

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, SEPTEMBER 30, 2003

SESSION OF 2003

187TH OF THE GENERAL ASSEMBLY

No. 78

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (JOHN M. PERZEL)

PRESIDING

PRAYER

REV. HAROLD L. MELE, JR., Chaplain of the House of Representatives, offered the following prayer:

Let us pray:

Heavenly Father, You have the ultimate authority; You are the ultimate authority. You are high above all principality and power and might and dominion and every name that is named not only in this world but also in that which is to come. I pray for the leaders of our Commonwealth. They need Your help, Lord. You have said in Your Word that if anyone lacks wisdom, all they need to do is ask, and You said there is safety in a multitude of counselors.

So I pray that every person in any position of authority will be led by Your Spirit. Give them wise counsel and wise counselors. Give them divine guidance. Help them to understand the times that we are living in, and show them the right course to take. Put a hedge of protection around every leader and their families. Bless them, Lord. Bless them with peace, prosperity, and an inner confidence that You are in control.

We ask all these things in the name of our Heavenly Father. 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, September 29, 2003, will be postponed until printed.

HOUSE BILLS

INTRODUCED AND REFERRED

No. 2037 By Representatives GODSHALL, ARMSTRONG, CAPPELLI, CAUSER, CLYMER, CRAHALLA, CREIGHTON, DALEY, FICHTER, GOODMAN, HALUSKA, HANNA, HARRIS, HERSHEY, HESS, KELLER,

KIRKLAND, LEVDANSKY, LYNCH, PAYNE, REICHLEY, STABACK, WILT and YOUNGBLOOD

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the term of office of the commissioners.

Referred to Committee on GAME AND FISHERIES, September 30, 2003.

No. 2038 By Representatives GODSHALL, ARMSTRONG, CAPPELLI, CAUSER, CLYMER, CRAHALLA, CREIGHTON, DALEY, FICHTER, GOODMAN, HALUSKA, HANNA, HARRIS, HERSHEY, HESS, KELLER, KIRKLAND, LEVDANSKY, LYNCH, PAYNE, REICHLEY, STABACK, WILT and YOUNGBLOOD

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the term of office of the commissioners.

Referred to Committee on GAME AND FISHERIES, September 30, 2003.

No. 2039 By Representatives HERSHEY, CAPPELLI, CRAHALLA, DENLINGER, GEIST, HENNESSEY, PAYNE and PETRI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for personal earnings exempt from process and for collection of restitution, reparation, fees, costs, fines and penalties.

Referred to Committee on JUDICIARY, September 30, 2003.

No. 2040 By Representatives HERMAN, ALLEN, BAKER, BARRAR, CAPPELLI, CAUSER, CORRIGAN, COY, CRAHALLA, CREIGHTON, CURRY, DeLUCA, DENLINGER, DeWEESE, EGOLF, FABRIZIO, FEESE, FLEAGLE, FORCIER, FREEMAN, GINGRICH, GODSHALL, GOODMAN, GRUCELA, HARRIS, HORSEY, HUTCHINSON, KIRKLAND, LAUGHLIN, MAJOR, MANN, McILHATTAN, MELIO, R. MILLER, O'NEILL, PETRARCA, READSHAW, REICHLEY, RUBLEY, SAINATO, SAYLOR, SCAVELLO, SEMMEL, SOLOBAY, TIGUE, WASHINGTON, WILT, YOUNGBLOOD and YUDICHAK

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for general regulations relating to criminal history record information.

Referred to Committee on JUDICIARY, September 30, 2003.

No. 2041 By Representatives T. STEVENSON, BENNINGHOFF, CAPPELLI, CAUSER, DALEY, FAIRCHILD, GEIST, GERGELY, HARRIS, KELLER, KIRKLAND, KOTIK, LEVDANSKY, R. MILLER, REICHLEY, STERN, TURZAI, VANCE, WILT, YOUNGBLOOD, LEDERER and THOMAS

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for the definition of "shared custody"; adding definitions; and further providing for custody of children.

Referred to Committee on JUDICIARY, September 30, 2003.

No. 2042 By Representatives PHILLIPS, SHANER, CAPPELLI, ALLEN, BEBKO-JONES, BELFANTI, BENNINGHOFF, CIVERA, CREIGHTON, DALLY, DeWEESE, GEIST, GOODMAN, HANNA, HARRIS, JAMES, LaGROTTA, PAYNE, PISTELLA, READSHAW, B. SMITH, STURLA, E. Z. TAYLOR, WASHINGTON, WILT and YOUNGBLOOD

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

Referred to Committee on GAME AND FISHERIES, September 30, 2003.

No. 2043 By Representatives WILT, ARMSTRONG, BAKER, BALDWIN, BIANCUCCI, CAPPELLI, CLYMER, CRAHALLA, CREIGHTON, CRUZ, DeLUCA, DENLINGER, EGOLF, FEESE, GABIG, GINGRICH, GOODMAN, HARRIS, HERSHEY, HORSEY, KELLER, R. MILLER, MUNDY, NAILOR, O'NEILL, PAYNE, PICKETT, READSHAW, REICHLEY, RUBLEY, SCHRODER, B. SMITH, STERN, R. STEVENSON, J. TAYLOR, TIGUE, WALKO, WASHINGTON, WATSON, WHEATLEY, WOJNAROSKI, YOUNGBLOOD and THOMAS

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for adoption proceedings relative to siblings.

Referred to Committee on JUDICIARY, September 30, 2003.

No. 2044 By Representatives MICOZZIE, CIVERA, FABRIZIO, GERGELY, GRUCELA, HORSEY, JAMES, LAUGHLIN, LEDERER, MANDERINO, READSHAW, SATHER, E. Z. TAYLOR, WASHINGTON, WILT, WOJNAROSKI and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for renewal of registration and for expiration and renewal of drivers' licenses.

Referred to Committee on TRANSPORTATION, September 30, 2003.

No. 2045 By Representatives MICOZZIE, ARMSTRONG, CRAHALLA, DENLINGER, HENNESSEY, KILLION, LAUGHLIN, LEWIS, R. MILLER, O'NEILL, REICHLEY, B. SMITH, E. Z. TAYLOR, THOMAS, WANSACZ and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "emergency vehicle."

Referred to Committee on TRANSPORTATION, September 30, 2003.

No. 2046 By Representatives HUTCHINSON, S. H. SMITH, ARMSTRONG, BAKER, BASTIAN, BOYD, CAPPELLI, CAUSER, CLYMER, COLEMAN, DENLINGER, DeWEESE, EGOLF, FAIRCHILD, FLEAGLE, FORCIER, GEIST, GEORGE, GERGELY, GINGRICH, GOODMAN, HARRIS, HESS, HORSEY, KOTIK, LAUGHLIN, LEH, MAITLAND, McGEEHAN, McILHATTAN, METCALFE, R. MILLER, S. MILLER, NICKOL, PHILLIPS, PICKETT, PISTELLA, READSHAW, REED, REICHLEY, ROHRER, SATHER, SAYLOR, SHANER, SOLOBAY, STABACK, STERN, R. STEVENSON, T. STEVENSON, SURRA, TIGUE, TURZAI, WEBER, WILT and PETRARCA

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for license to carry firearms.

Referred to Committee on JUDICIARY, September 30, 2003.

No. 2047 By Representatives KELLER, ADOLPH, BISHOP, CAWLEY, CREIGHTON, CURRY, DeLUCA, FABRIZIO, GEORGE, HARRIS, HORSEY, KOTIK, MANN, McNAUGHTON, PISTELLA, ROEBUCK, SCRIMENTI, SHANER, J. TAYLOR, WOJNAROSKI, YUDICHAK, BENNINGHOFF, CAPPELLI, CORRIGAN, CRUZ, DALEY, DONATUCCI, FICHTER, GRUCELA, HERSHEY, JAMES, LEDERER, McGEEHAN, PETRARCA, ROBERTS, ROSS, SEMMEL, SOLOBAY, TIGUE and YOUNGBLOOD

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 City of Philadelphia.

Referred to Committee on STATE GOVERNMENT, September 30, 2003.

No. 2048 By Representatives GRUITZA, WALKO, READSHAW, FABRIZIO, BARD, BELFANTI, DeLUCA, GOODMAN, HORSEY, LEDERER, ROBERTS, SEMMEL, SOLOBAY, WASHINGTON, BEBKO-JONES, DALEY, GEORGE, HARHAI, JAMES, PALLONE, ROONEY, SHANER, WANSACZ, WILT and YOUNGBLOOD

An Act amending the act of December 17, 1986 (P.L.1693, No.202), known as the New Home Construction Local Tax Abatement Act, amending the title; and further providing for exemption from tax for improvements to residential property.

Referred to Committee on FINANCE, September 30, 2003.

No. 2049 By Representatives DONATUCCI, BIANCUCCI, CRUZ, DALEY, FABRIZIO, FREEMAN, KELLER, RIEGER, THOMAS, TIGUE, WASHINGTON, WATSON, WEBER and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the duty of driver in construction and maintenance areas or on highway safety corridors.

Referred to Committee on TRANSPORTATION, September 30, 2003.

No. 2050 By Representatives FLICK, McGEEHAN, CRUZ, WILT, DENLINGER, FABRIZIO, HARPER, HORSEY, KENNEY, KILLION, LEACH, LEH, SCAVELLO, SCHRODER, SURRA, THOMAS, WANSACZ and YOUNGBLOOD

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for possession, transportation and importation of liquor or alcohol.

Referred to Committee on LIQUOR CONTROL, September 30, 2003.

No. 2051 By Representatives FLICK, BELFANTI, GERGELY, SCAVELLO, BAKER, BALDWIN, BEBKO-JONES, BOYD, BROWNE, BUTKOVITZ, CORRIGAN, COSTA, COY, CRAHALLA, CRUZ, DENLINGER, DeWEESE, J. EVANS, FRANKEL, GEIST, GEORGE, GORDNER, HARHAI, HASAY, HERMAN, HERSHEY, HORSEY, JAMES, KILLION, KOTIK, LEACH, MANN, McGEEHAN, McILHATTAN, R. MILLER, S. MILLER, NAILOR, O'NEILL, PAYNE, PHILLIPS, RAYMOND, REICHLEY, SCHRODER, SHANER, SOLOBAY, E. Z. TAYLOR, THOMAS, TIGUE, WANSACZ, WASHINGTON, WILT, YOUNGBLOOD and YUDICHAK

An Act amending the act of December 20, 2001 (P.L.969, No.116), known as the Dormitory Sprinkler System Act, further providing for the sprinkler system program.

Referred to Committee on LOCAL GOVERNMENT, September 30, 2003.

No. 2052 By Representatives FLICK, HUTCHINSON, CRUZ, FABRIZIO, BASTIAN, BELARDI, CAPPELLI, COY, DeWEESE, FRANKEL, GEIST, GERGELY, GODSHALL, GOODMAN, HESS, HORSEY, JAMES, KILLION, KOTIK, LEWIS, McILHATTAN, PHILLIPS, PISTELLA, REICHLEY, ROBERTS, SANTONI, SCAVELLO, SURRA, TANGRETTI, E. Z. TAYLOR, THOMAS, TRAVAGLIO and WASHINGTON

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for additional creditable nonstate service as a municipal employee.

Referred to Committee on FINANCE, September 30, 2003.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 423 By Representatives MICOZZIE, DeLUCA, KILLION, MELIO, SATHER, SCHRODER, TANGRETTI, WALKO, WOJNAROSKI, BALDWIN, BELFANTI, BIANCUCCI, CAPPELLI, CORRIGAN, COY, CRAHALLA, DENLINGER, FABRIZIO, FAIRCHILD, GEORGE, GOODMAN, GRUCELA, HARHAI, HARRIS, HERSHEY, HORSEY, JAMES, KELLER, LAUGHLIN, MACKERETH, McNAUGHTON, S. MILLER, MUNDY, PAYNE, PHILLIPS, READSHAW, ROBERTS, SCAVELLO, SHANER, E. Z. TAYLOR, TIGUE, WATSON, YOUNGBLOOD, YUDICHAK, HESS, STETLER, CRUZ, WASHINGTON and ARMSTRONG

A Resolution urging the Congress of the United States and the Food and Drug Administration to take prompt and decisive action to investigate and resolve the skyrocketing cost of prescription drugs and to end certain deleterious advertising practices harmful and costly to the Pennsylvania consumer.

Referred to Committee on HEALTH AND HUMAN SERVICES, September 30, 2003.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 125, PN 1104

Referred to Committee on HEALTH AND HUMAN SERVICES, September 30, 2003.

VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman from Montgomery, Mr. Godshall, rise?

Mr. GODSHALL. Thank you, Mr. Speaker.

I would like to correct the record, please.

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

Mr. GODSHALL. On Monday, September 29, on HB 297, I had voted in the negative, and on the reconsideration of that, I was incorrectly voted in the affirmative on final passage. I would like to change my vote to a negative vote on HB 297, on the actual bill. I want to be recorded in the negative. Thank you.

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentlelady from Bucks, Mrs. Watson, who submits remarks for the record.

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

Mr. Speaker, today the Pennsylvania House has given final approval with its concurrence vote to a major revision of the Commonwealth's drunk driving law. This law, when implemented,

is designed to integrate treatment with penalty, providing the offender the opportunity and tools to make a life-altering change in his or her behavior. The goal of this new DUI (driving under the influence) law is straightforward and consistent with the law that was in effect the past 20 years – to prevent tragedies and save lives.

The old DUI law did not produce the results desired; in fact, while nationally alcohol-related fatalities decreased by 11 percent over the past 5 years, in Pennsylvania fatalities increased by 5 percent. Additionally, about one-third of all drivers arrested for driving under the influence are repeat offenders. “Punishment only” DUI laws were not sufficient to reduce the number of drunk drivers on Pennsylvania roadways.

The revised DUI law contained in SB 8 is largely the work product of House members and staff who were convened by House Transportation Chairman Representative Rick Geist of Blair County. I wish to thank Representative Geist for the opportunity to serve with colleagues from both the Transportation and Judiciary Committees in a working task force that produced this fair yet tough approach after deliberative study and collaboration. House staff members Michael Schwoyer, Jason Wagner, and David Thomas must be recognized also for their study and hard work drafting and redrafting as parts of the legislation were proposed by committee members.

The building blocks of the legislation are these: lower the blood alcohol content (BAC) threshold to .08; detect addiction early through screening; compliance with treatment recommendations as a mandatory condition of punishment; increase penalties for offenders who have a BAC of .16 or higher; treat an offender driving with any amount of illegal drugs in his/her system to be convicted of a DUI; and require ignition interlock for all repeat offenders and severely punish anyone caught tampering or bypassing the system.

Mr. Speaker, lastly I wish to thank you for your leadership when you were majority leader at the close of the 2001-02 session. You stated publicly that lowering the BAC to .08 was not enough to reduce drunk driving. You set the tone and the expectation when you said the House would do more in 2003 to fully address the issue. Today we have fulfilled your promise to the residents of Pennsylvania. With this law we will improve the quality of life for our citizens and make our roads safer.

Thank you, Mr. Speaker.

BILLS SIGNED BY SPEAKER

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

SB 8, PN 1173

An Act amending Titles 18 (Crimes and Offenses), 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; further providing for procurement; and making editorial changes.

SB 265, PN 587

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

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

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 696, PN 1048**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that SB 696 be placed upon the table.

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: SB 696.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to third consideration of **SB 850, PN 1107**, entitled:

An Act authorizing the City of Scranton and Redevelopment Authority of the City of Scranton, Lackawanna County, to transfer, sell and convey certain Project 70 lands free of restrictions imposed by the Project 70 Land Acquisition and Borrowing Act.

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that SB 850 be placed upon the table.

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: SB 850.

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

* * *

The House proceeded to third consideration of **HB 1534, PN 1997**, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for hotel room rental tax; and providing for an annual report.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that HB 1534 be placed upon the table.

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 1534.

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 1068.

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

BILL ON SECOND CONSIDERATION

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

HB 1068, PN 2631.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the following bill be recommitted to the Committee on Appropriations: HB 1068.

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

SENATE MESSAGE**ADJOURNMENT RESOLUTION
FOR CONCURRENCE**

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

In the Senate
September 29, 2003

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Tuesday, October 14, 2003, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, October 6, 2003, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, That when the House of Representatives adjourns the week of October 6 it reconvene on Tuesday, October 14, 2003, unless sooner recalled by the Speaker of the House of Representatives.

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

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

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

HB 1801, PN 2341

By Rep. LEH

An Act amending the act of June 25, 1931 (P.L.1352, No.332), referred to as the Delaware River Joint Toll Bridge Compact, further providing for powers and duties and for audits.

INTERGOVERNMENTAL AFFAIRS.

HB 1978, PN 2703 (Amended)

By Rep. O'BRIEN

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

JUDICIARY.

HB 2027, PN 2704 (Amended)

By Rep. LEH

An Act amending the act of May 24, 1945 (P.L.991, No.385), known as the Urban Redevelopment Law, further providing for appointment and qualifications of members of authority.

INTERGOVERNMENTAL AFFAIRS.

RESOLUTION REPORTED FROM COMMITTEE

HR 390, PN 2594

By Rep. LEH

A Resolution recognizing the plight of Falun Gong practitioners in China.

INTERGOVERNMENTAL AFFAIRS.

CONSUMER AFFAIRS COMMITTEE MEETING

The SPEAKER. The Chair announces that the House Consumer Affairs Committee will meet in the rear of the chamber at the first break; that is the House Consumer Affairs Committee.

The Chair rescinds. The House Consumer Affairs Committee will meet in the rear of the chamber immediately.

GUESTS INTRODUCED

The SPEAKER. The Chair announces that there are guests here today of Representative Dave Reed. They are Professor Susan Martin and her legislative process class from Indiana University of Pennsylvania. They are here today in observance of how the legislature works in order to conduct their own mock session. These guests are seated in the gallery. Would those guests please rise.

There is an immediate meeting of the Consumer Affairs Committee in the rear of the hall of the House.

GUESTS INTRODUCED

The SPEAKER. The Chair welcomes Christopher Brogan. He is a senior at Hershey High School and will be doing an internship in the district office of Representative John Payne. He is the guest of Representative Payne of the 106th Legislative District. He is seated to the left of the Speaker. Christopher, would you please rise.

The Chair would like to welcome Michael Anderson, who is accompanying Representative Phillips on the floor of the House today. Michael resides in Dalmatia, Pennsylvania. He is a junior at Line Mountain High School. For his graduation project, Michael has accumulated packages to be sent to our troops through our House program called SOAR, Support Our American Recruits. Michael, would you please rise and be recognized.

Serving today as a guest page from Representative Bev Mackereth's York County district, please welcome Jessica Conklin. She is a senior at Dover High School.

Jessica, please rise and be recognized by the membership. She is in front of the Speaker here.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 864, PN 1813**, entitled:

An Act providing for the regulation of home improvement contracts and for registration of certain home improvement contractors; prohibiting certain acts; prescribing requirements for home improvement contracts; establishing the Home Improvement Guaranty Fund; and providing for claims against the fund and for the offense of home improvement fraud.

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 864, PN 1813, be recommitted to the Committee on Appropriations.

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

* * *

The House proceeded to third consideration of **HB 501, PN 595**, entitled:

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, further providing for adjustments from the Environmental Stewardship Fund.

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 501, PN 595, be recommitted to the Committee on Appropriations.

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

LEAVES OF ABSENCE

The SPEAKER. Are there requests for leaves of absence?
The Chair recognizes the majority whip, who moves for a leave of absence for the gentleman from Delaware, Mr. ADOLPH. Without objection, the leave will be granted.

The Chair recognizes the gentleman from Beaver, Mr. Veon, who moves for a leave of absence for the gentleman from Dauphin, Mr. BUXTON. Without objection, the leave will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—201

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Adolph Buxton

DELEGATION FROM BHUTAN INTRODUCED

The SPEAKER. I would like to take this opportunity to welcome to our State Capitol and the hall of the House today two distinguished officials from the Kingdom of Bhutan, a beautiful country in the Himalayan Mountains.

I ask the U.S. State Department escort, Jackie O'Neil, to please take the microphone to introduce our special guests who are not only Governors of their districts but also members of the National Assembly of Bhutan as well. Jackie.

Ms. O'NEIL. Thank you.

It is my pleasure to introduce you today to two gentlemen who were formerly Governors but within the last month have been elevated. First, we have Mr. Tenzin, who is Secretary to the Consul; and Mr. Dorji, who is in the Ministry of Labor and Human Resources. Thank you.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1041, PN 1216**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for time limitations for the research and development tax credit and for termination of approval of the tax credit.

On the question,

Will the House agree to the bill on third consideration?

Mr. **CALTAGIRONE** offered the following amendment No. **A0745**:

Amend Title, page 1, line 10, by inserting after "penalties," providing a tax credit for attendance at a firearm training course; and

Amend Bill, page 1, lines 15 through 17, by striking out all of said lines and inserting

Section 1. The act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, is amended by adding a section to read:

Section 314.1. Tax Credit for Attendance at a Firearm Training Course.—(a) An individual who attends and successfully completes a firearm training course approved by the Pennsylvania State Police is eligible to receive a tax credit as provided in subsection (b).

(b) The department shall grant a tax credit against the tax imposed under this article in the amount of the total cost of the firearm training course to an individual under subsection (a).

(c) An individual may claim a tax credit for each year the individual attends and successfully completes a firearm training course.

(d) This section shall apply to taxable years beginning after December 31, 2003.

(e) The Pennsylvania State Police shall, by December 31, 2003, and each December 31 thereafter, publish a list of approved firearm training courses in the Pennsylvania Bulletin.

(f) The department shall promulgate any regulations necessary to carry out this section.

Section 2. Section 1707-B of the act, amended June 29, 2002 (P.L.559, No.89), is amended to read:

Amend Sec. 2, page 2, line 9, by striking out "2" and inserting

3

Amend Sec. 3, page 2, line 10, by striking out "3" and inserting

4

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

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

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

Basically, this will provide a tax credit for anybody that has or is taking a firearms training course. The hunters and many of those hunting groups across the State had encouraged this legislation. I would encourage a favorable vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. GABIG. Thank you, Mr. Speaker.

Would the maker of the amendment stand for brief interrogation?

The SPEAKER. The gentleman indicates that he will. The gentleman may proceed.

Mr. GABIG. Thank you, Mr. Speaker.

The tax credit, is it a—

The SPEAKER. Would the gentleman rescind.

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

Mr. GABIG. Mr. Speaker, thank you.

I guess I can proceed, and the question I have is, is the tax credit a personal income tax credit or a corporate income tax credit?

Mr. CALTAGIRONE. Personal; personal income tax.

Mr. GABIG. The question I have is, 2 years ago, my first session, when I first got up here, Mr. Speaker, I had a bill, an education tax credit bill; it was a two-part bill, and I was told that a personal income tax credit violates the uniformity clause of the Pennsylvania Constitution, and I just wonder if the gentleman, Mr. Speaker, could enlighten us as to his position on whether or not a personal income tax credit is in conformity with or not with the uniformity clause.

Mr. CALTAGIRONE. I do not really believe that it is in nonconformity. I think that we as a legislature, through our statutes, I mean, we set the rules. The department does not set the rules, and whatever we do in statute, they follow. I mean, when you had the State income tax passage way back when, it was an act of the General Assembly.

Mr. GABIG. Thank you, Mr. Speaker.

I think, is not the research and development tax credit a personal income tax credit? Is the gentleman aware of that, and are there any other precedents for personal income tax credits that the gentleman might be aware of, Mr. Speaker?

Mr. CALTAGIRONE. Not that I am aware of.

Mr. GABIG. Thank you very much. That answers my questions.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lancaster, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Will the gentleman rise for a brief interrogation?

The SPEAKER. The gentleman indicates that he will.

Mr. STURLA. Mr. Speaker, are there any limits as to how much tax credit you can take? I mean, if somebody offers you a deluxe, superdeluxe course, can they charge you \$500 or \$600

for the course, and would that be deductible also as opposed to, say, a nominal fee of \$50 that you would normally expect or \$25 for a course?

Mr. CALTAGIRONE. As it states in the amendment, the course would be regulated, controlled, and implemented by the Pennsylvania State Police, which would set a standardized rate for that course, as is the case now.

Mr. STURLA. So it is only the course that is provided by the Pennsylvania State Police, not one that is just approved by them?

Mr. CALTAGIRONE. Approved by the Pennsylvania State Police.

Mr. STURLA. Okay, but would they be approving the cost also?

Mr. CALTAGIRONE. Yes, they could.

Mr. STURLA. Okay.

Mr. Speaker, is there a fiscal note with this?

Mr. CALTAGIRONE. You may want to direct that to the Appropriations chair.

The SPEAKER. We are looking right as you speak. Just give us one moment.

The Chair does not have a fiscal note at this time. Could the Chair ask the gentleman, Mr. Argall, if he has done one, a fiscal note on this amendment?

Mr. ARGALL. Mr. Speaker—

The SPEAKER. Just one moment, Mr. Argall.

For the information of the members, there is a fiscal note on the system.

Mr. STURLA. Mr. Speaker, could you tell me what the amount of that fiscal note is?

The SPEAKER. Mr. Caltagirone, the gentleman, Mr. Sturla, asked if you had the dollar amount for the fiscal note.

Mr. CALTAGIRONE. Initially, on HB 234, the Appropriations Committee did in fact do a fiscal note when that bill came out. I do not recall what the amount is, but I know that there was a fiscal note attached to it.

It is on the computer? Zero. I am told that it is on your computer, and it is zero. It is on the screen.

Mr. STURLA. Mr. Speaker, if I could just make a comment at this point in time?

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I understand the intention of the maker of this amendment, and I think his intentions are meritorious. I just have concern that because I do not see specific language that regulates the cost of these training sessions, in fact there would be the argument to say that someone has a program that would meet all the standards required by the State Police, that the State Police would feel compelled to approve, but that may be 5 or 10 or 20 times higher than someone else's course, based on the fact that they were then supplementing their sportsmen's club with the cost of the gun training course or they were supplementing some other organization or some lobbying group with the cost of the training course, and we would be giving tax credits for those other means.

So I would like to see it perhaps more tightly crafted before we go forward with something that is sort of as open ended as this particular amendment may be.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

CONSTITUTIONAL POINT OF ORDER

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

Mr. SAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, I would like to make a motion to let the House decide the constitutionality of this, because I believe this violates our State Constitution and the uniformity clause.

The SPEAKER. The gentleman, Mr. Saylor, raises the point of order that amendment No. 0745 is unconstitutional. The Speaker, under rule 4, is required to submit questions affecting the constitutionality of an amendment to the House for decision, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the amendment?

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

Mr. SAYLOR. Mr. Speaker, our State Constitution has a clause in it, a uniformity clause, and this at this time would require a constitutional amendment to pass this amendment, so I ask the members vote this unconstitutional, and if the Representative from Berks County would like to present it at another time as a constitutional amendment, I think that is fine, but at this point in time, it does not meet our constitutional obligations.

The SPEAKER. Mr. Caltagirone.

Mr. CALTAGIRONE. You know, this body, this chamber, we determine what is and what is not. If there is a challenge in the court, then we have to address that, but not an individual can just make a blanket statement saying something is or is not constitutional.

I am trying to help our sportsmen in this State; I am trying to help our hunters, and we have the largest single group of hunters that are licensed in the United States. Cabela's store that opened up just recently in northern Berks County proved that point. That is the main reason that they came to this State.

To give a tax credit for the individual – not a corporation, not a company, not a lobbying group – I think this adds to the hunter's safety, especially for young people that desperately need that kind of safety course, with a tax credit; I think it is the right thing to do.

I think it is constitutional, and I would ask you to vote that it is constitutional.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Those voting "aye" will vote to declare that the amendment is constitutional; those voting "no" will declare the amendment to be unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the amendment?

The following roll call was recorded:

YEAS-162

Allen	Fairchild	Laughlin	Sainato
Argall	Feese	Leach	Samuelson

Baker	Fichter	Leh	Santoni
Bard	Fleagle	Lescovitz	Sather
Barrar	Flick	Levdansky	Scavello
Bebko-Jones	Forcier	Lewis	Schroder
Belardi	Frankel	Lynch	Scrimenti
Belfanti	Freeman	Maher	Shaner
Benninghoff	Gabig	Major	Smith, B.
Biancucci	Gannon	Manderino	Smith, S. H.
Birmelin	Geist	Mann	Solobay
Bishop	George	Markosek	Staback
Blaum	Gergely	McCall	Stairs
Browne	Gillespie	McGeehan	Stetler
Bunt	Gingrich	McGill	Stevenson, T.
Caltagirone	Godshall	McIlhattan	Sturla
Cappelli	Goodman	Melio	Surra
Casorio	Gordner	Micozzie	Tangretti
Causer	Grucela	Miller, R.	Taylor, E. Z.
Cawley	Gruitza	Miller, S.	Taylor, J.
Civera	Habay	Mundy	Thomas
Clymer	Haluska	Myers	Tigue
Cohen	Hanna	O'Brien	Travaglio
Cornell	Harhai	Oliver	Turzai
Corrigan	Harhart	Pallone	Veon
Costa	Harper	Payne	Vitali
Coy	Harris	Petrarca	Walko
Crahalla	Hasay	Petrone	Wansacz
Curry	Hennessey	Phillips	Washington
Dailey	Herman	Pickett	Waters
Daley	Hershey	Pistella	Weber
Dally	Hess	Preston	Wheatley
DeLuca	Horsey	Readshaw	Williams
Dermody	Hutchinson	Reed	Wojnaroski
DeWeese	James	Reichley	Wright
DiGirolamo	Josephs	Rieger	Yewcic
Diven	Kenney	Roberts	Yudichak
Donatucci	Killion	Roebuck	Zug
Eachus	Kirkland	Rooney	
Evans, D.	Kotik	Rubley	Perzel,
Fabrizio	LaGrotta	Ruffing	Speaker

NAYS-39

Armstrong	Evans, J.	Metcalfe	Semmel
Baldwin	Good	Mustio	Steil
Bastian	Hickernell	Nailor	Stern
Boyd	Keller	Nickol	Stevenson, R.
Butkovit z	Lederer	O'Neill	True
Coleman	Mackereth	Petri	Vance
Creighton	Maitland	Raymond	Watson
Cruz	Marsico	Rohrer	Wilt
Denlinger	McIlhinney	Ross	Youngblood
Egolf	McNaughton	Saylor	

NOT VOTING-0

EXCUSED-2

Adolph Buxton

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the amendment was sustained.

On the question recurring,

Will the House agree to the amendment?

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

Mr. HORSEY. Mr. Speaker, there is an exception. Police officers are professionals, and I do know of the exception that the gentleman on the other side was looking for. It is not on the

State level, but it is on the Federal level. In the Pennsylvania State House, we passed Act 48 courses, which are mandatory that schoolteachers go to school and take those courses. As an exception, you can, when you file your annual Federal taxes, declare those and get tax credits on the Federal level for having taken those courses that we in the State House have mandated, but that is an exception.

Now, I do not know, and I am pretty sure that doctors and I am pretty sure that lawyers, when they file their annual taxes, they also declare Federal tax credits in that way. Now, the gentleman has the firearms course that requires that you get tax credits on the State level, but I am trying to let you know that there is a similarity in that you can do it with other professions, and if you want policemen to do it, they should be able to do the same thing, and I would urge support for the Caltagirone bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Berks, Mr. Rohrer. Mr. ROHRER. Thank you, Mr. Speaker.

May I interrogate the maker of the amendment, please?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman may proceed.

Mr. ROHRER. Mr. Speaker, a question for you: In the amendment it talks about the department shall issue a credit. Which department are you talking about?

Mr. CALTAGIRONE. That would be the Department of Revenue.

Mr. ROHRER. Is that what it is? Okay. All right. That answers my question on that.

I would like to speak on the amendment.

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

Mr. ROHRER. Mr. Speaker, I think probably everybody here would want to be able to give credit to somebody who does this. That is not the issue at hand. But there is a very clear reason why we do not already have tax credits in place for volunteer firemen who do their various things that they have to incur costs for. I think probably all of us have talked to people recently or in the past who would like to be able to get credit to offset some of the costs that they have, and there is one very clear reason why it is not in place right now, and it is because we cannot. Just because we decided the constitutionality a little bit ago, that it was constitutional, does not change the fact that we cannot do it. We do not have tax credits against Pennsylvania income tax.

The speaker from Philadelphia was correct, professional dues and fees and obligations like he talked about earlier are deductible in many cases from the Federal, but that is not what we are talking about. This is a State income tax tax credit, and we simply cannot do it, and that is why the speaker was not able to cite any examples earlier, because we cannot do it.

So I think regardless of what we just said a few minutes ago, it really is immaterial. The fact of the matter is, we are not able to do this, and therefore, I think that the speaker probably ought to withdraw it, until he can come back with some confirming evidence that it can be done, or we would have to vote "no," because it just cannot be done.

So thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SAYLOR. Mr. Speaker, in my 11 years here in the House, we have had these kinds of issues come up before. We have had issues about cervical cancer. We have had it about breast cancer. We have had any number of issues that have come up about tax credits here and every time this House has voted "no," because the State Constitution forbids these kinds of tax credits as now our State Constitution is written.

There are a lot of good causes out there, as Representative Rohrer talked about earlier about our fire companies, and we have never been able to give them credits for the thousands of dollars that each of our firefighters across this State every day spend for their training programs out of their own pockets.

This piece of legislation is not in line with the State Constitution, and it cannot be passed by this legislature. It can be passed but will be stricken down by our Supreme Court as not matching up with our Constitution in this State. We, as Representative Rohrer stated before, have never been allowed, without a constitutional amendment, to give tax credits. It is foolish for us to pass something that we know very well will be stricken down by every court, from common pleas to the Supreme Court of this Commonwealth, as unconstitutional.

It may sound good, but it is not something that is in line, and it is not a fiscal responsibility issue right now with the crisis that everybody is talking about in this State, with the money situation. We are talking about over a million people possibly or more getting this tax credit, and my idea is, where is that money coming from as well, let alone the fact that it is not constitutional.

So I think that this chamber should vote this bill down, and if the gentleman wishes to get this bill put through, he make it a constitutional amendment, which would be then proper. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Fleagle.

Mr. FLEAGLE. Thank you, Mr. Speaker.

Could I interrogate the prime sponsor of the amendment, please?

The SPEAKER. The gentleman indicates that he will stand for interrogation. The gentleman, Mr. Fleagle, may continue.

Mr. FLEAGLE. I am asking these questions out of ignorance, not of any direction I am trying to go into, but as far as legislative intent, there are hunter safety courses that local fish and game associations usually put on for nothing, frankly, and my question is, what specific kind of firearm training course would this relate to? Would it be on how to use a handgun or a rifle, or would it be strictly hunter safety courses, many of which are free now?

Mr. CALTAGIRONE. We are talking basically hunter safety, and not all of them are free.

Mr. FLEAGLE. Who offers those types of courses?

Mr. CALTAGIRONE. There are numerous hunting clubs around this State that offer them.

Mr. FLEAGLE. I am sorry; I did not—

Mr. CALTAGIRONE. Numerous hunting clubs that offer that for a fee for hunter safety for young children.

Mr. FLEAGLE. Do they charge for those?

Mr. CALTAGIRONE. Yes; yes, they do.

I have talked to some sportsmen from the western part of the State as well as the eastern. They have indicated that, yes, there are charges, and yes, this would be an incentive for young people that are starting out particularly to learn hunter safety.

Mr. FLEAGLE. So these courses are not in line with courses that, say, a policeman would take to learn how to operate a handgun?

Mr. CALTAGIRONE. No.

Mr. FLEAGLE. This is specifically designed for—

Mr. CALTAGIRONE. Hunter safety.

Mr. FLEAGLE. —hunter safety courses.

Mr. CALTAGIRONE. Yes, sir.

Mr. FLEAGLE. Okay. Thank you.

Thank you, Mr. Speaker.

The SPEAKER. Would the gentleman, Mr. Caltagirone, please come to the rostrum.

(Conference held at Speaker's podium.)

BILL PASSED OVER TEMPORARILY

The SPEAKER. This bill will be temporarily held over.

* * *

The House proceeded to third consideration of **HB 80, PN 94**, entitled:

An Act relating to organ and bone marrow donation; providing for a special leave of absence for organ and bone marrow donors; and providing for a tax credit and for additional duties of the Department of Health and the Department of Revenue.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. LEVDANSKY. Mr. Speaker, would the maker of this bill stand for a brief interrogation?

The SPEAKER. The gentleman, Mr. Godshall, indicates that he will stand for interrogation. The gentleman is in order and may proceed.

Mr. LEVDANSKY. Mr. Speaker, this legislation would also create a tax credit to be applied to capital stock, PIT (personal income tax), and CNI (corporate net income) to cover the cost of employees getting paid leave when they are absent for the purpose of donating organs or bone marrow.

We have a fiscal note, I understand, that indicates, notwithstanding the constitutional question on this issue, a fiscal note indicates that this is going to cost the Commonwealth \$2.1 million this year, yet last year, last session, similar legislation was introduced, and the fiscal note to the legislation in last session indicated that the cost would be \$6 million in the fiscal year 2002-2003. What is the difference? I mean, why do we have a fiscal note this year for \$2.1 million and a fiscal note on a prior piece of legislation indicating \$6 million?

Mr. GODSHALL. Mr. Speaker?

The SPEAKER. The gentleman is in order.

Mr. GODSHALL. I think that one of the differences was, there was an amendment placed in. Before, the bill was open ended, that the tax credit was for the entire period that the person was out of work who was doing the living organ donor transplant. This year it would be good for 5 days and 5 days only.

Mr. LEVDANSKY. Okay. So it is because essentially it is capped at a 5-day—

Mr. GODSHALL. There is a 5-day limit. This bill is capped at a 5-day limit.

Mr. LEVDANSKY. —a 5-day limit, and thus, it is a \$2.1 million expense rather than \$6 million?

Mr. GODSHALL. That is exactly right, and previously, from my information and the research we have done, it is 2 to 4 weeks that a person is usually out that does a living organ donor transplant, and so that is why there is a reduction from \$6 million down to \$2 million.

Mr. LEVDANSKY. So essentially it is capped at 1 week.

Mr. GODSHALL. That is exactly right, 1 working week.

Mr. LEVDANSKY. Just one further question, Mr. Speaker.

We heard in the previous debate the discussion on the previous bill about whether or not we are precluded in the General Assembly from establishing tax credits to the State PIT because of supposedly the uniformity clause prohibition on us granting such exemptions and inclusions. Why do you think this exemption would be any different than any other one?

Mr. GODSHALL. As far as I am concerned, we have done all kinds of things with tax credits. We do tax credits for economic development. We do tax credits for many kinds of things in the Commonwealth. This is really a matter of life and death for a lot of people, and my neighbor passed away a number of years ago waiting for a liver transplant, which today he would be eligible for a living donor transplant. When we have 17 people in this country die every day waiting for transplants, all I am trying to do is encourage living organ donor transplants, to help to save some of these people.

Mr. LEVDANSKY. Okay. Thank you, Mr. Speaker.

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 want to be consistent in that I supported Representative Caltagirone in what he was just trying to do a second ago concerning guns, and I support this House bill, Mr. Speaker. I just want to be consistent.

We do tax credits. We did something when it came to education with corporations that were doing some things with tax credits. I believe it is constitutional. I believe this bill is constitutional, and on the same day that I think we are going to do HR 422, which provided for Mr. Kravinsky, who provided a kidney for a young Afro-American young lady out of the goodness of his heart, I am going to encourage the passage of this bill and ask that my colleagues on both sides of the aisle support this bill, and it is not always about tit for tat — they did it to us on guns; now we are going to do it to them on heart. That is foolishness. There are some things that are right to do for the simple fact that they are right to do, and this is one of those bills that is meant to service and help people in general, regardless of what race, color, creed, religious orientation, sexual orientation. This is a universal bill that helps people in general, and I would urge support for HB 80.

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—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Adolph Buxton

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.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. GODSHALL. Thank you, Mr. Speaker.

I have some comments I would like to present for the record.

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

Mr. GODSHALL. Thank you.

The SPEAKER. Thank you, Mr. Godshall.

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

- Since passage of Act 102 of 1994, Pennsylvania has been a national and international leader in organ donation for transplants.
- Organ donations in the State have increased by over 60 percent in 5 years.
- Many other States have copied our law, and now the U.S. Department of Health and Human Services has adopted it as national policy.
- With HB 80, Pennsylvania can retain its place in the forefront of organ donation and transplantation.
- During 2002 there were almost 1,900 organ transplants in Pennsylvania, an increase of almost 25 percent in just 4 years.
- Of that number, approximately 350, or 1 in 6, involved a living organ donor. Living donors are obviously a crucial part of the donor pool.
- In the vast majority of those cases, about 95 percent, the living donor gave up a kidney for transplantation.
- In some cases, a section of lung or liver can be resected and transplanted. This is usually done by a parent or close relative for a young child.
- The current national list of people waiting for life-saving organ transplants is over 82,000. Of those, approximately 17 die every day due to the lack of available organs.
- In Pennsylvania, the waiting list is over 6,000 people. Many of those people would benefit from a donation by a living organ donor.
- Most living organ donors are back at work within 4 to 6 weeks. New surgical techniques for kidney donors can cut that time in half.
- Those who work with organ donors cite possible loss of income or a loss of a job as common disincentives for people to not become living organ donors.
- HB 80 would remove that disincentive for bone marrow donors and for kidney, lung, and liver donors as well.
- There could be considerable cost savings from this bill due to the ability to take many individuals off of kidney dialysis after receiving a donated kidney, thereby reducing all health-care costs, including Medicare and Medicaid.
- Most important of all, it could save lives.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 138, PN 2095**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. **WRIGHT** offered the following amendment No. **A3055**:

Amend Sec. 2 (Sec. 304), page 3, lines 29 and 30; page 4, lines 1 through 5, by striking out all of said lines on said pages and inserting

[(c) A local registrar may not receive an aggregate amount of fees in excess of thirty-five thousand dollars (\$35,000) in any one calendar year.]

On the question,

Will the House agree to the amendment?

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

Mr. **WRIGHT**. Thank you, Mr. Speaker.

Essentially, the registrars work on commission work. The bill itself addresses the amount of commission and the maximum salary that would be received. The maximum salary is really a division of the number of pieces that they do in a year. When we increase the amount per death certificate and we increase the salary cap, unfortunately, if you do the math, it decreases the amount of death certificates that a registrar can do each year. When they reach that cap, then they technically cannot do any more work. We have a small amount of registrars, especially in suburban communities, that are going to be doing naturally more work than what the cap will allow, so they are going to have to artificially turn away work. They will not be paid for it.

A lot of the funeral directors are used to going to particular registrars, and all this does is it says that they can continue to do the normal amount of work, and they will still receive the same amount of commission. It has no fiscal effect. All this amendment does is it avoids having to send some of the work from one registrar to another.

So I am asking support. Thank you.

The **SPEAKER**. The Chair recognizes the gentleman from Allegheny, Mr. Readshaw.

Mr. **READSHAW**. Thank you, Mr. Speaker.

May I interrogate the maker of the amendment, please?

The **SPEAKER**. The gentleman indicates he will stand for interrogation. The gentleman may proceed.

Mr. **READSHAW**. Mr. Speaker, just a point of clarification.

Your amendment reads, "A local registrar may not receive an aggregate amount of fees in excess of thirty-five thousand dollars (\$35,000) in any one calendar year." Is that accurate?

Mr. **WRIGHT**. Well, what it does is it removes the cap, the wording for the cap, so there would not be a cap at all.

Mr. **READSHAW**. Okay; fine. That was just a point of clarification, because I was reading the fiscal note, and I thought there was a conflict between your amendment and what was stated in the first sentence of the fiscal note.

Thank you very much.

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

The Chair recognizes the gentleman, Mr. George.

Mr. **GEORGE**. Mr. Speaker, I thank you.

I believe that I am reading what I think I read. I am in agreement in part, but what I am not in agreement with, and I apologize, because over the years as a legislator, I have had to deal with birth certificates, death certificates, and such, but I hope I am not wrong, but it looks like those poor families that undergo a sad commentary or situation where they lose a loved one – and there is much proof needed in order to establish or create a program or file for Social Security benefits or file for black lung – sometimes those people need 10 or 12 copies, and they have to be original copies, so what we are saying is that that individual now will pay as much as \$50 for the certificate and the additional certificates, and at a time where we stand here and cannot find a way to meet a budget, maybe we ought to think a little bit that we have people back home that cannot meet the needs in their budget.

So I would ask that we not accept this amendment. I intend to vote "no," because it is costing money, and it is not needed in that that vital statistic individual only has to send in the one copy and the vital statistics will make the additional copies of the original, so I do not really believe we need to do this. All it is going to do is help those in the vital statistics jobs, especially in areas where there are hundreds of thousands of people; not in Clearfield or Centre, where you are lucky to have a vital statistics individual.

So I would ask that we would vote "no" on this.

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

The Chair recognizes the gentleman, Mr. Wright, for the second time.

Mr. **WRIGHT**. Thank you.

I just want to point out that this amendment does not go to the issue of the bill. I know there are a lot of people that have debate about the bill itself and raising the levels. The amendment, even though it is related to the bill, it is not to the core of the bill.

All it specifically does is – I will give you an example – under the old rules, a registrar can only do 17,500 death certificates a year. Under the new proposal, it is 11,650. I have a registrar that is doing the maximum, 17,500, today. Under the new rules, they will not be allowed, and halfway through the year they must stop doing registrations and death certificates and she must send that work to another one.

So all this does is it does not increase the amount of total revenues anywhere along the line. The cap is really meant to spread the work out across the Commonwealth, where that is what the cap is meant to do. But funeral directors like to go to their own locals. They do not want to have to go to other counties to have the work done.

So this allows the work to stay local, and please, this is not going to the core of the bill, which we will be debating when the full bill comes up, which is the increase in the certificate rates and things like that. This amendment has nothing to do with that, and hold that off until the final passage of the bill.

Thank you.

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

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

Mrs. **VANCE**. Thank you, Mr. Speaker.

Would the maker of the amendment stand for questioning, please?

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

Mrs. VANCE. Mr. Speaker, I wonder if you could tell me how these registrars get their jobs.

Mr. WRIGHT. They are appointed, and I am not 100 percent sure if they are recommended by the Governor or appointed by the Senate. I am not too sure how that all works, and I will be honest with you, that is not really where my amendment was going anyway.

Mrs. VANCE. And approximately how many hours a week do they work?

Mr. WRIGHT. I have no clue, and my amendment does not go to that.

Mrs. VANCE. No. Indirectly, Mr. Speaker, your amendment does— Not directly, but on the other hand, the bill itself is raising the amount that they may get in a year from \$35,000 to \$46,500, and it appears to me that your amendment then wants to take that cap off to allow them to make even more.

Mr. WRIGHT. Yes, but I think you may be implying that they get a salary. They do not get a salary. It is commission work. If they do not do the amount of work, they will never reach the cap. As you well know, there are a few registrars that do a tremendous volume of work. It is piecework; it is commission work. Those people right now, under the new set of rules, will be required, will be required to do less work.

As I said, as I pointed out, the old rules, the current rules, allow them to do 17,500 death certificates a year. The new rules will require them to get a salary increase and only do 11,650 pieces. If they go above that, they must turn the work away. All we are doing is, each piece of work across the Commonwealth receives the same amount of money. What we are doing is, we are saying that if local funeral directors are used to going to a particular registrar, then they should still go and not be forced to go across the county or, in rural Pennsylvania, out of the county, in fact, to go to other counties to get a death certificate.

Mrs. VANCE. Is my understanding, am I correct that under this legislation, not your amendment but the bill itself, they would receive a raise from \$2 to \$5 for every certificate that they handle?

Mr. WRIGHT. Now, of course, my amendment has nothing to do with the question that you asked, and that is why I kept emphatically saying, please save that to the end, but I believe it is \$2 to \$4, with the coroner getting \$1, yes.

Mrs. VANCE. That is correct, and I certainly do support the coroner getting \$1, but I have serious questions, in light of the fact that they will be getting a very large increase, from \$2 to \$4, that we should then remove the cap.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-142

Allen	Evans, J.	Lescovitz	Sather
Argall	Fabrizio	Lynch	Schroder
Armstrong	Fairchild	Maitland	Scrimenti

Baker	Feese	Manderino	Semmel
Baldwin	Fichter	Mann	Shaner
Bard	Fleagle	Markosek	Smith, S. H.
Barrar	Flick	Marsico	Solobay
Bebko-Jones	Frankel	McCall	Staback
Belardi	Freeman	McGeehan	Stairs
Belfanti	Gannon	McGill	Steil
Birmelin	Geist	McIlhattan	Stern
Bishop	Gergely	McIlhinney	Stetler
Blaum	Gingrich	McNaughton	Stevenson, R.
Browne	Godshall	Micozzie	Taylor, E. Z.
Bunt	Good	Mustio	Taylor, J.
Butkovitz	Gordner	Myers	Thomas
Cappelli	Gruitza	O'Brien	Tigue
Causar	Harhart	Oliver	Travaglio
Cawley	Harper	O'Neill	Vitali
Civera	Harris	Payne	Walko
Clymer	Hasay	Petri	Wansacz
Cohen	Hershey	Petrone	Washington
Cornell	Hess	Phillips	Waters
Cotrigan	Horsey	Pistella	Watson
Costa	Hutchinson	Preston	Weber
Crahalla	James	Raymond	Wheatley
Cruz	Josephs	Readshaw	Williams
Dailey	Keller	Reichley	Wojnaroski
Daley	Kenney	Rieger	Wright
Dally	Killion	Roberts	Yewcic
DeLuca	Kirkland	Roebuck	Youngblood
DiGirolamo	Kotik	Rohrer	Yudichak
Diven	LaGrotta	Ross	Zug
Donatucci	Leach	Rubley	
Eachus	Lederer	Ruffing	Perzel,
Evans, D.	Leh	Samuelson	Speaker

NAYS-59

Bastian	Gabig	Mackereth	Sainato
Benninghoff	George	Maher	Santoni
Biancucci	Gillespie	Major	Saylor
Boyd	Goodman	Melio	Scavello
Caltagirone	Grucela	Metcalfe	Smith, B.
Casorio	Habay	Miller, R.	Stevenson, T.
Coleman	Haluska	Miller, S.	Sturla
Coy	Hanna	Mundy	Surra
Creighton	Harhai	Nailor	Tangretti
Curry	Hennessey	Nickol	True
Denlinger	Herman	Pallone	Turzai
Dermody	Hickernell	Petrarca	Vance
DeWeese	Laughlin	Pickett	Veon
Egolf	Levdansky	Reed	Wilt
Forcier	Lewis	Rooney	

NOT VOTING-0

EXCUSED-2

Adolph Buxton

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. READSHAW. Thank you, Mr. Speaker.

May I interrogate the maker of the bill, please?

The SPEAKER. Does the gentledady from Montgomery, Ms. Bard—

Ms. BARD. Thank you, Mr. Speaker.

I am no longer the prime sponsor of this legislation. My name has been withdrawn.

The SPEAKER. Is there anyone else that wishes to stand for interrogation?

The gentleman from Centre, Mr. Benninghoff.

Mr. BENNINGHOFF. I will stand. I cannot guarantee you I will give you any good answers, but we will do our best.

The SPEAKER. Well, that is a start, Mr. Benninghoff.

The gentleman, Mr. Readshaw, may proceed.

Mr. READSHAW. Thank you, Mr. Speaker.

We all understand that we are doubling the cost of the certified copy of the death certificate plus an additional \$1 which will go to the coroners throughout the State.

The question I have is, this administration cost of \$1, that will go, as I understand, to the Department of Health for distribution on a county-by-county base to the coroners. In this \$1 distribution, do we have any information concerning possibly an additional burden which is going to be put on the Department of Health to administer this program, and is any portion of this \$1, would that be retained by the Department of Health to assist in administrative costs?

Mr. BENNINGHOFF. From the best I could hear from what you were saying, my understanding is money is not going to be going to the Department of Health for their costs. These fees are basically being increased to help the local registrar. A lot of these transactions will occur within 30 days of the death, so that can be done at the local registry level, and therefore, the goal was to try to get another \$1 for the coroner's office, helping to subsidize their needs to try to upgrade equipment and technology within their offices.

People need to understand the death certificates are oftentimes ascertained by insurance companies and attorneys for legal services. Oftentimes, in very expensive lawsuits, the coroner's office and the county taxpayers are being required to spend a lot of money to pay for these investigations and have no way to cover any of their costs.

Mr. READSHAW. Thank you, Mr. Speaker.

One final question. Do we have any numbers as to what this would raise annually? I possibly should know this, but I do not, about the number of certified copies of death certificates that are obtained in the Commonwealth, but do we have any figures which would state how much money this would make available to the coroners throughout the Commonwealth?

Mr. BENNINGHOFF. It would be difficult to put an exact number on it. We could, basically, the best number to give you is the amount of deaths per county, but the number of dollars that would be raised would basically be dependent on how many copies of the certificates are requested.

As the previous speaker spoke, the average family generally will need about 10 copies to facilitate any of their financial necessities, but there are instances, as I said, in legal investigations, in lawsuits, where people may need a few more, but I would say on the average probably 10 to 12 per family, and that is what I always guided families that I worked with.

Mr. READSHAW. Thank you, Mr. Speaker.

I thank you for your responses, and that ends my interrogation.

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-109

Allen	Fichter	McGeehan	Smith, B.
Argall	Fleagle	McGill	Smith, S. H.
Baker	Flick	McIlhinney	Solobay
Barrar	Freeman	McNaughton	Staback
Bastian	Gabig	Micozzie	Stairs
Bebko-Jones	Gannon	Miller, R.	Steil
Belfanti	Geist	Mustio	Stern
Benninghoff	Gillespie	Myers	Stetler
Birmelin	Good	Nailor	Tangretti
Bishop	Gordner	Nickol	Taylor, E. Z.
Bunt	Gruitza	O'Brien	Taylor, J.
Butkovitz	Hanna	Oliver	Tigue
Cappelli	Harper	O'Neill	Travaglio
Cawley	Harris	Payne	Vance
Civera	Hershey	Petri	Veon
Cornell	Hess	Phillips	Washington
Corrigan	James	Pickett	Waters
Crahalla	Josephs	Preston	Watson
Cruz	Keller	Raymond	Weber
Dailey	Kenney	Reed	Wilt
Daley	Killion	Reichley	Wright
DiGirolamo	Kirkland	Rieger	Youngblood
Donatucci	Lederer	Ross	Yudichak
Eachus	Leh	Samuelson	Zug
Evans, D.	Mackereth	Sather	
Evans, J.	Maitland	Saylor	
Fairchild	Major	Schroder	Perzel,
Feese	Marsico	Semmel	Speaker

NAYS-92

Armstrong	Diven	Laughlin	Rohrer
Baldwin	Egolf	Leach	Rooney
Bard	Fabrizio	Lescovitz	Rubley
Belardi	Forcier	Levdansky	Ruffing
Biancucci	Frankel	Lewis	Sainato
Blaum	George	Lynch	Santoni
Boyd	Gergely	Maher	Scavello
Browne	Gingrich	Manderino	Scrimenti
Caltagirone	Godshall	Mann	Shaner
Casorio	Goodman	Markosek	Stevenson, R.
Causer	Grucela	McCall	Stevenson, T.
Clymer	Habay	McIlhattan	Sturla
Cohen	Haluska	Melio	Surra
Coleman	Harhai	Metcalfe	Thomas
Costa	Harhart	Miller, S.	True
Coy	Hasay	Mundy	Turzai
Creighton	Hennessey	Pallone	Vitali
Curry	Herman	Petrarca	Walko
Dally	Hickernell	Petrone	Wansacz
DeLuca	Horsey	Pistella	Wheatley
Denlinger	Hutchinson	Readshaw	Williams
Dermody	Kotik	Roberts	Wojnaroski
DeWeese	LaGrotta	Roebuck	Yewcic

NOT VOTING-0

EXCUSED-2

Adolph Buxton

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 857, PN 1010**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for municipal police education and training.

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

Mr. **SCRIMENTI** offered the following amendment No. **A3521**:

Amend Title, page 1, line 2, by inserting after "Statutes," limiting the authority of municipalities to regulate political signs; and

Amend Bill, page 1, lines 6 through 9, by striking out all of said lines and inserting

Section 1. Chapter 13 of Title 53 of the Pennsylvania Consolidated Statutes is amended by adding a subchapter to read:

SUBCHAPTER E

REGULATIONS OF POLITICAL SIGNS

Sec.

- 1371. Definitions.
- 1372. Bonds.
- 1373. Candidate signs.
- 1374. Referendum signs.
- 1375. Limitation.

§ 1371. Definitions.

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

"Municipality." A county, city, borough, incorporated town or township.

§ 1372. Bonds.

No municipality shall have the authority to require the posting of a bond or other financial security as a precondition for erecting or posting signs on private property seeking to influence the outcome of an election.

§ 1373. Candidate signs.

No municipality may require the removal from private property of signs seeking to influence the outcome of an election prior to the day after the general, municipal or special election sought to be influenced.

§ 1374. Referendum signs.

No municipality may require the removal from private property of signs seeking to influence the outcome of a referendum prior to the day after the primary, general, municipal or special election at which the referendum question is presented to the electorate.

§ 1375. Limitation.

Nothing contained in this subchapter shall limit the right of a municipality to impose reasonable regulations on the size or illumination of signs or to require the removal of signs from locations in which they create an obstruction to traffic.

Section 2. The definition of "police officer" in section 2162 of Title 53 is amended and the section is amended by adding a definition to read:

Amend Sec. 2, page 2, line 15, by striking out "2" and inserting 3

Amend Sec. 3, page 3, line 19, by striking out "3" and inserting 4

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

Amend Sec. 5, page 5, line 25, by striking out "5" and inserting 6

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Scrimenti, for an explanation of the amendment.

Mr. SCRIMENTI. Thank you, Mr. Speaker.

My amendment would limit a municipality's authority to regulate political signs on one's primary residence. This measure would not keep a municipality from imposing regulations on size or illumination of political signs. Municipalities would still be able to prohibit signs in locations where they would pose a danger or obstruct the view of traffic, for example. This only deals with primary residence. So one would have the authority to put up signs in their own yard, and I would encourage the membership's support.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Schuylkill, Mr. Allen.

Mr. ALLEN. Will the gentleman stand for interrogation, please?

The SPEAKER. The gentleman indicates that he will stand for interrogation. Mr. Allen, you may proceed.

Mr. ALLEN. Thank you, Mr. Speaker.

Mr. Speaker, under sections 1373 and 1374, the municipality is banned from requiring certain facts, but under 1375 there is a limitation, and it gives the municipality back, as far as I am concerned, the right to do anything they want on banning signs on private property. It reads, "Nothing contained in this subchapter shall limit the right of a municipality to impose reasonable regulations on the size or illumination of signs...."

Now, my concern on this amendment is, it is fine if your zoning officer in your community is a fair and equitable person, but if he is working for the incumbent, he can take this regulation and do anything he wants with it. It is not that I do not agree with 1373 and 1374, but you are giving latitude back under section 1375 to just allow the zoning officer to make a decision. I think that is a very poor practice to get into, and though I agree with the first three sections, the fourth section reverts back, and I think it is going to cause a lot of problems in our communities if you are not an incumbent.

So therefore, I urge the members to vote "no" on this issue.

Thank you.

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

Mr. SCRIMENTI. Excuse me, Mr. Speaker.

The SPEAKER. For what purpose does the gentleman, Mr. Scrimenti, seek recognition?

Mr. SCRIMENTI. I was recognized for interrogation purposes.

The SPEAKER. The gentleman, Mr. Dally, has the floor. The second Mr. Dally is done, I will come back to you, Mr. Scrimenti. I apologize; I already recognized the gentleman, Mr. Dally.

Mr. Dally.

Mr. DALLY. I will yield to the prime sponsor, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Dally, declines. The gentleman, Mr. Scrimenti, is in order and may proceed.

Mr. SCRIMENTI. Mr. Speaker, my only wish was to respond to the previous speaker who asked to interrogate the maker of the amendment.

The SPEAKER. The gentleman is in order.

Mr. SCRIMENTI. Thank you again, Mr. Speaker.

The sections or the provisions that are cited by the previous speaker only affect the limits that an authority, that a municipality has in placing signs where they pose a public safety hazard, and it does not speak to the primary residence that I am trying to affect. So I would still like to preserve one's private rights to put signs up on their own private property.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Dally.

Mr. DALLY. Thank you, Mr. Speaker.

I appreciate what the prime sponsor of this amendment is trying to do, but I think there is a larger issue here, and that involves local zoning ordinances. As everyone is aware, the Municipalities Planning Code provides the authority to local municipalities to enact local zoning ordinances, and that is within the province of local government. What this attempts to do is to create now a zoning ordinance at the State level that supplants what is happening at the local level, and I think that is a bad move and it is something we should not be involved with. Signs are clearly within the jurisdiction of local governments to regulate and they should remain within local governments to regulate. Really, this is no business for the State legislature. It is for our local governments to decide.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentelady from Luzerne, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

One of my municipalities requires my campaign to put a deposit down before a single individual, even on their own private residential property, can put up a yard sign. Frankly, I have always thought that that was a restriction of my constituents' freedom of speech, and yes, it applies to both me and to my opponent, but I still do not think that it is appropriate.

I absolutely agree with Mr. Scrimenti that if the sign obstructs traffic, if the sign is enormous and is a problem for the neighborhood, or if the sign is illuminated, especially at night and is bothering other residents, his amendment allows for that, but otherwise, it seems to me that his amendment is saying that the municipality is wrong to restrict individuals' rights to express their political preference in an election, and that makes a lot of sense to me based on my own experience back in my district.

May I ask Mr. Scrimenti some questions, please, Mr. Speaker?

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

AMENDMENT WITHDRAWN

The SPEAKER. The lady yields the floor to the gentleman from Erie, Mr. Scrimenti.

Mr. SCRIMENTI. Thank you, Mr. Speaker.

It has been pointed out to me that there has been a drafting error in my proposal. It refers to private property and not specifically to residences. I plan on redrafting the proposal and attaching it to a future bill.

Thank you kindly.

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?

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

(Members proceeded to vote.)

VOTE STRICKEN

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

Strike the board. The clerk will strike the board.

The gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I wanted to check. It was my understanding that I had amendment 3450 filed to this bill in a timely fashion.

The SPEAKER. One moment, Mr. Vitali. We are going to check.

The Parliamentarian says it is not on the voting schedule, Mr. Vitali.

Mr. VITALI. Well, let me— If I can just say this maybe to clear that up.

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

Mr. VITALI. Okay.

I am going to be withdrawing it anyway, but I think it was a mistake of the amendment clerk. I think we had this filed on 9/18 at 1:59, but I will be withdrawing it, so it is somewhat of a moot point, but I just would like the opportunity to just explain the amendment and perhaps run it at a later date.

The SPEAKER. Mr. Vitali, we do have an amendment for you listed to HB 1785. It amends the same code.

Mr. VITALI. No. This would be to HB 857, amendment 3450.

The SPEAKER. Mr. Vitali, that one, honestly, we do not have it on the voting schedule. Just one moment, Mr. Vitali.

Mr. VITALI. It becomes a moot point, if I can just speak on it.

The SPEAKER. The gentleman is in order. Go ahead, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

What this amendment would have done, it would have required local municipalities in negotiating or renegotiating contracts with their local cable carriers, Comcast and so forth,

to require those local municipalities as a condition of the contracts they enter into to have one channel designated for State government programming. In other words, it would require a designated channel for either PCN (Pennsylvania Cable Network) or some channel like that that would have House floor proceedings, Senate floor proceedings, committee meetings, and so forth. Right now that is not the case. It is not the case in my district and it is not the case in many other districts, and although there certainly is, admittedly, a self-serving nature to the amendment, I think that by and large it benefits the people of the Commonwealth to be able to watch their State government in action, to open the process, and it also benefits the people of the Commonwealth to learn from the proceedings we have.

Where this amendment is right now is, it is our hope to have public hearings on this. It is my hope that perhaps the House State Government Committee will hold public hearings on this so we can work out all the bugs and improve the legislation prior to bringing it to the House before a vote.

So I will not run this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. George, on final passage.

Mr. GEORGE. Personal inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his point.

Mr. GEORGE. Is it a fact then that the amendment by the gentleman from Erie has been removed?

The SPEAKER. Yes, sir. That is the case.

Mr. GEORGE. All right. I thank you, Mr. Speaker.

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-201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Adolph Buxton

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 **SB 461, PN 492**, entitled:

An Act designating the access drive of the State regional correctional facility in Findley Township, Mercer County, as Walters Drive.

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

Mr. **McCALL** offered the following amendment No. **A3054**:

Amend Sec. 1, page 1, line 12, by striking out "Transportation" and inserting

Corrections

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

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

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is a technical correction to the bill. It adds or directs the Department of Corrections to erect a sign instead of the Department of Transportation. There is a constitutional prohibition of using State Motor License Fund money on non-State highways.

I would ask for concurrence on the amendment.
The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Adolph Buxton

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

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

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

The following roll call was recorded:

YEAS-201

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

Egolf	Leh	Rubley	
Evans, D.	Lescovitz	Ruffing	Perzel,
Evans, J.	Levdansky	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Adolph Buxton

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

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

* * *

The House proceeded to third consideration of **HB 1785, PN 2304**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for the prohibition on certain political activity and for the governing body of the authorities; and providing local choice for fluoridation of public water.

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

The SPEAKER. It is the understanding of the Chair on HB 1785, it is the understanding of the Chair that Mr. Civera and Mr. Vitali have withdrawn their amendments and that this is the same amendment Mr. Scrimenti offered earlier, which he withdrew and is also withdrawing on this one.

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—163

Allen	Fairchild	Leach	Ruffing
Argall	Feese	Lederer	Sainato
Armstrong	Fichter	Lescovitz	Samuelson
Baker	Fleagle	Levdansky	Santoni
Baldwin	Flick	Lynch	Saylor
Bard	Frankel	Maitland	Schroder
Barrar	Freeman	Major	Scrimenti
Bebko-Jones	Gannon	Manderino	Semmel
Belardi	Geist	Mann	Shaner
Belfanti	George	Markosek	Smith, S. H.
Bianucci	Gergely	Marsico	Solobay
Bishop	Gillespie	McCall	Staback

Blaum	Gingrich	McGeehan	Stairs
Boyd	Godshall	McIlhattan	Steil
Browne	Good	McIlhinney	Stetler
Bunt	Goodman	McNaughton	Stevenson, R.
Butkovitz	Gordner	Melio	Sturla
Caltagirone	Grucela	Micozzie	Surra
Cappelli	Gruitza	Miller, S.	Tangretti
Casorio	Haluska	Mundy	Taylor, E. Z.
Causer	Hanna	Myers	Taylor, J.
Cawley	Harhai	O'Brien	Thomas
Cohen	Harhart	Oliver	Travaglio
Cornell	Harris	Pallone	True
Corrigan	Hasay	Payne	Veon
Costa	Hennessey	Petrarca	Walko
Coy	Herman	Petri	Wansacz
Crahalla	Hershey	Petrone	Washington
Cruz	Hess	Phillips	Waters
Curry	Hickernell	Pickett	Watson
Daley	Horsey	Pistella	Wheatley
Dally	Hutchinson	Preston	Williams
DeLuca	James	Raymond	Wojnaroski
Dermody	Josephs	Readshaw	Wright
DeWeese	Keller	Reed	Yewcic
DiGirolo	Kenney	Reichley	Youngblood
Diven	Killion	Rieger	Yudichak
Donatucci	Kirkland	Roberts	Zug
Eachus	Kotik	Roebuck	
Evans, D.	LaGrotta	Rooney	Perzel,
Evans, J.	Laughlin	Ross	Speaker
Fabrizio			

NAYS—37

Bastian	Forcier	Metcalfe	Scavello
Benninghoff	Gabig	Miller, R.	Smith, B.
Birmelin	Habay	Mustio	Stern
Civera	Harper	Nailor	Stevenson, T.
Clymer	Leh	Nickol	Turzai
Coleman	Lewis	O'Neill	Vance
Creighton	Mackereth	Rohrer	Vitali
Dailey	Maher	Rubley	Weber
Denlinger	McGill	Sather	Wilt
Egolf			

NOT VOTING—1

Tigue

EXCUSED—2

Adolph Buxton

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.

RESOLUTIONS

Mr. PRESTON called up **HR 72, PN 403**, entitled:

A Resolution urging the Federal Communications Commission to clarify the role of the state public utility commissions in the implementation of a 2-1-1 abbreviated dialing code for health and human services delivery.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Adolph Buxton

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

* * *

Mr. BARRAR called up **HR 271, PN 1656**, entitled:

A Resolution memorializing the Congress of the United States to pass H.R. 742.

On the question,
Will the House adopt the resolution?

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to enthusiastically support this resolution. We are told by staff that this resolution will cost the Federal government about \$661 million a year. About \$200 million of that will go to extra retirement pay and about \$441 million of that will go to extra health benefits.

I think this is a very good investment for the Federal government to make, and I am appalled that they have waited so long to make it, that this bill has not moved since it has been introduced in the U.S. Congress.

We have been urged repeatedly by advocates of the current administration to support our troops, yet there is a disconnect between the rhetorical action to support our troops – at least 310 of whom have died in Iraq and about 1700 of whom have been wounded in Iraq – there is a disconnect between the rhetoric of support for our troops and the willingness to come up with money to meet the basic needs of our troops. The administration in Washington briefly attempted to get rid of the combat pay and the family separation pay; then they retreated after a public outcry. They have slowed down approval of this very meaningful legislation introduced by Congressman Saxton of New Jersey.

I would hope the vote here would be a unanimous vote, and there would be a strong vote in other States as well, and that Congress would move and really give our troops the kind of support they need. The troops that are sent abroad are helping in very worthwhile missions. We need to show real support of them, and that support means support for their individual well-being, not just support for dangerous missions that may cause them to die or be seriously wounded.

I hope the vote on this is unanimous or as close to unanimous as possible.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, God bless America and God bless American troops.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-201

Allen	Fabrizio	Lewis	Samuelson
Argall	Fairchild	Lynch	Santoni
Armstrong	Feese	Mackereth	Sather

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Adolph Buxton

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

* * *

Mr. BALDWIN called up **HR 362, PN 2448**, entitled:

A Resolution urging the Department of Transportation to study project delivery.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Adolph Buxton

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

RESOLUTIONS PURSUANT TO RULE 35

Mr. PISTELLA called up **HR 406, PN 2636**, entitled:

A Resolution memorializing the Citizens' Stamp Advisory Committee of the United States Postal Service to consider and recommend to the Postmaster General the issuance of a commemorative stamp honoring Gunnery Sergeant John Basilone as a great American hero.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Adolph Buxton

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

* * *

Ms. BEBKO-JONES called up **HR 413, PN 2640**, entitled:

A Resolution designating October 16, 2003, as "National Feral Cat Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

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

Evans, J. Levdansky Ruffing Perzel,
Fabrizio Lewis Sainato Speaker
Fairchild

NAYS—2

Coleman Creighton

NOT VOTING—0

EXCUSED—2

Adolph Buxton

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

* * *

Mr. SCRIMENTI called up **HR 415, PN 2642**, entitled:

A Resolution recognizing October 7, 2003, as “Dairy Farmers Appreciation Day” in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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

Daley	Josephs	Raymond	Wheatley
Dally	Keller	Readshaw	Williams
DeLuca	Kenney	Reed	Wilt
Denlinger	Killion	Reichley	Wojnaroski
Demody	Kirkland	Rieger	Wright
DeWeese	Kotik	Roberts	Yewcic
DiGirolamo	LaGrotta	Roebuck	Youngblood
Diven	Laughlin	Rohrer	Yudichak
Donatucci	Leach	Rooney	Zug
Eachus	Lederer	Ross	
Egolf	Leh	Rubley	
Evans, D.	Lescovitz	Ruffing	Perzel,
Evans, J.	Levdansky	Sainato	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Adolph Buxton

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

* * *

Mr. CLYMER called up **HR 416, PN 2643**, entitled:

A Resolution commemorating the achievements of Bob Hope, actor, singer, dancer, great humanitarian and kindhearted entertainer, who died on July 27, 2003.

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

It is fitting that we take a moment this morning to recognize a truly great American, Bob Hope, a true American icon. Not only was he an inspiration and a morale booster to our troops who served overseas in many conflicts, in many situations, but he was greatly admired with fond affection by the American people. A great humanitarian, a very talented entertainer – we are grateful for his life and for his service to our country.

Thank you, Mr. Speaker, and I would ask for a positive vote.

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

The following roll call was recorded:

YEAS—201

Allen	Fabrizio	Lewis	Samuelson
Argall	Fairchild	Lynch	Santoni
Armstrong	Feese	Mackereth	Sather
Baker	Fichter	Maher	Saylor
Baldwin	Fleagle	Maitland	Scavello
Bard	Flick	Major	Schroder
Barrar	Forcier	Manderino	Scrimenti
Bastian	Frankel	Mann	Semmel
Bebko-Jones	Freeman	Markosek	Shaner

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Adolph Buxton

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

**STATE SYSTEM OF HIGHER EDUCATION
PROPERTY REQUEST NO. 1, RESOLUTION A**

Mr. S. SMITH called up for consideration **SSHER 1, Resolution A**, entitled:

In the House, September 9, 2003

Resolved, That State System of Higher Education Property Request No. 1 of 2003, transmitted by the State System of Higher Education under Public School Code of 1949 to the General Assembly under date of August 21, 2003, which is incorporated herein by reference, be approved.

On the question,
Will the House adopt State System of Higher Education Property Request No. 1, Resolution A?

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Adolph Buxton

A majority of the members elected to the House having voted in the affirmative on State System of Higher Education Property Request No. 1, Resolution A, the question was determined in the affirmative and the resolution was adopted.

Ordered, That the clerk inform the Senate and the State System of Higher Education accordingly.

**SURPLUS PROPERTY DISPOSITION
PLAN NO. 1, RESOLUTION A**

Mr. S. SMITH called up for consideration **SPDP 1, Resolution A**, entitled:

In the House, September 9, 2003

Resolved, That Surplus Property Disposition Plan No. 1 of 2003, known as the Administrative Code of 1929, the Department of General Services developed, and the Governor approved, a plan for the disposition of surplus real property owned by the Commonwealth be approved.

On the question,

Will the House adopt Surplus Property Disposition Plan No. 1, Resolution A?

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

Mrs. MILLER. Thank you, Mr. Speaker.

May I interrogate the prime sponsor or the sponsor who called up this resolution?

The SPEAKER. For the information of the gentlelady, there is no prime sponsor.

The gentleman from Bucks, Mr. Clymer, will respond as best he can.

Mrs. MILLER. Mr. Speaker, thank you very much for this opportunity to interrogate the chairman of our House State Government Committee.

My question is, does this surplus disposition plan contain any State properties that would involve State farmland?

Mr. CLYMER. The answer is no.

Mrs. MILLER. Okay. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

On the question recurring,

Will the House adopt Surplus Property Disposition Plan No. 1, Resolution A?

The following roll call was recorded:

YEAS—201

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Adolph Buxton

A majority of the members elected to the House having voted in the affirmative on Surplus Property Disposition Plan No. 1, Resolution A, the question was determined in the affirmative and the resolution was adopted.

Ordered, That the clerk inform the Senate and His Excellency, the Governor, accordingly.

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. COHEN called up **HR 418, PN 2681**, entitled:

A Resolution designating the week of October 12 through 18, 2003, as "Archives Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Adolph Buxton

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

* * *

Mr. WILLIAMS called up **HR 419, PN 2682**, entitled:

A Resolution commemorating the achievements of the Community Academy of Philadelphia and its contributions to public education and

observing the week of September 29 through October 3, 2003, as "Community Academy of Philadelphia Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Adolph Buxton

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

* * *

Mr. HORSEY called up **HR 422, PN 2685**, entitled:

A Resolution recognizing and honoring Zell Kravinsky for his philanthropic and generous spirit, his compassionate character and his human charity.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Adolph Buxton

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

CALENDAR CONTINUED

CONSIDERATION OF HB 1041 CONTINUED

The SPEAKER. The Chair returns to consideration of HB 1041, PN 1216.

We now have a fiscal note for the amendment offered by the gentleman from Berks, Mr. Caltagirone.

CONSTITUTIONALITY OF
AMENDMENT A0745 RECONSIDERED

The SPEAKER. We are also in receipt of a reconsideration motion on the constitutionality of that amendment signed by Mr. Saylor and Mr. Hennessey.

The gentleman, Mr. Saylor, moves that the vote by which the constitutionality of amendment No. A0745 was sustained to HB 1041, PN 1216, on this 30th day of September be reconsidered.

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

The following roll call was recorded:

YEAS—201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Adolph Buxton

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

On the question recurring,

Will the House sustain the constitutionality of the amendment?

The SPEAKER. The question before the House is the constitutionality of the Caltagirone amendment A0745.

The gentleman, Mr. Saylor, raises the point of order that amendment No. 0745 is unconstitutional. The Speaker, under rule 4, is requested to submit questions affecting the constitutionality of an amendment to the House for decision, which the Chair now does, and recognizes the gentleman, Mr. Saylor.

Mr. SAYLOR. Mr. Speaker, I ask for reconsideration of the vote because a lot of members of the chamber did not know and understand which button to push when we were voting on constitutionality earlier.

But also I wanted to clarify the fact that there was a bill that came up earlier that we had voted for and the difference between the constitutionality in that bill, which was a business tax bill credit for businesses, which is allowed under our State Constitution. This is a PIT bill that we are talking about, and again, I ask the members to rule this unconstitutional in the fact that it does not meet the needs of our State Constitution under the rules of such.

And again, I want to stress to members this chamber has addressed these kinds of issues before. We have always turned down these kinds of amendments because of it. While I have been and people like Ed Staback and Merle Phillips and a lot of us had been supporters and actually initiated the first sportsmen's caucus here in the House of Representatives, and I am a big supporter of sportsmen, but the truth is,

firefighters are unpaid and they get no tax credits; police officers do. The sportsmen who would also possibly gain tax credits for this are not demanding this. So there is a real lack of understanding of why this amendment is not made in the area of a bill which would actually change the Constitution.

So I ask that this chamber vote this amendment as unconstitutional.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. TANGRETTI. Thank you, Mr. Speaker.

I just want to remind the ladies and gentlemen of this House and particularly the gentleman from York, a few years ago we did the keystone opportunity zone bill that provided for tax exemptions for those organizations regardless of their tax status, which includes subchapter S, who pay the personal income tax as opposed to a corporate net income tax, who would be exempt from taxes, as well as anybody who lives in a KOZ, from personal income taxes. So there is precedent; we have done it, and I would suggest to you that this meets the same standard relative to constitutionality.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I would ask the gentleman to look at the bill itself, and HB 1041 speaks specifically to the tax credit and the PIT. Exactly the argument that you are using against the amendment fits perfectly for the bill itself in the act. Research and development tax is written off on the PIT. In addition to that, the bill that you had referred to earlier, HB 80, also, if you would read it, provides for the PIT tax. So what are we talking about here? HB 80? It is in there. HB 1041? It is in there. It is like Prego, the sauce. It is in there.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Those voting "aye" will vote to declare the amendment to be constitutional, supporting Mr. Caltagirone; those voting "no" will declare the amendment to be unconstitutional, supporting Mr. Saylor.

On the question recurring,

Will the House sustain the constitutionality of the amendment?

The following roll call was recorded:

YEAS-154

Allen	Feese	Lederer	Ruffing
Argall	Fichter	Leh	Sainato
Baker	Fleagle	Lescovitz	Samuelson
Bard	Forcier	Levdansky	Santoni
Barrar	Frankel	Lynch	Sather
Bebko-Jones	Freeman	Maher	Scrimenti
Belardi	Gabig	Manderino	Semmel
Belfanti	Gannon	Mann	Shaner
Bianucci	Geist	Markosek	Smith, S. H.
Bishop	George	Marsico	Solobay
Blaum	Gergely	McCall	Staback
Browne	Gingrich	McGeehan	Stairs
Bunt	Godshall	McIlhattan	Stetler
Butkovitz	Goodman	McNaughton	Stevenson, R.
Caltagirone	Gordner	Melio	Stevenson, T.

Cappelli	Grucela	Miller, S.	Sturla
Casorio	Gruitza	Mundy	Surra
Causer	Habay	Mustio	Tangretti
Cawley	Haluska	Myers	Taylor, J.
Clymer	Hanna	O'Brien	Thomas
Cohen	Harhai	Oliver	Tigue
Cornell	Harhart	Pallone	Travaglio
Corrigan	Harris	Payne	Turzai
Costa	Hasay	Petrarca	Veon
Coy	Hennessey	Petrone	Vitali
Cruz	Herman	Phillips	Walko
Curry	Hershey	Pickett	Wansacz
Daley	Hess	Pistella	Washington
Dally	Horsey	Preston	Waters
DeLuca	Hutchinson	Raymond	Wheatley
Dermody	James	Readshaw	Williams
DeWeese	Josephs	Reed	Wilt
DiGirolamo	Keller	Reichley	Wojnaroski
Diven	Kenney	Rieger	Wright
Donatucci	Kirkland	Roberts	Yewcic
Eachus	Kotik	Roebuck	Youngblood
Evans, D.	LaGrotta	Rooney	Yudichak
Fabrizio	Laughlin	Rubley	Zug
Fairchild	Leach		

NAYS—47

Armstrong	Evans, J.	McIlhinney	Schroder
Baldwin	Flick	Metcalfe	Smith, B.
Bastian	Gillespie	Micozzie	Steil
Benninghoff	Good	Miller, R.	Stern
Birmelin	Harper	Nailor	Taylor, E. Z.
Boyd	Hickernell	Nickol	True
Civera	Killion	O'Neill	Vance
Coleman	Lewis	Petri	Watson
Crahalla	Mackereth	Rohrer	Weber
Creighton	Maitland	Ross	
Dailey	Major	Saylor	Perzel,
Denlinger	McGill	Scavello	Speaker
Egolf			

NOT VOTING—0

EXCUSED—2

Adolph Buxton

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the amendment was sustained.

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

The following roll call was recorded:

YEAS—160

Allen	Fichter	Lescovitz	Samuelson
Argall	Fleagle	Levdansky	Santoni
Baker	Forcier	Lynch	Sather
Bard	Frankel	Maher	Schroder
Barrar	Freeman	Mann	Scrimenti
Bebko-Jones	Gabig	Markosek	Semmel
Belardi	Gannon	Marsico	Shaner
Belfanti	Geist	McCall	Smith, B.
Bianucci	George	McGeehan	Smith, S. H.
Bishop	Gergely	McGill	Solobay
Blaum	Gingrich	McIlhattan	Staback
Browne	Godshall	McIlhinney	Stairs
Bunt	Goodman	McNaughton	Stern

Butkovitz	Gordner	Melio	Stetler
Caltagirone	Grucela	Micozzie	Stevenson, R.
Cappelli	Gruitza	Miller, S.	Stevenson, T.
Casorio	Habay	Mustio	Surra
Causer	Haluska	Myers	Tangretti
Cawley	Hanna	O'Brien	Taylor, E. Z.
Civera	Harhai	Oliver	Taylor, J.
Clymer	Harhart	Pallone	Travaglio
Cohen	Harper	Payne	Turzai
Cornell	Harris	Petrarca	Veon
Corrigan	Hasay	Petri	Vitali
Costa	Hennessey	Petrone	Walko
Coy	Herman	Phillips	Wansacz
Cruz	Hershey	Pickett	Washington
Curry	Hess	Pistella	Waters
Daley	Horsey	Preston	Wheatley
Dally	Hutchinson	Raymond	Williams
DeLuca	James	Readshaw	Wilt
Dermody	Josephs	Reed	Wojnaroski
DeWeese	Keller	Reichley	Wright
DiGirolamo	Kenney	Rieger	Yewcic
Diven	Kirkland	Roberts	Youngblood
Donatucci	Kotik	Roebuck	Yudichak
Eachus	LaGrotta	Rooney	Zug
Evans, D.	Laughlin	Rubley	
Fabrizio	Leach	Ruffing	
Fairchild	Lederer	Sainato	Perzel,
Feese	Leh		Speaker

NAYS—41

Armstrong	Egolf	Major	Saylor
Baldwin	Evans, J.	Manderino	Scavello
Bastian	Flick	Metcalfe	Steil
Benninghoff	Gillespie	Miller, R.	Sturla
Birmelin	Good	Mundy	Thomas
Boyd	Hickernell	Nailor	Tigue
Coleman	Killion	Nickol	True
Crahalla	Lewis	O'Neill	Vance
Creighton	Mackereth	Rohrer	Watson
Dailey	Maitland	Ross	Weber
Denlinger			

NOT VOTING—0

EXCUSED—2

Adolph Buxton

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

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

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

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

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Adolph Buxton

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.

TRANSPORTATION COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Geist, for the purposes of an announcement of a Transportation meeting. Mr. Geist.

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

Mr. Phillips had me engaged in conversation, so I was not really paying attention.

At the break the Transportation Committee will hold a brief meeting in the back of the House, and I would ask that the members attend a brief meeting of the Transportation Committee.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Transportation Committee will hold a brief meeting in the back of the House at the break.

PROFESSIONAL LICENSURE
COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Gannon, for the purposes of an announcement.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, immediately upon the declaration of the recess, the House Professional Licensure Committee will meet in room 60 of the East Wing; that is room 60 of the East Wing, House Professional Licensure Committee.

Thank you, Mr. Speaker.

The SPEAKER. The House Professional Licensure Committee will meet in room 60 of the East Wing at the recess.

Are there any other announcements?

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentelady from Chester, Mrs. Taylor.

Mrs. TAYLOR. Thank you, Mr. Speaker.

Immediately following the call of recess, we will be having an informal discussion from 1:30 to 2 and then we will start our formal discussion at 2. This is very important for the Republican majority members to be in attendance.

The SPEAKER. The Chair thanks the gentelady.

DEMOCRATIC CAUCUS

The SPEAKER. Does the gentleman, Mr. Cohen, wish to be recognized?

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will now be informal discussions in the Democratic caucus room for anybody who wants to participate.

At 10:30 tomorrow morning there will be a formal caucus to go over any additional bills or amendments that are going to be added to our schedule tomorrow.

The SPEAKER. There are no further votes for today, but the desk will remain open for committee reports.

VOTE CORRECTION

The SPEAKER. Does the gentleman, Mr. Tigue, seek recognition?

Mr. TIGUE. Yes, Mr. Speaker.

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

Mr. TIGUE. Because of a personal interest in HR 271, I should have not been recorded voting. I would just like those remarks spread across the record. Thank you.

The SPEAKER. The Chair thanks the gentleman. His remarks will be spread across the record.

Would the gentleman, Mr. Dally, please come to the rostrum.

**THE SPEAKER PRO TEMPORE
(CRAIG A. DALLY) PRESIDING****BILL REPORTED AND REREFERRED TO
COMMITTEE ON CONSUMER AFFAIRS****HB 1624, PN 2051**

By Rep. GEIST

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for definitions; and expanding the scope of the act to include motorcycles.

TRANSPORTATION.

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 now recognizes Mr. Gergely, from Allegheny County.

Mr. GERGELY. Mr. Speaker, I move that this House is now adjourned until Wednesday, October 1, 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 1:40 p.m., e.d.t., the House adjourned.