but... judgment; and he betrays instead of serving you if he sacrifices it to your opinion.”

I believe that we in the House should think about the words of this great orator and statesman from the 18th century and stand in opposition to this bill.

Thank you.

The SPEAKER. The Chair thanks the gentledady.

The Chair recognizes the gentleman from Franklin, Mr. Coy. Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I oppose this bill, and I appreciate so much many of the remarks made by the previous speakers. I think when you listen to the remarks of the gentledady from Montgomery County and the gentleman from Delaware County and the gentleman from Allegheny County previously, those remarks make sense.

Sometimes I think when we make decisions on the floor of the House, I do not know that we really need to have testimony necessarily from outside groups or testimony from organizations that support or oppose, but we simply need to say to ourselves: What makes sense here? What is right? What meets with your idea of right and wrong? I think some issues from time to time simply come down to that question for us: What is the right thing here?

And, you know, I have had members say to me over the last couple weeks, Mr. Speaker, that they are tired of fighting this issue, that they are tired of hearing from folks who ride

motorcycles and who want to not wear helmets, and they are simply going to give in; they are simply going to give up; they are simply going – and some of these members told me that they voted against this in the past but they are voting for it this time simply because they have fought it long enough. Well, with all due respect, I do not think that is a good enough excuse. With all due respect, I think if it was worth a “no” vote at one point in time, it probably still is.

Now, having said earlier what I said about not listening or not needing testimony from outside groups, let me just mention a couple of the groups that we have heard from – the American College of Emergency Physicians, the Pennsylvania Trauma Society, the Pennsylvania Catholic Health Association, the Advocates for Highway and Auto Safety, the Automobile Association of America. Now, admittedly, none of these organizations has all the answers, but I will tell you that I think when you have groups of physicians, of emergency room physicians, who witness the results of traumatic injuries that occur on the highways of this State, we ought to listen. We ought to say to ourselves, maybe I just do not have all the answers on this issue; maybe I ought to listen to some of these groups.

I know all about choice and the issues of choice and I respect them in many different ways, but when, as the gentleman from Allegheny was saying before, when decisions like this are going to affect the insurance rates of every Pennsylvanian, and they are going to; they are undoubtedly going to raise insurance rates for other Pennsylvanians. Act 6 of 1990, which sets automobile insurance rates and standards and different regulations regarding automobile insurance rates, requires the basic minimum for automobile insurance, but it does nothing for motorcyclists. Now, that is wrong, and this bill further exacerbates that problem. It just makes good common sense.

Now, as we make this decision and as we vote on it, I think for many, many years all of us understand our responsibility, and that is to help to protect the lives and safety of our citizens, and I think most of the measures that are passed here and in the Senate and are signed by the Governor do that. They help to protect the lives and safety and health of our citizens. This bill does just the opposite. This bill attempts and not only attempts but will put in place a system which will do harm to the lives and the health and the safety of our citizens. All of us, when you let the dust settle on this issue, know that to be the truth, and so whether you intend to vote “yes” because you have had enough and you just want to let folks have their way or whether you have a strong belief about it, I ask you to simply reconsider the fact that every reasonable point of evidence, every reasonable point of view, every reasonable organization including physicians and health-care professionals and emergency responders, tell us that the evidence leads us to the conclusion that this bill will do more harm than good.

Like the Hippocratic oath that our physicians take, which says first, do no harm, I say to my colleagues in the General Assembly, if you vote for this, you are doing harm, and I ask you to reconsider the position, to reconsider the position and understand that we should first do no harm. I oppose the bill, and I encourage my colleagues to do the same.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cumberland, Mr. Nailor.

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

I was not going to speak on this bill, as we have addressed this issue before, but we are about to create two separate standards on our highways. Now, I have a motorcycle license and I have owned two motorcycles during my lifetime, and I also think I have a very strong record of supporting individual rights during my 14 years in the House of Representatives and individual freedoms during my 3 years in the United States Army. However, my father taught me early on that with freedoms come responsibilities, and in this case, the responsibility is insurance.

When we acted on automobile insurance reform in 1989 or 1990, I believe it was, we required automobile insurance coverage as a condition of driving in Pennsylvania. We even required the insurance company to create a risk pool for those who had less-than-attractive driving records so they would be guaranteed, if they still had their license, they could get that insurance to operate a motor vehicle in Pennsylvania. Well, why are we creating an exception here?

While many motorcycle riders do have private, personal health-care coverage that would cover them if they were injured in an accident, there are an awful lot that do not have that coverage, and there is no such requirement in this bill for motorcycle riders. There is not even a minimum of basic liability coverage as a requirement in this bill. So I guess the big question still remains, who will pay for the seriously injured, uninsured rider? Well, I think we all know the answer to that, and that is why 70 percent of the over 1850 responses on my questionnaire asked me to vote “no” on this bill.

Most folks believe that there is seriously something wrong with requiring automobile drivers to have insurance, to wear seatbelts, they have airbags, and they are enclosed in a steel frame, while at the same time we permit others to reject proven safety measures like helmets and travel on our highways with no liability insurance coverage. We are sending a terrible message about a double standard, and it is a bad piece of legislation and I hope we vote “no.”

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Delaware, Mr. Kirkland, for the next 45 minutes.

Mr. KIRKLAND. Thank you, Mr. Speaker. Not quite 45.

Mr. Speaker, I rise in opposition to SB 259. Mr. Speaker, today we can add the nickname, a nickname to the Commonwealth of Pennsylvania, and that nickname can be the “commonsense Commonwealth” by opposing this SB 259.

Mr. Speaker, I had two instances where I had the unfortunate opportunity to see persons injured who did not have a helmet. One person, Mr. Speaker, was actually wearing a helmet, but he was wearing the helmet improperly. The helmet was sitting on top of his head, Mr. Speaker, rather than all the way down. And while this person was traveling in the inner city, he hit a pole, and while all the other traffic went around him, I kind of pulled up behind the person, and when I rolled the young man over and saw the gash in his head, the gash that would have been protected if the helmet was pulled down, it was something that was very frightening. Unfortunately, the young man passed away a little while later.

Secondly, Mr. Speaker, there was a young man in this incident, when it happened, the young man had decided that it was going to be the first time he wore a helmet, the very first

time he wore a helmet, and went out on his bike with another friend and was traveling at a high rate of speed, and there was a car that decided it was not going to stop at the stop sign. It came through the stop sign, and this young man realized that he was about to be killed as he was traveling on his bike. However, he decided to lay his bike down and take the brush burns or the burns that would come with laying the bike down. Had not he been wearing a helmet, Mr. Speaker, he would have probably been killed, because later his head slammed up against the sidewalk and split the helmet that he had on. Fortunately he had a helmet on. If he did not have a helmet on, Mr. Speaker, that same young man would not be asking me for my daughter's hand in marriage today.

Mr. Speaker, we want to talk about responsible adults and how we should not be passing laws that govern responsible adults. Well, Mr. Speaker, if the world was so full of responsible adults, then we would not have signs on our highways and on our turnpikes as we travel here to Harrisburg that say slow down; men at work, men and women at work. I think they are there because there are some adults that are not responsible.

Mr. Speaker, I am hoping and I am praying that we do the right thing here today and that we become the commonsense Commonwealth and we vote "no" on SB 259. Thank you.

Thank you for my 45 minutes, Mr. Speaker.

The SPEAKER. You are welcome. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Warren, Mr. Lynch.

Mr. LYNCH. Thank you, Mr. Speaker.

You know, it was probably in the 1950s or 1960s when the automobile as we currently know it went from the category of luxury to becoming a necessity. We know the motorcycle has not yet got to that category; it is still a luxury. You do not have to buy a motorcycle. And you know something? A motorcycle costs a little bit more than the fishing rods and reels that I buy. I have a hard time believing all these complaints about all these irresponsible adults that are out there driving motorcycles do not have the money to pay for their own insurance. You know something? I think most of them do. You pay a lot of money for a motorcycle.

Safety; a lot of comments I have heard about safety. You know, you want to do something about safety – and we are going to be doing something about that on Monday – how about we eliminate drinking and driving. You want to make the roads safer? Do not worry about the motorcycle helmets; let us eliminate drinking on the roads. And we do allow that. We are hoping to lower it to .08 Monday, so obviously we do allow it.

And I hear a lot of conversations today about saving lives and insurance rates. You want to save lives and insurance rates? Step up to the plate and let us ban the use of tobacco in Pennsylvania. Fifty percent of all cancers are tobacco related, plus heart disease, plus emphysema. You want to save on insurance rates? Eliminate tobacco, not worry about the motorcycle helmets.

This proposed law is about giving freedom to responsible American adults, and I think we are entitled to give them that. I say we vote "yes" on this bill and send it to the Governor.

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

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, I am a little reserved coming to the mike for this presentation, and I think afterwards you will understand. Most of you in this chamber know me and you notice that I do have a limp. The year is 1975, Mr. Speaker, and I was on a motorcycle, and I was struck by a gentleman driving a car who was 80 who said he did not see me. I broke my leg in seven places, I broke my pelvis, and I was in a coma for 32 days.

Mr. Speaker, this is a no-brainer for me. I am going to vote for this Senate bill, and I am sorry there are not additional bills that I can vote on that would guarantee the safety of citizens. For those who shape the issue around individual liberties and rights, it is okay; we are legislators; we shape issues the way we want. But as a judge, they look at the totality of the situation, and in this House we should be considering the balancing act between individual rights and the rights of others.

When we talk about the rights of others, Mr. Speaker, no one in this chamber has the right to infringe on another. You give a person the right to exclusively drive when he would like to have a helmet on, he runs the risk of imposing a financial responsibility on another citizen in that if he does not have insurance or even if he has insurance, it may not be enough; thus, there is a requirement for tax dollars to take care of him. No one has that right, Mr. Speaker – no one, no one. So it is a balancing act. It is a balancing act between a person's individual rights to be on a motorcycle and the rights of citizens not to have to take care of him once he is injured.

Now, if we are going to charge an additional amount for insurance, and I do not believe we could ever charge a proper amount of insurance for somebody who suffers a head injury, because there are situations where people from head injuries have been in comas for 10 and 20 years and survive. Who is going to pick up the fee? Who is going to pay that? The family is going to say, we do not have the insurance to pay for it. Right away everyone turns to the government and taxpayers, and I am standing here again telling you, that individual who is in that coma, who decided to ride without a helmet, does not have a right to infringe on John Q. Public and his tax dollars. That is the greatest infringement that a person can make on another, and that is the uncalled-for infringement, the infringement that they did not say we submit to. We have to take your tax dollars to take care of someone who decided to do something foolish.

So this vote is about that balancing act between citizens and their individual rights to do as they choose and the other person who does not want to take care of the person once his insurance does not kick in. So what I am going to do is I am going to vote in favor of SB 259 and ask my colleagues on both sides of the aisle to do the same.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentelady from Erie, Ms. Bebko-Jones.

Ms. BEBKO-JONES. Thank you, Mr. Speaker.

Mr. Speaker, I cannot believe that once again SB 259 is in front of us. We dealt with this bill a couple years ago and it failed, and this bill should fail again today. The message that we are sending Pennsylvanians is this: Hey, Pennsylvanians, do not wear your helmets; spread your brains all over the Pennsylvania highways; and then think about signing an organ donor card at

the same time. That is the message we are sending these Pennsylvanians.

Now, we do a lot of legislation here. We cannot legislate one's behavior or legislate one's responsibilities, but why in God's name would we repeal this act when it has proven to save lives? So I am asking all of you on both sides of the aisle to really think about it, and I am asking for a "no" vote on SB 259.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes the gentleman from Clarion, Mr. McIlhattan.

Mr. McILHATTAN. Thank you, Mr. Speaker.

Would the chairman of the House Transportation Committee stand for just a brief interrogation for just a few moments?

The SPEAKER. The gentleman, Mr. Geist, indicates that he will.

Mr. McILHATTAN. Mr. Speaker, I have no great problem with it, with letting adults decide whether they should wear a helmet or not, but I think all of us in this chamber are hopeful that most people will wear helmets, and one of the ways to probably bring that about most easily is to convince those between 16 and 21 to make it mandatory with strong penalties for them to wear helmets. My little concern is that in this legislation, if you are between 16 and 21, the law requires that you wear a helmet. My question, Mr. Speaker: What is the penalty for those between 16 and 21 that do not wear helmets? What is the penalty under the law under this legislation?

Mr. GEIST. \$25 plus costs, and it brings you out at around 100 bucks when you leave the magistrate.

Mr. McILHATTAN. Okay. \$25 plus costs, 100-some dollars. Any points at all on your driving record or anything?

Mr. GEIST. None.

Mr. McILHATTAN. None whatsoever.

Mr. Speaker, I think that this is certainly a weakness in this legislation. Though I do not want to hold it up for this cause, I think it is important for those in the legislature to understand that the penalties for those not wearing helmets between 16 and 21 are very, very light, and if we want to convince and get more people to wear helmets as they get older, I think it is important that we begin to make those penalties a lot more stronger, maybe a loss of license for 30 days or things like that.

So I would hope if this bill passes, we come back and review that section and try to make it stronger.

Thank you, Mr. Speaker.

Mr. GEIST. Thank you very much, Mr. Speaker, and if you want to draft legislation that way, our staff will be more than glad to help you in writing it.

Mr. McILHATTAN. Okay. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

GUESTS INTRODUCED

The SPEAKER. The Chair at this time would like to recognize the family of Representative Louise Bishop: her son, James Bishop; her daughter-in-law, Angela Bishop; and her two grandchildren, Amber Bishop and James Bishop, Jr. Please rise, to the left of the Speaker.

CONSIDERATION OF SB 259 CONTINUED

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

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

I rise to oppose this legislation, SB 259, Mr. Speaker. I have voted against it on two other occasions during my legislative career. I cannot help but remember the fact that it was 35 years ago this week that my grandfather bought me my first minibike when I was just 11 years old, and with that minibike came a helmet. I rode minibikes with my buddies. We all wore our helmets at that time. At 16 I got my driver's license, rode motorcycles on the road. I know what it means to keep a helmet on your head and be safe on the highway for yourself as well as for other people.

I do not have a motorcycle anymore, Mr. Speaker, but what I do have, I still have the license. I want to show it; it is still active. I can ride a motorcycle, but my concerns and my commitment to keeping the mandatory helmet law in place in Pennsylvania remains. I think that is very important.

How can we go about telling our constituents they have to have mandatory seatbelts and children in the backseats in car seats and all these other safety devices that the General Assembly has put in place over the past number of years, and now this is totally contrary to where the General Assembly has been establishing policy and practice and legislation and new laws for the last two decades. It is totally opposite of that. This is not right, Mr. Speaker.

But I do want to read into the record a letter to the editor of the Centre Daily Times that was published on June 17 by Ted Ziff, who is the director of emergency services at the Centre Community Hospital at State College, and Mr. Ziff writes that "As an emergency physician, I have too often witnessed the devastating effects of motor vehicle accidents. The injuries go much further – to the family, to the children, the spouses – all of whose lives are forever altered by the death or severe injury of the victim. Motorcyclists not wearing helmets are especially vulnerable to such grave outcomes...."

"Helmet repeal is very bad medicine and incredibly bad public policy.

"Bikers seeking repeal want government 'off their backs' until they land themselves on their backs and need taxpayer dollars to help fund long-term care for their head injuries. The motorcyclist's decision to ride without a helmet is ill advised. It adversely affects all of us – health-care professionals, families and taxpayers.

"A repeal will decrease helmet use. Currently, there is near-100 percent use of helmets by motorcyclists. In states without strong helmet laws, use by choice is as low as 34 percent.

"A repeal will increase fatalities. By riding without a helmet, a biker increases the risk of death and devastating brain trauma. The National Highway Traffic Safety Administration has shown that helmets are very effective in preventing or diminishing brain injury.

"Maryland brought back its universal helmet law after a repeal resulted in a 50 percent increase in motorcycle-related fatalities. Let's learn from their experience and keep our law in place."

And, Mr. Speaker, I conclude by saying this, and that is that if this bill does become law and many motorcyclists are seen driving the Pennsylvania highways without their helmets, how can you possibly convince any driver of a motor vehicle that they must then also wear their seatbelts? It is contradictory.

I daresay that we will be back here in the next General Assembly reinstating the mandatory helmet law if this legislation is passed and it is repealed. Vote “no,” Mr. Speaker.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Horsey, for the second time.

Mr. HORSEY. Thank you, Mr. Speaker.

I inadvertently read the bill incorrectly. The bill is 48 lines. I am opposed to this bill, Mr. Speaker, and I, again, inadvertently read the bill incorrectly.

I was at one time a serious rider. I have been to Florida a couple times, been to Boston, Springfield, Chicago, been to California, Monterey twice, all on a motorcycle, Mr. Speaker, and for anyone to ask at this time what are my feelings about people wearing helmets, they should wear helmets, Mr. Speaker, and that is from personal experience, Mr. Speaker.

And again, I do not want to impose on people’s rights, but at the same time I do not want individual citizens to impose on others’ rights, and this vote today represents that incursion of one person possibly on another’s rights. So I am opposed to this amendment, and I would ask members in the chamber also to be opposed to this Senate bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Frankel, for the second time.

Mr. FRANKEL. Thank you, Mr. Speaker.

Again I rise to oppose SB 259, and while many of the reasons have been expressed here by many of my colleagues today, there is one thing that could be done to this bill to at least mitigate some of the problems that I and many others see with that, and that is to include some measure, minimal measure, of financial responsibility to go along with that.

I want to read to you a quote from a similar bill that passed the Florida legislature back in the year 2000, and I quote: “Today, I signed into law House Bill 1911, an act that related mostly to the Department of Highway Safety and Motor Vehicles. This bill contains many provisions, including repeal of the mandatory helmet law for motorcyclists over the age of 21. I signed the bill for several reasons.”

The second reason, quote: “Secondly, unlike operators of other motor vehicles, current law does not require motorcyclists to have insurance, whether they are wearing a helmet or not. For the first time, under House Bill 1911, motorcyclists will be required to have medical insurance. As a result of this new law, motorcyclists must have at least \$10,000 in medical insurance coverage if they choose to ride without a helmet,” unquote.

That quote is from Gov. Jeb Bush of Florida when he signed this into law. That was a requirement that he thought was absolutely necessary at a minimum to protect the taxpayers of the State of Florida. We have no less a responsibility here.

MOTION TO SUSPEND RULES

Mr. FRANKEL. For that reason I would move to suspend the rules to offer an amendment that would do just that, amendment No. 2656. I ask the members for their support in suspending the rules to accomplish this.

Thank you.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that the bill has been agreed to for the third time.

On the question recurring,

Will the House agree to the bill on third consideration?

The SPEAKER. The question is on the motion for suspension of the rules made by Representative Frankel, to suspend the rules that we immediately bring up amendment A2656.

On the question,

Will the House agree to the motion?

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

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

Mr. Speaker, while the motion to suspend to consider this amendment is obviously in order and there may be some reason to consider that amendment, I think it is something that this legislation has moved considerably through the process, and I would urge the members to oppose the suspension of the rules, and perhaps this piece of legislation, this amendment, could be considered separately in due process within the Transportation Committee in the months ahead.

So I would urge the members to oppose the suspension of the rules.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. I will defer to the gentleman from Allegheny County.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. FRANKEL. Look, I believe, Mr. Speaker, that, you know, we just passed, as I said before, a resolution to study this issue. There are many problems with this issue. Least among them is the issue of financial responsibility. This amendment addresses that. But how can we pass a resolution to study an issue and rush to judgment here because we decided that under that resolution there are unresolved issues that we have to look at and we are going to go pass this bill? I am offering a very moderate, modest amendment that requires a very minimal level of financial responsibility from those who want to take this opportunity not to wear helmets and protect our taxpayers. Make no mistake—

The SPEAKER. Mr. Frankel—

Mr. FRANKEL. —we pass this law, the taxpayers of Pennsylvania—

The SPEAKER. Mr. Frankel—

Mr. FRANKEL. —are going to end up paying the bill.

The SPEAKER. Mr. Frankel—
 Mr. FRANKEL. Twenty-two percent of all the injured—
 The SPEAKER. Mr. Frankel, a quick explanation. You were recognized for an explanation, not a dissertation.
 Mr. FRANKEL. Thank you. Thank you, Mr. Speaker.
 Anyway, I would please ask all my members, all my colleagues on both sides of the aisle, to support me in this very, very reasonable effort to suspend the rules.
 Thank you.
 The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—97

Adolph	Evans, J.	Mackereth	Samuelson
Bard	Fabrizio	Maitland	Santoni
Bastian	Fairchild	Manderino	Schroder
Bebko-Jones	Flick	Mann	Semmel
Belardi	Frankel	Markosek	Staback
Belfanti	Freeman	McGeehan	Stairs
Benninghoff	Gergely	McIlhinney	Steil
Bishop	Gillespie	McNaughton	Stetler
Boyd	Gingrich	Melio	Sturla
Butkovitz	Godshall	Micozzie	Tangretti
Caltagirone	Gordner	Mundy	Taylor, J.
Causer	Habay	Nailor	Thomas
Cawley	Hennessey	O'Brien	Tigue
Cornell	Hershey	Oliver	True
Costa	Hess	O'Neill	Turzai
Coy	Hickernell	Pallone	Vitali
Crahalla	Horsley	Petrone	Walko
Creighton	Josephs	Phillips	Waters
Cruz	Keller	Pistella	Watson
Curry	Kenney	Preston	Weber
Dailey	Kotik	Rieger	Wheatley
DeLuca	Leach	Roebuck	Williams
Dermody	Lederer	Rubley	Youngblood
Diven	Levdansky	Ruffing	Yudichak
Donatucci			

NAYS—100

Allen	Evans, D.	Lescovitz	Rooney
Argall	Feese	Lewis	Ross
Armstrong	Fleagle	Lynch	Sainato
Baker	Forcier	Maher	Saylor
Baldwin	Gabig	Major	Scavello
Barrar	Gannon	Marsico	Shaner
Biancucci	Geist	McCall	Smith, B.
Birmelin	George	McGill	Smith, S. H.
Blaum	Goodman	McIlhatten	Solobay
Browne	Grucela	Metcalfe	Stevenson, R.
Bunt	Gruitza	Miller, R.	Stevenson, T.
Buxton	Haluska	Miller, S.	Surra
Cappelli	Hanna	Mustio	Travaglio
Casorio	Harhai	Myers	Vance
Civera	Harhart	Nickol	Veon
Clymer	Harper	Payne	Wansacz
Cohen	Harris	Petrarca	Washington
Coleman	Hasay	Petri	Wilt
Corrigan	Herman	Pickett	Wojnarowski
Daley	Hutchinson	Raymond	Wright
Dally	James	Readshaw	Yewcic
Denlinger	Killion	Reed	Zug
DeWeese	Kirkland	Reichley	
DiGirolamo	LaGrotta	Roberts	
Eachus	Laughlin	Rohrer	Perzel,
Egolf	Leh		Speaker

NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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

On the question recurring,
 Will the House 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—118

Allen	Egolf	Lewis	Sainato
Argall	Fabrizio	Lynch	Santoni
Baker	Fairchild	Maher	Saylor
Baldwin	Feese	Maitland	Scavello
Barrar	Fleagle	Manderino	Schroder
Bastian	Forcier	Mann	Shaner
Belfanti	Gannon	McCall	Smith, B.
Biancucci	Geist	McGeehan	Smith, S. H.
Birmelin	George	McGill	Solobay
Blaum	Gergely	McIlhatten	Staback
Boyd	Godshall	McIlhinney	Stevenson, R.
Browne	Goodman	McNaughton	Stevenson, T.
Bunt	Gruitza	Metcalfe	Sturla
Buxton	Haluska	Miller, S.	Surra
Caltagirone	Hanna	Nickol	Tangretti
Cappelli	Harhai	Oliver	Taylor, J.
Casorio	Harhart	Pallone	Travaglio
Civera	Harper	Payne	True
Cohen	Harris	Petrarca	Veon
Coleman	Hasay	Preston	Walko
Costa	Horsley	Raymond	Wansacz
Creighton	Hutchinson	Readshaw	Waters
Daley	Keller	Reed	Williams
Dally	Kotik	Reichley	Wilt
Denlinger	LaGrotta	Roberts	Wojnarowski
Dermody	Laughlin	Roebuck	Yewcic
DeWeese	Leach	Rohrer	Zug
Diven	Lederer	Rooney	
Donatucci	Leh	Ross	Perzel,
Eachus	Lescovitz	Ruffing	Speaker

NAYS—79

Adolph	Evans, D.	Kirkland	Rieger
Armstrong	Evans, J.	Levdansky	Rubley
Bard	Flick	Mackereth	Samuelson
Bebko-Jones	Frankel	Major	Semmel
Belardi	Freeman	Markosek	Stairs
Benninghoff	Gabig	Marsico	Steil
Bishop	Gillespie	Melio	Stetler
Butkovitz	Gingrich	Micozzie	Thomas
Causer	Gordner	Miller, R.	Tigue
Cawley	Grucela	Mundy	Turzai
Clymer	Habay	Mustio	Vance
Cornell	Hennessey	Myers	Vitali

Corrigan	Herman	Nailor	Washington
Coy	Hershey	O'Brien	Watson
Crahalla	Hess	O'Neill	Weber
Cruz	Hickernell	Petri	Wheatley
Curry	James	Petrone	Wright
Dailey	Josephs	Phillips	Youngblood
DeLuca	Kenney	Pickett	Yudichak
DiGirolamo	Killion	Pistella	

NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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 without amendment.

SUPPLEMENTAL CALENDAR A

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 651, PN 2166**, entitled:

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

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

The SPEAKER. It is moved by the gentleman, Mr. Hickernell, 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—193

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

Bianucci	Gannon	McGeehan	Staback
Birmelin	Geist	McGill	Stairs
Bishop	George	McIlhattan	Steil
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, J.
Cappelli	Gruitza	Mundy	Thomas
Casorio	Habay	Mustio	Tigue
Causer	Haluska	Nailor	Travaglio
Cawley	Hanna	Nickol	True
Civera	Harhai	O'Brien	Turzai
Clymer	Harhart	Oliver	Vance
Cohen	Harper	O'Neill	Veon
Coleman	Harris	Pallone	Vitali
Cornell	Hasay	Payne	Walko
Corrigan	Hennessey	Petrarca	Wansacz
Costa	Herman	Petri	Waters
Coy	Hershey	Petrone	Watson
Crahalla	Hess	Phillips	Weber
Creighton	Hickernell	Pickett	Wheatley
Cruz	Horsely	Pistella	Williams
Curry	Hutchinson	Preston	Wilt
Dailey	Josephs	Raymond	Wojnarowski
Daley	Keller	Readshaw	Wright
Dally	Kenney	Reed	Yewcic
DeLuca	Killion	Reichley	Youngblood
Denlinger	Kotik	Rieger	Yudichak
Dermody	LaGrotta	Roberts	Zug
DeWeese	Laughlin	Roebuck	
DiGirolamo	Leach	Rohrer	
Diven	Lederer	Rooney	Perzel,
Donatucci	Leh	Ross	Speaker

NAYS—4

James	Kirkland	Myers	Washington
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NOT VOTING—0

EXCUSED—5

Fichter	Scrimenti	Stern	Taylor, E. Z.
Sather			

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.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 340, PN 785**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

Adolph	Eachus	Leh	Ross
Allen	Egolf	Lescovitz	Rubley
Argall	Evans, D.	Levdansky	Ruffing
Armstrong	Evans, J.	Lewis	Sainato
Baker	Fabrizio	Lynch	Samuelson
Baldwin	Fairchild	Mackereth	Santoni
Bard	Feese	Maher	Saylor
Barrar	Fleagle	Maitland	Scavello
Bastian	Flick	Major	Schroder
Bebko-Jones	Forcier	Manderino	Semmel
Belardi	Frankel	Mann	Shaner
Belfanti	Freeman	Markosek	Smith, B.
Benninghoff	Gabig	Marsico	Smith, S. H.
Bianucci	Gannon	McCall	Solobay
Birmelin	Geist	McGeehan	Staback
Bishop	George	McGill	Stairs
Blaum	Gergely	McIlhattan	Steil
Boyd	Gillespie	McIlhinney	Stetler
Browne	Gingrich	McNaughton	Stevenson, R.
Bunt	Godshall	Melio	Stevenson, T.
Butkovitz	Goodman	Metcalfe	Sturla
Buxton	Gordner	Micozzie	Surra
Caltagirone	Grucela	Miller, R.	Tangretti
Cappelli	Gruitza	Miller, S.	Taylor, J.
Casorio	Habay	Mundy	Thomas
Causer	Haluska	Mustio	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	Pallone	Vitali
Corrigan	Hennessey	Payne	Walko
Costa	Herman	Petrarca	Wansacz
Coy	Hershey	Petri	Waters
Crahalla	Hess	Petrone	Watson
Creighton	Hickernell	Phillips	Weber
Cruz	Horsey	Pickett	Wheatley
Curry	Hutchinson	Pistella	Williams
Dailey	Josephs	Preston	Wilt
Daley	Keller	Raymond	Wojnaroski
Dally	Kenney	Readshaw	Wright
DeLuca	Killion	Reed	Yewcic
Denlinger	Kirkland	Reichley	Youngblood
Dermody	Kotik	Rieger	Yudichak
DeWeese	LaGrotta	Roberts	Zug
DiGirolamo	Laughlin	Roebuck	
Diven	Leach	Rohrer	Perzel,
Donatucci	Lederer	Rooney	Speaker

NAYS—3

James Myers Washington

NOT VOTING—0

EXCUSED—5

Fichter Scrimenti Stern Taylor, E. Z.
Sather

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 without amendment.

TRANSPORTATION COMMITTEE MEETING

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

Mr. GEIST. Thank you, Mr. Speaker.

May I announce a committee meeting at this time?

The SPEAKER. The gentleman is in order.

Mr. GEIST. Thank you.

There will be a Transportation Committee meeting immediately upon the adjournment in room 60, East Wing, and I would appreciate it if all the members could attend.

Thank you.

The SPEAKER. Transportation will meet at the adjournment in room 60, East Wing.

BILL REPORTED AND REREFERRED TO COMMITTEE ON INSURANCE

HB 1635, PN 2070

By Rep. LEH

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

HEALTH AND HUMAN SERVICES.

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

HB 1718, PN 2236

By Rep. LEH

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.

HEALTH AND HUMAN SERVICES.

HB 1759, PN 2279

By Rep. LEH

An Act amending the act of November 24, 1999 (P.L.884, No.54), known as the Prescribed Pediatric Extended Care Centers Act, providing for definitions; and further providing for regulations.

HEALTH AND HUMAN SERVICES.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 265, PN 587

By Rep. LEH

An Act providing for treatment of psychological problems in health care facilities.

HEALTH AND HUMAN SERVICES.

The SPEAKER. There will be no further votes today, and tomorrow and Thursday will be nonvoting sessions.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce a meeting of the Democratic Caucus. Mr. Belfanti would like to go over the upcoming contract which has been or shortly will be presented to the members for ratification. Please come to the caucus.

HOUSE SCHEDULE

Mr. COHEN. Mr. Speaker, I would also like to ask a point of personal privilege.

Have any decisions been made about next week's schedule?

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Smith.

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

Yes. As the Speaker just announced, as the Speaker just announced, we will be in nonvoting session the next 2 days – Wednesday and Thursday. We hope to elevate the level of negotiations relative to some of the outstanding issues, and then it would be our intention to be in voting session next Monday and Tuesday. Subsequent to how the negotiations go on the outstanding issues, we would then probably go to the call of the Chair until we iron out details.

The SPEAKER. The Chair thanks the gentleman.

JUDICIARY COMMITTEE MEETING

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

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

At 3 p.m. there will be a meeting of the Judiciary Committee in 39, East Wing.

The SPEAKER. The Chair thanks the gentleman.

At 3 p.m., Judiciary will meet in room 39, East Wing.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentlelady from Philadelphia, Mrs. Lederer.

Mrs. LEDERER. Mr. Speaker, I would like to submit remarks for the record on HB 696.

The SPEAKER. The gentlelady will submit her remarks for the record.

Mrs. LEDERER. Thank you.

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

Mr. Speaker, I rise to support HB 696. As a Representative of a district which borders the Delaware River and as an active board member of the Greater Philadelphia World Trade Center, I am acutely aware of the value of the port.

William Penn selected the location for his settlement in Philadelphia because it is situated between two large rivers, which made it ideal for maritime trade with England and all of Europe.

That has not changed except that trade is now expanded worldwide. Some of the tons of cocoa beans, which are one of the largest imports to our port, are transported to Hershey and elsewhere to be used by Pennsylvania companies. The thousands of tons of fruit and vegetables which are shipped to Philadelphia from Central and South America permit us to use fresh produce throughout the winter, thereby enriching our lives as well as our economy. Some of this tonnage remains for a while in cold lockers, also providing jobs for port workers. Thousands of tons leave Philadelphia by refrigerated trains or trucks, further providing employment for Pennsylvania truck drivers.

The Port of Philadelphia should not be transformed into other uses because it is too valuable to the economy not only of Philadelphia but to the entire Commonwealth. Certainly the Federal government validated this when they recently named the Port of Philadelphia as a strategic military port. The movement of troops and equipment will depart from Pennsylvania in times of conflict. This designation also provides the city with added security. The United States Coast Guard is also based on the Delaware. The World Trade Center of Greater Philadelphia will soon be constructing their new buildings along Delaware Avenue.

Please vote "yes" on HB 696 sponsored by Representative William Keller.

VOTE CORRECTION

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

Mr. HORSEY. Thank you, Mr. Speaker.

Inevitably, my lever malfunctioned on SB 259. I voted "yea" and I needed to vote "nay." Just for a correction to the record, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. HORSEY. Thank you, Mr. Speaker.

The SPEAKER. The gentleman's remarks will be spread across the record.

STATEMENT BY DEMOCRATIC LEADER

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

Mr. DeWEESE. Thank you, Mr. Speaker.

The SPEAKER. The gentleman is entitled to be heard. Please, keep the noise level down.

Mr. DeWEESE. I just wanted momentarily to respond to the young man from Schuylkill, our Appropriations chairman. He made some observations about our cash flow, and I just wanted the chamber to be aware that not all of us embraced the gentleman's perspective and that we are taking some of his numbers with the proverbial grain of salt. There is no acrimony or vituperation; there is a great deal of confidence in our incipient negotiations, but when the gentleman responded about our revenue yields, I could not help but think that he was being overly optimistic.

The State of Pennsylvania, like 46 other States, is in dire fiscal circumstances, and it will take all of our combined efforts to extricate ourselves from the financial abyss that we are in. So as we go home over the Fourth and as some of us linger in the Capitol Complex and, as the majority leader said, still continue to meet and negotiate, we should all be aware that Pennsylvania is in trouble, and it will take our best efforts to ameliorate the crisis.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETINGS

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

Mr. ARGALL. Just to announce two meetings, if I may.

The House Appropriations Committee will meet immediately in room 245. We will also meet tomorrow in room 245 at the conclusion of the Rules Committee meeting, which I would suspect would be in the neighborhood of 11 o'clock.

And, Mr. Speaker, yes, we do stand by our numbers.

The SPEAKER. The Chair thanks the gentleman.

Appropriations will meet immediately in room 245, and also tomorrow in room 245.

URBAN AFFAIRS COMMITTEE MEETING

The SPEAKER. Does the gentleman, Mr. Taylor, desire recognition? Mr. Taylor.

Mr. TAYLOR. Mr. Speaker, I would like to announce the meeting of the Urban Affairs Committee on Monday at noon in a room that will be announced. We will make sure each member gets that in their e-mail and by letter to their office.

The SPEAKER. The Chair thanks the gentleman.

Urban Affairs will meet Monday at noon, room to be announced.

ANNOUNCEMENT BY MR. COHEN

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce for the record that our caucus scheduled for 10 a.m. tomorrow has been canceled.

The SPEAKER. The Chair thanks the gentleman.

BILL SIGNED BY SPEAKER

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

HB 651, PN 2166

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

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

FINANCE COMMITTEE MEETING

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

Mr. FLICK. Thank you, Mr. Speaker.

Tuesday morning at 10 o'clock, there will be a Finance Committee meeting for the purposes of considering several bills. The place of the meeting will be announced tomorrow.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Finance Committee will meet Tuesday at 10 a.m., place to be announced.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1000, PN 2090**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 1000 be recommitted to the Appropriations Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the gentlelady from Philadelphia, Ms. Youngblood.

Ms. YOUNGBLOOD. Mr. Speaker, an order of personal privilege.

I would like to announce that today is an anniversary for me. It has been 1 year since I have had district office staff. So it is an anniversary for me.

The SPEAKER. The Chair thanks the lady.

RECESS

The SPEAKER. We are now waiting for committee reports, so we will recess the House until 3:30, unless sooner recalled.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

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

HB 4, PN 2334 (Amended)

By Rep. GEIST

An Act amending Titles 18 (Crimes and Offenses), 30 (Fish), 34 (Game), 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for impairment due to alcohol or controlled substances, for Department of

Transportation records and for investigation by police officers; and making editorial changes.

TRANSPORTATION.

BILLS REREPORTED FROM COMMITTEE

HB 300, PN 2333 (Amended) By Rep. ARGALL

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

APPROPRIATIONS.

HB 1000, PN 2090 By Rep. ARGALL

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

APPROPRIATIONS.

HB 1222, PN 1469 By Rep. ARGALL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for summary offenses involving vehicles.

APPROPRIATIONS.

HB 1359, PN 2157 By Rep. ARGALL

An Act creating the Pennsylvania State Investment Authority; providing for loans to venture capital companies, for certified capital companies and for working capital loan guarantees; and making an appropriation.

APPROPRIATIONS.

HB 1626, PN 2053 By Rep. ARGALL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "taxable income" for purposes of corporate net income tax.

APPROPRIATIONS.

HB 1660, PN 2164 By Rep. ARGALL

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

APPROPRIATIONS.

SB 109, PN 106 By Rep. ARGALL

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

APPROPRIATIONS.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

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

Mr. MUSTIO. Madam Speaker, I move that this House do now adjourn until Wednesday, July 2, 2003, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:43 p.m., e.d.t., the House adjourned.