

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, DECEMBER 9, 2003

SESSION OF 2003

187TH OF THE GENERAL ASSEMBLY

No. 100

HOUSE OF REPRESENTATIVES

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

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

PRAYER

REV. EDWARD NICHOLSON, Guest Chaplain of the House of Representatives, offered the following prayer:

Almighty God, as the year draws to a close, we come together to thank You for Your guidance, Your protection, and the many blessings You have bestowed upon us.

Father God, we ask that You forgive us the errors of our ways and grant us the power to make right our wrongs. We pray that You will continue to guide us as we press towards the mark of the high calling.

Almighty God, we ask that You would grant to the members of this esteemed body the conviction of will to do what is virtuous. We ask that in times of weakness, You would remind us of those who have gone before us and persevered.

Father, we pray that You would give us courage, the courage of those who have fought the good fight and are memorialized in the artwork that surrounds us in this hallowed hall. We ask for the vision of William Penn, whose words are memorialized in the rotunda; who founded our Commonwealth as a Holy Experiment, believing it to be the seed of a nation.

We ask for wisdom – the wisdom of leaders like Benjamin Franklin, who served as Speaker of this House, signed the Declaration of Independence, the Constitutions of Pennsylvania and the United States; who said in a debate at the Constitutional Convention, “I have lived, Sir, a long time, and the longer I live, the more convincing proofs I see of this truth – that God governs in the affairs of men. And if a sparrow cannot fall to the ground without his notice, is it probable that an empire can rise without his aid?”

We pray for courage similar to the fellow citizens, Generals Hancock and Meade, who, like Penn and Franklin, are pictured here in the Apotheosis, who fought so valiantly at Gettysburg to save our nation when it was still young.

Father, protect this distinguished body as they meet together to lead, direct, and protect this Commonwealth and our citizens. We ask that Your understanding prevail in every debate, discussion, and decision made here, as they affect the lives of all Pennsylvanians.

We request as the members of this House strive to do what is best for all people, rather than what seems popular or pleasing to you, that You would protect them from those who would

oppose them and attempt to harm them. We pray that You help us each as we go through our daily trials to stay the course, focused on You and the business at hand, fortifying us as we endeavor to make the future brighter. When things seem darkest, let us reflect on Your words etched in the ceiling of this chamber: “...Ye Shall Know The Truth, And The Truth Shall Make You Free.”

Let us pursue the lofty goals and high ideals of those who have toiled in the great arena of Pennsylvania government. Help us to stay the course and ever remember the men and women whose contributions to the traditions of liberty and justice have earned them a special place of honor in our hearts and minds and to whom all Americans owe a lasting debt.

This we pray in the name of our Lord. 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, December 8, 2003, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2234 By Representatives SCHRODER, BASTIAN, BENNINGHOFF, BOYD, CAPPELLI, CLYMER, DENLINGER, EGOLF, FAIRCHILD, FLICK, GODSHALL, KILLION, LEH, LEWIS, McILHATTAN, McILHINNEY, MUSTIO, NICKOL, REED, REICHLEY, ROHRER, ROSS, RUBLEY, SATHER, SCAVELLO, STEIL, STERN, E. Z. TAYLOR, TURZAI, WATSON and WILT

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

Referred to Committee on JUDICIARY, December 9, 2003.

No. 2235 By Representatives NICKOL and VANCE

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for delivery sales of cigarettes and for violations; and prescribing penalties.

Referred to Committee on FINANCE, December 9, 2003.

No. 2236 By Representatives D. EVANS and PERZEL

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, recodifying provisions on the Pennsylvania Convention Center Authority; further providing for definitions, for expansion funding, for bond powers and for jurisdiction of the Pennsylvania Supreme Court; providing for Pennsylvania Convention Center Assistance Fund, for convention center performance audits and for declaration of distress; further providing for the governing board, for moneys of the authority and for awarding of contracts; making conforming amendments; and making related repeals.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, December 9, 2003.

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
December 8, 2003

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, December 15, 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, December 15, 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 REMOVED FROM TABLE

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

HB 81;
HB 82;
HB 164; and
HB 1530.

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

BILLS TABLED

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

HB 81;
HB 82;
HB 164; and
HB 1530.

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

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. S. SMITH. Mr. Speaker, I move that the following bills be taken from the table:

HB 2006;
HB 2007; and
HB 2008.

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

BILLS ON SECOND CONSIDERATION

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

HB 2006, PN 2804; HB 2007, PN 2805; and HB 2008, PN 2806.

BILLS RECOMMITTED

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

HB 2006;
HB 2007; and
HB 2008.

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

GUESTS INTRODUCED

The SPEAKER. The Speaker is pleased to welcome to the hall of the House Mr. Justin Moore, who is the guest of the majority leader, Sam Smith, and is serving as a guest page here today. Justin wrote a winning essay on "The Importance of Compromise in the Legislative Process" as part of Representative Smith's Back to School Essay Contest.

Justin’s parents, Daniel and Brenda Moore, are seated here to the left of the rostrum. Would Justin and his parents, Daniel and Brenda, please rise and be recognized by the House.

The Chair would like to welcome to the hall of the House Colby Wise and Jeff Shoemaker as guest pages for today from Representative Bev Mackereth’s district office. They live in Representative Keith Gillespie’s district. Colby and Jeff are freshmen at Central York High School. Please stand and be recognized by the General Assembly. They are in the hall of the House.

We have guests here today of Representative Frank Oliver. There are two guests to be recognized: Mr. Simpson is a professional golfer/golf instructor visiting the area today and a personal friend of Deborah Brady, who works in Representative Jeff Coy’s office. Mr. Simpson has competed in numerous tournaments. His accomplishments and awards are too numerous to mention. He also developed the Triple “S” Kinetics for Golfing – that was one I have not heard before – a technique used by other professional golfers nationally. He has golfed with and has given tips to renowned golfers such as Fuzzy Zoeller, Tiger Woods, Curtis and Terry Strange, and many others. Would those guests please rise and be recognized.

We have guests here today in the hall of the House. We would like to welcome Joyce and Sheldon Eveloff to the Capitol. They are in Harrisburg today as the guests of Representative Ellen Bard and Representative Gene McGill, observing how Pennsylvania government runs. They are seated in the gallery, and please stand up and be recognized, and welcome to the hall of the House.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who moves for a leave of absence for the gentleman from Cumberland, Mr. GABIG, and the gentleman from Bucks, Mr. STEIL. Without objection, those leaves will be granted.

The Chair also recognizes the minority whip, who moves for a leave of absence for the gentleman from Philadelphia, Mr. COHEN. 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—199

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Cohen	Gabig	Steil
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LEAVES ADDED—3

Harper	Leach	McNaughton
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LEAVES CANCELED—1

McNaughton

RULES COMMITTEE MEETING

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

BILL REREPORTED FROM COMMITTEE

HB 1733, PN 2421

By Rep. S. SMITH

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, recodifying provisions on the Pennsylvania Convention Center Authority; further providing for definitions and for expansion funding; providing for the unified show labor workforce; further providing for bond powers and for jurisdiction of the Pennsylvania Supreme Court; codifying and amending provisions imposing a tax for general public school purposes in school districts of the first class A on salaries, wages, commissions and

other compensation earned by residents thereof, and on the net profits earned from businesses, professions or other activities conducted by residents thereof; providing for its levy and collection; requiring the filing of declarations and returns and the giving of information by employers and by those subject to the tax; imposing on employers the duty of collecting the tax at source; conferring and imposing powers and duties on boards of public education and school treasurers in such districts; providing for the administration and enforcement; imposing penalties; and making repeals.

RULES.

CALENDAR

RESOLUTIONS PURSUANT TO RULE 35

Mr. BALDWIN called up **HR 504, PN 3026**, entitled:

A Resolution designating the week of December 15 through December 22, 2003, as "Decency Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

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

DeWeese	Laughlin	Roebuck	Youngblood
DiGirolamo	Leach	Rohrer	Yudichak
Diven	Lederer	Rooney	Zug
Donatucci	Leh	Ross	
Eachus	Lescovitz	Rubley	Perzel,
Egolf	Levdansky	Ruffing	Speaker
Evans, D.			

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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Mr. LEWIS called up **HR 505, PN 3027**, entitled:

A Resolution commemorating Hillside Inn Resort and Conference Center on its upcoming golden anniversary.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Cohen Gabig Steil

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

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise the members that it has given permission to Lisa Scheerer from the Eyewitness News 13 to videotape the floor of the House.

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. McCALL called up **HR 507, PN 3050**, entitled:

A Resolution paying tribute to and honoring the memory of Sgt. Andrew J. Baddick, a paratrooper with the United States Army, 82nd Airborne Division, who tragically lost his life while on active duty in Iraq.

On the question,
Will the House adopt the resolution?

The SPEAKER. The gentleman, Mr. McCall, wishes to be recognized for the purpose of this resolution. The gentleman is entitled to be heard.

Mr. McCall.
Mr. McCALL. Thank you, Mr. Speaker.

I would beg the indulgence of the members as I introduce them to the family members of the persons that we are voting on this resolution for.

The great author F. Scott Fitzgerald once said, "Show me a hero and I'll write you a tragedy."

I am here today to introduce two resolutions that recognize the heroic sacrifices in a noble cause of two of my district's and Carbon County's finest sons: Army Sgt. Andrew Joseph Baddick of Jim Thorpe, a member of the 82d Airborne Division, and Brian Firkal of Nesquehoning,

Pennsylvania, a volunteer firefighter for the Nesquehoning Fire Company.

Theirs is truly a story of heroism and, sadly, one of tragic loss but also one of sacrifice, one of courage, that will be an everlasting reaffirmation of, for one, the love of his country and, for the other, a dedication to duty.

Mr. Speaker, I want to thank you for allowing me the opportunity to address the House of Representatives on this somber occasion. It is my privilege to recommend to my colleagues for their approval two resolutions today honoring the acts of selfless service, personal courage, and patriotic devotion that marked the deaths of two fine young men, two American heroes.

The late Arthur Ashe once said, "True heroism is remarkably sober.... It is not the urge to surpass all others at whatever cost, but the urge to serve others at whatever cost." That describes these two fine young men.

HR 507, which we will be voting shortly, honors Army Sgt. Andrew J. Baddick of Jim Thorpe, a member of the 82d Airborne Division, on duty in Iraq, who tragically drowned this past September in trying to rescue the life of another soldier after their humvee overturned in a roadside canal in responding to reports of mortar attack west of Baghdad.

Sergeant Baddick had achieved safety for himself but, without regard for his own life, knowingly and willfully threw himself into harm's way in trying to rescue a fellow soldier. Unfortunately, the hands of fate took Sergeant Baddick on that tragic day – our friend and our hero.

President John Kennedy said in his inaugural address: "In the long history of the world, only a few generations have been granted the role of defending freedom in its hour of maximum danger."

I believe the young men and young women now in combat and our fallen soldiers like Sgt. Andrew Baddick have answered a call to arms at a time like no other in our history. Their service and their sacrifice and that of the families left behind are testaments to the development of our nation as a bright and everlasting beacon of freedom in an ever-changing world.

Sergeant Baddick was posthumously awarded the Bronze Star. However, no combat ribbon, no medal for bravery, nor frankly, the recognition of this House, could ever replace his family's love for Sergeant Baddick, or A.J., as he was commonly known in the community and among his loved ones.

Nor could we ever hope to emulate the success of a man who, according to one of his teachers at Jim Thorpe Area Senior High School, was "...always willing to help other individuals without thinking of himself first."

A.J. was 26 years old. At his funeral in Jim Thorpe on October 11, 1500 people filed past the flag-draped coffin to say a final goodbye to the young man.

Not far from here, also at a solemn occasion, President Abraham Lincoln stated, "We here highly resolve that the dead shall not have died in vain, that this nation, under God, shall have a new birth of freedom."

That freedom now spreads to an unfamiliar corner of the world because of the ongoing work done by our Armed Forces. The young men and women who gave their all in battle surely did not die in vain but, rather, for the noblest and most just of causes.

Sgt. Andrew Baddick died doing his duty to lighten the burden of an oppressed people. He will be remembered as not

only a soldier and a son but by all of us as the best that America offers to a needy world.

GUESTS INTRODUCED

Mr. McCALL. I am pleased to introduce to this House the family of Andrew Baddick: his mother – and if she will please rise – Ann Callen Baddick; and his stepfather, John Adams; his father, Joseph Baddick; and his stepmother, Sheila Baddick.

I would ask that we unanimously adopt HR 507.
Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-199

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Cohen Gabig Steil

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

* * *

Mr. McCALL called up **HR 508, PN 3051**, entitled:

A Resolution honoring Brian Firkal of Nesquehoning, Carbon County, who died during his attempt to rescue swimmers.

On the question,
Will the House adopt the resolution?

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

Mr. McCALL. Thank you, Mr. Speaker.

It is hard to believe that these tragedies happened within weeks, literally 2 weeks, of themselves.

However, a world away from Iraq, Nesquehoning firefighter Brian Firkal gave his life while trying to rescue three swimmers struggling through the riptide currents in Ocean City, Maryland.

Brian Firkal quickly answered the call to the distressed swimmers prior to the arrival of Ocean City emergency personnel. The swimmers were all safely rescued; however, Brian was lost in the rough surf conditions.

In October rescue personnel from Ocean City, Maryland, and his hometown of Nesquehoning honored this great man. Nesquehoning Fire Company, their chief, John McArdle, said Brian Firkal was the quintessential volunteer.

Brian's death highlights the true spirit of helping others. All in the firefighting brotherhood will quickly assert that assisting others in times of peril is the true spirit of any individual who works or volunteers in emergency service. As we witnessed on September 11, 2001, and as has been the case before and after, while others rush out, there are men and women who rush in.

Besides his 11 years of volunteer service with the Nesquehoning Fire Company, Firkal was a teacher at the Lehigh County Vocational-Technical School. He was only 27 years old.

Like Sergeant Baddick, it seems the best way to describe Brian would be with words like "selfless" and "heroic." He was a man who, through training and hard work, had honed an instinct, based on his desire to help others in need. Where others may have hesitated, Brian Firkal acted; where some may have stepped back, Brian Firkal stepped up; where some may have simply hoped, Brian dove in.

HR 508 honors Brian's unselfish act.

GUESTS INTRODUCED

Mr. McCALL. I want to introduce the family of this brave man, this hero, who was just doing what he assumed anyone else would do.

With us today are his wife, Jane Firkal – Jane, if you will rise – his parents, James and Patricia Firkal; his sister, Pamela Firkal; and his grandfather, Paul Yurick.

Also, Mr. Speaker, there are friends and family in the gallery: Frank Petko, Carol Petko, Donald Schwartz, Joseph Porambo, Sharon Porambo, and Cindy Kashlak. If they will rise as well.

Residents of Carbon County, the Commonwealth of Pennsylvania, and members of the House of Representatives can all share in offering the Baddick and Firkal families our deepest respect for their ultimate sacrifices.

Let it be known that the Commonwealth of Pennsylvania recognizes the bright light of hope that two of our bravest sons, Sergeant Baddick and firefighter Brian Firkal, have shined on our grateful Commonwealth.

In closing, Mr. Speaker, I think it is fitting that I use a portion of Robert Kennedy’s speech from the Democratic National Convention which paid tribute to his brother, President John F. Kennedy, and I think his words speak volumes for what these families have experienced, and I sincerely want to offer these words more appropriately to Jane and to Pat and Ann, the mothers of these two fallen heroes:

“When there were periods of crisis, you stood beside him. When there were periods of happiness, you laughed with him. And when there were periods of sorrow, you comforted him. I realize that as individuals we can’t just look back, that we must look forward.”

In thinking of his brother John, Bobby cited an excerpt from “Romeo and Juliet,” and it went like this: “When he shall die, take him and cut him out into stars, and he shall make the face of heaven so fine that all the world will be in love with the night and pay no worship to the garish sun.”

I would ask for passage of the resolution, Mr. Speaker.

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

The following roll call was recorded:

YEAS-199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

CONDOLENCE RESOLUTION

The SPEAKER. We are about to take up a condolence resolution on the death of a former member of the House.

The Sergeants at Arms will close the doors to the hall of the House. Members will please take their seats.

The clerk will read the resolution.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA
THE HOUSE OF REPRESENTATIVES

CONDOLENCE RESOLUTION

WHEREAS, The House of Representatives of Pennsylvania wishes to honor the memory of the Honorable Andrew Billow, Jr., affectionately known to friends and family as Jay, who passed away on November 16, 2003, at the age of seventy-nine; and

WHEREAS, A former member of the House of Representatives of Pennsylvania, Representative Billow served the 72nd Legislative District from 1987 to 1992. He was also active in local politics and served Lower Yoder Township as a tax collector and member of the

Municipal Authority and was also a Chief Assessor and Prothonotary for Cambria County; and

WHEREAS, For forty-eight years, Representative Billow owned and operated Billow Park Bowling Lanes and was inducted into the Johnstown Metropolitan Bowling Association's Hall of Fame. He was also a member of the First Catholic Slovak Union Jednota, the Immaculate Conception Catholic Church and the Lower Yoder Volunteer Fire Company. Representative Billow was a well-respected man of his community, and his loss will be deeply felt by all those who had the honor of knowing and loving him; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania note with great sadness the passing of the Honorable Andrew Billow, Jr., and extend heartfelt condolences to his wife, Otilia Billow; sons, Andrew and Jon; daughter, Suzanne Babik; eight grandchildren; and one great-grandchild; and be it further

RESOLVED, That a copy of this resolution, sponsored by the Honorable Thomas F. Yewcic, be transmitted to Mrs. Otilia Billow, 109 Billow Park Lane, Johnstown, Pennsylvania 15906.

John M. Perzel
Speaker of the House
ATTEST:
Ted Mazia
Chief Clerk of the House

On the question,
Will the House adopt the resolution?

The SPEAKER. Those in favor of the resolution will rise and remain standing as a mark of respect for the deceased former member. Guests will also please rise.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable Andrew Billow, Jr.)

The SPEAKER. The resolution has been unanimously adopted.

The Sergeants at Arms will open the doors to the hall of the House.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1809, PN 2748**, entitled:

An Act providing for a commercial manure hauler and broker certification program; and establishing requirements.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-199

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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

* * *

The House proceeded to third consideration of **HB 1152, PN 1365**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for contributions for juvenile diabetes cure research.

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-199

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

Eachus
Egolf
Evans, D.

Lescovitz
Levdansky

Rubley
Ruffing

Perzel,
Speaker

NAYS-0

NOT VOTING-0

EXCUSED-3

Cohen
Gabig
Steil

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 1716, PN 2214**, entitled:

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for bas ic and continuing education programs for tax collectors; providing for records in possession of tax collector; further providing for expenses paid by taxing districts and for discounts, penalties and notice; providing for compensation for interim tax bills; and further providing for penalty.

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

Ms. **BARD** offered the following amendment No. **A4420**:

Amend Sec. 4 (Sec. 10), page 5, by inserting between lines 15 and 16

(d) For purposes of determining if payment is timely made in order either to qualify for a discount or to avoid a penalty, the following shall apply:

(1) Whenever the last day of a period during which payment may be made, either at a discount or without penalty, shall fall on Saturday or Sunday or on any day made a legal holiday by the laws of this Commonwealth or of the United States, payment shall be considered timely if it is made on the succeeding secular or business day.

(2) Payment mailed to a tax collector shall be considered as having been made when postmarked by the United States Postal Service.

(3) A tax collector shall not refuse to accept timely payment made in accordance with this subsection.

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

The SPEAKER. On that question, the Chair recognizes Ms. Bard.

Ms. BARD. Thank you, Mr. Speaker.

This amendment is a clarifying amendment, and I would ask for the support of the colleagues.

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

The following roll call was recorded:

YEAS-199

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Cohen	Gabig	Steil
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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?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentlelady from Montgomery, Ms. Bard.

Ms. BARD. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of amendment A4473.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-199

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

NAYS-0

NOT VOTING-0

EXCUSED—3

Cohen Gabig Steil

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

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

Ms. BARD offered the following amendment No. A4473:

Amend Sec. 2 (Sec. 4.3), page 2, line 28, by striking out "his successor in office." and inserting the chief clerk or secretary, as appropriate, of the respective taxing districts which shall provide the records to the tax collector's successor in office.

Amend Sec. 2 (Sec. 4.3), page 3, line 2, by striking out "person holding the office of tax collector." and inserting respective taxing districts.

Amend Sec. 2 (Sec. 4.3), page 3, lines 11 and 12, by striking out "tax collector's successor" and inserting respective taxing districts

Amend Sec. 2 (Sec. 4.3), page 3, line 15, by striking out "tax collector's successor" and inserting respective taxing districts

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

The SPEAKER. On that question, the Chair recognizes the gentlelady from Montgomery, Ms. Bard, for an explanation.

Ms. BARD. Thank you very much, Mr. Speaker.

This amendment simply provides that once a tax collector leaves office, the records revert to the public domain and are under the protection of the taxing authority. This provides for the privacy of the residents of the taxing district.

I ask for the support of my colleagues.

Thank you very much, Mr. Speaker.

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

Mr. TANGRETTI. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to amendment.

The original language that was added to this bill in committee by me was a result of a situation that occurred in our county, and the solution to the situation was to assure ourselves that records of tax collectors who no longer held office are the domain of the public entity and should be transferred or given to the successor, because in certain instances, that did not take place in Westmoreland County. Even though it is under the records act, it is not clear in the tax collectors act.

So as a consequence, Mr. Speaker, we put language in that the information should be turned over to the tax collector, but upon reflection and discussion with the Representative from Montgomery County, it occurred to them and to me that perhaps that is not the best way to do it, but rather, it should be turned over to the taxing authority.

So I would ask the members of this chamber to support that amendment.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—199

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

Cohen Gabig Steil

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

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

Bill as amended was agreed to.

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

The Chair recognizes the gentlelady from Montgomery, Ms. Bard.

Ms. BARD. Thank you, Mr. Speaker.

I would ask that amendment 3578 be called up.

The SPEAKER. The Chair apologizes. Would the gentlelady please repeat what she said.

Ms. BARD. I would ask for consideration of amendment 3578.

The SPEAKER. Would the lady please send her amendment to the desk.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Speaker rescinds from final passage of HB 1716.

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

Ms. BARD offered the following amendment No. A3578:

Amend Sec. 5 (Sec. 36.2), page 5, lines 17 through 24, by striking out all of said lines and inserting

Section 36.2. Compensation for Interim Tax Bills.—A taxing district shall pay the tax collector for real estate taxes collected and remitted for each interim tax bill issued during each year.

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

The SPEAKER. On that question, the Chair recognizes the gentlelady, Ms. Bard.

Ms. BARD. Thank you, Mr. Speaker.

This amendment simply provides for compensation for interim tax bills which must be sent out. There is currently language in the bill that requires a specific amount of compensation. With this amendment, the taxing authorities will be able to set that level of compensation.

Thank you very much, Mr. Speaker.

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

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

The SPEAKER. The gentlelady indicates that she will.

Mr. VITALI. I just want to be sure I understand what this is doing.

Does this involve a municipality having to pay additional compensation to tax collectors?

Ms. BARD. Right now there is nothing in law that specifically addresses this issue, and so this covers that. Typically municipalities would cover the cost of mailing, but this provides for that in law but leaves it up to the option of the municipality or whatever the taxing district resolves.

Mr. VITALI. Have any of the groups representing municipalities, like the Township Supervisors or groups like that, weighed in on this issue?

Ms. BARD. Yes. This legislation is sponsored by the Local Government Commission and has had a thorough review by all of the municipal associations and the Commissioners Association and so forth.

Mr. VITALI. They support it?

Ms. BARD. This legislation is supported by those associations.

Mr. VITALI. Thank you.

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

The following roll call was recorded:

YEAS—199

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

DiGirolamo	Leach	Rohrer	Yudichak
Diven	Lederer	Rooney	Zug
Donatucci	Leh	Ross	
Eachus	Lescovitz	Rubley	Perzel,
Egolf	Levdansky	Ruffing	Speaker
Evans, D.			

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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

* * *

The House proceeded to third consideration of **HB 1899, PN 3046**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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

* * *

The House proceeded to third consideration of **HB 1978, PN 2703**, entitled:

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

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?

LEAVE OF ABSENCE

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

CONSIDERATION OF HB 1978 CONTINUED

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-198

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

NAYS-0

NOT VOTING—0

EXCUSED—4

Cohen Gabig McNaughton Steil

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 1128, PN 2678**, entitled:

An Act amending the act of July 14, 1961 (P.L.637, No.329), known as the Wage Payment and Collection Law, further providing for the definition of "employer" and for remedies and penalties.

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—198

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	Gannon	McCall	Smith, S. H.
Benninghoff	Geist	McGeehan	Solobay
Biancucci	George	McGill	Staback
Birmelin	Gergely	McIlhattan	Stairs
Bishop	Gillespie	McIlhinney	Stern
Blaum	Gingrich	Melio	Stetler
Boyd	Godshall	Metcalfe	Stevenson, R.
Browne	Good	Micozzie	Stevenson, T.
Bunt	Goodman	Miller, R.	Sturla
Butkovitz	Grucela	Miller, S.	Surra
Buxton	Gruitza	Mundy	Tangretti
Caltagirone	Habay	Mustio	Taylor, E. Z.
Cappelli	Haluska	Myers	Taylor, J.
Casorio	Hanna	Nailor	Thomas
Causer	Harhai	Nickol	Tigue
Cawley	Harhart	O'Brien	Travaglio
Civera	Harper	Oliver	True
Clymer	Harris	O'Neill	Turzai
Coleman	Hasay	Pallone	Vance
Cornell	Hennessey	Payne	Veon
Corrigan	Herman	Petrarca	Vitali
Costa	Hershey	Petri	Walko

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Cohen Gabig McNaughton Steil

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.

RESOLUTION

Mr. HABAY called up **HR 471, PN 3004**, entitled:

A Resolution directing the Joint State Government Commission to undertake a study of the Urban Redevelopment Authority of Pittsburgh and the Pittsburgh Development Fund.

On the question,
Will the House adopt the resolution?

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

Mr. MAHER. Mr. Speaker, I rise in hopes that amendment No. 4446 for HR 471 will be considered. I believe it was filed, but it may not be appearing on the system.

The SPEAKER. By mistake this resolution was taken off the voting schedule. That is why the mistake up here, and I apologize for that, Mr. Maher.

The amendment is in order. It is amendment A4446.

It is the information from the Parliamentarian that the rules must be suspended in order to offer this resolution. So this is on the suspension of the rules.

The Chair apologizes, Mr. Maher. The Parliamentarian made a mistake.

It was filed at 1:26, not after 2 o'clock. The amendment is in order, so we do not need to suspend the rules. So we have before the House immediate consideration of A4446.

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

Mr. MAHER offered the following amendment No. A4446:

Amend Title, page 1, line 1, by striking out "Joint State Government Commission" and inserting

Legislative Budget and Finance Committee

Amend First Resolve Clause, page 2, line 14, by striking out "Joint State Government Commission" and inserting

Legislative Budget and Finance Committee

Amend Second Resolve Clause, page 2, line 18, by striking out "commission" and inserting

Legislative Budget and Finance Committee

Amend Third Resolve Clause, page 2, line 22, by striking out "commission" and inserting

Legislative Budget and Finance Committee

Amend Fourth Resolve Clause, page 2, line 26, by striking out "commission" and inserting

Legislative Budget and Finance Committee

Amend Fifth Resolve Clause, page 2, line 30; page 3, lines 1 through 3, by striking out all of said lines on said pages and inserting

RESOLVED, That the Legislative Budget and Finance Committee evaluate the impact of the Pittsburgh Development Fund on economic growth, including job creation within the City of Pittsburgh, since its creation and make recommendations as to its continuation or the potential liquidation of the fund taking into account any legal or financial impediments to liquidation; and be it further

Amend Sixth Resolve Clause, page 3, line 4, by striking out "commission" and inserting

Legislative Budget and Finance Committee

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, does the gentleman, Mr. Maher, wish to be recognized? The gentleman does not.

Does any of the rest of the Allegheny County delegation wish to be recognized? It is obvious that the answer is no.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-197

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

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

NAYS-1

Ruffing

NOT VOTING-0

EXCUSED-4

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

On the question,

Will the House adopt the resolution as amended?

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

Mr. HABAY. Mr. Speaker, as Pittsburgh faces important challenges in the weeks and months ahead, my resolution to conduct a bipartisan factfinding in one of the most complex subject areas in Pittsburgh regional financing is important not just because of the information that will be cultivated but perhaps more impartially the tangible proof that if we strive hard enough, if we do so, we can find solutions for the problems that Pittsburgh is facing.

I would like to personally thank Representative Mike Turzai, Representative Mike Mustio from our delegation, Representative John Maher, Representative Tom Stevenson in working on a package of bills that hopefully we can consider later, but I would also like to thank many members of the Allegheny County delegation including Representative Petrone, Representative Frankel, Representative Dermody, many of them who worked with me over the last couple days to form a reasonable compromise to try to do what is in the best interest of the city of Pittsburgh, our region, and also the entire State of Pennsylvania.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.
The Chair recognizes the gentleman from Allegheny, Mr. Petrone.

Mr. PETRONE. Thank you, Mr. Speaker.

Mr. Speaker, I rise and ask for support of this resolution as amended. Initially I could not support it, but with the cooperative effort of my colleagues in a bipartisan fashion, it has made it much more reasonable and much more receptive, and I ask you all to vote in favor of it and thank my colleagues from the other side of the aisle for their diligent work on this resolution.

Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—196

Adolph	Evans, D.	Levdansky	Samuelson
Allen	Evans, J.	Lewis	Santoni
Argall	Fabrizio	Lynch	Sather
Armstrong	Fairchild	Mackereth	Saylor
Baker	Feese	Maher	Scavello
Baldwin	Fichter	Maitland	Schroder
Bard	Fleagle	Major	Scrimenti
Barrar	Flick	Manderino	Semmel
Bastian	Forcier	Mann	Shaner
Bebko-Jones	Frankel	Markosek	Smith, B.
Belardi	Freeman	Marsico	Smith, S. H.
Belfanti	Gannon	McCall	Solobay
Benninghoff	Geist	McGeehan	Staback
Biancucci	George	McGill	Stairs
Birmelin	Gergely	McIlhattan	Stern
Bishop	Gillespie	McIlhinney	Stetler
Blaum	Gingrich	Melio	Stevenson, R.
Boyd	Godshall	Metcalfe	Stevenson, T.
Browne	Good	Micozzie	Sturla
Bunt	Goodman	Miller, R.	Surra
Butkovitz	Grucela	Miller, S.	Tangretti
Buxton	Gruitza	Mundy	Taylor, E. Z.
Caltagirone	Habay	Mustio	Taylor, J.
Cappelli	Haluska	Myers	Thomas
Casorio	Hanna	Nailor	Tigue
Causser	Harhai	Nickol	Travaglio
Cawley	Harhart	O'Brien	True
Civera	Harper	Oliver	Turzai
Clymer	Harris	O'Neill	Vance
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	Wojnarowski
DeLuca	Killion	Rieger	Wright
Denlinger	Kirkland	Roberts	Yewcic
Dermody	Kotik	Roebuck	Youngblood
DeWeese	LaGrotta	Rohrer	Yudichak
DiGirolamo	Laughlin	Rooney	Zug
Diven	Leach	Ross	
Donatucci	Lederer	Rubley	
Eachus	Leh	Sainato	Perzel,
Egolf	Lescovitz		Speaker

NAYS—2

Pallone Ruffing

NOT VOTING—0

EXCUSED—4

Cohen Gabig McNaughton Steil

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Argall, for the purpose of a committee announcement.

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.

The Appropriations Committee will meet in room 245 at the recess.

Are there any other committee announcements?

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 523, PN 617

By Rep. B. SMITH

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for deterrent fences for deer, bear and elk and the payment of claims for damages by certain elk; imposing duties on the Department of Agriculture; providing for the establishment of the Elk Damage Fund; and making an appropriation.

GAME AND FISHERIES.

HB 2042, PN 2692

By Rep. B. SMITH

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

GAME AND FISHERIES.

HB 2082, PN 2744

By Rep. B. SMITH

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for fees for portable fishing ponds operated as regulated fishing waters by nonprofit organizations.

GAME AND FISHERIES.

REPUBLICAN CAUCUS

The SPEAKER. Does the lady, Mrs. Taylor, have a caucus announcement to make?

Mrs. TAYLOR. Thank you, Mr. Speaker.

There will be a very important Republican caucus at 2:30.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentlelady.

DEMOCRATIC CAUCUS

The SPEAKER. Does the minority leader have any further announcements?

The gentleman, Mr. Coy.

Mr. COY. Mr. Speaker, the Democratic members will caucus at 2 o'clock, 2 o'clock in the caucus room. Prior to that there will be informal discussions in the caucus room, but caucus at 2.

The SPEAKER. The Chair thanks the gentleman.

Are there any further announcements?

RECESS

The SPEAKER. This Chair is in recess until 3 o'clock.

AFTER RECESS

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

SUPPLEMENTAL CALENDAR A CONTINUED

RESOLUTIONS PURSUANT TO RULE 35

Mr. LEACH called up HR 509, PN 3052, entitled:

A Resolution designating the week of January 11 through 17, 2004, as "Mitochondrial Disease Awareness Week" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

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, Evans, D., Evans, J., Fabrizio, Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gannon, Geist, George, Gergely, Gillespie, Gingrich, Godshall, Good, Levdansky, Lewis, Lynch, Mackereth, Maher, Maitland, Major, Manderino, Mann, Markosek, Marsico, McCall, McGeehan, McGill, McIlhattan, McLlhinney, Melio, Metcalfe, Micozzie, Sainato, Samuelson, Santoni, Sather, Saylor, Scavello, Schroder, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Stern, Stetler, Stevenson, R., Stevenson, T.

Table with 4 columns of names: Bunt, Butkovitz, Buxton, Caltagirone, Cappelli, Casorio, Causer, Cawley, Civera, Clymer, Coleman, Cornell, Corrigan, Costa, Coy, Crahalla, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Denlinger, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Egolf, Goodman, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Harris, Hasay, Hennessey, Herman, Hershey, Hess, Hickernell, Horsey, Hutchinson, James, Josephs, Keller, Kenney, Killion, Kirkland, Kotik, LaGrotta, Laughlin, Leach, Lederer, Leh, Lescovitz, Miller, R., Miller, S., Mundy, Mustio, Myers, Nailor, Nickol, O'Brien, Oliver, O'Neill, Pallone, Payne, Petrarca, Petri, Petrone, Phillips, Pickett, Pistella, Preston, Raymond, Readshaw, Reed, Reichley, Rieger, Roberts, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, True, Turzai, Vance, Veon, Vitali, Walko, Wansacz, Washington, Waters, Watson, Weber, Wheatley, Williams, Wilt, Wojnarowski, Wright, Yewcic, Youngblood, Yudichak, Zug, Perzel, Speaker

NAYS-0

NOT VOTING-0

EXCUSED-4

Table with 4 columns of names: Cohen, Gabig, McNaughton, Steil

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

* * *

Mr. ROBERTS called up HR 510, PN 3053, entitled:

A Resolution urging the President and Congress of the United States to reenact the Abandoned Mine Reclamation Fund.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Cohen	Gabig	McNaughton	Steil
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

* * *

Mr. ROBERTS called up **HR 511, PN 3054**, entitled:

A Resolution expressing the sense of the House of Representatives regarding the man-made famine in the Soviet Ukraine in 1932-1933.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

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

NAYS-0

NOT VOTING-0

EXCUSED-4

Cohen	Gabig	McNaughton	Steil
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Roberts.

Mr. ROBERTS. Thank you, Mr. Speaker.

Mr. Speaker, I have some written comments on HR 511.

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

Mr. ROBERTS. I have written comments I would like to provide.

The SPEAKER. Yes. Just provide them to the clerk.

Mr. ROBERTS. Thank you, Mr. Speaker.

The SPEAKER. They will be put in the record.
The Chair thanks the gentleman.

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

The greatest tragedies of the 20th century, namely the more than 5 million men, women, and children in Ukraine who were deliberately starved to death by the Soviet regime in the terrible decade of the 1930s. That regime perpetrated many horrors in its seven decades of existence, but surely this must rank among its most damnable.

It is important to stress that this famine was not a natural phenomenon but was instead deliberately engineered. Virtually all sustenance in the targeted area was seized, even as the availability of food elsewhere in the Soviet Union remained sufficient to prevent the famine. The export of grain never ceased, even at the height of the death tolls.

Nor was this the result of mere indifference to life by an uncaring regime. Soviet troops and secret police forces were deployed to forcibly prevent the starving population from leaving the area in the desperate search for food. A sentence of mass death had been pronounced and was mercilessly enforced.

The purpose of the artificial famine was to break resistance to the regime's policy of the forced collectivization of agriculture, but this was coupled with a murderous determination to destroy Ukraine's national identity, which the regime considered as a mortal threat to its empire and therefore brutally suppressed.

There is a legacy of shame that the West must bear. Many prominent Westerners, including journalists and scholars, who had firsthand knowledge of the famine deliberately falsified their reporting to cover up and refute evidence of the tragedy in order to suppress criticism of the Soviet regime. We know their actions were deliberate because they confessed their knowledge at the time to confidantes and to their diaries. The most notorious of these was Walter Duranty, a correspondent of the New York Times who had won a Pulitzer Prize for his reporting from the Soviet Union, but he was far from alone.

Those few who accurately reported on the famine were subject to considerable abuse from colleagues and others in the West, and their reports were generally disregarded. That lamentable record continued until after the fall of the Soviet regime in 1991, with Robert Conquest's book "The Harvest of Sorrow" being a lonely exception.

In remembering and honoring the victims, I must stress that in addition to millions of ethnic Ukrainians, the dead included large numbers from many other ethnic groups, including Russians, Jews, and a host of others large and small.

It is also important to note that other areas of the Soviet Union were also subjected to this man-made famine, especially in neighboring regions where an estimated 1 1/2 million people of many ethnic origins were starved to death.

This tragedy knew no artificial divisions, no insulating borders, no refuge. All who perished were equal in their innocence, but the blow fell heaviest in Ukraine.

Ukraine and its people must remain prominent in our thoughts, and we owe them our gratitude for their many labors.

Ukraine's reemergence in 1991 from the Soviet prison house was of momentous significance not merely for Ukraine but for the entire world, because its independence signaled the death of that empire.

But I regret to say that Ukraine's great and continuing importance to the United States and the West remains largely unmeasured here, for an independent Ukraine is an indispensable element in ensuring the freedom and security of Europe, from the Atlantic to the Urals.

Our interests and those of the West as a whole require that Ukraine complete its transformation into a true democracy, that it establish a vibrant economy equal to its natural wealth and the talents of its people, and that it assume its rightful place in the Western community of nations. Although we can provide assistance toward these ends, the first two must remain largely the responsibility of the Ukrainian people.

But Ukraine's accession to the institutions of the West can only occur with our active support and encouragement.

It is my hope that we will have the wisdom to understand our own interests and will act to secure these with permanence.

Our long-delayed recognition of Ukraine's suffering is also a recognition of its emergence from darkness and the reestablishment of its independence, and is one more step in extending to it our embrace. Let us remember that as we now honor the victims of a terrible past that is hopefully gone forever.

My thanks especially to Congressman Hyde. Most of this is a reprint of his comments before Congress.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair returns to leaves of absence and notices the appearance of Mr. McNaughton on the floor of the House and will have his name added to the master roll.

BILL REREPORTED FROM COMMITTEE

SB 586, PN 1203

By Rep. ARGALL

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.

APPROPRIATIONS.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 145, PN 1248

By Rep. O'BRIEN

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

JUDICIARY.

SB 877, PN 1307 (Amended)

By Rep. O'BRIEN

An Act prohibiting employment of certain individuals as law enforcement officers; requiring suspension of law enforcement officers charged with certain crimes; and establishing dismissal procedures for law enforcement officers convicted of certain crimes.

JUDICIARY.

SUPPLEMENTAL CALENDAR C

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 586, PN 1203**, entitled:

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.

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

Mr. **HALUSKA** offered the following amendment No. **A4451**:

Amend Title, page 1, line 2, by inserting after "Statutes,"
authorizing the issuance of a spring turkey
hunting license;
Amend Sec. 1, page 1, lines 11 and 12, by striking out all of said
lines and inserting

Section 1. Section 521(b) of Title 34 of the Pennsylvania
Consolidated Statutes is amended by adding a paragraph to read:
§ 521. Establishment and use of Game Fund.

* * *

(b) Specific allocation of certain revenues.—

* * *

(4) All moneys collected by or for the commission from
the sale of spring turkey hunting licenses may be used to
implement the turkey management plan.

Section 2. Sections 925(b), 929 and 2307(e) of Title 34 are
amended to read:

Amend Bill, page 4, by inserting after line 30

Section 3. Section 2705(2), (3), (7) and (7.1) of Title 34 are
amended and the section is amended by adding a paragraph to read:
§ 2705. Classes of licenses.

Unless otherwise provided, any person wishing to exercise any of
the privileges granted by this title shall first secure the applicable
resident or nonresident hunting or furtaker license as follows:

* * *

(2) Junior resident hunting licenses to residents,
including spring turkey hunting privileges, who have reached or
will reach their 12th birthday in the license year of application
for a license but who have not reached their 17th birthday prior
to the date of the application for the license and who present a
written request, bearing the signature of a parent or guardian, for
the issuance of a license. The actual hunting privileges granted to
the holder of a junior license shall not be exercised until that
person in fact is 12 years of age.

(3) Senior resident hunting licenses, including spring
turkey hunting privileges, or, at the option of the applicant, a
senior lifetime resident hunting license, including spring turkey
hunting privileges, to residents who have reached or will reach
their 65th birthday in the license year of the application for the
license. The commission shall develop, implement and
administer a system to provide tags, report cards and applications
to those residents who hold a senior lifetime resident hunting
license issued under this paragraph. The system shall require the
applicant or license holder to pay any approved fee assessed by
the issuing agent.

* * *

(7) Senior lifetime resident combination hunting and
furtaking license, including archery [and], muzzleloader and
spring turkey hunting privileges, to residents who have reached
or will reach their 65th birthday in the license year of the
application for the license. The commission shall develop,
implement and administer a system to provide tags, report cards
and applications to those residents who hold a senior lifetime
resident hunting license issued under this paragraph. The system
shall require the applicant or license holder to pay any approved
fee assessed by the issuing agent.

(7.1) Junior resident combination hunting and furtaker
license, including archery [and], muzzleloader and spring turkey
hunting privileges, to residents who have reached or will reach
their 12th birthday in the license year of application for a license
but who have not reached their 17th birthday prior to the date of
the application for the license and who present a written request,
containing the signature of a parent or guardian, for the issuance

of a license. The actual privileges granted to the holder of a
junior resident combination license shall not be exercised until
that person in fact is 12 years of age.

* * *

(16) Spring turkey hunting licenses only to persons
eligible for classes of licenses in paragraphs (1), (8), (9) and
(11.1).

Amend Sec. 2, page 5, line 1, by striking out "2" and inserting
4

Amend Sec. 3, page 5, line 18, by striking out "3" and inserting
5

Amend Sec. 3 (Sec. 2709), page 7, by inserting between lines 12
and 13

(22) Spring turkey hunting license:

(i) Resident - \$5.

(ii) Nonresident - \$25.

Amend Sec. 4, page 8, line 25, by striking out "4" and inserting
6

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

AMENDMENT WITHDRAWN

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

Mr. HALUSKA. Thank you, Mr. Speaker.

Mr. Speaker, I am going to withdraw that amendment at this
time.

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.

The following roll call was recorded:

YEAS-199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

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

CALENDAR CONTINUED

RULES SUSPENDED

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

Mr. HUTCHINSON. Mr. Speaker, I move to suspend the rules for immediate consideration of HB 1923.

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

The following roll call was recorded:

YEAS-199

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1923, PN 2946**, entitled:

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

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

Mr. HUTCHINSON offered the following amendment No. A4146:

Amend Sec. 1 (Sec. 2102), page 2, line 1, by striking out "issue" and inserting

promulgate

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

The following roll call was recorded:

YEAS-199

Table listing names of members who voted 'YEAS-199' in four columns: 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, Casorio, Causer, Cawley, Civera, Clymer, Coleman, Cornell, Corrigan, Costa, Coy, Crahalla, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Denlinger, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Egolf, Evans, D., Evans, J., Fabrizio, Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gannon, Geist, George, Gergely, Gillespie, Gingrich, Godshall, Good, Goodman, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Harris, Hasay, Hennessey, Herman, Hershey, Hess, Hickernell, Horsey, Hutchinson, James, Josephs, Keller, Kenney, Killion, Kirkland, Kotik, LaGrotta, Laughlin, Leach, Lederer, Leh, Lescovitz, Levdansky, Lewis, Lynch, Mackereth, Maher, Maitland, Major, Manderino, Mann, Markosek, Marsico, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Micozzie, Miller, R., Miller, S., Mundy, Mustio, Myers, Nailor, Nickol, O'Brien, Oliver, O'Neill, Pallone, Payne, Petrarca, Petri, Petrone, Phillips, Pickett, Pistella, Preston, Raymond, Readshaw, Reed, Reichley, Rieger, Roberts, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Scavello, Schroder, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Stern, Stetler, Stevenson, R., Stevenson, T., Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, 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

Table listing names of members who were excused: Cohen, Gabig, Steil

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

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

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

The following roll call was recorded:

YEAS-199

Table listing names of members who voted 'YEAS-199' in four columns: 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, Casorio, Causer, Cawley, Civera, Clymer, Coleman, Cornell, Corrigan, Costa, Coy, Crahalla, Creighton, Cruz, Curry, Dailey, Daley, Dally, DeLuca, Denlinger, Dermody, DeWeese, DiGirolamo, Diven, Donatucci, Eachus, Egolf, Evans, D., Evans, J., Fabrizio, Fairchild, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gannon, Geist, George, Gergely, Gillespie, Gingrich, Godshall, Good, Goodman, Grucela, Gruitza, Habay, Haluska, Hanna, Harhai, Harhart, Harper, Harris, Hasay, Hennessey, Herman, Hershey, Hess, Hickernell, Horsey, Hutchinson, James, Josephs, Keller, Kenney, Killion, Kirkland, Kotik, LaGrotta, Laughlin, Leach, Lederer, Leh, Lescovitz, Levdansky, Lewis, Lynch, Mackereth, Maher, Maitland, Major, Manderino, Mann, Markosek, Marsico, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Micozzie, Miller, R., Miller, S., Mundy, Mustio, Myers, Nailor, Nickol, O'Brien, Oliver, O'Neill, Pallone, Payne, Petrarca, Petri, Petrone, Phillips, Pickett, Pistella, Preston, Raymond, Readshaw, Reed, Reichley, Rieger, Roberts, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Scavello, Schroder, Scrimenti, Semmel, Shaner, Smith, B., Smith, S. H., Solobay, Staback, Stairs, Stern, Stetler, Stevenson, R., Stevenson, T., Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, 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

Cohen Gabig Steil

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

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

The SPEAKER. The House will be at ease for a few moments.

Would the gentleman, Mr. DeWeese, come to the rostrum.

(Conference held at Speaker's podium.)

**THE SPEAKER PRO TEMPORE
(GENE DIGIROLAMO) PRESIDING**

GUESTS INTRODUCED

The SPEAKER pro tempore. The House will come to order.

The Chair would like to welcome Laura Huff, who is the guest of Representative Bill DeWeese, and she is located to the left of the Speaker. Laura, would you please stand to be recognized.

The Chair would also like to welcome David Vitale, who is the guest of Representative Bill DeWeese and Representative John Yudichak, and he is located to the left of the Speaker. Dave, if you would please stand to be recognized. Thank you.

**ANNOUNCEMENT BY
SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. If I could have the attention of the members, please, for a minute; if I could have your attention for a minute.

We are expecting a bill to come over from the Senate sometime around 5 o'clock this evening. We will notify both caucuses when that bill arrives. We will be in recess till that time. So everyone should be available to be back at 5 o'clock.

Are there any announcements?

RECESS

The SPEAKER pro tempore. The House stands in recess until the call of the Chair.

AFTER RECESS

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

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

ACTUARIAL NOTE

The SPEAKER. The Chair is in receipt of an actuarial note on amendment No. 4482 to HB 85, PN 104.

(Copy of actuarial note is on file with the Journal clerk.)

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 517, PN 611**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for legislative review of State highway transfers and for allocation of proceeds from taxes for highway maintenance and construction.

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?

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence, and the majority whip requests a leave of absence for the gentlelady from Montgomery, Ms. HARPER. Without objection, that leave will be granted.

CONSIDERATION OF HB 517 CONTINUED

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—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

* * *

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?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Veon.

Mr. VEON. Mr. Speaker, I move that the rules of the House be suspended for immediate consideration of amendment No. A4512.

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

The SPEAKER. On the motion, the motion to suspend the rules is debatable by the floor leaders, the majority and minority leaders.

Does the minority leader wish to relinquish his time to the gentleman—

Mr. DeWeese?

The Chair recognizes the gentleman from Greene, Mr. DeWeese.

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

I would respectfully ask for a favorable vote on suspension of the rules.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Smith.

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

I also would ask the members to vote affirmatively on the suspension of the rules.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—154

Adolph	Fairchild	Mackereth	Ruffing
Allen	Feese	Maher	Santoni
Argall	Fichter	Maitland	Sather
Armstrong	Fleagle	Major	Saylor
Baker	Flick	Markosek	Schroder
Baldwin	Forcier	Marsico	Scrimenti
Barrar	Frankel	McCall	Semmel
Bastian	Gannon	McGeehan	Smith, B.
Belardi	Geist	McGill	Smith, S. H.
Belfanti	George	McIlhattan	Staback
Benninghoff	Gergely	McIlhinney	Stairs
Biancucci	Gillespie	McNaughton	Stern
Birmelin	Gingrich	Metcalfe	Stetler
Bishop	Godshall	Micozzie	Stevenson, R.
Blaum	Good	Miller, R.	Stevenson, T.
Boyd	Goodman	Miller, S.	Sturla
Browne	Grucela	Mundy	Surra
Bunt	Habay	Mustio	Taylor, E. Z.
Caltagirone	Harhai	Myers	Taylor, J.
Cappelli	Harhart	Nailor	Travaglio
Casorio	Harris	Nickol	True
Causer	Hennessey	O'Brien	Turzai
Civera	Herman	O'Neill	Vance
Clymer	Hershey	Payne	Veon
Cornell	Hess	Petrarca	Walko
Corrigan	Hickernell	Petri	Wansacz
Coy	Horsey	Petrone	Washington
Crahalla	Hutchinson	Phillips	Waters
Dailey	James	Pickett	Watson
Dally	Kenney	Preston	Weber
Denlinger	Killion	Raymond	Wheatley
Dermody	Kirkland	Reed	Williams
DeWeese	Kotik	Reichley	Wilt
DiGirolamo	LaGrotta	Rieger	Wojnaroski
Eachus	Laughlin	Roberts	Wright
Egolf	Leach	Rohrer	Zug
Evans, D.	Leh	Rooney	
Evans, J.	Lewis	Ross	Perzel,
Fabrizio	Lynch	Rubley	Speaker

NAYS—41

Bard	DeLuca	Lescovitz	Samuelson
Bebko-Jones	Diven	Levdansky	Scavello
Butkovitz	Freeman	Manderino	Shaner

Buxton	Gruitza	Mann	Solobay
Cawley	Haluska	Melio	Tangretti
Coleman	Hanna	Pallone	Tigue
Costa	Hasay	Pistella	Vitali
Creighton	Josephs	Readshaw	Yewcic
Cruz	Keller	Roebuck	Youngblood
Curry	Lederer	Sainato	Yudichak
Daley			

NOT VOTING—3

Donatucci	Oliver	Thomas
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EXCUSED—4

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

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

Mr. VEON offered the following amendment No. A4512:

Amend Title, page 1, lines 1 through 4, by striking out all of said lines and inserting

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

Amend Bill, page 1, lines 7 through 17; pages 2 through 7, lines 1 through 30; page 8, lines 1 through 6, by striking out all of said lines on said pages and inserting

Section 1. (a) Authorization.—Pursuant to the requirements of section 20(b) of the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act, the General Assembly hereby authorizes the release of Project 70 restrictions and transfer of the lands owned by the City of Scranton which are more particularly described in subsection (c) to the Redevelopment Authority of the City of Scranton and the sale of said lands by the Redevelopment Authority of the City of Scranton to the University of Scranton for a consideration of \$1,150,000, which sum represents at least the fair market value of the property as determined by an appraisal.

(b) Freedom of restrictions.—The lands described in subsection (c) shall be free of restrictions on use and alienation imposed by the Project 70 Land Acquisition and Borrowing Act upon conveyance of said lands by the City of Scranton to the Redevelopment Authority of the City of Scranton and the subsequent conveyance by the Redevelopment Authority of the City of Scranton to the University of Scranton.

(c) Lands to be released from restrictions.—The parcel of land to be released from Project 70 restrictions is situated in the City of Scranton, Lackawanna County, and more particularly described as follows:

All that certain piece or parcel of land being in Ward 18 and Ward 6 of the City of Scranton, County of Lackawanna and Commonwealth of Pennsylvania bounded and described as follows to wit:

Parcel No. 1

Beginning at an iron pin (set) on the northeasterly Legal Right-of-Way Line of Broadway at its intersection with the southeasterly Right-of-Way Line now or formerly of the Central Railroad of New Jersey (Heritage Valley Walking Trails); thence along

said southeasterly Right-of-Way Line now or formerly of the Central Railroad of New Jersey (Heritage Valley Walking Trails), the following two (2) courses and distances:

1. Along a curve to the left having a radius of eight hundred sixty-one and forty-eight hundredths (861.48) feet, an arc length of two hundred twenty-two and four hundredths (222.04) feet, to an iron pin (set), said arc having a chord bearing and distance of North thirty-five degrees ten minutes East, two hundred twenty-one and forty-three hundredths (221.43) feet; Thence,

2. Along a curve to the left having a radius of five hundred seven and nineteen hundredths (507.19) feet, an arc distance of two hundred forty-nine and twenty hundredths (249.20) feet to an iron pin (set), at the intersection of said southeasterly Right-of-Way Line now or formerly of Central Railroad of New Jersey (Heritage Valley Walking Trails) and the Flood Control Easement Line for the Lackawanna River, said arc having a chord bearing and distance of North fourteen degrees twelve minutes East, two hundred forty-six and seventy hundredths (246.70) feet; Thence

Along said Flood Control Easement Line for the Lackawanna River, the following courses and distances:

1) South twenty-three degrees twenty five minutes twenty-three seconds East, one hundred ninety three and ninety-one hundredths (193.91) feet to a point; Thence,

2) South fifteen degrees thirty-six minutes East, one hundred eighty-two and ten hundredths (182.10) feet to a point; Thence,

3) South four degrees forty-one minutes East, two hundred thirteen and fifty hundredths (213.50) feet to a point; Thence,

4) North seventy-one degrees thirty-four minutes West, nineteen and sixty-five hundredths (19.65) feet to a point; Thence,

5) South eighteen degrees twenty-four minutes West, fifty-one and zero hundredth (51.00) feet to an iron pin (set) at the intersection of said Flood Control Easement Line for the Lackawanna River and said northeasterly Legal Right-of-Way Line of Broadway; Thence,

Along said northeasterly Legal Right-of-Way Line of Broadway, the following three (3) courses and distances:

1) North seventy-one degrees thirty-four minutes West, eight and eleven hundredths (8.11) feet to an iron pin (set); Thence,

2) Along a curve to the right having a radius of six hundred seventy-six and seventy-eight hundredths (676.78) feet, an arc distance of two hundred eighty-seven and seventy-nine hundredths (287.79) feet to a point, said arc having a chord bearing and distance of North fifty-nine degrees and twenty-three minutes West, two hundred eighty-five and sixty-three hundredths (285.63) feet to a point; Thence,

3) North forty-seven degrees twelve minutes West, fifty-nine and zero hundredths (59.00) feet to the point of beginning.

Containing 2.23 acres of land, more or less.

PARCEL NO. 2

Beginning at an iron pin (set) on the southwesterly Legal Right-of-Way Line of Broadway at its intersection with the southeasterly Right-of-Way Line now or formerly of the Central Railroad of New Jersey (Heritage Valley Walking Trails); Thence, along said southwesterly Legal Right-of-Way Line of Broadway, the following three (3) courses and distances:

1) South forty-seven degrees twelve minutes East, sixth-four and thirty hundredths (64.30) feet to a point; Thence,

2) Along a curve to the left having a radius of seven hundred fifty-six and seventy-eight hundredths (756.78) feet, an arc length of three hundred twenty-one and ninety-two hundredths (321.92) feet to an iron pin (set), said arc have a chord bearing and distance of South fifty-nine degrees twenty-three minutes East, three hundred nineteen and fifty hundredths (319.50) feet; Thence,

3) South seventy-one degrees thirty-four minutes East, nineteen and zero hundredths (19.00) feet to an iron pin (set) at the intersection of said southwesterly Legal Right-of-Way Line of

Broadway and the Flood Control Easement Line for the Lackawanna River; Thence,

Along said Flood Control Easement Line for the Lackawanna River, the following ten (10) courses and distances:

- (1) South six degrees fifty-nine minutes West, three hundred ninety-five and zero hundredths (395.00) feet to a point; Thence,
- (2) South forty-four degrees thirty-two minutes West, one hundred thirty five and zero hundredths (135.00) feet to a point; Thence,
- (3) North eighty-seven degrees twenty-five minutes West, two hundred and zero hundredths (200.00) feet to a point; Thence,
- (4) North eighty-one degrees thirty-eight minutes West, two hundred and zero hundredths (200.00) feet to a point; Thence,
- (5) North seventy-nine degrees twenty-one minutes West, one hundred thirty and zero hundredths (130.00) feet to a point; Thence,
- (6) South eighty-one degrees fifty-one minutes West, forty-four and eighty hundredths (44.80) feet to a point; Thence,
- (7) North seventy-two degrees thirty minutes West, one hundred fifty-three and zero hundredths (153.00) feet to a point; Thence,
- (8) South seventy degrees fifteen minutes West, seventy-nine and ninety hundredths (79.90) feet to a point; Thence,
- (9) South thirty-nine degrees forty-four minutes thirty-eight seconds West, seventh-six and seventy-six hundredths (76.76) feet to a point; Thence,
- (10) North sixty-one degrees thirty-seven minutes West, four and zero hundredths (4.00) feet to a point on said southeasterly Right-of-Way Line now or formerly of the Central Railroad of New Jersey (Heritage Valley Walking Trails); Thence,

Along said southeasterly Right-of-Way Line now or formerly of the Central Railroad of New Jersey (Heritage Valley Walking Trails); the following two (2) courses and distances:

- (1) Along a curve to the right having a radius of one thousand two hundred ninety-nine and twenty-one hundredths (1299.21) feet, an arc distance of four hundred forty-five and fifty-four hundredths (445.54) feet to an iron pin (set), said arc having a chord bearing and distance of North thirty-eight degrees twelve minutes East, four hundred forty-three and thirty-six hundredths (443.36) feet; Thence,
- (2) North forty-eight degrees one minute East, five hundred and twenty five hundredths (500.25) feet to the point of beginning.

Containing 9.15 acres of land, more or less.

The above described Parcel No. 2 is subject to utility easements for sanitary sewers of the Scranton Sewer Authority.

The above described Parcel No. 1 and Parcel No. 2 are as shown on "Plot Plan-Lands N/F of the Redevelopment Authority of the City of Scranton, South Side Sports Complex" dated 1/22/03 and revised 6/17/03, prepared by CECO Associates, Inc., Consulting Engineers.

(d) Deed restriction.—The City of Scranton shall reserve by deed restriction or easement adequate land along the Lackawanna River to accommodate the Lackawanna River Heritage Trail/Greenway as recommended in the Scranton Comprehensive Parks, Recreation and Open Space Plan and the Management Action Plan for the Lackawanna Heritage Valley.

(e) Conditions.—The transfer is subject to the following conditions:

- (1) The University of Scranton must agree to strictly comply with all obligations of a Memorandum of Understanding between the university and the Redevelopment Authority of the City of Scranton as entered into on July 8, 2003.
- (2) Construct on a portion of the property a baseball field, a women's softball field and a soccer field, all of which shall conform to the regulations and requirements of the National Collegiate Athletic Association, and which shall be

maintained by the University of Scranton, and each of which shall be made available for general public use for recreational purposes during reasonable hours when the facilities are not in use by the University of Scranton; provided, however, that nothing in this section is intended or shall be interpreted to preclude the University of Scranton from establishing reasonable regulations on the use of the facilities, including, but not limited to, a requirement regarding maintaining of reasonable liability insurance by the City of Scranton.

(3) The University of Scranton must agree that, following the completion of the basketball court and play area, the university will be responsible for the maintenance and upkeep of the property.

(4) Prior to the transfer to the Scranton Redevelopment Authority, the city must request written notice from the Department of Housing and Urban Development that the transfer will not violate regulations of the department.

(5) The University of Scranton must agree that, following reconstruction under paragraph (2), the university will do all of the following:

(i) Use the complex for its athletic programs and for other events and programs.

(ii) Make the fields in the complex available for use by various leagues which have used, are using or may wish to use the complex. This subparagraph includes, but is not limited to, teenager, adult softball, summer collegiate baseball, amateur baseball and youth leagues when the fields are not being used by the university.

(iii) Make the fields in the complex available to the general public during reasonable hours when the fields are not being used by the university.

(iv) Develop programs on the complex for the youth of the community.

(6) The University of Scranton must purchase and maintain liability insurance on the real property from the date of transfer. The City of Scranton must purchase and maintain liability insurance to cover public use under paragraphs (2) and (5).

(f) Use of proceeds.—The \$1,150,000 consideration from the sale of the land shall be deposited in a special account established by the Redevelopment Authority of the City of Scranton for the maintenance, improvement and development of Nay Aug Park and Weston Field in the City of Scranton in accordance with the Scranton Comprehensive Parks, Recreation and Open Space Plan.

Section 2. This act shall take effect immediately.

On the question,

Will the House agree to the amendment?

LEAVES OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence.

The majority whip requests a leave of absence for the gentleman from Dauphin, Mr. McNAUGHTON. Without objection, that leave will be granted.

The Chair recognizes the minority whip, who requests a leave of absence for the gentleman from Montgomery, Mr. LEACH. Without objection, that leave will be granted.

CONSIDERATION OF SB 850 CONTINUED

The SPEAKER. The Chair would like to request that the area around the minority leader's desk please be cleared.

Mr. Veon, you are recognized if you would like to speak. If not, Mr. Cawley is on the floor and would like to be recognized.

The gentleman is in order.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I rise to offer this amendment, and I think that most of the members here, Republican and Democrat, know that this is an issue that many of us have been struggling with over the last 5 or 6 or 7 months mainly because it deals with a specific tract of land in a legislative district in the city of Scranton and that we have two State legislators and one State Senator who at times have been not totally lined up and in agreement on how this land should be disposed of. Any time you have good friends on both sides of a locally controversial and complex issue, it certainly is a challenge for the rest of us to try to figure out how we might have to sort it out. Unfortunately, when you are talking about Project 70 land dispositions, it really does end up in front of the House of Representatives to figure out how we dispose of that property. And again, this one has been particularly challenging because there are good friends on all sides of a difficult local issue.

One moment, Mr. Speaker.

Thank you, Mr. Speaker.

Mr. Speaker, many of us that have been here for a while have dealt with a variety of Project 70 restriction bills over the years, and, Mr. Speaker, this amendment here would remove the Project 70 restrictions from this particular piece of property in the city of Scranton. I think, at least at the moment, since I know the gentleman from Scranton wants to make some comments on the bill, I will just say that the general purpose of my amendment is to take a memorandum of understanding that exists between the University of Scranton and the city of Scranton and the redevelopment authority and attempts to codify that in the language that I have in front of the House here today.

So that would be my general explanation of the efforts in my amendment, and I am sure I will come back to the microphone after the gentleman from Scranton has had an opportunity to make his points.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Cawley.

Mr. CAWLEY. Thank you, Mr. Speaker.

Mr. Speaker, regarding the maker of the amendment, the person offering the amendment, I would like to clarify exactly what this amendment does. Several weeks ago 201 members voted 201 “yes” votes and no “nays” voted for my amendments into SB 850. What this amendment will do is remove 95 percent of all of the amendments that I had put into SB 850. There is only one amendment, one section of an amendment, that will remain in the bill with the passage of this amendment. It just guts all of the amendments that every member in this body voted for several weeks ago, which I appreciated very much.

I know some people were told today that Representative Cawley got everything he wanted but he is still not satisfied. Now, that is only part of the story. I did get everything I wanted regarding the amendments, and I thank every single member, and I did that night, thanking them for voting for my amendments.

The second part of the story is, this amendment removes all of the amendments that I had placed in that bill with the exception of one part of an amendment, and all of us on this floor, as I mentioned, voted for it. It removes everything.

I believe firmly that the Senator from Lackawanna County should take the initiative and remove the amendments himself if he is not satisfied with the amendments instead of sending that over here and having the House do his dirty work, and that is exactly what we are doing and that is exactly the pressure that was put on both sides of this aisle today, that he ought to have the guts to take the amendments out himself over in the Senate instead of doing what he did today.

I would just like to explain some of the amendments that are not going to be in this bill if this amendment passes.

Mr. Speaker, can I interrogate the maker of the amendment, please?

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

Mr. CAWLEY. Thank you, Mr. Speaker.

Mr. Speaker, are you aware of what amendments are going to come out because of this amendment that is being offered right now?

Mr. VEON. Mr. Speaker, I would say it is fair to say that all of the amendments but one that you had offered previously on the floor that were voted on here and put into the bill would come out with the language in the amendment that I am offering here.

Mr. CAWLEY. Okay. Thank you.

I would like to explain to the members exactly what amendments are going to come out.

The SPEAKER. The gentleman is in order.

Mr. CAWLEY. First and foremost, the University of Scranton, unsolicited, no one asked Father McShane, who was the former president of the University of Scranton, asked him this question or requested him to agree to this. He made this statement himself. He said that once the university owns the property, that the university will put up a new playground and a basketball court next to the low-income housing project up there that those children up there use every single day, and once that was done, he would cede the property back to the city of Scranton and the university would maintain it as long as it is there. That is gone.

A major part, major, major issue that is being removed by this amendment is it states that if the University of Scranton violates this act once this bill becomes an act and they are in violation of the act, the land will revert back to the Scranton Redevelopment Authority. That is gone. So, basically, the university can do anything that they want to do, and because of the fact that Senator Mellow’s language removes all Project 70 restrictions and now there is no reversionary clause, the city of Scranton can renege on any of the promises that they made in that memorandum of understanding. Any of the statements in this bill, they can violate this act, this law. Once this bill becomes a law, they can violate it and there is no recourse whatsoever; there is no penalty whatsoever. The city of Scranton promised that they will build a softball field for the field that is going to be torn down and the university is going to construct a new one. The city of Scranton said they will build a new softball field with lights. As of yet – now, this was from last spring they made this commitment that they will do this –

but there is no site mentioned as of today, and they, the city of Scranton, can say several weeks from now, several months from now, you know, we wanted to do that, but the budget is tight and we do not have the money, so we are not going to do it. What they have done, they have violated the law but there is no penalty. So what my amendments basically did was they put all of these promises into writing, all of the promises into the bill. That is only common sense.

Another item that has been removed, the city of Scranton was required to have public hearings back in 1970 when they purchased that property. Fifty percent of the money was paid by the Commonwealth of Pennsylvania when they purchased that property. Prior to that purchase taking place, the city of Scranton was mandated to conduct a public hearing. That is part of our responsibility, everyone in this room, and it is part of the governing body of the municipalities we represent also. That public hearing requirement is taken out.

Another very important item that is taken out, another amendment that I had in would require, between the University of Scranton, the Scranton Redevelopment Authority, and the city of Scranton, would require a writ of action to be filed in the Lackawanna County Court of Common Pleas with all promises, with the language in the bill, and everything that would be necessary on that in the future in case there was a lawsuit filed. The court would have a record of all the promises that had been made and of all the items that the municipalities of the city of Scranton or the redevelopment authority or the university agreed to in case a lawsuit came up. That is removed.

Another item that has been removed is, under the Project 70 Act – and this goes for every Project 70 site in the Commonwealth of Pennsylvania – there is a Project 70 requirement that there be a deed restriction on every single Project 70 site in the State, and the deed restriction remains on that deed and states that this property shall be used for recreational, conservation, or historical purposes, period. One of my amendments required that, based on the fact that the university and the city had said the public is going to use it when the university is not going to use it; we welcome them to use it; we welcome them to use it. Well, this amendment before us this evening removes that deed restriction. So the safeguards were in there and the assurances were in there with these amendments that the public will have access to this facility when the university is not using it, and the university agreed to this; the public will have access. The university insisted that anyone using the facility once this facility is built and owned by the University of Scranton must show proof of liability coverage. Now, that means, basically, that 95 percent of the people who have used that facility in the past will not have access to that facility.

And there is a nice little item that was also put in this amendment. One of my amendments stated – and it is a very important amendment, which, I think if you remember back, I spent about 45 minutes explaining all these amendments the night that they were passed – one of the requirements was that prior to the transfer by the city of Scranton to the redevelopment authority, the city of Scranton must “receive” – remember that word – the city of Scranton must receive written notice from the Department of Housing and Urban Development that the transfer will not violate regulations of the department based on the expenditure of \$689,815 for the construction of the South Side Sports Complex in 1977.

Something that I do not know who it was, but they tried to sneak by and it is in this amendment, instead of the language stating that “Prior to the transfer...the city must receive written notice...,” they have, “Prior to the transfer...the city must request written notice...” Now, the reason for that is, they want, up in the city, they want to do that right now. All the ducks are lined up in the city of Scranton. Four of the five councilmen and one councilwoman, four of the five stated to the newspaper that they supported every one of my amendments, and those same four of the five councilpersons who will be sworn in in January asked this body, the leadership of this body and the leadership of the Senate, to hold this bill up until they are sworn in around January 7 so that they then could sit down, review this entire issue, and come up with agreement where all parties could be satisfied.

The Senator, obviously, not obviously, the Senator from Lackawanna County never was in favor of any of the amendments. I was at a meeting Representative Perzel called in his office several months ago with Representative Belardi and I and Senator Mellow, and there was no question whatsoever that the Senator was not in favor of any of these amendments. The result is this amendment that is now being offered tonight. It proves that he was not in favor of any of these amendments which protect all parties, especially the party that I am representing, by mandate, the public. This will protect the public.

This amendment will satisfy about four parties involved with this land transfer. I stated to the Senator back in Representative Belardi’s office in June regarding his amendment, which is now this amendment and now the exact language he had in the bill without my amendments, I stated to him that this was a disgrace, that this was a disgrace being done on the people that live in the city of Scranton and the people who have used that facility for 25 years, and tonight I ask you very seriously, this is in my district, the 113th Legislative District, and it is in Senator Mellow’s district. Senator Mellow wants it his way; I want it the public’s way. I am mandated to represent the public and the public’s interests as well as the other parties involved in this. And this issue could have been satisfied this past summer had the Senator been willing to accept an agreement and accept amendments that would protect everyone, especially the public.

I am asking that you do not support this amendment if I am not successful in the motion that I am going to make.

MOTION TO TABLE AMENDMENT

Mr. CAWLEY. Mr. Speaker?

The SPEAKER. The Chair recognizes the gentleman; yes?

Mr. CAWLEY. I believe a precedent was set for this, if I am not mistaken, in June. I would like to offer a motion to table the amendment.

The SPEAKER. The motion is in order, but the motion is not debatable except for the floor leaders.

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

The SPEAKER. Do either of the floor leaders wish to speak?
The majority leader, Mr. Smith?

PARLIAMENTARY INQUIRY

The SPEAKER. The minority whip, Mr. Veon.

Mr. VEON. I have a point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state the point.

Mr. VEON. Mr. Speaker, I just want to make sure I understand that the gentleman has made a motion to table the amendment. Is that correct?

The SPEAKER. That is correct.

Mr. VEON. And a further point of parliamentary inquiry.

If the gentleman is successful in tabling the amendment, does that effectively table the bill for today's consideration?

The SPEAKER. No, it does not.

Mr. VEON. Thank you, Mr. Speaker.

The SPEAKER. The majority leader.

Mr. S. SMITH. Mr. Speaker, I would just simply ask the members to vote against the motion to table the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

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

I would also very respectfully request the members to vote against the motion to table and to deal with the matter at hand.

The SPEAKER. The Chair thanks the gentleman.

There has been a motion made by the gentleman, Mr. Cawley, that amendment A4512 be tabled.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-79

Table listing names of members who voted 'YEAS' (79 total). Includes names like Adolph, Bard, Bebk-Jones, Birmelin, Bishop, Browne, Butkovitz, Buxton, Cawley, Coleman, Corrigan, Costa, Creighton, Cruz, Curry, Daley, Diven, Donatucci, Egolf, Fairchild, Fichter, Flick, Freeman, Geist, Gingrich, Gruitza, Haluska, Hanna, Harhai, Harris, Hasay, Hennessey, Hershey, James, Josephs, Keller, LaGrotta, Lederer, Leh, Lescovitz, Levdansky, Lewis, Lynch, Manderino, Mann, Marsico, Melio, Metcalfe, Micozzie, Myers, Nailor, Oliver, Pallone, Phillips, Pistella, Readshaw, Rieger, Roebuck, Sainato, Samuelson, Sather, Scavello, Scrimenti, Shaner, Solobay, Stern, Stevenson, R., Tangretti, Thomas, Tigue, Vitali, Washington, Waters, Wilt, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak.

NAYS-116

Table listing names of members who voted 'NAYS' (116 total). Includes names like Allen, Argall, Armstrong, Baker, Baldwin, Barrar, Bastian, Belardi, Belfanti, Eachus, Evans, D., Evans, J., Fabrizio, Feese, Fleagle, Forcier, Frankel, Gannon, Maitland, Major, Markosek, McCall, McGeehan, McGill, McIlhattan, McIlhinney, Miller, R., Santoni, Saylor, Schroder, Semmel, Smith, B., Smith, S. H., Staback, Stairs, Stetler.

Table listing names of members who were present but did not vote. Includes names like Benninghoff, Biancucci, Blaum, Boyd, Bunt, Caltagirone, Cappelli, Casorio, Causer, Civera, Clymer, Cornell, Coy, Crahalla, Dailey, Dally, DeLuca, Denlinger, Dermody, DeWeese, DiGirolo, George, Gergely, Gillespie, Godshall, Good, Goodman, Grucela, Habay, Harhart, Herman, Hess, Hickernell, Horsey, Hutchinson, Kenney, Killion, Kirkland, Kotik, Laughlin, Mackereth, Maher, Miller, S., Mundy, Mustio, Nickol, O'Brien, O'Neill, Payne, Petrarca, Petri, Petrone, Pickett, Preston, Raymond, Reed, Reichley, Rohrer, Rooney, Ross, Rubley, Ruffing, Stevenson, T., Sturla, Surra, Taylor, E. Z., Taylor, J., Travaglio, True, Turzai, Vance, Veon, Walko, Wansacz, Watson, Weber, Wheatley, Williams, Zug, Perzel, Speaker.

NOT VOTING-1

Roberts

EXCUSED-6

Table listing names of members who were excused. Includes names like Cohen, Gabig, Harper, Leach, McNaughton, Steil.

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

On the question recurring,

Will the House agree to the amendment?

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

Mr. CAWLEY. Thank you, Mr. Speaker.

Mr. Speaker, may I ask if there is a fiscal note on this amendment? I know I had to go through purgatory for the past summer getting fiscal notes on everything that I did, and I would hope that there is a fiscal note on this.

The SPEAKER. Number one, Mr. Cawley, a fiscal note to this amendment has been ordered, but under any set of circumstances, the rules of the House were suspended in order to run this particular amendment, so it is not necessary that one be here, although one was requested.

Mr. CAWLEY. Thank you, Mr. Speaker.

I appreciate the extra votes that I picked up on the last motion, and I am asking you, this is not any hidden agenda I have. This is what I believe is in the best interest of everyone in the city of Scranton regarding this complex and the sale of this complex.

I would like to remind all of the members that when you have a Project 70 bill coming up in your district, please see me, because I will let you know everything that the Department of Community and Economic Development did and did not do regarding this, and one of the items that they have done for 23 years that I have been here - and I have sponsored several Project 70 bills in the past - if we were taking 5 acres or 10 acres off the Project 70 list, the municipality taking those acreage off the Project 70 lists were required to designate 5 or

10 acres of other land that they had specifically for recreation, conservation, and historical purposes. This bill does not do that.

What I am getting to is what is good for the goose is good for the gander. The Department of Community and Economic Development called me up and asked me how I felt about SB 850, because they said that they had a lot to do with drafting that bill for the Senator; they worked very hard on drafting it, the leaps and bounds and so on and so forth that sometimes takes some of us several years to get put together, and also they wanted to know what my feeling on the bill was, and I said, without any amendments? And they said, yes. And I said, my feeling is it is a disgrace. It was a disgrace then and it will be a disgrace tonight if this amendment is passed, and I am asking you for a negative vote.

MOTION TO RECOMMIT

Mr. CAWLEY. In fact, Mr. Speaker, prior to me asking for a negative vote on the passage of this amendment, I would like the motion to recommit this bill to State Government.

The SPEAKER. The motion is in order, Mr. Cawley.

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

Mr. CAWLEY. Mr. Speaker?

The SPEAKER. On the motion.

Mr. CAWLEY. On the motion, Mr. Speaker.

The reason I am saying that is my intent is not to belittle anyone here tonight, but I know, even the people offering these amendments know very little about what these amendments do. They received this amendment today, and I, myself, had to take the amendment against the bill that I had previously amended, which did not have my amendments in, and it took some time to put the amendments together to see how it matched up with the bill I had.

I am asking that this be sent back, even if it is temporarily until next week, so that the people that are concerned – the leadership on both sides of the aisle and some of us from up in Lackawanna County, Representative Belardi from the city and myself – can look at everything that is in there, and even if it is possible, meet with the Senator from Lackawanna County, and as long as there is life, there is hope, and try to get some common sense into this bill.

So I am asking it to be referred to State Government in the form of a motion.

The SPEAKER. The gentleman has made a motion to rerefer the bill back to the State Government Committee.

On that motion, the Chair recognizes the gentleman, Mr. Smith.

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

At this point I would simply ask the members to vote against the motion to recommit and allow us to deal with the amendment before us.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. DeWeese.

Mr. DeWEESE. I would politely echo the sentiments of the gentleman from Jefferson County and ask that a negative vote on recommitment be offered by the membership.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for interrogation?

The SPEAKER. The gentleman, Mr. Veon, indicates that he will stand for interrogation.

Mr. VITALI. I am just trying to get a sense, I am on the State Government Committee and we have not really discussed this issue, and it seems like an issue suitable for us to discuss. I am just trying to get a sense, are there any exigent circumstances here? Is there a reason why we have to do this tonight? There is obviously a lot of controversy; there are obviously a lot of things going on below the surface. I am just trying to get a sense, is there a reason we have to deal with this tonight as opposed to in 1 week or 2 weeks or 3 weeks?

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I would say that like many controversial and complex issues we deal with, and this is an issue, by the way, that I think has had considerable discussion by all the principles involved, and I recognize that a vast majority of the legislators have not been involved in these discussions. But those who have been involved, I think, would stand here and say that there have been very significant discussions over many, many, many months and that I think there is also great uncertainty about how many legislative days are going to be left in this calendar year.

And then I think the other point I would make is a practical, political point that – the speaker, the gentleman from Scranton, alluded to this – that the proponents of allowing this property to be disposed of in the way that I have described in my amendment believe that a change in local government, which would be in effect in January, would in essence not permit this property to be transferred in this way, and I think that on a practical, political level, that is what is driving the calendar, in addition to the concern of how many calendar days we are going to have left in this session to deal with anything, let alone this issue.

Mr. VITALI. Okay. Now, I want to get to the local government situation, but first the issue of calendar days, and I understand there are a limited number of calendar days this year but an unlimited number next year. Is there any reason why, I mean, it has to be done this year, or perhaps that relates to the local government issue you referred to?

Mr. VEON. I would say, Mr. Speaker, that that is the most practical reason that the proponents would like to see this done by the end of this calendar year and that, in addition to that, I think the consideration that a lot of time and energy has been put in on both sides trying to reach an agreement, and they have been unsuccessful so far.

Mr. VITALI. Well, I mean, could you help us understand, those of us who are members of the State Government Committee and feel that we ought to be dealing with issues like this and the rest of the House who feel like they should be taking informed votes, I mean, what is that local situation driving this? What makes it important we do not move to recommit today?

Mr. VEON. Mr. Speaker, I would say again that on a practical, political level, the proponents of the ability to transfer this property in the way that is described in my amendment believe that a change in the control of local government would make it very, very difficult if not impossible to have this

transfer go through, certainly in the way described in the amendment that is in front of me here, and that I am obviously an outside observer, having watched the political battle there, and that there are very clearly two strong sides to this issue locally, certainly one reflected by the gentleman that has been speaking here today from the city of Scranton. But if you have the opportunity to read the newspaper articles in the Scranton area, you can see and tell that there are clearly two very diametrically opposed groups involved in this debate, and so it is a hot local political issue that has been receiving a lot of media coverage. So the proponents would make the case that the longer this goes on, the less likely the property is to be transferred, certainly in the way that I am describing in my amendment.

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

The SPEAKER. The Chair thanks the gentleman.

Mr. CAWLEY. Mr. Speaker, I would like to interrogate the maker, please.

The SPEAKER. The gentleman, Mr. Cawley, is in order and may proceed.

Mr. CAWLEY. Mr. Speaker— Thank you, Mr. Speaker.

The SPEAKER. Mr. Cawley, it has to relate to recommitting the bill.

Mr. CAWLEY. I would like to interrogate him.

The SPEAKER. As long as it relates to recommitting the bill.

Mr. CAWLEY. Yes.

The SPEAKER. The gentleman is in order.

Mr. CAWLEY. Yes. Mr. Speaker, based on what you just informed Representative Vitali, did someone from Scranton contact you regarding this? Could you give me the name of a person that contacted you from Scranton?

Mr. VEON. Mr. Speaker, I think that the gentleman is aware that over the course of the last 5 or 6 months, I have been aware of the discussions taking place and that some of the staff involved in the Democratic Caucus have been with the gentleman and other parties involved in discussing this issue. So it is something that I have been aware of probably for the last 5 or 6 months and have been trying to, you know, be as helpful as possible in trying to find a solution. So my knowledge of the issue and my determination to have this amendment put in front of the House here today is really a result of that ongoing dialogue rather than a recent specific request.

Mr. CAWLEY. Okay. And, Mr. Speaker, you also mentioned something else about the local governing body of the city of Scranton and the time that they have. Did you mention that to Representative Vitali?

Mr. VEON. Yes, Mr. Speaker.

Mr. CAWLEY. The Senator has stated publicly in the newspaper that his intent is to pass enabling legislation which will help the governing body make the final decision, that we should not be making the decision down here, that he thinks the governing body should be making the decision. What this rush is all about, Mr. Speaker, what this rush is all about is you have four – I am sorry – three out of five sitting councilmen who are lameduck, and they want to make this decision despite the request of four new council people coming in, in addition to the one sitting councilman who will be sworn in in January – the four new members – they want to make this decision. So I think it only makes common sense that we need not rush something like this just so we can favor a lameduck council who is going to be out of business in several weeks and give the governing

body, as the Senator from Lackawanna County so eloquently spoke of, the opportunity to make this decision themselves – for them to sit down with all parties, including the university, and come up with an agreement with all parties which is going to satisfy the majority of the people in the city instead of a certain few. Would you agree with that?

Mr. VEON. I knew there was a question at the end of that interrogation, and, Mr. Speaker, I would not agree with that, respectfully.

I would say, number one, the idea that we are rushing this through is just not accurate. As the gentleman knows, we had a very full debate on this issue just a few weeks ago, and the gentleman had an opportunity to offer amendments and spoke eloquently on all the issues at hand, and we spent a good amount of time here on the floor of the House and I would also make the case, Mr. Speaker, that, as the gentleman knows, a lot of other time that you have put in over the course of this year. So I would make a strong case that it is really not rushing the issue in that sense.

And to the gentleman's point who was interrogating me a few moments ago, also I forgot to mention that this bill has already come out of the State Government Committee once, was sent to the floor of the House, and I think the reason that we are here today is because the gentleman from Scranton that is standing here and the other legislator from Scranton raised some very important points about this issue back in the summertime and that the leadership on both sides, Democrat and Republican, at that time stopped that bill dead in its tracks and said that the gentleman here ought to have the opportunity to work on this issue and we ought not to rush this bill through. It came out of the State Government Committee; it was on the floor of the House for a vote. The day it was up for a vote, Republican and Democratic leadership pulled the bill off the floor so that there would be the opportunity to have significant discussion and dialogue.

So I think there has been, again, the gentleman from Scranton has done a tremendous job. I know not everything that you want is in this bill, but it is a better bill because of the work that you and Representative Belardi have done over the last 6 months. So I would make a strong case, Mr. Speaker, and I have to disagree with the gentleman's question, that I do not agree with the point that you made, and for all those reasons I think a lot of time has been put into this bill.

Mr. CAWLEY. Thank you, Mr. Speaker.

Just in response to what you just said, I must say that as much as Representative Belardi and I had to do with this bill, this bill with this amendment becomes what it was way back in June, a disgrace, and believe me, I may lose this battle but I am not going to lose the war on this issue—

The SPEAKER. Mr. Cawley? You are way off base, Mr. Cawley.

Mr. CAWLEY. Well, Mr. Speaker, I forgot what my motion was. Was it to send it back to State Government?

The SPEAKER. It was to recommit it; yes, it was.

Mr. CAWLEY. Thank you.

I still would like to offer that motion.

The SPEAKER. You still want to offer that motion. We thought that, Mr. Cawley.

On the motion, those in favor of recommitting will vote "aye"; those opposed to recommitting will vote "no."

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

The following roll call was recorded:

YEAS-91

Armstrong	Fichter	Lescovitz	Rohrer
Bard	Fleagle	Levdansky	Sainato
Bebko-Jones	Flick	Lewis	Samuelson
Benninghoff	Frankel	Lynch	Sather
Birmelin	Freeman	Mackereth	Saylor
Browne	Geist	Maher	Scavello
Bunt	Gingrich	Maitland	Scrimenti
Butkovitz	Godshall	Major	Semmel
Buxton	Gruitza	Manderino	Shaner
Cawley	Haluska	Mann	Solobay
Coleman	Hanna	Marsico	Stern
Cornell	Harhart	Melio	Stevenson, R.
Corrigan	Harris	Met calfe	Tangretti
Costa	Hasay	Myers	Taylor, J.
Crahalla	Hennessey	Nailor	Tigue
Creighton	Hershey	O'Brien	Vitali
Cruz	Hess	Pallone	Weber
Curry	James	Petrone	Wilt
Dailey	Keller	Phillips	Wright
Daley	Kenney	Pistella	Yewcic
Diven	LaGrotta	Readshaw	Youngblood
Egolf	Lederer	Reichley	Yudichak
Fairchild	Leh	Roebuck	

NAYS-103

Adolph	Eachus	McGill	Smith, S. H.
Allen	Evans, D.	McIlhattan	Staback
Argall	Evans, J.	McIlhinney	Stairs
Baker	Fabrizio	Micozzie	Stetler
Baldwin	Feese	Miller, R.	Stevenson, T.
Barrar	Forcier	Miller, S.	Sturla
Bastian	Gannon	Mundy	Surra
Belardi	George	Mustio	Taylor, E. Z.
Belfanti	Gergely	Nickol	Thomas
Biancucci	Gillespie	Oliver	Travaglio
Bishop	Good	O'Neill	True
Blaum	Goodman	Payne	Turzai
Boyd	Grucela	Petrarca	Vance
Caltagirone	Habay	Petri	Veon
Cappelli	Harhai	Pickett	Walko
Casorio	Herman	Preston	Wansacz
Causar	Hickernell	Raymond	Washington
Civera	Horsey	Reed	Waters
Clymer	Hutchinson	Rieger	Watson
Coy	Killion	Rooney	Wheatley
Dally	Kirkland	Ross	Williams
DeLuca	Kotik	Rublely	Wojnaroski
Denlinger	Laughlin	Ruffing	Zug
Dermody	Markosek	Santoni	
DeWeese	McCall	Schroder	Perzel,
DiGirolamo	McGeehan	Smith, B.	Speaker
Donatucci			

NOT VOTING-2

Josephs	Roberts
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EXCUSED-6

Cohen	Harper	McNaughton	Steil
Gabig	Leach		

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

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

The SPEAKER. Does the gentleman, Mr. DeWeese, wish to speak?

Does Mr. Cawley wish to speak on the amendment?

Mr. CAWLEY. Thank you, Mr. Speaker.

To the members, please vote "no" on this. If we are "no" on this amendment, my amendment still will remain in the bill. We will vote the bill with my amendments in, send it over to the Senate. They can perform miracles over there; we know that. Senator Mellow introduced SB 850 on one day, on the same day he had 850 moved into a committee and moved out of the committee, and on the same day he had it voted and moved back here. So all I am asking is to vote "no" on this disastrous amendment, an unfair amendment, unfair to the people that we all represent – the public.

Vote "yes" on the amendments; we will send it over there. If the Senator does not like it, let the Senator— Vote "no" on the amendment. We will send it over there with my amendments in, and let him take the amendments out if he feels that is what he would like to do instead of putting the burden on us.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. DeWeese.

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

I will attempt to be brief, but at the same time I think that what we have here, as the gentleman from Beaver County has explained, is a polite and gentlemanly difference of perspective, not only between the honorable gentleman from Scranton who has been leading the debate on the other side of the amendment but from some of his colleagues here in back of me who have a different perspective. Not wanting to have a moment of vituperation and aggression here on the floor, leadership is doing what leadership is asked to do from time to time, and that is lead the debate.

This is a very touchy and tetchy and, excuse me, but recondite piece of legislation. None of us have the specific knowledge that the honorable gentleman from Scranton has, but some of us have some knowledge, and some of us have been dealing with the issue for at least 6 months. We have a piece of rough-and-tumble land that is not worth a whole lot right now that the University of Scranton is trying to buy. I am told that it has been assessed at X and the University of Scranton is willing to pay almost 3X, and when you get right down to the bottom line, Mr. Speaker, and I was taking very copious notes when the gentleman from Scranton, the Honorable Mr. Cawley, was enumerating what had been taken out again and again and again, and that the city of Scranton was to be required to have public hearings in his earlier amendment, taken out; that writ of action in the court of common pleas, taken out; that Project 70 requirements concerning a deed restitution, taken out relative to the property being used for sports or recreation or history, but, Mr. Speaker, when you get right down to it, the University of Scranton has given its word.

In the 16th century the most dynamic movement in Europe was spawned by the Society of Jesus under the leadership of Ignatius Loyola. It was called the Jesuits. The University of Scranton today is the last great or one of the last great avatars of the Society of Jesus, the Jesuits, in Scranton, Pennsylvania. If the University of Scranton keeps its word, then the gentleman from Scranton and the worries that he enumerated are not going to be a problem. What you have here, and we are saying it on the record, is an arrangement between the city of Scranton and the University of Scranton, and many of us have come down on the side – it is a close call – but the honorable gentleman is opposed, he is counterpoised, by other people in this caucus who either live in Scranton or next to Scranton. It is not a monolithic perspective that the gentleman evokes; it is a difficult and dicey debate. But I am confident that if the University of Scranton and the leadership at the University of Scranton, both its administration and its board of trustees, are keeping their commitments and keeping their word – and I am very confident that they will – that the difficulties, the trepidations, the confusions that the gentleman offered that may take place will not take place and that the land transfer from the city to the university and the ballfields and the beautification of the area will go forward.

So again, like my colleague from Beaver County, I am reluctant to engage in this debate, but on behalf of Ignatius Loyola's wonderful University of Scranton, I would ask that the Veon amendment be adopted with a favorable vote.

The SPEAKER. Mr. Cawley, the Parliamentarian informs me that you have already spoken twice on the amendment.

Mr. Cawley.

Mr. CAWLEY. That was interrogation, Mr. Speaker.

The SPEAKER. The Parliamentarian tells me that is the same as debate, Mr. Cawley.

Mr. CAWLEY. Okay.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. Veon.

Mr. VEON. A point of parliamentary procedure.

I thought the gentleman was interrogating me rather than speaking on the amendment and should have another opportunity.

The SPEAKER. The Parliamentarian says that the gentleman has spoken twice.

Mr. DeWEESE. Mr. Speaker, we would not oppose unanimous consent. We believe in fair debate, aggressive debate, and we would not oppose unanimous consent. We agree with the Parliamentarian's recollection, but nevertheless, there are parliamentary maneuvers that would allow the gentleman another opportunity at the microphone.

The SPEAKER. Under unanimous consent, the gentleman is in order and may proceed.

Mr. CAWLEY. Thank you, Mr. DeWeese. Thank you, Mr. Speaker.

Mr. Speaker, I would like to interrogate Mr. DeWeese on his comments, please.

The SPEAKER. The gentleman is in—

Mr. CAWLEY. Mr. Speaker, you had mentioned— I am sorry.

The SPEAKER. You are in order, Mr. Cawley.

Mr. CAWLEY. Mr. Speaker, you had mentioned that you do not believe that the University of Scranton will renege on any of their promises or any of the memorandum of understanding, and I do not either. I do not believe that they will renege. I do not believe the city of Scranton will renege on their promises, but what is most important is the precedent we are setting here tonight. What if the University of Scranton at some time down the future does renege? What penalties are going to be in this law, in this bill which will become a law, if they do renege? What penalty will they have to pay? All Project 70 restrictions are removed, and there is no reversionary clause, which was in one of my amendments. So what is the penalty if they renege on this law?

Mr. DeWEESE. To respond to the gentleman, if the memorandum of understanding were sundered, the adversaries could go into court and seek redress in the court system. But again, I want to express one more time, and I am a person momentarily privileged to debate the issue, I cannot fathom that the sons of Ignatius Loyola would ever breach this. The University of Scranton is a crown jewel in the academic setting of our State, and I am very confident that what they are trying to do, by conversations, as you know, sir, with members of their board of trustees and with a variety of members of this House who sit here in the chamber who do not share the perspective of my honorable debating colleague right now, that this rough-and-tumble patch of land will be sent by the city to the University of Scranton, will be revived, and will be a wonderful asset for the community. I am so confident in the University of Scranton that I am backing my colleague's amendment and saying to the gentleman relative to his question that if they would indeed create some sort of blasphemy, they would have the chance, or at least their adversaries would have a chance, to go to court.

Mr. CAWLEY. And, Mr. Speaker, is that the same statement you would have— Let us assume that the new council is sworn in in January; the new council feels otherwise than what this bill is going to state; the land transfer will now have taken place; and the majority of the governing body now feels that they do not have the money to put up a softball field with lights, so they are going to violate this memorandum of understanding, they are going to violate this bill, and they are going to violate the law. What are the penalties? This is the first time, this is the first time I can recall, just like if we pass a speeding law, this is like saying, here is what the highest rate of speed you can go, you can run your automobile on, 65 miles an hour, but if you go 85 miles an hour, there is no penalty. This is a terrible precedent that we are setting – a terrible precedent that we are setting.

Anyone can go to court, and that is a beautiful answer. You know what your constituents are going to say to you when you tell them you can go to court and you know what they are going to say to me. They will tell us where we can go when we tell them you can go to court if you do not like it, and that is exactly— We all know that is how our constituents feel. This is a bad precedent that we are setting, passing a law that if the law is violated, there is no penalty whatsoever. Even Project 70 back in the sixties put recourses in there, put restrictions in there, that if those restrictions were violated, here are the consequences. This has no consequences in this bill with this amendment in here. And there are Project 70 bills across this State regarding farmlands and everything, and if we are going to set this precedent with a bill such as this by allowing this amendment

and this bill to go through without my amendments, that is a shame on everyone in this chamber. This is going to come back to haunt us, believe me, because of a few people, not because— And no one knows the 113th Legislative District more than I do, and really, I appreciate the help, I appreciate the votes, but I know what the people in that district want, and that is who I am sticking up for. I know what is right and I know what is fair, and this is not fair, and I beg of you to vote “no” on this amendment and get on with sending the bill over there with my amendments in it.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. FLICK. Thank you, Mr. Speaker.

Mr. Speaker, I just want to remind the House that last week a member rose from Warren County and he wanted the House to remove restrictions that were on a piece of ground, and we voted 150 against and 50 for. Now, I voted for, and the reason I did is because I thought that the individual from Warren County knew best what was good in Warren County. I believe that the gentleman from Scranton knows best what is best in Scranton, and he is asking that we do exactly what we did last week, and that is not remove restrictions.

So I am going to vote with the gentleman from Lackawanna County, and I urge my members to do so also.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—86

Argall	Donatucci	Laughlin	Rublely
Baker	Eachus	Maitland	Ruffing
Baldwin	Evans, D.	Markosek	Santoni
Barrar	Fabrizio	McCall	Schroder
Bastian	Feese	McGeehan	Smith, S. H.
Belardi	Fleagle	McGill	Staback
Belfanti	Forcier	McIlhattan	Stetler
Biancucci	Gannon	McIlhinney	Stevenson, T.
Blaum	George	McNaughton	Sturla
Boyd	Gergely	Micozzie	Surra
Bunt	Good	Miller, R.	True
Caltagirone	Goodman	Mundy	Turzai
Cappelli	Grucela	Mustio	Veon
Casorio	Harhai	Nickol	Walko
Cornell	Hickernell	Oliver	Wansacz
Corrigan	Horsey	Petrarca	Waters
Coy	Hutchinson	Petri	Williams
Dally	James	Petrone	Wojnaroski
DeLuca	Killion	Pickett	Zug
Dermody	Kirkland	Preston	
DeWeese	Kotik	Rieger	Perzel,
DiGirolamo	LaGrotta	Rooney	Speaker

NAYS—109

Adolph	Fichter	Mackereth	Saylor
Allen	Flick	Maher	Scavello
Armstrong	Frankel	Major	Scrimenti
Bard	Freeman	Manderino	Semmel
Bebko-Jones	Geist	Mann	Shaner
Benninghoff	Gillespie	Marsico	Smith, B.
Birmelin	Gingrich	Melio	Solobay
Bishop	Gruitza	Metcalfe	Stairs
Browne	Habay	Miller, S.	Stern
Butkovitz	Haluska	Myers	Stevenson, R.

Buxton	Hanna	Nailor	Tangretti
Causar	Harhart	O'Brien	Taylor, E. Z.
Cawley	Harris	O'Neill	Taylor, J.
Civera	Hasay	Pallone	Thomas
Clymer	Hennessey	Payne	Tigue
Coleman	Herman	Phillips	Travaglio
Costa	Hershey	Pistella	Vance
Crahalla	Hess	Raymond	Vitali
Creighton	Josephs	Readshaw	Washington
Cruz	Keller	Reed	Watson
Curry	Kenney	Reichley	Weber
Dailey	Lederer	Roebuck	Wheatley
Daley	Leh	Rohrer	Wilt
Denlinger	Lescovitz	Ross	Wright
Diven	Levdansky	Sainato	Yewcic
Egolf	Lewis	Samuelson	Youngblood
Evans, J.	Lynch	Sather	Yudichak
Fairchild			

NOT VOTING—2

Godshall	Roberts
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EXCUSED—5

Cohen	Harper	Leach	Steil
Gabig			

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

On the question recurring,

Will the House agree to the bill on third consideration?

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—196

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

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

NAYS—0

NOT VOTING—1

Watson

EXCUSED—5

Cohen	Harper	Leach	Steil
Gabig			

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.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 85, PN 3060**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RULES COMMITTEE MEETING

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

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 85, PN 3060

By Rep. S. SMITH

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for actuarial cost method and for the class of service for bail commissioners.

RULES.

SUPPLEMENTAL CALENDAR E

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 85, PN 3060**, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for actuarial cost method and for the class of service for bail commissioners.

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

The SPEAKER. It is moved by the gentleman, Mr. O'Brien, that the House do concur in the amendments inserted by the Senate.

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

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

The following roll call was recorded:

YEAS—196

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

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

NAYS—0

NOT VOTING—1

Butkovitz

EXCUSED—5

Cohen	Harper	Leach	Steil
Gabig			

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.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 545, PN 647**, with information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

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

HB 85, PN 3060

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for actuarial cost method and for the class of service for bail commissioners.

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

SUPPLEMENTAL CALENDAR D

RESOLUTION PURSUANT TO RULE 35

Mr. PAYNE called up **HR 514, PN 3063**, entitled:

A Resolution urging the President of the United States to reinstate the steel tariffs under Section 201 of the Trade Act of 1974 for the tariffs' entire three-year duration or to provide support to the steel industry to ensure the steel industry's continued recovery.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—182

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

NAYS—14

Birmelin	Egolf	Killion	Nickol
Boyd	Evans, J.	Lewis	True
Creighton	Fleagle	Metcalfe	Vance
Denlinger	Hickernell		

NOT VOTING—1

Vitali

EXCUSED—5

Cohen
Gabig

Harper

Leach

Steil

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

BILL SIGNED BY SPEAKER

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

HB 545, PN 647

An Act amending the act of August 31, 1971 (P.L.398, No.96), known as the County Pension Law, changing vesting rights; and providing additional class options.

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

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

I rise to correct the record, please.

The SPEAKER. The gentleman is in order.

Mr. GODSHALL. On SB 850, amendment No. 4512, I was not recorded. I was in my seat and my switch failed to function. I would like to be recorded in the negative. Thank you.

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

There will be no further votes, but tomorrow is a nonvoting day.

Does the majority leader wish to make any further comments? Does the minority leader have any further comments? Mr. DeWeese does have some further comments.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The gentledady from Philadelphia, Ms. Youngblood.

Ms. YOUNGBLOOD. Mr. Speaker—

The SPEAKER. Just one second.

Please, the gentledady is entitled to be heard. Please keep the noise levels down.

The lady may proceed.

Ms. YOUNGBLOOD. Mr. Speaker, a point of personal privilege, please.

The SPEAKER. The gentledady will state her point.

Ms. YOUNGBLOOD. Mr. Speaker, it is now 527 days since the 198th Legislative District has had any staff. I am hoping that

we can put this to rest. I am hoping that we can have commitment that this subject matter that I constantly speak on can be taken care of, not in the late future but the very, very near future.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentledady.

STATEMENT BY DEMOCRATIC LEADER

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

Mr. DeWEESE. Thank you, Mr. Speaker.

Just on the budget negotiations that are ongoing.

I would like to politely encourage our brothers and sisters in the State Senate to be as active as they can be in their negotiations in the ensuing days so that when we return to Harrisburg next week, we can vote on a proposal that is at least somewhat similar to what Governor Rendell invited us to embrace in February and March. The days grow long. The budget season is attenuated all the way until December. We are the only State among 50 that does not have a budget in place.

Those of us in the House have engendered substantial cooperation and have sent a document to the Senate, and I take my moment of privilege here at the end of our debate to again politely request that our Senate Republican and Democratic brothers and sisters continue to meet during the weekend and embrace at least a substantial part of what Governor Rendell has proffered during the last many months.

Thank you very much, Mr. Speaker.

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

HB 279, PN 3065 (Amended)

By Rep. HASAY

An Act amending the act of May 21, 1992 (P.L.241, No.36), referred to as the Credit Card Information Act, enlarging the scope of the act; and further providing for requirement of information.

COMMERCE.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Causer.

Mr. CAUSER. Mr. Speaker, I move that this House do now adjourn until Wednesday, December 10, 2003, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 7:10 p.m., e.s.t., the House adjourned.