

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, JANUARY 27, 2004

SESSION OF 2004

188TH OF THE GENERAL ASSEMBLY

No. 3

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

REV. DR. WILLIAM STICKLEY, Chaplain of the House of Representatives, offered the following prayer:

Once again I bring you greetings from the people of God at Christ Lutheran Church in Linglestown. Please know that as our elected Representatives, you are remembered in our prayers whenever we gather for worship.

Will you join with me now in prayer:

Gracious Lord, in this season of storm and bitter cold, we lift up before You and call to our own minds all those of this Commonwealth who are homeless, all those without adequate shelter, all those who are impoverished, all those who face far more than mere inconvenience and discomfort in these days but who on a daily basis face conditions which threaten not only their health but their lives and the lives of those they love.

Make bold the members of this legislative body. Open their eyes and search their hearts. In Your wisdom and by Your power, replace in them any indifference You may find with a true and caring sympathy. Replace any lack of resolve with Your own passion and courage. Replace any doubt with certainty and compassion. And provide for them all Your own guidance and strength that each man, each woman here may find it within themselves to work tirelessly on behalf of those who have no strength of their own, to always remember the little ones, those who are disenfranchised and marginalized, and to listen with new ears and with a caring heart to those who cry out not for special privileges but who want for themselves only what is right and what is just.

All these things we ask in Your most holy name. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Monday, January 26, 2004, will be postponed until printed.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2302** By Representative GERGELY

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for uniformity of taxation.

Referred to Committee on FINANCE, January 27, 2004.

**No. 2303** By Representatives WANSACZ, ARMSTRONG, BEBKO-JONES, BELARDI, BELFANTI, BIANCUCCI, COHEN, CORRIGAN, CRUZ, DeWEESE, FABRIZIO, GERGELY, GRUCELA, HORSEY, HUTCHINSON, JAMES, JOSEPHS, LAUGHLIN, LEACH, LEDERER, LEH, MARSICO, NAILOR, PALLONE, PISTELLA, SCAVELLO, SHANER, SOLOBAY, THOMAS, TRAVAGLIO, WASHINGTON, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for credited school service and for the definition of State service.

Referred to Committee on FINANCE, January 27, 2004.

**No. 2304** By Representatives GINGRICH, CRAHALLA, PETRONE, HERSHEY, BALDWIN, VANCE, DENLINGER, SCAVELLO, R. MILLER, GEIST, BARD, ARGALL, WILT, BROWNE, LEVDANSKY, STEIL and HARPER

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, further providing for property subject to or exempt from claim and for content of claims entered; and providing for public record lists.

Referred to Committee on LOCAL GOVERNMENT, January 27, 2004.

**No. 2305** By Representatives HERMAN, GINGRICH, HENNESSEY, HARPER, McNAUGHTON, DENLINGER, GEORGE, GRUCELA, HARRIS, METCALFE, R. MILLER, NAILOR, SAYLOR, SCAVELLO, STERN, E. Z. TAYLOR and YOUNGBLOOD

An Act amending the act of June 22, 2001 (P.L.374, No.24), known as the Optional Occupation Tax Elimination Act, further prohibiting occupation tax.

Referred to Committee on FINANCE, January 27, 2004.

**No. 2306** By Representatives MAJOR, BALDWIN, BARRAR, BEBKO-JONES, BENNINGHOFF, BOYD, BUNT, CAPPELLI, CAUSER, CLYMER, COLEMAN, CORRIGAN, CREIGHTON, CRUZ, DENLINGER, DiGIROLAMO, EGOLF, FABRIZIO, FAIRCHILD, FICHTER, FLEAGLE, FORCIER, GEIST, GINGRICH, GOOD, GOODMAN, GRUCELA, HARHAI, HARHART, HENNESSEY, HERMAN, HERSHEY, HESS, KOTIK, LAUGHLIN, LEDERER, LESCOVITZ, LEWIS, MARKOSEK, McILHATTAN, MUSTIO, PALLONE, PICKETT, PISTELLA, READSHAW, ROBERTS, ROHRER, ROSS, RUBLEY, SAINATO, SATHER, SAYLOR, SCAVELLO, SHANER, B. SMITH, STERN, E. Z. TAYLOR, THOMAS, TIGUE, TRUE, WALKO, WANSACZ, WOJNAROSKI, YOUNGBLOOD and ZUG

An Act designating a bridge on State Route 11 crossing the Susquehanna River between Great Bend Township and Hallstead Borough, Susquehanna County, Pennsylvania, as the Community Memorial Bridge.

Referred to Committee on TRANSPORTATION, January 27, 2004.

### SENATE BILL FOR CONCURRENCE

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

#### **SB 954, PN 1260**

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, January 27, 2004.

### BILL REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that the following bill be taken off the table: HB 166.

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

### BILL TABLED

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

Mr. S. SMITH. Mr. Speaker, I move that the following bill be placed on the table: HB 166.

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

## CALENDAR

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2128, PN 3025**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing the Emergency Basic Education Subsidy Fund; and providing for basic education subsidy continuation funding.

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

### BILL TABLED

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

Mr. S. SMITH. Mr. Speaker, I move that the following bill be placed on the table: HB 2128.

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

### BILL REMOVED FROM TABLE

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

Mr. S. SMITH. Mr. Speaker, I move that the following bill be taken off the table: HB 2128.

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

\* \* \*

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

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

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

### BILL RECOMMENDED

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

Mr. S. SMITH. Mr. Speaker, I move that SB 748 be recommitted to the Appropriations Committee.

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

**SENATE MESSAGE**

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

The clerk of the Senate, being introduced, returned **HB 900, PN 3186**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**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  
January 26, 2004

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, February 2, 2004, 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, February 2, 2004, 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.

**GUESTS INTRODUCED**

The SPEAKER pro tempore. The Chair welcomes the gentleman, Joe Capozzolo, mayor of Bangor, who is the guest of Representative Rich Grucela, located to the left of the Speaker. Welcome.

The Chair welcomes Kerry Wallin, guest page and guest of Representative David Steil and Representative Scott Petri. Also his mother, Sheila. She is sitting to the left of the Speaker.

**PROFESSIONAL LICENSURE  
COMMITTEE MEETING**

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

Mr. GANNON. Thank you, Mr. Speaker.

I would like to announce a meeting of the House Professional Licensure Committee immediately upon the declaration of the recess in the rear of the hall of the House.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Professional Licensure Committee will meet immediately upon the declaration of the recess in the rear of the House.

**EDUCATION COMMITTEE MEETING**

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

Mr. STAIRS. To announce a meeting change.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. STAIRS. To inform the Education Committee members that we are canceling our meeting for tomorrow and having it as we adjourn at the end of the day or the end of the afternoon, whichever the case may be, in the back of the hall.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Education Committee will meet in the back of the hall at the adjournment.

**COMMITTEE MEETING CANCELED**

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

Mr. ADOLPH. Committee meeting information.

Thank you, Mr. Speaker.

I would like to inform the members of the Environmental Resources and Energy Committee that tomorrow's informational meeting is now canceled as a result of the weather.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

**LEAVES OF ABSENCE**

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

The Chair recognizes the majority whip, who moves that the gentleman, Mr. NICKOL, be placed on leave. Without objection, leave of absence is granted.

The Chair recognizes the minority whip, who moves that the following individuals be placed on leave: Representative JOSEPHS, Representative TANGRETTI, Representative RUFFING, Representative BISHOP, and Representative THOMAS. Without objection, leaves of absence are granted.

**JUDICIARY COMMITTEE MEETING**

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. O'Brien, rise?

Mr. O'BRIEN. For the purpose of announcing a committee meeting.

There will be a meeting of the Judiciary Committee at the call of the recess in room 39, East Wing.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Judiciary will meet at the call of recess in room 39, East Wing.

### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—194

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

#### ADDITIONS—0

#### NOT VOTING—0

#### EXCUSED—7

Bishop	Josephs	Ruffing	Thomas
Corrigan	Nickol	Tangretti	

#### LEAVES ADDED—1

Good

### RULES COMMITTEE MEETING

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

### BILL ON CONCURRENCE REPORTED FROM COMMITTEE

**HB 900, PN 3186**

By Rep. S. SMITH

An Act amending the act of July 15, 1976 (P.L.1036, No.208), known as the Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act, authorizing the incurrence of additional debt for loans for assistance to volunteer fire companies, ambulance services and rescue squads; making a repeal; and making editorial changes.

#### RULES.

### RESOLUTION PURSUANT TO RULE 35

Mr. McCALL called up **HR 531, PN 3189**, entitled:

A Resolution honoring volunteer forest firefighters by setting aside March 20, 2004, as "Volunteer Forest Firefighter Day" in this Commonwealth.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

#### YEAS—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	Josephs	Ruffing	Thomas
Corrigan	Nickol	Tangretti	

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

### SUPPLEMENTAL CALENDAR A

#### RESOLUTIONS PURSUANT TO RULE 35

Mr. ROEBUCK called up **HR 534, PN 3202**, entitled:

A Resolution designating the month of January 2004 as “Financial Aid Awareness Month” and commending the work of the Pennsylvania Higher Education Assistance Agency and the Pennsylvania Association of Student Financial Aid Administrators.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	Josephs	Ruffing	Thomas
Corrigan	Nickol	Tangretti	

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

\* \* \*

Mrs. VANCE called up **HR 535, PN 3203**, entitled:

A Resolution recognizing the week of January 25 through 31, 2004, as “National Nurse Anesthetists Week” in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bishop	Josephs	Ruffing	Thomas
Corrigan	Nickol	Tangretti	

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

\* \* \*

The SPEAKER pro tempore. Will members please take their seats. The next resolution is for an individual who is deceased and who died in Iraq. Members, please take your seats. Will the Sergeants at Arms please clear the side aisles.

Mr. SCRIMENTI called up **HR 536, PN 3204**, entitled:

A Resolution honoring Army Specialist Donald Samuel Oaks, Jr., who was the first resident of this Commonwealth to have been killed while serving in Operation Iraqi Freedom.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

Adolph	Evans, J.	Levdansky	Sainato
Allen	Fabrizio	Lewis	Samuelson
Argall	Fairchild	Lynch	Santoni

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bishop	Josephs	Ruffing	Thomas
Corrigan	Nickol	Tangretti	

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

\* \* \*

Mr. FRANKEL called up **HR 537, PN 3205**, entitled:

A Resolution observing the month of February 2004 as "Women's Heart Month" and observing February 20, 2004, as "Women's Heart Day."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bishop	Josephs	Ruffing	Thomas
Corrigan	Nickol	Tangretti	

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

\* \* \*

Mr. SCRIMENTI called up **HR 539, PN 3207**, entitled:

A Resolution proclaiming the week of January 18 through 23, 2004, as "Recreation Professionals Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bishop	Josephs	Ruffing	Thomas
Corrigan	Nickol	Tangretti	

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

\* \* \*

Mr. STERN called up **HR 543, PN 3210**, entitled:

A Resolution designating January 2004 as "School Director Recognition Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-0

EXCUSED-7

- |          |         |           |        |
|----------|---------|-----------|--------|
| Bishop   | Josephs | Ruffing   | Thomas |
| Corrigan | Nickol  | Tangretti |        |

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1472, PN 3006**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, adding definitions; and further providing for the capital stock franchise tax.

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

BILL RECOMMITTED

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

Mr. S. SMITH. Mr. Speaker, I move that HB 1472 be recommitted to the Rules Committee.

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

THE SPEAKER (JOHN M. PERZEL)  
PRESIDING

BILL ON CONCURRENCE  
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 696, PN 3141**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Regional Port Authority certain lands situate in the 39th Ward of the City of Philadelphia; and authorizing the Department of General Services, with concurrence of the Department of Environmental Protection, to lease to Isle of Capri Associates land within the bed of the Delaware River in the City of Philadelphia.

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

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

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

Mr. VITALI. Thank you, Mr. Speaker.

I wonder if we could pass over this temporarily. I am engaged in discussions with the chairman of the

State Government Committee, and there is a dispute, or rather not a dispute, but there is a question as to the Department of General Services' opinion on this, and I know as we speak they are contacting Chris McNamara at the Department of General Services to clarify that.

**BILL PASSED OVER TEMPORARILY**

The SPEAKER. The Chair will go over the bill temporarily.

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2046, PN 2696**, entitled:

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

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

The SPEAKER. The gentleman, Mr. Maitland, moves—  
The Chair recognizes the gentleman, Mr. Maitland.

Mr. MAITLAND. Thank you, Mr. Speaker.  
I would ask for consideration of amendment 4579, please.  
The SPEAKER. The clerk will read the amendment.

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

Mr. MAITLAND offered the following amendment No. **A4579**:

Amend Title, page 1, line 2, by striking out "license" and inserting

issuance of licenses

Amend Sec. 1, page 1, line 6, by striking out "6109(e)(3)" and inserting

6109(e)(1) and (3)

Amend Sec. 1, page 1, line 7, by striking out "is" and inserting  
are

Amend Sec. 1 (Sec. 6109), page 1, by inserting between lines 10 and 11

(1) A license to carry a firearm shall be for the purpose of carrying a firearm concealed on or about one's person or in a vehicle and shall be issued if, after an investigation not to exceed 45 days, it appears that the applicant is an individual concerning whom no good cause exists to deny the license. A license shall not be issued to any of the following:

(i) An individual whose character and reputation is such that the individual would be likely to act in a manner dangerous to public safety.

(ii) An individual who has been convicted of an offense under the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act.

(iii) An individual convicted of a crime enumerated in section 6105.

(iv) An individual who, within the past ten years, has been adjudicated delinquent for a crime enumerated in section 6105 or for an offense under The Controlled Substance, Drug, Device and Cosmetic Act.

(v) An individual who is not of sound mind or who has ever been committed to a mental institution.

(vi) An individual who is addicted to or is an unlawful user of marijuana or a stimulant, depressant or narcotic drug.

(vii) An individual who is a habitual drunkard.

(viii) An individual who is charged with or has been convicted of a crime punishable by imprisonment for a term exceeding one year except as provided for in section 6123 (relating to waiver of disability or pardons).

(ix) A resident of another state who does not possess a current license or permit or similar document to carry a firearm issued by that state if a license is provided for by the laws of that state, as published annually in the Federal Register by the Bureau of Alcohol, Tobacco and Firearms of the Department of the Treasury under 18 U.S.C. § 921(a)(19) (relating to definitions). This subparagraph shall not be applicable to any individual who is either a law enforcement officer to the United States, any other state or the District of Columbia, or licensed as a manufacturer, importer or dealer of firearms pursuant to 18 U.S.C. § 923 (relating to licensing).

(x) An alien who is illegally in the United States.

(xi) An individual who has been discharged from the armed forces of the United States under dishonorable conditions.

(xii) An individual who is a fugitive from justice. This subparagraph does not apply to an individual whose fugitive status is based upon nonmoving or moving summary offense under Title 75 (relating to vehicles).

(xiii) An individual who is otherwise prohibited from possessing, using, manufacturing, controlling, purchasing, selling or transferring a firearm as provided by section 6105.

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Maitland, for a brief explanation of the amendment.

Mr. MAITLAND. Thank you, Mr. Speaker.

This amendment would address a problem raised by the Adams County sheriff in that he is not allowed to issue permits to carry to out-of-State police officers or licensed Federal firearms dealers.

A particular problem is Maryland, which will not issue a permit to carry to anybody. And in Maryland a police officer's badge is his license to carry, but when a police officer from Maryland then comes to Pennsylvania and requests a permit, they do not have a permit from their State, so the sheriff is not permitted to issue them a permit, and this similar problem exists for licensed Federal firearms dealers. This amendment would correct that problem, Mr. Speaker, and I ask for the members' support.

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-194

Adolph	Evans, J.	Levdansky	Sainato
Allen	Fabrizio	Lewis	Samuelson
Argall	Fairchild	Lynch	Santoni

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bishop	Josephs	Ruffing	Thomas
Corrigan	Nickol	Tangretti	

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 gentleman from Adams, Mr. Maitland.

Mr. MAITLAND. Thank you, Mr. Speaker.  
I rise to ask for a suspension of the rules for the consideration of amendment A0089, which I believe is an agreed-to amendment.

The SPEAKER. The Chair thanks the gentleman.  
The gentleman moves that the rules of the House be suspended. Those in favor of suspending the rules for amendment A0089 will vote "aye"; those opposed will vote "no."

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

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-0

## EXCUSED—7

Bishop Josephs Ruffing Thomas  
Corrigan Nickol Tangretti

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?

Mr. **MAITLAND** offered the following amendment No. **A0089**:

Amend Sec. 1, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 6109(e)(3) and (k) of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:

Amend Sec. 1 (Sec. 6109), page 2, by inserting between lines 8 and 9

(k) Reciprocity.—The Attorney General may enter into reciprocity agreements with other states providing for the mutual recognition of each state's license to carry a firearm. Reciprocity agreements shall not provide for recognition of another state's license to carry a firearm which has been issued to a Pennsylvania resident who does not possess a valid license to carry a firearm issued under this section.

On the question,

Will the House agree to the amendment?

The **SPEAKER**. The House has immediately before it amendment A0089. On that purpose, the Chair recognizes the gentleman, Mr. Maitland, for an explanation.

Mr. **MAITLAND**. Thank you, Mr. Speaker.

The purpose of this amendment is to prevent someone who is denied a permit to carry a firearm in Pennsylvania or otherwise is ineligible or had their permit revoked to go to another State and get a permit in that other State and then come to Pennsylvania and use that out-of-State permit to force Pennsylvania to issue a permit.

For example, Florida does not have access to any of Pennsylvania's mental health records, so if someone is denied or ineligible for a permit under sections 302, 303, or 304 of the Mental Health Procedures Act, Florida would not know that. Florida may issue that person a permit, and then that ineligible person could come to Pennsylvania and try to get a permit on the basis of the Florida permit. This language would prevent that situation from occurring, and I ask for the members' support.

Thank you, Mr. Speaker.

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

## LEAVE OF ABSENCE

The **SPEAKER**. The Chair returns to leaves of absence.

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

## CONSIDERATION OF HB 2046 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

## YEAS—193

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

## NAYS—0

## NOT VOTING—0

## EXCUSED—8

Bishop Good Nickol Tangretti  
Corrigan Josephs Ruffing Thomas

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

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

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

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, will the gentleman, Mr. Maitland, consent to interrogation?

The SPEAKER. The gentleman is rising. It is obvious he agrees to interrogation. The gentleman is in order and may proceed.

Mr. COHEN. Thank you.

Mr. Speaker, in the first amendment that you passed, which is now in the bill, section (1)(ix) deals with out-of-State manufacturers, dealers, of guns. Could you explain what the purpose of that exemption is?

Mr. MAITLAND. Yes. There is a licensed Federal firearms dealer from Maryland who has his place of business in Pennsylvania. Maryland will not issue a license to carry to that individual, so therefore, he cannot get one in Pennsylvania. But licensed Federal firearms dealers are very thoroughly vetted before they are ever given their Federal firearms license, so therefore, this exception would allow an individual in that situation to be granted a license to carry in Pennsylvania – a very narrow circumstance.

Mr. COHEN. Do you have any idea how many such people there are in Pennsylvania?

Mr. MAITLAND. One in Adams County is all I can say.

Mr. COHEN. Okay. Mr. Speaker, some time ago – I do not have it – the Philadelphia Daily News ran an expose about large numbers of people who are gun dealers who, in the opinion of the Daily News at least, should not have been gun dealers, so I was conscious of that. I will try to do some research on that and share it with the gentleman if it turns out to be any kind of problem.

Mr. MAITLAND. Thank you, Mr. Speaker.

Mr. COHEN. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
 Shall the bill pass finally?

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

The following roll call was recorded:

YEAS-193

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

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Bishop	Good	Nickol	Tangretti
Corrigan	Josephs	Ruffing	Thomas

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.

**SUPPLEMENTAL CALENDAR B**

**BILL ON CONCURRENCE  
 IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 900, PN 3186**, entitled:

An Act amending the act of July 15, 1976 (P.L.1036, No.208), known as the Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act, authorizing the incurrence of additional debt for loans for assistance to volunteer fire companies, ambulance services and rescue squads; making a repeal; and making editorial changes.

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

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

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

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

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Bishop	Good	Nickol	Tangretti
Corrigan	Josephs	Ruffing	Thomas

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

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

CALENDAR CONTINUED

CONSIDERATION OF HB 696 CONTINUED

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

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

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

Mr. VITALI. Thank you, Mr. Speaker.

Mr. Speaker, this transfer involves two separate parcels, a 47-acre parcel in the 39th ward of the city and another parcel in the 5th ward of the city of Philadelphia, and it very well may be that these are wonderful transfers that will do great things for the economic development of the city, but I think I have some very serious questions about these transfers that I would like to discuss.

With regard to the original parcel of property that was in the Keller bill, HB 696, I think it is important for members to know that the Department of General Services, who owns this property, opposes the bill. Let me just repeat that: The Department of General Services opposes this bill, and their stated reason is that the title is clouded, and until that title's cloud is lifted, they do not think it would be appropriate to transfer that property.

With regard to the second part of this, and the second part of this parcel involves some riparian rights in the fifth ward of Philadelphia, I think some serious questions are raised, because this has not gone through the normal committee process and has not been subject to scrutiny by the legislature. This was introduced, rather than going as a bill on its own as it typically proceeds, this was done as an amendment by Senator Fumo on the Senate floor to the Keller bill. The Department of General Services has not had the opportunity to scrutinize this transfer. The property involves the authorization for a 99-year lease with the option for another 99-year lease, which is, in effect, a transfer of the property, but because it is going through the lease posture as opposed to the transfer, outright sale, it circumvents a lot of legalities. I do not know why it is being done in the context of a lease as opposed to an outright transfer, and I think that raises some questions.

I know that with regard to this second property, it is being transferred to an entity known as, I believe, Isle of Capri Associates among others, and I believe that about 780 condominiums are planned. So an enormous amount of money potentially is involved. What we do not know is whether

the Commonwealth is or will be getting fair value, whether the taxpayers will be getting fair value.

I think again, I know, that the sponsors of the bill on the House side from Philadelphia I know have the best interests of their district at heart and I know they are doing what they believe are the right things, but I just have concerns that because of this not going through the proper channels and because the State Government Committee and the Department of General Services really have not had a chance to scrutinize it, there is a risk that I do not think we should be willing to take, that the taxpayers are not getting fair value for this.

### MOTION TO RECOMMIT

Mr. VITALI. Again, the Department of General Services opposes it, and I am not going to ask for a “no” vote on this. I am simply going to be asking and making a motion more to the point that we recommit this bill to the House State Government Committee so that we can take a closer look at it. We can have the Department of General Services take a closer look at it, and we can just make sure, just be doubly sure, that the right things are happening here.

So I would so move that HB 696 be rereferred to the House State Government Committee.

The SPEAKER. The Chair thanks the gentleman.

The gentleman moves that HB 696, PN 3141, be recommitted to the State Government Committee.

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, the Chair recognizes the chairman of the State Government Committee, the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, let me just share some insights to the members here in the House regarding that HB 696, which is the first component of the bill, Representative Keller’s bill. We did exhaustive hearings on his legislation, and yes, it is on record that General Services did oppose that legislation, but it passed the House by a very unanimous vote some months ago. The bill went over to the Senate and at that time there was an amendment put in, and that is the object of discussion by the Representative from Delaware County.

If we do not, if the House does not move to report the bill back to the State Government Committee, I will have more details and a further explanation as to why I feel and others feel that this bill can move forward today here in the House, and therefore, I would urge that we do not recommit the bill to the State Government Committee.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. KELLER. Thank you, Mr. Speaker.

This bill has been, if you could just punch up on the computer and do a history of the bill, I think this is what we should teach the kids, how a bill becomes law. This bill has been scrutinized, been in and out of committees, been recommitted. This bill has had more airing than any bill, I think, this session.

The first part of this bill, the 47 acres, is a riparian problem, and the bill transfers this land, the 47 acres, to the Philadelphia Regional Port Authority, which is a State agency. So we are taking 47 acres of land that is riparian land and removing the cloud on the deed, and we are giving it to a State agency, the Philadelphia Regional Port Authority, so it belongs to the people of the Commonwealth.

The second part is an amendment that was put in in the Senate. The question is about the lease instead of the transfer. We just had a discussion, as the gentleman from Delaware knows, with DGS (Department of General Services), and they said that even though it is a lease, DGS still has the ability to get the fair market value for the Commonwealth in the lease, and that is their intention.

So I do not see any reason to commit this bill. Check the history of the bill; you will see that this bill has been everywhere. And this is a bill that should be voted today; we want to get it out of here. Please vote “no” to recommitment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SAMUELSON. Thank you, Mr. Speaker.

I appreciate the gentleman’s comments about how a bill becomes a law, and I did check the history, and what he said may be very true for the first 9 months of this bill’s history. It was introduced in March, and it went to the State Government Committee. It was voted out of the State Government Committee in the House, passed the House. It went to the Senate State Government Committee, was voted out of the State Government Committee in the Senate, and went to the Senate.

On the night of December 19 an amendment was added in the Senate, and that has not received review by the State Government Committee. The amendment that was added in the Senate takes up most of page 5, all of page 6, and all of page 7.

Now, I understand that Senator Fumo introduced that on the night of December 19, but I would appreciate the State Government Committee having a chance to review that language. The State Government Committee did review the initial language of Representative Keller’s very fine bill, but I do not believe the State Government Committee has had a chance to review the Senate amendment, and so I would argue in favor of Representative Vitali’s motion to recommit this to the State Government Committee.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Delaware, Mr. Vitali, for the second time.

Mr. VITALI. To be clear, this is on the motion to—  
The motion, it is my first time at the mike.

The SPEAKER. The gentleman is correct.

Mr. VITALI. Just a few quick points. I do not want to be repetitive.

The extensive hearings were only on the 39th ward property, and despite those extensive hearings, the Department of General Services still opposes, because there is an outstanding issue with regard to the first part of the bill, and that is the clouded title. It is DGS’s position that we should not be transferring property with a clouded title, so that is one good reason to move this to State Government Committee and perhaps keep it there until the title issue can be resolved.

The second point with regard to the fifth ward of Philadelphia property, the Senator Fumo transfer, again, this has had no hearings at all, has had no committee consideration at all. We do not know, we do not know really what is happening here but have reason to ask questions. Even though it just authorizes DGS to enter into a lease, it really sort of does not explain why we are leasing as opposed to selling, as we conventionally do, and that raises some questions in my mind.

I am not a real estate expert, but I think there is ample reason here just to slow this process down. If this second transfer, if this fifth ward transfer, was going the way it should, it should have been a bill in its own right, it should have moved through the committee system, it should have been considered by both chambers, and it has not. It sort of, at the last second, got tacked on as an amendment, and that deserves just a little bit of scrutiny.

I do not think we prejudice ourselves by having the State Government Committee take a closer look at this. What I do not want to be is the subject of an embarrassing newspaper article, you know, next year, saying this is just another land grab and it resulted in moneys being transferred by some private entity into someone else's—

The SPEAKER. Mr. Vitali. Mr. Vitali, please stay to the bill that is at hand.

Mr. VITALI. Thank you, Mr. Speaker.

I will summarize.

I think it is just prudence in protecting the taxpayers' interest that we just take the scrutiny of this bill that our responsibility requires to take, take a closer look, and so I would ask that this be recommitted to State Government. Thank you.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—25

Armstrong	Freeman	Lynch	Rubley
Bard	Gabig	McNaughton	Samuelson
Bebko-Jones	Harper	Mundy	Schroder
Coleman	Hennessey	Nailor	Sturla
Crahalla	LaGrotta	Reichley	Vitali
Curry	Leach	Rooney	Weber
Egolf			

NAYS—168

Adolph	Fabrizio	Mackereth	Sather
Allen	Fairchild	Maher	Saylor
Argall	Feese	Maitland	Scavello
Baker	Fichter	Major	Scrimenti
Baldwin	Fleagle	Manderino	Semmel
Barrar	Flick	Mann	Shaner
Bastian	Forcier	Markosek	Smith, B.
Belardi	Frankel	Marsico	Smith, S. H.
Belfanti	Gannon	McCall	Solobay
Benninghoff	Geist	McGeehan	Staback
Bianucci	George	McGill	Stairs
Birmelin	Gergely	McIlhattan	Steil
Blaum	Gillespie	McIlhinney	Stern
Boyd	Gingrich	Melio	Stetler
Browne	Godshall	Metcalfe	Stevenson, R.
Bunt	Goodman	Micozzie	Stevenson, T.
Butkovitz	Grucela	Miller, R.	Surra
Buxton	Gruitza	Miller, S.	Taylor, E. Z.
Caltagirone	Habay	Mustio	Taylor, J.

Cappelli	Haluska	Myers	Tigue
Casorio	Hanna	O'Brien	Travaglio
Causar	Harhai	Oliver	True
Cawley	Harhart	O'Neill	Turzai
Civera	Harris	Pallone	Vance
Clymer	Hasay	Payne	Veon
Cohen	Herman	Petrarca	Walko
Costa	Hershey	Petri	Wansacz
Coy	Hess	Petrone	Washington
Creighton	Hickernell	Phillips	Waters
Cruz	Horsey	Pickett	Watson
Dailey	Hutchinson	Pistella	Wheatley
Daley	James	Preston	Williams
Dally	Keller	Raymond	Wilt
DeLuca	Kenney	Readshaw	Wojnaroski
Denlinger	Killion	Reed	Wright
Demody	Kirkland	Rieger	Yewcic
DeWeese	Kotik	Roberts	Youngblood
DiGirolamo	Laughlin	Roebuck	Yudichak
Diven	Lederer	Rohrer	Zug
Donatucci	Leh	Ross	
Eachus	Lescovitz	Sainato	
Evans, D.	Levdansky	Santoni	Perzel,
Evans, J.	Lewis		Speaker

NOT VOTING—0

EXCUSED—8

Bishop	Good	Nickol	Tangretti
Corrigan	Josephs	Ruffing	Thomas

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 concur in Senate amendments?

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I certainly share the concerns of the two members who had expressed anxiety and concern about the amendment that was put in over in the Senate, and I have available for any members the Philadelphia Business Journal, and they have written about that very issue in their publication, and for the record, for the record, I want to read what this amendment will do, because, again, I share the concerns of all the members, but in particular, those two members who had spoken.

“A major \$280 million gated condominium community has been planned for Piers 36-39 along the Delaware River in Philadelphia. The project, Waterfront Square Condominiums and Spa, will be on the northern edge of Penn's Landing and will consist of five buildings ranging from 22 stories to 35 stories with a total of 780 condominiums. In all, 1.3 million square feet will be constructed. The buildings will surround a three-acre park and face the Benjamin Franklin Bridge, abutting Festival Pier.

“The land in which the project will sit totals 10 acres. The developers bought the property from the Tabas family, known for its local real estate and banking operations.

“The overall project will include a 12,000-square-foot fitness facility that will house a spa and year-round swimming pool.

“The developers plan to break ground on the first phase – a \$50 million, 24-story tower of 129 condos – in January.”

Mr. Speaker, that is in essence what will take place. I will be glad to give this literature out to any member who so requests it.

Again I would ask that the members support HB 696 as amended. We have done our very best in talking to various and sundry persons about, is this indeed what will happen. We trust their word.

I have read the report across the floor of the House so that we are on record as to what this amendment surely is planned to do for the piers there in the city of Philadelphia.

I would ask for a concurrence vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS-163

Adolph	Evans, D.	Lederer	Sainato
Allen	Evans, J.	Leh	Samuelson
Argall	Fabrizio	Lescovitz	Santoni
Baldwin	Fairchild	Levdansky	Sather
Barrar	Feese	Lewis	Scavello
Bastian	Fichter	Lynch	Scrimenti
Bebko-Jones	Flick	Maitland	Semmel
Belardi	Forcier	Manderino	Shaner
Belfanti	Frankel	Mann	Smith, S. H.
Benninghoff	Freeman	Markosek	Solobay
Bianucci	Gannon	Marsico	Staback
Birmelin	Geist	McCall	Stairs
Blaum	George	McGeehan	Stern
Boyd	Gergely	McGill	Stetler
Browne	Gillespie	McIlhattan	Stevenson, R.
Bunt	Gingrich	McIlhinney	Stevenson, T.
Butkovitz	Godshall	McNaughton	Sturla
Buxton	Goodman	Melio	Surra
Caltagirone	Grucela	Metcalfe	Taylor, E. Z.
Cappelli	Gruitza	Micozzie	Taylor, J.
Casorio	Haluska	Mundy	Tigue
Causer	Hanna	Mustio	Travaglio
Cawley	Harhai	Myers	True
Civera	Harhart	O'Brien	Turzai
Clymer	Harris	Oliver	Veon
Cohen	Hasay	Pallone	Walko
Coleman	Herman	Payne	Wansacz
Costa	Hershey	Petrarca	Washington
Coy	Hess	Petri	Waters
Creighton	Hickernell	Petrone	Watson
Cruz	Horse	Phillips	Wheatley
Dailey	Hutchinson	Pistella	Williams
Daley	James	Preston	Wilt
Dally	Keller	Raymond	Wojnaroski
DeLuca	Kenney	Readshaw	Wright
Denlinger	Killion	Reed	Yewcic
Dermody	Kirkland	Rieger	Youngblood
DeWeese	Kotik	Roberts	Yudichak
DiGirolando	LaGrotta	Roebuck	
Diven	Laughlin	Rohrer	Perzel,
Donatucci	Leach	Rooney	Speaker
Eachus			

NAYS-30

Armstrong	Habay	Nailor	Schroder
Baker	Harper	O'Neill	Smith, B.

Bard	Hennessey	Pickett	Steil
Crahalla	Mackereth	Reichley	Vance
Curry	Maher	Ross	Vitali
Egolf	Major	Rubley	Weber
Fleagle	Miller, R.	Saylor	Zug
Gabig	Miller, S.		

NOT VOTING-0

EXCUSED-8

Bishop	Good	Nickol	Tangretti
Corrigan	Josephs	Ruffing	Thomas

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR C

RESOLUTION PURSUANT TO RULE 35

Mr. KENNEY called up HR 542, PN 3216, entitled:

A Resolution recognizing 50 years of outstanding achievements and contributions of the International Visitors Council of Philadelphia.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS-193

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Bishop	Good	Nickol	Tangretti
Corrigan	Josephs	Ruffing	Thomas

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 696, PN 3141

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Regional Port Authority certain lands situate in the 39th Ward of the City of Philadelphia; and authorizing the Department of General Services, with concurrence of the Department of Environmental Protection, to lease to Isle of Capri Associates land within the bed of the Delaware River in the City of Philadelphia.

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

The SPEAKER. There will be no further votes today. Tomorrow will be a token session. On Monday there will be a voting session.

### APPROPRIATIONS COMMITTEE MEETING

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

Mr. ARGALL. Thank you, Mr. Speaker.

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

The SPEAKER. The Chair thanks the gentleman.

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

### ANNOUNCEMENT BY MR. COHEN

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be informal discussions in the Democratic caucus room at the declaration of the recess.

### JUDICIARY COMMITTEE MEETING

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

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

I would like to change the location for the Judiciary meeting to the back of the House, and it will meet immediately. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Judiciary Committee will meet immediately in the back of the House.

### 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 345 and SB 778.

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 345, PN 391; and SB 778, PN 937.**

### 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 345 and SB 778.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### INTERROGATION

The SPEAKER. Does the majority leader have any further business?

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

Mr. DeWEESE. Thank you, Mr. Speaker.

I would like to ask the majority leader, the gentleman from Jefferson County, Mr. Smith, a couple of questions, please.

The SPEAKER. The gentleman, Mr. Smith, is at the microphone. The gentleman is in order and may proceed.

Mr. DeWEESE. Just asking for scheduling and strategic purposes, does the gentleman have a rough draft? I have seen comments from your spokespersons in the media, but with the Governor's press conference this morning being very timely, many of the folks in our caucus would like to know the rough-draft plans – obviously, nothing specific – but rough-draft plans that the majority party has relative to property tax reduction and gaming, and do we have to wait until May or June, as has been reported on National Public Radio and in some press reports, or are we going to roll up our sleeves and attack these efforts in February and March?

And again, this is not an admonition; it is a request for information, in an admonitory tone, of course.

Mr. S. SMITH. Well, of course, Mr. Speaker.

Mr. Speaker, obviously, this House, under a lot of debate and discussion, passed a property tax proposal along with the gaming proposal back in July. There obviously has been a lot of discussion in the Senate. I hear a lot of the overflow of their discussions. They brought that nearly to a head in December. At this point, quite frankly, given the announcements and pronouncements of the Governor and the level of debate in the Senate, it would be my intention to see what comes out of the Senate, given the two bills that we sent over there, to give them a little bit more time to send us a responsive piece of legislation to what we sent them back in July.

An absolute timeframe, I am not really willing to commit to, but I would say I am more than willing, over the next 2 or 3 weeks of session time, to allow the Senate to respond. At some point, obviously, if it becomes clear that they are unwilling or incapable of coming to a resolution between the various competing interests in the Senate and the administration's office, then we will look at bringing other options to the table.

Mr. DeWEESE. Thank you very much, Mr. Majority Leader. That concludes my interrogation.

Just one final comment, if I may, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. DeWEESE. The Governor did have a press conference this morning, and we are poised to work with the administration and with our Republican colleagues in trying to generate additional revenue for the State of Pennsylvania.

In the ensuing weeks I hope we can put our shoulders to the wheel. We had an amendment today from Mr. Pallone of the Alle-Kiski area on video gaming, and due to some technical reasons and some tactical reasons, we pulled that amendment, but we are as a Democratic Caucus poised, anxious, and focused to move forward to generate additional revenue for Pennsylvania in the ensuing months, and we ask that this forum allow us to show our enthusiasm to Mr. Smith and his troops, and hopefully in the next several weeks we will get down to business.

I do understand the tactics, and I do understand his hesitation. It is not inappropriate that we see what is coming out of the State Senate, but again, I wanted to get this on the record, and we are anxious for our Senate colleagues to react with us as a chamber.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

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

If I might just respond to one element of the most recent comments, the implication being that the House has not and that the Republican leadership, the Republican Caucus, has not been moving forward or willing to pursue some form of tax reform initiative.

I think we have been every bit on the forefront. We have come up with different ideas that we are in fact evaluating and considering as alternatives, in case the current 5-for-1 gambling/property tax proposal does not sustain the necessary support in the Senate and subsequently in the House and the administration. We are looking at alternatives, and we are equally committed to trying to resolve this issue for the people of Pennsylvania.

So I just want that to be reflected in a fair and accurate manner, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

### **THE SPEAKER PRO TEMPORE (ROBERT J. FLICK) PRESIDING**

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

### **BILL REREPORTED FROM COMMITTEE**

**SB 748, PN 1371** (Amended)

By Rep. ARGALL

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

### **APPROPRIATIONS.**

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

**HB 2239, PN 3218** (Amended)

By Rep. O'BRIEN

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for qualifications, eligibility and compensation for district attorneys; making an appropriation; and making repeals.

### **JUDICIARY.**

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

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

### **ADJOURNMENT**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Killion, from Delaware County.

Mr. KILLION. Mr. Speaker, I move that this House do adjourn until Wednesday, January 28, 2004, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

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On the question,  
Will the House agree to the motion?  
Motion was agreed to, and at 1:35 p.m., e.s.t., the House  
adjourned.