

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 7, 2003

SESSION OF 2003

187TH OF THE GENERAL ASSEMBLY

No. 81

### HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

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

#### PRAYER

REV. ROBERT A. GRAYBILL, Chaplain of the House of Representatives, offered the following prayer:

May I share with you this prayer:

O God our Creator, we pause now silently before You, for we are grateful for this new day which You have created for each of us. It is not yesterday, and it is not tomorrow, but it is today – a new day to live and to love, a new day to share our dreams, a new day to experience the joys of this life. O God, for Your gift of life within each of us today, we offer our sincere thanks.

O God, You are our sustainer, and we seek Your abiding presence in the face of challenges that are before this body of leaders. As they work together for common dreams, seek out healthy compromises and search together for best solutions, may You be the source of life that sustains their passions to make our Commonwealth a good place to live life to the fullest. We also ask of Thee for Your sustaining presence for the men and women of our Commonwealth who are giving of their lives in harm's way around the world. In the face of crisis, sometimes even unto death, we ask for Your grace to abound upon them and Your steadfast love in the efforts to care and support their families back here in PA.

Today, O God, You are our creator and sustainer. May You grant to all of us Your renewed hope so we can step forth into this new day with a strong desire to help our brothers and sisters and to remain steadfast for the sake of freedom.

If You would, dear God, please hear our prayer. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Monday, October 6, 2003, will be postponed until printed.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2072** By Representatives DENLINGER, ARMSTRONG, BALDWIN, BARRAR, BOYD, BUNT, CAPPELLI, CLYMER, COLEMAN, CREIGHTON, DAILEY, EGOLF, FAIRCHILD, GEIST, GINGRICH, HARRIS, HERSHEY, HORSEY, LEH, MARSICO, MELIO, MUSTIO, NAILOR, REED, ROBERTS, SAINATO, SAYLOR, SCAVELLO, B. SMITH, R. STEVENSON, TRUE, TURZAI, WILT and HENNESSEY

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for mandate waiver due to lack of State payment or reimbursement.

Referred to Committee on EDUCATION, October 7, 2003.

**No. 2073** By Representatives METCALFE, ALLEN, ARGALL, ARMSTRONG, BARRAR, BASTIAN, BENNINGHOFF, CAPPELLI, COLEMAN, CRAHALLA, DENLINGER, EGOLF, FAIRCHILD, FREEMAN, GABIG, GEIST, GEORGE, GORDNER, HERMAN, HUTCHINSON, KELLER, LEDERER, PHILLIPS, READSHAW, REICHLEY, ROHRER, SATHER, SOLOBAY, STERN, TIGUE, YOUNGBLOOD and CREIGHTON

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for courses of study; and making an editorial change.

Referred to Committee on EDUCATION, October 7, 2003.

**No. 2074** By Representative NICKOL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "taxable income"; and further providing for settlement and resettlement.

Referred to Committee on FINANCE, October 7, 2003.

**No. 2075** By Representatives ROBERTS, DeWEESE, BASTIAN, CRAHALLA, FABRIZIO, FAIRCHILD, GEORGE, GERGELY, GOODMAN, JAMES, KELLER, KOTIK, LEVDANSKY, McNAUGHTON, O'NEILL, RUBLEY, SCRIMENTI, SHANER, SOLOBAY, THOMAS, TIGUE, WILT and YOUNGBLOOD

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone and Keystone Opportunity Expansion Zone Act, further providing for real property tax.

Referred to Committee on COMMERCE, October 7, 2003.

**No. 2076** By Representatives DiGIROLAMO, CRAHALLA, BEBKO-JONES, COHEN, MANDERINO, ALLEN, BAKER, BARRAR, BENNINGHOFF, BISHOP, BLAUM, BUNT, CAPPELLI, CAWLEY, CLYMER, COY, CRUZ, DALLY, FABRIZIO, FICHTER, FREEMAN, GEIST, GEORGE, GINGRICH, GODSHALL, GRUITZA, HERSHEY, HORSEY, JAMES, KILLION, KIRKLAND, LAUGHLIN, MACKERETH, MAJOR, MARKOSEK, MCGILL, McILHATTAN, McNAUGHTON, R. MILLER, MUNDY, NAILOR, O'BRIEN, OLIVER, O'NEILL, PALLONE, PETRARCA, PISTELLA, READSHAW, REED, REICHLEY, RUBLEY, SAINATO, SAYLOR, SCAVELLO, SCHRODER, B. SMITH, SOLOBAY, STEIL, STERN, R. STEVENSON, T. STEVENSON, J. TAYLOR, THOMAS, TRUE, WATSON, WEBER, WRIGHT, YOUNGBLOOD, YUDICHAK, CREIGHTON and DeLUCA

An Act amending the act of March 20, 2003 (P.L. , No.1A), known as the General Appropriation Act of 2003, further providing for definitions, for appropriations relating to the executive offices and the Department of Public Welfare.

Referred to Committee on APPROPRIATIONS, October 7, 2003.

## CALENDAR

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1359, PN 2157**, entitled:

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

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

### BILL TABLED

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

Mr. S. SMITH. Mr. Speaker, I move that HB 1359 be placed on the table.

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

\* \* \*

The House proceeded to third consideration of **SB 748, PN 1109**, entitled:

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, providing for fiscal year 2003-2004 waiver of standards.

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

### BILL TABLED

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

Mr. S. SMITH. Mr. Speaker, I move that SB 748 be placed on the table.

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

\* \* \*

The House proceeded to third consideration of **HB 1759, PN 2279**, entitled:

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

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

### BILL TABLED

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

Mr. S. SMITH. Mr. Speaker, I move that HB 1759 be placed on the table.

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

\* \* \*

The House proceeded to third consideration of **HB 1073, PN 1253**, entitled:

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

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

### BILL TABLED

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

Mr. S. SMITH. Mr. Speaker, I move that HB 1073 be placed on the table.

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

\* \* \*

The House proceeded to third consideration of **HB 445, PN 523**, entitled:

An Act providing for the licensure of individuals providing sign language interpreting and transliterating services to individuals who are deaf or hard of hearing; and imposing duties on the Office for the Deaf and Hard of Hearing in the Department of Labor and Industry.

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

**BILL TABLED**

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

Mr. S. SMITH. Mr. Speaker, I move that HB 445 be placed on the table.

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

\* \* \*

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 pro tempore. The Chair recognizes the majority leader.

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

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

\* \* \*

The House proceeded to third consideration of **HB 428, PN 506**, entitled:

An Act designating the polka as the official dance of Pennsylvania; and designating the square dance as the official American folk dance of Pennsylvania.

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

**BILL TABLED**

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

Mr. S. SMITH. Mr. Speaker, I move that HB 428 be placed on the table.

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

\* \* \*

The House proceeded to third consideration of **HB 168, PN 2159**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for the authorization of excise tax, for the authorization of the hotel tax and for hotel room rental tax.

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

**BILL TABLED**

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

Mr. S. SMITH. Mr. Speaker, I move that HB 168 be placed on the table.

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

\* \* \*

The House proceeded to third consideration of **HB 1533, PN 1996**, entitled:

An Act amending the act of June 22, 2000 (P.L.307, No.28), known as the Hotel Room Rental Tax Act, further providing for distribution of collected 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 pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 1533 be placed on the table.

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 pro tempore. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that HB 1534 be placed on the table.

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

### BILL REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that the following bill be taken from the table: HB 1654.

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 1654, PN 2104.**

### BILL RECOMMITTED

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

Mr. S. SMITH. Mr. Speaker, I move that the following bill be recommitted to Appropriations: HB 1654.

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

## COMMUNICATIONS FROM GOVERNOR

### APPROVAL OF HOUSE BILLS

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

**HB 89, and HB 318.**

### GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair recognizes Trevor Lawrence and Chris Gugliemini and Angela Rutch. They are students of Marian Catholic, shadowing Representative Keith McCall. Also Ann Michele Rutch, who is the chaperon. Welcome. They are located to the left of the Speaker.

### LEAVES OF ABSENCE

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

The Chair recognizes the majority whip, who requests a leave of absence for Representative KILLION. Without objection, the absence is granted.

The Chair recognizes the minority whip, who requests a leave of absence for Representative McGEEHAN for the week and Representative HARHAI. Without objection, the leaves of absence are granted.

### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—200

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

|        |         |          |
|--------|---------|----------|
| Harhai | Killion | McGeehan |
|--------|---------|----------|

LEAVES ADDED—1

Vance

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to recognize a special guest of Representative Teresa Forcier. Located in the gallery is Karla Lippert. Welcome.

The Chair would like to welcome Jerry, Bobbie Ann, Becky, and Jennifer Lineman to the Capitol. They are in Harrisburg today observing how Pennsylvania government runs. They are seated to the left of the Speaker. Welcome.

RULES COMMITTEE MEETING

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

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 77, PN 2634

By Rep. S. SMITH

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for definitions relating to consolidation or merger, for initiative of electors seeking consolidation or merger without home rule; providing for initiative of electors seeking consolidation or merger with a new home rule charter; further providing for conduct of referenda and for consolidation or merger agreement; and making editorial changes.

RULES.

RESOLUTIONS PURSUANT TO RULE 35

Mr. KENNEY called up HR 424, PN 2711, entitled:

A Resolution commending the Pennsylvania State Nurses Association on its 100th anniversary.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Harhai Killion McGeehan

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

\* \* \*

THE SPEAKER (JOHN M. PERZEL) PRESIDING

Mr. DALLY called up HR 427, PN 2713, entitled:

A Resolution directing the Joint State Government Commission to conduct a study of the laws of other states which regulate the ratio of certified school nurses to students.

On the question, Will the House adopt the resolution?

RESOLUTION PASSED OVER TEMPORARILY

The SPEAKER. The Chair rescinds on 427. The resolution will be over temporarily.

\* \* \*

Mrs. LEDERER called up HR 430, PN 2716, entitled:

A Resolution encouraging the Philadelphia City Council to name the sports complex at Broad Street and Pattison Avenue the "Veterans Sports Complex" in honor of those who serve our nation around the world as well as those who have served.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Table with 4 columns of names: Adolph, Allen, Argall, Armstrong, Baker, Baldwin, Bard, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Biancucci, Birmelin, Bishop, Blaum, Boyd, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Evans, D., Evans, J., Fabrizio, Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Geist, George, Gergely, Gillespie, Gingrich, Godshall, Good, Goodman, Gordner, Grucela, Gruitza, Lewis, Lynch, Mackereth, Maher, Maitland, Major, Manderin o, Mann, Markosek, Marsico, McCall, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Micozzie, Miller, R., Miller, S., Mundy, Mustio, Myers, Nailor, Samuelson, Santoni, Sather, Saylor, Scavello, Schroder, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Steil, Stern, Stetler, Stevenson, R., Stevenson, T., Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J.

Table with 4 columns of names: Casorio, Causer, Cawley, Civera, Clymer, Cohen, Coleman, Cornell, Corrigan, Costa, Coy, Crahalla, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Denlinger, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Egolf, Habay, Haluska, Hanna, Harhart, Harper, Harris, Hasay, Hennessey, Herman, Hershey, Hess, Hickernell, Horsey, Hutchinson, James, Josephs, Keller, Kenney, Kirkland, Kotik, LaGrotta, Laughlin, Leach, Lederer, Leh, Lescovitz, Levdansky, Nickol, O'Brien, Oliver, O'Neill, Pallone, Payne, Petrarca, Petrone, Phillips, Pickett, Pistella, Preston, Raymond, Readshaw, Reed, Reichley, Rieger, Roberts, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Thomas, Tighe, Travaglio, True, Turzai, Vance, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Weber, Wheatley, Williams, Wilt, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zug, Perzel, Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

Harhai Killion McGeehan

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

SUPPLEMENTAL CALENDAR C

RESOLUTION PURSUANT TO RULE 35

Mr. SCHRODER called up HR 444, PN 2733, entitled:

A Resolution designating the week of October 5 through 11, 2003, as "Latex Allergy Awareness Week" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Table with 4 columns of names: Adolph, Allen, Argall, Armstrong, Baker, Baldwin, Bard, Barrar, Bastian, Bebko-Jones, Belardi, Belfanti, Benninghoff, Evans, D., Evans, J., Fabrizio, Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gabig, Gannon, Lewis, Lynch, Mackereth, Maher, Maitland, Major, Manderino, Mann, Markosek, Marsico, McCall, McGill, McIlhattan, Samuelson, Santoni, Sather, Saylor, Scavello, Schroder, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback

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

NAYS-0

NOT VOTING-0

EXCUSED-3

|        |         |          |
|--------|---------|----------|
| Harhai | Killion | McGeehan |
|--------|---------|----------|

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

**CALENDAR CONTINUED**

**RESOLUTION**

Mr. HORSEY called up **HR 390, PN 2594**, entitled:

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

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS-200**

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

NAYS-0

NOT VOTING-0

EXCUSED-3

|        |         |          |
|--------|---------|----------|
| Harhai | Killion | McGeehan |
|--------|---------|----------|

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

**REPUBLICAN CAUCUS**

The SPEAKER. The Chair recognizes the gentlelady from Chester, Mrs. Taylor, for the purpose of a caucus announcement. Elinor.

Mrs. TAYLOR. Thank you, Mr. Speaker.  
The SPEAKER. The Chair recognizes the gentlelady.  
Mrs. TAYLOR. Thank you very much, Mr. Speaker.

At the call of recess, there will be a majority caucus held in the majority caucus room, and I am counting on about an hour for that caucus. Thank you.

The SPEAKER. The Chair thanks the gentlelady.

### DEMOCRATIC CAUCUS

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

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, the House Democrats will caucus immediately on the call of the recess. We will discuss today's voting calendar in anticipation of returning to the floor. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Are there any further announcements?

### APPROPRIATIONS COMMITTEE MEETING

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

Mr. ARGALL. Thank you, Mr. Speaker.

At the declaration of the recess, the House Appropriations Committee will meet in room 245.

The SPEAKER. At the declaration of the recess, the Appropriations Committee will meet in room 245.

Are there any further announcements?

### RECESS

The SPEAKER. This House is in recess until 3 p.m.

### AFTER RECESS

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

### REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The clerk will read the supplemental report from the Committee on Committees.

The following report was read:

#### SUPPLEMENTAL REPORT COMMITTEE ON COMMITTEES

In the Pennsylvania House of  
Representatives  
October 7, 2003

Resolved that:

Rep. Rosita Youngblood, Philadelphia County, is elected a member of the Intergovernmental Affairs Committee vice Rep. Peter J. Daley II resigned.

Respectfully submitted,  
Rep. Robert Freeman  
Democratic Chairman  
Committee on Committees

On the question,  
Will the House adopt the resolution?  
Resolution was adopted.

### BILLS REREPORTED FROM COMMITTEE

**HB 146, PN 2194**

By Rep. ARGALL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for the sale or transfer of unused research and development tax credits.

APPROPRIATIONS.

**HB 304, PN 350**

By Rep. ARGALL

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, defining "home health care agency"; and providing for home health care services ordered by physicians from another state.

APPROPRIATIONS.

**HB 951, PN 1117**

By Rep. ARGALL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for sales and use tax definitions, for sales and use tax exclusions, for personal income tax definitions and for classes of personal income; providing for a credit against personal income tax; further providing for realty transfer tax definitions, for realty transfer tax exclusions and for penalties for failing to fulfill a historic covenant; and conferring powers and duties on the Pennsylvania Historical and Museum Commission.

APPROPRIATIONS.

**HB 952, PN 1118**

By Rep. ARGALL

An Act providing for tax credits for historic commercial sites; and conferring powers and duties on the Department of Community and Economic Development, the Pennsylvania Historical and Museum Commission and the Department of Revenue.

APPROPRIATIONS.

**HB 1068, PN 2631**

By Rep. ARGALL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing State reimbursement for mobile classroom facilities; and making editorial changes.

APPROPRIATIONS.

**HB 2027, PN 2704**

By Rep. ARGALL

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.

APPROPRIATIONS.



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

**HB 147, PN 162** By Rep. FLICK

An Act authorizing the film enhancement tax credit; and providing for the powers and duties of the Department of Community and Economic Development and the Department of Revenue.

FINANCE.

**HB 1158, PN 1371** By Rep. FLICK

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for exemptions and special provisions for taxation.

FINANCE.

**HB 1159, PN 2734 (Amended)** By Rep. FLICK

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for exemption for qualified disability trusts; and imposing duties on the Secretary of the Commonwealth and the Legislative Reference Bureau.

FINANCE.

**HB 1899, PN 2483** By Rep. FLICK

An Act excluding veterans' disability payments as income for certain purposes.

FINANCE.

**BILLS REPORTED AND REREFERRED  
TO COMMITTEE ON LIQUOR CONTROL**

**HB 1216, PN 1453** By Rep. FLICK

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, authorizing video poker at certain establishments; imposing duties on the Department of Revenue and the Pennsylvania Liquor Control Board; and making an appropriation.

FINANCE.

**HB 1898, PN 2482** By Rep. FLICK

An Act amending the act of June 9, 1936 (Sp.Sess., P.L.13, No.4), entitled, as reenacted and amended, "An act imposing an emergency State tax on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," further providing for the rate of taxation.

FINANCE.

**LEAVE OF ABSENCE**

The SPEAKER. The Chair returns to leaves of absence and places the gentelady from Cumberland, Mrs. VANCE, on leave for the remainder of the day. Without objection, the leave will be granted.

**SUPPLEMENTAL CALENDAR A**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 77, PN 2634**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for definitions relating to consolidation or merger, for initiative of electors seeking consolidation or merger without home rule; providing for initiative of electors seeking consolidation or merger with a new home rule charter; further providing for conduct of referenda and for consolidation or merger agreement; and making editorial changes.

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

The SPEAKER. It is moved by the gentleman, Mr. Herman, that the House concur in the amendments inserted by the Senate.

The Chair recognizes the gentleman from Allegheny, Mr. Maher, for an explanation.

Mr. MAHER. Thank you, Mr. Speaker.

I am hopeful that someone might provide further illumination on the amendment, the intent of the amendment, introduced by the Senate, dealing with subpart E, part III.

The SPEAKER. The Chair inadvertently had thought that you were going to explain that, but we will ask Mr. Herman to please give us an explanation of that.

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

The intent of this bill is to allow for those municipalities in Pennsylvania who wish to merge or consolidate via a citizens group to be able to offer their citizens and taxpayers the option of a new home-rule charter as the end gain, and what the Senate did in this legislation – it is the only amendment that has been offered through both the committees in this House and the committee in the Senate, Local Government – was they wanted to make it very clear that this did not include counties, and that was basically all they did, was made a very technical amendment just to assure that it only affected municipalities and not counties.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

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

The following roll call was recorded:

YEAS-190

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

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

NAYS-9

|         |          |          |           |
|---------|----------|----------|-----------|
| Casorio | Kotik    | Pistella | Scrimenti |
| Costa   | Petrarca | Readshaw | Walko     |
| Diven   |          |          |           |

NOT VOTING-0

EXCUSED-4

|        |         |          |       |
|--------|---------|----------|-------|
| Harhai | Killion | McGeehan | Vance |
|--------|---------|----------|-------|

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

Ordered, That the clerk inform the Senate accordingly.

**SUPPLEMENTAL CALENDAR B**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 146, PN 2194**, 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 the sale or transfer of unused research and development tax credits.

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

Mr. **EGOLF** offered the following amendment No. **A3628**:

Amend Title, page 1, line 10, by inserting after "for" exclusions from sales and use tax and for  
Amend Bill, page 2, lines 6 through 9, by striking out all of said lines and inserting

Section 1. Section 204 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, is amended by adding a clause to read:

Section 204. Exclusions from Tax.—The tax imposed by section 202 shall not be imposed upon any of the following:

\* \* \*

(64) The sale at retail or use of safety or protective helmets.

Section 2. Section 1704-B(c) of the act, added May 7, 1997 (P.L.85, No.7), is amended and the section is amended by adding subsections to read:

Amend Sec. 2, page 4, line 16, by striking out "2" and inserting  
3

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

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

Mr. **EGOLF**. Thank you, Mr. Speaker.

This amendment would exempt all safety helmets. This is including helmets for children that are required now to have helmets for riding a bicycle. It would include motorcycle helmets. Any other helmets to be used for safety, it would exempt them from the sales tax. Thank you.

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

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

I am not opposed to the amendment. I simply need to know, is there a fiscal note to the amendment?

The **SPEAKER**. Just one moment.

Mr. **HORSEY**. Just curious on what it would cost the State.

The **SPEAKER**. We are looking that up right this second, Mr. Horsey; just one moment.

AMENDMENT WITHDRAWN

The **SPEAKER**. The amendment is withdrawn, Mr. Horsey. Obviously, you were right.

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-199

|           |           |           |           |
|-----------|-----------|-----------|-----------|
| Adolph    | Evans, D. | Levdansky | Sainato   |
| Allen     | Evans, J. | Lewis     | Samuelson |
| Argall    | Fabrizio  | Lynch     | Santoni   |
| Armstrong | Fairchild | Mackereth | Sather    |
| Baker     | Feese     | Maher     | Saylor    |

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

NAYS—0

NOT VOTING—0

EXCUSED—4

|        |         |          |       |
|--------|---------|----------|-------|
| Harhai | Killion | McGeehan | Vance |
|--------|---------|----------|-------|

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.

**CALENDAR CONTINUED**

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 172, PN 192**, entitled:

An Act requiring the Department of General Services to establish energy profiles for certain State buildings.

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

Mr. **GEORGE** offered the following amendment No. **A3531**:

Amend Title, page 1, line 2, by removing the period after “buildings” and inserting

and to report to the General Assembly.

Amend Bill, page 3, lines 7 and 8, by striking out all of said lines and inserting

Section 4. Report to General Assembly.

Using the information collected in section 3, the department shall report to the General Assembly on the type, total cost and amount and average cost of energy used in State buildings and shall provide this report on an annual basis. The report may contain the Statewide information for previous years if the data is already available.

Section 5. Effective date.

This act shall take effect immediately.

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

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

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

Mr. Speaker, this amendment simply requires an energy report card for each building. The amendment simply states that the department should be able to add up the figures and give a total energy report card for all State buildings. If we are already collecting this data, the cost to add it up and to provide a statewide report should be very minimal. I ask for your support.

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

**POINT OF ORDER**

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

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

That amendment is not showing up on our screen or at least some screens, and the same was true of the last amendment. I do not know if it is a technical problem with some of the screens or a Housewide problem.

The **SPEAKER**. Mr. Vitali, it is in the system. There is a desk in the back for help on pulling up the actual amendment itself, but both sides of the aisle indicate that it is in the system.

Does the gentleman, Mr. Vitali, wish to be recognized?

Mr. **VITALI**. Well, again, the problem is, as I look down the aisle at the other members, they have the same problem that I do, which is the text is not on the screen. Well, it is not on some of the screens.

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

The following roll call was recorded:

YEAS—199

|           |           |           |           |
|-----------|-----------|-----------|-----------|
| Adolph    | Evans, D. | Levdansky | Sainato   |
| Allen     | Evans, J. | Lewis     | Samuelson |
| Argall    | Fabrizio  | Lynch     | Santoni   |
| Armstrong | Fairchild | Mackereth | Sather    |
| Baker     | Feese     | Maher     | Saylor    |

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

NAYS—0

NOT VOTING—0

EXCUSED—4

|        |         |          |       |
|--------|---------|----------|-------|
| Harhai | Killion | McGeehan | Vance |
|--------|---------|----------|-------|

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

On the question,

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

Mr. **GEORGE** offered the following amendment No. **A3533**:

Amend Title, page 1, line 2, by removing the period after "buildings" and inserting ; and requiring the Pennsylvania Public Utility Commission to report to the General Assembly.

The General Assembly finds and declares as follows:

(1) In this time of rising natural gas prices, the General Assembly does not intend to increase in any manner the bills of natural gas customers within this Commonwealth.

(2) It is necessary to acquire information to properly respond to the potential upcoming crisis caused by rising natural gas prices.

Amend Bill, page 3, lines 7 and 8, by striking out all of said lines and inserting

Section 4. Report from Pennsylvania Public Utility Commission.

The Pennsylvania Public Utility Commission shall report to the General Assembly by October 30, 2003, on the potential problems caused by rising natural gas prices. This report shall include current statistics on natural gas universal service programs, statistics on customer average bills, delinquencies, terminations and the number of natural gas customers at risk for utility terminations before the start of any winter moratorium.

Section 5. Effective date.

This act shall take effect immediately.

On the question,

Will the House agree to the amendment?

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

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

Mr. Speaker, this amendment does two things. First, it expresses our findings that in the time of rising natural gas prices, where the natural gas spot prices in 2003 are 70 percent higher than they were in 2002, our legislature does not intend to increase in any manner the natural gas bills of our constituents. Secondly, Mr. Speaker, it asks the Pennsylvania PUC (Public Utility Commission) to report to the Pennsylvania General Assembly by October 30 on the potential natural gas crisis that may occur this winter. This report, Mr. Speaker, shall include current statistics on natural gas universal service programs, statistics on customers' average bills, delinquencies and terminations, and the number of natural gas customers at risk for utility terminations before the start of the winter moratorium.

These are commonsense approaches by our General Assembly to respond to these problems, and in working with other branches, we will get it done, and I ask that we support this amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

|        |         |          |       |
|--------|---------|----------|-------|
| Harhai | Killion | McGeehan | Vance |
|--------|---------|----------|-------|

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

On the question recurring,

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

The SPEAKER. Does the gentleman, Mr. George, have a further amendment?

Mr. GEORGE. No, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-199

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

NAYS-0

NOT VOTING-0

EXCUSED-4

|        |         |          |       |
|--------|---------|----------|-------|
| Harhai | Killion | McGeehan | Vance |
|--------|---------|----------|-------|

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.



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

NAYS—0

NOT VOTING—0

EXCUSED—4

|        |         |          |       |
|--------|---------|----------|-------|
| Harhai | Killion | McGeehan | Vance |
|--------|---------|----------|-------|

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

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair is pleased to welcome back to the hall of the House Representative Buxton, who was laid up in the hospital for a couple weeks. Welcome back, Representative Buxton.

### CONSIDERATION OF HB 1822 CONTINUED

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 Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, would the sponsor of the bill stand for a brief interrogation?

The SPEAKER. The gentleman, Mr. Cappelli, indicates that he will stand for interrogation. The gentleman is in order.

Mr. CLYMER. Would the gentleman advise as to who is driving this legislation? I have a number of charitable nonprofit organizations in my legislative district, and I have yet to receive one e-mail, one phone call, or one letter in support of this, and I am just curious who is driving this legislation.

Mr. CAPPELLI. Mr. Speaker, I really cannot answer that question other than to say that I do have social, fraternal, religious, and other civic organizations in my district who view these machines, which are presently administratively approved and in place, as very, very convenient for them and for their operations. It will save them time, and more importantly, it will enable them to better reconcile the sales and the moneys involved in the small games program.

The SPEAKER. The Chair thanks the gentleman, Mr. Clymer, but would like to explain to the gentleman, Mr. Clymer, that the motive of any piece of legislation is not

the subject for the debate on the floor of the House of Representatives.

Mr. Clymer.

Mr. CLYMER. I thank the Speaker for that clarification.

Mr. Speaker, could the gentleman tell us what the cost of this new electronic machine would be? What is the cost of the machine?

Mr. CAPPELLI. Mr. Speaker, could the gentleman clarify that question? Cost to whom or to what?

Mr. CLYMER. Yes. Obviously, these are machines that are going to be made available to charitable and nonprofit organizations, as it states in the bill, so they are going to buy this pull-tab machine, which has electronics involved in it, and if the maker of the bill would want to describe in detail what he is asking for in the bill, I would appreciate that and then tell us what each machine would cost.

Mr. CAPPELLI. Mr. Speaker, I do not have a cost figure on these machines, nor can I tell you with certainty whether or not licensees actually buy them. I am sure many vendors who supply the small games might provide them free, if they are using their small games chances.

The machine itself is nothing more than a physically enclosed machine that you plug into an outlet, that in fact accepts currency and in return for that currency provides the purchaser with a legally recognized small games of chance. This bill does not expand the scope of what small games are. It does not expand the prize limits in terms of the maximum amount of a single prize or the weekly aggregate. These machines would be permitted to have electronic displays, which either through an audio sound signal a winning ticket as it is being dispensed from the machine or visually notify the purchaser that they have a winning ticket. They still must physically present it to a representative of the licensee for redemption, and I would note that the department has in fact already administratively approved a number of these machines. The purpose behind this legislation is to codify into statute that current rule.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, how many charitable or nonprofit organizations would qualify for the purchase of this new machine?

Mr. CAPPELLI. I believe in reading the Local Option Small Games of Chance Act of 1988 that any licensee or applicant who has been in existence as a charitable organization for 1 year prior to making application for a license would be eligible to in fact utilize one of these dispensing machines in addition to having them physically sold by a club manager, a bartender, or some other representative of the organization.

Mr. CLYMER. Mr. Speaker, I thought I asked for a number, a specific number of nonprofit organizations. I appreciate the gentleman explaining some of the other particulars about who qualifies, but I am asking, I am just curious as to how many nonprofit and charitable organizations specifically would qualify for this machine, of which we do not know where it is manufactured or what the expense is. That is all I am asking.

Mr. CAPPELLI. Mr. Speaker, the Department of State tracks small games of chance licensees. I do not have the specific number of licensees currently in the Commonwealth, but the Department of State could furnish the gentleman with that number.

Mr. CLYMER. Thank you.

Mr. Speaker, I finished my interrogation. If I could make a few brief remarks. Thank you.

The SPEAKER. The gentleman is in order and may proceed.  
 Mr. CLYMER. Mr. Speaker, what I have here is certainly legislation that we do not want to have unintended consequences. We have this new electronic machine. No one seems to know what the expense will be, where it is manufactured, where it is manufactured or who the manufacturer is, or how many charitable organizations, nonprofit organizations, would qualify. Usually in fiscal notes we try to get as much information, because we want to be as well informed as possible when we make a decision, but here we are voting on something that the information is very skewed.

Understanding the many social ills that do occur with gambling, I would just ask the membership to oppose this legislation and vote "no."

Thank you very much.

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-147

|             |           |            |            |
|-------------|-----------|------------|------------|
| Adolph      | Evans, J. | Levdansky  | Sainato    |
| Argall      | Fabrizio  | Mackereth  | Samuelson  |
| Bard        | Fairchild | Maher      | Santoni    |
| Barrar      | Fichter   | Major      | Saylor     |
| Bebko-Jones | Flick     | Manderino  | Scrimenti  |
| Belardi     | Frankel   | Mann       | Shaner     |
| Belfanti    | Freeman   | Markosek   | Smith, B.  |
| Biancucci   | Gannon    | Marsico    | Solobay    |
| Bishop      | George    | McCall     | Staback    |
| Blaum       | Gergely   | McGill     | Steil      |
| Bunt        | Gillespie | McIlhinney | Stetler    |
| Butkovitz   | Godshall  | McNaughton | Sturla     |
| Buxton      | Good      | Melio      | Surra      |
| Caltagirone | Goodman   | Micozzie   | Tangretti  |
| Cappelli    | Gordner   | Miller, R. | Taylor, J. |
| Casorio     | Grucela   | Mundy      | Thomas     |
| Causar      | Gruitza   | Myers      | Tigue      |
| Cawley      | Haluska   | Nailor     | Travaglio  |
| Civera      | Hanna     | Nickol     | Veon       |
| Cohen       | Harhart   | O'Brien    | Vitali     |
| Cornell     | Harper    | Oliver     | Walko      |
| Corrigan    | Harris    | O'Neill    | Wansacz    |
| Costa       | Hasay     | Pallone    | Washington |
| Coy         | Hennessey | Petrarca   | Waters     |
| Crahalla    | Horsey    | Petri      | Watson     |
| Cruz        | James     | Petrone    | Weber      |
| Curry       | Josephs   | Pistella   | Wheatley   |
| Dailey      | Keller    | Preston    | Williams   |
| Daley       | Kenney    | Raymond    | Wilt       |
| Dally       | Kirkland  | Readshaw   | Wojnaroski |
| DeLuca      | Kotik     | Rieger     | Wright     |
| Dermody     | LaGrotta  | Roberts    | Yewcic     |
| DeWeese     | Laughlin  | Roebuck    | Youngblood |
| DiGirolamo  | Leach     | Rooney     | Yudichak   |
| Diven       | Lederer   | Ross       |            |
| Donatucci   | Leh       | Rubley     | Perzel,    |
| Eachus      | Lescovitz | Ruffing    | Speaker    |
| Evans, D.   |           |            |            |

NAYS-52

|           |         |            |          |
|-----------|---------|------------|----------|
| Allen     | Egolf   | Lewis      | Sather   |
| Armstrong | Feese   | Lynch      | Scavello |
| Baker     | Fleagle | Maitland   | Schroder |
| Baldwin   | Forcier | McIlhattan | Semmel   |

|             |            |            |               |
|-------------|------------|------------|---------------|
| Bastian     | Gabig      | Metcalfe   | Smith, S. H.  |
| Benninghoff | Geist      | Miller, S. | Stairs        |
| Birmelin    | Gingrich   | Mustio     | Stern         |
| Boyd        | Habay      | Payne      | Stevenson, R. |
| Browne      | Herman     | Phillips   | Stevenson, T. |
| Clymer      | Hershey    | Pickett    | Taylor, E. Z. |
| Coleman     | Hess       | Reed       | True          |
| Creighton   | Hickernell | Reichley   | Turzai        |
| Denlinger   | Hutchinson | Rohrer     | Zug           |

NOT VOTING-0

EXCUSED-4

|        |         |          |       |
|--------|---------|----------|-------|
| Harhai | Killion | McGeehan | Vance |
|--------|---------|----------|-------|

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 846, PN 1033**, entitled:

An Act authorizing the release of Project 70 restrictions imposed on certain lands owned by the Township of Willistown, Chester County, and imposing Project 70 restrictions on certain lands being conveyed to the township.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-199

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



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

NAYS—0

NOT VOTING—0

EXCUSED—4

|        |         |          |       |
|--------|---------|----------|-------|
| Harhai | Killion | McGeehan | Vance |
|--------|---------|----------|-------|

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

### **BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED**

**SB 586, PN 1203** (Amended)

By Rep. B. SMITH

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for jurisdiction and penalties; providing for suspension of licenses; and further providing for unlawful taking or possession of game or wildlife, for denial or revocation of license and for license costs and fees.

#### **GAME AND FISHERIES.**

The SPEAKER. The Chair would like to remind the members that tomorrow morning we are in at 10 a.m.

Are there any announcements?

There will be no further votes.

### **APPROPRIATIONS COMMITTEE MEETING**

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

Mr. ARGALL. Thank you, Mr. Speaker.

At the declaration of the recess, the House Appropriations Committee will meet in room 245.

The SPEAKER. The Chair thanks the gentleman.

At the declaration of the recess, the Appropriations Committee will meet in room 245.

### **STATE GOVERNMENT COMMITTEE MEETING**

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

Mr. CLYMER. Thank you, Mr. Speaker.

There is an important meeting of the State Government Committee. We are meeting at 9:30 in conference room 8EW. So please try to be there; that is 9:30 tomorrow morning.

The SPEAKER. The Chair thanks the gentleman.

There is an important meeting of the State Government Committee tomorrow morning at 9:30 in conference room 8EW.

Are there any further announcements?

### **VOTE CORRECTION**

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

Mr. MARKOSEK. Mr. Speaker, I rise to correct the record.

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

Mr. MARKOSEK. On HB 77 I would like to correct the record to show my vote in the negative. Thank you.

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

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

The SPEAKER pro tempore. The House will be at ease, awaiting the report from the Appropriations Committee.

### **BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED**

**HB 1589, PN 2009**

By Rep. ARGALL

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

#### **APPROPRIATIONS.**

### **BILLS AND RESOLUTIONS PASSED OVER**

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

**ADJOURNMENT**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Payne, from Dauphin County.

Mr. PAYNE. Mr. Speaker, I move that this House do now adjourn until Wednesday, October 8, 2003, at 10 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:20 p.m., e.d.t., the House adjourned.