

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, MARCH 15, 2004

SESSION OF 2004

188TH OF THE GENERAL ASSEMBLY

No. 11

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

REV. MSGR. ARTHUR KASCHENBACH, Guest Chaplain of the House of Representatives, offered the following prayer:

When the shepherd Moses wandered on the hill of Horeb in Sinai, he had no idea that he was to become a leader of people. But in the quiet and silence of the place he heard the voice of God, who called him, directed him, and assured him of the wisdom and courage which would enable him to carry out his mission as a leader.

I invite you as leaders today, about to begin your deliberations, to take just a few moments of your precious time to join Moses, in spirit at least, and to enter into the presence of God. As he was told to take off his shoes, get on his knees, and acknowledge the presence of the Almighty, I ask you simply to free your minds from your agendas, your concerns, your arguments, your partisan politics, and to pray with me to the Almighty.

Let us together ask God to fill our minds with the knowledge, understanding, and right judgment that will enable you to serve the needs of all the people that you have been chosen to represent and not just of the few. We ask the Almighty to give you the wisdom to listen to one another openly as you debate and the courage to change your views, if necessary, in the light of others' perceptions on the issues at hand should they truly be more prudent, more just, and more correct than your own.

Let us ask the Father of all to help us never forget we are all His children, called by Him through the people's voice to serve one another and to form our Commonwealth into a society in which all our brothers and sisters – rich or poor, young or old, able or disabled, born or unborn, native born or foreign born, regardless of race, color, and creed, all of them – can freely live each day in dignity and peace, in justice and security.

May God bless this Assembly and grant success to your labors.

#### 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 Wednesday, February 11, 2004, will be postponed until printed.

### JOURNALS APPROVED

The SPEAKER. However, the following Journals are in print:

Friday, July 18;  
Saturday, July 19;  
Monday, August 4;  
Tuesday, August 5;  
Tuesday, September 9;  
Wednesday, September 10;  
Monday, September 15; and  
Tuesday, September 16, 2003.

### BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that the following bill be taken off the table: HB 2230.

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

### BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. S. SMITH. Mr. Speaker, I move that the following bill be placed upon the table: HB 2230.

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

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2292** By Representatives GRUCELA, ARMSTRONG, BAKER, BENNINGHOFF, BOYD, CRAHALLA, CREIGHTON, DALEY, DENLINGER, FREEMAN, HARRIS, HENNESSEY, PISTELLA, ROHRER, SCAVELLO, SCHRODER and THOMAS

An Act providing for restriction on slot machine licensure.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, February 20, 2004.

**No. 2355** By Representatives STERN, DeWEESE, FABRIZIO, B. SMITH, WATSON, McGEEHAN, KILLION, GODSHALL, MACKERETH, BEBKO-JONES, SANTONI, PICKETT, LEACH, J. EVANS, CRUZ, HALUSKA, MICOZZIE, DONATUCCI, CORRIGAN, SATHER, ROEBUCK, MANDERINO, BALDWIN, WHEATLEY, HERSHEY, DeLUCA, SAYLOR, CREIGHTON, HORSEY, GILLESPIE, WALKO, YOUNGBLOOD, DENLINGER, GEIST, CAWLEY, E. Z. TAYLOR, LEVDANSKY and SOLOBAY

An Act prohibiting the sale or issuance of certain gift certificates or gift cards with expiration dates, the imposition of transaction, service or convenience fees and the imposition of dormancy fees; providing the Attorney General certain powers and duties; and repealing inconsistent statutes.

Referred to Committee on CONSUMER AFFAIRS, February 13, 2004.

**No. 2366** By Representatives T. STEVENSON, ARMSTRONG, BALDWIN, BARRAR, BOYD, CLYMER, CRAHALLA, DAILEY, DENLINGER, EGOLF, FORCIER, GOODMAN, HARPER, HENNESSEY, HERSHEY, KILLION, METCALFE, R. MILLER, S. MILLER, NAILOR, O'NEILL, ROHRER, SATHER, SCHRODER, R. STEVENSON, E. Z. TAYLOR, JAMES and REICHLEY

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for the prohibition of strikes in certain circumstances.

Referred to Committee on EDUCATION, February 20, 2004.

**No. 2367** By Representatives JAMES, MELIO, PISTELLA, WASHINGTON, EGOLF, JOSEPHS, YOUNGBLOOD and DALEY

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for issuance of hotel, restaurant and club liquor licenses and for malt and brewed beverages retail licenses; providing for municipal requests for hearing and for appeal; and further providing for hearings upon refusal of licenses, renewals or transfers, for appeals, for local option and for unlawful acts relative to malt or brewed beverages and licensees.

Referred to Committee on LIQUOR CONTROL, February 20, 2004.

**No. 2368** By Representatives FLEAGLE, E. Z. TAYLOR, HERSHEY, LEACH, YOUNGBLOOD, SCAVELLO, McILHATTAN, TIGUE, BROWNE and HORSEY

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for Commonwealth reimbursements for charter schools and cyber charter schools.

Referred to Committee on EDUCATION, February 20, 2004.

**No. 2369** By Representatives BARRAR, CAPPELLI, J. EVANS, HARRIS, HORSEY, MANDERINO, MARSICO, MUSTIO, NAILOR, O'NEILL, PETRI, SOLOBAY, J. TAYLOR, THOMAS, YOUNGBLOOD, PAYNE and WASHINGTON

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for special occasion permits.

Referred to Committee on LIQUOR CONTROL, February 20, 2004.

**No. 2370** By Representatives McILHINNEY, ARMSTRONG, BARD, BARRAR, BELFANTI, CAPPELLI, DALEY, DeWEESE, FAIRCHILD, FLEAGLE, GEIST, GEORGE, GERGELY, GOOD, GOODMAN, GRUCELA, HERMAN, HERSHEY, HORSEY, KILLION, LEDERER, MAHER, MANDERINO, MANN, MARKOSEK, McGEEHAN, NAILOR, PETRARCA, ROSS, RUBLEY, B. SMITH, SOLOBAY, E. Z. TAYLOR, J. TAYLOR, THOMAS, VITALI, WILT, YOUNGBLOOD, CRAHALLA, REICHLEY, HENNESSEY, COSTA and PALLONE

An Act providing for tax incentives for purchasers of energy-efficient appliances.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 20, 2004.

**No. 2371** By Representatives DAILEY, DeLUCA, BROWNE, GEORGE, BUNT, ADOLPH, ALLEN, ARGALL, ARMSTRONG, BARD, BARRAR, BASTIAN, BEBKO-JONES, BELARDI, BENNINGHOFF, BIANCUCCI, BIRMELIN, BISHOP, BLAUM, BOYD, CASORIO, CIVERA, CLYMER, COHEN, COLEMAN, COSTA, COY, CRAHALLA, CREIGHTON, CURRY, DALEY, DALLY, DENLINGER, DERMODY, DeWEESE, DIVEN, DONATUCCI, EACHUS, EGOLF, D. EVANS, J. EVANS, FABRIZIO, FEESE, FICHTER, FORCIER, FRANKEL, FREEMAN, GABIG, GEIST, GERGELY, GINGRICH, GRUCELA, HALUSKA, HARHAI, HARHART, HARPER, HARRIS, HENNESSEY, HERMAN, HERSHEY, HORSEY, HUTCHINSON, JAMES, JOSEPHS, KENNEY, KIRKLAND, KOTIK, LaGROTTA, LAUGHLIN, LEACH, LEDERER, LEH, LESCOVITZ, LEVDANSKY, LEWIS, MAHER, MANDERINO, MARKOSEK, McCALL, McGEEHAN, McGILL, McILHATTAN, MELIO, METCALFE, R. MILLER, MUNDY, MYERS, OLIVER, PALLONE, PERZEL, PETRARCA, PETRI, PETRONE, PHILLIPS, PICKETT, PISTELLA, PRESTON, READSHAW, REICHLEY, RIEGER, ROBERTS, ROEBUCK, ROHRER, ROONEY, ROSS, RUFFING, SAINATO, SANTONI, SAYLOR, SCAVELLO, SCHRODER, SHANER, S. H. SMITH, SOLOBAY, STABACK, R. STEVENSON, T. STEVENSON, STURLA, SURRA, TANGRETTI, E. Z. TAYLOR, TIGUE, TRAVAGLIO, TURZAI, VANCE, VEON, VITALI, WALKO, WANSACZ, WASHINGTON, WATSON, WEBER, WHEATLEY, WILT, WOJNAROSKI, YEWIC, YOUNGBLOOD, YUDICHAK and GOODMAN

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, further providing for declaration of policy, for patient safety definitions, for powers and duties of the Patient Safety Authority and for powers and duties of the Department of Health; providing for whistleblower protection; and making an appropriation.

Referred to Committee on HEALTH AND HUMAN SERVICES, February 20, 2004.

**No. 2372** By Representatives VANCE, PISTELLA, CAPPELLI, BAKER, BALDWIN, BEBKO-JONES, CORRIGAN, CRAHALLA, DeLUCA, FAIRCHILD, GEIST, GEORGE, GINGRICH, GOOD, HARPER, HENNESSEY, HERMAN, JOSEPHS, KOTIK, LEH, MANN, MARSICO, NICKOL, PAYNE, PICKETT, REICHLEY, ROSS, RUBLEY, SATHER, SCAVELLO, B. SMITH, SOLOBAY, E. Z. TAYLOR, WALKO, WATSON, YOUNGBLOOD and PALLONE

An Act establishing an informal dispute resolution process for long-term care nursing facilities and an informal dispute resolution panel within the Department of Health; and providing for membership of the panel, for the scope of informal resolution review and for data collection.

Referred to Committee on HEALTH AND HUMAN SERVICES, February 20, 2004.

**No. 2373** By Representatives ALLEN, BELFANTI, FAIRCHILD, DeWEESE, LEH, E. Z. TAYLOR, BOYD, CAPPELLI, DALLY, DENLINGER, GEIST, GEORGE, GERGELY, GOOD, GOODMAN, HORSEY, McILHATTAN, McNAUGHTON, R. MILLER, S. MILLER, ROSS, RUBLEY, SAYLOR, SCAVELLO, B. SMITH, STERN, THOMAS and WATSON

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, creating the Uniform Construction Fund.

Referred to Committee on LOCAL GOVERNMENT, March 8, 2004.

**No. 2374** By Representatives COLEMAN, THOMAS, ARMSTRONG, BAKER, BOYD, CLYMER, CREIGHTON, DALLY, DENLINGER, GEIST, GOOD, GRUCELA, HENNESSEY, HERSHEY, HORSEY, JAMES, LEDERER, O'NEILL, PETRARCA, PICKETT, REED, RUBLEY, SATHER, SCAVELLO, R. STEVENSON, WASHINGTON, WILT and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for continuing education.

Referred to Committee on EDUCATION, March 8, 2004.

**No. 2375** By Representative BARD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for false reports to law enforcement authorities.

Referred to Committee on JUDICIARY, March 8, 2004.

**No. 2376** By Representatives DALEY, MAITLAND, COY, McCALL, SOLOBAY, CASORIO, GRUCELA, SHANER, MANN, BROWNE, LEDERER, ROBERTS, PISTELLA, HARHAI, LEACH, GODSHALL, SCHRODER, LaGROTTA, CAPPELLI, GANNON, STABACK, PETRARCA, LAUGHLIN, JOSEPHS, HORSEY, WASHINGTON, KIRKLAND, YOUNGBLOOD and THOMAS

An Act establishing the Farmers' Legal Clinic in conjunction with the Widener University School of Law; establishing the Farmers' Legal Fund; imposing powers and duties on the Department of Agriculture; and making an appropriation.

Referred to Committee on JUDICIARY, March 8, 2004.

**No. 2377** By Representatives TIGUE, BASTIAN, BROWNE, CAPPELLI, CAWLEY, CREIGHTON, CRUZ, DALEY, DeLUCA, DENLINGER, FAIRCHILD, FRANKEL, GEIST, GEORGE, HALUSKA, HARHAI, HARRIS, HASAY, HORSEY, KELLER, KOTIK, LEDERER, LEH, McCALL, MELIO, PALLONE, PISTELLA, REICHLEY, SCAVELLO, SOLOBAY, THOMAS, WANSACZ, WASHINGTON and YUDICHAK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for notice publication by recognizing the Internet and for emergency certification to overcome teacher shortages.

Referred to Committee on EDUCATION, March 8, 2004.

**No. 2378** By Representatives GEIST and McCALL

An Act designating a portion of State Route 4013 in Blair County as the Jack E. Kuhn Memorial Highway.

Referred to Committee on TRANSPORTATION, March 8, 2004.

**No. 2379** By Representatives DeLUCA, ARMSTRONG, BALDWIN, BELFANTI, CASORIO, CREIGHTON, DALEY, EGOLF, GEORGE, GRUCELA, HARHAI, HERSHEY, KOTIK, LAUGHLIN, LEDERER, MARKOSEK, PETRARCA, STERN, WALKO, WILT, YOUNGBLOOD and MILLARD

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for prohibited acts and penalties.

Referred to Committee on JUDICIARY, March 8, 2004.

**No. 2380** By Representatives DeLUCA, THOMAS, BEBKO-JONES, BELFANTI, BROWNE, CURRY, FABRIZIO, GEORGE, GOODMAN, GRUCELA, JAMES, KIRKLAND, LaGROTTA, LAUGHLIN, LEACH, LESCOVITZ, McGEEHAN, PALLONE, PISTELLA, ROONEY, RUBLEY, SOLOBAY, TANGRETTI, WALKO, WASHINGTON, YOUNGBLOOD and MILLARD

An Act providing for fee schedules for health care services; and making related repeals.

Referred to Committee on HEALTH AND HUMAN SERVICES, March 8, 2004.

**No. 2381** By Representatives METCALFE, ARMSTRONG, BENNINGHOFF, DENLINGER, FORCIER, HORSEY, LEH, MUSTIO, ROHRER, R. STEVENSON, T. STEVENSON, WASHINGTON and WILT

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, authorizing parents to exempt their children from tests and instruction.

Referred to Committee on EDUCATION, March 8, 2004.

**No. 2382** By Representatives GEORGE, BEBKO-JONES, BELFANTI, BROWNE, DeLUCA, DeWEESE, FABRIZIO, FREEMAN, GEIST, GOODMAN, GRUCELA, HALUSKA, HERSHEY, JAMES, KELLER, LAUGHLIN, LEACH, LEVDANSKY, McGEEHAN, McILHATTAN, PALLONE, SCAVELLO, SHANER, SOLOBAY, THOMAS, TIGUE and WASHINGTON

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for cancellation of certain group health insurance policies.

Referred to Committee on INSURANCE, March 8, 2004.

**No. 2383** By Representatives ZUG, ALLEN, ARMSTRONG, BARRAR, BASTIAN, BELFANTI, BOYD, BROWNE, CAPPELLI, CRUZ, FAIRCHILD, FORCIER, GABIG, GEIST, GEORGE, GILLESPIE, GINGRICH, GODSHALL, GOOD, GRUCELA, HARHAI, HARPER, HENNESSEY, HERMAN, HESS, HORSEY, HUTCHINSON, JAMES, KELLER, KILLION, KOTIK, LAUGHLIN, LEDERER, LESCOVITZ, MARKOSEK, MARSICO, McCALL, S. MILLER, PAYNE, PHILLIPS, PICKETT, REICHLEY, ROBERTS, SAINATO, SATHER, SAYLOR, SCAVELLO, SHANER, SOLOBAY, STERN, R. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, TIGUE, TRAVAGLIO, TRUE, WILT, WOJNAROSKI, YOUNGBLOOD and COSTA

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, providing for exemption of military personnel from occupational privilege tax.

Referred to Committee on FINANCE, March 8, 2004.

**No. 2384** By Representatives SEMMEL, GERGELY, HARHAI, LEH, REICHLEY, BARRAR, CAPPELLI, DALEY, DALLY, EGOLF, J. EVANS, GEIST, GEORGE, HENNESSEY, HERMAN, HERSHEY, HORSEY, LEDERER, R. MILLER, NAILOR, SATHER, SOLOBAY, R. STEVENSON, WASHINGTON and YOUNGBLOOD

An Act amending the act of December 10, 1974 (P.L.852, No.287), referred to as the Underground Utility Line Protection Law, further providing for definitions, for duties of facility owners, for duties of a One Call System, for duties of contractors and for fines and penalties.

Referred to Committee on CONSUMER AFFAIRS, March 8, 2004.

**No. 2385** By Representatives DAILEY, BAKER, BIRMELIN, BOYD, CASORIO, DENLINGER, EGOLF, GABIG, GINGRICH, GOODMAN, GRUCELA, HARHAI, HARRIS, HENNESSEY, HERSHEY, HORSEY, JAMES, KELLER, LEACH, LESCOVITZ, MANN, METCALFE, MUSTIO, O'BRIEN, PAYNE, PETRARCA, READSHAW, REICHLEY, ROHRER, SATHER, SAYLOR, SCHRODER, B. SMITH, SOLOBAY, TANGRETTI, E. Z. TAYLOR, TIGUE, WASHINGTON, WEBER, WHEATLEY, WILT, YOUNGBLOOD, PALLONE and BROWNE

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

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, March 8, 2004.

**No. 2386** By Representatives VEON, DeWEESE, THOMAS, BEBKO-JONES, BELARDI, BROWNE, DALEY, FAIRCHILD, GEIST, GEORGE, GOODMAN, GRUCELA, JAMES, MARKOSEK, READSHAW, SATHER, SCRIMENTI, SURRA, TIGUE, WASHINGTON, YOUNGBLOOD, HARHAI, LaGROTTA, PALLONE, SANTONI, SAYLOR, STURLA, TANGRETTI, WALKO, WOJNAROSKI, YUDICHAK, FRANKEL, CORRIGAN, MANDERINO, SHANER and BELFANTI

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for grants to schools for network linking educational services; and making an appropriation.

Referred to Committee on EDUCATION, March 8, 2004.

**No. 2387** By Representatives HICKERNELL, HERSHEY, DALEY, ARMSTRONG, BALDWIN, BASTIAN, BOYD, CAPPELLI, CAUSER, CRUZ, DENLINGER, GEIST, GINGRICH, R. MILLER, S. MILLER, PAYNE, PICKETT, REICHLEY, SATHER, SAYLOR, SCRIMENTI, SEMMEL, B. SMITH, STERN, TANGRETTI, E. Z. TAYLOR, TIGUE, TRUE and YOUNGBLOOD

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, adding provisions relating to the labeling, sale and distribution of seed; creating a licensing requirement for all seed distributors; adding civil penalty provisions and specifying the appeal process; providing for the powers and duties of the Department of Agriculture; placing revenue into the Agronomic Regulatory Account; prescribing penalties; and making related repeals.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, March 8, 2004.

**No. 2388** By Representatives BARRAR, CAPPELLI, EGOLF, GOODMAN, HALUSKA, HARRIS, R. MILLER, E. Z. TAYLOR, WASHINGTON and YOUNGBLOOD

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for retroactive denial of reimbursement of payments to health care providers by insurers.

Referred to Committee on INSURANCE, March 8, 2004.

**No. 2389** By Representatives McILHINNEY, THOMAS, ADOLPH, ARGALL, BALDWIN, BARRAR, BELFANTI, BENNINGHOFF, CAPPELLI, CORRIGAN, CREIGHTON, CRUZ, DONATUCCI, GEIST, GEORGE, GERGELY, GOODMAN, HALUSKA, HARHAI, HARRIS, HENNESSEY, HORSEY, JOSEPHS, KELLER, KILLION, LEDERER, R. MILLER, S. MILLER, O'NEILL, PALLONE, PAYNE, REICHLEY, SCAVELLO, TIGUE, WALKO, WATSON and MILLARD

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

Referred to Committee on JUDICIARY, March 8, 2004.

**No. 2390** By Representatives SOLOBAY, BARRAR, BEBKO-JONES, BENNINGHOFF, CORRIGAN, COY, CRAHALLA, CURRY, DALEY, FABRIZIO, FREEMAN, GOOD, GRUCELA, HENNESSEY, KIRKLAND, LEACH, MANN, PALLONE, ROEBUCK, SATHER, E. Z. TAYLOR, TIGUE, WILT, MILLARD, HARHART, JOSEPHS, KOTIK, LEVDANSKY, MARKOSEK, READSHAW, SAINATO, SURRA, THOMAS, WANSACZ and YOUNGBLOOD

An Act requiring the Department of Community and Economic Development to submit a unified economic development budget; providing for unified reporting of property tax reductions and abatements, for application for economic development subsidies, for reports, for subsidy limit and job quality standards and for recapture; establishing a private enforcement action; and providing for public record disclosure.

Referred to Committee on COMMERCE, March 8, 2004.

**No. 2391** By Representatives SOLOBAY, CAPPELLI, CORRIGAN, J. EVANS, FABRIZIO, GERGELY, GRUCELA, HARHAI, JOSEPHS, KOTIK, PAYNE, THOMAS, WANSACZ, WALKO and YOUNGBLOOD

An Act amending the act of August 21, 1953 (P.L.1273, No.361), known as The Private Detective Act of 1953, further providing for issuances of licenses, fees and bonds, for employees and for prosecution.

Referred to Committee on PROFESSIONAL LICENSURE, March 8, 2004.

**No. 2392** By Representatives BENNINGHOFF, ARMSTRONG, CAUSER, DALEY, DENLINGER, J. EVANS, FAIRCHILD, GEIST, GILLESPIE, HENNESSEY, HERMAN, HORSEY, NAILOR, O'NEILL, SCAVELLO, SOLOBAY, THOMAS, WASHINGTON, WILT and YOUNGBLOOD

An Act amending the act of July 3, 1985 (P.L.164, No.45), known as the Emergency Medical Services Act, adding definitions; providing for duties of municipalities, counties and public service answering points, for certain civil immunity and for designation of quick response services; and further providing for legislative findings and intent, for the emergency medical services system and for duties of the Department of Health, the Pennsylvania Trauma Systems Foundation, the emergency medical services councils and the State Advisory Council.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 8, 2004.

**No. 2393** By Representatives METCALFE, CLYMER, DENLINGER, FORCIER, ROHRER, T. STEVENSON and WILT

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, prohibiting the flagging of student responses to Pennsylvania System of School Assessment tests.

Referred to Committee on EDUCATION, March 8, 2004.

**No. 2395** By Representatives DALLY, BELFANTI, BUNT, CAPPELLI, CREIGHTON, DENLINGER, DeWEESE, FAIRCHILD, FEESE, GEORGE, GINGRICH, GOOD, GOODMAN, GRUCELA, HARHART, HARPER, HENNESSEY, HERSHEY, HORSEY, HUTCHINSON, JAMES, KELLER, KENNEY, LEDERER, MARKOSEK, McCALL, PAYNE, REICHLEY, SCAVELLO, SHANER, SOLOBAY, SURRA, THOMAS, TIGUE, WEBER, WILT, YOUNGBLOOD and BROWNE

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service.

Referred to Committee on EDUCATION, March 8, 2004.

**No. 2396** By Representatives GABIG, GEIST, DeWEESE, DENLINGER, HENNESSEY, DALLY, PAYNE, KOTIK, TIGUE, HARRIS, MANDERINO, CRAHALLA, LEH, CLYMER, BAKER, SAYLOR, HARHAI, PICKETT, CASORIO, GINGRICH, BOYD and R. MILLER

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, further providing for the definitions of "crime" and "personal injury crime."

Referred to Committee on JUDICIARY, March 8, 2004.

**No. 2397** By Representatives GABIG, COLEMAN, NAILOR, T. STEVENSON, PAYNE, KOTIK, CLYMER, ARMSTRONG, SCHRODER, MANDERINO, STERN, BAKER, McILHATTAN, CAPPELLI, CORRIGAN, HARHAI, CAWLEY, GINGRICH, BOYD, DALEY, HARRIS, GILLESPIE, R. MILLER, WILT, DENLINGER and MILLARD

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, defining the offense of failure to comply with registration of sexual offenders requirements; imposing penalties; and further providing for the definition of "predatory," for registration procedures and applicability, for verification of residence and for other notification as relates to registration of sexual offenders.

Referred to Committee on JUDICIARY, March 8, 2004.

**No. 2398** By Representatives GABIG, STERN, LEDERER, CAPPELLI, DENLINGER, HENNESSEY, KOTIK, GOOD, BELFANTI, SCHRODER, CRAHALLA, BENNINGHOFF, BAKER, KELLER, SAYLOR, GEIST, CORRIGAN, PICKETT, WILT, GINGRICH and GEORGE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for missing children and other missing persons.

Referred to Committee on JUDICIARY, March 8, 2004.

**No. 2399** By Representatives GABIG, GEIST, CAPPELLI, GERGELY, HERMAN, DENLINGER, HENNESSEY, McILHATTAN, CLYMER, TIGUE, HUTCHINSON, MARKOSEK, CURRY, ARMSTRONG, GODSHALL, WILT, BOYD and MILLARD

An Act providing for optional real property tax exemptions.

Referred to Committee on FINANCE, March 8, 2004.

**No. 2401** By Representatives GANNON, BARD, BARRAR, BEBKO-JONES, CAPPELLI, DALEY, DeLUCA, DeWEESE, EGOLF, J. EVANS, FRANKEL, GODSHALL, GOOD, GRUCELA, HARRIS, HERSHEY, HORSEY, JAMES, LEACH, LEDERER, MARSICO, MICOZZIE, MILLARD, MUSTIO, PAYNE, PICKETT, REICHLEY, E. Z. TAYLOR, THOMAS, WEBER, YOUNGBLOOD and BROWNE

An Act amending Titles 23 (Domestic Relations) and 75 (Vehicles), of the Pennsylvania Consolidated Statutes, providing for repeat offender license suspension; and further providing for suspension of operating privilege, for surrender of license and for occupational limited license.

Referred to Committee on JUDICIARY, March 8, 2004.

**No. 2402** By Representatives PISTELLA, DeWEESE, BELFANTI, BROWNE, CAPPELLI, CAWLEY, FRANKEL, GEORGE, GOOD, GRUCELA, HALUSKA, HARHAI, HARPER, HERSHEY, HORSEY, JAMES, KELLER, KOTIK, LAUGHLIN, MANDERINO, MELIO, R. MILLER, NICKOL, SOLOBAY, THOMAS, TIGUE, WALKO, WANSACZ, WASHINGTON and YOUNGBLOOD

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for payments to family and funeral directors and for allowable family exemption.

Referred to Committee on JUDICIARY, March 8, 2004.

**No. 2403** By Representatives WEBER, PAYNE, MANDERINO, MANN, BLAUM, BOYD, CORRIGAN, CRAHALLA, CURRY, DENLINGER, FICHTER, GEIST, GILLESPIE, GINGRICH, HARHART, HARPER, HARRIS, HERMAN, KILLION, KOTIK, LAUGHLIN, McILHATTAN, MILLARD, O'NEILL, REICHLEY, RUBLEY, SCAVELLO, SCHRODER, E. Z. TAYLOR, TIGUE, WATSON, DALEY, GOOD and DeWEESE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for definitions, for jurisdiction, for full faith and credit and foreign protection orders, for responsibilities of law enforcement agencies, for commencement of proceedings, for hearings and for relief; providing for return of relinquished firearms, other weapons and ammunition; further providing for emergency relief by minor judiciary, for arrest for violation of order, for private criminal complaints for violation of order or agreement and for contempt for violation of order or agreement; and providing for immunity.

Referred to Committee on JUDICIARY, March 8, 2004.

**No. 2404** By Representatives HABAY, ARMSTRONG, BARRAR, BLAUM, BOYD, CAPPELLI, CRAHALLA, DALEY, DENLINGER, GABIG, METCALFE, MILLARD, SCAVELLO, SURRA, TIGUE, WASHINGTON and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, imposing a moratorium on toll increases by the Pennsylvania Turnpike Commission.

Referred to Committee on TRANSPORTATION, March 8, 2004.

**No. 2405** By Representatives McCALL, ALLEN, ARGALL, BALDWIN, BEBKO-JONES, BELARDI, BENNINGHOFF, BUNT, CAPPELLI, COY, CREIGHTON, DALEY, DeWEESE, J. EVANS, FABRIZIO, FAIRCHILD, FICHTER, FORCIER, GEIST, GEORGE, GILLESPIE, GINGRICH, GOODMAN, GRUCELA, HARHAI, HARHART, HARPER, HENNESSEY, HERSHEY, HESS, JAMES, JOSEPHS, KELLER, KIRKLAND, KOTIK, LAUGHLIN, LEDERER, LEH, LESCOVITZ, MANN, MARKOSEK, MARSICO, MCGILL, NAILOR, O'NEILL, PALLONE, PAYNE, PISTELLA, SAYLOR, SCAVELLO, SEMMEL, SHANER, B. SMITH, SOLOBAY, SURRA, THOMAS, TIGUE, WASHINGTON, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act designating a certain bridge carrying SR 248 over Aquashicola Creek in Palmerton Borough, Carbon County, as the Colonel John Craig Memorial Bridge.

Referred to Committee on TRANSPORTATION, March 8, 2004.

**No. 2406** By Representatives METCALFE, ARMSTRONG, BALDWIN, BOYD, CAPPELLI, CAUSER, COLEMAN, CORRIGAN, CREIGHTON, CRUZ, DALEY, DENLINGER, DeWEESE, FAIRCHILD, FLEAGLE, GEIST, GEORGE, GINGRICH, GOOD, GOODMAN, HARRIS, HERMAN, HERSHEY, HUTCHINSON, LEDERER, LEH, LESCOVITZ, MAHER, MAITLAND, MARKOSEK, MCGILL, PAYNE, PISTELLA, REED, REICHLEY, ROHRER, SAINATO, SAYLOR, SCAVELLO, SHANER, R. STEVENSON, TIGUE, WALKO, WOJNAROSKI and BUNT

An Act redesignating the bridge on State Route 228 which passes over Interstate 79 in Cranberry Township, Butler County, as the 79th Infantry Division Memorial Bridge.

Referred to Committee on TRANSPORTATION, March 8, 2004.

**No. 2407** By Representatives VANCE, CAPPELLI, NICKOL, DeWEESE, TRUE, ALLEN, ARMSTRONG, BAKER, BARD, BARRAR, BASTIAN, BEBKO-JONES, BOYD, CASORIO, CAUSER, CORRIGAN, CRAHALLA, CREIGHTON, CURRY, DAILEY, DeLUCA, DENLINGER, EGOLF, J. EVANS, FABRIZIO, FAIRCHILD, FORCIER, FRANKEL, GABIG, GEIST, GILLESPIE, GINGRICH, GOOD, GOODMAN, GRUCELA, HALUSKA, HARHAI, HARRIS, HASAY, HENNESSEY, HESS, HORSEY, HUTCHINSON, JAMES, JOSEPHS, KELLER, KILLION,

LAUGHLIN, LEH, LESCOVITZ, LEWIS, LYNCH, MACKERETH, MAHER, MAJOR, MANDERINO, MANN, MARKOSEK, MARSICO, McGEEHAN, McNAUGHTON, MICOZZIE, MILLARD, R. MILLER, S. MILLER, MUNDY, O'NEILL, PALLONE, PAYNE, PETRARCA, PETRONE, PICKETT, PISTELLA, RAYMOND, REICHLEY, ROEBUCK, ROHRER, ROSS, RUBLEY, SATHER, SAYLOR, SCAVELLO, SCHRODER, B. SMITH, SOLOBAY, R. STEVENSON, T. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, TIGUE, WALKO, WATSON, WHEATLEY, WILT, ZUG and HARPER

An Act amending the act of June 21, 1957 (P.L.390, No.212), referred to as the Right-to-Know Law, further providing for access to public records.

Referred to Committee on STATE GOVERNMENT, March 8, 2004.

**No. 2408** By Representatives BOYD, NAILOR, DeWEESE, STERN, REICHLEY, FORCIER, HENNESSEY, GODSHALL, CORRIGAN, EGOLF, SATHER, ARMSTRONG, BALDWIN, WILT, COLEMAN, HERSHEY, YOUNGBLOOD, ROHRER, HORSEY, CREIGHTON, DENLINGER, GEIST, CLYMER, GINGRICH, PISTELLA, SCAVELLO and MILLARD

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further defining "agricultural building"; and further providing for exemptions.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, March 15, 2004.

**No. 2409** By Representatives HARHART, ARMSTRONG, BALDWIN, BEBKO-JONES, BELFANTI, BUNT, CAPPELLI, CAUSER, COLEMAN, CORRIGAN, DALEY, DALLY, DENLINGER, DeWEESE, DiGIROLAMO, FABRIZIO, FAIRCHILD, GEIST, GEORGE, GILLESPIE, GINGRICH, GOODMAN, HARHAI, HERSHEY, LAUGHLIN, LEDERER, MAJOR, MANN, MARKOSEK, MCGILL, PAYNE, PICKETT, PISTELLA, REED, REICHLEY, ROSS, SAINATO, SAYLOR, SCAVELLO, SHANER, B. SMITH, R. STEVENSON, TIGUE, TRUE, TURZAI and THOMAS

An Act amending the act of December 20, 1991 (P.L.398, No.45), entitled "An act designating a certain bridge on Pennsylvania Route 45 in Northumberland and Union Counties as the Judge Herbert W. Cummings/Judge Harold M. McClure Memorial Bridge; and designating the bridge on which Main Street crosses Trout Creek in the Borough of Slatington, Lehigh County, as the General Thomas R. Morgan Bridge," further designating the General Thomas R. Morgan Bridge.

Referred to Committee on TRANSPORTATION, March 15, 2004.

**No. 2410** By Representatives SEMMEL, TIGUE, LEH, BELFANTI, BENNINGHOFF, CAPPELLI, CORRIGAN, GEIST, GRUCELA, HALUSKA, HARHAI, KOTIK, MARKOSEK, McCALL, PAYNE, SAINATO, SANTONI, SOLOBAY, WASHINGTON, PALLONE and MILLARD

An Act amending the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, further providing for rules for licensing and operation.

Referred to Committee on FINANCE, March 8, 2004.

**No. 2411** By Representatives SEMMEL, TIGUE, LEH, BELFANTI, BENNINGHOFF, CAPPELLI, CORRIGAN, GEIST, GRUCELA, HALUSKA, HARHAI, KOTIK, MARKOSEK, McCALL, PAYNE, SAINATO, SANTONI, SOLOBAY, WASHINGTON, PALLONE and MILLARD

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for prize limits, for limited sales and for recordkeeping; repealing certain provisions relating to advertising; and further providing for eligible organizations' use of locations for conducting small games of chance and for separate individual prize limitations.

Referred to Committee on FINANCE, March 8, 2004.

**No. 2412** By Representatives WHEATLEY, BELFANTI, CORRIGAN, DALEY, DeLUCA, FABRIZIO, FRANKEL, GERGELY, GOODMAN, HORSEY, JAMES, JOSEPHS, LEACH, MANN, PETRONE, SCAVELLO, SHANER, SURRA, THOMAS, TIGUE, WALKO, WASHINGTON and YOUNGBLOOD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the period of limitation in the doctrine of adverse possession; providing for adverse possession of housing authority or redevelopment authority property; and making related repeals.

Referred to Committee on JUDICIARY, March 15, 2004.

**No. 2413** By Representatives VEON, BELFANTI, DeWEESE, SOLOBAY, FABRIZIO, MANN, LaGROTTA, GEORGE, SHANER, LAUGHLIN, BEBKO-JONES, WASHINGTON, CASORIO, GRUCELA, GOODMAN, YUDICHAK, SCRIMENTI, WALKO, STETLER, LEACH, MANDERINO, LEVDANSKY, KELLER, CURRY, TANGRETTI, YOUNGBLOOD and FREEMAN

An Act requiring employers to maintain certain benefits for striking employees who are replaced; and providing remedies.

Referred to Committee on LABOR RELATIONS, March 15, 2004.

**No. 2414** By Representatives VEON, BELFANTI, DeWEESE, SOLOBAY, FABRIZIO, MANN, LaGROTTA, GEORGE, SHANER, LAUGHLIN, BEBKO-JONES, WASHINGTON, CASORIO, GRUCELA, GOODMAN, YUDICHAK, WALKO, FREEMAN, LEACH, SURRA, LEVDANSKY, KELLER, CURRY, TANGRETTI and YOUNGBLOOD

An Act amending the act of July 12, 1972 (P.L.847, No.187), referred to as the Strikebreaker Employment Act, defining "strikebreaker" and "employment agent"; and extending the provisions of the act to employment agents.

Referred to Committee on LABOR RELATIONS, March 15, 2004.

**No. 2415** By Representatives VEON, BELFANTI, DeWEESE, SOLOBAY, FABRIZIO, MANN, LaGROTTA, GEORGE, SHANER, LAUGHLIN, BEBKO-JONES, WASHINGTON, CASORIO, GRUCELA, GOODMAN, YUDICHAK, TANGRETTI, WALKO, YOUNGBLOOD, FREEMAN, LEACH, LEVDANSKY, KELLER and CURRY

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for injuries subject to compensation.

Referred to Committee on LABOR RELATIONS, March 15, 2004.

**No. 2416** By Representatives VEON, BELFANTI, DeWEESE, SOLOBAY, FABRIZIO, MANN, LaGROTTA, GEORGE, SHANER, LAUGHLIN, BEBKO-JONES, WASHINGTON, CASORIO, GRUCELA, GOODMAN, YUDICHAK, SCRIMENTI, WALKO, YOUNGBLOOD, FREEMAN, LEACH, LEVDANSKY, KELLER, CURRY, SURRA and TANGRETTI

An Act amending the act of June 2, 1937 (P.L.1198, No.308), known as the Labor Anti-Injunction Act, further providing for restraining orders and injunctions.

Referred to Committee on LABOR RELATIONS, March 15, 2004.

**No. 2417** By Representatives VEON, BELFANTI, DeWEESE, SOLOBAY, FABRIZIO, MANN, LaGROTTA, GEORGE, SHANER, LAUGHLIN, BEBKO-JONES, WASHINGTON, CASORIO, GRUCELA, GOODMAN, YUDICHAK, SCRIMENTI, WALKO, YOUNGBLOOD, FREEMAN, LEACH, LEVDANSKY, KELLER, CURRY, SURRA and TANGRETTI

An Act amending the act of June 2, 1937 (P.L.1198, No.308), known as the Labor Anti-Injunction Act, further providing for injunctions in case of labor disputes and lawful picketing during labor strikes.

Referred to Committee on LABOR RELATIONS, March 15, 2004.

**No. 2418** By Representatives VEON, BELFANTI, DeWEESE, SOLOBAY, FABRIZIO, MANN, LaGROTTA, GEORGE, SHANER, LAUGHLIN, BEBKO-JONES, WASHINGTON, CASORIO, GRUCELA, GOODMAN, YUDICHAK, SCRIMENTI, WALKO, YOUNGBLOOD, STETLER, FREEMAN, LEACH, LEVDANSKY, KELLER, CURRY, SURRA and TANGRETTI

An Act requiring certain employers who relocate or terminate operations to pay covered employees severance pay; imposing additional powers and duties on the Department of Labor and Industry; and requiring employers to give notices to affected employees and municipalities.

Referred to Committee on LABOR RELATIONS, March 15, 2004.

**No. 2419** By Representatives VEON, BELFANTI, DeWEESE, SOLOBAY, FABRIZIO, MANN, LaGROTTA, GEORGE, SHANER, LAUGHLIN, BEBKO-JONES, WASHINGTON, CASORIO, GRUCELA, GOODMAN, YUDICHAK, MANDERINO, TANGRETTI, WALKO, YOUNGBLOOD, STETLER, FREEMAN, LEACH, LEVDANSKY, KELLER, CURRY, SURRA and SCRIMENTI

An Act prohibiting the use of permanent replacement workers during a labor dispute; prohibiting the use of employment agents and contract employment agencies from recruiting or furnishing employees to permanently replace employees in a labor dispute; providing for injunctive relief and damages; and imposing a penalty.

Referred to Committee on LABOR RELATIONS, March 15, 2004.

**No. 2420** By Representatives LEACH, BEBKO-JONES, BELARDI, BELFANTI, BLAUM, CORRIGAN, COY, DeWEESE, GEORGE, GOODMAN, LAUGHLIN, MANN, MARKOSEK, McILHATTAN, PETRARCA, PISTELLA, REICHLEY, SANTONI, SHANER, TANGRETTI, WALKO, BUNT, DALEY, MILLARD, MYERS, THOMAS and JOSEPHS

An Act providing for free breast and cervical cancer screening services to certain eligible women and for the powers and duties of the Department of Health.

Referred to Committee on HEALTH AND HUMAN SERVICES, March 15, 2004.

**No. 2421** By Representatives THOMAS, JOSEPHS, YOUNGBLOOD, BISHOP, CORRIGAN, JAMES, KIRKLAND, WATERS and MYERS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of carrying firearms without a license, for firearms licenses and for sale or transfer of firearms; and establishing the Firearm Safety Education Fund.

Referred to Committee on JUDICIARY, March 15, 2004.

**No. 2422** By Representatives THOMAS, CRUZ, DENLINGER, DALEY, HARPER, WASHINGTON, HORSEY, WATERS, LEDERER, KIRKLAND and YOUNGBLOOD

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, further providing for examinations and certificates and for graduates of schools of other states, territories or Dominion of Canada.

Referred to Committee on PROFESSIONAL LICENSURE, March 15, 2004.

**No. 2423** By Representatives THOMAS, CRUZ, DENLINGER, HORSEY, DALEY, WATERS, WASHINGTON, YOUNGBLOOD, HARPER, JOSEPHS, KIRKLAND and LEDERER

An Act amending the act of March 2, 1956 (1955 P.L.1211, No.376), known as the Practical Nurse Law, further providing for



examination of applicants and issuance of licenses and for fee and qualifications of applications.

Referred to Committee on PROFESSIONAL LICENSURE, March 15, 2004.

**No. 2424** By Representatives WILLIAMS, THOMAS, JAMES, BEBKO-JONES, KELLER, KIRKLAND, MANN, MYERS, FABRIZIO, WALKO, WATERS, PERZEL and DONATUCCI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the possession of weapons on certain property in cities of the first class.

Referred to Committee on JUDICIARY, March 15, 2004.

**No. 2425** By Representative ROBERTS

An Act authorizing the sale and transfer of ownership of Project 70 land located in Wharton Township, Fayette County, Pennsylvania.

Referred to Committee on STATE GOVERNMENT, March 15, 2004.

**No. 2426** By Representatives REICHLEY, BAKER, LEH, SAYLOR, BALDWIN, BELFANTI, BROWNE, CAPPELLI, CAUSER, CORRIGAN, CRAHALLA, FLICK, FORCIER, GILLESPIE, GINGRICH, HARRIS, KILLION, LAUGHLIN, LEACH, MANDERINO, MARKOSEK, MARSICO, PALLONE, PAYNE, ROSS, RUBLEY, SAINATO, SOLOBAY, R. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, WASHINGTON, WEBER and ZUG

An Act amending the act of December 16, 2002 (P.L.1810, No.222), known as the Unsolicited Telecommunication Advertisement Act, further prohibiting unsolicited or misleading commercial or electronic mail messages and facsimiles.

Referred to Committee on CONSUMER AFFAIRS, March 15, 2004.

**No. 2427** By Representatives REICHLEY, BENNINGHOFF, McILHATTAN, MANDERINO, ARMSTRONG, BELFANTI, CAUSER, CORRIGAN, COSTA, CRAHALLA, CREIGHTON, CRUZ, DENLINGER, DeLUCA, GOODMAN, HARHART, HARPER, KILLION, KOTIK, S. MILLER, PAYNE, PISTELLA, REED, RUBLEY, SAINATO, SCAVELLO, SCHRODER, R. STEVENSON, J. TAYLOR, TIGUE, TURZAI and WILT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for erection and maintenance of stop signs by local authorities.

Referred to Committee on TRANSPORTATION, March 15, 2004.

**No. 2428** By Representatives VANCE, HERMAN, BUXTON, PAYNE, NAILOR, CAPPELLI, FABRIZIO, FICHTER, O'NEILL, REICHLEY, THOMAS, TIGUE, ROSS and KILLION

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for power of township commissioners relating to fire houses.

Referred to Committee on LOCAL GOVERNMENT, March 15, 2004.

**No. 2429** By Representatives TIGUE, O'BRIEN, BELFANTI, CLYMER, CORRIGAN, CREIGHTON, CURRY, DeLUCA, DENLINGER, GEIST, GODSHALL, KELLER, LEH, MARKOSEK, MILLARD, MYERS, REICHLEY, SOLOBAY, THOMAS and WILT

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for DNA sample required upon conviction, for delinquency adjudication, for certain ARD cases and for expungement; and providing for good faith in collection of DNA sample.

Referred to Committee on JUDICIARY, March 15, 2004.

## HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 568** By Representatives FRANKEL, T. STEVENSON, BIANCUCCI, CAPPELLI, COSTA, DALEY, DeWEESE, HORSEY, KIRKLAND, LAUGHLIN, MANN, R. MILLER, STETLER, STURLA, TANGRETTI, THOMAS, WHEATLEY, YOUNGBLOOD and YUDICHAK

A Concurrent Resolution requiring the creation of a task force to study the effectiveness, cost and equity of merging the City of Pittsburgh and neighboring municipalities with Allegheny County.

Referred to Committee on STATE GOVERNMENT, February 20, 2004.

**No. 573** By Representatives DeLUCA, THOMAS, CURRY, BARRAR, BEBKO-JONES, BELFANTI, BROWNE, CASORIO, CORRIGAN, CRAHALLA, DERMODY, DeWEESE, FABRIZIO, FAIRCHILD, FREEMAN, GOOD, GOODMAN, GRUCELA, HANNA, HARHAI, HARPER, HERMAN, HESS, JAMES, JOSEPHS, KOTIK, LaGROTTA, LAUGHLIN, LEACH, LEDERER, LEVDANSKY, MACKERETH, MANDERINO, MARKOSEK, McGEEHAN, MUNDY, OLIVER, O'NEILL, PALLONE, PRESTON, READSHAW, ROBERTS, SCAVELLO, SOLOBAY, STERN, R. STEVENSON, SURRA, TANGRETTI, E. Z. TAYLOR, TIGUE, TRAVAGLIO, WALKO, WASHINGTON, YOUNGBLOOD and YUDICHAK

A Concurrent Resolution directing the appointment of a task force to study the health insurance market in this Commonwealth.

Referred to Committee on INSURANCE, March 8, 2004.

**No. 576** By Representatives GEORGE, DeWEESE, VEON, ALLEN, BALDWIN, BEBKO-JONES, BELFANTI, BROWNE, CLYMER, CORRIGAN, DALEY, DeLUCA, DENLINGER, FABRIZIO, FAIRCHILD, FREEMAN, GEIST, GOOD, GOODMAN, HARHAI, HERSHEY, HUTCHINSON, JAMES, KELLER, KIRKLAND, KOTIK, LAUGHLIN, LESCOVITZ, McCALL, McGEEHAN, R. MILLER,

PALLONE, PETRARCA, PISTELLA, ROBERTS, ROONEY, SAYLOR, SCAVELLO, SHANER, THOMAS, TIGUE, WALKO, WASHINGTON, WOJNAROSKI, YOUNGBLOOD and MILLARD

A Resolution urging the President and Congress of the United States to take action to protect American furniture makers from foreign competition by taking action to float China's currency on the general market and supporting antidumping measures against competing products from China, and urging the Department of Commerce and the United States International Trade Commission to support a petition from furniture makers regarding antidumping measures.

Referred to Committee on COMMERCE, March 8, 2004.

**No. 577** By Representatives GEIST and McCALL

A Resolution requesting the Attorney General of the Commonwealth to investigate the possibility of collusion in the establishment of fees within this Commonwealth as it pertains to motor vehicle emissions testing and any potential violations of the Unfair Trade Practices and Consumer Protection Law; and directing the Legislative Budget and Finance Committee to prepare a report on the actual costs incurred by emission inspection stations.

Referred to Committee on TRANSPORTATION, March 8, 2004.

**No. 581** By Representatives GEIST and McCALL

A Resolution recognizing the responsibility of the Commonwealth to examine the quality and efficiency of its State highway system; and establishing a select committee to consider toll roads.

Referred to Committee on TRANSPORTATION, March 8, 2004.

**No. 585** By Representatives WEBER, BENNINGHOFF, ARMSTRONG, BALDWIN, BARRAR, BELFANTI, BLAUM, CAPPELLI, CLYMER, CORRIGAN, CRAHALLA, CURRY, DeLUCA, DENLINGER, FICHTER, GEIST, GILLESPIE, GINGRICH, GOOD, HENNESSEY, HORSEY, KELLER, KILLION, KOTIK, LEDERER, MILLARD, O'BRIEN, O'NEILL, PALLONE, PICKETT, REICHLEY, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, TRUE, WALKO, BROWNE and J. TAYLOR

A Resolution memorializing the Congress of the United States to amend provisions of law relating to facilitation of law enforcement exchange of DNA identification information to expand the types of DNA samples which are entered into the Combined DNA Index System (CODIS).

Referred to Committee on JUDICIARY, March 8, 2004.

**No. 586** By Representatives STURLA, McGEEHAN, VEON, BARRAR, BEBKO-JONES, BELFANTI, BISHOP, CAWLEY, CORRIGAN, COSTA, CRAHALLA, DALEY, DeLUCA, DENLINGER, DeWEESE, FABRIZIO, FAIRCHILD, GEORGE, GERGELY, GOODMAN, HARHAI, HERMAN, KOTIK, LAUGHLIN, LEVDANSKY, MANN, McCALL, McILHATTAN, McNAUGHTON, MILLARD, S. MILLER, PALLONE, PAYNE, PETRARCA, PICKETT, SAINATO, SAYLOR, SCRIMENTI, SURRA, TANGRETTI,

TIGUE, WALKO, WEBER, WHEATLEY, WOJNAROSKI and YUDICHAK

A Resolution directing the Legislative Budget and Finance Committee to investigate the outsourcing of jobs occurring within this Commonwealth.

Referred to Committee on COMMERCE, March 8, 2004.

### SENATE BILLS FOR CONCURRENCE

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

**SB 9, PN 1416**

Referred to Committee on JUDICIARY, March 15, 2004.

**SB 769, PN 1388**

Referred to Committee on HEALTH AND HUMAN SERVICES, February 20, 2004.

**SB 815, PN 1389**

Referred to Committee on INSURANCE, February 20, 2004.

**SB 938, PN 1235**

Referred to Committee on TRANSPORTATION, February 20, 2004.

**SB 966, PN 1291**

Referred to Committee on TRANSPORTATION, February 20, 2004.

**SB 969, PN 1390**

Referred to Committee on TRANSPORTATION, February 20, 2004.

### FILMING PERMISSION

The SPEAKER. The Chair wishes to advise the membership that it has given permission to Lisa Sheerer and Rob Yannes of news organization TV-13, permission to videotape with audio.

It has also granted permission to Laura Stuft from the Eyewitness News the same privilege to take video and audio on the floor of the House of Representatives.

### SENATE MESSAGE

HOUSE BILL  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 514, PN 1792**, with information that the Senate has passed the same without amendment.

**COMMUNICATIONS FROM GOVERNOR****APPROVAL OF HOUSE BILLS**

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

**HB 1654, HB 2006, and HB 2332.**

**ACTUARIAL NOTES**

The SPEAKER. The Speaker acknowledges receipt of the following actuarial notes:

Amendment 4807 to HB 2109, PN 3111;  
Amendment 0017 to HB 2109, PN 3111;  
Amendment 0065 to HB 2109, PN 3111; and  
Amendment 4808 to HB 2109, PN 3111.

(Copies of actuarial notes are on file with the Journal clerk.)

**COMMUNICATION FROM  
AUDITOR GENERAL**

The SPEAKER. The Speaker acknowledges receipt of the certification in connection with the general obligation bond sale in accordance with the Capital Facilities Debt Enabling Act, Act No. 1999-1 as amended, and in accordance with Article VIII, section 7(a)(4), of the Constitution of the Commonwealth of Pennsylvania.

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

**REPORT SUBMITTED**

The SPEAKER. The Speaker acknowledges receipt of the Joint State Government Commission's report pursuant to SR 286 of 2002 on the funding and benefit structure of the Pennsylvania statewide public retirement systems, dated February 2004.

(Copy of report is on file with the Chief Clerk.)

**COMMUNICATION FROM  
PUBLIC SCHOOL EMPLOYEES'  
RETIREMENT SYSTEM**

The SPEAKER. The Speaker acknowledges receipt of the Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2003, for the Pennsylvania School Employees' Retirement System.

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

**COMMUNICATION FROM  
DEPARTMENT OF COMMUNITY  
AND ECONOMIC DEVELOPMENT**

The SPEAKER. The Speaker acknowledges receipt of the Department of Community and Economic Development's 2003 year-end allocation report as required by the Job Enhancement Act of 1996.

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

**COMMUNICATION FROM  
JOINT LEGISLATIVE AIR AND WATER  
POLLUTION CONTROL AND  
CONSERVATION COMMITTEE**

The SPEAKER. The Speaker acknowledges receipt of the annual report from the Joint Legislative Air and Water Pollution Control and Conservation Committee for 2003.

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

**COMMUNICATION FROM  
INSURANCE DEPARTMENT**

The SPEAKER. The Speaker acknowledges receipt of the Insurance Department's Flood Insurance Consumer Education Plan pursuant to Act 10 of Special Session No. 2 of 1996.

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

**COMMUNICATION FROM  
MELLON FINANCIAL CORPORATION**

The SPEAKER. The Speaker acknowledges receipt of the Public School Employees' Retirement System of Pennsylvania actuarial valuation dated June 30, 2003.

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

**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 514, PN 1792**

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

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

**FILMING PERMISSION**

The SPEAKER. The Chair grants permission to Roseanne Errigo from the news organization Journal of the Pocono Plateau for the purpose of still photography and videotaping and recording House activity on 3/15/04. Without objection, that will be granted.

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

**HB 994, PN 3427** (Amended) By Rep. GEIST

An Act empowering municipalities, counties and public transportation agencies to work cooperatively to establish Transit Revitalization Investment Districts (TRID), including partnerships with the National Railroad Passenger Corporation requiring planning studies, comprehensive plan and zoning amendments and use of existing statutes and techniques to achieve transit-oriented development, redevelopment, community revitalization and enhanced community character through TRID creation; establishing value capture areas as a means to reserve and use future, designated incremental tax revenues for public transportation capital improvements, related site development improvements and maintenance; promoting the involvement of and partnerships with the private sector in TRID development and implementation; encouraging public involvement during TRID planning and implementation; providing for duties of the Department of Community and Economic Development; and making an appropriation.

TRANSPORTATION.

**HB 1315, PN 3428** (Amended) By Rep. GEIST

An Act establishing a pilot program to provide for automated enforcement of meeting or overtaking school bus requirements in a selected school district; and making an appropriation.

TRANSPORTATION.

**HB 2055, PN 3423** (Amended) By Rep. SEMMEL

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further defining "soldier."

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**HB 2081, PN 3424** (Amended) By Rep. SEMMEL

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for early termination of housing rental agreement; and providing penalties.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**HB 2163, PN 2934** By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for lighted lamp requirements for motorcycles.

TRANSPORTATION.

**HB 2285, PN 3425** (Amended) By Rep. SEMMEL

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for death benefit eligibility.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**HB 2348, PN 3426** (Amended) By Rep. SEMMEL

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for deferred motor vehicle insurance coverage.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**LEAVES OF ABSENCE**

The SPEAKER. The Chair recognizes the majority whip, who moves for a leave of absence for the following members: the gentleman from Centre, Mr. BENNINGHOFF; the gentleman from Chester, Mr. ROSS; the gentleman from Schuylkill, Mr. ALLEN; the gentleman from Somerset, Mr. BASTIAN; the gentleman from Lehigh, Mr. SEMMEL; and the gentleman from York, Mr. SAYLOR. Without objection, those leaves will be granted.

The Democrat whip requests no leaves of absence.

The Chair returns to leaves of absence and recognizes the fact that the gentleman, Mr. Saylor, has asked for the leave of absence for the week.

**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—196**

Adolph	Fairchild	Lynch	Sainato
Argall	Feese	Mackereth	Samuelson
Armstrong	Fichter	Maher	Santoni
Baker	Fleagle	Maitland	Sather
Baldwin	Flick	Major	Scavello
Bard	Forcier	Manderino	Schroder
Barrar	Frankel	Mann	Scrimenti
Bebko-Jones	Freeman	Markosek	Shaner
Belardi	Gabig	Marsico	Smith, B.
Belfanti	Gannon	McCall	Smith, S. H.
Biancucci	Geist	McGeehan	Solobay
Birmelin	George	McGill	Staback
Bishop	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	Millard	Sturla
Caltagirone	Gruitza	Miller, R.	Surra
Cappelli	Habay	Miller, S.	Tangretti
Casorio	Haluska	Mundy	Taylor, E. Z.
Causer	Hanna	Mustio	Taylor, J.
Cawley	Harhai	Myers	Thomas
Civera	Harhart	Nailor	Tigue

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Allen	Benninghoff	Saylor	Semmel
Bastian	Ross		

LEAVES ADDED—4

Horsey	Preston	Thomas	Youngblood
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LEAVES CANCELED—3

Bastian	Benninghoff	Ross
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**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 2004, PN 3308**

By Rep. S. SMITH

An Act amending the compact contained in the act of June 5, 1937 (P.L.1664, No.348), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, relative to the development, use, and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational, and park purposes," changing provisions relating to the operation of motor boats.

RULES.

**GUESTS INTRODUCED**

The SPEAKER. The Chair would like to ask for some order. The Chair would like to recognize the gentleman from Monroe, the gentleman, Mr. Scavello. Mr. Scavello.

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

Mr. SCAVELLO. Good afternoon.

Let me first thank Msgr. Arthur Kaschenbach from St. Mary of the Mount Catholic Church in Mount Pocono for leading us in prayer this afternoon.

We are joined in the gallery by the mayor and a former mayor, and I am also a former mayor. We have 19 years of service to the borough of Mount Pocono as mayors. I would like to ask Bernie Pallo to rise, former mayor Bernie Pallo, and Mayor Nancy Golowich, the present mayor. Between us, we are 19 years.

We are also joined in the gallery by a group of parishioners from St. Mary of the Mount Roman Catholic Church in Mount Pocono, and if they may rise, please.

Monsignor Kaschenbach has been a resident of the borough of Mount Pocono since 1977, when he assumed his current position as pastor of St. Mary of the Mount Catholic Church and has tirelessly served his parishioners as well as the residents of the borough for the past 27 years. He has supported the community and given freely of his time to community events, such as Memorial Day and Veterans Day ceremonies. Monsignor truly exemplifies the finest virtues of American life and has earned deep respect and gratitude for his tireless efforts to benefit society as a whole.

Monsignor was Citizen of the Year 2003 for the Mount Pocono Borough, and he was awarded that distinction this past December, and I will present him with a citation in a few moments.

Thank you very much.

**125TH ANNIVERSARY COMMEMORATION  
OF 28TH INFANTRY DIVISION,  
PENNSYLVANIA ARMY NATIONAL GUARD**

The SPEAKER. Would the members please take their seats.

We are very proud to have with us today many distinguished members of the Pennsylvania National Guard's 28th Infantry Division. In honor of another historic milestone for Pennsylvania's National Guard and the Pennsylvania citizen soldiers who have served their country as part of this storied 28th Infantry Division, I would ask Representative Tigue and Representative Egolf to inform the members of the milestone, followed by an introduction of a very special guest.

Please give them every sign of respect.

Mr. TIGUE. Thank you, Mr. Speaker.

Mr. Speaker, today is indeed a momentous occasion for Pennsylvania's National Guard and the men and women who fill the ranks of what is the finest National Guard organization in our country.

Today, we would like to take time to honor the 28th Infantry Division as it celebrates its 125th anniversary as a military division in the United States Army. In fact, there are units which can trace their origins back to the Associators in Philadelphia, which were organized in the mid-1700s by Benjamin Franklin. But since its creation as a division in 1879,

Pennsylvania's 28th Infantry Division has always remained at the ready to be called upon by her nation in a time of war or by the Governor of our Commonwealth in a time of civil unrest or disaster.

We are truly proud and eternally grateful to those who are veterans or who are presently serving in the 28th Division. It is because of their unselfish sacrifices that our Commonwealth is a beacon of virtue, liberty, and independence.

And now Representative Egolf will introduce our special guest, the commanding general of the 28th Division, Gen. Wes Craig.

Thank you, Mr. Speaker.

Mr. EGOLF. Thank you, Representative Tigue.

It is my distinguished honor to have the privilege of introducing Maj. Gen. Wesley E. Craig, commanding general of the Pennsylvania National Guard's 28th Infantry Division.

General Craig, welcome to the House chamber, and thank you and your troops for honoring us with your presence here today.

General Craig was promoted to his current rank and appointed to his current command in October of 2003, and in this position he commands a National Guard mechanized infantry division consisting of 7 major subordinate commands and 25 battalions, all stationed in 95 communities in Pennsylvania, Ohio, and Virginia.

General Craig was commissioned as a distinguished military graduate from Temple's ROTC (Reserve Officers' Training Corps) program, and upon completion of active military duty, he joined the Pennsylvania National Guard in 1971 and has held numerous commands which have led him to the current position of division commander.

And on a personal note, I had the pleasure of accompanying General Craig to Washington just a few weeks ago for "National Guard Education" meetings with our congressional delegation, and I can tell you this, that each member in this chamber has quite a bit to be proud of. The 28th Division, made up of citizen soldiers from the many communities in our legislative districts across the State, is on the move. With the implementation of the division's new Stryker Brigade, which the general will mention in a few minutes here, our National Guard is indeed out in the forefront, and I can think of no better leader for this division than Maj. Gen. Wesley Craig.

Having said that, on behalf of the Speaker, the members of the House, the Veterans Affairs and Emergency Preparedness Committee, and the members of the entire House of Representatives, it is my honor to welcome General Craig and ask him to address this body on this momentous occasion. General Craig.

MAJOR GENERAL CRAIG. Thank you very much. Thank you. Thank you very much. Please be seated.

Mr. Speaker, honorable Representatives, General Wright, the Adjutant General of Pennsylvania, Lieutenant Colonel Blanchart from Belgium, today we honor the 125th anniversary of the 28th Infantry Division, Pennsylvania Army National Guard's Keystone Division, as we are known. We also pause to remember the 4,000 soldiers who have given their lives over our century and a quarter of service.

It is fitting that we come here to this august chamber in the heart of Pennsylvania to celebrate the great deeds of the division. It is often in beautiful places such as this that great soldiers are born. As has been mentioned, the journey of the

28th began in a similar place, colonial Philadelphia. In 1747 a famous printer, scientist, and politician named Benjamin Franklin published his pamphlet called "Plain Truth." In it, he warned of the looming dangers of privateers sailing up the Delaware River and burning and sacking the city of Philadelphia. In the face of strong Quaker passivism of the day, he called for a voluntary association of disciplined fighters to be picked from the middling people – farmers, shopkeepers, and tradesmen – just as we are today.

The response to his call was great. The voluntary associations of militia, called Associators, were formed. They served in the Revolution, the War of 1812, the Mexican War, and the Civil War with great distinction. On March 12, 1879, Gov. Henry Hoyt banded together all the Associator units into a single division, the only one then in service in the entire Army. He appointed John Hartranft, the Civil War Medal of Honor winner, as the first division commander. Thus was born the 28th Keystone Division. We have been in continuous service ever since.

Our first annual training period was held that summer for no pay. Unit members were paid only for their days of annual inspection. Privates in that day earned all of \$1.50.

A pause of our remarks at this point; the division colors are present.

Post the division colors.

(The colors were presented and posted by the 28th Infantry Division, Pennsylvania Army National Guard.)

MAJOR GENERAL CRAIG. Thank you. Please be seated.

The battle streamers on our colors represent all the campaigns from the division, including the Associator regiments, that go back as old as 1747.

After we were formed in 1879, the division grew quickly, and within the next several years a Regular Army inspector wrote, and I quote, "...I know of no other State...that can put into the field on as short notice, so well equipped and so efficient a body of men as Pennsylvania."

The Spanish-American War caused the entire division to be voluntarily mustered into Federal service. Three regiments of infantry, three batteries of artillery, and three cavalry troops saw service overseas in both Puerto Rico and the Philippines.

In 1904, after our return home, another Regular Army inspector wrote, "...Every time I saw the division...it was a marvel to me how so many citizens could be brought together from multitudinous callings from every town and city in the State and maneuvered with such" great "precision and order. Every credit is due the citizens of the Guard for the sacrifice they make and the good work they..." do, have done, and are continuing to do. The same is true today.

On June 22, 1916, the division was mobilized at Mount Gretna for the border campaign with Mexico. By July 25, we were assembled outside of El Paso, Texas, and spent the next 9 months chasing Pancho Villa. On March 17, 1917, we returned home. One month later, World War I began. The whole division was promptly drafted into Federal service and sent to Camp Hancock in Augusta, Georgia. Eight months of training later, we were shipped to England and then to France. France, as you know, is a lovely country, but unfortunately for her, it hosted one of history's greatest horrors, the trench warfare of World War I. We were committed to stop,

on the Champagne Marne, to stop the Germans' last offensive of that war. We stopped them cold. Within a week, we were counterattacking. Our coolness under fire and deadly marksmanship caused General of the Army John J. Pershing to come to visit. When he reviewed the force, he said, why, "You are not soldiers, you are men of iron," and hence we have carried that nickname as the "Iron Division" ever since. We went on the offensive and stayed on the offensive until the end of the war in 1918. Our return home resulted in a tumultuous parade of 8 1/2 miles through the city of Philadelphia on May 15, 1919, that was witnessed by the 2 million people in that city.

We were reconstituted in 1920. Many World War I veterans joined our ranks. Staff training began. There was a boom in armory construction. Mount Gretna was recognized as being too small to accommodate the size force, so Fort Indiantown Gap was developed and expanded, and by 1939 the division numbered 14,500 soldiers.

On February 17, 1941, we were mobilized for a year of training. Pearl Harbor came along and so did the year of training. We did not return home for 5 1/2 years.

We trained under three different division commanding generals. The most famous of them was known as Omar Bradley. We were shipped to England in October of '43, and we passed over Omaha Beach 6 weeks after Dday, on July 22, 1944. We participated in the Saint-Lo breakout, raced on to Paris, and paraded through this city on August 29, 1944. The famous painting showing large masses of soldiers marching 24 abreast under the Arc de Triomphe are none other than soldiers from the 110th Infantry Regiment of the 28th Infantry Division. We went on to liberate parts of Belgium and Luxembourg, and on September 10, 1944, we were the first American troops to pierce the Siegfried Line into Germany. We then committed to the bloody battle of Huertgen Forest, which cost us over 6,000 battle casualties. Later, we were moved to rest into the Ardennes section of France. As all of you who study American history know, the Battle of the Bulge followed a month later. The 28th Division held off eight German divisions and inflicted over 12,000 casualties on the attacking German force. War correspondent Morley Cassidy remarked that "For four days from 16-20 December, the main roads were denied the enemy. The type of resistance offered by the Keystone troops was one of the greatest feats ever..." of American arms. Victory over the Germans followed in the Colmar Pocket in February of '45. By the end of the war, we had spent 196 days in combat. We had fought against over 45 of the 90 divisions the Germans had on the Western Front. We had lost 9100 soldiers to wounds, 2600 missing in action, and almost 2,000 killed in action.

We returned to Pennsylvania on November 11, 1946. Maj. Gen. Dan Strickler, a remarkable gentleman, an attorney from the city of Lancaster, became the division commanding general. He had the distinct honor and privilege of commanding some of our soldiers in the 28th Division, both in World War I and in World War II, and while he was division commander, we were mobilized once again for the Korean war. We deployed to Germany as part of the NATO (North Atlantic Treaty Organization) force in November of 1951, stayed there – our colors stayed there – until 1954, when we were finally returned once again to Pennsylvania. The division stood at 50 percent strength by annual training 1955. We have since grown to the

force we are now of 14,000 soldiers. We are organized into two armor brigades, a division artillery brigade, an aviation brigade, a division support command, and the Stryker Brigade Combat Team that Representative Egolf just mentioned.

The Stryker Brigade is a brand-new concept. There are only five in the Active component and only one in the National Guard or Reserve, and that is our 56th Brigade headquartered in Philadelphia. It is a large brigade of motorized infantry mounted on a new eight-wheeled Stryker infantry armored vehicle. It has a tremendous amount of computer-based digital communications systems that gives it unparalleled situational awareness. It is highly mobile and is trained to work with joint forces. Its impact on Pennsylvania is tremendous and long lasting. More than a billion and a half dollars' worth of equipment and military construction will be invested in the Commonwealth of Pennsylvania in the next 4 years as a result of this brigade being given to the 28th Division.

We here in the division continue to serve our Commonwealth and country. Whether it be duty in response to domestic emergencies such as floods, blizzards, or riots or response to the call of the President in time of war, we will always be ready.

Since September 11, 2001, we have become the most deployed National Guard division in the entire country. We deployed almost 6,000 of our soldiers overseas for 6 months or more. We had 1200 going to Bosnia in SFOR 12; 2,000 to Task Force Keystone, our force protection mission in Europe; 1200 to Kosovo, KFOR5 Alpha. I am happy to take a moment to introduce the returning commander of KFOR5 Alpha who is with us in this chamber; he just got home 2 weeks ago – Brig. Gen. Jerry Beck. Jerry, please stand. Jerry, thank you for representing all of the KFOR5 Alpha. Job well done, and welcome home. It is great to have you back with us again.

As I speak to you in this chamber today, as you all know, there are 1200 of our soldiers currently on the ground in Iraq. We have been given warning orders for up to another thousand to 1200 more to Iraq and Afghanistan sometime in the next 6 months. In addition, we have been active on the homefront, committing over 400 soldiers for security here at home, whether it be at airports, nuclear powerplants, or Army and Air Force bases in the Commonwealth. Whatever the journey of the future, you can be sure that the volunteer citizen soldiers of the 28th Keystone Division will embark on it no matter how perilous.

As all of you know, it is human nature to question the future, wondering if the generations to come will show the same courage that the generations of yours did. In the play "Ben Franklin in Paris," the founder of the 28th Keystone Division had those same doubts: "[Of] those Americans to whom the name American will not be new," he asked, "will they love liberty, being given it outright in the crib for nothing?...And would they die for it" if necessary? The answer, Dr. Franklin, is yes. They still give their lives if necessary, and we still give our thanks.

Today, this great hall is quiet, but if you listen hard, you will hear the marching of thousands upon thousands of Keystone soldiers through the city of Harrisburg and all over the Commonwealth, for our journey never ends, not as long as we choose here in this country to live in freedom and not as long as the 28th Division chooses to fight for that freedom.

Thank you all for this time. May God bless the men and women of the 28th Keystone Division and the men and women of the Commonwealth of Pennsylvania.

Thank you.

The SPEAKER. General Craig, on behalf of the House of Representatives and the citizens of Pennsylvania, I want to congratulate the 28th Division on its 125th anniversary, and further, I want to thank the fine men and women of our National Guard for the many sacrifices that they have endured in regard to the post-September 11 military deployments of our Armed Forces.

Thank you for addressing this body here today, and rest assured, we in the General Assembly stand ready to assist the Pennsylvania Guard in all of its endeavors.

At this time, in honor of the 125th anniversary, I would like to call up HR 602, which commemorates this occasion. It would indeed be an honor to have a presentation copy of the resolution displayed at your 28th Division Headquarters here in Harrisburg.

**SUPPLEMENTAL CALENDAR A**

**RESOLUTION PURSUANT TO RULE 35**

Mr. SEMMEL called up **HR 602, PN 3387**, entitled:

A Resolution recognizing 125 years of service by the 28th Infantry Division, referred to as the Keystone Division, during the year 2004.

On the question,  
Will the House adopt the resolution?

(Members proceeded to vote.)

**LEAVE OF ABSENCE**

The SPEAKER. The Chair returns to leaves of absence, and there is a leave of absence requested for the gentlelady from Philadelphia, Ms. YOUNGBLOOD, for the week. Without objection, that leave will be granted.

**CONSIDERATION OF HR 602 CONTINUED**

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

The following roll call was recorded:

**YEAS—195**

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Benninghoff	Saylor	Youngblood
Bastian	Ross	Semmel	

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

**STATEMENT BY DEMOCRATIC LEADER**

The SPEAKER. The Chair at this time recognizes the gentleman, Mr. DeWeese.

The gentleman is entitled to be heard. Please keep the noise levels down.

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

Mr. DeWEESE. Thank you, Mr. Speaker.

Just 1 minute; 60 seconds.

Since I was a little boy, I think my reading passion has been military history, and some of us were remarking, as we looked at the young brigadier who just came back from Kosovo, it is hard to believe anybody could be a brigadier at that tender age, but many young men – at that time, just young men – died in October, November, and December 1944.

Of all of my reading in military history, and it is a hobby only for years and years and years, since grade school until



now, and last night the book I had was the life of Charles de Gaulle, so I am reading still about military history, but the 28th Division's actions in October 1944 in the Huertgen Forest are and always will be one of the dominant clashes in the history of arms. And so often we hear about other battles that resonate down through the corridors of history, but Pennsylvania boys in the Huertgen Forest of Belgium, Luxembourg, and after the breakout at Saint-Lo are amongst the most aggressive and trying and challenging moments on a battlefield that American soldiers ever fought upon.

So I wanted to add my own comment and congratulations to the men and women of this division and to make certain one more time that our membership remember October 1944, the battle of the Huertgen Forest.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

### GUESTS INTRODUCED

The SPEAKER. The Chair welcomes the Gaumann family of Havertown – Lisa, Chris, Morgan, and Kyle Gaumann. They are here today as guests of Representative Melissa Weber. They are in the balcony. Would those guests please rise and be recognized.

### LEAVES OF ABSENCE CANCELED

The SPEAKER. The Chair returns to leaves of absence and recognizes the presence in the hall of the House of the gentleman from Centre, Mr. Benninghoff; the gentleman from Chester, Mr. Ross; and the gentleman from Somerset, Mr. Bastian. Their names will be added to the master roll.

### CYNTHIA DeMARIA INTRODUCED

The SPEAKER. Under unanimous consent, the Chair recognizes the gentleman from Bucks, Representative Steil, for the purpose of introductions. Representative Steil.

Mr. STEIL. Thank you, Mr. Speaker.

It is my privilege, along with Representative Corrigan, to recognize Cynthia DeMaria, who is in the gallery with us today.

Cynthia is Pennsylvania's 2003 Bucks County Conservation Teacher of the Year. Ms. DeMaria is an 11th and 12th grade environmental sciences teacher at Pennsbury High School located in Fairless Hills, Bucks County. Cindy has worked tirelessly for many years to bring the best in environmental education to Pennsbury students.

Cindy also went on to win the Educator of the Year Award from the Pennsylvania Association of Conservation Districts and the National Association of Conservation Districts' Educator of the Year Award in Hawaii.

We congratulate her and extend her the best wishes of the House. Thank you.

### GUEST INTRODUCED

The SPEAKER. The Chair welcomes to the hall of the House Geoffrey Brace, a Lehigh University graduate student, an intern in Representative Freeman's office. He is the guest

today of Representative Robert Freeman from Northampton. The guest is in the balcony. Would that guest please rise.

### RESOLUTION PURSUANT TO RULE 35

Mr. GERGELY called up **HR 572, PN 3335**, entitled:

A Resolution designating March 15, 2004, as "Hungarian American Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

#### YEAS—198

Adolph	Evans, J.	Levdansky	Rubley
Argall	Fabrizio	Lewis	Ruffing
Armstrong	Fairchild	Lynch	Sainato
Baker	Feese	Mackereth	Samuelson
Baldwin	Fichter	Maher	Santoni
Bard	Fleagle	Maitland	Sather
Barrar	Flick	Major	Scavello
Bastian	Forcier	Manderino	Schroder
Bebko-Jones	Frankel	Mann	Scrimenti
Belardi	Freeman	Markosek	Shaner
Belfanti	Gabig	Marsico	Smith, B.
Benninghoff	Gannon	McCall	Smith, S. H.
Biancucci	Geist	McGeehan	Solobay
Birmelin	George	McGill	Staback
Bishop	Gergely	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	Millard	Sturla
Caltagirone	Gruitza	Miller, R.	Surra
Cappelli	Habay	Miller, S.	Tangretti
Casorio	Haluska	Mundy	Taylor, E. Z.
Causler	Hanna	Mustio	Taylor, J.
Cawley	Harhai	Myers	Thomas
Civera	Harhart	Nailor	Tigue
Clymer	Harper	Nickol	Travaglio
Cohen	Harris	O'Brien	True
Coleman	Hasay	Oliver	Turzai
Corrigan	Hennessey	O'Neill	Vance
Costa	Herman	Pallone	Veon
Coy	Hershey	Payne	Vitali
Crahalla	Hess	Petrarca	Walko
Creighton	Hickernell	Petri	Wansacz
Cruz	Horsey	Petrone	Washington
Curry	Hutchinson	Phillips	Waters
Dailey	James	Pickett	Watson
Daley	Josephs	Pistella	Weber
Dally	Keller	Preston	Wheatley
DeLuca	Kenney	Raymond	Williams
Denlinger	Killion	Readshaw	Wilt
Dermody	Kirkland	Reed	Wojnaroski
DeWeese	Kotik	Reichley	Wright
DiGirolamo	LaGrotta	Rieger	Yewcic
Diven	Laughlin	Roberts	Yudichak
Donatucci	Leach	Roebuck	Zug
Eachus	Lederer	Rohrer	
Egolf	Leh	Rooney	Perzel,
Evans, D.	Lescovitz	Ross	Speaker

NAYS—0

NOT VOTING—0

## EXCUSED—4

Allen                      Saylor                      Semmel                      Youngblood

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

**REPUBLICAN CAUCUS**

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

Mrs. TAYLOR. Thank you, Mr. Speaker.

The Republican majority caucus will meet immediately following the dismissal. I would think, Mr. Speaker, that we would need at least about, let us see, 1 1/2 hours – 3:30.

The SPEAKER. The Chair thanks the gentlelady.

**DEMOCRATIC CAUCUS**

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, the Democrats will likewise caucus immediately upon the recess of the House, and we will try to comply with the same schedule, returning to the floor at 3:30.

The SPEAKER. The Chair thanks the gentleman.

**APPROPRIATIONS COMMITTEE MEETING**

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

Mr. ARGALL. Thank you, Mr. Speaker.

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

The SPEAKER. The Chair thanks the gentleman.

Are there further announcements?

**RECESS**

The SPEAKER. This House is in recess until 4 p.m.

**RECESS EXTENDED**

The time of recess was extended until 4:30 p.m.

**AFTER RECESS**

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.

Mr. S. SMITH. Mr. Speaker, I move that the following bill be taken off the table: HB 168.

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 off the table: HB 654 and HB 2190.

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 654, PN 760; and HB 2190, PN 3286.**

**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 654 and HB 2190.

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

**LEAVES OF ABSENCE**

The SPEAKER. The Chair returns to leaves of absence, and the minority whip requests a leave of absence for the gentleman from Philadelphia, Mr. HORSEY, and the gentleman from Philadelphia, Mr. THOMAS. Without objection, those two leaves will be granted.

**REPORT OF  
COMMITTEE ON COMMITTEES**

The SPEAKER. The Chair recognizes the gentleman, Mr. Hasay, who reports the Supplemental Report of the Committee on Committees, which the clerk will read.

The following report was read:

March 15, 2004

**SUPPLEMENTAL REPORT OF  
COMMITTEE ON COMMITTEES****CHILDREN & YOUTH**

Representative Michael Turzai resigns from the House Standing Committee on Children & Youth. No replacement is being appointed to fill the vacancy on the House Standing Committee on Children & Youth at this time.

These changes take effect immediately.

Respectfully submitted,  
George C. Hasay, Chairman  
Committee on Committees

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

### BILLS REREPORTED FROM COMMITTEE

**HB 654, PN 760** By Rep. ARGALL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for approved reimbursable rental for leases hereafter approved and approved reimbursable sinking fund charges on indebtedness.

### APPROPRIATIONS.

**HB 1796, PN 2337** By Rep. ARGALL

An Act providing for the strengthening and enrichment of children and families by promoting safe, healthy and nurturing home environments, for the educational and supportive services of home visiting programs in this Commonwealth, for the Ounce of Prevention grant program and for integrated community-based delivery of services; specifying program requirements; designating an oversight board; providing for responsibilities of the board and the Department of Public Welfare; specifying criteria for community program grant funding; requiring training and an independent evaluation process; and providing for quality assurance.

### APPROPRIATIONS.

**HB 2166, PN 3429** (Amended) By Rep. ARGALL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for the definition of "manufacture."

### APPROPRIATIONS.

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

**HB 1120, PN 1322** By Rep. CLYMER

An Act establishing the William Penn Liberty Medal of Honor; providing for awarding of medals, for an advisory board and for design and cost of medals.

### STATE GOVERNMENT.

**HB 1412, PN 3431** (Amended) By Rep. CLYMER

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for district election boards.

### STATE GOVERNMENT.

**HB 2268, PN 3119** By Rep. CLYMER

An Act repealing provisions relating to a permanent centennial exposition building in Philadelphia.

### STATE GOVERNMENT.

**SB 907, PN 1174** By Rep. CLYMER

An Act authorizing and directing the Department of General Services, with the approval of the Department of Transportation and the Governor, to convey to Cumberland Township, certain permanent easements situated in Cumberland Township, Adams County.

### STATE GOVERNMENT.

**SB 975, PN 1302** By Rep. CLYMER

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Butler County, certain lands situate in the City of Butler, Butler County, Pennsylvania.

### STATE GOVERNMENT.

**SB 989, PN 1428** (Amended) By Rep. CLYMER

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Redevelopment Authority of Allegheny County certain lands situate in North Versailles Township, Allegheny County; and authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Lock Haven University Foundation, a nonprofit corporation, a certain tract of land situate in the City of Lock Haven, Clinton County, in exchange for a certain tract of land situate in the City of Lock Haven, Clinton County.

### STATE GOVERNMENT.

## CALENDAR

### RESOLUTIONS PURSUANT TO RULE 35

Ms. MUNDY called up **HR 563, PN 3310**, entitled:

A Resolution honoring the life of Charles M. Mattei and recognizing his dedication and commitment to the people of northeast Pennsylvania and his accomplishments in improving the transportation network in northeastern Pennsylvania.

On the question,  
Will the House adopt the resolution?

### RESOLUTION PASSED OVER

The SPEAKER. The Chair rescinds.  
HR 563 will be over for today.

\* \* \*

Mr. CIVERA called up **HR 564, PN 3311**, entitled:

A Resolution designating the month of March 2004 as "Multiple Sclerosis Awareness Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Allen	Saylor	Thomas	Youngblood
Horsley	Semmel		

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

\* \* \*

Mr. SOLOBAY called up **HR 565, PN 3312**, entitled:

A Resolution commending Sears, Roebuck and Co. for its exemplary extension of benefits and pay to military reservist employees called to active duty.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

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

NAYS-0

NOT VOTING-0

EXCUSED—6

Allen	Saylor	Thomas	Youngblood
Horsley	Semmel		

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

**SUPPLEMENTAL CALENDAR B**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2004, PN 3308**, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P.L.1664, No.348), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, relative to the development, use, and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational, and park purposes," changing provisions relating to the operation of motor boats.

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

The SPEAKER. It is moved by the gentleman, Mr. Wilt, 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—196

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Allen	Saylor	Thomas	Youngblood
Horsley	Semmel		

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**

**BILL ON THIRD CONSIDERATION**

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

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

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

Mr. **GODSHALL** offered the following amendment No. **A0060**:

Amend Sec. 1, page 1, lines 13 through 17, by striking out all of said lines and inserting

Section 1. Section 1770.2(c) of the act of August 9, 1955 (P.L.323, No.130), known as The County Code, amended December 22, 2000 (P.L.1019, No.142), is amended to read:

Amend Sec. 1 (Sec. 1770.2), page 2, line 25, by striking out all of said line and inserting

(5) Projects or programs that are directly and substantially related to tourism within the county, augment and do not unduly compete with private sector tourism efforts and improve and expand the county as a destination market.

(6) Any other tourism marketing or promotion  
 Amend Sec. 1 (Sec. 1770.2), page 2, lines 29 and 30; page 3, lines 1 through 12, by striking out all of said lines on said pages  
 Amend Sec. 2, page 3, lines 13 through 16, by striking out all of said lines and inserting  
 Section 2. Sections 1770.4 and 1770.5 of the act are amended by adding subsections to read:  
 Amend Sec. 1 (Sec. 1770.4), page 3, lines 23 through 30; page 4, lines 1 through 4, by striking out all of said lines on said pages  
 Amend Sec. 3, page 4, lines 6 through 9, by striking out all of said lines  
 Amend Sec. 3 (Sec. 1770.5), page 4, lines 17 through 28, by striking out all of said lines  
 Amend Sec. 4, page 4, line 30; page 5, lines 1 through 4, by striking out all of said lines and inserting  
 Section 3. Subsection (c) and the definition of “permanent resident” in subsection (f) of section 1770.6 of the act, added December 22, 2000 (P.L.1019, No.142), are amended and the section is amended by adding a subsection to read:  
 Amend Sec. 4 (Sec. 1770.6), page 5, line 26, by striking out all of said line and inserting  
(5) Projects or programs that are directly and substantially related to tourism within the county, augment and do not unduly compete with private sector tourism efforts and improve and expand the county as a destination market.  
(6) Any other tourism marketing or promotion  
 Amend Sec. 4 (Sec. 1770.6), page 6, lines 14 through 23, by striking out all of said lines  
 Amend Sec. 5, page 6, lines 25 through 28, by striking out all of said lines and inserting  
 Section 4. Sections 1770.7, 2399.23 and 2399.72 of the act are amended by adding subsections to read:  
 Amend Sec. 5 (Sec. 1770.7), page 7, lines 6 through 17, by striking out all of said lines  
 Amend Sec. 6, page 7, lines 19 through 22, by striking out all of said lines  
 Amend Sec. 6 (Sec. 2399.23), page 7, line 30; page 8, lines 1 through 11, by striking out all of said lines on said pages  
 Amend Sec. 7, page 8, lines 12 through 15, by striking out all of said lines  
 Amend Sec. 7 (Sec. 2399.72), page 8, lines 23 through 30; page 9, lines 1 through 4, by striking out all of said lines on said pages  
 Amend Sec. 8, page 9, line 5, by striking out “8” and inserting  
 5  
 Amend Sec. 8, page 9, lines 10 through 14, by striking out all of said lines  
 Amend Sec. 8, page 9, line 15, by striking out “(3)” and inserting  
 (2)  
 Amend Sec. 8, page 9, lines 16 and 17, by striking out all of said lines and inserting  
 (3) The remainder of this act shall take effect in 60 days.

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

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

Mr. GODSHALL. Thank you, Mr. Speaker.

This amendment really deals with Act 142 of 2000, and it is a bill that changes and what it does is codify into law the things that the room tax moneys can be used for. This is an amendment that was worked out with Chairman Lescovitz and his staff, my staff, and the County Commissioners Association over the last 9 months, and everybody is in agreement on this – the tourist promotion agency; as I said, the county commissioners and the staffs of both sides of the aisle.  
 I would ask for your favorable vote.

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—192

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

NAYS—4

Casorio	Lewis	Petrarca	Scavello
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NOT VOTING—0

EXCUSED—6

Allen	Saylor	Thomas	Youngblood
Horsey	Semmel		

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

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

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

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, Mr. Tigie.  
Mr. TIGUE. Thank you, Mr. Speaker.  
Mr. Speaker, I would like to interrogate the sponsor of the bill, please.

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

Mr. TIGUE. Thank you, Mr. Speaker.  
Mr. Speaker, in looking at this bill, what would the difference be between those who passed a hotel tax, say, now versus before 2000? What would they be not allowed to do under the current proposal?

Mr. GODSHALL. What we did with this was clarify. The original language was “tourism, convention promotion and tourism development.” That was the original language. What we did was change that, again, with the agreement of the Commissioners Association, to “Convention promotion...Marketing the area served by the agency as a leisure travel destination...Marketing the area served by the agency as a business travel destination...Using all appropriate marketing tools to accomplish these purposes, including, but not limited to, advertising, publicity, publications, direct marketing, direct sales and participation in industry trade shows...Projects or programs that are directly and substantially related to tourism within the county, augment and do not unduly compete with private sector tourism efforts and improve and expand the county as a destination market...Any other tourism marketing or promotion program deemed necessary by the recognized tourist promotion agency.”

Those were the changes, and it was actually clarifying and codifying the original intent.

Mr. TIGUE. Mr. Speaker, one other question: If a county would adopt a hotel tax and want to use it for something other – let us say, economic development – would they be allowed to do that?

Mr. GODSHALL. No. If a county adopted this tax now, they could not use it for economic development, because the tax was passed with the intent of the legislature, it was a room tax to be used for tourism purposes. That is originally what the intent of Act 142 was. In fact, it was totally the intent of 142, but there was some misuse because of the nonspecific language.

Mr. TIGUE. Thank you, Mr. Speaker.  
Mr. Speaker, I would like to make a statement, please.  
The SPEAKER. The gentleman is in order and may proceed.  
Mr. TIGUE. Thank you, Mr. Speaker.  
Mr. Speaker, I am not sure I agree with what the sponsor of the bill said about the intent. I think there are occasions and there are reasons that counties may want to pass a hotel tax and use it for things such as economic development, recreation, or something else. I think they should have the authority and the flexibility to do this.

So therefore, I would not support this bill, and I am asking that you oppose the bill.

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—187

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

Egolf Evans, D. Evans, J.	Leh Lescovitz	Rohrer Rooney	Perzel, Speaker
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NAYS-8

Casorio Cawley	Habay Lewis	Petrarca Scavello	Scrimenti Tigue
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NOT VOTING-1

Blaum

EXCUSED-6

Allen Horsey	Saylor Sommel	Thomas	Youngblood
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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.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 345, PN 391, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for adoption assistance programs; and making a repeal.

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

Mr. YUDICHAK offered the following amendment No. A0180:

Amend Sec. 1 (Sec. 2562), page 2, line 12, by striking out all of said line and inserting

- “Child.” An individual who:
  - (1) is under 18 years of age; or
  - (2) has a mental or physical handicap and is under 21 years of age.

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

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Allen Horsey	Saylor Sommel	Thomas	Youngblood
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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?

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, Mr. Birmelin. Mr. BIRMELIN. Thank you, Mr. Speaker.

As many of the members know, this bill was amended or at least had filed to it several dozen amendments in my name. I wanted to let the members know that those amendments are going to be withdrawn and that the issues that those amendments were intended to address, issues dealing with the



definition of marriage benefits for spousal relationship couples, et cetera, will be coming back in another day, perhaps in another form as well.

But at this point in time, I wanted to ask the members to vote for HB 345. As the chairman of the Children and Youth Committee, I called this bill up before the committee for a vote. I think it is a good bill. I commend Representative Yudichak on the sponsorship of the bill. I hope that the Senate will see the wisdom in what he is trying to do. It helps to place those children who are normally difficult to adopt; it makes it easier by making a financial incentive for those adopting parents to do that, and I would encourage members to vote for the Yudichak bill.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the final passage of the bill, the gentleman, Mr. Yudichak.

Mr. YUDICHAK. Thank you, Mr. Speaker.

I want to thank the chairman of the Children and Youth Committee, my colleague from Wayne County, who allowed this bill to come up in committee, that enjoyed the bipartisan support of that committee and I hope the universal support of this chamber.

I want to thank the gentleman from Wayne County for pulling his amendments and allowing this bill to help special-needs children throughout this Commonwealth to get a chance that every child should have in this life, and that is a chance at having a home and a loving family.

So I thank the gentleman, and I urge my colleagues to support HB 345.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-0

EXCUSED-6

Allen	Saylor	Thomas	Youngblood
Horsey	Semmel		

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.

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The House proceeded to third consideration of **HB 2353, PN 3281**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for staffing levels and limitations on inmate capacity at State correctional institutions.

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

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

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

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

The Chair recognizes the gentlelady from Philadelphia, Ms. Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, on HB 2353, I am a little conflicted on the practical matter that it raises but not on the principle that I want to address.

The bill is attempting to put staff ratios into our prisons for prison guards, and I think they have a very legitimate concern with regard to their safety within the institution and their ability to properly manage our inmate population, but I think we have a responsibility in this chamber as well with regard to the management of inmate population. There are a couple of bills that are languishing in Judiciary Committee, for example, that would help address the issue of the overpopulation in our prisons, and the big difference between the bill that is not making it out of Judiciary Committee and this bill is that the bill that is in Judiciary Committee would save us money and this bill is very likely to cost us more money.

We just finished Appropriation Committee hearings, and we lamented the hard decisions that we have to make within our limited budget resources, and at least one of my personal laments is how much we struggle to provide for adequate funding for our public schools, and our public school State average spending is \$9,000, and our public corrections average in spending per inmate is \$31,000, and all I keep thinking when I hear those numbers is \$9,000 for a child's education to do things right or \$31,000 for an inmate's incarceration when we do not get it right and they do something wrong.

And I just as a matter of principle, although I empathize with the correctional officers' needs, I cannot in good conscience vote for this bill that would inflate again our corrections budget. I would rather be voting for bills that would help us better manage the inmate overpopulation; get rid of the long, 9-months-and-more waiting list for parole so that we have people in 9 months longer than their minimum because of backlog and not because of discipline. I would just rather address the issue of inmate population from that point of view and save the Commonwealth a few dollars instead of costing them more, and so for that reason I am going to vote "no."

Thank you.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes the gentleman, Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

Mr. Speaker, I share the lady from Philadelphia's general observations regarding the need to get, I think, a better handle on some of the State's budget priorities. The specific need for this legislation, however, that Representative DeWeese and I have been working on is so that we can improve safety within our correctional institutions for the inmates, for the people who work inside the institutions as well as the general community. It is very simple. We are just looking for consistency throughout the State with regard to how the State correctional institutions are staffed.

The SPEAKER. The Chair recognizes the Democrat leader, Mr. DeWeese.

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

The gentlelady from Philadelphia has some good points, and they are keenly offered, but notwithstanding that, I would concur with the majority Appropriations chairman who just spoke, and I think that we are approaching a potential crisis situation within our State penitentiaries in Pennsylvania. We want to avert the calamity of Camp Hill a decade ago. We want to make certain that our institutions are safe and that they have

enough personnel to do the job. This measure will assure that, and I would ask for an affirmative vote.

Along with my Republican colleague, there has been a great deal of bipartisan support upon this. Every man and every woman who works in a State penitentiary in our Commonwealth is in favor of this proposal, and I am confident that the general population among the 12 million Pennsylvanians will be better served and our people will be incarcerated more aggressively if there is an affirmative vote.

Thank you.

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-188

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

## NAYS—8

Creighton Lynch	Maitland Manderino	Nailor Rubley	Steil Vance
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## NOT VOTING—0

## EXCUSED—6

Allen Horsey	Saylor Semmel	Thomas	Youngblood
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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.

**RESOLUTION**

Mr. VITALI called up **HR 40, PN 135**, entitled:

A Resolution amending House Rule 14.

On the question,  
Will the House adopt the resolution?

**RESOLUTION RECOMMENDED**

The SPEAKER. The Chair recognizes the gentleman from Lycoming, Mr. Feese.

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, I would move that we recommit HR 40 to the Committee on Rules.

The SPEAKER. The gentleman moves that HR 40 be recommitted to the Committee on Rules.

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

**PARLIAMENTARY INQUIRY**

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

Mr. VITALI. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his point.

Mr. VITALI. My resolution was called up for consideration by the House. Now, is it not appropriate in that circumstance that since it is my resolution, that at least I get a chance to lay it out, what the contents are, before we consider any motions on that? In other words, should I not have the floor at the point where my resolution is called up?

The SPEAKER. The gentleman, Mr. Feese, asked to be recognized first, and the Chair did do that.

Under that, it is now the gentleman, Mr. Vitali's turn, and we will allow some leeway, because of the way it was done, for Mr. Vitali to explain what his resolution did.

Mr. VITALI. Thank you, Mr. Speaker.

Mr. Speaker, what HR 40 is, is an amendment to the House rules – specifically, House rule 14 – and basically what it would do would be to prohibit three things. One, it would be to

prohibit using Commonwealth funds so that members could purchase commercial air time, commercial TV and radio time, for the so-called public service announcements; the second thing it would do would be to prohibit using Commonwealth funds so that House members could hire the outside telemarketing firms to call in to their districts; and then the third thing this would do would be to amend the House rules to prohibit Commonwealth funds to be used for bulk e-mailing by members within 60 days before an election.

And the reason for this is, in the last election cycle, we began to see an exponential use in Commonwealth funds for these purposes, for clearly campaigning purposes – an inappropriate use of tax dollars for campaigning purposes. I have no doubts that the messages are good – for example, the message that members are sending, the public service announcements, for example, of the do-not-call list. The problem though, Mr. Speaker, we are using this to build incumbents' name recognition primarily.

If this is such a good message, this message should go out to each and every district, not just districts where there is a contested election, and if these messages are so good, they should go out every year, not just in campaign years. The timing of the message and the selection of what members get the message belies their use. We are spending literally millions of dollars under the guise of doing something good and informing the public to build our own name recognition, to use tax dollars to build our name recognition for reelection purposes, and that is just plain wrong.

Mr. Speaker, it is inappropriate to recommit this to the Rules Committee for a number of reasons.

The purpose of recommitting something to Rules traditionally is to give something a chance to be studied further. Mr. Speaker, we do not need to study this further. Over 60 members in the last election cycle and more this cycle have already used this. We are very familiar with this.

We have been debating this. We brought this up 2 months ago. Members were aware this was coming. This is an issue not like many of the other issues we deal with. This is an issue we ourselves personally use. We are very familiar with this.

Mr. Speaker, we are coming into an election cycle. We have an April 27 primary. To recommit this, to bury this at this point, would just be to allow this misuse to go on for another election cycle.

Mr. Speaker, that is the second reason why we should not recommit.

The third reason is this: If some member is going to make the allegation that this needs to be amended in some way, this resolution has been hanging out there for months. Members have had the ample opportunity to amend this. So we have had the chance to amend it, we know the issue personally, and we are in the middle of an election cycle.

Mr. Speaker, the time to deal with this issue is now. Editorial boards across the State have editorialized against it. Columns have been written against it. Papers are watching. The eyes of your constituents are watching you now. What you do in this motion will be the vote you get to define yourself on this issue, so now is the time to say what you mean.

Elections should be fair. If we can use millions of Commonwealth dollars to get our names out, it is not fair to our challengers. It is not fair. It makes the election process less fair. It causes stagnation in the legislature, and it is just plain wrong.

So I ask, vote “no” on this motion to recommit. Let us deal with this thing right now.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority whip, Representative Feese.

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, I agree with Mr. Vitali, the gentleman from Delaware, that this resolution probably does not need amended, but if it is not amended by being recommitted to Rules, then in fact the gentleman’s intent cannot be achieved.

The gentleman indicated that his intent was to prohibit the use of Commonwealth funds for public service announcements and for telephone banks. The gentleman’s resolution, however, does not do that. The gentleman’s resolution is incorrectly drafted. The gentleman’s resolution, if adopted, fails to make any change at all because it is incorrectly drafted. Let me explain.

HR 40 is an attempt to amend our rule 14, which addresses members’ and employees’ expenses. The language of the rule and the language of the gentleman’s resolution states that no money appropriated for members’ and employees’ expenses shall be used for PSAs (public service announcements) or shall be used for telephone banks. Moneys appropriated to members’ and employees’ expenses are specific legislative accounts for specific purposes. PSAs and telephone banks on both sides of the aisle have not been paid for out of members’ expenses but have been paid for from leadership accounts, which are different, which are defined legislative accounts.

So the gentleman’s resolution, if adopted, does not achieve what he wants it to do. I cannot help it, Mr. Speaker, that the gentleman drafted his resolution incorrectly.

Secondly, for those of us who believe that using telephone and television is an appropriate means of communicating with our constituents, it does require further study. I am sure not everyone in this body realizes that you can communicate through a telephone bank with each household in your legislative district for 4.5 cents. Compare that to a price of mailing, if you wish to communicate with your constituents in a fast and effective and inexpensive way; compare that to mailings, which would be much more expensive. I believe the Committee on Rules should have an opportunity among the leaders on both sides of the aisle to look at those cost benefits.

Also, Mr. Speaker, in regard to public service announcements, we can produce a public service announcement and deliver it for our constituents at a cost which is equal to or in some cases, depending upon the media market, cheaper than we can for a mailing, which is accepted within the House, that we mail to our constituents.

So I believe, Mr. Speaker, for those reasons – one, that the leaders on both sides of the aisle on the Rules Committee should examine the cost benefit and what is fair and appropriate to our constituents as well as the taxpayers, who are also our constituents; and two, because the gentleman’s resolution does not, as drafted, achieve the intended purpose.

The SPEAKER. The Chair recognizes the Democrat leader, Mr. DeWeese.

Mr. DeWEESE. Thank you very much.

I would accede to the gentleman from Northampton, who is already at the microphone.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the motion to recommit.

The gentleman, Mr. Feese, raised some points about the drafting of the resolution. If it is felt that this resolution needs amending, let us do it here on the floor. Let us have a full debate by each and every rank-and-file member of this chamber – not to be sent to the Rules Committee, where its fate may be questionable; not to be sent to the Rules Committee, where only the leadership will have a chance to craft and decide what it will look like. Let us as a body, as an entire body, deal with this issue.

The issues embodied in the gentleman, Mr. Vitali’s resolution are timely. We need to be a much more accountable chamber. I think this is the kind of issue we deserve to debate here. If there is need of amendment, if there is need of refinement, let us do it here on this resolution on this floor. Let us not send it off to some committee, where it may never be heard from again.

I urge a “no” vote on the motion to recommit.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SAMUELSON. Thank you, Mr. Speaker.

The gentleman from Lycoming said this issue needs further study, and his suggestion is to recommit this bill to the Rules Committee in order to do that. I think we have to take a look at the track record of the Rules Committee on this particular resolution.

This resolution was introduced on February 6, 2003. It was referred on the first day it was introduced to the Rules Committee, and it sat in the Rules Committee for 355 days. It was released from the Rules Committee on January 27 of this year, only because there was a discharge resolution signed by 28 members of this House to force that bill to come out of the committee and be put up for an up-or-down vote before the House of Representatives. And we all know the rules. If 25 members of this House sign a discharge resolution, a bill or resolution does come before the House for a vote. So here we are; today is the day for that vote.

Over the last 355 days that this bill was in the Rules Committee, there were no meetings on this bill; there were no public hearings on this bill. If we recommit it to the Rules Committee, would we be sentencing it to another 355 days in committee? Do we have any guarantees that there would be committee hearings or public hearings on this bill?

Mr. Speaker, I respectfully ask that we vote “no” on the motion to recommit this to the Rules Committee once again. This bill has come out of Rules Committee. It is here before us today. Let us address the issues raised by Representative Vitali with a vote on HR 40 this afternoon.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. VITALI. Mr. Speaker, I wanted the courtesy, if I could have it, of being the last person to speak on this.

The SPEAKER. The floor leaders are allowed the privilege of being the last ones to speak, Mr. Vitali.

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

You know, Mr. Speaker, here we go again with another procedural motion to avoid voting on the substance of things we really do not want to vote against. I have been here too long not to know what is going on here, and I agree with my colleague from the Lehigh Valley. If the Rules Committee really was acting in good faith or if the motion to recommit to Rules was really being made in good faith, the Rules Committee would have acted upon that well before now and they simply have not.

Mr. Speaker, what the Republican leadership seems to be saying here is, this is not broad enough; my resolution as drafted is not broad enough. Well, if that is simply the case, we can pass it and then we can amend it at a later date to make it broader, to cover the other accounts that we are dealing with.

You know, Mr. Speaker, some of this language is pretty clear. I am looking on page 4. It says, “No Commonwealth funds, equipment, employees, facilities...” – yadda, yadda – shall be used for bulk e-mailing, and that does not limit it to members’ expenses.

You know, Mr. Speaker, this is a good, this is a good first step, which we can make stronger. We are going to kill this if we refer it to Rules. You know, I agree with my other colleague from the Lehigh Valley. What we want to do is not recommit this to Rules and debate it today, and if in the course of this full debate today, if in the course of this full debate today members have the desire to add more, then I would be fully supportive of a motion to pass this over until next Monday so we can file our amendments. This way we will be dealing with it right away, before the next primary.

Let me repeat that: If the members feel after a full debate today this is wanting, I would be willing to support a motion to pass this over till next Monday so we can have a debate and make the necessary modifications. But this motion to recommit is a motion to bury this. It is a motion to take it to a small group of leadership, who have ignored it and will continue to ignore it.

This is your chance to have this issue considered. A motion to recommit is tantamount to killing it. I urge a “no” vote.

Thank you.

The SPEAKER. The Chair recognizes the majority whip, Mr. Feese.

Mr. FESE. Thank you, Mr. Speaker.

Mr. Speaker, I agree with the gentleman from Delaware that in fact e-mails would be prohibited within 60 days of the election from any Commonwealth funds. The reality of it is, however, that the gentleman’s resolution does not apply to all Commonwealth funds as it relates to PSAs and telephone banks.

Now, the gentleman questions whether my motion is made in good faith, and I do not question that the gentleman has made his resolution in good faith, although I could maybe assume that he intentionally drafted it incorrectly so we could be here several times on the floor to talk about it, but the reality of it is, I do not question his good-faith motives. But in fact, if anyone here wants to prohibit tax-funded PSAs and they pass the gentleman’s resolution, HR 40, it does nothing; that is the reality.

I am not my brother’s keeper, Mr. Speaker. He drafted it incorrectly.

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

Mr. DeWEESE. Thank you, Mr. Speaker.

We are making progress on this issue. The majority whip and I, as recently as within the last hour, have adumbrated certain areas of the proposal where there may – and I do not want to put words in anyone’s mouth – but there may be progress on the PSAs, the public service announcements, amongst the leadership cadre, and I said “may.”

I am very much inclined to agree with the gentleman, Mr. Vitali, and I am not sure that all of my colleagues have arrived at the same conclusion, but the fact is, there are not very many people running against you Republicans and there are not very many people running against us Democrats, and although we institutionally are probably happy about that – I can see from the gentleman from Scranton’s beaming physiognomy that he is happy about that, and I cannot deny that I am happy about that also – but you get right down to the nub of the issue, Mr. Speaker: Pennsylvania democracy would be well served by the Vitali effort.

However, it is not well drafted, as has been stated by the gentleman from Lycoming, and I am willing at least at this juncture, in the eighth or ninth inning of the first game of a doubleheader, to go along with the gentleman and recommit.

However, there is a significant caveat to my own point of view, and that is, I am going to work with the gentleman, especially on the public service announcements, and the Democrats certainly are not holier-than-thou. We have been involved in this process just as the Republicans have been involved in this process. A long time ago congressional newsletters were a hot item, and our own newsletters were contested a decade ago or 15 years before as to the propriety of sending out newsletters vis-a-vis the political world. But when we have \$10,000, \$15,000, \$20,000 to invest in a public service announcement, it does become problematic and it is worthy of debate. I do not know exactly how the chamber would vote, but the gentleman does have a point of contention that is worthy of debate, and at the next opportunity, I would advocate a full-blown dialog from 203 House members on this very vital issue. I think it is fundamental to the preservation of a dynamic electoral system and a better Pennsylvania political climate.

I reluctantly, because of draftsmanship preeminently, because I agree with Mr. Feese: this proposal will not do what the honorable gentleman wants it to do. So I am fortunate that I have at least intellectually an easy out on this one, but the next time this train comes down the track, I am going to be with the gentleman, Mr. Vitali, especially on the public service announcement aspect of his proposal.

Thank you very much, Mr. Speaker.

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—129

Adolph	Diven	Leh	Ross
Argall	Egolf	Lewis	Rubley
Armstrong	Evans, D.	Mackereth	Ruffing
Baker	Evans, J.	Maher	Sather
Baldwin	Fairchild	Maitland	Scavello
Bard	Feese	Major	Schroder
Barrar	Fichter	Marsico	Smith, B.

Bastian	Fleagle	McGill	Smith, S. H.
Belardi	Flick	McIlhatten	Stairs
Belfanti	Forcier	McIlhinney	Steil
Birmelin	Gannon	McNaughton	Stern
Bishop	Geist	Metcalfe	Stetler
Boyd	Gillespie	Micozzie	Stevenson, R.
Bunt	Gingrich	Millard	Stevenson, T.
Butkovitz	Godshall	Miller, R.	Tangretti
Cappelli	Good	Miller, S.	Taylor, E. Z.
Casorio	Gruitza	Mustio	Taylor, J.
Causser	Habay	Nailor	Travaglio
Civera	Harhart	Nickol	True
Clymer	Harper	O'Brien	Turzai
Cohen	Harris	O'Neill	Vance
Corrigan	Hasay	Pallone	Veon
Costa	Hennessey	Payne	Walko
Coy	Hershey	Petri	Washington
Crahalla	Hess	Phillips	Weber
Dailey	Hickernell	Pickett	Wilt
Daley	Hutchinson	Pistella	Wojnaroski
Dally	James	Raymond	Wright
DeLuca	Keller	Readshaw	Zug
Denlinger	Kenney	Reichley	
Dermody	Killion	Rieger	
DeWeese	Kotik	Rohrer	Perzel,
DiGirolamo	Lederer	Rooney	Speaker

## NAYS—61

Bebko-Jones	Gabig	Lynch	Samuelson
Benninghoff	George	Manderino	Santoni
Biancucci	Gergely	Mann	Scrimenti
Blaum	Goodman	Markosek	Shaner
Browne	Gruela	McCall	Solobay
Buxton	Haluska	McGeehan	Staback
Caltagirone	Hanna	Melio	Surra
Coleman	Harhai	Mundy	Tigue
Creighton	Herman	Myers	Vitali
Cruz	Josephs	Oliver	Wansacz
Curry	LaGrotta	Petrarca	Waters
Donatucci	Laughlin	Petrone	Wheatley
Eachus	Leach	Reed	Williams
Fabrizio	Lescovitz	Roberts	Yewcic
Frankel	Levdansky	Roebuck	Yudichak
Freeman			

## NOT VOTING—5

Cawley	Sainato	Sturla	Watson
Kirkland			

## EXCUSED—7

Allen	Preston	Semmel	Youngblood
Horsley	Saylor	Thomas	

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

## SUPPLEMENTAL CALENDAR D

## RESOLUTION PURSUANT TO RULE 35

Mr. McGEEHAN called up **HR 608, PN 3432**, entitled:

A Resolution expressing condolences and urging the citizens of this Commonwealth to offer their support to those affected by the terrorist attacks of March 11, 2004, in Madrid, Spain.

On the question,  
Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes the gentleman from Philadelphia, Mr. McGeehan.

Mr. McGEEHAN. Thank you, Mr. Speaker.

Mr. Speaker, we are all aware by now of the devastating and tragic terrorist attack in Spain last week. As of today, over 200 people are dead and 1500 are injured. Mr. Speaker, I know that normally we do not engage in international politics here and deal with international issues, but I think this goes beyond international politics.

Mr. Speaker, I do not think any of us viewed those events and did not think about the tragic incident in America and the terrorist attack on the Twin Towers in New York. Mr. Speaker, I read of the horrific injuries to those in Spain, and my thoughts went back to those tragic days in America.

I was moved during that period to watch some foreign news coverage of the attack on New York, and in particular, I watched the CBC, the Canadian Broadcasting Company, and I was moved, Mr. Speaker, by the outpouring of support and condolences and sympathies and help that the Canadians and the Canadian government gave to America. That, Mr. Speaker, was worldwide. It was not just Canadians. It was the French, the Germans, the English, the Russians, and the Spaniards.

Mr. Speaker, I know that the House joins with me in extending our deepest condolences to King Juan Carlos and, more particularly, to the people of Spain and to the injured and to the persons who were killed in that attack.

Mr. Speaker, I ask that not only this House but the men and women around the Commonwealth remember those people in their prayers. Thank you.

The SPEAKER. The Chair thanks the gentleman.

## LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence. The minority whip requests a leave of absence for the gentleman from Allegheny, Mr. PRESTON. Without objection, that leave will be granted.

## CONSIDERATION OF HR 608 CONTINUED

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

The following roll call was recorded:

## YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Allen	Preston	Semmel	Youngblood
Horsley	Saylor	Thomas	

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

The SPEAKER. There will be no further votes cast.

Does the majority leader or minority leader have anything further?

### VOTE CORRECTIONS

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

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, my switch malfunctioned on final passage of HB 168. I would like to be recorded in the negative.

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

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

Mr. KIRKLAND. Thank you, Mr. Speaker.

I want to correct the record.

The SPEAKER. The gentleman is in order.

Mr. KIRKLAND. On HR 40 my switch malfunctioned, Mr. Speaker. I wanted to be recorded in the negative.

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

The Chair recognizes the gentlelady from Bucks, Mrs. Watson.

Mrs. WATSON. Mr. Speaker, my switch did malfunction. I would like to be recorded in the affirmative for HR 40. Thank you.

The SPEAKER. The Chair thanks the gentlelady, and the gentlelady's remarks will be spread across the record.

### REMARKS SUBMITTED FOR THE RECORD

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the names of Chris LaMarca and Jeff Winkler, who have recently been awarded Scouting's highest honor – Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Chris LaMarca and Jeff Winkler.

Whereas, Chris LaMarca and Jeff Winkler earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of these young men. They are members of Troop 5.

Now therefore, Mr. Speaker and members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the names of Chris LaMarca and Jeff Winkler.

### 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 gentlelady from Lebanon, Mrs. Gingrich.

Mrs. GINGRICH. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 16, 2004, 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 5:38 p.m., e.s.t., the House adjourned.